

RESOLUTION #19, 2022

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA, ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF PROPERTY KNOWN AS THE "IN-49 & VALE PARK RD ANNEXATION"

WHEREAS, the Common Council (the "Council") of the City of Valparaiso, Indiana (the "City") has investigated annexation of property east 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 Indiana Code §36-4-3-3.1 a fiscal plan must be prepared and adopted by resolution prior to such annexation; and

WHEREAS, the required fiscal plan, included as Exhibit D (the "Fiscal Plan") and attached hereto and made a part hereof, has been prepared and presented to the Common Council for consideration; and

WHEREAS, it is anticipated the effective date of the annexation will be no later than December 2023, such that owners will commence paying property taxes beginning May 2025; and

WHEREAS, services of a noncapital nature will commence by December 2024 and services of a capital nature will commence by December 2026; and

WHEREAS, the Fiscal Plan has been reviewed and complies with the requirements of Indiana Code §36-4-3-13; and

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

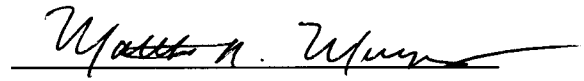
SECTION 1. Incorporation of Recitals. The foregoing recitals (or "whereas clauses") are findings of fact by the Common Council and are incorporated into this Resolution by reference.

SECTION 2. Approval and Adoption of Fiscal Plan. The Common Council of the City hereby approves and adopts the Fiscal Plan attached hereto, made a part hereof, and marked as Exhibit C to this Resolution for the IN-49 & Vale Park Rd Annexation.

SECTION 3. Effective Date. This Resolution shall be in full force and effect upon its passage by the Common Council and as provided by Indiana law.

SECTION 4. Severability. 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 judgement or decree of a court of competent jurisdiction, such unconstitutionally, invalidity, or unenforceability shall not affect any of the remaining sections, subsections, paragraphs, sentences, clauses, and phrases of this Ordinance.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a 7-0 vote of all members present and voting on this 14th day of November, 2022.



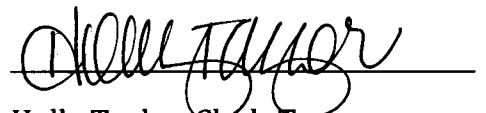
Matthew R. Murphy, Mayor

ATTEST:



Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 14th day of November, 2022 at the hour of 6:25 o'clock P.M.



Holly Taylor, Clerk-Treasurer

This Resolution approved and signed by me this 14th day of November, 2022.



Matthew R. Murphy, Mayor

Exhibit A

LEGAL DESCRIPTION IN-49 & VALE PARK ROAD ANNEXATION

An irregularly shaped parcel land in and around the State Road 49 Vale Park Road interchange proposed for annexation by the City of Valparaiso; said parcel is located within Sections 8 and 17, all in Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, and is more particularly described as:

See Attached "Exhibit B" for Annexation Map.

The SE $\frac{1}{4}$ of Section 8 Township 35 North, Range 5 West EXCEPTING therefrom:

- (1) the East 40 Acres of said SE $\frac{1}{4}$, also known as Meadowbrook Subdivision (Plat Book 39-F-4 / Doc. #2001-005129).

Three Vansland LLC properties located in the NW $\frac{1}{4}$ of Section 17 Township 35 North, Range 5 West, and more particularly described as Porter County Parcels:

- (1) 64-10-17-101-002.000-020 (5 Acres) and described as Parcel 9 of Quit Claim Deed 2009-034179. (See Exhibit C)
- (2) 64-10-17-176-001.000-020 (3.337 Acres) and described as Parcel 10 of Quit Claim Deed 2009-034179. (See Exhibit C)
- (3) 64-10-17-126-001.000-020 (1.552 Acres) and described as Parcel 11 of Quit Claim Deed 2009-034179. (See Exhibit C)

As a point of clarification to existing Valparaiso Corporate Limits, this annexation also includes all the state-owned parcels, state rights-of-way and all of Vale Park Road (C.R. 400 North) rights-of-way located within:

- (1) The SW $\frac{1}{4}$ of Section 8 Township 35 North, Range 5 West.
- (2) The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 8.
- (3) The NW $\frac{1}{4}$ of Section 17 Township 35 North, Range 5 West.
- (4) The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ in said Section 17.

that were not previously annexed to the City of Valparaiso from the eight prior annexation ordinances listed and more particularly described below:

- (1) Ordinance 46, 1989 (Deed Book 123 Page 341) in said Recorder's Office.
- (2) Ordinance 3, 2000 (Document 2000-0017138) in said Recorder's Office
- (3) Ordinance 10, 2000 (Document 2000-019984) in said Recorder's Office
- (4) Ordinance 59, 2005 (Document 2005-001527) in said Recorder's Office
- (5) Ordinance 19, 2006 (Document 2006-013745) in said Recorder's Office
- (6) Ordinance 33, 2008 (Document 2008-031905) in said Recorder's Office
- (7) Ordinance 7, 2014 (Document 2014-006758) in said Recorder's Office
- (8) Ordinance 26, 2015 (Document 2016-005848) in said Recorder's Office

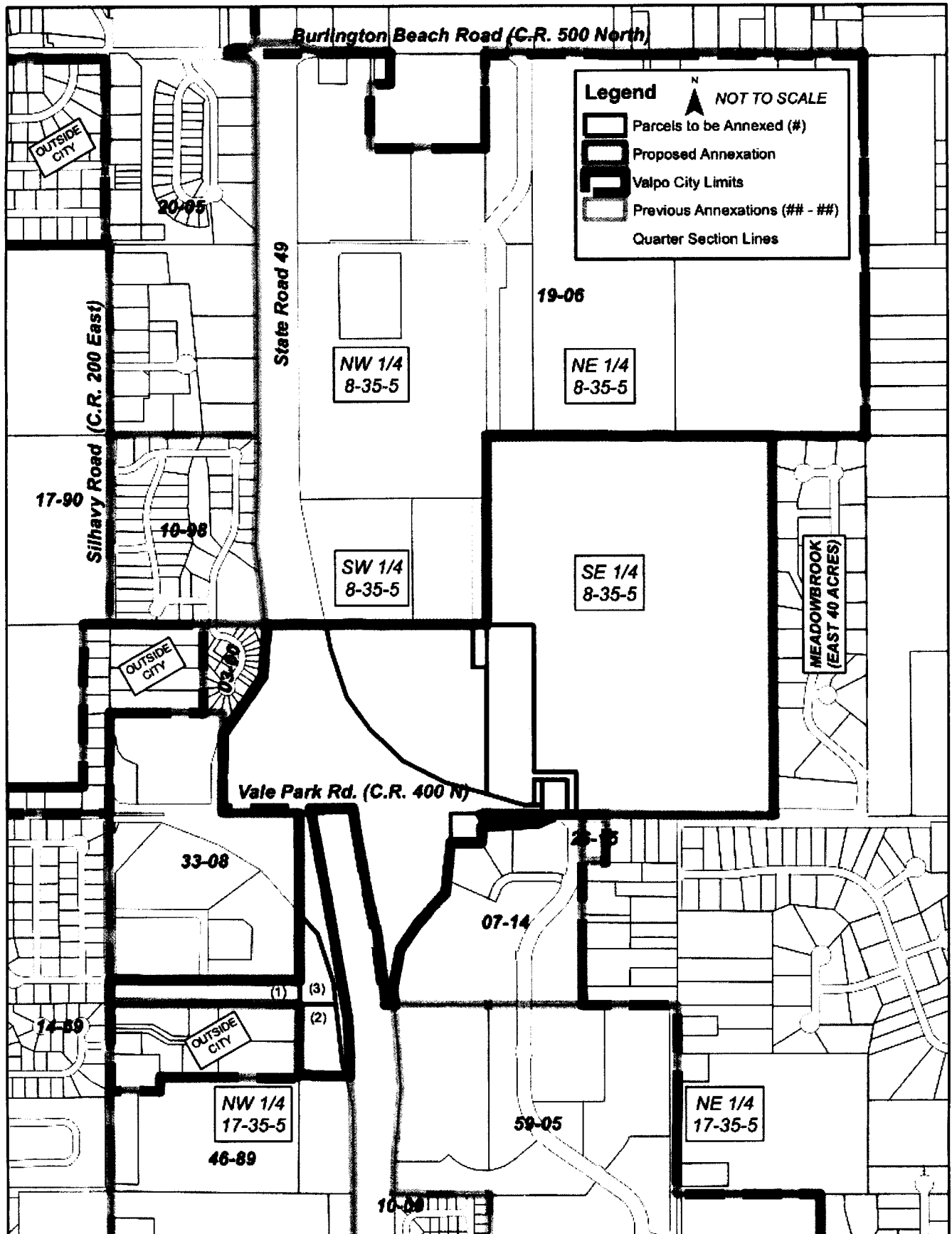
As a second point of clarification to said corporate limits, this annexation also includes any additional property(s) and right-of-way(s) within NW ¼, of the NW ¼ of Section 17, Township 35 North, Range West that were not previously annexed to the City of Valparaiso in said Ordinance 33, 2008.

Said annexation contains approximately 203 Acres, more-or-less.

Prepared by:

City Engineer's Office
City of Valparaiso
September 2022

**Exhibit B -
Annexation Area**



2009-034179

STATE OF INDIANA
PORTER COUNTY
FILED FOR RECORD
12/30/2009 10:46AM
LINDA D. TRINKLER
RECORDER

REC FEE: \$24.00
PAGES: 5

Mail Tax Bills To:
Vansland LLC
c/o James Bozik
56 S Washington Street
Suite 401
Valparaiso, IN 46383

QUITCLAIM DEED

THIS INDENTURE WITNESSETH that DONALD J. VANDERTOLL and JEANETTE E. VANDERTOLL, as their interests may appear, of 13901 River Glen Lane, City of Prospect, State of Kentucky;

Release and Quit Claim to VANSLAND, LLC, an Indiana Limited Liability Company, of Porter County, State of Indiana, the following described real estate in Porter County, State of Indiana, to-wit:

PARCEL 1: *GIS 64-10-17-451-001.000-029*

The West 40 acres of the South 60 acres of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana;
EXCEPTING THEREFROM the South 208 feet of said West 40 acres;
AND ALSO EXCEPTING THEREFROM the North 95 feet of the South 303 feet of the West 210 feet of said West 40 acres.

PARCEL 2: *GIS 64-10-17-177-001.000-029*

That part of the Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, lying East of the East line of Indiana State Road 49, said line described as follows:

Commencing at the Southeast corner of said Southeast Quarter of the Northwest Quarter; thence North 89 degrees 09 minutes 30 seconds West, along the South line of said Quarter Quarter Section, 662.54 feet to the East boundary of Indiana State Road 49, and the POINT OF BEGINNING of said described line;

thence North 00 degrees 17 minutes 00 seconds East, along said boundary of Indiana State Road 49, 233.21 feet; thence North 05 degrees 04 minutes 46 seconds East, along said boundary, 512.11 feet; thence North 04 degrees 16 minutes 02 seconds West, along said boundary, 585.64 feet to the North line of said Southeast Quarter of the Northwest Quarter and the point of termination of said line.

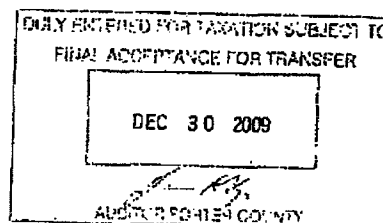
PARCEL 3: *GIS 64-10-17-200-001.000-029*

The Southwest Quarter of the Northeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.

BTBH ✓

Sales Disclosure **NOT** Required
Porter County Assessor

COPY PORTER COUNTY RECORDER PAGE 1 OF 5



200
\$100 SB

29/24

PARCEL 4: 615 64-10-17-426-001.000-029
The North 2/3 of the West 3/4 of the Northeast Quarter of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.

PARCEL 5: 615 64-10-17-401-001.000-029
The North Half of the Northwest Quarter of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana;
EXCEPTING THEREFROM that part, if any, of the two tracks of real estate described as follows, lying within said North Half:
a) The North 260.0 feet of the South 2249.8 feet of the East 220.0 feet of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.
b) The North 180.0 feet of the South 1989.8 feet of the East 242.0 feet of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.

PARCEL 6: 615 64-10-17-401-003.000-029
That part of the real estate described as follows lying within the South 60 acres of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, to-wit:
The North 180.0 feet of the South 1989.8 feet of the West 198 feet of the East 440 feet of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.

PARCEL 7: 615 64-10-17-400-027.000-029
A parcel of real estate in the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, described as follows:
BEGINNING at a point 630 feet East of the Southwest corner of the Southeast Quarter of said Section 17; thence North 208 feet; thence East 210 feet; thence South 208 feet; thence West 210 feet to the point of beginning.

PARCEL 8: 615 64-10-17-400-028.000-029
The South 208 feet of the Southwest Quarter of the Southeast Quarter of Section 17, Township 35 North, Range 5 West, of the Second Principal Meridian in Porter County, Indiana,
EXCEPTING THEREFROM the West 840 feet of said South 208 feet;
AND ALSO EXCEPTING THEREFROM the East 440 feet of said South 208 feet.

PARCEL 9:

The south 10 rods of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, Porter County, Indiana (GIS 64-10-17-101-002.000-020)

PARCEL 10:

That part of the Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, lying West of the West line of Indiana State Road 49 (GIS 64-10-17-176-002.000-029 & 64-10-17-176-001.000-020)

PARCEL 11:

That part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, Porter County, Indiana lying West of the West line of Indiana State Road 49 (GIS 64-10-17-126-001.000-020)

PARCEL 12:

One acre of land being 100 feet in width East and West by 435.6 feet in length North and South out of the Southwest corner of the following described real estate to-wit: Beginning at the Northeast corner of the Southeast $\frac{1}{4}$ of section 20, Township 35 North, Range 5 West of the Second Principal Meridian; thence running South 22 rods to the center of the Valparaiso-LaPorte Road; thence Westerly along the center of said road, 57.5 rods; thence North 29 rods to the North line of the Southeast Quarter of said Section 20; thence East to the place of beginning. (GIS 64-10-20-426-004.000-029)

PARCEL 13:

The West $\frac{1}{2}$ of the following described parcel of land to-wit: All that part of the East $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ lying North of the Grand Trunk Western Railroad, excepting therefrom the East 995 feet, in Section 20, Township 35 North, Range 5 West of the Second Principal Meridian. (GIS 64-10-20-226-001.000-020)

PARCEL 14:

A parcel of land described as beginning at the Northeast corner of the Southeast $\frac{1}{4}$ of Section 20, Township 35 North, Range 5 West of the Second Principal Meridian; thence South 22 rods to the center of the Valparaiso-LaPorte Road; thence Westerly along the center of said road 57.5 rods; thence North 29 rods to the North line of said $\frac{1}{4}$ section; thence East to the place of beginning; EXCEPTING therefrom 1 acre in the Southwest corner thereof, 100 feet in width, East and West, by 435.6 feet in length North and South. (GIS 64-10-20-426-005.000-029)

PARCEL 15:

The East ½ of the Northeast ¼ of Section 20, Township 35 North, Range 5 West of the Second Principal Meridian, EXCEPT a parcel described as beginning at the Southwest corner of said tract; thence North 60 rods; thence East 22.75 rods; thence South 60 rods; thence West 22.75 rods to the place of beginning. AND EXCEPT the part of said East ½ of the Northeast ¼ lying North of the South line of the Chicago, Grand Trunk and Western Railway. ALSO EXCEPTING any part of the E1/2 of the Northeast ¼ that was platted to Porters Vale Shopping Center. (GIS 64-10-20-276-002.000-029 & 64-10-20-426-002.000-029 & 64-10-20-276-001.000-029)

PARCEL 16:

The West ½ of the Northeast ¼ of Section 20, Township 15 North, Range 5 West of the 2nd P.M., lying South of the right-of-way of the Grand Trunk and Western Railroad Company. EXCEPTING any of the West ½ of the Northeast ¼ that was platted to Porters Vale Shopping Center. (GIS 64-10-20-202-001.000-029)

PARCEL 17:

A parcel of land 10 rods square out of the Northwest corner of the West ½ of the Southwest ¼ of Section 21, Township 35 North, Range 5 West of the Second Principal Meridian. (GIS 64-10-21-300-001.000-029)

PARCEL 18:

A strip of land 4 rods in width off the West side of that part of the Northwest ¼ of Section 21, Township 35 North, Range 5 West of the Second Principal Meridian, which lies South of the right of way of the Chicago, Grand Trunk and Western Railway. (GIS 64-10-21-151-001.000-029)

PARCEL 19:

A parcel of land in the Southwest ¼ of Section 21, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter, County, Indiana, described as follows:
Beginning 256.08 feet south from the Quarter post of the West line of said Section 21, and running thence South 104.94 feet; thence North 82 ½ degrees East, 104.94 feet; thence North 104.94 feet; and thence South 82 ½ degrees West, 104.94 feet to the place of beginning. (GIS 64-10-21-300-002.000-027)

PARCEL 20:

Lot 12 Porter Vale Shopping Center as Recorded in Porter County Recorder's office Plat File 51-D-1

~~State Route 2 a distance of 400 feet; thence North parallel to said West line 435.6 feet; thence West 400 feet; thence South 435.6 feet to the point of beginning.~~

~~TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as Relocated S.R. 40 and as Project ST-089-1(G) and Project ST-089-1(A), to and from the owner's remaining lands where they abut the above-described real estate. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.~~

~~PARCEL 13:
A parcel of land in the SE 1/4 of Section 17, Township 35 North, Range 5 West of the 2nd P.M. in Washington Township, Porter County, Indiana, described as follows: Commencing at the S.W. corner of said S.E. 1/4; thence East along the South line of said S.E. 1/4, 810.0 feet; to the Point of Beginning; thence continuing East along said South line 30.0 feet; thence North, 238 feet; thence West 600 feet to the East line of the West 210 feet of said S.E. 1/4; thence South 30 feet; thence East 600 feet; thence North 208 feet to the Point of Beginning. D.A. 5576-1-150 and 5576-1-152.~~

IN WITNESS WHEREOF, the said DONALD J. VANDERTOLL and JEANETTE E. VANDERTOLL, have hereunto set their hands and seals this 28 day of NOVEMBER 2009.

Donald J. Vandertoll Jeanette E. Vandertoll
DONALD J. VANDERTOLL JEANETTE E. VANDERTOLL

STATE OF INDIANA)
COUNTY OF PORTER) ss

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared DONALD J. VANDERTOLL and JEANETTE E. VANDERTOLL and acknowledged the execution of said deed to be their voluntary act and deed for the uses and purposes expressed therein.

WITNESS MY HAND AND SEAL THIS 28 day of November 2009.

[Signature] Notary Public
My Comm. Expires: 7/18/2011
County of Residence: PORTER

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.

[Signature]
Printed Name: JAMES S. BOZIK

Instrument Prepared by: JAMES S. BOZIK, Blahny, Tabor, Bozik & Hartman LLC
56 S. Washington Street, Ste. 401, Valparaiso, IN 46383; PH: 219/464-1041

CITY OF VALPARAISO

**ANNEXATION FISCAL PLAN
EAST-SIDE PARK ANNEXATION**

**DATED
NOVEMBER 14, 2022**



**CITY OF VALPARAISO
ANNEXATION FISCAL PLAN
EAST-SIDE PARK**

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**CITY OF VALPARAISO
ANNEXATION FISCAL PLAN
EAST-SIDE PARK**

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**CITY OF VALPARAISO
ANNEXATION FISCAL PLAN
EAST-SIDE PARK**

INTRODUCTION

The following fiscal plan (the "Fiscal Plan") is for the proposed annexation of A parcel to the east of the existing corporate limits on the northeast side of Valparaiso (the "Annexation Area"). The Annexation Area is adjacent to the City of Valparaiso (the "City"). The requirements of the code mandate the development and adoption of a written fiscal plan and the establishment of a definite policy by resolution of the City Council. The Indiana Code states that this fiscal plan must include and provide:

1. The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency;
2. The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used;
3. The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin;
4. That planned services of a non-capital nature, including police protection, fire protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries will be provided within one (1) year ¹ after the effective date of annexation, and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided in areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density;
5. That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years ¹ after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, 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;
6. The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels, and annual debt

¹ The timing listed throughout this report for the implementation of both non-capital and capital services is the standard length of time used by the City of Valparaiso, however we have assumed in the fiscal analysis that the improvements will not be made until after the park construction is completed in year 3.

service payments in those political subdivisions for six (6) years after the effective date of the annexation;

7. The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for six (6) years after the effective date of the annexation;
8. A list of all parcels of property in the annexation territory and the following information regarding each parcel:
 - A. The name of the owner of the parcel.
 - B. The parcel identification number.
 - C. The most recent assessed value of the parcel.
 - D. The existence of a known waiver of the right to remonstrate on the parcel.

This Fiscal Plan may include additional materials in connection with the foregoing. It was developed through the cooperative efforts of the City's various administrative offices and the City's financial advisor, Cender | Dalton Municipal Advisors. This Fiscal Plan is the result of an analysis of the proposed Annexation Area.

The Annexation Area is contiguous to the City for the purposes of Indiana Code 36-4-3-1.5, and there is a written Fiscal Plan, herein provided, that has been approved by the City Council.

AREA DESCRIPTION

Location, Area Size and Contiguity

The proposed Annexation Area is located on the east side of the existing corporate boundaries on the north side of the City. A map and legal description of the area to be annexed has been included in attached APPENDIX B.

The Annexation Area is approximately 203 acres. The perimeter boundary of the Annexation Area totals 21,744 lineal feet, 16,506 (or 75.91%) of which is contiguous to the existing corporate boundaries of the City.

Current Land Use

The Annexation Area consists of vacant, unplatted land, and agricultural land.

Zoning

Existing Zoning: RR - Rural Residential

Proposed Zoning: Campus (CA); Public Space (PS); and Suburban Residential (SR)

Current Population

The current population of the Annexation Area is estimated at four (4), as there are two (2) primary residences within the Annexation Area.

Real Property Assessed Valuation

The estimated net assessed valuation for land and improvements in the Annexation Area is \$633,300. This represents the assessed value as of January 1, 2022 for taxes payable 2023. It is expected the net assessed value would decrease if the ownership of any of the properties were sold or transferred to the City of Valparaiso, a municipality. It is also anticipated the Valparaiso Redevelopment Commission will be exempt from paying taxes on the properties held by it. It purchased two of the parcels in April 2022.

NON-CAPITAL SERVICES

Cost of Services

The current standard and scope of non-capital services being delivered within the City and the Annexation Area were evaluated by each municipal department to determine the personnel and equipment necessary to provide such non-capital services in a manner equivalent in standard and scope to services that are currently provided within the existing City's municipal boundary.

The City will provide all non-capital services to the Annexation Area within one (1) year² after the effective date of the annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the City regardless of topography, patterns of land use, and population density.

Police Protection

The Porter County Sheriff's Department currently provides police protection and law enforcement services to the Annexation Area. However, all non-capital services of the Valparaiso Police Department ("VPD") will be made available in the Annexation Area within one (1) year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

The City of Valparaiso Police Department's primary purpose is the prevention of crime. The department consists of four (4) divisions including administration, community relations, patrol and investigations. The administration division consists of a police chief, assistant police chief and captain of patrol. The investigations division consists of six (6) detectives, combining for over 80 years of law enforcement. The VPD patrols within the boundaries of the City on a daily basis and responds to all alarm calls. In addition, the VPD provides other services such as detection and apprehension of offenders, traffic control, and preservation of civil order. The VPD does not distinguish between different areas of the City. The same services are provided throughout the City. Due to the location and character of the Annexation Area, the City does not anticipate needing to hire additional officers, but does anticipate a very small increase in fuel as a result of the annexation. The Police Department's budget within the City's General Fund will fund any additional costs.

Fire Protection

The Annexation Area is currently served by the Washington Township Volunteer Fire Department ("WTVFD"). The WTVFD currently serves each parcel located within Washington

² See footnote 1.

Township; approximately 29.5 square miles of homes and industries and more than 4,500 residents.

Upon Annexation, the parcels located within the Annexation Area will be transition to be served by the Valparaiso Fire Protection Territory ("VFPT"). The VFPT currently serves each parcel located within the corporate City limits of Valparaiso and Center Township; approximately 30 square miles of homes and industries and more than 80,000 residents. The VFPT provides fire protection, emergency medical response, hazardous materials response, technical rescue and fire prevention services to citizens within the City limits and Center Township. Due to the location and character of the Annexation Area, the City does not anticipate needing to hire additional firefighters, but does anticipate a very small increase in fuel as a result of the annexation. The Fire Department's budget within the City's General Fund will fund any additional costs.

Street Maintenance

Any dedicated streets and county roads in the Annexation Area are currently maintained by Porter County. However, all non-capital services of the Street Division of Valparaiso Public Works will be made available in the Annexation Area within one (1) year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

The Street Division of Valparaiso Public Works is responsible for the maintenance of more than 165 miles of streets and 140 culs-de-sac, including:

- Patching, resurfacing, and sealing roadways, public parking areas, and alleys.
- Plowing snow and providing salt for city streets, parking lots, and alleys.
- Maintaining necessary detours and road closures.
- Providing any necessary assistance to police, fire, and EMS during emergency calls.

The Street Division of Valparaiso Public Works is also responsible for issuing dumpster permits and providing street sweeping through the use of two (2) street sweepers. The Annexation Area has no streets maintained by the City. Currently, the City has approximately 165 miles of streets. The City anticipates additional operating costs for supplies, repairs and maintenance, snowplowing and salting in an amount expected to grow to approximately \$1,500 per year as a result of the annexation. The Local Road and Street and Motor Vehicle Highway Funds will fund any additional costs.

Trash Collection and Recycling

Two regional waste haulers currently provide solid waste disposal to the Annexation Area. It is anticipated that as the Annexation Area is in large part a park complex intended for recreational use that the City will provide solid waste disposal service as it does at the other parks in the City. The City will also provide solid waste disposal service to Residential properties within the Annexation Area. Commercial properties will pay a private waste hauler for waste disposal. The current trash collection and recycling fee for residential customers is \$19.50.

Storm Water and Drainage

Storm water and drainage facilities throughout the Annexation Area will be consistent with the City's current storm water and drainage system throughout the City. All non-capital services of Valparaiso City Services will be made available in the Annexation Area within one (1) year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

Parks

There are currently 17 parks within City limits. Amenities found in the parks include baseball diamonds, basketball courts, boats, disc golf courses, picnic areas, play fields, playgrounds, restrooms, skate parks, tennis courts, and pavilions. Rogers-Lakewood Park, one of Valparaiso's premier facilities, is a 122-acre park featuring various outdoor activities such as hayrides, discovery camps, boating, fishing, and hiking as well as six 6 shelters for rental. The centerpiece of Downtown Valparaiso, Central Park Plaza, has the outdoor Porter Health Amphitheater for concerts and other special events as well as a splash pad. The William E. Urschel Pavilion, a 135' long by 85' wide open-air pavilion, is used year-round, hosting a number of events in the summer and transforming into a refrigerated ice rink in the late fall that lasts through early spring. The Indiana Beverage Activity Building houses year-round restrooms, a rentable lobby area, conference room, and warming area with a view of the rink.

All non-capital services of the Valparaiso Parks and Recreation Department will be made available in the Annexation Area on the date the annexation becomes effective and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City. The actual activities available will continue to increase and develop as the park property is developed.

Street Lighting

Porter County does not provide streetlights in the Annexation Area. It is anticipated that the City will provide streetlights from the eastern-most round-a-bout at the intersection of Vale Park and IN-49 to Memorial Parkway and north along Memorial Parkway to St. Mary's Dr.

Governmental Administrative Services

The City does not anticipate that the addition of the Annexation Area will result in a demand for Governmental Administrative Services that cannot be met by the existing staffing of the City's offices, agencies and departments. All non-capital services of the administration of the City will be made available in the Annexation Area on the date the annexation becomes effective and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

The Governmental Administrative Services of the City include, but are not limited to, the services provided by the following:

- City Administrator
- Clerk-Treasurer's Office
- City Council
- Engineering Department
- Human Resources Department

- Planning Department
- Project and Facility Management Department
- Building Department
- Community Engagement Department
- Code Enforcement Division
- Economic Development

CAPITAL IMPROVEMENTS

Cost of Services

The Annexation Area was evaluated to determine the services and facilities required to provide the same type of services in the same manner as services that are currently provided within the existing City's corporate limits.

The City will provide the following capital services to the Annexation Area no later than three (3) years³ after the effective date of the annexation in the same manner as those capital services provided to areas within the City regardless of topography, patterns of land use, and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria. It is currently assumed that the annexation will be effective as soon as practically possible, but no later than December 31, 2023.

Water Service

The Annexation Area's water services are not currently served by the Valparaiso Water Department, but will serve the Annexation Area after annexation. Any extensions in service are anticipated to be provided within three (3) years of the date of Annexation and are to be borne by the property owners. It is anticipated that the City will incur nominal additional costs related to the provision of water service in the Annexation Area.

Wastewater Service

The Annexation Area's wastewater services are not currently served by the Valparaiso Wastewater Department, but will serve the Annexation Area after annexation. Any extensions in service are anticipated to be provided within three (3) years of Annexation and are to be borne by the property owners. It is anticipated that the City will incur nominal additional costs related to the provision of wastewater service in the Annexation Area.

Storm Water and Drainage

Storm water and drainage facilities throughout the Annexation Area will be consistent with the City's current storm water and drainage system throughout the City. The future development in the Annexation Area will follow the storm water plan approved by the City, and any associated storm water and drainage costs will be borne by the property owners. All capital storm water services of the City will be extended to the Annexation Area within three (3) years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria. Any additional storm water costs will be funded

³ See footnote 1.

by the monthly stormwater fee, which is currently \$400.00 in 2022 for Nonresidential Properties with areas greater than 160,000 square feet, and \$12.50 for Residential Properties.

Street Construction

Construction of Memorial Drive within the Annexation Area will be the responsibility of the City or Redevelopment Commission. The Annexation Area will include a portion of current roadway infrastructure: Vale Park Road (.05 miles) and Silhavy Road (.03 miles), as well as a new roadway which will be an extension of Memorial Parkway, a total of approximately 1.00 mile. While the cost of the road is factored into the estimated capital costs, the road will serve beyond the Area. The Annexation can occur without the road being constructed and the road can be constructed to serve the proposed new parkland without the annexation occurring. All capital services of the Valparaiso Street Department, including evaluation and construction services, will be extended to the Annexation Area within three (3) years⁴ of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria. New roadway infrastructure associated with future subdivisions within the Annexation Area are the responsibility of developers and property owners.

Sidewalks

In general, construction and reconstruction of sidewalks is not the responsibility of the City. Sidewalks are typically initially installed by developers as part of a subdivision. Currently, there is a mix of areas within the City with and without sidewalks. As this will be City park property, the Park Department will be considering installing pathways consistent with other park properties in the City. Regardless, all capital services of the City will be extended to the Annexation Area within three (3) years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

Street Lighting

Porter County does not provide streetlights in the Annexation Area. It is anticipated that the City will provide streetlights from the eastern-most round-a-bout at the intersection of Vale Park and IN 49 to Memorial Parkway.

FISCAL IMPACT

As a result of this annexation, the assessed value for the City will increase by approximately \$633,300, as estimated for the year 2023. This represents an increase of 0.016%. The small increase in assessed value will result in some additional property tax revenues to the City. The City does expect to receive some roadway related revenues that will assist with the costs associated with the additional mileage coming into the City's inventory.

It is assumed that the effective date of this annexation will be as soon as practically possible, but no later than December 31, 2023. The City will begin providing non-capital municipal services as the park property is developed and expect the provisions will begin

⁴ See footnote 1.

within one (1) year after the effective date of the annexation, and it will begin providing capital municipal services within three (3) years after the effective date of the annexation.⁴

It is anticipated that there will be minimal additional costs to the City as a result of the annexation. The additional costs are related to the Police Department, Fire Department, and Valparaiso City Services, including utilities, streets, and trash services. The causes of the anticipated increased costs are discussed on the prior pages, and a summary of the costs is demonstrated in APPENDIX A.

It is anticipated that the City will realize a small increase in its levy as a result of the annexation. However, there is not anticipated to be a tax rate increase as a direct result of this annexation. If there is a shortfall in revenue from the annexation, the services described in this plan can be provided using funds on hand.

ASSUMED INDEBTEDNESS

As required by Indiana Code 36-4-3-10, the City will assume and pay any unpaid bonds or other obligations of Washington Township existing at the effective date of the annexation of the Annexation Area in the same ratio as the assessed valuation of the property in the Annexation Area bears to the assessed valuation of all property in Washington Township, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the City is already liable for the indebtedness.

There is no debt currently outstanding for Washington Township.

CITY OF VALPARAISO, INDIANA
IN-49 & Vale Park Rd Annexation

ESTIMATED ASSESSED VALUE AND TAX RATE IMPACT
(Assumes first year of tax collections from Annexation Area is 2020 pay 2021)

<u>Assessment Year</u>	<u>Estimated Net Assessed Value of Annex. Area (1)</u>	<u>Estimated Net Assessed Value of City (2)</u>	<u>Total Estimated Net Assessed Value of City (3)</u>	<u>Est. Property Tax Levy of City (4),(5)</u>	<u>Sub-total: Est. Property Tax Rate (6)</u>	<u>Estimated Net Assessed Value of Fire Territory (2)</u>	<u>Estimated Fire Territory Tax levy (4)</u>	<u>Sub-total: Est. Property Tax Rate (7)</u>	<u>Total Est. Property Tax Rate</u>
2021 Pay 2022	\$ -	\$2,004,393,536	\$2,004,393,536	\$ 19,174,029	\$ 0.9566	\$ 2,965,848,163	\$ 8,351,829	\$ 0.2816	\$ 1.2382
2022 Pay 2023	528,600	2,064,525,342	2,065,053,942	19,754,306	0.9566	3,084,482,088	8,593,923	0.2786	1.2352
2023 Pay 2024	528,600	2,126,461,102	2,126,989,702	20,346,783	0.9566	3,207,861,370	8,843,279	0.2786	1.2352
2024 Pay 2025	528,600	2,190,254,935	2,190,783,535	20,957,035	0.9566	3,336,175,823	9,100,117	0.2786	1.2352
2025 Pay 2026	528,600	2,255,962,583	2,256,491,183	21,585,595	0.9566	3,469,622,854	9,100,117	0.2786	1.2352
2026 Pay 2027	528,600	2,323,641,460	2,324,170,060	22,233,011	0.9566	3,608,407,767	9,100,117	0.2786	1.2352

(1) It is expected the ownership of the parcels will remain as currently held through the time of annexation and at least the construction period, which is predicted to take several years. The parcels owned by the Valparaiso RDC were purchased in April 2022. It is expected the RDC will be exempt from paying property taxes in 2023 and forward.

(2) Represents the assessed value for the City of Valparaiso and the Fire Protection Territory, and assumes a 3% overall assessed value growth per year.

(3) Represents the net assessed value for the City, including the Annexation Area, with 3% growth, used to calculate the tax rate.

(4) Represents the estimated property tax levy of the City and Fire Territory.

(5) Assumes the City receives an automatic increase in its levy equal to its percentage increase in net assessed value, which would also include any increase as a result of the annexation.

(6) Based on the Estimated Property Tax Levy of the City divided by the Total Estimated Net Assessed Value of the City.

(7) Based on the Estimated Fire Territory Tax Levy divided by the Estimated Net Assessed Value of the Fire Territory.

	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>
City of Valparaiso Max Levy	\$ 17,936,908	\$ 538,107	\$ 554,250	\$ 570,878	\$ 588,004	\$ 605,644	\$ 623,814
Fire Territory Max Levy	\$ 7,385,005	\$ 221,550	\$ 228,197	\$ 235,043	\$ 242,094	\$ 249,357	\$ 256,837

CITY OF VALPARAISO, INDIANA
IN-49 & Vale Park Rd Annexation

PARCEL LIST

<u>Parcel ID</u>	<u>Current Owner</u>	2022 Pay 2023 Net Assessed <u>Value</u>	2023 Pay 2024 Net Assessed <u>Value</u>
64-10-08-401-001.000-020	Valpo RDC	\$ 99,300 (1)	\$ -
64-10-08-451-001.000-020	Sosnowski Family Trust	211,200	211,200
64-10-08-451-002.000-020	Valpo RDC	5,400 (1)	-
64-10-08-451-003.000-020	Claussen Chase Carroll	215,600	215,600
64-10-08-376-002.000-020	Patko Iii	24,600 (2)	24,600
64-10-17-126-001.000-020	Vansland LLC	2,300	2,300
64-10-17-127-001.000-020	State of Indiana	-	-
64-10-17-176-001.000-020	Vansland LLC	4,900	4,900
64-10-17-101-002.000-020	Vansland LLC	70,000	70,000
		<u>\$ 633,300</u>	<u>\$ 528,600</u>

(1) The parcels owned by the Valparaiso RDC were purchased in April 2022. It is expected the RDC will be exempt from paying property taxes in 2023 and forward.

(2) The value of the Patko property is an estimated value for 2023 as reflected on the property record card.

CITY OF VALPARAISO, INDIANA
IN-49 & Vale Park Rd Annexation

ESTIMATED ANNUAL (RECURRING) AND NON-RECURRING (ONE-TIME) REVENUES: BY COLLECTION YEAR

Construction Year	2021	2022	2023	2024	2025	2026
Assessment Date (January 1, ____)	2022	2023	2024	2025	2026	2027
Collection Year (Fiscal Year)	2023	2024	2025	2026	2027	2028
Park Parcel First Assessed (Estimated):	-	\$ 528,600	\$ 528,600	\$ 528,600	\$ 528,600	\$ 528,600

	6-Year Development Period					
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
<u>Annual (Recurring) Revenues</u>						
Property Tax Revenue	\$ -	\$ 6,529	\$ 6,529	\$ 6,529	\$ 6,529	\$ 6,529
Local Road and Street ("LRS") Revenue	-	-	-	1,910	1,910	1,910
Motor Vehicle Highway ("MVH") Revenue	-	-	-	4,034	4,034	4,034
Water Revenue	-	-	-	-	-	-
Sewer Revenue	-	-	-	-	-	-
Stormwater Revenue ⁽¹⁾	-	4,800	4,800	4,800	4,800	4,800
Garbage Collection Fee Revenue	-	-	-	-	-	-
Sub-Total Recurring (Annual) Revenue	\$ -	\$ 11,329	\$ 11,329	\$ 17,274	\$ 17,274	\$ 17,274
<u>Non-Recurring (One-Time) Revenues</u>						
Building and Inspection Permit Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sub-Total Non-Recurring (One-Time) Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL ⁽²⁾	\$ -	\$ 11,329	\$ 11,329	\$ 17,274	\$ 17,274	\$ 17,274

(1) The Stormwater rate listed is that of Nonresidential Property, area greater than 160,000 square feet, at \$400 per month.

(2) As the intended purpose of this land is a park, the Parks Department will be responsible for the programming and thus capture the resulting revenues. The revenues will then be included in the Parks' budget.

CITY OF VALPARAISO, INDIANA
IN-49 & Vale Park Rd Annexation

ESTIMATED NON-CAPITAL (RECURRING) AND CAPITAL (NON-RECURRING) COSTS: BY FISCAL YEAR

Fiscal Year (January 1 to December 31):	2023	2024	2025	2026	2027	2028
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6</u>
<u>Non-Capital (Recurring) Costs</u> ⁽¹⁾						
Administrative Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Building and Planning Services	-	-	-	-	-	-
Garbage Collection Services	-	-	-	-	-	-
Police Protection ⁽²⁾	500	515	530	546	563	580
Fire Protection and Emergency Services	-	-	-	-	-	-
Street and Road Maintenance ⁽²⁾	18,050	18,592	19,149	19,724	20,315	20,925
Snowplowing and Salting	500	515	530	546	563	580
Street Lights	-	-	-	-	-	-
Water Service	-	-	-	-	-	-
Wastewater Service	-	-	-	-	-	-
Storm Water Drainage	-	-	-	-	-	-
Sub-Total: Non-Capital (Recurring) Costs	\$ 19,050	\$ 19,622	\$ 20,210	\$ 20,816	\$ 21,441	\$ 22,084
<u>Capital (Non-Recurring) Costs</u> ⁽¹⁾						
Administrative Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Building and Planning Services	-	-	-	-	-	-
Garbage Collection Services	-	-	-	-	-	-
Police Protection	-	-	-	-	-	-
Fire Protection and Emergency Services	-	-	-	-	-	-
Street and Road Construction ⁽³⁾	2,000,000	-	-	-	-	-
Water Service	-	-	-	-	-	-
Wastewater Service	-	-	-	-	-	-
Storm Water Drainage	50,000	-	-	-	-	-
Sub-Total: Capital (Non-Recurring) Costs	\$ 2,050,000	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 2,069,050	\$ 19,622	\$ 20,210	\$ 20,816	\$ 21,441	\$ 22,084

(1) As an intended purpose of this land is a park, the Parks Department will be responsible for the development and upkeep of the property. The costs associated therein will also be the responsibility of the Parks Department and its budget.

(2) Assumes a 3% inflationary adjustment for years 2 through 6.

(3) While the cost of the road in the annexation area is factored into the estimated capital costs, the road will serve beyond the annexation area. Thus, the annexation can occur without the road being constructed.

(4) A regional detention basin will be constructed at an estimated cost of \$1,000,000 of which 5% is attributable to the annexed area.

CITY OF VALPARAISO, INDIANA
IN-49 & Vale Park Rd Annexation

ESTIMATED REVENUES AND COSTS: BY FISCAL YEAR

Construction Year:	2021	2022	2023	2024	2025	2026
Assessment Date (January 1, ____):	2022	2023	2024	2025	2026	2027
Collection Year (Fiscal Year):	2023	2024	2025	2026	2027	2028

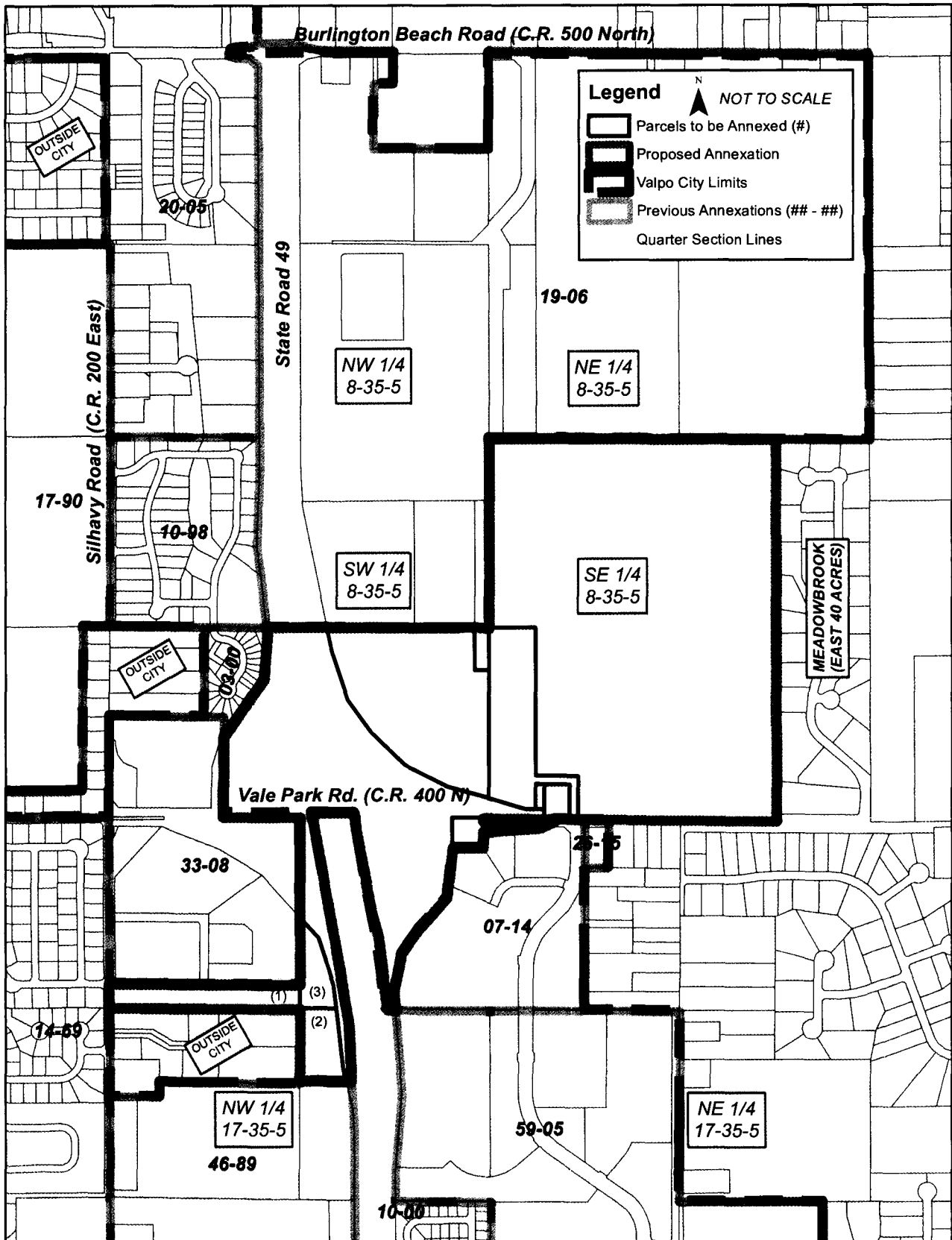
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Year 6</u>
<u>Revenues</u>						
Annual (Recurring)	\$ -	\$ 11,329	\$ 11,329	\$ 17,274	\$ 17,274	\$ 17,274
Non-Recurring (One-Time)	-	-	-	-	-	-
Subtotal	\$ -	\$ 11,329	\$ 11,329	\$ 17,274	\$ 17,274	\$ 17,274
<u>Costs</u>						
Non-Capital (Recurring)	\$ -	\$ 19,050	\$ 19,622	\$ 20,210	\$ 20,816	\$ 21,441
Capital (Non-Recurring)	-	2,050,000	-	-	-	-
Subtotal	\$ -	\$ 2,069,050	\$ 19,622	\$ 20,210	\$ 20,816	\$ 21,441
Net Impact (Revenues less Costs)	\$ -	\$(2,057,721)	\$ (8,292)	\$ (2,937)	\$ (3,543)	\$ (4,167)

Revenue to Cost Ratio:	0.00	0.01	0.58	0.85	0.83	0.81
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EXHIBIT A

MAP OF PROPOSED ANNEXATION AREA

Exhibit A



APPENDIX B

LEGAL DESCRIPTION OF PROPOSED ANNEXATION AREA

“EXHIBIT 1”

STATE ROAD 49 & VALE PARK ROAD INTERCHANGE ANNEXATION

An irregularly shaped parcel land in and around the State Road 49 Vale Park Road interchange proposed for annexation by the City of Valparaiso; said parcel is located within Sections 8 and 17, all in Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, and is more particularly described as:

See Attached “Exhibit A” for Annexation Map.

The SE ¼ of Section 8 Township 35 North, Range 5 West EXCEPTING therefrom:

- (1) the East 40 Acres of said SE ¼, also known as Meadowbrook Subdivision (Plat Book 39-F-4 / Doc. #2001-005129).

Three Vansland LLC properties located in the NW ¼ of Section 17 Township 35 North, Range 5 West, and more particularly described as Porter County Parcels:

- (1) 64-10-17-101-002.000-020 (5 Acres) and described as Parcel 9 of Quit Claim Deed 2009-034179. (See Exhibit B)
- (2) 64-10-17-176-001.000-020 (3.337 Acres) and described as Parcel 10 of Quit Claim Deed 2009-034179. (See Exhibit B)
- (3) 64-10-17-126-001.000-020 (1.552 Acres) and described as Parcel 11 of Quit Claim Deed 2009-034179. (See Exhibit B)

As a point of clarification to existing Valparaiso Corporate Limits, this annexation also includes all the state-owned parcels, state rights-of-way and all of Vale Park Road (C.R. 400 North) rights-of-way located within:

- (1) The SW ¼ of Section 8 Township 35 North, Range 5 West.
- (2) The SW ¼ of the SW ¼ of the SE ¼ of said Section 8.
- (3) The NW ¼ of Section 17 Township 35 North, Range 5 West.
- (4) The NW ¼ of the NW ¼ of the NE ¼ in said Section 17.

that were not previously annexed to the City of Valparaiso from the eight prior annexation ordinances listed and more particularly described below:

- (1) Ordinance 46, 1989 (Deed Book 123 Page 341) in said Recorder’s Office.
- (2) Ordinance 3, 2000 (Document 2000-0017138) in said Recorder’s Office
- (3) Ordinance 10, 2000 (Document 2000-019984) in said Recorder’s Office
- (4) Ordinance 59, 2005 (Document 2005-001527) in said Recorder’s Office
- (5) Ordinance 19, 2006 (Document 2006-013745) in said Recorder’s Office
- (6) Ordinance 33, 2008 (Document 2008-031905) in said Recorder’s Office
- (7) Ordinance 7, 2014 (Document 2014-006758) in said Recorder’s Office
- (8) Ordinance 26, 2015 (Document 2016-005848) in said Recorder’s Office

As a second point of clarification to said corporate limits, this annexation also includes any additional property(s) and right-of-way(s) within NW ¼, of the NW ¼ of Section 17, Township 35 North, Range West that were not previously annexed to the City of Valparaiso in said Ordinance 33, 2008.

Said annexation contains approximately 203 Acres, more-or-less.

Prepared by:

City Engineer's Office
City of Valparaiso
September 2022

2009-034179

STATE OF INDIANA
PORTER COUNTY
FILED FOR RECORD
12/30/2009 10:46AM
LINDA D. TRINKLER
RECORDER

REC FEE: \$24.00
PAGES: 5

Exhibit B

Mail Tax Bills To:
Vansland LLC
c/o James Bozik
56 S Washington Street
Suite 401
Valparaiso, IN 46383

QUITCLAIM DEED

THIS INDENTURE WITNESSETH that DONALD J. VANDERTOLL and JEANETTE E. VANDERTOLL, as their interests may appear, of 13901 River Glen Lane, City of Prospect, State of Kentucky;

Release and Quit Claim to VANSLAND, LLC, an Indiana Limited Liability Company, of Porter County, State of Indiana, the following described real estate in Porter County, State of Indiana, to-wit:

PARCEL 1: *G15 64-10-17-451-001.000-029*

The West 40 acres of the South 60 acres of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana;

EXCEPTING THEREFROM the South 208 feet of said West 40 acres;

AND ALSO EXCEPTING THEREFROM the North 95 feet of the South 303 feet of the West 210 feet of said West 40 acres.

PARCEL 2: *G15 64-10-17-177-001.000-029*

That part of the Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, lying East of the East line of Indiana State Road 49, said line described as follows:

Commencing at the Southeast corner of said Southeast Quarter of the Northwest Quarter; thence North 89 degrees 09 minutes 30 seconds West, along the South line of said Quarter Quarter Section, 662.54 feet to the East boundary of Indiana State Road 49, and the POINT OF BEGINNING of said described line;

thence North 00 degrees 17 minutes 00 seconds East, along said boundary of Indiana State Road 49, 233.21 feet; thence North 05 degrees 04 minutes 46 seconds East, along said boundary, 512.11 feet; thence North 04 degrees 16 minutes 02 seconds West, along said boundary, 585.64 feet to the North line of said Southeast Quarter of the Northwest Quarter and the point of termination of said line.

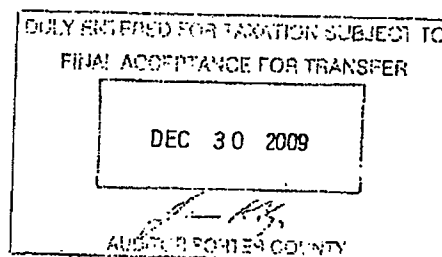
PARCEL 3: *G15 64-10-17-200-021.000-029*

The Southwest Quarter of the Northeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.

BTBH ✓

Sales Disclosure **NOT** Required
Porter County Assessor

COPY PORTER COUNTY RECORDER PAGE 1 OF 5



200
\$100 SB

29/24

PARCEL 4: *G 15 64-10-17-426-001.000-029*

The North 2/3 of the West 3/4 of the Northeast Quarter of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.

PARCEL 5: *G 15 64-10-17-401-001.000-029*

The North Half of the Northwest Quarter of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana;

EXCEPTING THEREFROM that part, if any, of the two tracks of real estate described as follows, lying within said North Half:

- a) The North 260.0 feet of the South 2249.8 feet of the East 220.0 feet of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.
- b) The North 180.0 feet of the South 1989.8 feet of the East 242.0 feet of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.

PARCEL 6: *G 15 64-10-17-400-003.000-029*

That part of the real estate described as follows lying within the South 60 acres of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, to-wit:

The North 180.0 feet of the South 1989.8 feet of the West 198 feet of the East 440 feet of the West Half of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana.

PARCEL 7: *G 15 64-10-17-400-027.000-029*

A parcel of real estate in the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, described as follows:

BEGINNING at a point 630 feet East of the Southwest corner of the Southeast Quarter of said Section 17; thence North 208 feet; thence East 210 feet; thence South 208 feet; thence West 210 feet to the point of beginning.

PARCEL 8: *G 15 64-10-17-400-028.000-029*

The South 208 feet of the Southwest Quarter of the Southeast Quarter of Section 17, Township 35 North, Range 5 West, of the Second Principal Meridian in Porter County, Indiana,

EXCEPTING THEREFROM the West 840 feet of said South 208 feet;
AND ALSO EXCEPTING THEREFROM the East 440 feet of said South 208 feet.

PARCEL 9:

The south 10 rods of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, Porter County, Indiana (GIS 64-10-17-101-002.000-020)

PARCEL 10:

That part of the Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter County, Indiana, lying West of the West line of Indiana State Road 49 (GIS 64-10-17-176-002.000-029 & 64-10-17-176-001.000-020)

PARCEL 11:

That part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, Porter County, Indiana lying West of the West line of Indiana State Road 49 (GIS 64-10-17-126-001.000-020)

PARCEL 12:

One acre of land being 100 feet in width East and West by 435.6 feet in length North and South out of the Southwest corner of the following described real estate to-wit: Beginning at the Northeast corner of the Southeast $\frac{1}{4}$ of section 20, Township 35 North, Range 5 West of the Second Principal Meridian; thence running South 22 rods to the center of the Valparaiso-LaPorte Road; thence Westerly along the center of said road, 57.5 rods; thence North 29 rods to the North line of the Southeast Quarter of said Section 20; thence East to the place of beginning. (GIS 64-10-20-426-004.000-029)

PARCEL 13:

The West $\frac{1}{2}$ of the following described parcel of land to-wit: All that part of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ lying North of the Grand Trunk Western Railroad, excepting therefrom the East 995 feet, in Section 20, Township 35 North, Range 5 West of the Second Principal Meridian. (GIS 64-10-20-226-001.000-020)

PARCEL 14:

A parcel of land described as beginning at the Northeast corner of the Southeast $\frac{1}{4}$ of Section 20, Township 35 North, Range 5 West of the Second Principal Meridian; thence South 22 rods to the center of the Valparaiso-LaPorte Road; thence Westerly along the center of said road 57.5 rods; thence North 29 rods to the North line of said $\frac{1}{4}$ section; thence East to the place of beginning; EXCEPTING therefrom 1 acre in the Southwest corner thereof, 100 feet in width, East and West, by 435.6 feet in length North and South. (GIS 64-10-20-426-005.000-029)

PARCEL 15:

The East ½ of the Northeast ¼ of Section 20, Township 35 North, Range 5 West of the Second Principal Meridian, EXCEPT a parcel described as beginning at the Southwest corner of said tract; thence North 60 rods; thence East 22.75 rods; thence South 60 rods; thence West 22.75 rods to the place of beginning. AND EXCEPT the part of said East ½ of the Northeast ¼ lying North of the South line of the Chicago, Grand Trunk and Western Railway. ALSO EXCEPTING any part of the East ½ of the Northeast ¼ that was platted to Porters Vale Shopping Center.
(GIS 64-10-20-276-002.000-029 & 64-10-20-426-002.000-029 & 64-10-20-276-001.000-029)

PARCEL 16:

The West ½ of the Northeast ¼ of Section 20, Township 15 North, Range 5 West of the 2nd P.M., lying South of the right-of-way of the Grand Trunk and Western Railroad Company. EXCEPTING any of the West ½ of the Northeast ¼ that was platted to Porters Vale Shopping Center.
(GIS 64-10-20-202-001.000-029)

PARCEL 17:

A parcel of land 10 rods square out of the Northwest corner of the West ½ of the Southwest ¼ of Section 21, Township 35 North, Range 5 West of the Second Principal Meridian. (GIS 64-10-21-300-001.000-029)

PARCEL 18:

A strip of land 4 rods in width off the West side of that part of the Northwest ¼ of Section 21, Township 35 North, Range 5 West of the Second Principal Meridian, which lies South of the right of way of the Chicago, Grand Trunk and Western Railway.
(GIS 64-10-21-151-001.000-029)

PARCEL 19:

A parcel of land in the Southwest ¼ of Section 21, Township 35 North, Range 5 West of the Second Principal Meridian, in Porter, County, Indiana, described as follows:
Beginning 256.08 feet south from the Quarter post of the West line of said Section 21, and running thence South 104.94 feet; thence North 82 ½ degrees East, 104.94 feet; thence North 104.94 feet; and thence South 82 ½ degrees West, 104.94 feet to the place of beginning.
(GIS 64-10-21-300-002.000-027)

PARCEL 20:

Lot 12 Porter Vale Shopping Center as Recorded in Porter County Recorder's office Plat File 51-D-1

~~State Road 2 a distance of 400 feet; thence North parallel to said West line 435.6 feet; thence West 400 feet; thence South 435.6 feet to the point of beginning.~~

~~TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as Relocated S.R. 40 and as Project ST-089-1(B) and Project ST-089-1(A), to and from the owner's remaining lands where they abut the above-described real estate. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.~~

~~PARCEL 13:~~

~~A parcel of land in the SE 1/4 of Section 17, Township 35 North, Range 5 West of the 2nd P.M. in Washington Township, Porter County, Indiana, described as follows: Commencing at the S.W. corner of said S.E. 1/4; thence East along the South line of said S.E. 1/4, 810.0 feet; to the Point of Beginning; thence continuing East along said South line 30.0 feet; thence North, 238 feet; thence West 600 feet to the East line of the West 210 feet of said SE 1/4; thence South 30 feet; thence East 600 feet; thence 208 feet to the Point of Beginning. D.B. B316-P190 and B316-P192.~~

IN WITNESS WHEREOF, the said DONALD J. VANDERTOLL and JEANETTE E. VANDERTOLL, have hereunto set their hands and seals this 28 day of NOVEMBER 2009.

Donald J. Vandertoll
DONALD J. VANDERTOLL

Jeanette E. Vandertoll
JEANETTE E. VANDERTOLL

STATE OF INDIANA)
COUNTY OF PORTER)ss

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared DONALD J. VANDERTOLL and JEANETTE E. VANDERTOLL and acknowledged the execution of said deed to be their voluntary act and deed for the uses and purposes expressed therein.

WITNESS MY HAND AND SEAL THIS 28 day of November 2009.

James S. Bozik
Notary Public
My Comm. Expires: 7/18/2011
County of Residence: PORTER

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.

James S. Bozik
Printed Name: JAMES S. BOZIK

Instrument Prepared by: JAMES S. BOZIK, Blahly, Tabor, Bozik & Hartman LLC
56 S. Washington Street, Ste. 401, Valparaiso, IN 46383; PH: 219/464-1041