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STATE OF INDIANA)
) ss
)
COUNTY OF LAKE)

BEFORE THE BOARD OF PUBLIC WORKS
AND SAFETY

CITY OF HAMMOND, INDIANA

IN RE THE PROPERTY LOCATED AT: 4446 Sheffield Avenue, Hammond IN 46327

Legal Description: Lots 21, 22 and 23, Phillips Addition to the City of Hammond as per Plat thereof, Recorded in Plat Book 5, Page 4, in the Office of the Recorder of Lake County, Indiana, Excepting from Lot 23 the Following Described Tract of Land: Beginning at a Point on the East Line of Said Lot 23 which is 10 Feet to the Said Southeast Corner; Thence Northwesterly along the Southwesterly Line of Lot 23 a distance of 10 Feet; thence Northeasterly on a straight line to the Point of Beginning.



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 November 17, 2015, 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)

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MICHAEL BREWSTER
RECORDER

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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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 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.

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 on the following persons:

Lake County Trust Company, as Trustee under a Trust Agreement dated July 11, 2001 and known as Trust No. 5265, Certified Mail regular mail and publication;

Donna Raschke as Trustee of the Raymond Walter Schwader Trust U/W/A dated the 22nd day of February, 2002.

Lake County Treasurer, certified mail, regular mail and publication,

Lake County Commissioners, certified mail, regular mail and publication,

Any and All Unknown Tenants, posted on premises & regular mail

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 scheduled before the Hammond Board of Public Works, pursuant to I.C. 36-7-9-7 on Thursday December 10, 2015 and was continued at the request of the property owner to January 14, 2016 and continued again to March 3, 2016 and conducted on that date by the hearing authority at a public meeting.
8. Attorney Bill Padula appeared on behalf of the property owner at the hearing. At the January 14, 2016 hearing, the Board had requested that chains or other barricades be installed to stop semi-trucks from parking at that location and further damaging the building by striking it. Owner failed to install such barriers and instead posted a hand lettered sign saying "no parking." As the issue of trucks was not addressed by the owner, an Order to Demolish was entered.
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. The Board now finds processing and expenses incurred by the City in the amount of \$ _____

SO ORDERED this 3rd Day of March, 2016.

Hammond Board of Public Works and Safety

By:

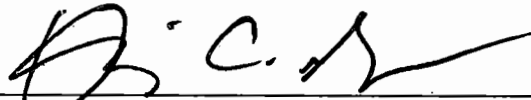
President

Vice President

Member

Attest:

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

This instrument prepared by:

Kevin C. Smith (#18169-45)
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