

DULY ENTERED  
FOR TAXATION

JAN 11 2007

06-2-06-42E 310-004-005-006-007-008  
PLAINFIELD TOWN COUNCIL

20070000888  
Filed for Record in  
HENDRICKS COUNTY IN  
PAUL T HARDIN  
01-11-2007 At 08:21 am.  
ORDINANCE 21.00

ORDINANCE NO. 29-2006

*Nancy A. Marsh*  
AUDITOR HENDRICKS COUNTY

**AN ORDINANCE ANNEXING CERTAIN TERRITORY  
CONTIGUOUS TO THE TOWN OF PLAINFIELD, INDIANA,  
PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES OF  
THE TOWN, MAKING THE SAME AS PART OF THE TOWN AND  
REDEFINING THE CORPORATE BOUNDARIES OF THE TOWN**

WHEREAS, well-defined long-term planning and orderly development benefit the Town of Plainfield, Indiana (the "Town"), and the greater Plainfield community; and

WHEREAS, 100 percent of the owners of certain land located immediately southeast of the Town, in Guilford Township, Hendricks County, Indiana, have petitioned the Town Council of the Town (the "Town Council"), to annex territory containing such land (collectively, the "Territory") into the Town; and

WHEREAS, the Territory, which consists of approximately 4.26 acres, is situated outside of, but contiguous to, the Town; that is, at least one-quarter (1/4) of the aggregate external boundaries of the Territory coincides with the present boundaries of the Town as provided in (and required by) Indiana Code 36-4-3, as amended (the "Act"); and

WHEREAS, all the owners of land in the Territory have requested this Ordinance annexing the Territory; and

WHEREAS, map(s) describing the boundaries of the Territory, including any public right-of-way, are attached to and incorporated into this Ordinance as Exhibit A; and

WHEREAS, a legal description of the Territory is attached to and incorporated into this Ordinance as Exhibit B; and

WHEREAS, none of the Territory (i) is within the corporate boundaries of another municipality or (ii) lies within a fire protection district under Indiana Code 36-8-11; and

WHEREAS, responsible planning, orderly development and the Act require adoption of a written fiscal plan and a definite policy for the provision of certain services to the Territory; and

WHEREAS, prior to adoption of this Ordinance, the Town Council, by resolution, will adopt a written fiscal plan and definite policy for the provision of services of a non-capital nature and a capital nature to the Territory as required by the Act; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution will include the provision of services of a non-capital nature within one year after the effective date of the annexation under this Ordinance in a manner equivalent in standard and scope to those

21-  
5+2

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

WHEREAS, the written fiscal plan and definite policy adopted by resolution will include the provision of services of a capital nature to the Territory within three years after the effective date of the annexation under this Ordinance 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; and

WHEREAS, prior to the adoption of this Ordinance, the Town Council will conduct a public hearing pursuant to notice published in accordance with the applicable provisions of the Act; and

WHEREAS, the Town Council finds that the annexation of the Territory pursuant to the terms and conditions of this Ordinance is in the best interests of all the owners of land in the Territory, is fair and equitable, and should be accomplished;

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

Section 1. In accordance with the Act, the Territory is hereby annexed to the Town and included within the Town's corporate boundaries pursuant to the terms and conditions of this Ordinance.

Section 2. The Territory annexed by this Ordinance is assigned to Town Council Ward No. 5.

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

(b) The sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance are separable, and if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance 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 Ordinance.

Section 4. This Ordinance shall become effective as provided in the Act, which effective date is not less than 30 days after the adoption of this Ordinance and upon the filing and recording of this Ordinance under Section 22 of the Act.

\* \* \*

of Sept THIS ORDINANCE is hereby passed and adopted this 11<sup>th</sup> day of Sept 2006.

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

Robin G. Brandgard  
Robin G. Brandgard, President

Kent McPhail  
Kent McPhail

Bill Kirchoff  
Bill Kirchoff

Daniel W. Fivecoat  
Daniel W. Fivecoat

Edmond L. Gaddie, Jr.

Constituting a majority of the members of the Town Council

ATTESTED BY:

Wesley R. Bennett  
Wesley R. Bennett, Clerk-Treasurer,  
Town of Plainfield, Hendricks County,  
State of Indiana

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY,  
THAT I HAVE TAKEN REASONABLE CARE TO REDACT  
EACH SOCIAL SECURITY NUMBER IN THIS  
DOCUMENT, UNLESS REQUIRED BY LAW."

NAME Richard A. Carlucci

**PUBLISHED:**

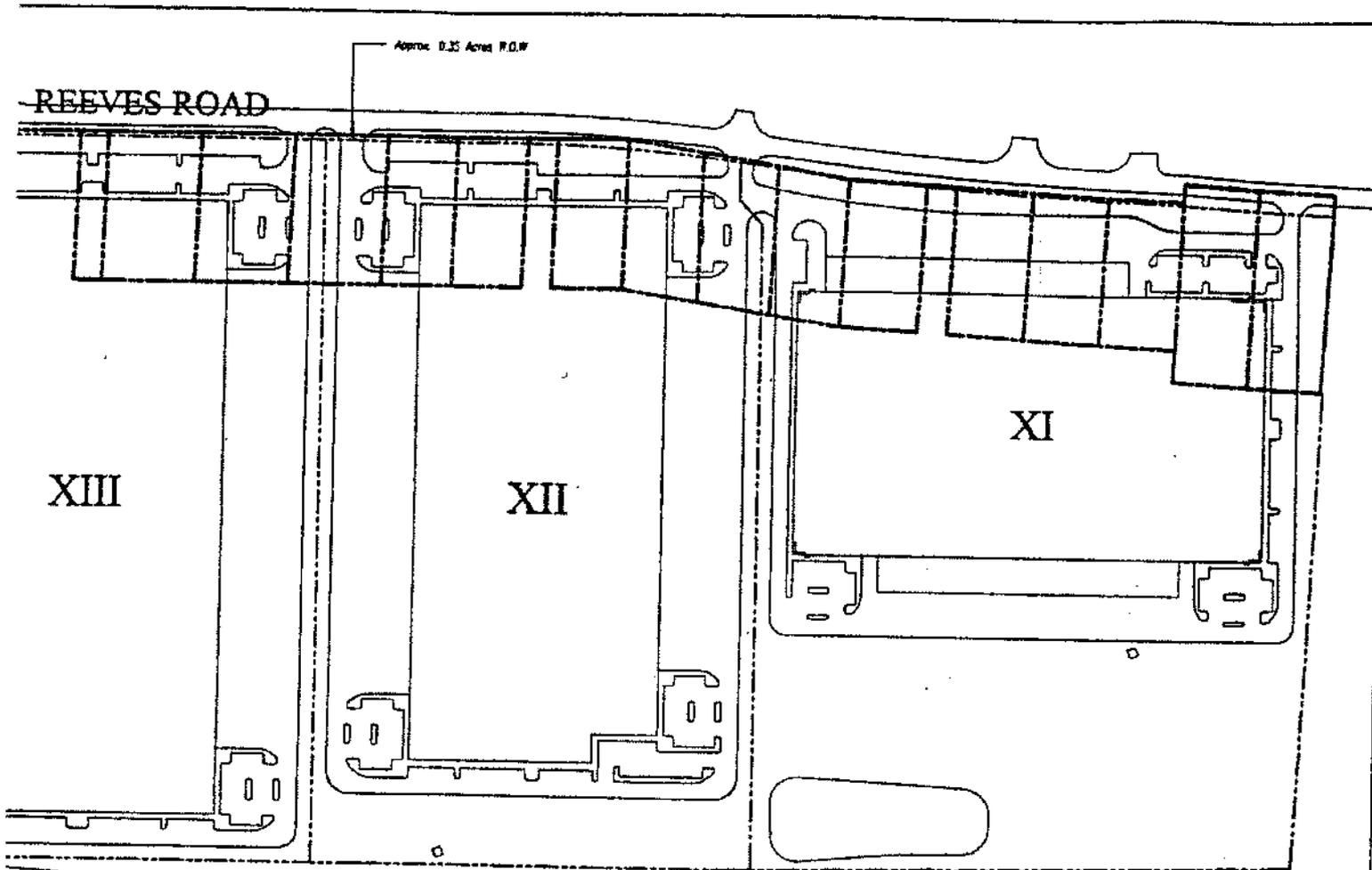
*Hendricks County Flyer* SEP 14 2006

*Hendricks County Flyer* SEP 21 2006

This instrument prepared by Richard A. Carlucci, Town Manager, Town of Plainfield, 206 W. Main Street, Plainfield, Indiana 46168

EXHIBIT A

OPUS ANNEXATION AREA No 3



Airwest XIII

Airwest XII

Airwest XI

26.82 ACRES  
3,500 SF  
0.42 SF

SITE AREA: 21.09 ACRES  
BUILDING AREA: 393,500 SF  
F.A.R.: 0.43 SF

SITE AREA: 25.19 ACRES  
BUILDING AREA: 360,000 SF  
F.A.R.: 0.32 SF

irwest



Masterplan

EXHIBIT BOpus Annexation Area Description 3

A part of the Southwest Quarter of Section 6, Township 14 North, Range 2 East, in Guilford Township, Hendricks County, Indiana, being more particularly described as follows (this description includes Lots 1, 2 and 3 of Heritage Farm being recorded as Book 10, Page 119-120 and also the Land described in Deed Record 335, Page 364 and Deed Record 33, Page 863-864, all recorded in Hendricks County Recorder's Office):

Commencing at the Northwest Corner of said Quarter Section, being witnessed by a 10" by 21" stone, thence North 89 degrees 40 minutes 23 seconds East (basis of bearing in Indiana State Plane Coordinate System, East Zone, NAD1983), along the North line of said Quarter Section 510.59 feet to southeast corner of Brunswick Park, Section One as recorded in Plat Book 8, Page 54 in Hendricks County Recorder's Office and the **Point of Beginning** of this annexation description (all lines of the following described parcel being contiguous to the Town of Plainfield); thence North 89 degrees 40 minutes 23 seconds East 186.60 feet to the extended East line of said Lot 1 of Heritage Farm subdivision; thence continuing North 89 degrees 40 minutes 23 seconds East along said North line, 260.00 feet to a Railroad Spike marking the Northeast corner of the West Half of said Quarter Section; thence South 00 degrees 24 minutes 12 seconds East along the east line of the West half of said Quarter Section, 335.08 feet to the North line of the land deeded to Damon N. Jones and Patricia A. Jones (Tract A of Deed Record 311, Page 841-850); thence South 89 degrees 40 minutes 23 seconds West along the North line of said Land deeded to Damon N. Jones and Patricia A. Jones, and parallel with the North Line of said Quarter Section, 260.00 feet to the extended East line of said Lot 1; thence North 00 degrees 24 minutes 12 seconds West along said extended East line, 55.08 feet to the Southeast corner of said Lot 1; thence South 89 degrees 40 minutes 23 seconds West along the South line said Lots 1, 2, and 3 a distance of 394.78 feet to the Southwest corner of said Lot 3; thence North 00 degrees 07 minutes 35 seconds West along the West line of said Lot 3 a distance of 250.00 feet to the Northwest corner of said Lot 3 and the south right-of-way of County Road 550 South; thence North 89 degrees 40 minutes 23 seconds East along the North line of said Lots 2 and 3 of Heritage Farm subdivision, also along said south right-of-way, 204.66 feet to the extended east line of Brunswick Park Section One; thence North 04 degrees 00 minutes 23 seconds East along the extended Brunswick Park Section One East line 30.09 feet to the **Point of Beginning**, containing 4.26 acres, more or less.

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