

ORDINANCE NO. 5, 2011

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 14th day of Feb, 2011.

[Signature]
Jon Costas, Mayor

WE FIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO PRINT AT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

Attest:

[Signature]
Sharon Swihart, Clerk-Treasurer

[Signature]

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 14th day of Feb, 2011, at 7:12 p.m.

[Signature]
Sharon Swihart, Clerk-Treasurer

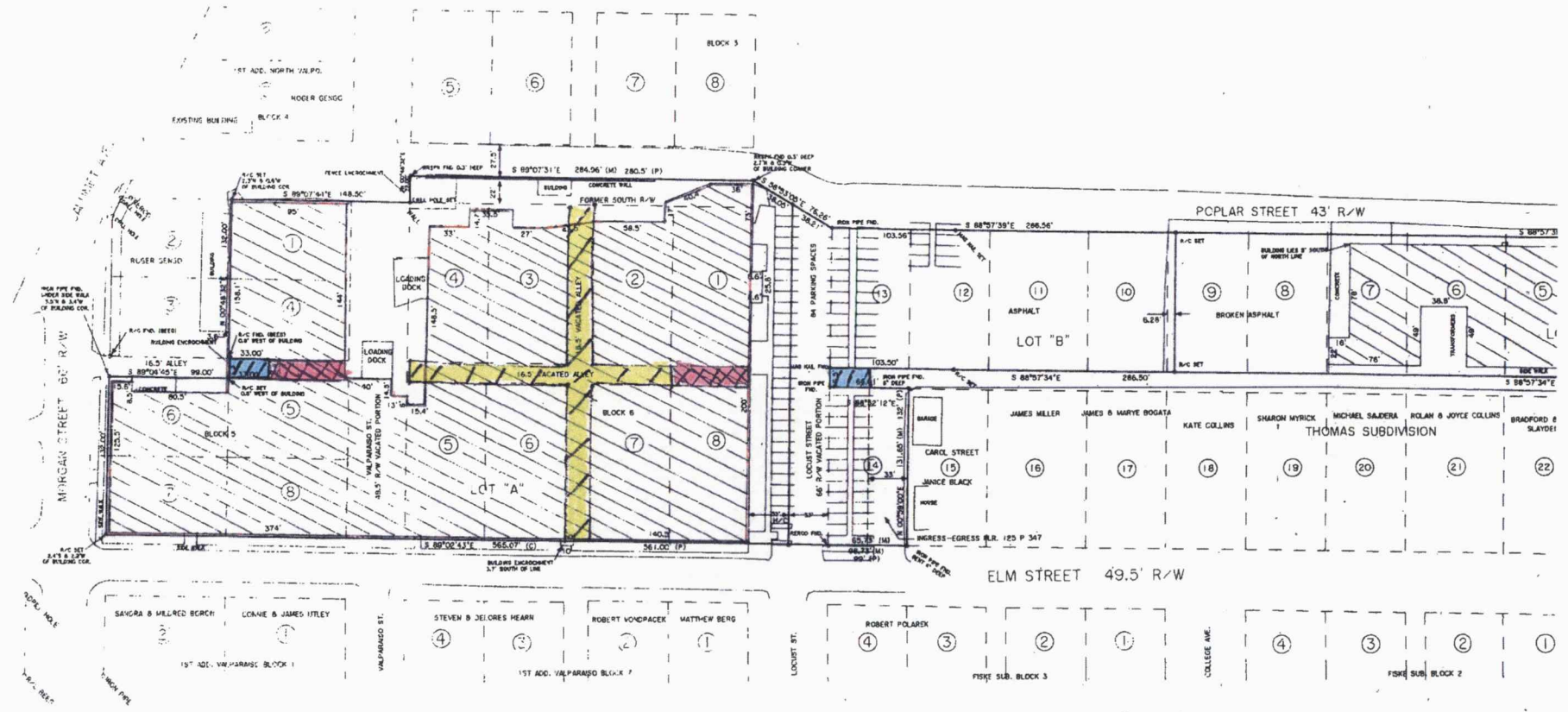
This Ordinance approved and signed by me this 14th day of Feb, 2011, at 7:12 p.m.

[Signature]
Jon Costas, Mayor

Ordinance 512011

PLAT FILE 52-E-2

ADMINISTRATIVE REPLAT
FOR
PARTS OF THOMAS SUBDIVISION & FIRST ADDITION TO NORTH VALPARAISO
LOTS A - B - C
CITY OF VALPARAISO, INDIANA



30055 LAND AREA

DEED OF DEDICATION
I, the undersigned, M. R. Monastrolino, President of Cardinal Newman North America, hereby dedicates the land within

SURVEYOR'S CERTIFICATE

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ORDINANCE 5, 2011 - EXHIBIT A

The West 33 feet of the platted alley which extends East and West through the center of Block 5, the same being 1 rod in width and being abutted on the North by Lot 4 and on the South by Lot 5 (the East 66 feet of said alley having been vacated by an Order of the Porter Circuit Court on June 3, 1953, under Cause No. 15404, and recorded June 15, 1953, in Quiet Title Record 4, page 551), all in Block 5, in the First Addition to North Valparaiso, in the City of Valparaiso, as per plat thereof recorded in Miscellaneous Record "B", page 282, and as supplemented by the plat recorded in Miscellaneous Record "C", pages 240 and 241, in the Office of the Recorder of Porter County, Indiana.

All of the platted alley which extends East and West through the center of Block 6, the same being 1 rod in width and being abutted on the North by Lots 2, 3 and 4 and on the South by Lots 5, 6 and 7 (said alley between Lots 1 and 8, having been vacated by the City Council of the City of Valparaiso as shown in the Council Record "M", page 101), together with all of the platted alley which extends North and South through the center of Block 6, the same being 1 rod in width and being abutted on the West by Lots 3 and 6 and on the East by Lots 2 and 7, all in Block 6, in the First Addition to North Valparaiso, in the City of Valparaiso, as per plat thereof recorded in Miscellaneous Record "B", page 282, and as supplemented by the plat thereof recorded in Miscellaneous Record "C", pages 240 and 342, in the Office of the Recorder of Porter County, Indiana.

The West 33 feet of the platted alley which extends East and West through the center of Thomas Subdivision, the same being 1 rod in width and being abutted on the North by the West half of Lot 13 on the South by the West half of Lot 14, all in Thomas Subdivision, in the City of Valparaiso, as per plat thereof recorded June 24, 1885, in Miscellaneous Record "C", page 574, in the Office of the Recorder of Porter County, Indiana.