

4

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2013 050166

2013 JUL 10 PM 2:52

MICHAEL J. BROWN
RECORDER

STATE OF INDIANA)
) ss BEFORE THE BOARD OF PUBLIC WORKS
) AND SAFETY
)
COUNTY OF LAKE) CITY OF HAMMOND, INDIANA

IN RE THE PROPERTY LOCATED AT: 5 Rimbach Street, Hammond, IN 46320

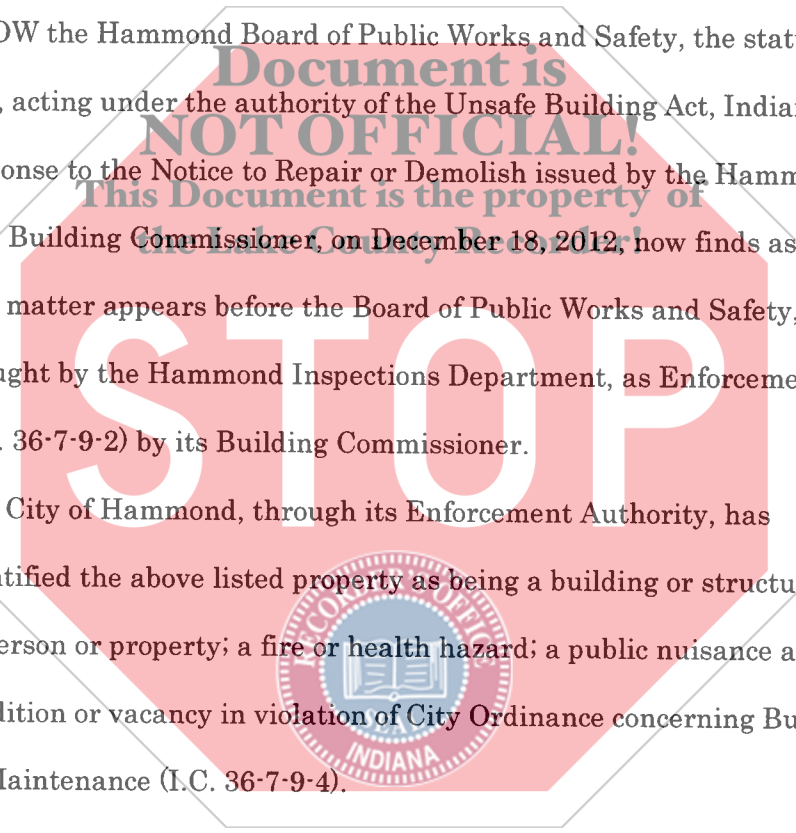
LEGAL DESCRIPTION: Lot 29, in the Resubdivision of Lots 14 to 18, Drakert's Second Addition to The City of Hammond, as Per Plat Thereof Recorded in Plat Book 5, Page 31, in The Office of The Recorder of Lake County, Indiana.

Key No.: 45-02-36-152-013.000-023

FINDINGS AND ORDER

COMES NOW the Hammond Board of Public Works and Safety, the statutory designated Hearing Authority, acting under the authority of the Unsafe Building Act, Indiana Code 36-7-9-1 et seq., and in response to the Notice to Repair or Demolish issued by the Hammond Inspections Department, by its Building Commissioner, on December 18, 2012, now finds as follows:

1. The matter appears before the Board of Public Works and Safety, brought by the Hammond Inspections Department, as Enforcement Authority (I.C. 36-7-9-2) by its Building Commissioner.
2. The City of Hammond, through its Enforcement Authority, has identified the above listed property as being a building or structure that is unsafe to person or property; a fire or health hazard; a public nuisance and due to condition or vacancy in violation of City Ordinance concerning Building Condition or Maintenance (I.C. 36-7-9-4).



#17

G

Check #
2398

3. Pursuant to these findings, and acting to eliminate blight and protect public health and safety, the Enforcement Authority issued notice of the condition of the above listed property, and required that the above listed property be repaired or demolished, pursuant to I.C. 36-7-9-5.
4. This Notice to Repair or Demolish complied with I.C. 36-7-9-5 and contained the required information including in part, the name of the person to whom the ordered was issued, a legal description and common address of the unsafe premises, the action requested on the unsafe property, the time frame permitted for compliance and notice of the time, date and place of a scheduled hearing before the Hammond Board of Public Works and Safety.
5. Service was made upon all parties possessing a known or recorded fee interest, life estate interest, substantial property interest, or equitable interest in the above listed property, as determined from information maintained by the Lake County Recorder.
6. Service on the above listed property was made upon, in the following manner:
 - James Hohenberger, Certified Mail, Regular Mail and Publication;
 - James Hohenberger c/o Attorney Christopher C. Zelnis, The Law Office of Robert H. Sorge, Certified Mail;
 - Citizens Financial Services, Corporate Headquarters, c/o Highest Ranking Officer, Certified Mail;
 - The Bank of New York, c/o Attorney Wendy A. Kitchel, Certified Mail;
 - Any and All Unknown Tenants, Certified Mail, Regular Mail and Publication;
 - Any and All Unknown Tenants, Apartment 1, Certified Mail, Regular Mail and Publication;

Any and All Unknown Tenants, Apartment 2, Certified Mail, Regular Mail and Publication;

Any and All Unknown Tenants, Apartment 3, Certified Mail, Regular Mail and Publication; and

Any and All Unknown Tenants, Apartment 4, Certified Mail, Regular Mail and Publication;

This above manner of service complies with the statutory requirements, and the Hearing Authority determines that a reasonable effort has been made to obtain service.

7. A hearing on the Notice and Order to Repair or Demolish was held before the Hammond Board of Public Works, pursuant to I.C. 36-7-9-7 on Thursday January 24, 2013 at 9:00 a.m., and was continued to April 25, 2013 and again to June 27, 2013 and was conducted on that date by the hearing authority at a public meeting.
8. Attorney Sorge appeared and agreed that repairs had not been made pursuant to the Notice to Repair.
9. The property listed above was not substantially repaired nor demolished by the property owner prior to the scheduled hearing and the Notice and Order to Repair or Demolish issued by the Hammond Inspections Department proposes demolition of the unsafe property above, and that recommendation is reasonably related to the condition of the property, the failure of the owners of the property to remedy the condition, and given the nature and use of nearby properties (36-7-9-5).
10. Demolition of the unsafe property is necessary and reasonable in relation to the present condition of the property, which requires services of the government in excess of ordinary property, and which creates a negative effect

on property values, as well as affects the quality of life, and use, of the surrounding area in the City of Hammond.

NOW THEREFORE it is the finding and decision of the Hammond Board of Public Works and Safety to AFFIRM the Notice and Order to Repair and Demolish issued by the Enforcement Authority on the above named unsafe building. This affirmation shall be an ORDER to demolish the structure which shall be recorded in the office of the Recorder of Lake County, Indiana, with demolition of the property to subsequently follow. The costs of this demolition shall be assessed against the property, and shall constitute a lien on the property.

SO ORDERED this 27th day of June, 2013.

Hammond Board of Public Works and Safety

By: _____
President

Stanley D. Statler

Vice President

Member

Jeffrey Smith

Attest: *Lois Lawrence*

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each and every Social Security Number in this document, unless required by law.

Kevin C. Smith

Kevin C. Smith

This instrument prepared by: Kevin C. Smith (#18169-45), SMITH SERSIC, 9301 Calumet Avenue, Suite 1F, Munster, IN 46321, Telephone Number 219-933-7600.