

FILED

ORDINANCE NO. 99-35

OCT 22 1999

PETER BENJAMIN
LAKE COUNTY AUDITOR

AN ORDINANCE VACATING A RECORDED DRAINAGE EASEMENT ON PRIVATE PROPERTY WITHIN THE CITY OF HOBART, LAKE COUNTY, INDIANA

WHEREAS, it was presented to the Common Council of the City of Hobart, Lake County, Indiana, Petition 99-46, to Vacate a recorded drainage easement on private property within the City of Hobart, Lake County, Indiana, which Petition is in words and figures as follows:

(H.I.)

WHEREAS, the Plan Commission of the City of Hobart, Indiana, pursuant to law, held a public hearing upon said Petition to Vacate after giving notice of the Petition and of the time and place of the hearing in the manner prescribed by law and by certified mail to each owner of land that abuts the property proposed to be vacated, and,

WHEREAS, the Common Council of the City of Hobart, Indiana, being duly advised, now approves said Petition.

IT IS THEREFORE, NOW ORDAINED by the Common Council of the City of Hobart, Indiana, as follows:

SECTION 1: That the Petition to Vacate the following described real estate, to-wit:

Beginning at a point on the South line of Lot 1 in Subdivision of Lot 1, Lake Park Subdivision, as recorded in Plat Book 52, page 78, in the Office of the Recorder of Lake County, Indiana and 15.01 feet West of the Southeast corner thereof; thence North 00°00'24" West, 251.27 feet to a point 10 feet South of the North line of said Lot 1; thence South 89°20'00" East parallel to the North line of said Lot 1, a distance of 63.64 feet to a point 15 feet West of the East line of said Lot 1; thence South 00°00'00" East, 352.75 feet to the point of beginning.

is now granted, and said easement is now vacated subject to the City of Hobart retaining a fifteen foot easement south of and adjacent to the aforesaid described property for the use of the City of Hobart and for any public utility company doing business in the City of Hobart.

SECTION 2: The Clerk-Treasurer is further authorized upon passage of this Ordinance to file a certified copy of said Ordinance with the Auditor of Lake County, for the Auditor to take all necessary action in connection with taxation of said vacated easement.

SECTION 3: The Clerk-Treasurer is further authorized and directed to record a copy of said Ordinance with the Lake County Recorder.

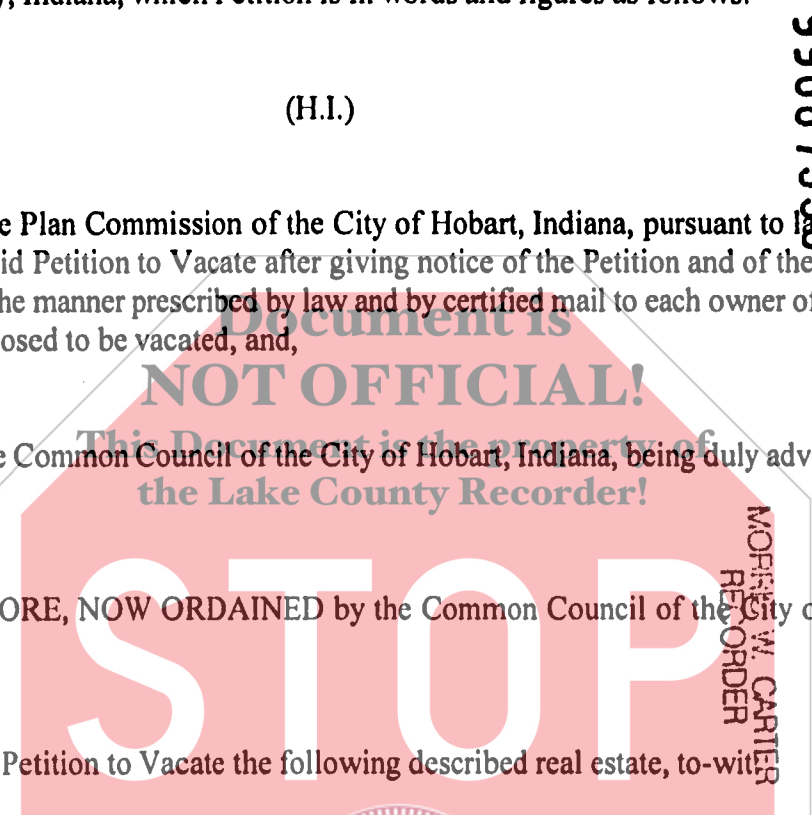
SECTION 4: This Ordinance shall be in full force and effect upon its passage and adoption by the Common Council of the City of Hobart, Lake County, Indiana.

Richard L. Kobza

414 Main Street
Hobart, In. 46342

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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

**CERTIFICATION AND REPORT TO
COMMON COUNCIL OF THE CITY OF HOBART ON
PETITION TO VACATE**

CERTIFICATION TO: Honorable Richard L. Kobza, Clerk-Treasurer
Common Council of the City of Hobart

FROM: Sonja J. Kainrath, Zoning Administrator

RE: Ordinance to Vacate a recorded drainage easement.

DATE: September 15, 1999

PETITIONER: Pierce Hardy Limited Partnership
P. O. Box 584
Eighty Four, PA 15384

REQUEST: Petition to vacate the south approximate 63' X 252' drainage easement on lot 1,
Lake Park Subdivision.

PURPOSE: To create a buildable area for a storage building for 84 Lumber.

GENERAL LOCATION: The southeast corner of U.S. 30 and Grand Boulevard.

PLAN COMMISSION PETITION NO.: 99-46.

DATE OF PLAN COMMISSION ACTION: September 9, 1999.

DEADLINE FOR CITY COUNCIL ACTION: December 8, 1999.


CERTIFICATION

ACTION TAKEN BY PLAN COMMISSION: Approved. See attached draft copy of minutes.

VOTE: 8-0

SPECIAL CONDITIONS IMPOSED BY PLAN COMMISSION: A 15 foot drainage easement on the east property line would be retained. The Petitioner must construct on the 15 foot easement a swale large enough to handle the flow from the property to the south.

I certify that the foregoing information accurately represents the action taken on this matter by the City of Hobart Plan Commission.


Sonja J. Kainrath, Zoning Administrator