

ORDINANCE NO. 12, 2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, ANNEXING CERTAIN REAL ESTATE INTO THE CITY OF VALPARAISO, INDIANA, KNOWN AS THE "HAWTHORNE NORTH ANNEXATION"

WHEREAS, the Common Council of the City of Valparaiso, Indiana, believes that annexation of the Annexation Territory (as hereinafter defined) into the City of Valparaiso, Indiana ("City"), is in the best interest of the residents and property owners of the Annexation Territory and the City; and

WHEREAS, maps depicting the boundaries of the Annexation Territory, which consists of approximately 32.8 acres, are attached hereto and incorporated into this Ordinance as Exhibit A; and

WHEREAS, a legal description of the Annexation Territory is attached hereto and incorporated into this Ordinance as Exhibit B; and

WHEREAS, to the extent the Annexation Territory includes land contiguous to a public highway, the Annexation Territory shall include the contiguous areas of the public highway and public highway rights-of-way; and

WHEREAS, at least one eighth (1/8) of the aggregate external boundaries of the Annexation Territory are contiguous to the corporate boundaries of the City; and

WHEREAS, it is the intent of this Council to adopt for the Annexation Territory the current City zoning classification that most closely corresponds to the current County zoning classification for the property; and

WHEREAS, responsible planning and state law require adoption of a fiscal plan and policy for the provision of certain services to the Annexation Territory; and

DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER

NOV 17 2016

VICKI URBANIK
AUDITOR PORTER COUNTY

NC JPD
GIS

WHEREAS, contemporaneously with the introduction of this Ordinance, and prior to the publication and issuance of notice of public hearing on the annexation, the Common Council of the City of Valparaiso, Indiana, by resolution has adopted a written fiscal plan and policy for the provision of noncapital and capital services to the Annexation Territory; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution includes the provision of services of a non-capital nature within one (1) year after the effective date of the annexation under this Ordinance in a manner equivalent in standard and scope to those non-capital services provided to areas within the present corporate boundaries of the City, regardless of similar topography, patterns of land use and population density; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution includes the provision of services of a capital nature to the Annexation Territory within three (3) years after the effective date of the Annexation under this Ordinance in the same manner as those services are provided to areas within the present corporate boundaries of the city, regardless of similar topography, patterns of land use and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria; and

WHEREAS, prior to the adoption of this Ordinance, the Common Council of the City of Valparaiso, Indiana, will conduct a public hearing pursuant to notice published and mailed in accordance with the applicable provisions of Indiana law; and

WHEREAS, the Common Council finds that the annexation of the Annexation Territory pursuant to the terms and conditions of this Ordinance is in the best interest of all owners of land in the annexation territory, is fair and equitable, and should be accomplished.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, THAT;

Section 1. In accordance with Indiana law, the Annexation Territory is hereby annexed to the City of Valparaiso, Indiana, and included within the City's corporate boundaries pursuant to the terms and conditions of this Ordinance.

Section 2. The Annexation Territory is assigned to City Council District No. 5

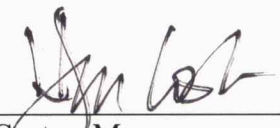
Section 3. The foregoing recitals (or "whereas clauses") are findings of fact by the Common Council and are incorporated into this Ordinance by reference.

Section 4. Upon the effective date of this ordinance, the Annexation Territory shall be classified for zoning purposes as Suburban Residential, SR.

Section 5. The sections, subsections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining sections, subsections, paragraphs, sentences, clause and phrases of this Ordinance.

Section 5. This Ordinance shall become effective as soon as allowed by law.

DULY PASSED AND ADOPTED this 27th day of June, 2016, by the Common Council of the City of Valparaiso, Porter County, Indiana, having been passed by a vote of 7 in favor and 0 opposed.



Jon Costas, Mayor

ATTEST:

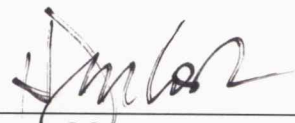


Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 6 day of July, 2015 at the hour of 10:00 o'clock p.m.

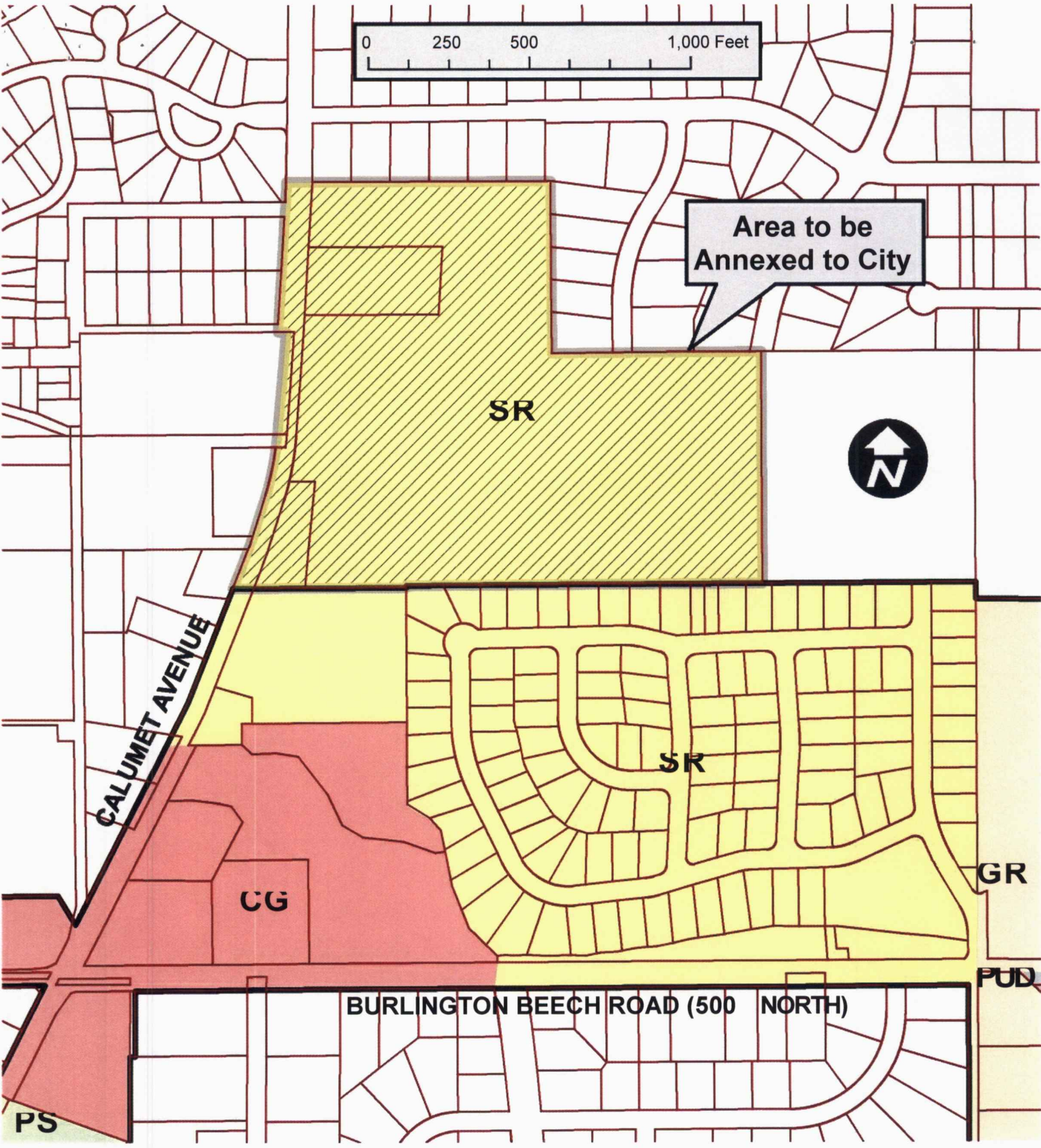

Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 6 day of July, 2015, at the hour of 10:00 o'clock p.m.


Jon Costas, Mayor

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

THIS INSTRUMENT PREPARED BY TYLER KENT.



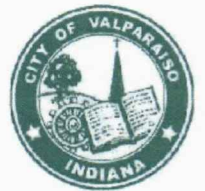
CASE # A16-001 and RZ16-001 Ordinance #12, 2016

Hawthorne North Annexation

3800 Vale Park Road

LEGEND

- | | |
|--------------------------------|---------------------------------|
| NC - Neighborhood Conservation | CG - Commercial, General |
| ER - Estate Residential | CBD - Central Business District |
| SR - Suburban Residential | CP - Central Place |
| GR - Residential, General | RT - Residential Transition |
| UR - Residential, Urban | CA - Campus |
| PS - Public Space | BP - Business Park |
| RU - Rural | INL - Light Industry |
| CN - Commercial, Neighborhood | INH - Heavy Industrial |
| | PUD - Planned Unit Development |



- ParcelPoly
- CityLimits

Exhibit B

Ordinance #12, 2016 Hawthorne North Annexation

Parcel 64-10-06-406-009.000-003

A parcel of land located in the Southeast Quarter of Section 6, Township 35 North, Range 5 West, Porter County, Indiana, more particularly described as follows:

Commencing at an iron pipe on the East line of said Section 6 which is 1204.5 feet North of the Southeast corner of said Southeast Quarter Section, thence South 89 degrees 57 minutes 30 seconds West parallel to the South line of said Southeast Quarter Section 660.00 feet to the TRUE POINT OF BEGINNING for said parcel; thence continuing South 89 degrees 57 minutes 30 seconds West 1105.50 feet; thence South 00 degrees 00 minutes 00 seconds West 7.00 feet; thence South 89 degrees 57 minutes 30 seconds West 311.45 feet; thence North 05 degrees 43 minutes 00 seconds East 330.00 feet; thence South 89 degrees 57 minutes 30 seconds West 79.9 feet to an iron pipe which is 30.0 feet East by rectangular measurement from the centerline of State Road 49 (said point being on the East right-of-way line of State Road #49); thence Northeasterly along said East right-of-way line 925 feet, more or less, to an iron pipe, thence South 89 degrees 54 minutes 10 seconds East 737.50 feet; thence South 00 degrees 01 minutes 30 seconds East 528.38 feet; thence South 89 degrees 54 minutes 30 seconds East 648.56 feet; thence South 00 degrees 00 minutes 00 seconds West 712.03 feet to the TRUE POINT OF BEGINNING for said parcel. Containing 32.5 acres and subject to all legal highways and easements.

EXCEPTING THEREFROM, a parcel of land in the Northwest 1/4 of the Southeast 1/4 of Section 6, Township 35 North, Range 5 West, in Porter County, Indiana, described as follows:

Commencing at the Southeast Corner of Lot 17 in Sunny Lane Subdivision; thence West along the South line of said Sunny Lane Subdivision, 720 feet to the East right-of-way line of State Road No. 49; thence Southerly along said East right-of-way line, 200 feet to the TRUE POINT OF BEGINNING for said parcel; thence continuing Southerly along said East right-of-way line of State Road No. 49, 210 feet; thence East 414.86 feet; thence Northerly 210 feet; thence West 414.86 feet to the TRUE POINT OF BEGINNING; subject to all legal highways.

Parcel 64-10-06-406-007.000-003

A parcel of land in the Northwest 1/4 of the Southeast 1/4 of Section 6, Township 35 North, Range 5 West, in Porter County, Indiana, described as follows:

Commencing at the Southeast Corner of Lot 17 in Sunny Lane Subdivision; thence West along the South line of said Sunny Lane Subdivision, 720 feet to the East right-of-way line of State Road No. 49; thence Southerly along said East right-of-way line, 200 feet to the TRUE POINT OF BEGINNING for said parcel;

thence continuing Southerly along said East right-of-way line of State Road No. 49, 210 feet; thence East 414.86 feet; thence Northerly 210 feet; thence West 414.86 feet to the TRUE POINT OF BEGINNING; subject to all legal highways.

Parcel 64-10-06-406-008.000-003

A parcel of land in the Southeast Quarter of Section 6, Township 35 North, Range 5 West of the Second Principal Meridian in Center Township, Porter County, Indiana, being more particularly described as follows:

Commencing at an iron pipe on the East line of said Section 6 which is 1204.5 feet North of the Southeast corner of said Southeast Quarter; thence South 89 degrees 57 minutes 30 seconds West parallel with the South line of said Southeast Quarter, a distance of 1765.50 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 7.00 feet; thence South 89 degrees 57 minutes 30 seconds West parallel with said South line, a distance of 311.45 feet to the POINT OF BEGINNING; thence North 05 degrees 43 minutes 00 seconds East, a distance of 330.00 feet; thence South 89 degrees 57 minutes 30 seconds West parallel with said South line, a distance of 79.9 feet to an iron pipe which is 30.0 feet by rectangular measurement from the centerline of State Road No. 49 (said point being on the East right-of-way line of State Road No. 49); thence Southwesterly along said right-of-way on a chord bearing of South 18 degrees 58 minutes 57 seconds West, a distance of 347.30 feet, more or less, to an iron pipe being 30.0 feet East of the centerline of said State Road No. 49 by rectangular measurement; thence North 89 degrees 57 minutes 30 seconds East parallel with said South line, a distance of 160.00 feet to the POINT OF BEGINNING. Containing 0.9 acres, more or less.