

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 13-2006

**AN ORDINANCE ADOPTING AND APPROVING THE ZONING FOR
THE NORTHWEST PLAINFIELD ANNEXATION AREA,
AMENDING THE PLAINFIELD ZONING ORDINANCE ACCORDINGLY AND
RELATED MATTERS IN CONNECTION WITH SUCH
ANNEXATION AND ZONING**

WHEREAS, the owners of certain land located immediately north of the Town of Plainfield, Indiana (the "Town"), in Washington Township of Hendricks County, Indiana, petitioned the Town Council of the Town (the "Town Council"), to annex territory containing such land (collectively, the "Territory") into the Town; and

WHEREAS, all the owners of land in the Territory requested an Ordinance annexing the Territory into the Town (the "Annexation Ordinance"); and

WHEREAS, a map showing the boundaries of the Territory, including any public right-of-way, is attached to and incorporated into the Annexation Ordinance as Exhibit A, and a legal description of the Territory is attached to and incorporated into the Annexation Ordinance as Exhibit B; and

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

WHEREAS, property owners who own at least 50 percent of the Territory have requested that a portion of the Territory be zoned to the I-2: Office/Warehouse/Distribution Industrial District upon annexation to the Town, and a portion of the Territory be zoned to the R-4: Medium Density Residential District upon annexation to the Town, and the Town's Plan Commission, following a public hearing on the proposal, certified the property owners' proposal to the Town Council with a favorable recommendation; and

WHEREAS, in connection with, and as an integral part of, such annexation, the Town Council desires to accept such favorable recommendation and provide that a portion of the Territory be zoned to the I-2: Office/Warehouse/Distribution Industrial District upon annexation to the Town and a portion of the Territory be zoned to the R-4: Medium Density Residential District upon annexation to the Town, as provided in, and subject to, this Ordinance; and

WHEREAS, having paid reasonable regard for the Town's comprehensive plan, current conditions and the character of current structures and uses in the Territory, the most desirable use for which the Territory is adapted; the conservation of property values throughout the jurisdiction, and responsible development and growth, the Town Council finds that the annexation of the Territory pursuant to the terms and conditions of the Annexation Ordinance and the zoning of the Territory pursuant to this Ordinance are in the best interests of all the

owners of land in the Territory and to the citizens of Plainfield, 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. (a) Pursuant to Docket RZ-06-003, the portion of the Territory annexed by the Annexation Ordinance which is described on Schedule I attached to and incorporated into this Ordinance by this reference shall be zoned to the I-2: Office/Warehouse/Distribution Industrial District, and the Town's zoning map shall be (and is) changed accordingly.

(b) Pursuant to Docket RZ-06-004, the portion of the Territory annexed by the Annexation Ordinance which is described on Schedule II attached to and incorporated into this Ordinance by this reference shall be zoned to the R-4: Medium Density Residential District, and the Town's zoning map shall be (and is) changed accordingly.

Section 2. The Plan Commission is directed to update the zone maps in accordance with the applicable provisions of Indiana Code 36-7-4.

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.

* * *

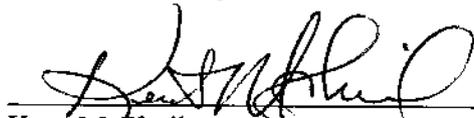
Section 4. This Ordinance shall become effective upon (and at the same time as) the effective date of the Annexation Ordinance..

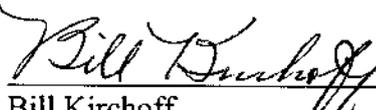
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THIS ORDINANCE is hereby passed and adopted this 22 day of May, 2006.

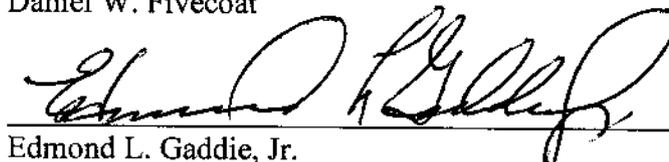
TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, STATE OF INDIANA


Robin G. Brandgard, President


Kent McPhail

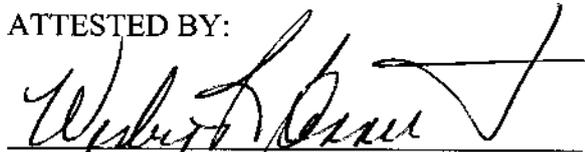

Bill Kirchoff


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

PUBLISHED:
Hendricks County Flyer MAY 25 2006
Hendricks County Flyer ~~JUN 01 2006~~

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

Exhibit A

LEGAL DESCRIPTION OF THE TERRITORY

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 1143 feet to the east line of the land of Barga (the following three (3) courses are along the east, north, and west lines thereof); 1) thence north 220 feet; 2) thence west 180 feet; 3) thence south 220 feet to said north right of way line; thence east along said line 135 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) courses 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 1226 feet to the east line of the Southwest Quarter of said section; thence north along said line 130 feet to the northeast corner of the land of Damron; thence west along the north line thereof and its westerly extension 330 feet to the northwest corner of the land of Napier; thence south along the west line thereof 130 feet to said north 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 Kappel; 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 Lackey; 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 880 acres, more or less.

EXCEPTION 1: Thirty (30) acres of even width off of and across the entire north side of the Southwest Quarter of said Section 18.

EXCEPTION 2: The land of Robert L. Dodson and Wanda J. Dodson as described in Deed Record 244, Page 510 in the Office of the Recorder of Hendricks County, Indiana, said land being a part of the Northwest Fractional Quarter of Section 18, Township 15 North, Range 2 East, Hendricks County, Indiana, more particularly described as follows, to-wit: Beginning at a point in the west line of said quarter section at a point 977.625 feet south of the northwest corner of said quarter section; thence east and parallel with the north line of said quarter section 522 feet to a point; thence south and parallel with the west line of said quarter section 417.2 feet to a point; thence west and parallel with the north line of said quarter section 522 feet to a point in the west line of said quarter section; thence north upon and along the west line of said quarter section 417.2 feet to the place of beginning, containing five (5) acres, more or less.

Schedule I

That portion of the East Half of Section 13, Township 15 North, Range 1 East and Sections 18 and 17, Township 15 North, Range 2 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana, described as follows:

BEGINNING at the northwest corner of the Northeast Quarter of said Section 13; thence North 88 degrees 47 minutes 37 seconds East along the north line thereof 2754.35 feet to the northeast corner of said Northeast Quarter; thence North 01 degree 05 minutes 13 seconds West 23.88 feet to the northwest corner of the Northwest Quarter of said Section 18; thence North 87 degrees 52 minutes 42 seconds East along the north line thereof 1819.47 feet to the northwest corner of the Northeast Quarter of said Section 18; thence North 87 degrees 59 minutes 04 seconds East along the north line thereof 1339.69 feet to the northwest corner of the East Half of said Northeast Quarter; thence South 01 degree 00 minutes 39 seconds East along the west line thereof 330.00 feet to the southwest corner of the land of New Faith Bible Church as described in Instrument Number 2002-27889 in the Office of the Recorder of said county; thence North 87 degrees 59 minutes 04 seconds East parallel with said north line 264.00 feet to the southeast corner of said land; thence North 01 degree 00 minutes 39 seconds West parallel with said west line 330.00 feet to the northeast corner of said land and the north line of said Northeast Quarter; thence North 87 degrees 59 minutes 04 seconds East along said north line 401.99 feet to the northeast corner of a parcel of land of Keeler, et. al., as described in Deed Record 348, Pages 749-752 in said county records; thence South 01 degree 00 minutes 39 seconds East along the east line of said land 2681.72 feet to the south line of said Northeast Quarter; thence North 87 degrees 55 minutes 08 seconds East along said south line 674.39 feet to the northeast corner of the Southeast Quarter of said Section 18; thence South 00 degrees 50 minutes 43 seconds East along the east line thereof 655.69 feet to the north line of the land of Record as described in Deed Record 209, Page 210 in said county records (the following four (4) courses are along the north and east lines of said land); 1) thence North 89 degrees 29 minutes 51 seconds East along said north line 1332.48 feet to the east line of the West Half of the Southwest Quarter of said Section 17; 2) thence South 00 degrees 57 minutes 28 seconds East along the said east line 1064.50 feet; 3) thence South 88 degrees 57 minutes 12 seconds West 735.66 feet; 4) thence South 00 degrees 57 minutes 28 seconds East 948.00 feet to the south line of said Southwest Quarter of Section 17; thence South 88 degrees 57 minutes 12 seconds West along said south line 600.76 feet to the southeast corner of the Southeast Quarter of said Section 18; thence South 88 degrees 06 minutes 13 seconds West along the south line thereof 2672.45 feet to the southeast corner of the Southwest Quarter of said Section 18; thence North 01 degree 01 minute 13 seconds West along the east line thereof 155.00 feet to the northeast corner of the land of Damron as described in Deed Record 351, Page 800 in said county records; thence South 88 degrees 00 minutes 28 seconds West parallel with the south line of said Southwest Quarter 330.05 feet to the northwest corner of the land of Napier as described in Instrument Number 2001-25456 in said county records; thence South 01 degree 01 minute 13 seconds East along the west line thereof and parallel with said east line 155.00 feet to said south line of the Southwest Quarter; thence South 88 degrees 00 minutes 28 seconds West along said south line 1247.04 feet to the southeast corner of the land of Deckard and McKinney as described in Instrument Number 2004-9012 in said county records; thence North 01 degree 27 minutes 00 seconds East 229.84 feet to the northeast corner of said land; thence South 88 degrees

22 minutes 40 seconds West 235.33 feet to the northwest corner of said land and the east line of the Southeast Quarter of said Section 13; thence South 01 degree 21 minutes 06 seconds East along said east line 243.40 feet to the southeast corner of said Southeast Quarter; thence South 88 degrees 43 minutes 15 seconds West along the south line thereof 1383.31 feet to the southeast corner of the West Half of said Southeast Quarter; thence North 01 degree 12 minutes 16 seconds West along the east line thereof 2667.23 feet to the south line of the Northeast Quarter of said Section 13; thence South 88 degrees 41 minutes 00 seconds West along said south line 1376.46 feet to the southwest corner of said Northeast Quarter; thence North 01 degree 05 minutes 16 seconds West along the west line thereof 2677.45 feet to the POINT OF BEGINNING, containing 805.87 acres, more or less.

EXCEPT: Thirty (30) acres of even width off of and across the entire north side of the Southwest Quarter of said Section 18.

The above land description was prepared for zoning purposes only and shall not be used for the transfer of title.

ALSO EXCEPT:

The land of Robert L. Dodson and Wanda J. Dodson as described in Deed Record 244, Page 510 in the Office of the Recorder of Hendricks County, Indiana, said land being a part of the Northwest Fractional Quarter of Section 18, Township 15 North, Range 2 East, Hendricks County, Indiana, more particularly described as follows, to-wit: Beginning at a point in the west line of said quarter section at a point 977.625 feet south of the northwest corner of said quarter section; thence east and parallel with the north line of said quarter section 522 feet to a point; thence south and parallel with the west line of said quarter section 417.2 feet to a point; thence west and parallel with the north line of said quarter section 522 feet to a point in the west line of said quarter section; thence north upon and along the west line of said quarter section 417.2 feet to the place of beginning, containing 5 acres, more or less.

Schedule II

That portion of the West Half of the Southeast Quarter of Section 13, Township 15 North, Range 1 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana, described as follows:

BEGINNING at the northwest corner of said Southeast Quarter; thence North 88 degrees 41 minutes 00 seconds East 1376.46 feet to the northeast corner of said West Half of the Southeast Quarter; thence South 01 degree 12 minutes 16 seconds East along the east line thereof 1913.23 feet; thence South 88 degrees 43 minutes 15 seconds West parallel with the south line of said Southeast Quarter 143.00 feet; thence South 01 degree 12 minutes 16 seconds East 754.00 feet to said south line; thence South 88 degrees 43 minutes 15 seconds West along said south line 719.48 feet; thence North 01 degree 05 minutes 39 seconds West 497.82 feet; thence South 88 degrees 43 minutes 15 seconds West 175.00 feet; thence North 01 degree 05 minutes 39 seconds West 835.46 feet; thence South 88 degrees 42 minutes 08 seconds West 344.97 feet to the west line of said Southeast Quarter; thence North 01 degree 03 minutes 26 seconds West along said west line 1333.17 feet to the POINT OF BEGINNING, containing 69.43 acres, more or less.