

PLAINFIELD TOWN COUNCIL

RESOLUTION NO. 2008-03

**RESOLUTION OF THE PLAINFIELD TOWN COUNCIL
ACKNOWLEDGING AND ACCEPTING
PETITION FOR VOLUNTARY ANNEXATION INTO
TOWN OF PLAINFIELD**

WHEREAS, the Town Council of the Town of Plainfield (the "Town Council") is the governing body of the Town of Plainfield, Hendricks County, State of Indiana (the "Town"); and

WHEREAS, William and Judith Kappel and the Estate of Nathaniel Kappel are the owners of land generally situated on the south side of County Road 100 South, approximately 4,000 feet east of County Road 900 East and approximately 3,000 feet west of County Road 1050 East, in Washington Township, Hendricks County, Indiana (the "Land"); and they have petitioned the Town Council (hereinafter referred to as the "Petition") 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 Town Council desires to acknowledge and accept the Petition and begin the process of annexing the Territory into the Town; and

WHEREAS, the Town Council desires to designate, and from time to time refer to, the Territory as the "Kappel Annexation Area," which Kappel Annexation Area is more fully described on Exhibit A to this Resolution;

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

Section 1. The Town Council acknowledges and accepts the Petition.

Section 2. The foregoing recitals (or "whereas clauses") are findings by the Town Council and are incorporated into this Resolution by this reference.

Section 3. The Town Council hereby authorizes a public hearing to be held by this Town Council pursuant to Indiana Code 36-4-3-5.1 regarding the adoption of an ordinance providing for the annexation of the Territory. The hearing shall be held at a meeting of the Town Council on Monday, March 31, 2008, at 7:00 p.m. (local time), at the Plainfield Municipal Building, 206 W. Main Street, Plainfield, Indiana (or such other time and place as the Town Council shall hereafter agree, such time and place to be set forth in the notice referenced below).

Section 4. The Town Council hereby authorizes the publication of a notice of the public hearing, described in Section 3 hereof, to be published as required by law.

Section 5. The sections, paragraphs, sentences, clauses and phrases of this Resolution are separable, and if any section, paragraph, sentence, clause or phrase of this Resolution 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, paragraphs, sentences, clause and phrases of this Resolution.

Section 6. This Resolution shall be in full force and effect from and after its passage by the Town Council.

* * * * *

Passed by the Town Council of the Town of Plainfield, Hendricks County, State of Indiana, this 10th day of March, 2008.

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

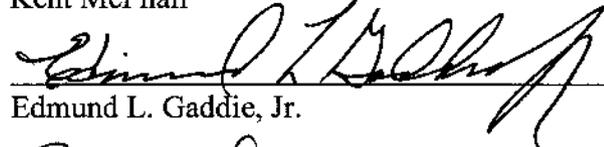


Robin G. Brandgard, President

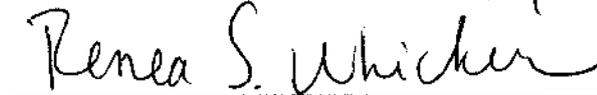
Bill Kirchoff



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

Exhibit A

Kappel Annexation Area

That portion of land lying in the East Half of the Northeast Quarter of Section 18, Township 15 North, Range 2 East being more particularly described as follows:

BEGINNING at a Hendricks County Surveyor's monument found representing the northeast corner of said Northeast Quarter; thence South 01 degrees 01 minutes 31 seconds East along the east line thereof 2,680.94 feet to a stone found at the southeast corner of said Northeast Quarter; thence South 87 degrees 55 minutes 08 seconds West along the south line thereof 674.39 feet; thence North 01 degrees 00 minutes 39 seconds West 2,681.72 feet to the north line of said Northeast Quarter; thence North 87 degrees 59 minutes 04 seconds East along said north line 673.70 feet to the POINT OF BEGINNING, containing 41.484 acres, more or less.

(The above land descriptions were prepared based on limited data and are to be used for annexation purposes only. These descriptions shall not be used for the transfer of title or any other purposes.)