

STATE OF INDIANA
CITY OF HAMMOND, LAKE COUNTY, INDIANA

IN THE MATTER OF THE PETITION OF WOOLPERT, INC.,)
ON BEHALF OF AND AS AN AGENT FOR, JP MORGAN)
CHASE BANK NATIONAL ASSOCIATION AS SUCCESSOR)
IN INTEREST TO GAINER BANK NATIONAL ASSOCIATION)
FOR VACATION OF AN ALLEY NEAR 169th AND KENNEDY)

**PETITION FOR VACATION OF A 104.83 FOOT PORTION OF AN EAST-WEST
ALLEY LYING SOUTH OF 169TH STREET AND EAST OF MARSHALL AVENUE
IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA**

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

Come now Petitioner, Woolpert, Inc. on behalf of and as an agent for, JPMorgan Chase Bank National Association as successor in interest to Gainer Bank National Association and files with the Common Council of the City of Hammond, Lake County, Indiana this Petition for Vacation of an alley, and in support thereof, show and state as follows:

1. That Petitioner, Woolpert, Inc. on behalf of and as an agent for, JPMorgan Chase Bank National Association as successor in interest to Gainer Bank National Association is 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:

PARCEL 1:
PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE
CITY OF HAMMOND, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:
BEGINNING AT A POINT 198 FEET WEST OF THE CENTER OF SAID SECTION; THENCE
WEST TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 132 FEET;

THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION TO A POINT 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTH 132 FEET TO THE PLACE OF BEGINNING.

PARCEL 2:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHICH IS 132 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION 170.53 FEET WEST OF THE EAST LINE OF SAID QUARTER SECTION; THENCE RUNNING WEST PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION, 162.5 FEET TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE SOUTH ON SAID LINE 264 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION TO THE WEST LINE OF THE TRACT OF LAND CONVEYED IN DEED RECORD 345, PAGE 259; THENCE NORTH ALONG SAID WEST LINE OF THE TRACT CONVEYED IN DEED RECORD 345, PAGE 259, 60 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION TO A POINT OF INTERSECTION WITH A LINE 170.53 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER SECTION; THENCE NORTH ALONG SAID PARALLEL LINE 204 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM: THE NORTH 10 FEET THEREOF AND THE EAST 6 FEET THEREOF TAKEN FOR ALLEY PURPOSES.

ALSO EXCEPTING THEREFROM: THE WEST 30 FEET THEREOF TAKEN FOR STREET PURPOSES.

ALSO EXCEPTING THEREFROM: COMMENCING AT A POINT WHICH IS 258 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION AND 170.53 FEET WEST OF THE EAST LINE OF SAID QUARTER SECTION; THENCE RUNNING WEST PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION 162.5 FEET TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE SOUTH ON SAID LINE 75 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION 162.5 FEET TO A POINT OF INTERSECTION WITH A LINE 170.53 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER SECTION; THENCE NORTH ALONG SAID PARALLEL LINE TO THE PLACE OF BEGINNING.

ALSO EXCEPTING THEREFROM: COMMENCING AT A POINT WHICH IS 333 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION AND 180.0 FEET WEST OF THE EAST LINE OF SAID QUARTER SECTION; THENCE RUNNING WEST PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION 153.03 FEET TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE SOUTH ON SAID WEST LINE 60 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION TO THE WEST LINE OF THE TRACT CONVEYED IN DEED RECORD 345, PAGE 259; THENCE NORTH ALONG THE WEST LINE OF THE TRACT CONVEYED IN DEED RECORD 345, PAGE 259, A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: ALL THAT PORTION OF THE FOLLOWING DESCRIBED REAL ESTATE LYING WITHIN THE ABOVE-DESCRIBED PARCEL 2:
THE WEST 31.47 FEET OF THE SOUTH 50 FEET OF THE FOLLOWING DESCRIBED PARCEL: PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE WEST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 198.0 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER, 182.0 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST QUARTER, 198.0 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 182.0 FEET TO THE POINT OF COMMENCING.

Commonly known as 2734 169th Street and 6917 Marshall Avenue,
Hammond, Indiana;

2. That Petitioner request the vacation of a 104.83 foot portion of an east-west alley located, which portion of the alley is more particularly described as follows:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT THAT IS 132 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9 AND 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 104.83 FEET TO A POINT THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE SOUTHERLY, ALONG SAID LINE THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 10 FEET; THENCE EASTERLY, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, TO A POINT THAT IS 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTHERLY, ALONG A LINE THAT IS 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 10 FEET TO THE PLACE OF BEGINNING.

3. That Petitioner respectfully requests vacation of a portion of an east-west alley, 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 proper notice of this Petition and are as follows:

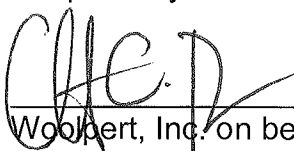
JPMorgan Chase Bank National Association

as successor in interest to Gainer Bank National Association

WHEREFORE, the Petitioner, Woolpert, Inc. on behalf of and as an agent for, JPMorgan Chase Bank National Association as successor in interest to Gainer Bank National Association, respectfully requests 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 104.83 foot portion of an east-west alley:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT THAT IS 132 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9 AND 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 104.83 FEET TO A POINT THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE SOUTHERLY, ALONG SAID LINE THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 10 FEET; THENCE EASTERLY, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, TO A POINT THAT IS 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTHERLY, ALONG A LINE THAT IS 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 10 FEET TO THE PLACE OF BEGINNING.

Respectfully submitted,



Christopher C. Perry
Sr. Vice President

Woolpert, Inc. on behalf of and as an agent for,
JPMorgan Chase Bank National Association
as successor in interest to Gainer Bank National
Association
270 Park Avenue, Floor 12
New York, New York 10017
212-270-6000

SPONSOR: Councilman Michael Opinker

PETITIONED BY: Woolpert, Inc., on behalf of
and as an agent for, JPMorgan Chase Bank
National Association as successor in interest to
Gainer Bank National Association

ORDINANCE NO. 9308

AN ORDINANCE VACATING A 104.83 FOOT PORTION OF AN EAST-WEST
ALLEY LYING SOUTH OF 169TH STREET AND EAST OF MARSHALL
AVENUE IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

WHEREAS, JPMorgan Chase Bank National Association as successor in interest
to Gainer Bank National Association is the fee simple owner of the following described
real estate, to wit:

PARCEL 1:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE
CITY OF HAMMOND, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

BEGINNING AT A POINT 198 FEET WEST OF THE CENTER OF SAID SECTION; THENCE
WEST TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 132 FEET;
THENCE EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF
SAID SECTION TO A POINT 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST
QUARTER OF SAID SECTION 9; THENCE NORTH 132 FEET TO THE PLACE OF
BEGINNING.

PARCEL 2:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9,
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SECTION; THENCE RUNNING WEST PARALLEL WITH THE NORTH LINE OF SAID
QUARTER SECTION, 162.5 FEET TO THE WEST LINE OF THE EAST HALF OF THE
NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST
QUARTER OF SAID SECTION; THENCE SOUTH ON SAID LINE 264 FEET; THENCE EAST
PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION TO THE WEST LINE OF
THE TRACT OF LAND CONVEYED IN DEED RECORD 345, PAGE 259; THENCE NORTH
ALONG SAID WEST LINE OF THE TRACT CONVEYED IN DEED RECORD 345, PAGE 259,
60 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION
TO A POINT OF INTERSECTION WITH A LINE 170.53 FEET WEST OF AND PARALLEL TO
THE EAST LINE OF SAID QUARTER SECTION; THENCE NORTH ALONG SAID PARALLEL
LINE 204 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM: THE NORTH 10 FEET THEREOF AND THE EAST 6 FEET THEREOF TAKEN FOR ALLEY PURPOSES.

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ALSO EXCEPTING THEREFROM: ALL THAT PORTION OF THE FOLLOWING DESCRIBED REAL ESTATE LYING WITHIN THE ABOVE-DESCRIBED PARCEL 2:
THE WEST 31.47 FEET OF THE SOUTH 50 FEET OF THE FOLLOWING DESCRIBED PARCEL: PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE WEST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 198.0 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER, 182.0 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SOUTHWEST QUARTER, 198.0 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 182.0 FEET TO THE POINT OF COMMENCING.

Commonly known as 2734 169th Street and 6917 Marshall Avenue, Hammond,
Indiana;

WHEREAS, a 104.83 foot portion of an east-west alley which is more particularly described as follows:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS 132 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9 AND 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 104.83 FEET TO A POINT THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE SOUTHERLY, ALONG SAID LINE THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 10 FEET; THENCE EASTERLY, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, TO A POINT THAT IS 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTHERLY, ALONG A LINE THAT IS 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 10 FEET TO THE PLACE OF BEGINNING.

WHEREAS, Woolpert, Inc., on behalf of and as an agent for, JPMorgan Chase Bank National Association as successor in interest to Gainer Bank National Association has filed a Petition for Vacation of an east-west Alley with the Common Council of the City of Hammond, Lake County, Indiana, requesting vacation of a 104.83 foot portion of an east-west Alley located 92 feet south of the proposed south right-of-way line of 169th Street, bounded on the west by the east right-of-way line of Marshall Avenue and bounded on the east by the east property line of the Petitioner; and

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 104.83 foot portion of an east-west Alley located between 2734 169th Street and 6917 Marshall Avenue in the City of Hammond, and more particularly described as follows:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS 132 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9 AND 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 104.83 FEET TO A POINT THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE SOUTHERLY, ALONG SAID LINE THAT IS 30.00 FEET EAST OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 10 FEET; THENCE EASTERLY, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, TO A POINT THAT IS 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTHERLY, ALONG A LINE THAT IS 198 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 10 FEET TO THE PLACE OF BEGINNING.

and, therefore, the aforementioned 104.83 foot portion of an east-west Alley is hereby vacated, subject to easements, if any, for existing water, sewer, gas, telecommunications, and utilities in place and adjoining lots are extended by operation of law to include the proportionate part of the east-west Alley 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.

Michael Opinker, President /s/

Attest:

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 15 of September, 2015.

Robert J. Golec, City Clerk /s/

The foregoing Ordinance No. 9308, consisting of 5 pages, including this page was approved by the Mayor on the 16th day of September, 2015.

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

PASSED by the Common Council on the 14th day of September, 2015 and approved by the Mayor on the 16th day of September, 2015.

Robert J. Golec, City Clerk /s/