

## **ORDINANCE 11-18**

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

**WHEREAS**, the Westfield City Council (the “Council”) has received a petition for voluntary annexation of certain contiguous lands, generally located at the southwest corner of State Highway 32 and Carey Road, Washington Township, Hamilton County, Indiana;

**WHEREAS**, the Council has the authority to annex land into the municipality as defined by Ind. Code § 36-4-3;

**WHEREAS**, voluntary annexations are governed by Ind. Code § 36-4-3-5.1;

**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;

**WHEREAS**, the Council has conducted a public hearing as required by law with regard to the annexation of the Annexation Area;

**WHEREAS**, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Ind. Code § 36-4-3-3.1 (Resolution 11-17);

**WHEREAS**, the Annexation Area meets the contiguity requirements of Ind. Code § 36-4-3-1.5;

**WHEREAS**, the Council now finds that the statutory criteria for annexation have 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 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 is hereby annexed to and declared to be a part of the City of Westfield, Indiana.

**Section 2.** The Annexation Area is hereby assigned to the City Council District One and shall become a part of thereof immediately upon the effective date of this ordinance.

**Section 3.** 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 All ordinances or parts thereof in conflict herewith are hereby repealed.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.

**[The remainder of this page is intentionally left blank]**

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF  
WESTFIELD, HAMILTON COUNTY, INDIANA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
\_\_\_\_\_, 2011.

WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA

**Voting For**

**Voting Against**

**Abstain**

\_\_\_\_\_  
John Dippel

\_\_\_\_\_  
John Dippel

\_\_\_\_\_  
John Dippel

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

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

\_\_\_\_\_  
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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Kenneth Kingshill

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Kenneth Kingshill

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Kenneth Kingshill

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Robert J. Smith

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Robert J. Smith

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Robert J. Smith

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Thomas Smith

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Thomas Smith

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Thomas Smith

\_\_\_\_\_  
Robert W. Stokes

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Robert W. Stokes

\_\_\_\_\_  
Robert W. Stokes

ATTEST:

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

I hereby certify that ORDINANCE 11-18 was delivered to the Mayor of Westfield  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, at \_\_\_\_\_ m.

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

I hereby APPROVE Ordinance 11-18  
this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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

I hereby VETO Ordinance 11-18  
this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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

## Exhibit A

### LAND DESCRIPTION

That portion of the Northeast Quarter of Section 6, Township 18 North, Range 4 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Considering the east line of said Northeast Quarter as South 00 degrees 05 minutes 42 seconds East (assumed bearing) and all bearing contained within being relative thereto.

Commencing at the northeast corner of said Northeast Quarter; thence South 00 degrees 05 minutes 42 seconds East along the east line thereof 102.54 feet to the northeast corner of the land of the Town of Westfield recorded as Instrument Number 200300046150 in the Office of the Recorder of Hamilton County, Indiana, said point also being the southeast corner of a right of way grant for State Road 32 recorded in Book 141, Page 256 in said county records; thence South 89 degrees 54 minutes 18 seconds West along the north line of said land 16.50 feet; thence North 48 degrees 43 minutes 14 seconds West along the northerly line of said land and the south line of said right of way grant 75.16 feet; thence South 89 degrees 34 minutes 45 seconds West along said south right of way line 184.90 feet to the beginning of a tangent curve to the right, having a radius of 57,343.93 feet and a central angle of 00 degrees 02 minutes 48 seconds; thence westerly along said curve and right of way line an arc length of 46.79 feet to the northeast corner of the now or former land of Peacock Carey Nat, LLC as described in Instrument Number 2006-35976 in said county records; thence South 00 degrees 05 minutes 54 seconds East along the east line of said land and the southerly extension thereof 293.43 feet to the southwest corner of the now or former land of Peacock Carey WG, LLC as described in Instrument Number 2006-35976 in said county records; thence North 89 degrees 54 minutes 00 seconds East along the south line of said land 28.86 feet to the **POINT OF BEGINNING**; thence North 89 degrees 54 minutes 00 seconds East along said south line 221.63 feet to the proposed westerly 70 foot right of way line of Carey Road and a point on non-tangent curve concaved westerly having a radius of 940.00 feet, a central angle of 05 degrees 44 minutes 55 seconds, and a radial line passing through said point which bears North 84 degrees 07 minutes 52 seconds East; thence southerly along said proposed right of way line and curve an arc length of 94.27 feet to the point of tangency; thence South 00 degrees 07 minutes 13 seconds East along said proposed right of way 160.59 feet; thence South 89 degrees 40 minutes 50 seconds West 226.45 feet; thence North 00 degrees 06 minutes 00 seconds West 255.61 feet to the **POINT OF BEGINNING**, and containing 1.323 acres, more or less.

## Exhibit B

### Parcel Listing

Parcel Number	Street Address	Acreage
08-10-06-00-00-013.102	No address	0.12
08-10-06-00-00-013.202	No address	1.1
08-10-06-00-00-013.002	17365 Carey Road	0.08
	Total Acres	1.3



#### Legend

-  Parcels
-  Westfield City Limits
-  Parcels to be Annexed

