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STATE OF INDIANA )  
 ) ss  
 )  
COUNTY OF LAKE )

BEFORE THE BOARD OF PUBLIC WORKS  
AND SAFETY MICHAEL B. BROWN  
RECORDER

CITY OF HAMMOND, INDIANA

IN RE THE PROPERTY LOCATED AT: 629 Stewart Court, Hammond, IN 46327  
Parcel Number 45-02-12-231-020.000-023  
(House and Garage)

**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 Emergency Notice to Repair or Demolish issued by the Hammond Inspections Department, by its Building Commissioner, on August 19, 2015 and now finds as follows:

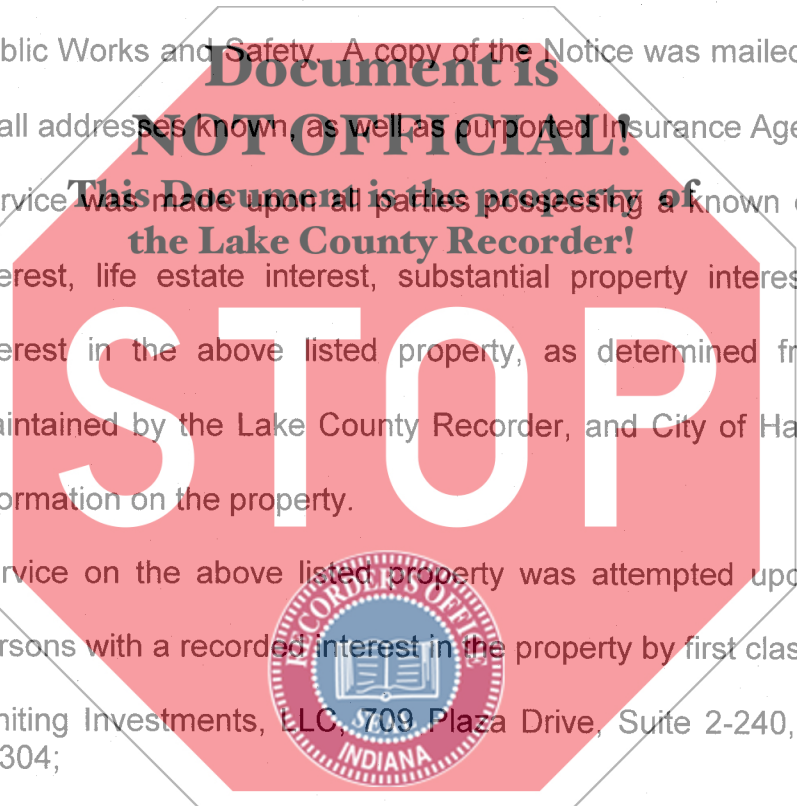
1. The matter appears before the Board of Public Works and Safety, brought by the Hammond Inspections Department, as Enforcement Authority (I.C. 36-7-9-2) by its Building Commissioner following observation that the above vacant property was severely fire damaged, and that the unsecured property was deteriorating under the elements and was in danger of collapsing on persons or property in the area.
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 persons or property, a fire or health hazard; a public nuisance 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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JOHN PETALAS  
LAKE COUNTY AUDITOR

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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 Emergency 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 order 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. A copy of the Notice was mailed to owners at all addresses known, as well as purported Insurance Agent for owner.
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, and City of Hammond citation information on the property.
6. Service on the above listed property was attempted upon the following persons with a recorded interest in the property by first class mail:  
Whiting Investments, LLC, 709 Plaza Drive, Suite 2-240, Chesterton, IN 46304;  
Whiting Investments, LLC, 629 Stewart Court, Hammond, IN 46327



This above manner of service complies with the statutory requirements, and the Hearing Authority determined that a reasonable effort has been made to obtain service in light of the emergency nature of the demolition action and the danger the property in the present condition poses to neighborhood.

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 August 27, 2015, at 9:00 a.m., and conducted on that date by the hearing authority at a public meeting.
8. No person appeared at the hearing before the Board of Works, and based upon the condition of the property, as documented by photographs, the Board affirmed Demolition of the fire damaged structure.
9. The property listed above was not substantially repaired, nor secured to protect neighboring occupied residential structures, nor demolished by the property owner prior to the scheduled hearing and the Emergency Notice and Order to Repair or Demolish issued by the Hammond Inspections Department 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 and the danger posed to those properties. (36-7-9-5)
10. Demolition of the unsafe property is necessary and reasonable in relation to the present condition of the property, located in a residential neighborhood, which is an attractive nuisance to children in the


neighborhood and 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 safety, 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 structures (house and garage) which shall be recorded in the office of the Recorder of Lake County, Indiana, with demolition of the property to subsequently follow once bid or proposals sought. The costs of this demolition shall be assessed against the property, and shall constitute a lien.

SO ORDERED this 27<sup>th</sup> day of August, 2015.

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Hammond Board of Public Works and Safety

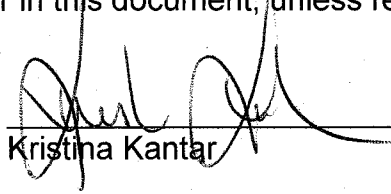
By: \_\_\_\_\_  
President *Stanley Postatni*  
Vice President \_\_\_\_\_  
Member *Judy Lewis*



The seal of the Recorder of Lake County, Indiana, is circular with a blue border. Inside the border, the words "RECORDER'S OFFICE" are written in a semi-circle at the top, "SEAL" is at the bottom, and "INDIANA" is at the very bottom. In the center of the seal is a blue book with white pages.

Attest: *Jim Moles*

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.

  
Kristina Kantar

This instrument prepared by: Kristina Kantar (#18022-45)  
Hammond City Attorney  
5925 Calumet Avenue  
Suite 320  
Hammond, IN 46320

