

ORDINANCE 2023 - 03

**AN ORDINANCE OF THE CASS COUNTY COMMISSIONERS, LOGANSFORT, VACATING
A CERTAIN ALLEY AND STREET IN THE COUNTY OF CASS**

WHEREAS, on the proper petition after public notice and hearing as provided by law, the Cass County Commissioners, Logansport, Indiana have heard evidence and testimony recommending that a certain alley and street be vacated and abandoned, such alley and street are fully described in the attached Exhibit; and

WHEREAS, the Cass County Commissioners, Logansport, Indiana has solicited input or accepted a waiver from adjoining landowners that might be affected by the vacation of said alley and street, and the vacation of said alley and street will have no adverse effect on them; and

WHEREAS, it is the desire of the Cass County Commissioners, Logansport, Indiana to vacate the above-described alley and street as noted, subject to an existing telephone cable lying in Canal Street, and pass to Jeff Smith and Rita Smith as appropriate; and

NOW, THEREFORE, BE IT ORDAINED by the Cass County Commissioners, Logansport, Indiana

SECTION 1. That the new legal descriptions of the alleys and streets as vacated should be described as part of the adjoining land owners, Jeff Smith and Rita Smith, subject to an existing TDS telephone cable lying in Canal Street. Upon execution of this Ordinance, the real property owners, Jeff Smith and Rita Smith, located at 7045 W Georgetown Rd., Logansport, IN grant to Camden Telephone Company, d.b.a TDS Telecom, with a mailing address of 525 Junction Road, Madison, WI. 53717 and its successor's access to any and all previously existing facilities on the properties herein named. Access includes, for telecommunications and other purposes, the right to use, maintain, operate, alter, modify, add to, repair, replace, and/or remove facilities and equipment that existed on the property before the execution of this agreement.

SECTION 2: That the vacation of the alley and street will not hinder the growth or development of the neighborhood in which they are located; will not make access to lands to any person by means of public way difficult or inconvenient; will not hinder the public's access to any

church, school, or any public building or place; or hinder the public way, and is not for public benefit or use.


SECTION 3. That this ordinance shall be in effect after its passage by the Cass County Commissioners, Logansport, Indiana.

Duly passed ordained and adopted this 17th day of April, 2023 by the Cass County Commissioners, Logansport, Cass County, Indiana by 3 in favor and 0 opposed.



Cass County Commissioners, Logansport, Indiana

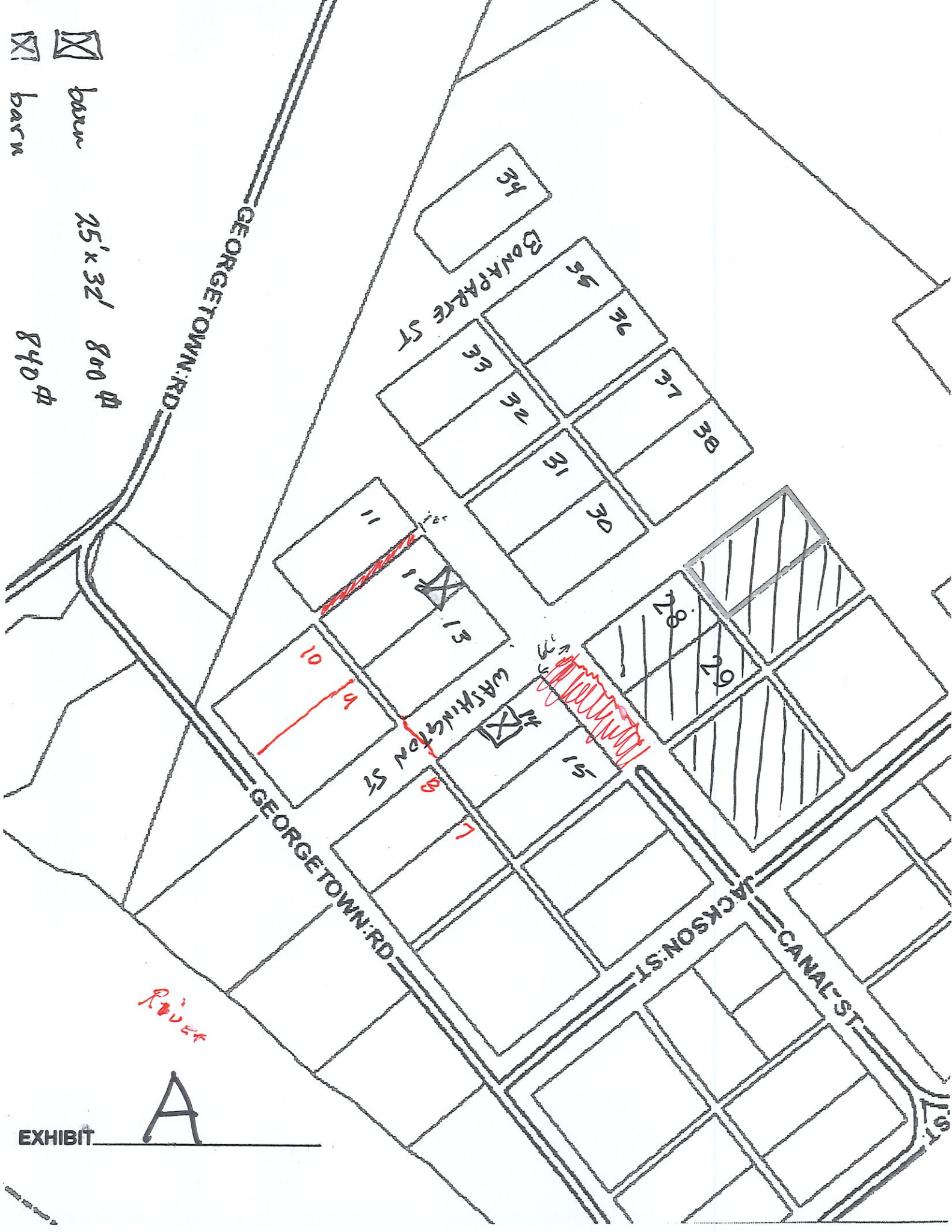


President, Cass County Commissioners

Attest: 

Cheryl Alcorn, Auditor, Cass County, Indiana

 barn
 barn
 25' x 32' 800 sq ft
 840 sq ft



EXHIBIT

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