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UNITED STATES OF AMERICA

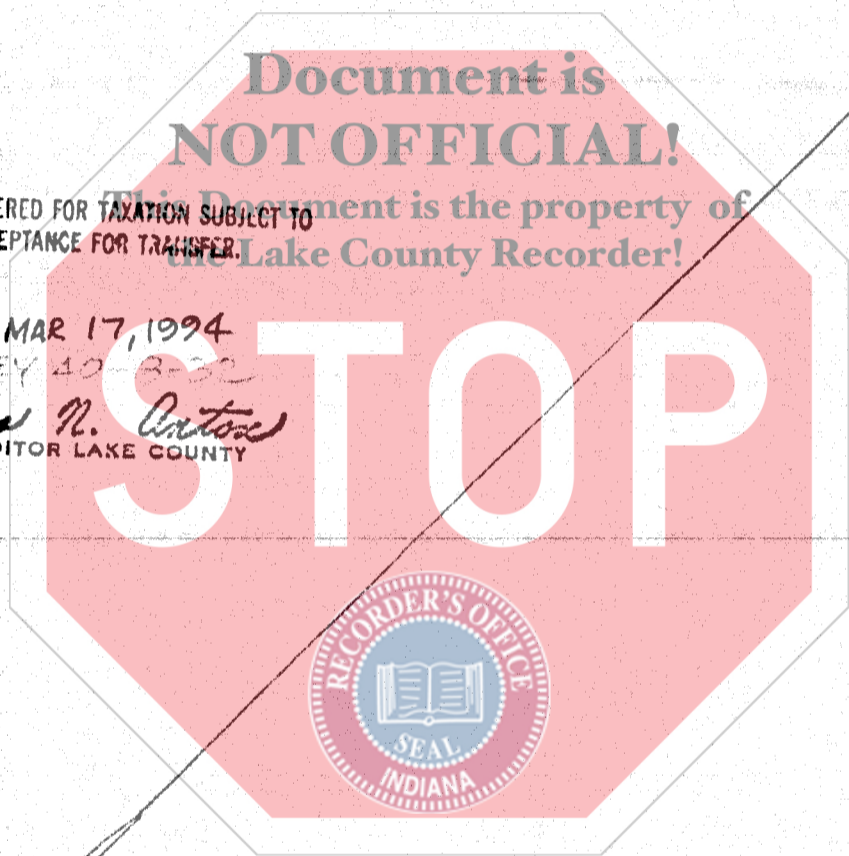
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Certificate

STATE OF INDIANA. COUNTY OF LAKE, ss:

I, KATIE HALL, Clerk of the City Court of the City of Gary, Lake County, Indiana, hereby certify that the attached and foregoing is a full, true, complete and correct copy of ORDINANCE NO. 6695/93-77 - TITLED- AN ORDINANCE FOR GRANTING A VACATION OF A PUBLIC WAY. Petitioner: Howell Tractor & Equipment Co., 480 Blaine St., Gary, In. 46406



DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER.

MAR 17, 1994
KEY 40-3-30
Anna N. Cantor
AUDITOR LAKE COUNTY

MAR 17 2 59 PM '94
STATE RECORDER

STATE OF INDIANA

the original of which is now on file in the office of the Clerk of the City Court of the City of Gary, Lake County, Indiana.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City Court of the City of Gary, Lake County, Indiana, this 5th day of JANUARY, 1994

KATIE HALL
Clerk of the City Court of the City of Gary, Lake County, Indiana
By *Deanne Hallis*
Deputy

900 20.00

Frank Bellard
C. Hughes
Donald B. Hayes

PENDING ORDINANCE 93-77
ORDINANCE NO. 6695
AS AMENDED _____
CERTIFICATION DATE _____
CERTIFIED BY _____
FAVORABLY _____
UNFAVORABLY _____

ORDINANCE FOR GRANTING A VACATION OF A PUBLIC WAY

WHEREAS, the following proposed vacation has been reviewed by the Gary City Plan Commission; and

WHEREAS, the Common Council of the City of Gary, Indiana now finds that the following vacation is in and not injurious to to public interest; and

WHEREAS, the Common Council now finds that the area sought to be vacated is not necessary to the growth of the City of Gary; the vacation would not make access to the land of others impossible; and the vacation would not eliminate the public's access to a church, school or other public building or place; and

WHEREAS, due notice of this vacation has been given to the public and public hearing has been held in accordance with state law; and

WHEREAS, the Common Council finds that the granting of this vacation will not result in any damage to any adjoining property owner;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Gary, Indiana as follows:

Section 1. The following described property is hereby vacated:

KEY 40-8-32
GRAND BOULEVARD (UNIMPROVED) 50' WIDE FROM THE
WABASH RAILROAD NORTH 400'.

Passed by the Common Council of the City of Gary, Indiana, this 21st day of December, 1993.

[Signature]
PRESIDING OFFICER

ATTEST:
Katie Hall
CITY CLERK

Presented by me the Mayor for his approval and signature this 28th day of December, 1993.

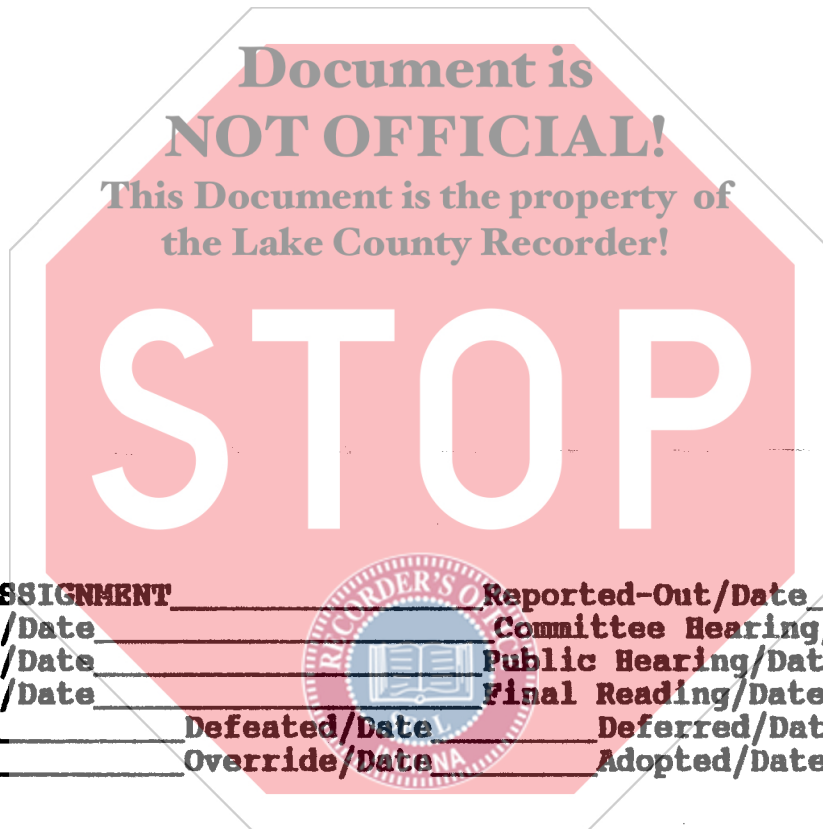
Katie Hall
CITY CLERK

APPROVED and SIGNED by me this 28 day of December, 1993.

Shawn Bone
MAYOR, CITY OF GARY, INDIANA

PETITIONERS: Howell Tractor & Equipment Co.
480 Blaine Street
Gary, Indiana 46406

Prepared By: The Gary City Clerk's Office



COMMITTEE ASSIGNMENT _____	Reported-Out/Date _____
1st Reading/Date _____	Committee Hearing/Date _____
2nd Reading/Date _____	Public Hearing/Date _____
3rd Reading/Date _____	Final Reading/Date _____
Passed/Date _____	Defeated/Date _____
Tabled/Date _____	Deferred/Date _____
	Override/Date _____
	Adopted/Date _____

KH/dh

NOTES: TO BE SUBMITTED IN 3 COPIES (PLEASE TYPE OR PRINT) AND ACCOMPANIED BY A \$150.00 CHECK OR MONEY ORDER PAYABLE TO THE "GARY CITY CLERK'S OFFICE". ATTACH A SCALE DRAWING SHOWING THE PROPOSED VACATION AND OTHER PERTINENT INFORMATION.

NO. _____ DATE _____, 19____ QUIRTUS NO. _____

TO: GARY CITY CLERK, STATE OF INDIANA

PETITION TO VACATE

- (1) I (We) Howell Tractor & Equipment Co.
- (2) Of 480 Blaine Street Gary, Indiana 46406 (219) 977-4210
Address City/State Telephone
- (3) Hereby petition to vacate unimproved public right-of-way
Alley, Street, Public right-of-way or subdivision
- (4) Name and Address of abutting property owners:

	Concur	Not Concur
D&W Transfer, 6123 E. Melton Rd., Gary, IN 46403		
By: <u>X D-HU - Dean Baumgarden</u> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SIGNATURE Harold Dean Baumgarden Bridgestone/Firestone, Inc. <u>2550 W. Golf Rd., Rolling Meadows, IL 60008</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/> - See Exhibit
SIGNATURE _____	<input type="checkbox"/>	<input type="checkbox"/>
SIGNATURE _____	<input type="checkbox"/>	<input type="checkbox"/>

- (5) Proposed method of providing for utilities and/or public services if vacation is granted.

Utilities will be provided through existing service. All utility easements, if any, located in the area to be vacated shall remain unchanged.

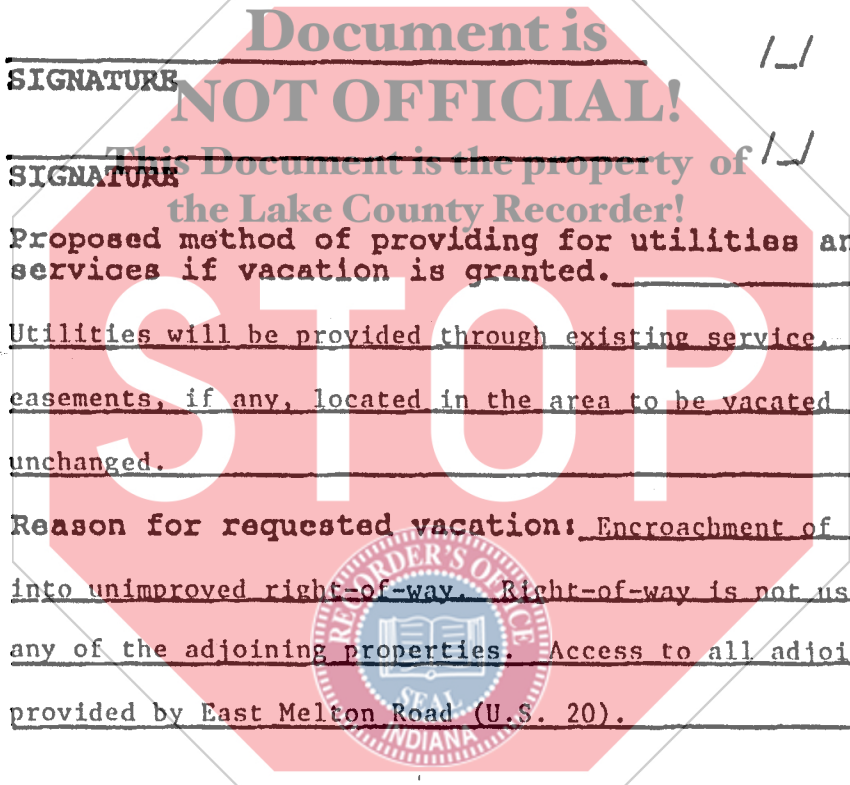
- (6) Reason for requested vacation: Encroachment of fence and building into unimproved right-of-way. Right-of-way is not used for access to any of the adjoining properties. Access to all adjoining properties is provided by East Melton Road (U.S. 20).

- (7) Describe the potential economic impact if petition is approved:

Vacation of the unimproved right of way will allow the adjoining property to the east to be sold without requiring demolition of any portion of the structure which encroaches into the right-of-way.

- (8) SIGNATURE OF: _____ PETITIONER by: Joseph M. deLaVan, Secretary
OWNER Howell Tractor & Equipment Co.
NAME ADDRESS
480 Blaine Street, Gary, IN 46406

See Exhibits A and B attached hereto.



1-STORY
BRICK
COMMERCIAL
BUILDING
W/O FIRESTONE
DEALERSHIP

BOULE
GRAND

UTILITY
POLE
(50 FT. CE. WAY)
UTILITY
POLE
(UNIMPROVED)

WEST LINE OF SEC 5-36-7

650.39 (N) 655.31 (E)

1126.74 (N) 1145.11 (E)

UTILITY
POLE

BUILDING CORNER
39 WEST

BUILDING CORNER
144 S NORTH &
64 WEST

1-STORY
METAL
BUILDING
(SHOP)



91°06'25"

226.58' (M.R.)

88°12'45"

NORTH RIGHT OF WAY

WABASH

RAILROAD

BROKEN ASPHALT

GRAVEL

LIGHT
POLE

BROKEN

ASPHALT

GRAVEL

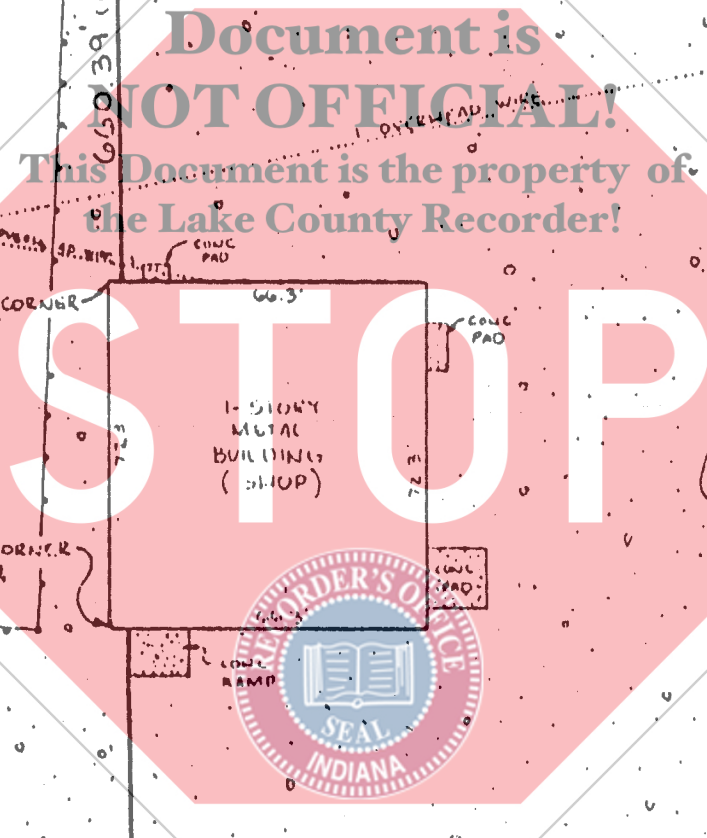


Exhibit B

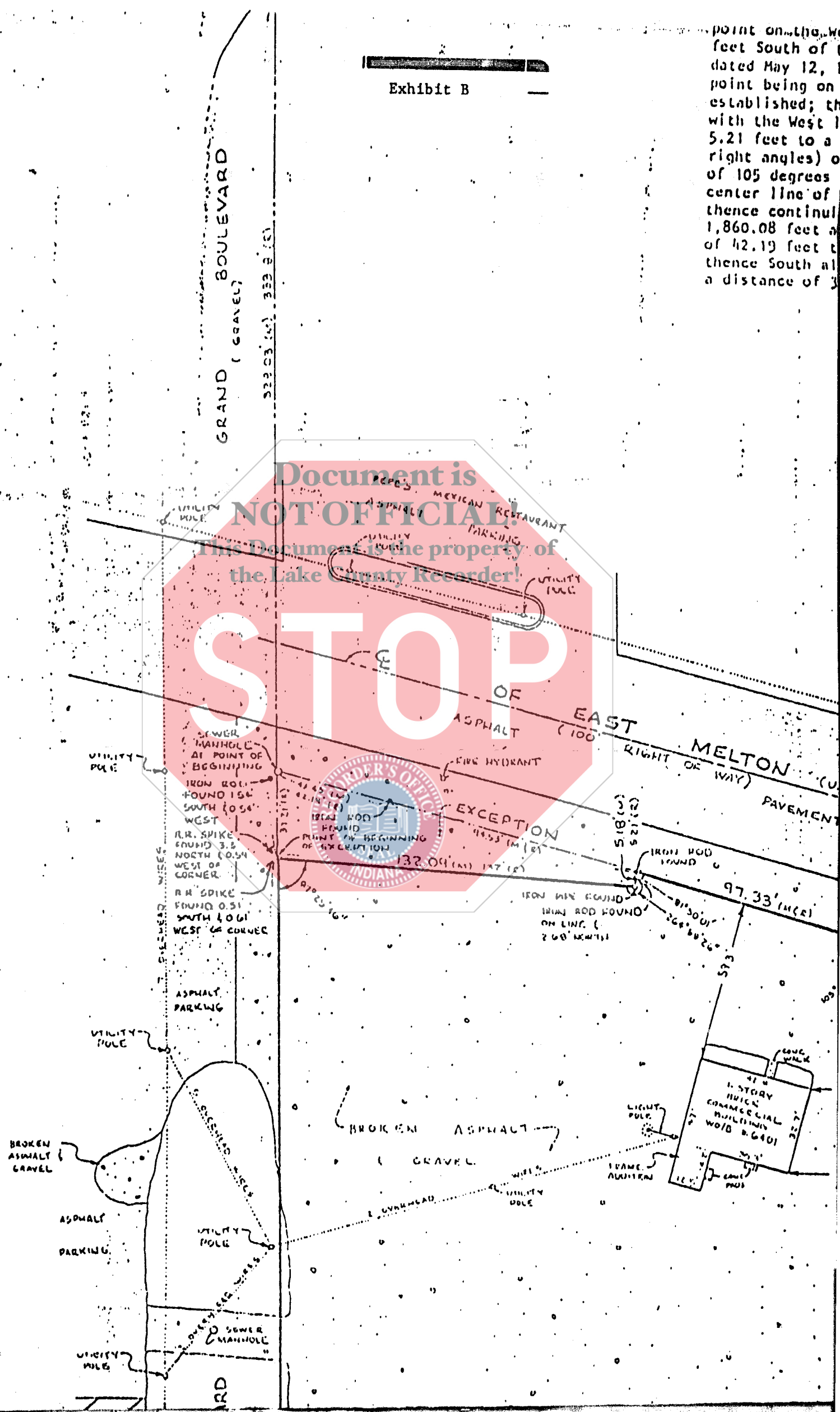
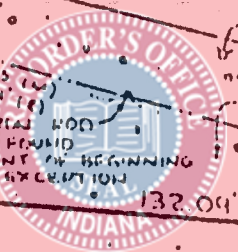
point on the West
feet South of t
dated May 12, 1
point being on
established; th
with the West 1
5.21 feet to a
right angles) o
of 105 degrees
center line of
thence contin
1,860.08 feet
of 42.19 feet t
thence South al
a distance of 3

GRAND BOULEVARD
(GRAVEL)

333.03 (14) 333.8 (15)

Document is NOT OFFICIAL
This Document is the property of the Lake County Recorder!

STOP



MELTON EAST
RIGHT OF WAY
PAVEMENT

EXCEPTION

97.33' (142)

4 1/2 STORY
HICK
COMMERCIAL
BUILDING
W/O/D B. 6401

BROKEN ASPHALT
GRAVEL

ASPHALT
PARKING

UTILITY POLE

RD

EXHIBIT A

Howell Tractor & Equipment Co. proposes to vacate a portion of the unimproved public right of way known as Grand Boulevard. The area to be vacated is immediately north of the Wabash Railroad right of way, approximately 400 feet by 50 feet.

A scale drawing showing the proposed vacation is attached hereto as Exhibit B.

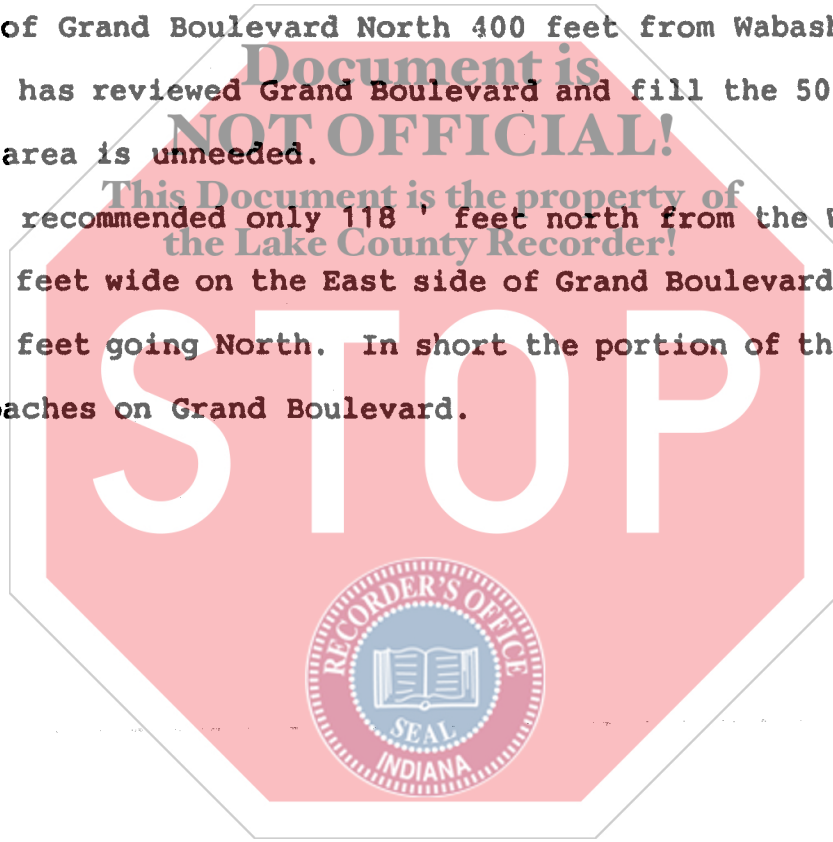


STAFF RECOMMENDATION

The Howell Tractor & Equipment Company seeks to vacate 50' wide feet of Grand Boulevard North 400 feet from Wabash Railroad.

Staff has reviewed Grand Boulevard and fill the 50' wide and 400' long area is unneeded.

Staff recommended only 118' feet north from the Wabash Railroad 6 feet wide on the East side of Grand Boulevard. Seventy-three (73) feet going North. In short the portion of the building that encroaches on Grand Boulevard.



P.O. 93-77