

NOTICE OF ORDER TO REPAIR OR  
REHABILITATE UNSAFE BUILDING  
NOTICE OF HEARING PURSUANT TO  
INDIANA CODE 36-7-9-7

To: Noah R. Kirkdoffer and Patricia M. Kirkdoffer, and any other person with a substantial interest in the premises located at 25 Hillcrest Road, Ogden Dunes, Indiana

You are hereby provided notice that the premises located at 25 Hillcrest Road, Ogden Dunes, Indiana, in which you have a substantial interest, constitutes a safety hazard and nuisance under the Ogden Dunes Town Code and an "unsafe building" under the provisions of the Ogden Dunes Unsafe Building Ordinance ("Unsafe Building Ordinance") and state law. Pursuant to the authority granted under the Unsafe Building Ordinance and Indiana Code 36-7-9, the Plan Commission is hereby ordering you to repair or rehabilitation of the property to bring it into compliance with standards for building condition or maintenance required for human habitation, occupancy or use within ten (10) days of your receipt of this Notice. You are also notified of a hearing regarding this Order. In accordance with the Unsafe Building Ordinance and the requirements of state statute, a hearing has been set for February 16, 2017, at 6:00 p.m. at the Ogden Dunes Town Hall, 115 Hillcrest Road, Ogden Dunes. At that hearing, you, and any other person with a substantial interest in the property which is the subject of this Order, may appear in person or by counsel. Each such person appearing at the hearing is entitled to address the evidence which will be presented in support of this Order and to present evidence and argument in opposition to this Order pursuant to Indiana Code 36-7-9-7. At this hearing, the Ogden Dunes Town Council, acting as hearing authority will take action to affirm, rescind or modify this Order. The Town Council, as hearing authority, is also entitled to impose a civil penalty of up to \$5,000 if it finds that there has been a willful failure to comply with the Order. The Town Council will maintain jurisdiction over the subject property after the hearing for the purpose of imposing a penalty at a later time. In the event the hearing authority affirms this Order and you do not take the required action within the prescribed period of time, the Plan Commission, as enforcement authority, may institute a civil action to enforce the Order and costs incurred by the Town may be charged as a lien against the property. In the event you transfer this property, or any substantial interest in this property, you are required to supply full information regarding this Order to the person who takes or agrees to take interest in the property prior to the transfer. In addition, you are required to supply the Ogden Dunes Plan Commission with written notification of the name, address, and telephone number of the person taking a substantial interest in the property along with a copy of the legal instrument under which the transfer or agreement to transfer is accomplished. Further information about the Town of Ogden Dunes Unsafe Building Ordinance is available from the Ogden Dunes Building Commissioner, Roger Rhodes, who may be reached at (219) 762-4125.

Mike Falk

Chairman, Ogden Dunes Plan Commission

2/6/17 - hspaxlp