**ORDINANCE 20-1382**

AN ORDINANCE OF THE CITY OF WOODBURN, INDIANA COMMON COUNCIL

CONSIDERING VACATION PETITION VALY-2020-001

WITHIN THE WOODBURN CITY LIMITS

**WHEREAS,** the City Council of the City of Woodburn (the “City”), State of Indiana, pursuant to Indiana Code Section 36-7 et. seq., as amended, has authority to plan for and regulate the use and zoning of real property located within its municipal boundaries; and,

**WHEREAS,** the Allen County Plan Commission serves as the Plan Commission for the City; and,

**WHEREAS,** petitioners Dustin and Katie Brunner filed Vacation Petition VALY-2020-0001 with the Allen County Department of Planning Services; and,

**WHEREAS,** the Allen County Plan Commission held a public hearing on this Petition on the 13th day of February, 2020; and,

**WHEREAS,** the Allen County Plan Commission held a business meeting on the 20th day of February 2020, and after deliberating, the Plan Commission adopted Findings of Fact for this Petition resolving to recommend the vacation of alley right-of-way as depicted in attached “Exhibit A”;

**NOW THEREFORE, BE IT ORDAINED** by the Woodburn City Council that, as the legislative body of the City of Woodburn, Indiana, the City Council concurs with the Plan Commission’s recommendation and hereby approves the vacation of said right-of-way in Vacation Petition VALY-2020-0001, as attached hereto.

**BE IT FURTHER ORDAINED** that the Allen County Plan Commission’s Findings

of Fact for this Petition be adopted as the Findings of Fact for this Council;

Adopted and Ordained this 2nd day of March, 2020.

**WAIVER OF SECOND READING**

On motion duly made and seconded, the second reading of the foregoing Ordinance was unanimously waived. After a motion to adopt the Ordinance was properly made, the results of which are below, the Ordinance was deemed effective as of the date of passage due to a majority vote of yea and approval of the Mayor.

**COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ YEA\_\_\_\_\_ NAY\_\_\_\_\_ ABS\_\_\_\_\_

Michael Voirol, Councilor

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ YEA\_\_\_\_\_ NAY\_\_\_\_\_ ABS\_\_\_\_\_

Michael Martin, Councilor

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ YEA\_\_\_\_\_ NAY\_\_\_\_\_ ABS\_\_\_\_\_

Tonya Thompson, Councilor

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ YEA\_\_\_\_\_ NAY\_\_\_\_\_ ABS\_\_\_\_\_

Dean Gerig, Councilor

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ YEA\_\_\_\_\_ NAY\_\_\_\_\_ ABS\_\_\_\_\_

Daniel Watts, Councilor

ATTEST:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Timothy Cummins, Clerk-Treasurer

The foregoing ordinance passed by the Council is signed and approved ( ) / not approved ( ) by me on the same date.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Joseph Kelsey, Mayor for the City of Woodburn