

DULY ENTERED
FOR TAXATION

JAN 11 2007

06-2-08-42E 200-008
PLAINFIELD TOWN COUNCIL

200700000892
Filed for Record in
HENDRICKS COUNTY IN
PAUL T HARDIN
01-11-2007 At 08:21 am.
ORDINANCE 23.00

Nancy A. Maish
AUDITOR HENDRICKS COUNTY

ORDINANCE NO. 24-2006

**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 southeast 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 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
, 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

EXHIBIT B

Annexation Description:

A part of the Northeast Quarter and the East Half of the Northwest Quarter of Section 8, Township 14 North, Range 2 East of the 2nd principal Meridian, Guilford Township, Hendricks County, Indiana described as follows:

Commencing at the southeast corner of the Northeast Quarter, on the east Hendricks County line; thence North 00 degrees 06 minutes 22 seconds East (assumed bearing) along the east line of said Northeast Quarter and the east Hendricks County line 1209.54 feet to the **Point of Beginning** in the center of Flynn Creek, the following 4 courses along said creek: (1) thence South 66 degrees 41 minutes 16 seconds West 48.65 feet; (2) thence North 76 degrees 38 minutes 43 seconds West 39.10 feet; (3) thence South 77 degrees 12 minutes 26 seconds West 50.98 feet; (4) thence South 52 degrees 09 minutes 57 seconds West 49.14 feet; thence South 88 degrees 44 minutes 17 seconds West 2068.38 feet; thence North 16 degrees 54 minutes 02 seconds West 80.00 feet; thence South 88 degrees 44 minutes 17 seconds West 95.06 feet; thence South 40 degrees 20 minutes 01 seconds West 108.47 feet; thence South 16 degrees 09 minutes 57 seconds West 112.43 feet; thence South 35 degrees 53 minutes 44 seconds West 163.06 feet; thence South 09 degrees 54 minutes 06 seconds West 88.48 feet; thence South 88 degrees 44 minutes 17 seconds West 244.94 feet; thence North 56 degrees 17 minutes 08 seconds West 32.02 feet; thence North 82 degrees 14 minutes 00 seconds West 52.78 feet; thence South 74 degrees 43 minutes 47 seconds West 20.83 feet; thence South 34 degrees 46 minutes 21 seconds West 62.68 feet; thence South 36 degrees 31 minutes 45 seconds West 48.26 feet; thence South 76 degrees 22 minutes 39 seconds West 33.48 feet; thence North 84 degrees 26 minutes 58 seconds West 43.91 feet; thence North 74 degrees 00 minutes 18 seconds West 71.84 feet; thence North 84 degrees 29 minutes 44 seconds West 190.25 feet to the center of the East Fork of the White Lick Creek, the following 14 courses are along said center of creek; (1) thence North 31 degrees 44 minutes 51 seconds East 84.44 feet; (2) thence North 48 degrees 25 minutes 41 seconds East 168.28 feet, (3) thence North 12 degrees 24 minutes 18 seconds East 135.16 feet; (4) thence North 00 degrees 13 minutes 39 seconds East 221.04 feet; (5) thence North 38 degrees 29 minutes 40 seconds East 181.53 feet; (6) thence North 52 degrees 56 minutes 41 seconds East 171.66 feet; (7) thence North 12 degrees 37 minutes 43 seconds West 243.19 feet; (8) thence North 04 degrees 01 minutes 16 seconds East 142.30 feet; (9) thence North 43 degrees 57 minutes 57 seconds East 84.57 feet; (10) thence North 62 degrees 01 minutes 32 seconds East 218.86 feet; (11) thence North 33 degrees 40 minutes 18 seconds East 138.28 feet; (12) thence North 03 degrees 37 minutes 29 seconds East 227.99 feet; (13) thence North 23 degrees 58 minutes 56 seconds East 85.34 feet; (14) thence North 01 degrees 49 minutes 57 seconds West 110.86 feet to the south right-of-way line of County Road 600 South and to a point on the south line of a previous annexation description; thence North 88 degrees 50 minutes 36 seconds East along said south right-of-way line and along said previous annexation description 1460.15 feet to the west line right-of-way line of County Road 1075 East; thence South 00 degrees 08 minutes 39 seconds East along said right-of-way line and previous annexation description 900.71 feet (900.53 feet previous annexation description distance); thence North 88 degrees 47 minutes 17 seconds East along the previous

annexation description 1070.64 feet (1070.83 feet previous annexation description distance) to the east line of said Northeast Quarter and the east Hendricks County line; thence South 00 degrees 06 minutes 22 seconds West along said east line of said quarter section and the east Hendricks County line 533.12 feet to the **Point of Beginning**, containing 78.72 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.