

Ordinance 19, 2006

STATE OF INDIANA  
PORTER COUNTY  
FILED FOR RECORD  
05/10/2006 12:23PM  
LINDA D. TRINKLER  
RECORDER

AN ORDINANCE ANNEXING REAL ESTATE INTO THE  
CITY OF VALPARAISO, PORTER COUNTY, INDIANA  
KNOWN AS THE "EAST ANNEXATION"

REC FEE: \$21.00  
PAGES: 5

WHEREAS, the petitioners Patko LLC, c/o Willam A. Ferngren of Hoepfner, Wagner and Evans, Polly Grieger, Guy A. Johnson, Judith M. Johnson, and Donald E. and Mildred A. Kuehl requested at the **April 24, 2006**, City Council meeting that the real estate be annexed into the City of Valparaiso, Indiana, which real estate is more particularly described as follows:

**See Exhibit B – Eastside Annexation Legal Description**

**WHEREAS**, the Common Council of the City of Valparaiso, Indiana has heretofore considered and adopted a Fiscal Plan (**Exhibit A**) for such real estate as required by law; and

**WHEREAS**, the property sought to be annexed is situated outside the corporate boundaries of the municipal City of Valparaiso, Porter County, Indiana, and consists of approximately 299.0 acres of land; and

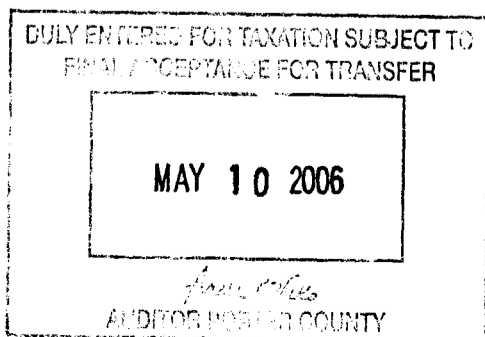
**WHEREAS**, the petitioners are the owner of 100% of the land sought to be annexed; and

**WHEREAS**, at least one eighth (1/8) of the aggregate external boundaries of the real estate sought for annexation coincides with the present boundaries of the City of Valparaiso, Indiana; and

**WHEREAS**, the City of Valparaiso Plan Commission unanimously voted (8-0) to recommend approval of the proposed annexation at its March 14, 2006 meeting.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Valparaiso, Porter County, Indiana as follows:

1. By and through the powers vested in the Common Council of the City of Valparaiso, Porter County, Indiana, the real estate identified in Exhibit A which has been attached hereto and made a part of this




Ordinance should be and the same is hereby annexed into the municipal boundaries of the City of Valparaiso.


2. Certain real estate included in the annexation area shall be rezoned upon the effective date of the annexation as follows:

**See Exhibit C – East Annexation  
rezoning Descriptions**

3. The Valparaiso Clerk-Treasurer is hereby authorized, instructed and empowered to take all actions necessary in order to implement the intention of this Ordinance by recording, filing and publishing pursuant to Indiana law.

Passed by the Common Council of the City of Valparaiso, Indiana by a 6-1 vote of all members present and voting this 8<sup>th</sup> day of May, 2006.

ATTEST:   
Sharon Emerson Swihart, Clerk-Treasurer

  
Jon Costas, Mayor

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 8<sup>th</sup> of May, 2006 at the hour of 9:10 o'clock P.M.

  
Sharon Emerson Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 8<sup>th</sup> day of May, 2006 at the hour of 9:10 o'clock P. M.

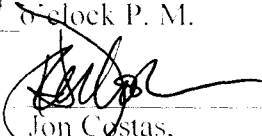
  
Jon Costas,  
Mayor

EXHIBIT B

**ANNEXATION DESCRIPTION - MARCH 30, 2006**

Part of the Northeast Quarter, the Northwest Quarter, and the Southwest Quarter in Section 8, and part of the Southeast Quarter and Southwest Quarter in Section 5, all in Township 35 North, Range 5 West, Second Principal Meridian, Porter County, Indiana, and being more particularly described as follows:

Beginning at the Northeast corner of said Section 8; thence Southerly on and along the East line of the Northeast Quarter of said Section 8, a distance of 2654.44 feet to the East Quarter corner of said Section 8; thence Westerly on and along South line of the Northeast Quarter of said Section 8, a distance of 2655.50 feet to the Center of said Section 8; thence Southerly on and along the East line of the Northeast Quarter of the Southwest Quarter of said Section 8, a distance of 1321.36 feet to the Southeast corner of said Quarter-Quarter Section; thence Westerly on and along the South line of the North Half of said Southwest Quarter, a distance of 1483 feet, more or less to the southwest corner of a tract of land described to the State of Indiana in Deed Record 337, page 344 in the Office of the Recorder of Porter County, Indiana; thence on and along the westerly right-of-way of State Road 49 as described in said Deed Record 337, page 344, Deed Record 337, page 505, and Deed Record 337, page 202 all in said Office of the Recorder the following six courses and distances: Northerly, a distance of 157.58 feet; thence Northerly on and along a curve having a radius of 5874.58 feet and a chord length of 1053.79 feet, an arc length of 1055.21 feet; thence Northerly, a distance of 2697.72 feet; thence Northwesterly, a distance of 69.82 feet; thence Westerly, a distance of 100.12 feet; thence Northwesterly, a distance of 52.20 feet to the northwesterly corner of said tract of land described in Deed Record 337, page 202; thence Northerly on and along an east line of a tract of land described to 214 East County Road 500 North, LLC in Document Number 2002-003266 in said Office of the Recorder, a distance of 20.00 feet to the intersection with the North line of the Northwest Quarter of said Section 8; thence Easterly on and along the North line of said Northwest Quarter, a distance of 24.53 feet to the southeasterly corner of a tract of land described to Loren Johnson and Patricia Johnson in Deed Record 330, page 397 in said Office of the Recorder; thence Northerly on and along the east line of said Johnson tract a distance of 35.00 feet to the westerly corner of a 0.104 acre tract described to the State of Indiana in Deed Record 339, page 316 in said Office of the Recorder; thence Easterly on and along a northerly line of said 0.104 acre tract, a distance of 126.43 feet to a corner of said 0.104 acre tract; thence Northeasterly on and along a northerly line of said 0.104 acre tract, a distance of 71.33 feet to the northeasterly corner of said 0.104 acre tract; thence Easterly passing through a 7.511 acre tract described to the State of Indiana in Deed Record 341, page 540 in said Office of the Recorder, a distance of 281 feet, more or less, to a corner of said 7.511 acre tract; thence Southeasterly on and along a northerly line of said 7.511 acre tract, a distance of 63.65 feet to a corner of said 7.511 acre tract; thence Easterly on and along a northerly line of said 7.511 acre tract, a distance of 101.98 feet to the southeasterly corner of said 7.511 acre tract; thence Easterly on and along the northerly right-of-way line of County Road 500 North, a distance of 3814 feet, more or less, to the intersection with the East line of the Southeast Quarter of said Section 5; thence Southerly on and along the East line of Southeast Quarter of said Section 5, a distance of 20 feet to the point of beginning.

EXCEPTING THEREFROM a part of the Northwest Quarter of Section 8, Township 35 North, Range 5 West, Second Principal Meridian, Porter County, Indiana and being more particularly described as follows:

Commencing at the Northeast corner of said Section 8, thence Westerly on and along the North line of the Northeast Quarter of said Section 8, a distance of 2647.38 feet to the North Quarter corner of said Section 8; thence South on and along the East line of the Northwest Quarter of said Section 8, a distance of 20 feet to the south right-of-way line of County Road 500 North, and being the point of beginning of this description; thence Westerly on and along the south right-of-way line of said County Road 500 North, a distance of 663.7 feet, more or less to the intersection with a west line of a 10.82 acre tract described to Loren L. Johnson and Patricia Johnson in Document Number 2004-007242 in said Office of the Recorder; thence on and along the lines of said 10.82 acre tract the following five courses and distances: Southerly, a distance of 190 feet; thence Westerly, a distance of 140 feet; thence Southerly, a distance of 450 feet; thence Easterly, a distance of 808.71 feet; thence Northerly, a distance of 640.02 feet to the point of beginning.

Containing after said exception approximately 299 acres, more or less.

## EXHIBIT C

### EAST ANNEXATION RESIDENTIAL ZONE

Part of the Northeast Quarter and the Northwest Quarter in Section 8, and part of the Southeast Quarter and Southwest Quarter in Section 5, all in Township 35 North, Range 5 West, Second Principal Meridian, Porter County, Indiana, and being more particularly described as follows:

Beginning at the Northeast corner of said Section 8; thence Southerly on and along the East line of the Northeast Quarter of said Section 8, a distance of 2654.44 feet to the East Quarter corner of said Section 8; thence Westerly on and along South line of the Northeast Quarter of said Section 8, a distance of 2655.50 feet to the Center of said Section 8; thence Northerly on and along the West line of the Northeast Quarter of said Section 8, a distance of 2641 feet to the intersection with the south right-of-way line of County Road 500 North; thence Westerly on and along the south right-of-way line of said County Road 500 North, a distance of 663.7 feet, more or less to the intersection with a west line of a 10.82 acre tract described to Loren L. Johnson and Patricia Johnson in Document Number 2004-007242 in said Office of the Recorder; thence Southerly on and along a west line of said 10.82 acre tract, a distance of 190 feet to a corner of said 10.82 acre tract; thence Westerly on and along a north line of said 10.82 acre tract, a distance of 140 feet to the intersection with the east line of a 66.05 acre tract described to PATKO, LLC in Document Number 2000-016614 in said Office of the Recorder; thence Northerly on and along the east line and its northerly extension of said 66.05 acre tract, a distance of 230 feet to the intersection with the north right-of-way line of County Road 500 North; thence Easterly on and along the northerly right-of-way line of County Road 500 North, a distance of 3451 feet, more or less, to the intersection with the East line of the Southeast Quarter of said Section 5; thence Southerly on and along the East line of Southeast Quarter of said Section 5, a distance of 20 feet to the point of beginning, containing approximately 164 acres, more or less.

### EAST ANNEXATION OFFICE/PROFESSIONAL PARK ZONE

Part of the Northwest Quarter and Southwest Quarter in Section 8, and part of the Southwest Quarter in Section 5, all in Township 35 North, Range 5 West, Second Principal Meridian, Porter County, Indiana, and being more particularly described as follows:

Commencing at the Northeast corner of said Section 8; thence Southerly on and along the East line of the Northeast Quarter of said Section 8, a distance of 2654.44 feet to the East Quarter corner of said Section 8; thence Westerly on and along South line of the Northeast Quarter of said Section 8, a distance of 2655.50 feet to the Center of said Section 8, and being the point of beginning this description; thence Southerly on and along the East line of the Northeast Quarter of the Southwest Quarter of said Section 8, a distance of 1321.36 feet to the Southeast corner of said Quarter-Quarter Section; thence Westerly on and along the South line of the North Half of said Southwest Quarter, a distance of 1483 feet, more or less to the southwest corner of a tract of land described to the State of Indiana in Deed Record 337, page 344 in the Office of the Recorder of Porter County, Indiana; thence on and along the westerly right-of-way of State Road 49 as described in said Deed Record 337, page 344, Deed Record 337, page 505, and Deed Record 337, page 202 all in said Office of the Recorder the following six courses and distances: Northerly, a distance of 157.58 feet; thence Northerly on and along a curve having a radius of 5874.58 feet and a chord length of 1053.79 feet, an arc length of 1055.21 feet; thence Northerly, a distance of 2697.72 feet; thence Northwesterly, a distance of 69.82 feet; thence Westerly, a distance of 100.12 feet; thence Northwesterly, a distance of 52.20 feet to the northwesterly corner of said tract of land described in Deed Record 337, page 202; thence Northerly on and along an east line of a tract of land described to 214 East County Road 500 North, LLC in Document Number 2002-003266 in said Office of the Recorder, a distance of 20.00 feet to the intersection with the North line of the Northwest Quarter of said Section 8; thence Easterly on and along the North line of said Northwest Quarter, a distance of 24.53 feet to the southeasterly corner of a tract of land described to Loren Johnson and Patricia Johnson in Deed Record 330, page 397 in said Office of the Recorder; thence Northerly on and along the east line of said Johnson tract a distance of 35.00 feet to the westerly corner of a 0.104 acre tract described to the State of Indiana in Deed Record 339, page 316 in said Office of the Recorder; thence Easterly on and along a northerly line of said 0.104 acre tract, a distance of 126.43 feet to a corner of said 0.104 acre tract; thence Northeasterly on and along a northerly line of said 0.104 acre tract, a distance of 71.33 feet to the northeasterly corner of said 0.104 acre tract; thence Easterly passing through a 7.511 acre tract described to the State of Indiana in Deed Record 341, page 540 in said Office of the Recorder, a distance of 281 feet, more or less, to a corner of said 7.511 acre tract; thence Southeasterly on and

along a northerly line of said 7.511 acre tract, a distance of 63.65 feet to a corner of said 7.511 acre tract: thence Easterly on and along a northerly line of said 7.511 acre tract, a distance of 101.98 feet to the southeasterly corner of said 7.511 acre tract: thence Easterly on and along the northerly right-of-way line of County Road 500 North, a distance of 363 feet, more or less: thence Southerly on and along the east line and its northerly extension of a 66.05 acre tract described to PATKO, LLC in Document Number 2000-016614 in said Office of the Recorder, a distance of 680.00 feet to a corner of said 66.05 acre PATKO tract: thence Easterly on and along the north lines of said 66.05 acre tract and a 60.000 acre tract described to PATKO, LLC in Deed Record 480, page 430 in said Office of the Recorder, a distance of 808.71 feet to the intersection with the East line of the Northwest Quarter of said Section 8: thence Southerly on and along the East line of the Northwest Quarter of said Section 8, a distance of 2001 feet to the point of beginning, containing approximately 135 acres, more or less.