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**ORDINANCE 08 - 35**

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

**WHEREAS**, the Common Council of the City of Westfield (the "Common Council") has conducted a public hearing as required by law in regard to the annexation of certain territory which is contiguous to the corporate boundaries of the City of Westfield; and,

**WHEREAS**, the Common Council now finds that the statutory criteria for annexation has been met and satisfied all as demonstrated by the fiscal plan adopted hereby and made a part of the record of these proceedings; and,

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session as follows:

**SECTION 1:** The subject real estate is commonly known as the "Brookside Estates – Section 5", containing "64.96" acres more or less, and is more particularly described as follows (the "Real Estate"):

*SEE ATTACHED LEGAL DESCRIPTION AND ATTACHED MAP EXHIBIT "A-1"*

**SECTION 2:** The Real Estate is contiguous to the city limits of the City of Westfield, Hamilton County, Indiana, and the same is hereby annexed to and declared to be a part of the City of Westfield, Hamilton County, Indiana.

**SECTION 3:** The Real Estate is hereby assigned to City Council District "1" and shall become a part thereof immediately upon the effective date of this Ordinance.

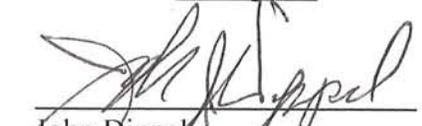
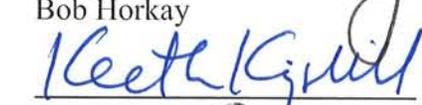
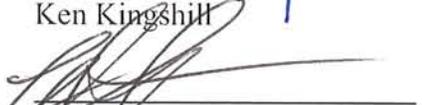
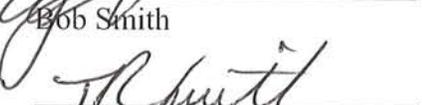
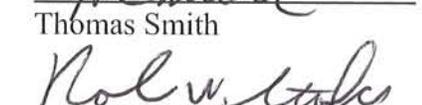
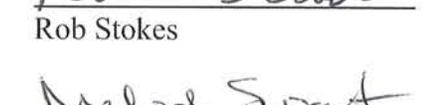
**SECTION 4:** The Real Estate is hereby assigned to the SF-3 Single Family zoning district.

DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer  
29 day of August, 2008  
Robin M. Mills Auditor of Hamilton County  
Parcel # \_\_\_\_\_

**SECTION 5:** This Ordinance shall be in full force and effect in accordance with Indiana law upon its passage by the Common Council, its publication in accordance with law, and upon the occurrence of any other legally required acts, including 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 11 DAY OF Aug 2008.

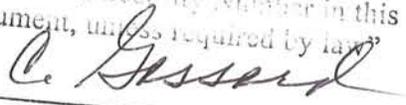
WESTFIELD CITY COUNCIL

<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 Sweet	_____ Melody Sweet	_____ Melody Sweet

ATTEST:

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

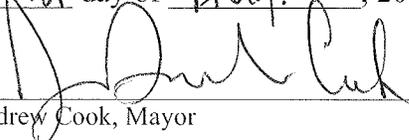
"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

  
\_\_\_\_\_  
Signed

I hereby certify that ORDINANCE 08-35 was delivered to the Mayor of Westfield on the 12 day of Aug, 2008, at 11:30 Am.

  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 08-35  
this 12 day of Aug., 2008.

  
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 08-35  
this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

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

**Exhibit "A"**  
**Property Identification**

Generally described as follows:

PIN: 08-10-05-00-00-017.000  
Address: 16706 Gray Road North  
Owner: Langston Dev. Co., Inc.

PIN: 08-10-08-00-00-004.000  
Address: 16544 Gray Road North  
Owner: Langston Dev. Co., Inc.

PIN: 08-10-05-00-00-018.002  
Address: 0 Gray Road North  
Owner: Langston Dev. Co., Inc.

PIN: 08-10-08-00-00-004.001  
Address: 16552 Gray Road North  
Owner: Langston Dev. Co., Inc.

PIN: 08-10-05-00-00-019.000  
Address: 0 169<sup>th</sup> Street East  
Owner: Langston Dev. Co., Inc.

PIN: 08-10-08-00-00-004.002  
Address: 0 Gray Road North  
Owner: Langston Dev. Co., Inc.

PIN: 08-10-05-00-00-019.101  
Address: 0 169<sup>th</sup> Street East  
Owner: Langston Dev. Co., Inc.

PIN: 08-10-08-00-00-004.003  
Address: 16544 Gray Road North  
Owner: Langston Dev. Co., Inc.

PIN: 08-10-05-00-00-019.102  
Address: 0 No Street  
Owner: Langston Dev. Co., Inc.

PIN: 08-10-08-00-00-004.004  
Address: 16540 Gray Road North  
Owner: Langston Dev. Co., Inc.

**Exhibit "A-1"**  
**Legal Description**

**DESCRIPTION OF OVERALL PERIMETER OF REAL ESTATE**

*A part of the Northeast Quarter of Section 8, Township 18 North, Range 4 East and a part of the Southeast Quarter of Section 5, Township 18 North, Range 4 East, all in Washington Township, Hamilton County, Indiana, being more particularly described as follows:*

*Commencing at the southeast corner of the Southeast Quarter of Section 5, Township 18 North, Range 4 East, Hamilton County, Indiana; thence North 88 degrees 35 minutes 18 seconds West on the south line of said Southeast Quarter (assumed bearing is the east line of said Southeast Quarter having a bearing of North 00 degrees 01 minutes 12 seconds West) a distance of 440.00 feet to the Point of Beginning of the herein described real estate, thence North 00 degrees 01 minutes 12 seconds West parallel with the east line of said Southeast Quarter 560.00 feet; thence South 88 degrees 35 minutes 18 seconds East parallel with the south line of said Southeast Quarter 440.00 feet to a point on said east line; thence North 00 degrees 01 minutes 12 seconds West on said east line 821.04 feet to the southeast corner of the real estate conveyed to the Town of Westfield, Indiana, per Instrument No. 2005-76021 in the Office of the Recorder of Hamilton County, Indiana; thence the following three calls on the perimeter of said real estate: 1.) South 89 degrees 58 minutes 48 seconds West 16.50 feet; 2.) North 44 degrees 24 minutes 02 seconds West 36.24 feet; 3.) North 01 degrees 13 minutes 08 seconds East 16.50 feet to a point on the north line of the South Half of said Southeast Quarter, said point being 41.50 feet North 88 degrees 46 minutes 52 seconds West from the northeast corner of said South Half; thence North 88 degrees 48 minutes 52 seconds West on said north line 795.11 feet; thence South 00 degrees 07 minutes 31 seconds West 533.03 feet; thence North 88 degrees 35 minutes 18 seconds West 46.23 feet; thence South 00 degrees 07 minutes 31 seconds West 389.43 feet; thence North 88 degrees 35 minutes 18 seconds West 488.19 feet; thence South 00 degrees 40 minutes 01 seconds West 82.54 feet; thence South 00 degrees 18 minutes 24 seconds West 307.52 feet to a point on the north line of the Northeast Quarter of Section 8, Township 18 North, Range 4 East, thence South 88 degrees 35 minutes 18 seconds East or) the north line of said Northeast Quarter 10.79 feet to the northeast corner of Woodshire Subdivision, as recorded in Plat Cabinet 1, Slide 743 in said Recorder's Office; thence the following four calls on the perimeter of said Subdivision: 1.) South 00 degrees 11 minutes 00 seconds West 445.72 feet; 2.) South 00 degrees 09 minutes 57 seconds West 326.06 feet; 3.) South 00 degrees 06 minutes 57 seconds West 851.49 feet; 4.) South 00 degrees 13 minutes 41 seconds West 52.99 feet to a point which is on the north line of the real estate described in Instrument No. 2004-73840; thence South 89 degrees 05 minutes 28 seconds East parallel with the south line of said Northeast Quarter 978.49 feet to the southwest corner of the real estate described in Instrument No. 90-27427; thence the following two calls on the perimeter of said real estate: 1.) North 00 degrees 40 minutes 14 seconds East parallel with the east line of said Northeast Quarter 623.50 feet; 2.) South 88 degrees 05 minutes 28 seconds East parallel with the south line of said Northeast Quarter 349.58 feet to a point on the east line of said Northeast Quarter; thence North 00 degrees 40 minutes 14 seconds East on said east line 545.83 feet to a point which is South 00 degrees 40 minutes 14 seconds West 495.00 feet from the northeast corner of said Northeast Quarter, thence North 88 degrees 35 minutes 18 seconds West parallel with the north line of said Northeast Quarter 440.00 feet; thence North 00 degrees 40 minutes 14 seconds East parallel with said east line 495.00 feet to the Point of Beginning, containing 64.96 acres, more or less.*

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

