

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 19-2008

**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.

* * * * *

2008.

THIS ORDINANCE is hereby passed and adopted this 25 day of June,

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

Robin G. Brandgard
Robin G. Brandgard, President

Bill Kirchoff
Bill Kirchoff

Kent McPhail
Kent McPhail

Edmund L. Gaddie, Jr.
Edmund L. Gaddie, Jr.

Renea S. Whicker
Renea S. Whicker

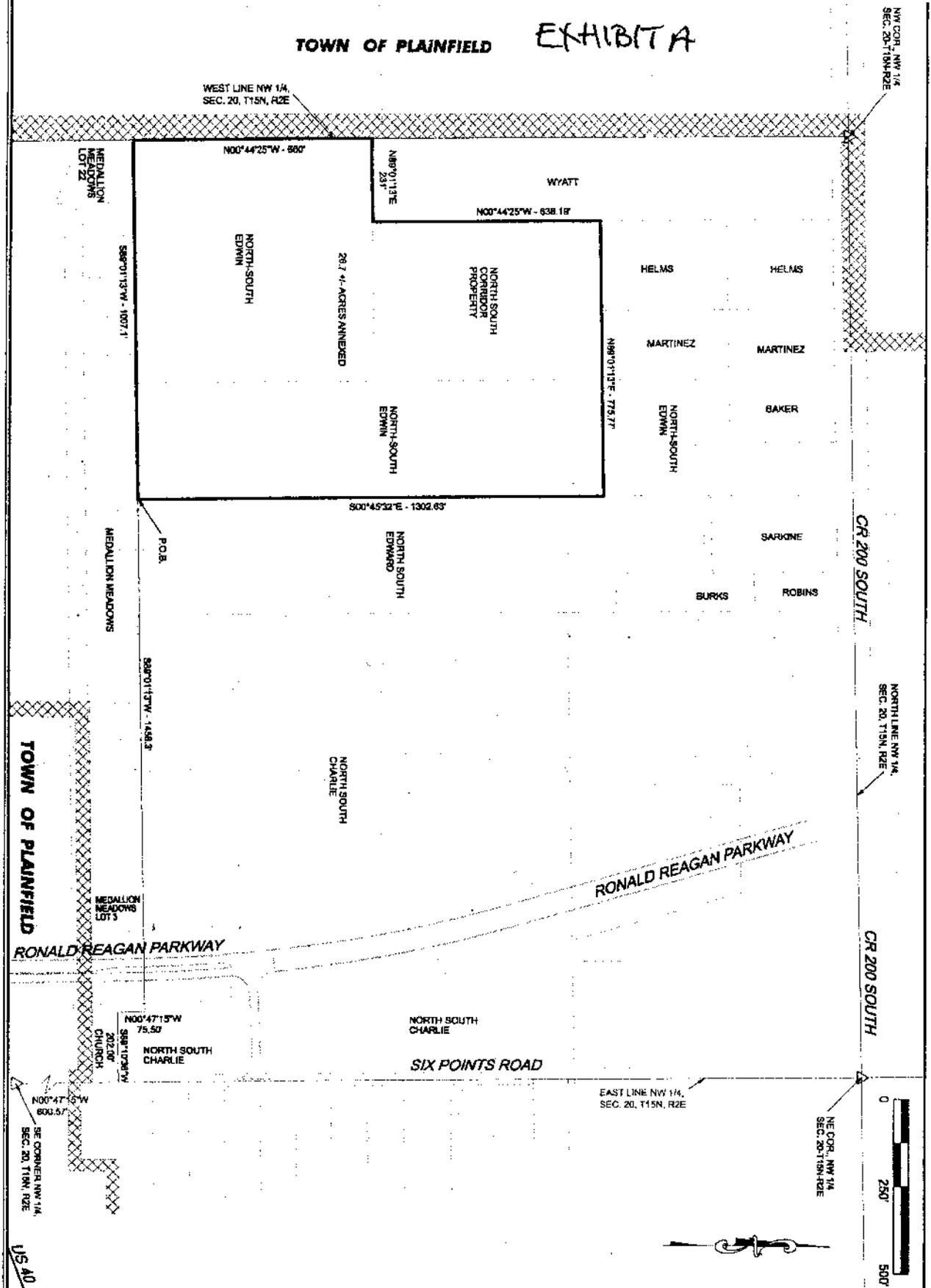
Constituting a majority of the members of the Town
Council

ATTESTED BY:

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

PUBLISHED:
Hendricks County Flyer JUL 03 2008
Hendricks County Flyer JUL 10 2008

TOWN OF PLAINFIELD EXHIBIT A



TOWN OF PLAINFIELD

US 40

BANNING ENGINEERING
 883 COLUMBIA ROAD, SUITE #101
 PLAINFIELD, IN 46168
 TEL: (317) 707-3700, FAX: (317) 707-3800
 E-MAIL: Engineering@BanningEngineering.com
 WEB: www.BanningEngineering.com

ANNEXATION DESCRIPTION
 NORTH SOUTH CORRIDOR
 EDWIN PARCEL (WAMSLEY)
 TOWN OF PLAINFIELD

Designed	By	Revisions	Date
Drawn	GAE		
Checked			
Scale:	AS SHOWN		
Date:	02-28-08		

EXHIBIT B

ANNEXATION DESCRIPTION

That portion of the Southwest Quarter of Section 17 and the Northwest and Northeast Quarters 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; 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 1458.3 feet to the POINT OF BEGINNING; thence continue South 89 degrees 01 minutes 13 seconds West along the north line of said Medallion Meadows 1007.1 feet to the west line of said Northwest Quarter; thence North 00 degrees 44 minutes 25 seconds West along the west line thereof 660 feet to the northwest corner of Parcel I of the land of North South Corridor Property Edwin, LLC as described in Instrument Number 2005-31964 in said county records; thence North 89 degrees 01 minutes 13 seconds East along the north line thereof 231 feet to the southwest corner of Parcel II of said land; thence North 00 degrees 44 minutes 25 seconds West along the west line of said Parcel II a distance of 638.19 feet; thence North 89 degrees 01 minutes 13 seconds East along the north line of said Parcel II a distance of 775.77 to the east line of the land of North South Corridor Property Edwin, LLC as described in Instrument Number 2005-13210 in said county records; thence South 00 degrees 45 minutes 32 seconds East along the east line thereof 1302.63 feet to the POINT OF BEGINNING, containing 26.7 acres, more or less.