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FILED FOR RECORD IN
TIPPECANOE COUNTY, IN
SHANNON WITHERS, RECORDER
03/03/2021 09:27:31AM
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OFFICE OF THE BUILDING COMMISSIONER
TIPPECANOE COUNTY, INDIANA

TIPPECANOE COUNTY, INDIANA,) Re: 6413 Jackson Highway, West Lafayette,
) IN 47906
 vs.)
) Parcel ID: 79-06-06-253-004.000-014
 Michael Phillips

ORDER TO COMPLY AND
NOTICE TO APPEAR
AT DEMOLITION HEARING

TO: All persons holding a substantial interest in 6413 Jackson Highway, West Lafayette,
Indiana 47906

VIA CERTIFIED MAIL

Michael Phillips
3820 Walnut Street
West Lafayette, IN 47906

Pursuant to Indiana Code 36-7-9 et seq. and Tippecanoe County Code Chapter 156,
Michael Phillips, as owner of record of the real estate at 6413 Jackson Highway, West Lafayette,
Indiana 47906 is hereby ordered to immediately vacate and demolish the structures located at
said location which has the following legal description:

Land situated in the County of Tippecanoe, State of Indiana, Shelby Township,
Montmorency PT Lot 6, 0.27 acres.

The structure on the property has been inspected and it has been determined that repair of
the property is not economically feasible. It has further been determined that the property falls
within the definitions of unsafe structures and unsafe buildings as defined in Indiana Code 36-7-
9-4. The demolition must be completed, the salvage removed (along with trash, junk vehicles,
and other debris) and pass inspection by the Tippecanoe County Building Commissioner prior to

the hearing on this matter on April 5, 2021, at 10:00 a.m.

DESCRIPTION OF HAZARD

As of March 1, 2021, the house is open to the public, in a deteriorated state, and is hazardous both to the property owner, to anyone who would seek to reside in the structure, and to any member of the public who should enter the structure. Additionally, there is trash, junk vehicles and other debris on site which must be removed.

HEARING

A hearing regarding this order will be held in the room of the Tippecanoe County Office Building, 20 N. Third Street, Lafayette, Indiana on April 5, 2021, at 10:00 a.m.

If you as respondent have title to this property or are the land contract purchasers, you are responsible for complying with the Order.

You have the right to appear at the hearing with or without legal counsel. You also have the right to present evidence in your favor, to cross-examine opposing witnesses, and to present your views regarding this matter.

Among the issues to be considered is whether or not your property is “unsafe” as defined under Indiana Code 36-7-9-4 and Tippecanoe County Code Chapter 156.02. Included among items that may cause a property to be considered unsafe are: impaired structural condition that makes it unsafe or likely to partially or completely collapse; a fire hazard; a hazard to public health; an attractive nuisance or hazard to the public, dangerous to person or property as a result of a violation of a code or statute for building condition or maintenance; unfit for human habitation. The foregoing list is not an inclusive list of all factors to which can cause a property to be considered unsafe.

If you request additional time to comply with this Order, the Board of Commissioners

may as a condition for granting additional time, require that you post a cash performance bond in such amount as determined appropriate by the Board of Commissioners.

At the hearing, the Board of Commissioners will make findings with respect to this Order based upon the evidence presented. If the Order is affirmed or modified you must comply with the Order with the time stated above. If you fail to comply with the Board of Commissioners' Order one or more of the following may occur:

- (1) a mandatory or probationary injunction issued by the Tippecanoe Circuit or Superior Court that would require compliance;
- (2) the appointment of a receiver to take possession of the unsafe premises for a period of time sufficient to complete the repairs and improvements;
- (3) Performance of the work required by this Order by the County, or by a Contractor employed by the County. The costs for said work can be assessed as a judgment or lien against you and your property.

At the hearing the Hearing Authority may impose a civil penalty of up to Five Thousand Dollars (\$5,000) if the Board of Commissioners find a willful failure to comply with this Order. The effective date of the Civil Penalty may be postponed for a reasonable time, after which the Civil Penalty may be reduced or stricken if the Board of Commissioners are satisfied that this Order has been reasonably complied with.

OBLIGATIONS TO OTHERS WITH AN INTEREST IN THE PROPERTY

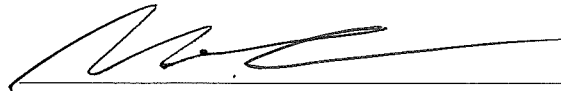
You are required to supply full information regarding this Order to any person who may take or agree to take a substantial property interest in this property. This information must be supplied prior to the time of a transfer or agreement to transfer any substantial property interest. A copy of this Order shall be recorded upon the records of the Recorder of Tippecanoe County.

If you have information regarding a person who has a substantial property interest in the property that was not named above, please provide the Office of the Tippecanoe County Building Commissioner with said information.

BIDS TO PERFORM WORK IF PROPERTY OWNER FAILS TO COMPLY

At the Board of Commissioners meeting on April 5, 2021, at 10:00 a.m. in the Tippecanoe Room of the Tippecanoe County Office Building at 20 N. 3rd Street, Lafayette, Indiana, the Board will accept bids from licensed contractors to perform the above ordered demolition and removal of salvage in the event this Order is not complied with by that date. Both the bid price of the licensed contractor who accomplishes the work and an amount representing a reasonable estimate of the cost incurred by the Building Commission in processing the matter of the unsafe premises may, if not paid, be recorded after a hearing as a lien against all persons having a fee interest, life estate interest, or equitable interest of a contract purchaser in the unsafe premises.

Dated this 3 day of March, 2021.



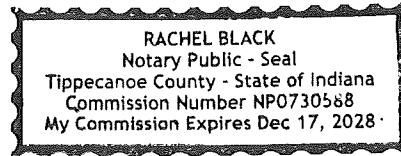
William Robinette, Deputy
Tippecanoe County Building Commissioner
20 N. Third Street
Lafayette, IN 47901
(765) 423-9225

To be recorded with the Tippecanoe County Recorder

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. /s/ Douglas J. Masson

This Instrument prepared by Douglas J. Masson, Attorney at Law. Attorney No. #19474-53.

STATE OF INDIANA)
)SS:
COUNTY OF TIPPECANOE)



Before me the undersigned, A Notary Public for Tippecanoe County, State of Indiana, personally appeared William Robinette and executed this instrument on the 3rd day of March, 2021.

Rachel Black

Rachel N. Black, Notary Public
Tippecanoe County Resident

My Commission Expires: 12/17/2028