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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2009 029441

2009 MAY -5 PM 2:38

ORDINANCE NO. 2009-11

AN ORDINANCE VACATING A STREET
DORIS A. BROWN
RECORDER

WHEREAS, on the 2nd day of April, 2009, the Lake County Parks and Recreation Board (hereinafter, "the petitioner"), filed with the Clerk-Treasurer of the City of Lake Station a certain Petition for the Vacation of a Street, requesting the vacation of a certain part of a platted street, which is more particularly described as follows, to-wit:

That portion of Lincoln Street also known as 28th Avenue lying between Lot 1 and Lots 25 through 32, both inclusive, in Block 7 and lying between the East right of way line of Montana Street and the West right of way line of River Park Avenue, as shown on the recorded plat of Chicago Suburban Land and Investment Company's Addition to Liverpool, as shown in Plat Book 2, page 33, in the Office of the Recorder of Lake County, Indiana.

(hereinafter, "the street"); and,

WHEREAS, the petitioner is the owner in a fee simple of real property more particularly described as follows, to-wit:

All the following key numbers:

45-08-13-353-027.000-020 through 45-08-13-353-034.000-020, inclusive
45-08-13-357-001.000-020

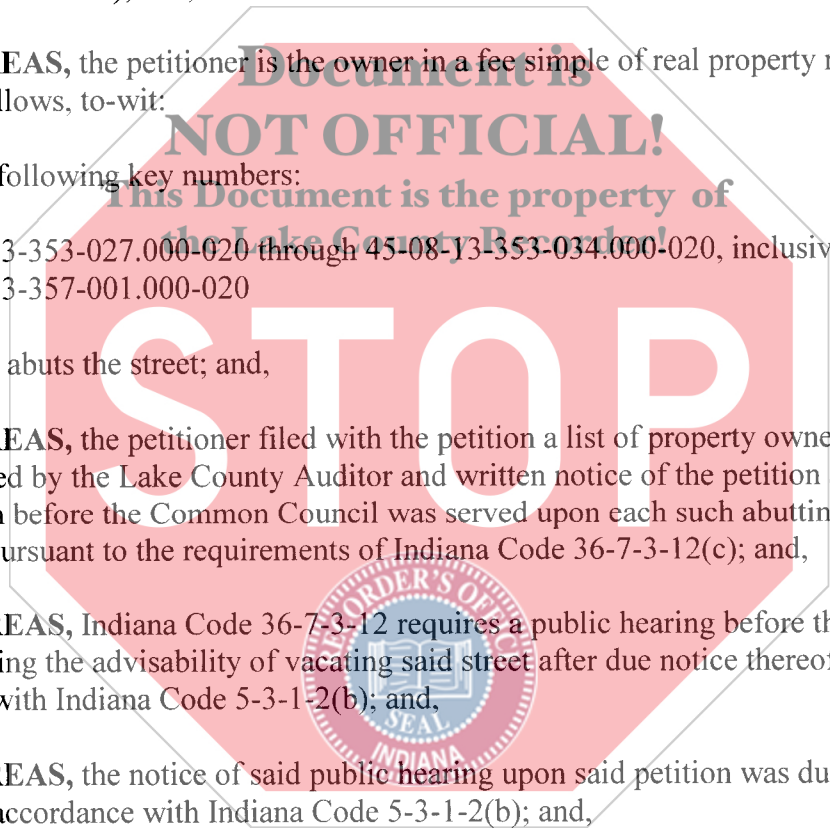
which property abuts the street; and,

WHEREAS, the petitioner filed with the petition a list of property owners abutting the street as certified by the Lake County Auditor and written notice of the petition and of the public hearing thereon before the Common Council was served upon each such abutting owner by certified mail pursuant to the requirements of Indiana Code 36-7-3-12(c); and,

WHEREAS, Indiana Code 36-7-3-12 requires a public hearing before the common Council regarding the advisability of vacating said street after due notice thereof by publication in accordance with Indiana Code 5-3-1-2(b); and,

WHEREAS, the notice of said public hearing upon said petition was duly made by publication in accordance with Indiana Code 5-3-1-2(b); and,

WHEREAS, the street, as presently constituted, is not improved nor used by the City of Lake Station by the public as such, and the vacation thereof is deemed to be in the best interest of the City of Lake Station of the public.



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PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

ORDINANCE NO. 2009-11

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of lake Station, Indiana, that a certain part of a platted street, which is more particularly described as follows, to-wit:

That portion of Lincoln Street also known as 28th Avenue lying between Lot 1 and Lots 25 through 32, both inclusive, in Block 7 and lying between the East right of way line of Montana Street and the West right of way line of River Park Avenue, as shown on the recorded plat of Chicago Suburban Land and Investment Company's Addition to Liverpool, as shown in Plat Book 2, page 33, in the Office of the Recorder of Lake County, Indiana.

is hereby vacated.

BE IT FURTHER ORDAINED that the Clerk-Treasurer shall promptly cause this ordinance to be presented to the Lake County Auditor and the Lake County Recorder for recordation pursuant to Indiana Code 36-7-3-12(e).

BE IT FURTHER ORDAINED that that the vacation hereunder is subject to the petitioner granting, within a reasonable period of time, an easement to the City of Lake Station for the continued operation of its presently-existing lift station located at the northwest corner of the intersection of Dakota Street and Garfield Street also known as 29th Avenue, within a parcel of land with key number 45-08-13-355-032.000-020.

PASSED AND ADOPTED by the Common Council of the City of Lake Station, Indiana this 16th day of April, 2009.

ATTEST:

Brenda Samuels
Brenda Samuels, Clerk Treasurer

Mayor Keith Soderquist
President Officer
Mayor Keith Soderquist

PRESENTED to the Mayor of the City of Lake Station, Indiana, on the 16th day of April, 2009.

Brenda Samuels
Brenda Samuels, Clerk Treasurer

ORDINANCE NO. 2009-11

APPROVED, SIGNED AND RETURNED to the Common Council of the City of Lake Station, Indiana on this 16th day of April, 2009.

Mayor Keith Soderquist
Mayor Keith Soderquist

ATTEST:

Brenda Samuels
Brenda Samuels, Clerk Treasurer

--SEAL--

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW."

PREPARED BY:

[Signature]

