

ORDINANCE NO. 28-2006

AN ORDINANCE VACATING A PORTION OF A NORTH-SOUTH PUBLIC ALLEYWAY RUNNING NORTH OF LINCOLNWAY LOCATED BETWEEN NORTH CAMPBELL AND WAYNE STREETS

WHEREAS, the owner of certain real estate has petitioned the Valparaiso Common Council for vacation of a portion of a north-south public alleyway running north of Lincolnway located between north Campbell and Wayne streets, and

WHEREAS, at a public hearing on June 13, 2006, the Valparaiso Plan Commission unanimously recommended by a vote of 6-0 to the Valparaiso Common Council that the right of way described as Exhibit A be vacated subject to an easement being retained for City of Valparaiso and other utilities, and

WHEREAS, at a meeting on June 23, 2006 the Valparaiso Board of Works unanimously approved the vacation of the aforementioned right of way subject to the same conditions as designated by the Valparaiso Plan Commission, and

WHEREAS, on July 10, 2006 the Valparaiso Common Council conducted a public hearing with regard to said petition for vacation of public right of way and determined that said right of way should be vacated.

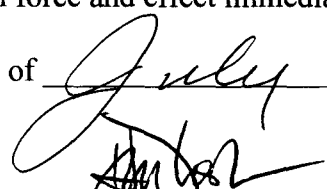
NOW THEREFORE, BE IT ORDAINED by the Valparaiso Common Council as follows:

1. The following described platted right of way be and hereby is VACATED, and pursuant to law, title shall vest in the name of Law Place LLC, 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 City of Valparaiso and other utilities:

See Attached Exhibit A

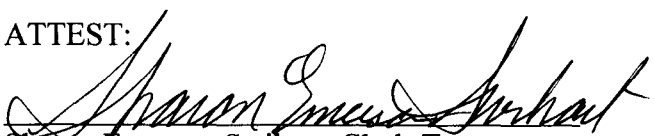
2. This ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor.

Adopted and approved this 26th day of July, 2006

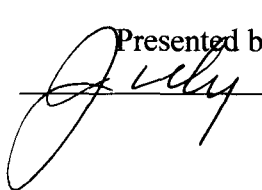


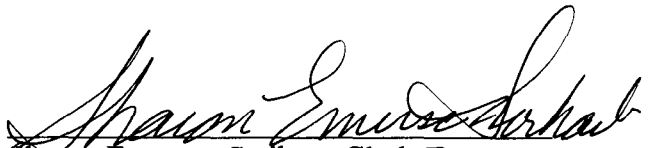
Jon Costas, Mayor

ATTEST:



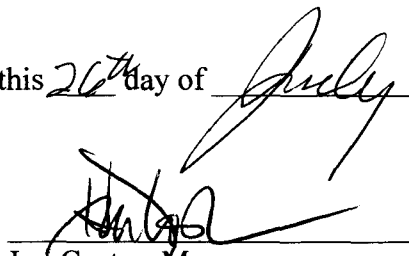
Sharon Emerson Swihart, Clerk-Treasurer

 Presented by me to the Mayor of the City of Valparaiso, Indiana, this 26th day of July, 2006 at 8:20 p.m.



Sharon Emerson Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 26th day of July, 2006.



Jon Costas, Mayor

EXHIBIT A

LEGAL DESCRIPTION
PROPOSED ALLEY VACATION
PREPARED FOR LANGER & LANGER LLC
PROJECT NUMBER 06-244 (XREF 05-369)
MAY 25 2005

A PORTION OF THE 15 FOOT WIDE UNIMPROVED ALLEY RUNNING IN A NORTH-SOUTH DIRECTION AND LYING BETWEEN LOTS 6 AND 7, IN BLOCK 7, IN WEST VALPARAISO, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN DEED RECORD "A" PAGE 352, ALSO SHOWN IN MISCELLANEOUS RECORD "A" PAGE 32, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 6 IN BLOCK 7 IN SAID WEST VALPARAISO; THENCE SOUTH 00 DEGREES 08 MINUTES 57 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 6, 132.00 FEET TO THE SOUTH LINE OF SAID BLOCK 7, SAID SOUTH LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF LINCOLNWAY (INDIANA STATE ROAD 130); THENCE NORTH 89 DEGREES 57 MINUTES 09 SECONDS WEST, ALONG THE SOUTH LINE OF SAID BLOCK 7, 15.00 FEET TO THE EAST LINE OF LOT 7 IN SAID BLOCK 7; THENCE NORTH 00 DEGREES 08 MINUTES 57 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 7, 132.00 FEET TO THE NORTH LINE OF SAID LOT 7, SAID NORTH LINE ALSO BEING THE SOUTH LINE OF A 15 FOOT WIDE RIGHT-OF-WAY ALLEY RUNNING IN AN EAST-WEST DIRECTION THROUGH SAID BLOCK 7; THENCE SOUTH 89 DEGREES 57 MINUTES 09 SECONDS EAST, ALONG THE SOUTH LINE OF SAID ALLEY, 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1980 SQUARE FEET, 0.045 ACRE, MORE OR LESS, AND SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD.