

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 05-2006

**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 Plainfield community; and

WHEREAS, owners of certain land located 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 882 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, at least (a) 51 percent of the owners of land in the Territory or (b) the owners of 75 percent of the total assessed value of land in the Territory for property tax purposes have requested this Ordinance annexing the Territory; and

WHEREAS, maps 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 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 and given in accordance with 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 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. 1.

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, paragraphs, sentences, clauses and phrases of this Ordinance are separable, and if any section, 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, paragraphs, sentences, clause and phrases of this Ordinance.

Section 4. This Ordinance shall become effective as provided in the Act, which effective date is at least 90 days after publication and upon filings required by Section 22(a) of the Act.

* * *

SAID ORDINANCE is hereby passed and adopted this ____ day of _____, 2006.

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

Robin G. Brandgard, President

Kent McPhail

Bill Kirchoff

Daniel W. Fivecoat

Edmond L. Gaddie, Jr.

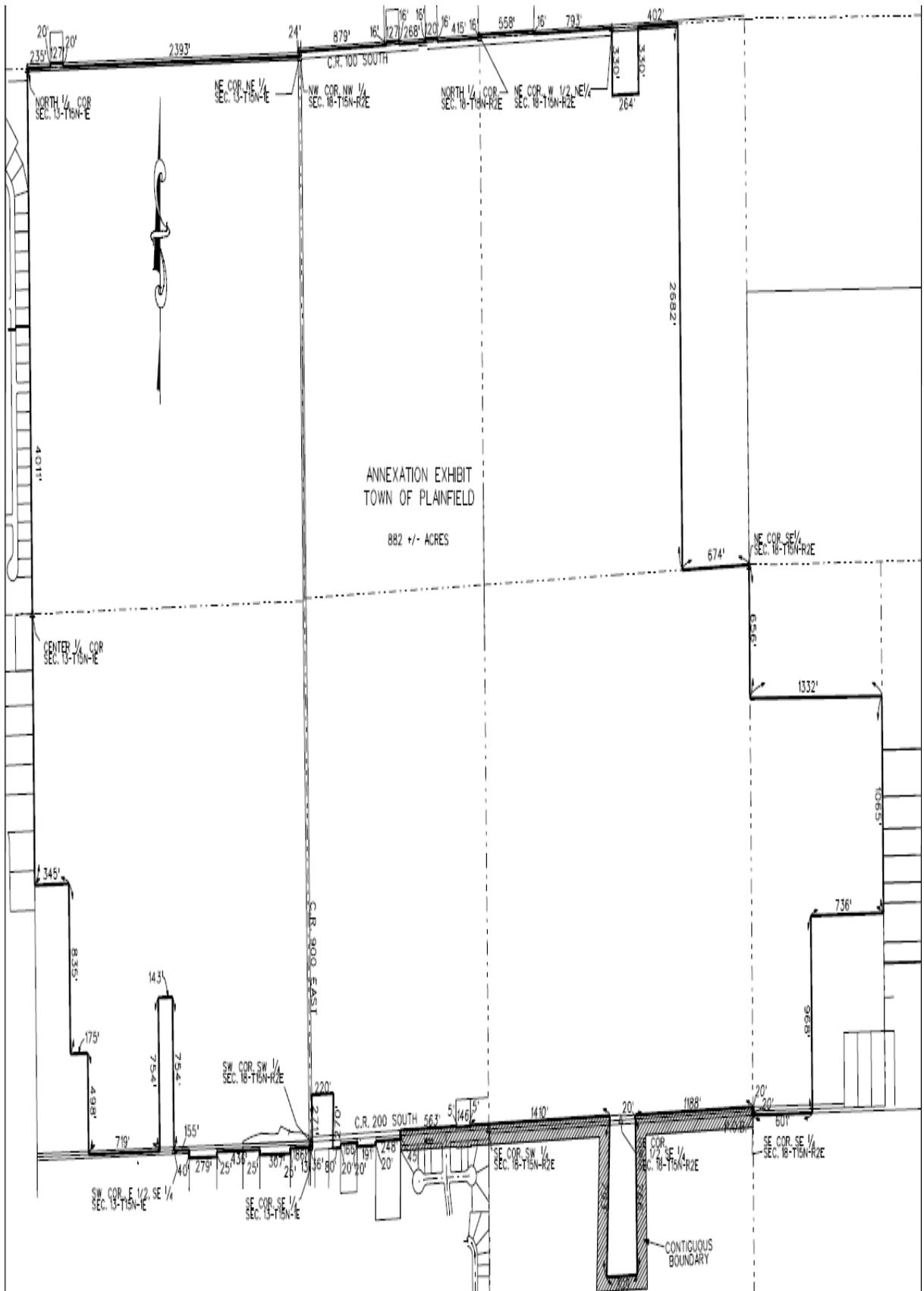
Constituting a majority of the members of the Town Council

ATTESTED BY:

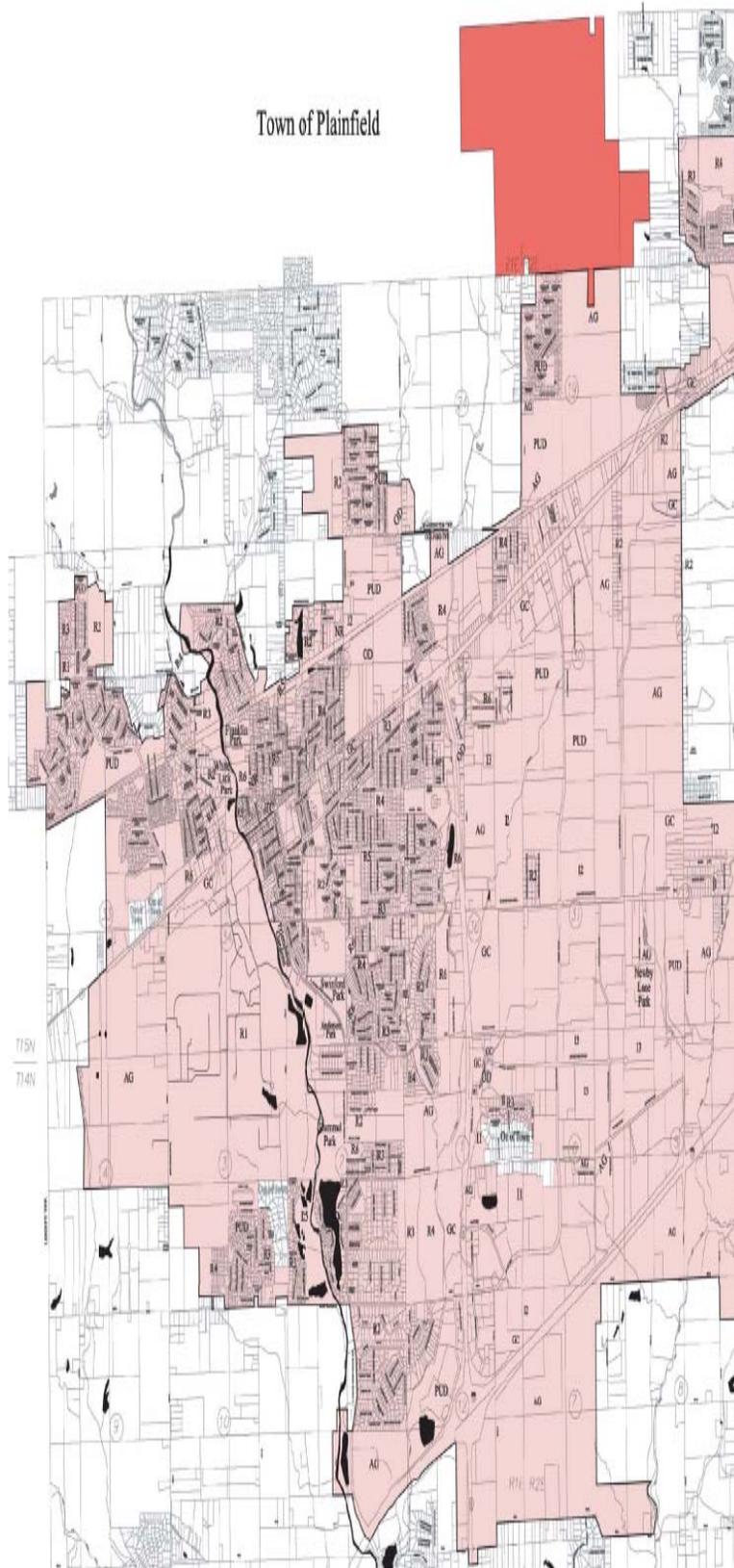
Wesley R. Bennett, Clerk-Treasurer,
Town of Plainfield, Hendricks County,
State of Indiana

EXHIBIT A

MAPS DESCRIBING BOUNDARIES OF THE TERRITORY



Town of Plainfield



CentraLogistics
Park



LEGEND

-  **"TERRITORY"**
(LAND TO BE ANNEXED)
-  **PRESENT CORPORATE**
BOUNDARIES FOR THE
TOWN OF PLAINFIELD



EXHIBIT B

LEGAL DESCRIPTION OF THE TERRITORY

CentralLogistics Annexation

That portion of Sections 12, 13 and 24, Township 15 North, Range 1 East, and Sections 7, 17, 18, 19 and 20, Township 15 North, Range 2 East, of the Second Principal Meridian, Hendricks County, Indiana, described as follows:

BEGINNING at the southeast corner of the Southeast Quarter of said Section 18, thence north along the east line thereof 20 feet to the north right of way line of County Road 200 South; thence west along said line 1188 feet to the northerly extension of the east line of the land of Clossey; thence south along said extension 20 feet to the northeast corner of the land of Clossey (the following three (3) calls are along the east, south, and west lines thereof): 1) thence south 766 feet; 2) thence west 309 feet; 3) thence north along the west line of said land and its northerly extension 793 feet to said north right of way line; thence west along said line 1410 feet to the east line of the land of Napier; thence south along said line 5 feet to said right of way line; thence west along said line 146 feet to the west line of said land; thence north along said line 5 feet to said right of way line; thence west along said line 563 feet to the northerly extension of the east line of the land of Hinton; thence south along said northerly extension and said line 45 feet to the south right of way line of County Road 200 South; thence West along said line 248 feet to the east line of Lot 6 of Minor Plat No. 141; thence South along said line 20 feet to said right of way line; thence west along said line 191 feet to the east line of the land of Thompson; thence North along said line 20 feet to said right of way line; thence West along said line 166 feet to the east line of Lot 5 in said Minor Plat No. 141; thence south along said east line 20 feet to said right of way line; thence west along said line 80 feet to the intersection of said line and the southerly extension of the east line of the land of Deckard; thence North along said southerly extension and east line 270 feet to the northeast corner of said land; thence west along the north line thereof 220 feet to the east right of way line of County Road 900 East; thence south along said line and its southerly extension 271 feet to the intersection of said line and the westerly extension of the south right of way line of County Road 200 South; thence west along said westerly extension 36 feet to the west right of way line of County Road 900 East; thence north along said line 13 feet to the south right of way line of County Road 200 South; thence west along said line 186 feet to the east line of Gray's Addition, Lot 1; thence south along said line 25 feet to said south right of way line; thence west along said line 307 feet to the east line of the land of Doyle; thence north along said line 25 feet to said right of way line; thence west along said line 436 feet to the east line of Minor Plat No. 9; thence south along said line 25 feet to said right of way line; thence west along said line 279 feet to the east line of Cedar Run Investments; thence north along said line 40 feet to the south line of the east half of the Southeast Quarter of said Section 13; thence west along said line 155 feet to the southwest corner of the east half of the Southeast Quarter of said Section and the east line of the land of Larkin (the following three (3) courses are along the east, north, and west lines thereof): 1) thence north 754 feet; 2) thence west 143 feet; 3) thence south 754 feet to the south line of the west half of the Southwest Quarter of said Section; thence west along said line 719 feet to the east line of Lot 1 of Minor Plat No. 205; thence north along said line 498 feet; thence west along the north line thereof 175 feet to the east line of the land of Foust; thence north along said line 835 feet; thence west along the north line thereof 345 feet to the north/south centerline of said Section 13; thence north along said line 4011 feet to the north Quarter corner of said Section 13; thence east along the north line thereof 235 feet to the west line of the land of Putterbaugh; thence north along said line 20 feet to the north right of way line of County Road 100 South; thence east along said line 127 feet to the east line of said land of Putterbaugh; thence south along said line 20 feet to the north line of said Section 13; thence east along said line 2393 feet to the west line of the Northwest Quarter of said Section 18; thence north along said line 24 feet to the northwest corner of said Northwest Quarter; thence east along the north line thereof 879 feet to the west line of the land of Tauer; thence north along said line 16 feet to said right of way line; thence east along said line 127 feet to the east line of said land; thence south along said line 16 feet to the north line of said Section 18; thence east along said line 268 feet to the west line of the land of Carlson; thence north along said line 16 feet to said right of way line; thence east along said line 120 feet to the east line of said land; thence south along said line 16 feet to the north line of said Section 18; thence east along said line 415 feet to the west line of the land of Schaffer; thence north along the west line thereof 16 feet to said right of way line; thence east along said line 558 feet to the east line of said land; thence south along said line 16 feet to the north line of said Section 18; thence east along said line 793 feet to the northeast corner of the west half of said Northeast Quarter and the northwest corner of the land of New Faith Bible Church (the following three (3) courses are along the west, south, and east lines thereof): 1) thence south 330 feet; 2) thence east 264 feet; 3) thence north 330 feet to the north line of the east half of said Northeast Quarter; thence east along said line 402 feet to the northwest corner of the land of Kappeli; thence south along the west line thereof 2682 feet; thence east along the south line thereof 674 feet to the northeast corner of the Southeast Quarter of said Section and the west line of the land of Lazaro (the following three (3) courses are along the west and south lines thereof): 1) thence south 656 feet; 2) thence east 1332 feet; 3) thence south along the eastmost west line of said land and its southerly extension 1065 feet to the northeast corner of the land of Lockey; thence west along the north line thereof 736 feet to the northwest corner of said land; thence south along the west line thereof and its southerly extension 968 feet to the south right of way line of County Road 200 South; thence west along said line 601 feet to the east line of the Northeast Quarter of Section 19; thence north along said line 20 feet to the POINT OF BEGINNING, containing 882 acres, more or less.

The above land 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.