

**ORDINANCE NO. 2024-18**  
**AN ORDINANCE VACATING RIGHT-OF-WAY**  
**IN THE CITY OF AUBURN, INDIANA**

**SUMMARY**

In accordance with the provisions set forth in Indiana Code §36-7-3-12, this ordinance shall vacate a portion of the platted north-south alley right-of-way located west of 1600 S. Grandstaff Drive.

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

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**IN THE CITY OF AUBURN, INDIANA**

**WHEREAS**, a petition to vacate certain public right-of-way has been filed by Lakewood Park Baptist Church, Inc.; and

**WHEREAS**, the City of Auburn desires to vacate certain right-of-way more particularly described as follows:

*The ten-foot (10') north-south alley right-of-way located adjacent to Lot Twenty-One (21) through Lot Twenty-Six (26) in Block 7 in Forest Park Addition to the City of Auburn, Indiana; and the sixteen-foot (16') north-south alley located adjacent to Lot Twenty (20) and Lot Twenty-One (21) in Block 7 in Forest Park Addition to the City of Auburn, Indiana.*

**WHEREAS**, said portion of right-of-way is unimproved regarding pavement infrastructure; and

**WHEREAS**, a Public Hearing was held on August 20, 2024 at 6:00 PM by the City of Auburn Common Council in the Norman E. Yoder Council Chambers regarding the petition for the right-of-way vacation request; 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 right-of-way; and

**WHEREAS**, a second reading of the Ordinance will be held on September 3, 2024, 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.**

The right-of-way to be vacated is illustrated in Exhibit A, consisting of one (1) page, which is attached hereto and made a part hereof further setting forth the area being vacated.

**Section 2.**

The remaining portions of the platted ten-foot (10') alley to the north of Lot 26 and the remaining portions of the platted sixteen-foot (16') alley to the south of Lot 20 shall remain as originally platted.

**Section 3.**

Once this document is executed and recorded, the east one-half of the vacated right-of-way shall be conveyed to Lakewood Park Baptist Church, Inc. as the owner of the adjacent Lots 20 through 26 in Block 7 in Forest Park Addition to the City of Auburn, Indiana; and the west one-half of the vacated right-of-way shall be conveyed to the Auburn Port Authority as the owner of the adjacent property (former railroad right-of-way) to the west of the vacated alley right-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.

Received electronically 08/13/2024

1<sup>ST</sup> READING \_\_08/20/2024\_\_

2<sup>ND</sup> READING \_\_\_\_\_

**PASSED AND ADOPTED** by the Common Council of the City of Auburn, Indiana, this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**James Finchum, Council Member**

**ATTEST:**

\_\_\_\_\_  
**Lorrie K. Pontius, Clerk-Treasurer**

Presented by me to the Mayor of the City of Auburn, Indiana, this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**LORRIE K. PONTIUS, Clerk-Treasurer**

**APPROVED AND SIGNED** by me this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**DAVID E. CLARK, JR, Mayor**

**VOTING:**

**AYE**

**NAY**

Natalie DeWitt, President



Rod Williams



James Finchum



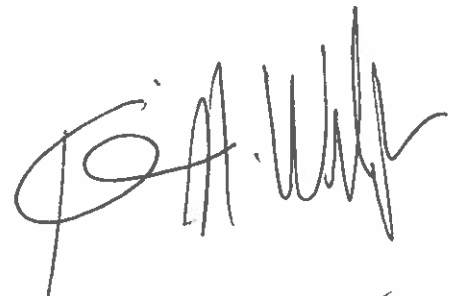
Dan Braun



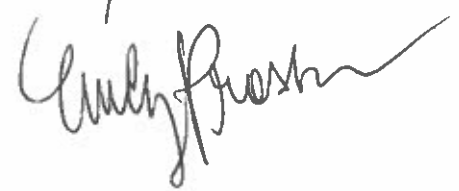
David Bundy



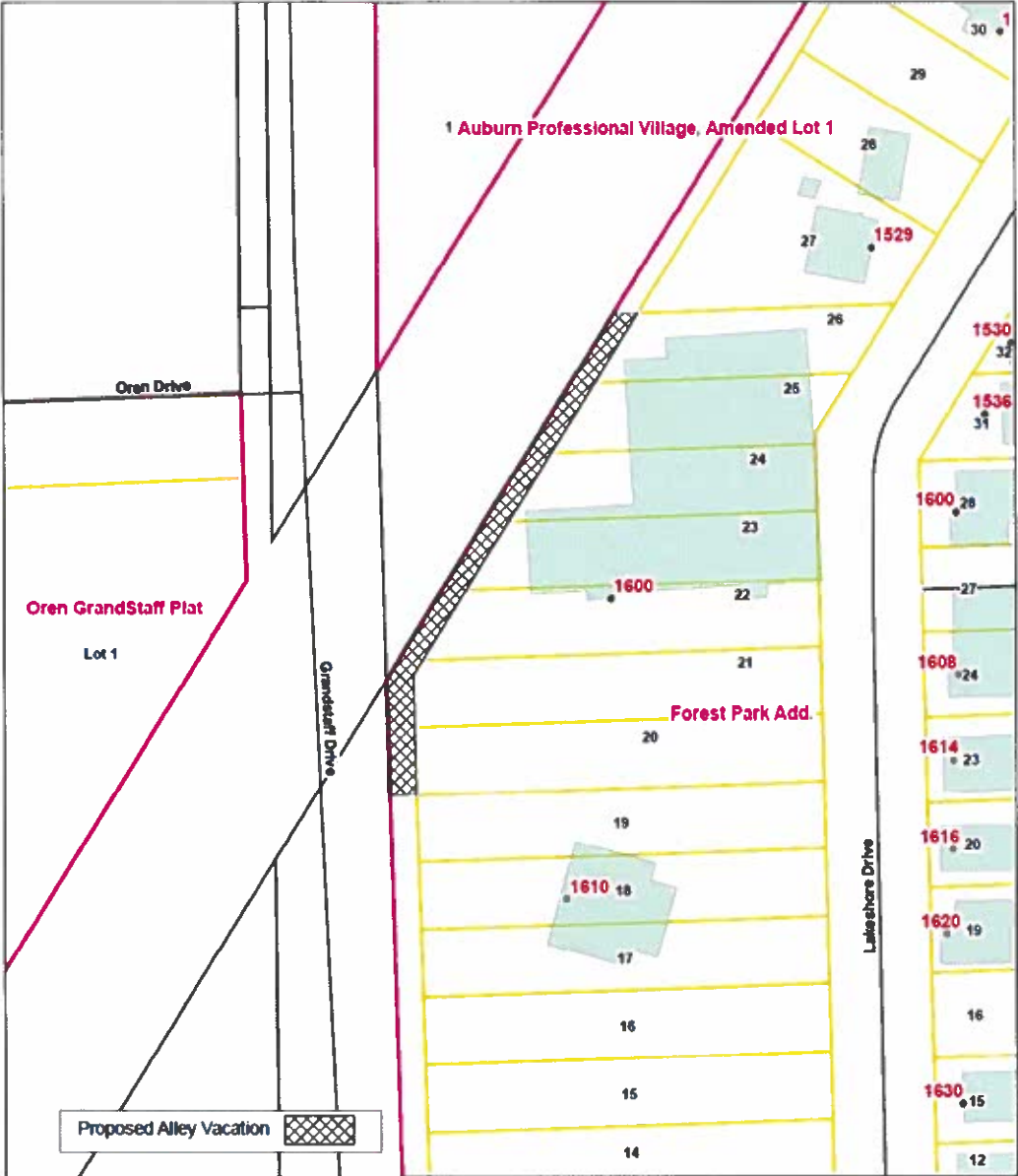
Kevin Webb



Emily Prosser



**Exhibit A**



**Proposed Alley Vacation - 1600 S. Grandstaff Drive**