

ORDINANCE NO. 2019 - 6

**AN ORDINANCE TO VACATE AN UNIMPROVED PUBLIC WAY
IDENTIFIED AS THE "20' ALLEY UN-IMPROVED 0.11 ACRES"**

WHEREAS, Petitioner, CJ INVESTMENT PROPERTIES LLC ("Petitioner"), has filed a Petition to vacate the 20' alley un-improved 0.11 acres, located near 102 South Prairie Street, Rolling Prairie, County of LaPorte, State of Indiana; and,

WHEREAS, Petitioner is the fee simple owner of four (4) contiguous parcels of real estate located in Rolling Prairie, Indiana, Parcel IDs: 46-07-11-187-003.000-052; 46-07-11-187-005.000-052; 46-07-11-187-006.000-052; and 46-07-11-187-004.000-052, which are located near the common address of 102 South Prairie Street, Rolling Prairie, Indiana 46371.

WHEREAS, the La Porte County Plan Commission has determined that 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.*

WHEREAS, the La Porte County Plan Commission has hereby conducted a public hearing on February 26, 2019, to determine whether it would recommend the vacation of undeveloped but plotted roadways and/or alleyways adjacent to and between its property in Rolling Prairie, County of La Porte County.

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 "20' ALLEY UN-IMPROVED 0.11 ACRES" on the Plat Description performed by John Saylor dated November 2, 2018, and more particularly described as:

PART OF THE WEST 1/2 OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 2 WEST, KANKAKEE TOWNSHIP, LAPORTE COUNTY, INDIANA, BEING THE 20 FOOT WIDE ALLEY BETWEEN DEPOT STREET AND PRAIRIE STREET ADJACENT TO THE SOUTHERLY LINE OF LOTS 19, 20 AND 21 IN W. J. WALKER'S ORIGINAL SURVEY OF THE TOWN OF PORTLAND (NOW KNOWN AS ROLLING PRAIRIE) AS RECORDED IN PLAT BOOK 1 PAGE 94 IN THE OFFICE OF THE RECORDER OF LAPORTE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING ON THE WESTERLY SIDE OF PRAIRIE STREET AT THE SOUTHEAST CORNER OF SAID LOT 21; THENCE SOUTH 61 °45' WEST (BEARING REFERENCE FROM THE RECORDED PLAT OF W. J. WALKER'S ORIGINAL SURVEY OF THE TOWN OF PORTLAND) ALONG THE SOUTHERLY LINE OF LOTS 19, 20 AND 21 IN SAID W. J. WALKER'S ORIGINAL SURVEY OF THE TOWN OF PORTLAND A DISTANCE OF 240.00 FEET TO THE EASTERLY SIDE OF DEPOT STREET AT THE SOUTHWEST CORNER OF LOT 19 IN SAID W. J. WALKER'S ORIGINAL SURVEY OF THE TOWN OF PORTLAND; THENCE SOUTH 28°15' EAST ALONG THE EASTERLY SIDE OF DEPOT STREET A DISTANCE OF 20.00 FEET TO THE NORTHWESTERLY CORNER OF LOT NUMBER 3 IN WALKER'S HEIRS ADDITION TO THE TOWN OF PORTLAND (NOW KNOWN AS ROLLING PRAIRIE) AS RECORDED IN PLAT BOOK 3 PAGE 81 IN THE OFFICE OF THE RECORDER OF LAPORTE COUNTY, INDIANA; THENCE NORTH 61 °45' EAST ALONG THE NORTHERLY LINE OF LOTS 1, 2, AND 3 IN SAID WALKER'S HEIRS ADDITION TO THE TOWN OF PORTLAND A DISTANCE OF 240.00 FEET TO THE WESTERLY SIDE OF PRAIRIE STREET AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 28°15' WEST ALONG THE WESTERLY SIDE OF PRAIRIE

STREET A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.11 ACRES, MORE OR LESS.

should be granted.

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1. The vacation of the unimproved public way and/or alleyway identified as the "20' ALLEY UN-IMPROVED 0.11 ACRES" as proposed by Petitioner, be and the same are hereby vacated by the Commissioners of LaPorte County.

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

SECTION 3. This 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; and installation vehicle shall be later identified by the LaPorte County Regional Sewer and Water District.

PASSED AND ADOPTED this ^{20th} ~~6th~~ day of March, 2019.

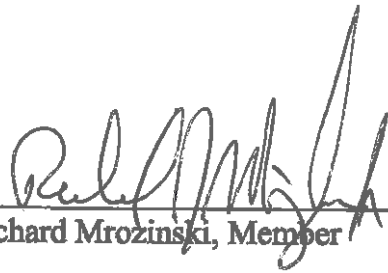
COMMISSIONERS OF LAPORTE
COUNTY, INDIANA



Dr. Vidya Kora, President



Sheila Brillson, Vice-President

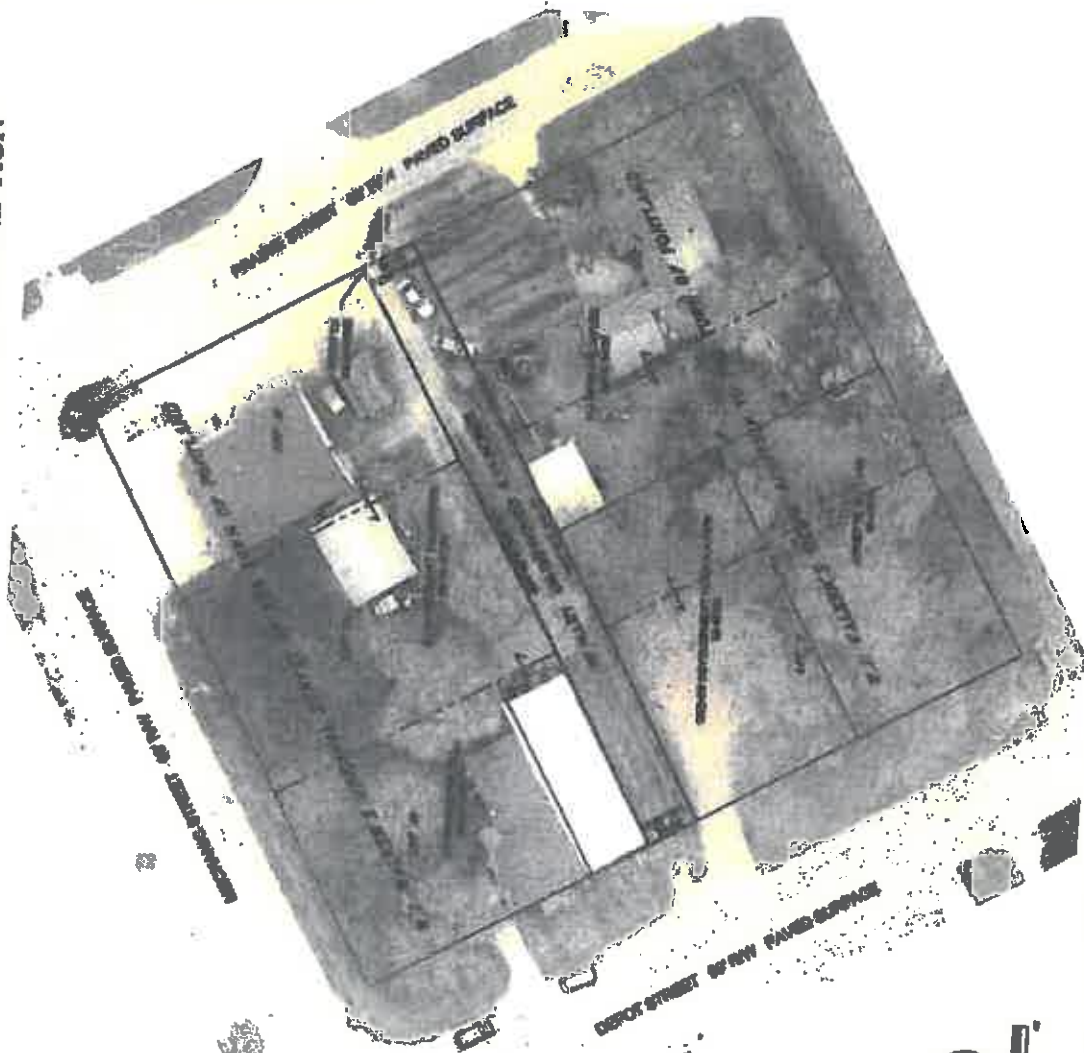

Richard Mrozinski, Member

ATTEST:


Joie Winski, Auditor, LaPorte County

ORIGINAL

PLAT OF DESCRIPTION



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PROJECT	CONTRACT
DATE	ISSUE
SAYLOR LABS. ENGINEERING, INC.	
CONTRACT NO. 33-58-01-001-001	
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ORIGINAL