

ORDINANCE NO. 36-2008

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ORDINANCE TO VACATE PUBLIC RIGHT-OF-WAY

WHEREAS, on or about October 7, 2008, the City of Valparaiso Redevelopment Commission filed a *Petition to Vacate a Portion of Right-of-Way* along LaPorte Avenue in Valparaiso;

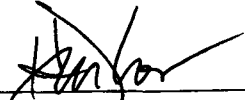
WHEREAS, the Valparaiso City Council consistent with Indiana Code §36-7-3-12 finds the *Petition* to be in order and that appropriate notice was provided;

WHEREAS, on October 13, 2008 the Valparaiso City Council conducted a public hearing as to the *Petition to Vacate the Right-of-Way*;

NOW THEREFORE, be it ordained by the common Council of the City of Valparaiso, Porter County, Indiana as follows:

1. The right-of-way as described in **Exhibit "A"** to this *Ordinance* is hereby vacated.

Passed by the Common Council of the City of Valparaiso, Indiana by a 4-0 vote of all members present and voting this 27th day of Oct., 2008.



Jon Costas, Mayor

Attest:




Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 27th day of October, 2008, at 7:40 o'clock p.m.



Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 27th day of Oct, 2008, at 7:40 o'clock p.m.



Jon Costas, Mayor

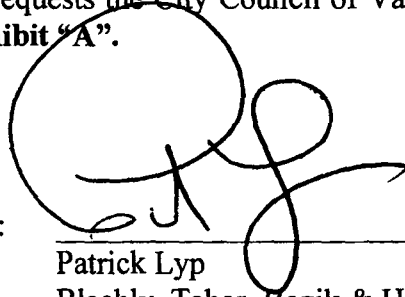
PETITION TO VACATE RIGHT-OF-WAY

Comes now the City of Valparaiso Redevelopment Commission, by counsel, Patrick Lyp, and pursuant to Indiana Code §36-7-3-12 states as follows:

1. Petitioner is a Redevelopment Commission as established under Indiana Code §36-7-14.
2. Petitioner seeks to vacate the public right-of-way along a portion of LaPorte Avenue. Such area is more specifically described in **Exhibit "A"**.
3. Petitioner seeks to sell various lots to the north of the existing right-of-way. See **Exhibit "B"**. Such sale is part of a larger project to redevelop the Eastgate area to the City of Valparaiso.
4. The City of Valparaiso Redevelopment Commission is the only entity that owns land that abuts the property proposed to be vacated.

WHEREFORE, Petitioner respectfully requests the City Council of Valparaiso to vacate the portion of the right-of-way described in **Exhibit "A"**.

By:



Patrick Lyp
Blachly, Tabor, Bozik & Hartman, LLC
56 S. Washington Street, Suite 401
Valparaiso, Indiana 46383
(219) 464-1041

EXHIBIT



LAND DESCRIPTION

A part of the West Half of the East Half of the Southwest Quarter of Section 19, Township 35 North, Range 5 West, Porter County, Indiana, and being described as follows: Commencing at the southwest corner of Lot 17 in Kaplan's Subdivision, the plot of which is recorded in Miscellaneous Record 10, page 77 in the Office of the Recorder of Porter County, Indiana; thence North 71 degrees 23 minutes 00 seconds East 31.90 feet along the south line of said Lot 17 to the point of beginning of this description: thence continuing North 71 degrees 23 minutes 00 seconds East 212.74 feet along said south and along the south line of Lot 14 and Lot 16 of said Kaplan's Subdivision to the southeast corner of said Lot 14; thence South 00 degrees 53 minutes 23 seconds West 10.60; thence southwesterly 39.88 feet along an arc to the left having a radius of 612.00 feet and subtended by a long chord having a bearing of South 60 degrees 43 minutes 32 seconds West and a length of 39.88 feet; thence southwesterly 111.36 feet along an arc to the left having a radius of 650.00 feet and subtended by a long chord having a bearing of South 46 degrees 57 minutes 12 seconds West and a length of 111.23 feet; thence southwesterly 57.51 feet along an arc to the right having a radius of 61.00 feet and subtended by a long chord having a bearing of South 69 degrees 03 minutes 07 seconds West and a length of 55.40 feet; thence northwesterly 32.44 feet along an arc to the right having a radius of 33.00 feet and subtended by a long chord having a bearing of North 55 degrees 46 minutes 54 seconds West and a length of 31.15 feet; thence northwesterly 20.94 feet along an arc to the right having a radius of 183.00 feet and subtended by a long chord having a bearing of North 24 degrees 20 minutes 38 seconds West and a length of 20.93 feet; thence North 01 degrees 58 minutes 02 seconds East 21.34 feet to the point of beginning and containing 0.215 acres, more or less.

RIGHT-OF-WAY VACATION

AMERICAN
STRUCTUREPOINT
INC.

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.547.5580 FAX 317.543.0270
www.structurepoint.com

DATE: 8/25/2008

DRAWN BY: T. McGILL

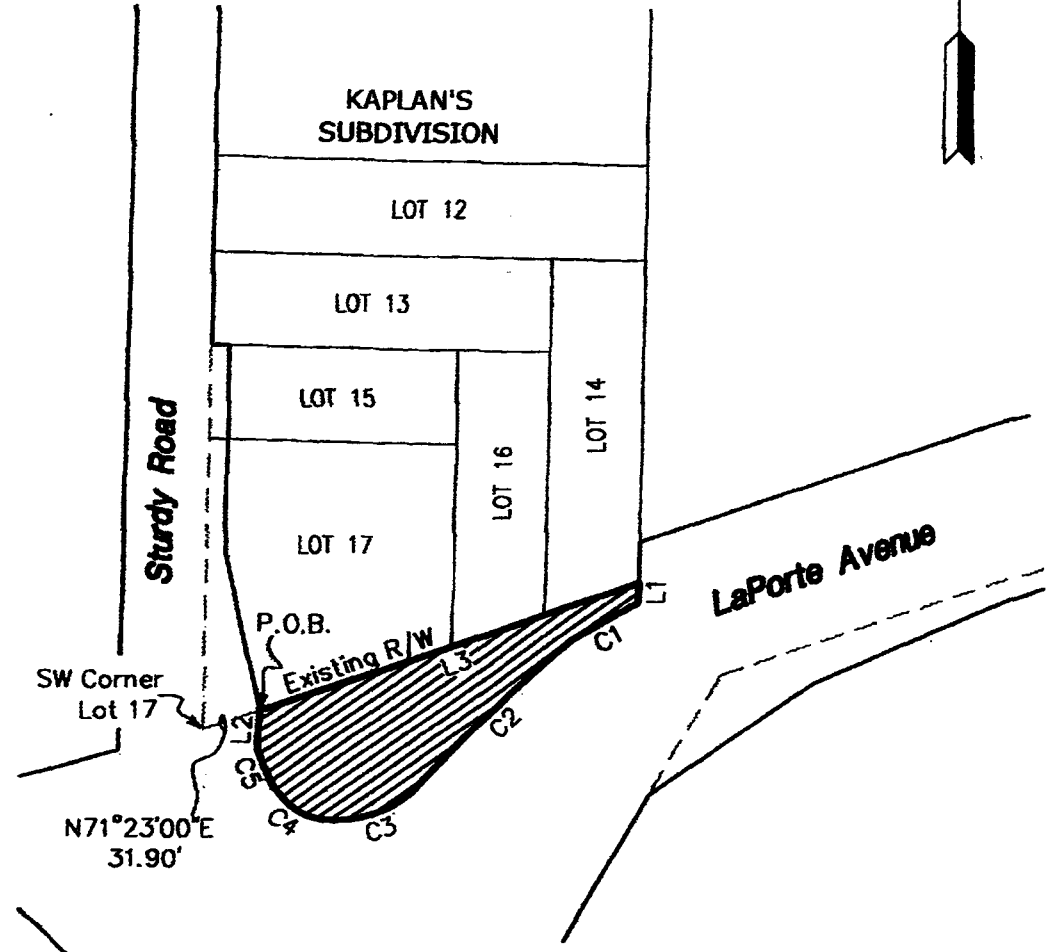
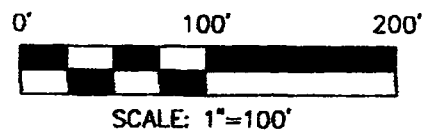
JOB NO. IN20050139

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EXHIBIT

EXHIBIT
B



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD DIST.
C1	39.88'	612.00'	3°43'59"	S60°43'32"W	39.87'
C2	111.36'	650.00'	9°48'59"	S46°57'12"W	111.23'
C3	57.51'	61.00'	54°00'47"	S69°03'06"W	55.40'
C4	32.44'	33.00'	56°19'11"	N55°46'54"W	31.15'
C5	20.94'	183.00'	6°33'21"	N24°20'38"W	20.93'

LINE TABLE		
LINE	LENGTH	BEARING
L1	10.60'	N00°53'23"E
L2	21.34'	S01°58'02"W
L3	212.74'	S71°23'00"W

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