

LEGAL NOTICE OF ADOPTION OF ANNEXATION ORDINANCE

NOTICE IS HEREBY GIVEN that on the 14th day of November, 2012, the following Ordinance was adopted by the Town Council of the Town of Millersburg, Indiana, to-wit:

ORDINANCE 2012-12

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE (CARRIAGE, INC. PARCELS)
AND DECLARING SUCH TO BE A PART OF THE TOWN OF MILLERSBURG, INDIANA

WHEREAS, the Town Council of the Town of Millersburg, Indiana has the authority to annex real estate and thereby include such real estate and thereby include such real estate within the corporation boundaries of the Town of Millersburg;

WHEREAS, the Town Council of the Town of Millersburg, Indiana has determined to annex certain real estate to the corporate boundaries of the Town of Millersburg;

WHEREAS, said real estate is described more fully herein as contiguous to and abuts the present corporate boundaries of the Town of Millersburg;

WHEREAS, prior to the enactment of this Ordinance, the Town Council has developed and adopted a written fiscal plan and established a definite policy by Resolution 2012-7 concerning this annexation and the planned services of a capital and non-capital nature to be furnished to the territory to be annexed;

WHEREAS, notice of the public hearing concerning this Ordinance was advertised in the Goshen News on the 1st day of October, 2012;

WHEREAS, the Town Council of the Town of Millersburg, Indiana conducted a public hearing concerning this Ordinance on the 24th day of October, 2012;

WHEREAS, it is determined to be in the best interest of the Town of Millersburg and the owner of the real estate hereinafter described that the real estate be annexed and incorporated as part of the Town of Millersburg, Indiana;

WHEREAS, any other prerequisites and conditions required by law to prevail for annexation of territories to towns as is provide by the statues of the State of Indiana do in fact prevail in the instance;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLERSBURG, INDIANA, as follows:

1. That the real estate described below is hereby annexed to and declared to be part of the Town of Millersburg, Indiana on the 14th day of November, 2012, subject to publication and filing as indicated hereafter:

That portion of the following described real property not currently located within the municipal boundaries of the Town of Millersburg, Indiana,

PARCEL 1:

A PART OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP THIRTY-SIX (36) NORTH, RANGE SEVEN (7) EAST, TOWN OF MILLERSBURG, CLINTON TOWNSHIP, ELKHART COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT MARKING THE SOUTHWEST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 35; THENCE NORTH 89 DEGREES 22 MINUTES 20 SECONDS EAST (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ AND THE APPROXIMATE CENTERLINE OF COUNTY ROAD 42, A DISTANCE OF 753.41 FEET TO A MAG NAIL AND THE BEGINNING OF THIS DESCRIPTION; THENCE NORTH 61 DEGREES 30 MINUTES 47 SECONDS EAST ALONG THE SOUTH LINE OF LAND OWNED BY CARRIAGE REAL ESTATE, LLC (INSTRUMENT #99 29785), A DISTANCE OF 643.76 FEET TO A REBAR WITH CAP MARKED BRADSKO S0484 AT THE NORTHWEST CORNER OF LAND OWNED BY CARRIAGE, INC. (INSTRUMENT #2002-23430); THENCE SOUTH 00 DEGREES 28 MINUTES 53 SECONDS WEST ALONG THE WEST LINE OF SAID CARRIAGE, INC. LAND AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 218.31 FEET TO THE NORTHWEST CORNER OF LAND OWNED BY RICHARD L. GROFF (INSTRUMENT #91 20680); THENCE SOUTH 00 DEGREES 37 MINUTES 29 SECONDS EAST ALONG THE WEST LINE OF SAID GROFF LAND, A DISTANCE OF 82.56 FEET TO A MAG NAIL IN THE SOUTH LINE OF SAID SOUTHWEST ¼ AND THE APPROXIMATE CENTERLINE OF COUNTY ROAD 42; THENCE SOUTH 89 DEGREES 22 MINUTES 20 SECONDS WEST ALONG SAID LINES, A DISTANCE OF 564.92 FEET TO THE BEGINNING.

CONTAINING 1.95 ACRES, MORE OR LESS.

Commonly known as Parcel #20-12-35-353-006.000-007.

PARCEL 2:

A PART OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY-FIVE (35), TOWNSHIP THIRTY-SIX (36) NORTH, RANGE SEVEN (7) EAST, CLINTON TOWNSHIP, ELKHART COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE DUE NORTH (ASSUMED BEARING) ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 35, A DISTANCE OF 1228.81 FEET; THENCE NORTH 89 DEGREES 25'00" EAST, 1320.00 FEET; THENCE SOUTH 00 DEGREES 28'00" EAST, A DISTANCE OF 625.17 FEET; THENCE SOUTH 89 DEGREES 32'00" WEST, A DISTANCE OF 2.00 FEET; THENCE SOUTH 00 DEGREES 28'00" EAST, A DISTANCE OF 299.12 FEET TO THE NORTH RIGHT OF WAY LINE OF THE NORFOLK AND WESTERN RAILROAD AND THE POINT OF BEGINNING; THENCE NORTH 61 DEGREES 35'00" EAST ON SAID NORTH RIGHT OF WAY LINE, 421.25 FEET; THENCE SOUTH 00 DEGREES 36'57" EAST, 26.61; THENCE SOUTH 61 DEGREES 31'45" WEST 421.54 FEET; THENCE NORTH 00 DEGREES 28'00" WEST, A DISTANCE OF 27.09 FEET TO THEN POINT OF BEGINNING. CONTAINING 0.23 OF AN ACRE, MORE OR LESS. SUBJECT TO ANY AND ALL FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.

Commonly known as Parcel #20-12-35-376-005.000-007.

PARCEL 3:

A PART OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY FIVE (35), TOWNSHIP THIRTY SIX (36) NORTH, RANGE SEVEN (7) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION THIRTY FIVE (35), TOWNSHIP

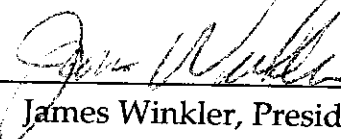
THIRTY SIX (36) NORTH, RANGE SEVEN (7) EAST THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW ¼), 1199.25 FEET; THENCE EAST, 165.00 FEET TO AN IRON PIPE MARKING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ALONG THE SAME LINE AND BEARING, 298.00 FEET TO AN IRON PIPE; THENCE SOUTH, 275.08 FEET TO AN IRON PIPE; THENCE WEST, 301.60 FEET TO AN IRON PIPE; THENCE NORTH ZERO DEGREES 45 MINUTES EAST, 275.08 FEET TO THE POINT OF BEGINNING, CONTAINING 1.893 ACRES, MORE OR LESS.

Commonly known as Parcel #20-12-35-351-010.000-007.

2. That the real property being annexed includes approximately 4.073 acres, more or less.
3. That the Clerk Treasurer of the Town of Millersburg, Indiana be, and hereby is, authorized and directed to publish notice of the adoption of the Ordinance as provided by law in the Goshen News published in the City of Goshen, Elkhart County, Indiana, being a newspaper of general publication and circulation.
4. That this Ordinance shall become effective thirty (30) days after its adoption absent any remonstrance and appeal, as provided by Indiana Code.

ORDAINED AND ADOPTED this 14th day of November, 2012.

TOWN COUNCIL OF THE TOWN OF
MILLERSBURG, INDIANA

By: 
James Winkler, President

ATTEST:


Patricia Barhydt, Clerk/Treasurer

Proof of Publication

STATE OF INDIANA,
Elkhart County, }

SS:

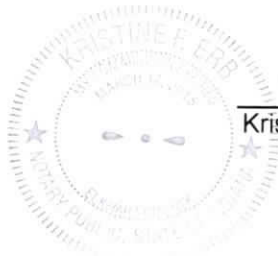
I, being duly sworn, on oath say that THE GOSHEN NEWS is a Daily newspaper of general circulation, printed and published in the City of Goshen, in the County and State of aforesaid; that the annexed true copy was published in said newspaper one consecutive weeks as follows:

On the 28th day of November, 2012
 On the _____ day of _____, _____
 On the _____ day of _____, _____
 On the _____ day of _____, _____



Brenda J. Donat

Subscribed and sworn before me this 28th day of November, 2012



Kristine P. Erb

Notary Public

My commission expires March 17, 2015

COPY

COUNTY DEPARTMENT OWNERS OF THE DESCRIBED REAL ESTATE AND ALL INTERESTED PARTIES SHERIFFS SALE
 Number: 1094-12
 December 26, 2012
 November 14, 21,

County Sheriff's Department, 26861 County Road 26, Elkhart, Indiana, 46517, the fee simple of whole body of Real Estate in Elkhart County, Indiana.

Lots Numbered One Hundred Sixty-six (166), One Hundred Sixty-seven (167) and One Hundred Sixty-eight (168) as the said Lots are known and designated on the recorded Plat of Studebaker Park; said Plat being recorded in Deed Record 116, page 44, in the Office of the Recorder of Elkhart County, Indiana.

Parcel No. 20-06-09-253-013.000-012

Commonly known as: 1029 MC-DONALD ST, ELKHART, IN 46516

Together with rents, issues, income and profits thereof, said sale will be made without relief from valuation or appraisal laws. This Notice shall also represent service of Notice of Sale of the above-described real estate upon the owners pursuant to requirements of: IC 32-29-7-3.

The Sheriff's Department does not warrant the accuracy of the street address published herein.

Bradley D. Rogers, Sheriff of Elkhart County, Indiana
 Concord Township
 1029 MacDonald St
 Elkhart, IN 46516

Attorney:
 Bradley C. Crosley (28224-29)
 April N. Pinder (29045-49)
 Timothy D. McKay (29372-49)
 Attorney's Law Firm:
 Reisenfeld & Associates,
 LPA LLC
 (513) 322-7000

November 14, 21 & 28

ELKHART COUNTY SHERIFF'S DEPARTMENT TO THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE AND ALL INTERESTED PARTIES NOTICE OF SHERIFF'S SALE

Sheriff's File Number: 1169-12
 Date of Sale: December 26, 2012

Goshen News: November 14, 21 & 28, 2012

Judgment to be Satisfied: \$102,386.07

By virtue of a certified copy of a decree to me directed from the Clerk of Superior/Circuit Court of Elkhart County, Indiana, in Cause No. 20D01-1112-MF-357
 Plaintiff: PNC Bank, National

to reach them with your message.

friends at 1-574-533-2151 ext. 398 the city's best buys. Call Classified as a directory of USE classified as a directory of

CLEVER SHOPPERS

November 14, 21, 28
 P.C. IS A DEBT COLLECTOR.
 NOTICE: FEWELL & HANNOY, (317) 237-2727
 Indianapolis, IN 46204-1944
 251 N. Illinois Street, Suite 1700
 FEWELL & HANNOY, P.C.
 Attorney #26838-49
 Plaintiff Attorney
 ADRIENNE M. HENNING,
 address published herein.

\$134.82