1 ST READING	07.05.2016
2 ND READING	07.19.2016

Received 6/28/2016 via email Clerk-Treasurer mailbox Auburn, Indiana

ORDINANCE NO. 2016-07

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

SUMMARY

This ordinance authorizes the vacations of undeveloped portions of the public rights-ofway located in the Natural Gas Addition to the City of Auburn. The first right-of-way lies south of lots eighty-five (85) and one-hundred (100) extending south to lots ninety-two (92) and ninety-three (93) and located west of lots ninety-nine (99) through ninety-three (93) and east of lots eighty-six (86) through ninety-two (92). That section of right-ofway being approximately twenty (20) feet wide and approximately three-hundred fifty (350) feet long; vacating the undeveloped portion of an alleyway. The second right-ofway lies south of lot eighty-five (85) extending south to lot ninety-two (92) and located west of lots eighty-six (86) through ninety-two (92). That section of right-of-way being approximately thirty (30) feet wide and approximately three-hundred fifty (350) feet long; vacating the undeveloped portion of a street. The third right-of-way lies south of lots ninety-two (92) and ninety-three (93) and runs east and west. That section of rightof-way being approximately twelve (12) feet wide and approximately three-hundred (300) feet long; vacating the undeveloped portion of an alleyway. The areas that are located in the proposed vacated rights-of-way are more particularly shown on the Exhibit attached hereto as Exhibit "A".

 <u>X</u>	_ Recorder's Office	X_	Publish Public Hearing
	_ Auditor's Office	_7/19/20	016 @6:00pm
	_ Clerk's Office	<u>X</u>	_ Publish O/R after adoption
	_ Other	7/29/2	2016
<u>X</u>	Building Department		
<u>x</u>	Engineering Department		
	DeKalb County Plan Con	nmission	
x	Internet Code Site -Coun	cil Ordina	nnces

1 ST READING	
2 ND READING	

ORDINANCE NO. 2016-07

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

WHEREAS, a petition was filed with the City of Auburn, Indiana to vacate undeveloped portions of the public rights-of-way located in the Natural Gas Addition to the City of Auburn. The area being vacated is as follows:

The first right-of-way lies south of lots eighty-five (85) and one-hundred (100) extending south to lots ninety-two (92) and ninety-three (93) and located west of lots ninety-nine (99) through ninety-three (93) and east of lots eighty-six (86) thru ninety-two (92). That section of right-of-way being approximately twenty (20) feet wide and approximately three-hundred fifty (350) feet long; vacating the undeveloped portion of an alleyway. The second right-of-way lies south of lot eighty-five (85) extending south to lot ninety-two (92) and located west of lots eighty-six (86) through ninety-two (92). That section of right-of-way being approximately thirty (30) feet wide and approximately three-hundred fifty (350) feet long; vacating the undeveloped portion of a street. The third right-of-way lies south of lots ninety-two (92) and ninety-three (93) and runs east and west. That section of right-of-way being approximately twelve (12) feet wide and approximately three-hundred feet (300) long; vacating the undeveloped portion of an alleyway; and,

WHEREAS, a public hearing of the City of Auburn Common Council was held on the 19th day of July, 2015 at 6:00 P.M. at the Auburn Common Council Chambers regarding the petition for vacation, and

WHEREAS, public notice has been provided to the affected landowners, and WHEREAS, a second reading of the Ordinance was held on July 19, 2016, and

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

1ST READING _____ 2ND READING _____

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. One-half of the width of the first vacated right-of-way shall be awarded to each

adjoining landowner. The full width of the second vacated right-of-way shall be awarded

to the lots adjoining on the east. The full width of the third vacated right-of-way shall be

awarded to lots ninety-two (92) and ninety-three (93).

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 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 web-site under the Council information at

www.ci.auburn.in.us.

PASSED AND ADOPTED by the Common Council of the City of Auburn.

Indiana, this 19th day of July, 2016.

James Finchum, Councilmember

1 ST READING	
2 ND READING	

ATTEST.		
Tourus	an Paul	عر

Patricia Miller, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this 19^{th} day of July, 2016.

PATRICIA MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this 19th day of July, 2016.

NORMAN E. YODER, Mayor

VOTING:

ATTECT.

AYE

NAY

Kevin Webb

James Finchum

Dennis (Matthew) K. Kruse II

Todd Sanderson

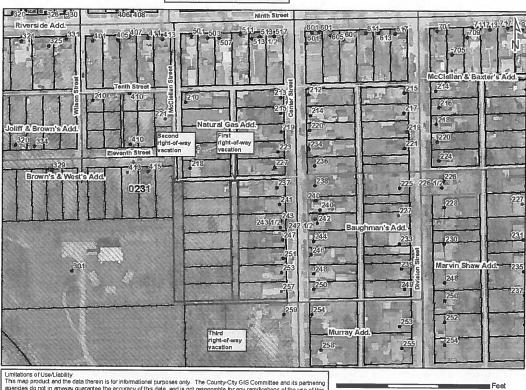
Michael Watson

Dennis Ketzenberger

Michael Walter

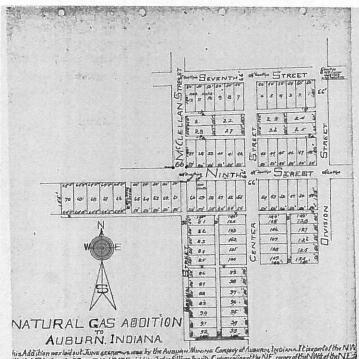
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EXHIBIT "A"



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MUBURN. INDIANA.

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the NET of section 32 mg 34 NR 13 E and decribed as follows town to Commencing at the NE corner of the NW of the NEA

section and rainge aprecial. Thence West with section line 549 feet; the measurest IT Otest; the markest B3 feet, I inchest of the Original Plat of the Town at New York when the South the corner of the Town at New York when a South 204 feet; thence East to Office (3) inchest, thence such to 64 feet; the East of the Corner o

or size, number and location at lots and for width and location of Streets and Alleys Sec annexed Plat. n witness whereof Charles AOM-Clellan president of the Augurn Minneyo Catherwood setting hand and the Seal M. Mit I I ... & Gantember A DIBAR as such president.