

Passed 2-26-07 by a vote of 6-1 (Larr voting No)
ORDINANCE #12, 2007

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

WHEREAS, Rake, Inc, c/o Randy Wheeler, is the owner of certain real estate located in Center Township requested at the **February 12, 2007** 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 Exhibit B - Brigadoon Annexation Legal Description

WHEREAS, the Common Council of the City of Valparaiso, Indiana has heretofore considered and adopted a Fiscal Plan (**Exhibit A**) 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 consists of approximately 111.76 acres of land; and

WHEREAS, the petitioners are the owner of at least 51% 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

WHEREAS, the City of Valparaiso Plan Commission unanimously voted (7-0) to recommend approval of the proposed annexation at its December 12, 2006 meeting.

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

1. By and through the powers vested in the Common Council of the City of

Valparaiso, Porter County, Indiana, the real estate identified in Exhibit A which has been attached hereto and made a part of this Ordinance should be and the same is hereby annexed into the municipal boundaries of the City of Valparaiso.

Certain real estate included in the annexation area shall be zoned R-1 Single Family Residential District

2. The Valparaiso Clerk-Treasurer is hereby authorized, instructed and empowered to take all actions necessary in order to implement the intention of this Ordinance by recording, filing and publishing pursuant to Indiana law.

Passed by the Common Council of the City of Valparaiso, Indian by a ___ vote of all members present and voting this 26th day of February, 2007.

/s/ Jon Costas, Mayor

ATTEST:

/s/ Sharon Emerson Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 26th of February, 2007 at the hour of _____ o'clock P.M.

/s/ Sharon Emerson Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 26th day of February, 2007 at the hour of _____ o'clock P. M.

/s/ Jon Costas, Mayor

Ordinance 12, 2007 EXHIBIT B

LEGAL DESCRIPTION FOR BRIGADOON ANNEXATION

Parcel 1: A parcel in the West 68 Acres of the Northeast Quarter of Section 21, Township 35 North, Range 6 West, bounded and described as follows:

Commencing at a point on the West line of said Northeast Quarter which is 1060.0 feet North of the Southwest corner of said Northeast Quarter; thence North 0 degrees 13 minutes 04 seconds West along said West line 1028.29 feet to a point which is 526.23 feet South of the Northwest corner of said Northeast Quarter; thence North 89 degrees 34 minutes 11 seconds East parallel to the North line of said Northeast Quarter 230.0 feet; thence North 0 degrees 13 minutes 04 seconds West 177.5 feet; thence North 89 degrees 34 minutes 11 seconds East 896.72 feet to the East line of the West 68 Acres of said Northeast Quarter (being the West 68 Acres by proportional measurement); thence South 0 degrees 13 minutes 04 seconds East along said East line 1187.53 feet; thence South 89 degrees 46 minutes 56 seconds West 420.81 feet; thence South 0 degrees 13 minutes 04 seconds East 22.44 feet; thence South 89 degrees 46 minutes 56 seconds West 705.90 feet to the Point of Commencement, containing 30.09 Acres and subject to all Legal Highways and Easements.

And.

Parcel 2: A Parcel of Land in the East 92 acres of the Northeast Quarter (NE $\frac{1}{4}$) of Section 21, Township 35 North, Range 6 West of the Second Principal Meridian in Porter County, Indiana, being more particularly described as follows: Beginning at the Southeast corner of said Northeast $\frac{1}{4}$ of Section 21; thence North 00 degrees 21 minutes 43 seconds East along the East line of said Northeast $\frac{1}{4}$, a distance of 2640.34 feet to the Northeast corner of said Northeast $\frac{1}{4}$; thence North 89 degrees 52 minutes 19 seconds West along the North line of said Northeast $\frac{1}{4}$, a distance of 1524.54 feet to the West line of said East 92 acres; thence South 00 degrees 21 minutes 05 seconds West along said West line of the East 92 acres, a distance of 1536.25 feet; thence North 89 degrees 02 minutes 21 seconds East, 381.56 feet to an iron pipe set this survey; thence south 00 degrees 14 minutes 36 seconds East, 850.33 feet; thence South 89 degrees 18 minutes 50 seconds East parallel with the South line of said Northeast $\frac{1}{4}$, a distance of 128.00 feet; thence South 00 degrees 14 minutes 36 seconds East, a distance of 250.00 feet to the South line of said Northeast $\frac{1}{4}$ thence South 89 degrees 18 minutes 50 seconds East along said South line of the Northeast $\frac{1}{4}$, a distance of 1003.18 feet to the Point of Beginning.