

ORDINANCE NO. 5, 2011
PASSED 2/14/11 BY A VOTE OF 7-0
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,
INDIANA, VACATING A PLATTED PUBLIC ALLEY

WHEREAS, Carbone Lorraine North America Corp., has petitioned the City of Valparaiso, Indiana, for a vacation of a platted public alley; and

WHEREAS, at a public hearing on January 11, 2011, the City of Valparaiso Plan Commission unanimously recommended by a vote of 9-0 to the Common Council of the City of Valparaiso, Indiana, that the public alley described below be vacated subject to an easement being retained for the City of Valparaiso, Indiana, and other utilities; and

WHEREAS, at a meeting on January 13, 2011, the City of Valparaiso Board of Public Works and Safety unanimously approved the vacation of the aforementioned public alley subject to the same conditions designated by the City of Valparaiso Plan Commission; and

WHEREAS, on January 24, 2011, the Common Council of the City of Valparaiso, Indiana, conducted a public hearing with regard to said petition for vacation of the public alley and determined that said right of way should be vacated.

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

1. **Vacation.** The following described platted right of way be and hereby is VACATED, and pursuant to Indiana law, title shall vest in the name of Carbone Lorraine North America Corp., the contingent owners whose real estate is abutting and adjoining the same free from any interest of the public (i) on the condition that an easement be retained for the City of Valparaiso, Indiana, and other utilities:

See Exhibit A.

2. **Recordation.** The Clerk-Treasurer of the City of Valparaiso, Indiana, is hereby directed to furnish a copy of this Ordinance, duly executed, to the Recorder of Porter County, Indiana, for recording, and to the Auditor of Porter County, Indiana.

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

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, on the _____ day of _____, 2011.

Jon Costas, Mayor

Attest:

Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this _____ day of _____ 2011, at _____ p.m.

Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this _____ day of _____, 2011, at _____ p.m.

Jon Costas, Mayor