

Received 3.8.2011
Clerk-Treasurer's Office
Auburn, Indiana

ORDINANCE NO. 2011-04

**AN ORDINANCE
VACATING A PORTION OF A CITY STREET
LOCATED IN THE CITY OF AUBURN, INDIANA**

SUMMARY

This ordinance authorizes the vacation of that part of a public street that lies between Van Buren and Wayne Streets south of Block One in the Ensley's Second Addition and north of Lot Sixty of the Ensley's Second Addition that section of right of way being approximately 66 feet wide and 128.25 feet long. The area that is located in the proposed vacated right-of-way is more particularly shown on the Exhibit attached hereto as Exhibit "A".

<u> X </u>	Recorder's Office	<u> X </u>	Publish Public Hearing
<u> </u>	Auditor's Office	<u> 4.5.2011 </u>	
<u> </u>	Clerk's Office	<u> X </u>	Publish O/R after adoption
<u> </u>	Other	<u> </u>	
<u> X </u>	<u>Building Department</u>		
<u> X </u>	<u>Engineering Department</u>		
<u> </u>	<u>DeKalb County Plan Commission</u>		
<u> </u>	<u>Internet Code Site</u>		

ORDINANCE NO. 2011-04

**AN ORDINANCE
VACATING A PORTION OF AN CITY STREET
LOCATED IN THE CITY OF AUBURN, INDIANA**

WHEREAS, a petition was filed with the City of Auburn, Indiana to vacate a portion of Walnut Street between Van Buren Street and Wayne Street, which is approximately 66 feet wide by 128.25 feet long and between Lot Sixty and Block One of the Ensley's Second Addition both owned by the Auburn Cord Duesenberg Automobile Museum; and,

WHEREAS, a public hearing of the City of Auburn Common Council was held on the 5th day of April, 2011 at 6:00 P.M. at the Auburn Common Council Chambers regarding the petition for vacation, and

WHEREAS, a second reading of the Ordinance was held on April 5, 2011, and

WHEREAS, after due consideration and opportunity for public notice and comment; and

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

Section 1.

The portion of the platted street (right-of-way), which is approximately 66 feet wide and 128.25 feet long between Van Buren and Wayne Streets and adjacent to Block One to the north and lot 60 to the south is hereby vacated. One-half of said right-of-way shall be granted/conveyed to Block One and one-half of the said right-of-way shall be granted/conveyed to the lot numbered 60. Said lots are located within the Ensley's Second addition to the City of Auburn, Indiana recorded at the office of the DeKalb County Recorder. See Exhibit "A", consisting of two (2) pages, which is attached hereto and made a part hereof further setting forth the area being vacated.

Section 2.

The Municipal City of Auburn shall retain an easement across the vacated right-of-way/street 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 right-of-way.

Section 3.

BE IT FURTHER ORDAINED that this Ordinance be in full force and effect from and after publication in a newspaper of general circulation in DeKalb County, Indiana.

PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this _____ day of _____, 2011.

Councilmember

ATTEST:

Patricia Miller, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this _____ day of _____, 2011.

PATRICIA MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this _____ day of _____, 2011.

NORMAN E. YODER, Mayor

1ST READING 3.15.2011
2ND READING 4.05.2011

VOTING:

AYE

NAY

Dick Stahly

David Painter

Marilyn Gearhart

James Finchum

Keith Schrimshaw

Denny Ketzenberger

Michael Walter

EXHIBIT "A"

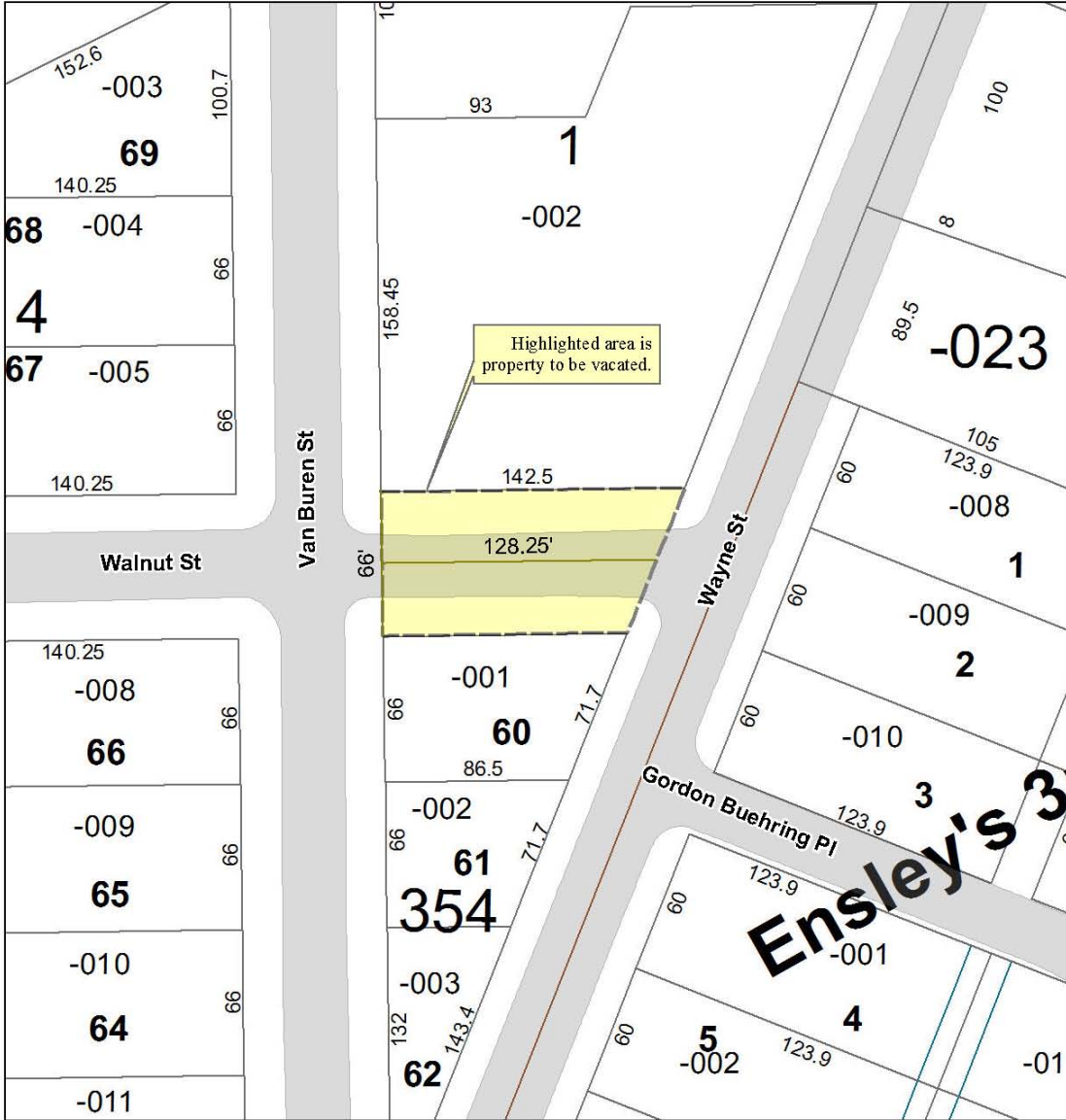


EXHIBIT "A"

