

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

RESOLUTION NO. 8-9-93B

A RESOLUTION AUTHORIZING THE WAIVER OF WATER
TAP-IN FEES REQUIRED TO BE PAID FOR THE TAP-IN
OF THE TOWN EASTSIDE PARK OWNED BY THE LAKE
CENTRAL SCHOOL CORPORATION

WHEREAS, the Town of St. John, Lake County, Indiana, has entered into a Lease Agreement for the Lease of premises which are legally described as follows, and hereinafter referred to as "Real Estate", namely:

East Thirty (30) acres of the Northeast Quarter of the Northwest Quarter of Section 34, Township 35 North, of Range 9 West of the Second P.M., excepting the North 30 feet thereof, in Lake County, Indiana;

and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has Leased the above-described Real Estate from its owner, the Lake Central School Corporation, in accordance with the terms and provisions of the vacant property Lease entered into between the Town of St. John and the Lake Central School Corporation dated May 18, 1992; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has directed that the use of the subject Real Estate be for Park purposes, and primarily, for use as youth recreation facilities (i.e., baseball fields, soccer fields, and the like); and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has been advised by its Public Works Department, as well as the Town Park and Recreation Board that it is necessary to extend a Two (2) inch water line from the water main at 93rd Avenue to the subject Real Estate in order that an adequate water supply may be available for the uses of the Real Estate as a Park and Recreation facility; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, is aware that certain fees and costs are required to be paid in order to tap-in to the Town water distribution system, and which fees are required to be paid at the time of application for tap-in, or before; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that it is in the best interests of the residents of the Town and the users of the above-described Real Estate as a Park and Recreation facility that water service be provided to the subject Real Estate, and that all steps and procedures necessary to tap-in to the water distribution system of

the Town be pursued; further, that in order to properly effectuate the tapping-in to the water distribution system, the Town Council has determined that payment of tap-in fees should properly be waived, inasmuch as these fees would result in an inequitable action to be required of the owner of the property, namely, the Lake Central School Corporation.

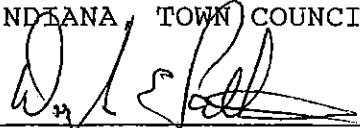
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA:

SECTION ONE: That any and all fees required to be paid for tapping-in of the proposed Two (2) inch water line from the Town water distribution to the subject Real Estate for the use in the Park and Recreation facilities are hereby waived and not required to be paid.

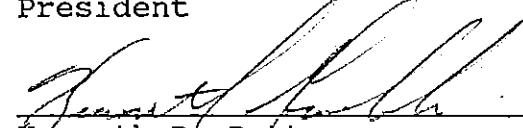
SECTION TWO: That in further consideration of the Leasehold Agreement entered into by and between the Town of St. John and the Lake Central School Corporation dated May 18, 1992, and for the permission and authority to extend a Two (2) inch water line from the Town water distribution system into the Park and Recreation facility on the subject Real Estate, the Town agrees to waive a tap-in fee for the Lake Central School Corporation for an Eight (8) inch line for this Real Estate in the future in the event that the Lake Central School Corporation seeks to utilize the Real Estate for School Corporation purposes.

ALL OF WHICH IS RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, THIS 9th DAY OF AUGUST, 1993.


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



Douglas E. Patterson,
President



Kenneth D. Patterson,
Vice-President



Carl Brown,
Member

ATTEST:



JUDITH L. COMPANIK,
Clerk-Treasurer