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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

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MICHAEL J. STOVIN  
RECORDER

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

IN RE THE PROPERTY LOCATED AT: 5730 NORTHCOTE, HAMMOND, IN 46320

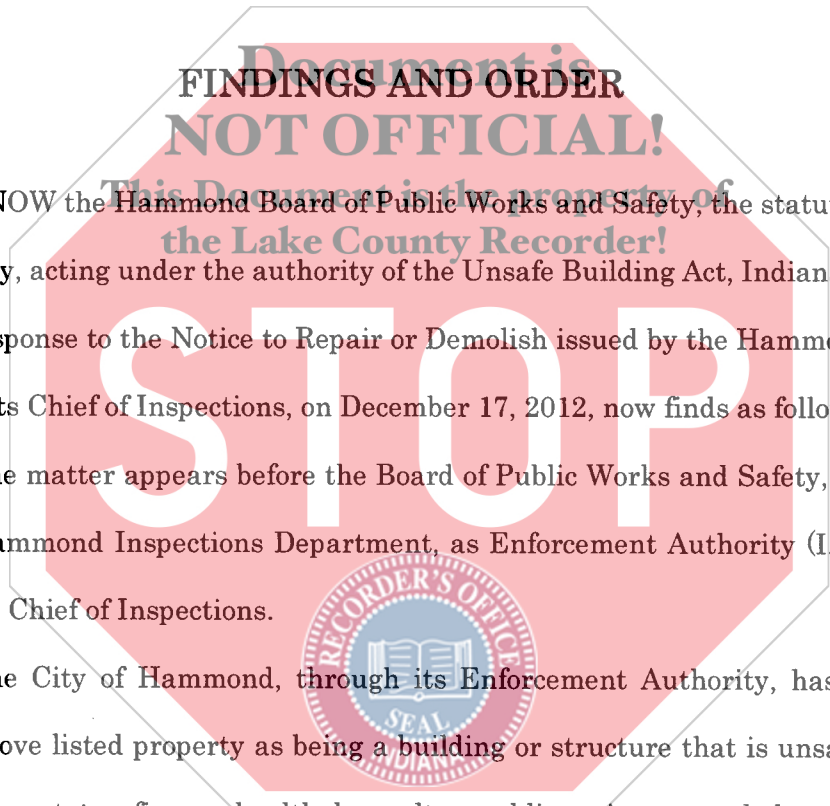
LEGAL DESCRIPTION: LOT 14 BLOCK 4, RESUBDIVISION OF GEORGE RUSTON'S ADDITION TO HAMMOND, AS SHOWN IN PLAT BOOK 31, PAGE 3, IN LAKE COUNTY, INDIANA.

Key No.: 45-07-05-126-016.000-023

**FINDINGS AND ORDER**  
**NOT OFFICIAL!**

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 Chief of Inspections, on December 17, 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 Chief of Inspections.
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).



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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:
  - Richard M. Rodriguez, Certified Mail, Regular Mail and Publication;
  - Deutsche Bank National Trust Company, as Trustee for First Franklin Mortgage Loan Trust 2006-FF9, Mortgage Pass-Through Certificates, Series 2006-FF9, Certified Mail and Regular Mail;
  - Deutsche Bank national Trust Company, as Trustee for First Franklin Mortgage Loan Trusts 2006-FF9, Mortgage Pass-Through Certificates, Series 2006-FF9, Attn: Highest Ranking Officer, Certified Mail and Regular Mail;
  - Patrick G. Rodriguez, Certified Mail, Regular Mail and Publication;
  - Naomi Rodriguez, Certified Mail, Regular Mail and Publication;
  - Leonard M. Lovin, c/o Attorney Timothy Coe, William H. O'Toole & Associates, Certified Mail;
  - Mirna Carlos, Certified Mail; and

Any and All Unknown Tenants, 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, which was continued to April 25, 2013 and again continued to June 27, 2013 at 9:00 a.m., and was conducted on that date by the hearing authority at a public meeting.
8. That Attorney Timothy Coe, appeared and agreed 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. Pursuant to I. C. 36-7-9-12, the costs of the demolition, and any other action required by this Order, as well as the processing expenses incurred by the enforcement authority to obtain reliable information about the identity and location of persons with a substantial interest in the property, as well as the cost of notice of orders and hearings shall constitute a lien on the property.

SO ORDERED this 27<sup>th</sup> day of June, 2013.

Hammond Board of Public Works and Safety

By:

\_\_\_\_\_  
President

*Stanley Posteln*

\_\_\_\_\_  
Vice President

*Jeffrey Smith*

\_\_\_\_\_  
Member

Attest: *Leo Laviolette*

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.

