

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1110

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, Omonia, Inc., has 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 petitioner and/or its successor in interest intends to submit a proposed plat of subdivision and planned unit development for said territory, for the construction of a commercial/residential development which, upon approval, will meet the requirements of the subdivision control and zoning ordinances of the Town of St. John in all respects as required by said ordinances; and

WHEREAS, subject to the Town of St. John approving this annexation proposed by Omonia, Inc., Dennis Meyers Development intends to purchase the property from the said Omonia, Inc. and submit for approval to the Plan Commission a planned unit development consisting of commercial/residential improvements; and

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

WHEREAS, the owner 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 PUD; 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 Council of 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 petitioner and/or its successors 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 PUD.

SECTION 4: This ordinance shall not be effective if the Plan Commission, the Town Council, and the Board of Zoning Appeals (if necessary) do not approve the subject parcel for utilization as a planned unit development.

SECTION 5: This ordinance shall be in full force and effect from and after its passage and publication in accordance with state law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 16th day of ~~February~~, 1999.
March

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

JOHN R. TAYLOR

Fred J. Kish

FRED J. KISH

Kathleen J. Willman

KATHLEEN J. WILLMAN

ATTEST: *Judith I. Companik*

JUDITH I. COMPANIK, Clerk-Treasurer

Exhibit "A"

Legal Description

Parcel 3: The South 200 feet of the North 3272.3 feet of that part of the West half of the West half of Section 21, Township 35 North, Range 9 West of the 2nd Principal Meridian, in Lake County, Indiana, more particularly described as follows: Beginning at a point on the West line of said Section 21, which is 1625.10 feet North of the Southwest corner of said Section, measured along the West line thereof, said point being the Northwest corner of a parcel of land conveyed by the New York Central Railroad Company, to Carl H. Humpfer and Pearl M. Humpfer, his wife, by Quit Claim Deed dated April 29, 1941 and recorded December 4, 1942, in Deed Record 869, Page 380, in the Recorders Office of Lake County, Indiana; Thence North along the West line of said Section to the Northwest corner of said Section; Thence Easterly along the North line of said Section to a point on a line parallel with and distant 100.5 feet, by rectangular measurement, Westerly from the center line between the two main tracks of the New York Central Company, said center line being also the original center line of said railroad; Thence Southerly along said parallel line a distance of 1970.94; Thence Westerly, at right angles, a distance of 50 feet to a point on a line parallel with and distant 165.5 feet, by rectangular measurement, Westerly from the center line between the two main tracks of the New York Central Railroad Company; Thence Southerly along said parallel line a distance of 1700.24 feet, more or less, to the Northeasterly corner of said parcel of land conveyed to Carl H. Humpfer and Pearl M. Humpfer, his wife, as aforesaid; Thence Westerly along the Northerly line of said parcel of land conveyed to Carl H. Humpfer and Pearl M. Humpfer, his wife, as aforesaid, a distance of 1033.7 feet, more or less to the Point of Beginning.