

**ORDINANCE NO. 2022- 17**

**AN ORDINANCE VACATING AN UNIMPROVED PLATTED ROW  
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 22-17**, a request to vacate a 262'+/- by 50' unimproved section of platted Illinois Street right of way consisting of 0.30 acres +/- 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 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 the following described real estate, to wit:

A PART OF ILLINOIS STREET AS DESCRIBED IN THE BOARD OF PUBLIC WORKS AND SAFETY CONFIRMATORY RESOLUTION NO. 110 AS SHOWN IN RECORD BOOK 853, PAGE 40 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA SAID RESOLUTION FOR THE OPENING AND EXTENSION OF ILLINOIS STREET, LYING IN THE SOUTHEAST QUARTER OF SECTION 29-TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, THAT PART BEING DESCRIBED AS A 50 FOOT WIDE STRIP OF LAND, THE CENTER LINE OF SAID STRIP OF LAND BEING BOUNDED ON THE SOUTH BY THE CENTER LINE OF HICKEY STREET, BEING THE SOUTH LINE OF LOT 10, IN JOHN G EARLE'S ADDITION TO THE CITY OF HOBART AS SHOWN IN PLAT BOOK ONE, PAGE 3 IN SAID RECORDER'S OFFICE AND BOUNDED ON THE NORTH BY THE NORTH LINE OF SAID LOT 10. THE SIDE LINES OF SAID STRIP OF LAND TO BE EXTENDED OR SHORTENED TO END IN THE SOUTH LINE OF LOT 10 AND IN THE NORTH LINE OF LOT 10.

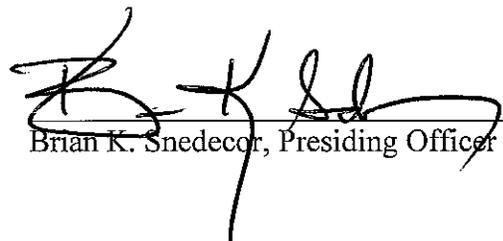
is now granted, and said street is now vacated.

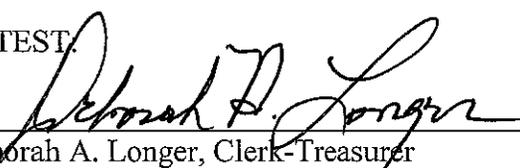
SECTION 2. The Clerk-Treasurer is further authorized upon passage of this Ordinance to file a certified copy of said Ordinance with the Auditor of Lake County, Indiana for the Auditor to take all necessary action in connection with taxation of said median.

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

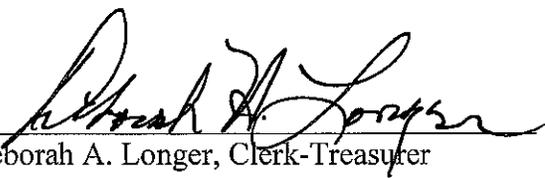
SECTION 4. This Ordinance shall be in full force and effect upon its passage and adoption by the Common Council of the City of Hobart, Lake County, Indiana.

PASSED and ADOPTED by the Common Council of the City of Hobart, Lake County, Indiana on this 3rd day of August, 2022.

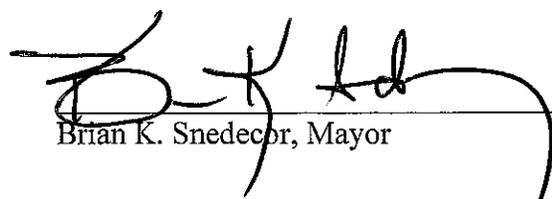
  
Brian K. Snedecor, Presiding Officer

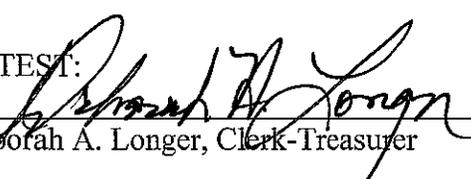
ATTEST:  
  
Deborah A. Longer, Clerk-Treasurer

Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this 3rd day of August, 2022 at 6:45 o'clock P.M.

  
Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 3rd day of August, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2022 and that the Mayor of the City of Hobart approved the Ordinance as shown by her 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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public  
Resident of \_\_\_\_\_ County

My Commission Expires: \_\_\_\_\_

**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 an unimproved section of platted Illinois Street  
ROW

DATE: June 22, 2022

PETITIONER: Matthew Pomales  
3310 N. Lake Park Avenue  
Hobart, IN 46342

REQUEST: Vacate a 262' +/- by 50' unimproved section of platted Illinois  
Street ROW

GENERAL LOCATION: Located north of the Illinois & Hickey Street intersection

LEGAL DESCRIPTION: A PART OF ILLINOIS STREET AS DESCRIBED IN THE  
BOARD OF PUBLIC WORKS AND SAFETY  
CONFIRMATORY RESOLUTION NO. 110 AS SHOWN IN  
RECORD BOOK 853, PAGE 40 IN THE OFFICE OF THE  
RECORDER OF LAKE COUNTY, INDIANA SAID  
RESOLUTION FOR THE OPENING AND EXTENSION OF  
ILLINOIS STREET, LYING IN THE SOUTHEAST QUARTER  
OF SECTION 29-TOWNSHIP 36 NORTH, RANGE 7 WEST OF  
THE SECOND PRINCIPAL MERIDIAN, THAT PART BEING  
DESCRIBED AS A 50 FOOT WIDE STRIP OF LAND, THE  
CENTER LINE OF SAID STRIP OF LAND BEING BOUNDED  
ON THE SOUTH BY THE CENTER LINE OF HICKEY  
STREET, BEING THE SOUTH LINE OF LOT 10, IN JOHN G  
EARLE'S ADDITION TO THE CITY OF HOBART AS SHOWN  
IN PLAT BOOK ONE, PAGE 3 IN SAID RECORDER'S  
OFFICE AND BOUNDED ON THE NORTH BY THE NORTH  
LINE OF SAID LOT 10. THE SIDE LINES OF SAID STRIP OF  
LAND TO BE EXTENDED OR SHORTENED TO END IN THE  
SOUTH LINE OF LOT 10 AND IN THE NORTH LINE OF LOT  
10.

PLAN COMMISSION PETITION NO.: 22-17

DATE OF PLAN COMMISSION ACTION: May 5, 2022

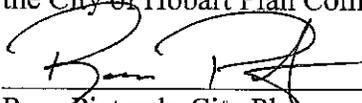
DEADLINE FOR CITY COUNCIL ACTION: September 20, 2022

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.



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Ross Pietrzak, City Planner  
City of Hobart

## MEMORANDUM

**DATE:** JUNE 22, 2022

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

**FROM:** ROSS PIETRZAK, City Planner

**RE:** 22-17 Petition request to vacate a 262' +/- by 50' unimproved section of platted Illinois Street right of way zoned R-2, 0.30 acre +/- zoned R-2, 2 acres

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 MAY 5, 2022 PLAN COMMISSION

MEETING: Mr. Pietrzak recommended hearing the vacation and subdivision together. Present were Matthew & Rebecca Pomales. Mr. Pomales stated they are requesting to vacate a portion of unimproved Illinois Street and create a 1-lot subdivision to allow them to construct their house. The proposed house will be centered on the property and front on Hickey Street. He is also proposing to purchase additional lots to the north at the next tax sale. He noted there are no existing utilities located in or along Illinois Street. Rich Piazza, Krull/Abonmarche, stated at one time, the lots were originally one lot and were pieced off over time and Illinois Street was dedicated in the 1960s but never improved. The parcels to the north will not be landlocked but able to be developed upon improving Illinois Street from the north off High Street. Ms. Galka opened the public hearing for Petitions 22-17 & 22-17A. *Linda Hanson, 200 Kelly St. is in favor; John Carlson, 206 Kelly St. 219-942-5783 He discussed issues in prior proposed vacations and developments for Illinois St. but was in favor of the vacation; Rebecca Buehler, 216 Kelly St. was in favor. Hearing no further public comments Ms. Galka closed the public hearings.* Mr. Pietrzak recommended only preliminary plat after receiving comments from the Engineering Department and that if the vacation was approved, further information and guidance is required regarding Illinois Street. Mr. Pietrzak noted the dedication of 25' right of way along Hickey Street on the southwest portion of the property, and that an additional 25' of right of way also be dedicated on the eastern portion of the property along Hickey Street to allow future servicing and extension of the sanitary sewer line. Mr. Allen felt to provide a 25' drainage/utility easement in lieu of right of way and to provide a 20' drainage/utility easement on the west, north and east property lines. It was also determined that if the properties to the north develop, a cul-de-sac or some sort of a turn-around will not encroach onto Mr. Pomales's property. Mr. Allen motioned for a Favorable Recommendation to the Common Council for Petition 22-17 including all discussion, seconded by Mr. Vinzant. All ayes, motion carried. (8-0) Mr. Allen motioned to Grant Preliminary & Final Plat Approval for Petition 22-17A contingent on the approval of the vacation of the section of Illinois Street, the 25' drainage/utility easement along the southeast property line and a 20' drainage/utility easement along the west, north and east property lines

including all discussion and Findings of Decision, seconded by Mr. Vinzant. All ayes, motion carried. (8-0)