

STATE OF INDIANA  
CITY OF HAMMOND, LAKE COUNTY, INDIANA

IN THE MATTER OF THE PETITION )  
OF HAMMOND HOUSING AUTHORITY )  
FOR VACATION OF CIRCLE COURT )

**PETITION FOR VACATION OF CIRCLE COURT RIGHT OF WAY**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF HAMMOND, LAKE COUNTY, INDIANA:

Come now Petitioner, HAMMOND HOUSING AUTHORITY, and file with the Common Council of the City of Hammond, Lake County, Indiana this Petition for Vacation of a Street right-of-way known as Circle Court and in support thereof, show and state as follows:

1. That Petitioner, HAMMOND HOUSING AUTHORITY, is a duly organized limited liability company properly authorized to do business in the State of Indiana. Petitioner represents that it is the fee simple owner of certain real estate located within the City of Hammond, Lake County, Indiana, more particularly described as follows:

A parcel of land located in the Northeast Quarter of Section 18, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, Lake County, Indiana and being more particularly described as follows: Commencing at the northwest corner of the northeast quarter of said Section; thence North 89 degrees 27 minutes 38 seconds East along the north line of said Section a distance of 548.07 feet to the extended west right-of-way of Wilson place; thence South 0 degrees 30 minutes 26 seconds East along said extended west right-of-way a distance of 256.76 feet to the intersection of the south right-of-way line of 173rd Place and the west right-of-way line of Wilson Place; thence southerly along the said west right-of-way line 95.27 feet along an arc to the left having a radius of 120.00 feet and subtended by a long chord having a bearing of South 22 degrees 18 minutes 16 seconds East and a length of 92.79 feet; thence South 45 degrees 04 minutes 34 seconds East along said west right-of-way a distance of 339.47 feet to the south right-of-way line of Flagstone Drive; thence South 44 degrees 54 minutes 11 seconds West along said south right-of-way line a distance of 156.05 feet to the east right-of-way line of Circle Court and being the point of beginning of this description; thence South 45 degrees 06 minutes 14 seconds East along said east right-of-way line a distance of

217.29 feet; thence southeasterly, southerly, southwesterly and northwesterly along the right-of-way of Circle Court 241.29 feet along an arc to the right having a radius of 45.00 feet and subtended by a long chord having a bearing of South 44 degrees 54 minutes 11 seconds West and a length of 40.00 feet; thence North 45 degrees 06 minutes 14 seconds West along the west right-of-way line of Circle Court a distance of 217.29 feet to the intersection of said west right-of-way with the south right-of-way line of Flagstone Drive; thence North 44 degrees 54 minutes 11 seconds East along said south right-of-way line a distance of 40.00 feet to the point of beginning and containing 0.34 acres, more or less.

This description was prepared based upon the boundary lines shown on the ALTA/ACSM Land Title Survey prepared by Nies Engineering, dated October 19, 2012, job no. 12-517.

Commonly known as 1300 Block of CIRCLE COURT, Hammond, Indiana;

2. That Petitioner request the vacation of a 300 foot length of Circle Court located perpendicular to Flagstone Drive which includes the full length of Circle Court, including the and cul-de-sac, and is more particularly described as follows:

A parcel of land located in the Northeast Quarter of Section 18, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, Lake County, Indiana and being more particularly described as follows: Commencing at the northwest corner of the northeast quarter of said Section; thence North 89 degrees 27 minutes 38 seconds East along the north line of said Section a distance of 548.07 feet to the extended west right-of-way of Wilson place; thence South 0 degrees 30 minutes 26 seconds East along said extended west right-of-way a distance of 256.76 feet to the intersection of the south right-of-way line of 173rd Place and the west right-of-way line of Wilson Place; thence southerly along the said west right-of-way line 95.27 feet along an arc to the left having a radius of 120.00 feet and subtended by a long chord having a bearing of South 22 degrees 18 minutes 16 seconds East and a length of 92.79 feet; thence South 45 degrees 04 minutes 34 seconds East along said west right-of-way a distance of 339.47 feet to the south right-of-way line of Flagstone Drive; thence South 44 degrees 54 minutes 11 seconds West along said south right-of-way line a distance of 156.05 feet to the east right-of-way line of Circle Court and being the point of beginning of this description; thence South 45 degrees 06 minutes 14 seconds East along said east right-of-way line a distance of 217.29 feet; thence southeasterly, southerly, southwesterly and northwesterly along the right-of-way of Circle Court 241.29 feet along an arc to the right having a radius of 45.00 feet and subtended by a long chord having a bearing of South 44 degrees 54 minutes 11 seconds West and a length of 40.00 feet; thence North 45 degrees 06 minutes 14 seconds West along the west right-of-way line of Circle Court a distance of 217.29 feet to the intersection of said west right-of-way with the south right-of-way line of Flagstone Drive; thence North 44 degrees 54 minutes 11 seconds East along said south right-of-way line a distance of 40.00 feet to the point

of beginning and containing 0.34 acres, more or less.

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3. That Petitioners respectfully request vacation of Circle Court, in order to eliminate the right-of-way and redevelop the property, in conformance with all current and applicable laws and requirements, in the City of Hammond, Lake County, Indiana.

4. That the sole owners of the property adjacent to the proposed site of vacation have been provided with property notice of this Petition and are as follows:

HAMMOND HOUSING AUTHORITY  
1402 – 173<sup>RD</sup> STREET  
HAMMOND, IN 46324

WHEREFORE, the Petitioner, HAMMOND HOUSING AUTHORITY, respectfully request the Common Council of the City of Hammond, Lake County, Indiana after due notice and Public Hearing in accordance with the law, to enact an Ordinance pursuant to its authority under Indiana Code § 36-7-3-12, as amended from time to time, vacating the following 300 foot length of Circle Court:

A parcel of land located in the Northeast Quarter of Section 18, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, Lake County, Indiana and being more particularly described as follows: Commencing at the northwest corner of the northeast quarter of said Section; thence North 89 degrees 27 minutes 38 seconds East along the north line of said Section a distance of 548.07 feet to the extended west right-of-way of Wilson place; thence South 0 degrees 30 minutes 26 seconds East along said extended west right-of-way a distance of 256.76 feet to the intersection of the south right-of-way line of 173rd Place and the west right-of-way line of Wilson Place; thence southerly along the said west right-of-way line 95.27 feet along an arc to the left having a radius of 120.00 feet and subtended by a long chord having a bearing of South 22 degrees 18 minutes 16 seconds East and a length of 92.79 feet; thence South 45 degrees 04 minutes 34 seconds East along said west right-of-way a distance of 339.47 feet to the south right-of-way line of Flagstone Drive; thence South 44 degrees 54 minutes 11 seconds West along said south right-of-way line a distance of 156.05 feet to the

east right-of-way line of Circle Court and being the point of beginning of this description; thence South 45 degrees 06 minutes 14 seconds East along said east right-of-way line a distance of 217.29 feet; thence southeasterly, southerly, southwesterly and northwesterly along the right-of-way of Circle Court 241.29 feet along an arc to the right having a radius of 45.00 feet and subtended by a long chord having a bearing of South 44 degrees 54 minutes 11 seconds West and a length of 40.00 feet; thence North 45 degrees 06 minutes 14 seconds West along the west right-of-way line of Circle Court a distance of 217.29 feet to the intersection of said west right-of-way with the south right-of-way line of Flagstone Drive; thence North 44 degrees 54 minutes 11 seconds East along said south right-of-way line a distance of 40.00 feet to the point of beginning and containing 0.34 acres, more or less.

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Respectfully submitted,

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Maria Carmen Paniagua  
*For: HAMMOND HOUSING AUTHORITY*

SPONSOR: BILL EMERSON 4<sup>TH</sup> DISTRICT

PETITIONED BY: HAMMOND HOUSING AUTHORITY

ORDINANCE NO. 9298

AN ORDINANCE VACATING A 300 FOOT LENGTH OF CIRCLE COURT PERPENDICULAR TO FLAGSTONE DRIVE IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

WHEREAS, *HAMMOND HOUSING AUTHORITY*, is the fee simple owner of the following described real estate, to wit:

A parcel of land located in the Northeast Quarter of Section 18, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, Lake County, Indiana and being more particularly described as follows: Commencing at the northwest corner of the northeast quarter of said Section; thence North 89 degrees 27 minutes 38 seconds East along the north line of said Section a distance of 548.07 feet to the extended west right-of-way of Wilson place; thence South 0 degrees 30 minutes 26 seconds East along said extended west right-of-way a distance of 256.76 feet to the intersection of the south right-of-way line of 173rd Place and the west right-of-way line of Wilson Place; thence southerly along the said west right-of-way line 95.27 feet along an arc to the left having a radius of 120.00 feet and subtended by a long chord having a bearing of South 22 degrees 18 minutes 16 seconds East and a length of 92.79 feet; thence South 45 degrees 04 minutes 34 seconds East along said west right-of-way a distance of 339.47 feet to the south right-of-way line of Flagstone Drive; thence South 44 degrees 54 minutes 11 seconds West along said south right-of-way line a distance of 156.05 feet to the east right-of-way line of Circle Court and being the point of beginning of this description; thence South 45 degrees 06 minutes 14 seconds East along said east right-of-way line a distance of 217.29 feet; thence southeasterly, southerly, southwesterly and northwesterly along the right-of-way of Circle Court 241.29 feet along an arc to the right having a radius of 45.00 feet and subtended by a long chord having a bearing of South 44 degrees 54 minutes 11 seconds West and a length of 40.00 feet; thence North 45 degrees 06 minutes 14 seconds West along the west right-of-way line of Circle Court a distance of 217.29 feet to the intersection of said west right-of-way with the south right-of-way line of Flagstone Drive; thence North 44 degrees 54 minutes 11 seconds East along said south right-of-way line a distance of 40.00 feet to the point of beginning and containing 0.34 acres, more or less.

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Commonly known as 1300 block of Circle Court, Hammond, Indiana;

WHEREAS, a 300 foot length of Circle Court lies within proposed lot 14 unit 6 of the Columbia Center Planned Unit Development, which is more particularly described as follows:

A parcel of land located in the Northeast Quarter of Section 18, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, Lake County, Indiana and being more particularly described as follows: Commencing at the northwest corner of the northeast quarter of said Section; thence North 89 degrees 27 minutes 38 seconds East along the north line of said Section a distance of 548.07 feet to the extended west right-of-way of Wilson place; thence South 0 degrees 30 minutes 26 seconds East along said extended west right-of-way a distance of 256.76 feet to the intersection of the south right-of-way line of 173rd Place and the west right-of-way line of Wilson Place; thence southerly along the said west right-of-way line 95.27 feet along an arc to the left having a radius of 120.00 feet and subtended by a long chord having a bearing of South 22 degrees 18 minutes 16 seconds East and a length of 92.79 feet; thence South 45 degrees 04 minutes 34 seconds East along said west right-of-way a distance of 339.47 feet to the south right-of-way line of Flagstone Drive; thence South 44 degrees 54 minutes 11 seconds West along said south right-of-way line a distance of 156.05 feet to the east right-of-way line of Circle Court and being the point of beginning of this description; thence South 45 degrees 06 minutes 14 seconds East along said east right-of-way line a distance of 217.29 feet; thence southeasterly, southerly, southwesterly and northwesterly along the right-of-way of Circle Court 241.29 feet along an arc to the right having a radius of 45.00 feet and subtended by a long chord having a bearing of South 44 degrees 54 minutes 11 seconds West and a length of 40.00 feet; thence North 45 degrees 06 minutes 14 seconds West along the west right-of-way line of Circle Court a distance of 217.29 feet to the intersection of said west right-of-way with the south right-of-way line of Flagstone Drive; thence North 44 degrees 54 minutes 11 seconds East along said south right-of-way line a distance of 40.00 feet to the point of beginning and containing 0.34 acres, more or less.

This description was prepared based upon the boundary lines shown on the ALTA/ACSM Land Title Survey prepared by Nies Engineering, dated October 19, 2012, job no. 12-517.

WHEREAS, HAMMOND HOUSING AUTHORITY has filed a Petition for Vacation of Circle Court with the Common Council of the City of Hammond, Lake County, Indiana, requesting vacation of a 300 foot length of the 1300 block of Circle Court.

WHEREAS, the Common Council of the City of Hammond, Lake County, Indiana upon

investigation and Public Hearing in accordance with applicable law, finds and determines that the proposed vacation will not hinder the growth or orderly development of the City of Hammond, Lake County, Indiana, or the neighborhood in which it is located or to which it is contiguous; and

WHEREAS, the vacation will not make access to the lands of any persons by means of public way difficult to inconvenient; and

WHEREAS, the vacation would not hinder the public's access to a church, school, or other public building or place; and

WHEREAS, the vacation will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, THAT** it is desired and deemed necessary to vacate a 300 foot length of the 1300 block of Circle Court located perpendicular to Flagstone Drive in the City of Hammond, and more particularly described as follows:

A parcel of land located in the Northeast Quarter of Section 18, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, Lake County, Indiana and being more particularly described as follows: Commencing at the northwest corner of the northeast quarter of said Section; thence North 89 degrees 27 minutes 38 seconds East along the north line of said Section a distance of 548.07 feet to the extended west right-of-way of Wilson place; thence South 0 degrees 30 minutes 26 seconds East along said extended west right-of-way a distance of 256.76 feet to the intersection of the south right-of-way line of 173rd Place and the west right-of-way line of Wilson Place; thence southerly along the said west right-of-way line 95.27 feet along an arc to the left having a radius of 120.00 feet and subtended by a long chord having a bearing of South 22 degrees 18 minutes 16 seconds East and a length of 92.79 feet; thence South 45 degrees 04 minutes 34 seconds East along said west right-of-way a distance of 339.47 feet to the south right-of-way line of Flagstone Drive; thence South 44 degrees 54

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and, therefore, the aforementioned 300 foot length of the 1300 block Circle Court is hereby vacated, subject to easements, if any, for existing water, sewer, gas, telecommunications, and utilities in place and adjoining lot are extended by operation of law to include the proportionate part of Circle Court hereby vacated.

**BE IT FURTHER ORDAINED** that the Ordinance herein shall have full force and effect from and after Public Hearing hereon, passage and approval by the Common Council of the City of Hammond, Lake County, Indiana, signed by the President thereof, and the approval and signing by the Mayor. The Clerk shall furnish a copy of this Ordinance to the County Recorder for recording and to the County Auditor.

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Daniel Spitale, Vice President /s/

Attest:

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Robert J. Golec, City Clerk /s/



PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor of said City, for his approval on the 9<sup>th</sup> of June, 2015.

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Robert J. Golec, City Clerk /s/

The foregoing Ordinance No. 9298, consisting of five (5) pages, including this page approved by the Mayor on the 9<sup>th</sup> day of June, 2015.

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Thomas M. McDermott, Jr., Mayor /s/  
City of Hammond, Indiana

PASSED by the Common Council on the 8<sup>th</sup> day of June, 2015 and approved by the Mayor on the 9<sup>th</sup> day of June, 2015.

---

Robert J. Golec, City Clerk /s/

STATE OF INDIANA  
CITY OF HAMMOND, LAKE COUNTY, INDIANA

IN THE MATTER OF THE PETITION                    )  
OF HAMMOND HOUSING AUTHORITY                )  
FOR VACATION OF CIRCLE COURT                )

**PETITION FOR VACATION OF CIRCLE COURT RIGHT OF WAY**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF HAMMOND, LAKE COUNTY, INDIANA:

Come now Petitioner, HAMMOND HOUSING AUTHORITY, and file with the Common Council of the City of Hammond, Lake County, Indiana this Petition for Vacation of a Street right-of-way known as Circle Court and in support thereof, show and state as follows:

1. That Petitioner, HAMMOND HOUSING AUTHORITY, is a duly organized limited liability company properly authorized to do business in the State of Indiana. Petitioner represents that it is the fee simple owner of certain real estate located within the City of Hammond, Lake County, Indiana, more particularly described as follows:

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Commonly known as 1300 Block of CIRCLE COURT, Hammond, Indiana;

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3. That Petitioners respectfully request vacation of Circle Court, in order to eliminate the right-of-way and redevelop the property, in conformance with all current and applicable laws and requirements, in the City of Hammond, Lake County, Indiana.

4. That the sole owners of the property adjacent to the proposed site of vacation have been provided with property notice of this Petition and are as follows:

HAMMOND HOUSING AUTHORITY  
1402 – 173<sup>RD</sup> STREET  
HAMMOND, IN 46324

WHEREFORE, the Petitioner, HAMMOND HOUSING AUTHORITY, respectfully request the Common Council of the City of Hammond, Lake County, Indiana after due notice and Public Hearing in accordance with the law, to enact an Ordinance pursuant to its authority under Indiana Code § 36-7-3-12, as amended from time to time, vacating the following 300 foot length of Circle Court:

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Respectfully submitted,

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Maria Carmen Paniagua  
*For: HAMMOND HOUSING AUTHORITY*

## **EXHIBIT "A"**

Project: Flagstone Village  
Housing Authority of the City of Hammond  
Legal Description for Circle Court Vacation

Sheet 1 of 1

A parcel of land located in the Northeast Quarter of Section 18, Township 36 North, Range 9 West of the Second Principal Meridian, in the City of Hammond, Lake County, Indiana and being more particularly described as follows: Commencing at the northwest corner of the northeast quarter of said Section; thence North 89 degrees 27 minutes 38 seconds East along the north line of said Section a distance of 548.07 feet to the extended west right-of-way of Wilson place; thence South 0 degrees 30 minutes 26 seconds East along said extended west right-of-way a distance of 256.76 feet to the intersection of the south right-of-way line of 173rd Place and the west right-of-way line of Wilson Place; thence southerly along the said west right-of-way line 95.27 feet along an arc to the left having a radius of 120.00 feet and subtended by a long chord having a bearing of South 22 degrees 18 minutes 16 seconds East and a length of 92.79 feet; thence South 45 degrees 04 minutes 34 seconds East along said west right-of-way a distance of 339.47 feet to the south right-of-way line of Flagstone Drive; thence South 44 degrees 54 minutes 11 seconds West along said south right-of-way line a distance of 156.05 feet to the east right-of-way line of Circle Court and being the point of beginning of this description; thence South 45 degrees 06 minutes 14 seconds East along said east right-of-way line a distance of 217.29 feet; thence southeasterly, southerly, southwesterly and northwesterly along the right-of-way of Circle Court 241.29 feet along an arc to the right having a radius of 45.00 feet and subtended by a long chord having a bearing of South 44 degrees 54 minutes 11 seconds West and a length of 40.00 feet; thence North 45 degrees 06 minutes 14 seconds West along the west right-of-way line of Circle Court a distance of 217.29 feet to the intersection of said west right-of-way with the south right-of-way line of Flagstone Drive; thence North 44 degrees 54 minutes 11 seconds East along said south right-of-way line a distance of 40.00 feet to the point of beginning and containing 0.34 acres, more or less.

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Prepared for: City of Hammond  
By: Jeffrey S. Barnes, PLS  
Date: March 24, 2014  
Job Number: 2015-0074

Parcel No: na  
 Des. No.: na  
 Project: na  
 Road: na  
 Sec: 18 Town: 36 N Range: 9 W

# Circle Court Vacation Sketch Exhibit "B"

Code: na

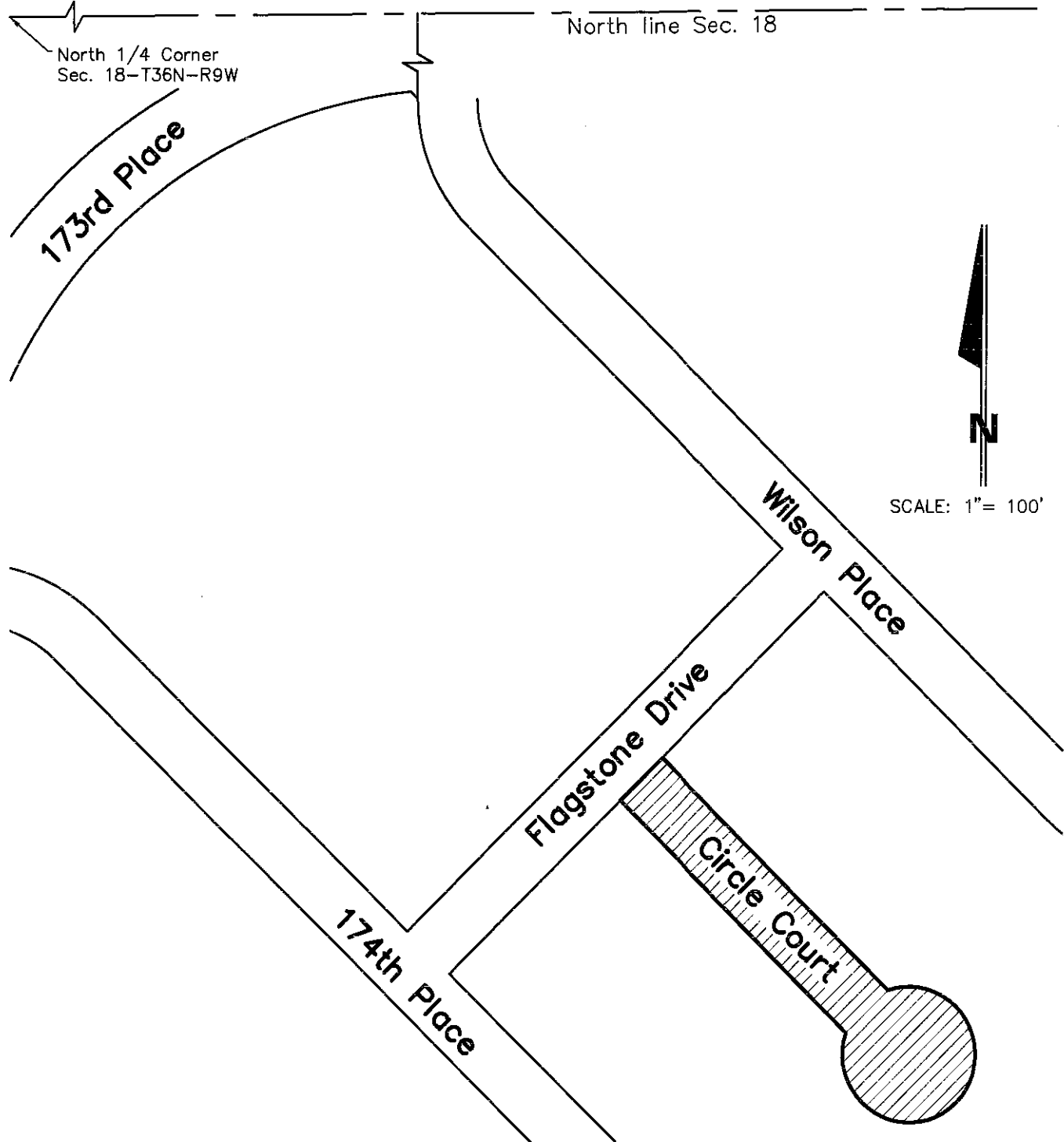
Drawn: jsb  
 Checked: mdc  
 County: Lake

Prepared for: City of Hammond  
 Owner: Housing Authority  
 of the City of Hammond  
 Deed Rec.: no  
 Key Number: na



Hatched area is  
 approximate vacation.

This plat was prepared from information obtained from the recorder's office and other sources which were not necessarily checked by a field survey. Dimensions shown are from listed record documents.



Section 18, T. 36 N., R. 09 W. JOB No. 2015-0074



**JONES PETRIE RAFINSKI**  
 your one single source  
 Surveying • Engineering • Planning • Architecture • Utility Management  
 GIS • Environmental • Renewable Energy • Landscape Architecture

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