

ORDINANCE 08 - 22

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 #5", adjacent to and between 161st on the south and Carey Road on the east 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 "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 All ordinance or parts thereof in conflict herewith are hereby repealed.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 08-22 was delivered to the Mayor of Westfield on the _____ day of _____, 2008, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 08-22
this _____ day of _____, 2008.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 08-22
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 Northeast Quarter of Section 7 and the Northwest Quarter of Section 8, all in Township 18 North, Range 4 East, Washington Township, Hamilton County, State of Indiana, and being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section 8; thence Easterly, along the North line thereof, approximately 1333.20 feet to a point on the West line of a Previous Annexation, to the City of Westfield, designated 02-02; thence Southerly, along said West line, approximately 550.76 feet to a point on the North line of another Previous Annexation, designated 03-08; thence Westerly, along said North line, 1332.05 feet to a point on the East line of the Northeast Quarter of the aforesaid Section 7; thence Southerly, along said East line, approximately 1440.08 feet to a point on the North line of another Previous Annexation, designated 02-03, the next two calls being along the Northerly and Westerly lines thereof; 1) thence Westerly approximately 991.16 feet; 2) thence Southerly approximately 654.73 feet to a point on the South line of said Northeast Quarter Section; thence Westerly, along said South line, approximately 339.90 feet to a point on the East line of another Previous Annexation, designated 02-04; thence Northerly, along said East line, approximately 2649.80 to a point on the South line of another Previous Annexation, designated 99-08, same being the North line of said Northeast Quarter Section; thence Easterly, along said North line, approximately 1330.11 feet to the POINT OF BEGINNING, containing 83.03 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: 08-10-07-00-00-008.000

Address: 0 Carey Road

Owner: Randall, JoAnn R Trustee

Parcel #2

PIN: 08-10-07-00-00-008.001

Address: 16200 Carey Road

Owner: Theurer, Dennis E.

Parcel #3

PIN: 08-10-07-00-00-008.002

Address: 0 Carey Road

Owner: Theurer, Dennis E.

Parcel #4

PIN: 08-10-07-00-00-008.003

Address: 16402 Carey Road

Owner: Liston, Heather L.

Parcel #5

PIN: 08-10-07-00-00-009.000

Address: 2902 161st Street E

Owner: Hollan, Jerry L.

Parcel #6

PIN: 08-10-08-00-00-001.000

Address: 16565 Carey Road

Owner: Taylor, Richard D.

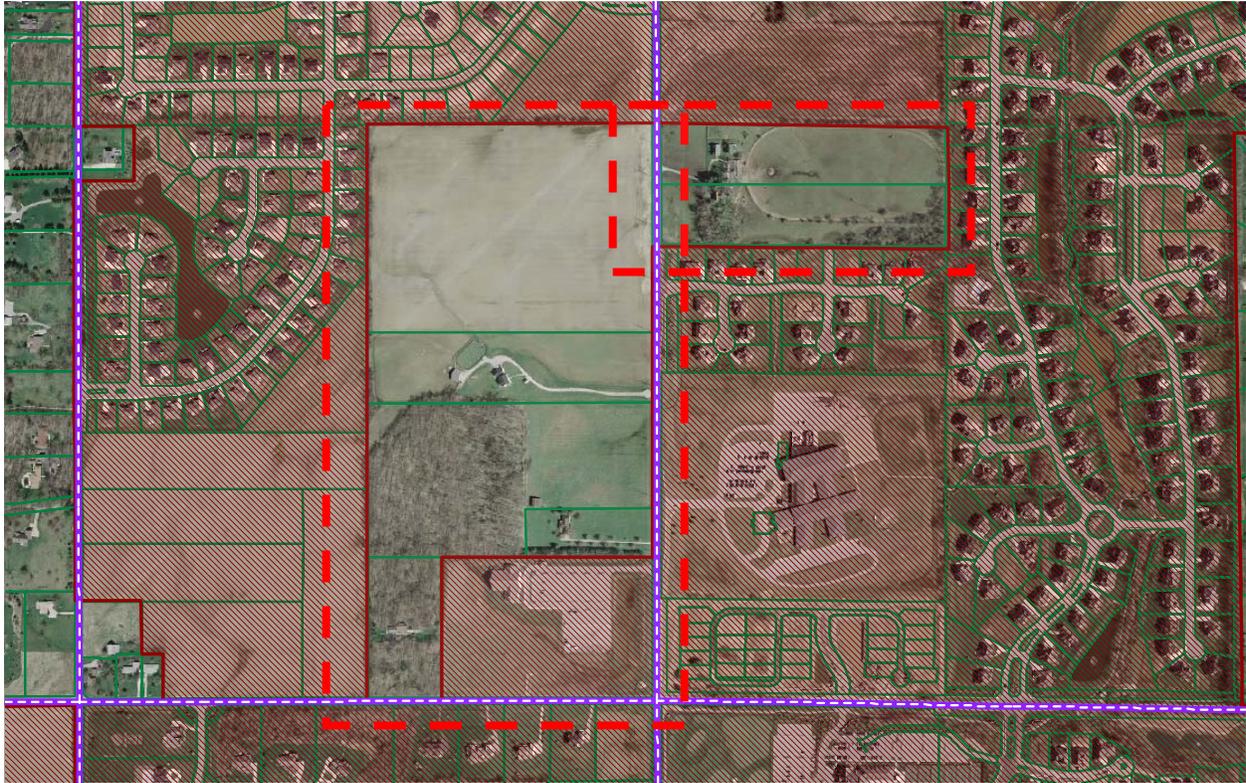
Parcel #7

PIN: 08-10-08-00-00-001.001

Address: 16575 Carey Road

Owner: Taylor, Tara Ellen & Richard D. jt/rs

Exhibit "B"
Aerial / Location Map



Subject Property