

**FILED**

NOV 25 2024

*Nancy S. Marsh*  
AUDITOR HENDRICKS COUNTY

202421537 ORDINANCE \$25.00  
11/25/2024 09:00:37A 7 PGS  
LAURA HERZOG  
Hendricks County Recorder IN  
Recorded as Presented



**ORDINANCE NO. 22-2024**

**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**

**LARRY & KATHY WITTE  
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 Minor Plat 377, Lot 1 and Part of the Northeast 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 556 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 1.98 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:

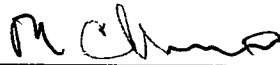
1. The above recitals including Exhibit A are incorporated herein by this reference as though fully set forth herein below.
2. In accordance with I.C. § 36-4-3-5.1 and other applicable laws, the Annexation Territory is hereby annexed to the Town and thereby included within its corporate boundaries pursuant 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 4<sup>th</sup>, 2024 and adopted by the Town Council of the Town of Danville, Indiana, on October 16<sup>th</sup>, 2024.

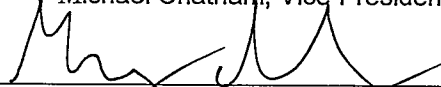
THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA




Chris Gearld, President



Michael Chatham, Vice-President



Greg Irby, Member

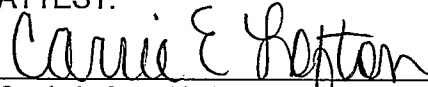


Bret Doub, Member



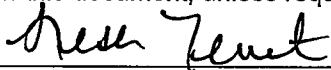
Dave Potter, Member

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

SPLIT 02-2-03-51W 200-003

Duly entered for taxation **DULY ENTERED FOR TAXATION**  
day of \_\_\_\_\_ 19\_\_\_\_



No. \_\_\_\_\_ **BOOK 342 PAGE 624**

Entered for record this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_ at \_\_\_\_\_ M.,  
in Deed Record \_\_\_\_\_ Page \_\_\_\_\_

JUL 06 1995

Auditor, May Gene Hendricks County, IN  
AUDITOR HENDRICKS COUNTY

**10833**

Recorder, \_\_\_\_\_ County, IN

**THIS INDENTURE WITNESSETH, That** Louis D. Edmondson, adult,

\_\_\_\_\_ (Grantor)  
of Hendricks County, in the State of Indiana, CONVEY

AND WARRANT to Larry L. Witte and Kathleen A. Witte, husband and wife,

\_\_\_\_\_ (Grantee)  
of Hendricks County, in the State of Indiana, for the sum of

One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged,  
the following described real estate in Hendricks County, State of Indiana:

A part of the Northeast quarter of Section 3, Township 15 North, Range 1 West, located in Center Township, Hendricks County, Indiana, being more particularly described as follows: BEGINNING at a 3/8" rebar marking the Southeast corner of Lot #1 in Minor Plat #377 as recorded in Plat Cabinet 1, Slide 87, Page 1; thence North 00 degrees 35 minutes 53 seconds West 257.86 feet along the East line of said lot to a 3/8" rebar; thence North 89 degrees 34 minutes 05 seconds East 33.00 feet to a 5/8" rebar; thence South 00 degrees 35 minutes 53 seconds East 257.86 feet to a 5/8" rebar; thence South 89 degrees 34 minutes 05 seconds West 33.00 feet to the POINT OF BEGINNING. Containing 0.195 acres, more or less, being subject to all legal highways, rights-of-way and easements of record.

Subject to all easements, restrictions and rights-of-way.

Subject to all taxes now a lien and to become a lien thereon.

ENTERED FOR RECORD  
JUL 6 1995 At 11:15  
BOOK 342 Page 624  
Jay R. [Signature]  
HENDRICKS COUNTY RECORDER

IN WITNESS WHEREOF, Grantor has executed this deed this 5th day of July, 19 95.

STATE OF	Grantor: _____ (Seal)	Grantor: _____ (Seal)
INDIANA	Signature _____	Signature _____
	Printed _____	Printed _____
	} SS:	
COUNTY OF	Grantor: _____ (Seal)	Grantor: _____ (Seal)
HENDRICKS	Signature _____	Signature <u>Louis D. Edmondson</u>
	Printed _____	Printed <u>LOUIS D. EDMONDSON</u>

Before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_  
Louis D. Edmondson, adult,

who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 5th day of July, 19 95.

My Commission expires: \_\_\_\_\_  
December 8, 1995  
Signature Donna Jane Charles  
Printed Donna Jane Charles, Notary Public  
Resident of Hendricks County, Indiana

This instrument prepared by Lee T. Comer, P.O. Box 207, Danville, IN 46122, Attorney at Law.  
Send tax bills to 556 East County Road 50 North, Danville, IN 46122

# Exhibit A

## A & L ENGINEERING AND SURVEYING

Drainage Plans  
Construction Staking  
Mortgage Inspections

*Consulting Engineers & Land Surveyors*  
P.O. Box 82 • Danville, Indiana • 46122  
(317) 745-0377

Land Surveying  
Site Design  
Subdivision Design  
92103

### SURVEYOR LOCATION REPORT

**THIS REPORT IS BASED ON LIMITED ACCURACY DATA AND THEREFORE NO DATA HEREIN SHOULD BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OR FENCE LINES.**

**PROPERTY ADDRESS:** 592 East Co Rd 50N, Danville, Indiana 46122

**PROPERTY DESCRIPTION:** Lot #1 in Minor Plat #377, as per plat thereof, recorded August 7, 1990, in Plat Cabinet #1, Slide 87, page 1 in the Office of the Recorder of CHendricks County, Indiana

SEE PAGE 2 OF 2 FOR DRAWING

Exhibit B









22-2024

**Super-Voluntary Annexation Timetable**  
**Larry & Kathy Witte**  
**556 Sycamore Lane**

Aug 20<sup>th</sup> Petition was filed for annexation into the Town of Danville.

Aug 23<sup>rd</sup> Legal notice submitted to *The Republican*.

*Petitioner submits public hearing notice for annexation to run one time in The Republican on August 29<sup>th</sup>*

**Aug 29<sup>th</sup>** 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 4<sup>th</sup>** **Annexation ordinance is introduced.**

Sept 17<sup>th</sup> 20-day waiting period ends. Public hearing on annexation slated for regularly scheduled Town Council meeting.

**Sept 18<sup>th</sup>** **Town Council holds public hearing on annexation.**

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

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

**Oct 16<sup>th</sup>** **Town Council adopts annexation ordinance.**  
**Fiscal plan is adopted by Town Council.**

Oct 18<sup>th</sup> Clerk-Treasurer submits public notice on approved annexation to paper.

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

Nov 23<sup>rd</sup> 30-day waiting period ends.

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

# Ordinances

**Ordinance #:** 22-2024

**Advertised Date:** 10/24/24

**Recording Date:** 11/25/24