

## **ORDINANCE 9-C-25**

*Synopsis: This ordinance, if adopted, would vacate an alley right-of-way located North of Gay Street, East of Condit Street, South of Superior Street and West of Jackson Street, all within the City of Huntington.*

### **AN ORDINANCE VACATING A RIGHT-OF-WAY WITHIN THE CITY OF HUNTINGTON, INDIANA**

WHEREAS, on the 21<sup>st</sup> day of March 2025, Joseph Schmaltz filed a petition to vacate a right-of-way, located within the City of Huntington, Indiana and more particularly described as follows:

*The 14 foot wide alley right-of-way, running North-South located North of Gay Street, East of Condit Street, South of Superior Street and West of Jackson Street; in George J. Bippus' Addition to the City of Huntington, Huntington County, Indiana; more particularly described as follows:*

*Beginning at the Northeast corner of Lot Number 166 in the Plat of George J. Bippus Addition as recorded in the Huntington County Indiana Recorder's Office; thence Southerly along the East line of said Lot No. 166, a distance 132 feet; thence Easterly across the subject 14 foot alley right-of-way to the Southwest corner of Lot No. 165; thence Northerly along the West line of Lot No. 165, a distance of 132 feet to the Northwest corner of said Lot No. 165; thence Westerly across the subject 14 foot alley to the Point of Beginning. Containing 1,848 square feet more or less.*

WHEREAS, a map marking the proposed portion of the right-of-way to be vacated 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, 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.

## **ORDINANCE 9-C-25**

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 are 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.

***[Signature Block Next Page]***

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.

**ORDINANCE 9-C-25**

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 \_\_\_\_ in favor and \_\_\_\_ in opposition.

Duly adopted on first reading this \_\_\_\_ day of \_\_\_\_\_, 2025, by a vote of \_\_\_\_ in favor and \_\_\_\_ in opposition.

Duly adopted on final reading this \_\_\_\_ day of \_\_\_\_\_, 2025, by a vote of \_\_\_\_ in favor and \_\_\_\_ in opposition.

**CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL**

Voting in Favor:

Voting in Opposition:

_____	Charles Chapman (President)	_____
_____	Dwight Brautigam	_____
_____	PJ Felton	_____
_____	Dave Funk	_____
_____	Todd Johnson	_____
_____	Paul Pike	_____
_____	Andrew Rensberger	_____

Attest:

\_\_\_\_\_  
Christi A. McElhaney  
City Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Christi A. McElhaney  
City Clerk-Treasurer

This ordinance having been adopted by the Common Council and presented to me is [APPROVED or VETOED], this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

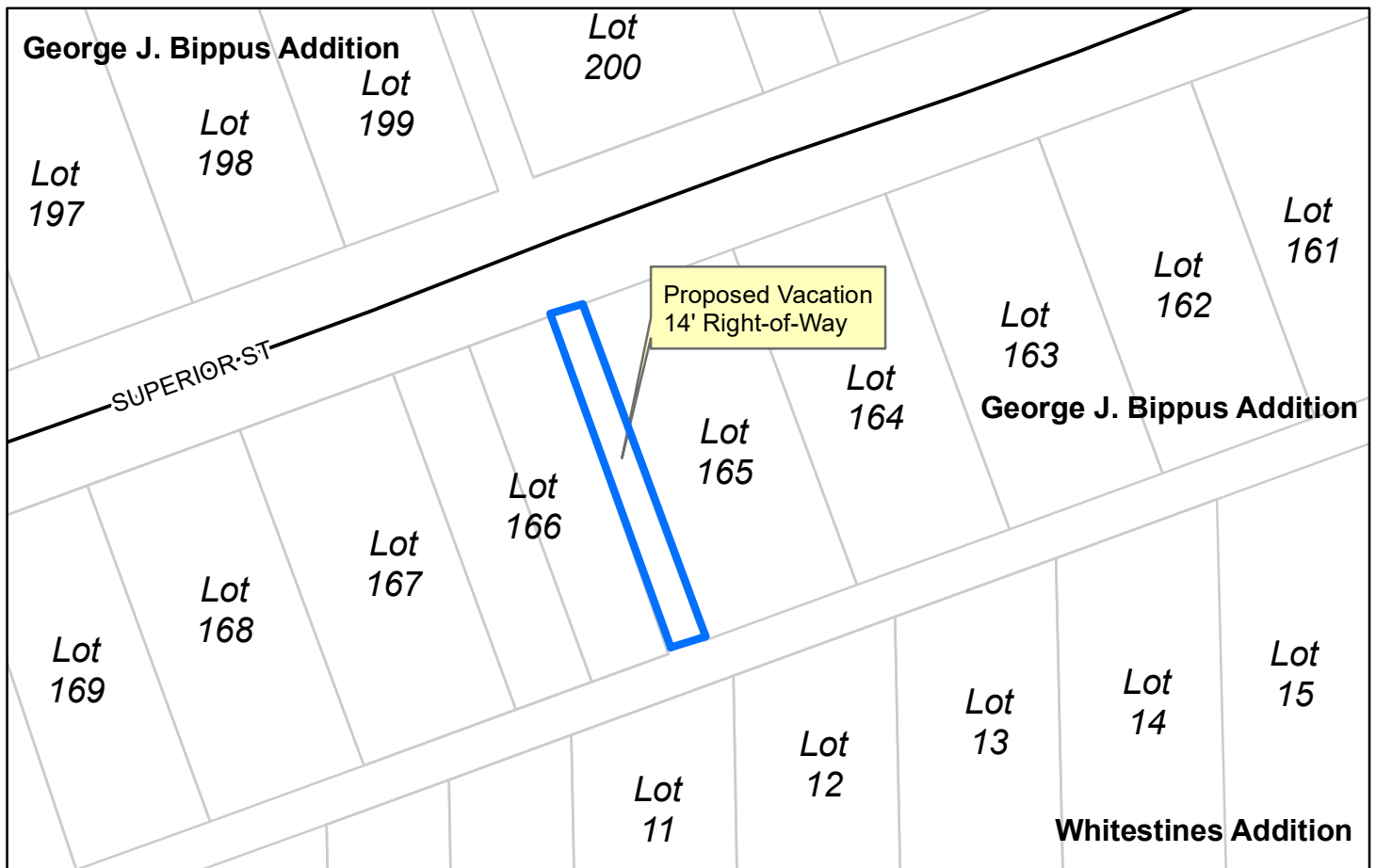
\_\_\_\_\_  
Richard Strick  
Mayor of the City of Huntington, Indiana

# Right-of-Way Vacation - Huntington, IN

Exhibit A



Aerial Photo



Plot of Subdivision/Addition Plat