

ORDINANCE NO. 30, 2012

AN ORDINANCE AMENDING THE ZONING MAP REZONING LAND WITHIN THE CITY OF VALPARAISO, INDIANA, FROM GR GENERAL RESIDENTIAL DISTRICT TO UR URBAN RESIDENTIAL AND BP BUSINESS PARK DISTRICT

WHEREAS, a petition was presented by Lake County Trust Co. as Trustee of Trust No. 6299, c/o Todd A. Leeth to rezone land located North of Evans Avenue, South of Vale Park Road, East of 49 and West of Bartz Road FROM GR GENERAL RESIDENTIAL DISTRICT TO UR URBAN RESIDENTIAL AND BP BUSINESS PARK DISTRICT ("Petition"); and

WHEREAS, the Plan Commission duly advertised and held a public hearing on the Petition on November 13th, 2012; and

WHEREAS, the general public was given an opportunity to comment on the Petition; and

WHEREAS, after much deliberation, the Plan Commission voted to favorably recommend rezoning the property from GR General Residential District to UR Urban Residential and BP Business Park District on November 20th, 2012 by a vote of 6-0.

WHEREAS, pursuant to Ind. Code § 36-7-4-605 the Plan Commission certified its decision to favorably recommend rezoning the property in writing to the Common Council of the City of Valparaiso, Indiana. The Plan Commission's written certification is hereby incorporated by reference into this Ordinance and attached as hereto as **Exhibit A**.

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

- 1) That pursuant to Ind. Code § 36-7-4-603 both the Plan Commission and Common Council have paid reasonable regard to the following in considering the Petition:
 - a. City of Valparaiso's Comprehensive Plan;
 - b. Current conditions and character of the current structures and uses in each district;
 - c. The most desirable use for which the land is adapted;
 - d. The conservation of the property values throughout the jurisdiction; and
 - e. Responsible development and growth.

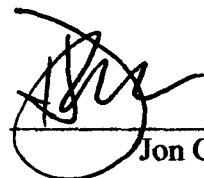
NOW, THEREFORE, BE IT FURTHER ORDAINED by the Common Council of the City of Valparaiso, Indiana, as follows:

- 1) The following described real estate in the City of Valparaiso, Indiana, is hereby rezoned to UR Urban Residential and BP Business Park District Zoning classification to wit:

See attached Legal Description - **Exhibit B**

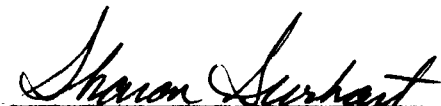
- 1) 2) This ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a 6-0 vote of all members present and voting this 17th day of Dec., 2012.



Jon Costas, Mayor

ATTEST:



Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 17th day of Dec, 2012, at 9:55 o'clock p.m.

Sharon Swihart
Sharon Swihart, Clerk-Treasurer

This Ordinance approved/denied and signed by me this 17th day of Dec, 2012, at 9:55 o'clock p.m.

Jon Costas
Jon Costas, Mayor

EXHIBIT "A"

LEGAL DESCRIPTION FOR REAL ESTATE WITH ZONING CLASSIFICATIONS

Business Park - Revised October 23, 2012

A part of Parcel 2 and part of Parcel 3 as per Vansland, LLC, property described in Quit Claim Deed recorded as Document Number 2009-034179 on December 30, 2009 in the Porter County Recorder's Office being located in Section 17, Township 35 North, Range 5 West of the Second Principal Meridian in Porter County, Indiana, more particularly described as follows:

A parcel of land in Section 17, Township 35 North, Range 5 West of the Second Principal Meridian in Porter County, Indiana. More particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 17; Thence North 89°28'50" West, along the South line of said Quarter – Quarter, 440.0 feet; Thence continuing North 89°28'50" West, along said South line, 253.63 feet; Thence North 00°15'49" East, 208.0 feet; Thence North 89°28'50" West, 420.0 feet; Thence North 00°15'49" East, 95.0 feet; Thence North 89°28'50" West, 210.0 feet, to the Eastern line of Pine Creek Estates Subdivision, as per the plats of phase A, B and C, recorded in Documents 42-D-3, 42-D-3B and 42-D-3C, respectively, said line also being the East line of the Southwest Quarter of said Section 17; Thence North 00°15'49" East along said line, 2337.72 feet, to the Northern line of said Pine Creek Estates Subdivision, said Northern line also being the Northern line of the Southwest Quarter of said Section 17; Thence North 89°07'37" West 153.14 feet, along said North line to the Point of Beginning; Thence continuing North 89°07'37" West 511.78 feet to the Eastern right of way of State Road # 49; Thence North 00°18'53" East, 280.74 feet, along said Eastern right of way to the beginning of a curve, said curve being concave to the West, with a radius of 8594.37 feet and a chord distance of 1060.32 feet; Thence North and West along the length of said curve 1060.99 feet to the North line of the Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West; Thence South 89°22'23" East, 719.45 feet, along said North line to the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 17; Thence South 89°31'09" East 1328.79 feet, along said North line to the Northeast corner of the Southwest Quarter of said Northeast Quarter; Thence South 00°30'40" West, 876.54 feet; thence North 89°31'43" West 1472.58 feet; thence South 00°00'00 West 463.88 feet to the Point of Beginning, containing 45.849 acres more or less.

URBAN RESIDENTIAL PARCEL- Revised October 23, 2012

Parcel 1, Parcel 5, part of Parcel 2 and part of Parcel 3 as per Vansland, LLC, property described in Quit Claim Deed recorded as Document Number 2009-034179 on December 30, 2009 in the Porter County Recorder's Office being located in Section 17, Township 35 North, Range 5 West of the Second Principal Meridian in Porter County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 17; Thence North $89^{\circ}28'50''$ West, along the South line of said Quarter – Quarter, 440.0 feet, to the Point of Beginning; Thence continuing North $89^{\circ}28'50''$ West, along said South line, 253.63 feet; Thence North $00^{\circ}15'49''$ East, 208.0 feet; Thence North $89^{\circ}28'50''$ West, 420.0 feet; Thence North $00^{\circ}15'49''$ East, 95.0 feet; Thence North $89^{\circ}28'50''$ West, 210.0 feet, to the Eastern line of Pine Creek Estates Subdivision, as per the plats of phase A, B and C, recorded in Documents 42-D-3, 42-D-3B and 42-D-3C, respectively, said line also being the East line of the Southwest Quarter of said Section 17; Thence North $00^{\circ}15'49''$ East along said line, 2337.72 feet, to the Northern line of said Pine Creek Estates Subdivision, said Northern line also being the Northern line of the Southwest Quarter of said Section 17; Thence North $89^{\circ}07'37''$ West 153.14 feet; thence North $00^{\circ}00'00''$ East 463.88 feet; thence South $89^{\circ}31'43''$ East 1472.58 feet; Thence South $00^{\circ}30'40''$ West, 453.17 feet to the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 17; Thence South $00^{\circ}04'46''$ West, 403.77 feet, along the east line of the Northwest quarter of the Southwest quarter of said section 17; Thence North $89^{\circ}28'50''$ West, 220.0 feet; Thence South $00^{\circ}04'46''$ East, 260.0 feet; Thence North $89^{\circ}28'50''$ West 22.0 feet; Thence South $00^{\circ}04'46''$ West 180.0 feet; Thence North $89^{\circ}28'50''$ West, 198.0 feet; Thence South $00^{\circ}04'46''$ West, 486.89 feet; Thence South $00^{\circ}05'24''$ West, 1099.45; thence to the south line of property conveyed to Spencer by quit-claim deed recorded as Document Number 1993-011163 in said Recorder's Office; thence North $90^{\circ}00'00''$ East along said Spencer property 202.0 feet; thence South $00^{\circ}26'00''$ East 16 feet; thence South $90^{\circ}00'00''$ West 202.0 feet; Thence South $00^{\circ}05'24''$ West, 224.0 feet to the Point of Beginning, containing 71.720 acres more or less.

