

HOLD

65 - 02-07-378-001

NC
2 PGS

65 - 02-07-330 - 0214084

DAILY ENTERED FOR TAXATION
ACCEPTANCE FOR TRANSFER

97-09165

JUN 10 1997

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LAPORTE COUNTY AUDITOR

BARBARA L. EULER
RECORDER LA PORTE CO.

ORDINANCE NO. 97-3

AN ORDINANCE PROVIDING FOR THE VACATION OF PORTIONS OF

BIRCHWOOD TRAIL

WHEREAS, Bridgette E. Ludwig and William R. Ludwig have filed a petition with the County Commissioners for the County of LaPorte, Indiana, under the provisions of Indiana Code 36-7-3-12 and 36-7-3-13 for the vacation of a portion of Birchwood Trail adjacent to and lying next to Lot 1 and Lot 2 inclusive, as shown on the recorded plat of Grand Beach Woodlands in Plat Book 6, Page 79, in the Office of the Recorder of LaPorte County, Indiana, (the "Property"), described as follows:

All that part of Birchwood Trail lying Easterly of Chickadee Trail and Northwesterly of Corymbo Road, in Grand Beach Woodlands, which is recorded in Plat Book 6, Page 79, in the Office of the Recorder of LaPorte County, Indiana;

and

WHEREAS, notice of a hearing before the County Commissioners has been published in the LaPorte Herald Argus; the first publication at least ten (10) days before the date of this hearing, and the second publication at least three (3) days before the date of this hearing; that appropriate notices have been mailed by Certified Mail to adjoining property owners at least ten (10) days prior to said hearing; and

WHEREAS, no remonstrances to the vacation of said road have been filed with the Auditor of the County of LaPorte, Indiana; and

WHEREAS, the petitioners have paid for the cost of publication of the notice of this hearing, as provided by statute; and

WHEREAS, it is desirable, and in the best interests of the County of LaPorte, Indiana, to vacate the Property because (a) said Property is not now in use as a public way and the opening of same for traffic is neither feasible nor desirable, (b) that the vacation of the Property will not materially damage the adjoining property, and (c) that the vacation will add the Property to the

tax rolls of the County of LaPorte, Indiana; and

WHEREAS, the Board of County Commissioners of LaPorte County, Indiana, has determined: that the vacation of said street will not leave other property owners in the vicinity thereof without a means of ingress or egress to their property by way of a public street; that said vacation will not in any manner affect, impair or impede the growth of Grand Beach Woodlands, Springfield Township, or the County of LaPorte, Indiana; that said vacation will not deprive the public of access to a church, school or other public building; that said vacation will result in benefits to the County of LaPorte which outweigh any damage which may be caused thereby;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS of the County of LaPorte, Indiana, as follows:

SECTION 1.

That part of Birchwood Trail adjacent to and lying next to Lot 1 and Lot 2 inclusive, as shown on the recorded plat of Grand Beach Woodlands in Plat Book 6, Page 79, in the Office of the Recorder of LaPorte County, Indiana.

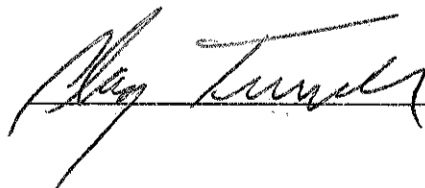
is hereby vacated, and in accordance with the law of the State of Indiana, the fee simple title to the vacated Property reverts to the adjoining property owners, subject to existing easements, if any.

SECTION 2.

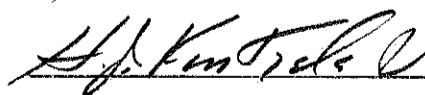
This ordinance shall be in full force and effect after the date of its passage and approval by the County Commissioners.

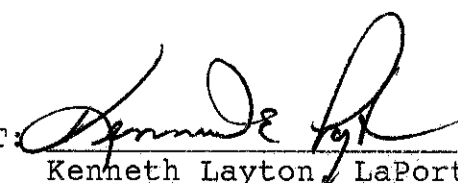
PASSED AND ADOPTED BY THE COUNTY COMMISSIONERS OF THE COUNTY OF LAPORTE, INDIANA, this 6th day of May, 1997.

BOARD OF COUNTY COMMISSIONERS
LAPORTE COUNTY, INDIANA



President



ATTEST: 

Kenneth Layton, LaPorte County Auditor