COUNCIL MEETING MINUTES  
April 29th, 2019

The Common Council of the City of Kokomo, Indiana met Monday April 29th, 2019 at 6:00 P.M. in the City Hall Council Chambers.

The meeting was called to order by President Hayes.

President Hayes states, those who wish to stand may stand, or you may remain seated.

Invocation was offered by Pastor Mayfield from Bible Baptist Church.

Present: Wyant, Cameron, Young, Haworth, Kennedy, Hayes, Whikehart, Sanders, Miklik

Absent: None

The minutes of the Public Hearing & Council Meeting Minutes April 8th, 2019 were declared approved as presented.

COMMUNICATIONS: President Hayes states, we need to set a Public Hearing on Ordinance #6921 for May 13th 2019, at 6:00 P.M. in the Council Chambers.

There were no committee reports given at this regular meeting.

ORDINANCE 6921: AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE CITY OF KOKOMO, INDIANA

First reading

Ordinance 6921 was read by the Clerk by title only. Councilman Cameron moved for passage on ordinance #6921 on first reading; seconded by Councilman Wyant.
Cont. Ordinance #6921.
Councilman Cameron states, this ordinance deals with vacating an alley between lots 20 and 35, and there are two other lots there just between Madison, and Monroe. This will be the J.O. Heaton’s Area that is now Purdum Street. There is a 16-foot alley-way that sets in the middle between 20 and 35. They want to remove that alley, and use that space for the new living quarters coming in.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on first reading.

ORDINANCE 6932:  AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, AMENDING ORDINANCE 6471 OF THE KOKOMO CODE OF ORDINANCES REGARDING FEES
Second reading

Ordinance 6932 was read by the Clerk by title only. Councilman Whikehart moved for passage on ordinance #6932 on second reading; seconded by Councilwoman Sanders.

Councilman Whikehart states, initially the County handled storm-water permitting fees; but recently the City took that over. Without this ordinance we can-not issue permits or collect fees. This will authorize the engineering department to handle the permitting process. The citizens of Kokomo will see no increase as a result of this. I would encourage Council to support Ordinance #6932 on second reading.

Vote for passage follows:
Aye: All
Nay: None
The vote was 9 to 0 for passage on second reading.
President Hayes states, this marks the end of this Council Meeting, and our next Council Meeting will be May 13\textsuperscript{th}, 2019; with an Informational Meeting at 5:30 P.M. in the Louks Room. Public Hearing at 6:00 P.M. in the Council Chambers; and Council Meeting Immediately following.

Adjourned at 6:10 P.M.

___________________________
Presiding Officer

ATTEST:

___________________________
City Clerk
AGENDA
KOKOMO COMMON COUNCIL
CITY OF KOKOMO, INDIANA
PUBLIC INFORMATIONAL MEETING AT 5:30 P.M.
IN THE LOUKS CONFERENCE ROOM LOCATED ON THE
FIRST FLOOR. PUBLIC HEARING AT 6:00 P.M. IN THE
COUNCIL CHAMBERS. COUNCIL MEETING IMMEDIATELY
FOLLOWING. MAY 13TH, 2019
COUNCIL CHAMBERS CITY HALL 100 SOUTH UNION STREET

CALL TO ORDER:

INVOCATION:

PLEDGE:

ROLL CALL:

APPROVAL OF MINUTES: Council Meeting Minutes April 29th, 2019.

COMMUNICATIONS:

COMMITTEE REPORTS:

ORDINANCE 6921: AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE CITY OF
KOKOMO, INDIANA
Cameron
Second reading
May 9th, 2019

TO: Council Members, Council Attorney, Controller, News Media

From: Brenda Ott, City Clerk

The following is the scheduling of all Council Meetings for May 13th, 2019.

Informational Meeting: 5:30 P.M.
Public Hearing: 6:00 P.M.
Council Meeting: Immediately following

Thank you,

Brenda Ott
City Clerk
STATE OF INDIANA

COUNTY OF HOWARD

VERIFIED PETITION FOR VACATION OF THE 16' ALLEY LYING BETWEEN LOTS 20 AND 35 IN J. O. HEATON'S SECOND ADDITION TO THE CITY OF KOKOMO, INDIANA

Kokomo Community Development Corporation, by its authorized and sworn officer, petitions the Common Council of the City of Kokomo for the vacation of the 16’ alley lying between Lots 20 and 35 of J. O. Heaton’s Second Addition to the City of Kokomo, Indiana and in support of the petition shows as follows:

1. PETITIONER:

1.1 The Petitioner is the Kokomo Community Development Corporation ("KCDC"), whose principal place of business is 107 W. Mulberry Street, Kokomo, Indiana 46901.

1.2 The President is Robert Stephenson.

2. CIRCUMSTANCES:

2.1 KCDC is the owner of real estate adjoining the alley proposed to be vacated.

2.2 KCDC desires to utilize the vacated alley in conjunction with the adjoining real estate it owns, and specifically plans to utilize the vacated alley for development of real estate in the affected block.

3. EFFECT

3.1 The alley when vacated will be attached to the petitioner’s real estate.

4. LEGAL DESCRIPTION OF THE STREET PROPOSED TO BE VACATED:

4.1 A site plan and legal description of the alley proposed to be vacated, certified by a land surveyor registered in the State of Indiana, is attached hereto as Exhibit “A.”

5. ADJACENT OWNERS:

5.1 The names, addresses and zip codes of owners of land abutting and near the
property proposed to be vacated are attached hereto as Exhibit “B”

5.2 We have confirmed with City of Kokomo Plan Commission that there are no active neighborhood associations affiliated with this address and therefore we are not notifying any neighborhood associations.

5. MAPS:

5.1 A location map in the form of an aerial photograph depicting the vicinity of the proposed vacation and existing conditions is attached hereto as Exhibit “C.”

6. EASEMENTS:

6.1 The following utilities have consented to the proposed vacation and do not require easements, as evidenced by their written replies attached hereto as Exhibit “D.”

Duke Energy Corp.
Indiana American Water Company, Inc.
NIPSCO

6.2 The following utilities have consented to the proposed vacation provided that they are granted easements within the vacated street, as evidenced by their letters attached hereto as Exhibit “E.”

AT&T

The legal description for this easement will be the south eight (8) feet of the legal description of the alley proposed to be vacated.

Comcast Corporation

The legal description for this easement will be the same as the legal description of the alley proposed to be vacated.

7. VACATION IS APPROPRIATE:

7.1 Vacation of the alley is appropriate for the following reasons:

7.1.1 Petitioner owns an interest in real estate adjoining the alley to be vacated.

7.1.2 Vacating the alley will not hinder or interfere with the public’s access to any of the adjoining real estate.
7.1.3 The proposed vacation of the alley will not hinder the growth or development of the neighborhood, but will allow the petitioner to redevelop and grow within the neighborhood.

7.1.4 Vacating the alley will facilitate the development of real estate in the affected block.

8. WHEREFORE PETITIONER REQUESTS:

8.1 Vacation of the alley is appropriate for the following reasons:

8.1.1 A hearing on this petition be set within thirty (30) days after it is received by the Council.

8.1.2 The Clerk of the Council to publish notice of the hearing on this petition as required by I.C. 36-7-3-12 (c) in the manner prescribed in I.C. 5-3-1 in the form and content as attached as Exhibit “F” hereto.

8.1.3 After such notice and hearing, the Council approves the proposed ordinance attached to this petition vesting the entire vacated right-of-way to the adjoining property owners as set forth above.

This petition for vacation of a public way is executed on behalf of KCDC by its authorized and sworn officer, in the city of Kokomo, Indiana on this ___ day of ________, 2019.

Kokomo Community Development Corporation

By: __________________________
    Robert Stephenson, President

STATE OF INDIANA   )
COUNTY OF HOWARD   ) SS:

Signed and sworn to before me, a notary public, on this ___ day of ________, 2019.

________________________
Notary Public

Attorney for Petitioner:

Beth Copeland
EXHIBIT ALLEY VACATION
J.O. Heaton's 2nd Addition, Kokomo, Indiana

LEGAL DESCRIPTION:
A 15 foot alley right-of-way lying between Lots 20 and 35 in J.O. Heaton's Second Addition to the City of Kokomo as recorded in Plat Book 1, page 70, described as follows:

Beginning at the northeast corner of said Lot 20; thence West 132 feet along the north line of said Lot 20 to the northwest corner thereof; thence North 16 feet to the southwest corner of said Lot 35; thence East 132 feet along the south line of said Lot 35 to the southeast corner thereof; thence South 16 feet to the point of beginning, containing 0.05 acres, more or less.

SCALE: 1 INCH = 50 FEET
ADJACENT LANDOWNERS LIST

34-04-30-356-003.000-002
34-04-30-356-006.000-002
34-04-30-356-007.000-002
34-04-30-356-008.000-002
34-04-30-357-003.000-002
Kokomo Community Development Corporation
107 W. Mulberry St.
Kokomo, IN 46901

34-04-30-357-002.000-002
City of Kokomo
100 S. Union St.
Kokomo, IN 46901

34-04-30-356-002.000-002
James R. Cannon
821 E. Dixon Rd.
Kokomo, IN 46901

EXHIBIT B
Chad Burchard

From: Ryan S Smith <Ryan.Smith@amwater.com>
Sent: Friday, December 7, 2018 3:43 PM
To: Chad Burchard
Subject: RE: Advantix Notice of Petition to Vacate Alleys

No, we do not.

---

Ryan Smith
Operations Superintendent
Indiana American Water
Kokomo Operations

1700 E. Superior St.
Kokomo, IN. 46901

W: 765-494-6985
O: 765-860-2999
E: ryan.smith@amwater.com

From: Chad Burchard <cmb@lockyearlaw.com>
Sent: Friday, December 7, 2018 4:42 PM
To: Ryan S Smith <Ryan.Smith@amwater.com>
Subject: RE: Advantix Notice of Petition to Vacate Alleys

EXTERNAL EMAIL - "Think before you click!"

Ok, so you don’t need an easement? In an earlier email you had indicated that your company would need one.

Chad M. Burchard, Esq.
LOCKYEAR LAW, LLC
COMMERCIAL TITLE, LLC
101 SE FIRST STREET, SUITE 224
PO. BOX 1345
EVANSVILLE, INDIANA 47706
O: (812) 962-6690 | M: (812) 598-1586

LOCKYEAR LAW

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EXHIBIT D
promoting, marketing or recommending a transaction or arrangement to another party unless written for that purpose and specifically so states. Further information concerning this disclosure may be obtained upon request from the author of this e-mail. Thank you.

From: Ryan S Smith <Ryan.Smith@amwater.com>
Sent: Friday, December 7, 2018 3:34 PM
To: Chad Burchard <cmb@lockyearlaw.com>
Subject: FW: Advantix Notice of Petition to Vacate Alleys

Chad...INA\W is okay with this vacation of the alley way.

Thanks.

Ryan Smith
Operations Superintendent
Indiana American Water
Kokomo Operations
1700 E. Superior St.
Kokomo, IN. 46901

W: 765-454-6985
C: 765-860-2989
E: ryan.smith@amwater.com

From: Ezat Nayeri <Ezat.Nayeri@amwater.com>
Sent: Friday, December 7, 2018 4:33 PM
To: Ryan S Smith <Ryan.Smith@amwater.com>
Subject: RE: Advantix Notice of Petition to Vacate Alleys

Ryan – Based on GIS, it doesn’t seem like we have any assets in the alley so the vacation of the R/W will not impact us.

Ezat Nayeri, P.E.
Engineering Manager
Indiana American Water
153 N. Emerson Ave
Greenwood, IN 46143

P: (317) 885-2447
C: (317) 225-0316
F: (317) 885-2431
ezat.nayeri@amwater.com
www.amwater.com

From: Ryan S Smith <Ryan.Smith@amwater.com>
Sent: Monday, December 03, 2018 5:01 PM
To: Ezat Nayeri <Ezat.Nayeri@amwater.com>
Subject: FW: Advantix Notice of Petition to Vacate Alleys

Ezat...

Can you please take a look at this one as well and respond to Chad Burchard ASAP.
Thank you.

Ryan Smith
Operations Superintendent
Indiana American Water
Kokomo Operations

1700 E. Superior St.
Kokomo, IN. 46901

W: 765-454-5685
C: 765-889-2989
E: ryan.smith@amwater.com

From: Chad Burchard <cmb@lockyearlaw.com>
Sent: Monday, November 5, 2018 4:20 PM
To: Ryan S Smith <Ryan.Smith@amwater.com>
Subject: Advantix Notice of Petition to Vacate Alleys

EXTERNAL EMAIL - "Think before you click!"

Mr. Smith,

Please find the attached letter and other documents associated with the above-referenced matter.

Best Regards,

Chad M. Burchard, Esq.
LOCKYEAR LAW, LLC
COMMERCIAL TITLE, LLC
101 SE FIRST STREET, SUITE 224
P.O. BOX 1345
EVANSVILLE, INDIANA 47706
O: (812) 962-6690 | M: (812) 598-1586

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Mr. Burchard,

I apologize for the delayed response. Duke Energy can and will remove the currently un-used overhead low voltage wires in the area of this easement vacation. The poles however do belong to AT&T as well as the communications lines. See the attached sheet to verify what facilities we are able to remove.

Let me know if there are any questions.

Thank you,

Brian Funk
Duke Energy
Manager Customer Delivery
E&TCR Indiana North
765-454-6175

*** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Mr. Funk,

Please find the attached letter and other documents associated with the above-referenced matter.

Best Regards,

Chad M. Burchard, Esq.
LOCKYEAR LAW, LLC
COMMERCIAL TITLE, LLC
101 SE First Street, Suite 224
P.O. Box 1345
Evansville, Indiana 47706
O: (812) 962-6690 | M: (812) 598-1586
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Mr. Burchard,

Based on the information you provided, we have no objection to the proposed vacation of the 16' alley lying between Lots 20 and 35 at the southwest corner of Madison and Purdum St. Kokomo.

Thanks,

Faming (Michael) Sun | Gas Engineer
NIPSCO | 900 E Boulevard St. | Kokomo, IN 46902
O: 765.451.6129 | C: 219.575.3510 | FSun@nisource.com

---

USE CAUTION: This email was sent from an external source. Think before you click links or open attachments. If suspicious, please forward to security@nisource.com for review.

Mr. Becker,

Called your office today and left a voicemail. Just following up on my 11/5 email below regarding the referenced alley vacation petition. Have you been able to look into this matter?

Best Regards,

Chad M. Burchard, Esq.
Lockyear Law, LLC
Commercial Title, LLC
101 SE First Street, Suite 224
P.O. Box 1345
Evansville, Indiana 47706
O: (812) 962-6690 | M: (812) 598-1586

LOCKYEAR LAW

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From: Chad Burchard  
Sent: Monday, November 5, 2018 3:30 PM  
To: kbecker@nlsource.com  
Subject: Advantix Notice of Petition to Vacate Alley

Mr. Becker,

Please find the attached letter and other documents associated with the above-referenced matter.

Best Regards,

Chad M. Burchard, Esq.  
Lockyear Law, LLC  
Commercial Title, LLC  
101 SE First Street, Suite 224  
P.O. Box 1345  
Evansville, Indiana 47706  
O: (812) 962-6690 | M: (812) 598-1586

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[attachment "NIPSCO Letter.docx" deleted by Faming Sun/NCS/Enterprise] [attachment "Alley Vacation Exhibit.pdf" deleted by Faming Sun/NCS/Enterprise] [attachment "City Engineer's Map.pdf" deleted by Faming Sun/NCS/Enterprise] [attachment "City Engineer's Map showing City Utilities.pdf" deleted by Faming Sun/NCS/Enterprise]
Mr. Burchard

I forwarded your request to our right of way person and his response is below.

Could you please send me a copy of the completed alley vacation.

Please let me know if you have any additional questions.

Ryan D McManus
Mgr. OSP Engineering Design Construction & Engineering
ATO, Midwest C&E

AT&T
116 E Taylor Street, Kokomo, IN 46901
o 765.454.4149  |  rx1623@att.com

MOBILIZING YOUR WORLD

From: HEWITT, JOSHUA P
Sent: Wednesday, January 16, 2019 1:18 PM
To: MCMANUS, RYAN D <rx1623@att.com>
Subject: RE: Advantix Notice of Petition to Vacate Alley

“The easement area description being all of the South Eight(8) feet of the alley right of way vacation as depicted on the attached vacation exhibit.”

Our legal entity is Indiana Bell Telephone Company, Incorporated dba AT&T Indiana, an Indiana Corporation

Let me know if you need anything else

Josh Hewitt
Manager, Right of Way -OSP Engineering and Design
ATO, Midwest C&E

AT&T
5870 N. College Ave., Indianapolis, IN 46220
O 317.252.5072  | M 317.292.3888  | jh6813@att.com
From: MCMANUS, RYAN D  
Sent: Wednesday, January 16, 2019 12:23 PM  
To: HEWITT, JOSHUA P <JHF813@att.com>  
Subject: FW: Advantix Notice of Petition to Vacate Alley  

Josh

I was hoping you could help me out with this alley vacation request in KOKMIN01. I have attached the documents that the customer sent along with a copy of our ARAMIS records for the described area. The customer is looking for a letter attachment describing the easement AT&T will need to reserve.

AT&T currently has a 200pair aerial cable running east/west on poles through the alley they were requesting to vacate so I indicated we would need to reserve an easement so they are now asking for a letter setting forth the description of the easement.

I will try and give you a call to see if you need anything else.

Thanks again for the help.

Ryan D McManus  
Mgr. OSP Engineering Design Construction & Engineering  
ATO, Midwest C&E

AT&T  
116 E Taylor Street, Kokomo, IN 46901  
o 765.454.4149 | rx1623@att.com

MOBILIZING YOUR WORLD

From: Chad Burchard <cmb@lockyearlaw.com>  
Sent: Friday, January 11, 2019 11:20 AM  
To: MCMANUS, RYAN D <rx1623@att.com>; PARikh, HARISH <hp9514@att.com>  
Cc: HEWITT, JOSHUA P <JHF813@att.com>  
Subject: RE: Advantix Notice of Petition to Vacate Alley

Mr. McManus,

Could you please email me a letter attachment setting forth a description of the easement you wish to reserve? Thank you.

Chad M. Burchard, Esq.  
LOCKYEAR LAW, LLC  
COMMERCIAL TITLE, LLC  
101 SE FIRST STREET, SUITE 224
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From: MCMANUS, RYAN D <rx1623@att.com>
Sent: Tuesday, November 6, 2018 2:11 PM
To: Chad Burchard <cmb@lockyearlaw.com>; PARIKH, HARISH <hp9514@att.com>
Cc: HEWITT, JOSHUA P <JH6813@att.com>
Subject: RE: Advantix Notice of Petition to Vacate Alley

Chad

Upon reviewing the documents outlining the area for the alley vacation I found that AT&T does indeed have aerial facilities located in that area. AT&T currently has an aerial copper cable on poles running east/west through the alley which will need to remain. AT&T will require a reservation of an easement if the vacation is approved.

Thanks

Ryan D McManus
Mgr. OSP Engineering Design Construction & Engineering
ATO, Midwest C&E

AT&T
116 E Taylor Street, Kokomo, IN 46901
o 765.454.4149 | rx1623@att.com

MOBILIZING YOUR WORLD

From: Chad Burchard <cmb@lockyearlaw.com>
Sent: Monday, November 05, 2018 4:23 PM
To: PARIKH, HARISH <hp9514@att.com>; MCMANUS, RYAN D <rx1623@att.com>
Subject: Advantix Notice of Petition to Vacate Alley

Mr. Parikh and Mr. McManus,

Please find the attached letter and other documents associated with the above-referenced matter.

Best Regards,

Chad M. Burchard, Esq.
LOCKYEAR LAW, LLC
COMMERCIAL TITLE, LLC
101 SE FIRST STREET, SUITE 224
P.O. BOX 1345
EVANSVILLE, INDIANA 47706
O: (812) 962-6690 | M: (812) 598-1586

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Chad M. Burchard  
101 SE First Street, Suite 224  
PO Box 1345  
Evansville, Indiana 47706

Mr. Burchard,

Comcast has existing facilities located in the alley lying between Lots 20 and 35 J.O. Heaton’s Second Addition in the City of Kokomo. Comcast would require an easement for these facilities.

Sincerely,

John Gayday  
Northern Indiana Area  
Construction Supervisor  
720 Taylor St. Fort Wayne, IN 46802  
260-458-5107
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO
ORDINANCE NO. 6921

AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE CITY OF
KOKOMO, INDIANA

WHEREAS, Kokomo Community Development Corporation has petitioned this body to vacate a portion
of a certain right-of-way located in the City of Kokomo, more particularly described hereafter, and

WHEREAS, this Council conducted a public hearing on the ______ day of _________, 2019, at __:00
p.m., pursuant to the provisions of I.C 36-7-3-12(c) following presentation of proof of publication pursuant to I.C
5-3-1; and

WHEREAS, notice of the proposed vacation was served on all necessary parties; and

WHEREAS, the vacation of the right-of-way would not limit access to any real estate or hinder the growth
or development of the neighborhood in which it is located; and

WHEREAS, there are no public utilities maintained in the right-of-way, or if any be in said right-of-way
then per statute an easement is maintained over said utility line; and

WHEREAS, the Common Council of the City of Kokomo deems it appropriate and necessary to vacate
said right-of-way as it no longer serves any public purpose.

NOW, THEREFORE, be it ordained by the Common Council of the City of Kokomo, Indiana, that:

SECTION I

It is hereby found that the portion of right-of-way hereafter described should be vacated. Said right-of-way
is not currently used for access to any real estate and will not hinder the public's access to a church, school, or other
public building or place, or make access to any real estate by the public difficult or inconvenient. It is determined
that such proposed vacation of the right-of-way complies with the purposes and provisions of I.C. 36-7-3-12 through
I.C. 36-7-3-16.

SECTION II

It is hereby found that proper notice was given in accordance with I.C. 36-7-3-12(c) and I.C. 5-3-1.

SECTION III

It is hereby found that the following described right-of-way located in the City of Kokomo, Indiana, should
be, and it is hereby vacated:

Legal description:

A 16 foot alley right-of-way lying between Lots 20 and 35 in J. O. Heaton’s Second Addition to the
City of Kokomo as recorded in Plat Book 1, Page 70, described as follows:

Beginning at the northeast corner of said Lot 20; thence West 132 feet along the north line of said
Lot 20 to the northwest corner thereof; thence North 16 feet to the southwest corner of said Lot 35; thence
East 132 feet along the south line of said Lot 35 to the southeast corner thereof; thence
South 16 feet to the point of beginning, containing 0.05 acres, more or less.

The right-of-way when vacated will be attached to the petitioner’s real estate.

EXHIBIT F
SECTION IV

The right-of-way described in Section III above will remain subject to an easement in favor of Comcast Corporation.

The south eight (8) feet of the right-of-way described in Section III above will remain subject to an easement in favor of AT&T.

SECTION V

The City Clerk of the City of Kokomo, Indiana is instructed to furnish a copy of this vacation Ordinance to the Howard County Recorder for recording and to the Howard County Auditor.

SECTION VI

This Ordinance shall be in full force and effect from and after its passage by this Council and its approval and signing by the Mayor of the City of Kokomo.

 PASSED AND ADOPTED THIS ___ day of __________, 2019.

COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA

By: ROBERT L. HAYES SR., PRESIDENT

ATTEST:

CLERK: BRENDA OTT

Presented by the Clerk of the Common Council of the City of Kokomo to the Mayor of the City of Kokomo, Indiana on this day of 2019 at Kokomo, Indiana, for approval by his signature below.

By: GREG GOODNIGHT

Mayor of the City of Kokomo, Indiana

ATTEST:

CLERK: BRENDA OTT

This instrument prepared by: Beth Copeland, Corporation Counsel
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Beth Copeland.
KOKOMO COMMUNITY DEVELOPMENT CORPORATION
107 W. MULBERRY ST.
KOKOMO, IN 46901

CITY OF KOKOMO
100 S. UNION ST.
KOKOMO, IN 46901

JAMES R. CANNON
821 E. DIXON RD.
KOKOMO, IN 46901
NOTICE OF A PUBLIC HEARING
REGARDING VACATION OF THE 16' ALLEY LYING BETWEEN
LOTS 20 AND 35 IN J. O. HEATON’S SECOND ADDITION TO THE
CITY OF KOKOMO, INDIANA

_______ ____, 2019

Dear Property Owner:

Persons owning or having an interest in lots or parts of lots adjoining the 16' alley lying between Lots 20 and 35 in J. O. Heaton’s Second Addition to the City of Kokomo, Indiana (Common Address: 707 and 713 N. Purdum St.) have petitioned the Common Council of the City of Kokomo to vacate said alley. You are receiving this notice because you are the owner of real estate abutting or located near the alley proposed to be vacated.

It is required by law that a public hearing be held regarding this vacation, at which time any person aggrieved by the proposed vacation may object on the basis of certain grounds which are set forth in I.C. 36-7-3-13.

The Common Council of the City of Kokomo has set a hearing on this petition for the ___ day of ________ 2019, at ___:00 pm in the Ralph Neal Council Chambers, City Hall, 100 South Union Street, Kokomo, Indiana. At this time, the Council will hear any person who is interested or affected by this proposed petition or anyone submitting a remonstrance against said petition.

COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA
Robert L. Hayes Sr., President
Brenda Ott, Clerk
BEFORE THE COMMON COUNCIL OF THE CITY OF KOKOMO
ORDINANCE NO. 6921

NOTICE OF HEARING ON PETITION FOR VACATION OF RIGHT-OF-WAY

Please take notice that pursuant to I.C. 36-7-3-12, Kokomo Community Development Corporation, has filed with the Common Council of the City of Kokomo, a petition for the vacation of a right-of-way described as follows:

**Street Address or Common Description:**

707 and 713 N. Purdum St.

**Legal description:**

A 16 foot alley right-of-way lying between Lots 20 and 35 in J. O. Heaton’s Second Addition to the City of Kokomo as recorded in Plat Book 1, Page 70, described as follows:

Beginning at the northeast corner of said Lot 20; thence West 132 feet along the north line of said Lot 20 to the northwest corner thereof; thence North 16 feet to the southwest corner of said Lot 35; thence East 132 feet along the south line of said Lot 35 to the southeast corner thereof; thence South 16 feet to the point of beginning, containing 0.05 acres, more or less.

The Common Council of the City of Kokomo has set a hearing on this petition for the ___ day of ________ 2019, at __:00 pm in the Ralph Neal Council Chambers, City Hall, 100 South Union Street, Kokomo, Indiana. At this time, the Council will hear any person who is interested or affected by this proposed petition or anyone submitting a remonstrance against said petition.

COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA
Robert L. Hayes Sr., President
Brenda Ott, Clerk
PUBLIC HEARING AGENDA
MAY 13TH, 2019

CALL TO ORDER:

ROLL CALL:

ORDINANCE 6921: AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE CITY OF KOKOMO, INDIANA