

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

Judith J. Combs  
TOWN OF ST. JOHN  
10955 W. 93RD STREET  
ST. JOHN, INDIANA 46373

ORDINANCE NO. 1211

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, Genevieve Bolek, Julia E. Furman and Julian J. Furman, have petitioned the Town of St. John to annex certain contiguous territory to the Town of St. John, pursuant to the provision of I.C. 36-4-3 et. seq; and

WHEREAS, in excess of one-eighth (1/8) of said real estate is contiguous to the town limits of the Town of St. John; and

WHEREAS, the petitioners and/or their agents and successors in interest intend to submit a proposed plat of subdivision and planned unit development for said territory, for the construction of a 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 Genevieve Bolek, Julia E. Furman and Julian J. Furman, Lantz Development, Inc. intends to purchase the property from the said Genevieve Bolek, Julia E. Furman and Julian J. Furman and submit for approval to the Plan Commission a development consisting of residential improvements; and

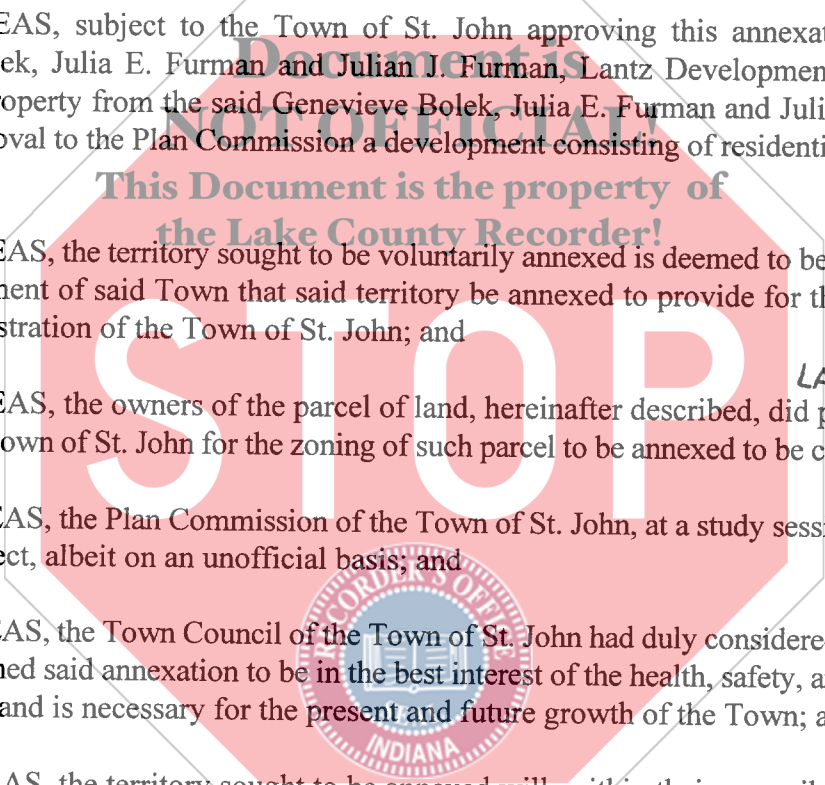
WHEREAS, the territory sought to be voluntarily annexed is deemed to be necessary for the future development of said Town that said territory be annexed to provide for the organized and planned administration of the Town of St. John; and

WHEREAS, the owners of the parcel of land, hereinafter described, did petition the Council of the Town of St. John for the zoning of such parcel to be annexed to be classified R-2; 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 had 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 their prescribed statutory time limits, be provided with governmental services by said petitioners and/or agents and 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.



2002

FILED

JAN 28 2002

PETER BENJAMIN  
LAKE COUNTY AUDITOR

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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 R-2.

**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 residential 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 23rd day of August, 2009.

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

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Ayes 5 Nays 0

Kathleen Willman  
KATHLEEN WILLMAN, President

Jerome Rudy  
JEROME RUDY, Vice President Member

Kristie Aldridge  
KRISTIE ALDRIDGE, ~~Member~~ Vice-President

William Winterhaler  
WILLIAM WINTERHALER, Member

Michael Forbes  
MICHAEL FORBES, Member



ATTEST:

Judith B. Companik  
JUDITH COMPANIK, Clerk-Treasurer

Legal Description 1.

Part of the Southwest Quarter of Section 30 and part of the West Half of Section 31, Township 35 North, Range 9 West of the 2nd P.M., more particularly described as: Commencing at a point on the North line of said Section 31, said point being 162.95 feet East of the East line of the Fractional West Half of the West Half of said Section 31; thence South, parallel to the East line of the West Half of the East Half of the West Half of said Section 31; a distance of 414.42 feet; thence East, parallel to the North line of said Section 31, a distance of 497.0 feet to said East line of the West Half of the East Half of the West Half of said Section 31; thence South on said East line a distance of 1007.95 feet to the South line of the North 99.10 feet of the South Half of the North Half of the West Half of the East Half of the West Half of said Section 31; thence West on said South line a distance of 661.06 feet to the East line of said Fractional West Half of the West Half of Section 31; thence South on said East line a distance of 1013.85 feet to the center line of the Bull Run Ditch; thence Southerly and Westerly along said center line of the Bull Run Ditch a distance of 1265.62 feet to the West line of the East 531.58 feet of the Fractional West Half of the West Half of Section 31; thence North on said West line a distance of 3010.0 feet to a point 361.6 feet South of the North line of said Section 31; thence Easterly on a line which makes an angle of 87 degrees 07 minutes 25 seconds, measured South to East with the last described line, a distance of 421.95 feet; thence Northerly on a line which makes an angle of 91 degrees 51 minutes, measured West to North, with the last described line a distance of 377.13 feet to the North line of said section 31; thence Northerly on the last described line extended a distance of 20.65 feet to the center line of Schmal Road; thence Easterly along said center line of Schmal Road a distance of 240.21 feet; thence South a distance of 25.0 feet to the point of beginning, containing 52.0 acres, more or less, all in St. John Township, Lake County, Indiana.

Legal Description 2.

Part of the Southwest  $\frac{1}{4}$  of Section 30, and part of the Fractional West  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of Section 31, all in Township 35 North, Range 9 West of the 2nd Principal Meridian, more particularly described as: Commencing at the Northwest corner of Section 31; thence South on the West line of said Section 31 a distance of 3102.10 feet to the center line of Bull Run Ditch; thence Southeasterly along said center line a distance of 754.55 feet to the West line of the East 531.58 feet of the Fractional West  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of Section 31; thence North along said West line of the East 531.58 feet of the Fractional West  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of Section 31 a distance of 3010.0 feet to a point 361.6 feet South of the North line of said Section 31; thence Easterly on a line which makes an angle of  $87^{\circ}07'25''$ , measured South to East, with the last described line a distance of 187.11 feet; thence North on a line which makes an angle of  $87^{\circ}07'$ , measured West to North, with the last described line a distance of 368.10 feet to the North line of said Section 31, said point being 920.82 feet East of the Northwest corner of said Section 31; thence East on the South line of Section 30 a distance of 265.95 feet; thence Northerly on a line which makes an angle of  $92^{\circ}51'$  measured West to North, with the last described line a distance of 20.65 feet to the center line of Schmal Road; thence Westerly along said center line of Schmal Road a distance of 1124.35 feet to a point on the North line of said Section 31; thence West on said North line a distance of 64.0 feet to the point of beginning, containing 55.890 acres, more or less, all in St. John Township, Lake County, Indiana.

Legal Description 3.

Part of the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 31, Township 35 North, Range 9 West of the 2nd Principal Meridian, described as follows: Beginning at a point on the North line of said Section 31, said point being 920.82 feet Easterly of the Northwest corner of said Section 31; thence continuing East on said North line 265.95 feet; thence Southwesterly on a line that makes an interior angle of  $86^{\circ}09'$  measured West to South with said North line 377.13 feet; thence Westerly on a line that makes an interior angle of  $91^{\circ}51'$  measured North to West with the last described line 234.84 feet; thence Northwesterly on a line that make an interior angle of  $92^{\circ}53'$  measured East to North with the last described line 368.10 feet to the point of beginning and containing 2.139 acres, more or less, all in St. John Township, Lake County, Indiana.



STATE OF INDIANA            )                    BEFORE THE ST. JOHN TOWN COUNCIL  
  )SS:  
COUNTY OF LAKE            )

IN RE APPLICATION OF GENEVIEVE BOLEK )  
AND MARGARET S. SHUDICK as Power of )  
Attorney for JULIAN FURMAN, FOR        )  
ANNEXATION OF CERTAIN CONTIGUOUS    )  
TERRITORY TO THE TOWN OF ST. JOHN,    )  
LAKE COUNTY, INDIANA, PURSUANT TO    )  
THE PROVISIONS OF I.C. 36-4-3 et. seq. AND )  
DETERMINATION OF R-2 ZONING STATUS    )

**COMMITMENT CONCERNING THE USE OR DEVELOPMENT OF  
REAL ESTATE MADE IN CONNECTION WITH APPROVAL OF  
ANNEXATION AND DETERMINATION OF ZONING**

Genevieve Bolek, Margaret S. Shudick as Power of Attorney for Julian Furman and Fern L. Buchmeier, the owners of the real estate located in Lake County, Indiana, which is described below and referred to hereafter as the “Real Estate” and as the applicants for annexation and determination of R-2 zoning status in this proceeding, make the following **COMMITMENT** concerning the use and development of the parcel of real estate:

Legal Description: Set out in Exhibit A attached hereto and made a part hereof.

**This STATEMENT OF COMMITMENT: of**  
**the Lake County Recorder!**

Recognizing that the Town Council of the Town of St. John is considering the annexation of the above-captioned real estate into the corporate boundaries of said Town, and further, additionally considering the determination for the zoning of such parcel to be classified R-2; and further, in recognition of the Comprehensive Plan and the individual concerns of the members of the Town Council regarding the preservation and continuation of large residential lots in the Town of St. John; and finally, consistent with the preliminary site plan submitted to the members of the Town Council at its June 21, 2001 Study Session by the representatives of the Petitioners, the said Petitioners do hereby agree to the following:

- (A.) That a number of the lots to be developed, subject to final subdivision approval and determination by the Plan Commission, shall meet and/or exceed the minimum lot dimensions and square footage requirements of the R-1 zoning classification of the Town of St. John, Indiana, and subject to the aforementioned final subdivision approval and determination by the Plan Commission of the Town of St. John, Indiana, shall be a total number not to exceed sixty-one (61) lots.
  
- (B.) This **COMMITMENT** shall be binding upon, and inurr to the benefit of, the applicants, their heirs, assigns and successors in interests.



The **COMMITMENT** contained in this instrument shall be effective upon the approval and granting of annexation, containing therein the rezoning requested in this proceeding, and the expiration of all appeal periods, if any, and shall run with the land.

The undersigns hereby authorizes the Town Council of the Town of St. John to record this Commitment in the office of the Recorder of Lake County, Indiana, upon final, non-appealable approval of the application in this proceeding by the St. John Town Council.

IN WITNESS WHEREOF, the undersigns have executed this instrument this 18<sup>th</sup> day of JULY, 2001.

*Genevieve Bolek*  
**GENEVIEVE BOLEK**

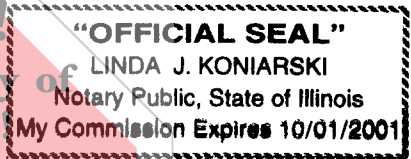
STATE OF INDIANA  
COUNTY OF LAKE SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 18<sup>th</sup> day of July, 2001, personally appeared: GENEVIEVE BOLEK and acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My commission expires: 10-1-2001  
Resident of COOK County

Signature: *Linda J. Koniariski*  
Printed: LINDA J. KONIARSKI, Notary Public

*Margaret S. Shudick aka Peggy Shudick*  
**PEGGY SHUDICK as Power of Attorney**  
**for JULIAN J. FURMAN**



STATE OF INDIANA  
COUNTY OF LAKE SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 23<sup>rd</sup> day of July, 2001, personally appeared: PEGGY SHUDICK as Power of Attorney for JULIAN J. FURMAN, and acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My commission expires: 5/15/09  
Resident of Lake County

Signature: *Donna R. King*  
Printed: Donna R. King, Notary Public

*Fern L. Buchmeier*  
**FERN L. BUCHMEIER**

**DONNA R. KING**  
NOTARY PUBLIC, Lake County, Indiana  
My Commission Expires May 15, 2009  
Resident of Lake County, Indiana

STATE OF INDIANA  
COUNTY OF Lake SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 9<sup>th</sup> day of July, 2001, personally appeared: FERN L. BUCHMEIER and acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My commission expires: 10-12-08  
Resident of Porter County

Signature: *Richard E. Svetanoff*  
Printed: RICHARD E. SVETANOFF, Notary Public

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Legal Description 3.

Part of the West ½ of the Northwest ¼ of Section 31, Township 35 North, Range 9 West of the 2nd Principal Meridian, described as follows: Beginning at a point on the North line of said Section 31, said point being 920.82 feet Easterly of the Northwest corner of said Section 31; thence continuing East on said North line 265.95 feet; thence Southwesterly on a line that makes an interior angle of 86°09' measured West to South with said North line 377.13 feet; thence Westerly on a line that makes an interior angle of 91°51' measured North to West with the last described line 234.84 feet; thence Northwesterly on a line that make an interior angle of 92°53' measured East to North with the last described line 368.10 feet to the point of beginning and containing 2.139 acres, more or less, all in St. John Township, Lake County, Indiana.

Legal Description 4.

That part lying Northwesterly of the centerline of Bull Run Ditch of the following described parcel of land: The West Half of the Southeast Quarter of the Northwest Quarter of Section 31, Township 35 North, Range 9 West of the Second Principal Meridian in St. John Township, Lake County, Indiana EXCEPTING THEREFROM the North 99.1 feet of said West Half.

This Parcel contains 5.64 Acres, more or less.





**AFFIDAVIT IN JOINING IN BOLEK/FURMAN  
PETITION FOR ANNEXATION**

**FERN L. BUCHMEIER**, being first duly sworn upon her oath, states as follows:

1. That she is a property owner of certain real estate that is the subject matter of the pending Petition for Annexation filed by Genevieve Bolek and Margaret S. Shudick as Power of Attorney for Julian Furman, the description and acreage of said property being as follows:

That part lying Northwesterly of the centerline of Bull Run Ditch of the following described parcel of land: The West Half of the Southeast Quarter of the Northwest Quarter of Section 31, Township 35 North, Range 9 West of the Second Principal Meridian in St. John Township, Lake County, Indiana EXCEPTING THEREFROM the North 99.1 feet of said West Half.

This Parcel contains 5.64 Acres, more or less.

2. That Affiant was inadvertently omitted as a signator on the original Petition for Annexation previously filed with the Town Council of the Town of St. John, but does hereby join in and acquiesce and agree to the same.

3. That Affiant makes this Affidavit freely and voluntarily, and with full knowledge of its consequences.

FURTHER AFFIANT SAITH NOT.

  
**FERN L. BUCHMEIER**

STATE OF INDIANA  
COUNTY OF LAKE SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 6th day of JULY, 2001, personally appeared: FERN L. BUCHMEIER and acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My commission expires: June 27th, 2008 Signature: Christie D Bulza  
Resident of LAKE County Printed: CHRISTIE D BULZA Notary Public

**CONSENT TO PETITION FOR ANNEXATION OF  
REAL ESTATE INTO THE TOWN OF ST. JOHN**

FERN L. BUCHMEIER, being an owner of a portion of the real property that is the subject matter of a certain Petition for Annexation to the Town of St. John, as set forth in Notice of Hearing On Proposed Ordinance Annexing Certain Contiguous Land to the Town of St. John, Indiana dated the 1st day of May, 2001, the legal description of which is attached hereto and made a part this Consent, does hereby consent to the proposed annexation, and files the same with the Town of St. John as a matter of public record, pursuant to I.C. 36-4-3-4.

Dated this 5<sup>th</sup> day of June, 2001.

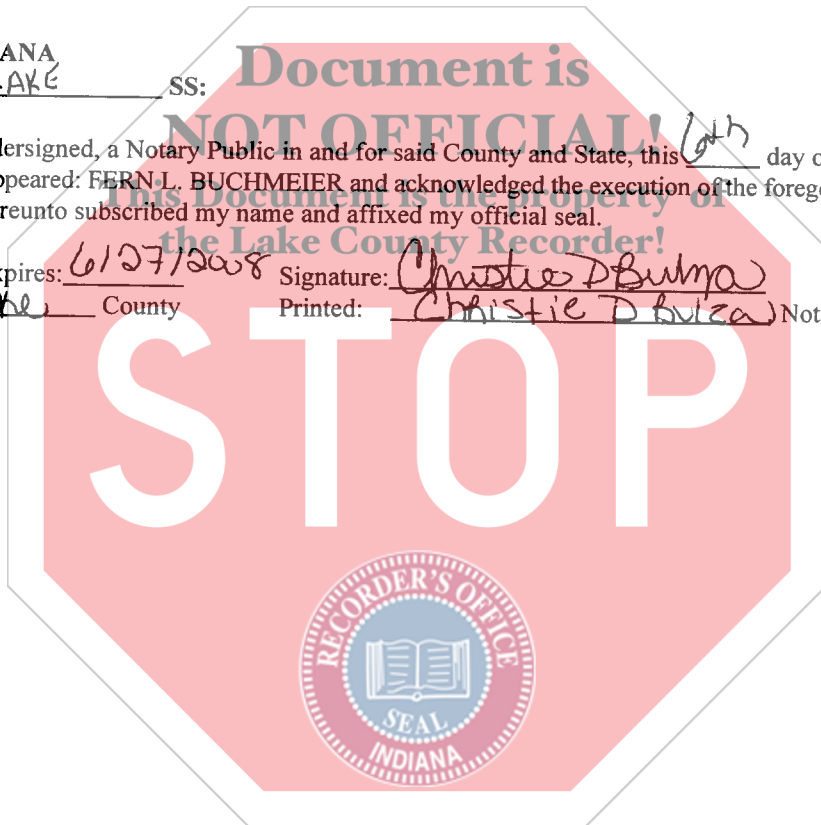
Fern L. Buchmeier  
FERN L. BUCHMEIER

STATE OF INDIANA  
COUNTY OF LAKE

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the Lake County Recorder!

Before me, the undersigned, a Notary Public in and for said County and State, this 6<sup>th</sup> day of July, 2001, personally appeared: FERN L. BUCHMEIER and acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My commission expires: 6/27/2008 Signature: Christie D Bulma  
Resident of lake County Printed: Christie D Bulma Notary Public

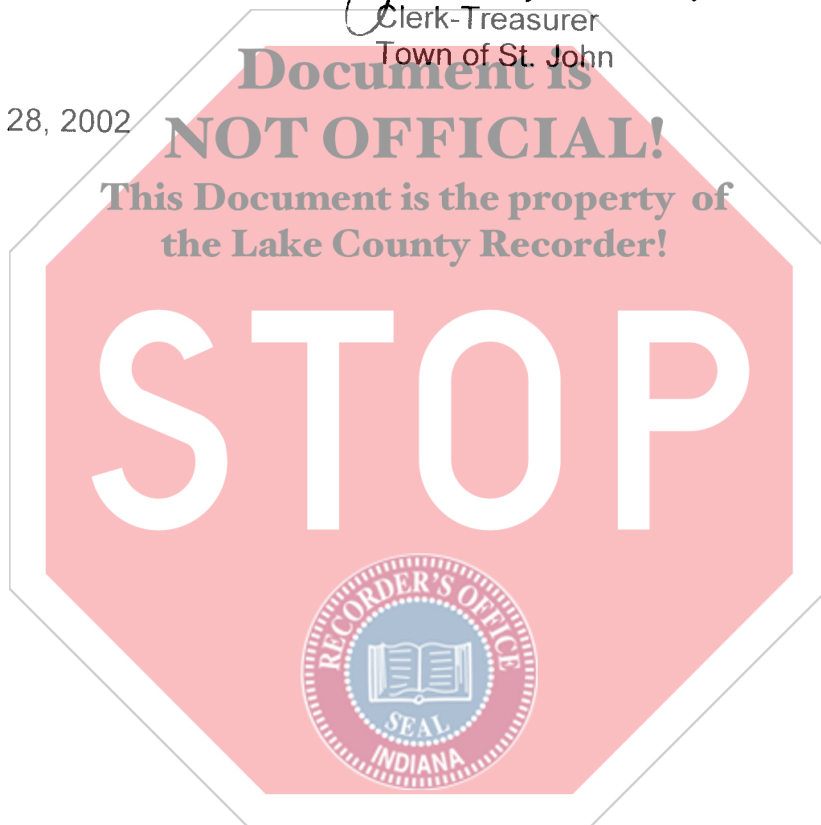


CERTIFICATION

I, Judith L. Companik, being the duly elected and acting Clerk-Treasurer of the Town of St. John, Lake County, Indiana, hereby certify that the attached and foregoing Ordinance #1211, 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., of the Town of St. John, Lake County, Indiana, is the true and accurate Ordinance #1211, 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., of the Town of St. John, Lake County, Indiana, as it exists in the books and records of the Town of St. John, Lake County, Indiana.

*Judith L. Companik*  
\_\_\_\_\_  
JUDITH L. COMPANIK  
Clerk-Treasurer  
Town of St. John

Date: January 28, 2002



SEAL