

# Town of Zionsville

Petition for Town Council Approval

<b>Office Use Only</b>	
Petition No.:	_____
Hearing Date:	_____
Recommendation:	_____

### 1. VACATION INFORMATION:

General location and description of area to be Vacated: Five foot alley running north-south along the Eastern side of the property located at 50 E. Ash St. and along the western end of the abutting properties located at 410 N. Maple St, 420 N. Maple St., and 440 N. Maple St, whose consents are attached.

Reasons for and circumstances prompting the request: So that we can add a screened porch along the East side of the house at 50 E. Ash St.

### 2. PETITIONER / PROPERTY OWNER

Name: Douglas and Amy Fisher

Address: 50 E. Ash Street, Zionsville, IN 46077

Phone: 317-331-4496 E-Mail: amy.fisher@icemiller.com

### 3. PETITIONER'S ATTORNEY / CONTACT PERSON AND PROJECT ENGINEER:

#### Attorney / Contact Person:

Name: Amy Fisher

Address: 50 E. Ash St  
Zionsville, IN 46077

Phone: 317-331-4496

E-Mail: amy.fisher@icemiller.com

#### Engineer who prepared the Legal Description and Drawing Exhibit:

Name: Brian Rismiller, P.S.

Address: V3 Companies (formerly SEA Group)  
494 Gradle Drive, Carmel, IN 46032

Phone: 317-844-3333 x105

E-Mail: brismiller@v3co.com

### 4. Recorded Plat and/or Name of Right-of-Way affected by the Vacation:

A legal description of the alley to be vacated is attached as Exhibit 3, which references Plat Book 2, p. 67 and Record 63, p. 314-315.

### 5. Request for the Vacation of (check all that apply):

#### By the Town Council:

- Public Street Right-of-way
- Public Alley Right-of-way
- Easement

### 6. Required Attachments for all Vacation Petitions:

- Survey and Legal description of area to be Vacated
- Proof of Ownership (copy of deed) from all Petitioners
- List of Property Owners\*
- Owner Consent Form(s) from all Adjoining Property Owners who are not co-Petitioners
- Findings of Fact
- Statement of Commitments (if proposed)

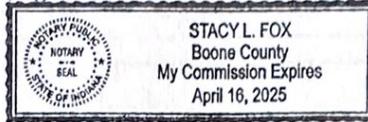
\* = If the request is for the Vacation of a Public Street, Public Alley, or recorded Easement, a list of all property owners which abut the area(s) to be Vacated, including their names, contact information, and a Consent Form from each abutting owner must be provided at the time of application.

The undersigned, having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes. Further, the applicant understands that this project may be assigned Engineering review fees, which are payable upon invoicing.

Signature of Owner or Attorney for Owner:

*[Signature]*  
Amy Fisher + Douglas Fisher

Date: 9/19/20



State of Indiana

County of Boone ) SS:

Subscribed and sworn to before me this 19<sup>th</sup> day of September, 2020.

*[Signature]*  
Notary Public Signature

Stacy Fox  
Notary Public Printed

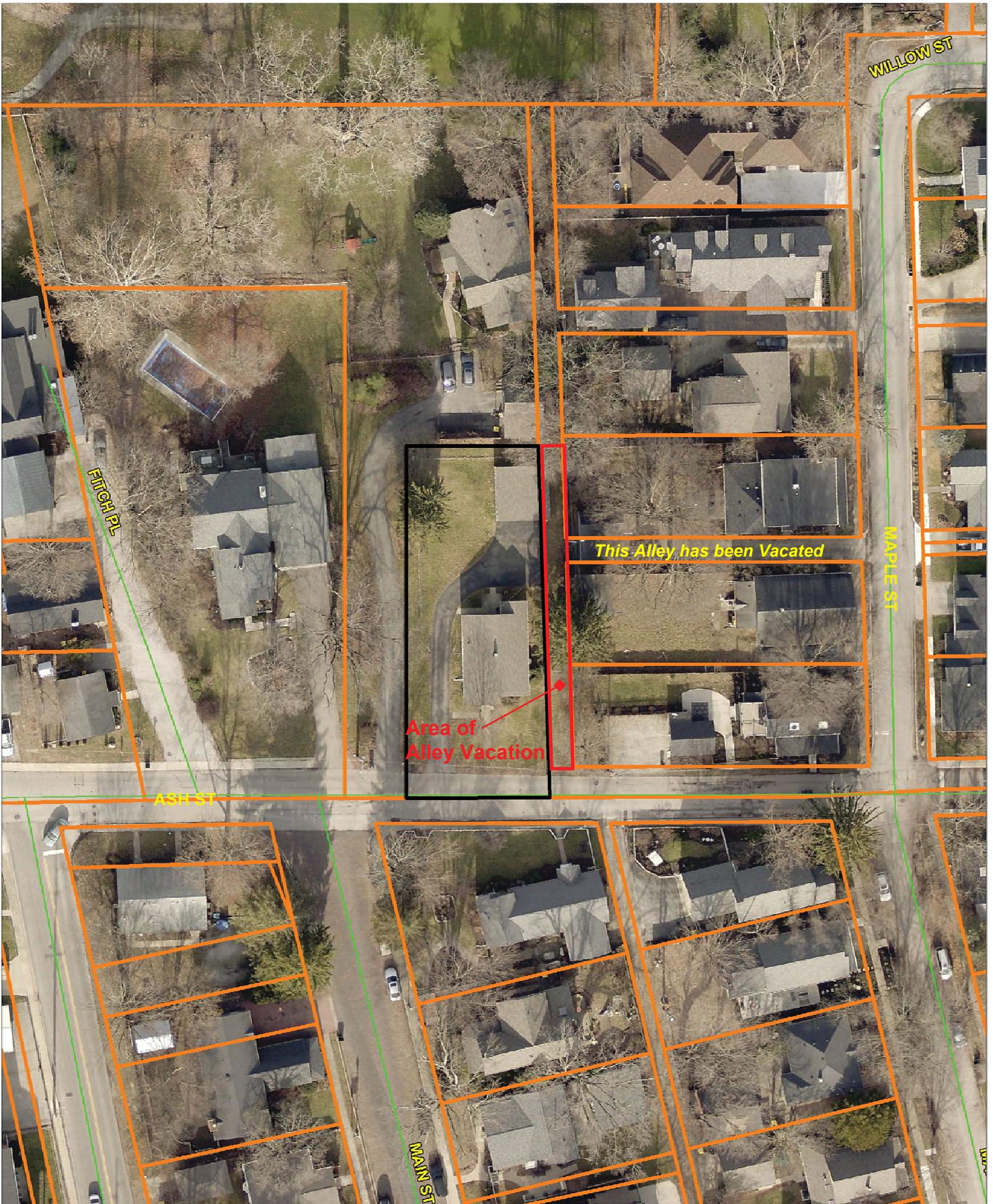
My Commission expires: 4/16/2025

My Commission No.: 0697728

My county of residence is Boone County.

#### PROCEDURES AND REQUIREMENTS:

1. A complete Vacation Petition ("Petition") must be submitted by **3:00 PM** a minimum of **31 days** prior to the hearing before the Town Council. Should a Petition require approvals from both the Town Council and the Plan Commission, those Vacation items applicable to the Town Council's approval must be heard first. Those Vacation items applicable to the Plan Commission's approval would be heard following the Town Council's hearing.
2. **Only complete Petitions will be placed on the agenda for the Town Council meeting.** If a Petition is incomplete 31 days prior to the next Town Council meeting, the Petition will not be placed on an agenda until the Petitioner submits a complete Petition.
3. **Fifteen (15) sets** of the following information must be submitted, with the notarized Petition, for internal staff review (an electronic copy of all submitted documents is also required):
  - Legal description and a drawing of the area to be Vacated.
  - If the area to be Vacated is within a recorded and platted subdivision, a copy of the recorded Plat must be provided with the area to be Vacated clearly identified.
  - Proof of Ownership from all Petitioners (copy of deed)
  - Owner's Consent from Adjoining Property Owner (if not signing as a co-Petitioner)
  - Statement of Commitments (if proposed)



WILLOW ST

FITCH PL

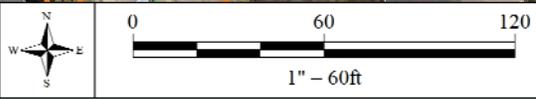
ASH ST

MAPLE ST

Area of Alley Vacation

This Alley has been Vacated

MAIN ST



**Alley Vacation: East side of 50 E. Ash Street**



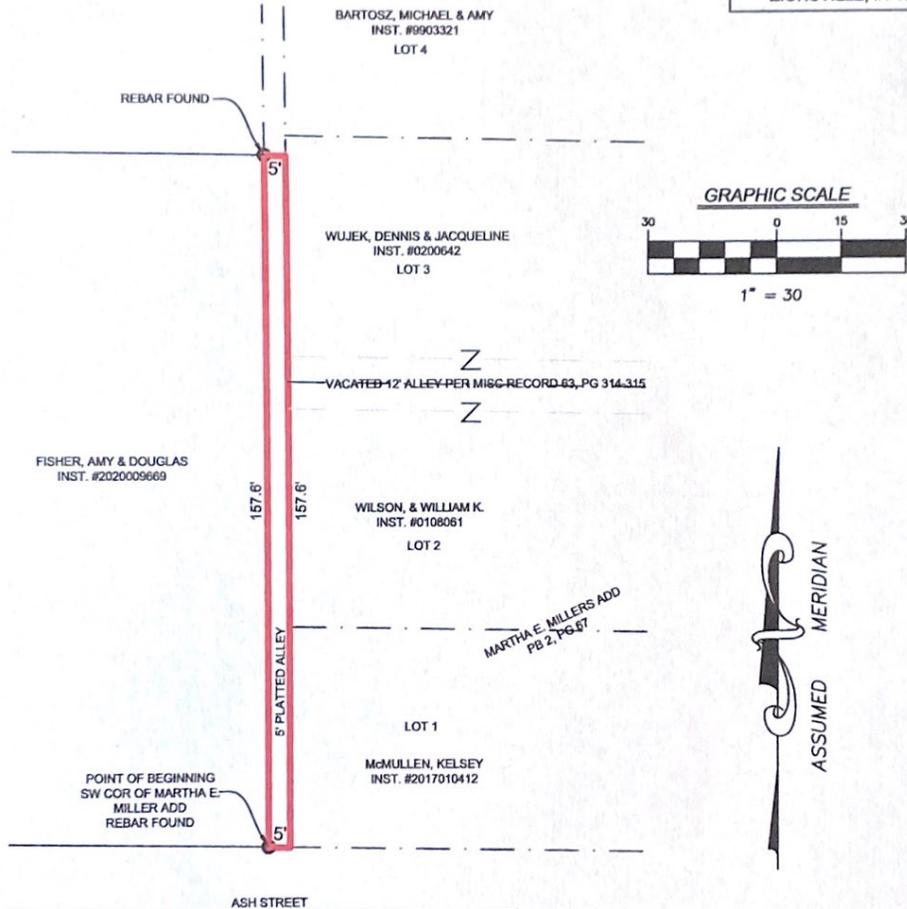
Formerly SEA Group  
 494 Gradle Drive Carmel, Indiana 46032  
 Phone: 317.844.3333 Fax: 317.844.3383  
 infocarmel@v3co.com V3co.com  
**Surveyors - Scientists - Engineers**

# VACATION EXHIBIT

PT OF SW 1/4 OF SE 1/4 OF S35-T18N-R2E

Drawing Prepared By: HMS  
 Drawing Scale: 1" = 30'  
 Drawing Date: 8/14/2020  
 Project Number: 20324

**DOUGLAS & AMY FISHER**  
 50 E ASH STREET  
 ZIONSVILLE, IN 46077



**PARTIAL ALLEY VACATION**

A PART OF MARTHA E. MILLERS ADDITION TO THE TOWN OF ZIONSVILLE, INDIANA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 67 IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA, BEING THE SOUTHERN 157.6 FEET OF THE WESTERN-MOST 5-FOOT ALLEY IN SAID SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID MARTHA E. MILLERS ADDITION; THENCE NORTH 157.6 FEET TO A REBAR FOUND; THENCE EAST PARALLEL TO THE NORTH LINE OF ASH STREET 5 FEET TO THE WEST LINE OF LOT 3; THENCE SOUTH ALONG THE WEST LINE OF LOTS 1-3 AND THE VACATED 12-FOOT ALLEY PER MISC. RECORD 63, PAGES 314-315 A DISTANCE OF 157.6 FEET TO THE SOUTHWEST CORNER OF LOT 1; THENCE WEST ALONG THE NORTH LINE OF SAID ASH STREET 5 FEET TO THE POINT OF BEGINNING.

**List of Property Owners Abutting Portion of Alley to Be Vacated**

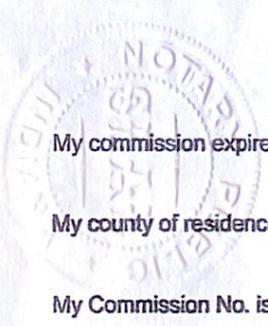
1. Douglas and Amy Fisher – Petitioners  
50 East Ash Street  
Zionsville, IN 46077
2. Kelsey McMullen – Consent Attached  
410 N. Maple Street  
Zionsville, IN 46077
3. William Wilson – Consent Attached  
420 N. Maple Street  
Zionsville, IN 46077
4. Dennis and Jackie Wujek – Consent Attached  
440 N. Maple Street  
Zionsville, IN 46077

**OWNER'S CONSENT  
(Adjoining Property Owner)**

The undersigned, Kelsey McMullen, being the owner of the property commonly known as 410 N. Maple St. Zionsville, IN 46077 ("aforementioned property") is aware of the Vacation Petition filed by Amy and Douglas Fisher and consents to the Vacation of the alley running north and south along the East side of 50 E. Ash Street and to the West end of related to the aforementioned property.

\_\_\_\_\_  
(Company name) - or Kelsey McMullen  
(Owner signature)  
By: \_\_\_\_\_  
(Authorized signature) Kelsey McMullen  
(printed Owner name)  
\_\_\_\_\_  
(printed name) \_\_\_\_\_  
(Owner signature)  
\_\_\_\_\_  
(Title) \_\_\_\_\_  
(printed Owner name)

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) SS:  
Subscribed and sworn to before me this 25<sup>th</sup> day of AUGUST, 2020.

 Philip J. Carson  
Notary Public Signature      PHILIP J. CARSON  
Notary Public Printed  
My commission expires 5-27-2024  
My county of residence is MARION County.  
My Commission No. is 0685990

**OWNER'S CONSENT  
(Adjoining Property Owner)**

The undersigned, William K. Wilson, being the owner of the property commonly known as 420 N. Maple St., Zionsville, IN 46077 ("aforementioned property") is aware of the Vacation Petition filed by Amy and Douglas Fisher and consents to the Vacation of the alley running north and south along the East side of 50 E. Ash Street and to the West end of related to the aforementioned property.

\_\_\_\_\_- or - W.K. Wilson  
(Company name) (Owner signature)  
By: William K. Wilson  
(Authorized signature) (printed Owner name)  
\_\_\_\_\_  
(printed name) (Owner signature)  
\_\_\_\_\_  
(Title) (printed Owner name)

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) SS:

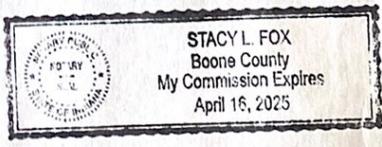
Subscribed and sworn to before me this 19 day of September, 2020

Stacy Fox , Stacy Fox  
Notary Public Signature Notary Public Printed

My commission expires 4/16/2025

My county of residence is Boone County.

My Commission No. is 069 7728



**OWNER'S CONSENT  
(Adjoining Property Owner)**

The undersigned, Dennis Wujek and Jackie Wujek, being the owner of the property commonly known as 440 N. Maple St., Zionsville, IN 46077 is aware of the Vacation Petition filed by Amy + Douglas Fisher and consents to the Vacation of the alley running north and south along the East side of 50 E. Ash St. and to the west end of related to the aforementioned property.

\_\_\_\_\_- or - Jackie Wujek  
(Company name) (Owner signature)  
By: Jackie Wujek  
(Authorized signature) (printed Owner name)  
\_\_\_\_\_  
(printed name) Dennis Wujek  
(Owner signature)  
\_\_\_\_\_  
(Title) Dennis Wujek  
(printed Owner name)

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) SS:

Subscribed and sworn to before me this 19th day of September, 2020.

Stacy Fox , Stacy Fox  
Notary Public Signature Notary Public Printed

My commission expires 4/16/2025

My county of residence is Boone County.

My Commission No. is 0697728

