

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA  
RESOLUTION NO.: 1128A**

**A RESOLUTION AMENDING RESOLUTION NO. 1128 AND ADOPTING AN AMENDED FISCAL PLAN FOR ANNEXATION OF CERTAIN TERRITORY TO THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, GENERALLY DESCRIBED BY THE TOWN AS THE “U.S. ROUTE 41 SOUTH ANNEXATION AREA”, AND ALL MATTERS RELATED THERETO.**

**WHEREAS**, the Town Council of the Town of Cedar Lake, Lake County, Indiana (hereinafter the “Town Council”), is the duly elected legislative body of the Town of Cedar Lake, Lake County, Indiana, (hereinafter, the “Town”), a unit of local government; and

**WHEREAS**, the Town Council has been informed and advised that I.C. § 36-4-3-3.1 requires that a municipality develop and adopt a written fiscal plan and establish a definite policy for the provision of services, by Resolution of the legislative body, that meets the requirements set forth in I.C. § 36-4-3-13(d) for any area proposed to be annexed; and

**WHEREAS**, the Town Council seeks to annex certain parcels of real property contiguous to but outside the Town’s corporate boundaries, and that a copy of the legal description and a map of the proposed area are attached hereto as Exhibits “A” and “B”, respectively, which would be of benefit and use for the Town; and

**WHEREAS**, the Town Council has developed a fiscal plan and established a definite policy for the provision of services (the “Fiscal Plan”), which Fiscal Plan is attached hereto as Exhibit “C” for the U.S. Route 41 South Corridor; and

**WHEREAS**, the Fiscal Plan complies with the requirements of applicable Indiana law to provide services of noncapital nature (including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries of the Town) to the U.S. Route 41 South Corridor within one (1) year after the effective date of this annexation in a manner equivalent in standard and scope to those noncapital services provided to areas within the current corporate boundaries, regardless of similar topography, patters of land use, and population density; and

**WHEREAS**, the Fiscal Plan complies with the requirements of applicable Indiana law to provide for the provision of services of a capital nature (including street construction, street lighting, and water facilities and storm water drainage facilities) to the U.S. Route 41 South Corridor within three (3) years after the effective date of this annexation in the same manner those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density in a manner consistent with federal, state and local laws, procedures, and planning criteria; and

**WHEREAS**, a mapping error resulted in a scrivener’s error in the legal description contained in the Fiscal Plan adopted by Resolution No. 1128 which error requires the Town to revise the legal description and restart the annexation process for the area proposed to be annexed; and

**WHEREAS**, the Town Council has been informed and advised that it is necessary and required for the annexation to be lawful and valid to amend Town Resolution 1128, and to adopt an amended Fiscal Plan which now contains the correct maps and legal description.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA:**

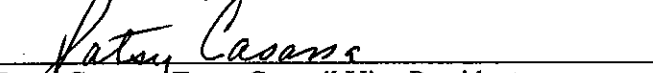
**SECTION TWO:** That the written Fiscal Plan, with a cover date of January 19, 2015, is attached to and incorporated herein as Exhibit "C", and is adopted for the Cedar Lake U.S. Route 41 South Corridor Annexation Parcel.

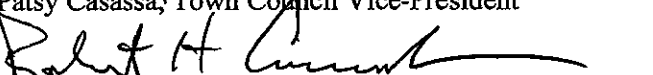
**SECTION THREE:** That this Resolution shall take effect, and be in full force and effect, from and after the date of its passage and approved by the Town Council.

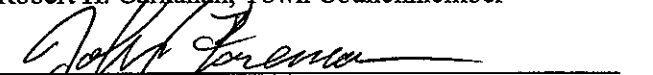
**ALL OF WHICH IS PASSED AND RESOLVED THIS 20<sup>TH</sup> DAY OF JANUARY, 2015, BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA.**

**TOWN OF CEDAR LAKE, LAKE COUNTY,  
INDIANA, TOWN COUNCIL:**

  
Randall G. Niemeyer, Town Council President


  
Patsy Casassa, Town Council Vice-President

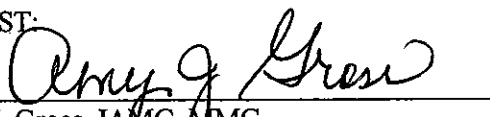
  
Robert H. Carfahan, Town Councilmember

  
John C. Foreman, Town Councilmember

  
Julie A. Rivera, Town Councilmember

  
Ralph Miller, Town Councilmember

  
Greg Parker, Town Councilmember

ATTEST:  
  
Amy J. Gross, IAMC, MMC  
Clerk-Treasurer

## EXHIBIT A

### 2014 Annexation Area Boundary Description

The 2014 Annexation Area is generally located in unincorporated Lake County, Indiana but more specifically parts of Sections 28, 29, 32 and 33 in Township 34 North, Range 9 West of the Second Principal Meridian and Sections 4, 5, 8, 9, 16, and 17 in Township 33 North, Range 9 West of the Second Principal Meridian in Lake County, Indiana.

Beginning at the southwest corner of Southeast Quarter of the Northeast Quarter of Section 29 in Township 34 North, Range 9 West of the Second Principal Meridian in Lake County, Indiana as the **POINT OF BEGINNING**, being tangential to the current municipal corporate boundaries of the Town of Cedar Lake, Lake County, Indiana; thence south along the west lines of the following section areas in Township 34 North, Range 9 West:

- 1) Northeast Quarter of the Southeast Quarter of Section 29-34-9;
- 2) Southeast Quarter of the Southeast Quarter of Section 29-34-9;
- 3) Northeast Quarter of the Northeast Quarter of Section 32-34-9;
- 4) Southeast Quarter of the Northeast Quarter of Section 32-34-9;
- 5) Northeast Quarter of the Southeast Quarter of Section 32-34-9;
- 6) Southeast Quarter of the Southeast Quarter of Section 32-34-9;

thence south along the west lines of the following section areas in Township 33 North, Range 9 West:

- 1) Northeast Quarter of the Northeast Quarter of Section 5-33-9;
- 2) Southeast Quarter of the Northeast Quarter of Section 5-33-9 to the north line of the Southeast Quarter of Section 5-33-9;

thence west 660 feet along said north line of the Southeast Quarter of Section 5-33-9 to the west line of the East Half of the Northwest Quarter of the Southeast Quarter of Section 5-33-9 (also being the northwest corner of a 10 acre lot identified as parcel number 45-19-05-426-001.000-037); thence south along said west line of the East Half of the Northwest Quarter of the Southeast Quarter of Section 5-33-9 approximately 440 feet to the southwest corner of a 10 acre lot identified as parcel number 45-19-05-426-002.000-037; thence east 660 feet to the west line of the Northeast Quarter of the Southeast Quarter of Section 5-33-9; thence south along the west line of the Northeast Quarter of the Southeast Quarter of Section 5-33-9 and continuing south along the west lines of the following section areas in Township 33 North, Range 9 West:

- 1) Southeast Quarter of the Southeast Quarter of Section 5-33-9;
- 2) Northeast Quarter of the Northeast Quarter of Section 8-33-9;
- 3) Southeast Quarter of the Northeast Quarter of Section 8-33-9;
- 4) Northeast Quarter of the Southeast Quarter of Section 8-33-9;
- 5) Southeast Quarter of the Southeast Quarter of Section 8-33-9;
- 6) Northeast Quarter of the Northeast Quarter of Section 17-33-9 to the north line of the South Half of the Northeast Quarter of Section 17-33-9;

thence west along the north line of the South Half of the Northeast Quarter of Section 17-33-9 to the west line of the Northeast Quarter of Section 17-33-9;

thence south along the west lines of the following section areas in Township 33 North, Range 9 West:

- 1) Southwest Quarter of the Northeast Quarter of Section 17-33-9;
- 2) Northwest Quarter of the Southeast Quarter of Section 17-33-9; and
- 3) Southwest Quarter of the Southeast Quarter of Section 17-33-9 to the south line of Section 17-33-9;

thence east along the south line of Section 17-33-9 to the southwest corner of Section 16 in Township 33 North, Range 9 West, thence continuing east along the south line of said Section 16 to the east line of the Norfolk Southern Railway Company (formerly the New York Central Railroad) right-of-way, located in the Southeast Quarter of said Section 16; thence north along said east line of the Norfolk Southern Railway Company right-of-way in the east halves of Section 16 and Section 9 in Township 33 North, Range 9 West to the north line of said Section 9, also being the south line of Section 4, Township 33 North, Range 9 West; thence east along the south line of said Section 4 to the southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 4; thence north along the east line of the following section areas in Township 33 North, Range 9 West:

- 1) Southwest Quarter of the Southeast Quarter of Section 4-33-9;
- 2) Northwest Quarter of the Southeast Quarter of Section 4-33-9;
- 3) Southwest Quarter of the Northeast Quarter of Section 4-33-9;

to the southwest corner of Lynnsway Unit 3 subdivision, as recorded in Plat Book 98, Page 29 in the Office of the Lake County, Indiana Recorder, being tangential to the current municipal corporate boundaries of the Town of Cedar Lake, Lake County, Indiana; thence north following the current municipal corporate boundaries of the Town henceforth and along the west line of said Lynnsway Unit 3 subdivision, Lynnsway Unit 2 subdivision as recorded in Plat Book 98, Page 28 in Office of the Lake County, Indiana Recorder and Lynnsway Unit 1 subdivision as recorded in Plat Book 98, Page 27 in the Office of the Lake County, Indiana Recorder to the northwest corner of said Lynnsway Unit 1 subdivision; thence east along the north line of said Lynnsway Unit 1 subdivision to the northeast corner of said Lynnsway Unit 1 subdivision, being the east line of Section 33 in Township 34 North, Range 9 West; thence north along the east line of said Section 33 to the northeast corner of said Section 33; thence west along the north line of said Section 33 to the east right-of-way line of the Norfolk Southern Railway Company at the intersection with the centerline of 141<sup>st</sup> Avenue; thence southerly along said east railroad right-of-way line to the south line of the north half of the Northeast Quarter of the Southwest Quarter of said Section 33; thence west along said south line of the north half of the Northeast Quarter of the Southwest Quarter of said Section 33 to the most southeasterly corner of Lot 1 in the Hanover Central Middle School Subdivision, as recorded in Plat Book 104, Page 83 in the Office of the Lake County Recorder, thence continuing clockwise along the boundaries of said Lot 1 along the following courses:

- 1) North 89 degrees 29 minutes 05 seconds West, a distance of 1,194.87 feet;
- 2) North 00 degrees 06 minutes 07 seconds West, a distance of 663.22 feet;
- 3) North 89 degrees 29 minutes 11 seconds West, a distance of 1,330.09 feet;
- 4) North 00 degrees 09 minutes 25 seconds West, a distance of 663.12 feet;
- 5) South 89 degrees 29 minutes 24 seconds East, a distance of 565.83 feet;
- 6) North 00 degrees 09 minutes 25 seconds West, a distance of 77.83 feet;
- 7) North 89 degrees 29 minutes 24 seconds West, a distance of 134.67 feet;
- 8) North 00 degrees 09 minutes 25 seconds West, a distance of 110.48 feet;
- 9) North 32 degrees 04 minutes 09 seconds West, a distance of 64.90 feet;

- 10) North 00 degrees 09 minutes 25 seconds West, a distance of 103.57 feet;
- 11) South 87 degrees 49 minutes 27 seconds East, a distance of 121.22 feet;
- 12) South 02 degrees 20 minutes 07 seconds West, a distance of 9.47 feet;
- 13) South 87 degrees 39 minutes 52 seconds East, a distance of 117.94 feet;
- 14) North 02 degrees 20 minutes 05 seconds East, a distance of 37.19 feet;
- 15) South 89 degrees 29 minutes 24 seconds East, a distance of 523.95 feet;
- 16) North 00 degrees 09 minutes 25 seconds West, a distance of 255.00 feet;
- 17) South 89 degrees 29 minutes 24 seconds East, a distance of 843.37 feet;
- 18) North 05 degrees 16 minutes 30 seconds West, a distance of 41.46 feet;
- 19) North 89 degrees 29 minutes 42 seconds West, a distance of 3.61 feet;
- 20) North 00 degrees 04 minutes 29 seconds West, a distance of 1,326.47 feet;
- 21) South 89 degrees 29 minutes 37 seconds East, a distance of 234.55 feet;

to the most northeast corner of said Lot 1, being a point of intersection on the west right-of-way line of the Norfolk Southern Railway Company and the centerline of 141<sup>st</sup> Avenue; thence north along the west right-of-way line of the Norfolk Southern Railway Company to the south line of the North Half of Section 28, Township 34 North, Range 9 West; thence west along said south line of the North Half of Section 28 and the south line of the Southeast Quarter of the Northeast Quarter of Section 29, Township 34 North, Range 9 West to the **POINT OF BEGINNING** tangential to the current municipal corporate boundaries of the Town of Cedar Lake, Lake County, Indiana, *excepting therefrom the 4.859 Acres annexed by Town Ordinance No. 1205, adopted on August 19, 2014*, consisting of approximately *2,795.73 acres*, more or less, or *4.37 square miles* of real property area.

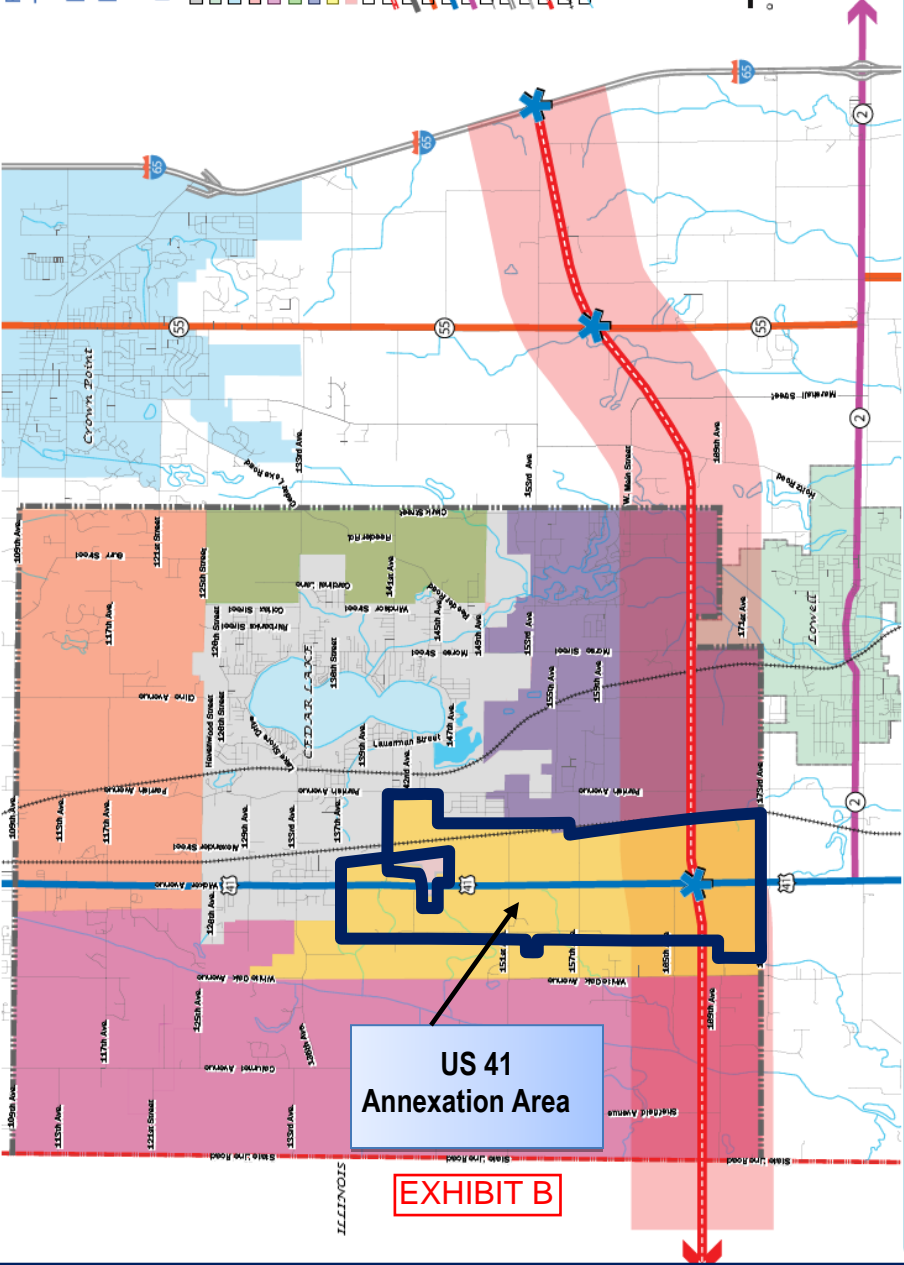
Figure 22  
Town of Cedar Lake  
Future Annexation  
Plan

Figure Legend

- Town of Cedar Lake
- Town of Lowell
- City of Crown Point
- North Annexation Area
- East Annexation Area
- West Annexation Area
- South Annexation Area
- US 41 Annexation Area
- 1800' Expressway Buffer
- Proposed Interchange
- Proposed Expressway
- Planning Study Area
- US HWY 55
- US HWY 41
- US HWY 2
- Local Street
- Interstate 65
- Cedar Lake Boundary
- State Boundary Line
- Railroad
- Streams



2012 COMPREHENSIVE PLAN UPDATE



US 41  
Annexation Area

EXHIBIT B

**EXHIBIT C**

**(Included as separate file download)**