

ORDINANCE NO. 2003-6

**AN ORDINANCE VACATING UNIMPROVED PORTION OF
BIRCHWOOD TRAIL, LAPORTE COUNTY, INDIANA**

WHEREAS, a Petition for the Vacation of Unimproved Public Street in conformity with the requirements of applicable Indiana Statutes has been filed with the Board of Commissioners of LaPorte County, Indiana by JON E. SZOSTAK, SR. and JEAN M. ELLIOTT-SZOSTAK, Husband and Wife, Petitioners, pursuant to I.C. 36-7-3-12; and

WHEREAS, the description of the property sought to be vacated is:

That portion of unimproved Birchwood Trail adjacent to and immediately South of Lot Twenty-seven (27) in Block Seven (7) in Michiana Park Subdivision No. One (1) and Lot Twenty-seven (27) in Block One (1) in Grand Beach Woodlands Subdivision.

WHEREAS, Notice of Hearing before the LaPorte County Board of Commissioners has been published in the LaPorte Herald-Argus in its issue of May 6, 2003; said publication being at least ten (10) days before the date of this hearing; and

WHEREAS, it is desirable and in the best interests of the Citizens of LaPorte County, Indiana, to vacate said portion of Birchwood Trail (a) because the proposed vacation would not hinder the growth or orderly development of the area and surrounding communities nor would it hinder the public access to other public places and/or public ways located within the immediate area but would allow for the preservation of the existing natural vegetation; (b) because the vacation of said portion of Birchwood Trail will relieve LaPorte County of future responsibility for maintaining same; and (c) because the vacation will add the property vacated to the tax rolls of LaPorte County, Indiana.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF LAPORTE COUNTY, INDIANA:**

SECTION 1.

That the Petition of JON E. SZOSTAK, SR. and JEAN M. ELLIOTT-SZOSTAK, by and through their attorney, BARRY F. McDONNELL, be and same is hereby granted.

SECTION 2.

That said unimproved portion of Birchwood Trail, is located within LaPorte County, Indiana, and is specifically described as follows:

That portion of unimproved Birchwood Trail adjacent to and immediately South of Lot Twenty-seven (27) in Block Seven (7) in Michiana Park Subdivision No. One (1) and Lot Twenty-seven (27) in Block One (1) in Grand Beach Woodlands Subdivision.

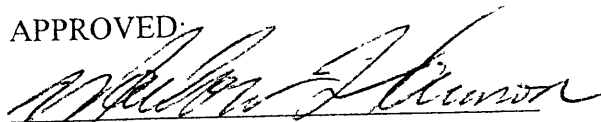
That the above-described public street is hereby vacated by the Board of Commissioners of LaPorte County, Indiana, and in accordance within the laws of the State of Indiana, the fee simple title to the vacated portion of Birchwood Trail reverts to the abutting property owners, as listed in the Petition.

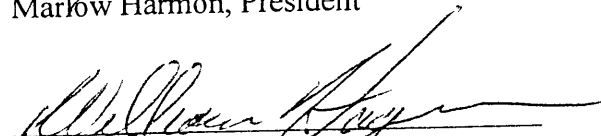
SECTION 3.

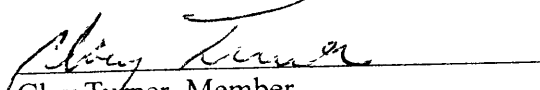
This Ordinance shall be in full force and effect from and after its approval and passage by the Board of Commissioners of LaPorte County, Indiana, as required by law.

ADOPTED by the LaPorte County Commissioners of the County of LaPorte, Indiana, this 20 day of May, 2003.

APPROVED:


Marlow Harmon, President


Bill Hager, Vice-President


Clay Turner, Member

ATTEST:

