

Received Original 9.16.2014
Received Revised 10.9.2014
Clerk-Treasurer email
Auburn, IN

ORDINANCE NO. 2014-11

**AN ORDINANCE
VACATING VAN AUKEN STREET
LOCATED IN THE CITY OF AUBURN, INDIANA**

SUMMARY

This ordinance authorizes the vacation of that part of a right-of-way known as Van Auken Street that lies between Fourteenth Street and Twelfth Street in the Municipal City of Auburn, Indiana. The street borders real estate owned by the DeKalb County Central United School District. The width of the street to be vacated is approximately 60 feet in width and 406 ft. in length and is approximately .5 acres. The entire width of the vacated right-of-way (Van Auken Street) shall be granted to the adjacent property owner to the west, the DeKalb County Central United School District, because the street is part of the plat associated with the DeKalb County Central United School District's real estate.

<u> x </u>	Recorder's Office	<u> X </u>	Publish Public Hearing
<u> x </u>	Auditor's Office	<u> 10/21/2014 @ 6:00pm </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. 2014-11

**AN ORDINANCE
VACATING VAN AUKEN STREET
LOCATED IN THE CITY OF AUBURN, INDIANA**

WHEREAS, a petition was filed with the City of Auburn, Indiana to vacate Van Auken Street between Fourteenth Street and Twelfth Street, which is approximately 60 feet wide and runs approximately 406 feet in length. The public right-of-way is adjacent to real estate owned by the DeKalb County Central United School District; and

WHEREAS, a public hearing of the City of Auburn Common Council was held on the 21st day of October, 2014 at 6:00 P.M. at the Auburn Common Council Chambers regarding the petition for vacation, and

WHEREAS, the adjoining landowners have been given proper notice of said hearing; and

WHEREAS, a first reading of the ordinance was held on October 7, 2014, and a second and final reading was held on October 21, 2014; and

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

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

Section 1.

The entire width and length of Van Auken Street located in the Municipal City of Auburn, DeKalb County, State of Indiana, is hereby vacated and all of said real estate shall be vacated to the DeKalb County Central United School District which is the owner of real estate to the west of said right-of-way. The conveyance by vacation shall include the entire right-of-way. The City of Auburn, Indiana herein vacates ownership of said right-of-way. A schematic drawing setting forth a drawing of the area vacated is incorporated by reference and filed separately with the Common Council.

Section 2.

The Municipal City of Auburn shall retain an easement across the vacated right-of-way / alleyway 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. The public shall retain an easement across the vacated right-of-way/alleyway for the purpose of ingress and egress. This Ordinance shall be recorded with the County Recorder of DeKalb County, Indiana.

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 21st day of October, 2014.


James Finchum, Councilmember


ATTEST:


Patricia Miller, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this 21st day of October, 2014.


PATRICIA MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this 21 day of October, 2014.


NORMAN E. YODER, Mayor

VOTING:

AYE

NAY

Matthew (Dennis) Kruse



Michael Watson



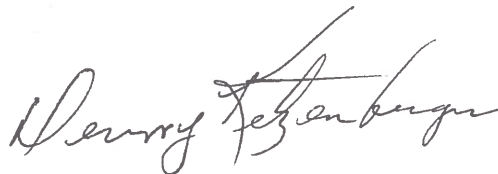

David Painter

Kevin Webb




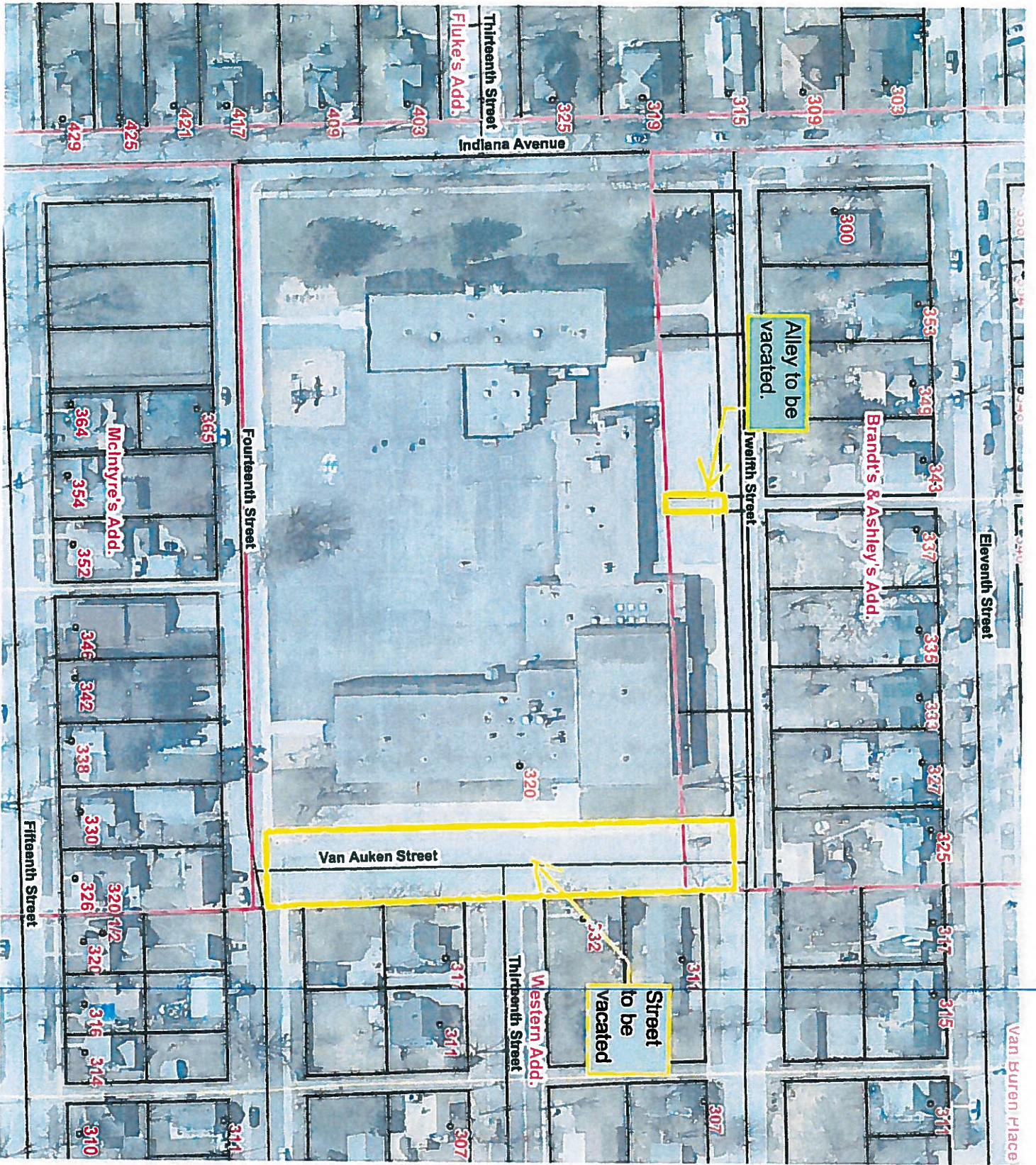
James Finchum

Denny Ketzenberger



Michael Walter





Alley to be vacated.

Street to be vacated

Brandt's & Ashley's Add.

McIntyre's Add.

Western Add.

Thirteenth Street
Fluke's Add.

Eleventh Street

Van Buren Place

Indiana Avenue

Fourteenth Street

Twelfth Street

Van Auken Street

Fifteenth Street

Thirteenth Street