

19-14

SPONSOR: William Emerson
4th District Councilman

PETITIONED BY: Klara Kocevar

ORDINANCE NO 9441

AN ORDINANCE VACATING A 9 FOOT PORTION NORTH OF ROSELAWN ST. LYING BETWEEN 6941 STATELINE AVE. AND 15 ROSELAWN ST. THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

WHEREAS, Klara Kocevar, Patrick Gaines, Tabatha Garcia are the fee simple owners of the following described real estate, to wit:

ROSELAWN PARK LOT 12, ROSELAWN PARK L.13, ROSELAWN PARK ADD. LOT 11

Commonly known as (9 Roselawn St., 6941 State Line Ave., 15 Roselawn St.),
Hammond, Indiana;

WHEREAS, a 9 foot portion of Alley North of addresses, lies between the lots of 11-13, which 9 foot portion is more particularly described as follows:

(R-O-W VACATION DESCRIPTION A PART OF AN EXISTING ALLEY RIGHT-OF-WAY LOCATED IN THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 12 TOWNSHIP 36 NORTH, RANGE 10 WEST, IN THE CITY OF HAMMOND AS SHOWN AND RECORDED IN THE "ROSELAWN PARK ADD. HAMMOND - INDIANA", BOOK 16 PAGE 36, LAKE COUNTY ROSELAWN PARK ADD. HAMMOND - INDIANA", BOOK 16 PAGE 36, LAKE COUNTY, BOOK 16 PAGE 36, LAKE COUNTY RECORDER'S OFFICE, LAKE COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 12 TOWNSHIP 36 NORTH RANGE 10 WEST, THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 494.7 FEET TO THE NORTHWEST CORNER OF THE ROSELAWN PARK ADD.; THENCE EAST A DISTANCE OF 30 FEET TO THE NORTHWEST CORNER OF LOT 13 OF SAID SUBDIVISION; THENCE CONTINUING EAST ALONG THE NORTH LINE OF LOT 13 A DISTANCE OF 90 FEET TO THE NORTHEAST CORNER OF LOT 13 ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY WITH A RADIUS OF 25 FEET; THENCE SOUTH, SOUTHEAST ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45 DEGREES 24 MINUTES, AN ARC LENGTH OF 19.2 FEET; TO THE NORTHWEST CORNER OF LOT 12 FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG THE CONCAVE NORTH 25 FOOT RADIUS CURVE ALSO BEING THE NORTH LINE OF LOT 12, SOUTHEAST, EAST, NORTHEAST, THROUGH A CENTRAL ANGLE OF 77 DEGREES 30 MINUTES AN ARC LENGTH OF 34.4 FEET TO THE WEST LINE OF LOT 11; THENCE CONTINUING ALONG THE CONCAVE NORTHWEST 25 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 24 DEGREES 19 MINUTES, AN ARC LENGTH OF 10.6

FEET TO THE NORTH LINE OF LOT 11; ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF A 10 FOOT WIDE ALLEY; THENCE WEST ALONG THE EXTENDED ALLEY RIGHT-OF-WAY LINE A DISTANCE OF 42.0 FEET TO A POINT ON A 25 FOOT RADIUS CURVE CONCAVE NORTHEAST REPRESENTING THE NORTHEAST PORTION OF LOT 13; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 12 DEGREES 37 MINUTES, AN ARC LENGTH OF 4.9 FEET TO THE POINT OF BEGINNING. CONTAINING 0.007 ACRES MORE OR LESS.)

WHEREAS, Klara Kocevar has filed a Petition for Vacation of a Alley with the Common Council of the City of Hammond, Lake County, Indiana, requesting vacation of a 9 foot portion of *North Alley of Roselawn located at 9 Roselawn St., 6941 State Line Ave., 15 Roselawn St*, and (which is attached as "A")

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 9 foot portion of North Alley of Roselawn St. located *9 Roselawn St., 6941 State Line Ave., 15 Roselawn St*, the City of Hammond, and more particularly

described as follows:

(R-O-W VACATION DESCRIPTION A PART OF AN EXISTING ALLEY RIGHT-OF-WAY LOCATED IN THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 12 TOWNSHIP 36 NORTH, RANGE 10 WEST, IN THE CITY OF HAMMOND AS SHOWN AND RECORDED IN THE "ROSELAWN PARK ADD. HAMMOND - INDIANA", BOOK 16 PAGE 36, LAKE COUNTY ROSELAWN PARK ADD. HAMMOND - INDIANA", BOOK 16 PAGE 36, LAKE COUNTY , BOOK 16 PAGE 36, LAKE COUNTY RECORDER'S OFFICE, LAKE COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 12 TOWNSHIP 36 NORTH RANGE 10 WEST, THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 494.7 FEET TO THE NORTHWEST CORNER OF THE ROSELAWN PARK ADD.; THENCE EAST A DISTANCE OF 30 FEET TO THE NORTHWEST CORNER OF LOT 13 OF SAID SUBDIVISION; THENCE CONTINUING EAST ALONG THE NORTH LINE OF LOT 13 A DISTANCE OF 90 FEET TO THE NORTHEAST CORNER OF LOT 13 ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY WITH A RADIUS OF 25 FEET; THENCE SOUTH, SOUTHEAST ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45 DEGREES 24 MINUTES, AN ARC LENGTH OF 19.2 FEET; TO THE NORTHWEST CORNER OF LOT 12 FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG THE CONCAVE NORTH 25 FOOT RADIUS CURVE ALSO BEING THE NORTH LINE OF LOT 12, SOUTHEAST, EAST, NORTHEAST, THROUGH A CENTRAL ANGLE OF 77 DEGREES 30 MINUTES AN ARC LENGTH OF 34.4 FEET TO THE WEST LINE OF LOT 11; THENCE CONTINUING ALONG THE CONCAVE NORTHWEST 25 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 24 DEGREES 19 MINUTES, AN ARC LENGTH OF 10.6 FEET TO THE NORTH LINE OF LOT 11; ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF A 10 FOOT WIDE ALLEY; THENCE WEST ALONG THE EXTENDED ALLEY RIGHT-OF-WAY LINE A DISTANCE OF 42.0 FEET TO A POINT ON A 25 FOOT RADIUS CURVE CONCAVE NORTHEAST REPRESENTING THE NORTHEAST PORTION OF LOT 13; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 12 DEGREES 37 MINUTES, AN ARC LENGTH OF 4.9 FEET TO THE POINT OF BEGINNING. CONTAINING 0.007 ACRES MORE OR LESS.)

And, NOW THEREFORE, the aforementioned 9 foot portion of North Alley of Roselawn St. is 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, or the Clerk shall furnish a copy to his Ordinance to the petitioner and delegate the responsibility for filing and recording to the petitioner.

Robert A Markovich
President Robert A Markovich

Attest:

Robert J. Golec
Robert J. Golec, City Clerk

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor of said City, for his approval on the 11th of JUNE, 2019.

Robert J. Golec
Robert J. Golec, City Clerk

The foregoing Ordinance No. 9441, consisting of 4 () pages, including this page was Approved by the Mayor on the 11th day of June, 2019.

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

PASSED by the Common Council on the 10th day of JUNE, 2019 and Approved by the Mayor on the 11th day of June, 2019.

Robert J. Golec
Robert J. Golec, City Clerk

STATE OF INDIANA
CITY OF HAMMOND, LAKE COUNTY, INDIANA

IN THE MATTER OF THE PETITION)
OF KLARA KOCEVAR, PATRICK GAINES, TABATHA GARCIA)
FOR VACATION OF AN ALLEY)

PETITION FOR VACATION OF PARTIAL ALLEY NORTH OF 9 ROSELAWN ST.

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

Come now Petitioners, Klara Kocevar, Patrick Gaines, Tabatha Garcia and file
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 Petitioners, Klara Kocevar, Patrick Gaines, Tabatha Garcia are
individual's property owner in the City of Hammond, County of Lake, State of Indiana.
Petitioners are represented in this proceeding by Klara Kocevar. Petitioner represents
that they are the fee simple owner of certain real estate located within the City of
Hammond, Lake County, Indiana, more particularly described as follows:

ROSELAWN PARK LOT 12, ROSELAWN PARK L.13, ROSELAWN PARK ADD. LOT 11

Commonly known as (9 Roselawn St., 6941 State Line Ave., 15 Roselawn St.),
Hammond, Indiana;

2. That Petitioner requests the vacation of portion of alley that is the remanence
of a proposed but not constructed cul-de-sac located north of property, which portion of
alley is more particularly described as follows:

(R-O-W VACATION DESCRIPTION A PART OF AN EXISTING ALLEY RIGHT-OF-WAY LOCATED IN
THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 12 TOWNSHIP 36 NORTH, RANGE 10
WEST, IN THE CITY OF HAMMOND AS SHOWN AND RECORDED IN THE "ROSELAWN PARK ADD.
HAMMOND - INDIANA", BOOK 16 PAGE 36, LAKE COUNTY ROSELAWN PARK ADD. HAMMOND -
INDIANA", BOOK 16 PAGE 36, LAKE COUNTY , BOOK 16 PAGE 36, LAKE COUNTY RECORDER'S

OFFICE, LAKE COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 12 TOWNSHIP 36 NORTH RANGE 10 WEST, THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 494.7 FEET TO THE NORTHWEST CORNER OF THE ROSELAWN PARK ADD.; THENCE EAST A DISTANCE OF 30 FEET TO THE NORTHWEST CORNER OF LOT 13 OF SAID SUBDIVISION; THENCE CONTINUING EAST ALONG THE NORTH LINE OF LOT 13 A DISTANCE OF 90 FEET TO THE NORTHEAST CORNER OF LOT 13 ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY WITH A RADIUS OF 25 FEET; THENCE SOUTH, SOUTHEAST ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45 DEGREES 24 MINUTES, AN ARC LENGTH OF 19.2 FEET; TO THE NORTHWEST CORNER OF LOT 12 FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG THE CONCAVE NORTH 25 FOOT RADIUS CURVE ALSO BEING THE NORTH LINE OF LOT 12, SOUTHEAST, EAST, NORTHEAST, THROUGH A CENTRAL ANGLE OF 77 DEGREES 30 MINUTES AN ARC LENGTH OF 34.4 FEET TO THE WEST LINE OF LOT 11; THENCE CONTINUING ALONG THE CONCAVE NORTHWEST 25 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 24 DEGREES 19 MINUTES, AN ARC LENGTH OF 10.6 FEET TO THE NORTH LINE OF LOT 11; ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF A 10 FOOT WIDE ALLEY; THENCE WEST ALONG THE EXTENDED ALLEY RIGHT-OF-WAY LINE A DISTANCE OF 42.0 FEET TO A POINT ON A 25 FOOT RADIUS CURVE CONCAVE NORTHEAST REPRESENTING THE NORTHEAST PORTION OF LOT 13; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 12 DEGREES 37 MINUTES, AN ARC LENGTH OF 4.9 FEET TO THE POINT OF BEGINNING. CONTAINING 0.007 ACRES MORE OR LESS.)

3. That Petitioners respectfully requests vacation of a portion of Alley in order eliminate the right-of-way and develop the properties as residential yard improvements 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:

Klara Kocevar
9 Roselawn St.
Hammond In, 46324

Patrick Gaines
6941 State Line Ave.
Hammond In, 46324

Tabatha Garcia
15 Roselawn St.
Hammond In, 46324

WHEREFORE, the Petitioners, by Klara Kocevar, 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 9 foot portion of North alley

(R-O-W VACATION DESCRIPTION A PART OF AN EXISTING ALLEY RIGHT-OF-WAY LOCATED IN THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 12 TOWNSHIP 36 NORTH, RANGE 10 WEST, IN THE CITY OF HAMMOND AS SHOWN AND RECORDED IN THE "ROSELAWN PARK ADD. HAMMOND - INDIANA", BOOK 16 PAGE 36, LAKE COUNTY ROSELAWN PARK ADD. HAMMOND - INDIANA", BOOK 16 PAGE 36, LAKE COUNTY, BOOK 16 PAGE 36, LAKE COUNTY RECORDER'S OFFICE, LAKE COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 12 TOWNSHIP 36 NORTH RANGE 10 WEST, THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 494.7 FEET TO THE NORTHWEST CORNER OF THE ROSELAWN PARK ADD.; THENCE EAST A DISTANCE OF 30 FEET TO THE NORTHWEST CORNER OF LOT 13 OF SAID SUBDIVISION; THENCE CONTINUING EAST ALONG THE NORTH LINE OF LOT 13 A DISTANCE OF 90 FEET TO THE NORTHEAST CORNER OF LOT 13 ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY WITH A RADIUS OF 25 FEET; THENCE SOUTH, SOUTHEAST ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45 DEGREES 24 MINUTES, AN ARC LENGTH OF 19.2 FEET; TO THE NORTHWEST CORNER OF LOT 12 FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG THE CONCAVE NORTH 25 FOOT RADIUS CURVE ALSO BEING THE NORTH LINE OF LOT 12, SOUTHEAST, EAST, NORTHEAST, THROUGH A CENTRAL ANGLE OF 77 DEGREES 30 MINUTES AN ARC LENGTH OF 34.4 FEET TO THE WEST LINE OF LOT 11; THENCE CONTINUING ALONG THE CONCAVE NORTHWEST 25 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 24 DEGREES 19 MINUTES, AN ARC LENGTH OF 10.6 FEET TO THE NORTH LINE OF LOT 11; ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF A 10 FOOT WIDE ALLEY; THENCE WEST ALONG THE EXTENDED ALLEY RIGHT-OF-WAY LINE A DISTANCE OF 42.0 FEET TO A POINT ON A 25 FOOT RADIUS CURVE CONCAVE NORTHEAST REPRESENTING THE NORTHEAST PORTION OF LOT 13; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 12 DEGREES 37 MINUTES, AN ARC LENGTH OF 4.9 FEET TO THE POINT OF BEGINNING. CONTAINING 0.007 ACRES MORE OR LESS.)

Respectfully submitted,

Klara Kocevar

Klara Kocevar
9 Roselawn St.
Hammond In, 46324
708-204-6128

Patrick Gaines

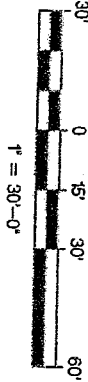
Patrick Gaines
6941 State Line Ave.
Hammond In, 46324
773-554-7487

Tabatha Garcia

Tabatha Garcia
15 Roselawn St.
Hammond In, 46324

W LINE SW FRACTIONAL 1/4 S12 T36N R10W 2ND P.M. (INDIANA-ILLINOIS STATE LINE)

(R) = (RECORDED)
(C) = (GEOMETRICALLY CALCULATED)



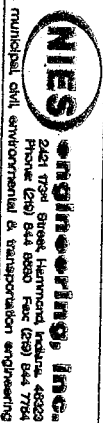
PRO FORMA SURVEY
THIS DRAWING IS NOT INTENDED TO BE
REPRESENTED AS A RETACEMENT OR
ORIGINAL BOUNDARY SURVEY, A ROUTE
SURVEY, OR A SURVEYOR LOCATION REPORT.

| DESIGNED | BY | DATE | REVISION |
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SCALE

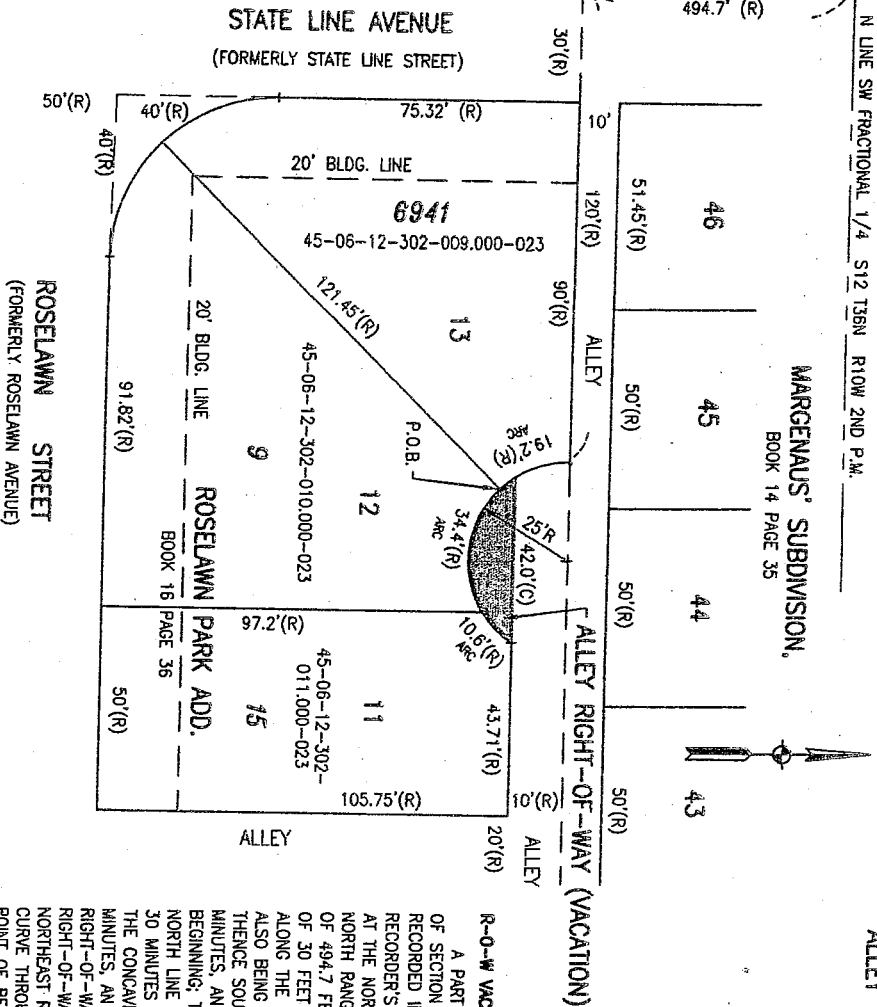
AS SHOWN

CITY OF HAMMOND
ROSELAWN ALLEY VACATION EXHIBIT



PROJECT NUMBER
9-401
DATE & TIME
FEB. 14th 2019

SHEET
1
OF 1



ALLEY RIGHT-OF-WAY (VACATION)

R-O-W VACATION DESCRIPTION

A PART OF AN EXISTING ALLEY RIGHT-OF-WAY LOCATED IN THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 12 TOWNSHIP 36 NORTH, RANGE 10 WEST, IN THE CITY OF HAMMOND AS SHOWN AND RECORDED IN THE "ROSELAWN PARK ADD. HAMMOND - INDIANA", BOOK 16 PAGE 36, LAKE COUNTY RECORDER'S OFFICE, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 12 TOWNSHIP 36 NORTH, RANGE 10 WEST, THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 494.7 FEET TO THE NORTHWEST CORNER OF LOT 13 OF SAID SUBDIVISION; THENCE CONTINUING EAST ALONG THE NORTH LINE OF LOT 13 A DISTANCE OF 90 FEET TO THE NORTHEAST CORNER OF LOT 13; ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY WITH A RADIUS OF 25 FEET; THENCE SOUTH, SOUTHEAST ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45 DEGREES 24 MINUTES, AN ARC LENGTH OF 19.2 FEET; TO THE NORTHWEST CORNER OF LOT 12 FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG THE CONCAVE NORTH 25 FOOT RADIUS CURVE ALSO BEING THE NORTH LINE OF LOT 12, SOUTHEAST, EAST, NORTHEAST, THROUGH A CENTRAL ANGLE OF 77 DEGREES 30 MINUTES, AN ARC LENGTH OF 34.4 FEET TO THE WEST LINE OF LOT 11; THENCE CONTINUING ALONG THE CONCAVE NORTHWEST 25 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 24 DEGREES 19 MINUTES, AN ARC LENGTH OF 10.6 FEET TO THE NORTH LINE OF LOT 11; ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF A 10 FOOT WIDE ALLEY; THENCE WEST ALONG THE EXTENDED ALLEY NORTHWEST REPRESENTING THE NORTHEAST PORTION OF LOT 13; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 12 DEGREES 37 MINUTES, AN ARC LENGTH OF 4.9 FEET TO THE POINT OF BEGINNING, CONTAINING 0.007 ACRES MORE OR LESS.

