

ORDINANCE 1-C-25

Synopsis: This ordinance, if adopted, would vacate an alley right-of-way located North of Gardendale Avenue, East of Engle Street, South of Joe Street (platted Everett Street) and West of Drover Street (platted Calvert Street), all within the City of Huntington.

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

WHEREAS, on the 11th day of December 2024, Justin Wall, on behalf of Inner Circle Properties, LLC filed a petition to vacate a right-of-way, located within the City of Huntington, Indiana and more particularly described as follows:

The 8 foot wide half alley right-of-way, running East-West located North of Gardendale Avenue, East of Engle Street, South of Joe Street (platted Everett Street) and West of Drover Street (platted Calvert Street); in Gardendale Subdivision to the City of Huntington, Huntington County, Indiana; more particularly described as follows:

Beginning at the Northwest corner of Lot Number 72 in the Plat of Gardendale Subdivision as recorded in the Huntington County Indiana Recorder's Office; thence North 89 Degrees 10 Minutes East on the North line of said Lot 72 and the North line of Lot Number 71 in said plat a distance of 85.35 feet to the Northeast corner of said Lot Number 71; thence North 01 degrees 00 minutes West on the Northerly extension of the East line of said Lot Number 71 a distance of 8 feet to the North line of the platted ally as shown on said plat; thence South 89 Degrees 10 Minutes West on the North line of said alley a distance of 85.30 feet to the Northerly extension of the West line of said Lot Number 72; thence South 00 Degrees 40 Minutes East on the Northerly extension of said West line a distance of 8 feet to the Point of Beginning. Containing 683 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 1-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 1-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.

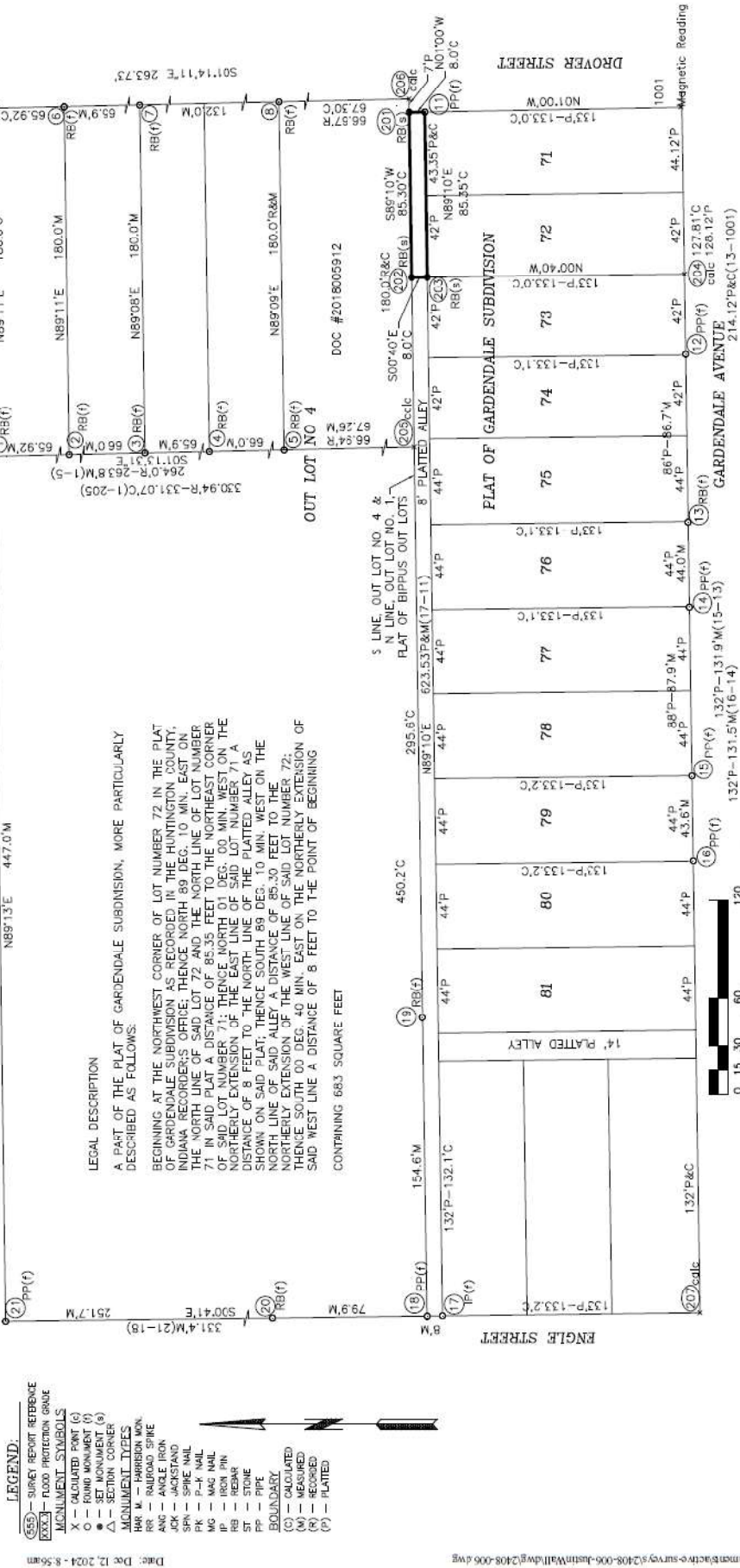
Richard Strick
Mayor of the City of Huntington, Indiana

ORDINANCE 1-C-25

P.O. BOX 5068
HUNTINGTON, IN 46750
2600-324-6813

Maxwell Surveying & Engineering

STEVEN A. MAXWELL P.E. & P.L.S.
P.L.S. NO. 29000007



SEE SHEET 2 OF 2
FOR SURVEYOR'S REPORT.

CERTIFICATION IN ILEU OFE FORM 173
I, THE UNDERSIGNED, REGISTERED LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, HEREBY CERTIFY THAT THIS SURVEY AND ACCOMPANYING REPORT HAS BEEN MADE UNDER MY DIRECTION AND THAT THE SURVEY AND ACCOMPANYING REPORT HAS BEEN COMPLETED IN ACCORDANCE WITH TITLE 865-AC 1-12 AND ALL OTHER AMENDMENTS THERETO.
THIS SURVEY VALID ONLY WITH ORIGINAL HAND AND/OR SEAL AND PAYMENT OF INVOICE.
THE SURVEY MUST HAVE ALL PAGES INCLUDING SURVEYOR'S REPORT TO BE COMPLETE.

STEVEN A. MAXWELL
SURVEYOR

SEE SHEET 2 OF 2
FOR SURVEYOR'S REPORT.

CERTIFICATION IN ILEU OFE FORM 173
I, THE UNDERSIGNED, REGISTERED LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, HEREBY CERTIFY THAT THIS SURVEY AND ACCOMPANYING REPORT HAS BEEN MADE UNDER MY DIRECTION AND THAT THE SURVEY AND ACCOMPANYING REPORT HAS BEEN COMPLETED IN ACCORDANCE WITH TITLE 865-AC 1-12 AND ALL OTHER AMENDMENTS THERETO.
THIS SURVEY VALID ONLY WITH ORIGINAL HAND AND/OR SEAL AND PAYMENT OF INVOICE.
THE SURVEY MUST HAVE ALL PAGES INCLUDING SURVEYOR'S REPORT TO BE COMPLETE.

STEVEN A. MAXWELL
SURVEYOR

SEE SHEET 2 OF 2
FOR SURVEYOR'S REPORT.

CERTIFICATION IN ILEU OFE FORM 173
I, THE UNDERSIGNED, REGISTERED LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, HEREBY CERTIFY THAT THIS SURVEY AND ACCOMPANYING REPORT HAS BEEN MADE UNDER MY DIRECTION AND THAT THE SURVEY AND ACCOMPANYING REPORT HAS BEEN COMPLETED IN ACCORDANCE WITH TITLE 865-AC 1-12 AND ALL OTHER AMENDMENTS THERETO.
THIS SURVEY VALID ONLY WITH ORIGINAL HAND AND/OR SEAL AND PAYMENT OF INVOICE.
THE SURVEY MUST HAVE ALL PAGES INCLUDING SURVEYOR'S REPORT TO BE COMPLETE.

STEVEN A. MAXWELL
SURVEYOR

SEE SHEET 2 OF 2
FOR SURVEYOR'S REPORT.