#REZ-2026-0041

BILL NO. Z-26-09-20

ZONING MAP ORDINANCE NO. Z-27-26

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P07 (Sec 18 of Adams Township)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R1/Single Family Residential zoning district under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana:

LEGAL DESCRIPTION

Lot 46 E 31/2 Lot 47 Huestis & Taylor Sub Add

and the symbols of the City of Fort Wayne Zoning Map No. P07 (Sec 18 of Adams Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana, is hereby changed accordingly.

SECTION 2. If a written commitment is a condition of the Plan Commission's recommendation for the adoption of the rezoning, or if a written commitment is modified and approved by the Common Council as part of the zone map amendment, that written commitment is hereby approved and is hereby incorporated by reference.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY:

Malak Heiny, City Attorney

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance:	Zoning Map Amendment
Case Number:	REZ-2026-0041
Bill Number:	Z-26-09-20
Council District:	6 – Rohli Booker

Introduction Date:	September 22, 2026
Plan Commission Public Hearing Date:	October 12, 2026 (not heard by Council)
Next Council Action:	Ordinance will return to Council after recommendation by the Plan Commission

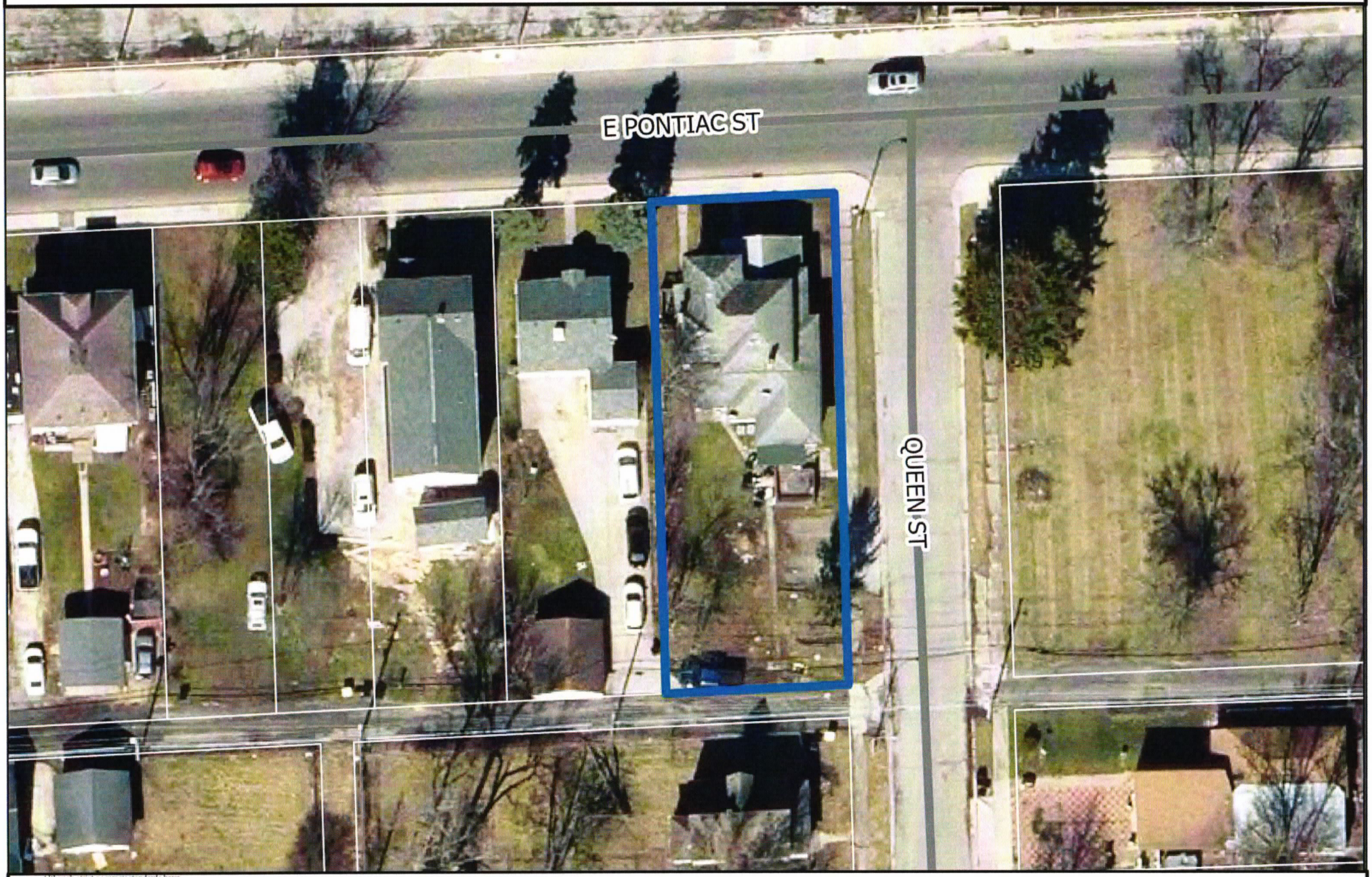
---

Synopsis of Ordinance:	To rezone 0.19 acres from C2/Limited Commercial to R1/Single Family Residential
Location:	2336 E Pontiac St (Sec 18 of Adams Township)
Reason for Request:	To align zoning with current use
Applicant:	Freeda Ahtway
Property Owner:	Salay Har

Related Petitions:	None

Effect of Passage:	Property will be rezoned to the R1/Single Family Residential zoning district, which would align zoning with current use.
Effect of Non-Passage:	Property will remain zoned C2/Limited Commercial, which would not align zoning with current use. The site may continue with existing or non-conforming uses, and may be redeveloped with similar limited commercial uses.

Rezoning Petition REZ-2026-0041 - 2336 E.Pontiac Downzoning



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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 9/8/2026

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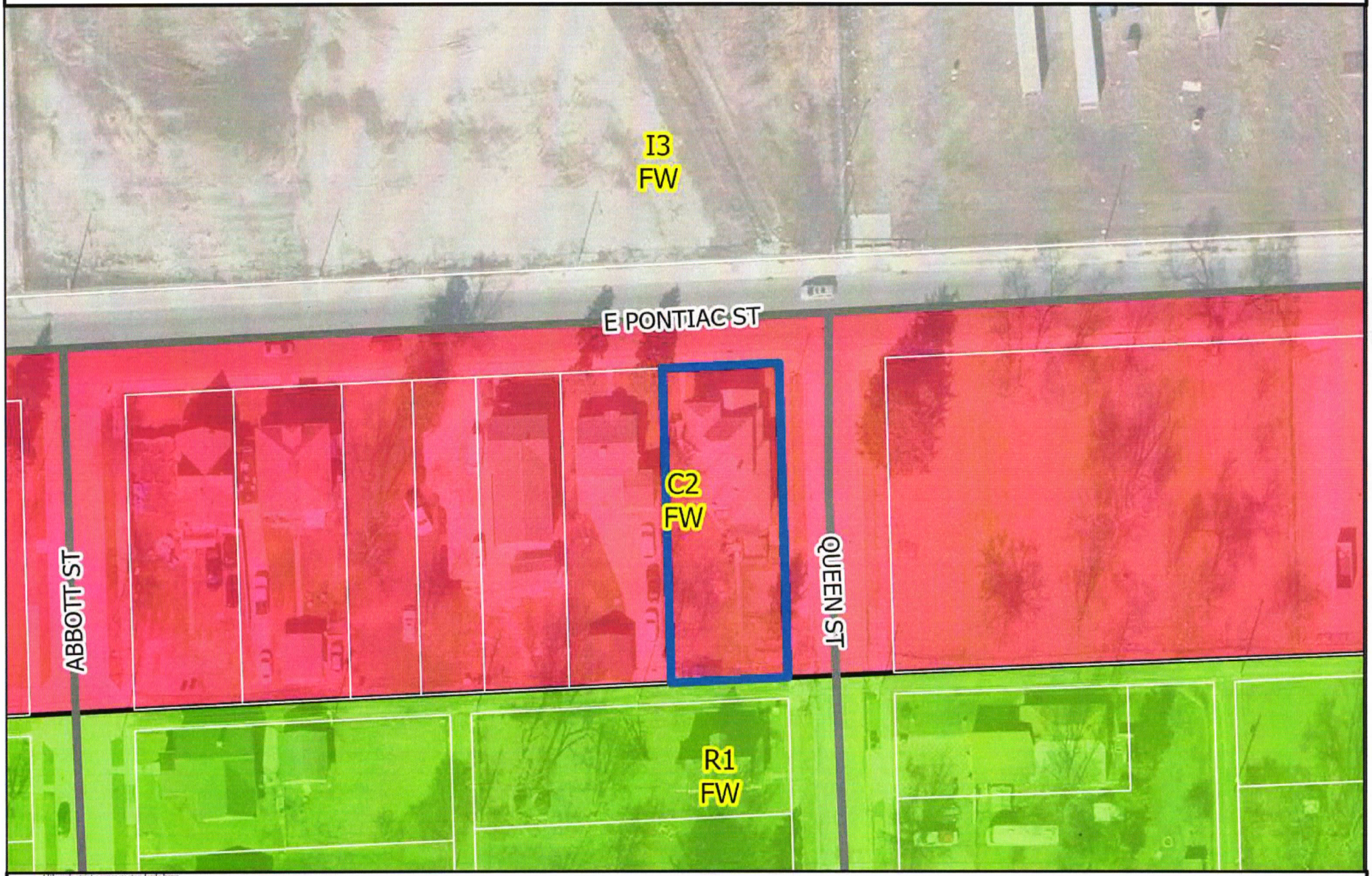
N

Rezoning Petition REZ-2026-0041 - 2336 E.Pontiac Downzoning



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N

Rezoning Petition REZ-2026-0041 - 2336 E.Pontiac Downzoning



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0 30 60 Feet

Neighborhood Commercial

Production Center

Traditional Neighborhood

N

Rezoning Petition REZ-2026-0041 - 2336 E.Pontiac Downzoning



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Photos and Contours: Spring 2009
Date: 9/8/2026

0 30 60 Feet

Priority Investment Area

N

2026006890
RECORDED: 02/18/2026 12:17:33 PM
Recorded as Presented
Allen County Indiana
Recorder Nicole Keesling

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that **AY FAMILY LLC**, an Indiana limited liability company ("Grantor"), of Allen County, in the State of Indiana, *QUITCLAIMS* to **SALAY HAR**, being over the age of eighteen (18) years ("Grantee"), for no consideration, the following described real estate in Allen County, in the State of Indiana:

Lot Number 46 and the East 3-1/2 feet of Lot Number 47 in Huestis and Taylor's Addition to the City of Fort Wayne, according to the recorded Plat thereof in the Office of the Recorder of Allen County, Indiana.

Property Address: 2336 East Pontiac Street, Fort Wayne, Indiana 46806
Parcel Number: 02-13-18-129-007.000-074

Subject to all real estate taxes and assessments due and payable.

Subject to all easements, rights of way, rights, duties, obligations, covenants, conditions, restrictions, limitations, and agreements of record; all legal highways and public rights-of-way, all matters which would be disclosed by an accurate survey or inspection of said real estate and the provisions of all applicable zoning laws.

The undersigned person executing this deed represents and certifies on behalf of the Grantor, that the undersigned is a Member of the Grantor and has been fully empowered by proper resolution, or the terms of the Operating Agreement of the Grantor, to execute and deliver this deed; that the Grantor is a limited liability company in good standing in the State of its origin and, where required, in the State where the subject real estate is situate; that the Grantor has full capacity to convey the real estate described; and that all necessary Company action for the making of this conveyance has been duly taken.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this date

02/13/2026.

APPROVED
Feb 17 2026 MH
STACEY O'DAY
ALLEN COUNTY ASSESSOR

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER
Feb 18 2026 NB
JACQUELYNN SCHEUMAN
ALLEN COUNTY AUDITOR

AY FAMILY LLC

By: _____
Are Yount, Member
(Printed Name and Office)

STATE OF Utah

§§:

COUNTY OF Salt Lake

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Are Yount, a Member of AY FAMILY LLC, who acknowledged the execution of the foregoing deed for and on behalf of said Grantor and who, having been duly sworn, stated that the representations therein contained are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 13th day of February, 2026.

SPENCER BYWATER
NOTARY PUBLIC • STATE OF UTAH
COMMISSION NO. 728123
COMM. EXP. 11/28/2026

_____
Notary Public
Printed: Spencer Bywater
County of Residence: Salt Lake
My Commission Expires: 11-28-2026

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. Zachary M. Lightner
Instrument Prepared by: Zachary M. Lightner, Attorney, 109 W. 4th St., Auburn, IN 46706 – 260.333.9303

After Recording Return to: SAME

Mailing address of Grantee is: 1287 N Colonel Rd, Salt Lake City, UT 84116
Mailing address for tax statements under I.C. 6-1.1-22-8.1 is: 1287 N Colonel Rd, Salt Lake City, UT 84116

Department of Planning Services
Rezoning Petition Application

Applicant

Applicant Ahtway Freeda

Address 2816 Palisade Dr.

City Fort Wayne State IN Zip 46806

Telephone 260-740-4986 E-mail ahtwayfreeda@gmal.com

Property Ownership

Property Owner Salay Har

Address 1287 N Colonel Rd

City Salt Lake City State UT Zip 84116

Telephone 385-699-8044 E-mail salayhar8@gmail.com

Contact Person

Contact Person Ahtway Freeda

Address 2816 Palisade Dr

City Fort Wayne State IN Zip 46806

Telephone 260-740-4986 E-mail ahtwayfreeda@gmail.com

All staff correspondence will be sent only to the designated contact person.

Request

☐ Allen County Planning Jurisdiction ☑ City of Fort Wayne Planning Jurisdiction

Address of the property 2336 E Pontiac St Township and Section _____

Present Zoning C2 Proposed Zoning R1 Acreage to be rezoned _____

Purpose of rezoning (attach additional page if necessary) Downzone to be allign with current use.

Sewer provider Fort Wayne City Water provider Fort Wayne City

Filing Checklist

Applications will not be accepted unless the following filing requirements are submitted with this application.

- ☐ ~~Filing fee $1000.00~~
- ☐ Surveys showing area to be rezoned
- ☐ Legal Description of parcel to be rezoned
- ☐ Rezoning Criteria (please complete attached document)

I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Fort Wayne and Allen County Plan Commissions as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that

Ahtway Freeda — Ahtway Freeda — dotloop verified 08/06/26 12:51 PM EDT 8OPL-SBUA-LXTY-AIJEZ — 08/06/2026

(printed name of applicant) (signature of applicant) (date)

Salay Har — Salay Har — dotloop verified 08/06/26 11:13 AM MDT NXM8-MCXI-74JW-3RWR — 08/06/2026

(printed name of property owner) (signature of property owner) (date)

Received	Receipt No.	Hearing Date	Petition No.
8/7/26	149866	10-12-26	RE2-2026-0041

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org

Department of Planning Services
Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

(1) The Comprehensive Plan;

To downzone the property to its current use. The same use as it has been since 1900

(2) Current conditions and the character of current structures and uses in the district;

The property has 5 bedrooms, 3 full bathrooms, full unfinished basements.

(3) The most desirable use for which the land in the district is adapted;

The most desirable use is its current use, as a residential property

(4) The conservation of property values throughout the jurisdiction;

The current use as a residential property is it's best use

(5) Responsible development and growth.

This re-zoning preserves the property present use, as a residential property

COMPLETE FILING TO INCLUDE:

- ☐ Filing Fee
- ☐ Complete application signed by property owner*
- ☐ Legal description (in Word document format)*
- ☐ Boundary/Utility Survey*
- ☐ Rezoning Criteria *
- ☐ Written Commitment (if applicable)*

**All documents may be digital*

FACT SHEET

Case #REZ-2026-0041 Bill # Z-26-09-20 Project Start: August 2026

PROPOSAL:	Rezoning Petition REZ-2026-0041 – 2336 E Pontiac Downzoning
APPLICANT:	Ahtway Freeda
REQUEST:	Rezone from C2/Limited Commercial to R1/Single Family Residential to align zoning with current use
LOCATION:	2336 E Pontiac St (Sec 18 of Adams Township)
LAND AREA:	0.19 acres
PRESENT ZONING:	C2/Limited Commercial
PROPOSED ZONING:	R1/Single Family Residential
Council District:	6 – Rohli Booker

October 12, 2026 Public Hearing

- No one spoke in support or with concerns.
- Paul Sauerteig, Scott Myers, and Karen Richards were absent.

October 19, 2026 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Rachel Tobin-Smith and seconded by Patrick Zaharako, to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

7-0 MOTION PASSED

- Paul Sauerteig and Karen Richards were absent.

Fact Sheet Prepared by:
Katelyn Bultemeier, Associate Land Use Planner
November 3, 2026

PROJECT SUMMARY

The applicant is petitioning to rezone the property from C2/Limited Commercial to R1/Single Family Residential to align zoning with the current use. The site has been used residentially since 1900 according to property records. The site is part of the Huestis & Taylors Subdivision, which was platted in 1881. The immediate adjacent properties to the east and west are zoned C2/Limited Commercial, with the lots directly east being vacant and to the west being single family residential. The immediate adjacent properties to the north are I3/Intensive Industrial and to the south are R1/Single Family Residential. The applicant does not intend to change the use of the property as a single-family dwelling but would just like to rezone for financing and to be able to sell the property.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies
The project site is located within the Priority Investment Area.

- The following Goals and Strategies would be applicable:
  LUD1 - Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

Overall Land Use Policies
The following Land Use Policies would be applicable and supportive of this request:

Generalized Future Land Use Map

- The project site is located within the Neighborhood Commercial generalized land use category.
- Low-to-Moderate-Intensity Business, Services, and Retail is a Primary use in this category with Multiple-Family Residential as a secondary use in this category.

Land Use Related Action Steps
Staff determined the following Action Step would be applicable and supportive of this proposal:

- **HN.1.1.2** – Encourage smart growth development practices to support efficient use of land and resources

Compatibility Matrix

- This proposed rezoning to R1/Single Family Residential is compatible in the Neighborhood Commercial district of the comprehensive plan. Both the neighborhood and street are stable and maintain residential character.

Other Applicable Plans:
Southeast Strategy Update (2021) – Zoning classifications should be compatible with existing land uses and development patterns in developed areas.

PUBLIC HEARING SUMMARY:
Presenter: Athway Freeda, applicant, presented the request as outlined above.

Public Comments: None

FORT WAYNE PLAN COMMISSION
Findings of Fact • October 2026

PROPOSAL:	Rezoning Petition REZ-2026-0041 – 2336 East Pontiac Downzoning
APPLICANT:	Ahtway Freeda
REQUEST:	Downzone from C2 to R1 to align zoning with current use
LOCATION:	2336 East Pontiac Street
LAND AREA:	0.19 acres
PRESENT ZONING:	C2/Limited Commercial
PROPOSED ZONING:	R1/Single Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2026-0041 be returned to Council, with a "Do Pass" recommendation after considering the following:

1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The rezoning would bring the current single family dwelling into compliance.

2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The applicant intends to continue to use the property as a single family dwelling.

3. Approval is consistent with the preservation of property values in the area. The rezoning allows for the property to be in compliance with the current zoning ordinance, thus allowing for an increase in property values.

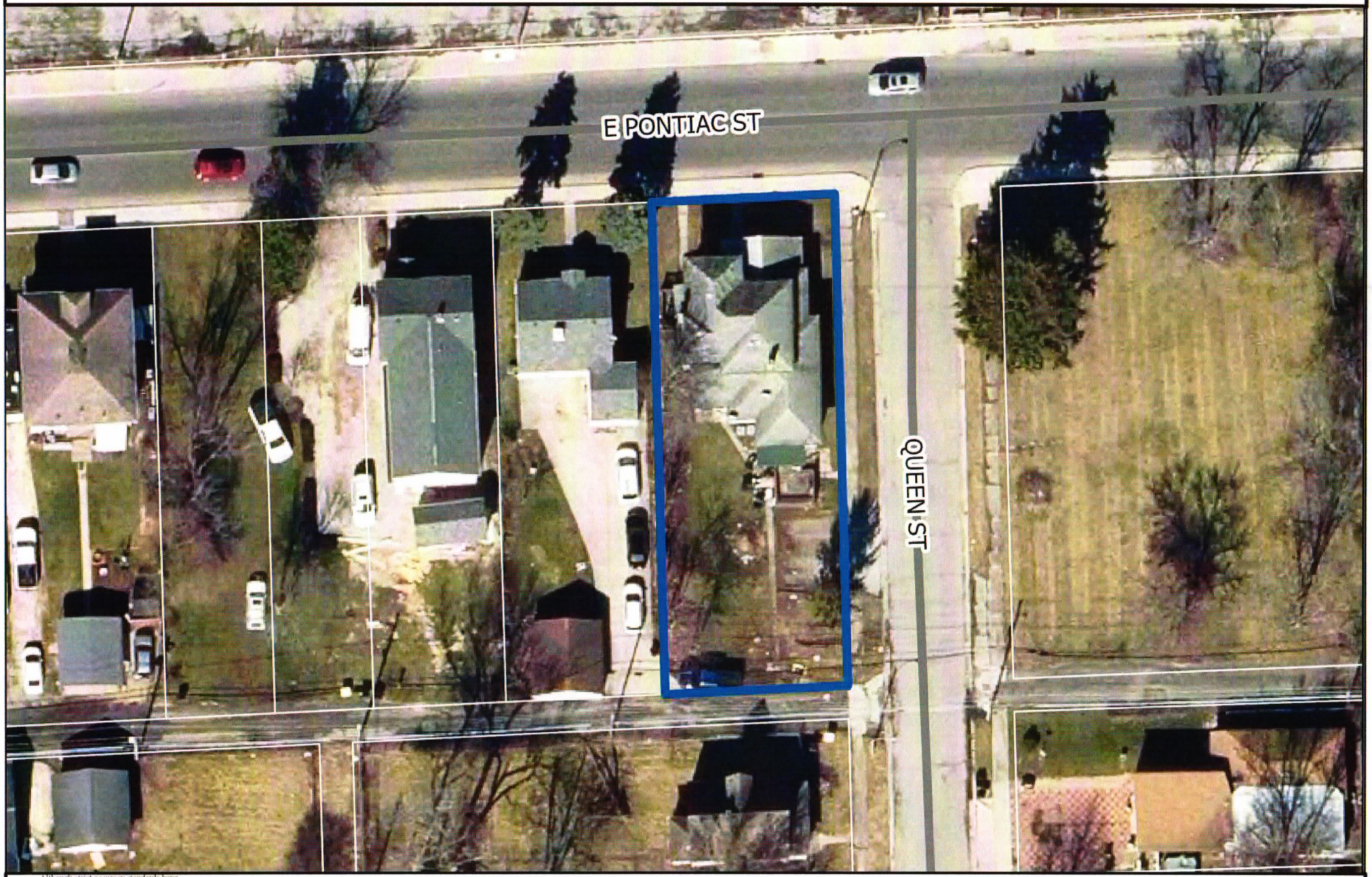
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The site is served by public utilities and no additional burden on infrastructure is planned.

These findings approved by the Fort Wayne Plan Commission on October 19, 2026.

Benjamin J. Roussel

Benjamin J. Roussel
Executive Director
Secretary to the Commission

Rezoning Petition REZ-2026-0041 - 2336 E.Pontiac Downzoning



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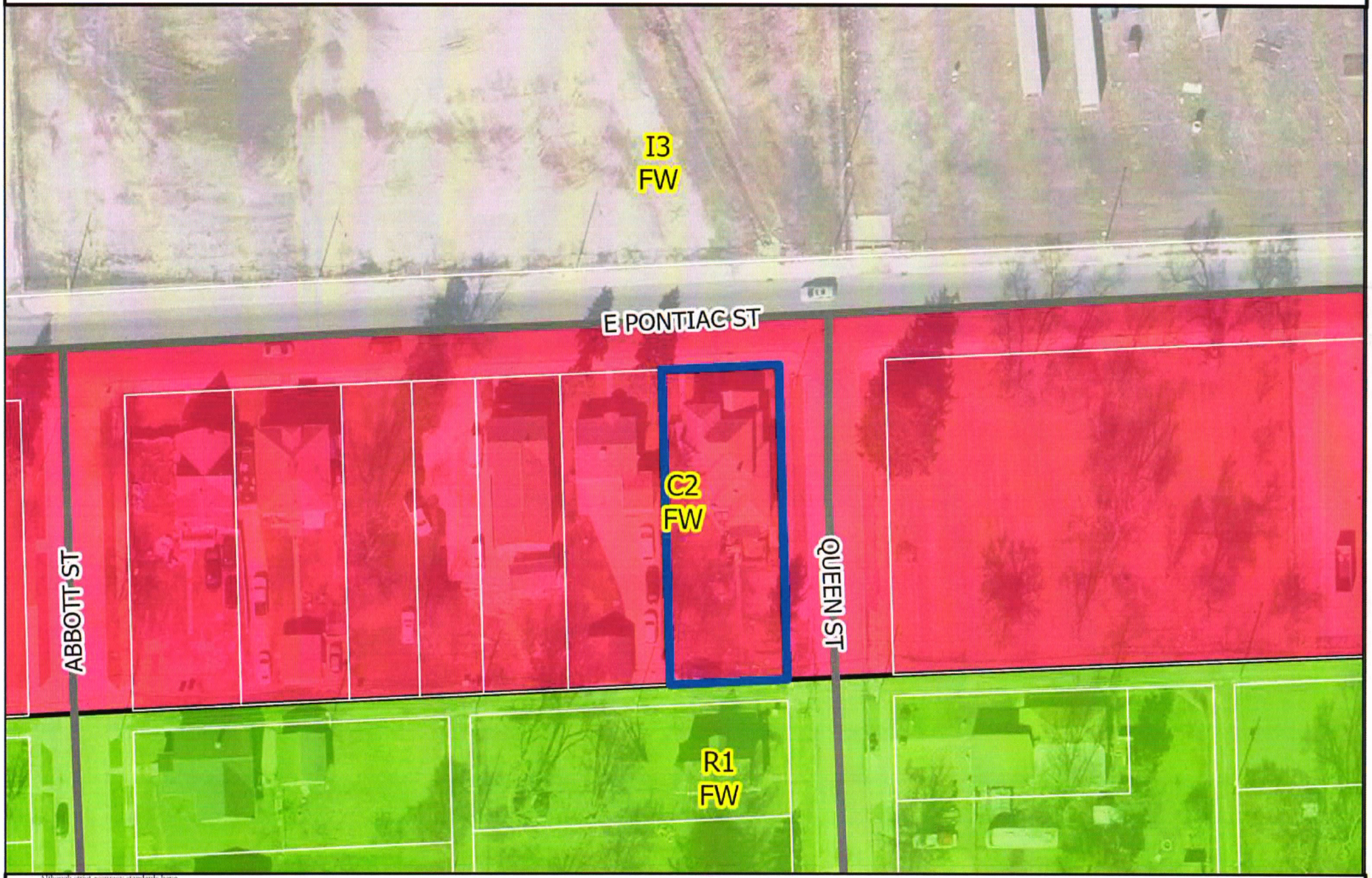
Rezoning Petition REZ-2026-0041 - 2336 E.Pontiac Downzoning



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Rezoning Petition REZ-2026-0041 - 2336 E.Pontiac Downzoning



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Priority Investment Area

N

Rezoning Petition REZ-2026-0041 - 2336 E.Pontiac Downzoning



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0 30 60 Feet

Neighborhood Commercial

Production Center

Traditional Neighborhood

N



2026006890
RECORDED: 02/18/2026 12:17:33 PM
Recorded as Presented
Allen County Indiana
Recorder Nicole Keesling

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that **AY FAMILY LLC**, an Indiana limited liability company ("Grantor"), of Allen County, in the State of Indiana, *QUITCLAIMS* to **SALAY HAR**, being over the age of eighteen (18) years ("Grantee"), for no consideration, the following described real estate in Allen County, in the State of Indiana:

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Property Address: 2336 East Pontiac Street, Fort Wayne, Indiana 46806
Parcel Number: 02-13-18-129-007.000-074

Subject to all real estate taxes and assessments due and payable.

Subject to all easements, rights of way, rights, duties, obligations, covenants, conditions, restrictions, limitations, and agreements of record; all legal highways and public rights-of-way, all matters which would be disclosed by an accurate survey or inspection of said real estate and the provisions of all applicable zoning laws.

The undersigned person executing this deed represents and certifies on behalf of the Grantor, that the undersigned is a Member of the Grantor and has been fully empowered by proper resolution, or the terms of the Operating Agreement of the Grantor, to execute and deliver this deed; that the Grantor is a limited liability company in good standing in the State of its origin and, where required, in the State where the subject real estate is situate; that the Grantor has full capacity to convey the real estate described; and that all necessary Company action for the making of this conveyance has been duly taken.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this date

02/13/2026.

APPROVED
Feb 17 2026 MH
STACEY O'DAY
ALLEN COUNTY ASSESSOR

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER
Feb 18 2026 NB
JACQUELYNN SCHEUMAN
ALLEN COUNTY AUDITOR

AY FAMILY LLC

By: _____
Are Yount, Member
(Printed Name and Office)

STATE OF Utah

§§:

COUNTY OF Salt Lake

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Are Yount, a Member of AY FAMILY LLC, who acknowledged the execution of the foregoing deed for and on behalf of said Grantor and who, having been duly sworn, stated that the representations therein contained are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 13th day of February, 2026.

SPENCER BYWATER
NOTARY PUBLIC • STATE OF UTAH
COMMISSION NO. 728123
COMM. EXP. 11/28/2026

_____
Notary Public
Printed: Spencer Bywater
County of Residence: Salt Lake
My Commission Expires: 11-28-2026

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. Zachary M. Lightner
Instrument Prepared by: Zachary M. Lightner, Attorney, 109 W. 4th St., Auburn, IN 46706 – 260.333.9303

After Recording Return to: SAME

Mailing address of Grantee is: 1287 N Colonel Rd, Salt Lake City, UT 84116
Mailing address for tax statements under I.C. 6-1.1-22-8.1 is: 1287 N Colonel Rd, Salt Lake City, UT 84116

Department of Planning Services
Rezoning Petition Application

Applicant

Applicant Ahtway Freeda

Address 2816 Palisade Dr.

City Fort Wayne State IN Zip 46806

Telephone 260-740-4986 E-mail ahtwayfreeda@gmal.com

Property Ownership

Property Owner Salay Har

Address 1287 N Colonel Rd

City Salt Lake City State UT Zip 84116

Telephone 385-699-8044 E-mail salayhar8@gmail.com

Contact Person

Contact Person Ahtway Freeda

Address 2816 Palisade Dr

City Fort Wayne State IN Zip 46806

Telephone 260-740-4986 E-mail ahtwayfreeda@gmail.com

All staff correspondence will be sent only to the designated contact person.

Request

☐ Allen County Planning Jurisdiction ☑ City of Fort Wayne Planning Jurisdiction

Address of the property 2336 E Pontiac St Township and Section _____

Present Zoning C2 Proposed Zoning R1 Acreage to be rezoned _____

Purpose of rezoning (attach additional page if necessary) Downzone to be allign with current use.

Sewer provider Fort Wayne City Water provider Fort Wayne City

Filing Checklist

Applications will not be accepted unless the following filing requirements are submitted with this application.

- ☐ [redacted]
- ☐ Surveys showing area to be rezoned
- ☐ Legal Description of parcel to be rezoned
- ☐ Rezoning Criteria (please complete attached document)

I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Fort Wayne and Allen County Plan Commissions as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that

Ahtway Freeda	Ahtway Freeda dotloop verified 08/06/26 12:51 PM EDT 8OPL-5BUA-LXTY-AUEZ	08/06/2026
(printed name of applicant)	(signature of applicant)	(date)
Salay Har	Salay Har dotloop verified 08/06/26 11:13 AM MDT NXM8-MCOI-74JW-3RWR	08/06/2026
(printed name of property owner)	(signature of property owner)	(date)

Received	Receipt No.	Hearing Date	Petition No.
8/7/26	149866	10-1226	RE2-2026-0041

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org

Department of Planning Services
Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

(1) The Comprehensive Plan;

To downzone the property to its current use. The same use as it has been since 1900

(2) Current conditions and the character of current structures and uses in the district;

The property has 5 bedrooms, 3 full bathrooms, full unfinished basements.

(3) The most desirable use for which the land in the district is adapted;

The most desirable use is its current use, as a residential property

(4) The conservation of property values throughout the jurisdiction;

The current use as a residential property is it's best use

(5) Responsible development and growth.

This re-zoning preserves the property present use, as a residential property

COMPLETE FILING TO INCLUDE:

- ❑ Filing Fee
- ❑ Complete application signed by property owner*
- ❑ Legal description (in Word document format)*
- ❑ Boundary/Utility Survey*
- ❑ Rezoning Criteria *
- ❑ Written Commitment (if applicable)*

**All documents may be digital*

BILL NO. Z-26-09-20

REPORT OF COMMITTEE ON REGULATIONS
November 10, 2026

Rohli Booker Chair
Scott Myers Co-Chair
All Council Members

An Ordinance amending the City of Fort Wayne Zoning Map No. P07 (Sec. 18 of Adams Township)

To rezone 0.19 acres from C2/Limited Commercial to R1/Single Family at 2336 E. Pontiac St

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

COUNCIL MEMBER	DO PASS	DO NOT PASS	ABSTAIN
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

JOHN D. MCGAULEY
CITY CLERK

Public Hearing Date: N/A
Read the first time in full and on motion by Councilperson Booker.
Read the second time by title and referred to the Regulations Committee.
Read the third time in full and on motion by Councilperson Booker, placed on passage by the following vote:

TOTAL VOTES	AYES	NAYS	ABSTAINED	ABSENT
BENDER	☒	☐	☐	☐
BOOKER	☒	☐	☐	☐
CHAMBERS	☒	☐	☐	☐
ENSLEY	☒	☐	☐	☐
FREISTROFFER	☒	☐	☐	☐
HARTMAN	☒	☐	☐	☐
JEHL	☒	☐	☐	☐
MYERS	☒	☐	☐	☐
PADDOCK	☒	☐	☐	☐

DATED: November 10, 2026

JOHN D. MCGAULEY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Ordinance No. Z-26-09-20 on the 10th day of November , 2026

ATTEST:

JOHN D. MCGAULEY
CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th of November 2026, at the hour of 9:00 o'clock A.M. E.S.T.

JOHN D. MCGAULEY, CITY CLERK

Approved and signed by me this 12th day of November 2026, at the hour of 1:54 o'clock P.M. E.S.T.

SHARON TUCKER, MAYOR

Fort Wayne Indiana
Office of the City Clerk
NOV 12 2026
RECEIVED