

ORDINANCE NO. 2019- 09

**AN ORDINANCE TO VACATE RIGHT OF WAY IN THE ALLEY
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 19-16**, a request to vacate a portion of alley right of way, 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:

The North 59.00 feet of a five (5) foot Public Right of Way as shown in Block 1 of George and William Earle's Subdivision as per plat thereof recorded in Plat Book 6, Page 16, in the Office of the Recorder, Lake County, Indiana, lying adjacent to Lots 1 through 5 both inclusive and Lot 26 in said Block 1.

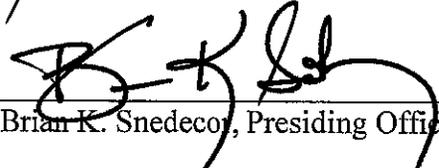
is now granted, and said alley is now vacated.

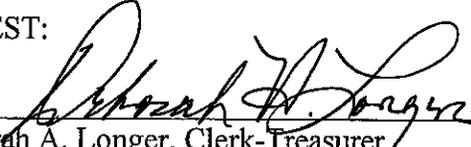
SECTION 2. The Clerk-Treasurer is further authorized upon passage of this Ordinance to file a certified copy of said Ordinance with the Auditor of Lake County, Indiana for the Auditor to take all necessary action in connection with taxation of said vacated street.

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 17th day of July, 2019.

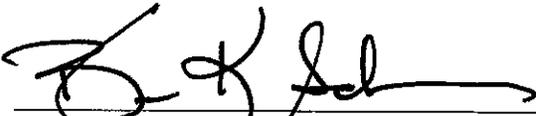

Brian K. Snedecor, Presiding Officer

ATTEST:

Deborah A. Longer, Clerk-Treasurer

Presented by me to the Mayor of the City of Hobart, Indiana, for her approval and signature this 17th day of July, 2019 at 7:45 o'clock P.M.


Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 17th day of July, 2019.


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 17th day of July, 2019 and that the Mayor of the City of Hobart approved the Ordinance as shown by ~~his~~ signature hereon.

Deborah A. Longer
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 17th day of July, 2019.

Cheryl Ann Govert
Notary Public
Resident of Lake County

My Commission Expires: 2/23/2025



Cheryl Ann Govert
NOTARY PUBLIC
Lake County, State of Indiana
Commission Number: 664599
My Commission Expires February 25, 2023

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

CERTIFICATION TO: Hobart Common Council Members

FROM: Sergio Mendoza
City Planner

RE: Request to Vacate platted alley right of way

DATE: July 11, 2019

PETITIONER: Felix Perry
421 E. 5th Street
Hobart, IN 46342

REQUEST: Vacate the North 59.00 feet of a five (5) foot Public Right of Way
in the platted alley

GENERAL LOCATION: In the 400 Block of Lake Street & Main Street.

LEGAL DESCRIPTION: The North 59.00 feet of a five (5) foot Public Right of Way as
shown in Block 1 of George and William Earle's Subdivision as
per plat thereof recorded in Plat Book 6, Page 16, in the Office of
the Recorder, Lake County, Indiana, lying adjacent to Lots 1
through 5 both inclusive and Lot 26 in said Block 1.

PLAN COMMISSION PETITION NO.: 19-16

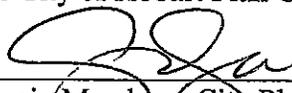
DATE OF PLAN COMMISSION ACTION: July 11, 2019

DEADLINE FOR CITY COUNCIL ACTION: October 9, 2019

ACTION TAKEN BY PLAN COMMISSION:
Recommendation to the Common Council to **Approve** the plat of vacation as requested
(**Favorable** Recommendation)

VOTE: 7-0

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



Sergio Mendoza, City Planner
City of Hobart

MEMORANDUM

DATE: JULY 15, 2019

TO: COMMON COUNCIL MEMBERS
MAYOR BRIAN K. SNEDECOR
CITY ATTORNEY ANTHONY DEBONIS

FROM: SERGIO MENDOZA, City Planner

RE: 19-16 Petition to Vacate the North 59.00 feet of a five (5) foot Public Right of Way in a platted alley in the 400 Block of Lake Street & Main Street.



Please find below the minutes from the Plan Commission meetings related to the request by Felix Perry. In addition, I have attached a certification and report from the Plan Commission with regard to their action. A proposed Ordinance has also been sent to the Common Council for their consideration. **Please execute the mylars so the plat of vacation may be recorded.**

DRAFT PUBLIC HEARING MINUTES OF THE PLAN COMMISSION MEETING OF JULY 11, 2019: Mr. Allen requested that Mr. Perry receive preliminary and final plat approval contingent he include the legal description for the vacated right-of-way on the mylars. Mr. Vinzant motioned to Grant Preliminary & Final Plat Approval for Petition 19-16 contingent upon the mylars include the legal description for the vacated right-of-way including all discussion and Findings & Decision, seconded by Mr. Gralik. All ayes, motion carried. (7-0) *Mr. Allen discovered the legal notice for the vacate was included in the legal description.*