

**NOTICE OF PUBLIC HEARING  
VOLUNTARY ANNEXATION OF CONTIGUOUS TERRITORY**

The Common Council of the City of Berne will hold a public hearing on January 8, 2018 at 7:45 P.M., at City Hall, Berne, Indiana to consider the voluntary annexation petition of the villas of Courtyard Lakes, Phase IV, the approval of a fiscal plan for the area and the adoption of Annexation Ordinance #698. The territory which is contiguous to the City of Berne to be considered for annexation is legally described as follows, to-wit:

**A PORTION OF THE LANDS OF BERN DEVELOPERS, LLC. PER DEED BOOK 246, PAGE 140, IN THE OFFICE OF THE ADAMS COUNTY RECORDER AND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 25 NORTH, RANGE 14 EAST, WABASH TOWNSHIP, ADAMS COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTH HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00°46'22" EAST 400.00 FEET (GRID NORTH, INDIANA STATE PLANE COORDINATE SYSTEM, ZONE EAST AND BASIS TO FOLLOW) ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE NORTHEAST CORNER OF PHASE ONE (1) OF THE VILLAS OF COURTYARD LAKES PER PLAT BOOK 20, PAGE 88 IN THE OFFICE OF THE ADAMS COUNTY RECORDER, SAID POINT MARKED BY MAG NAIL 0.1 FEET WEST OF ACTUAL; THENCE SOUTH 88°32'04" WEST 515.76 FEET PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF SAID SOUTHWEST QUARTER TO THE NORTHWEST CORNER OF SAID PHASE ONE (1) OF THE VILLAS OF COURTYARD LAKES AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 88°32'04" WEST 292.47 FEET PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF SAID SOUTHWEST QUARTER TO THE NORTHWEST CORNER OF THE LANDS OF BERN DEVELOPERS LLC PER DEED RECORD 246, PAGE 140; THENCE SOUTH 00°46'22" EAST 261.84 FEET PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER AND COINCIDENT WITH A PORTION OF THE EAST LINE OF THE LANDS OF MERLIN W. HABEGGER (D.R. 198, PG 126 & D.R. 217, PG. 263) TO THE NORTHWEST CORNER OF PHASE 3 OF THE VILLAS OF COURTYARD LAKES; THENCE ALONG THE NORTH LINE OF SAID PHASE THREE (3) OF THE VILLAS OF COURTYARD LAKES THE FOLLOWING FOUR (4) COURSES: SOUTH 59 DEGREES 00 MINUTES 34 SECONDS EAST 147.57 FEET; NORTH 52 MINUTES 27 MINUTES 53 SECONDS EAST 105.86 FEET; NORTHERLY 34.23 FEET ALONG A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 275.00 FEET AND A CHORD BEARING NORTH 33 DEGREES 58 MINUTES 11 SECONDS WEST 34.21 FEET; NORTH 59 DEGREES 35 MINUTES 45 SECONDS EAST 174.90 FEET TO THE NORTHEAST CORNER OF SAID PHASE THREE (3) OF THE VILLAS OF COURTYARD LAKES; THENCE NORTH 18 DEGREES 1 MINUTE 49 SECONDS WEST ON AND ALONG THE WEST LINE OF SAID PHASE ONE (1) 172.37 FEET TO THE POINT OF BEGINNING, CONTAINING 1.985 ACRES MORE OR LESS.**

The current zoning classification of this area is R-1 Single Family Residence. A fiscal plan for the area shall be finally adopted prior to adoption of any annexation ordinance. The proposed fiscal plan states that all direct costs have been provided by the developer. A copy of the fiscal plan is available for copying and inspection at the office of the Clerk-Treasurer, City Hall, Berne, Indiana. A copy of the finally adopted fiscal plan will be provided the developer upon written request. The City contact person is David N. Baumgartner, City Attorney, 360 West Main Street, Berne, Indiana 46711. The public is invited to attend and offer testimony at the hearing as to the proposed annexation.

December 19, 2017

Gwen Maller, Clerk-Treasurer  
City of Berne, Indiana