

TO BE PUBLISHED IN THE ELKHART TRUTH
ON OR BEFORE FRIDAY, APRIL 23, 2021
AND POSTED IN THREE (3) PUBLIC PLACES IN THE CITY OF ELKHART, INDIANA:

Proposed Ordinance 21-O-12

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE COMMONLY KNOWN AS 32.754 ACRES ON THE SOUTHSIDE OF HENKE STREET BETWEEN JEANWOOD DRIVE AND LANE STREET, AND DECLARING THE SAME TO BE A PART OF THE CITY OF ELKHART, INDIANA

The Elkhart City Council will hold a public hearing at 7:00 p.m. on May 17th, 2021, in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana, concerning an annexation request filed by Emerald Chase Land Development, LLC and Conway Hershberger. The request is to annex certain real estate known as a part of the west half of the southwest quarter of Section 26, Township 38 North, range 5 East, Osolo Township, Elkhart County, Indiana, being more particularly described as follows:

COMMENCING AT A HARRISON MONUMENT MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE NORTH 89 DEGREES 29 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26 AND THE CENTERLINE OF COUNTY ROAD NUMBER 106, A DISTANCE OF 1013.25 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 89 DEGREES 29 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26 AND THE CENTERLINE OF COUNTY ROAD NUMBER 106, A DISTANCE OF 311.49 FEET; THENCE SOUTH 01 DEGREE 02 MINUTES 45 SECONDS WEST, ALONG THE EAST LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER AND ALONG THE WEST LINE OF THE PLAT OF MEADOW FARMS SECOND (PLAT BOOK 13, PAGE 19), THE WEST LINE OF THE PLAT OF MEADOW FARMS FIFTH (PLAT BOOK 19, PAGE 55), THE WEST LINE OF THE PLAT OF MEADOW FARMS FOURTH (PLAT BOOK 18, PAGE 18), A DISTANCE OF 2501.08 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF 738.94 FEET; THENCE NORTH 01 DEGREE 01 MINUTE 25 SECONDS EAST, A DISTANCE OF 558.77 FEET; THENCE NORTH 01 DEGREE 00 MINUTES 41 SECONDS EAST, A DISTANCE OF 199.74 FEET; THENCE NORTH 01 DEGREE 05 MINUTES 35 SECONDS EAST, A DISTANCE OF 309.97 FEET TO THE POINT OF CURVATURE OF 1780.00 FOOT RADIUS CURVE; THENCE NORTHERLY ALONG SAID 1780.00 FOOT RADIUS CURVE TO THE LEFT, CONCAVE TO THE WEST, A DISTANCE OF 153.57 FEET (CHORD BEARING NORTH 01 DEGREE 22 MINUTES 43 SECONDS WEST, CHORD DISTANCE 153.52 FEET) TO A POINT ON THE SOUTH LINE OF THE PLAT OF MANOR ESTATES SECTION 3, SAID PLAT BEING RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN PLAT BOOK 17, PAGE 47; THENCE SOUTH 89 DEGREES 01 MINUTE 17 SECONDS EAST ALONG THE SOUTH LINE OF THE PLAT OF SAID MANOR ESTATES SECTION 3, A DISTANCE OF 60.21 FEET TO THE SOUTHEAST CORNER OF THE RIGHT OF WAY OF HICKORY DRIVE; THENCE SOUTHERLY ALONG THE WEST LINE OF LOT NUMBER ONE HUNDRED-FOUR (104) OF THE PLAT OF SAID MANOR ESTATES SECTION 3, BEING ON THE ARC OF A 1840.00 FOOT RADIUS CURVE TO THE RIGHT, CONCAVE TO THE WEST, A DISTANCE OF 11.10 FEET (CHORD BEARING SOUTH 03 DEGREES 36 MINUTES 51 SECONDS EAST, CHORD DISTANCE 11.10 FEET); THENCE NORTH 86 DEGREES 33 MINUTES 34

SECONDS EAST ALONG THE SOUTH LINE OF THE PLAT SAID MANOR ESTATES SECTION 3, A DISTANCE OF 159.42 FEET TO THE SOUTHEAST CORNER OF THE PLAT OF SAID MANOR ESTATES SECTION 3; THENCE NORTH 02 DEGREES 02 MINUTES 20 SECONDS EAST ALONG THE EAST LINE OF THE PLAT OF SAID MANOR ESTATES SECTION 3, A DISTANCE OF 135.04 FEET; THENCE NORTH 06 DEGREES 30 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF THE PLAT OF SAID MANOR ESTATES SECTION 3, A DISTANCE OF 153.13 FEET; THENCE NORTH 03 DEGREES 52 MINUTES 27 SECONDS WEST ALONG THE EAST LINE OF THE PLAT OF SAID MANOR ESTATES SECTION 3, A DISTANCE OF 90.04 FEET; THENCE NORTH 15 DEGREES 19 MINUTES 39 SECONDS EAST ALONG THE EAST LINE OF THE PLAT OF SAID MANOR ESTATES SECTION 3, A DISTANCE OF 97.92 FEET; THENCE NORTH 18 DEGREES 54 MINUTES 18 SECONDS EAST ALONG THE EAST LINE OF THE PLAT OF SAID MANOR ESTATES SECTION 3, A DISTANCE OF 101.39 FEET; THENCE NORTH 15 DEGREES 11 MINUTES 18 SECONDS EAST ALONG THE EAST LINE OF THE PLAT OF SAID MANOR ESTATES SECTION 3, A DISTANCE OF 106.91 FEET TO THE NORTHEAST CORNER OF THE PLAT OF SAID MANOR ESTATES SECTION 3; THENCE NORTH 11 DEGREES 13 MINUTES 01 SECOND EAST ALONG THE EAST LINE OF THE PLAT OF MANOR ESTATES SECTION 2, SAID PLAT BEING RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN PLAT BOOK 16, PAGE 87, A DISTANCE OF 65.41 FEET; THENCE SOUTH 89 DEGREES 19 MINUTES 14 SECONDS EAST, A DISTANCE OF 106.73 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF AN NON-TANGENT 50.00 FOOT RADIUS CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, A DISTANCE OF 77.51 FEET (CHORD BEARING NORTH 45 DEGREES 05 MINUTES 16 SECONDS EAST, CHORD DISTANCE 69.98 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 89 DEGREES 29 MINUTES 46 SECONDS EAST, A DISTANCE OF 66.97 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF SAID 25.00 FOOT RADIUS CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, A DISTANCE OF 38.61 FEET (CHORD BEARING NORTH 45 DEGREES 15 MINUTES 16 SECONDS EAST, CHORD DISTANCE 34.88 FEET); THENCE NORTH 01 DEGREE 00 MINUTES 46 SECONDS EAST, A DISTANCE OF 70.00 FEET TO THE SOUTHEAST CORNER OF THE PLAT OF MICHIANA CHRISTIAN MONTESSORI SCHOOL, SAID PLAT BEING RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN PLAT BOOK 27, PAGE 85 AND THE POINT OF CURVATURE OF A 120.00 FOOT RADIUS CURVE; THENCE NORTHWESTERLY ALONG THE EAST LINE OF THE PLAT OF SAID MICHIANA CHRISTIAN MONTESSORI SCHOOL BEING ON THE ARC OF SAID 120.00 FOOT RADIUS CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, A DISTANCE OF 85.73 FEET (CHORD BEARING NORTH 19 DEGREES 24 MINUTES 48 SECONDS WEST, CHORD DISTANCE 83.92 FEET) TO THE POINT OF REVERSE CURVATURE OF A 180.00 FOOT RADIUS CURVE; THENCE NORTHWESTERLY ALONG THE EAST LINE OF THE PLAT OF SAID MICHIANA CHRISTIAN MONTESSORI SCHOOL, BEING ON THE ARC OF SAID 180.00 FOOT RADIUS CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST, A DISTANCE OF 128.59 FEET (CHORD BEARING NORTH 19 DEGREES 24 MINUTES 48 SECONDS WEST, CHORD DISTANCE OF 125.88 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 01 DEGREE 03 MINUTES 10 SECONDS EAST ALONG THE EAST LINE OF THE PLAT OF SAID MICHIANA CHRISTIAN MONTESSORI SCHOOL, A DISTANCE OF 136.65 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE; THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF THE PLAT OF SAID MICHIANA CHRISTIAN MONTESSORI SCHOOL, BEING ON THE ARC OF SAID

25.00 FOOT RADIUS CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, A DISTANCE OF 39.93 FEET (CHORD BEARING NORTH 44 DEGREES 42 MINUTES 20 SECONDS WEST, CHORD DISTANCE 35.82 FEET); THENCE NORTH 00 DEGREES 27 MINUTES 50 SECONDS WEST, A DISTANCE OF 40.86 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION CONTAINING 32.754 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND PUBLIC RIGHT OF WAY OF RECORD.

The property has a County zoning classification of Detailed Planned Unit Development (DPUD); and the proposed zoning classification of the property in the City is One Family Dwelling District (R-1).

You may appear before the City Council to present your views on this matter at this public hearing.

A copy of the annexation Fiscal plan is on file and is available upon request in the City of Elkhart Department of Planning and Zoning, located in the Municipal Building, 229 South Second Street, Elkhart, Indiana.

PLEASE NOTE: This notice has been sent to all owners within the proposed annexation area. The list of owners was obtained by the petitioner from the Assessor's Office of Records. If you are aware of any property owners within the annexation area who has not received this notice, please notify the office of the City Clerk at 294-5471, Ext. 1053.

If you have any questions or need additional information, please contact Eric Trotter, City Planner, at 294-5471 x 1018.