

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2000 028879

2000 APR 28 PM 1:35

MORRIS W. CARTER
RECORDER

FINDINGS OF FACT AND ACTION TAKEN BY HEARING OFFICER AT HEARING ON AN ORDER ISSUED BY THE BUILDING COMMISSIONER UNDER THE UNSAFE BUILDING ORDINANCE OF THE CITY OF GARY, INDIANA.

CASE NO.: 04/20/99

PROPERTY OWNERS: TILMENA HARTFIELD, REV. BEENIE HARTFIELD, JR., DOROTHY HUMES, PATRICIA HICKS, CHARLES HARTFIELD, KAREN JACKSON, BENETTA HARTFIELD, AVCO FINANCIAL SERVICES OF INDIANAPOLIS C/O DALE OLSEN, SPANGLER, JENNINGS, SPANGLER & DAUGHERTY, P.C. C/O LAWRENCE A/ KALIMA, LAKE CO. TREAS/AUD.

PROPERTY ADDRESS: 635 FILLMORE STREET, GARY, INDIANA
(SEE ATTACHED COPY OF ORDER FOR LEGAL DESCRIPTION)

NOT OFFICIAL!
FINDINGS

PROPER NOTICE GIVEN: YES X NO MANNER OF SERVICE: CERTIFIED MAIL

The building subject to the Order constitutes an Unsafe Building within the meaning of the Unsafe Building Ordinance of the City of Gary, Indiana: (YES) (NO).

ACTION TAKEN

ORDER AFFIRMED: YES ORDER RESCINDED: HEARING CONTINUED TO:

ORDER MODIFIED AS FOLLOWS:

A copy of said Order is attached hereto and is made a part hereof.

Performance Bond Posted Amount \$

Date of Hearing: APRIL 20, 1999



WILLIAM R. NORMAN, #9663-45
Hearing Officer

EXPENSE RECORD ATTACHED: YES NO

Subscribed and sworn before me, a Notary Public, in and for the County of Lake and State of

Indiana; this 16th day of Sept, 1999.

My Commission Expires: 12-25-2000.

NOTARY PUBLIC

This instrument prepared by: Department of Redevelopment

COST OF DEMOLITION: \$ 12,000.00

DATE DEMOLITION COMPLETED: 9-07-99

15.00
E.F.

**CITY OF GARY, INDIANA
BUILDING DEPARTMENT
ORDER**

1. **TILMENA HARTFIELD, OWNER(S) OF RECORD** and Any Other Persons having a **Substantial Property Interest**** in unsafe premises, which are the subject of this Order.

PROPERTY ADDRESS (Unsafe Premises):
635 FILLMORE STREET, GARY, IN 46402

2. **NAME AND ADDRESS OF PROPERTY OWNER(S) AND OTHER PERSONS HAVING A SUBSTANTIAL PROPERTY INTEREST**:**

TILMENA HARTFIELD, Owner of Record
635 Fillmore Street
Gary, IN 46402

Rev. Bennie Hartfield, Jr.
4339 Jackson Street
Gary, IN 46408

Dorothy Humes
4812 Monroe Street
Gary, IN 46408

Patricia Hicks
4336 Jackson Street
Gary, IN 46408

Charles Hartfield
1740 Syracuse Street
Denver, CO 80220

Karen Jackson
6919 East 5th Place
Gary, IN 46403

Benetta Hartfield
4812 Monroe Street
Gary, IN 46408

Cynthia Hartfield
4812 Monroe Street
Gary, IN 46408

Avco Financial Services of Indianapolis
C/o Dale Olsen
8102 Georgia Street
Merrillville, IN 46410

Spangler, Jennings, Spangler & Daugherty, P.C.
C/o Lawrence A. Kalima
8196 Mississippi Street
Merrillville, IN 46410

Lake County Treasurer
c/o PRESIDENT, LAKE COUNTY COMMISSIONERS
2293 North Main Street
Crown Point, IN 46307

Continued:

CITY OF GARY, INDIANA
BUILDING DEPARTMENT ORDER
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Lake County Auditor
c/o PRESIDENT, LAKE COUNTY COMMISSIONERS
2293 North Main Street
Crown Point, IN 46307

The term, "Substantial Property Interest", means any right in real estate susceptible of being affected in a substantial way by actions authorized by the Unsafe Buildings Ordinance of the City of Gary, including, but not limited to, a fee interest, a life estate or future interest, a present possessory interest, or equitable interest of a contract purchaser; or interest reflected by a **recorded lease, license, mortgage, land sale contract or lien.

3. **LEGAL DESCRIPTION OF REAL ESTATE IN GARY, LAKE COUNTY, INDIANA:** Gary Land Co's 1st Sub. All Lot 9 Block 49
Key Number: 44-0049-0006

4. **ORDER:**

The Building Commissioner has determined the property to be unsafe for the following reason(s): structure is vacant and abandoned.

The building inspection report is on file in the City of Gary Department of Redevelopment, 100 West 4th Avenue, Suite 202 Gary, IN; and may be reviewed between the hours of 9:00 a.m. and 5:00 p.m.

The Building Commissioner orders that the Property Owner(s) demolish the unsafe building and clear the premises of debris. Such operations must begin within ten (10) days from the date of this order.

5. **HEARING:**

A hearing will be held in the Gary City Hall Council Chambers, 2nd Floor, 401 Broadway, Gary, Indiana, on **Tuesday, APRIL 20, 1999**, at 10:00 A.M. You have the right to appear at the hearing with or without legal counsel and present evidence, cross-examine opposing witnesses, and make argument.

If you appear to request additional time to reconstruct and/or to rehabilitate the building, or correct violations, you must present evidence of your intent to make improvements. (SEE ATTACHMENT.)

If the structure is not demolished and if you fail to appear, the hearing will proceed in your absence; and you will be bound by the determination of the Hearing Officer. The Building Commissioner will act pursuant to the power conferred upon him under the Unsafe Buildings Ordinance.

At the conclusion of the hearing, the Hearing Officer may affirm the Order, rescind the Order or modify the Order. If the Hearing Officer affirms the Demolition Order, this structure will be demolished by the City of Gary and the Property Owner(s) will be responsible for all the expenses incurred in processing your case to obtain the action required by this Order.

continued:

CITY OF GARY, INDIANA
BUILDING DEPARTMENT ORDER
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6. **TRANSFER OF PROPERTY TO A THIRD (3RD) PERSON:**

If the Property Owner intends to transfer this property after receipt of this Notice, and has not complied with the Order, the Owner(s) MUST:

- 1.) Supply full information regarding the Order to any person who may take a substantial property interest in the unsafe premises. This information shall be supplied prior to the time when there is any transfer or agreement to transfer any substantial property interest in the unsafe premises; and
- 2.) Supply the following information to the Building Commissioner in writing within five (5) calendar days, after there is any transfer or agreement to transfer a substantial property interest in the unsafe building:
 - a.) The full name, address, and telephone number of the person(s) taking a substantial property interest in the unsafe premises; and
 - b.) A true and accurate copy of the legal instrument under which the transfer or agreement to transfer the substantial property interest is accomplished.

If you have any questions relating to this matter, please contact:

Ann Stewart, Demolition Coordinator
City of Gary, Indiana
Department of Redevelopment
100 West 4th Avenue, Suite 200
Gary, IN 46402
(219) 886-1531.

ALL OF WHICH IS ORDERED THIS 26th day of March, 1999.

Russell L. Thompson

7 058 632 936
Certified Mail Number

RUSSELL THOMPSON,
Building Commissioner
401 Broadway - Room 307
Gary, Indiana 46402

s-c