



FILED

NOV 25 2024

Nancy S. Marsh
AUDITOR HENDRICKS COUNTY

ORDINANCE NO. 21-2024

**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**

**BUBBA & AMY STULTZ
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 Quarter of the Southwest Quarter and Part of the Southeast Quarter of the Northwest Quarter of Section 3, 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 501 Sycamore Lane 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 1.10 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 September 4th, 2024 and adopted by the Town Council of the Town of Danville, Indiana, on October 16th, 2024.

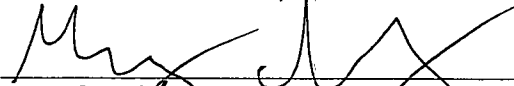
THE TOWN COUNCIL OF THE TOWN OF
DANVILLE, INDIANA



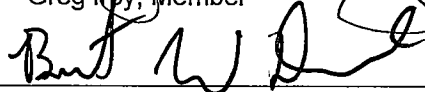
Chris Gearld, President



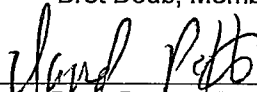
Michael Chatham, Vice-President



Greg Irby, Member

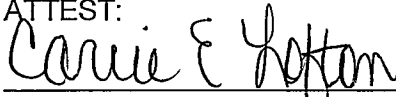


Bret Doub, Member



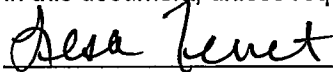
Dave Potter, Member

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

Exhibit A

LEGAL DESCRIPTION

✓ Part of the Northeast Quarter of the Southwest Quarter and part of the Southeast Quarter of the Northwest Quarter of Section 3, Township 15 North, Range 1 West, Hendricks County, Indiana, bounded and described as follows, to-wit:

Beginning at a point which is 286.33 feet West and 322.50 feet South of a stone at the center of said Section, and from said beginning point run thence North 44 degrees 52 minutes 12 seconds West a distance of 232.29 feet to a fence post; run thence North 22 degrees 50 minutes West a distance of 273.37 feet to the center of a county road; run thence South 76 degrees 15 minutes East a distance of 283.33 feet on and along the center of said road; thence run South 05 degrees 58 minutes 34 seconds West a distance of 114.11 feet to a hickory tree; thence run South at right angles to the North line of the Southwest Quarter of said Section a distance of 237.50 feet to the place of beginning, estimated to contain 1.10 acres, more or less and subject to all highways, rights-of-way and easements.

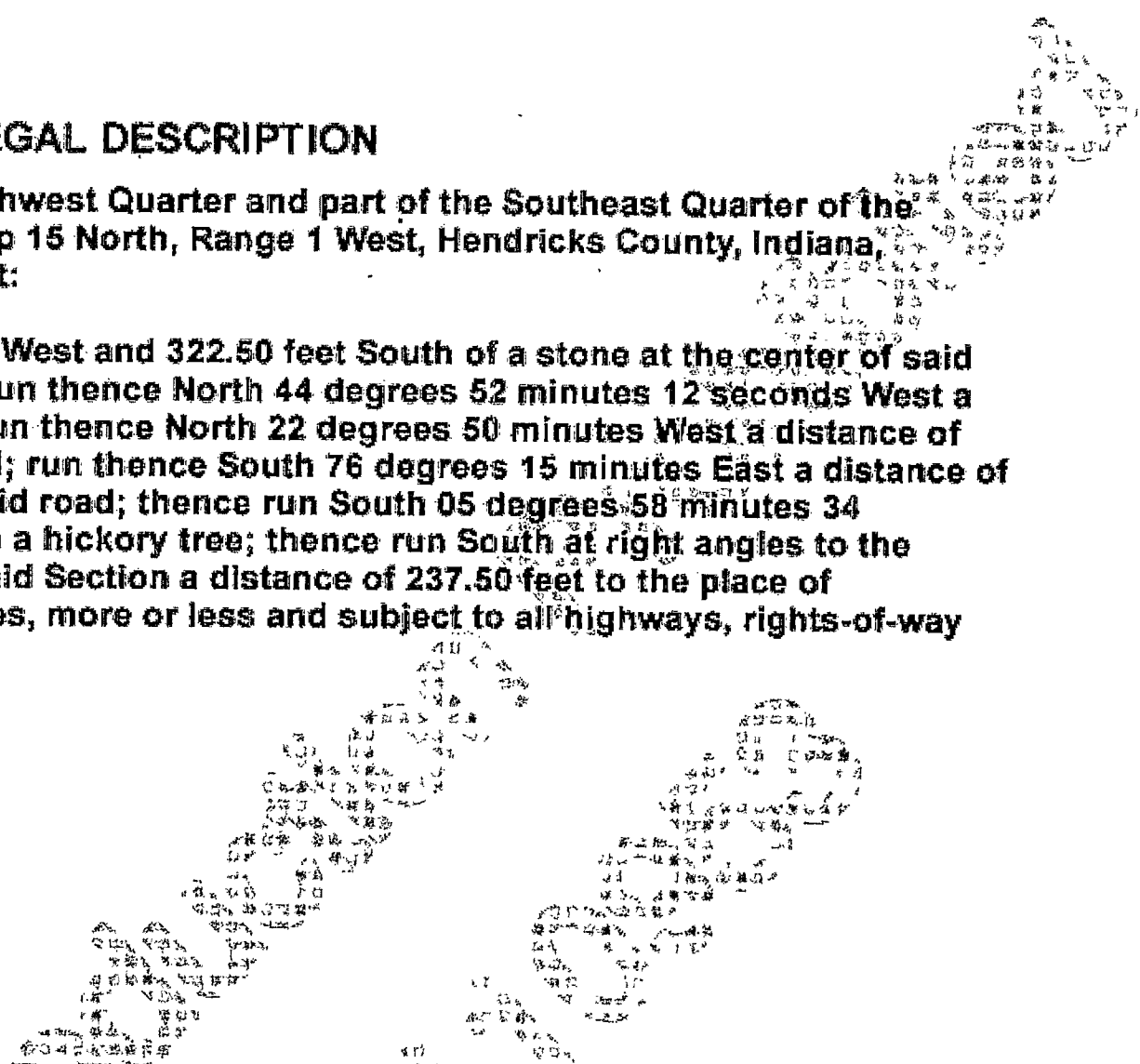
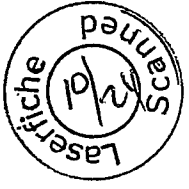


Exhibit B





21-2024

Super-Voluntary Annexation Timetable
Bubba & Amy Stultz
501 Sycamore Lane

Aug 20th Petition was filed for annexation into the Town of Danville.

Aug 23rd Legal notice submitted to *The Republican*.

Petitioner submits public hearing notice for annexation to run one time in The Republican on August 29th

Aug 29th 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.

Sept 4th **Annexation ordinance is introduced.**

Sep 17th 20-day waiting period ends. Public hearing on annexation slated for regularly scheduled Town Council meeting.

Sept 18th **Town Council holds public hearing on annexation.**

Sept 19th Minimum 14-day waiting period begins before Council can take final action on annexation.

Oct 2nd 14-day waiting periods ends. Town Council may take final action on annexation at next regularly scheduled meeting.

Oct 16th **Town Council adopts annexation ordinance.**
Fiscal plan is adopted by Town Council.

Oct 18th Clerk-Treasurer submits public notice on approved annexation to paper.

Oct 24th Public notice on approved annexation is published.
30-day waiting period begins before annexation can be recorded.

Nov 23rd 30-day waiting period ends.

Nov 25th *Clerk-Treasurer records annexation with County and files annexation with the appropriate agencies.*

Ordinances

Ordinance #: 21-2024

Advertised Date: 10/24/24

Recording Date: 11/25/24