

ORDINANCE NO. **25-05**

AN ORDINANCE VACATING A PORTION OF WOOD STREET
AND THAT OF AN ADJACENT PORTION OF ALLEY
WITHIN THE CITY OF WEST LAFAYETTE, INDIANA

WHEREAS, after due Notice and Public Hearing, the Common Council of the City of West Lafayette did consider on the ____ day of _____, 2005, the question of vacating of a portion of Wood Street and that of an adjacent portion of an alley within the City of West Lafayette, Indiana (collectively, the "Rights of Way");

WHEREAS, all necessary approvals and releases from all utility companies have been obtained and petitioner has complied with the provisions of IC 36-7-3.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of West Lafayette, Indiana, that:

Section 1. Effective immediately, the Rights of Way which are more particularly described in Exhibit A and shown in Exhibit B, be and hereby are, vacated, set over, and reverted to the abutting owners of the parcels listed in Exhibit C and as shown on the drawing attached hereto as Exhibit B.

Section 2. The abutting landowners will not be requested to compensate the City for the fair market value of the Rights of Way being vacated.

Section 3. This ordinance will be in full force and effect from and after its passage and signing by the Mayor and notice, as provided by law.

Section 4. The Clerk-Treasurer of the Common Council be directed, and hereby is directed, to furnish a copy of this Ordinance, duly executed, to the Recorder of Tippecanoe County for recording, and to the Auditor of Tippecanoe County.

ADOPTED AND PASSED by the Common Council of the City of West Lafayette, Indiana,
this ____ day of _____, 2005.

Presiding Officer

ATTEST:

Clerk-Treasurer

Presented by me to the Mayor of the City of West Lafayette, Indiana, this _____ day of _____, 2005, at the hour of _____ for her signature and approval.

Judith C. Rhodes, Clerk-Treasurer

Approved and signed by me, as Mayor of the City of West Lafayette, Indiana, this _____ day of _____, 2005, at the hour of _____.

Jan H. Mills, Mayor

ATTEST:

Judith C. Rhodes, Clerk-Treasurer

386650v1 [based on 386311v4]

EXHIBIT A
LEGAL DESCRIPTION OF STREET AND PORTION OF ALLEY TO BE VACATED

Part of the West half of the Southeast quarter of Section Nineteen (19), in Township Twenty-three (23) North, Range Four (4) West, City of West Lafayette, Wabash Township, Tippecanoe County, Indiana, being a part of the property depicted on a Plat of Survey by Vester & Associates, Inc., Job No. 99110POS, Document No. 0001922, recorded January 28, 2000, in the office of the Tippecanoe County Recorder, more completely described as follows, to-wit:

Beginning at the northeast corner of Lot 1 in Sheetz Heirs Addition to the Town of Chauncey, now the City of West Lafayette, Plat Book 75, Page 347, recorded March 9, 1882, in the office of the Tippecanoe County Recorder, said point being marked by a 3/4" rebar with an aluminum cap stamped "VESTER & ASSOC. INC.", hereinafter referred to as a Vester capped rebar,; thence along the north line of said Lot 1, North 88°23'07" West, 179.00 feet to a Vester capped rebar at the northwest corner thereof; thence along the west line of Lot 1 and Lot 2 in Sheetz Heirs Addition, South 00°09'15" East, 120.39 feet to the southwest corner of said Lot 2; thence North 88°25'16" West, 16.01 feet to the southeast corner of Lot 15 in Sheetz Heirs Addition; thence along the east line of Lots 15 and 16 in Sheetz Heirs Addition, North 00°09'15" West, 120.40 feet to a Vester capped rebar at the northeast corner thereof; thence along the north line of said Lot 16, North 88°23'07" West, 179.00 feet to a Vester capped rebar at the northwest corner thereof; thence North 00°39'43" West, 60.05 feet to a Vester capped rebar at the southwest corner of Lot 3 in Cheadle's Subdivision of Lots 17 and 18 in Marsteller's Addition to the City of West Lafayette, Plat Book 3, page 9 and Deed Book 157, page 202, recorded November 6, 1922, in said Recorder's office; thence along the south line of Lots 3 and 4 in Cheadle's Subdivision and Lot 1 in C. A. Marsteller's Addition, Plat Book 1, Page 9 and Deed Book 95, page 607, recorded February 25, 1892, in said Recorder's office, South 88°23'07" East, 374.00 feet to a Vester capped rebar at the southeast corner of said Lot 1; thence South 00°39'43" East, 60.05 feet to the point of beginning, containing 0.56 acres, more or less.

EXHIBIT B
DRAWING OF STREET AND PORTION OF ALLEY TO BE VACATED
(with designation of proposed division of Street and portion of alley, once vacated, between
abutting landowners)

(See attached.)

EXHIBIT C
LIST OF ABUTTING LANDOWNERS

Indicate names and addresses of owners of property and the COUNTY AUDITOR'S KEY NUMBER of that property adjacent to and across the street, alley or railroad right-of-way from the subject property.

KEY NUMBER	OWNER'S NAME	ADDRESS
164-02800-1357	Purdue Research Foundation	1022 Hovde Hall, Room 100 West Lafayette, IN 47907-1022
164-02800-1599 164-02800-1335	The Trustees of Purdue University	247 Hovde Hall West Lafayette, IN 47907-1030

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

IN THE CITY OF WEST LAFAYETTE
COMMON COUNCIL
COUNTY OF TIPPECANOE

**IN THE MATTER OF THE PETITION)
OF PURDUE RESEARCH FOUNDATION)
FOR THE VACATION OF A PORTION)
OF WOOD STREET AND AN ADJACENT)
PORTION OF AN ALLEY)**

PETITION FOR VACATION

PURDUE RESEARCH FOUNDATION (the “Petitioner”), an Indiana corporation (formed and existing under the Indiana Foundation or Holding Companies Act, Acts of 1921, ch. 246), by its counsel, STUART & BRANIGIN LLP, an Indiana limited liability partnership, respectfully petitions the Common Council of West Lafayette, Tippecanoe County, Indiana, for the vacation of the portion of Wood Street lying between Marsteller and Sheetz Streets (the “Street”) and a one hundred twenty (120) foot portion of an alley lying between Wood Street and Harrison Street (i.e., such alley runs parallel to Marsteller and Sheetz Streets) (the alley that runs between Wood Street and Harrison Street is referred to as the “Alley;” the portion of the Alley which is requested to be vacated is referred to as the “120 Feet of the Alley”), both of which are within the City of West Lafayette, Indiana, more particularly described in **Exhibit A**, more particularly shown on **Exhibit B**, and shows the Council that:

1. The Petitioner, The Board of Trustees of Purdue University, and 214 Marstellar LLC, an Indiana limited liability company, own all the properties adjacent to the

Street and the 120 Feet of the Alley, as is more particularly shown on the drawing attached as **Exhibit B.**

2. The Board of Trustees of Purdue University, (“The Trustees”) consent to this Petition and support the vacation requested by the Petitioner under this Petition. The Trustees’ letter of consent to this Petition and the proposed vacation is attached as **Exhibit C.**

3. 214 Marsteller LLC (“214 Marsteller”), an Indiana limited liability company, consents to this Petition and supports the vacation requested by the Petitioner under this Petition. 214 Marsteller’s letter of consent to this Petition and the proposed vacation is attached as **Exhibit D.**

4. The Petitioner requests the vacation of the Street and the 120 Feet of the Alley in connection with the Yue-Kong Pao Hall of Visual and Performing Arts (“Pao Hall”) on the north side of the Street.

5. Currently, Wood Street begins at Marsteller Street on the east side of the Agricultural Mall. This Petition proposes that Wood Street begin, one block east, at its intersection with Sheetz Street which is where Wood Street becomes a one-way street running east and joins the very heavily traveled State Road 26. Under this Petition, Wood Street would be one-way from its beginning at Sheetz Street where it joins up with State Road 26, through the entire distance it runs with State Road 26, until its intersection at Chauncey Avenue when State Road 26 joins with Chauncey Avenue to run to the north.

6. In recent years, the Petitioner and The Trustees have maintained a ground parking lot on their properties on the south side of the Street. The Petitioner and The Trustees intend to continue to maintain this parking lot to meet some of the parking needs for Pao Hall

(the “Pao Hall Parking Lot”). The 120 Feet of the Alley runs through the Pao Hall Parking Lot to intersect with the Street.

7. The main entrance of Pao Hall is located at the mid-point of the Street between Marsteller and Sheetz Streets. Vehicles dropping off or picking up persons at the main entrance must stop on the Street, blocking through traffic. Also, persons parking in the Pao Hall Parking Lot must cross the Street to reach the main entrance of Pao Hall.

8. The Petitioner and The Trustees propose to redesign the area of the Street and the 120 Feet of the Alley to enhance traffic safety and better serve the pedestrian and vehicular traffic in the Pao Hall area; specifically by redirecting through traffic, limiting cross traffic along Pao Hall, limiting traffic through the Pao Hall Parking Lot, and creating drop off and pick up areas for the new Pao Hall.

9. With the various street improvement projects and redirection of traffic in the area, the Street no longer provides the neighboring properties with their primary access; rather, State and Harrison Streets running east and west, and Marsteller and Sheetz Streets running north and south, now provide the properties in the area of Pao Hall with their primary, easy, convenient access to and from churches, schools, and other public buildings and places.

10. The vacation of Wood Street, and its subsequent redesign, eliminates the intended use of the 120 Feet of the Alley.

11. The portion of the Alley that excludes the 120 Feet of the Alley (the “Remaining Alley”) continues to serve as an access route to the garages, parking areas, garbage containers, delivery areas, etc. for the various individual properties that abut it. Upon approval of the request for vacation being made by this Petition, the Petitioner and The Trustees intend to grant to the public an easement for ingress and egress over, across, and through an existing

private drive that connects the Remaining Alley to Marsteller and Sheetz Streets, the area of the easement is more particularly described in Exhibit E, and shown on Exhibit B (the “Alternate Route”).

12. The existence of the neighboring thoroughfares and the provision of the Alternate Route mean that neither the Street nor the 120 Feet of the Alley are required as an access route for nearby properties, and their vacation will not make access from neighboring properties difficult or inconvenient or hinder access of any such properties to public ways.

13. The Petitioner has contacted the utility companies in connection with this Petition. The companies have expressed no opposition to this request per the letters attached as Exhibit F. The Petitioner has and/or will relocate any utilities lying in the 120 Feet of the Alley or within the Street, as required by the respective utilities.

14. Pao Hall is a positive addition to the Purdue University campus and the City of West Lafayette, Indiana, as a whole, and likely to increase traffic in this area. So, having safe access to, from, and around Pao Hall, will benefit all those traveling in the area of Pao Hall.

15. With the development of Pao Hall, the Street and the 120 Feet of the Alley no longer serve the function for which they were intended; their use as thoroughfares poses a threat to the safety of those who use them for pedestrian and vehicular through travel; and thus, it is in the interest of West Lafayette that they be vacated and ordered to be added to the abutting property owners listed on Exhibit G, as shown on Exhibit B in order for them to be put to better use in conjunction with the new Pao Hall.

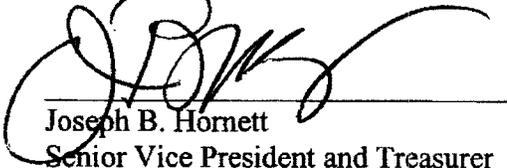
WHEREFORE, Petitioner requests that the Common Council set and hold a hearing on this Petition within thirty (30) days of its receipt of this Petition; that the Clerk-Treasurer of the Common Council give notice of this Petition and of the time and place of the

hearing, both in the manner prescribed in Indiana Code Chapter 5-3-1, and by Certified Mail to the owners of the abutting land to the property proposed to be vacated; that the Common Council, by Ordinance, vacate the Street and 120 Feet of the Alley, that the Clerk-Treasurer of the Common Council, after adoption of said Ordinance, furnish a copy thereof to the County Recorder for recording and to the County Auditor.

PETITIONER:

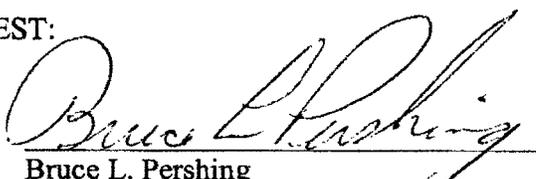
PURDUE RESEARCH FOUNDATION
an Indiana corporation (formed and existing
under the Indiana Foundation or Holding
Companies Act, Acts of 1921, ch. 246)

By:


Joseph B. Hornett
Senior Vice President and Treasurer

ATTEST:

By:


Bruce L. Pershing
Investment Officer and Corporate Secretary

ATTORNEYS FOR PETITIONER:

STUART & BRANIGIN LLP
an Indiana limited liability partnership

By:

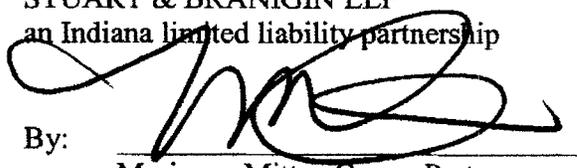

Marianne Mitten Owen, Partner
The Life Building
300 Main Street, Suite 900
Post Office Box 1010
Lafayette, Indiana 47902-1010
Telephone: (765) 423-1561
Facsimile: (765) 742-8175

EXHIBIT A
LEGAL DESCRIPTION OF STREET AND PORTION OF ALLEY TO BE VACATED

Part of the West half of the Southeast quarter of Section Nineteen (19), in Township Twenty-three (23) North, Range Four (4) West, City of West Lafayette, Wabash Township, Tippecanoe County, Indiana, being a part of the property depicted on a Plat of Survey by Vester & Associates, Inc., Job No. 99110POS, Document No. 0001922, recorded January 28, 2000, in the office of the Tippecanoe County Recorder, more completely described as follows, to-wit:

Beginning at the northeast corner of Lot 1 in Sheetz Heirs Addition to the Town of Chauncey, now the City of West Lafayette, Plat Book 75, Page 347, recorded March 9, 1882, in the office of the Tippecanoe County Recorder, said point being marked by a 3/4" rebar with an aluminum cap stamped "VESTER & ASSOC. INC.", hereinafter referred to as a Vester capped rebar,; thence along the north line of said Lot 1, North 88°23'07" West, 179.00 feet to a Vester capped rebar at the northwest corner thereof; thence along the west line of Lot 1 and Lot 2 in Sheetz Heirs Addition, South 00°09'15" East, 120.39 feet to the southwest corner of said Lot 2; thence North 88°25'16" West, 16.01 feet to the southeast corner of Lot 15 in Sheetz Heirs Addition; thence along the east line of Lots 15 and 16 in Sheetz Heirs Addition, North 00°09'15" West, 120.40 feet to a Vester capped rebar at the northeast corner thereof; thence along the north line of said Lot 16, North 88°23'07" West, 179.00 feet to a Vester capped rebar at the northwest corner thereof; thence North 00°39'43" West, 60.05 feet to a Vester capped rebar at the southwest corner of Lot 3 in Cheadle's Subdivision of Lots 17 and 18 in Marsteller's Addition to the City of West Lafayette, Plat Book 3, page 9 and Deed Book 157, page 202, recorded November 6, 1922, in said Recorder's office; thence along the south line of Lots 3 and 4 in Cheadle's Subdivision and Lot 1 in C. A. Marsteller's Addition, Plat Book 1, Page 9 and Deed Book 95, page 607, recorded February 25, 1892, in said Recorder's office, South 88°23'07" East, 374.00 feet to a Vester capped rebar at the southeast corner of said Lot 1; thence South 00°39'43" East, 60.05 feet to the point of beginning, containing 0.56 acres, more or less.

EXHIBIT B

DRAWING OF STREET AND PORTION OF ALLEY TO BE VACATED

(with designation of proposed division of the Street and 120 Feet of the Alley, once vacated,
between abutting landowners)

(See attached.)

EXHIBIT C
CONSENT OF PURDUE

(See attached.)

PURDUE

UNIVERSITY

BOARD OF TRUSTEES

July 19, 2005

Common Council
City of West Lafayette
City Hall
609 West Navajo
West Lafayette, Indiana 47906

Re: Petition of Purdue Research Foundation for the vacation of a portion of Wood Street and a portion of an adjacent alley within the City of West Lafayette, Indiana

Dear Council Members:

This letter is being sent to you at the request of the Purdue Research Foundation ("PRF") in connection with the above-referenced Petition.

As noted in its Petition, PRF requests the vacation of the portion of Wood Street lying between Marstellar and Sheetz Streets, as well as a portion of the alley adjacent to that part of Wood Street, in order to facilitate the use and operation of our recently completed Yue-Kong Pao Hall of Visual and Performing Arts ("Pao Hall").

Pao Hall is now the home of the Department of Visual and Performing Arts, with state-of-the-art classrooms, studios, practice rooms, theaters and offices for the disciplines of art, design, dance and theater. Pao Hall is intended to be not only a place for the pursuit and enjoyment of the arts in their traditional form, but also a place where new technologies in the arts may be fostered and explored.

Pao Hall sits between Marstellar and Sheetz Streets on the North side of Wood Street. The main entrance for Pao Hall is on Wood Street, with the ground parking for Pao Hall directly across Wood Street to the South. Without the requested closure, persons arriving to and departing from Pao Hall, either on foot or by car, would face the vehicular traffic along Pao Hall on Wood Street.

The proposed vacation will allow for a significant enhancement to the Pao Hall area not only for the persons who use Pao Hall, but also those who travel through the area. Following your approval of the requested vacation, we, along with PRF, will reconstruct the vacated area so its primary purpose will be for pedestrian circulation, public gathering and artistic display. The design will more safely accommodate pedestrian circulation in the area of Pao Hall, particularly during performances and/or art exhibits that generate heavy public use of the facility. Pick up and drop off of patrons will be accommodated in the parking area immediately south of the vacated Wood Street. This will lead vehicular traffic that is passing through the area to use Harrison and State Streets, which are better suited to and are intended for such traffic.

The vacation of the portion of Wood Street lying between Marstellar and Sheetz Streets, as well as a portion of the alley adjacent to that portion of Wood Street, as more particularly outlined in the Petition, will be a benefit not only for those drawn to Pao Hall, but also for those who travel through the area by removing local traffic from the path of through traffic.

Thus, the undersigned respectfully requests that the Council approve this vacation request.

Very truly yours,

The Board of Trustees of
The Trustees of Purdue University

By:

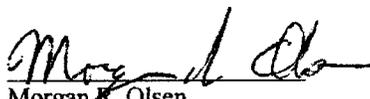
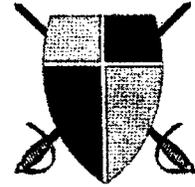

Morgan K. Olsen
Treasurer



EXHIBIT D
214 MARSTELLAR CONSENT LETTER

(See attached.)

TRINITAS VENTURES LLC



LOREN P. KING,
CHIEF OPERATING OFFICER and
GENERAL COUNSEL
lpking@trinitas-ventures.com

1890 Lindberg Road
West Lafayette, IN 47906
phone: (765) 464-2800
fax: (765) 464-2804

August 24, 2005

Common Council
City of West Lafayette
City Hall
609 West Navajo
West Lafayette, Indiana 47906

Re: Petition of PRF for the Vacation of a Portion of Wood Street and a Portion of an Adjacent Alley within the City of West Lafayette

Dear Council Members:

This letter is being sent to you at the request of the Purdue Research Foundation ("PRF") in connection with the above-referenced Petition on behalf of the owners (Michael and Deborah King through 214 Marstellar LLC) and manager (Trinitas Ventures) of 214 Marstellar Street, which is known as King's Korner.

King's Korner is a 23 apartment unit complex that faces Marstellar Street and backs up to a portion of the alley proposed for vacation. Please see the attached drawing that better shows our property in relation to the areas proposed for vacation.

Our property is perhaps the privately-owned property most impacted by the proposed vacation. The areas proposed for vacation have served as significant access routes to and from our property. Both the tenants of our apartments as well as those persons who service our apartments (i.e., trash collectors, utility companies, etc.) have used the alley and Wood Street quite extensively to get to and from our apartments. So, as you might guess, we have had considerable interest in PRF's plans for the area in connection with their Petition.

When the PRF representatives reviewed their plans with us for the reconstruction of the vacated area and their adjacent properties, our initial concerns about the vacation were addressed. Those plans provide for PRF to improve the current access drive to their parking lots to the North of our property to serve as a replacement for the vacated portion of existing alley. The proximity of this access drive to our property coupled with the improvement of the alley to allow for better traffic flow by both passenger vehicles and service vehicles to and from our property and the others along the alley is a win-win solution for all parties.

Thus, on behalf of the abovementioned parties, I respectfully request the Council to approve this vacation.

Regards,

A handwritten signature in black ink, appearing to read "Loren P. King", with a long horizontal flourish extending to the right.

Loren P. King

EXHIBIT E
ALTERNATE ROUTE LEGAL DESCRIPTION

A part of the West half of the Southeast quarter of Section Nineteen (19), in Township Twenty-three (23) North, Range Four (4) West, City of West Lafayette, Wabash Township, Tippecanoe County, Indiana, being a part of the Purdue Research Foundation property described in Document No. 9320748, recorded September 16, 1993 and the Trustees of Purdue University property as described in Document No. 9607775, recorded April 26, 1996, in the office of the Tippecanoe County Recorder; said properties being depicted on a Plat of Survey by Vester & Associates, Inc., Job No. 99110POS, Document No. 0001922, Recorded January 28, 2000, in the office of the Tippecanoe County Recorder; said easement being more completely described as follows, to-wit:

Commencing at the southwest corner of Lot 15 in Sheetz Heirs Addition to the Town of Chauncey, now the City of West Lafayette, Plat Book 75, Page 347, recorded March 9, 1882, in the office of the Tippecanoe County Recorder; thence along the west line of said Lot 15, North 00°19'33" East, 24.82 feet to the point of beginning of the herein described easement; thence continuing North 00°19'33" East, 24.01 feet; thence South 88°07'49" East, 375.28 feet to the westerly right-of-way line of Sheetz Street; thence along said right-of-way line, South 00°38'18" East, 24.02 feet; thence North 88°07'49" West, 159.85 feet; thence South 40°40'56" West, 30.57 feet to the southwest corner of Lot 2 in said Sheetz Addition; thence North 88°25'16" West, 16.01 feet to the southeast corner said Lot 15; thence North 39°13'31" West, 31.71 feet; thence North 88°07'49" West, 159.82 feet to the point of beginning, containing 0.23 acres, more or less.

EXHIBIT F
UTILITY COMPANY LETTERS

(See attached.)



Cinergy/PSI
601 North Third Street
Lafayette, IN 47901

Wednesday, June 15, 2005

West Lafayette City Council
609 West Navajo St.
West Lafayette, IN. 47906

RE: Vacation of Wood St & alley segment in West Lafayette

Dear Council Members:

CINERGY/PSI does not oppose the vacation of the Wood St. segment between Marsteller and Sheetz St. and the associated alley segment adjacent to Purdue's Visual Performance Arts Center, located in the block bounded by Marsteller, Wood, Sheetz and Harrison Streets. We have no appurtenant infrastructure in subject street and alley segments and adjacent properties owned by Purdue University and Purdue Research Foundation. Title research for the area shows no recorded easements.

Sincerely,

A handwritten signature in black ink that reads "Jeremy K. Lewis".

Jeremy K. Lewis
Customer Projects Supervisor
Cinergy/PSI



West Lafayette Network
Christopher Johnsen,
Operations Superintendent

August 23, 2005

West Lafayette City Council
609 West Navajo St.
Lafayette, IN 47906

RE: Vacation of Wood St. and alley segment in West Lafayette

Dear Members of the Council,

On January 21, 2004, Mr. Larry Tipton, former Operations Manager, had sent a letter concerning the vacating of the segment of Wood St. and the associated alley segment adjacent to Purdue's Visual Performing Arts Center, located in the block bounded by Marstellar, Wood, Sheetz, and Harrison Streets. I, as current Operations Superintendent, am writing to reiterate the position that Indiana-American Water does not object to the vacation of this road section. The twenty-foot stub of existing water main, mentioned in the previous letter, is still present, and would need to be protected through the project.

I have attached a faxed copy of the previous letter for reference. If you have any questions, please contact my office.

Sincerely,

A handwritten signature in black ink that reads "Christopher Johnsen".

Christopher Johnsen

1007 Happy Hollow Road
P.O. Box 2359
West Lafayette, IN
47996-2359

T (765)743-7973 ext. 14
F (765)743-1912
I www.amwater.com
E christopher.johnsen@amwater.com

WOOD ST



Insight Communications - 325 South Creasy Lane - Lafayette, IN 47905 - Main 765.447.9488 - Fax 765.447.7622

**West Lafayette City Council
609 West Navajo St.
West Lafayette, IN 47906**

RE: Vacation of Wood St. & alley segments in West Lafayette.

Dear Council Members:

Insight Communications does not oppose the vacation of Wood St segment between Marstellar and Sheetz St. and the associated alley segment adjacent to the Purdue Visual Performing Arts Center, located in the block bounded by Marstellar, Wood, Sheetz and Harrison Streets. Title research for the area shows no recorded easements.

Copy of print attached

Insight has already relocated all facilities from the area

Sincerely

A handwritten signature in black ink that reads "Keryr Plantenga".

KERYR PLANTENGA

E-MAIL (PLANTENGA.K@INSIGHT-COM.COM)

PHONE # 765 - 447 - 9488 EXT 302 / FAX # 765 - 447 - 7622

325 S. CREASY LN.

LAFAYETTE INDIANA 47905

POLY HOUSE
HORTICULTURE GREENHOUSES

UREL
ES
E BLDG

FORESTRY BLDG

MARKS STREET

WOOD ST

VISUAL AND
PERFORMING
ARTS BUILDING

SHEETZ ST

GEORGE A.
HAWKINS HALL

DAUC
DICK & SANDY DAUCH
ALUMNI CENTER

ERNEST C. YOUNG

HARRISON ST

S. CRANE ST



July 15, 2005

Mr. Jim Knapp
401 S. Grant St.
2024 Freehafer Hall
West Lafayette, Indiana 47907-2024

Re: Vacation of Wood Street between Sheetz Street and Marsteller Street-West
Lafayette, Tippecanoe County, Indiana

Dear Mr. Knapp:

Indiana Gas Company, Inc. doing business as Vectren Energy Delivery of Indiana has researched the above location requested for vacation and there is currently an existing gas line and regulator station within the subject right of way. Therefore, the vacation request should include the following language to reserve our rights.

Indiana Gas Company, Inc. d/b/a Vectren Energy Delivery of Indiana, hereinafter referred to as Company, reserves the following easement rights:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more gas lines above or below ground, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of natural gas, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees located within said strips of land, and the right to remove brush or other obstructions from said strip of land.

The above rights must be reserved in the ordinance for Indiana Gas Company/Vectren to approve of said vacation.

Please forward to my attention a copy of the recorded ordinance upon passing, and if you have any questions, please feel free to give us a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Hall".

Brian Hall
Planning Supervisor
Vectren Energy Delivery of Indiana
Lafayette
765 449 5605



**Verizon North Inc.
3216 Imperial Pkwy
Lafayette, IN 47909
765 423 3583**

August 5, 2005

**Dan Pusey
1694 Freehafer Hall
Engineering Utilities & Construction
Purdue University
West Lafayette, IN**

Dear Mr. Pusey,

This letter is in response to your inquiry to vacate Wood Street between Sheetz and Marsteller Streets. Verizon currently has facilities present in the street as well as the alley to the south. These facilities can be relocated at your expense or an agreement can be worked out to allow for the continued use of the existing facilities.

After an agreement has been reached send us the release of easement document and we will have it signed and return it for you to fill with the county to record.

Should you have any questions or concerns, please contact me at (765) 423-3583.

Thank you for cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Huang".

**Chris Huang
Senior Engineer – OSP Engineering**

EXHIBIT G
LIST OF ABUTTING LANDOWNERS

Indicate names and addresses of owners of property and the COUNTY AUDITOR'S KEY NUMBER of that property adjacent to and across the street, alley or railroad right-of-way from the subject property.

KEY NUMBER	OWNER'S NAME	ADDRESS
164-02800-1577 164-02800-1588	The Trustees of Purdue University	3000 Kent Avenue West Lafayette, IN 47906-1384
164-02800-1830	The Trustees of Purdue University	310 Hovde Hall West Lafayette, IN 47907
164-02800-1610	Purdue Research Foundation	c/o Purdue University Hovde Hall, Room 100 West Lafayette, IN 47907
164-02800-1357	Purdue Research Foundation	1022 Hovde Hall, Room 100 West Lafayette, IN 47907-1022
164-02800-1600 164-02800-1599 164-02800-1335	The Trustees of Purdue University	247 Hovde Hall West Lafayette, IN 47907-1030
164-02800-1346 164-02800-1324	Purdue Research Found[ation]	3000 Kent Avenue West Lafayette, IN 47906-1384
164-02800-1632	214 Marstellar LLC	c/o Collegiate Communities 1890 Lindberg Road West Lafayette, IN 47906

LEGAL NOTICE
to be published in the manner
prescribed by INDIANA CODE CHAPTER 5-3-1.

NOTICE

Notice is hereby given that on the _____ day of _____, 2005, at 7:00 o'clock p.m., the Common Council of the City of West Lafayette will meet at the Common Council Chambers, City Hall, 609 West Navajo, West Lafayette, Indiana, to consider the Petition of Purdue Research Foundation for the vacation of a portion of Wood Street and that of an adjacent alley within the City of West Lafayette, Indiana, which is more particularly described as **Exhibit A**.

Judith Rhodes, Clerk-Treasurer

EXHIBIT A
LEGAL DESCRIPTION OF STREET AND PORTION OF ALLEY TO BE VACATED

Part of the West half of the Southeast quarter of Section Nineteen (19), in Township Twenty-three (23) North, Range Four (4) West, City of West Lafayette, Wabash Township, Tippecanoe County, Indiana, being a part of the property depicted on a Plat of Survey by Vester & Associates, Inc., Job No. 99110POS, Document No. 0001922, recorded January 28, 2000, in the office of the Tippecanoe County Recorder, more completely described as follows, to-wit:

Beginning at the northeast corner of Lot 1 in Sheetz Heirs Addition to the Town of Chauncey, now the City of West Lafayette, Plat Book 75, Page 347, recorded March 9, 1882, in the office of the Tippecanoe County Recorder, said point being marked by a 3/4" rebar with an aluminum cap stamped "VESTER & ASSOC. INC.", hereinafter referred to as a Vester capped rebar,; thence along the north line of said Lot 1, North 88°23'07" West, 179.00 feet to a Vester capped rebar at the northwest corner thereof; thence along the west line of Lot 1 and Lot 2 in Sheetz Heirs Addition, South 00°09'15" East, 120.39 feet to the southwest corner of said Lot 2; thence North 88°25'16" West, 16.01 feet to the southeast corner of Lot 15 in Sheetz Heirs Addition; thence along the east line of Lots 15 and 16 in Sheetz Heirs Addition, North 00°09'15" West, 120.40 feet to a Vester capped rebar at the northeast corner thereof; thence along the north line of said Lot 16, North 88°23'07" West, 179.00 feet to a Vester capped rebar at the northwest corner thereof; thence North 00°39'43" West, 60.05 feet to a Vester capped rebar at the southwest corner of Lot 3 in Cheadle's Subdivision of Lots 17 and 18 in Marsteller's Addition to the City of West Lafayette, Plat Book 3, page 9 and Deed Book 157, page 202, recorded November 6, 1922, in said Recorder's office; thence along the south line of Lots 3 and 4 in Cheadle's Subdivision and Lot 1 in C. A. Marsteller's Addition, Plat Book 1, Page 9 and Deed Book 95, page 607, recorded February 25, 1892, in said Recorder's office, South 88°23'07" East, 374.00 feet to a Vester capped rebar at the southeast corner of said Lot 1; thence South 00°39'43" East, 60.05 feet to the point of beginning, containing 0.56 acres, more or less.