

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 33-2005

**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 DUKE-BRUNSWICK PARK 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 Guilford 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 41.4 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

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.4.

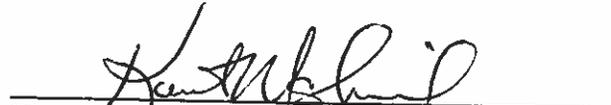
Section 4 The sections, paragraphs, sentences, clauses and phrases of this ordinance are separable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction,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

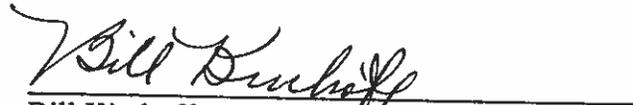
Section 5 This ordinance shall be in full force and effect from and after the date of its passage and such publication and recordation as is required by law.

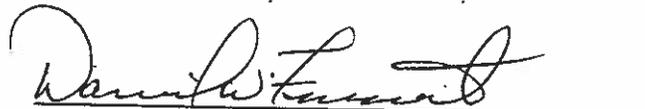
SAID ORDINANCE OF ANNEXATION is hereby passed and adopted this 23 day of May, 2005

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:** *The Hendricks County Flyer Weekend Edition - May 26, 2005*  
*The Hendricks County Flyer Weekend Edition - June 2, 2005*

EXHIBIT A

Hummel Park  
2

AG

PUD

R3

R4

GC

AG

12

99

1

R1E R2E

GC

12

AG

ANNEXATION  
BOUNDARY

OUT OF TOWN

7

AG

AG

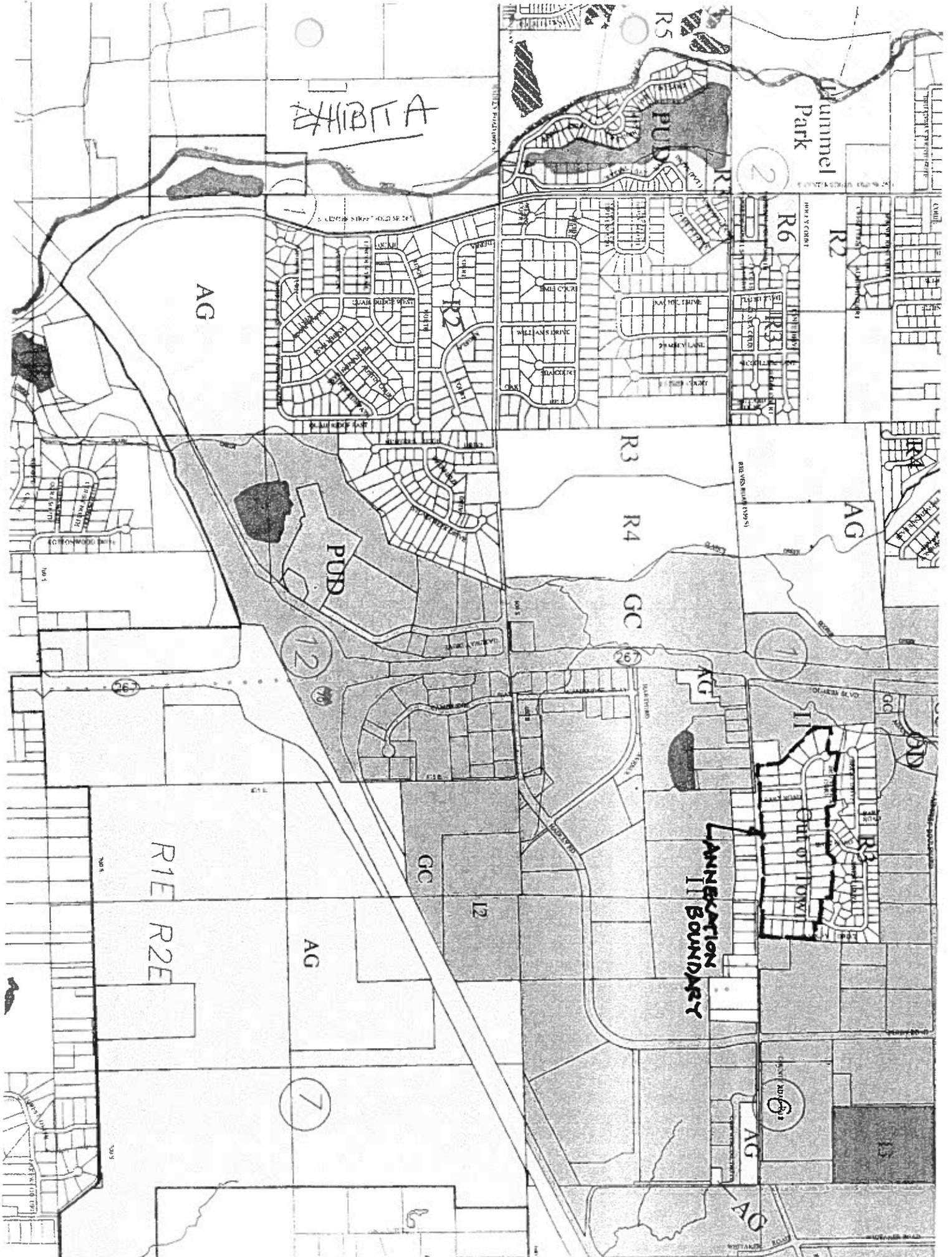


EXHIBIT B

LEGAL DESCRIPTION FOR ANNEXATION  
AT BRUNSWICK PARK, SECTION ONE  
prepared for the Town of Plainfield

A part of the Northeast quarter and the Southeast quarter of Section 1, Township 14 North, Range 1 East of the second principle meridian and a part of the fractional Northwest quarter of Section 6, Township 14 North, Range 2 East of the second principal meridian all located in Guilford Township, Hendricks County, Indiana and being more particularly described as follows to-wit:

Beginning at a point on the south line of said Northeast Quarter of Section 1, said point being South 86 degrees 08 minutes 20 seconds West 1,152.83 feet from the southeast corner of said quarter section, thence South 86 degrees 08 minutes 20 seconds West 290.74 feet along said south line to the western boundary line of the Brunswick Park Section I Addition; thence North 04 degrees 17 minutes 53 seconds West 274.94 feet along the western boundary line of the Brunswick Park Section I Addition to the southwestern most corner of the Brunswick Park Section II Addition; thence North 45 degrees 51 minutes 40 seconds West along the West line of said subdivision, 560.00 feet; thence North 03 degrees 17 minutes 07 seconds West, along the West line of said subdivision, 201.26 feet to the Southwest corner of Lot number 60 of said Subdivision; the next thirteen (13) calls being within said subdivision: 1) Thence South 80 degrees 50 minutes 54 seconds East, along the South line of Lot #60, 273.32 feet to a curve to the right; 2) thence along the arc of said curve to the right 67.69 feet, said curve having a radius of 50.00 feet and a chord length of 62.63 feet and having a bearing of North 47 degrees 55 minutes 56 seconds East; 3) thence North 03 degrees 17 minutes 07 seconds West, along the East line of Lot #60, 108.45 feet to the Southwest corner of Lot #47; 4) thence South 81 degrees 18 minutes 32 seconds East, along the South line of Lot #47 and #48, 359.68 feet; 5) thence North 86 degrees 08 minutes 20 seconds East, along the south line of Lot # 48 and # 49, 215.74 feet to the Northwest corner of Lot #52; 6) thence South 15 degrees 18 minutes 07 seconds East, along the West line of Lot #52, 122.31 feet to the Southwest corner of Lot #52; 7) thence North 86 degrees 08 minutes 20 seconds East, along the South line of Lot #52 and #82, 529.99 feet; 8) thence North 36 degrees 10 minutes 34 seconds East, along the East line of Lot #82, 75.48 feet to the Southwest corner of lot #85; 9) thence South 86 degrees 17 minutes 04 seconds East along the south line of Lots #85 - #88, 473.34 feet to the Northwest corner of Lot #91; 10) thence South 03 degrees 42 minutes 56 seconds West, along the West line of Lot #91, 120.00 feet to the Southwest corner of Lot #91; 11) thence South 86 degrees 17 minutes 04 seconds East, along the South line of Lot #91, 260.00 feet to a point on the West line of Lot #23; 12) thence South 03 degrees 42 minutes 56 seconds West, along the West line of Lot #23, 50.00 feet to the Southwest corner of Lot #23; 13) thence South 86 degrees 17 minutes 04 seconds East, along the South line of Lot #23, 210.00 feet to the Southeast corner of Lot #23 and the East line of Said Subdivision, this ends the thirteen (13) calls which traverse through said Brunswick Park Subdivision, Section 2; thence South 03 degrees 42 minutes 56 seconds West along the east line of Brunswick Park section One 662.07 feet to the south right-of-way line of C.R. 550 South; the next eleven (11) calls being along said south right-of-way line; 1) thence South 89 degrees 12 minutes 53 seconds East 427.48 feet; 2) thence North 82 degrees 32 minutes 03 seconds West 83.80 feet; 3) thence North 62 degrees 45 minutes 42 seconds West 3.67 feet; 4) thence North 82 degrees 42 minutes 50 seconds West 127.14 feet; 5) thence North 83 degrees 39 minutes 45 seconds West 49.45 feet; 6) thence South 85 degrees 32 minutes 33 seconds West 74.09 feet; 7) thence South 87 degrees 15 minutes 20 seconds West 125.98 feet; 8) thence North 01 degree 49 minutes 42 seconds West 5.22 feet; 9) thence South 86 degrees 08 minutes 20 seconds West 50.03 feet; 10) thence South 01 degree 49 minutes 42 seconds East 4.87 feet; 11) thence South 86 degrees 35 minutes 13 seconds West 717.64 feet; thence North 01 degree 19 minutes 44 seconds West 29.32 feet to the south line of the Northeast Quarter of said Section 1, also being the Point of Beginning.

Said Description containing 41.4 Acres. more or less.