

DULY ENTERED
FOR TAXATION

DEC 07 2005

Nancy A. Marsh
AUDITOR HENDRICKS COUNTY

12-4-23-51E 300-022,023
PLAINFIELD TOWN COUNCIL

200500037309
Filed for Record in
HENDRICKS COUNTY IN
THERESA D LYNCH
12-07-2005 At 10:45 am.
ORDINANCE 19.00

ORDINANCE NO. 52-2005

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE TOWN OF PLAINFIELD, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF AND MAKING THE SAME AS PART OF THE TOWN OF PLAINFIELD AND REDEFINING THE CORPORATE BOUNDARIES OF THE TOWN OF PLAINFIELD, INDIANA, REFERED TO AS WHITMORE PLACE, LLC ANNEXATION

BE IT ORDAINED by the Town of Plainfield, Hendricks County, Indiana, that:

WHEREAS, well defined long term planning benefits the Town of Plainfield ("Town") and the community at large; and

WHEREAS, in recognizing the need and benefit of long term planning, the Town Council of the Town of Plainfield, Indiana ("Council") is desirous of annexing a certain portion of Washington Township into the Town of Plainfield ("the annexation territory"); and

WHEREAS, the Annexation Territory sought to be annexed is situated outside the corporate boundaries of the municipal Town of Plainfield, Hendricks County, Indiana; but is one-quarter (1/4) contiguous to the corporate boundaries; and

WHEREAS, a map describing the boundaries of the Annexation Territory is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, a legal description of the Annexation Territory is attached hereto and incorporated herein as Exhibit B; and

WHEREAS, the Annexation Territory consists of .957 acres; and

WHEREAS, the Annexation Territory is needed and can be used by the Town for its development in the reasonably near future; and

WHEREAS, responsible planning and state law requires adoption of a written fiscal plan and a definite policy for the provision of certain services to annexed areas; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution will include the provision of services of a non-capital nature upon the effective date of this annexation in a manner equivalent to in standard and scope to those non-capital services provided to areas within the current corporate boundaries 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 upon the effective date of this

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annexation in a manner equivalent to in standard and scope to those capital services provided to areas within the current corporate boundaries 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 adoption of this Ordinance, the Council will have conducted a public hearing pursuant to proper notice issued as required by law; and

WHEREAS, the Council finds that the annexation of the Annexation Territory pursuant to the terms of this Ordinance is fair and equitable and should be accomplished.

NOW THEREFORE, by the powers vested in the Town Council of the Town of Plainfield, Hendricks County, Indiana, it is hereby ORDERED AND ORDAINED that:

Section 1. The above recitals are incorporated herein by reference as though fully set forth herein below.

Section 2. In accordance with I.C. 36-4-3-4, the Annexation Territory is hereby annexed to the Town of Plainfield and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.

Section 3 The territory annexed by this Ordinance is assigned to Town Council Ward No.1.

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

Section 5 This ordinance shall be in full force and effect from and after the date of its passage and such publication and recordation as is required by law.

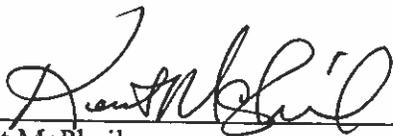
SAID ORDINANCE OF ANNEXATION is hereby passed and adopted this 24th
day of October 2005

TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, INDIANA

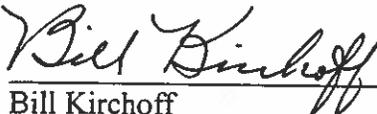
Robin G. Brandgard
Robin G. Brandgard, President

This instrument prepared by Richard A. Carlucci, Town Manager,
P.O. Box 65, Plainfield, IN, 46168

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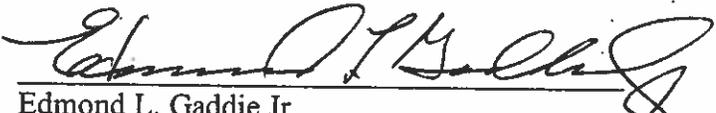
Kent McPhail



Bill Kirchoff



Daniel W. Fivecoat



Edmond L. Gaddie Jr.

Constituting a majority of the members of the
Town Council

ATTESTED BY:

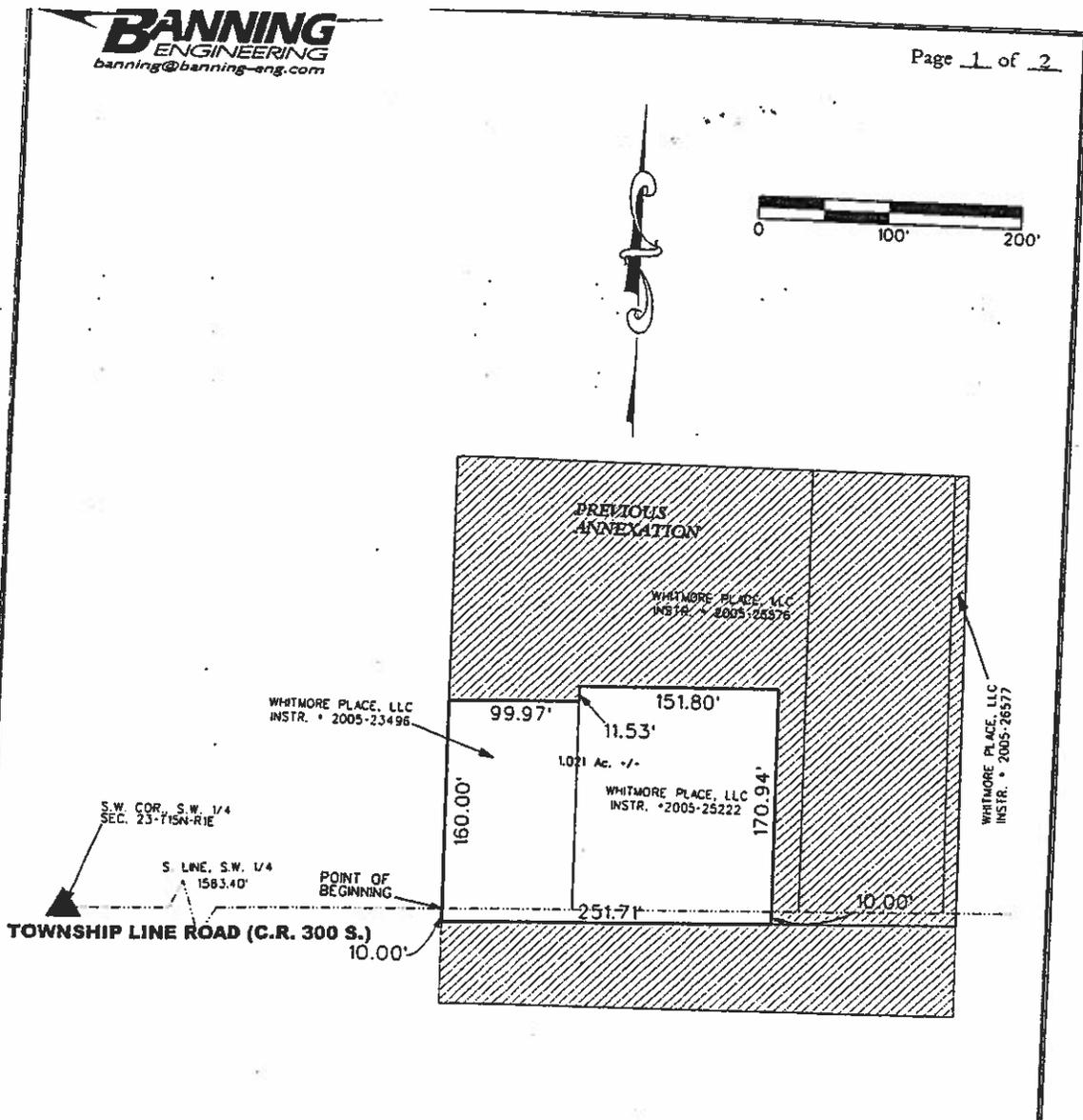


Wesley R. Bennett, Clerk Treasurer of
the Town of Plainfield, Indiana

EXHIBIT A

BANNING
ENGINEERING
banning@banning-eng.com

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Banning Engineering, P.C. • 698 Tower Road, Suite 100 • Plainfield, IN 46168
Phone: (317) 839-2581 • Fax: (317) 838-9171 • E-mail: banning@banning-eng.com

Annexation Land Description
Whitmore Place Parcels

That portion of the southwest quarter of Section 23, Township 15 North, Range 1 East of the Second Principal Meridian, Hendricks County, Indiana, described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 88 degrees 15 minutes 25 seconds East along the south line thereof 1583.40 feet to the southwest corner of the land of Whitmore Place, LLC as recorded as Instrument Number 2005-23496 in the Office of the Recorder of Hendricks County, Indiana and the **POINT OF BEGINNING**; thence South 00 degrees 37 minutes 35 seconds East 10.00 feet to the north line of the Town of Plainfield as described in Instrument Number 2001-22085, Book 262, Page 112-113 in said county records; thence North 88 degrees 15 minutes 25 seconds East along said north line 251.71 feet to a point on the southerly extension of the east line of the land of Whitmore Place, LLC as described in Instrument Number 2005-25222 in said county records; thence North 00 degrees 31 minutes 49 seconds West 10.00 feet to the southeast corner of said land; thence continue North 00 degrees 31 minutes 49 seconds West along the east line of said land 170.94 feet to the northeast corner thereof; thence South 88 degrees 29 minutes 00 seconds West along the north line of said land 151.80 feet; thence South 00 degrees 31 minutes 49 seconds East along the west line of said land 11.53 feet to the northeast corner of the land of Whitmore Place, LLC, as described in Instrument Number 2005-23496 in said county records; thence South 88 degrees 15 minutes 25 seconds West along the north line thereof 99.97 feet; thence South 00 degrees 37 minutes 35 seconds East along the west line of said land 160.00 feet to the **POINT OF BEGINNING**, containing 1.021 acres, more or less.