

## **ORDINANCE 16-01**

### **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 February 8, 2016, 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 16-101); 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 199<sup>th</sup> Street and east of Oak Ridge Road, and adjacent to the existing corporate limits along the northern and eastern 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 All ordinances or parts thereof in conflict herewith are hereby repealed.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 MARCH, 2016.

WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA

**Voting For**

**Voting Against**

**Abstain**

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

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

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

\_\_\_\_\_  
James J. Edwards

\_\_\_\_\_  
James J. Edwards

\_\_\_\_\_  
James J. Edwards

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

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Steven Hoover

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Steven Hoover

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Robert L. Horkay

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Robert L. Horkay

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Robert L. Horkay

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Mark F. Keen

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Mark F. Keen

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Mark F. Keen

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

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Charles Lehman

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Charles Lehman

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Cindy L. Spoljaric

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Cindy L. Spoljaric

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Cindy L. Spoljaric

ATTEST:

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

I hereby certify that **ORDINANCE 16-01** was delivered to the Mayor of Westfield  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_ m.

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

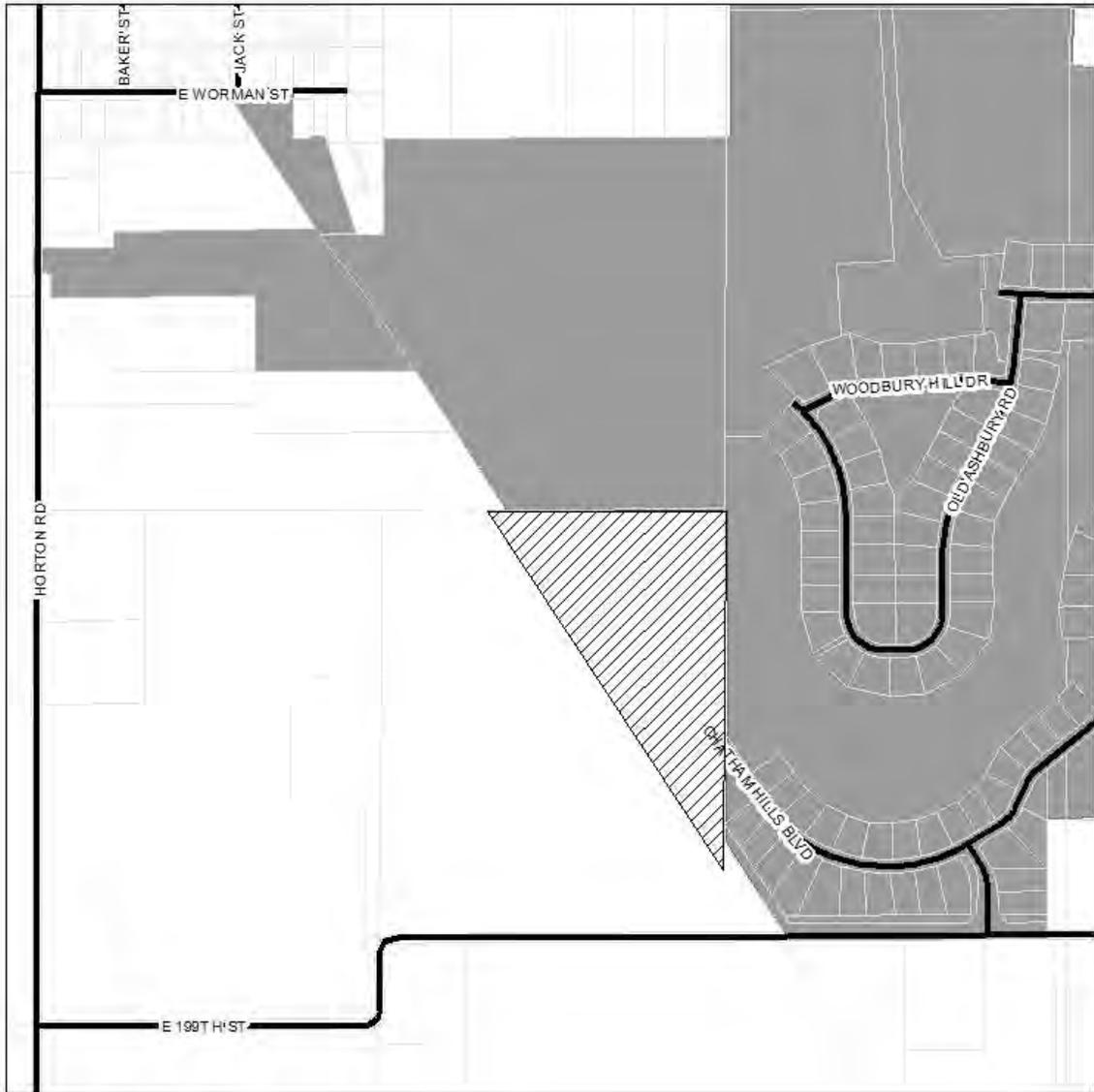
I hereby APPROVE Ordinance 16-01  
this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

I hereby VETO Ordinance 16-01  
this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

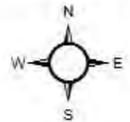
**EXHIBIT A**  
**ANNEXATION AREA**



**EXHIBIT LEGEND**

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

Not To Scale



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

This description includes one (1) parcel of land:

**Parcel No. 08-05-23-00-00-019.001**

Part of the Southeast and Northeast Quarters of Section 23, Township 19 North, Range 3 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northwest corner of said Southeast Quarter; thence North 89 degrees 50 minutes 51 seconds East 1,325.20 feet along the north line of said Southeast Quarter to the southeast corner of the South Half of the Southwest Quarter of said Northeast Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone), being the POINT OF BEGINNING; thence South 00 degrees 13 minutes 12 seconds West 692.69 feet along the west line of the Northeast Quarter of said Southeast Quarter to a line that is 40.00 feet southwest of and parallel with the centerline of the former Monon Railroad; thence North 33 degrees 25 minutes 36 seconds West 1,617.52 feet along said parallel line to the north line of the parcel conveyed to Karl Manders in Instrument Number 200300035246, on file in the Office of the Recorder of Hamilton County, Indiana; thence North 89 degrees 50 minutes 26 seconds East 895.86 feet along said north line to the northeast corner thereof and the west line of the Southeast Quarter of said Northeast Quarter; thence South 00 degrees 11 minutes 13 seconds West 659.78 feet along said west line to the POINT OF BEGINNING. Containing 13.910 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 the Monon Trail.