

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 36-2009

**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, Six Points Road Developers, LLC and Indianapolis International Airport are owners of land generally situated on east side of Ronald Reagan Parkway approximate three-quarters of a mile north of the intersection of Stafford Road and Ronald Reagan Pwy (the "Land").

WHEREAS, the Land and contiguous areas the Town is required by the Act to annex in connection with the annexation of the Land, including public highway rights-of-way, are referred to collectively as the "Territory"; and

WHEREAS, the Territory is contiguous to the Town; that is, at least one-fourth 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, map(s) describing the boundaries of the Territory 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 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. The foregoing recitals (or "whereas clauses") are findings of fact by the Town Council and are incorporated into this Ordinance by this reference.

Section 4. 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 5. 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.

* * * * *


2010
~~2009~~

THIS ORDINANCE is hereby passed and adopted this 17th January day of ~~December~~,

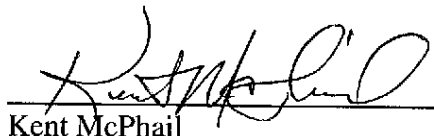
TOWN COUNCIL, TOWN OF PLAINFIELD,
HENDRICKS COUNTY, STATE OF INDIANA



Robin G. Brandgard, President



Bill Kirchoff



Kent McPhail

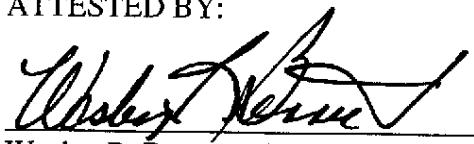
Edmund L. Gaddie, Jr.



Renea S. Whicker

Constituting a majority of the members of the Town
Council

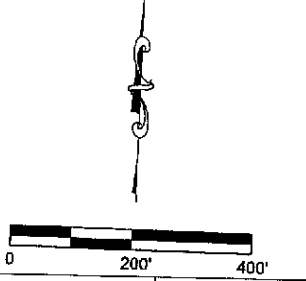
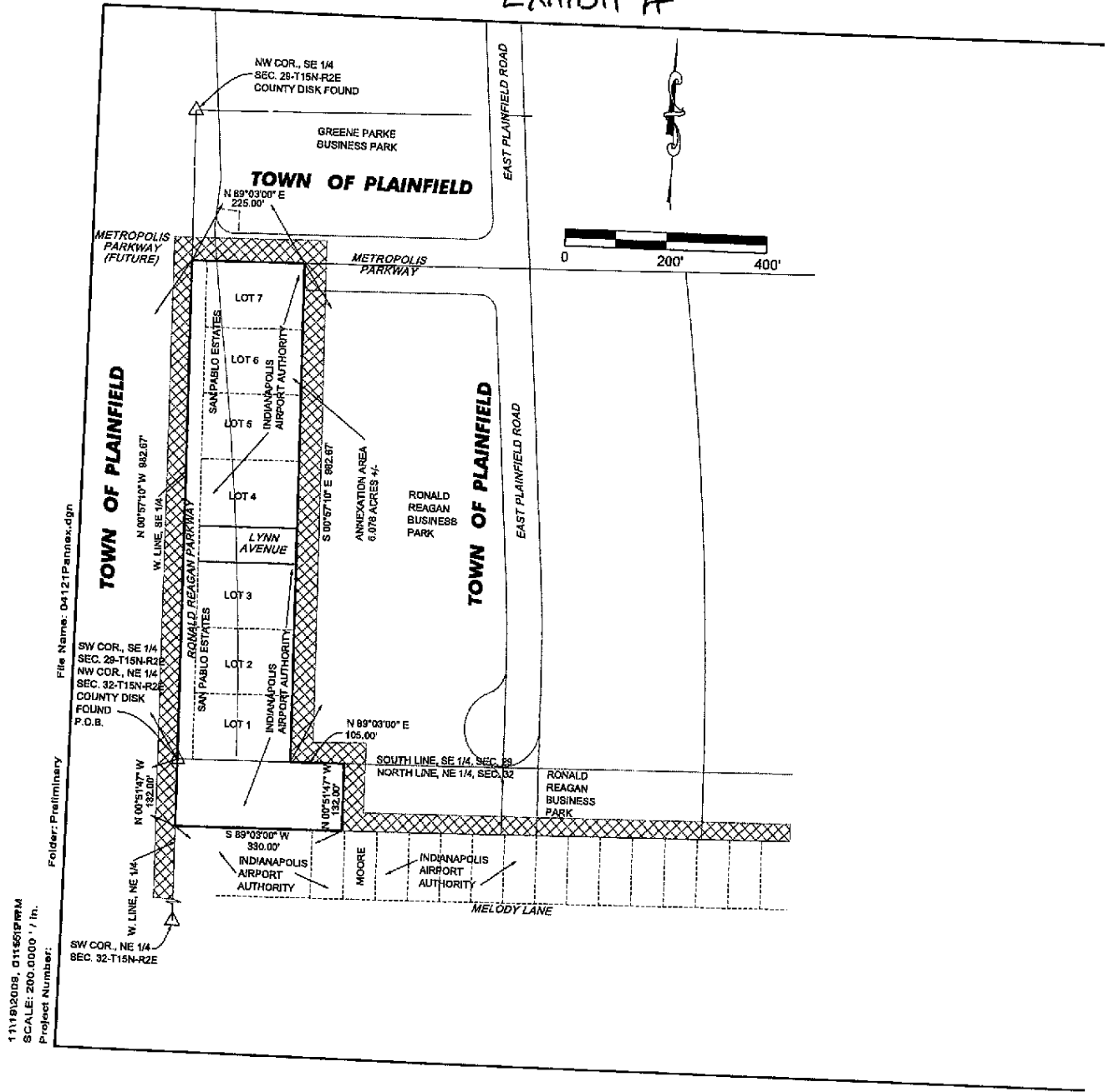
ATTESTED BY:



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

PUBLISHED: JAN 16 2010
Hendricks County Flyer
Hendricks County Flyer JAN 20 2010

EXHIBIT A



File Name: 04121Pannex.dgn
 Folder: Preliminary
 11/19/2009, 011551P7PM
 SCALE: 200.0000' / in.
 Project Number:

SW COR., SE 1/4
 SEC. 29-T15N-R2E
 NW COR., NE 1/4
 SEC. 32-T15N-R2E
 COUNTY DISK
 FOUND
 P.O.B.
 W. LINE, NE 1/4
 N 00°51'17" W
 132.00'
 W. LINE, NE 1/4
 N 00°57'10" W
 882.87'
 SW COR., NE 1/4
 SEC. 32-T15N-R2E

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

MOORE

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

INDIANAPOLIS
 AIRPORT
 AUTHORITY

EXHIBIT B

ANNEXATION DESCRIPTION

A part of the Southeast Quarter and a part of the Northeast Quarter both in Township 15 North, Range 2 East of the Second Principal Meridian, Hendricks County, Indiana, being more particularly described as follows, to-wit:

Beginning at the Southwest corner of said Southeast Quarter said point also being the Northwest Corner of said Northeast Quarter and the Southwest corner of San Pablo Estates as recorded in Plat Book 8, Pages 1 & 1A in the Office of the Recorder of Hendricks County the next three (3) calls being along the west, north and east lines of said subdivision ; 1) thence North 00 degrees 57 minutes 10 seconds West (assumed bearing), along the West line of said Southeast Quarter, 982.67 feet; 2) thence North 89 degrees 03 minutes 00 seconds East 225.00 feet to the Northwest corner of Ronald Reagan Business Park – Final Plat recorded as Instrument No. 200907740 in the Office of the Recorder; 3) thence South 00 degrees 57 minutes 10 seconds East, along the West line of said Ronald Reagan Business Park, 982.67 feet; thence North 89 degrees 03 minutes 00 seconds West, along the South line of Ronald Reagan Business Park, 105.00 feet; thence South 00 degrees 51 minutes 47 seconds East, along the West line of Ronald Reagan Business Park, 132.00 feet to the Southwest corner of Ronald Reagan Business Park.; thence South 89 degrees 03 minutes 00 seconds West 330.00 feet to the West line of said Northeast Quarter; thence North 00 degrees 51 minutes 47 seconds West, along said West line, 132.00 feet to the Northwest corner of said Northeast Quarter and the point of Beginning, containing 6.076 acres, more or less.

The above description contains San Pablo Estates, Lots 1 – 7 and the right-of-way for Lynn Avenue as recorded in Plat Book 8, Pages 1 & 1A .

This description is for annexation purposes only. Not intended to be used for transfer of title.