

**ORDINANCE 4-C-22**

*Synopsis: This ordinance, if adopted, would vacate a portion of a platted 10 foot rear utility and storm drainage easement located on Lots 110, 111, 112, and 113 in the Replat of Indian Ridge on the Wabash, Section VII, within the City of Huntington.*

**AN ORDINANCE VACATING A PORTION OF A PLATTED EASEMENT  
WITHIN THE CITY OF HUNTINGTON, INDIANA**

WHEREAS, on the 14<sup>th</sup> day of February, 2022, Steven G. Stecher, Sally J. Stecher, Michael S. Stecher, Melissa A Stecher and Jennifer A Haston (collectively the "Applicants") filed a petition, pursuant to I.C. 36-7-3-16, to vacate the following portions of the rear 10 foot wide utility and storm drainage easement located on Lots 110, 111, 112 and 113 in the Replat of Lots 110, 111, 112, 113, 172, 173, 174 and 175 of Indian Ridge on the Wabash, Section VII, Recorded as Document No. 2004007256, excluding any area within the 40 foot wide utility and storm drainage easement between Lots 112 and 113 for the Obediah R. France Legal Drain:

*Commencing at the eastern property line of Lot 110 to a line that is 25' east of the western property line of Lot 112 and resuming at a point that is 15' west of the eastern property line of Lot 113 to the western property line of Lot 113, all as depicted in Exhibit A. The 40' wide utility and storm drainage easement for the Obediah R. France Legal Drain shall remain fully intact.*

WHEREAS, a map showing that portion of the easement proposed to be vacated and that portion of the easement proposed to remain is attached and incorporated herein as Exhibit "A";

WHEREAS, appropriate notice has been given, and a public hearing has been held within thirty (30) days after the filing of that petition, all in the manner provided by law; and

WHEREAS, all utilities have been provided notice of the petition and consented to the vacation request.

NOW THEREFORE, THIS COUNCIL FINDS that the vacation of the a portion of the platted easement as described in Exhibit "A" easement will not be a detriment to the health, safety, and general welfare of the citizens of the City of Huntington, Indiana, and that such vacation will not:

1. make access to any other parcels of land impossible;
2. eliminate the public's access to a church, school or other public building or place;
3. hinder the growth or orderly development of the City of Huntington, Indiana;
4. hinder the use of any street, alley or public way;
5. be of any detriment to the health, safety and general welfare of the citizens of the City of Huntington, Indiana.

NOW, THEREFORE, BE IT ORDAINED that the platted easement as described above is hereby partially vacated.

**FILED**

MAR 09 2022

AUDITOR  
HUNTINGTON COUNTY, IN**FILED**

MAR 09 2022

AUDITOR  
HUNTINGTON COUNTY, IN

## **ORDINANCE 4-C-22**

BE IT FINALLY ORDAINED that this ordinance shall be in full force and effect following its adoption and in accordance with applicable law and the Clerk-Treasurer is directed to furnish a copy of this Ordinance to the County Auditor and County Recorder for recording as provided by applicable law, which shall be conclusive evidence of the partial vacation of the easement as described in this Ordinance.

This Instrument prepared by Bryn Keplinger, Director of Community Development & Redevelopment, City of Huntington, Indiana, City Building, 300 Cherry Street, Huntington, Indiana 46750.

I, Bryn Keplinger, affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security in this document, unless required by law.

*[Signature Block Next Page]*

## ORDINANCE 4-C-22

A motion to consider for final adoption on the same day of introduction was [NOT OFFERED or NOT SUSTAINED or SUSTAINED] by a vote of 6 in favor and 0 in opposition.

Duly adopted on first reading this 8 day of March, 2022 by a vote of 6 in favor and 0 in opposition.

Duly adopted on final reading this 8 day of March, 2022, by a vote of 6 in favor and 0 in opposition.

CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL

Voting in Favor:

Joe Blomeke  
Charles Chapman  
PJ Felton  
Dave Funk  
Todd Johnson  
Seth Marshall  
Absent

Joe Blomeke

Charles Chapman  
(President)

PJ Felton

Dave Funk

Todd Johnson

Seth Marshall

Paul Pike

Voting in Opposition:

Joe Blomeke  
Charles Chapman  
PJ Felton  
Dave Funk  
Todd Johnson  
Seth Marshall  
Paul Pike

Attest:

Christi McElhaney  
Christi A. McElhaney  
City Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this 8 day of March, 2022.

Christi McElhaney  
Christi A. McElhaney  
City Clerk-Treasurer

This ordinance having been adopted by the Common Council and presented to me is [APPROVED or VETOED], this 8 day of March, 2022.

Richard Strick  
Richard Strick  
Mayor of the City of Huntington, Indiana

# Proposed Easement Vacation

