

ORDINANCE NO. CC-2007-1763

**COMMON COUNCIL
OF THE
CITY OF WHITING, INDIANA**

**AN ORDINANCE VACATING PORTIONS OF DICKEY ROAD AND
RIGHTS-OF-WAY IN THE CITY OF WHITING, LAKE COUNTY INDIANA
AS AMENDED**

WHEREAS, the City of Whiting, Indiana has filed a petition requesting the vacation of portions of Dickey Road and rights-of-way legally described in the plat of vacation attached as Exhibit "A"; and

WHEREAS, the Common Council of the City of Whiting, Indiana upon investigation and hearing in accordance with the law finds and determines that the proposed vacation would not hinder the growth or orderly development of the City of Whiting or the neighborhood in which the road and rights-of-way are located or to which they are contiguous; and

WHEREAS, the vacation will not hinder the public's access to a church, school, or other public building or place.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Whiting, County of Lake, Indiana, that it is desired and deemed necessary to vacate the said portions of Dickey Road and rights-of-way which are particularly described on the Plat attached hereto and incorporated herein as Exhibit "A", more particularly described as a ALTA/ACSM LAND TITLE SURVEY STANDARD AVENUE for DLA Piper US, LLP, prepared by Anthony J. Toscani, PLS No. L520600010, Drawing Number 8143AL, Dated February 1, 2007, as recorded in Survey Book 16, Page 61 as document number 2007 010531.

BE IF FURTHER ORDAINED that this vacation is subject to existing utility and pipeline easements, if any.

AND THEREFORE, the aforesaid portion of Dickey Road and rights-of-way are hereby vacated.

BE IT FURTHER ORDAINED by the Common Council of the City of Whiting, Indiana that this Ordinance shall be in full force and effect after passage by the Common Council, signing by the Mayor, and recording as required by law.

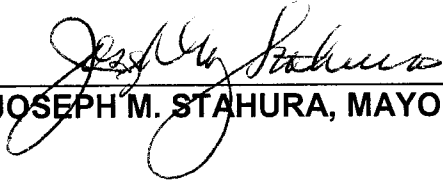
FILED

JUN - 8 2007

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

007628

DULY PASSED AND ADOPTED by the Common Council of the City of Whiting, Indiana, this 6th day of February, 2007 by a vote of 6 ayes and 0 nays.


JOSEPH M. STAHURA, MAYOR

ATTEST:


MARGARET DREWNIAK
CLERK-TREASURER

Presented to the Mayor of the City of Whiting, Indiana, this 6th day of February, 2007.

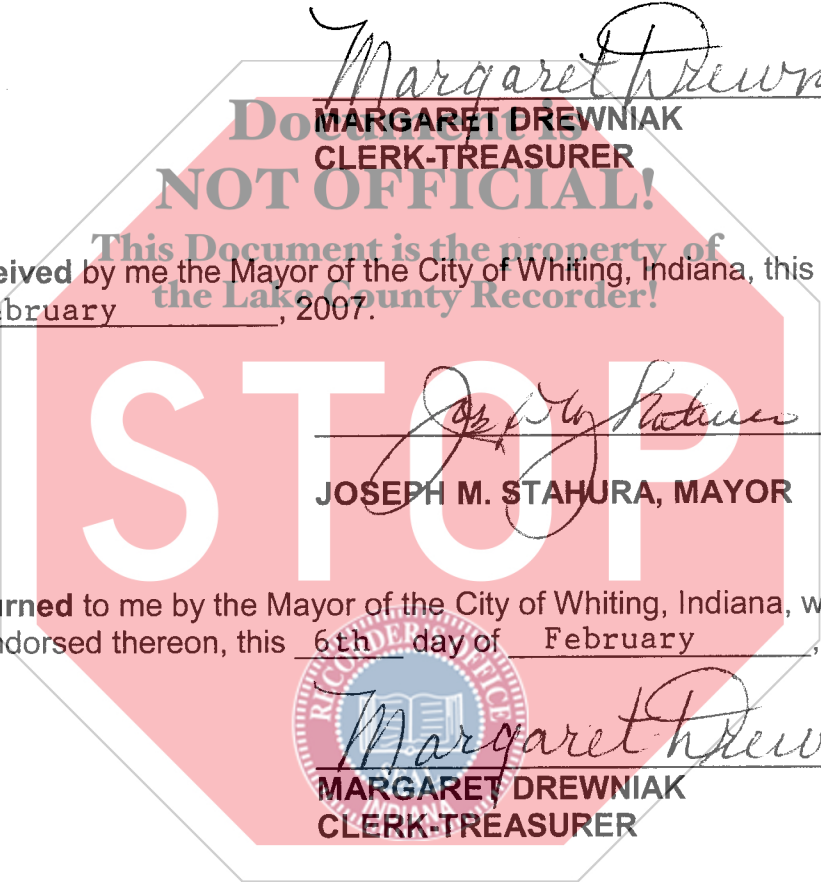

MARGARET DREWNIAK
CLERK-TREASURER

Received by me the Mayor of the City of Whiting, Indiana, this 6th day of February, 2007.


JOSEPH M. STAHURA, MAYOR

Returned to me by the Mayor of the City of Whiting, Indiana, with his approval endorsed thereon, this 6th day of February, 2007.


MARGARET DREWNIAK
CLERK-TREASURER



Dated this 11th day of January, 2007.
Amended this 6th day of February, 2007.

Respectfully submitted,



Denise L. Sejna
Whiting City Attorney
1443 – 119th Street
Whiting, Indiana
(219)659-7700
Attorney No. 2175-45



EXHIBIT A

A parcel of land in the East ½ of the Southeast ¼ of Section 8, Township 37 North, Range 9 West of the 2nd Principal Meridian in Lake County, Indiana being more particularly described as follows:

A strip of land forty (40) feet in width, the Northeasterly line of which is parallel to and forty (40) feet Northeasterly from the Southwesterly property line of the Pittsburgh, Fort Wayne and Chicago Railway and forty (40) feet Eastwardly from and parallel to the West line of the East ½ of the Southeast ¼ of said Section, and extending from the Northerly line of East Chicago, in a Northwesterly and Northerly direction to the present Northeasterly right of way line of the Pittsburgh, Fort Wayne, and Chicago Railway over lands as conveyed to the Pittsburgh, Fort Wayne and Chicago Railway Company by the following six deeds: Amelia Eggers, et al dated November 3, 1906, recorded in deed record 123 page 567; Augusta Eggers, Guardian, dated November 17, 1906 in deed record 125 page 291; Ellen Eggers, Guardian, dated November 17, 1906 in deed record 125 page 294; William Guernette dated October 18, 1853 recorded in Book A page 93; Henry Eggers dated October 18, 1853 in Book A page 90; John F.K. Vater dated October 18, 1853 in Book A page 92, all in the records of said Lake County, Indiana.

