

ORDINANCE 16-03

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 16-103); 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 on the south side of 206th Street and east of Oak Ridge Road, and adjacent to the existing corporate limits along the southern boundary 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 All ordinances or parts thereof in conflict herewith are hereby repealed.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 16-03** was delivered to the Mayor of Westfield
on the _____ day of _____, 2016, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 16-03
this _____ day of _____, 2016.

J. Andrew Cook, Mayor

I hereby VETO Ordinance 16-03
this _____ day of _____, 2016.

J. Andrew Cook, Mayor

EXHIBIT A
ANNEXATION AREA

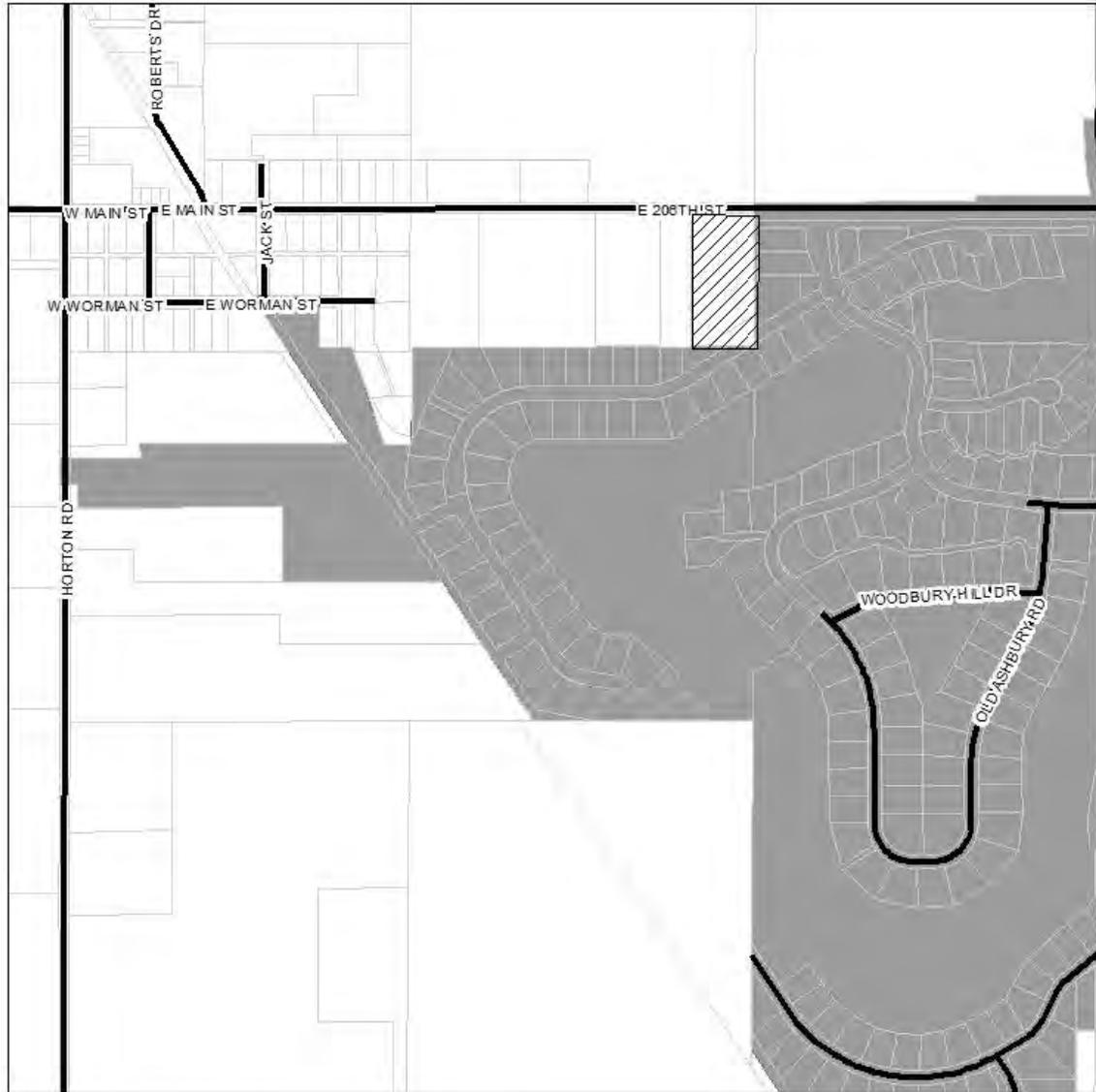


EXHIBIT LEGEND

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

Not To Scale

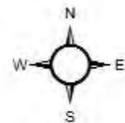


EXHIBIT B
ANNEXATION AREA
LEGAL DESCRIPTION

This description includes one (2) parcels of land:

Parcel Nos. 08-05-23-00-00-010.000
08-05-23-00-00-010.001

BEGINNING at a point on the North line of the Northeast Quarter of the Section 23, Township 19 North, Range 3 East, said point of beginning being the Northeast corner of a 10.34 acre tract of land described in Instrument #4343 and recorded in Deed Record Book 208, Page 77 in the records of Hamilton County, Indiana, said point of beginning also being North 89 degrees 45 minutes 21 minutes East (assumed bearing) 1,085.00 feet from the Northwest corner of said Northeast Quarter; thence South 00 degrees 01 minutes 39 seconds West 531.99 feet along the East line of said 10.34 acre tract of land to the North line of a 10 acre tract of land (Ref.: Parcel #3, Misc. Rec. Bk. 138, Pg. 456 in the records of Hamilton County, Indiana); thence North 89 degrees 45 minutes 21 seconds East 242.44 feet along the North line of said 10 acre tract of land and parallel with the North line of said Northeast Quarter to a point on the East line of the West Half of said Northeast Quarter, said point being 532.00 feet South of the Northeast corner of the West Half of said Northeast Quarter; thence North 00 degrees 08 minutes 05 seconds East 532.00 feet along the East line of the West Half of said Northeast Quarter to the Northeast corner of the West Half of said Northeast Quarter, said corner being collinear with and equidistant from the Northeast corner and the Northwest corner of said Northeast Quarter; thence South 89 degrees 45 minutes 21 seconds West 243.44 feet along the North line of said Northeast Quarter to the POINT OF BEGINNING. Containing 2.967 acres more or less, being subject to all applicable easements and rights-of-way record.

ALSO INCLUDING:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of 206th Street.