

## **ORDINANCE 07-38**

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

**WHEREAS**, the Westfield City Council has the authority to annex lands into the municipality as defined by IC 36-4-3; and,

**WHEREAS**, the City has an interest in providing an annexation ordinance that will provide for the Westfield resident's public welfare and security, and also an economic development opportunity; and,

**WHEREAS**, the City is able to provide non-capital public services within one year and capital services within three years as required by statute to the proposed area to be annexed; and,

**WHEREAS**, the proposed land to be annexed described in Exhibit "A" meets the contiguity requirements of IC 36-4-3-1.5 and also the annexation requirements further defined in IC 36-4-3-13 (c)(1) and (2) and (d).

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-471 OF THE WESTFIELD CODE BY MODIFIED AS FOLLOWS:**

**Section 1.** That the real estate containing 138 acres legally described in Exhibit "A" hereto, and generally to be known as the SR 32 North annexation territory #3, extending from Austrian Pine Way to the Hamilton / Boone County Line for approximately 300 feet on the north side of SR 32 contiguous with the city limits of the City of Westfield, Indiana and the same is hereby annexed to and declared to be a part of the City of Westfield, Indiana.

*See attached legal description and attached map Exhibit "A"*

**Section 2.** That the real estate legally described in Exhibit "A" is to further include the contiguous public highways and rights-of-way of the public highways including State Route 32 (per IC 36-4-3-2.5) which is adjacent to the above annexed land.

**Section 3.** That the above described real estate is hereby assigned to City Council District 3 and shall become a part thereof immediately upon the effective date of this Ordinance.

**Section 4.** Tax Exemption for Real Property Zoned AG-SF-1  
Pursuant to IC 36-4-3-4.1(b), all real property located in the Annexation Territory that is classified for zoning purposed as agriculture (**zoned AG-SF-1**) is exempt from all property tax liability under IC 6-1.1 attributable to property taxed levied by the City for municipal purposes and remains exempt from the property tax liability while the property's zoning classification remains agriculture (**zoned AG-SF-1**).

**Section 5.** This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinance or parts thereof in conflict herewith are hereby repealed.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008, BY THE WESTFIELD CITY COUNCIL, HAMILTON COUNTY, INDIANA

**WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA**

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ Kenneth Kingshill	_____ Kenneth Kingshill	_____ Kenneth Kingshill
_____ Robert Horkay	_____ Robert Horkay	_____ Robert Horkay
_____ John Dippel	_____ John Dippel	_____ John Dippel
_____ Bob Smith	_____ Bob Smith	_____ Bob Smith
_____ Tom Smith	_____ Tom Smith	_____ Tom Smith
_____ Rob Stokes	_____ Rob Stokes	_____ Rob Stokes
_____ Melody Sweat	_____ Melody Sweat	_____ Melody Sweat

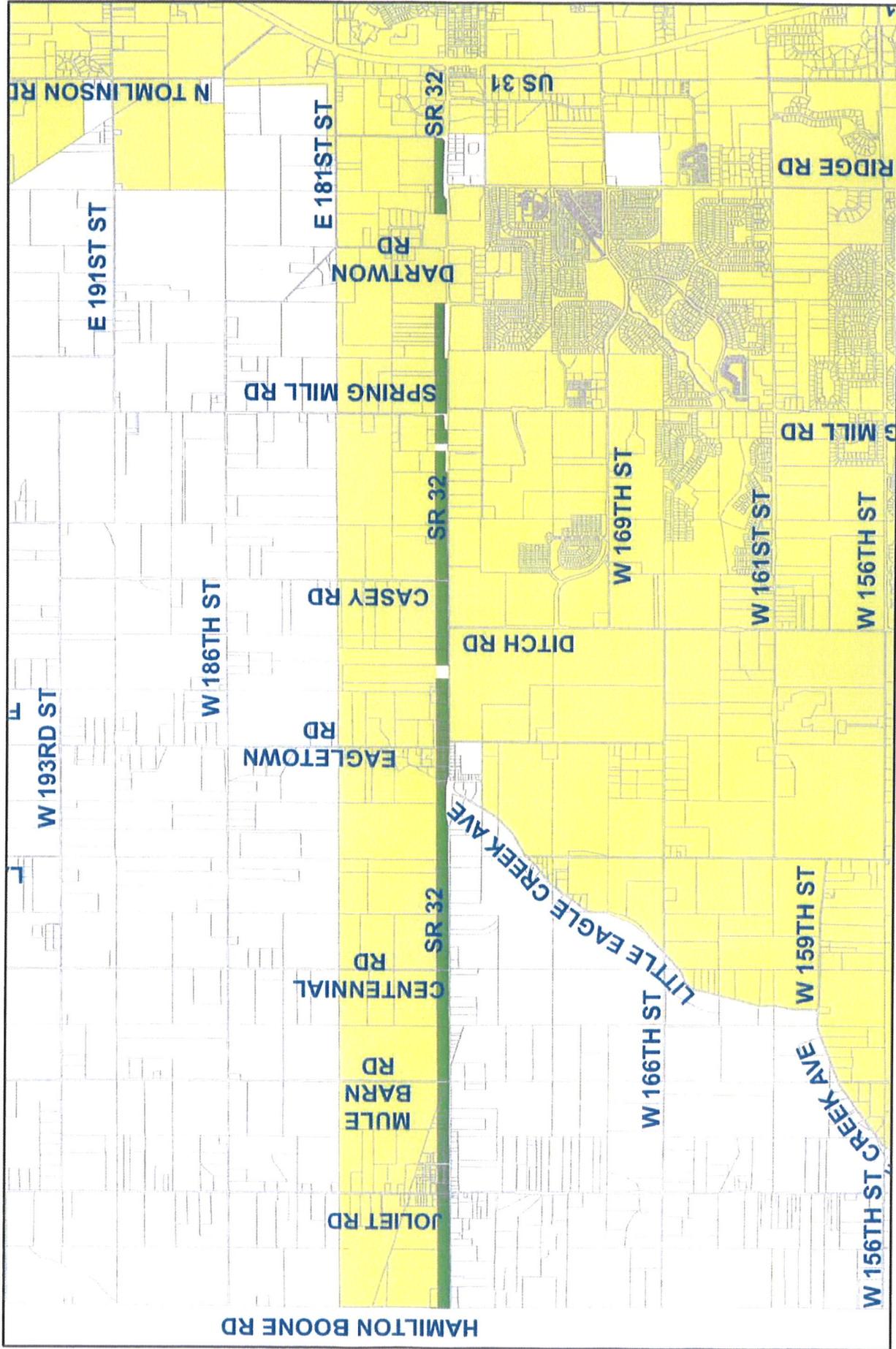
ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer  
This ordinance prepared by  
Gregory J Anderson, AICP, Director of Community Development

## Exhibit "A"

Beginning at the southwest corner of Westfield Annexation Ordinance 96-24, thence north along west line of Westfield Annexation Ordinance 96-24 approximately 327 feet to the intersection with Westfield Annexation Ordinance 04-20, thence west along south line of Westfield Annexation Ordinance 04-20 to a point that is 10 feet east of the east boundary of Hamilton Boone RD and 300 feet north of the south line of Section 31 T19N R3E, thence South 00 degrees, 00 minutes, 00 seconds east approximately 300 feet to the south line of Section 31 T19N R3E, point also being the centerline of SR 32, thence continue south 00 degrees, 00 minutes, 00 seconds approximately 20 feet to the south right-of-way line of SR 32, thence east along the south right-of-way line of SR 32 to the west right-of-way of Little Eagle Creek AVE, thence easterly along the south right-of-way line of Little Eagle Creek AVE to the west right-of-way line of Washington ST, thence east to the east right-of-way line of Washington ST, thence north to the south right-of-way line of SR 32, thence east along the south right-of-way line of SR 32 to the intersection of Westfield Annexation Ordinance 05-09, thence north along the boundary of Westfield Annexation Ordinance 05-09 to the north right-of-way of SR 32, thence east along the northern boundary of Westfield Annexation Ordinance 05-09 (also being the north right-of-way line of SR 32) and the northern boundary of Westfield Annexation Ordinance 04-11 to the northeast corner of said Westfield Annexation Ordinance 04-11, thence south 00 degrees, 00 minutes, 00 seconds east approximately 50 feet, thence east to the place of beginning of said point being the southwest corner of Westfield Annexation Ordinance 96-24.

Exhibit A

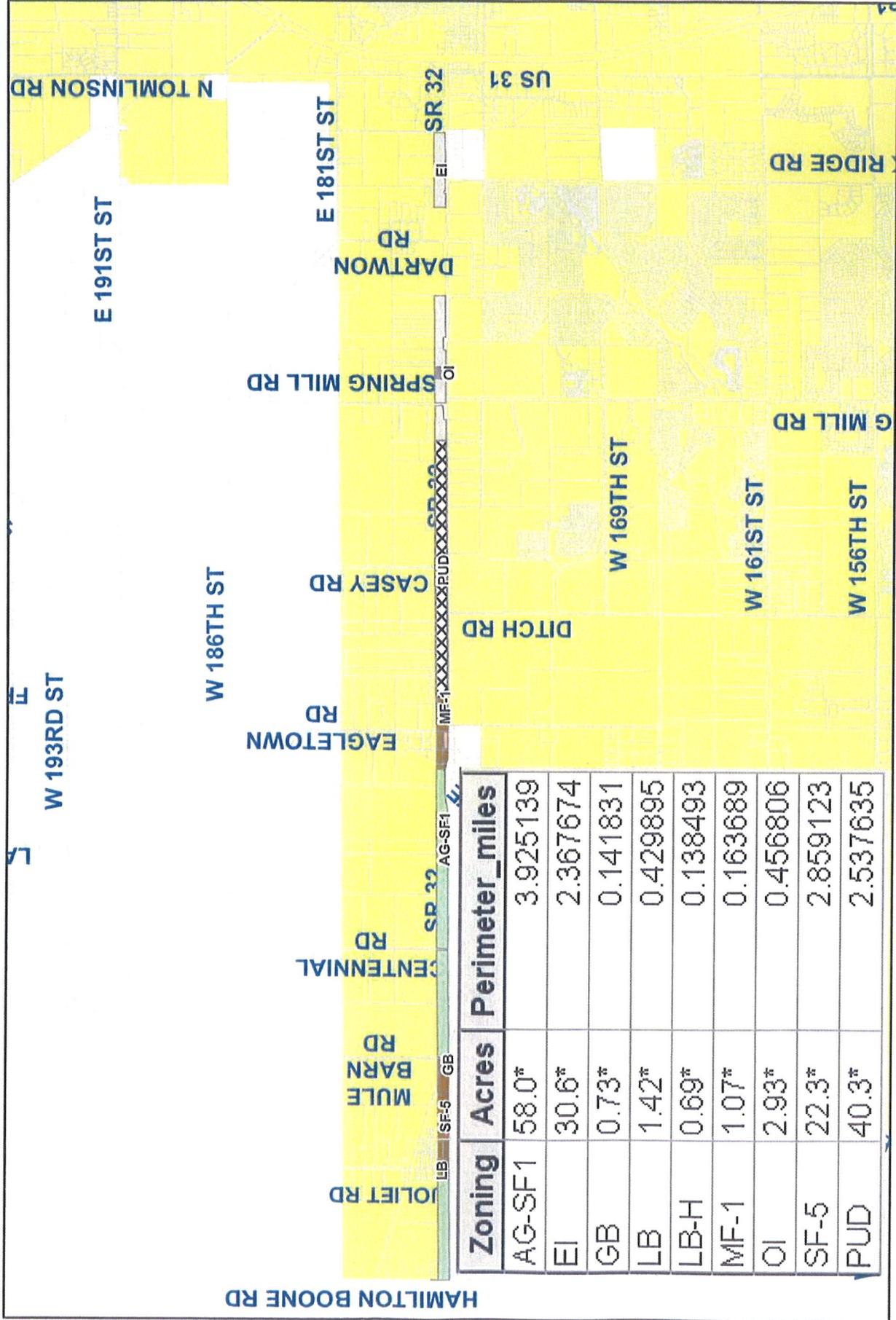


Legend

-  116 Parcels To Be Annexed - Ordinance 07-22
-  Parcels
-  Westfield Corporate Limits



# Exhibit B - Zoning Breakdown



## Legend

- Zoning
  - AG-SF1
  - EI
  - GB
  - LB
  - LB-H
  - MF-1
  - OI
  - PUD
  - SF-5
- Parcels
- Westfield Corporate Limits



# Annexation Area



Not To Scale

