

22-22 A

SPONSOR: Councilman Torres

PETITIONED BY: City of Hammond Department of Redevelopment

ORDINANCE NO 9553

AN ORDINANCE VACATING A VARIABLE-WIDTH ALLEY OF THE 100 BLOCK OF SIBLEY STREET LYING BETWEEN SIBLEY STREET AND RIMBACH STREET IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

WHEREAS, City of Hammond Department of Redevelopment is the fee simple owner of the following described real estate, to wit:

HOHMAN PARK LOT 2

Commonly known as 5210 Hohman Avenue, Hammond, Indiana;

And

RESUB. W.10FT. LOT 5 & ALL LOTS 6 TO 18-RIMBACH'S 3RD ADD. W.20FT OF LOT E. ALL LOTS F, G, H, & I

Commonly known as 116 Sibley Street, Hammond, Indiana;

And

RIMBACHS 2ND ADD. W. 31 FT. L.19

Commonly known as 103 Rimbach Street, Hammond, Indiana

And

Rimbachs 2nd Add. E.5ft of Lot 19 All Lots 20,21,22,23 & 24

Commonly known as 113 Rimbach Street, Hammond, Indiana;

And

RIMBACHS 2ND. ADD. L.25 AND L.26 W. 10 FT. L.27

Commonly known as 115 Rimbach Street, Hammond, Indiana;

And

Rimbach's 2nd Add Lots 28,29,30,31,E.15ftLot 27&W.10ft Lot 32

Commonly known as 119 Rimbach Street, Hammond, Indiana;

And

Hohman Park Lot 1 & Rimbach's 2nd Add Lots 33,34,35& E.15ft lot 32

Commonly known as 139 Rimbach Street, Hammond, Indiana

WHEREAS, a 20-foot-wide Alley of the 100 Block of Sibley Street lies between the lots of Hohman Park Lot 1 and Rimbach's 2nd Addition 19 through 35 inclusive to the south and Hohman Park Lot 2 and Rimbach's 3rd Addition, Lots 5 through 18 inclusive to the north which 20-foot-wide alley is more particularly described as follows:

Part of a 14.00 foot Alley and the North 3.00 feet of Lots 19 to 37 both inclusive in Rimbach's Second Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 2, Page 11 in the Office of the Recorder, Lake County, Indiana, and the South 3 feet of the Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 17, Page 28 in the Office of the Recorder, Lake County, Indiana, and the South 3.00 feet of part of the East 25.00 feet of Lot 5 in Jacob Rimbach's Third Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 5, Page 8 in the Office of the Recorder, Lake County, Indiana, more particularly described as follows: Beginning at the intersection of the Northerly line said Rimbach's Section Addition and the Easterly Right of Way line of Morton Court; thence North 25 degrees 47 minutes 17 seconds East along the Westerly line of Lot "I" in the said Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition, a distance of 3.00 feet; Thence South 63 degrees 42 minutes 53 seconds East parallel with and 3.00 feet Northeasterly of the Northeasterly line of said Rimbach's Second Addition, a distance of 451.00 feet to the Southeasterly line of Lot "A" in the said Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition; thence South 63 degrees 42 minutes 53 seconds East continuing along the said parallel line into the said East 25 feet of Lot 5, a distance of 9.59 feet to a point on the Westerly line of Lot 2 in Hohman Park Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 105, Page 36, in the Office of the Recorder, Lake County, Indiana; thence South 13 degrees 48 minutes 04 seconds East along the said Westerly line, a distance of 26.14 feet to a point 3.00 feet Southwesterly of the Southwesterly line of the said 14.00 foot Alley; thence North 63 degrees 42 minutes 53 seconds West parallel with and 3.00 feet Southwesterly of the said 14 foot Alley and through

Lots 19 to 37 both inclusive in said Rimbach's Second Addition, a distance of 477.25 feet to a point on the Northwesterly line of said Lot 19 and the Southeasterly Right of Way line of Morton Court; thence North 25 degrees 47 minutes 17 seconds East along the said Southeasterly Right of Way line, a distance of 17.00 feet to the Point of Beginning, containing 0.215 acres more or less.

WHEREAS, City of Hammond Department of Redevelopment has filed a Petition for Vacation of an Alley with the Common Council of the City of Hammond, Lake County, Indiana, requesting vacation of a 20-foot-wide Alley located south of the 100 Block of Sibley Street; 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.

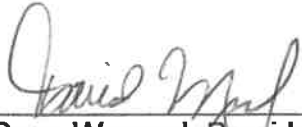
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, THAT it is desired and deemed necessary to vacate a 20-foot-wide Alley located at the 100 Block south of Sibley Street the City of Hammond, and more particularly described as follows:

5/27/2013 11:08:23

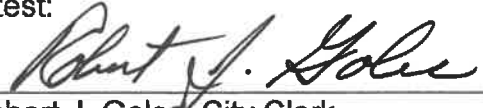
Part of a 14.00 foot Alley and the North 3.00 feet of Lots 19 to 37 both inclusive in Rimbach's Second Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 2, Page 11 in the Office of the Recorder, Lake County, Indiana, and the South 3 feet of the Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 17, Page 28 in the Office of the Recorder, Lake County, Indiana, and the South 3.00 feet of part of the East 25.00 feet of Lot 5 in Jacob Rimbach's Third Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 5, Page 8 in the Office of the Recorder, Lake County, Indiana, more particularly described as follows: Beginning at the intersection of the Northerly line said Rimbach's Section Addition and the Easterly Right of Way line of Morton Court; thence North 25 degrees 47 minutes 17 seconds East along the Westerly line of Lot "I" in the said Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition, a distance of 3.00 feet; Thence South 63 degrees 42 minutes 53 seconds East parallel with and 3.00 feet Northeasterly of the Northeasterly line of said Rimbach's Second Addition, a distance of 451.00 feet to the Southeasterly line of Lot "A" in the said Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition; thence South 63 degrees 42 minutes 53 seconds East continuing along the said parallel line into the said East 25 feet of Lot 5, a distance of 9.59 feet to a point on the Westerly line of Lot 2 in Hohman Park Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 105, Page 36, in the Office of the Recorder, Lake County, Indiana; thence South 13 degrees 48 minutes 04 seconds East along the said Westerly line, a distance of 26.14 feet to a point 3.00 feet Southwesterly of the Southwesterly line of the said 14.00 foot Alley; thence North 63 degrees 42 minutes 53 seconds West parallel with and 3.00 feet Southwesterly of the said 14 foot Alley and through Lots 19 to 37 both inclusive in said Rimbach's Second Addition, a distance of 477.25 feet to a point on the Northwesterly line of said Lot 19 and the Southeasterly Right of Way line of Morton Court; thence North 25 degrees 47 minutes 17 seconds East along the said Southeasterly Right of Way line, a distance of 17.00 feet to the Point of Beginning, containing 0.215 acres more or less.

and, therefore, the aforementioned 20-feet-wide Alley south of the 100 Block of Sibley Street 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 the original boundary lines from which the alley was dedicated from.

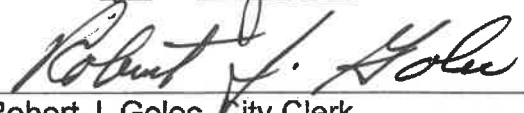
BE IT FURTHER ORDAINED that the Ordinance herein shall have full force and effect from and after Public Hearing hereon, passage and approval by the Common Council of the City of Hammond, Lake County, Indiana, signed by the President thereof, and the approval and signing by the Mayor. The Clerk shall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


Dave Woerpel, President

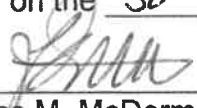
Attest:


Robert J. Golec, City Clerk

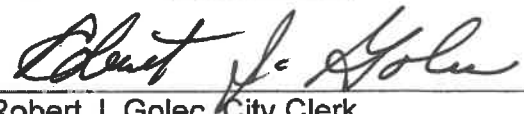
PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor of said City, for his approval on the 27th of June, 2022.


Robert J. Golec, City Clerk

The foregoing Ordinance No. 9553, consisting of five (5) pages, including this page was Approved by the Mayor on the 30th day of June, 2022.


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

PASSED by the Common Council on the 27th day of June, 2022 and Approved by the Mayor on the 30th day of June, 2022.


Robert J. Golec, City Clerk

STATE OF INDIANA
CITY OF HAMMOND, LAKE COUNTY, INDIANA

IN THE MATTER OF THE PETITION)
OF CITY OF HAMMOND DEPARTMENT OF)
REDEVELOPMENT FOR VACATION OF AN ALLEY IN)
THE 100 BLOCK SOUTH OF SIBLEY STREET)

PETITION FOR VACATION OF AN ALLEY

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

Come now Petitioner, City of Hammond Department of Redevelopment by their
attorneys, Westland and Bennett, PC 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 Petitioner, City of Hammond Department of Redevelopment is a duly
organized municipal corporation properly authorized to do business in the State of
Indiana. Petitioner is represented in this proceeding by Westland and Bennett, PC.
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:

HOHMAN PARK LOT 2

Commonly known as 5210 Hohman Avenue, Hammond, Indiana;

And

RESUB. W.10FT. LOT 5 & ALL LOTS 6 TO 18-RIMBACH'S 3RD ADD. W.20FT
OF LOT E. ALL LOTS F, G, H, & I

Commonly known as 116 Sibley Street, Hammond, Indiana;

And

RIMBACHS 2ND ADD. W. 31 FT. L.19

Commonly known as 103 Rimbach Street, Hammond, Indiana

And

Rimbachs 2nd Add. E.5ft of Lot 19 All Lots 20,21,22,23 & 24

Commonly known as 113 Rimbach Street, Hammond, Indiana;

And

RIMBACHS 2ND. ADD. L.25 AND L.26 W. 10 FT. L.27

Commonly known as 115 Rimbach Street, Hammond, Indiana;

And

Rimbach's 2nd Add Lots 28,29,30,31,E.15ft Lot 27&W.10ft Lot 32

Commonly known as 119 Rimbach Street, Hammond, Indiana;

And

Hohman Park Lot 1 & Rimbach's 2nd Add Lots 33,34,35& E.15ft lot 32

Commonly known as 139 Rimbach Street, Hammond, Indiana

2. That Petitioner request the vacation of a 20-foot-wide Alley located between Sibley Street and Rimbach Street, which portion of Alley is more particularly described as follows:

Part of a 14.00 foot Alley and the North 3.00 feet of Lots 19 to 37 both inclusive in Rimbach's Second Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 2, Page 11 in the Office of the Recorder, Lake County, Indiana, and the South 3 feet of the Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 17, Page 28 in the Office of the Recorder, Lake County, Indiana, and the South 3.00 feet of part of the East 25.00 feet of Lot 5 in Jacob Rimbach's Third Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 5, Page 8 in the Office of the Recorder, Lake County, Indiana, more particularly described as follows: Beginning at the intersection of the Northerly line said Rimbach's Section Addition and the Easterly Right of Way line of Morton Court; thence North 25 degrees 47 minutes 17 seconds East along the Westerly line of Lot

"I" in the said Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition, a distance of 3.00 feet; Thence South 63 degrees 42 minutes 53 seconds East parallel with and 3.00 feet Northeasterly of the Northeasterly line of said Rimbach's Second Addition, a distance of 451.00 feet to the Southeasterly line of Lot "A" in the said Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition; thence South 63 degrees 42 minutes 53 seconds East continuing along the said parallel line into the said East 25 feet of Lot 5, a distance of 9.59 feet to a point on the Westerly line of Lot 2 in Hohman Park Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 105, Page 36, in the Office of the Recorder, Lake County, Indiana; thence South 13 degrees 48 minutes 04 seconds East along the said Westerly line, a distance of 26.14 feet to a point 3.00 feet Southwesterly of the Southwesterly line of the said 14.00 foot Alley; thence North 63 degrees 42 minutes 53 seconds West parallel with and 3.00 feet Southwesterly of the said 14 foot Alley and through Lots 19 to 37 both inclusive in said Rimbach's Second Addition, a distance of 477.25 feet to a point on the Northwesterly line of said Lot 19 and the Southeasterly Right of Way line of Morton Court; thence North 25 degrees 47 minutes 17 seconds East along the said Southeasterly Right of Way line, a distance of 17.00 feet to the Point of Beginning, containing 0.215 acres more or less.

3. That Petitioners respectfully request vacation of the 100 Block Alley south of Sibley Street, in order to provide a consolidated development in the near future, 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:

City of Hammond Department of Redevelopment
5925 Calumet Avenue Rm 315
Hammond, IN 46320

Hamprop Investors I, LLC
2530 Crawford Ave #108
Evanston, IL 60201

WHEREFORE, the Petitioner, City of Hammond Department of Redevelopment by and through their attorneys, Westland and Bennett, PC., 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 20-foot-wide alley of 100 Block south of Sibley Street:

Part of a 14.00 foot Alley and the North 3.00 feet of Lots 19 to 37 both inclusive in Rimbach's Second Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 2, Page 11 in the Office of the Recorder, Lake County, Indiana, and the South 3 feet of the Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 17, Page 28 in the Office of the Recorder, Lake County, Indiana, and the South 3.00 feet of part of the East 25.00 feet of Lot 5 in Jacob Rimbach's Third Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 5, Page 8 in the Office of the Recorder, Lake County, Indiana, more particularly described as follows: Beginning at the intersection of the Northerly line said Rimbach's Section Addition and the Easterly Right of Way line of Morton Court; thence North 25 degrees 47 minutes 17 seconds East along the Westerly line of Lot "I" in the said Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition, a distance of 3.00 feet; Thence South 63 degrees 42 minutes 53 seconds East parallel with and 3.00 feet Northeasterly of the Northeasterly line of said Rimbach's Second Addition, a distance of 451.00 feet to the Southeasterly line of Lot "A" in the said Resubdivision of the West 10.00 feet of Lot 5 and Lots 6 to 18 both inclusive in Jacob Rimbach's Third Addition; thence South 63 degrees 42 minutes 53 seconds East continuing along the said parallel line into the said East 25 feet of Lot 5, a distance of 9.59 feet to a point on the Westerly line of Lot 2 in Hohman Park Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 105, Page 36, in the Office of the Recorder, Lake County, Indiana; thence South 13 degrees 48 minutes 04 seconds East along the said Westerly line, a distance of 26.14 feet to a point 3.00 feet Southwesterly of the Southwesterly line of the said 14.00 foot Alley; thence North 63 degrees 42 minutes 53 seconds West parallel with and 3.00 feet Southwesterly of the said 14 foot Alley and through Lots 19 to 37 both inclusive in said Rimbach's Second Addition, a distance of 477.25 feet to a point on the Northwesterly line of said Lot 19 and the Southeasterly Right of Way line of Morton Court; thence North 25 degrees 47 minutes 17 seconds East along the said Southeasterly Right of Way line, a distance of 17.00 feet to the Point of Beginning, containing 0.215 acres more or less.

Respectfully submitted,

City of Hammond Department of Redevelopment
5925 Calumet Avenue, Hammond, IN 46320
219-853-6508 X8