

ORDINANCE NO. 14, 2021

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF VALPARAISO, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF AND MAKING THE SAME A PART OF THE CITY OF VALPARAISO, INDIANA (THE "PRAIRIE RIDGE SUBDIVISION")

WHEREAS, the Common Council (the "Council") of the City of Valparaiso, Indiana (the "City") has investigated annexation of property west of its existing border; and

WHEREAS, pursuant to IC 36-4-3, the legislative body of a municipality may, by ordinance, annex territory that is contiguous to the municipality, subject to certain limitations; and

WHEREAS, pursuant to IC 36-4-3-1.7, a municipality must conduct an outreach program consisting of at least six (6) public information meetings to provide citizens with information regarding the proposed annexation; and

WHEREAS, City officials have conducted such outreach meetings and have provided citizens with information regarding the proposed annexation as required by IC 36-4-3-1.7; and

WHEREAS, responsible planning and State law require adoption of a written fiscal plan and a definite policy for the provision of services to the annexed areas; and

WHEREAS, this Council has previously adopted by resolution a written fiscal plan and definite policy for the provision of municipal services pursuant to Resolution No. 11, 2021 (the "Fiscal Plan"); and

WHEREAS, Exhibit A is a legal description of the territory to be annexed, which territory consists of approximately 30 acres ("Annexation Territory"); and

WHEREAS, Exhibit A also includes a map of the Annexation Territory; and

WHEREAS, the Annexation Territory is at least one-eighth (1/8) contiguous to the existing corporate boundaries of the City; and

WHEREAS, on or about February 9, 2021, the City's Plan Commission held a duly noticed public hearing regarding the initial Zoning of the Annexation Territory; and

WHEREAS, on or about March 9, 2021, the City's Plan Commission voted by a vote of 8-0 to favorably recommend the Annexation Territory be assigned Suburban Residential (SR) Zoning District; and

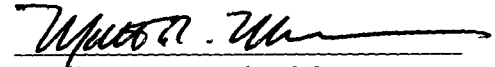
WHEREAS, this Ordinance has been adopted following a duly noticed public hearing; and

WHEREAS, this Council has determined to annex the Annexation Territory pursuant to the terms of this Ordinance.


NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, as follows:

1. The above recitals, including Exhibit A, are incorporated herein by reference as though fully set forth herein below. Two copies of Exhibit A shall be kept on file with the Clerk for public inspection.
2. In accordance with IC 36-4-3, the Annexation Territory is hereby annexed to the City of Valparaiso and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.
3. The terms and conditions applicable to this Annexation are as follows:
 - i. **Timing of Annexation.** Pursuant to IC 36-4-3-8, the effective date of this Ordinance shall be postponed until December 1, 2022 pursuant to IC 36-4-3-7.
 - ii. **Zoning Classification.** Pursuant to the recommendation of the City's Plan Commission, the Annexation Territory shall be assigned the zoning classification of Suburban Residential (SR).
4. To the extent the Annexation Territory includes land contiguous to public highways, the Annexation Territory shall include the contiguous areas of the public highway and public highway rights-of-way as required by IC 36-4-3-2.5.
5. The Annexation Territory is hereby assigned to Common Council District No. 1.
6. All municipal property taxes imposed on the annexation territory after the ordinance takes effect that are not used to meet the basic services described in the fiscal plan for a period of three years shall be impounded in a special fund to provide additional services not set forth in the fiscal plan. Within ninety (90) days of the effective date of this annexation, an advisory board shall be appointed pursuant to IC 36-4-3-8.1.
7. The paragraphs, sentences and words of this Ordinance are severable, and if any portion hereof is declared unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance.
8. All prior Ordinances or parts thereof which may be inconsistent with any provision of this Ordinance are hereby repealed.

DULY PASSED AND ADOPTED this 25th day of OCTOBER, 2021, by the Common Council of the City of Valparaiso, Porter County, Indiana, having been passed by a vote of 7 in favor and 8 opposed.


Matthew R. Murphy, Mayor

ATTEST:


Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 25th day of October, 2021 at the hour of 6:00 o'clock P.M.


Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this 25th day of OCTOBER, 2021 at the hour of 6:00 o'clock P.M.

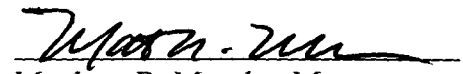

Matthew R. Murphy, Mayor

Exhibit A – Annexation Territory

Legal Description – Prairie Ridge Subdivision

An area of land located in the southeast quarter of Section 31, Township 35 North, Range 5 West of the second principal meridian in Center Township, Porter County, Indiana, being more particularly described as: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THEN SOUTH 00 DEGREES, 6 MINUTES, 45 SECONDS EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 866.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES, 6 MINUTES, 45 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 1,212.00 FEET; THENCE SOUTH 89 DEGREES, 48 MINUTES 17 SECONDS EAST, PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1,079.72 FEET; THENCE NORTH 00 DEGREES 6 MINUTES 45 SECONDS WEST, PARALLEL TO THE SAID WEST LINE, A DISTANCE OF 1,212.00 FEET; THENCE NORTH 89 DEGREES 48 MINUTES 17 SECONDS WEST, PARALLEL TO SAID NORTH LINE, A DISTANCE OF 1,079.72 FEET, TO THE POINT OF BEGINNING. CONTAINING 30.04 ACRES, MORE OR LESS.

Exhibit A -
Annexation Territory

