

DUTY ENTERED
FOR TAXATION

JUL 14 2008

Cinda Kattau
AUDITOR HENDRICKS COUNTY



200816900

PAUL T HARDIN
HENDRICKS COUNTY RECORDER
07/14/2008 09:43:53AM

PLAINFIELD TOWN COUNCIL
06-1-29-52E 200-002, -003, -007, -008

ORDINANCE NO. 11-2008

**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 and Lillian and Clyde Fields are the owners of land generally situated on the east side of Ronald Reagan Pwy, approximately 3000 feet south of US 40 along the east and west sides of Ronald Reagan Pwy 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

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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.

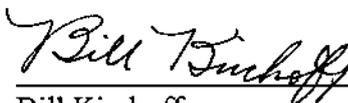
* * * * *

THIS ORDINANCE is hereby passed and adopted this 9th day of June, 2008.

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



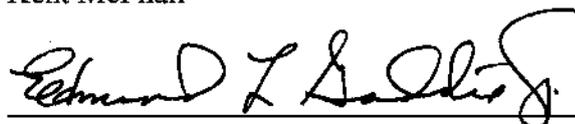
Robin G. Brandgard, President



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

"I affirm, under penalties of for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law."

NAME Richard A. Carlucci

Richard A. Carlucci

This instrument was prepared by Richard A. Carlucci, Town Manager, Town of Plainfield,
206 W. Main Street, Plainfield, Indiana 46168

EXHIBIT B

ANNEXATION DESCRIPTION

That portion of the South Half of the Northeast Quarter of Section 29, Township 15 North, Range 2 East of the Second Principal Meridian, Guilford Township, Hendricks County, Indiana, described as follows:

Commencing at the southwest corner of said Northeast Quarter; thence North 00 degrees 20 minutes 14 seconds West (assumed bearing) along the west line thereof 789.20 feet to the southwest corner of the land of Vaughn A. Wamsley as described in Instrument Number 2003-42094 in the Office of the Recorder of said county to the POINT OF BEGINNING; thence North 00 degrees 20 minutes 14 seconds West along said west line 1217.95 feet to the northwest corner of North South Corridor Property Albert, LLC as described in Instrument Number 2003-47891 in said county records; thence North 89 degrees 17 minutes 59 seconds East along the north line of said North South Corridor Property Albert, LLC a distance of 2665.38 feet to the east line of said Northeast Quarter (said east line also being the Hendricks County East property line; thence South 00 degrees 58 minutes 00 seconds East along said east line 664.57 feet to the southeast corner of said land; thence South 89 degrees 12 minutes 16 seconds West along the south line thereof 93.26 feet to the northwest corner of the land of the Indianapolis Airport Authority as described in Deed Record 328, pages 219-220 in said county records; thence South 04 degrees 28 minutes 35 seconds East along the west line thereof 318.47 feet; thence South 03 degrees 06 minutes 07 seconds East along said west line 252.13 feet to the southeast corner of the land of North South Corridor Property Albert, LLC as described in Instrument Number 2003-42086 in said county records; thence South 89 degrees 39 minutes 46 seconds West along the south line thereof and the south line of said land of Wamsley 2614.52 feet to the POINT OF BEGINNING, containing 74.2 acres, more or less.