

ORDINANCE 2017- 07

AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS LAND TO THE TOWN OF CHESTERTON, PORTER COUNTY, INDIANA WHEREAS, The Jill C. Chitwood ("Chitwood") 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 Northeast Quarter of Section 12, Township 36 North, Range 6 West of the Second Principal Meridian, in Liberty Township, Porter County, Indiana, described as the South 348.50 feet of the West 250.00 feet of said Northeast Quarter of Section 12.

(Commonly known as 1050 N. 50 E., Chesterton, IN 46304)

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

WHEREAS, Chitwood 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. 2017-10, which is a Resolution establishing a written fiscal plan and definite policy pursuant to Indiana law for the annexation of approximately 2 acres petitioned for by Chitwood; and,

WHEREAS, the Chesterton Town Council pursuant to I.C. 36-4-3-1.5 also desires to annex the rights-of-way of the public highway known as 1050 North, but not the fee simple title for the following described real estate, to-wit:

A parcel of land in the Southeast Quarter of Section 12, Township 36 North, Range 6 West of the Second Principal meridian in Liberty Township, Porter County, Indiana, described as: The North 20 feet of the West 250 feet of the North _ of the SE _ of Section 12.

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 and that certain rights-of-way of the public highway known as 1050 North, as previously described, 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 R-1.

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 Chitwood 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 the real estate as afore described which affects the rights-of-way of the public highway known as 1050 North but not including fee simple title, is hereby annexed to the Town of Chesterton, Porter County, Indiana.

SECTION 5: 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 10th day of July, 2017.

CHESTERTON TOWN COUNCIL

James G. Ton, President

Emerson DeLaney

Nathan Cobbs

Dane Lafata

David Kittredge

ATTEST:

Stephanie Kuziela, Clerk-Treasurer

7/17/17 - hspaxlp