

ORDINANCE [#] 94-1

AN ORDINANCE ESTABLISHING A SPEED LIMIT ON A PORTION OF CO. RD. 800 W, CO. RD. 190 N, OLD HUNTINGBURG ROAD, KLUEMPER ROAD, ANDREW LANE, DUBOIS ROAD NE, HICKORY GROVE ROAD, BEAVER LAKE ROAD, CO. RD. 450 W, STEWART ROAD, CUZCO ROAD SOUTH, OLD ROAD 45, CO. RD. 850 W, CO. RD. 490 W, TRUMAN ROAD, MERIDIAN ROAD, 15TH STREET, CO. RD. 150 N, STEINBOTTOM ROAD, CO. RD. 750 S IN DUBOIS COUNTY INDIANA,

WHEREAS, Any person operating a motor vehicle on a public highway within Dubois County, Indiana, shall operate the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to traffic, surface and width of roadway, and to other conditions then existing; but,

WHEREAS, It is the determination of the Board of County Commissioners that limits shall be placed upon the maximum speed which shall be allowed when traveling such public highways; and,

WHEREAS, As a result of study conducted and review made of road conditions at the following location, it has been determined that a more restrictive speed limit is required for the safety of the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT:

(1) Motor vehicles operated on Co. Rd. 800 W from Co. Rd. 50 N to 2.50 miles south of Co. Rd. 50 N being a distance of approximately 2.50 miles, shall be restricted to a maximum speed of 45 miles per hour.

(2) Motor vehicles operated on Co. Rd. 190 N from Jasper Dubois Road to Meridian Road being a distance of approximately 1.95 miles, shall be restricted to a maximum speed of 35 miles per hour.

(3) Motor vehicles operated on Meridian Road from Co. Rd. 190 N to Jasper City Limits being a distance of approximately 1.00 miles, shall be restricted to a maximum speed of 35 miles per hour.

(4) Motor vehicles operated on 15th Street from Jasper City Limits to Meridian Road being a distance of approximately .45 miles, shall be restricted to a maximum speed of 35 miles per hour.

(5) Motor vehicles operated on Old Huntingburg Road from Division Road to Co. Rd. 400 S being a distance of approximately 4.72 miles, shall be restricted to a maximum speed of 45 miles per hour.

(6) Motor vehicles operated on Kluemper Road from Division Road to Gregory Lane being a distance of approximately 1.06 miles, shall be restricted to a maximum speed of 30 miles per hour.

(7) Motor vehicles operated on Andrew Lane from Klumper Road to Truman Road being a distance of approximately .47 miles, shall be restricted to a maximum speed of 30 miles per hour.

(8) Motor vehicles operated on Truman Road from Division Road to Jasper City Limits being a distance of approximately .67 miles, shall be restricted to a maximum speed of 30 miles per hour.

(9a) Motor vehicles operated on Dubois Road NE from Dubois Cuzco Road to 1/2 mile north of Dubois Cuzco Road being a distance of approximately .50 miles, shall be restricted to a maximum speed of 25 miles per hour.

(9b) Motor vehicles operated on Dubois Road NE from 1/2 mile north of Dubois Cuzco Road to .75 mile north of Dubois Cuzco Road being a distance of approximately .25 miles, shall be restricted to a maximum speed of 45 miles per hour.

(10) Motor vehicles operated on Hickory Grove Road from S.R. 56 to 1.21 miles north of S.R. 56 being a distance of approximately 1.21 miles, shall be restricted to a maximum speed of 45 miles per hour.

(11) Motor vehicles operated on Beaver Lake Road from S.R. 164 to .25 miles north of S.R. 164 being a distance of approximately .25 miles, shall be restricted to a maximum speed of 35 miles per hour.

(12) Motor vehicles operated on Co. Rd. 450 W from Division Road to Co. Rd. 490 W being a distance of approximately .67 miles, shall be restricted to a maximum speed of 45 miles per hour.

(13) Motor vehicles operated on Stewart Road from Division Road to Co. Rd. 490 W being a distance of approximately 1.20 miles, shall be restricted to a maximum speed of 45 miles per hour.

(14) Motor vehicles operated on Cuzco Road South from Cuzco to Co. Rd. 450 N being a distance of approximately 2.09 miles, shall be restricted to a maximum speed of 45 miles per hour.

(15) Motor vehicles operated on Old Road 45 from U.S. 231 to Co. Rd. 600 N being a distance of approximately .58 miles, shall be restricted to a maximum speed of 35 miles per hour.

(16) Motor vehicles operated on Co. Rd. 850 W from Co. Rd. 825 W to S.R. 64 being a distance of approximately .96 miles, shall be restricted to a maximum speed of 35 miles per hour.

(17) Motor vehicles operated on Co. Rd. 490 W from Stewart Road to Co. Rd. 150 N being a distance of approximately 1.04 miles, shall be restricted to a maximum speed of 45 miles per hour.

(18) Motor vehicles operated on Co. Rd. 150 N from Co. Rd. 600 W to Co. Rd. 750 W being a distance of approximately 1.53 miles, shall be restricted to a maximum speed of 45 miles per hour.

(19) Motor vehicles operated on Steinbottom Road from Jasper Dubois Road to S.R. 164 being a distance of approximately 2.16 miles, shall be restricted to a maximum speed of 45 miles per hour.

(20) Motor vehicles operated on Co. Rd. 750 S from U.S. 231 to Old Road 64 being a distance of approximately 2.21 miles, shall be restricted to a maximum speed of 45 miles per hour.

(21) Each such public highway shall be posted for such maximum speed limit.

(22) Violation of this Ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance pertaining to speed limits heretofore adopted by this Board of County Commissioners.

(23) This Ordinance shall be effective from and following its passage and proper posting of the described speed limit.

ADOPTED: Jan 3, 1994

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

Mary Ann Schell

Eugene A. Hoff

James R. Kemper

(TO BE PUBLISHED WEDNESDAY 5 AND 12 JANUARY 1994

ORDINANCE NO. [#]94-2

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, OF Dubois County, Indiana, THAT:

1. To prevent damage caused by excess weight on County Roads during periods of freeze and thaw, the Commissioners hereby establish a 10 ton gross load (weight) limit on all motor vehicles operated on County Roads within Dubois County, Indiana during the period from January 15, 1994 through April 15, 1994.

2. Operation of a motor vehicle on any County Road in violation of this Ordinance shall be a Class C infraction, as defined by I.C. 34-4-32-4.

3. This Ordinance shall become effective upon publication as required by law.

Mary Lou Schell
Eugene A. Hoff
James R. Kemper

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

ATTEST:

Mark A. Brescher
Mark A. Brescher, Auditor

ORDINANCE 1994-3

AN ORDINANCE PROVIDING FOR ENFORCEMENT
OF CERTAIN COUNTY ORDINANCES

WHEREAS, It is the intent and desire of the Board of County Commissioners of Dubois County, Indiana to reaffirm the ability of this Board, sitting in its quasi-judicial and administrative capacity, to enforce certain ordinances heretofore adopted by the Commissioners.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT:

Section 1. That the following Ordinances heretofore adopted by the Board of County Commissioners of Dubois County, Indiana, shall be enforced by the Board of County Commissioners of Dubois County, Indiana, acting in its quasi-judicial and administrative capacity:

1. Ordinance #1990-12; and
2. Such other Ordinances of said County as may restrict or prohibit actions harmful to the land, air or water of Dubois County, Indiana, or governs use of the public way.

ADOPTED AND APPROVED this 7th day of February, 1994.

Mary Lou Schnell

Eugene A. Hoff

James R. Kemper

COMMISSIONERS OF
DUBOIS COUNTY, INDIANA

ATTEST:

Mark A. Brescher
AUDITOR OF DUBOIS COUNTY, IN

FAIR HOUSING ORDINANCE

ORDINANCE 94-4

WHEREAS, in accordance with the Civil Rights Act of 1968, as amended, the Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1, et. seq., the following provisions are necessary and appropriate to prevent discrimination in the area of housing because of race, color, religion, sex, handicap, familial status or national origin;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, AS FOLLOWS:

Section 1. POLICY STATEMENT:

It shall be the policy of Dubois County, Indiana to provide, within constitutional limitation, for fair housing throughout its corporate limits as provided for under the federal Civil Rights Act of 1968, as amended, the federal Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1 et. seq.

Section 2. DEFINITIONS:

The definitions set forth in this Section shall apply throughout this Ordinance:

(a) "Dwelling" means any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one (1) or more families (I.C. 22-9.5-2-8).

(b) "Family" includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined in subsection (h) of this Section.

(c) "Person" (I.C. 22-9.5-2-11) includes one (1) or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries.

(d) "To rent" (I.C. 22-9.5-2-13) includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy the premises owned by the occupant.

(e) "Discriminatory Housing Practice" means an unlawful act under

Sections 4, 5, 6, 7 or 8 of this Ordinance or I.C. 22-9.5-5.

(f) "Handicap" means, with respect to a person:

- (1) a physical or mental impairment which substantially limits one or more of such person's major life activities,
- (2) a record of having such an impairment, or
- (3) being regarded as having such an impairment,
- (4) An impairment described or defined pursuant to the federal Americans with Disabilities Act of 1990.
- (5) Any other impairment defined under I.C. 22-9.5-2-10.

The term "handicap" shall not include current illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21 of the United States Code [I.C. 22-9.5-2-10(b)]; nor does the term "handicap" include an individual solely because that individual is a transvestite [I.C. 22-9.5-2-10(c)].

(g) "Aggrieved person" includes any person who (I.C. 22-9.5-2-2):

- (1) claims to have been injured by a discriminatory housing practice; or
- (2) believes that such person will be injured by a discriminatory housing practice that is about to occur.

(h) "Familial status" means one or more individuals (who have not attained the age of 18 years) being domiciled with:

- (1) a parent or another person having legal custody of such individual or the written permission of such parent or other person.
- The protections afforded against discrimination on this basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

(i) "Commission" (I.C. 22-9.5-2-3) means the Indiana Civil Rights Commission created pursuant to I.C. 22-9-1-4, et. seq.

(j) "Complainant" (I.C. 22-9.5-2-4) means a person, including the Commission, who files a complaint under I.C. 22-9.5-6.

Section 3. UNLAWFUL PRACTICE:

Subject to the provisions of subsection (b) of this Section, Section 9 of this Ordinance and Title 22-9.5-3 of Indiana Code, the prohibitions against discrimination in the sale or rental of housing set forth Title 22-9.5-5-1 of Indiana Code and in Section 4 of this Ordinance shall apply to:

(a) All dwellings except as exempted by subsection (b) and Title 22-9.5-3 of Indiana Code.

(b) Other than the provisions of subsection (c) of this Section, nothing in section 4 shall apply to:

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(1) Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single-family house by a private individual owner not residing in the house at the time of sale or who was not the most recent resident of such house prior to the sale, the exemption shall apply only to one such sale within any twenty-four month period. The private individual owner may not own any interest in, nor have owned or reserved on his behalf, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any such single-family house shall be excepted from application of this section only if such house is sold or rented:

(A) without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent or salesman, or person and

(B) without the publication, posting or mailing, after notice of advertisement or written notice in violation of section 4(c) of this ordinance, but nothing in this proviso shall prohibit the use of attorneys, escrow agents, abstracters, title companies and other such professional assistance as necessary to perfect or transfer this title, or

(2) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(c) For the purposes of subsection (b), a person shall be deemed to be in the business of selling or renting dwellings if:

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling unit designed or intended for occupancy by, or occupied by, five or more families.

Section 4. DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING:

As made applicable by section 3 and except as exempted by sections 3(b) and 9, it shall be unlawful:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status or national origin.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or perspective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin.

(f)(1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of--

(A) that buyer or renter;

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that person.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:

(A) that person; or

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that person.

(3) For purposes of this subsection, discrimination includes:

(A) a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear

excepted;

(B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(C) in connection with the design and construction of covered multi-family dwellings for first occupancy after the date that is 30 months after September 13, 1988, a failure to design and construct those dwellings in such a manner that--

(i) the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

(ii) all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

(iii) all premises within such dwellings contain the following features of adaptive design:

(I) an accessible route into and through the dwelling;

(II) light, switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(III) reinforcements in bathroom walls to allow later installation of grab bars; and

(IV) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

(4) Compliance with the appropriate requirements Americans With Disabilities Act of 1990 and of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of paragraph (3)(C)(iii).

(5) Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals of whose tenancy would result in substantial physical damage to the property of others.

Section 5. DISCRIMINATION IN RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS:

(a) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion,

sex, handicap, familial status, or national origin.

(b) As used in this section, the term "residential real estate-related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

(A) for purchasing, constructing, improving, repairing, or maintaining a dwelling; or

(B) secured by residential real estate.

(2) The selling, brokering, or appraising of residential real property.

(c) Nothing in this ordinance prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.

Section 6. DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES:

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status or national origin.

Section 7. INTERFERENCE, COERCION, OR INTIMIDATION:

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections 3, 4, 5, or 6 of this ordinance.

Section 8. PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES:

Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with:

(a) any person because of his race, color, religion, sex, handicap, familial status, or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:

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(1) participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection 15(a); or

(2) affording another person or class of persons opportunity or protection so to participate; or

(c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined not more than \$1,000, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000, or imprisoned for not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

Section 9. EXEMPTIONS:

(a) Exemptions defined or set forth under Title 22-9.5-3 et. seq. of Indiana Code shall be exempt from the provisions of this Ordinance to include those activities or organizations set forth under subsections (b) and (c) of this Section.

(b) Nothing in this ordinance shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

(c)(1) Nothing in this ordinance regarding familial status shall apply with respect to housing for older persons.

(2) As used in this section, "housing for older persons" means housing:

- (A) provided under any state or federal program that the Secretary of the Federal Department of Housing and Urban Development or the state civil rights commission determines is specifically designed and operated to assist elderly persons (as defined in the state or federal program); or
- (B) intended for, and solely occupied by, persons 62 years of age or older; or
- (C) intended and operated for occupancy by at least one person 55 years of age or older per unit.

Section 10. ADMINISTRATIVE ENFORCEMENT OF ORDINANCE:

(a) The authority and responsibility for properly administering this Ordinance and referral of complaints hereunder to the Commission as set forth in subsection (b) hereof shall be vested in the Auditor of Dubois County, Indiana.

(b) Notwithstanding the provisions of I.C. 22-9.5-4-8, Dubois County, Indiana, because of a lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under this Ordinance, herein elects to refer all formal complaints of violation of the articles of this Ordinance by Complainants to the Indiana Civil Rights Commission ("Commission") for administrative enforcement actions pursuant to Title 22-9.5-6 of Indiana Code and the said Auditor of Dubois County, Indiana, shall refer all said complaints to the Commission as provided for under subsection (a) of this Section to said Commission for purposes of investigation, resolution and appropriate relief as provided for under Title 22-9.5-6 of Indiana Code.

(c) All departments and agencies of Dubois County, Indiana, shall administer their departments, programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this Ordinance and shall cooperate with the County Auditor and the Commission to further such purposes.

(d) The Auditor of Dubois County, Indiana, or the designee thereof, shall provide information to the extent available on remedies available to any aggrieved person or complainant requesting such information.

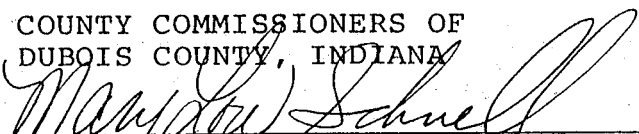
Section 11. SEPARABILITY OF PROVISIONS

If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to other circumstances shall not be affected thereby.

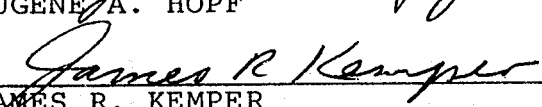
Section 12. This Ordinance shall take effect from and after its adoption.

ADOPTED this 7th day of February, 1994.

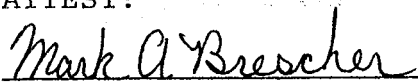
COUNTY COMMISSIONERS OF
DUBOIS COUNTY, INDIANA


MARY LOU SCHNELL


EUGENE A. HOPF


JAMES R. KEMPER

ATTEST:


MARK A. BRESCHER, AUDITOR

ORDINANCE 1994- 5 DUBOIS COUNTY CORRECTIONS FUND

WHEREAS, SEA 395, (1986) ADDED 11-12-6 TO THE INDIANA CODE TO PROVIDE FOR THE ESTABLISHMENT AND FUNDING OF A COUNTY CORRECTIONS FUND; AND

WHEREAS, I.C.11-12-6-6 PROVIDES THAT A COUNTY LEGISLATIVE BODY MAY ANNUALLY ADOPT AN ORDINANCE TO ELECT TO RECEIVE DEPOSITS FROM THE STATE DEPARTMENT OF CORRECTIONS AND TO ESTABLISH A COUNTY CORRECTIONS FUND; AND

WHEREAS, THE COUNTY CORRECTIONS FUND MAY BE USED ONLY FOR FUNDING THE OPERATION OF THE COUNTY JAIL, JAIL PROGRAMS, OR OTHER LOCAL CORRECTIONAL FACILITIES; AND

WHEREAS, THE COUNTY LEGISLATIVE BODY MAY ELECT TO RECEIVE DEPOSITS AT EITHER LEVEL I, LEVEL II, OR LEVEL III FUNDING; AND

WHEREAS, LEVEL III IS THE MOST APPROPRIATE LEVEL OF PARTICIPATION FOR DUBOIS COUNTY; AND

WHEREAS, THE LEGISLATIVE BODY ELECTS TO RECEIVE DEPOSITS FROM THE STATE DEPARTMENT OF CORRECTIONS FOR DAILY PER-DIEM ON STATE PRISONERS HELD AT THE DUBOIS COUNTY SECURITY CENTER. FUNDS TO BE DEPOSITED IN THE DUBOIS COUNTY CORRECTIONS FUND; AND

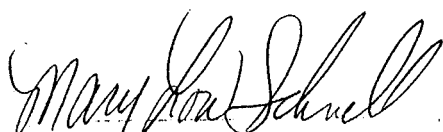
WHEREAS, THE LEGISLATIVE BODY ELECTS TO RECEIVE DEPOSITS FROM INDIANA COUNTIES FOR DAILY PER-DIEM ON BOARDING ADULT PRISONERS FROM THEIR RESPECTIVE JURISDICTIONS AT THE DUBOIS COUNTY SECURITY CENTER. FUNDS TO BE DEPOSITED IN THE DUBOIS COUNTY CORRECTIONS FUND; AND

WHEREAS, THE COUNTY CORRECTIONS FUND MAY BE USED ONLY FOR FUNDING THE OPERATION OF THE COUNTY JAIL, JAIL PROGRAMS, OR OTHER LOCAL CORRECTIONAL FACILITIES.

WHEREAS, THIS ORDINANCE WILL REPLACE ORDINANCE NO. 1992-3 ON PASSAGE.

THEREFORE:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY:

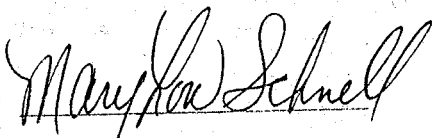

MARY LOU SCHNELL

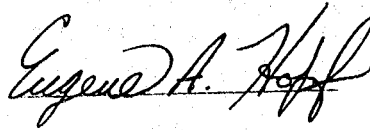

EUGENE HOFF


JAMES KEMPER

ORDINANCE NO. 1994- DUBOIS COUNTY CORRECTIONS FUND

- SECTION 1. THE DUBOIS COUNTY COMMISSIONERS HEREBY ELECT TO RECEIVE DEPOSITS FROM THE DEPARTMENT OF CORRECTIONS IN ACCORDANCES WITH I.C.11-12-6.
- SECTION 2. THE DUBOIS COUNTY COMMISSIONERS HEREBY ELECT TO RECEIVE SUCH DEPOSITS AT LEVEL III FUNDING.
- SECTION 3. THERE IS HEREBY CREATED A "COUNTY CORRECTIONS FUND", TO BE ADMINISTERED BY THE COUNTY COUNCIL. THE DEPARTMENT OF CORRECTIONS IN ACCORDANCE WITH I.C.11-12-6; ALSO, DEPOSITS RECEIVED FROM THE DEPARTMENT OF CORRECTIONS FOR DAILY PER-DIEM ON STATE PRISONERS (FELONY) HELD AT THE DUBOIS COUNTY SECURITY CENTER. INDIANA COUNTIES FOR DAILY PER-DIEM ON BOARDING PRISONERS FROM THEIR RESPECTIVE JURISDICTIONS AT THE DUBOIS COUNTY SECURITY CENTER. FUNDS TO BE DEPOSITED IN THE SAME DUBOIS COUNTY CORRECTIONS FUND; AND
- SECTION 4. THE COUNTY CORRECTIONS FUND MAY BE USED ONLY FOR FUNDING THE OPERATION OF THE COUNTY JAIL, JAIL PROGRAMS, OR OTHER LOCAL CORRECTIONAL FACILITIES. ANY MONIES REMAINING IN THE COUNTY CORRECTIONS FUND AT THE END OF THE YEAR, DOES NOT REVERT TO ANY OTHER FUND, BUT REMAINS IN THE COUNTY CORRECTIONS FUND; AND
- SECTION 5. THIS ORDINANCE WILL REPLACE ORDINANCE NO. 1992-3 ON PASSAGE; AND
- SECTION 6. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE FEBRUARY 7, 1993.
- THEREFORE: BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS:


MARY LOU SCHNELL


EUGENE HOFF


JAMES KEMPER

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ORDINANCE

AN ORDINANCE ESTABLISHING A SPEED
LIMIT ON A PORTION OF PINE RIDGE ROAD,
CO. RD. 600 E, SANTINE ROAD, CHERRY STREET,
SUNSET DRIVE, CO. RD. 400 S, CO. RD. 400 N
CO. RD. 500 W, PORTERSVILLE ROAD, CO. RD.
350 W, OLD ROAD 64, DUBOIS CUZCO ROAD
CUZCO ROAD N, ELLSWORTH ROAD, CO. RD. 900 S
CO. RD. 720 W, CO. RD. 1075 S, CO. RD. 800 S
CO. RD. 50 N, CO. RD. 750 W, CO. RD. 600 W
CO. RD. 800 W, CO. RD. 550 W, CO. RD. 400 W
IN DUBOIS COUNTY INDIANA,

WHEREAS, Any person operating a motor vehicle on a public highway within Dubois County, Indiana, shall operate the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to traffic, surface and width of roadway, and to other conditions then existing; but,

WHEREAS, It is the determination of the Board of County Commissioners that limits shall be placed upon the maximum speed which shall be allowed when traveling such public highways; and,

WHEREAS, As a result of study conducted and review made of road conditions at the following location, it has been determined that a more restrictive speed limit is required for the safety of the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT:

(1a) Motor vehicles operated on Pine Ridge Road from State Road 64 to .50 miles north of State Road 64 being a distance of approximately .50 miles, shall be restricted to a maximum speed of 25 miles per hour.

(1b) Motor vehicles operated on Pine Ridge Road from .50 miles north of State Road 64 to Co. Rd. 400 S being a distance of approximately .61 miles, shall be restricted to a maximum speed of 45 miles per hour.

(1c) Motor vehicles operated on Pine Ridge Road from Co. Rd. 400 S to .25 miles south of Schnellville Rd. being a distance of approximately .87 miles, shall be restricted to a maximum speed of 45 miles per hour.

(1d) Motor vehicles operated on Pine Ridge Road from .25 miles south of Schnellville Rd. to Schnellville Rd being a distance of approximately .25 miles, shall be restricted to a maximum speed of 30 miles per hour.

(2) Motor vehicles operated on Co. Rd. 600 E from State Road 64 to State Road 264 being a distance of approximately 2.94 miles, shall be restricted to a maximum speed of 45 miles per hour

(3a) Motor vehicles operated on Santine Road from St. Anthony Road North to 1 mile north of Co. Rd. 400 S being a distance of approximately 1.48 miles, shall be restricted to a maximum speed of 35 miles per hour.

(3b) Motor vehicles operated on Santine Road from 1 mile north of Co. Rd. 400 S to Schnellville Rd. being a distance of approximately 1.33 miles, shall be restricted to a maximum speed of 45 miles per hour.

(4) Motor vehicles operated on Cherry Street from Huntingburg City Limits to Sunset Drive being a distance of approximately .55 miles, shall be restricted to a maximum speed of 30 miles per hour.

(5a) Motor vehicles operated on Sunset Drive from Co. Rd. 200 W to Huntingburg City Limits being a distance of approximately .85 miles, shall be restricted to a maximum speed of 30 miles per hour.

(5b) Motor vehicles operated on Sunset Drive from Huntingburg City Limits to Co. Rd. 400 W being a distance of approximately .69 miles, shall be restricted to a maximum speed of 30 miles per hour.

(6) Motor vehicles operated on Co. Rd. 400 S from U.S. 231 to Co. Rd. 400 W being a distance of approximately 1.53 miles, shall be restricted to a maximum speed of 45 miles per hour.

(7) Motor vehicles operated on Co. Rd. 400 N from U.S. 231 to Co. Rd. 500 W being a distance of approximately 2.56 miles, shall be restricted to a maximum speed of 45 miles per hour.

(8a) Motor vehicles operated on Co. Rd. 500 W from S.R. 56 to Co. Rd. 300 N being a distance of approximately .60 miles, shall be restricted to a maximum speed of 30 miles per hour.

(8b) Motor vehicles operated on Co. Rd. 500 W from Co. Rd. 300 N to Co. Rd. 400 N being a distance of approximately 1.28 miles, shall be restricted to a maximum speed of 45 miles per hour.

(9a) Motor vehicles operated on Portersville Road from 47th Street to 36th Street being a distance of approximately 1.10 miles, shall be restricted to a maximum speed of 35 miles per hour.

(9b) Motor vehicles operated on Portersville Road from Portersville Road West to 47th Street being a distance of approximately 4.49 miles, shall be restricted to a maximum speed of 45 miles per hour.

(10) Motor vehicles operated on Co. Rd. 350 W from Co. Rd. 300 N to S.R. 56 being a distance of approximately 1.39 miles, shall be restricted to a maximum speed of 35 miles per hour.

(11) Motor vehicles operated on Old Road 64 from Co. Rd. 850 W to Pike County Line being a distance of approximately .77 miles, shall be restricted to a maximum speed of 35 miles per hour.

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(12) Motor vehicles operated on Dubois Cuzco Road from Dubois Road NE to Cuzco Road South being a distance of approximately 5.07 miles, shall be restricted to a maximum speed of 45 miles per hour.

(13) Motor vehicles operated on Cuzco Road North from Cuzco Road South to S.R. 56 being a distance of approximately 3.09 miles, shall be restricted to a maximum speed of 45 miles per hour.

(14) Motor vehicles operated on Ellsworth Road from Celestine Road North to Co. Rd. 775 E being a distance of approximately 1.29 miles, shall be restricted to a maximum speed of 30 miles per hour.

(15) Motor Vehicles operated on Co. Rd. 900 S from U.S. 231 to Co. Rd. 200 W being a distance of approximately 1.19 miles, shall be restricted to a maximum speed of 45 miles per hour.

(16) Motor vehicles operated on Co. Rd. 720 W from Holland Town Limits to Co. Rd. 1075 S being a distance of approximately 1.27 miles, shall be restricted to a maximum speed of 45 miles per hour.

(17) Motor vehicles operated on Co. Rd. 1075 S from Co. Rd. 720 W to Warrick County Line being a distance of approximately 1.88 miles, shall be restricted to a maximum speed of 45 miles per hour.

(18) Motor vehicles operated on Co. Rd. 800 S from S.R. 161 to Co. Rd. 750 W being a distance of approximately .51 miles, shall be restricted to a maximum speed of 45 miles per hour.

(19) Motor vehicles operated on Co. Rd. 50 N from Co. Rd. 750 W to Co. Rd. 800 W being a distance of approximately .96 miles, shall be restricted to a maximum speed of 45 miles per hour.

(20) Motor vehicles operated on Co. Rd. 750 W from Co. Rd. 50 N to Co. Rd. 150 N being a distance of approximately 1.01 miles, shall be restricted to a maximum speed of 45 miles per hour.

(21) Motor vehicles operated on Co. Rd. 600 W from Co. Rd. 150 North to 3/4 mile north of S.R. 56 being a distance of approximately 2.12 miles, shall be restricted to a maximum speed of 45 miles per hour.

(22) Motor vehicles operated on Co. Rd. 800 W from Co. Rd. 580 N to S.R. 56 being a distance of approximately 1.78 miles, shall be restricted to a maximum speed of 45 miles per hour.

(23) Motor vehicles operated on Co. Rd. 550 W from S.R. 56 to Portersville Road West being a distance of approximately 5.04 miles, shall be restricted to a maximum speed of 45 miles per hour.

(24a) Motor vehicles operated on Co. Rd. 400 W from Co. Rd. 750 S to Old Road 64 being a distance of approximately .81 miles, shall be restricted to a maximum speed of 45 miles per hour.

(24b) Motor vehicles operated on Co. Rd. 400 W from S.R. 64 to Huntingburg City Limits being a distance of approximately .85 miles, shall be restricted to a maximum speed of 30 miles per hour.

(24c) Motor vehicles operated on Co. Rd. 400 W from Huntingburg City Limits to Co. Rd. 400 S being a distance of approximately .51 miles, shall be restricted to a maximum speed of 30 miles per hour.

(25) Each such public highway shall be posted for such maximum speed limit.

(26) Violation of this Ordinance shall be punishable in that manner prescribed by Indiana statute and by prior Ordinance pertaining to speed limits heretofore adopted by this Board of County Commissioners.

(27) This Ordinance shall be effective from and following its passage and proper posting of the described speed limit.

ADOPTED: FEB 7, 1994

BOARD OF COUNTY COMMISSIONERS
OF DUBOIS COUNTY, INDIANA

Mary Lou Schull
Eugene A. Hoff
James R. Kemper

ATTEST:

Mark A. Brescher
Mark A. Brescher, Auditor

DUBOIS COUNTY COMMISSIONERS ORDINANCE, NO. 94-7:

AN ORDINANCE TO VACATE A CERTAIN PUBLIC WAY: A PORTION OF COUNTY ROAD 800 SOUTH LOCATED IN DUBOIS COUNTY, WHICH COMMENCES AT ITS INTERSECTION WITH 850 COUNTY ROAD WEST AND PROCEEDS EASTERLY UNTIL IT REACHES ITS MOST WESTERLY INTERSECTION WITH COUNTY ROAD 750 WEST.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DUBOIS, INDIANA, AS FOLLOWS, TO WIT:

Section 1. That the portion of 800 County Road South, which is located in the County of Dubois, Indiana, and which said portion of 800 County Road South commences at its intersection with 850 County Road West and proceeds easterly until it reaches its most westerly intersection with 750 County Road West is HEREBY VACATED and no longer constitutes a public way of Dubois County.

Section 2. The Auditor of Dubois County, Indiana is hereby authorized and directed, upon the enactment and approval of this ordinance, to furnish a copy of this ordinance to the Dubois County Recorder and shall also retain a copy thereof in the office of the Dubois County Auditor.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication by the Board of Commissioners of Dubois County, State of Indiana.

UNANIMOUSLY APPROVED this 28 day of FEBRUARY, 1994.

BOARD OF COMMISSIONERS OF DUBOIS
COUNTY, INDIANA

By: Mary Lou Schnell
Its: President, MARY LOU SCHNELL

By: Eugene A. Hopf
Its: Member, EUGENE A. HOPF

By: James R. Kemper
Its: Member, JAMES R. KEMPER

ATTEST:

Mark A Brescher
Mark A. Brescher
Dubois County Auditor

Public Hearing held by the Dubois County Board of
Commissioners on February 7, 1994.

THIS INSTRUMENT PREPARED BY: David A. Guerrettaz, ZIEMER, STAYMAN,
WEITZEL & SHOULDERS, 1507 Old National Bank Building, P.O. Box 916,
Evansville, Indiana 47706-0916; Telephone: (812) 424-7575;
Facsimile (812) 421-5089.

Received for Record Mar 1 1994 at 10:00 AM
AMBEROSE C. BUECHLEIN, Recorder, Dubois County
Book 92 Page 413 Fee 7.00

PROCLAMATION

"TORNADO PREPAREDNESS WEEK"

MARCH 13 - 19, 1994

- WHEREAS: Tornadoes are the most violent natural disaster affecting the majority of the United States, resulting in numerous deaths and injuries, and vast destruction; and
- WHEREAS: DUBOIS COUNTY is located within the nation's "Tornado Belt", becoming a prime target of devastating tornado outbreaks particularly during the months of April, May and June; and
- WHEREAS: A statewide tornado warning exercise will be held on March 16, 1994 for the purpose of testing communications systems, equipment and procedures; and
- WHEREAS: During this week, the DUBOIS COUNTY EMERGENCY MANAGEMENT/CIVIL DEFENSE is emphasizing its safety procedures involving tornado activity:

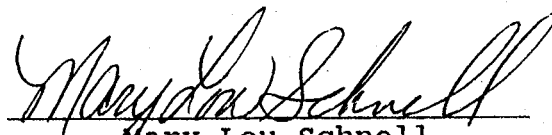
NOW, THEREFORE,

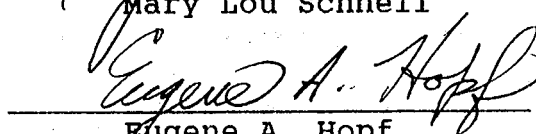
We, the COMMISSIONERS OF DUBOIS COUNTY, do hereby proclaim March 13-19, 1994 as

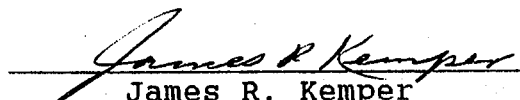
"TORNADO PREPAREDNESS WEEK"

in Dubois County and encourage all citizens to become aware of tornado danger signs, and to learn how to safeguard the lives of our families, friends, and citizenry in the event of severe weather activity in our area.

February 28, 1994


Mary Lou Schnell


Eugene A. Hopf


James R. Kemper

RESOLUTION #1994-2

A RESOLUTION OF THE COUNTY COUNCIL OF DUBOIS COUNTY, INDIANA PROPOSING AND VOTING IN FAVOR OF AN ORDINANCE OF THE DUBOIS COUNTY INCOME TAX COUNCIL FOR RESCISSION OF THE COUNTY ECONOMIC DEVELOPMENT INCOME TAX AND INCREASE OF THE COUNTY OPTION INCOME TAX IN DUBOIS COUNTY, INDIANA, PURSUANT TO PL 71-1993 SECTION 30.

WHEREAS, This County Council did, by Resolution #1988-1, propose, submit and vote in favor of imposing in Dubois County a County Economic Development Income Tax ("EDIT"), which Tax was subsequently imposed by the Dubois County Income Tax Council; and,

WHEREAS, It was the intent of this Council in submitting this tax to provide a means of financing the construction of the Dubois County Security Center; and,

WHEREAS, Funds subsequently provided from said tax and from other sources have now fully paid the cost of construction of said Security Center; and,

WHEREAS, Said Dubois County Income Tax Council has also heretofore imposed in Dubois County a County Option Income Tax; and,

WHEREAS, It is the desire of this Council that funds hereafter collected from the 0.4% tax imposed under the County Economic Development Income Tax should hereafter be more fairly allocated among additional governmental units of this County and, when possible, used as a source of property tax relief; and,

WHEREAS, Said goal of this Council could be attained by transfer of the 0.4% tax heretofore collected under the County Economic Development Income Tax to the County Option Income Tax, pursuant to PL 71-1993 § 30.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Dubois County, Indiana, as follows, to-wit:

- (1) That the County Council of Dubois County, Indiana, hereby proposes an Ordinance of the Dubois County Income Tax Council rescinding the County Economic Development Income Tax ("EDIT") in Dubois County, and increasing the County Option Income Tax ("COIT") in Dubois County, by four tenths of one percent (0.4%) on the county taxpayers of Dubois County, Indiana, pursuant to PL 71-1993 § 30, a copy of which proposed Ordinance is attached hereto.
- (2) That the County Council of Dubois County, Indiana, casts its 48.83 votes in favor of the proposed Ordinance of the Dubois County Income Tax Council, which Ordinance reads as follows:

ORDINANCE #1994-1

AN ORDINANCE OF THE DUBOIS COUNTY INCOME TAX COUNCIL FOR RESCISSION OF THE COUNTY ECONOMIC DEVELOPMENT INCOME TAX AND INCREASE OF THE COUNTY OPTION INCOME TAX IN DUBOIS COUNTY, INDIANA.

"Section 1. The Dubois County Income Tax Council does hereby rescind and terminate the County Economic Development Income Tax ("EDIT") heretofore imposed upon county taxpayers of Dubois County, Indiana, and does hereby increase the County Option Income Tax now in effect in Dubois County, Indiana by four tenths of one percent (0.4%) on the county taxpayers of Dubois County, Indiana, effective July 1, 1994."

PASSED AND ADOPTED by the County Council of Dubois County,
Indiana, this 24th day of March, 1994.

Richard L. Eckert

PRESIDENT

ATTEST:

Mark A. Brescher

SECRETARY

AYE

NAYE

Richard L. Eckert

Richard L. Eckert

Stanley D. Viskup

Jerry Hunsford

Bryson A. Kendall

John A. Buey

Scott A. Hines

ATTEST:

Mark A. Brescher

SECRETARY

ORDINANCE NO. 94-8

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSINERS OF
DUBOIS COUNTY, INDIANA, VACATING A COUNTY HIGHWAY IN
THE TOWN OF SCHNELLVILLE, DUBOIS COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
DUBOIS COUNTY, INDIANA, THAT:

Section 1. It is the finding of this Commission, after
public hearing, that adequate reason exists for the vacation
of that portion of Sycamore Street south of Main Street in
the Town of Schnellville, Jefferson Township; Dubois County,
Indiana. That proper notice has been given of said hearing;
that said roadway has been heretofore dedicated but never
developed and that no public benefit is to be derived from
the continued existence of said public roadway; that all
adjacent property owners, being the sole persons who would
be served by said public roadway, have petitioned the
vacation of said highway; that the vacation of said highway
will not diminish the value of any other real estate located
in the vicinity thereof; and that no reason exists of the
continued existence of said highway and the same should now
be vacated.

Section 2. That said public highway as herein
described shall be and is hereby vacated, subject however to
a continuing perpetual easement as to any public utility now
located within the boundaries thereof.

Section 3. This Ordinance shall be in full force and
effect from and after its adoption.

DULY PASSED AND ADOPTED THIS 2ND DAY OF MAY,
1994.

COMMISSIONERS OF DUBOIS COUNTY

Mary Lou Schnell
MARY LOU SCHNELL

Eugene A. Hoff
EUGENE HOPF

James R. Kemper
JAMES KEMPER

178639

ORDINANCE NO. 94-9

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, VACATING PUBLIC STREETS AND ALLEY IN THE TOWN OF PORTERSVILLE, DUBOIS COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT:

Section 1. It is the finding of this Commission, after public hearing, that adequate reason exists for the vacation of the following described streets and alley in the Town of Portersville, Boone Township, Dubois County, Indiana. That proper notice has been given of said hearing; that said streets and alley have been heretofore dedicated but never developed and that no public benefit is to be derived from the continued existence of said public streets and alley; that all adjacent property owners, being the sole persons who would be served by said public streets and alley, have petitioned the vacation of said streets and alley; that the vacation of said streets and alley will not diminish the value of any other real estate located in the vicinity thereof; and that no reason exists of the continued existence of said streets and alley and the same should not be vacated:

Tract I: That portion of Second Street south of Lot No. 74 and north of Lot No. 49;

Tract II: That portion of Monroe Street east of Lots No. 48 and 49 and west of Lots No. 47 and 50;

Tract III: The alley between Lots No. 48 and 49.

Section 2. That said public streets and alley as herein described shall be and are hereby vacated, subject however to a continuing perpetual easement as to any public utility now located within the boundaries thereof.

Section 3. This Ordinance shall be in full force and effect from and after its adoption.

DULY PASSED AND ADOPTED THIS 6th DAY OF June, 1994.

Duly entered this

6th day of June 1994
Mark A. Brescher
 Auditor Dubois County

COMMISSIONERS OF DUBOIS COUNTY

Mary Lou Schnell
 Mary Lou Schnell

Eugene A. Hopf
 Eugene A. Hopf

James R. Kemper
 James R. Kemper

ORDINANCE NO. 94- 9A

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, VACATING PUBLIC STREETS AND ALLEY IN THE TOWN OF PORTERSVILLE, DUBOIS COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, INDIANA, THAT:

Section 1. It is the finding of this Commission, after public hearing, that adequate reason exists for the vacation of the following described streets and alley in the Town of Portersville, Boone Township, Dubois County, Indiana. That proper notice has been given of said hearing; that said streets and alley have been heretofore dedicated but never developed and that no public benefit is to be derived from the continued existence of said public streets and alley; that all adjacent property owners, being the sole persons who would be served by said public streets and alley, have been notified by certified letter of the vacation of said streets and alley; that the vacation of said streets and alley will not diminish the value of any other real estate located in the vicinity thereof; and that no reason exists of the continued existence of said streets and alley and the same should now be vacated:

Tract I: That portion of Second Street south of Lot No. 74 and north of Lot No. 49;

Tract II: That portion of Monroe Street east of Lots No. 48 and 49 and west of Lots No. 47 and 50;

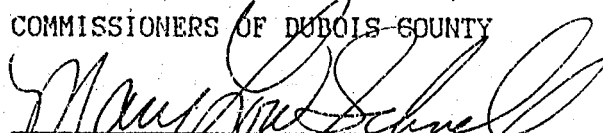
Tract III: The alley between Lots No. 48 and 49.

Section 2. That said public streets and alley as herein described shall be and are hereby vacated, subject however to a continuing perpetual easement as to any public utility now located within the boundaries thereof.

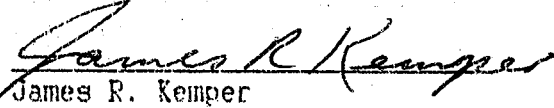
Section 3. This Ordinance shall be in full force and effect from and after its adoption.

DULY PASSED AND ADOPTED THIS 20th DAY OF June, 1994.

COMMISSIONERS OF DUBOIS COUNTY


Mary Lou Schnell


Eugene A. Hopf


James R. Kemper