

**ORDINANCE NO. 3, 2021**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE  
CITY OF VALPARAISO, PORTER COUNTY, INDIANA, TO  
VACATE A PLATTED EASEMENT LOCATED ON LOT 8 IN  
THE LAKES OF VALPARAISO PUD**

WHEREAS, the City of Valparaiso, Porter County, Indiana (“City”) wishes to vacate a certain platted sixty foot (60’) wide ingress, egress, drainage, and utility easement located on Lot 8 in the Lakes of Valparaiso PUD (hereinafter referred to as the “Easement”); and

WHEREAS, Seefried Industrial Properties, Inc., a Georgia for-profit corporation, is acquiring property, including Lot 8 which is commonly known as 2200 Memorial Parkway, upon which the Easement is situated; and

WHEREAS, on or about February 12, 2021, the Board of Public Works and Safety for the City of Valparaiso voted by a vote of 3-0 to favorably recommend the vacation of the Easement; and

WHEREAS, and in accordance with Ind. Code ' 36-7-3-12, on or about February 22, 2021, the Common Council held a duly noticed public hearing regarding the vacation of the Easement; and

WHEREAS, the Common Council finds that the vacation of the Easement pursuant to the terms and conditions of this Ordinance is in the best interest of all owners of land in the area, is fair and equitable, and should be accomplished; and

WHEREAS, the Common Council now desires to vacate the Easement.

NOW, THEREFORE BE IT ORDAINED by the Common Council of the City of Valparaiso, Porter County, Indiana, as follows:

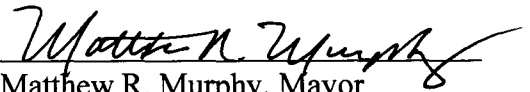
**Section 1. Incorporation of Recitals.** The foregoing recitals are findings of fact by the Common Council and are incorporated into this Ordinance by reference.

**Section 2. Vacation of the Easement.** The Easement as shown on the Secondary Development Plan for the Lakes of Valparaiso P.U.D. Business Park Area Phase 2 recorded February 16, 2016 as Document No. 2016-004289 in Plat File 54-D-2A, should be and is hereby vacated.

**Section 6. Effective Date.** This Ordinance shall be in full force and effect upon its passage by the Common Council and as provided by Indiana law.

**Section 7. Severability.** The sections, subsections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining sections, subsections, paragraphs, sentences, clauses, and phrases of this Ordinance.

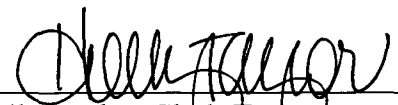
DULY PASSED AND ADOPTED this 22<sup>nd</sup> day of February, 2021, by the Common Council of the City of Valparaiso, Porter County, Indiana, having been passed by a vote of 7 in favor and 0 opposed.

  
Matthew R. Murphy, Mayor

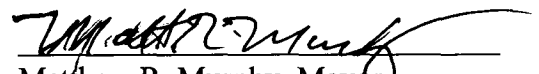
ATTEST:

  
Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 22<sup>nd</sup> day of February 2021 at the hour of 6:00 o'clock p.m.

  
Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this 22<sup>nd</sup> day of February 2021 at the hour of 6:00 o'clock p.m.

  
Matthew R. Murphy, Mayor

**HOEPPNER  
WAGNER &  
EVANS LLP**  
ATTORNEYS AT LAW

Todd A. Leeth  
E-mail: [tleeth@hwelaw.com](mailto:tleeth@hwelaw.com)

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103 East Lincolnway  
Post Office Box 2357  
Valparaiso, Indiana 46384-2357  
(219) 464-4961  
Toll Free (IL, IN): (800) 879-2246  
Fax: (219) 465-0603

**Lake County Office**  
8585 Broadway  
Suite 790  
Merrillville, Indiana 46410  
(219) 769-6552  
Fax: (219) 738-2349

[www.hwelaw.com](http://www.hwelaw.com)

February 9, 2021

**VIA EMAIL**

Valparaiso City Council  
166 W. Lincolnway  
Valparaiso, Indiana 46383

Re: Seefried Industrial Properties, Inc.

Our office represents Seefried Industrial Properties, Inc. (hereinafter referred to as "Seefried") and its proposed development of an e-commerce delivery station located at 2200 Memorial Parkway. Seefried is requesting a vacation of a platted sixty (60) foot wide ingress, egress, drainage and utility easement located on Lot 8 in The Lakes of Valparaiso PUD.

I would ask that Seefried be placed on the City Council's agenda for its February 22<sup>nd</sup> meeting to consider the vacation of the 60 foot easement located on Lot 8.

I have attached a copy of the Secondary Development Plan for The Lakes of Valparaiso P.U.D. Business Park Area Phase 2 recorded at 2016-004289 in Plat File 54-D-2A. The easement sought to be vacated is highlighted in yellow on the copy of the Secondary Development Plan.

Please contact me to confirm the date that Seefried will be heard by the City Council. If you should have any questions or require any further information, please do not hesitate to contact me. Thank you for assistance in this matter.

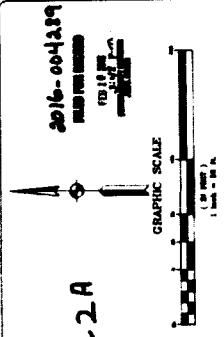
Very truly yours,

HOEPPNER WAGNER & EVANS LLP

By: 

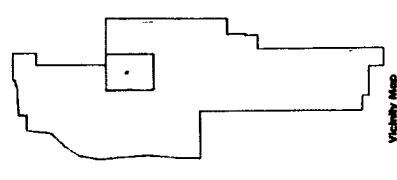
Todd A. Leeth  
Valparaiso Office

TAL/ksw  
Enclosures  
cc: Doug Houser



54-D-2A

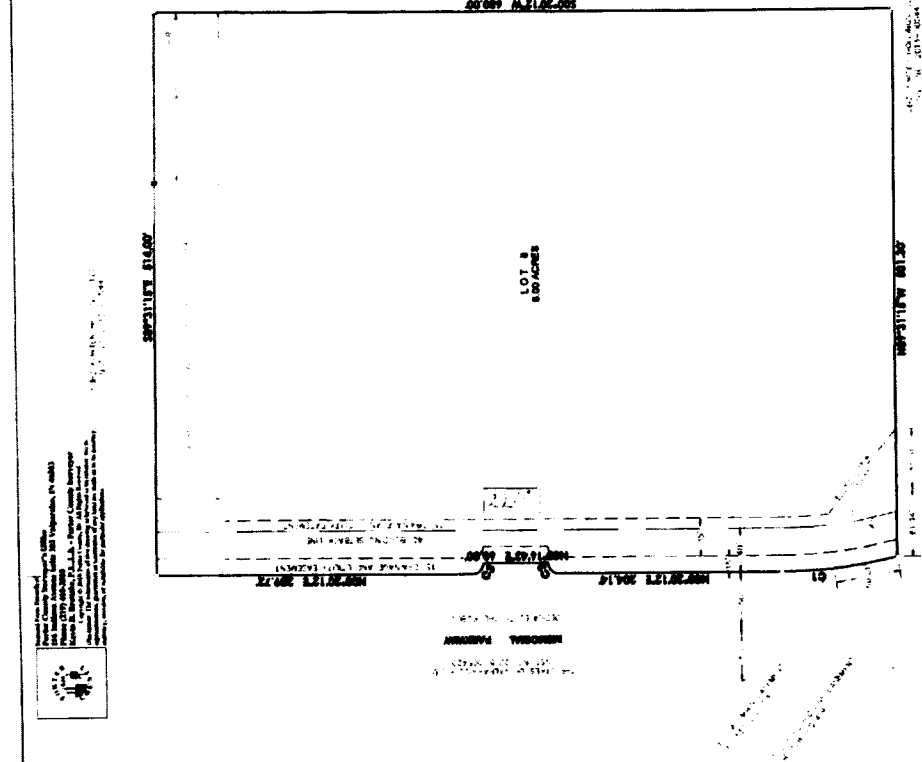
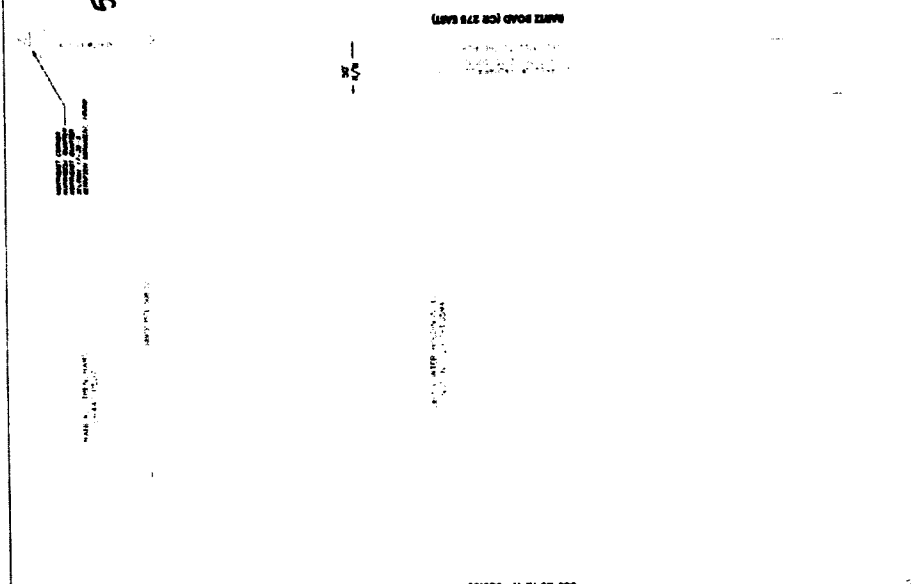
2016-001439  
SUBMITTAL  
TO THE BOARD OF ZONING AND PLANNING



**Deed of Dedication**  
The undersigned hereby dedicates to the City of Valparaiso, Indiana, the following described property, to-wit: [Detailed description of the property being dedicated, including lot numbers and acreage.]

**Surveyor's Certification**  
I, the undersigned, being duly sworn, certify that the foregoing is a true and correct copy of the original survey and plat as shown to me by the applicant, and that the same conform to the requirements of the laws of the State of Indiana.

**Plan Commission Certificate**  
The Board of Public Works and Safety Certificate of the City of Valparaiso, Indiana, is hereby granted to the applicant for the proposed subdivision of the above described property into [Number] lots, subject to the conditions set forth herein.



**Legal Description**  
The following is a legal description of the property shown on the attached plat: [Detailed legal description of Lot 8, including reference to the P.U.D. and surrounding sections.]

**Measurements Legend**  
1. 1/8" = 10' (unless otherwise noted)  
2. 1/4" = 20' (unless otherwise noted)  
3. 1/2" = 40' (unless otherwise noted)  
4. 3/4" = 60' (unless otherwise noted)  
5. 1" = 80' (unless otherwise noted)

Lot No.	Area (Acres)	Area (Sq. Ft.)
1	1.23	52,000
2	1.15	49,500
3	1.08	46,800
4	1.21	52,500
5	1.18	51,200
6	1.25	54,000
7	1.12	48,500
8	830.00	35,800,000
<b>Total</b>	<b>844.12</b>	<b>35,900,000</b>

**Notes:**  
1. All lots shown on this plat are subject to the same conditions and restrictions as set forth in the P.U.D. map.  
2. The area shown on this plat is for informational purposes only and does not constitute a warranty of any kind.  
3. The applicant warrants that the information provided herein is true and correct to the best of their knowledge.

VICINITY MAP

R=10.00' L=15.88'  
Chords 44° 48' 57" E 14.12'  
R=10.00' L=15.73'  
Chords 61° 17' 20" E 14.18'

RESURFACING PAVEMENT  
EASEMENT  
EASEMENT

R=450.00' L=452.89'  
Chords 17° 26' 37" E 118.21'

SUBJ PORTER CO. PUBLIC  
NOT RECORDED  
PARCEL NO. 81 IS 11-21-02 (20-89)

EXISTING GARAGE  
PARCEL NO. 81 IS 11-21-01 (20-89)

EXCEPTION #27  
INGRESS/EGRESS  
EASEMENT

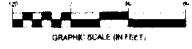
COMMITMENT  
PARCEL #

250 MECHAM PARKWAY  
1.80 ACRES  
2 STORY BUILDING  
1974 IN. UNCL. LOT  
80.51' X 171'  
BLDG. AREA 11,824 S.F.

VALPARAISO CORP. PART  
DEVELOPMENT CORPORATION  
NOT RECORDED  
CONTAINING 1.80 ACRES  
(AS SURVEYED)  
LARGE OF VALPARAISO PARK  
PARCELS BUSINESS PARK  
1.07 AC  
80.51' X 171'  
NOT RECORDED  
PARCEL NO. 81 IS 11-21-02 (20-89)

250 MECHAM PARKWAY  
1.80 ACRES

THE LARGEST UNPARCELED LOT  
IS 54.00'  
NOT RECORDED  
LOT 11'S  
PARCEL



REVISIONS	
NO.	DATE

**INGRESS/EGRESS EASEMENT EXHIBIT**

**DIH DELIVERY CENTER**

250 MECHAM PARKWAY  
CITY OF VALPARAISO

SEC 17, T13N, R09W  
PORTER COUNTY, INDIANA

SCALE: 1" = 50'  
DATE: 12-16-2019

DESIGN: MSA  
DRAWN: JKH  
CHECKED: MHW

JOB NO: 790254  
SHEET NO: 1 OF 1

**CESO**  
CONSTRUCTION SOFTWARE

**SURVEYOR**  
LARRY BOE  
REGISTERED PROFESSIONAL SURVEYOR  
NO. 10459