2020070530
ROSEMARY BROWN
WHITLEY COUNTY RECORDER
COLUMBIA CITY, IN
$ 25.00 TX: 4019997
07/29/2020 08:14:25 AM
Recorded as Received

ORDINANCE NUMBER 2020-21

VACATION OF PUBLIC RIGHT-OF-WAY

WHEREAS, Edward T. Parent, Trustee of the Edward T. and Cathy S. Revocable Living Trust, has filed his Petition to Vacate Public Right-of-Way as attached and incorporated as Exhibit "A" with the Common Council of the City of Columbia City, Whitley County, Indiana; and

WHEREAS, Indiana Code §36-7-3-12 provides the process for a vacation of a public way or place; and

WHEREAS, a hearing on said Petition was held on July 14, 2020 at 6:00 p.m. and notice of said hearing was received by adjacent property owners and was published in the Columbia City *Post & Mail* as required by law; and

WHEREAS, Petitioner is the owner of 507 E. Jefferson Street and E. Jefferson Street, both in Columbia City, Indiana, which properties are adjacent to the public way to be vacated, and which public way is described as follows, to-wit:

An alley lying between Lots Numbered 6 and 7 in Block Number 1 in the First Addition to the Town of Columbia, now called City of Columbia City, Whitley County, Indiana (This description prepared by Kevin R. Michel, LS80870006, as part of original survey M-150"A" completed by J.K. Walker and Associates, P.C., dated May 12, 2020), being more particularly described as follows, to wit:

BEGINNING at an iron pin found at the Southwest corner of said Lot Number 7; thence North 00 degrees 36 minutes 05 seconds West (GPS Grid bearing and used as the basis of bearings for this description), on and along the West line of said Lot Number 7, a distance of 148.50 feet to an iron pin found at the Northwest corner of said Lot Number 7; thence South 89 degrees 26 minutes 06 seconds West, a distance of 16.50 feet to a bolt found a the Northeast corner of said Lot Number 6; thence South 00 degrees 36 minutes 05 seconds East, on and along the East line of said Lot number 6, a distance of 148.50 feet to a bolt found at the Southeast corner of said lot Number 6; thence North 89 degrees 26 minutes 06 seconds East, on and along the North right-of-way line of Jefferson Street, a distance of 16.50 feet to the point of beginning, containing 0.06 acres of land, more or less, subject to all legal right-of-way, subject to all legal drain easements and all other easements of record.

WHEREAS, vacation of that portion of the public way sought to be vacated will not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous, will not make access to the lands of any person by means of the public way difficult or inconvenient, will not hinder the public's access to a church, school, or other building or place and will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous; and

WHEREAS, the Common Council of the City of Columbia City, Whitley County, Indiana, has jurisdiction to vacate the public way described in said Petition and has determined that the vacation is in the public interest; and

WHEREAS, the Petitioner is the owner of both sides of said public way requested to be vacated.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Columbia City, Whitley County, Indiana and pursuant to Indiana Code §36-7-3-12, that the public way described as follows:

An alley lying between Lots Numbered 6 and 7 in Block Number 1 in the First Addition to the Town of Columbia, now called City of Columbia City, Whitley County, Indiana (This description prepared by Kevin R. Michel, LS80870006, as part of original survey M-150"A" completed by J.K. Walker and Associates, P.C., dated May 12, 2020), being more particularly described as follows, to wit:

BEGINNING at an iron pin found at the Southwest corner of said Lot Number 7; thence North 00 degrees 36 minutes 05 seconds West (GPS Grid bearing and used as the basis of bearings for this description), on and along the West line of said Lot Number 7, a distance of 148.50 feet to an iron pin found at the Northwest corner of said Lot Number 7; thence South 89 degrees 26 minutes 06 seconds West, a distance of 16.50 feet to a bolt found a the Northeast corner of said Lot Number 6; thence South 00 degrees 36 minutes 05 seconds East, on and along the East line of said Lot number 6, a distance of 148.50 feet to a bolt found at the Southeast corner of said lot Number 6; thence North 89 degrees 26 minutes 06 seconds East, on and along the North right-of-way line of Jefferson Street, a distance of 16.50 feet to the point of beginning, containing 0.06 acres of land, more or less, subject to all legal right-of-way, subject to all legal drain easements and all other easements of record,

is now vacated.

Be it further Ordained that the recitals shall be incorporated as if fully set forth herein.

This Ordinance shall be in full force and effect from and after its passage.

Signature Page to follow

ORDAINED AND PASSED this 28 day of July, 2020.

COMMON COUNCIL OF THE CITY OF
COLUMBIA CITY, INDIANA:

By: _____
Walter C. Crowder

By: _____
Theodore J. Varga, Jr.

By: _____
Daniel Weigold

By: _____
Jennifer B. Zartman-Romano

By: _____
Jennifer Reffitt

Approved this 28 day of July, 2020.

_____
Ryan Daniel, Mayor

Attest:

_____
Rosie Coyle, Clerk/Treasurer

Exhibit A

PETITION TO VACATE PUBLIC RIGHT OF WAY

I currently have an un-platted alley running through my property at 507 E. Jefferson St. I would like to request that this be vacated. I am the owner of both sides of the area needing vacated. Attached is a legal description of my property showing the area needing vacated.

DESCRIPTION OF SURVEYED TRACT III

(No deed found)

An alley lying between Lots Numbered 6 and 7 in Block Number 1 in the First Addition to the Town of Columbia, now called City of Columbia City, Whitley County, Indiana (This description prepared by Kevin R. Michel, LS80870006, as part of original survey M-150 "A" completed by J.K. Walker and Associates, P.C., dated May 12, 2020), being more particularly described as follows, to wit:

BEGINNING at an iron pin found at the Southwest corner of said Lot Number 7; thence N00°-36'-05"W (GPS Grid bearing and used as the basis of bearings for this description), on and along the West line of said Lot Number 7, a distance of 148.50 feet to an iron pin found at the Northwest corner of said Lot Number 7; thence S89°-26'-06"W, a distance of 16.50 feet to a bolt found at the Northeast corner of said Lot Number 6; thence S00°-36'-05"E, on and along the East line of said Lot Number 6, a distance of 148.50 feet to a bolt found at the Southeast corner of said Lot Number 6; thence N89°-26'-06"E, on and along the North right-of-way line of Jefferson Street, a distance of 16.50 feet to the point of beginning, containing 0.06 acres of land, more or less, subject to all legal right-of-way, subject to all legal drain easements and all other easements of record.

I have met with Chip Hill, Community Development Director, and he confirmed there are no utilities running through this area.

Respectfully submitted,

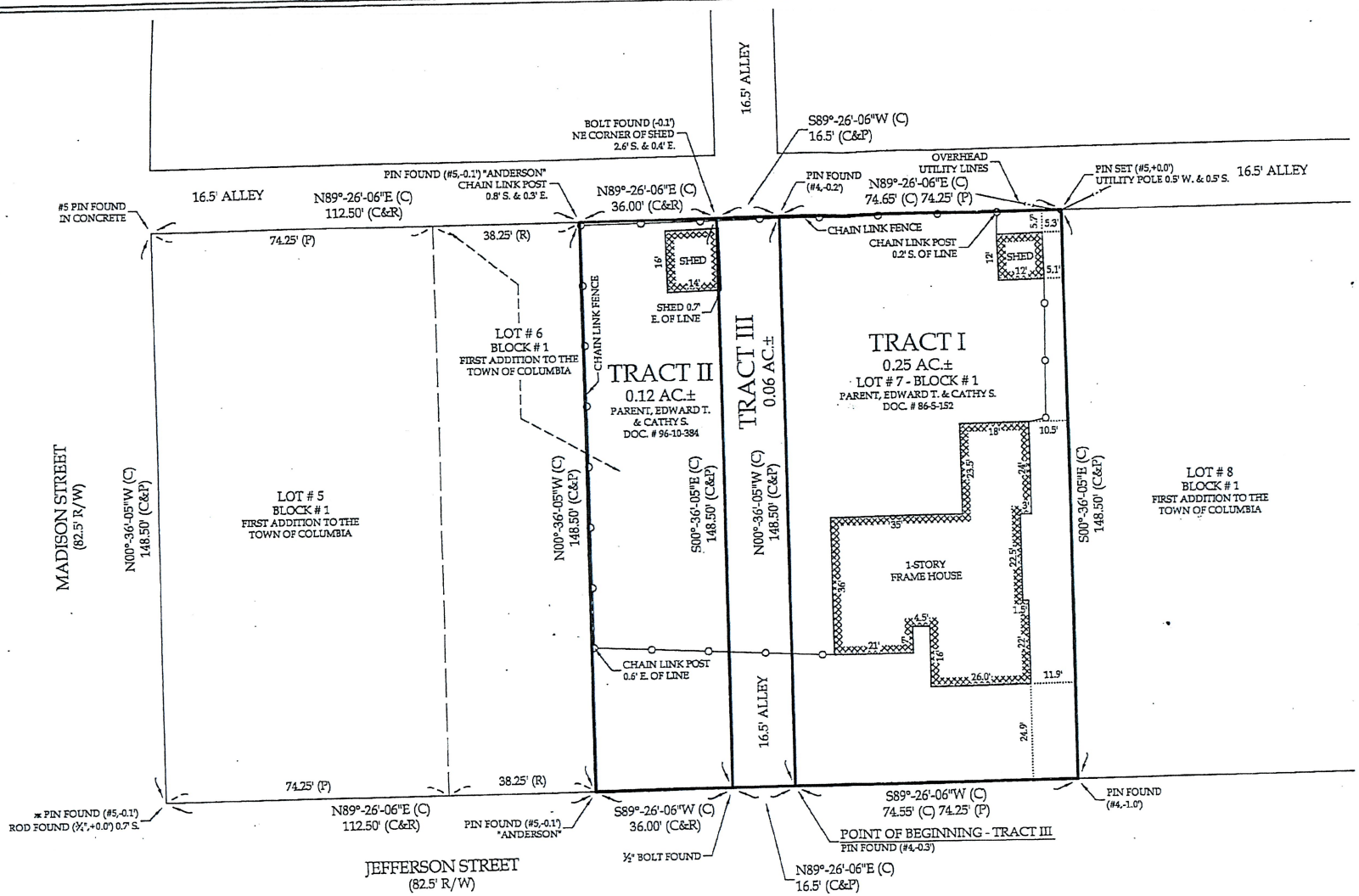
Edward J. Parent

Ed Parent

507 E Jefferson St

Columbia City, IN 46725

June 5, 2020



SCALE 1"=30'

0' 15' 30' 60'

LEGEND

M = MEASURED C = CALCULATEI
P = PLAT R = RECORDED
⁂ = WALKER MONUMENT

FIELD WORK COMPLETED ON 5-7-2020

PROPERTY ADDRESS

507 E Jefferson Street
Columbia City, IN 46725

BASIS OF BEARINGS

The basis of bearings for this drawing is GP
Multiple GPS observations utilizing a WGS
a local coordinate grid were utilized this su

WALKER & ASSOCIATES
EST. 1984
112 WEST VAN BUREN STREET
COLUMBIA CITY, IN 46725
Phone: (260) 244-3640
Fax: (260) 244-4640
www.walkersurveying.net
E-mail: mail@walkersurveying.net
LAND SURVEYING, CIVIL ENGINEERING, & LAND PLANNING

CERTIFICATE OF SURVEY

I, THE UNDERSIGNED REGISTERED LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, HEREBY CERTIFY THE HEREON PLAT TO CORRECTLY REPRESENT A SURVEY AS MADE UNDER MY DIRECTION AND THAT THIS SURVEY AND ACCOMPANYING REPORT HAS BEEN COMPLETED IN ACCORDANCE WITH TITLE 865-IAC 1-12 AND ALL OTHER AMENDMENTS THERETO.

KEVIN R. MICHEL REGISTERED № 870006 STATE OF INDIANA LAND SURVEYOR

LOT NUMBER 7, TOGETHER WITH PART OF LOT NUM
ALSO TOGETHER WITH AN ALLEY LYING BETWEEN I
NUMBERED 6 & 7, ALL BEING IN BLOCK NUMBER 1 IN TH
ADDITION TO THE TOWN OF COLUMBIA, NOW CITY
COLUMBIA CITY, WHITLEY COUNTY, INDIANA

FOR:
PARENT, EDWARD T. & CATHY S.

SCALE: 1"=30'	DRAWN BY: KRM	DRAWING
DATE: 5-11-2020	PAGE: 3 OF 3	M-15

92-06-11-301-401.005-004
92-06-11-301-401.007-004
E JEFFERSON ST