

Russ. Kline
3737-45th
Highland 46322

ORDINANCE NO. 961

91043689

OF THE
TOWN OF HIGHLAND, INDIANA

AUG 27 1991

AN ORDINANCE VACATING 98TH (46TH) STREET BETWEEN KENNEDY AVENUE AND ERIE STREET IN THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA.

BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. The Town Council does hereby find:

a. The petitioner, Peoples Bank, a Federal Savings Bank, as Trustee of Trust Number 10023, is the legal owner of the following described real estate:

b. Petitioners, Barney Swinford, Kathleen J. Swinford, Robert Wojcik and June D. Wojcik, are the beneficial owners of said property and have the capacity and authority to present this Petition on behalf of all Petitioners; and

c. That said petitioners desire to develop said real estate and are seeking a vacation of 98th (46th) Street between Kennedy Avenue and Erie Street, which runs through the above-described property, and

d. That the petitioners are aware that certain sewer, water and other utilities are presently located within said 98th (46th) Street and the petitioners are desirous and willing to provide utility easement to the Town of Highland concerning said utilities that exist within said 98th (46th) Street located on petitioner's property, and

e. That the proposed Master Plan for the Town of Highland does not contemplate the development of 98th (46th) Street between Kennedy Avenue and Erie Street through the petitioner's property, and

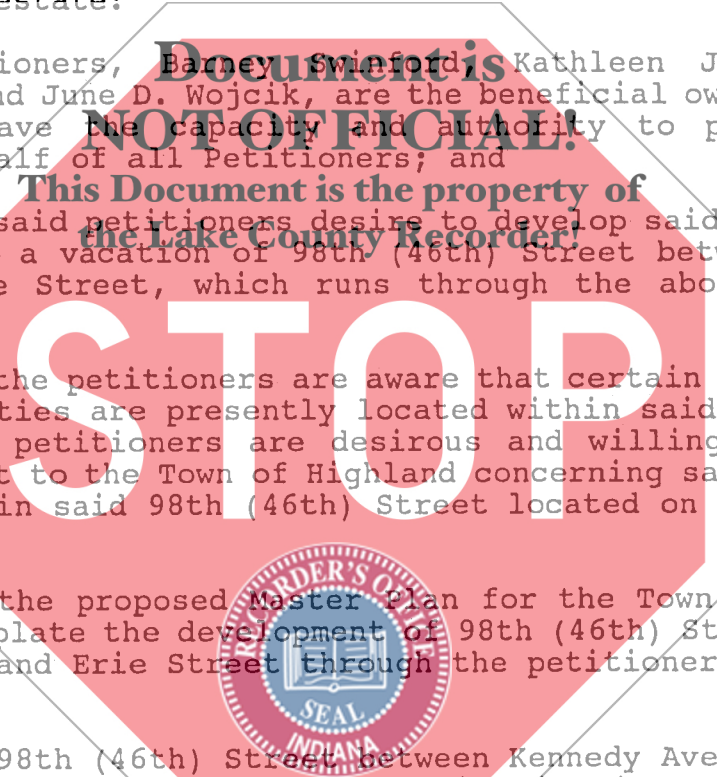
f. That 98th (46th) Street between Kennedy Avenue and Erie Street is a dedicated public street which is sixty (60) feet in width. The petitioners seek vacation of said 98th (46th) Street between Kennedy Avenue and Erie Street, which is legally described as follows:

That part of the Northwest Quarter of the Northeast Quarter of Section 33, Township 36 North, Range 9 West of the 2nd Principal Meridian described as beginning at a point which is 30 feet East and 603.40 feet South of the Northwest corner of said Northwest Quarter of the Northeast Quarter, said point also being on the East Line of Kennedy Avenue and the North line of 98th Street; thence Easterly along the North line of 98th Street and parallel with the North line of said Northwest Quarter of the Northeast Quarter a distance of 270 feet to a point on the West line of Erie Street; thence South along the West line of Erie Street prolonged South

DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER

AUG 27 1991

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AUDITOR LAKE COUNTY



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and parallel with the West line of said Northwest Quarter of the Northeast Quarter a distance of 60 feet to a point on the South line of 98th Street; thence West along the South line of 98th Street and parallel with the North line of said Northwest Quarter of the Northeast Quarter a distance of 270 feet to a point on the East line of Kennedy Avenue; thence North along the East line of Kennedy Avenue prolonged North and parallel with and 30 feet East of the West line of said Northwest Quarter of the Northeast Quarter a distance of 60 feet to the point of beginning, all in the Town of Highland, Lake County, Indiana, said parcel more commonly described as that part of 98th Street (46th Street) lying between the East line of Kennedy Avenue and the West line of Erie Street.

g. That the portion of 98th (46th) Street between Kennedy Avenue and Erie Street thought to be vacated abuts on property owned by Ann Gordon and Ronald Straker, and no objections have been filed by said abutting owners, and

h. That the Clerk/Treasurer of the Town of Highland has caused Notice of a Public Hearing to be published in The Post-Tribune and The Times on May 1 and April 26, 1991, respectively, all as shown by the Publisher's Affidavit filed with the Town Council, and

i. That the proposed vacation would not hinder or affect the orderly development of the subdivision or the surrounding neighborhood in which the real estate owned by the petitioners is located, and

j. The proposed vacation would not make access to the real estate of any other person difficult or inconvenient because the portion of said 98th (46th) Street between Kennedy Avenue and Erie Street proposed to be vacated has not been open or used by the public for travel for many years, and

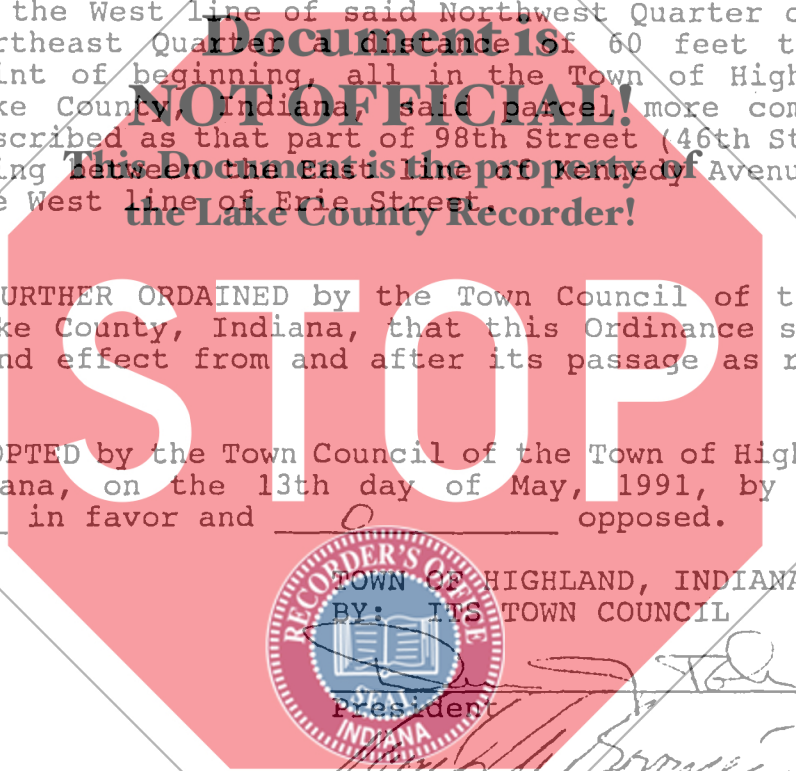
k. The proposed vacation would not hinder the public's access to a church, school or other public building or place, and

l. That the proposed vacation would not hinder the use of a public way by the neighborhood in which it is located or which it is contiguous, and

BE IT ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, that the following portion of 98th (46th) Street between Kennedy Avenue and Erie Street is hereby vacated.

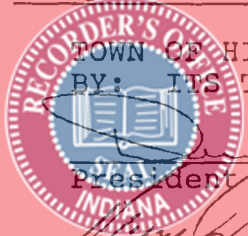
That part of the Northwest Quarter of the Northeast Quarter of Section 33, Township 36 North, Range 9 West of the 2nd Principal Meridian described as beginning at a point which is 30 feet East and 603.40 feet South of the Northwest corner of said Northwest Quarter of the Northeast Quarter, said

point also being on the East Line of Kennedy Avenue and the North line of 98th Street; thence Easterly along the North line of 98th Street and parallel with the North line of said Northwest Quarter of the Northeast Quarter a distance of 270 feet to a point on the West line of Erie Street; thence South along the West line of Erie Street prolonged South and parallel with the West line of said Northwest Quarter of the Northeast Quarter a distance of 60 feet to a point on the South line of 98th Street; thence West along the South line of 98th Street and parallel with the North line of said Northwest Quarter of the Northeast Quarter a distance of 270 feet to a point on the East line of Kennedy Avenue; thence North along the East line of Kennedy Avenue prolonged North and parallel with and 30 feet East of the West line of said Northwest Quarter of the Northeast Quarter a distance of 60 feet to the point of beginning, all in the Town of Highland, Lake County, Indiana; said parcel more commonly described as that part of 98th Street (46th Street) lying between the East line of Kennedy Avenue and the West line of Erie Street.



BE IT FURTHER ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, that this Ordinance shall be in full force and effect from and after its passage as required by law.

DULY ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana, on the 13th day of May, 1991, by a vote of 5 in favor and 0 opposed.



TOWN OF HIGHLAND, INDIANA
BY: ITS TOWN COUNCIL

President

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ATTEST:

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Clerk Treasurer