

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1060

BEING AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS TERRITORY TO THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA PURSUANT TO THE PROVISIONS OF I.C. 36-4-3 et seq.

WHEREAS, SunCrest Christian Church and representatives of the Feddeler Trust (the "owners" of the subject real estate) have petitioned the Town of St. John to annex certain contiguous territory to the Town of St. John, pursuant to the provisions of I.C. 36-4-3 et seq.; and

WHEREAS, in excess of one-fourth (1/4) of said real estate is contiguous to the town limits of the Town of St. John; and

WHEREAS, the petitioners intend to submit a proposed plat of subdivision for said territory, primarily for the construction of a church and church related activities, which, upon approval, will meet the requirements of the subdivision control ordinance of the Town of St. John in all respects as required by said ordinance; and

WHEREAS, subject to the Town of St. John approving this annexation, the Plan Commission approving the Plat of Subdivision proposed by SunCrest Christian Church, and the Board of Zoning Appeals approving a Special Use Permit for use of the subject real estate as a church, SunCrest Christian Church intends to purchase and the Feddeler Trust intends to sell the subject real estate to the Church; and

WHEREAS, the territory sought to be voluntary annexed is deemed to be necessary for the future development of said Town that said territory be annexed to provide for the organized, and plan administration of the Town of St. John; and

WHEREAS, the owners of the parcel of land, hereinafter described, did petition the Town Council of the Town of St. John for the zoning of such parcel to be annexed to be classified as R-2 single family residential; and

WHEREAS, the Plan Commission of the Town of St. John, at a study session, has reviewed the subject project, albeit on an unofficial basis; and

WHEREAS, the Town of St. John has duly considered said annexation and has determined said annexation to be in the best interest of the health, safety, and welfare of the Town and said land is necessary for the present and future growth of the Town; and

WHEREAS, the territory sought to be annexed will, within the prescribed statutory time limits, be provided with governmental

services by said petitioners in the same manner as those services are provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density consistent with the applicable federal, state, and local laws, procedures, and planning criteria.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana as follows:

SECTION 1: That the following described land be, and the same is, hereby annexed and declared to be a part of the Town of St. John, Lake County, Indiana, to-wit:

(See legal description attached hereto and made a part hereof as Exhibit "A").

SECTION 2: Be it further ordained that the boundaries of the Town of St. John, Lake County, Indiana, shall be, and the same are, hereby declared to be extended so as to include all of the real estate hereinabove described as part of the Town of St. John, Lake County, Indiana.

SECTION 3: That the zoning of such parcel of real estate is hereby determined to be R-2 single family residential.

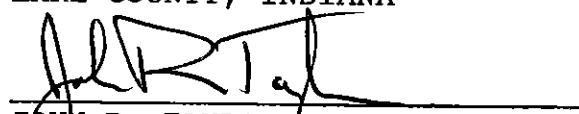
SECTION 4: This Ordinance shall not be fully effective until after it is determined that subject parcel of real estate does or does not need the approval of the City of Crown Point City Council for the reason that the parcel may or may not be within three (3) miles of the city limits of the City of Crown Point, Indiana.

SECTION 5: This ordinance shall not be effective if the Plan Commission and Board of Zoning Appeals do not approve the subject parcel for use as a church.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, promulgation, and approval by the Town Council, the approval by the City of Crown Point City Council, if necessary, approved by the Plan Commission and Board of Zoning Appeals as aforesaid, and publication in accordance with state law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 25<sup>th</sup> day of November, 1997.

TOWN COUNCIL, TOWN OF ST. JOHN,  
LAKE COUNTY, INDIANA

  
\_\_\_\_\_  
JOHN R. TAYLOR

Fred J. Kish  
FRED J. KISH

Douglas E. Patterson  
DOUGLAS E. PATTERSON

ATTEST: Judith L. Companik  
JUDITH L. COMPANIK, Clerk-Treasurer

The Southwest quarter (SW 1/4) of the Southwest quarter (SW 1/4) of Section 34, Township 35 North, Range 9 West of the 2nd principal meridian, in Lake County, Indiana, containing 40.2 acres, more or less.

Exhibit "A"

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF LAKE         )

PETITION FOR APPROVAL OF ANNEXATION

Comes now the Town of St. John, Lake County, Indiana, by and through its Town Council President, John R. Taylor, and petitions the City Council of the City of Crown Point, Lake County, Indiana, pursuant to I.C. 36-4-3-9, to consent to and approve of the annexation by the Town of St. John of certain real estate more specifically described and attached hereto as Exhibit "A", and in support hereof alleges and says as follows:

1. That he is the duly elected Town Council President for the Town of St. John, Lake County, Indiana.

2. That the Town of St. John, Lake County, Indiana was petitioned by the SunCrest Christian Church for the annexation of certain property upon which the Church has an option to purchase (contingent upon annexation).

3. That the subject real estate is within three (3) miles of the corporate boundaries of the City of Crown Point.

4. That the legal description of the real estate involved and which is located on the east side of the Town of St. John is more specifically and legally described on the attached Exhibit "A".

5. That the subject property is now owned by the Feddeler Trust who has joined in the annexation petition.

6. That on October 23, 1997, the Town Council of the Town of St. John, Lake County, Indiana did approve upon first reading,


Ordinance No. 1060, the same being an ordinance annexing the subject real estate.

7. That on November 25, 1997, the Town Council of the Town of St. John, Lake County, Indiana passed upon second reading, Ordinance No. 1060, the same being an ordinance annexing the subject real estate.

8. That the Ordinance aforesaid is attached hereto and made a part hereof as Exhibit "B" and is contingent upon the City of Crown Point's approval of the subject annexation.

WHEREFORE, the Town Council of the Town of St. John, Lake County, Indiana hereby petitions the City of Crown Point City Council, by and through Town Council President John R. Taylor, to approve the annexation of the subject real estate pursuant to I.C. 36-4-3-9.

Respectfully submitted,

  
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JOHN R. TAYLOR

Attest:

  
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JUDITH L. COMPANIK  
Clerk-Treasurer