

CITY OF HAMMOND
DIVISION OF CODE ENFORCEMENT

STATE OF INDIANA,)
COUNTY OF LAKE,)

SS:

Date 6-19-86

CITY OF HAMMOND, **860692**)

Petitioner,)

Case No. 86-042

vs)

Frank J. Miller, ET AL)
Box 758)
C/O Richard Gill Company)
San Antonio, TX 78293)
First Federal Savings)
Bank of Indiana)
545 Broadway)
Gary, IN 46402)
Respondent(s)

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORDING
JUN 25 3 20 PM '86
RUDOLPH CLAY
RECORDER

FINDING OF FACT AND ACTION TAKEN

Comes now the Division of Code Enforcement by the Enforcement Officer of the Unsafe Building Program, William A. Bowers, and the following respondent(s) appear(s): None

Service of Notice of Hearing and Order to Comply having been made pursuant to I.C. 36-7-9-25 on:

- X sending a copy of said Notice and Order by United States Mail certified.
- personal delivery of said Notice and Order to the respondent(s).
- leaving a copy of said Notice and Order at the dwelling house or usual place of abode of the respondent(s).
- X publishing said Notice and Order in **The Times**, after a reasonable effort to serve by certified mail failed.

Hearing of said Order to Comply is now held and the hearing officer being duly advised, NOW FINDS as follows:

1. The premises herein are legally described as follows:
Saxony Park Add. L. 17 Bl. 1

in the City of Hammond, Lake County, Indiana,
and commonly known as: 1535 173rd PL.
2. The above-described premises is owned by: Frank J. Miller, ET AL
Box 758, C/O Richard Gill, San Antonio, TX 78293

and the following person or entities have an interest therein:

First Federal Savings Bank of Indiana

3. The allegations contained in the Order to Comply and, more specifically, the List of Code Violations or Repair List attached thereto, made a part thereof and dated 5-13-86, are accurate, true and correct and exist on the premises as of this date 6-19, 1986.

Respondent(s) do(es) not contest(s) the allegations of the Order to Comply. The respondent(s) do(es) not request(s) an extension of time within which to comply with said Order. A cash performance bond is \$.

It is, therefore, found that the cumulative effect of the code violations present on the premises renders the premises unsafe, substandard, and a danger to the health and safety of the public as defined by I.C. (1981) 36-7-9-2.

It is further found that major reconstruction of the building(s) is necessary to bring the property up to the Property Maintenance Code of the City of Hammond and that respondent(s) made no serious efforts to make the property safe, although respondent(s) had notice and opportunity to do so since Pub. 5-16-19-86.

IT IS, THEREFORE, THE ACTION OF THE UNDERSIGNED TO:

Affirm the order issued by the Division of Code Enforcement in having the shed demolished to protect the health, safety, and well-being of the public, and to order bids be taken.

Catherine L. Molnar-Boncela
Catherine L. Molnar-Boncela, Hearing Officer
Division of Code Enforcement
City of Hammond, Indiana

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STATE OF INDIANA,)

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CITY OF HAMMOND,)

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vs)

Frank J. Miller, ET AL)

P.O. Box 758)

C/O Richard Gill Co.)

San Antonio, TX 78293)

First Federal Savings Bank of Indiana)

545 Broadway)

Gary, IN 46402)

Respondent(s)

No. 86-042

ORDER TO COMPLY AND NOTICE

To Demolish Shed

Re: 1535 173rd Pl.

Key No.: 36-1-17

Date: 5-13-86

This order and notice to comply is served pursuant to Indiana Code Section 36-7-9 et. seq. to demolish and or/repair the items noted on the document attached to this document as "Exhibit A." EXHIBIT A is a list of building violations concerning the premises located at Hammond, Indiana, which is more particularly described as follows:

Saxony Park Add. L. 17 Bl. 1

The Repairs noted on Exhibit A or Demolition of the structure described in Exhibit A must be completed before the 19th day of June, 1986. If you request an additional period of time in which to accomplish the above action at the hearing set below, the Hearing Officer may, as a condition for granting additional time, require you to post a cash bond. This bond will be forfeited if the action is not completed within the additional time. If additional time is granted there must be substantial

[REDACTED]

compliance with the order within the original period of time granted by this order.

A hearing on this matter will be held in Room 209 of the Hammond City Hall, located at 5925 Calumet Avenue, in the City of Hammond, County of Lake, State of Indiana, on the 19th day of June, 1986, at 1:30 pm. Should the above named individual be unable to attend this hearing, a continuance may be granted by the enforcement authority if a written request for said continuance is received by the enforcement authority not later than five (5) business days after notice is given. The enforcement authority may continue the hearing to a business day not later than fourteen (14) days after the hearing date shown on the order.

As an interested party with a substantial property interest in the property you have a right to appear at the hearing of this cause with or without legal counsel. You also have the right to present evidence in your favor, to cross-examine opposing witnesses, and to present your views regarding this particular matter.

Among the issues to be considered is whether or not your property is "unsafe" as defined by Indiana Law. Under Indiana Code Section 36-7-9-4, an "unsafe building" shall mean any building or structure, or any part thereof, that is in an impaired structural condition or state which renders it unsafe or dangerous to any person or property; or is a fire hazard; or is a hazard to the public health, or is a public nuisance; or does not comply with standards for building conditions or maintenance, the violation of which would be dangerous to any person or property, found in an ordinance enacted by the City Council or in a State Law.

On the date scheduled for the hearing, the Hearing Officer will make findings with respect to this order, based upon the evidence presented to

him. If he affirms or modifies this order, you must comply with the order within the time period allowed. Failure to comply with the Hearing

Officer's order may result in one or more of the following:

- 1) A mandatory or prohibitory injunction issued by the Lake County Circuit or Superior Court which would require compliance;
- 2) Imposition of a civil forfeiture against you in an amount not exceeding one-thousand (\$1,000.00) dollars;
- 3) Appointment of a receiver to take possession of the unsafe premises for a period of time sufficient to accomplish and pay for repairs and improvements;
- 4) Employment of a contractor to perform the work required by this order, and a judgment taken against you for the cost of accomplishing the work along with the appropriate processing charge.

You are required to supply full information, in writing, to the enforcement authority, of the existence of any individuals or entities which have taken, may take or may agree to take a substantial property interest in the above referenced property. This information must be supplied prior to the time of a transfer or an agreement to transfer any substantial property interest. The failure to comply with the above requirements may result in a criminal sanction.

Dated: 5-12-86

William A. Bowers
William A. Bowers
Division of Code Enforcement
5925 Calumet Avenue
Room 135
Hammond, Indiana 46320
(219) 853-6316

CITY OF HAMMOND
DIVISION OF CODE ENFORCEMENT

STATE OF INDIANA,)

No. 86-042

COUNTY OF LAKE,)

SS:

Address: 1535 173rd Pl.

CITY OF HAMMOND,)

Petitioner,)

vs)

Frank J. Miller, ET AL)
& First Federal Savings Bank of Indiana)

Respondent(s))

Due to the total deteriorated condition the shed is in, you are to demolish it to protect the health, safety, and well-being of the public.