

ORDINANCE NO. 2017- 02

**AN ORDINANCE OF THE CITY OF HOBART, INDIANA
PROVIDING THAT THE ZONING ORDINANCE OF THE CITY OF HOBART,
LAKE COUNTY, INDIANA AMEND ORDINANCE 2016-13 BY EXTENDING A
PREVIOUSLY APPROVED PUD ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 16-13** be adopted on May 5, 2016 and that the Council approve the rezone extension for this property; and

WHEREAS, the Council, by the enactment of its Ordinance 2016-13 on June 1, 2016, extended a previously approved PUD Zone classification; and

WHEREAS, a scrivener's error was discovered in the legal description contained in Ordinance 2016-13; and

WHEREAS, THE Council, through this ordinance, desires to correct said legal description and to give effect to same *nunc pro tunc*.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana:

SECTION 1. That the Council amend and readopt as amended Ordinance 2016-13 of the City of Hobart, Indiana the previously approved PUD Zone classification, is hereby amended by substituting in its entirety the legal description as follows:

Legal Description

Part of the East Half of Section 30, Township 36 North, Range 7 West of the 2nd P.M., Lake County, Indiana, described as: Beginning at the Northeast corner of said Section 30; thence South 00 degrees 02 minutes 08 seconds East along the East line of said Section 30 a distance of 1911.85 feet more or less to a point 730.92 feet North of the Southeast corner of the Northeast Quarter of said Section 30; thence South 82 degrees 41 minutes 02 seconds West, 1370.05 feet; thence North 52 degrees 29 minutes 48 seconds West, 1150.05 feet; thence North 90 degrees 00 minutes 00 seconds West, 364.91 feet to the West line of the Northeast Quarter; thence North 00 degrees 00 minutes 00 seconds East along said West line a distance of 953.0 feet more or less to a point 522.5 feet South of the Northwest corner of the Northeast Quarter of said Section 30; thence North 90 degrees 00 minutes 00 seconds East 88.08 feet; thence North 03 degrees 54 minutes 00 seconds West, 51.12 feet; thence North 90 degrees 00 minutes 00 seconds West 84.6 feet to the West line of the Northeast Quarter of said Section 30; thence North 00 degrees 00 minutes 00 seconds East, 153.62 feet to a point 317.88 feet South of the Northwest corner of the Northeast Quarter of said Section 30; thence North 88 degrees 42 minutes 00 seconds East, 30.01 feet; thence South 64 degrees 40 minutes 52 seconds East, 100.95 feet; thence South 83 degrees 50 minutes 22 seconds East, 410.01 feet; thence South 51 degrees 05 minutes 22 seconds East, 105.36 feet; thence North 85 degrees 14 minutes 44 seconds East, 462.90 feet; thence North 63

degrees 19 minutes 22 seconds East, 233.97 feet; thence North 01 degrees 57 minutes 00 seconds East, 283.53 feet to a point on the North line of said Section 30 and 1291.64 feet East of the Northwest corner of the Northeast Quarter of said Section 30; thence South 88 degrees 03 minutes 29 seconds East, 1344.85 feet to the point of beginning, except the South 75 feet of a parcel of land described as follows: That part of the Northeast quarter of Section 30, Township 36 North, Range 7 West of the 2nd P.M., in Lake County, Indiana, described as follows: Beginning at a point on the West line of the Northeast Quarter of said Section 30 which point is 1169.91 feet North of the Southwest corner of said Northeast Quarter; thence East at right angles a distance of 200 feet; thence North and parallel with the West line of said Northeast Quarter a distance of 150 feet; thence West at right angles a distance of 200 feet to the West line of the said Northeast Quarter; thence South along the West line of the said Northeast Quarter a distance of 150 feet to the point of beginning, EXCEPTING THEREFROM that part conveyed to the City of Hobart by Warranty Deed recorded February 10, 2000 as Document No. 2000 009652.

And adding the below parcels which are described as follows:

PARCEL 1: Part of the Northeast Quarter of Section 30, Township 36 North, Range 7 West of the 2nd P.M., in Hobart, Lake County, Indiana, described as follows: Beginning at a point on the East line of the Northeast Quarter of said Section 30 and 125 feet North of the Southeast corner thereof; thence North 88 degrees 07 minutes 00 seconds West and parallel to the South line of said Northeast Quarter a distance of 985.18 feet to a point of curve; thence Northwesterly along a curve to the right with a radius of 622.55 feet for a distance of 387.03 feet to a point of tangent; thence North 52 degrees 29 minutes 48 seconds West, 123.55 feet, more or less to a point on the Easterly line of the Cranbrook Apartment property and on the Southerly line of 39th Place; thence North 20 degrees 55 minutes 30 seconds East, 213.86 feet; thence South 52 degrees 29 minutes 48 seconds East, 7.00 feet; thence North 82 degrees 41 minutes 02 seconds East, 1370.05 feet, more or less, to the East line of said Section 30; thence South 00 degrees 02 minutes 08 seconds East, 605.92 feet to the Point of Beginning.

PARCEL 2: Part of the Northeast Quarter of Section 30, Township 36 North, Range 7 West of the 2nd P.M., in Hobart, Lake County, Indiana, described as follows: Commencing at a point on the East line of the Northeast Quarter of said Section 30 and 730.92 feet North of the Southeast corner thereof; thence South 82 degrees 41 minutes 02 seconds West, 1370.05 feet; thence North 52 degrees 29 minutes 48 seconds West, 7.00 feet to the Point of beginning of this described parcel; thence North 52 degrees 29 minutes 48 seconds West, 1143.05 feet; thence North 90 degrees 00 minutes 00 seconds West, 204.91 feet more or less to the Northeast corner of Lot 1, Block 1, Cressmoor Village; thence South 00 degrees 00 minutes 00 seconds East, 145.00 feet to the Northerly line of 39th Place; thence North 90 degrees 00 minutes 00 seconds East 36.11 feet; thence Southeasterly along a curve to the right with a radius of 543.93 feet for a distance of 284.67 feet; thence South 52 degrees 29 minutes 48 seconds East, 960.00 feet; thence North 20 degrees 55 minutes 30 seconds East, 151.26 feet to the Point of Beginning.

PARCEL 3: Part of the East Half of Section 30, Township 36 North, Range 7 West of the 2nd P.M., in Hobart, Lake County, Indiana, described as follows: Commencing at a point on the East line of the Northeast Quarter of said Section 30 and 125.0 feet North of the Southeast corner thereof; thence North 88 degrees 07 minutes 00 seconds West and parallel to the South line of the Northeast Quarter of said Section 30 a distance of 752.50 feet to the Point of Beginning of this described parcel; thence continuing North 88 degrees 07 minutes 00 seconds West, 232.68 feet to a point of curve; thence Northwesterly along a curve to the right with a radius of 622.55 feet for a distance of 387.03 feet to a point of tangent; thence North 52 degrees 29 minutes 48 seconds West 123.55 feet more or less to a point on the Easterly line of the Cranbrook Apartment property and on the Southerly line of 39th Place; thence South 20 degrees 55 minutes 30 seconds West, 473.96 feet; thence South 00 degrees 00 minutes 00 seconds East 530.27 feet to the Northerly line of the Penn Central R. R.; thence South 52 degrees 29 minutes 48 seconds East along said railroad 1136.07 feet to a point of curve; thence continuing Southeasterly along a curve to the left with a radius of 5679.65 feet for a distance of 195.94 feet more or less to the West line of Rifenburg's

Addition; thence North 00 degrees 00 minutes 54 seconds West along the West line of Rifenburg's Addition, 795.63 feet; thence North 88 degrees 07 minutes 00 seconds West, 200.00 feet; thence North 00 degrees 00 minutes 54 seconds West 642.80 feet to the North line of the Southeast Quarter of Section 30; thence North 00 degrees 02 minutes 08 seconds West 125.00 feet to the Point of Beginning.

EXCEPTING THEREFROM THE FOLLOWING:

Part of the East 1/2 Section 30, Township 36 North, Range 7 West of the 2nd Principal Meridian, in Lake County, Indiana, described as: beginning at a point on the East line of said Section 30 and 125 feet North of the Southeast corner of the Northeast 1/4 of said Section 30; thence North 00 degrees 02 minutes 08 seconds East, 459.74 feet; thence South 82 degrees 41 minutes 02 seconds West 1411.31 feet; thence North 52 degrees 29 minutes 48 seconds West 23.64 feet; thence South 20 degrees 55 minutes 30 seconds West along the Easterly end of the dedicated 39th Place and the Easterly line of the Cranbrook Apartment Complex, 536.56 feet to the Southeast corner of said Cranbrook and the Northeast corner of YMCA property; thence South 00 degrees 00 minutes 00 seconds East along the East line of YMCA property, 530.27 feet more or less to the Northerly line of the Penn Central RR; thence South 52 degrees 29 minutes 48 seconds East along said Northerly right-of-way, 1,136.07 feet; thence continuing Southeasterly along a curve to the left with a radius of 5,679.65 feet, a chord bearing of South 53 degrees, 29 minutes 06 seconds East, an arc distance of 195.94 feet more or less to the West line of Riffenburg's Addition; thence North 00 degrees 00 minutes 54 seconds West along said Subdivision, 795.63 feet; thence North 88 degrees 07 minutes 00 seconds West, 200.00 feet; thence North 00 degrees 00 minutes 54 seconds West 767.80 feet more or less to a point 125 feet North of the South line of the Northeast 1/4 of said Section 30; thence South 88 degrees 07 minutes 00 seconds East, 752.50 feet to the point of beginning, containing 36.341 acres, more or less.

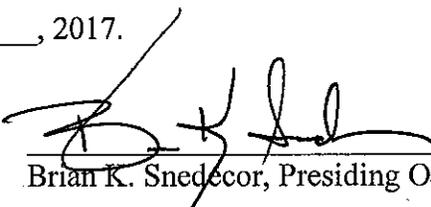
ALSO EXCEPTING THE FOLLOWING SHIRLEY HEINZE PARCEL DESCRIBED AS FOLLOWS:

Part of the Northeast quarter of Section 30, Township 36 North, Range 7 West of the Second Principal Meridian, in the city of Hobart, Lake County, Indiana, described as follows: Commencing at the Southeast corner of said Northeast quarter; thence North 00 degrees 02 minutes 08 seconds West along the East line of said Northeast quarter a distance of 715.80 feet; thence South 82 degrees 41 minutes 02 seconds West a distance of 40.33 feet to the Point of Beginning; thence South 00 degrees 02 minutes 08 seconds East parallel with and 40.00 feet West of the East line of said Northeast 1/4 a distance of 131.06 feet; thence South 82 degrees 41 minutes 02 seconds West a distance of 1094.99 feet; thence North 07 degrees 18 minutes 58 seconds West a distance of 130.00 feet; thence North 82 degrees 41 minutes 02 seconds East a distance of 1111.60 feet to the point of beginning, containing 143,431.0 Sq. Ft. / 3.293 Acres more or less.

SECTION 2. This ordinance shall take effect immediately upon its passage in the manner required by law, and shall be given effect as if said amended legal description were included in Ordinance Number 2016-13 as originally enacted. In all other respects, the provisions of Ordinance Number 2016-13 are affirmed.

PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this

15th day of FEBRUARY, 2017.



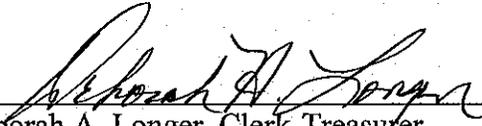
Brian K. Snedecor, Presiding Officer

ATTEST:

Deborah A. Longer, Clerk-Treasurer

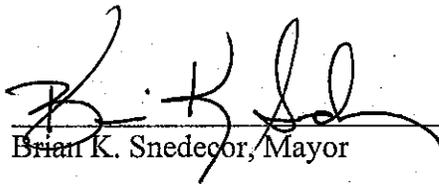
Presented by me to the Mayor of the City of Hobart, Indiana, for her approval and signature this

15th day of FEBRUARY, 2017 at 7:45 o'clock P.M.

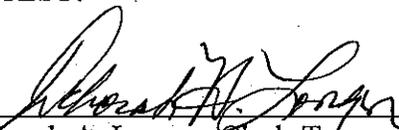

Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 15th day of

FEBRUARY, 2017.


Brian K. Snedecor, Mayor

ATTEST:


Deborah A. Longer, Clerk-Treasurer

**CERTIFICATION AND REPORT TO
COMMON COUNCIL OF THE CITY OF HOBART ON
ZONE MAP CHANGE**

CERTIFICATION TO: Common Council of the City of Hobart

FROM: Sergio Mendoza, City Planner/Zoning Administrator

RE: Change to be made on the zone map.

DATE: February 3, 2017

PETITIONER: Randolph A. Hall, Manager of Cressmoor Development, LLC
8502 Doubletree Drive
Crown Point, IN 46307

REQUEST: Ordinance for Scrivener's Error Legal Description Correction

PROPOSED USE: Mixed Residential & Commercial Development

GENERAL LOCATION: 601 North Wisconsin Street

LEGAL DESCRIPTION:

Part of the East Half of Section 30, Township 36 North, Range 7 West of the 2nd P.M., Lake County, Indiana, described as: Beginning at the Northeast corner of said Section 30; thence South 00 degrees 02 minutes 08 seconds East along the East line of said Section 30 a distance of 1911.85 feet more or less to a point 730.92 feet North of the Southeast corner of the Northeast Quarter of said Section 30; thence South 82 degrees 41 minutes 02 seconds West, 1370.05 feet; thence North 52 degrees 29 minutes 48 seconds West, 1150.05 feet; thence North 90 degrees 00 minutes 00 seconds West, 364.91 feet to the West line of the Northeast Quarter; thence North 00 degrees 00 minutes 00 seconds East along said West line a distance of 953.0 feet more or less to a point 522.5 feet South of the Northwest corner of the Northeast Quarter of said Section 30; thence North 90 degrees 00 minutes 00 seconds East 88.08 feet; thence North 03 degrees 54 minutes 00 seconds West, 51.12 feet; thence North 90 degrees 00 minutes 00 seconds West 84.6 feet to the West line of the Northeast Quarter of said Section 30; thence North 00 degrees 00 minutes 00 seconds East, 153.62 feet to a point 317.88 feet South of the Northwest corner of the Northeast Quarter of said Section 30; thence North 88 degrees 42 minutes 00 seconds East, 30.01 feet; thence South 64 degrees 40 minutes 52 seconds East, 100.95 feet; thence South 83 degrees 50 minutes 22 seconds East, 410.01 feet; thence South 51 degrees 05 minutes 22 seconds East, 105.36 feet; thence North 85 degrees 14 minutes 44 seconds East, 462.90 feet; thence North 63 degrees 19 minutes 22 seconds East, 233.97 feet; thence North 01 degrees 57 minutes 00 seconds East, 283.53 feet to a point on the North line of said Section 30 and 1291.64 feet East of the Northwest corner of the Northeast Quarter of said Section 30; thence South 88 degrees 03 minutes 29 seconds East, 1344.85 feet to the point of beginning, except the South 75 feet of a parcel of land described as follows: That part of the Northeast quarter of Section 30, Township 36 North, Range 7 West of the 2nd P.M., in Lake County, Indiana, described as follows: Beginning at a point on the West line of the Northeast Quarter of said Section 30 which point is 1169.91 feet North of the Southwest corner of said Northeast Quarter; thence East at right angles a distance of 200 feet; thence North and parallel with the West line of said Northeast Quarter a distance of 150 feet; thence West at right angles a distance of 200 feet to the West line of the said

Northeast Quarter; thence South along the West line of the said Northeast Quarter a distance of 150 feet to the point of beginning, EXCEPTING THEREFROM that part conveyed to the City of Hobart by Warranty Deed recorded February 10, 2000 as Document No. 2000 009652.

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PLAN COMMISSION PETITION NO.: 16-13
DATE OF PLAN COMMISSION ACTION: February 2, 2017
DEADLINE FOR CITY COUNCIL ACTION: May 3, 2017

CERTIFICATION:

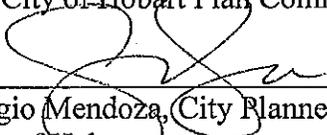
ACTION TAKEN BY PLAN COMMISSION:

Recommendation to the Common Council to Approve the change of zone requested
(Favorable recommendation)

CONDITIONS: None

VOTE: 7-0

I certify that the foregoing information accurately represents the action taken on this matter by the City of Hobart Plan Commission.



Sergio Mendoza, City Planner/Zoning Administrator
City of Hobart

Regular meetings are held on the 1st and 3rd Wednesdays of each month in the Council Chambers, 2nd floor, Hobart City Hall

CITY OF HOBART

AGENDA ITEM REQUEST FORM
(PLEASE PRINT)

ORD 2017-02

MEETING DATE: 2/15/17

BOARD OF PUBLIC WORKS (4:00p.m.)
 COMMON COUNCIL (6:00p.m.)

ITEM TO BE ADDED TO AGENDA: PC 16-13 AMENDES OCS

BRIEF DESCRIPTION OF REQUEST FOR CONSIDERATION
DEVELOPER'S ERROR FOR LEGAL
DESCRIPTION
FOR CRESSMOOR DEV.

SUPPORTING DOCUMENTATION ATTACHED MEMO OCS CERTIFICATION
& REPORT

REQUEST SUBMITTED BY: Jay
ADDRESS (DEPARTMENT): PLANNING/ZONING

PHONE NUMBER (EXT.): _____

DATE SUBMITTED: 2/2/17

MEMORANDUM

DATE: FEBRUARY 3, 2017

TO: HOBART COMMON COUNCIL MEMBERS
MAYOR BRIAN K. SNEDECOR
CITY ATTORNEY TONY DEBONIS

FROM: SERGIO MENDOZA, CITY PLANNER

RE: ORDINANCE FOR SCRIVENER'S ERROR CORRECTION



Attached please find a Certification and Proposed Ordinance for your consideration regarding Plan Commission Petition 16-13, PUD extension for 2 years, Cressmoor Golf Course, located at the southwest corner of 37th Ave. & Lake Park Ave., zoned PUD, 113 acres.

DRAFT MINUTES OF THE PLAN COMMISSION MEETING OF FEBRUARY 2, 2017:

Mr. Allen abstained.

Petitioner was not requested to be present. Mr. Mendoza requested the commission forward a favorable recommendation to the Common Council for the amended ordinance correcting the legal description. Mr. Gralik motioned to deem the amendment as minor, seconded by Mr. Vinzant. All ayes, motion carried. (7-0) Mr. Vinzant motioned for a Favorable Recommendation to the Common Council for Petition 16-13 including all discussion, seconded by Mr. Gralik. All ayes, motion carried. (7-0)