

12.00
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2003-010523

AMENDED
ORDINANCE NO. 13, 2003

AN ORDINANCE VACATING PUBLIC EASEMENTS

WHEREAS, P.D.S. LLC has petitioned the City to vacate and extinguish certain public easements created and dedicated for the exclusive benefit of the City pursuant to Indiana Code 36-7-3-16; and

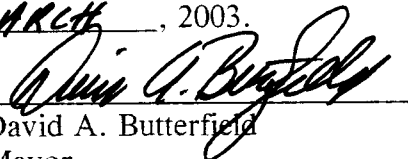
WHEREAS, the Common Council has conducted a public hearing on the 10th day of March, 2003 with ~~no~~ regard to the petition and no objection to the vacation was heard.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Valparaiso, Indiana, the Common Council does hereby vacate that certain storm drainage easement dated June 1, 1989 and recorded June 28, 1989 in Book 398, page 100 in the Office of the Recorder of Porter County, Indiana made by Gainer Bank, N.A., successor by merger with Northern Indiana Bank and Trust, as Trustee under Trust No. 701195, dated February 3, 1976 granted to the Civil City of Valparaiso and also that certain and limited portion of a public easement located on Lot 13 in Maple Creek Subdivision and platted as a Drainage & Utility Easement as shown on a certain Secondary Plat of Maple Creek Subdivision, Phase One recorded on February 17, 1999 in Plat File 34-B-4 as described below:

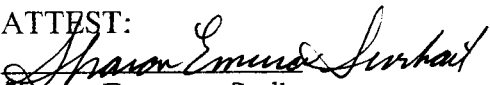
A portion of Lot 13 in Maple Creek Subdivision, Phase 1, as per plat thereof, recorded in Plat File 34-B-4 in the Office of the Recorder of Porter County, Indiana, more particularly described as follows: Commencing at the Northernmost corner of said lot; thence South 49°13'46" East 89.50 feet (assumed basis of bearings being the same as shown on the aforementioned plat); thence South 40°46'14" West 28.42 feet to the Point of Beginning; thence South 40°23'57" West 1.58 feet; thence North 49°13'46" West 6.00 feet; thence North 40°23'57" East 1.54 feet; thence South 49°36'03" East 6.00 feet to the Point of Beginning.

This Ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a 6-0 vote of all members present and voting this 10 day of MARCH, 2003.



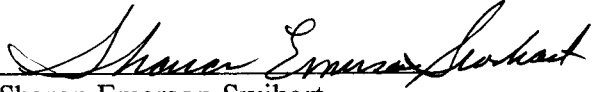
David A. Butterfield
Mayor

ATTEST:

Sharon Emerson Swihart
Clerk-Treasurer

2003-010523
STATE OF INDIANA
PORTER COUNTY
FILED FOR RECORD
03/11/2003 03:35PM
JACQUELYN M. STERLING
RECORDER

Howe
Box ✓

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 10 day of MARCH, 2003.


Sharon Emerson Swihart
Clerk-Treasurer

This Ordinance approved and signed by me this 10 day of MARCH, 2003 at the hour of 7:30 p.m.


David A. Butterfield
Mayor

This Instrument Prepared By:
Todd A. Leeth
HOEPPNER WAGNER & EVANS LLP
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Valparaiso, IN 46384
(219) 464-4961