

RESOLUTION NO. 2008-07

**A RESOLUTION OF THE PLAINFIELD TOWN COUNCIL ADOPTING
A WRITTEN FISCAL PLAN AND ESTABLISHING A DEFINITE POLICY FOR
THE PROVISION OF SERVICES TO A TERRITORY PROPOSED TO BE
ANNEXED INTO THE 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 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", such Territory being more particularly described in the resolution of the Town Council, acknowledging and accepting such petition, adopted on March 10, 2008; and

WHEREAS, the Town has set and held a public hearing concerning the proposed annexation of the Territory and provided proper notice thereof as required by the applicable provisions of the Act; and

WHEREAS, as required by the Act, before adopting an annexation ordinance, the Town must develop and adopt a written fiscal plan and a definite policy by resolution of the Town Council for the provision of certain services to annexed areas; and

WHEREAS, the Town Council now desires to establish and adopt a written fiscal plan and establish a definite policy showing (1) the cost estimates of planned services to be furnished to the Territory; (2) the method or methods of financing those services; (3) the plan for the organization and extension of those services; (4) that services of a non-capital nature will be provided to the Territory within one year after the effective date of the annexation 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 (5) that services of a capital nature will be provided to the Territory within three years after the effective date of the annexation 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.

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

Section 1. The Town elects to establish and adopt the written fiscal plan attached to and incorporated into this Resolution as Exhibit A (the "Fiscal Plan") for the furnishing of planned services to the Territory in accordance with the Act.

Section 2. The Town will provide a copy of the Fiscal Plan immediately after adoption to any owner of land within the Territory who requests a copy from the Clerk-Treasurer of the Town.

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

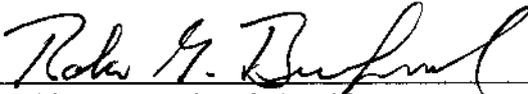
Section 4. The sections, subsections, paragraphs, sentences, clauses and phrases of this Resolution are separable, and if any section, subsection, paragraph, sentence, clause or phrase of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a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

Section 5. This Resolution shall be in full force and effect from and after its passage by the Town Council.

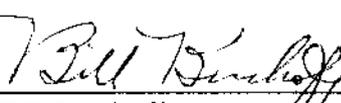
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Passed by the Town Council of the Town of Plainfield, Hendricks County, State of Indiana, this 24th day of April, 2008.

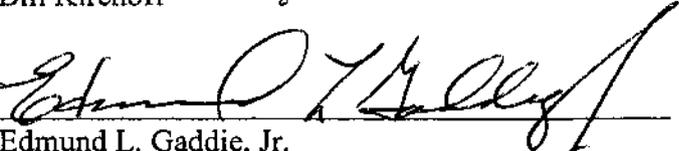
TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, STATE OF INDIANA



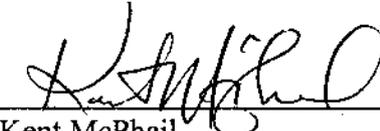
Robin G. Brandgard, President



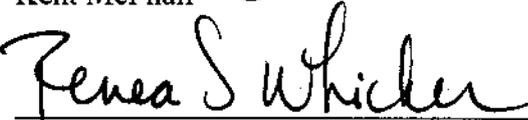
Bill Kirchoff



Edmund L. Gaddie, Jr.



Kent McPhail



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