

## ORDINANCE 14-32

### 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 July 14, 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 14-119); 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 between Shady Nook Road and Grassy Branch Road, south of 186<sup>th</sup> Street, and adjacent to the existing corporate limits along the eastern and southern boundaries 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 All ordinances or parts thereof in conflict herewith are hereby repealed.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 AUGUST, 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

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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

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Robert W. Stokes

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Robert W. Stokes

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

ATTEST:

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

I hereby certify that **ORDINANCE 14-32** was delivered to the Mayor of Westfield  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ m.

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

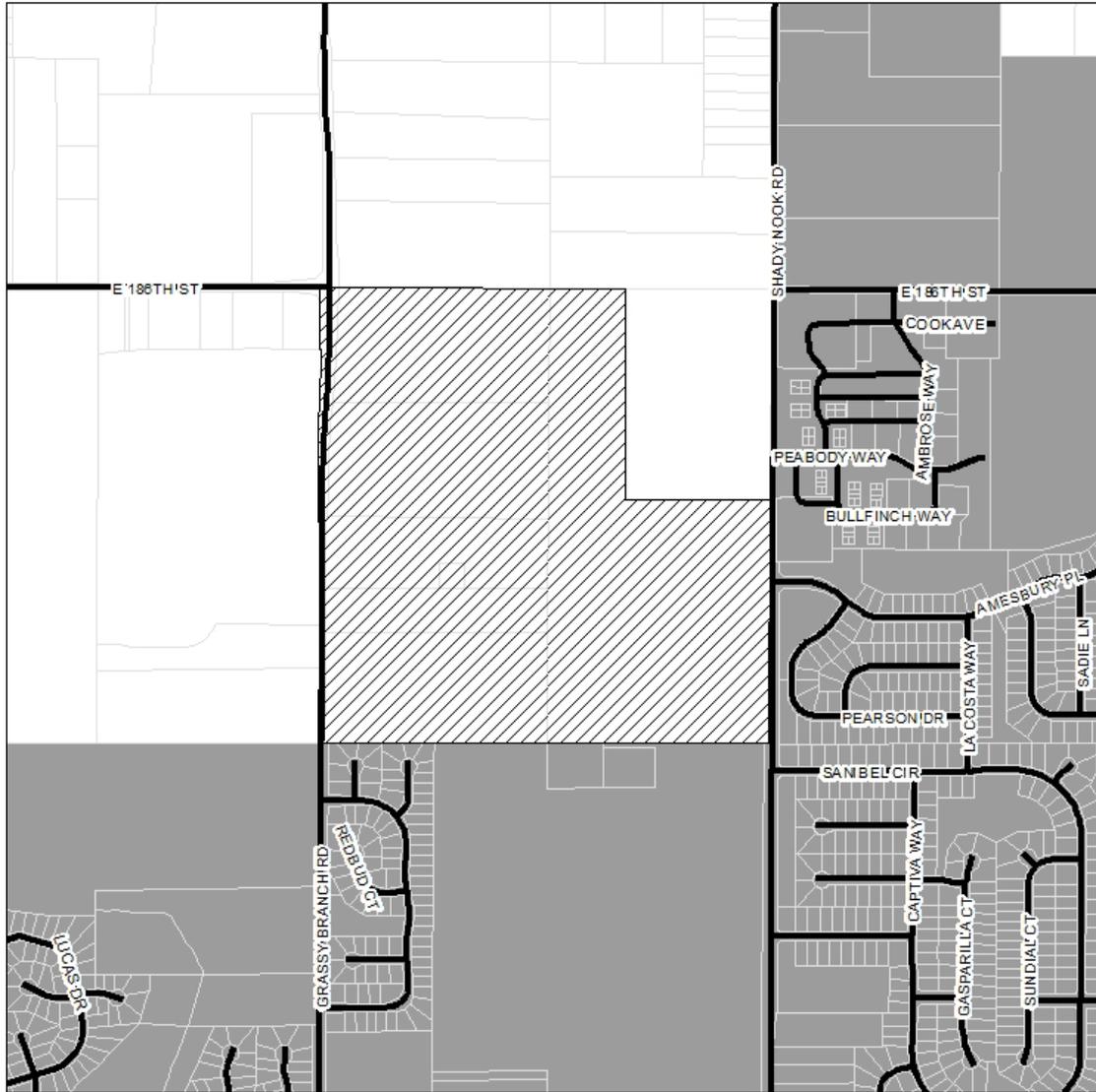
I hereby APPROVE Ordinance 14-32  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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

I hereby VETO Ordinance 14-32  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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

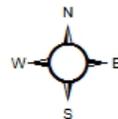
# EXHIBIT A ANNEXATION AREA



**EXHIBIT LEGEND**

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

Not To Scale



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

This description includes seven (7) parcels of land:

**Parcel No. 08-06-32-00-00-001.002**  
**Parcel No. 08-06-32-00-00-001.001**  
**Parcel No. 08-06-32-00-00-001.114**  
**Parcel No. 08-06-32-00-00-001.004**  
**Parcel No. 08-06-32-00-00-001.104**  
**Parcel No. 08-06-32-00-00-001.003**  
**Parcel No. 08-06-32-00-00-002.000** (part of)

Part of the Northwest Quarter of Section 32, Township 19 North, Range 4 East in Washington Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of said Northwest quarter; thence North 89 degrees 53 minutes 48 seconds West 2,647.50 feet along the South line of said Northwest quarter; thence North 00 degrees 19 minutes 07 seconds East 1,281.59 feet along the West line of said Northwest quarter to the Right of Way Taking described in Instrument Numbers 2005-0084246 and 2005-0084247 recorded in the Office of the Recorder of Hamilton County, Indiana by the next seven (7) courses: 1) South 89 degrees 43 minutes 44 seconds East 17.42 feet; 2) North 09 degrees 40 minutes 51 seconds East 50.68 feet; 3) North 04 degrees 06 minutes 12 seconds East 150.31 feet to a point on a non-tangent curve concave easterly, the radius point of said curve being South 89 degrees 41 minutes 56 seconds East 6,565.00 feet from said point; 4) northerly along said curve 348.14 feet to the point of non-tangency of said curve, said point being North 86 degrees 39 minutes 38 seconds West 6,565.00 feet from the radius point of said curve; 5) North 05 degrees 44 minutes 52 seconds East 476.97 feet; 6) North 00 degrees 10 minutes 09 seconds West 376.71 feet to the North line of said Northwest quarter; thence South 89 degrees 41 minutes 06 seconds East 1,746.60 feet along said North line; thence South 00 degrees 19 minutes 22 seconds West 1,197.96 feet; thence South 89 degrees 39 minutes 38 seconds East 814.88 feet to the East line of said Northwest quarter; thence South 00 degrees 20 minutes 22 seconds West 1,473.00 feet along said East line to the place of beginning, containing 138.331 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 Grassy Branch Road, Shady Nook Road and East 186th Street.