

ORDINANCE 16-02

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

WHEREAS, the Westfield City Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by Indiana Code 36-4-3; and,

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; and,

WHEREAS, the Council has conducted a public hearing on February 8, 2016, as required by law with regard to the annexation of the Annexation Area; and,

WHEREAS, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Indiana Code 36-4-3-3.1 (Resolution 16-102); and,

WHEREAS, the Annexation Area meets the contiguity requirements of Indiana Code 36-4-3-1.5; and,

WHEREAS, the Council now finds that the statutory criteria for annexation have been met; 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, generally located south of 206th Street and east of Oak Ridge Road, and adjacent to the existing corporate limits along the northern and eastern boundaries of the Annexation Area, is hereby annexed to and declared to be a part of the City.

Section 2. The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the annexation area per Indiana Code 36-4-3-2.5.

Section 3. The Annexation Area 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 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 All ordinances or parts thereof in conflict herewith are hereby repealed.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.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS _____ DAY OF MARCH, 2016.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that **ORDINANCE 16-02** was delivered to the Mayor of Westfield
on the _____ day of _____, 2016, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 16-02
this _____ day of _____, 2016.

J. Andrew Cook, Mayor

I hereby VETO Ordinance 16-02
this _____ day of _____, 2016.

J. Andrew Cook, Mayor

EXHIBIT A
ANNEXATION AREA

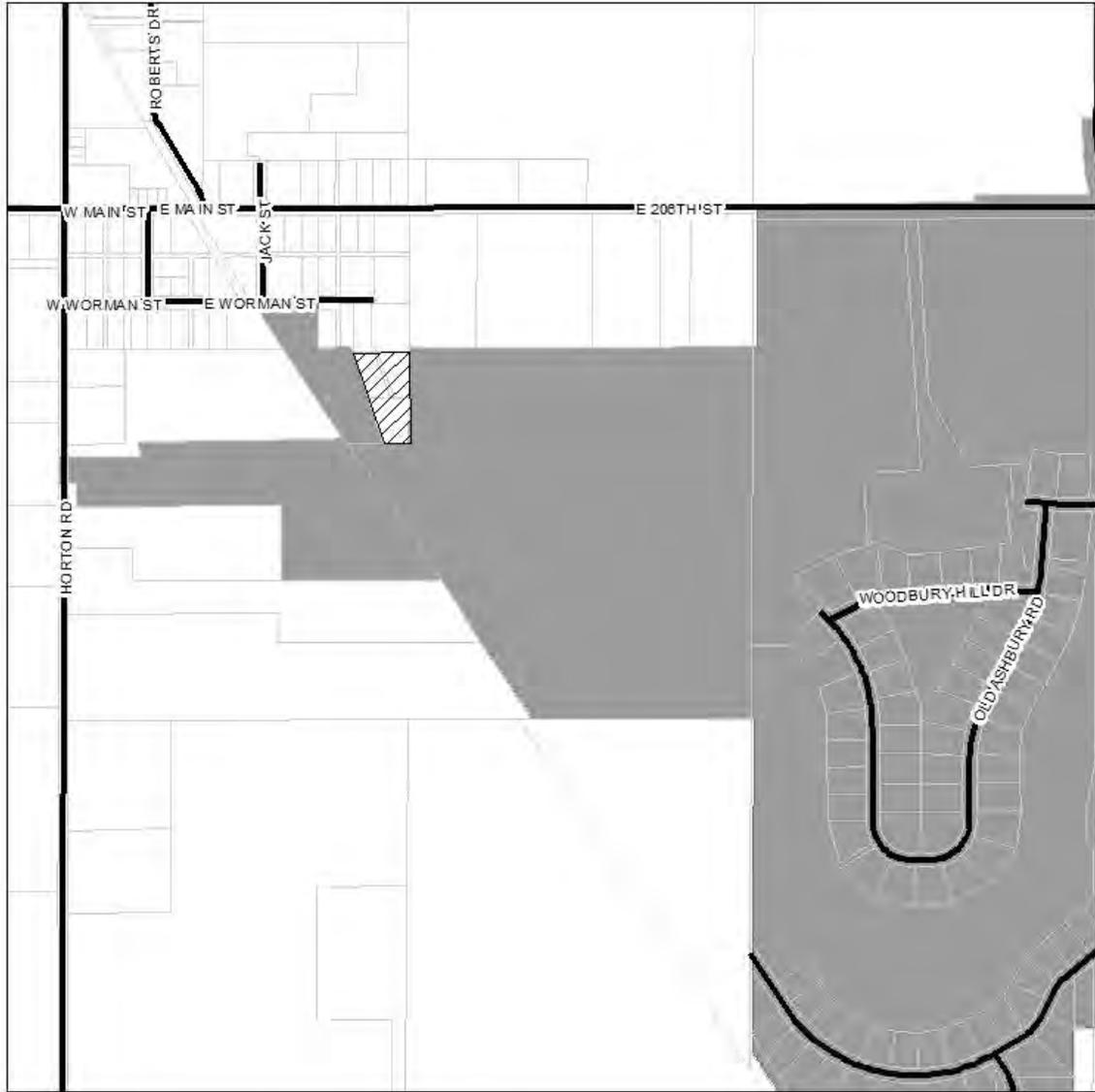


EXHIBIT LEGEND

- | | |
|--|---|
|  ANNEXATION AREA |  PARCELS |
|  EXISTING CITY LIMITS |  STREETS |

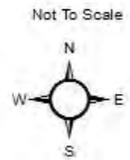


EXHIBIT B
ANNEXATION AREA
LEGAL DESCRIPTION

This description includes four (4) parcels of land:

Parcel Nos. 08-05-23-01-03-010.006
08-05-23-01-03-011.000
08-05-23-01-03-012.000
08-05-23-01-03-013.000

Part of the Northwest Quarter of Section 23, Township 19 North, Range 3 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter; thence South 00 degrees 06 minutes 55 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 550.50 feet along the east line of said Northwest Quarter to the northeast corner of Parcel III as described in Instrument Number 9609601704, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing South 00 degrees 06 minutes 55 seconds West 351.63 feet along said east line to the southeast corner of Parcel II as described in Instrument Number 9445140, on file in the Office of said Recorder; thence South 89 degrees 48 minutes 48 seconds West 100.09 feet along the south line of said Parcel II to its southwest corner; thence North 18 degrees 24 minutes 34 seconds West 368.41 feet along the west lines of said Parcel II and Parcel I as described in said Instrument Number 9445140 to the northwest corner of said Parcel I; thence North 89 degrees 21 minutes 55 seconds East 217.16 feet along the north lines of said Parcels I and III and their north lines extended to the POINT OF BEGINNING. Containing 1.2784 acres, more or less.