

ORDINANCE 2017-03

AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS LAND TO THE TOWN OF CHESTERTON, PORTER COUNTY, INDIANA WHEREAS, The Duneland School Corporation ("Duneland") has petitioned the Chesterton Town Council for the annexation of a parcel of real estate owned by it, which is more particularly described as follows, to-wit:

A parcel of land in the Southwest Quarter of the Southwest Quarter of Section 7, Township 36 North, Range 5 West, more particularly described as beginning at an iron pipe which is by rectangular measurement 1,000 feet North and 75 feet East of the Southwest corner and the West line of said Section 7, thence East at 90 degrees as bearing from the West line of said Section 7, 400 feet to the center line of a County Road, thence South 11 degrees 50 minutes East along said center line 343.7 feet to an intersection with the center line of State Road 49, thence Southwesterly along the center line of State Road 49 a chord distance of 263.75 feet to a point which is by rectangular measurement 400 feet North and 538 feet East of the Southwest corner and the West line of said Section 7, thence West 463 feet to an iron pipe, thence North parallel to the West line of said Section 7, 600 feet to the point of beginning, and subject to all legal highways.

and is hereinafter referred to as the "Real Estate"; and,

WHEREAS, Duneland is the sole owner of the Real Estate and, therefore, owns 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 coincide with the boundaries of Chesterton; and,

WHEREAS, the Chesterton Town Council has adopted Resolution No. 2017-05, which is a Resolution establishing a written fiscal plan and definite policy pursuant to Indiana law for the annexation of approximately 6.20 acres petitioned for by Duneland; and,

WHEREAS, the Chesterton Town Council has conducted a public hearing in accordance with Indiana law and given appropriate notice thereof; and,

WHEREAS, the Chesterton Town Council has determined that the annexation of the Real Estate is in the best interest of the Town of Chesterton; and,

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Chesterton Town Council as follows:

SECTION 1: That the Real Estate hereto described is hereby annexed to the Town of Chesterton, Porter County, Indiana, and given an interim zoning of B-3.

SECTION 2: That the Real Estate shall be given a final zoning after the receipt of the recommendation of the Chesterton Advisory Plan Commission for a change in the Zoning Map, and shall be assigned to Chesterton Legislative District 4.

SECTION 3: That an Annexation and Development Agreement entered into between the Town of Chesterton and Duneland is attached hereto, incorporated herein and marked as Exhibit "A". The intent of the Annexation and Development Agreement is to provide terms and conditions fairly calculated to make the annexation equitable to the property owners and also to the residents of the Town of Chesterton.

SECTION 4: That this Ordinance shall be in full force and effect thirty (30) days after its publication as required by I.C. 36-4-3-7(f) and upon the filing required by I.C. 36-4-3-22(a).

ALL OF WHICH IS PASSED AND ADOPTED by the Chesterton Town Council, Porter County, Indiana, this 24th day of April, 2017.

CHESTERTON TOWN COUNCIL

James G. Ton, President

Emerson DeLaney

Nathan Cobbs

Dane Lafata

Lloyd Kittredge, Jr.

ATTEST:

Stephanie Kuziela, Clerk-Treasurer

4/28/17 - hspaxlp