

DULY ENTERED
FOR TAXATION

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PLAINFIELD TOWN COUNCIL

200700000891
Filed for Record in
HENDRICKS COUNTY IN
PAUL T HARDIN
01-11-2007 At 08:21 am.
ORDINANCE 21.00

Nancy A. Marsh
AUDITOR HENDRICKS COUNTY

ORDINANCE NO. 25-2006

**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 north side of the Town, in Washington 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 78.72 acres, is situated outside of, but contiguous to, the Town; that is, at least one-fourth (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

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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. 4.

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.

* * *

July THIS ORDINANCE is hereby passed and adopted this 7th day of July, 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.
Edmond L. Gaddie, Jr.

Constituting a majority of the members of the Town Council

ATTESTED BY:

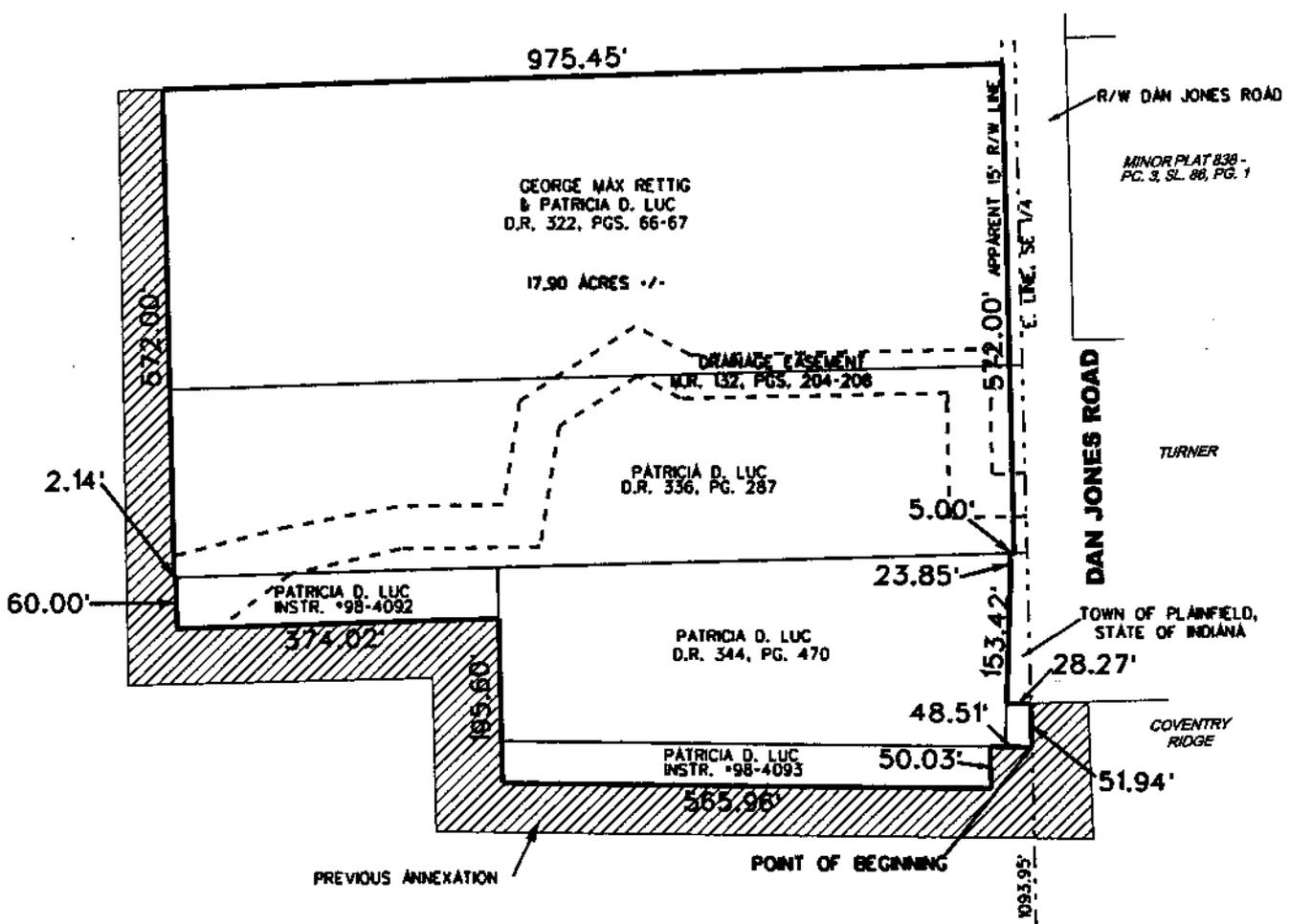
Wesley R. Bennett
Wesley R. Bennett, Clerk-Treasurer,
Town of Plainfield, Hendricks County,
State of Indiana

"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 AUG 17 2006
Hendricks County Flyer AUG 24 2006

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



Instrument Number 88-4092 and 98-4093 are reflected on Hendricks County mapping as already being annexed into the Town of Plainfield. For clarification purposes they are included within the proposed annexation shown hereon.

SE COR., SE 1/4
SEC. 23-T15N-R1E

EXHIBIT B

ANNEXATION DESCRIPTION

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

Commencing at the southeast corner of said Quarter Section; thence North 01 degree 00 minutes 55 seconds West along the east line thereof 1093.95 feet to the southeast corner of the land of The Town of Plainfield (Instrument Number 2004-4824), being on the easterly extension of the south line of the land of Luc (Deed Record 344, Page 470), said point being the POINT OF BEGINNING; thence North 89 degrees 14 minutes 00 seconds West along said south line and its easterly extension 48.51 feet to the northeast corner of the land of Luc (Instrument Number 98-4093); thence South 01 degree 02 minutes 38 seconds East along the east line thereof 50.03 feet to the southeast corner of said land; thence North 89 degrees 14 minutes 00 seconds West along the south line thereof 565.96 feet to the southwest corner of said land; thence North 01 degree 02 minutes 38 seconds West along the west line of said land 195.60 feet to the southeast corner of the land of Luc (Instrument Number 98-4092); thence South 88 degrees 35 minutes 06 seconds West along the south line of said land 374.02 feet to the southwest corner thereof; thence North 01 degree 02 minutes 38 seconds West along the west line thereof 60.00 feet to the south line of the land of Luc (Deed Record 336, Page 287); thence South 88 degrees 35 minutes 06 seconds West along said south line 2.14 feet to the southwest corner of said land; thence North 01 degree 00 minutes 55 seconds West parallel with the east line of said Quarter Section 572.00 feet to the northwest corner of the land of Rettig and Luc (Deed Record 322, Pages 66-67); thence North 88 degrees 35 minutes 06 seconds East along the north line of said land and its easterly extension 975.45 feet to the west right-of-way line of Dan Jones Road; thence South 01 degree 00 minutes 55 seconds East along said right-of-way line 572.00 feet to the north line of said land of the Town of Plainfield; thence South 88 degrees 35 minutes 06 seconds West along said north line 5.00 feet; thence South 01 degree 00 minutes 55 seconds East along the west line of said land 23.85 feet; thence South 02 degrees 04 minutes 22 seconds West along said west line 153.42 feet to a point on the westerly extension of the north line of Coventry Ridge (Plat Book 14, Pages 19-20); thence North 88 degrees 39 minutes 52 seconds East along said westerly extension 28.27 feet to the east line of said Southeast Quarter; thence South 01 degree 00 minutes 55 seconds East along said east line 51.94 feet to the POINT OF BEGINNING, containing 16.94 acres, more or less.

The above annexation description was prepared based on limited data and is to be used for annexation purposes only. This description shall not be used for the transfer of title or any other purposes.