

ORDINANCE NO. 15-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA, ANNEXING TERRITORY TO THE TOWN OF DANVILLE, PLACING THE SAME WITHIN THE CORPORATION BOUNDARIES THEREOF AND MAKING THE SAME A PART OF THE TOWN OF DANVILLE

DOUBLE E FARMS, INC., PHASE II SUPER-VOLUNTARY ANNEXATION

WHEREAS, the Town Council ("Council") of the Town of Danville, Indiana ("Town" or "Danville") has received a petition ("Petition") requesting that certain territory generally located in Part of the Northeast and Southeast Quarter of Fractional Section 18, Township 15 North, Range 1 East, Center Township, Hendricks County, Indiana, as hereinafter described ("Annexation Territory"), be annexed by Danville; and

WHEREAS, this Petition has been signed by all (i.e. 100%) of the property owners within the Annexation Territory; and

WHEREAS, the Council deems it desirable and in the best interests of the Town to annex the Annexation Territory; and

WHEREAS, this Annexation Territory is located 1800 feet east of County Road 300 East, approximately 1.13 mile south of US Highway 36, and is fully described in the attached legal descriptions (Exhibit A) and illustrated on the attached map (Exhibit B); and

WHEREAS, where the legal descriptions attached as Exhibit A describes land this is contiguous to a public right-of-way that has not previously been annexed, the Annexation Territory shall include the contiguous public right-of-way even if it is not described in Exhibit A, except to the extent prohibited by I.C. § 36-4-3-1.5(c); and

WHEREAS, where the parcel of property within the Annexation Territory is adjacent to a parcel of property within the existing Town limits, the Annexation Territory boundary shall conform to and match the boundary of the existing Town limits so long as it does not result in adding or removing parcels of property from the Annexation Territory depicted in Exhibit A; and

WHEREAS, the Annexation Territory shall be zoned IL Industrial Light and APOD, Airport Overly District; and

WHEREAS, the Annexation Territory consists of approximately 110.62 acres, and is contiguous to the existing Town limits; and

WHEREAS, prior to adoption of this Ordinance, the Council, by resolution, will have adopted a written fiscal plan and definite policy for the provision of services of both a non-capital and capital nature to the Annexation Territory that meets the requirements of I.C. § 36-4-3; and

WHEREAS, the terms and conditions of this annexation, including the written fiscal plan, are fairly calculated to make the annexation fair and equitable to property owners and residents of the Annexation Territory and of the Town; and

WHEREAS, prior to the final adoption of this Ordinance, the Town will have conducted a public hearing pursuant to proper notice issued as required by law; and

WHEREAS, the Council finds that the Annexation pursuant to the terms of this Ordinance is fair and equitable and should be accomplished.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Danville, Indiana, as follows:

1. The above recitals including Exhibit A are incorporated herein by this reference as though fully set forth herein below.
2. In accordance with I.C. § 36-4-3-5.1 and other applicable laws, the Annexation Territory is hereby annexed to the Town and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.
3. The Annexation Territory is assigned to Council District (Ward) No. 1.
4. All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance are hereby superseded. The paragraphs, sentences, words, and Annexation Territory of this Ordinance are separable, and if a court of competent jurisdiction hereof declares any portion of the Ordinance or the Annexation Territory unconstitutional, invalid, or unenforceable for any reason, such declaration shall not affect the remaining portions of the Annexation Territory or this Ordinance.
5. The effective date of this annexation shall be as soon as allowed by law following its adoption, execution, and publication as required by law.

Introduced on July 16th, 2025 and adopted by the Town Council of the Town of Danville, Indiana, on August 20, 2025.

THE TOWN COUNCIL OF THE TOWN OF
DANVILLE, INDIANA

Dave Potter, President

Michael Chatham, Vice-President

Greg Irby, Member

Bret Doub, Member

Chris Gearld, Member

ATTEST:

Carrie Lofton, Clerk-Treasurer

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."

Lesa Ternet
Document prepared by: Lesa Ternet

**Source of Title****Double E Farms, Inc.****Warranty Deed****Instr. #201233032****Parcel #32-10-18-400-001.000-002, 32-10-18-200-002.000-002 & 32-10-18-400-012.000-002****Land Description****Double E Farms, Inc. Annexation Phase II**

Part of the Northeast and Southeast Quarter of Fractional Section 18, Township 15 North, Range 1 East of the Second Principal Meridian in Center Township, Hendricks County, Indiana, described as follows:

Commencing at the northwest corner of said Northeast Quarter; thence South 00 degrees 29 minutes 48 seconds East along the west line thereof 2,344.00 feet to the north line of the land of Double E Farms, Inc. as described in Instrument Number 201233032 in the Office of the Recorder of Hendricks County, Indiana, said point being on the south line of Lot 1 in Exempt Subdivision 021/16 as per plat thereof recorded as Instrument Number 201617223 in said recorder's office (the remaining calls are along the north, west, east and south lines of said land of Double E Farms); 1) thence North 89 degrees 30 minutes 07 seconds East along said south line 1,742.99 feet to the POINT OF BEGINNING, said point being on the south line of Lot 2 in Minor Plat 980/04 as per plat thereof recorded as Instrument Number 2005639499 in said recorder's office; 2) thence continue North 89 degrees 30 minutes 07 seconds East along the south line of said Minor Plat 980/04 a distance of 221.57 feet; 3) thence North 00 degrees 29 minutes 53 seconds West along the east line of said Minor Plat 980/04 and the northerly extension thereof 2,352.73 feet to the north line of said northeast quarter; 4) thence North 89 degrees 14 minutes 51 seconds East along said north line 706.31 feet to the northeast corner of said northeast quarter; 5) thence South 00 degrees 29 minutes 17 seconds East along the east lines of said northeast and southeast quarters 5,002.40 feet to the northeast corner of the land of Patrick and Samantha Kelly as described in Instrument Number 202214902 in said recorder's office; 6) thence South 89 degrees 47 minutes 05 seconds West along said north line and the north line of Darren M. and Rebecca L. Shoemaker 511.28 feet to the east line of Philip and Lois K. Fletcher as described in Instrument Number 200513136 in said recorder's office; 7) thence North 00 degrees 40 minutes 37 seconds West along said east line 1,050.99 feet; 8) thence South 89 degrees 53 minutes 42 seconds West along the north line and the westerly extension thereof of said land of Philip and Lois Fletcher 1,495.54 feet to the east line of Daniel J. and Nancy L. Lyons as described in Instrument Number 202227041 in said recorder's office; 9) thence North 00 degrees 29 minutes 48 seconds West along said east line and the northerly extension thereof 660.50 feet to the northeast corner of Lot 1 in Minor Plat 149/23 as per plat thereof recorded as Instrument Number 202317644 in said recorder's office; 10) thence South 89 degrees 54 minutes 33 seconds West along the north line of said Lot 1 a distance of 187.72 feet to the east line of Lot 1 in Minor Plat 059/15 as per plat thereof recorded as Instrument Number 201604537 in said recorder's office; 11) thence North 00 degrees 23 minutes 02 seconds West along said east line 315.00 feet to the southerly corporate limits of the Town of Danville (the remaining calls are along the south and east lines of said corporate limits); 1) thence North 89 degrees 54 minutes 33 seconds East 1,270.01 feet; 2) thence North 00 degrees 29 minutes 08 seconds West 614.97 feet to the POINT OF BEGINNING, containing 110.062 acres, more or less.

DOUBLE E FARMS ANNEXATION PHASE II
 PREPARED FOR: TOWN OF DANVILLE
 PART OF FRACTIONAL SEC. 18-T15N-R1E
 HENDRICKS COUNTY, INDIANA

E-MAIL: Banning@BanningEngineering.com WEB: www.BanningEngineering.com

This drawing is not intended to be represented as a retracement or original boundary survey, a route survey or a surveyor location report.

PAGE 2 OF 2

P:\2025\25101\Survey\DWG\25101_L_annex 2.dwg

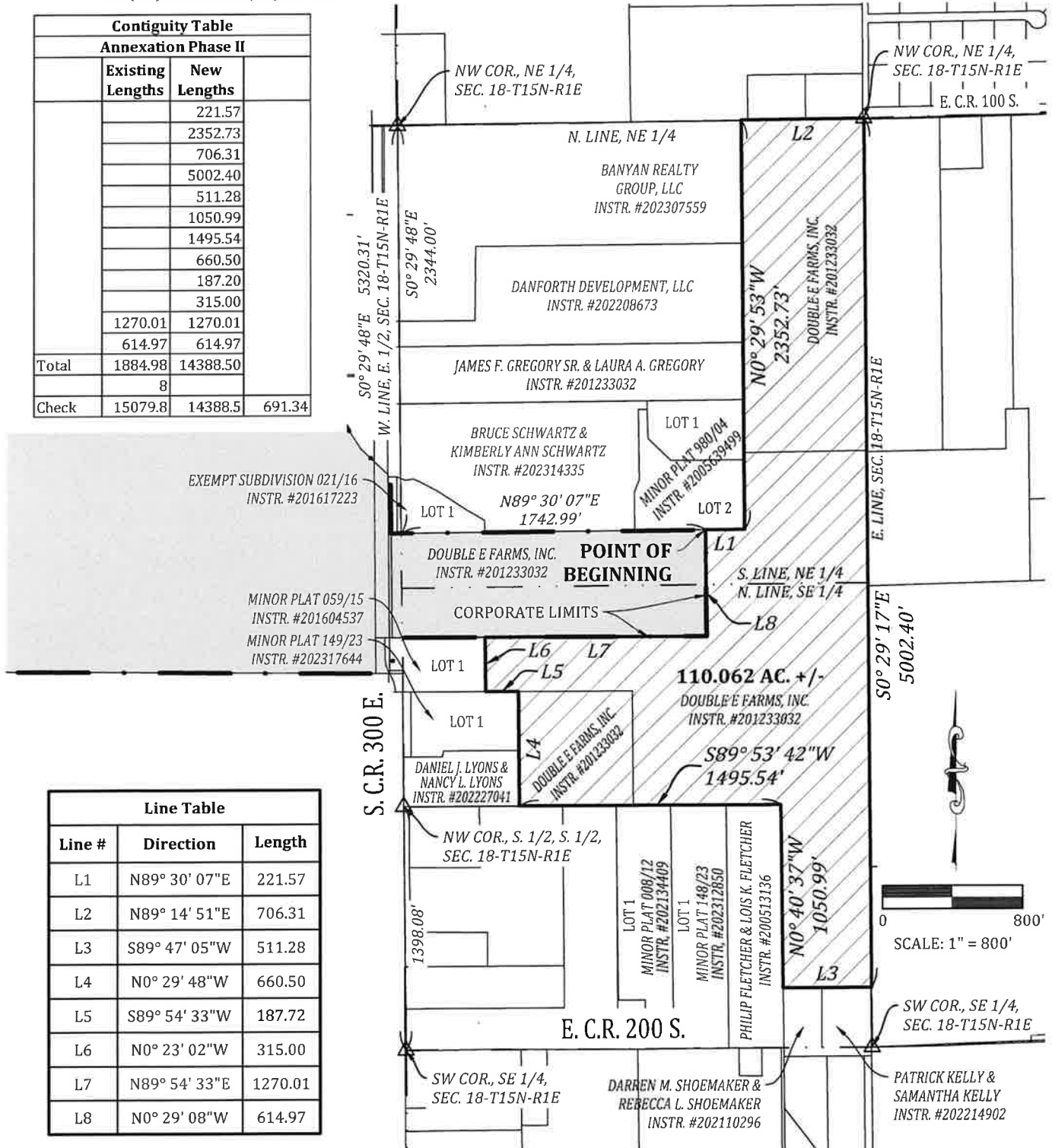
4/29/2025 2:52 PM

JOB # 25101
 DATE: 4/29/25
 DRAFTED: DM
 CHECKED: BR

EXHIBIT B



Contiguity Table		
Annexation Phase II		
	Existing Lengths	New Lengths
		221.57
		2352.73
		706.31
		5002.40
		511.28
		1050.99
		1495.54
		660.50
		187.20
		315.00
	1270.01	1270.01
	614.97	614.97
Total	1884.98	14388.50
	8	
Check	15079.8	14388.5
		691.34

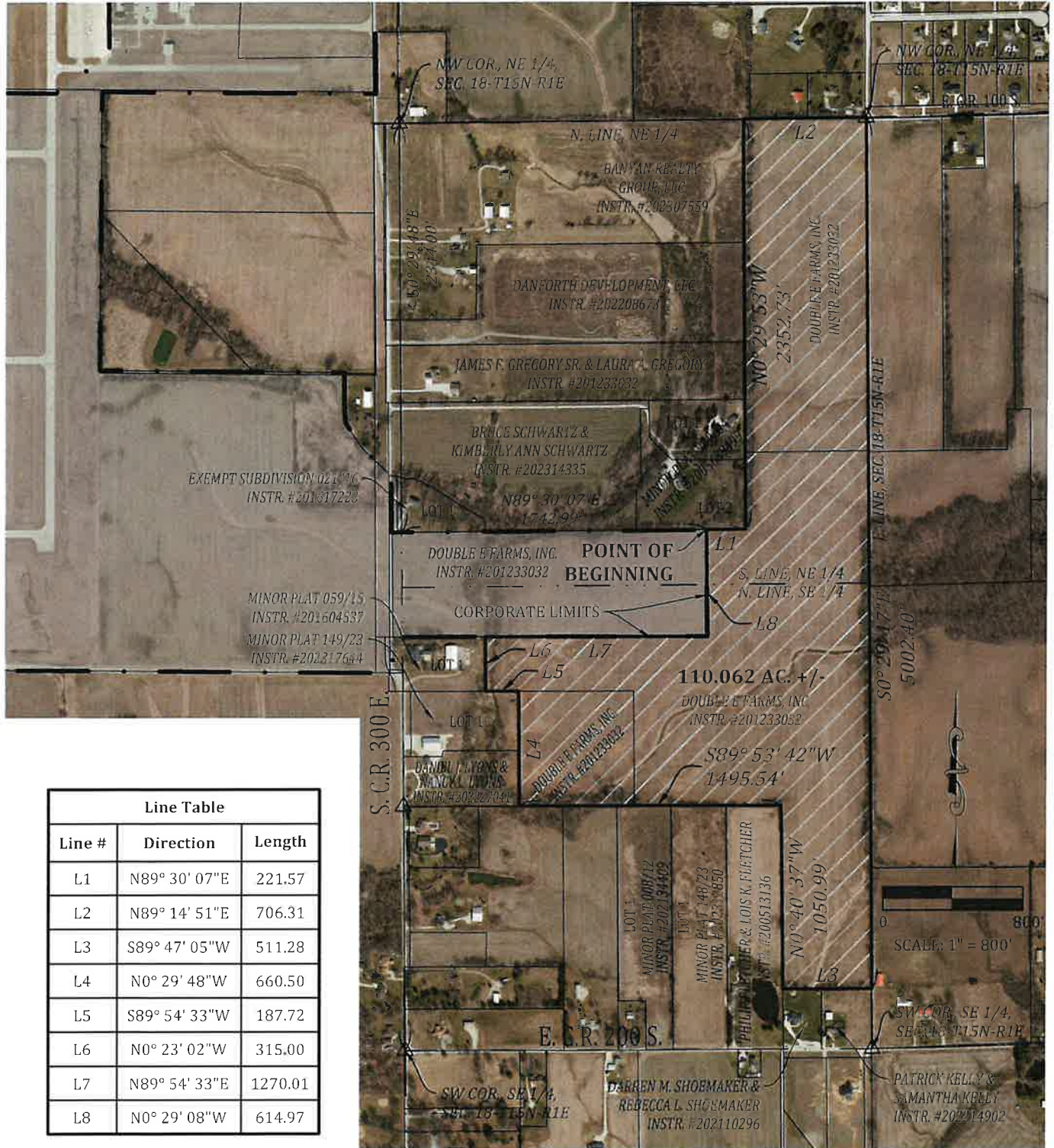


Line Table		
Line #	Direction	Length
L1	N89° 30' 07" E	221.57
L2	N89° 14' 51" E	706.31
L3	S89° 47' 05" W	511.28
L4	N0° 29' 48" W	660.50
L5	S89° 54' 33" W	187.72
L6	N0° 23' 02" W	315.00
L7	N89° 54' 33" E	1270.01
L8	N0° 29' 08" W	614.97

DOUBLE E FARMS ANNEXATION PHASE II
PREPARED FOR: TOWN OF DANVILLE
PART OF FRACTIONAL SEC. 18-T15N-R1E
HENDRICKS COUNTY, INDIANA

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EXHIBIT B



Line Table		
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L5	S89° 54' 33"W	187.72
L6	N0° 23' 02"W	315.00
L7	N89° 54' 33"E	1270.01
L8	N0° 29' 08"W	614.97

DOUBLE E FARMS ANNEXATION PHASE II PREPARED FOR: TOWN OF DANVILLE PART OF FRACTIONAL SEC. 18-T15N-R1E HENDRICKS COUNTY, INDIANA

E-MAIL: Banning@BanningEngineering.com WEB: www.BanningEngineering.com

This drawing is not intended to be represented as a retracement or original boundary survey, a route survey or a surveyor location report.

JOB # 25101
DATE: 4/29/25
DRAFTED: DM
CHECKED: BR

Super-Voluntary Annexation Timetable
Double E. Farms, Inc.
1800 feet East of CR 300 E, approximately 1.13 mile
south of US Highway 36, 110.62 acres

Jul 7th Petition was filed for annexation into the Town of Danville.

Jul 10th Legal notice submitted to *The Republican*.

*Petitioner submits public hearing notice for annexation to run one time in
The Republican on July 17th*

Jul 17th Notice of public hearings on annexation appears in *The Republican*. Minimum 20-day waiting period begins before public hearing may be held on annexation ordinance.

Jul 16th **Annexation ordinance is introduced.**

Aug 5th 20-day waiting period ends. Public hearing on annexation slated for regularly scheduled Town Council meeting.

Aug 6th Town Council holds public hearing on annexation.

Aug 6th Minimum 14-day waiting period begins before Council can take final action on annexation.

Aug 19th 14-day waiting periods ends. Town Council may take final action on annexation at next regularly scheduled meeting.

Aug 20th Town Council adopts annexation ordinance.
Fiscal plan is adopted by Town Council.

Aug 22nd Clerk-Treasurer submits public notice on approved annexation to paper.

Aug 28th Public notice on approved annexation is published.
30-day waiting period begins before annexation can be recorded.

Sep 28th 30-day waiting period ends.

Sep 29th *Clerk-Treasurer records annexation with County and files
annexation with the appropriate agencies.*

PETITION FOR ANNEXATION

Common Address of Property: East side of CR 300 East, 1.13 mile south of US Highway 36

[attach legal description and map showing location of property]

Petitioner Name(s): Double E Farms, Inc.

Mailing Address of Petitioner: 688 South CR 300 East

Petitioner's Phone Number: 317 374-9144

Petitioner's Email: barbandkene@sbcglobal.net

Property Owner's Name (if not Petitioner) _____

Property Owner's Mailing Address: _____

Tax ID / Parcel Number: 32-10-18-400-001.000-002, 32-10-18-200-002.000-002 & 32-10-18-400-012.000-002

of Persons Living on Property: _____ Acreage: 110.62 acres

Zoning Sought: IL Industrial Light Current County Zoning: AD Airport District

Present Use of Property: Agriculture

Plans for Changes in Use of Property: _____

Reasons for Seeking Annexation: Utilities

Electrical Service Provider: _____ Existing Sidewalks: Yes / No

Existing Utilities: Well _____ Septic _____ Other _____ Well to be abandoned: Yes / No

Ken Edmondson, Principal
Name(s) of Petitioner(s) - printed or typed

Ken W Edmondson
Signature(s) of Petitioner(s):

7-7-25
Date

**[attach affidavit of consent to annexation signed by all owners of the property to be annexed
who have not signed this document as petitioner(s)]**

Debra Faust 7-7-25
Received by Date

**AGREEMENT NOT TO REMONSTRATE AGAINST ANNEXATION FOR
CONNECTION TO THE TOWN OF DANVILLE'S SANITARY SEWER
AND/OR WATER DISTRIBUTION SYSTEMS**

We, Double E Farms, owners of approximately 110.62 acres of real property (henceforth called the "Property") described in the attached exhibit "Exhibit A" agree to waive our right, and that of any successors in title, to remonstrate against pending or future annexations of the property by the Town of Danville ("Town") in consideration for the Town's agreement to allow the development on the property to be connected to the Town's sanitary sewer and/or water systems. Connection to and use of the Town's sewer and water systems shall be subject to the terms and conditions generally applicable to other new connections made for properties within the Town (e.g. the sewer laterals and their connections to the Town's sewer main must meet Town specifications; all tap-in and sewer use fees must be paid and the Town's sewer use ordinance requirements must be followed).

We the undersigned agree that this waiver of the right to remonstrate shall also bar the filing of a declaratory judgement action or any other legal or equitable action to contest or appeal the annexation of the property.


Executed this 7th day of July, 2025



Property Owner

Property Owner

Acceptance of the Town of Danville:

By: 
Mark Morgan, Town Manager

Date: 7-7-25