

**Passed 5-24-10 by a 7-0 vote
ORDINANCE #19, 2010**

**AN ORDINANCE ANNEXING REAL ESTATE INTO THE
CITY OF VALPARAISO, PORTER COUNTY, INDIANA KNOWN AS THE
“CARIBBEAN POOLS ANNEXATION”**

WHEREAS, Curtis Joiner as the owner of certain real estate located in Washington Township requested at the **May 10, 2010** City Council meeting that the real estate be annexed into the City of Valparaiso, Indiana, which real estate is more particularly described as follows:

See Exhibit B –Caribbean Pools Annexation Legal Description

WHEREAS, the Common Council of the City of Valparaiso, Indiana has heretofore considered and adopted a Fiscal Plan (**Exhibit A**) for such real estate as required by law; and

WHEREAS, the property sought to be annexed is situated outside the corporate boundaries of the municipal City of Valparaiso, Porter County, Indiana, and consists of approximately 3.32 acres of land; and

WHEREAS, the petitioners are the owner of 100% of the land sought to be annexed; and

WHEREAS, at least one eighth (1/8) of the aggregate external boundaries of the real estate sought for annexation coincides with the present boundaries of the City of Valparaiso, Indiana; and

WHEREAS, the City of Valparaiso Plan Commission favorably voted (9-0) to recommend approval of the proposed annexation at its April 13, 2010 meeting, and favorably voted (9-0) to recommend approval of the request to rezone the land included in the annexation area from CM Moderate Intensity Commercial District in the County to CG Commercial General District at its April 13, 2010 meeting.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Valparaiso, Porter County, Indiana as follows:

1. By and through the powers vested in the Common Council of the City of Valparaiso, Porter County, Indiana, the real estate identified in Exhibit A which has been attached hereto and made a part of this Ordinance should be and the same is hereby annexed into the municipal boundaries of the City of Valparaiso. Certain real estate included in the annexation area shall be zoned CG Commercial General District.
2. The Valparaiso Clerk-Treasurer is hereby authorized, instructed and empowered to take all actions necessary in order to implement the intention of this Ordinance by recording, filing and publishing pursuant to Indiana law.

Passed by the Common Council of the City of Valparaiso, Indiana by a ___ vote of all members present and voting this ___ day of _____, 2010.

Jon Costas, Mayor

ATTEST:

Sharon Emerson Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this ____ of _____,
2010 at the hour of _____ o'clock P.M.

Sharon Emerson Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this ____ day of _____, 2010 at the
hour of _____ o'clock P. M.

Jon Costas, Mayor

EXHIBIT B – CARIBBEAN POOLS ANNEXATION LEGAL DESCRIPTION

LEGAL DESCRIPTION:

A parcel of land in the Northwest Quarter (NE1/4) of Section 32, Township 35 North, Range 5 West, bounded and described as follows: Commencing at a point on the North line of said Section 32 which is 1143.61 feet West of the Northeast corner of said Northeast Quarter (NE1/4), thence North 90 degrees 00 minutes West along said North line 837.72 feet, thence South 14 degrees 40 minutes West 58.60 feet to a concrete R/W marker on the North line of U.S. Highway Number 30, thence South 75 degrees 05 minutes East along said North line 882.25 feet more or less to an intersection with a line which is at 90 degrees to said North line of Section 32 and runs through the Point of Commencement, thence North 284.22 feet to the Point of Commencement. Containing 3.32 acres more or less and subject to all Legal Highways and Easements.