

94028615

AN ORDINANCE TO VACATE PUBLIC WAYS AND PLACES
WITHIN THE CITY OF LAKE STATION, INDIANA

WHEREAS, there is currently before the Common Council of the City of Lake Station, Indiana a PETITION FOR VACATION OF PUBLIC WAYS AND PLACES BY ORDINANCE previously filed herein pursuant to IC 36-7-3-12 and on or about the 14 day of April, 1994 regarding the following lots or parts of lots and requesting vacation of all or part of the following public ways or public places in or contiguous to said lots or parts of lots; to-wit:

All of the North-South alley West of and adjacent to Lots 7 and 8 and the North 19 feet of Lot 9 in Block 2, ^{KE'S 22-8-3, D, 12} ~~Petter's~~ ^{Petter's (D.S.)} Addition of East Gary.

WHEREAS, the City Engineer has certified that a complete and accurate Legal Description of said property to be vacated as well as abutting properties thereto was filed with said PETITION as a PLAT OF VACATION, and said certification is on file with the Clerk Treasurer; and

WHEREAS, the Plan Commission of the City of Lake Station has reviewed said Petition; the City Attorney has certified that said review was conducted in compliance with all applicable laws, regulations and procedures; and said Petition has been forwarded by the Plan Commission to the Common Council with a recommendation that the same be approved, which recommendation is of record; and

WHEREAS, the Common Council of Lake Station, Indiana, as the Legislative Body of the Municipality wherein said property is located, is required to hold a hearing on said petition within Thirty (30) days after it is received; and

WHEREAS, the Petitioner has filed with the Clerk Treasurer a Certificate of the Auditor of Lake County, Indiana showing the names and addresses of record for all persons who either own or have an interest in the lands that abut the property to be vacated, which Certification is of record; and

WHEREAS, the Clerk Treasurer has certified that Legal Notice, as required by IC 36-7-3-12 (c), has been provided to each owner of land that abuts the property proposed to be vacated and that all such persons have either consented to said vacation or have been given an opportunity to be heard, which proofs of notice are of record; and

WHEREAS, the Clerk Treasurer has certified that Legal Notice as required by IC 36-7-3-12 was given in accordance with IC 5-3-1 and the Publishers' Affidavits evidencing same are of record; and

WHEREAS, a Public Hearing on said Petition was held as required by IC 36-7-3-12 at the time and place advertised in said Legal Notice; and

WHEREAS, there was no opposition voiced at said Hearing as to said PETITION nor was there any evidence presented that said vacation would hinder the growth or orderly development of the City of Lake Station, Indiana or the neighborhood in which said street is located or to which it is contiguous; nor was there any evidence that said vacation would make access to the lands of any person by means of public way difficult or inconvenient; nor was there any evidence that said vacation would hinder the public's access to any church, school or other public building or place; nor was there any evidence that said vacation would hinder the use of a public way by the neighborhood in which ~~it is located~~ ^{it is located} to which it is contiguous.

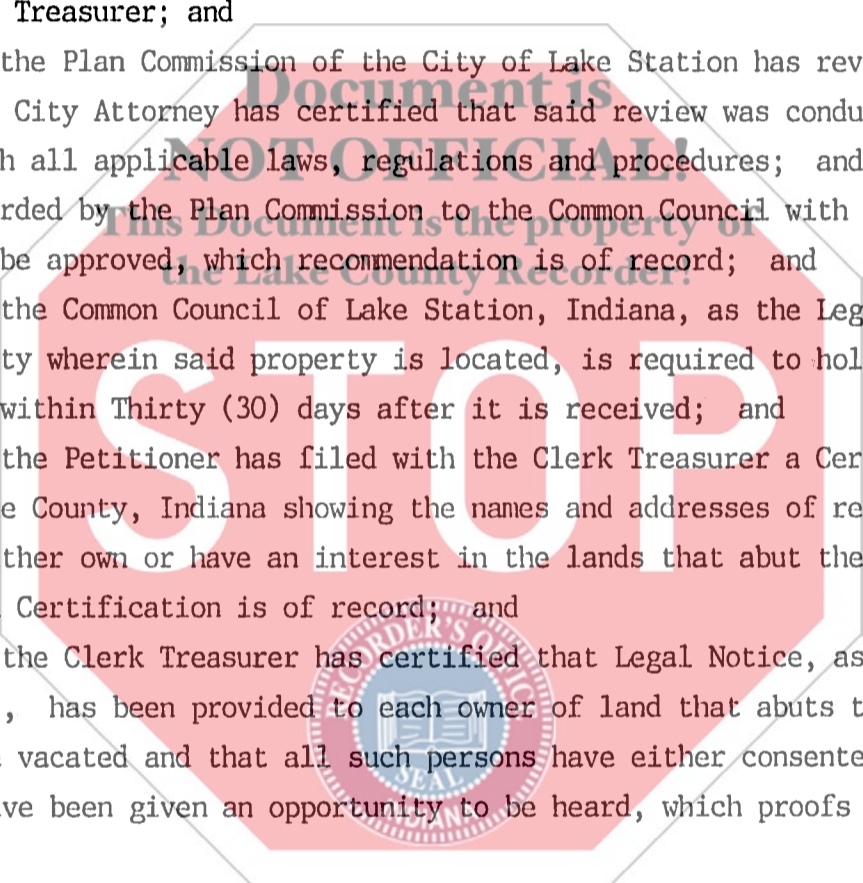
DELETED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER.

APR 15 1994

Alexa M. Antone
AUDITOR LAKE COUNTY

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STATE OF INDIANA
LAKE COUNTY
FILED IN RECORDS
APR 13 11 AM '94
RECORDED

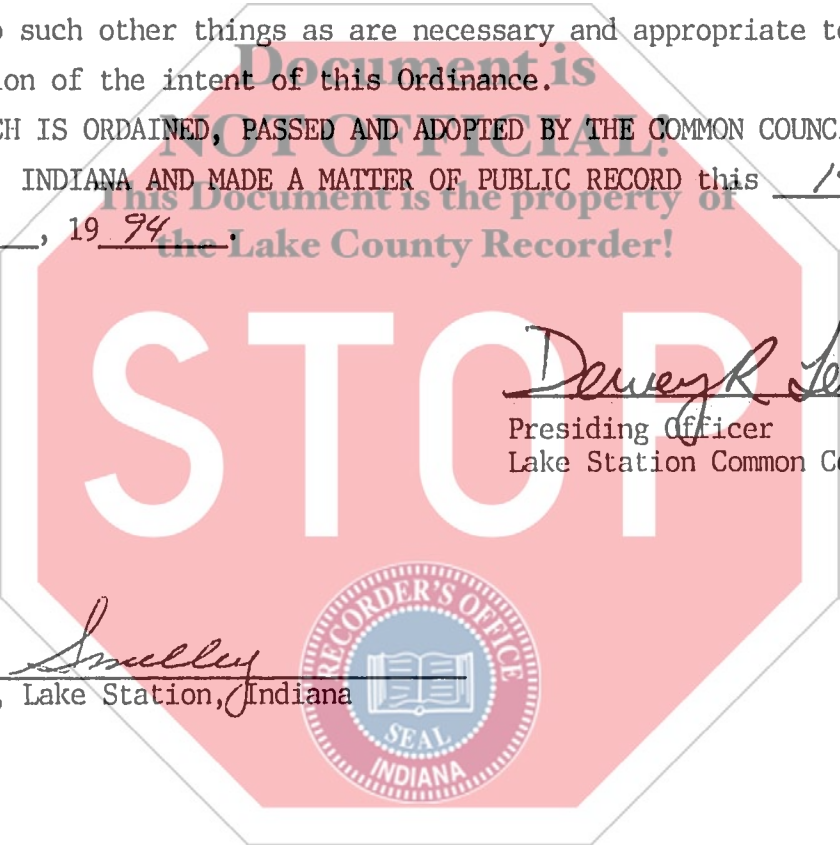
NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF LAKE STATION, INDIANA MAKES THE FOLLOWING FINDINGS OF FACT regarding said PETITION FOR VACATION OF PUBLIC WAYS AND PLACES BY ORDINANCE above stated; to-wit;

1.) That said Platted Streets serve no useful public purposes nor have they served any useful public purposes nor will they, in the foreseeable future, serve any useful public purposes; and therefore, the highest and best use for said land is as part and parcel of the property adjoining thereto.

2.) That, pursuant to the Laws of the State of Indiana, the respective, abutting property owners should receive a fee simple interest in said streets to the center thereof free and clear of said Easements for Public Right of Way above stated; however, subject, of course, to the other easements, restrictions and encumbrances of record.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAKE STATION, INDIANA THAT, the above described PUBLIC WAYS AND PLACES in the City of Lake Station be, and the same hereby are, vacated subject, of course, to the other easements, restrictions and encumbrances of record effective with the passage of this Ordinance. Further, the City Attorney is hereby directed to prepare such other documents and do such other things as are necessary and appropriate to the full and complete execution of the intent of this Ordinance.

ALL OF WHICH IS ORDAINED, PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAKE STATION, INDIANA AND MADE A MATTER OF PUBLIC RECORD this 14 day of April, 19 74.


Dwight R. Lemley
Presiding Officer
Lake Station Common Council

ATTEST:

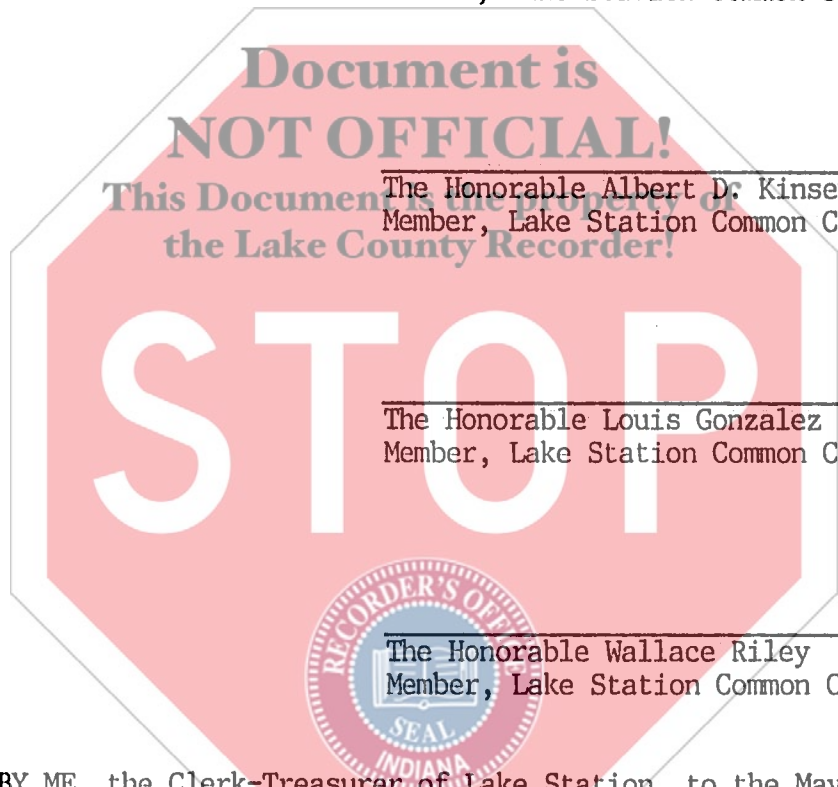
Dorena Smalley
Clerk-Treasurer, Lake Station, Indiana

The Honorable Shirley Wadding
Member, Lake Station Common Council

The Honorable Frank N. Tatone
Member, Lake Station Common Council

The Honorable Louis B. Cloyd, Jr.
Member, Lake Station Common Council

The Honorable Robert N. McDonald
Member, Lake Station Common Council



The Honorable Albert D. Kinsey
Member, Lake Station Common Council

The Honorable Louis Gonzalez
Member, Lake Station Common Council

The Honorable Wallace Riley
Member, Lake Station Common Council

PRESENTED BY ME, the Clerk-Treasurer of Lake Station, to the Mayor of the City of Lake Station, Indiana, on the _____ day of _____, 19____ at the hour of _____ am/pm.

Clerk Treasurer

APPROVED, SIGNED, AND RETURNED BY ME to the Common Council of the City of Lake Station, Indiana, on the _____ day of _____, 19____.

Carl Miller, Mayor
City of Lake Station, Indiana

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAKE STATION,
INDIANA THIS 14 DAY OF April, 1994.

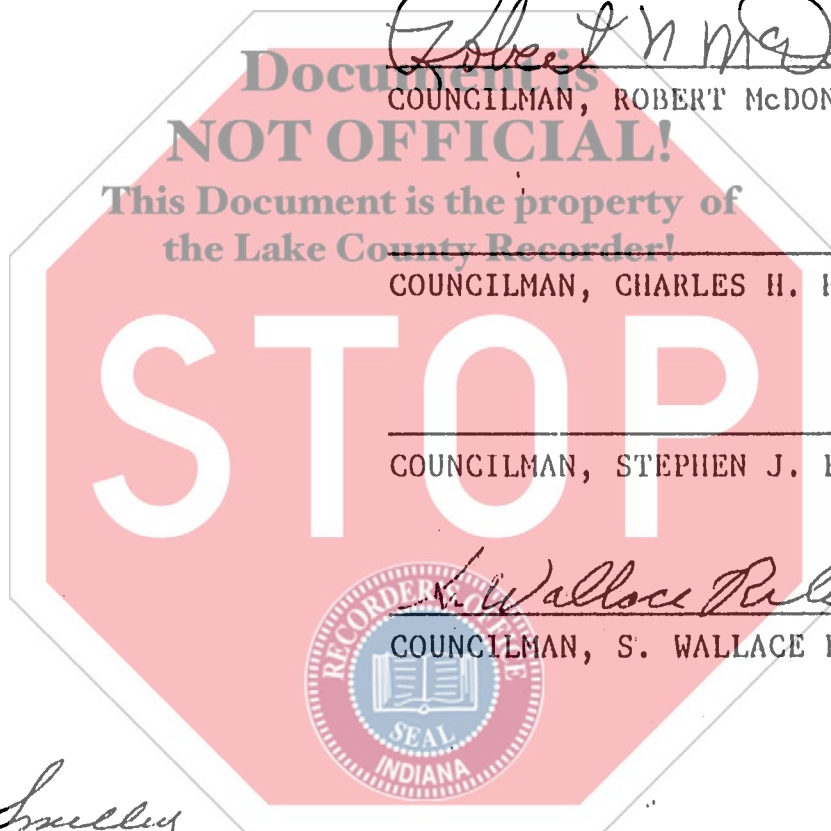
Dewey R. Lemley
PRESIDING OFFICER

Shirley Wadding
COUNCILMAN, SHIRLEY WADDING

Frank N. Tatone
COUNCILMAN, FRANK N. TATONE

COUNCILMAN, MICHAEL L. DEPPE

Robert McDonald
COUNCILMAN, ROBERT McDONALD



COUNCILMAN, CHARLES H. HOWELL

COUNCILMAN, STEPHEN J. PARADINE

S. Wallace Riley
COUNCILMAN, S. WALLACE RILEY

ATTEST:

Donna Smelley
DONNA SMELLEY
CLERK TREASURER

PRESENTED BY ME TO THE MAYOR OF THE CITY OF LAKE STATION, INDIANA,
THIS 14 DAY OF April, 1994

Donna Smelley
DONNA SMELLEY, CLERK TREASURER

SIGNED, APPROVED AND RETURNED TO THE COMMON COUNCIL BY ME
THIS 14 DAY OF April, 1994

Dewey R. Lemley
MAYOR, DEWEY R. LEMLEY

ATTEST: Donna Smelley
DONNA SMELLEY, CLERK TREASURER