



AN ORDINANCE VACATING AN ALLEY ADJACENT
TO LOTS 7 AND 8 IN THE JANNIE WARRENS SUBDIVISION NO. 4 ON DIAMOND LAKE, KOSCIUSKO
COUNTY, INDIANA

ORDINANCE NUMBER 25-02-25-001

WHEREAS, Kevin Hohman, has filed a petition to vacate an unimproved alley lying between Lots 7 and 8 in the Jannie Warrens Subdivision No. 4 on Diamond Lake; and,

WHEREAS, the petition to vacate the alley, and notice thereof, as well as of the notice of the hearing on February 11, 2025 were properly published in the *Warsaw Times-Union* and the *Milford Mail Journal*; and

WHEREAS, on February 11, 2025 the Petitioner has appeared and presented his Petition to vacate the alley and street, and presented exhibits and factual information regarding same; and

WHEREAS, there were no remonstrances or objections by persons aggrieved by the proposed vacations (as defined by statute) and the areas sought to be vacated are not necessary to the growth of any municipality, do not make access to the lands of any person by means of public way impossible, do not eliminate the public's access to a church, school or other public building or place, and do not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous; and,

WHEREAS, it is proper and appropriate that the undeveloped alley should be vacated;

NOW, THEREFORE, be it ordained by the County Commissioners of Kosciusko County, Indiana, that:

1. The County Commissioners of Kosciusko County, Indiana now find that there are no statutory reasons, nor any other valid reason, why said undeveloped alley described in the Petition should not be vacated and the County Commissioners further find that the alley should, THEREFORE, be vacated.

2. The following described real estate situated in the Kosciusko County, Indiana, described as follows:

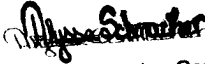
- A. All of the unimproved alley lying between Lot 7 and Lot 8 in the Jannie Warrens Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana, specifically beginning at the Southeast corner of Lot 8, thence Westward along the South line of Lot 8 a distance of 100 feet; thence Southernly a distance of 20 feet to the Northwest corner of Lot 7; thence Easternly along the North property line of said Lot 7 a distance of 100 feet to the Northeast corner of Lot 7; thence Northward 20 feet to the point of beginning. This description is intended to include all of the platted alley lying between the original plat of Lot 7 and Lot 8 in the Jannie Warrens Subdivision No. 4.

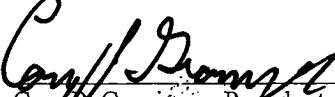
should be and are now hereby vacated.

Done this 11th day of February, 2025

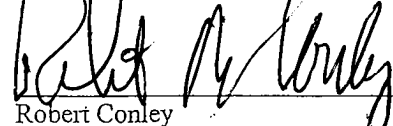
RECEIVED

FEB 25 2025

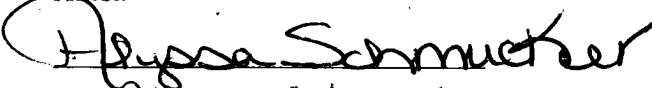

Alyssa Schmucker
Auditor of Kosciusko County


Cary Groninger, President


Sue Ann Mitchell


Robert Conley

Attest:


Alyssa Schmucker

STATE OF INDIANA
KOSCIUSKO COUNTY SS:

BEFORE THE KOSCIUSKO
COUNTY COMMISSIONERS

IN RE: THE PETITION OF
KEVIN HOHMAN

**PETITION TO VACATE UNIMPROVED ALLEY
IN THE JANNIE WARREN'S SUBDIVISION NO. 4 ON DIAMOND LAKE**

The undersigned Petitioner is the owner of real estate in Jannie Warrens Subdivision No. 4, on Diamond Lake, Kosciusko County, Indiana, and by reason of that ownership interest is entitled to bring this Petition with regard to a portion of adjacent alley all as follows:

1. The undersigned Petitioner is the owner of the following property:
 - a. Lot No. 7 in the Jannie Warren Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana; commonly known as Lot South of 5344 W. Warren Ave. Silver Lake 46982;
 - b. A tract of land adjoining Lot No. 7 in the Jannie Warren Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana, and extending in a Northeasterly direction as follows:

Beginning at the most easterly corner of Lot #7, thence Northeasterly 70 feet to an iron pipe on the property line, thence North on the property line 83.4 feet to an iron pipe, thence Southwesterly 102.0 feet to an iron pipe, the Northeast corner of Lot #8, thence Southeasterly 74.4 feet along the Northeast border of Lot #7, the point of beginning. Commonly known as Lot Southwest of 5344 W. Warren Ave., Silver Lake 46982.

- c. Commonly known as 5344 W. Warren Ave., Silver Lake, IN 46982:

Tract I: Lot Numbered Eight (8) in Jannie Warren's Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana.

Tract II: A tract of ground in the Northwest Quarter of the Southeast Quarter of Section 26, Township 31 North Range 5 East, more particularly described as follows:

Beginning at the most Easterly corner of Lot Number 8 in Janne Warren's Subdivision No. 4 on Diamond Lake, running thence in a Northwesterly direction along the Northeasterly line of said Lot 50 feet to the most Northerly corner of said Lot Number 8: thence in a Northeasterly direction on the extension of the Northwesterly line of said Lot Number 8 at is original bearing, 122.6 feet, more or less, to the East line of said Quarter Quarter Section; - thence South on the East

line of said Quarter Quarter Section, 58 feet; thence in a Southwesterly direction 102 feet more or less, to the Place of Beginning.

2. The following described alley adjacent to the real estate of the Petitioner should be vacated. The right-of-way to be vacated is described in two parts, as follows:

A. All of the unimproved alley lying between Lot 7 and Lot 8 in the Jannie Warrens Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana, specifically beginning at the Southeast corner of Lot 8, thence Westward along the South line of Lot 8 a distance of 100 feet; thence Southernly a distance of 20 feet to the Northwest corner of Lot 7; thence Easternly along the North property line of said Lot 7 a distance of 100 feet to the Northeast corner of Lot 7; thence Northward 20 feet to the point of beginning. This description is intended to include all of the platted alley lying between the original plat of Lot 7 and Lot 8 in the Jannie Warrens Subdivision No. 4.

3. The owners of the property abutting the public way are as follows:

- a. Larry and Debra Smith, 5333 W. Warren Ave., Silver Lake, IN 46982;
- b. Mark and Donna Pollard, 5323 W. Warren Ave., Silver Lake, IN 46982;
- c. Elizabeth and James Glasson, 5313 W. Warren Ave., Silver Lake, IN 46982.

4. The areas proposed to be vacated and described in paragraph 2, above, are platted as an alley but is undeveloped and unimproved and have never been developed or improved since the recording of the original Plat on the 5th day of April, 1957.

5. The right-of-way for which vacation is sought has never been opened, developed, maintained, or used as a public way and not believed to contain any public utilities.

6. To the knowledge of Petitioner, no utility easements exist in the area to be vacated; in the event that any utility easement does exist, Indiana law requires that those easements remain, even if the vacation is granted.

7. The area sought to be vacated is not necessary to the growth of any municipality; is not necessary for any person to have access to such persons= lands; will not eliminate the public access to a church, school or other public building or place; and will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

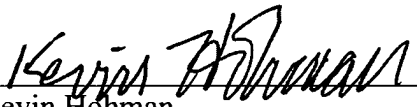
8. The area to be vacated has not been regularly used by the public for any purpose and have been utilized by the Petitioner and his predecessor owners as a part of their lawn and yard.

THEREFORE, Petitioner respectfully requests the Board of Commissioners of Kosciusko County, Indiana, schedule a proper hearing, conduct a hearing and approve this Petition, and introduce and pass an ordinance providing for the vacation of the areas sought to be vacated, and for all other relief proper in the premises and consistent with this Petition.

Dated: January 20, 2025.

VERIFICATION

The undersigned affirms, under the penalties for perjury, that the above and foregoing representations are true to the best of my knowledge and belief this 20 day of January 2025.


Kevin Hohman

**I affirm, under the penalties for perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.**

Denise Keller

NOTICE OF PUBLIC HEARING
STATE OF INDIANA
KOSCIUSKO COUNTY SS:
BEFORE THE COUNTY COMMISSIONERS OF KOSCIUSKO COUNTY, INDIANA
IN RE: THE PETITION OF KEVIN HOHMAN
TO VACATE AN ALLEY IN THE JANNIE WARREN'S SUBDIVISION NO. 4 ON
DIAMOND LAKE, KOSCIUSKO COUNTY, INDIANA

TO THE CITIZENS OF KOSCIUSKO COUNTY INDIANA

YOU ARE HEREBY NOTIFIED that a Petition has been filed with the Board of Commissioners of Kosciusko County, Indiana, by Kevin Hohman, requesting the vacation by ordinance of an alley in the Jannie Warrens Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana, more particularly described as follows:

- A. All of the unimproved alley lying between Lot 7 and Lot 8 in the Jannie Warrens Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana, specifically beginning at the Southeast corner of Lot 8, thence Westward along the South line of Lot 8 a distance of 100 feet; thence Southernly a distance of 20 feet to the Northwest corner of Lot 7; thence Easternly along the North property line of said Lot 7 a distance of 100 feet to the Northeast corner of Lot 7; thence Northward 20 feet to the point of beginning. This description is intended to include all of the platted alley lying between the original plat of Lot 7 and Lot 8 in the Jannie Warrens Subdivision No. 4.

YOU ARE HEREBY NOTIFIED that the Board of Commissioners of Kosciusko County, Indiana, has set the Petition for hearing at 9:30 a.m. on February 11, 2025, at the Courthouse, 100 West Center Street, Warsaw, Indiana 46580.

Any person may appear and be heard upon the Petition at the time, date and place above scheduled for hearing and/or may send written comments or response to the Auditor of Kosciusko County, Indiana at 100 West Center Street, Warsaw, IN 46580.

After hearing, the Petition may be granted, denied or continued and an ordinance may be introduced and passed according to law, providing for the vacation of said alley and street.

Witness my hand this 21 day of January 2025.

Alyssa Schmucker, Auditor
Kosciusko County, Indiana

ROCKHILL PINNICK, LLP
By Scott E. Reust
105 East Main Street
Warsaw, Indiana 465880
574-267-6116
Attorneys for Petitioner

STATE OF INDIANA
KOSCIUSKO COUNTY SS:

BEFORE THE KOSCIUSKO
COUNTY COMMISSIONERS

IN RE: THE PETITION OF
KEVIN HOHMAN

**AFFIDAVIT OF NOTICE OF PUBLIC HEARING
TO ADJACENT PROPERTY OWNER**

The undersigned, Scott E. Reust, does now certify that actual notice of the public hearing by the County Commissioners of Kosciusko County, Indiana, regarding the above petition to vacate an alley in the Jannie Warren's Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana, has been given to each of the adjacent owners who abut or touch the property to be vacated, in addition to the Petitioner, including the following:

- a. Larry D and Debra L Smith, 5333 W. Warren Ave, Silver Lake, IN 46982;
- b. Mark and Donna Pollard, 5323 W. Warren Ave, Silver Lake, IN 46982;
- c. Elizabeth and James Glasson, 5313 W. Warren Ave., Silver Lake, IN 46982;

Except for the Petitioner, the notices were served by Certified Mail.

Respectfully submitted this ____ day of January, 2025.

Respectfully submitted,

ROCKHILL PINNICK LLP

Scott E. Reust
105 East Main Street
Warsaw, IN 46580
574-267-6116
Attorney for Petitioner

STATE OF INDIANA
COUNTY OF KOSCIUSKO

Subscribed and sworn to before me, a Notary Public in and for said County and State this
___ day of January 2025.

Mary Porter

My Commission Expires:
County of Residence: Kosciusko

ALERT: WILDFIRES AND EMERGENCY EVENTS IN THE LOS ANGELES METRO AREA U.S. M...



FAQs >

RECEIVED

FEB 06 2025 AB

Remove X

Tracking Number:

9589071052702132587524

Nyssa Schmecker
Auditor of Kosciusko County

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Latest Update

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

Get More Out of USPS Tracking:

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Delivery Attempt

Reminder to Schedule Redelivery of your item

January 28, 2025

Notice Left (No Authorized Recipient Available)

SILVER LAKE, IN 46982

January 23, 2025, 1:15 pm

Arrived at USPS Regional Facility

INDIANAPOLIS IN DISTRIBUTION CENTER

January 22, 2025, 11:52 am

Departed USPS Regional Facility

FORT WAYNE IN DISTRIBUTION CENTER

January 22, 2025, 4:58 am

Arrived at USPS Regional Facility

FORT WAYNE IN DISTRIBUTION CENTER

January 22, 2025, 12:39 am

9589 0710 5270 2132 5875 24

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SERGEY F. FUKLA 38062011

Certified Mail Fee	\$	PAID Postmark Here JAN 21 2025
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	9.64	BY
Total Postage and Fees	\$	
Sent To	Larry and Debra Smith	
Street and Apt. No., or PO Box No.	5333 W. Warren Avenue	
City, State, ZIP+4®	Silver Lake, IN 46982	

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instruction

ALERT: WILDFIRES AND EMERGENCY EVENTS IN THE LOS ANGELES METRO AREA U.S. M...

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FAQs >

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9589071052702132587524

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January 28, 2025

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January 22, 2025, 12:39 am

9589 0710 5270 2132 5875 24

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
SERVICIO NACIONAL 38062011	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	9.64
Total Postage and Fees	9.64
Sent To	Larry and Debra Smith
Street and Apt. No., or PO Box No.	5333 W. Warren Avenue
City, State, ZIP+4®	Silver Lake, IN 46982
PAID Postmark Here JAN 21 2025	
BY	

RS Form 3800, January 2023 PSN 7530-02-000-90-7 See Reverse for Instruction

RECIPIENT: COMPLETE THIS SECTION

COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Elizabeth and James Glasson
5313 W. Warren Avenue
Silver Lake, IN 46982



9590 9402 9202 4225 3677 23

2. Article Number (Transfer from service label)

9589 0710 5270 2132 5885 45

Signature Agent
 Addressed
 Received by (Printed Name) C. Date of Delivery
 James R Glasson

D. Is delivery address different from item 1? Yes
if YES, enter delivery address below: No

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

RECEIVER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mark and Donna Pollard
5323 W. Warren Avenue
Silver Lake, IN 46982



9590 9402 9202 4225 3677 16

2. Article Number (Transfer from service label)

9589 0710 5270 2192 5875 17

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

7-25-25

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

Rockhill Pinnick LLP

(Governmental Unit)

Kosciusko

County, Indiana

The Paper

Warsaw, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

..... lines, columns wide equals equivalent lines at cents per line

\$ 37.00

Additional charges for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 37.00

DATA FOR COMPUTING COST

Width of single column in picas..... 11

Size of type..... 8 point

Number of insertions.....

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper times. The dates of publication being as follows:

January 29, 2025

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
[X]..... Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
..... Newspaper has a Web site, but due to technical problem or error, public notice was posted on
..... Newspaper has a Web site but refuses to post the public notice.

Ronald Baumgartner (Signature)

Date January 29 2025

Title publisher

PUBLISHER'S AFFIDAVIT

State of Indiana)

NOTICE OF PUBLIC HEARING
STATE OF INDIANA
KOSCIUSKO COUNTY, SS
BEFORE THE COUNTY COMMISSIONERS OF KOSCIUSKO COUNTY, INDIANA
IN RE: THE PETITION OF KEVIN HOHMAN TO VACATE AN ALLEY IN THE JANNIE WARREN'S SUBDIVISION NO. 4 ON DIAMOND LAKE, KOSCIUSKO COUNTY, INDIANA
TO THE CITIZENS OF KOSCIUSKO COUNTY, INDIANA
YOU ARE HEREBY NOTIFIED that a petition has been filed with the Board of Commissioners of Kosciusko County, Indiana, by Kevin Hohman, requesting the vacation by ordinance of an alley in the Jannie Warrens Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana, more particularly described as follows:
A. All of the unimproved alley lying between Lot 7 and Lot 8 in the Jannie Warrens Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana, specifically beginning at the Southeast corner of Lot 8, thence Westward along the South line of Lot 8 a distance of 100 feet; thence Southerly a distance of 20 feet to the Northwest corner of Lot 7; thence Easternly along the North property line of said Lot 7 a distance of 100 feet to the Northeast corner of Lot 7; thence Northward 20 feet to the point of beginning. This description is intended to include all of the platted alley lying between the original plat of Lot 7 and Lot 8 in the Jannie Warrens Subdivision No. 4 on Diamond Lake, Kosciusko County, Indiana.
YOU ARE HEREBY NOTIFIED that the Board of Commissioners of Kosciusko County, Indiana, has set the Petition for hearing at 9:30 a.m. on February 11, 2025, at the Courthouse, 100 West Center Street, Warsaw, Indiana 46580.
Any person may appear and be heard upon the Petition at the time, date and place above scheduled for hearing and/or may send written comments or response to the Auditor of Kosciusko County, Indiana at 100 West Center Street, Warsaw, IN 46580.
After hearing, the Petition may be granted, denied or continued and an ordinance may be introduced and passed according to law, providing for the

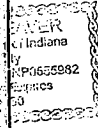
a notary public in and for said county and state, the undersigned being duly sworn, says that he is publisher of general circulation printed and published in the English language in state and county aforesaid, and that the printed matter which was duly published in said paper for 1 time, the

Ronald Baumgartner (Signature)

on this 29 day of January 2025

Annette Weaver (Signature)

Notary Public



RECEIVED

FEB 06 2025

Auditor of Kosciusko County

AFFIDAVIT

Kosciusko County)
State of Indiana) SS:

Personally appeared before me, a notary public and for said county and state, the undersigned **Jessica Rodriguez**, who being duly sworn says that she is of competent age and is comptroller of the

WARSAW TIMES-UNION

a daily newspaper which for at least five (5) consecutive years has been published in the city of Warsaw, county of Kosciusko, State of Indiana, and which, during that time, has been a newspaper of general circulation, having a bona fide paid circulation, printed in the English language and entered, authorized and accepted by the post office department of the United States of America as mailable matter of the second-class as defined by the Act of Congress of the United States of March 3, 1879, and that the printed matter attached hereto is a true copy, which was published in said newspaper

_____ times, the dates of publication being as follows:

Jan 24

Jessica Rodriguez
Affiant

Subscribed and sworn to before me this 24 day

of January, 2025

Laura Sowers
Notary Public

Laura Sowers
My Commission expires June 1, 2026
Resident of Kosciusko County

Printer's Fee, \$ 90.00

TOTAL	90.00
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NOTICE OF PUBLIC HEARING

STATE OF INDIANA KOSCIUSKO COUNTY SS:
BEFORE THE COUNTY COMMISSIONERS OF KOSCIUSKO COUNTY,
INDIANA IN RE: THE PETITION OF KEVIN HOHMAN
TO VACATE AN ALLEY IN THE JANNIE WARREN'S SUBDIVISION NO. 4 ON
DIAMOND LAKE, KOSCIUSKO COUNTY, INDIANA TO THE CITIZENS OF
KOSCIUSKO COUNTY, INDIANA

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Any person may appear and be heard upon the Petition at the time, date and place above scheduled for hearing and/or may send written comments or response to the Auditor of Kosciusko County, Indiana at 100 West Center Street, Warsaw, IN 46580.

After hearing, the Petition may be granted, denied or continued and an ordinance may be introduced and passed according to law, providing for the vacation of said alley and street.

Witness my hand this 24 day of January, 2025.

Michelle Puckett Auditor
Kosciusko County, Indiana

ROCK HILL PINNICK LLP by Scott E. Housh
105 East Main Street
Warsaw, Indiana 46580
574-267-6113
Attorneys for Petitioner
1-24-hspadp