

ORDINANCE NO. 9333

AN ORDINANCE RECLASSIFYING CERTAIN LANDS IN THE CITY OF HAMMOND FOR ZONING PURPOSES AND AMENDING ORDINANCE NO. 8514 (AN ORDINANCE ESTABLISHING A ZONING PLAN FOR THE CITY OF HAMMOND INCLUDING THE REGULATIONS AND MAPS TO ADMINISTER THE ZONING PLAN IN ORDER TO PROVIDE FOR ORDERLY GROWTH AND DEVELOPMENT WITHIN THE CITY, ALL IN ACCORDANCE WITH THE COMPREHENSIVE/LAND USE PLAN, AS AMENDED) FOR PROPERTY COMMONLY KNOWN AS 10953 and 11001 INDIANAPOLIS BOULEVARD, HAMMOND, INDIANA

WHEREAS, in said Ordinance the following described property was classified as I-2,

Manufacturing District:

Parcel VI Tract I:

All that certain piece or parcel of land, being a part of the Northeast Quarter of Section 1, Township 37 North, Range 10 West of the 2nd Principal Meridian, lying between the Northeasterly 60 foot right of way line of Indianapolis Boulevard (Indianapolis Boulevard being 100 feet wide and being 60 feet wide on the Northeasterly side of the original centerline and 40 feet wide on the Southwesterly side of the original centerline), and Consolidated Rail Corporation's (formerly Pittsburgh, Fort Wayne, and Chicago Railroad Company), known as the Main Line Pittsburgh to Chicago and identified as Line code 3202, in the Records of the United States Railway Association Property and having a frontage on Indianapolis Boulevard of 125 feet, situated in the City of Hammond, Township of North, County of Lake and State of Indiana, being more particularly described as follows: Beginning at a point on the Northeasterly 60 foot right of way line of Indianapolis Boulevard at a point of intersection of said Indianapolis Boulevard with the Northeasterly-Southwesterly running 100 foot Southeast property line of said Consolidated Rail Corporation, said Northeasterly-Southwesterly running 100 foot line makes an angle of 90 degrees with the Northeasterly line of Indianapolis Boulevard; said point of beginning and intersection being approximately 575 feet Southeast from the junction of the North line of Section 1 and the Northeasterly line of said Indianapolis Boulevard, as measured along said Northeasterly line; said point of beginning also being found by measuring Northwesterly along the original centerline of Indianapolis Boulevard from the centerline of Calumet Avenue; which is the East line of Section 1, a distance of 1997.15 feet to the centerline of Wolf River Channel; thence continuing Northwesterly along the original centerline of Indianapolis Boulevard, 1698.52 feet; thence Northeasterly at right angles 60 feet to the Point of Beginning; thence continuing Northeasterly along the aforesaid 60 foot line, a distance of 100 feet; thence Southeast, along the South line of said Consolidated Rail Corporation right of way, as sold by the Shedd Trustees to said Railroad on August 18, 1924, said South line marking an interior angle of 101 degrees measured Southwest through South to Southeast with aforesaid 100 foot line, for a distance of 104.81 feet to a point on a line 120.0

feet Northeast of (measured at 90 degrees) and parallel to aforesaid Northeasterly 60 foot right of way line of Indianapolis Boulevard; thence Northwesterly on the last described parallel line, a distance of 227.89 feet to a point; thence Southwesterly on a line marking an interior angle of 90 degrees to the last described line, a distance of 120.00 feet to a point on the Northeasterly 60 foot right of way line of Indianapolis Boulevard, said point being 125.00 feet Northwesterly (as measured along said Northeasterly line of Indianapolis Boulevard), from the Point of Beginning; thence Southeasterly 125.00 feet to the Point of Beginning, in Lake County, IN.

AND

Parcel VI Tract II:

That part of the Northeast Quarter of Section 1, Township 37 North, Range 10 West of the 2nd Principal Meridian, lying between the Northeasterly 60 foot right of way line of Indianapolis Boulevard (Indianapolis Boulevard being 100 feet wide and being 60 feet wide on the Northeasterly side of the original centerline and 40 feet wide on the Southwesterly side of the original centerline), and the Pittsburgh, Fort Wayne, and Chicago Railroad Company, property and having a frontage on Indianapolis Boulevard of 200 feet, situated in the City of Hammond, Township of North, County of Lake and State of Indiana, being more particularly described as follows: Beginning at a point on the Northeasterly 60 foot right of way line of Indianapolis Boulevard at a point of intersection of said Indianapolis Boulevard with the Northeasterly-Southwesterly running 100 foot Southeast property line of said railroad, said Northeasterly-Southwesterly running 100 foot line makes an angle of 90 degrees with the Northeasterly line of Indianapolis Boulevard; said point of beginning and intersection being approximately 575 feet Southeasterly from the junction of the North line of Section 1 and the Northeasterly line of said Indianapolis Boulevard, as measured along said Northeasterly line; (said point of beginning also being found by measuring Northwesterly along the original centerline of Indianapolis Boulevard from the centerline of Calumet Avenue; which is the East line of Section 1, a distance of 1997.15 feet to the centerline of Wolf River Channel; thence continuing Northwesterly along the original centerline of Indianapolis Boulevard, 1698.52 feet; thence Northeasterly at right angles 60 feet to the Point of Beginning; thence continuing Northeasterly along the aforesaid 60 foot line, a distance of 100 feet; thence Southeasterly, along the South line of the Pittsburgh, Fort Wayne, and Chicago Railroad right of way, as sold by the Shedd Trustees to said Railroad on August 18, 1924, said South line marking an interior angle of 101 degrees measured Southwest through South to Southeast with aforesaid 100 foot line, for a distance of 203.74 feet; thence Southwesterly along a line parallel with and 200 feet distant from aforesaid 100 foot line, for a distance of 138.88 feet to the Northeasterly 60 foot right of way line of Indianapolis Boulevard; thence Northwesterly along said 60 foot right of way line 200 feet to the Point of Beginning, in Lake County, Indiana.

also known as 10953 Indianapolis Blvd., Hammond, Indiana

AND

Parcel VIII Tract I:

That part of the Northeast Quarter of Section 1, Township 37 North, Range 10 West of the Second Principal Meridian in the City of Hammond, Lake County, Indiana, lying between the Northeasterly 60-foot right of way line of Indianapolis Boulevard (Indianapolis Boulevard being 100 feet wide and being 60 feet wide on the Northeasterly side of the original centerline and 40

feet wide on the Southwesterly side of the original centerline) and the Pittsburgh, Fort Wayne and Chicago Railroad (now commonly known as Consolidated Rail Corporation) Company Property and being the Westerly part of the premises conveyed by Quit Claim Deed Document No. 797573 recorded in the Office of the Recorder in Lake County, Indiana, bounded and described as follows: Beginning at a point on the Northeasterly 60-foot right of way line of Indianapolis Boulevard, at a distance of approximately 875 feet Southeasterly from the junction of said Indianapolis Boulevard and the North line of said Section 1, said point of beginning being the Southwesterly corner of the premises conveyed to Bi-Lo Stations, Inc., by Warranty Deed recorded June 9, 1969 as Document No. 19474; thence North $49^{\circ}51'01''$ East along the Southeasterly line, said premises conveyed by Document No. 19474, a distance of 158.31 feet to a point in the Southwesterly right of way line of said Railroad; thence South $51^{\circ}07'55''$ East along said railroad right of way, a distance of 181.84 feet to a point in the Northerly right of way line of Marina Drive; thence South $50^{\circ}58'42''$ West along said Northerly right of way line, a distance of 193.03 feet to a point in the Northeasterly 60 foot right of way line of Indianapolis Boulevard, said point being located a distance of 645.84 feet Northwesterly from the Southeast corner of the premises conveyed by Document No. 797573 aforesaid; thence North $40^{\circ}07'55''$ West along said Northeasterly 60 foot right of way line, a distance of 174.71 feet to the point of beginning, containing 0.711 acres, more or less.

AND

Parcel VIII Tract II:

That part of the Northeast Quarter of Section 1, Township 37 North, Range 10 West of the Second Principal Meridian in the City of Hammond, Lake County, Indiana, lying between the Northeasterly 60-foot right of way line of Indianapolis Boulevard (Indianapolis Boulevard being 100 feet wide and being 60 feet wide on the Northeasterly side of the original centerline and 40 feet wide on the Southwesterly side of the original centerline) and the Pittsburgh, Fort Wayne and Chicago Railroad Co. property and having frontage on Indianapolis Boulevard of 300 feet in the City of Hammond, North Township, Lake County, Indiana, more particularly described as beginning at a point on the Northeasterly 60 foot right of way line of Indianapolis Boulevard at the point of intersection of said Indianapolis Boulevard with the Northeasterly-Southwesterly running 100 foot line Southeast property line of the railroad, said Northeasterly-Southwesterly running 100 foot line making an angle of 90 degrees with the Northeasterly line of Indianapolis Boulevard; said point of beginning and intersection being approximately 575 feet Southeasterly from the junction of the North line of said Section 1 and the Northeasterly line of said Indianapolis Boulevard as measured along said Northeasterly line of said Indianapolis Boulevard as measured along said Northeasterly line, said point of beginning also being found by measuring Northwesterly along the centerline of Calumet Avenue which is the East line of said Section 1, a distance of 1,997.15 feet to the centerline of Wolf River Channel; thence continuing Northwesterly along the Original centerline of Indianapolis Boulevard 1,698.52 feet; thence Northeasterly at right angles 60 feet to the point of beginning; thence continuing Northeasterly along the aforesaid 60 foot line in a distance of 100 feet; thence Southeasterly along the South line of the Pittsburgh, Fort Wayne and Chicago Railroad right of way as sold by the Shedd trustees to said railroad on August 18, 1924, said South line making an interior angle of 101 degrees measured Southwest through South to Southeast with aforesaid 100 foot line, for a distance of 305.61 feet; thence Southwesterly along a line parallel to and 300 feet distant from aforesaid 100 foot line for a distance of 158.31 feet to the Northeasterly 60 foot right of way of Indianapolis Boulevard; thence Northwesterly along said 60 foot right of way line

300 feet to the point of beginning.

EXCEPTING therefrom the following Tract:

Beginning at the above reference Point of Beginning and continuing Northeasterly on a line forming an angle of 90 degrees with the Northeasterly line of Indianapolis Boulevard, a distance of 100 feet; thence Southeasterly, along the South line of the Pittsburgh, Fort Wayne, and Chicago Railroad right of way, as sold by the Shedd Trustees to said Railroad on August 18, 1924, said South line marking an interior angle of 101 degrees measured Southwest through South to Southeast with aforesaid 100 foot line, for a distance of 203.74 feet; thence Southwesterly along a line parallel with and 200 feet distant from aforesaid 100 foot line, for a distance of 138.88 feet to the Northeasterly 60 foot right of way line of Indianapolis Boulevard; thence Northwesterly along said 60 foot right of way line 200 feet to the Point of Beginning, in Lake County, Indiana.

also known as 11001 Indianapolis Blvd., Hammond , Indiana

WHEREAS, the City Plan Commission of the City of Hammond, Lake County, Indiana, having held a public hearing and on the 19th day of January, 2016, did recommend that said above described real estate is to be reclassified from I-2 Manufacturing District to C-4 General Commercial, to operate and maintain an existing fueling station (10953 Indianapolis Blvd.) and construct, operate, and maintain a Liquor and Tobacco Sales facility (11001 Indianapolis Blvd.).

WHEREAS, the Common Council of the City of Hammond, Lake County, Indiana, pursuant to its authority and powers vested by ordinance and statute has determined that the changing of said property from class I-2 Manufacturing District to C-4 General Commercial, is more consistent with the surrounding zoning and prospective uses in the area.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond, Lake County, Indiana that Ordinance No. 8514 be hereby amended and modified and that the land hereinafter described lying within the municipal corporate limits of the City of Hammond, Indiana, be put from a class I-2 Manufacturing District to C-4 General Commercial, which land is more particularly described as follows:

Parcel VI Tract I:

All that certain piece or parcel of land, being a part of the Northeast Quarter of Section 1, Township 37 North, Range 10 West of the 2nd Principal Meridian, lying between the Northeasterly 60 foot right of way line of Indianapolis Boulevard (Indianapolis Boulevard being 100 feet wide and being 60 feet wide on the Northeasterly side of the original centerline and 40 feet wide on the Southwesterly side of the original centerline), and Consolidated Rail Corporation's (formerly Pittsburgh, Fort Wayne, and Chicago Railroad Company), known as the Main Line Pittsburgh to Chicago and identified as Line code 3202, in the Records of the United States Railway Association Property and having a frontage on Indianapolis Boulevard of 125 feet, situated in the City of Hammond, Township of North, County of Lake and State of Indiana, being more particularly described as follows: Beginning at a point on the Northeasterly 60 foot right of way line of Indianapolis Boulevard at a point of intersection of said Indianapolis Boulevard with the Northeasterly-Southwesterly running 100 foot Southeast property line of said Consolidated Rail Corporation, said Northeasterly-Southwesterly running 100 foot line makes an angle of 90 degrees with the Northeasterly line of Indianapolis Boulevard; said point of beginning and intersection being approximately 575 feet Southeasterly from the junction of the North line of Section 1 and the Northeasterly line of said Indianapolis Boulevard, as measured along said Northeasterly line; said point of beginning also being found by measuring Northwesterly along the original centerline of Indianapolis Boulevard from the centerline of Calumet Avenue; which is the East line of Section 1, a distance of 1997.15 feet to the centerline of Wolf River Channel; thence continuing Northwesterly along the original centerline of Indianapolis Boulevard, 1698.52 feet; thence Northeasterly at right angles 60 feet to the Point of Beginning; thence continuing Northeasterly along the aforesaid 60 foot line, a distance of 100 feet; thence Southeasterly, along the South line of said Consolidated Rail Corporation right of way, as sold by the Shedd Trustees to said Railroad on August 18, 1924, said South line marking an interior angle of 101 degrees measured Southwest through South to Southeast with aforesaid 100 foot line, for a distance of 104.81 feet to a point on a line 120.0 feet Northeast of (measured at 90 degrees) and parallel to aforesaid Northeasterly 60 foot right of way line of Indianapolis Boulevard; thence Northwesterly on the last described parallel line, a distance of 227.89 feet to a point; thence Southwesterly on a line marking an interior angle of 90 degrees to the last described line, a distance of 120.00 feet to a point on the Northeasterly 60 foot right of way line of Indianapolis Boulevard, said point being 125.00 feet Northwesterly (as measured along said Northeasterly line of Indianapolis Boulevard), from the Point of Beginning; thence Southeasterly 125.00 feet to the Point of Beginning, in Lake County, IN.

AND

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Deed recorded June 9, 1969 as Document No. 19474; thence North 49°51'01" East along the Southeasterly line, said premises conveyed by Document No. 19474, a distance of 158.31 feet to a point in the Southwesterly right of way line of said Railroad; thence South 51°07'55" East along said railroad right of way, a distance of 181.84 feet to a point in the Northerly right of way line of Marina Drive; thence South 50°58'42" West along said Northerly right of way line, a distance of 193.03 feet to a point in the Northeasterly 60 foot right of way line of Indianapolis Boulevard, said point being located a distance of 645.84 feet Northwesterly from the Southeast corner of the premises conveyed by Document No. 797573 aforesaid; thence North 40°07'55" West along said Northeasterly 60 foot right of way line, a distance of 174.71 feet to the point of beginning, containing 0.711 acres, more or less.

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EXCEPTING therefrom the following Tract:

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Be it Further Ordained by the Common Council that this Ordinance shall have full force and effect from and after its passage and approval by the Common Council, signing by the President of the Common Council, and publication according to law.

Michael Opinker /s/
Council President

ATTEST:

Robert J. Golec, City Clerk /s/

The foregoing Ordinance No. 9333 consisting of eight (8) typewritten pages, including this page was approved by the Common Council on the 22nd day of February, 2016.

Robert J. Golec, City Clerk /s/