

## ORDINANCE 08 - 20

### 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 residents' 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 BE MODIFIED AS FOLLOWS:**

**Section 1.** That the real estate legally described in Exhibit "A" hereto, and generally to be known as the "SE Area #3", adjacent to S R 32 (north and south side) and west of Gray and Moontown Road and 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 (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 "1 & 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 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 All ordinance or parts thereof in conflict herewith are hereby repealed.

ALL OF WHICH IS ORDANINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008.

WESTFIELD CITY COUNCIL

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ John Dippel	_____ John Dippel	_____ John Dippel
_____ Bob Horkay	_____ Bob Horkay	_____ Bob Horkay
_____ Ken Kingshill	_____ Ken Kingshill	_____ Ken Kingshill
_____ Bob Smith	_____ Bob Smith	_____ Bob Smith
_____ Thomas Smith	_____ Thomas Smith	_____ Thomas Smith
_____ Rob Stokes	_____ Rob Stokes	_____ Rob Stokes
_____ Melody Sweat	_____ Melody Sweat	_____ Melody Sweat

ATTEST:

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

I hereby certify that ORDINANCE 08-20 was delivered to the Mayor of Westfield on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_\_ m.

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

I hereby APPROVE ORDINANCE 08-20  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

I hereby VETO ORDINANCE 08-20  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

This document was prepared by  
Gregory J Anderson, AICP  
Director of Community Development

**Exhibit "A"**  
**Legal Description**

A part of the Northwest Quarter of Section 4 and the Northeast Quarter of Section 5, Township 18 North, Range 4 East and a part of the Southeast Quarter of Section 32, Township 19 North, Range 4 East, all in Washington Township, Hamilton County, State of Indiana, and being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of said Section 5; thence Easterly, along the North line thereof, approximately 258.08 feet to the Northeast corner of a previous annexation to the City of Westfield, designated 06-03, and the POINT OF BEGINNING of this description, the next two (2) calls being along the Eastern and Southern lines thereof; 1) thence Southerly approximately 993.60 feet; 2) thence Westerly approximately 81.00 feet; thence Southerly approximately 25.00 feet to a point on the North line of another previous annexation, designated 29D01-106-CP-366; thence Easterly, along said North line, approximately 2600 feet to a point on the East right of way line of Gray Road; thence Northerly, along the meanderings of said East right of way line, approximately 1000 feet to a point on the Southern right of way of Indiana State Road #32; thence Westerly, along said Southern right of way line, approximately 140 feet to a point on the Southern extension of the West right of way line for Moontown Road; thence Northerly, along the meanderings of said West right of way line, approximately 920 feet to the Southeast corner of another previous annexation, designated 98-26; thence Westerly, along the South line thereof, approximately 618.26 feet to a point on the East line of another previous annexation, designated 96-25; thence Southerly, along said East line, approximately 912 feet to a point on the aforesaid North Quarter Section line; thence Westerly, along said North Quarter Section line, approximately 1920 feet to the POINT OF BEGINNING of this description, containing approximately 71.3 Acres, more or less.

*(Note: This description was prepared without benefit of a real estate boundary survey and should not be used for transfer of ownership.)*

Generally described as follows:

Parcel #1

PIN: 08-10-05-00-00-009.002  
Address: 0 Gray Road  
Owner: Whitmoyer, David A.

Parcel #5

PIN: 08-10-05-00-00-010.001  
Address: 0 Westfield Road  
Owner: Yuhas, Joseph

Parcel #2

PIN: 08-06-32-00-00-009.000  
Address: 0 Westfield Road  
Owner: Whitmoyer, Robert

Parcel #6

PIN: 08-06-32-00-00-008.001  
Address: 17731 Moontown Road  
Owner: Johnson, Norma I. Revocable Trust

Parcel #3

PIN: 08-10-05-00-00-008.002  
Address: 0 Westfield Road  
Owner: DeLullo, William

Parcel #7

PIN: 08-10-05-00-00-010.000  
Address: 3501 Westfield Road  
Owner: Associated Real Estate Services LLC

Parcel #4

PIN: 08-10-05-00-00-009.000  
Address: 0 Westfield Road  
Owner: Whitmore, Robert L.

Parcel #8

PIN: 08-06-32-00-00-009.001  
Address: 3506 Westfield Road  
Owner: Redwine, Charles

Parcel #9

PIN: 08-06-32-00-00-010.000  
Address: 3510 Westfield Road  
Owner: Whitmoyer, Robert L.

Parcel #10

PIN: 08-10-05-00-00-009.001  
Address: 3511 Westfield Road  
Owner: Brown, Wallace L.

Parcel #11

PIN: 08-10-05-00-00-008.004  
Address: 3707 Westfield Road  
Owner: Roudebush, C. Bradley

Parcel #12

PIN: 08-10-05-00-00-008.000  
Address: 4005 Westfield Road  
Owner: Roudebush, Charles

Parcel #12

PIN: 08-10-05-00-00-008.001  
Address: 4301 Westfield Road  
Owner: DeLullo, William

Parcel #13

PIN: 08-10-05-00-00-028.002  
Address: 0 No Street  
Owner: City of Noblesville

Parcel #14

PIN: 08-10-05-00-00-028.003  
Address: 0 No Street  
Owner: City of Noblesville

Parcel #15

PIN: 08-10-05-00-00-028.001  
Address: 0 No Street  
Owner: City of Noblesville

Parcel #16

PIN: 08-10-05-00-00-028.004  
Address: 0 No Street  
Owner: City of Noblesville

Parcel #17

PIN: 08-10-05-00-00-028.000  
Address: 0 No Street  
Owner: City of Noblesville

**Exhibit "B"**  
**Aerial / Location Map**



Subject Property