

Intro 6-26-23 Ref N/A

Notice of Intent 7/10/23  
Public Hearing 7/30/23

Recorder + Auditor

23-13

SPONSOR: Barry Tyler, Jr.  
3rd District Councilman

PETITIONED BY: Lucy Nuñez

ORDINANCE NO. 9602

AN ORDINANCE VACATING AN 145' FOOT PORTION OF THE 5900-BLOCK OF JACKSON AVENUE IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

WHEREAS, Guillermo Nuñez and Lucy Nuñez are the fee simple owners of the following described real estate, to wit:

All Lot 23, except the west 45 feet thereof, in Block 3, Hink's Addition to the City of Hammond, as shown in Plat Book 2, Page 74 in the Office of the Recorder of Lake County, Indiana.

Commonly known as 551 Lewis Street, Hammond, Indiana;

And

All that part of the Southeast Quarter of the Fractional Northeast Quarter of Section 01, Township 36 North, Range 10 West of the Second Principal Meridian, in Lake County, Indiana, lying North of Lewis Street, Southwesterly of Waltham Street (now Jackson Avenue) and East of the West line of the said Southeast Quarter as shown in Turner's Second Addition to the City of Hammond, Lake County, Indiana, as per plat thereof recorded in Plat Book 7, Page 31 in the Office of the Recorder, Lake County, being that 0.022 acre parcel surveyed by John Stuart Allen, Indiana Professional Surveyor Number 29900011 and shown on a Plat of Survey certified on January 17, 2023 as Torrenga Surveying job number 2022-0795, more particularly described as follows: beginning at the Southeast corner of Lot 23, in Hinks Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 2, Page 74 in the Office of the Recorder, Lake County, Indiana; thence North 00 degrees 39 minutes 15 seconds West along the East line of said Lot 23, a distance of 50.08 feet to a point on the Southwesterly Right of Way line of said Waltham Street (now Jackson Avenue); thence South 37 degrees 14 minutes 45 seconds East along the said Southwesterly Right of Way, a distance of 63.20 feet to a point on the Easterly extension of the South line of said Lot 23; thence North 89 degrees 38 minutes 21 seconds West along the said Easterly extension, a distance of 37.69 feet to the point of beginning.

Commonly known as 553 Lewis Street, Hammond, Indiana;

WHEREAS, an 145' foot portion of the 5900-block of Jackson Avenue, which 145'

foot portion is more particularly described as follows:

All that part of Waltham Street (now Jackson Avenue) as shown in Turner's Second Addition to the City of Hammond, Lake County, Indiana, as per plat thereof recorded in Plat Book 7, Page 31 in the Office of the Recorder, Lake County, Indiana being that part of the Southeast Quarter of the Fractional Northeast Quarter of Section 01, Township 36 North, Range 10 West of the Second Principal Meridian, in Lake County, Indiana, being that 0.093 acre parcel surveyed by John Stuart Allen, Indiana Professional Surveyor Number 29900011 and shown on a Plat of Survey certified on January 17, 2023 as Torrenga Surveying job number 2022-0795, more particularly described as follows: beginning at the Northeast corner of Lot 23, in Hinks Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 2, Page 74 in the Office of the Recorder, Lake County, Indiana; thence South 89 degrees 38 minutes 21 seconds East along the extension of the North line of said Lot 23, a distance of 6.80 feet; thence South 23 degrees 50 minutes 36 seconds East, a distance of 145.00 feet; thence South 28 degrees 31 minutes 48 seconds West, a distance of 5.95 feet to a point on the Easterly extension of the South line of said Lot 23; thence North 89 degrees 38 minutes 21 seconds West along the said Easterly extension, a distance of 23.31 feet to a point on the Southwesterly Right of Way line of said Waltham Street (now Jackson Avenue); thence North 37 degrees 14 minutes 45 seconds West along the said Southwesterly Right of Way, a distance of 63.20 feet to a point on the East line of said Lot 23; thence North 00 degrees 39 minutes 15 seconds West along the said East line, a distance of 87.44 feet to the point of beginning.

WHEREAS, Guillermo Nuñez and Lucy Nuñez have filed a Petition for Vacation of a Street with the Common Council of the City of Hammond, Lake County, Indiana, requesting vacation of an 145' foot portion of the 5900-block of Jackson Avenue; and

WHEREAS, the Common Council of the City of Hammond, Lake County, Indiana upon investigation and Public Hearing in accordance with applicable law, finds and determines that the proposed vacation will not hinder the growth or orderly development of the City of Hammond, Lake County, Indiana, or the neighborhood in which it is located or to which it is contiguous; and

WHEREAS, the vacation will not make access to the lands of any persons by means of public way difficult or inconvenient; and

WHEREAS, the vacation would not hinder the public's access to a church, school,

or other public building or place; and

WHEREAS, the vacation will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

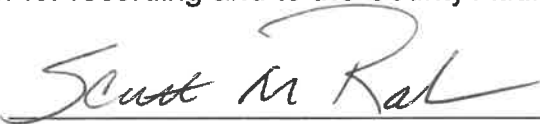
**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, THAT** it is desired and deemed necessary to vacate an 145' foot portion of the 5900-block of Jackson Avenue located in the City of Hammond, Lake County, Indiana, and more particularly described as follows:

All that part of Waltham Street (now Jackson Avenue) as shown in Turner's Second Addition to the City of Hammond, Lake County, Indiana, as per plat thereof recorded in Plat Book 7, Page 31 in the Office of the Recorder, Lake County, Indiana being that part of the Southeast Quarter of the Fractional Northeast Quarter of Section 01, Township 36 North, Range 10 West of the Second Principal Meridian, in Lake County, Indiana, being that 0.093 acre parcel surveyed by John Stuart Allen, Indiana Professional Surveyor Number 29900011 and shown on a Plat of Survey certified on January 17, 2023 as Torrenga Surveying job number 2022-0795, more particularly described as follows: beginning at the Northeast corner of Lot 23, in Hinks Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 2, Page 74 in the Office of the Recorder, Lake County, Indiana; thence South 89 degrees 38 minutes 21 seconds East along the extension of the North line of said Lot 23, a distance of 6.80 feet; thence South 23 degrees 50 minutes 36 seconds East, a distance of 145.00 feet; thence South 28 degrees 31 minutes 48 seconds West, a distance of 5.95 feet to a point on the Easterly extension of the South line of said Lot 23; thence North 89 degrees 38 minutes 21 seconds West along the said Easterly extension, a distance of 23.31 feet to a point on the Southwesterly Right of Way line of said Waltham Street (now Jackson Avenue); thence North 37 degrees 14 minutes 45 seconds West along the said Southwesterly Right of Way, a distance of 63.20 feet to a point on the East line of said Lot 23; thence North 00 degrees 39 minutes 15 seconds West along the said East line, a distance of 87.44 feet to the point of beginning.


and, therefore, the aforementioned 145' foot portion of the 5900-block of Jackson Avenue is hereby vacated, subject to easements, if any, for existing water, sewer, gas, telecommunications, and utilities in place, and adjoining lots are extended by operation of law to include the proportionate part of the 5900-block of Jackson Avenue hereby

vacated. There are no known utilities in the area of vacation.

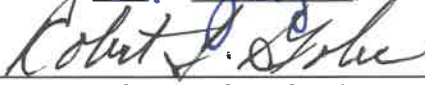
**BE IT FURTHER ORDAINED** that the Ordinance herein shall have full force and effect from and after Public Hearing hereon, passage and approval by the Common Council of the City of Hammond, Lake County, Indiana, signed by the President thereof, and the approval and signing by the Mayor. The Clerk shall furnish a copy of this Ordinance to the County Recorder for recording and to the County Auditor.

  
\_\_\_\_\_  
Scott Rakos, President

Attest:

  
\_\_\_\_\_  
Robert J. Golec, City Clerk


PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor of said City, for his approval on the 11<sup>th</sup> of July, 2023.

  
\_\_\_\_\_  
Robert J. Golec, City Clerk

The foregoing Ordinance No. 9602, consisting of four (4) pages, including this page was Approved by the Mayor on the 11<sup>th</sup> day of July, 2023.

  
\_\_\_\_\_  
Thomas M. McDermott, Jr., Mayor  
City of Hammond, Indiana

PASSED by the Common Council on the 10<sup>th</sup> day of July, 2023 and Approved by the Mayor on the 11<sup>th</sup> day of July, 2023.

  
\_\_\_\_\_  
Robert J. Golec, City Clerk

STATE OF INDIANA  
CITY OF HAMMOND, LAKE COUNTY, INDIANA

IN THE MATTER OF THE PETITION )  
OF GUILLERMO NUÑEZ AND LUCY NUÑEZ )  
FOR VACATION OF A PORTION OF )  
THE 5900 BLOCK OF JACKSON AVENUE )

**PETITION FOR VACATION OF A PORTION OF THE 5900-BLOCK OF JACKSON AVENUE**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF  
HAMMOND, LAKE COUNTY, INDIANA:

Come now Petitioners, Guillermo Nuñez and Lucy Nuñez, and file with the  
Common Council of the City of Hammond, Lake County, Indiana this Petition for Vacation  
of a portion of the 5900-block of Jackson Avenue and in support thereof, show and state  
as follows:

1. That Petitioners, Guillermo Nuñez and Lucy Nuñez, are individuals and property  
owners in the City of Hammond, County of Lake, State of Indiana. Petitioners are  
represented in this proceeding by Lucy Nuñez. Petitioners represent that they are the fee  
simple owners of certain real estate located within the City of Hammond, Lake County,  
Indiana, more particularly described as follows:

Lot 23, except the west 45 feet thereof, in Block 3, Hink's Addition to the City of  
Hammond, as shown in Plat Book 2, Page 74 in the Office of the Recorder of Lake  
County, Indiana.

Commonly known as 551 Lewis Street, Hammond, Indiana;

And

All that part of the Southeast Quarter of the Fractional Northeast Quarter of Section  
01, Township 36 North, Range 10 West of the Second Principal Meridian, in Lake  
County, Indiana, lying North of Lewis Street, Southwesterly of Waltham Street (now  
Jackson Avenue) and East of the West line of the said Southeast Quarter as shown  
in Turner's Second Addition to the City of Hammond, Lake County, Indiana, as per

plat thereof recorded in Plat Book 7, Page 31 in the Office of the Recorder, Lake County, being that 0.022 acre parcel surveyed by John Stuart Allen, Indiana Professional Surveyor Number 29900011 and shown on a Plat of Survey certified on January 17, 2023 as Torrenga Surveying job number 2022-0795, more particularly described as follows: beginning at the Southeast corner of Lot 23, in Hinks Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 2, Page 74 in the Office of the Recorder, Lake County, Indiana; thence North 00 degrees 39 minutes 15 seconds West along the East line of said Lot 23, a distance of 50.08 feet to a point on the Southwesterly Right of Way line of said Waltham Street (now Jackson Avenue); thence South 37 degrees 14 minutes 45 seconds East along the said Southwesterly Right of Way, a distance of 63.20 feet to a point on the Easterly extension of the South line of said Lot 23; thence North 89 degrees 38 minutes 21 seconds West along the said Easterly extension, a distance of 37.69 feet to the point of beginning.

Commonly known as 553 Lewis Street, Hammond, Indiana;

2. That Petitioners request the vacation of an 145' foot portion of the 5900-block of Jackson Avenue, which portion is more particularly described as follows:

All that part of Waltham Street (now Jackson Avenue) as shown in Turner's Second Addition to the City of Hammond, Lake County, Indiana, as per plat thereof recorded in Plat Book 7, Page 31 in the Office of the Recorder, Lake County, Indiana being that part of the Southeast Quarter of the Fractional Northeast Quarter of Section 01, Township 36 North, Range 10 West of the Second Principal Meridian, in Lake County, Indiana, being that 0.093 acre parcel surveyed by John Stuart Allen, Indiana Professional Surveyor Number 29900011 and shown on a Plat of Survey certified on January 17, 2023 as Torrenga Surveying job number 2022-0795, more particularly described as follows: beginning at the Northeast corner of Lot 23, in Hinks Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 2, Page 74 in the Office of the Recorder, Lake County, Indiana; thence South 89 degrees 38 minutes 21 seconds East along the extension of the North line of said Lot 23, a distance of 6.80 feet; thence South 23 degrees 50 minutes 36 seconds East, a distance of 145.00 feet; thence South 28 degrees 31 minutes 48 seconds West, a distance of 5.95 feet to a point on the Easterly extension of the South line of said Lot 23; thence North 89 degrees 38 minutes 21 seconds West along the said Easterly extension, a distance of 23.31 feet to a point on the Southwesterly Right of Way line of said Waltham Street (now Jackson Avenue); thence North 37 degrees 14 minutes 45 seconds West along the said Southwesterly Right of Way, a distance of 63.20 feet to a point on the East line of said Lot 23; thence North 00 degrees 39 minutes 15 seconds West along the said East line, a distance of 87.44 feet to the point of beginning.

3. That Petitioners respectfully request vacation of a portion of the 5900-block of Jackson Avenue, in order to correct the platting record, in conformance with all current and applicable laws and requirements, in the City of Hammond, Lake County, Indiana.

4. That the sole owners of the property adjacent to the proposed site of vacation have been provided with proper notice of this Petition and are as follows:

Guillermo Nuñez  
551 Lewis Street  
Hammond, IN 46320-2445

Lucy Nuñez  
551 Lewis Street  
Hammond, IN 46320-2445

WHEREFORE, the Petitioners, by Lucy Nuñez, respectfully request the Common Council of the City of Hammond, Lake County, Indiana, after due notice and Public Hearing in accordance with the law, to enact an Ordinance pursuant to its authority under Indiana Code § 36-7-3-12, as amended from time to time, vacating the following 145' foot portion of the 5900-block of Jackson Avenue:

All that part of Waltham Street (now Jackson Avenue) as shown in Turner's Second Addition to the City of Hammond, Lake County, Indiana, as per plat thereof recorded in Plat Book 7, Page 31 in the Office of the Recorder, Lake County, Indiana being that part of the Southeast Quarter of the Fractional Northeast Quarter of Section 01, Township 36 North, Range 10 West of the Second Principal Meridian, in Lake County, Indiana, being that 0.093 acre parcel surveyed by John Stuart Allen, Indiana Professional Surveyor Number 29900011 and shown on a Plat of Survey certified on January 17, 2023 as Torrenga Surveying job number 2022-0795, more particularly described as follows: beginning at the Northeast corner of Lot 23, in Hinks Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 2, Page 74 in the Office of the Recorder, Lake County, Indiana; thence South 89 degrees 38 minutes 21 seconds East along the extension of the North line of said Lot 23, a distance of 6.80 feet; thence South 23 degrees 50 minutes 36 seconds East, a distance of 145.00 feet; thence South 28 degrees 31 minutes 48 seconds West, a distance of 5.95 feet to a point on the Easterly extension of the South line of said Lot 23; thence North 89 degrees 38 minutes 21 seconds West along the said Easterly extension, a distance of 23.31 feet to a point on the Southwesterly Right of

Way line of said Waltham Street (now Jackson Avenue); thence North 37 degrees 14 minutes 45 seconds West along the said Southwesterly Right of Way, a distance of 63.20 feet to a point on the East line of said Lot 23; thence North 00 degrees 39 minutes 15 seconds West along the said East line, a distance of 87.44 feet to the point of beginning.

Respectfully submitted,

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Lucy Nuñez  
*551 Lewis Street, Hammond, IN 46320*  
*219-689-2775*







Dean D. Button, PE  
City Engineer

CITY OF HAMMOND

6/6/2023  
Board of Public Works and Safety

The Engineering Department was asked to contact the utilities on a portion of right of way on the 5900 block of Jackson Ave. for possible Vacation of Right of Way.

**Location (Exhibit attached)**  
5900 Jackson Ave. has a small triangular piece of right of way that is highlighted in the exhibit.

Engineering received confirmation from all utilities excluding Nipsco Gas and Electric

The Utilities have no objections to the Vacation of 5900 block of Jackson Ave. with the exception of Nipsco's response.

\*Correction to exhibit, replace the word Waltham St. with Jackson Ave.

**APPROVED**

JUN 08 2023

BOARD OF PUBLIC  
WORKS & SAFETY  
HAMMOND, INDIANA

City of Hammond  
Engineering Department  
5925 Calumet Avenue  
Hammond, Indiana 46320

219.853.6336

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www.gohammond.com

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