

ORDINANCE NO. 2022-04

**AN ORDINANCE VACATING AN UNIMPROVED PLATTED ROW AND ALLEY and
GRANTING OF DRAINAGE & UTILITY EASEMENTS
WITHIN THE CITY OF HOBART, LAKE COUNTY, INDIANA**

WHEREAS, it was presented to the Plan Commission of the City of Hobart, Lake County, Indiana, under **Petition 22-07**, a request to vacate a 40-foot unimproved platted Pennsylvania Avenue right of way consisting of 0.04 acres +/- & a 15-foot unimproved platted alley consisting of 0.03 acres +/-, and grant a drainage and utility easement within vacated Pennsylvania Avenue, within the City of Hobart, Lake County, Indiana; and

WHEREAS, the Plan Commission of the City of Hobart, Indiana, pursuant to law, held a public hearing upon said Petition to Vacate with grant of an easement after giving notice of the Petition and of the time and place of the hearing in the manner prescribed by law and by certified mail to each owner of land that abuts the property proposed to be vacated; and

WHEREAS, the Common Council of the City of Hobart, Indiana, being duly advised, now approves said Petition.

IT IS THEREFORE, NOW ORDAINED by the Common Council of the City of Hobart, Indiana, as follows:

SECTION 1. That the Petition to Vacate and grant drainage and utility easement the following described real estate, to wit:

Parcel A: An alley in Gary-Hobart Subdivision to Hobart, as per plat thereof, recorded in Plat Book 13, Page 3, in the Office of the Recorder of Lake County, Indiana. Described as follows: Beginning at the Southeast corner of Lot 2, Block 11 of said subdivision; thence Northerly, along the East line of said Lot 2, a distance of 106.54 (P) feet to the Northeast corner of said Lot 2, thence Southeasterly, to the Northwest corner of Lot 1, Block 11 of said subdivision; thence Southerly, along the West line of said Lot 1, to the Southwest corner of said Lot 1; thence Westerly, a distance of 15 feet, to the point of beginning, containing 0.04 acres, more or less, and subject to all legal highways and easements of record.

Parcel B: Part of Pennsylvania Avenue, in Gary-Hobart Subdivision to Hobart, as per Plat thereof, recorded in Plat Book 13, Page 3, in the Office of the Recorder of Lake County, Indiana. Described as follows: Beginning at the Northwest corner of Lot 2, in Block 11, in said Gary-Hobart Subdivision to Hobart; thence Northerly, along the Northerly extension of the West line

of said Lot 2, to the Northerly Right-of-Way line of Pennsylvania Avenue; thence Southeasterly along said Northerly Right-of-Way line to the Northerly extension of the East line of Lot 1, in said Block 11; thence Southerly, along said Northerly extension of the East line of Said Lot 1, to the Northeast corner of said Lot 1; thence Northwesterly along the Southerly Right-of-Way line of Pennsylvania Avenue to the point of beginning, containing 0.3 acres, more or less, and subject to all legal highways and easements of record.

Drainage & Utility Easement: The City will retain a 25' easement along the northern property line as shown and for the purposes described within the Plat of Vacation attached herein as Exhibit "A"

is now granted, and said street and alley are now vacated with said easement retained

SECTION 2. The Clerk-Treasurer is further authorized upon passage of this Ordinance to file a certified copy of said Ordinance with the Auditor of Lake County, Indiana for the Auditor to take all necessary action in connection with taxation of said median.

SECTION 3. The Clerk-Treasurer is further authorized and directed to record a copy of said Ordinance with the Lake County Recorder.

SECTION 4. This Ordinance shall be in full force and effect upon its passage and adoption by the Common Council of the City of Hobart, Lake County, Indiana.

PASSED and ADOPTED by the Common Council of the City of Hobart, Lake County,

Indiana on this 16th day of February, 2022.

Maui D. Co
~~Brian K. Spadecor~~, Presiding Officer
Matthew Claussen

ATTEST:
Deborah A. Longer
Deborah A. Longer, Clerk-Treasurer

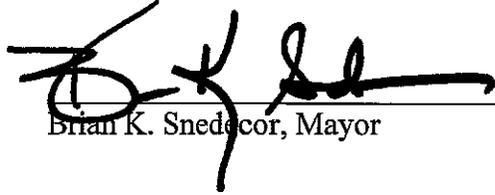
Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this 16th day of February, 2022 at

7:00 o'clock P..M.

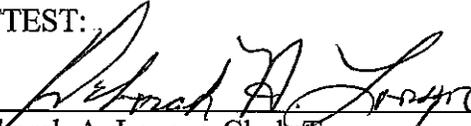
Deborah A. Longer
Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 22nd day of

February, 2022.

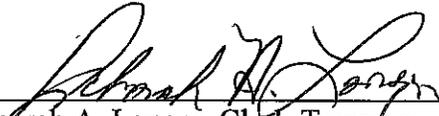

Brian K. Snedecor, Mayor

ATTEST:


Deborah A. Longer, Clerk-Treasurer

CERTIFICATION

I, Deborah A. Longer, Clerk-Treasurer for the City of Hobart, Lake County, Indiana, do hereby certify that the above Ordinance was duly passed by the Common Council of the City of Hobart, Lake County, Indiana, at a duly constituted meeting held on the 16th day of February, 2022 and that the Mayor of the City of Hobart approved the Ordinance as shown by ~~her~~_{his} signature hereon.


Deborah A. Longer, Clerk-Treasurer

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Subscribed and sworn to before me, a Notary Public in and for said County and State. Witness my hand and notarial seal this 16th day of February, 2022.


Notary Public
Resident of Lake County

My Commission Expires: July 22, 2029

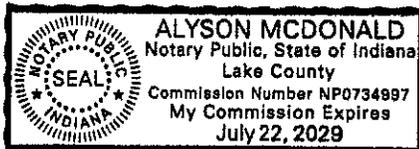


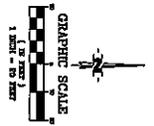
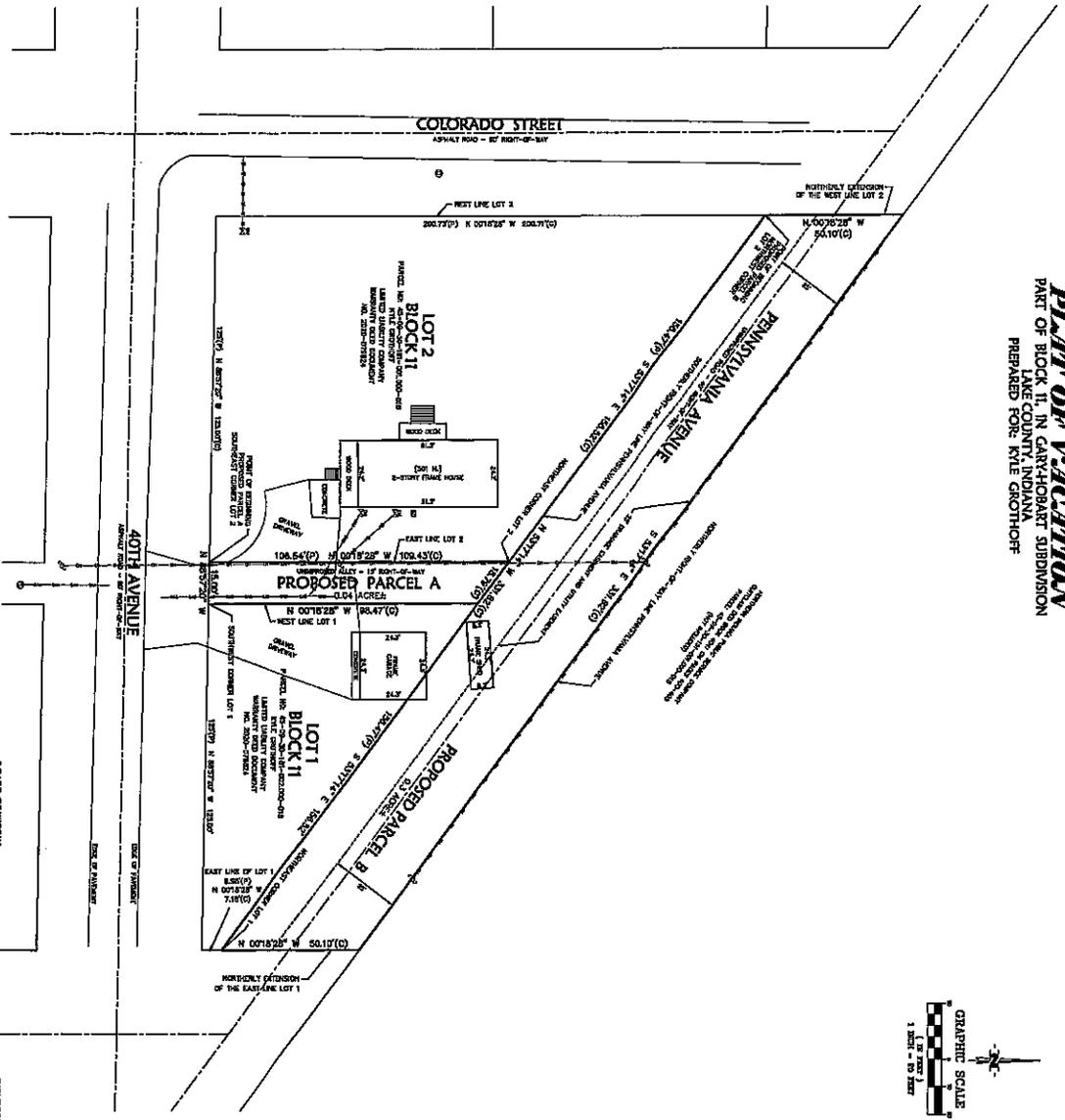
EXHIBIT "A"

LEGAL DESCRIPTION:
 PART OF BLOCK 11, IN GARY-HOBART SUBDIVISION, LAKE COUNTY, INDIANA, BEING MORE OR LESS THE WHOLE OF THE SAID BLOCK 11, AS SHOWN ON THE PLAT OF SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, INDIANA, IN BOOK 11, PAGE 11, AND BEING MORE OR LESS THE WHOLE OF SAID BLOCK 11, AS SHOWN ON THE PLAT OF SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, INDIANA, IN BOOK 11, PAGE 11.

PROPOSED LEGAL DESCRIPTIONS:
 PROPOSED PARCEL A, BEING MORE OR LESS THE WHOLE OF THE SAID PARCEL A, AS SHOWN ON THE PLAT OF SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, INDIANA, IN BOOK 11, PAGE 11, AND BEING MORE OR LESS THE WHOLE OF SAID PARCEL A, AS SHOWN ON THE PLAT OF SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, INDIANA, IN BOOK 11, PAGE 11.

NOTES / DOCUMENTS REFERENCED:
 1. THE PURPOSE OF THIS PLAT IS TO SHOW THE LOCATION OF THE PROPOSED PARCEL A, AS SHOWN ON THE PLAT OF SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, INDIANA, IN BOOK 11, PAGE 11, AND BEING MORE OR LESS THE WHOLE OF SAID PARCEL A, AS SHOWN ON THE PLAT OF SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, INDIANA, IN BOOK 11, PAGE 11.

PLAT OF VACATION PART OF BLOCK 11, IN GARY-HOBART SUBDIVISION LAKE COUNTY, INDIANA PREPARED FOR: KYLE GROTHOFF



IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA SURVEYING BOARD, THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEYED AND CALCULATED DATA. THE SURVEYOR HAS BEEN DULY LICENSED BY THE BOARD OF SURVEYING AND MAPS OF THE STATE OF INDIANA. THE SURVEYOR'S OFFICE IS LOCATED AT 1105 NORTH COUNTY ROAD 100 EAST, CHRISTIANTON, INDIANA 46534. THE SURVEYOR'S PHONE NUMBER IS (219) 828-4555. THE SURVEYOR'S FAX NUMBER IS (219) 828-2241.

- LEGEND:**
- A - 1/4 SECTION
 - B - 1/2 SECTION
 - C - 3/4 SECTION
 - D - WHOLE SECTION
 - E - 1/4 SECTION
 - F - 1/2 SECTION
 - G - 3/4 SECTION
 - H - WHOLE SECTION
 - I - 1/4 SECTION
 - J - 1/2 SECTION
 - K - 3/4 SECTION
 - L - WHOLE SECTION
 - M - 1/4 SECTION
 - N - 1/2 SECTION
 - O - 3/4 SECTION
 - P - WHOLE SECTION

- NOTES / DOCUMENTS REFERENCED:**
1. THE PURPOSE OF THIS PLAT IS TO SHOW THE LOCATION OF THE PROPOSED PARCEL A, AS SHOWN ON THE PLAT OF SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, INDIANA, IN BOOK 11, PAGE 11, AND BEING MORE OR LESS THE WHOLE OF SAID PARCEL A, AS SHOWN ON THE PLAT OF SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, INDIANA, IN BOOK 11, PAGE 11.
 2. THE SURVEYOR HAS BEEN DULY LICENSED BY THE BOARD OF SURVEYING AND MAPS OF THE STATE OF INDIANA.
 3. THE SURVEYOR'S OFFICE IS LOCATED AT 1105 NORTH COUNTY ROAD 100 EAST, CHRISTIANTON, INDIANA 46534.
 4. THE SURVEYOR'S PHONE NUMBER IS (219) 828-4555.
 5. THE SURVEYOR'S FAX NUMBER IS (219) 828-2241.



**DAVIES & ASSOCIATES
 LAND SURVEYING**
 1105 NORTH COUNTY ROAD 100 EAST
 CHRISTIANTON, INDIANA 46534
 PH: (219) 828-4555 FAX: (219) 828-2241

PLAT OF VACATION PART OF BLOCK 11, IN GARY-HOBART SUBDIVISION LAKE COUNTY, INDIANA PREPARED FOR: KYLE GROTHOFF

DATE: 5/17/21
 SCALE: 1"=20'
 DRAWN BY: EBF
 CHECKED BY: EBF
 SHEET: 1 OF ONE SHEET

**CERTIFICATION AND REPORT TO
THE COMMON COUNCIL OF THE CITY OF HOBART ON
PETITION TO VACATE**

CERTIFICATION TO: Hobart Common Council Members

FROM: Ross Pietrzak
City Planner

RE: Request to vacate platted unimproved street & alley

DATE: February 9, 2022

PETITIONER: Kyle Grothoff
501 N. Colorado Street
Hobart, IN 46342

REQUEST: Vacate 40' of unimproved platted Pennsylvania Ave. right of way
& 15' of platted unimproved alley

GENERAL LOCATION: Located on the NE corner of Colorado St. & 40th Ave.

LEGAL DESCRIPTION: Parcel A: An alley in Gary-Hobart Subdivision to Hobart, as per plat thereof, recorded in Plat Book 13, Page 3, in the Office of the Recorder of Lake County, Indiana. Described as follows: Beginning at the Southeast corner of Lot 2, Block 11 of said subdivision; thence Northerly, along the East line of said Lot 2, a distance of 106.54(P) feet to the Northeast corner of said Lot 2, thence Southeasterly, to the Northwest corner of Lot 1, Block 11 of said subdivision; thence Southerly, along the West line of said Lot 1, to the Southwest corner of said Lot 1; thence Westerly, a distance of 15 feet, to the point of beginning, containing 0.04 acres, more or less, and subject to all legal highways and easements of record.

Parcel B: Part of Pennsylvania Avenue, in Gary-Hobart Subdivision to Hobart, as per Plat thereof, recorded in Plat Book 13, Page 3, in the Office of the Recorder of Lake County, Indiana. Described as follows: Beginning at the Northwest corner of Lot 2, in Block 11, in said Gary-Hobart Subdivision to Hobart; thence Northerly, along the Northerly extension of the West line of said Lot 2, to the Northerly Right-of-Way line of Pennsylvania Avenue; thence Southeasterly along said Northerly Right-of-Way line to the Northerly extension of the East line of Lot 1, in said Block 11; thence Southerly, along said Northerly extension of the East line of Said Lot 1, to the Northeast corner of said Lot 1; thence Northwesterly along the Southerly Right-of-Way line of Pennsylvania Avenue to the point of beginning, containing 0.3 acres, more or less, and subject to all legal highways and easements of record.

PLAN COMMISSION PETITION NO.: 22-07

DATE OF PLAN COMMISSION ACTION: February 3, 2022

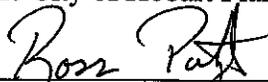
DEADLINE FOR CITY COUNCIL ACTION: May 4, 2022

ACTION TAKEN BY PLAN COMMISSION:

Recommendation to the Common Council to **Approve** the plat of vacation as requested
(**Favorable Recommendation**)

VOTE: 8-0

I certify that the foregoing information accurately represents the action taken on this matter by the City of Hobart Plan Commission.

 2/9/22

Ross Pietrzak, City Planner
City of Hobart

MEMORANDUM

DATE: FEBRUARY 9, 2022

TO: COMMON COUNCIL MEMBERS
MAYOR BRIAN K. SNEDECOR
CITY ATTORNEY HEATHER McCARTHY

FROM: ROSS PIETRZAK, City Planner

RE: 22-07 Petition request to vacate 40' of unimproved platted Pennsylvania Avenue right of way & 15' of unimproved platted alley, a 501 N. Colorado Street, Zoned R-2, 1 acre.

Please find below the minutes from the Plan Commission meetings related to the request. In addition, I have attached a certification and report from the Plan Commission with regard to their action.

DRAFT PUBLIC HEARING MINUTES OF THE FEBRUARY 3, 2022 PLAN COMMISSION MEETING: The plat of vacation was distributed at the meeting. Mr. Pietrzak mentioned that the City requested a 25' drainage & utility easement along the north/northeast property line that will retain the City's ability to install a force main or utilities, which is an option that was discussed in the Northside Master Plan. Ms. Galka opened the public hearing for Petition 22-07. *Barbara Tinoco, 460 N. Delaware Street inquired as if the 3 stop signs and street light will remain at the southeast intersection. She also inquired as to the procedure of vacating property.* She was informed the proposed vacation will not affect the existing stop signs and street light and that they will remain. Mr. Allen explained during a vacation request, the City typically does not have any use for the property other than a possible easement that they will retain and that the vacated property becomes the ownership of the adjacent owners. In this case, the northern property owner does not want the property. *Councilman Chris Wells, 2925 W. 38th Place did not feel there were any issues with the vacation.* Hearing no further public comments, Ms. Galka closed the public hearing. Mr. Vinzant motioned for a Favorable Recommendation to the Common Council for Petition 22-07 including all discussion, seconded by Mr. Allen. Roll Call Vote taken. All ayes, motion carried. (8-0) Mr. Vinzant motioned to Approve Petition 22-07 including all discussion, seconded by Mr. Allen. Roll Call Vote taken. All ayes, motion carried. (8-0)

Regular meetings are held on the 1st and 3rd Wednesdays of each month in the Council Chambers, 2nd floor, Hobart City Hall

CITY OF HOBART
AGENDA ITEM REQUEST FORM

(PLEASE PRINT)

MEETING DATE: FEBRUARY 16, 2022

 BOARD OF PUBLIC WORKS (3:30 p.m.)

X COMMON COUNCIL (6:00 p.m.)

ITEM TO BE ADDED TO AGENDA PC 22-07

PROPOSED STREET & ALLEY VACATION AND GRANT DRAINAGE/UTILITY
EASEMENT IN THE 500 BLOCK OF COLORADO STREET.

KYLE GROTHOP, 501 N. COLORADO STREET

Ord 2022-04

SUPPORTING DOCUMENTATION ATTACHED MEMO, MINUTES, ORDINANCE,
CERTIFICATION & REPORT AND MYLARS

REQUEST SUBMITTED BY JOY

ADDRESS (DEPARTMENT) PLANNING/ZONING

PHONE NUMBER (EXT)

DATE SUBMITTED FEBRUARY 9, 2022