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AN ORDINANCE AMENDING ORDINANCE NO. 26-2003 ANNEXING PROPERTY TO THE CITY OF VALPARAISO AND PROVIDING FOR THE ZONING THEREOF

WHEREAS, the Common Council of the City of Valparaiso, Indiana, by a 6-0 vote of all members present and voting on the 14th day of July, 2003 adopted Ordinance No. 26-2003 annexing certain property into the boundaries of the City of Valparaiso and establishing the zoning thereof; and

WHEREAS, attached thereto and made a part of Ordinance No. 26-2003 was a legal description of the annexed property; and

WHEREAS, an inaccurate legal description was inadvertently attached to the aforementioned ordinance; and

WHEREAS, the Common Council of the City of Valparaiso is desirous of correcting the aforementioned inadvertent error and in so doing amend Ordinance No. 26-2003 by attaching the proper legal description for the intended annexation.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Valparaiso that Ordinance No. 26-2003 should be and the same is hereby amended as follows:

- 1. That the original legal description and the designation of zoning classifications which were attached to Ordinance 26-2003 are hereby amended so as to attach thereto and make a part thereof the accurate legal description and zoning classification of the property annexed which is attached hereto and made a part hereof as follows:

See Attached Legal Description and Zoning Classifications.

- 2. That this amendment shall be deemed retroactive so as to be effective as of the date of the adoption of Ordinance No. 26-2003 on the 14th day of July, 2003.
3. That all other provisions of Ordinance No. 26-2003 shall remain in full force and effect.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a 4-0 vote of all members present and voting this 14th day of February, 2005.

Jonathon Costas, Mayor

ATTEST:

Sharon Swihart, Clerk-Treasurer

2005-007260

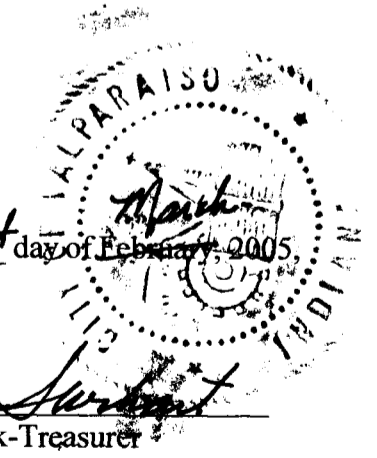
STATE OF INDIANA PORTER COUNTY FILED FOR RECORD

03/16/2005 10:50AM

LINDA D. TRINKLER RECORDER

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 14th day of February, 2005, at 8:00 o'clock. p.m.

Sharon Swihart, Clerk-Treasurer

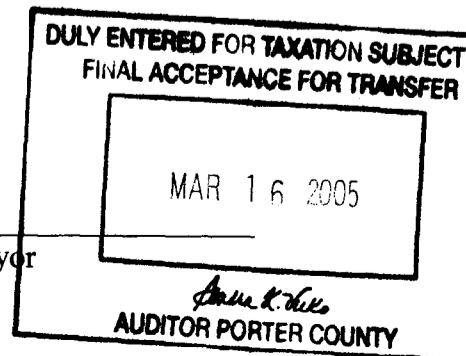


This Ordinance approved and signed by me this 14th day of February, 2005, at 8:00 o'clock p.m.

March

City of Valparaiso 166 W. Lincolnway Valparaiso, IN 46383

Jonathon Costas, Mayor



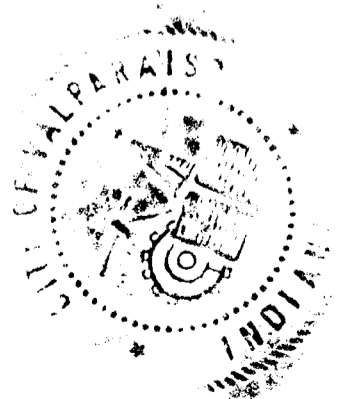
This description is based on descriptions previously prepared by McMahon Associates.

A parcel of land in Section 20, Township 35 North, Range 5 West of the Second Principal Meridian, said parcel in Porter County, Indiana, and more particularly described as follows:

Commencing at the northwest (NW) corner of said Section 20; thence South 89°30'53" East (basis of bearings) 2650.17 feet along the north line of said Section 20 to the north ¼ corner of said Section 20; thence South 0°02'44" West along the east line of the NW ¼ of said Section 20 to a point on the south right-of-way (ROW) line of the Grand Trunk Western, now Canadian National, Railroad; thence North 85°15'43" East 30.02 feet along said south ROW line to the Point of Beginning; thence continuing North 85°15'43" East 798.51 feet along said south ROW; thence South 5°09'13" East 111.38 feet; thence South 84°31'10" East 391.61 feet; thence South 59°39'47" East 549.21 feet; thence South 0°00'00" West 499.40 feet; thence North 90°00'00" West 77.96 feet; thence South 0°17'49" West 300.77 feet; thence South 26°13'03" West 347.88 feet; thence South 1°46'40" East 229.49 feet; thence South 32°50'40" East 323.34 feet; thence South 7°11'22" East 151.58 feet; thence North 66°16'48" West 400.37 feet; thence North 0°00'00" East 935.09 feet; thence North 53°24'57" West 373.61 feet; thence North 90°00'00" West 883.96 feet; thence North 6°11'42" West 809.34 feet to the point of beginning.

Description Prepared/Compiled by:
David L. Pilz, PLS
Engineering Director
City of Valparaiso
166 Lincolnway
Valparaiso, IN 46383

Date: February 17, 2005



This description is based on descriptions previously prepared by McMahon Associates.

A parcel of land in Sections 20 and 21, Township 35 North, Range 5 West of the Second Principal Meridian, said parcel in Porter County, Indiana, and more particularly described as follows:

Commencing at the northwest (NW) corner of said Section 20; thence South 89°30'53" East (basis of bearings) 2650.17 feet along the north line of said Section 20 to the north ¼ corner of said Section 20; thence South 0°2'44" West along the east line of the NW ¼ of said Section 20 to a point on the south right-of-way (ROW) line of the Grand Trunk Western, now Canadian National, Railroad; thence North 85°15'43" East 828.53 feet along said South ROW line to the point of beginning; thence on the following three (3) courses along said ROW;

- (1) North 85°15'43" East 500.39 feet,
- (2) South 0°01'39" East 0.50 feet, and
- (3) North 85°15'43" East 1395.05 feet;

thence South 0°04'07" East 2317.24 feet; thence North 89°56'19" East 38.50 feet; thence South 0°04'07" East 242.31 feet; thence South 82°25'54" West 105.40 feet; thence South 0°04'07" East 128.31 feet to the center line of State Road No. 2; thence South 81°41'19" West 642.25 feet along said center line to the beginning of a 2864.90 foot radius curve, the center of which bears North 8°18'41" West; thence Southwesterly 210.84 feet along the arc of said curve and along the center line of said State Road No. 2 through a central angle of 4°13'00"; thence North 0°20'10" West 435.04 feet; thence North 89°28'51" West 100.0 feet; thence North 0°20'10" West 19.93 feet; thence North 66°16'48" West 39.76 feet; thence North 7°11'22" West 151.58 feet; thence North 32°50'40" West 323.34 feet; thence North 1°46'40" West 229.49 feet; thence North 26°13'03" East 347.88 feet; thence North 0°17'49" East 300.77 feet; thence South 90°00'00" East 77.96 feet; thence North 0°00'00" East 499.40 feet; thence North 59°39'47" West 549.21 feet; thence North 84°31'10" West 391.61 feet; thence North 5°09'13" West 111.38 feet to said south ROW line of said Canadian National Railroad and the point of beginning.

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Parcel A:

This description is based on descriptions previously prepared by McMahon Associates.

A parcel of land in Section 20, Township 35 North, Range 5 West of the Second Principal Meridian, said parcel located in Porter County, Indiana, and more particularly described as follows:
Commencing at the northwest (NW) corner of said Section 20; thence South 89°30'53" East (basis of bearings) 2650.17 feet along the north line of said Section 20 to the north ¼ corner of said Section 20; thence South 0°02'44" West along the east line of the NW ¼ of said Section 20 to a point on the south right-of-way (ROW) line of the Grand Trunk Western, now Canadian National, Railroad and the Point of Beginning; thence North 85°15'43" East 30.02 feet along said South ROW line; thence South 6°11'42" East 809.34 feet; thence South 90°00'00" East 883.96 feet; thence South 53°24'57" East 373.61 feet; thence South 0°00'00" West 935.09 feet; thence South 66°16'48" East 440.13 feet; thence South 0°20'10" East 461.27 feet to a point on the center line of State Road 2 (SR 2); thence continuing on the southerly prolongation of the preceding course to the south ROW of said SR 2; thence westerly along said south ROW line(s) to a point on the north line of lot 6 in Washington Highlands, Unit A, a recorded subdivision per Secondary Plat thereof filed in Plat File 15-A-1 in said Recorder's Office, said point being the NE corner of a tract of land owned by the State of Indiana pursuant to a Warranty Deed recorded in Deed Record 355, Page 111 in said recorder's Office; thence northerly at right angles to said south ROW, across SR 2 to the north ROW line of said SR 2; thence westerly along said north ROW line(s) to the easterly ROW of State Road 49;
thence northerly along said easterly ROW to said south ROW of the Canadian National Railroad; thence North 85°15'43" East 592.87 feet along said ROW to the point of beginning.

Parcel B:

A parcel of land described in a Warranty Deed recorded in Deed Record 356, Page 599 in the Porter County Recorder's Office, said parcel described as:

One acre of land being 100 feet in width East and West by 435.6 feet in length North and South out of the Southwest corner of the following described real estate, to-wit: Beginning at the Northeast corner of the Southeast ¼ of Section 20, Township 35 North, Range 5 West of the Second Principal Meridian; thence running South 22 rods to the enter of the Valparaiso-LaPorte Road (now State Road 2); thence Westerly along the center of said road, 57.5 rods; thence North 29 rods to the North line of the Southeast ¼ of said section 20; thence East to the place of beginning.

Parcel C:

A parcel of land described in a Warranty Deed recorded as instrument number 90-03703 in Deed Record 405, Page 89 in the Porter County Recorder's Office, said parcel described as:

Beginning 3 chains and 88 links South from the Quarter post of the West line of Section 21, Township 35 North, Range 5 West of the 2nd P.M., and running thence South 159 links; thence North 82 ½ degrees East 159 links; thence North 159 links; thence South 82 ½ degrees West 159 links to the place of beginning, containing 1 rood (sic), more or less.

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Vandertoll Annexation – Total Parcel

This description is written to correct errors in the previously approved annexation for Vandertoll/Mallard Crossing (Ordinance 26, 2003). This description is based on recorded deeds and other descriptions prepared by McMahon Associates.

A parcel of land in Sections 20 and 21, Township 35 North, Range 5 West of the Second Principal Meridian, said parcel in Porter County, Indiana, and more particularly described as follows:

Commencing at the northwest (NW) corner of said Section 20; thence east 2650.17 feet along the north line of said Section 20 to the north quarter (¼) corner of said Section 20; thence south along the east line of the NW ¼ of said Section 20 to a point on the south right-of-way (ROW) line of the Grand Trunk Western, now Canadian National, Railroad and the Point of Beginning, said point also being the NW corner of a tract of land owned by Donald J. Vandertoll pursuant to a Warranty Deed recorded in Deed Record 362, Page 191 in the Porter County Recorder's Office; thence easterly along said south ROW line(s) and across the north lines of the following three Vandertoll tracts:

- (1) ¼ mile, more-or-less, across said Vandertoll tract to the NE corner of said tract and the NW corner of a second Vandertoll tract pursuant to "Parcel B" in a Warranty Deed recorded in Deed Record 361, Page 565 in said Recorder's Office;
- (2) ¼ mile, more-or-less, across said second Vandertoll tract to the NE corner of said tract, to the east line of said Section 20 and to the NW corner of a third Vandertoll tract pursuant to "Parcel E" in said Warranty Deed recorded in Deed record 361, Page 565;
- (3) 66 feet, more or less, in said Section 21, across said third Vandertoll tract to the NE corner of said tract;

thence south along the east line of said third tract 2317 feet, more-or-less, to the north line of a fourth Vandertoll tract pursuant to "Parcel C" in said Warranty Deed recorded in Deed Record 361, Page 565; thence east 38.5 feet, more-or-less, to the NE corner of said fourth tract; thence south 242 feet, more-or-less, to the SE corner of said fourth tract and to the NE corner of a tract owned by Alphonse and Patricia Vandavelde pursuant to a Warranty Deed recorded as instrument number 90-03703 in Deed Record 405, Page 89 in said Recorder's Office; thence south along the east line of said Vandavelde tract to the SE corner of said tract; thence southerly along the prolongation of the preceding course across State Road (SR) 2 to the south ROW line of said SR 2; thence westerly along said south ROW line(s) to a point on the north line of lot 6 in Washington Highlands, Unit A, a recorded subdivision per Secondary Plat thereof filed in Plat File 15-A-1 in said Recorder's Office, said point on the existing corporate limits of the City of Valparaiso and also being the NE corner of a tract of land owned by the State of Indiana pursuant to a Warranty Deed recorded in Deed Record 355, Page 111 in said recorder's Office; thence along the existing corporate limits the following courses:

- (1) northerly at right angles with said south ROW, across SR 2 to the north ROW line of SR 2;
- (2) thence westerly along said north ROW line(s) to the easterly ROW of State Road 49;
- (3) thence northerly along said easterly ROW to said south ROW of the Canadian National Railroad, said point being the NW corner of a fifth tract of land owned by Donald J. Vandertoll pursuant to a Warranty Deed recorded in Deed Record 358, Page 419 in said Recorder's Office;

thence departing from said existing corporate limits and proceeding easterly along said south ROW line(s) and the north line(s) of said fifth tract to the point of beginning, the parcel containing XXX acres, more-or-less.

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