

DULY ENTERED
FOR TAXATION

FEB 01 2007

Nancy A. Marsh
AUDITOR HENDRICKS COUNTY

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 30-2006

Instrument PG 1 of 3
200700002910
200700002910
Filed for Record in
HENDRICKS COUNTY IN
PAUL T HARDIN
02-01-2007 At 11:58 am.
ORDINANCE 21.00

**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 east 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 127.0 acres, is situated outside of, but contiguous to, the Town; that is, at least one-eighth (1/8) 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. 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, 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.

* * *

"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

EXHIBIT A

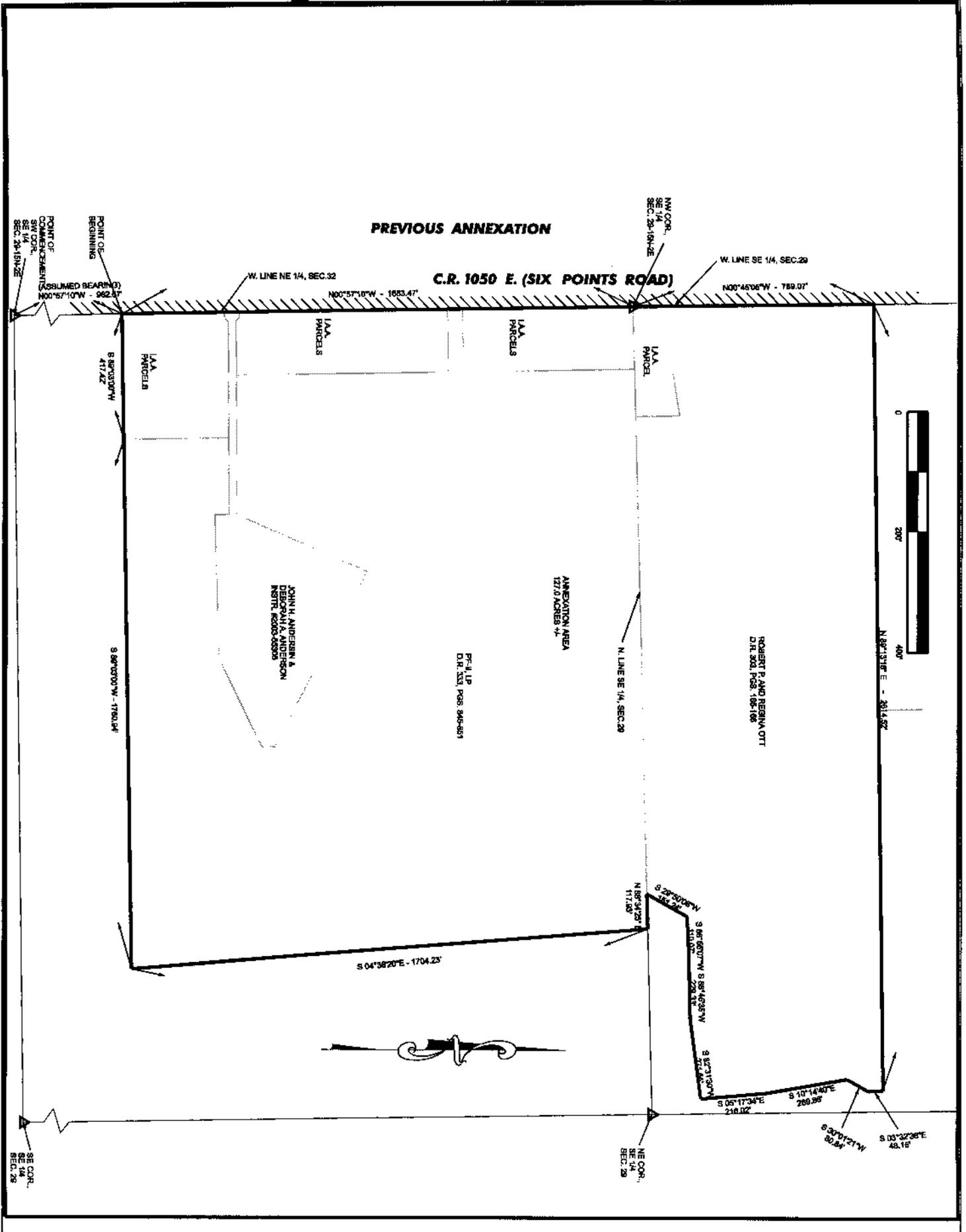


EXHIBIT B.ANNEXATION DESCRIPTION

That portion of the Northeast and Southeast Quarters of Section 29 of Township 15 North, Range 2 East of the Second Principal Meridian, Guilford Township, Hendricks County, Indiana, described as follows:

Commencing at the Southwest corner of said Southeast Quarter; thence North 00 degrees 57 minutes 10 seconds West (assumed bearing) along the west line thereof, the centerline of Six Points Road, and also the east line of a previous annexation description 982.67 feet to the southwest corner of Indianapolis Airport Authority land deeded in Instrument #1999-26540 and the **POINT OF BEGINNING** of this annexation description; thence continue along the west line of said land, the east line of said previous annexation, said centerline, and the west line of said northeast quarter section North 00 degree 57 minutes 10 seconds West 1683.47 feet to the southwest corner of said southeast quarter section and the southwest corner of Indianapolis Airport Authority land deeded in deed book 345, pages 244-245; thence North 00 degree 45 minutes 05 seconds West along the west line of said land, the east line of said previous annexation, the west line of the said southeast quarter section, and said centerline 789.07 feet to the intersection of the west line of said northeast quarter section and the extension of the north line of Robert P. and Regina Ott land deeded in deed record 303, pages 165-166; thence North 89 degrees 13 minutes 16 seconds East along the north line of said Ott land 2614.52 feet to the northeast corner of said Ott land and the westerly line of the land of the Indianapolis Airport Authority land in Deed Record 328, Pages 219-220 in said county records (the following eight (8) courses are along said east and south lines of Ott land and said westerly line); 1) thence South 03 degrees 32 minutes 38 seconds East 48.15 feet; 2) thence South 30 degrees 01 minute 21 seconds West 80.84 feet; 3) thence South 10 degrees 14 minutes 40 seconds East 269.86 feet; 4) thence South 05 degrees 17 minutes 34 seconds East 216.02 feet; 5) thence South 82 degrees 31 minutes 30 seconds West 271.55 feet; 6) thence South 88 degrees 45 minutes 35 seconds West 229.33 feet; 7) thence South 86 degrees 55 minutes 07 seconds West 110.07 feet; 8) thence South 29 degrees 50 minutes 08 seconds West 151.24 feet to the north line of land deeded to PF-II, LP as recorded in deed record 333, pages 845-851 in the office of the recorder of said county and the north line of said Southeast quarter section; thence North 88 degrees 34 minutes 25 seconds East along the north line of said quarter section and the north line said PF-II, LP land 117.93 feet to the northeast corner of said PF-II, LP land; thence South 04 degrees 38 minutes 20 seconds East along the east line of said PF-II, LP land 1704.23 feet to the southeast corner of said PF-II, LP land; thence South 89 degrees 03 minutes 00 seconds West along south line of said PF-II, LP land 1760.94 feet; thence South 89 degrees 03 minutes 00 seconds West 417.42 feet to the **POINT OF BEGINNING**, containing 127.0 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.

THIS ORDINANCE is hereby passed and adopted this 17th 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

PUBLISHED:
Hendricks County Flyer SEP 14 2006
Hendricks County Flyer SEP 21 2006

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