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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2014 077719

2014 DEC -5 PM 1:50

MICHAEL B. BROWN
RECORDER

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

IN RE THE PROPERTY LOCATED AT: 7974 Birch Ave., Hammond, IN 46324

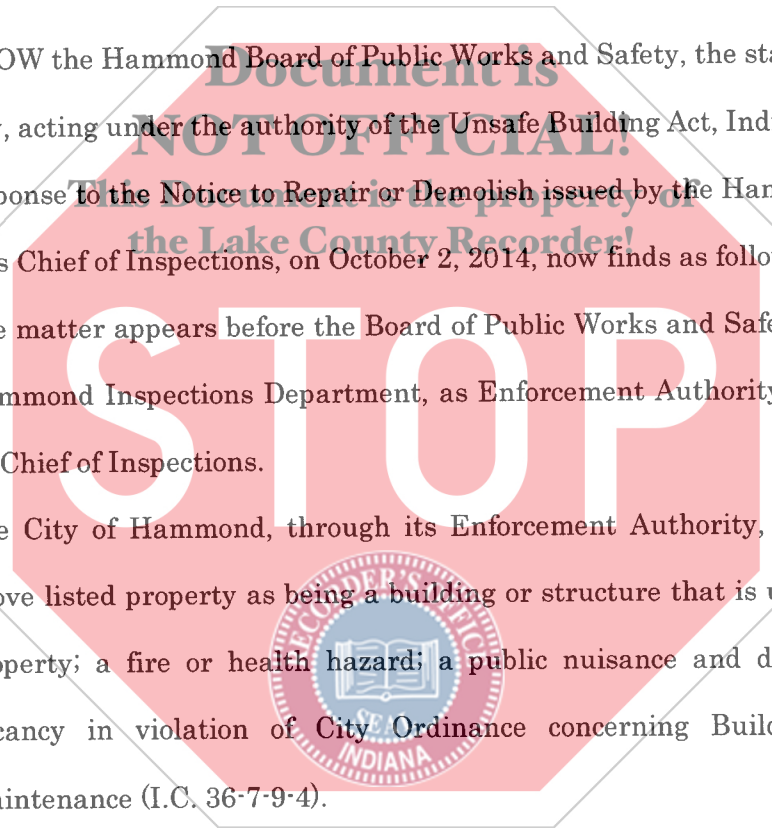
LEGAL DESCRIPTION: LOT 40, BEVERLY 5TH ADDITION IN THE CITY OF HAMMOND,
AS SHOWN IN PLAT BOOK 29, PAGE 8, IN LAKE COUNTY, INDIANA.

Key No.: 45-07-18-479-027.000-023

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 Chief of Inspections, on October 2, 2014, 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).
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



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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:

Roger J. Montano, Jr. , Certified Mail, Regular Mail and Publication;

WM Specialty Mortgage, LLC. Attn: Member or Manager, Certified Mail, Regular Mail and Publication;

JPMC Specialty Mortgage, LLC., f/k/a WM Specialty Mortgage, LLC. c/o Attorney Kathleen M. Hetrick Feiwell & Hannoy, P.C. , Certified Mail, Regular Mail and Publication;

WM Specialty Mortgage, LLC. c/o Attorney J. Rickard Donovan Rothberg Logan & Warsco LLP, Certified Mail, Regular Mail and Publication;

State Farm Automobile Insurance Company Indiana Auto Claims, Certified Mail, Regular Mail and Publication;

State Farm Automobile Insurance Company c/o Valerie Clinton, R/A, Certified Mail, Regular Mail and Publication;

State Farm Automobile Insurance Company c/o Attorney Teresa M. Mysliwy, Certified Mail, Regular Mail and Publication;

Lake County Treasurer, Certified Mail, Regular Mail and Publication;

Lake County Commissioners c/o Attorney John Dull, Certified Mail,

Regular Mail and Publication;

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

Posting Notice on the premises.

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, October 30, 2014 at 9:00 a.m., and was conducted on that date by the hearing authority at a public meeting.
8. Attorney Beongher representing the lender appeared but no repairs were made and Attorney was unable to confirm that lender will make repairs.
9. The property listed above 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. The Board now finds processing expenses incurred in the amount of \$496.30.

SO ORDERED this 30th day of October, 2014.

Hammond Board of Public Works and Safety

Document is NOT OFFICIAL!

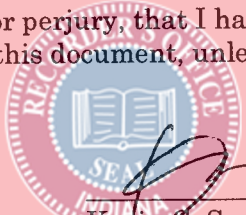
By: _____
President

Stanley Pasolini
Vice President

_____ Member

Attest: *David Lita*

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.