

ORDINANCE NO. 2021- 33

**AN ORDINANCE VACATING A PLATTED MEDIAN
WITHIN THE CITY OF HOBART, LAKE COUNTY, INDIANA**

WHEREAS, it was presented to the Plan Commission of the City of Hobart, Lake County, Indiana, under **Petition 21-33**, a request to vacate a platted median in West Rand Street, within the City of Hobart, Lake County, Indiana; and

WHEREAS, the Plan Commission of the City of Hobart, Indiana, pursuant to law, held a public hearing upon said Petition to Vacate after giving notice of the Petition and of the time and place of the hearing in the manner prescribed by law and by certified mail to each owner of land that abuts the property proposed to be vacated; and

WHEREAS, the Common Council of the City of Hobart, Indiana, being duly advised, now approves said Petition.

IT IS THEREFORE, NOW ORDAINED by the Common Council of the City of Hobart, Indiana, as follows:

SECTION 1. That the Petition to Vacate the following described real estate, to wit:

That part of the dedicated Right of Way of West Rand Street in the Northeast Quarter of Section 30, Township 36 North, Range 07 West of the Second Principal Meridian, City of Hobart, Lake County, Indiana, lying within the North half of said West Rand Street and South of Lot 76 in Cressmoor Estates Phase 1, a Planned Unit Development to the City of Hobart, Lake County, Indiana, as per plat thereof recorded in Plat Book 113, Page 35, in the Office of the Recorder, Lake County, Indiana, more particularly described as follows: commencing at the Southwest corner of said Lot 76; thence South 00 degrees 02 minutes 08 seconds East into said West Rand Street, a distance of 40.00 feet to a point on the centerline of said West Rand Street; thence North 89 degrees 57 minutes 52 seconds East along the said Centerline, a distance of 16.88 feet to the Point of Beginning; thence Northwesterly and Northeasterly along a curve concave to the East and having a radius of 5.00 feet an Arc Length of 15.71 feet (Chord Bearing North 00 degrees 02 minutes 08 seconds West a Chord Length of 10.00 feet); thence North 89 degrees 57 minutes 52 seconds East, a distance of 85.50 feet to a point on a curve concave to the West and having a radius of 5.00 feet; thence Southeasterly and Southwesterly along said curve an Arc Length of 15.71 feet (Chord Bearing South 00 degrees 02 minutes 08 seconds East a Chord Length of

10.00 feet) to a point on the centerline of West Rand Street; thence South 89 degrees 57 minutes 52 seconds West along the said centerline, a distance of 85.50 feet to the Point of Beginning.

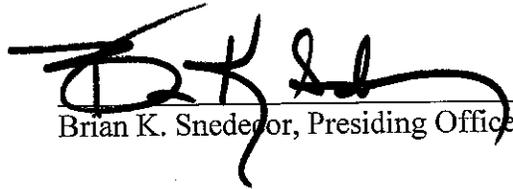
is now granted, and said median is now vacated.

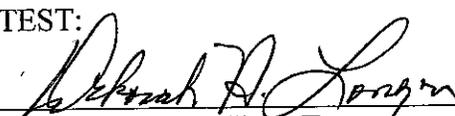
SECTION 2. The Clerk-Treasurer is further authorized upon passage of this Ordinance to file a certified copy of said Ordinance with the Auditor of Lake County, Indiana for the Auditor to take all necessary action in connection with taxation of said median.

SECTION 3. The Clerk-Treasurer is further authorized and directed to record a copy of said Ordinance with the Lake County Recorder.

SECTION 4. This Ordinance shall be in full force and effect upon its passage and adoption by the Common Council of the City of Hobart, Lake County, Indiana.

PASSED and ADOPTED by the Common Council of the City of Hobart, Lake County, Indiana on this 15th day of Sept., 2021.

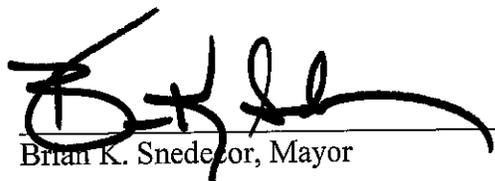

Brian K. Snedcor, Presiding Officer

ATTEST:

Deborah A. Longer, Clerk-Treasurer

Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this 15th day of Sept, 2021 at 7:00 o'clock P.M.


Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 15th day of September, 2021.


Brian K. Snedcor, Mayor

ATTEST:

Deborah A. Longer
Deborah A. Longer, Clerk-Treasurer

CERTIFICATION

I, Deborah A. Longer, Clerk-Treasurer for the City of Hobart, Lake County, Indiana, do hereby certify that the above Ordinance was duly passed by the Common Council of the City of Hobart, Lake County, Indiana, at a duly constituted meeting held on the 15th day of Sept, 2021 and that the Mayor of the City of Hobart approved the Ordinance as shown by her signature hereon.

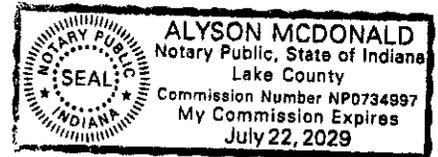
Deborah A. Longer
Deborah A. Longer, Clerk-Treasurer

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Subscribed and sworn to before me, a Notary Public in and for said County and State.
Witness my hand and notarial seal this 15th day of September, 2021.

Alyson McDonald
Notary Public
Resident of Lake County

My Commission Expires: July 22, 2029



**CERTIFICATION AND REPORT TO
THE COMMON COUNCIL OF THE CITY OF HOBART ON
PETITION TO VACATE**

CERTIFICATION TO: Hobart Common Council Members

FROM: Ross Pietrzak
City Planner

RE: Request to vacate platted median

DATE: September 7, 2021

PETITIONER: Cressmoor Development LLC
101 Aviana Avenue North
Hobart, IN 46342

REQUEST: Vacate platted median in West Rand Street (Cressmoor Estates)

GENERAL LOCATION: Located west of Rand St. & Lake Park Ave. intersection

LEGAL DESCRIPTION: That part of the dedicated Right of Way of West Rand Street in the Northeast Quarter of Section 30, Township 36 North, Range 07 West of the Second Principal Meridian, City of Hobart, Lake County, Indiana, lying within the North half of said West Rand Street and South of Lot 76 in Cressmoor Estates Phase 1, a Planned Unit Development to the City of Hobart, Lake County, Indiana, as per plat thereof recorded in Plat Book 113, Page 35, in the Office of the Recorder, Lake County, Indiana, more particularly described as follows: commencing at the Southwest corner of said Lot 76; thence South 00 degrees 02 minutes 08 seconds East into said West Rand Street, a distance of 40.00 feet to a point on the centerline of said West Rand Street; thence North 89 degrees 57 minutes 52 seconds East along the said Centerline, a distance of 16.88 feet to the Point of Beginning; thence Northwesterly and Northeasterly along a curve concave to the East and having a radius of 5.00 feet an Arc Length of 15.71 feet (Chord Bearing North 00 degrees 02 minutes 08 seconds West a Chord Length of 10.00 feet); thence North 89 degrees 57 minutes 52 seconds East, a distance of 85.50 feet to a point on a curve concave to the West and having a radius of 5.00 feet; thence Southeasterly and Southwesterly along said curve an Arc Length of 15.71 feet (Chord Bearing South 00 degrees 02 minutes 08 seconds East a Chord Length of 10.00 feet) to a point on the centerline of West Rand Street; thence South 89 degrees 57 minutes 52 seconds West along the said centerline, a distance of 85.50 feet to the Point of Beginning.

PLAN COMMISSION PETITION NO.: 21-33

DATE OF PLAN COMMISSION ACTION: September 2, 2021

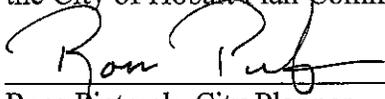
DEADLINE FOR CITY COUNCIL ACTION: December 1, 2021

ACTION TAKEN BY PLAN COMMISSION:

Recommendation to the Common Council to **Approve** the plat of vacation as requested
(**Favorable** Recommendation)

VOTE: 7-0

I certify that the foregoing information accurately represents the action taken on this matter by
the City of Hobart Plan Commission.



Ross Pietrzak, City Planner
City of Hobart

MEMORANDUM

DATE: SEPTEMBER 7, 2021

TO: COMMON COUNCIL MEMBERS
MAYOR BRIAN K. SNEDECOR
CITY ATTORNEY HEATHER McCARTHY

FROM: ROSS PIETRZAK, City Planner

RE: 21-33 Petition request to vacate platted median in West Rand Street located west of the Rand St. & Lake Park Ave. intersection, zoned PUD, 0.021 acres

Please find below the minutes from the Plan Commission meetings related to the request. In addition, I have attached a certification and report from the Plan Commission with regard to their action.

DRAFT PUBLIC HEARING MINUTES OF THE SEPTEMBER 2, 2021 PLAN

COMMISSION MEETING: Mr. Allen proposed to vacate 85.5 feet in the median on West Rand Street to allow the placement of the monument sign for Cressmoor Estates. Mr. Pietrzak explained the property was unique in which it is still surrounded by City right of way and that Attorney McCarthy will prepare a Conveyance Document to transfer it over to the appropriate entity for Cressmoor Estates whether it's Cressmoor Development or the HOA. Ms. Galka opened and closed the public hearing for Petition 21-33 without public comments. Mr. Vinzant motioned for a Favorable Recommendation to the Common Council for Petition 21-33, seconded by Mr. Chhutani. Mr. Vinzant amended his motion to Approve the plat of vacation and to send a Favorable Recommendation to the Common Council for Petition 21-33 including all discussion, seconded by Mr. Chhutani. All ayes, motion carried. (7-0)