

Passed 1-9-06 by a vote of 6-0
ORDINANCE 59, 2005

**AN ORDINANCE ANNEXING REAL ESTATE KNOWN AS THE “VANDERTOLL
NORTH ANNEXATION” INTO THE
CITY OF VALPARAISO, PORTER COUNTY, INDIANA**

BE IT ORDAINED by the City of Valparaiso, Porter County, Indiana that:

WHEREAS, Donald Vandertoll, c/o James Bozik, 56 S. Washington, Suite 401, Valparaiso, IN 46383, is the owner of a certain tract of real estate located in **Washington Township on the west side of Bartz Road/325 E north of Evans Avenue to the east of the SR 49 bypass, including approximately 144.4 acres of undeveloped land zoned R-1 in Porter County**, and requesting to rezone portions of said land from R-1 to R-2 and R-3 Zoning, and requested at the **December 19, 2005**, 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 attached Legal Description

See attached Zoning Descriptions

WHEREAS, the City Council of the City of Valparaiso, Indiana has heretofore considered and adopted a Fiscal Plan 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

WHEREAS, the petitioner is the owner of one hundred percent (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

NOW THEREFORE, by the powers vested in the City Council of the City of Valparaiso, Porter County, Indiana, it hereby annexed to the municipal City of Valparaiso, Porter County, Indiana, subject to the following terms and conditions:

1. The Clerk-Treasurer of Valparaiso, Indiana, shall cause a copy of this Ordinance to be recorded in the Office of the Recorder of Porter County, Indiana, and further shall cause a copy of this Ordinance to be published in the **Vidette Times** newspaper with proof of publication being returned to the Clerk-Treasurer; all costs incurred in the publishing of said

ordinance and recording same shall be paid by petitioner.

The Ordinance shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Valparaiso, Indiana, on the ___th day of _____, 2006 by a ___ vote of _ members present and voting.

Jon Costas, Mayor

ATTEST:
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this ___th day of _____, 2006, at the hour of _____ o'clock P. M.

Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this ___th day of _____, 2006, at the hour of _____ o'clock P.M.

Jon Costas, Mayor

PROPERTY LEGAL DESCRIPTION

Parcel 1:

The West 40 acres of the South 60 acres of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, excepting therefrom the South 208 feet, and except the North 95 feet of the South 303 feet of the West 210 feet thereof.

Parcel 2:

The Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian except that part lying west of State Road 49.

Parcel 3:

The Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian.

Parcel 4:

The North $\frac{1}{2}$ of the West $\frac{3}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian.

Parcel 5:

The North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian, except 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.

Parcel 6:

The North 180 feet of the South 1,989.8 feet of the West 198 feet of the East 440 feet of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian.

Parcel 7:

A parcel of land beginning at a point 630 feet East of the Southwest corner of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian in Porter County, Indiana, and running thence North 208 feet; thence East 210 feet; thence South 208 feet; thence West 210 feet to the point of beginning.

Parcel 8:

All that part of the South 208 feet of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West, excepting therefrom the West 840 feet and also excepting the East 440 feet.

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R-1 – Single-Family Zoning

Parcel 1:

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, excepting therefrom the South 208 feet, and except the North 95 feet of the South 303 feet of the West 210 feet thereof.

Parcel 2:

The Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian except that part lying west of State Road 49.

Parcel 3:

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

Parcel 4:

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.

Parcel 5:

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, except 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.

Parcel 6:

The North 180 feet of the South 1,989.8 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.

Parcel 7:

A parcel of land beginning at a point 630 feet East of the Southwest corner of the Southeast Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian in Porter County, Indiana, and running thence North 208 feet; thence East 210 feet; thence South 208 feet; thence West 210 feet to the point of beginning.

Parcel 8:

All that part of the South 208 feet of the Southwest Quarter of the Southeast Quarter of Section 17, Township 35 North, Range 5 West, excepting therefrom the West 840 feet and also excepting the East 440 feet.

R-1 – Single-Family Zoning (Con't)

Excepting therefrom: Beginning at the Northwest Corner of 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; thence South along the West Line of said East 220.0 feet, a distance of 260.0 feet to the Southwest Corner of the North 260.0 feet of the South 2249.8 feet of said East 220.0 feet; thence Westerly along the North Line of the North 180 feet of the South 1,989.9 feet of the East 440 feet of said West Half, a distance of 22.00 feet; thence Southerly along the East Line of the West 198 feet of the East 440 feet of said West Half, a distance of 180.00 feet; thence Westerly along the South Line of the North 180 feet of the South 1,989.9 feet of the East 440 feet of said West Half, a distance of 220.00 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 205.00 feet; thence South 90 degrees 00 minutes 00 seconds West, a distance of 103.08 feet to a point on a non-tangent curve, concave to the West and having a radius of 500.00 feet; thence Northerly along said curve, 227.31 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 75.00 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 125.00 feet; thence North 14 degrees 00 minutes 00 seconds West, a distance of 255.00 feet; thence North 75 degrees 30 minutes 00 seconds East, a distance of 106.00 feet to a point on a curve, concave to the Northwest and having a radius of 200.00 feet; thence Northeasterly along said curve, 86.00 feet; thence South 14 degrees 00 minutes 00 seconds East, a distance of 322.03 feet; thence South 90 degrees 00 minutes 00 seconds West, a distance of 25.00 feet; thence South 00 degrees 04 minutes 54 seconds West, a distance of 60.00 feet to the Point of Beginning.

Also Excepting therefrom: Commencing at the Northeast Corner of the Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian; thence Westerly along the North Line of said Southeast Quarter of the Northwest Quarter, a distance of 430.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 260.00 feet to the Point of Beginning; thence North 90 degrees 00 minutes 00 seconds East, a distance of 162.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 725.00 feet; thence South 37 degrees 54 minutes 19 seconds East, a distance of 43.95 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 55.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 145.00 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 55.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 175.00 feet to a point on the South Line of said Southeast Quarter of the Northwest Quarter, said point being 130.00 feet West of the Southeast Corner of said

Southeast Quarter of the Northwest Quarter; thence Westerly along the South Line of said Southeast Quarter of the Northwest Quarter, a distance of 105.00 feet; North 00 degrees 00 minutes 00 seconds East, 173.45 feet to a point on a non-tangent curve, concave to the Northeast and having a radius of 200.00 feet; thence Northwesterly along said curve, a distance of 308.17 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 704.68 feet to the Point of Beginning.

R-1 – Single-Family Zoning (Con't)

Also Excepting therefrom: Commencing at the Northeast Corner of the Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian; thence Westerly along the North Line of said Southeast Quarter of the Northwest Quarter, a distance of 430.00 feet to the Point of Beginning; thence continuing along the North Line of said Southeast Quarter of the Northwest Quarter, 293 feet, more or less to a point on the East Right-of-Way Line of Indiana State Road 49; thence Southerly along said East Right-of-Way Line, 1335 feet, more or less, to a point on the South Line of said Southeast Quarter of the Northwest Quarter; thence Easterly along the South Line of said Southeast Quarter of the Northwest Quarter, 430 feet, more or less to a point which is 235.00 feet West of the Southeast Corner of said Southeast Quarter of the Northwest Quarter; thence North 00 degrees 00 minutes 00 seconds East, 173.45 feet to a point on a non-tangent curve, concave to the Northeast and having a radius of 200.00 feet; thence Northwesterly along said curve, a distance of 308.17 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 964.68 feet to the Point of Beginning.

R-2 – Multifamily Zoning (Near Bartz Road)

Beginning at the Northwest Corner of 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; thence South along the West Line of said East 220.0 feet, a distance of 260.0 feet to the Southwest Corner of the North 260.0 feet of the South 2249.8 feet of said East 220.0 feet; thence Westerly along the North Line of the North 180 feet of the South 1,989.9 feet of the East 440 feet of said West Half, a distance of 22.00 feet; thence Southerly along the East Line of the West 198 feet of the East 440 feet of said West Half, a distance of 180.00 feet; thence Westerly along the South Line of the North 180 feet of the South 1,989.9 feet of the East 440 feet of said West Half, a distance of 220.00 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 205.00 feet; thence South 90 degrees 00 minutes 00 seconds West, a distance of 103.08 feet to a point on a non-tangent curve, concave to the West and having a radius of 500.00 feet; thence Northerly along said curve, 227.31 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 75.00 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 125.00 feet; thence North 14 degrees 00 minutes 00 seconds West, a distance of 255.00 feet; thence North 75 degrees 30 minutes 00 seconds East, a distance of 106.00 feet to a point on a curve, concave to the Northwest and having a radius of 200.00 feet; thence Northeasterly along said curve, 86.00 feet; thence South 14 degrees 00 minutes 00 seconds East, a distance of 322.03 feet; thence South 90 degrees 00 minutes 00 seconds West, a distance of 25.00 feet; thence South 00 degrees 04 minutes 54 seconds West, a distance of 60.00 feet to the Point of Beginning.

R-2 – Multifamily Zoning (Near SR 49)

Commencing at the Northeast Corner of the Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian; thence Westerly along the North Line of said Southeast Quarter of the Northwest Quarter, a distance of 430.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 260.00 feet to the Point of Beginning; thence North 90 degrees 00 minutes 00 seconds East, a distance of 162.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 725.00 feet; thence South 37 degrees 54 minutes 19 seconds East, a distance of 43.95 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 55.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 145.00 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 55.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 175.00 feet to a point on the South Line of said Southeast Quarter of the Northwest Quarter, said point being 130.00 feet West of the Southeast Corner of said Southeast Quarter of the Northwest Quarter; thence Westerly along the South Line of said Southeast Quarter of the Northwest Quarter, a distance of 105.00 feet; North 00 degrees 00 minutes 00 seconds East, 173.45 feet to a point on a non-tangent curve, concave to the Northeast and having a radius of 200.00 feet; thence Northwesterly along said curve, a distance of 308.17 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 704.68 feet to the Point of Beginning.

R-3 - Multifamily Zoning (Near SR 49)

Commencing at the Northeast Corner of the Southeast Quarter of the Northwest Quarter of Section 17, Township 35 North, Range 5 West of the Second Principal Meridian; thence Westerly along the North Line of said Southeast Quarter of the Northwest Quarter, a distance of 430.00 feet to the Point of Beginning; thence continuing along the North Line of said Southeast Quarter of the Northwest Quarter, 293 feet, more or less to a point on the East Right-of-Way Line of Indiana State Road 49; thence Southerly along said East Right-of-Way Line, 1335 feet, more or less, to a point on the South Line of said Southeast Quarter of the Northwest Quarter; thence Easterly along the South Line of said Southeast Quarter of the Northwest Quarter, 430 feet, more or less to a point which is 235.00 feet West of the Southeast Corner of said Southeast Quarter of the Northwest Quarter; thence North 00 degrees 00 minutes 00 seconds East, 173.45 feet to a point on a non-tangent curve, concave to the Northeast and having a radius of 200.00 feet; thence Northwesterly along said curve, a distance of 308.17 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 964.68 feet to the Point of Beginning.