

SPONSOR: Councilman Torres

PETITIONED BY: City of Hammond

ORDINANCE NO 9566

AN ORDINANCE VACATING A PORTION OF A 14-FOOT ALLEY SOUTH OF THE 400 BLOCK OF SIBLEY STREET LYING BETWEEN SIBLEY STREET AND FAYETTE STREET THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

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

TOWNSEND & GODFREYS ADDITION EAST 17 FEET OF LOT 7 AND ALL LOTS 8., 9, 40 TO 43 AND PART OF LOTS 9, 10, 11, 36, 37 AND 38

Commonly known as 417 Fayette Street, Hammond, Indiana; and,

WHEREAS, City of Hammond, by and through its Redevelopment Commission is the fee simple owner of the following described real estate, to wit:

TOWNSEND & GODFREYS ADDITION WEST 33 FEET. LOT 7 BLOCK 3

Commonly known as 422 Sibley Street, Hammond, Indiana;

WHEREAS, a portion of a 14 foot Alley south of the 400 block of Sibley Street lies between and parallel to Sibley Street and Fayette Street is more particularly described as follows:

A 14 FOOT WIDE ALLEY, CONTIGUOUS WITH THE SOUTHEASTERLY LINE OF THE WESTERLY 33 FEET OF LOT 7 BLOCK 3 OF TOWNSEND AND GODFREY'S ADDITION TO THE CITY OF HAMMOND, AS RECORDED IN PLAT BOOK 1 PAGE 40, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.

14 FOOT ALLEY CONTAINING 462 SQUARE FEET MORE OR LESS.

WHEREAS, City of Hammond 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 portion of a 14-foot-wide Alley located south of the 400 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 portion of a 14-foot Alley south of the 400 Block of Sibley Street located in the City of Hammond, and more particularly described as follows:

A 14 FOOT WIDE ALLEY, CONTIGUOUS WITH THE SOUTHEASTERLY LINE OF THE WESTERLY 33 FEET OF LOT 7 BLOCK 3 OF TOWNSEND AND GODFREY'S ADDITION TO THE CITY OF HAMMOND, AS RECORDED IN PLAT BOOK 1 PAGE 40, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.

14 FOOT ALLEY CONTAINING 462 SQUARE FEET MORE OR LESS.

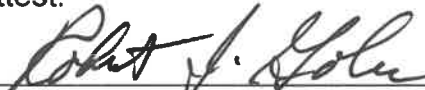
and, therefore, the aforementioned portion of 14-foot-wide Alley south of the 400 Block of Sibley Street is hereby vacated, subject to easements, if any, for existing water,

sewer, gas, telecommunications, and utilities in place and adjoining lot are extended by operation of law to include the proportionate part of 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.

  
\_\_\_\_\_  
Dave Woerpel, President

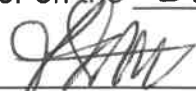
Attest:

  
\_\_\_\_\_  
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 27<sup>th</sup> of September, 2022.

  
\_\_\_\_\_  
Robert J. Golec, City Clerk

The foregoing Ordinance No. 9566, consisting of three (3) pages, including this page was Approved by the Mayor on the 27<sup>e</sup> day of September 2022.

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

PASSED by the Common Council on the 26<sup>th</sup> day of September, 2022 and Approved by the Mayor on the 27<sup>e</sup> day of September, 2022.

  
\_\_\_\_\_  
Robert J. Golec, City Clerk

STATE OF INDIANA  
CITY OF HAMMOND, LAKE COUNTY, INDIANA

IN THE MATTER OF THE PETITION )  
OF THE CITY OF HAMMOND )  
FOR VACATION OF A PORTION OF THE )  
ALLEY SOUTH OF THE 400 BLOCK 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, Indiana by their attorneys 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, Indiana is a duly organized municipality in  
the State of Indiana. Petitioner is represented in this proceeding by Kevin C. Smith,  
Smith-Sersic, Attorneys at Law. 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:

TOWNSEND & GODFREYS ADDITION EAST 17 FEET OF LOT 7 AND ALL  
LOTS 8., 9, 40 TO 43 AND PART OF LOTS 9, 10, 11, 36, 37 AND 38

Commonly known as 417 Fayette Street, Hammond, Indiana; and,

WHEREAS, City of Hammond, by and through its Redevelopment Commission is the  
fee simple owner of the following described real estate, to wit:

TOWNSEND & GODFREYS ADDITION WEST 33 FEET. LOT 7 BLOCK 3

Commonly known as 422 Sibley Street, Hammond, Indiana;

2. That Petitioner request the vacation of a 14-foot-wide Alley located between  
and parallel to Sibley Street and Fayette Street which portion of Alley is more

particularly described as follows:

A 14 FOOT WIDE ALLEY, CONTIGUOUS WITH THE SOUTHEASTERLY LINE OF THE WESTERLY 33 FEET OF LOT 7 BLOCK 3 OF TOWNSEND AND GODFREY'S ADDITION TO THE CITY OF HAMMOND, AS RECORDED IN PLAT BOOK 1 PAGE 40, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.

14 FOOT ALLEY CONTAINING 462 SQUARE FEET MORE OR LESS.

3. That Petitioners respectfully request vacation of a portion of the Alley South of the 400 Block of Sibley Street, in order for the purpose of redevelopment in support of the downtown Hammond master plan, 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  
Board of Public Works and Safety  
5925 Calumet Avenue Rm 320  
Hammond, IN 46320

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

WHEREFORE, the Petitioner, City of Hammond by and through their attorneys, Kevin C. Smith, Smith-Sersic, Attorneys at Law, 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 a portion of the 14-foot Alley South of the 400 Block of Sibley Street:

A 14 FOOT WIDE ALLEY, CONTIGUOUS WITH THE SOUTHEASTERLY LINE OF THE WESTERLY 33 FEET OF LOT 7 BLOCK 3 OF TOWNSEND AND GODFREY'S ADDITION TO THE CITY OF HAMMOND, AS RECORDED IN PLAT BOOK 1 PAGE 40, IN THE OFFICE OF THE RECORDER, LAKE

COUNTY, INDIANA.

14 FOOT ALLEY CONTAINING 462 SQUARE FEET MORE OR LESS.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "D. C. W.", is written over a horizontal line.

*City of Hammond*

*5925 Calumet Avenue, Hammond, IN 46320*

*219-853-6500*