

Solely for purpose of recording
not to transfer title of ownership

Jan Sauman (df) 9-21-16
Auditor DeKalb County

201605247
09/21/2016 AT 10:05:06 AM
RECORDER OF DEKALB CO, IN
KATIE FIRESTONE
Fee Amount: 19.00
Pages: 4

**ORDINANCE NO. 2016-10
AN ORDINANCE VACATING TWO HALF-STREET RIGHTS-OF-WAY
OFF OF SUPERIOR DRIVE
IN THE CITY OF AUBURN, INDIANA**

WHEREAS, a request to vacate certain undeveloped public rights-of-way has been made to the City of Auburn, Indiana and said request has been formalized into a petition by the Department of Building, Planning and Development;

WHEREAS, the City of Auburn desires to vacate certain undeveloped rights-of-way more particularly located as follows:

Two rights-of-way labeled as "half-streets" contained within and on the east edge of the Amended Donald Shutt Addition to the City of Auburn, Indiana.

The first half-street right-of-way lies east of Lot 19 of the Amended Donald Shutt Addition extending 25-feet east to Lot 7 of the Indian Village Subdivision First Addition. It is bounded by Superior Drive right-of-way to the south and extends 125-feet north to the north edge of the Amended Donald Shutt Addition.

The second half-street right-of-way lies east of Lot 20 of the Amended Donald Shutt Addition extending 25-feet east to Lot 1 of the Indian Village Subdivision First Addition. It is bounded by Superior Drive right-of-way to the north and extends 125-feet south to the south edge of the Amended Donald Shutt Addition.

WHEREAS, a Public Hearing of the City of Auburn Common Council was held on September 20 2016 at 6:00 PM in the Auburn Common Council Chambers regarding the petition for vacation; and

WHEREAS, the City of Auburn has provided notice, pursuant to Indiana Code §36-7-3-12(c) and 5-3-1 et. seq. that it desires to vacate certain public rights-of-way; and

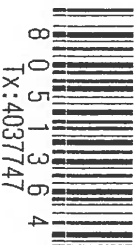
WHEREAS, a second reading of the Ordinance was held on September 20, 2016, and

WHEREAS, due consideration and opportunity has been given for public notice and comment.

**IT IS NOW THEREFORE ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF AUBURN, INDIANA THAT:**

Section 1.

For those undeveloped portions of right-of-way see Exhibit A, consisting of one (1) page, which is attached hereto and made a part hereof further setting forth the area being



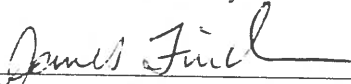
vacated. The entire vacated right-of-way shall be awarded to the adjoining landowners to the west that are also part of the Amended Donald Shutt Addition.

Section 2.

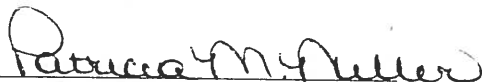
The Municipal City of Auburn shall retain an easement across the vacated rights-of-way for the purpose of providing, maintaining, and expanding utilities in the future. The Municipal City of Auburn shall have the right to maintain, expand, and repair utilities within said vacated rights-of-way.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect from and after publication of the summary of this Ordinance in a newspaper of general circulation in DeKalb County, Indiana. A full and complete copy of the Ordinance shall be kept on the City of Auburn website under the Council information at www.ci.auburn.in.us.

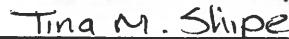
PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this 20th day of September, 2016.


James Finchum, Councilmember

ATTEST:


Patricia Miller, Clerk-Treasurer


I affirm, under the penalties of perjury,
that I have taken reasonable care to
redact each social security number in
this document, unless required by law.


Tina M. Shipe

Presented by me to the Mayor of the City of Auburn, Indiana, this 20th day of September, 2016.


PATRICIA MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this 20th day of September, 2016.


NORMAN E. YODER, Mayor

This instrument was prepared by Amy M. Schweitzer, AICP, Administrator
Department of Building, Planning & Development, City of Auburn.

VOTING:

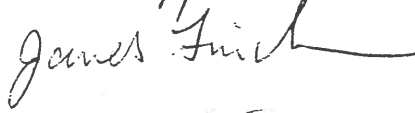
AYE

NAY

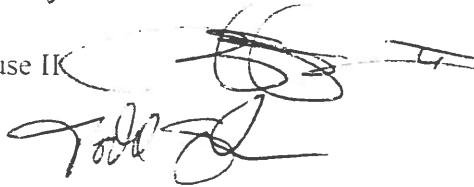
Kevin Webb



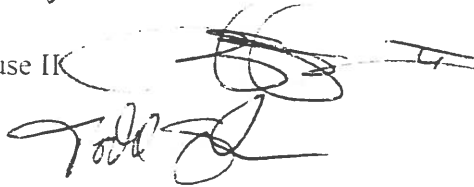
James Finchum



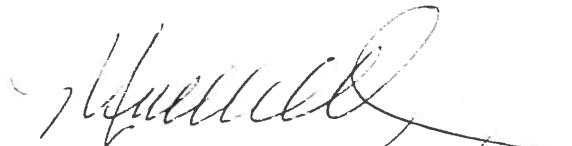
Dennis (Matthew) K. Kruse IK



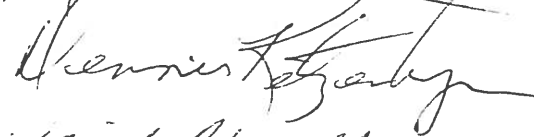
Todd Sanderson



Michael Watson



Dennis Ketzenberger



Michael Walter

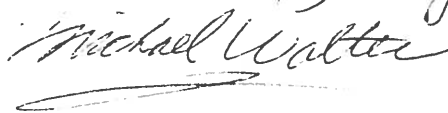


Exhibit A

