

**ORDINANCE NO. 2020-5**

**AN ORDINANCE TO VACATE A PORTION OF PUBLIC STREET  
IN LA PORTE COUNTY, INDIANA**

WHEREAS, Petitioners, Mark A. Nelson and Mary M. Nelson, have filed a Petition for the Vacation of a Portion of Public Street (“Petition”) commonly known as Beach Drive, La Porte County, Indiana; and

WHEREAS, the portion of Beach Drive Petitioners seek to vacate is situated between property(s) owned and maintained by Petitioners and other adjoining and abutting landowners; and

WHEREAS, the property owners of all adjoining and abutting land were served with notice of the Plan Commission's Public Hearing pursuant to Indiana Statute and all of said owners signed and submitted consents in support of the subject Petition; and

WHEREAS, notice of the Public Hearing on the Petition was published in the Westville Indicator on the 13<sup>th</sup> day of August, 2020; and

WHEREAS, a Public Hearing was held on the 25<sup>th</sup> day of August, 2020 in the Assembly Room (1<sup>st</sup> Floor Lobby) of the La Porte County Complex, 809 State Street, La Porte, Indiana, at which hearing all interested parties were given an opportunity to present their view for and against the granting of the Petition; and

WHEREAS, the Plan Commission voted unanimously to send the Petition to the County Commissioners with a favorable recommendation; and

WHEREAS, the Commissioners have determined that the portion of Beach Drive that is the subject of the Petition is situated between property(ies) owned and maintained by Petitioners as well as other abutting landowners, all of which is more particularly described as follows:

as well as other abutting landowners, all of which is more particularly described as follows:

**Mark A. Nelson and Mary M. Nelson:**

HOLMES ISLAND LT 1 & VAC 15 FT STRIP ADJ N SIDE &  
BTWN LT & WATERS EDGE  
Parcel I.D. No. 46-06-27-331-013.000-042;

HOLMES ISLAND LTS 2,3,4 & VAC 15 ST ADJ TO N SIDE S  
PT BTWN LTS & WATERS EDGE  
PARCEL I.D. NO. 46-06-27-331-009.000-042

**James H. Brown:**

TREE HAVEN LTS 5 & 7 & 6 BLK A  
PARCEL I.D. NO. 46-06-27-328-005.000-042

**Kenneth W. Slater Trust:**

TREE HAVEN LT 8 BLK A & W1/2 VAC BEACH DR ADJ  
PARCEL I.D. NO.46-06-27-328-011.000-042

TREE HAVEN ADD PCE BTW LAKE & BEACH DRIVE E OF LTS 8 9  
10 & S1/2 11 S27 T37 R3 & E 1/2 BEACH DR ADJ  
PARCEL I.D. NO. 46-06-27-328-012.000-042; and

WHEREAS, the Commissioners have further determined that it is in the best interests of Petitioners and the abutting and adjacent landowners as well as the citizens of LaPorte County in general to grant the Petition,

NOW, THEREFORE, BE IT ORDAINED:

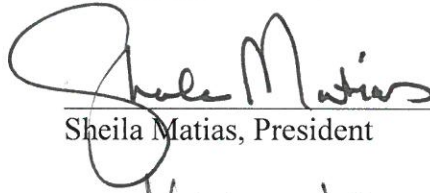
1. The portion of Beach Drive in La Porte County, Indiana, situated between the above-referenced and described properties is vacated by the Commissioners of LaPorte County, with each owner to receive fee simple ownership of a portion the subject Beach Drive in accordance with the applicable provisions of the laws of the State of Indiana the County of LaPorte, Indiana.

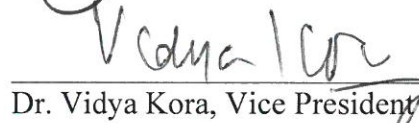
2. The Clerk shall furnish a certified copy of this Ordinance to the County Recorder for recording with a copy to the County Auditor.

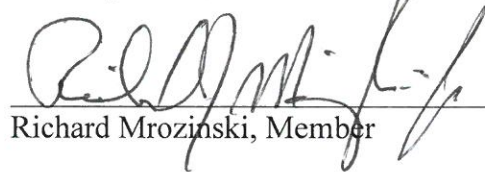
3. This Ordinance shall be in effect from and after its passage according to law.

PASSED AND ADOPTED this 16<sup>th</sup> day of September, 2020. *1st Reading*

COMMISSIONERS OF LA PORTE COUNTY,  
INDIANA:

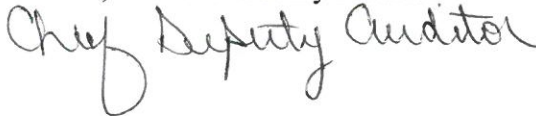
  
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Sheila Matias, President

  
\_\_\_\_\_  
Dr. Vidya Kora, Vice President

  
\_\_\_\_\_  
Richard Mrozinski, Member

ATTEST:

  
\_\_\_\_\_  
Joie Winski, La Porte County Auditor

  
\_\_\_\_\_  
Chief Deputy Auditor

*1st Reading 9-16-2020*  
*2nd/Final Reading 10-7-2020*