

ORDINANCE 20-C-22

Synopsis: This ordinance, if adopted, would vacate two alley right-of-ways bound by Edna Street, Clark Street, the first alley north of Grant Street, and the west line of R.G. Mitchell's Addition, all within the Replat of R.G. Mitchell's Addition to the City of Huntington, Huntington County, Indiana.

AN ORDINANCE VACATING TWO RIGHT-OF-WAYS WITHIN THE CITY OF HUNTINGTON, INDIANA

WHEREAS, on the 25th day of July 2022, Mary Ellen Scott filed a petition to vacate two right-of-ways, located within the City of Huntington, Indiana and more particularly described as follows:

The 15 foot wide alley right-of-way and 16 foot wide alley right-of-way, both running North-South and both bound by Edna Street, Clark Street, the first alley north of Grant Street, and the west line of R.G. Mitchell's Addition, all within the Replat of R.G. Mitchell's Addition to the City of Huntington, Huntington County, Indiana; more particularly described as follows:

Commencing at the Northwest corner of Lot No. 17 in the Replat of R.G. Mitchell's Addition to the City of Huntington; thence West across the subject alley and parallel with the North line of said Lot No. 17 to the West line of said R.G. Mitchell's Addition, a distance of 15 feet; thence South along the West line of R.G. Mitchell's Addition, a distance of 125 feet; thence East across the subject alley to the Southwest corner of said Lot No. 17, a distance of 15 feet; thence North along the West line of said Lot No. 17 to the Northwest Corner of said Lot No. 17, a distance of 125 feet to the Point of Beginning. Containing 1,875 square feet more or less.

AND

Commencing at the Northeast corner of Lot No. 16 in in the Replat of R.G. Mitchell's Addition to the City of Huntington; thence South along the East line of said Lot No. 16 to the Southeast corner of said Lot No. 16, a distance of 125 feet; thence East across the subject alley and parallel with the South line of said Lot No. 16 to the Southwest corner of Lot No. 13, a distance of 16 feet; thence North along the West line of Lot Nos. 13, 14 and 15 to the Northwest corner of Lot No. 15, a distance of 125 feet; thence West across the subject alley and parallel with the North line of Lot No. 15 to the Northeast corner of Lot No. 16, distance of 16 feet to the Point of Beginning. Containing 2,000 square feet more or less.

WHEREAS, a map marking the proposed portion of the right-of-ways to be vacated is attached and incorporated herein as Exhibit "A"; and

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, no remonstrances to the proposed vacation have been filed or raised and the matter is now properly before the Council for action, all pursuant to applicable law; and

NOW THEREFORE, THIS COUNCIL FINDS that the vacation of the right-of-way 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 right-of-way as described above is hereby vacated.

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 vacation of the right-of-way 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]

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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 5 in favor and 0 in opposition.

Duly adopted on first reading this 30 day of August, 2022, by a vote of 5 in favor and 0 in opposition.

Duly adopted on final reading this 30 day of August, 2022, by a vote of 5 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
Absent
Absent
Paul Pike

Joe Blomeke

Charles Chapman
(President)

PJ Felton

Dave Funk

Todd Johnson

Seth Marshall

Paul Pike

Voting in Opposition:

Attest:

Christi McElhaney
Christi A. McElhaney
City Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this 30 day of August, 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 30 day of August, 2022.

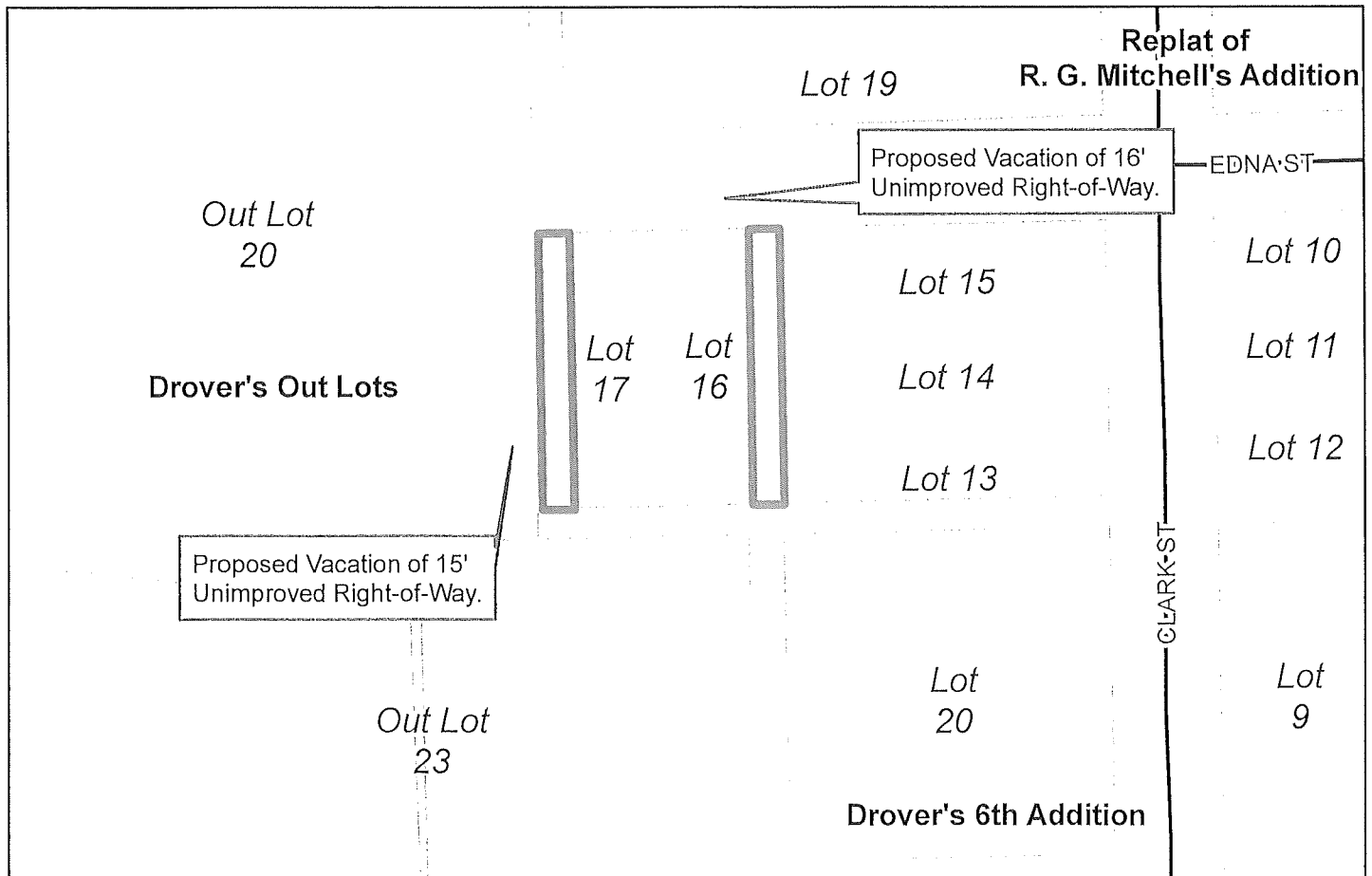
Richard Strick
Richard Strick
Mayor of the City of Huntington, Indiana

Unimproved Right-of-Ways - Huntington, Indiana

Exhibit A



Aerial Photo



Plot of Subdivision/Addition Plat