

ORDINANCE 2018-01

ORDINANCE AUTHORIZING SALE OF SMALL PARCEL OF TOWN PARKLAND

Under Indiana Code 36-9-15.5

BE IT RESOLVED by the Town Council of the Town of Dune Acres of Porter County, Indiana that a small parcel of public parkland property shall be offered for sale. The parcel which shall be offered for sale is more particularly described as follows:

Part of Tract "M" of the plat of Dune Acres, First Addition, as recorded in Plat File 3-A-1 in the Office of the Recorder of Porter County Indiana, and being more particularly described as follows:

Commencing at the southeasterly corner of Lot 189 of said Dune Acres, First Addition; thence South 67 degrees 05 minutes 35 seconds West (assumed bearing and basis of all bearings in this description), 21.00 feet along the southerly line of said Lot 189, and being the point of beginning of this description; thence South 28 degrees 56 minutes 54 seconds East, 27.00 feet; thence South 01 degrees 16 minutes 55 seconds East, 85.00 feet; thence South 86 degrees 39 minutes 49 seconds West, 34.00 feet; thence North 04 degrees 12 minutes 11 seconds West, 63.00 feet; thence North 28 degrees 56 minutes West, 35.00 feet to the southerly line of said Lot 189; thence North 67 degrees 05 minutes 35 seconds East, 44.00 feet along the southerly line of said Lot 189 to the point of beginning, containing 0.09 acres, more or less.

BE IT FURTHER RESOLVED that this Council will adhere to the provisions of Indiana Code §36-1-11-4 for the procedure, manner and terms of the sale and that all profits will be utilized in accordance with Indiana Code §36-10-5-4.

BE IT FURTHER RESOLVED that a public hearing was commenced on March 27, 2018 at 6:30 PM at the Dune Acres Town Hall located at 1 East Road, Dune Acres, Indiana in the County of Porter and the taxpayers appearing at said hearing had a right to be heard thereon and present any objection or feedback to the sale of the parcel of parkland. The taxpayers were further advised via Notice of Public Hearing published on March 13 and March 20, 2018 that if a remonstrance was signed by twenty-five percent (25%) of the legal voters in the town and that said remonstrance was filed in the office of the Town Clerk-Treasurer within seven (7) days of the public hearing held on March 27, 2018, that this ordinance shall not be passed, or the land sold. Taxpayers were further advised of their remonstrance rights again at the public hearing held on March 27, 2018.

BE IT FURTHER RESOLVED That the passage of this ordinance is made on the undersigned date subject to being repealed in the event that the legal taxpayers of the Town meet the above stated remonstrance requirements.

BE IT FURTHER RESOLVED That the Town Council hereby authorizes the above-mentioned parcel to be re-zoned or re-classified from Town Park District ("PK") to Residential District ("R-1") with all uses and rights authorized by Chapter 46 of the Town of Dune Acres, Town Code of Ordinances.

Duly adopted by the following vote of the members of said Town Council of the Town of Dune Acres, Indiana this 17th day of April, 2018.

AYE

NAY



Rich Hawksworth, President, Town Council



Peter Bomberger, Member, Town Council

Alexander Stemer, Member, Town Council

Attest:



**Jeannette E. Bapst, Clerk-Treasurer
(Fiscal Officer)**