

FILED

JUN 24 2024

Nancy L. Marsh
AUDITOR HENDRICKS COUNTY

202410719 ORDINANCE \$25.00
06/24/2024 09:24:07A 5 PGS
LAURA HERZOG
Hendricks County Recorder IN
Recorded as Presented



ORDINANCE NO. 11-2024

**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**

**RICHARD D. AND ROSALIND D. NEEDHAM
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 Gailcrest Subdivision, Section 1, Lots 10 & 11, Section 1, Township 15 North, Range 1 West, 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 more commonly known as 2990 Lynwood Drive and is fully described in the attached legal description (Exhibit A) and illustrated on the attached map (Exhibit B); and

WHEREAS, where the legal description 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 consists of approximately .92 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. 3.
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 April 17, 2024 and adopted by the Town Council of the Town of Danville, Indiana, on May 15, 2024.

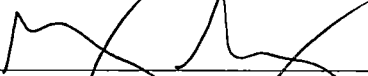
THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA



Chris Gearld, President



Michael Chatham, Vice-President



Greg Irby, Member

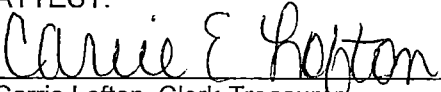


Bret Doub, Member



Dave Potter, 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



NOTICE OF ASSESSMENT OF LAND AND STRUCTURES / IMPROVEMENTS

State Form 21366 (R20 / 1-23)
Prescribed by the Department of Local Government Finance

FORM 11

Exhibit A

THIS IS NOT A TAX BILL



- The deadline to file an appeal is **June 15, 2023**.
- Scan the QR code for access to your property record card.

MWPSAUTOSEQ***1 of 1***18682
 NEEDHAM, RICHARD D JR & ROSALIND D
 2990 LYNWOOD DR
 DANVILLE IN 46122



Legal Description GAILCREST SEC 1 LOTS 10 & 11	Parcel or Identification Number 32-11-01-435-014.000-002
Property Address (number and street, city, state, and ZIP code) 2990 LYNWOOD DR, DANVILLE, IN 46122	

This notice indicates the assessed value of your property. Information on the valuation of your property and a copy of the property record card can be obtained from the assessing official at the telephone number and address below.

Notice to the taxpayer of the opportunity to appeal (IC 6-1.1-15-1.1, 1.2):

If the taxpayer does not agree with the action of the assessing official giving this notice, an appeal can be initiated to challenge that action. To file an appeal, the taxpayer must file a Form 130, Taxpayer's Notice to Initiate an Appeal, with the township assessor or county assessor in a timely manner. The time-frame to file an appeal on the assessment contained in this notice may have two different filing deadlines. These deadlines are based on the date that this notice is mailed. If this notice is mailed before May 1 of the assessment year, the filing deadline is June 15 of that year. If this notice is mailed on or after May 1 of the assessment year, the filing deadline is June 15 in the year that the tax statements are mailed. (IC 6-1.1-15-1.1) This form is available from the assessing official or at: <https://forms.in.gov/Download.aspx?id=6979>. An assessing official who receives a Form 130 must schedule a preliminary informal meeting with the taxpayer in order to resolve the appeal. The assessing official and taxpayer must exchange the information each party is relying on at the time of the preliminary informal meeting to support the party's respective position on each disputed issue concerning the appeal. If the taxpayer has reason to believe that the township assessor, county assessor, an employee of the township assessor or county assessor, or an appraiser has violated IC 6-1.1-35.7-3 or IC 6-1.1-35.7-4(a), the taxpayer may submit a written complaint to the Department of Local Government Finance under IC 6-1.1-35.7-4(b).

NOTE: Failure to file a timely Form 130 can be grounds for dismissal of this appeal.

PREVIOUS ASSESSMENT		NEW ASSESSMENT EFFECTIVE JANUARY 1, 2023	
LAND	62,000	LAND	65,000
STRUCTURES	257,800	STRUCTURES	269,600
TOTAL	319,800	TOTAL	334,600

Reason for Revision of Assessment: ANNUAL ADJUSTMENT

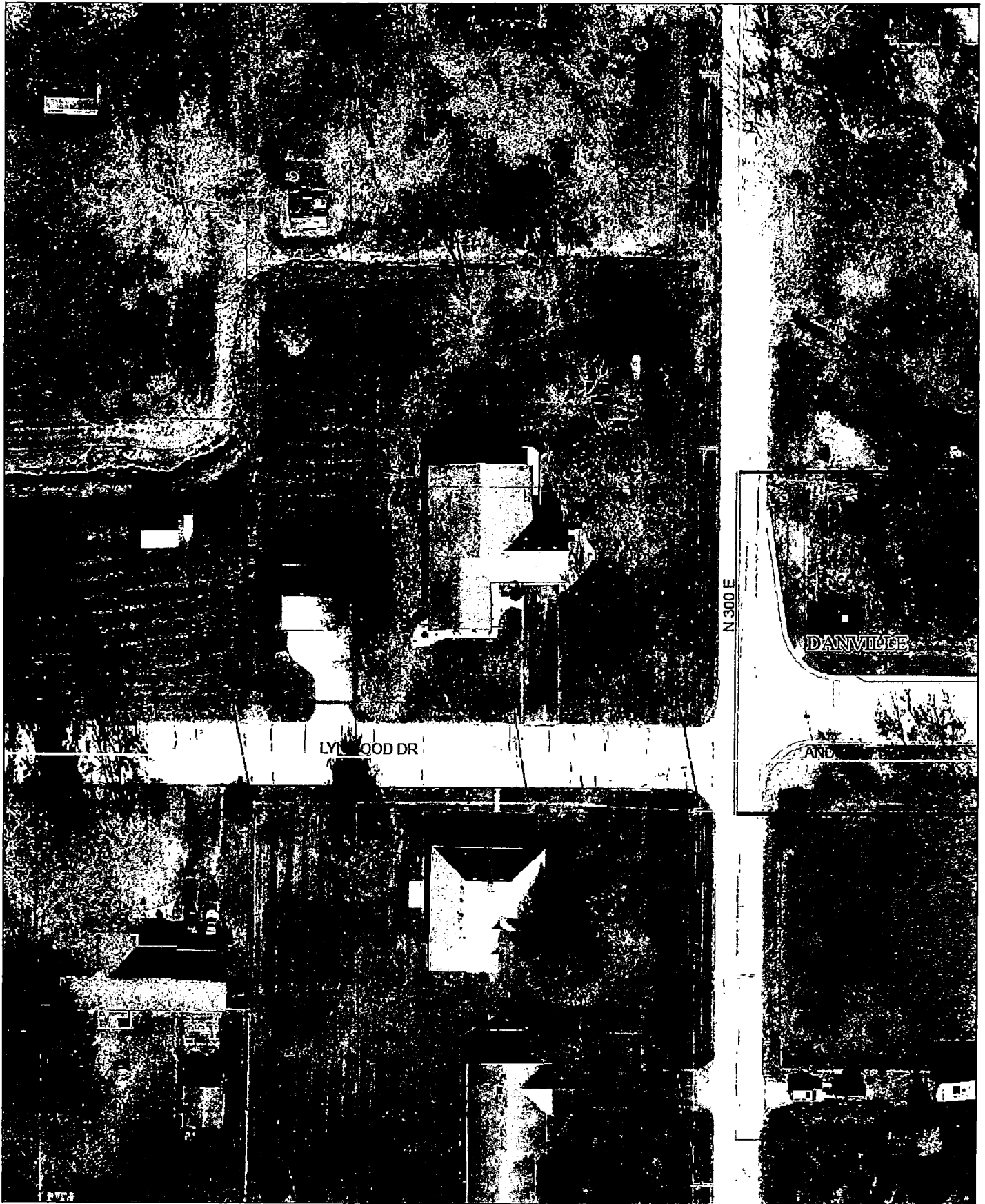
- As required by law, your assessment is adjusted each year to reflect market value.
- 2023 assessments for taxes payable in 2024 are based on sales from January 1, 2022 to December 31, 2022.
- Please review whether your New Assessment reflects Market Value (what you would or could sell your property for) as of January 1, 2023.
- If you feel your assessment is not reflective of market value, you may file an appeal by June 15, 2023.
- **Appeals for this assessment year will not be accepted if you wait until your tax bill arrives in the Spring of 2024.**

If the change in assessment is due to a new home, a taxpayer should be aware that there are many property tax benefits or deductions available. Please see INDIANA PROPERTY TAX BENEFITS (State Form 51781) available on the DLGF website: www.in.gov/dlgef. Other non-residential construction may be eligible for deductions - see Forms 322/RE and Form 322/VBD.

County Hendricks	Township CENTER TOWNSHIP	Date of Notice (month, day, year) 4/26/2023
Assessing Official Nicki Lawson, County Assessor	Telephone Number (317) 745-9207	
Address (number and street, city, state, and ZIP code) 355 S Washington St., Ste 230, Danville, IN 46122		

SEE OTHER SIDE FOR MORE INFORMATION

Exhibit B
Needham Annexatin



ANNEXATION PETITION PROCESS

1. Submit a complete petition package for consideration by the Town Council. For a petition to be considered complete, it must include the following:

- Signed **Petition For Annexation***
- Legal Description** of property
- Plot Plan** illustrating property described in petition
- When applicable, include a signed **Agreement Not To Remonstrate**
- Fee (\$50)

2. A public hearing is held by the Town Council for the annexation petition.

3. The date for the public hearing will be provided by Town staff after the petition has been filed.

4. Plan to attend the Town Council meeting when the public hearing is held. Meetings start at 7:00 PM and take place at the Danville Town Hall located at 49 N. Wayne Street, Danville, Indiana.

5. For questions or to request additional information, please contact:

Town Planner
49 N. Wayne Street
Danville IN 46122
(317) 745-4180 ext. 1101

* Attach an affidavit of consent to annex signed by all owners of the property to be annexed who did not sign the petition.

2024-2180

PETITION FOR ANNEXATION

Fee: \$58.00

Common Address of Property: 2990 LYNWOOD DR., DANVILLE, IN 46122

[attach legal description and map showing location of property]

Petitioner Name(s): RICHARD & ROSALIND NEEDHAM

Mailing Address of Petitioner: 2990 LYNWOOD DR., DANVILLE, IN 46122

Petitioner's Phone Number: 317-416-1048

Petitioner's Email: dentonneedham@aol.com

Property Owner's Name (if not Petitioner) —

Property Owner's Mailing Address: —

Tax ID / Parcel Number: 32-11-01-435-014.000-002

of Persons Living on Property: 2 Acreage: .92

Zoning Sought: CITY WATER Current County Zoning: —

Present Use of Property: Residence

Plans for Changes in Use of Property: —

Reasons for Seeking Annexation: CITY WATER

Electrical Service Provider: DUKE Existing Sidewalks: Yes / No

Existing Utilities: Well Septic Other Well to be abandoned: No

RICHARD & ROSALIND NEEDHAM
Name(s) of Petitioner(s) - printed or typed

Richard D Needham Rosalind D Needham
Signature(s) of Petitioner(s):

4/2/24
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 H. West 4-2-24
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, RICHARD D. NEEDHAM SR (ROSALIND) NEEDHAM, owners of approximately .92 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 2 day of April, 2024

Richard D Needham Sr
Property Owner

Rosalind D Needham
Property Owner

Acceptance of the Town of Danville:

By: Mark R. Morgan
Mark Morgan, Town Manager

Date: 4-3-24

Super-Voluntary Annexation Timetable
Richard D. & Rosalind Needham
2990 Lynnwood Drive

Apr 2st Petition was filed for annexation into the Town of Danville.

Apr 5th Legal notice submitted to *The Republican*.

Petitioner submits a public hearing notice for annexation to run once in The Republican on April 11th.

Apr 11th Notice of public hearings on annexation and zoning appears in *The Republican*. Minimum 20-day waiting period begins before public hearing may be held on annexation ordinance.

Apr 17th Annexation ordinance is introduced.

Apr 30th Minimum 20-day waiting period for public hearing ends.

May 1st Town Council holds public hearing on annexation.

May 1st Minimum 14-day waiting period begins before Council can take final action on annexation.

May 15th Minimum 14-day waiting periods ends. Town Council may take final action on annexation at next regularly scheduled meeting.

May 15th Fiscal plan is adopted by Town Council.
Town Council adopts annexation ordinance.

May 17th Clerk-Treasurer submits public notice on approved annexation to paper.

May 23rd Public notice on approved annexation is published.
30-day waiting period begins before annexation can be recorded.

June 23rd 30-day waiting period ends.

June 24th *Clerk-Treasurer records annexation with County and files annexation with the appropriate agencies no later than ninety (90) days after the expiration period for an appeal.*