

DULY ENTERED
FOR TAXATION

07-1-32-51E 400-001, 200-008, -015, 400-003
06-1-33-31E, 100-002, -003

200700021975
Filed for Record in
HENDRICKS COUNTY IN
PAUL T HARDIN
08-21-2007 At 01:59 p.m.
ORDINANCE 23.00

AUG 21 2007

PLAINFIELD TOWN COUNCIL

Wm. A. Mash
AUDITOR HENDRICKS COUNTY

ORDINANCE NO. 10-2006

**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 northwest of the Town, in Guilford and Liberty Townships, 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 433 acres, is situated outside of, but contiguous to, the Town; that is, at least one-eighth 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

100

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. 2

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 9th day of _____, 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, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law."

Name Richard A. Carlucci
Richard A. Carlucci

PUBLISHED:
Hendricks County Flyer JUL 19 2007
Hendricks County Flyer ~~JUL 26 2007~~

This document was prepared by Richard A. Carlucci, Town Manager, P.O.Box 65, Plainfield, Indiana 46168

Exhibit A

MAP(S) DESCRIBING BOUNDARIES OF THE TERRITORY

EXHIBIT B**LAND DESCRIPTION**

That portion of the Northeast and Southeast Quarters of Section 32, the Northwest and Southwest Quarters of Section 33, and Southwest Quarter of Section 28, all in Township 15 North, Range 1 East, and the Northeast Quarter of Section 5, Township 14 North, Range 1 East of the Second Principal Meridian, in Liberty and Guilford Townships, Hendricks County, Indiana, described as follows:

BEGINNING at the southeast corner of said Northwest Quarter of Section 33; thence South 88 degrees 25 minutes 32 seconds West along the south line thereof 2675.25 feet to the east 15-foot right of way line of County Road 500 East; thence South 00 degrees 33 minutes 08 seconds East along said right of way line 230.10 feet; thence North 88 degrees 25 minutes 38 seconds East 15.00 feet to the east 30-foot right of way line; thence South 00 degrees 33 minutes 08 seconds East along said right of way line 89.00 feet; thence South 88 degrees 25 minutes 38 seconds West 15.00 feet to said east 15-foot right of way line; thence South 00 degrees 33 minutes 08 seconds East along said right of way line 132.86 feet; thence North 89 degrees 39 minutes 09 seconds East 15.00 feet to the east 30-foot right of way line; thence South 00 degrees 33 minutes 08 seconds East along said right of way line 234.58 feet; thence South 89 degrees 22 minutes 01 second West 15.00 feet to said east 15-foot right of way line; thence South 00 degrees 33 minutes 08 seconds East along said right of way line and its southerly extension 1310.76 feet to the south right of way line of U.S. Highway 40 ; thence South 65 degrees 48 minutes 45 seconds West along said right of way line 1867.34 feet to the beginning of a tangent curve to the right having a radius of 7257.98 feet and a central angle of 01 degree 09 minutes 26 seconds; thence southwesterly along said right of way line and the arc of said curve 146.59 feet; thence South 67 degrees 51 minutes 49 seconds West along said right of way line 405.48 feet; thence South 65 degrees 20 minutes 46 seconds West 204.08 feet to a point on said south right of way line; thence South 75 degrees 47 minutes 00 seconds West along said right of way line 306.59 feet to the west line of said Northeast Quarter of Section 5; thence North 00 degrees 31 minutes 08 seconds West along said west line and the west line of said Southeast Quarter of Section 32 a distance of 1743.68 feet; thence North 88 degrees 30 minutes 08 seconds East 198.00 feet; thence North 00 degrees 31 minutes 08 seconds West 1320.00 feet to the south line of said Northeast Quarter of Section 32; thence South 88 degrees 30 minutes 08 seconds West along said south 198.00 feet to the southwest corner of said Northeast Quarter; thence North 00 degrees 48 minutes 41 seconds West along the west line thereof 1610.16 feet to the centerline of the former right of way line of the Consolidated Rail Corporation railroad; thence North 74 degrees 50 minutes 40 seconds East along said centerline 2771.65 feet to the west 15-foot right of way line of County Road 500 East; thence North 00 degrees 33 minutes 28 seconds West along said right of way line 2.29 feet to the centerline of said former railroad; thence North 74 degrees 55 minutes 20 seconds East along said centerline 2414.46 feet; thence North 75 degrees 01 minute 54 seconds East along said centerline 374.27 feet to the east line of the Southwest Quarter of said Section 28; thence South 00 degrees 54 minutes 17 seconds East along said east line 241.90 feet to the northeast corner of the Northwest Quarter of said Section 33; thence South 00 degrees 38 minutes 00 seconds East along the east line thereof 2675.70 feet to the POINT OF BEGINNING, containing 433.19 acres, more or less.