

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

**ORDINANCE NO. 1345**

**BEING AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS LAND TO THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AND ALL MATTERS RELATED THERETO.**

**WHEREAS** the Town Council of the Town of St. John, Lake County, Indiana, has received a petition for annexation from TRAM Development Group, Inc. to the Town of St. John; and

**WHEREAS** the Town Council of the Town of St. John, Lake County Indiana, as reviewed the petition for annexation to the Town of St. John for annexation of approximately 80 acres of land to the town; and

**WHEREAS** the Town Council of the Town of St. John, Lake County, Indiana, seeks to annex certain contiguous territories to the Town of St. John, pursuant to the provisions of I.C. §36-4-3 *et sec*, as amended from time to time, and more particularly, I.C. §36-4-3-5.1; and

**WHEREAS** the Town Council of the Town of St. John, Lake County, Indiana, has deemed to be necessary and appropriate for the future development for the Town of St. John that said subject parcel for which annexation is sought to be annexed to provide for continued and coherent planned growth and development of the town; and

**WHEREAS** the owner (petitioner) of the parcel of land hereinafter described did petition the Town Council of the Town of St. John, Lake County, Indiana, for annexation, and pursuant to Ordinance Number 1294, said parcel is required to be classified as R-1; and

**WHEREAS** the Town Council of the Town of St. John, Lake County, Indiana, has duly considered said annexation petition and has determined that said annexation is in the best interests of the health, safety and welfare of the Town of St. John as the annexation of the subject parcel is necessary for the present and future planned coherent growth of the town; and

**WHEREAS** the Town Council of the Town of St. John, Lake County, Indiana, has determined that the subject parcel sought to be annexed, will within the prescribed time limits, be provided with governmental and proprietary services by the petitioner in the same manner as those services are provided areas within the municipal corporate boundaries that have similar topography, patterns of land use, and population density consistent with applicable federal, state and local laws, procedures and planning criteria; and

**WHEREAS** the Town Council of the Town of St. John, Lake County, Indiana, has established a fiscal plan and approved resolution number 04-04-21A as a definite policy showing:

1. The cost estimate of planned services to the subject parcel to be annexed.

2. The methods of financing the planned services.
3. The plan for the organization and extension of the services.
4. That planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, will be provided to the annexed territory within one (1) year after the effective date of annexation and that they will be provided in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density.
5. That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with 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 ONE:** That the subject parcel described as follows:

Part of the West ½ of the East ½ of Section 27, Township 35 North, Range 9 West of the 2nd P.M. in Lake County, Indiana, described as follows: Beginning at the Southwest corner of the NW ¼ of the SE ¼ of said Section 27; thence North 01E00'28" West, along the North-South center line of said Section 27, 2245.14 feet to a point 395.10 feet South of the Northwest corner of the SW ¼ of the NE ¼ of said Section 27, thence South 89E47'36" East, parallel to the North line of said SW ¼ of the NE ¼, 441.00 feet; thence North 01E00'28" West parallel to said North-South center line, 395.10 feet to the North line of said SW ¼ of the NE ¼, thence South 89E47'36" East, along said North line, 891.15 feet to the East line of the West ½ of the East ½ of said Section 27; thence South 00E57'18" East along said East line, 2639.81 feet to the South line of the NW ¼ of the Southeast ¼ of said Section 27, thence North 89E49'02" West along said South line, 1329.68 feet to the point of beginning, containing 76.644 acres more or less.

is deemed contiguous to the Town of St. John, and the same is hereby annexed and made part of the Town of St. John, Lake County, Indiana.

**SECTION TWO:** This annexation ordinance shall become final sixty (60) days after the final publication thereof and the effective date of the annexation shall be in a conformance with applicable law.

**SECTION THREE:** That the Clerk-Treasurer of the town is hereby directed to cause this ordinance to be published one (1) time within thirty (30) days from the date of the adoption of this ordinance in conformance with applicable law as amended from time to time

**SECTION FOUR:** That all existing town code sections and ordinances, or parts thereof, in conflict with the provision of this ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed

**SECTION FIVE:** If any section, laws, provision or portion of this ordinance shall be held to be invalid or unconstitutional by any court or to all of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance.

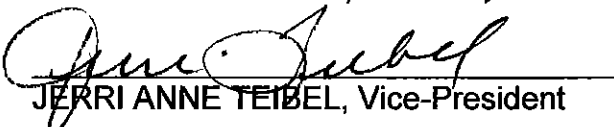
**SECTION SIX:** That this ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, and publication in conformance with applicable law, subject expressly upon the conditions precedent set forth herein, as well as in the petition for annexation upon which this ordinance adoption is premised.


ALL OF WHICH IS PASSED AND ADOPTED THIS 22<sup>nd</sup> DAY OF APRIL 2004, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN LAKE COUNTY, INDIANA.


5 AYE — NAY

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

  
MICHAEL S. FRYZEL, President

  
JERRI ANNE TEIBEL, Vice-President

  
GREGORY J. VOLK, Member

  
MARK BARENIE, Member

CHARLES E. PEARSON, Member

ATTEST:



SHERRY P. SURY,  
Clerk-Treasurer