

ORDINANCE NO. 2019 - 11

**AN ORDINANCE TO VACATE AN UNIMPROVED PUBLIC WAY
NEAR THE COMMON ADDRESS OF 3444 S 800 E, WALKERTON, INDIANA
WHICH PUBLIC WAY IS A PLATTED 15' UNIMPROVED ALLEYWAY
BETWEEN NORTH LILAC LANE AND S 800 E**

WHEREAS, Petitioner, LEFEBER FARMS LLC ("Petitioner"), has filed a Petition to vacate an unimproved alleyway between North Lilac Lane and S 800 E, Walkerton, Indiana, specifically, the portion of the alleyway that runs west to east between Lot 39 and Lot 40 in the unrecorded platted Oak Beach Summer Colony; and,

WHEREAS, Petitioner is the fee simple owner of four (4) contiguous parcels of real estate located in Walkerton, Indiana, Parcel IDs: 46-12-20-277-020.000-055; 46-12-20-228-029.000-055; 46-12-20-228-030.000-055; and 46-12-20-228-028.000-055, which are located near the common address of 3444 S 800 E, Walkerton, Indiana 46574; and

WHEREAS, The La Porte County Plan Commission has determined that the property owners of all adjoining and abutting lots have received notice of this hearing, and has further determined that the interested parties did receive proper and timely notice that the publication complied with the requirements of Indiana Code § 36-7-4-601, *et seq.* The La Porte County Plan Commission has hereby conducted a public hearing on March 26, 2019, to determine whether it would recommend the vacation of the undeveloped but plotted roadways and/or alleyways adjacent to and between its property in Walkerton, County of La Porte County; and

WHEREAS, it is in the best interests of the Petitioner that the petition be granted and the roadways and/or alleyways be vacated; and,

WHEREAS, the Commissioners have determined that the petition to vacate the unimproved public way identified as the “**PLATTED 15’W RESERVED**” which is outlined in bold on the Alley Vacation Exhibit prepared by Charles Hendricks & Associates dated March 5, 2019, more particularly described as:

A tract of land in the Northeast Quarter of Section 20, Township 36 North, Range 1 West, Lincoln Township, La Porte County, Indiana being the 15’ Wide reserved area between Lots 39 and 40 of the unrecorded platted Subdivision of Oak Beach Summer Colony bounded and described as follows:

Commencing at a point which lies 20 feet west of and 1,108.5 feet, North 00 Degrees 16 minutes West of the Southeast corner of the Northeast quarter of Section 20, Township 36 North, Range 1 West; thence West, a distance of 117 feet along the north line of the Unrecorded platted Lot 39, deed record 2017R-11572, thence North 00 degrees, 30 minutes, 36 Seconds East, a distance of 15.07 feet to the southwest corner of the unrecorded platted Lot 40, thence East a distance of 117 feet along the south line of the unrecorded platted Lot 40; thence South 0 degrees, 16 minutes East a distance of 15.07 feet to the northeast corner of the unrecorded platted Lot 39 for the place of beginning containing 1,763 square feet.

should be granted.

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1. The vacation of the unimproved public way and/or alleyway identified as “**PLATTED 15’W RESERVED**” as proposed by Petitioner, be and the same is hereby vacated by the Commissioners of La Porte County.

SECTION 2. The Clerk shall furnish a certified copy of the Ordinance to the County Recorder for recording and to the County Auditor.

SECTION 3. The Ordinance shall be in effect from and after its passage according to law.

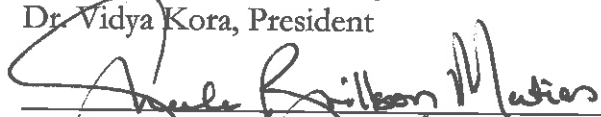
SECTION 4. This Ordinance shall be subject to any and all sewer easements.

PASSED AND ADOPTED this 17th day of April, 2019.

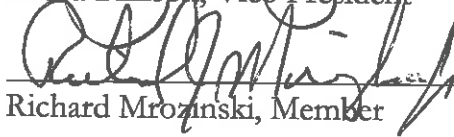
COMMISSIONERS OF LA PORTE
COUNTY, INDIANA



Dr. Vidya Kora, President

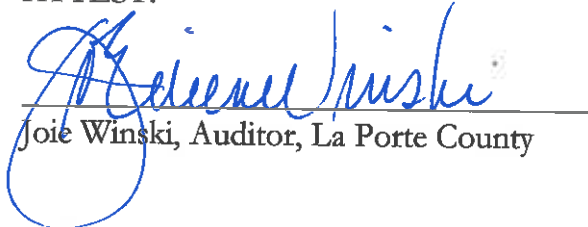


Sheila Brillson, Vice-President



Richard Mrozinski, Member

ATTEST:



Joie Winski, Auditor, La Porte County