

ORDINANCE NO. 15-2010

**AN ORDINANCE DISANNEXING CERTAIN LAND
WITHIN THE TOWN OF PLAINFIELD**

WHEREAS, the Indiana General Assembly has authorized the Town of Plainfield, Indiana, to grant petitions for disannexation upon the exercise of its sound legal discretion;

WHEREAS, The Benevolent & Protective Order of Elks, Local Lodge #2186 (“the Elks”), has submitted a petition to disannex certain land owned by it that is currently located within the municipal boundaries of the Town of Plainfield, Indiana;

WHEREAS, the Town of Plainfield has conducted a public hearing on the Elks’ petition for disannexation;

WHEREAS, the Town of Plainfield has reached a written agreement with the Elks regarding the disannexation of certain land owned by it wherein Plainfield has agreed, subject to certain conditions, to remove the Elks’ land from Plainfield’s municipal boundaries;

WHEREAS, the Town of Plainfield, after considering the Elks’ disannexation petition, the agreement reached between the Elks and Plainfield, and in the exercise of its sound legal discretion finds that a disannexation of the Elks’ land is just and equitable and, therefore, grants the Elks’ disannexation petition and removes certain land owned by the Elks from Plainfield’s municipal boundaries;

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Plainfield, Indiana, as follows:

1. The land that is owned by the Elks that is the subject of the Elks’ disannexation petition and that is more particularly described in the legal description attached hereto as Exhibit A (that is specifically made a part of this Ordinance) is hereby disannexed and excluded from the municipal boundaries of the Town of Plainfield, Indiana.

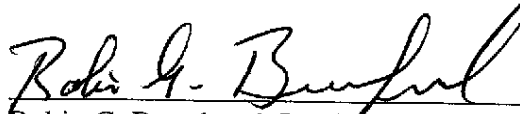
2. This Ordinance shall not be construed as consent by the Town of Plainfield to release any land, property, or territory from its extraterritorial jurisdiction as provided by Indiana law. Territory disannexed by this Ordinance shall remain within and be subject to the extraterritorial jurisdiction of the Town of Plainfield, and all Ordinances, rules, and regulations applicable by reason of such extraterritorial jurisdiction.

3. The Clerk of the Town of Plainfield is authorized and directed to take all actions necessary with the Hendricks County Auditors Office and any other County official to ensure a proper accounting is performed on the tax records as a result of this disannexation.

4. This Ordinance shall be in full force and effect from and after its passage, adoption, and publication, if any, required by law. All prior Ordinances or parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

SAID ORDINANCE is hereby passed and adopted this 25th day of October, 2010.

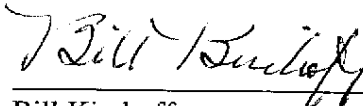
TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, INDIANA



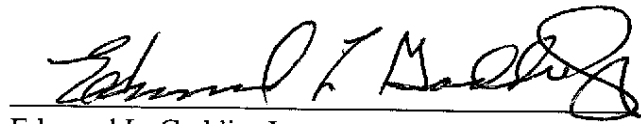
Robin G. Brandgard, President



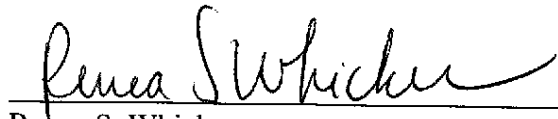
Kent McPhail



Bill Kirchoff



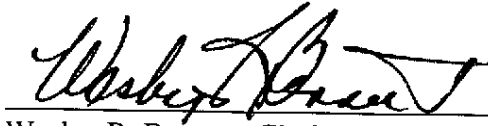
Edmund L. Gaddie, Jr.



Rehea S. Whicker

Constituting a majority of all of the members of the
Town Council

ATTEST:



Wesley R. Bennett, Clerk-Treasurer of
The Town of Plainfield, Indiana

PUBLISHED: OCT 30 2010
Hendricks County Flyer
Hendricks County Flyer ~~NOV 09 2010~~

LEGAL DESCRIPTION

A part of the East Half of Section 32, Township 15 North, Range 1 East and a part of the northeast quarter of Section 5, Township 14 North, Range 1 East in Hendricks County, Indiana, being more particularly described as follows, to-wit:

Beginning at the center West of said East half of Section 32; thence North 01 degrees 05 minutes 59 seconds East, on and along the West line of said East half Section 32 241.09 feet to a point on the North right-of-way line of the Old T.H., I., & E. Traction Company, the next 3 calls being on and along said North line; thence South 65 degrees 02 minutes 04 seconds East, 62.60 feet to the beginning of a curve to the left, said curve having a radius of 2,050.00 and a delta angle of 22 degrees 57 minutes 20 seconds; thence on and along the arc of said curve, 821.33 feet; thence South 89 degrees 49 minutes 18 seconds East, 1831.79 feet; to a point on the East line of said Section 32; thence South 01 degrees 17 minutes 47 seconds West, on and along said East line, 58.29 feet to the center East of said Section 32; thence South 01 degrees 14 minutes 01 seconds West, on and along the East line of said section, 1807.99 feet to a point on the North right-of-way line of U.S. Route #40 as now located and established, the next 5 calls being on and along said right-of-way line; thence South 67 degrees 51 minutes 30 seconds West, 23.80 feet; thence South 29 degrees 27 minutes 14 seconds West, 67.12 feet; thence South 67 degrees 51 minutes 30 seconds West, 1854.70 feet to the beginning of a curve to the right, said curve having a radius of 7,161.90 feet and a delta angle of 04 degrees 21 minutes 25 seconds; thence on and along the arc of said curve, 544.60 feet; thence North 85 degrees 02 minutes 06 seconds West, 423.42 feet to a point on the West half section line of Section 32 extended South; thence North 01 degrees 05 minutes 59 seconds East, on said extension and on said half section line, 1406.39 feet; thence South 89 degrees 56 minutes 39 seconds East, 198.00 feet; thence North 01 degrees 05 minutes 59 seconds East, 1320.00 feet; thence North 89 degrees 56 minutes 39 seconds West, 198.00 feet to the point of beginning, containing 146.10 acres, more or less and subject to all legal highways, rights-of-way and easements of record.

EXCEPTING: the Irons Cemetery situated in the southwest quarter of the southeast quarter of Section 32, Township 15 North, Range 1 East and the northwest quarter of the northeast quarter of Section 5, Township 14 North of Range 1 East and described as follows, to-wit:

Starting at the center of Section 32; thence South, 167.78 rods; thence South 83 degrees 23 minutes East, 463.93 feet; thence North 12 degrees 11 minutes West, 201.5 feet which is the Beginning Point of this description; (A) thence continuing the last described course 324 feet; (B) thence South 77 degrees 49 minutes West, 68 feet; (C) thence South 41 degrees 49 minutes West, 129 feet; (D) thence South 7 degrees and 11 minutes East, 118 feet; (E) thence South 8 degrees 49 minutes West, 143 feet; (F) thence South 72 degrees 11 minutes East, 82 feet; (G) thence North 26 degrees 11 minutes East, 166 feet to the place of beginning, containing 1.42 acres, more or less.

EXHIBIT A

Also EXCEPTING: the Miles Family Cemetery situated in the southwest quarter of the southeast quarter of Section 32, Township 15 North, Range 1 East and described as follows, to-wit:

Starting at the center of Section 32; thence South, 167.78 rods; thence South 83 degrees 23 minutes East, 463.93 feet; thence North 12 degrees 11 minutes West, 525.5 feet which is the starting point of this description; (H) thence continuing the last described course 82.5 feet; (J) thence South 77 degrees 49 minutes West, 68 feet; (K) thence South 12 degrees 11 minutes East, 82.5 feet; (L) thence North 77 degrees 49 minutes East, 68 feet to the place of beginning, containing 0.13 of an acre, more or less.

Containing in all after said exceptions, 144.55 acres, more or less.

EXHIBIT A