

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 22-2008

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
CONTIGUOUS TO THE TOWN OF PLAINFIELD, INDIANA,
PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES OF
THE TOWN, MAKING THE SAME AS PART OF THE TOWN AND
REDEFINING THE CORPORATE BOUNDARIES OF THE TOWN**

WHEREAS, well-defined long-term planning and orderly development benefit the Town of Plainfield, Indiana (the "Town"), and the greater Plainfield community; and

WHEREAS, North/South Corridor Properties, LLC are the owners of land generally situated on the west side of Ronald Reagan Pwy, approximately 3000 feet north of US 40 in Washington Township, Hendricks County, Indiana (the "Land"); and they have petitioned the Town Council to adopt an ordinance annexing their Land pursuant to Indiana Code 36-4-3, as amended (the "Act");

WHEREAS, the Land and contiguous areas the Town is required by the Act to annex in connection with the annexation of the Land, including public highway rights-of-way, are referred to collectively as the "Territory"; and

WHEREAS, the Territory is contiguous to the Town; that is, at least one-eighth of the aggregate external boundaries of the Territory coincides with the present boundaries of the Town as provided in (and required by) Indiana Code 36-4-3, as amended (the "Act"); and

WHEREAS, map(s) describing the boundaries of the Territory are attached to and incorporated into this Ordinance as Exhibit A; and

WHEREAS, a legal description of the Territory is attached to and incorporated into this Ordinance as Exhibit B; and

WHEREAS, none of the Territory (i) is within the corporate boundaries of another municipality or (ii) lies within a fire protection district under Indiana Code 36-8-11; and

WHEREAS, responsible planning, orderly development and the Act require adoption of a written fiscal plan and a definite policy for the provision of certain services to the Territory; and

WHEREAS, prior to adoption of this Ordinance, the Town Council, by resolution, will adopt a written fiscal plan and definite policy for the provision of services of a non-capital nature and a capital nature to the Territory as required by the Act; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution will include the provision of services of a non-capital nature within one year after the effective date

of the annexation under this Ordinance in a manner equivalent in standard and scope to those non-capital services provided to areas within the present corporate boundaries of the Town, regardless of similar topography, patterns of land use and population density; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution will include the provision of services of a capital nature to the Territory within three years after the effective date of the annexation under this Ordinance in the same manner as those services are provided to areas within the present corporate boundaries of the Town, regardless of similar topography, patterns of land use and population density, and in a manner consistent with federal, state and local laws, procedures, and planning criteria; and

WHEREAS, prior to the adoption of this Ordinance, the Town Council will conduct a public hearing pursuant to notice published in accordance with the applicable provisions of the Act; and

WHEREAS, the Town Council finds that the annexation of the Territory pursuant to the terms and conditions of this Ordinance is in the best interests of all the owners of land in the Territory, is fair and equitable, and should be accomplished;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, HENDRICKS COUNTY, STATE OF INDIANA, THAT:

Section 1. In accordance with the Act, the Territory is hereby annexed to the Town and included within the Town's corporate boundaries pursuant to the terms and conditions of this Ordinance.

Section 2. The Territory annexed by this Ordinance is assigned to Town Council Ward No. 1.

Section 3. The foregoing recitals (or "whereas clauses") are findings of fact by the Town Council and are incorporated into this Ordinance by this reference.

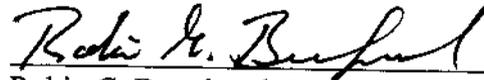
Section 4. The sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance are separable, and if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining sections, subsections, paragraphs, sentences, clause and phrases of this Ordinance.

Section 5. This Ordinance shall become effective as provided in the Act, which effective date is not less than 30 days after the adoption of this Ordinance and upon the filing and recording of this Ordinance under Section 22 of the Act.

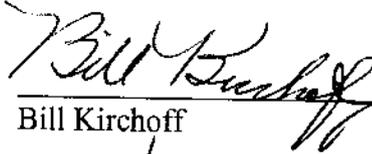
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THIS ORDINANCE is hereby passed and adopted this 11th day of
2008.

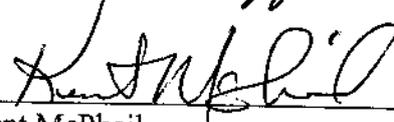
TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, STATE OF INDIANA



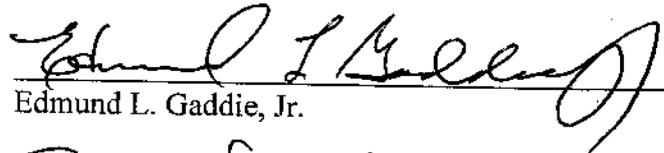
Robin G. Brandgard, President



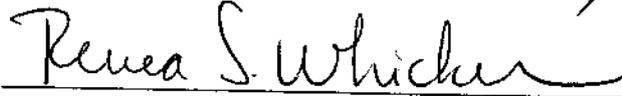
Bill Kirchoff



Kent McPhail



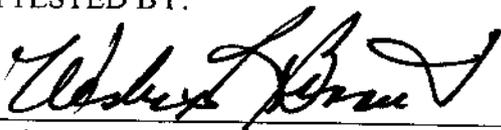
Edmund L. Gaddie, Jr.



Renea S. Whicker

Constituting a majority of the members of the Town
Council

ATTESTED BY:



Wesley R. Bennett, Clerk-Treasurer,
Town of Plainfield, Hendricks County,
State of Indiana

PUBLISHED: JUL 14 2008
Hendricks County Flyer
Hendricks County Flyer ~~JUL 21 2008~~

EXHIBIT A

ANNEXATION DESCRIPTION

That portion of the Northwest Quarter, and the Northeast Quarter of Section 20 of Township 15 North, Range 2 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana, described as follows:

Commencing at the southeast corner of the Northwest Quarter of Section 20; thence North 00 degrees 47 minutes 15 seconds West (assumed bearing) along the east line thereof 600.57 feet to the southeast corner of the land of North South Corridor Property Charlie, LLC as described in Instrument Number 2004-34524 in the Office of the Recorder of said county to the POINT OF BEGINNING; thence South 89 degrees 10 minutes 38 seconds West along the south line of said land 202.00 feet; thence North 00 degrees 47 minutes 15 seconds West along the west line of said land 75.50 feet; thence South 89 degrees 01 minutes 13 seconds West along the north line of Medallion Meadows as per plat thereof recorded in Plat Book 4, page 143 in said county records 23.93 to the east right of way of Ronald Reagan Parkway and to point of curvature of a non-tangent curve to the right having a radius of 4035.42 feet and being subtended by a long chord having a bearing of South 01 degrees 05 minutes 31 seconds East and a length of 48.20 feet; thence along said curve and said east right of way in a southerly direction for a distance of 48.20 feet; thence South 00 degrees 44 minutes 59 seconds East along said east right of way 97.46 feet to the south line of Lot 1 of said Medallion Meadows subdivision; thence South 89 degrees 14 minutes 22 seconds West along the south line of said Lot 2 and also Lot 3 of said Medallion Meadows subdivision 196.85 feet to the west right of way of Ronald Reagan Parkway; thence North 00 degrees 44 minutes 59 seconds West along said west right of way 97.50 feet; thence South 89 degrees 15 minutes 01 seconds West along said west right of way 16.40 feet to point of curvature of a non-tangent curve to the left having a radius of 3822.17 feet and being subtended by a long chord having a bearing of North 01 degrees 06 minutes 16 seconds West and a length of 47.34 feet; thence along said curve and said west right of way in a northerly direction for a distance of 47.34 feet to the north line of said Medallion Meadows subdivision; thence South 89 degrees 01 minutes 13 seconds West along the north line of said subdivision 1220.18 feet to the east line of North South Corridor Property Edwin, LLC land as described in Instrument Number 2005-13210; thence North 00 degrees 45 minutes 32 seconds West along the east line of said North South Edwin land 1302.63 feet; thence South 89 degrees 01 minutes 13 seconds West 330.01 feet to the west line of said North South Edwin land; thence North 00 degrees 44 minutes 25 seconds West along the west line of said North South Edwin land 358.9 feet to the southwest corner of land of Walter L. Baker, III as described in Deed Book 337, Page 474; thence North 89 degrees 01 minutes 13 seconds East along the south line of said Baker land 180 feet to the southeast property corner of said Baker land; thence North 00 degrees 44 minutes 25 seconds West along the east line of said Baker land 295 feet to the south 45 foot right of way of C.R. 200 South; thence North 88 degrees 57 minutes 12 seconds East along said south right of way line 150 feet to the northeast property corner of said North South Edwin land; thence South 00 degrees 45 minutes 32 seconds East along the east line of said North South Edwin land 351 feet to the northwest property corner of land of North South Edward, LLC land; thence North 88 degrees 57 minutes 12 seconds East along the north line of

said North South Edward land 220 feet to the northeast corner of said North South Edward land; thence South 00 degrees 44 minutes 25 seconds East along the east line of said North South Edward land 267 feet; thence North 88 degrees 57 minutes 12 seconds East along the north line of said North South Edward land 110 feet to the east line of said North South Edward land; thence South 00 degrees 45 minutes 47 seconds East along the east line of said North South Edward land 137.4 feet to the northwest corner of the land of North South Corridor Property Charlie, LLC as described in Instrument Number 2004-34524; thence North 88 degrees 55 minutes 56 seconds East along the north line of said North South Charlie land 501.35 feet to the west right of way line of Ronald Reagan Parkway; thence North 00 degrees 47 minutes 18 seconds West along said west right of way line 471.30 feet; thence North 88 degrees 57 minutes 12 seconds East along said west right of way line 31.20 feet; thence North 00 degrees 47 minutes 17 seconds West along said west right of way line 61.75 feet; thence North 16 degrees 37 minutes 02 seconds West along said west right of way line 195.16 feet to the south right of way line of C.R. 200 South; thence North 73 degrees 49 minutes 00 seconds West along said south right of way line 7.07 feet; thence North 88 degrees 57 minutes 12 seconds East 300.00 feet to the east right of way line of Ronald Reagan Parkway; thence South 00 degrees 47 minutes 17 seconds East along said east right of way line 251.84 feet; thence South 23 degrees 47 minutes 31 seconds East along said east right of way line 122.58 feet; thence South 16 degrees 37 minutes 02 seconds East along said east right of way line 371.90 feet to the north line of said North South Charlie land; thence North 88 degrees 57 minutes 21 seconds East along the north line of said North South Charlie land 423.55 feet to the east right of way line of Six Points Road (C.R. 1050 East); thence South 00 degrees 47 minutes 15 seconds East along said east right of way line 1275.48 feet to the easterly extension of said land of North South Charlie per Instrument Number 2004-34524; thence South 89 degrees 10 minutes 38 seconds West along said extension 15.00 feet to the POINT OF BEGINNING, containing 58.5 acres, more or less.

This description is for annexation purpose only. No transfer of title is to occur with description. Limited field work was performed. This description was based on existing deeds, plats, and previous annexation descriptions to the Town of Plainfield. No monuments were set and no deeds should be created from this description.

