

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

TOWN OF LOWELL, LAKE COUNTY, INDIANA

2007 099826 ORDINANCE NO: 2007-20 9:12

AN ORDINANCE ANNEXING 63.61 ACRES OF CONTIGUOUS LAND
KNOWN AS THE VILLAGE GREEN ANNEXATION
TO THE TOWN OF LOWELL, LAKE COUNTY, INDIANA

2007 099826

WHEREAS, one hundred percent (100%) of the landowners of the real estate described in the legal description below have petitioned for annexation of approximately 63.61, commonly known as the Village Green Annexation, and the Town of Lowell has considered and examined the current and proposed land uses in relation to the Town's future development; and

WHEREAS, said real estate is contiguous to and is bounded by the Town of Lowell; and

WHEREAS, a written fiscal plan has been approved and adopted by Resolution 2007-22 for providing services to the annexed area pursuant to Ind. Code 36-4-3; and

WHEREAS, it is desirable that the Town of Lowell control the use of said real estate; and

WHEREAS, essential municipal services are reasonable available to said territory pursuant and subject to all terms and conditions expressed in the fiscal plan.

WHEREAS, the Lowell Town Council has established a Fiscal Plan approved by Resolution No. 2007-22 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. The furnishing of services of a non-capital nature, including police protection, fire protection and street and road maintenance to the territory within one (1) year from the effective date of the annexation, which service shall be in a manner equivalent in standard and scope to those non-capital services provided to areas within the Town of Lowell.
5. The furnishing of services of a capital nature, including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of annexation in the manner as those services are provided to areas within the municipal corporate boundaries of the Town.

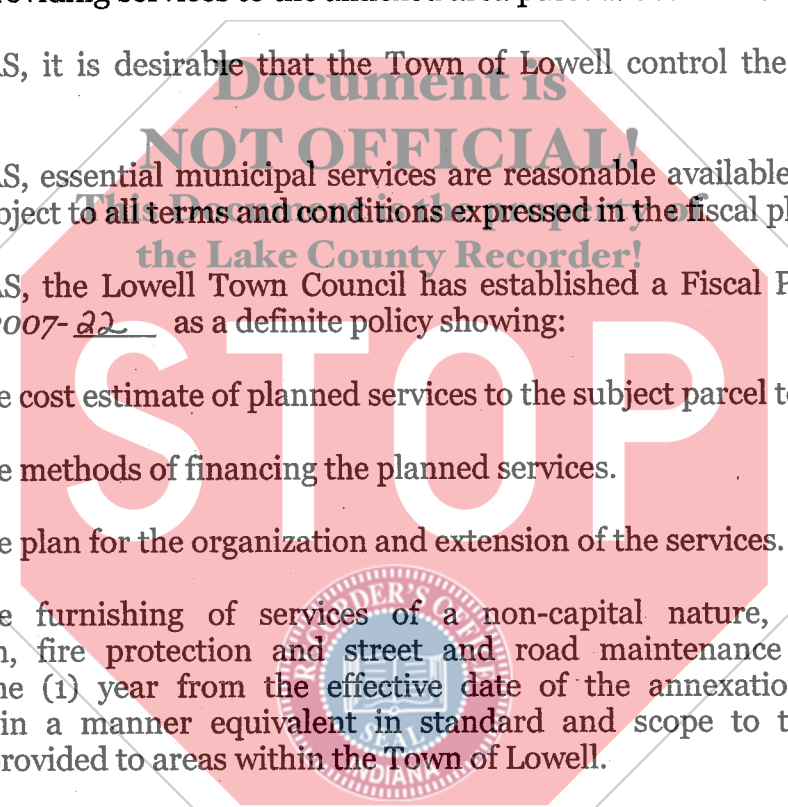
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DEC 21 2007

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
MICHAEL A. BROWN
RECORDER
2007 DEC 21 AM 9:11

IT IS THEREFORE ORDAINED, by the Lowell Town Council, Lake County, Indiana, as follows:

1. **Annexed Land - Legal Description:** The real estate commonly known as Vacant 173rd Avenue, West Creek Township, Lake County, Indiana, which is identified in the Lake County, Indiana, real estate tax records as including Tax Key Numbers 10-01-0072-0002, described below, containing approximately 63.61 acres, is hereby annexed to an declared as part of the Town of Lowell, Lake County, Indiana:

SEE EXHIBIT "A" ATTACHED HERETO

2. **Town Services - Fiscal Plan:** All Town services shall be available in the annexed area in conformity with and pursuant and subject to the written fiscal plan submitted by the landowners and approved by the Town Council as *Resolution 2007-22*.

3. **Zoning:** The real estate shall be annexed with a R-1 Residential Zoning Classification subject to the property owners right to seek a change in zoning classification by filing an appropriate petition with the Lowell Planning Commission.

4. **Town Council District:** The annexed area shall be and is hereby assigned to Lowell Town Council District No. 7.

5. **Precinct Designation:** The annexed area shall be assigned to the precinct(s) that are designated by the Lake County Board of Elections and Voters Registration after this ordinance is recorded with the Lake County Recorder!

6. **Publication - Recording:** Pursuant to Ind. Code 36-4-3-7(f), and in the absence of an appeal under Ind. Code 36-4-3-15.5, this annexation ordinance takes effect at least thirty (30) days after publication and upon the filings required by Ind. Code 36-4-3-22(a). The Clerk-Treasurer is hereby authorized and directed to:

(a) Publish this ordinance one (1) time within thirty (30) days after the passage of the ordinance (per I. C. 36-4-3-7(a)).

(b) Thirty (30) days after the date of the publication of this Ordinance, if no appeal is filed, and pursuant to I. C. 36-4-3-22, file a certified copy of this annexation ordinance with each of the following:

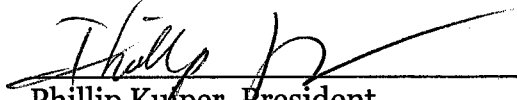
- (1) The Lake County Auditor.
- (2) The Lake Circuit Court Clerk.
- (3) Board of Elections and Voters Registration (who shall assign precincts).
- (4) The Office of the Secretary of State.
- (5) The Office of Census Data established by I. C. 2-5-1.1-12.2.
- (6) Record this annexation ordinance with the Lake County Recorder.

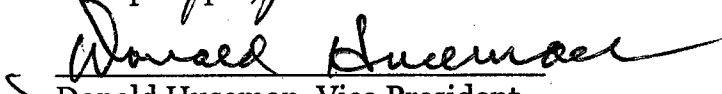
7. Severability: If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

8. Effective Date: This ordinance shall be in full force and effect upon passage and adoption subject to the terms and conditions contained in the Fiscal Plan approved for this annexation and publication in accordance with law and upon the passage of any applicable waiting period as provided by the laws of the State of Indiana.

DULY ORDAINED and ENACTED by the Lowell Town Council on the ^{12th} ~~22nd~~ day of ~~October~~, 2007, by a vote of 5 Ayes and 0 Nays.


^{November}
LOWELL TOWN COUNCIL:


Phillip Kuiper, President


Donald Huseman, Vice President


David Gard, Member


Shane Tucker, Member


Andrew KaRoy, Member

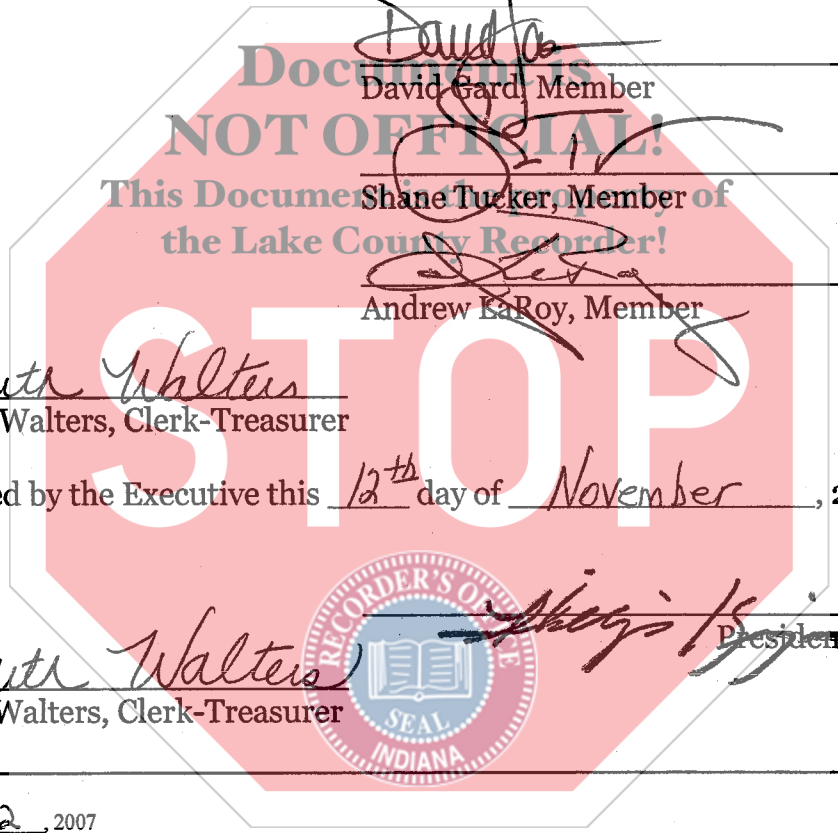
Attest: 
Judith Walters, Clerk-Treasurer

Approved by the Executive this 12th day of November, 2007.

Attest: 
Judith Walters, Clerk-Treasurer


Phillip Kuiper, President

1 st Reading: <u>10-22</u> , 2007
Advertised: <u>10-2</u> , 2007 Public Hearing: <u>10-22</u> , 2007
2 nd Reading: <u>11-12</u> , 2007 Published: <u>11-20</u> , 2007 (IC 36-4-3-7(f))



The North Half of the following described parcel: Part of the West Half of the Northeast Quarter and the East Half of the Northwest Quarter, of Section 22, Township 33 North, Range 9 West of the Second Principal Meridian and being more particularly described as follows: Commencing at the Northwest corner of said Section 22; thence South 88 degrees 29 minutes 21 seconds East along the North line of said Section 22, a distance of 1,329.72 feet to the Northwest corner of the East Half of the Northwest Quarter of said Section 22, said point also being the point of beginning; thence continuing along the last described line, a distance of 2,089.44 feet to a point which lies 570.00 feet West of the East line of the West Half of said Section 22; thence South 0 degrees 03 minutes 39 seconds East along said 570 feet parallel line, 2,657.09 feet, to a point which lies on the South line of the North half of said Section 22; thence North 88 degrees 29 minutes 54 seconds West along the last described line a distance of 2,083.78 feet to a point which lies on the West line of the East Half of the Northwest Quarter of said Section 22; thence North 00 degrees 10 minutes 57 seconds West along the last described line, a distance of 2,657.59 feet to the point of beginning.

This Document is the property of
the Lake County Recorder!

STOP



CERTIFICATION

I, Judith Walters, the duly qualified and serving Clerk-Treasurer of the Civil Town of Lowell, Lake County, Indiana, do hereby certify that the attached is a true and accurate copy of Ordinance #2007-20, adopted and approved by the Lowell Town Council during a duly advertised and conducted meeting held on the 12th day of November, 2007.

The original of which is on file in the Clerk-Treasurer's Office.



MAIL TO:

TOWN OF LOWELL
ATTENTION: JUDITH WALTERS
P.O. BOX 157
LOWELL, IN 46356