

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 03-2005

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 THE RACEWAY ROAD ANNEXATION
PHASE 2

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-eighth (1/8) 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 233 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, prior to publication and issuance of notice of public hearing, this Council, by resolution, will adopt a written fiscal plan and definite policy for the provision of services of both the non-capital and capital nature to the Annexation Territory, 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 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.

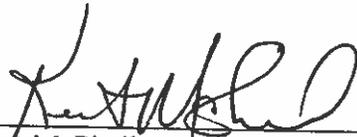
Section 5 This ordinance shall be in full force and effect from and after the date of its passage and such publication and recordation as is required by law.

SAID ORDINANCE OF ANNEXATION is hereby passed and adopted this 13th day of June, 2005

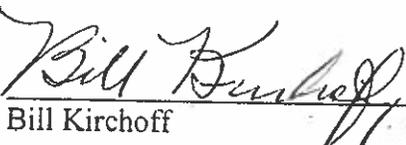
TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, INDIANA



Robin G. Brandgard, President



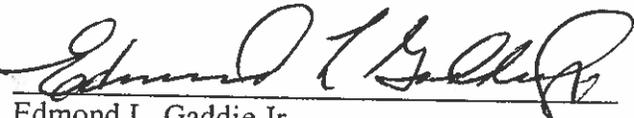
Kent McPhail



Bill Kirchoff



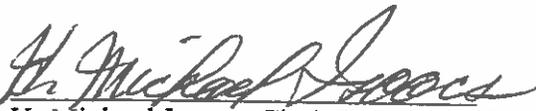
Daniel W. Fivecoat



Edmond L. Gaddie Jr.

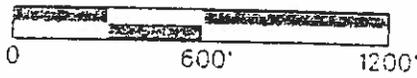
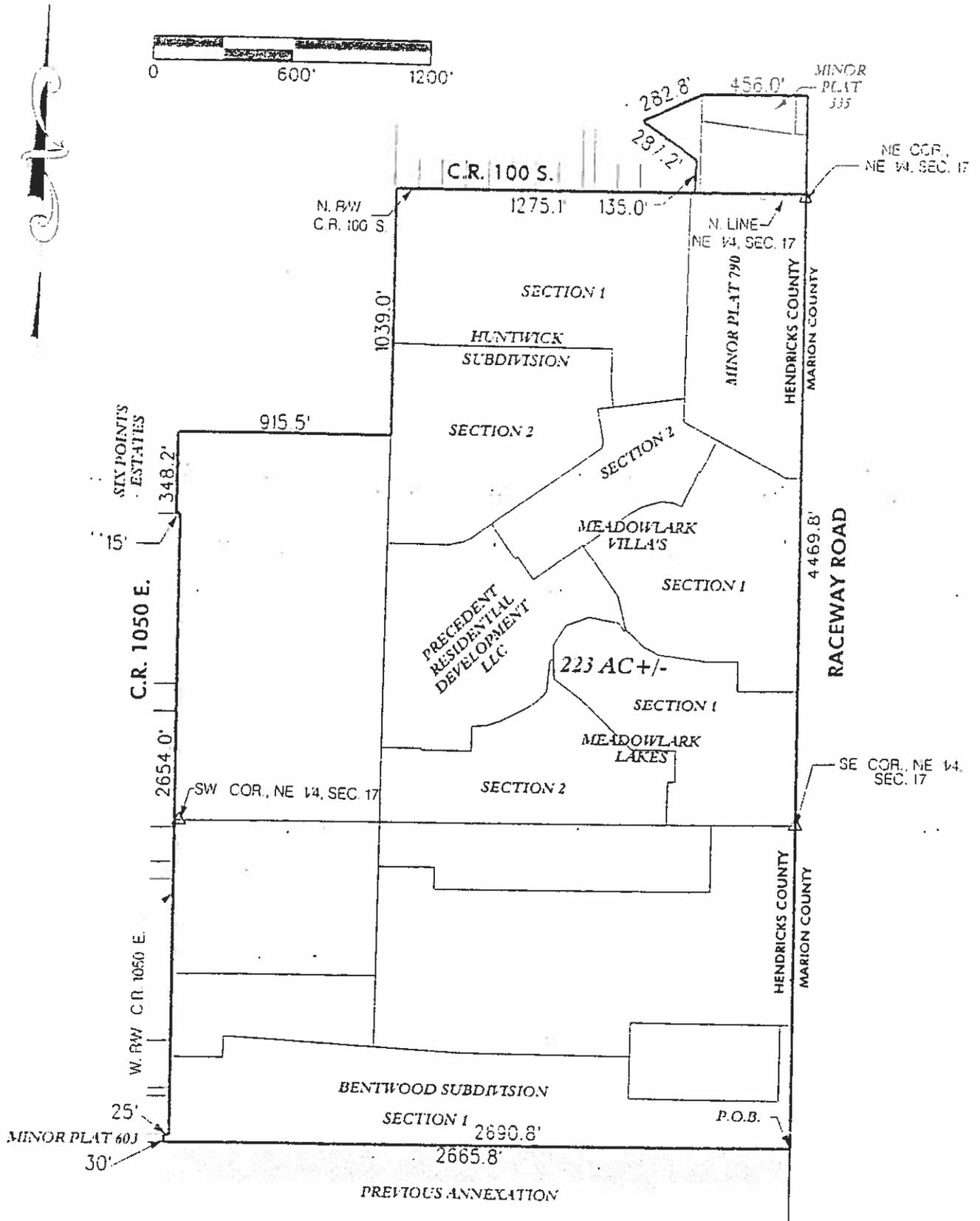
Constituting a majority of the members of the
Town Council

ATTESTED BY:



H. Michael Isaacs, Clerk Treasurer of
the Town of Plainfield, Indiana

PUBLISH: *Hendricks County Flyer Weekend Edition - June 16, 2005*
Hendricks County Flyer Weekend Edition - June 23, 2005



BANNING ENGINEERING, P.C.

698 TOWER ROAD, SUITE 100

PLAINFIELD, IN 46168

Phone 317-839-2581 / Fax 838-9171

E-mail banning@banning-eng.com**LAND DESCRIPTION FOR ANNEXATION
INTO THE TOWN OF PLAINFIELD**

Those portions of Section 17, Township 15 North, Range 2 East of the Second Principal Meridian, Hendricks County, Indiana, described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of Section 17; thence North along the East line of said quarter section, which line being the Hendricks County & Marion County line, 1300.4 feet to the North line of the current limits of the Town of Plainfield and the POINT OF BEGINNING of this description; thence West along said North line 2690.8 feet to the West right-of-way line of County Road 1050 East per Minor Plat No. 603 as recorded in Plat Cabinet 3, Slide 64, Page 2 in the office of the Recorder of said county; thence North along said right of way line 35 feet to the north line of said Minor Plat; thence East along said north line 25 feet to the west 32-foot right of way line of said county road; thence North along said West right-of-way line 2654.0 feet to the South line of Six Points Estates per the plat thereof recorded in Plat Book 9, Page 115 in said county records; thence West along said south line 15 feet to the west right of way line of County Road 1050 East per said plat; thence North along said right of way line 348.2 feet to a point on the westerly extension of the north line of the land of C.M. Hobbs & Sons, Inc. as described in Deed Book 139, Page 172; thence East along said north line and its westerly extension 915.5 feet, to the West line of Huntwick Subdivision Section Two per the plat thereof recorded in Plat Cabinet 3, Slide 195, Page 2AB in said county records; thence along the west line to the Northerly extension of Huntwick Subdivision Section 1, recorded in Plat Cabinet 3, Slide 19, Pages 2AB in said county records and the North right of way of County Road 100 South 1039.0 feet; thence East along said north right-of-way line 1275.1 feet to the East property line of a parcel of land conveyed to Sharon A. Byrne-Smith and Rickie J. Smith in Instrument Number 9800011294; thence North along said property line 135.00 feet; thence Northwesterly, along said Sharon A. Byrne-Smith and Rickie J. Smith property, 287.2 feet; thence Northeasterly 282.8 feet; thence East, along the North line of Minor Plat 335 recorded in Plat Cabinet 1, Slide 26, Page 1 in said county records 456.0 feet to the center line of Raceway Road; thence South along the East line of said Quarter Section, which line being the Hendricks County and Marion County line, 4469.8 feet to the POINT OF BEGINNING. Containing 233 acres more or less.

The above land description is for annexation purposes only. No transfer of title is to occur with this description. Limited fieldwork was performed. This description was based on existing deeds, plats, and previous annexation descriptions to the Town of Plainfield. No monuments were set and no deeds should be created from this description.