

COUNTY PLAN COMMISSION
PORTER COUNTY

NOTICE OF VIOLATION OF THE PORTER
COUNTY UNSAFE BUILDING REGULATIONS
AND ORDER FOR THE REMOVAL OF
TRASH, DEBRIS, FIRE HAZARDOUS
MATERIAL, OR A PUBLIC HEALTH HAZARD
IN AND ABOUT THE UNSAFE PREMISES BY
THE PORTER COUNTY BUILDING
COMMISSIONER AND PLAN COMMISSION

Via Publication, First Class Mail & Certified
Mail, Return Receipt Requested

November 8, 2019

Parcel Owner: Conrad F. Kraft
P.O Box 305
Hobart, IN 46342

and the unknown heirs, devisees, legatees,
husbands, wives, widows, widowers, succes-
sors, executors, administrators, personal repre-
sentatives, guardians, trustees, receivers, and
unknown grantees and lessees; and any Party
Claiming a Substantial Interest Whose Real
Names are Unknown.

RE: 700 N, Hobart, IN 46342

Legal Description: PARC IN W 575.7 AS MEAS
ON S 1/2 SW 27-36-7-14.837A

Key No.: 64-05-27-300-012.000-015

Pursuant to Porter County Unsafe Building Or-
dinance Number 8.36 and State Statute I.C.
36-7-9 et. seq., you are hereby notified that
your property has been inspected and found to
be an unsafe premises as defined by I.C.
36-7-9-4(b). You are notified to remove the
trash, debris, fire hazardous material, or a pub-
lic health hazard in and about the unsafe prem-
ises on or before the hearing date which is
more than ten (10) days and less than thirty
(30) days from the date of this notice.

You are further notified that a hearing on this
property will be held on AUGUST 13, 2019 AT
3:00 P.M. before the Hearing Authority at the
Office of the Porter County Plan Commission,
(Enforcement Authority), for the purpose of re-
viewing and hearing an order issued by the En-
forcement Authority that the trash, debris, fire
hazardous materials, or a public health hazard
by removed from the above described property
by Porter County because of the following par-
ticulars which render the property unsafe:

700 N., Hobart, IN 46342, the parcel has large
amounts of what appears to be discarded
household items and trash piled in the driveway
just outside the main gate. Additionally, there
are discarded household items as well as dis-
carded auction items scattered throughout the
front, side, and back yards.

Violation of Ordinance 8.36 include:

8.36.020 Unsafe premises. A tract of real prop-
erty that is a fire hazard, hazard to public
health, a public nuisance, or dangerous to a
person or property because of a violation of
statute or an ordinance.

Other:

Pursuant to I.C. 36-7-9, these premises are
considered a public nuisance and a serious
health and fire hazard due to accumulated
trash, debris, fire hazardous material, or a pub-
lic health hazard.

You have a right to appear at the hearing with
or without counsel; present evidence; cross-ex-
amine opposing witnesses; and present argu-
ments as to why this Notice and Order should
be modified or withdrawn. Upon application by
you to the Porter County Plan Commission the
hearing may be postponed for a reasonable
time beyond the hearing date, if in the judgment
of the Porter County Plan Commission, you
have submitted good and sufficient reason for
such a postponement. All hearings on the
above listed property are open to the public.

At the conclusion of the scheduled hearing, the
Hearing Authority will make and enter written
findings and take action to:

1. Affirm the order of the Enforcement Authority
that the property in question should be ordered
to remove the accumulated trash, debris, fire
hazardous material or public health hazard. If
no party appears for the hearing this notice is
automatically considered an Order of Removal.
An Order issued by the Hearing Authority will
be recorded with the Porter County Recorder;
2. Rescind that order; or
3. Modify that order; or
4. Continue the hearing for good cause.

If you fail to appear, the above-described action
will be ordered to be performed by you within

the number of days prescribed by the Porter County Plan Commission, for the date of the hearing.

If you fail to complete ordered action within the number of days prescribed by the Porter County Plan Commission from the date of hearing, this agency will cause the ordered work to be performed by a contractor who has been awarded a contract to perform such work or by the agency's own personnel. You will be liable and charged for all costs and expenses incurred for performing said work, and these costs will be placed as a lien upon the property. If you are aggrieved by the decision of the Hearing Authority, you may seek relief by submitting within ten (10) days after the decision, an appeal to the Circuit or Superior Court of Porter County. Such an appeal is prosecuted by filing a verified complaint setting forth a copy of this Notice as affirmed by the Hearing Authority and the date thereof, and a copy of the decision of the Hearing Authority, from which you are appealing, and the date thereof. Furthermore, the Porter County Plan Commission may determine the property to be abandoned pursuant to I.C. 36-7-37.

If you transfer your interest to the above-described property to any subsequent interest holder after the date you receive this notice, I.C. 36-7-9 et. seq. requires that you must do the following:

- (1) Must supply full information regarding this notice to a person who takes or agrees to take a substantial property interest in the unsafe premises before transferring or agreeing to transfer that interest; and
- (2) Must within five (5) days after transferring or agreeing to transfer a substantial property interest in the unsafe premises, supply the Enforcement Authority with written copies of:
 - a. The full name, address and telephone number of the person taking a substantial property interest in the unsafe premises; and
 - b. The legal instrument under which the transfer of agreement to transfer the substantial property interest is accomplished.

If you fail to inform either a subsequent interest holder or this agency as required above, you will be held liable for any losses, attorney fees and other costs incurred in defending any actions taken against this agency because of your failure to inform. Any and all written responses to this notice must be directed to the attorney listed below.

Robert Thompson
Director, Development & Storm
Water Management
155 Indiana Ave., Suite 311
Valparaiso, IN 46383
(219)465-3540

By: _____
Scott R. McClure
RHAME, ELWOOD & MCCLURE, P.C.
3200 Willowcreek Rd., Suite A
Portage, IN 46368
(219)762-0494
Attorney for Porter County
10/9, 10/16/19 - hspaxlp