

## ORDINANCE 14-19

### AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

**WHEREAS**, the Westfield City Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by Indiana Code 36-4-3; and,

**WHEREAS**, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in **Exhibit A** and **Exhibit B** (the “Annexation Area”) have filed a petition with the Council; and,

**WHEREAS**, the Council has conducted a public hearing on May 12, 2014, as required by law with regard to the annexation of the Annexation Area; and,

**WHEREAS**, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Indiana Code 36-4-3-3.1 (Resolution 14-1##); and,

**WHEREAS**, the Annexation Area meets the contiguity requirements of Indiana Code 36-4-3-1.5; and,

**WHEREAS**, the Council now finds that the statutory criteria for annexation have been met; and,

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-515 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:**

**Section 1.** The Annexation Area, generally located north of 206<sup>th</sup> Street and east of Oak Ridge Road, and adjacent to the existing corporate limits along the southern boundary of the Annexation Area, is hereby annexed to and declared to be a part of the City.

**Section 2.** The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the annexation area per Indiana Code 36-4-3-2.5.

**Section 3.** The Annexation Area is hereby assigned to City Council District 3 and shall become a part thereof immediately upon the effective date of this Ordinance.

**Section 4.** This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS \_\_\_\_\_ DAY OF JUNE, 2014.

WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA

**Voting For**

**Voting Against**

**Abstain**

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Robert L. Horkay

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Robert L. Horkay

\_\_\_\_\_  
Robert L. Horkay

\_\_\_\_\_  
Charles Lehman

\_\_\_\_\_  
Charles Lehman

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Charles Lehman

\_\_\_\_\_  
Robert J. Smith

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Robert J. Smith

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Robert J. Smith

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Cindy L. Spoljaric

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Cindy L. Spoljaric

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Cindy L. Spoljaric

\_\_\_\_\_  
Robert W. Stokes

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Robert W. Stokes

\_\_\_\_\_  
Robert W. Stokes

ATTEST:

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

I hereby certify that **ORDINANCE 14-19** was delivered to the Mayor of Westfield  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

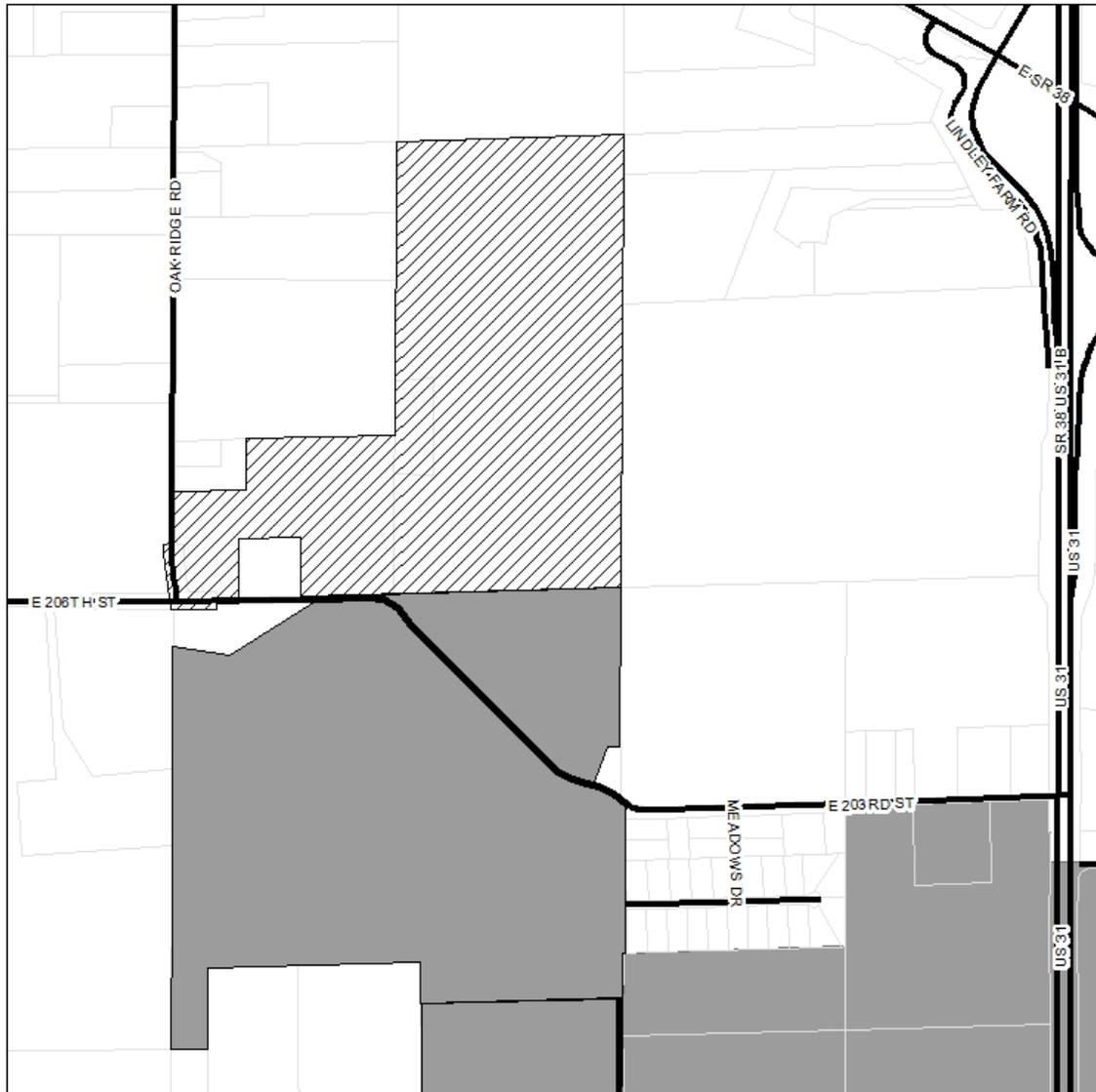
I hereby APPROVE Ordinance 14-19  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO Ordinance 14-19  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
J. Andrew Cook, Mayor

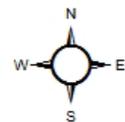
# EXHIBIT A ANNEXATION AREA



Not To Scale

### EXHIBIT LEGEND

- |   |                      |   |         |
|---|----------------------|---|---------|
|  | ANNEXATION AREA      |  | PARCELS |
|  | EXISTING CITY LIMITS |  | STREETS |



**EXHIBIT B**  
**ANNEXATION AREA**  
**LEGAL DESCRIPTION**

This description includes three (3) parcels of land:

**Parcel No. 08-05-13-00-00-027.000**

**Parcel No. 08-05-13-00-00-026.000**

**Parcel No. 08-05-13-00-00-026.001**

Parcel No. 08-05-13-00-00-027.000

Part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 335.44 feet to the northwest corner of the 0.467-acre parcel described in Instrument Number 200100054117, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter 307.26 feet to a point that is 148.13 feet south of the southeast corner of the 1.0-acre parcel described as Parcel II in Instrument Number 9419576, on file in the Office of said Recorder, the following two (2) courses are parallel with the south and east lines of said Parcel II; 1)thence North 88 degrees 25 minutes 07 seconds East 438.53 feet; 2)thence North 00 degrees 11 minutes 12 seconds East 298.13 feet to a point on the north line of Parcel I as described in said Instrument Number 9419576, said point being 148.13 feet east of the northeast corner of said Parcel II, the following two (2) courses are along the north and east lines of said Parcel I; 1)thence North 88 degrees 25 minutes 07 seconds East 873.47 feet; 2)thence South 00 degrees 40 minutes 12 seconds West 930.75 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 545.43 feet to the east line of the 3.00-acre parcel described in Instrument Number 9563173, on file in the Office of said Recorder, the following three (3) courses are along the east, north and west lines thereof; 1)thence North 00 degrees 11 minutes 12 seconds East 344.80 feet; 2)thence South 89 degrees 06 minutes 56 seconds West 363.00 feet; 3)thence South 00 degrees 11 minutes 12 seconds West 352.10 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 141.52 feet to the west line of said 0.467-acre parcel, the following six (6) courses are along the west and north lines thereof; 1)thence North 00 degrees 10 minutes 28 seconds West 44.59 feet; 2)thence South 89 degrees 49 minutes 32 seconds West 165.62 feet; 3)thence North 09 degrees 13 minutes 08 seconds West 95.60 feet to the point of curve of a non tangent curve concave to the east, having a radius of 940.00 feet, the radius point of which bears North 80 degrees 46 minutes 53 seconds East; 4)thence northerly along said curve a distance of 154.30 feet to a point that bears North 89 degrees 48 minutes 49 seconds West from said radius point; 5)thence North 00 degrees 11 minutes 12 seconds East 34.10 feet; 6)thence North 89 degrees 48 minutes 48 seconds West 60.00 feet to the POINT OF BEGINNING. Containing 21.45 acres, more or less.

**ALSO INCLUDING:**

Parcel No. 08-05-13-00-00-026.000

Parcel No. 08-05-13-00-00-026.001

The East Half of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the SE corner of said Southwest Quarter, the following four (4) courses are along the south, west, north and east lines of said East Half; 1)thence South 87 degrees 57 minutes 50 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 1,322.01 feet; 2)thence North 00 degrees 16 minutes 25 seconds East 2,660.92 feet; 3)thence North 88 degrees 15 minutes 49 seconds East 1,325.81 feet; 4)thence South 00 degrees 21 minutes 41 seconds West 2,654.14 feet to the POINT OF BEGINNING. Containing 80.71 acres, more or less.

**ALSO INCLUDING:**

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of East 206<sup>th</sup> Street and Oak Ridge Road.