



REGULAR SCHEDULED COUNCIL MEETING

Tuesday, October 10th, 2023 – 6:00 p.m.

Join Zoom Meeting – Link listed on website

<https://us06web.zoom.us/j/6479705713?pwd=bGoxRjllTXNXeWRhQlcrVzljajhUwdz09>

OR Join Via Phone: (646) 931-3860

Meeting ID: 647 970 5713

Passcode: Clear

Passcode by Phone: 121380

AGENDA

- 1. Call to OrderCouncil President
- 2. Pledge of Allegiance Council and Attendees
- 3. Zoom Instructions Robert Hawley
- 4. Introductions
- 5. Approval of Agenda
- 6. New Business
 - Petition to Vacate, Grube and Beatty Properties

- 7. General Discussion..... Council & Attendee
- 8. Adjournment..... Council President

Next Council meeting:

Tuesday, October 17th, 2023 @7:00 p.m.

Please Note: Agenda items listed are those reasonably anticipated and may be discussed at the meeting. Not all items listed may necessarily be discussed and there may be other items not listed that may be brought up for discussion.



Case #: 2023-61

Petition to Vacate

Vacation of platted easements

Town of Clear Lake, 111 Gecowets Drive, Fremont, IN 46737

Office: (260) 495-9158 Mobile: (260) 243-6701 Email: zoning@townofclearlake.org

Petitioner Information:

Name: Matthew A. Grube
 Address: 04477 County Road 12
 City, State, Zip: Bryan, Ohio, 43406
 Phone: 419-467-3596 Email: mampgrube@frontier.com

Name: Matthew A. Grube
 Address: 129 Lakeside Court
 City, State, Zip: Fremont, Indiana, 46737
 Phone: _____ Email: _____

Name: Dawn M Beatty
 Address: 654 E Clear Lake DR
 City, State, Zip: Fremont IN 46737
 Phone: 260 316-7900 Email: _____

To the Town Council of the Town of Clear Lake, Fremont, IN. I (we), the undersigned property owner(s), petition to vacate:

The Street/ Alley described as:

A section of Orchard Street approx. 40 feet lying between existing parcels 76-01-29-110-609.000-002 (Grube),
76-01-29-110-613.000-002 (Grube), and 76-01-29-110-612.000-002 (Grube) in Arcadia Beach. A second section of Orchard Street approx.
40 feet lying between parcel 76-01-29-110-608.000-002 (Grube) and parcel 76-01-29-110-614.000-002 (Beatty) in Arcadia Beach.

State the circumstances for the reasons for a vacation of the abutting street/ alley:

I am requesting a vacation of Orchard Street in the effort to make my property compliant to meet all zoning rules. This vacation along
with the previously granted combination of parcels into Tract I and Tract II would make it possible to add an addition and deck onto the
existing cottage. I am only asking for the vacation of the specific section of the street that affects my property, not the entire street.

Abutting Property Owner(s) Signatures:

Matthew A. Grube _____
 Name (print): _____ Signature

Dawn M Beatty _____
 Name (print): _____ Signature 7/20/2023

 Name (print): _____ Signature

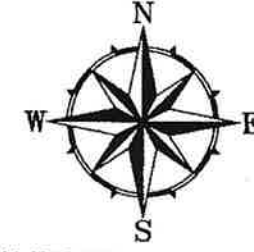
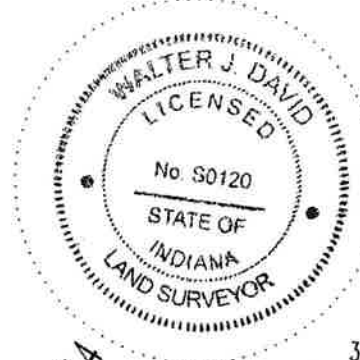
DESCRIPTION OF AREA TO BE VACATED

A part of the Northeast Quarter of Section 29, Township 38 North, Range 15 East, Clear Lake Township, Steuben County, Indiana, further being a portion of Orchard Street which lies between the Original Plat of Arcadia Beach on Clear Lake, Plat Book 2, Page 82 and the First Addition to the Original Plat of Arcadia Beach, Plat Book 1, Page 157 of the records of the Steuben County Recorder's Office, described as follows:

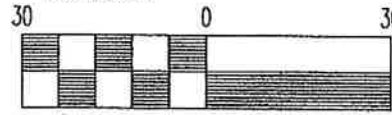
Beginning at the Easternmost corner of Lot 6 in Block 4 in the Original Plat of Arcadia Beach; thence South 58°55'04" East (bearings based on the Indiana State Plane Coordinate System NAD83, Indiana East Zone) 19.83 feet to a point on the Westerly line of the First Addition to the Original Plat to Arcadia Beach as recorded in Plat Book 1, Page 157, Steuben County Recorder's Office; thence South 31°04'56" West on said Westerly line a distance of 82.67 feet to the Westernmost corner of Lot 1 in said First Addition to the Original Plat of Arcadia Beach; thence departing said Westerly line North 57°04'07" West 19.51 feet to the Southernmost corner of Lot 7, Block 4 in the Original Plat of Arcadia Beach; thence North 30°50'57" East on the Easterly lines of Lot 7 and Lot 6 in Block 4 in said Original Plat to Arcadia Beach a distance of 82.04 feet back to the Point of Beginning of this description, containing 0.037 acres, more or less.

Walter J. David

PROFESSIONAL LAND SURVEYOR WALTER J. DAVID, NO.: S-0120
DATE OF CERTIFICATION: 09/08/2023



BASIS OF BEARINGS: INDIANA STATE PLANE COORDINATE SYSTEM NAD83 INDIANA EAST ZONE, RTK CONNECTED TO INDOT CORS NETWORK.



LEGEND: Scale: 1" = 30'

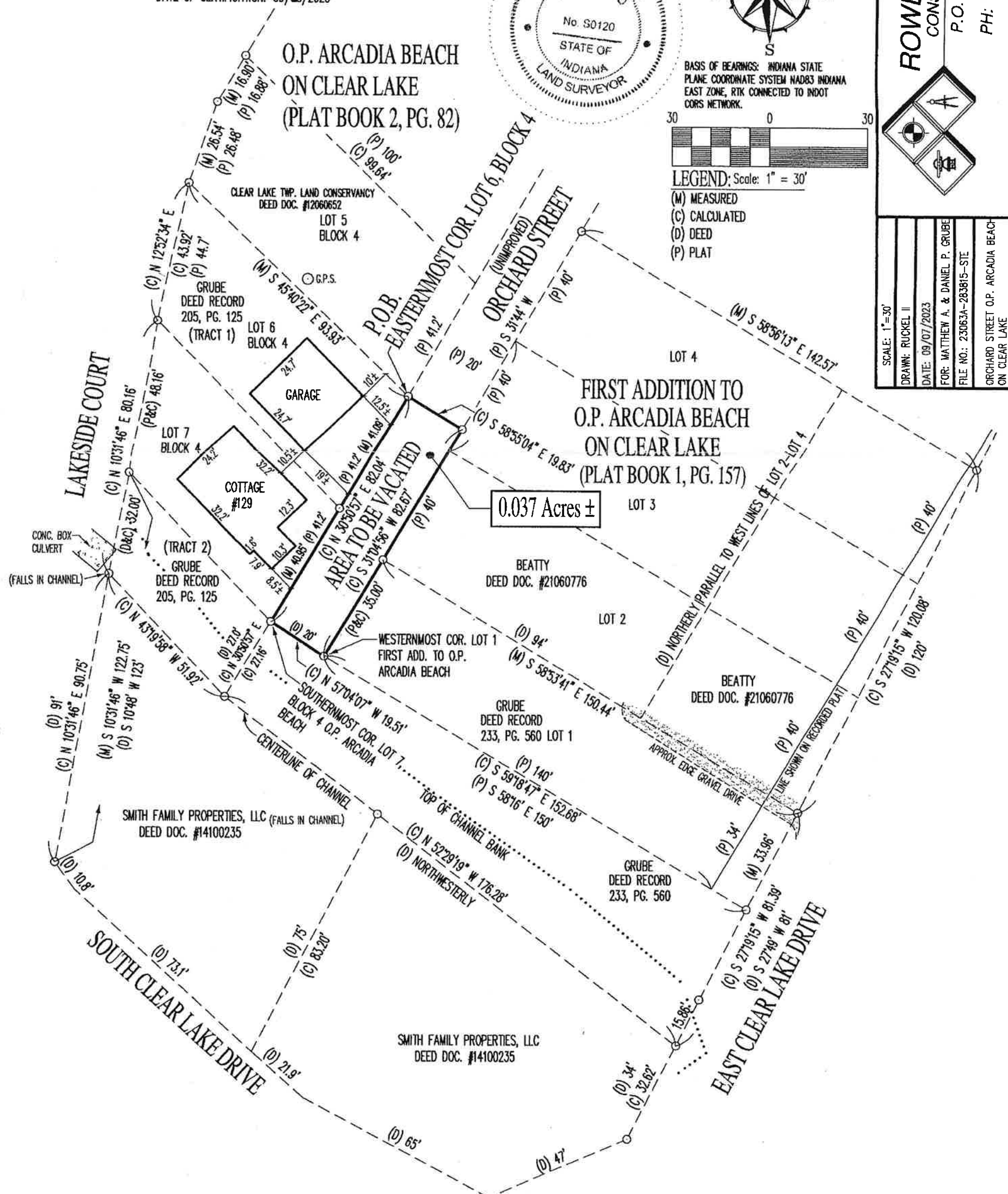
- (M) MEASURED
- (C) CALCULATED
- (D) DEED
- (P) PLAT

ROWLAND ASSOCIATES, INC.
CONSULTING ENGINEERS - SURVEYORS

P.O. BOX 138 120 1/2 E. MAUMEE ST.
ANGOLA, IN 46703
PH: (260) 665-3761 FAX: (260) 665-3482
Email: rai@rowland-eng.com

SCALE: 1" = 30'

DRAWN: RUCKEL II
DATE: 09/07/2023
FOR: MATTHEW A. & DANIEL P. GRUBE
FILE NO.: 23063A-283815-S1E
ORCHARD STREET O.P. ARCADIA BEACH ON CLEAR LAKE





111 Gecowets Drive Fremont IN 46737
(260) 495-9158 / (260) 495-5902 fax
www.townofclearlake.org

Date: 9/26/2023

RE: Petition to Vacate

To: Adjacent property owners

You are receiving this notice because an application for a position to Vacate has been received by the Town of Clear Lake. Per IC 36-7-3-12 a notice must be provided by publication and by certified mail to all owners of land that abuts the property proposed to be vacated. The Clear Lake Town Board will meet on 10-10-2023 at 6 PM in the Town Hall at 111 Gecowets Drive, Fremont, IN 46737. At the meeting, the board will consider a request for a petition to vacate a portion of Orchard Street within Arcadia Beach Subdivision.

If you would like more detailed information on the application, please do not hesitate to contact the Town at 260-495-9158.

Regards,

Nathan Striker
Clerk/ Treasurer, Town of Clear Lake
O: 260-495-9158
F: 260-495-5902

ORDINANCE NO. 2023-

**AN ORDINANCE VACATING ROAD RIGHT-OF-WAY
IN FIRST ADDITION TO ARCADIA BEACH**

SUMMARY:

This ordinance vacates road right-of-way in First addition to Arcadia Beach.

_____ Recorder's Office

_____ Publish Public Hearing

_____ Auditor's Office

on or before _____

_____ Clerk's Office

_____ Publish O/R after adoption

_____ Other

_____ Clerk-Treasurer

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLEAR LAKE,
INDIANA:**

WHEREAS, pursuant to Indiana Code 36-7-3-12, on September 14, 2023, Matthew A. Grube and Dawn M. Beatty, as owners filed a *Petition to Vacate* requesting the road right-of-way originally established at the east boundary of Lots 6 & 7 in Arcadia Beach and the west boundary of Lots 1 & 2 in First Addition to Arcadia Beach in the Town of Clear Lake, Clear Lake Township, Steuben County, Indiana be vacated.

WHEREAS, after a legally advertised Public Hearing on October 10, 2023, the Clear Lake Town Council considered the aforementioned Petition to Vacate and is in agreement that the road right-of-way is grass-covered and has never been improved; and is not used by the public.

NOW, THEREFORE, BE IT ORDAINED by the Clear Lake Town Council, Steuben County, Indiana,

THAT, effective immediately upon passage, the road right-of-way originally established at the east boundary of Lots 6 & 7 in Arcadia Beach and the west boundary of Lots 1 & 2 in First Addition to Arcadia Beach in the Town of Clear Lake, Clear Lake Township, Steuben County, Indiana be vacate, the legal description of which is attached as **Exhibit A**, be and hereby is vacated, set over, and reverted to the abutting property owners;

THAT, part of the twenty (20) foot wide road right-of-way shall be joined with parcel numbers 760-129-110-612.000.002, 760-129-110-609.000.002 and 760-129-110-614.000.002, owned by Matthew A. Grube and Dawn M. Beatty, respectively;

THAT, Matthew A. Grube and Dawn M. Beatty shall not be requested to compensate the Town for the fair market value of the alley being vacated;

THAT, the Clerk-Treasurer be directed, and hereby is directed, to furnish a copy of the Grant of Perpetual Easement and Right of Way, duly executed, to the Recorder of Steuben County for recording, and to the Auditor of Steuben County; and

THAT, the Clerk-Treasurer be directed, and hereby is directed, to furnish a copy of this Ordinance, duly executed, to the Recorder of Steuben County for recording, and to the Auditor of Steuben County.

PASSED AND ADOPTED by the Town Council of the Town of Clear Lake, Indiana, this _____ day of _____, 2023.

BERT ELLIOTT
Council Member

MOLLY WEBER
Council Member

BRETT SCHLOSSER
Council Member

DAN RIPPE
Council Member

GEORGE SCHENKEL
Council Member

ATTEST:

NATHAN STRIKER
Clerk-Treasurer

Exhibit A

Existing Roadway Description (to be vacated)

Part of Arcadia Beach, Clear Lake, according to the plat thereof recorded in Plat Record--
-----, in the office of the Recorder of Steuben County, Indiana,
more particularly described as follows:



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(260) 495-9158 / (260) 495-5902 fax
www.townofclearlake.org

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