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DEC 30 2024

Nancy S. Marsh
AUDITOR HENDRICKS COUNTY

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LAURA HERZOG
Hendricks County Recorder IN
Recorded as Presented



ORDINANCE NO. 24-2024

**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**

**BOARD OF HENDRICKS COUNTY COMMISSIONERS
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 Section 13, 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 being located on the west side of County Road 300 East, 0.64 mile South of US Highway 36 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 50.0 acres, and is contiguous to the existing Town limits; and

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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:

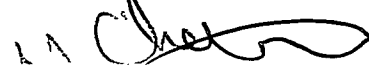
1. The above recitals including Exhibit A are incorporated herein by this reference as though fully set forth herein below.
2. In accordance with I.C. § 36-4-3-5.1 and other applicable laws, the Annexation Territory is hereby annexed to the Town and thereby included within its corporate boundaries pursuant 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 October 2nd, 2024 and adopted by the Town Council of the Town of Danville, Indiana, on November 20th, 2024.

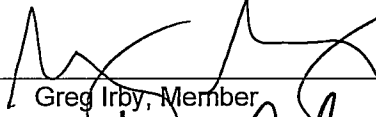
THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA



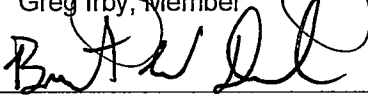
Chris Gearld, President



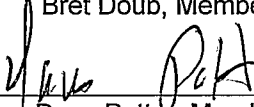
Michael Chatham, Vice-President



Greg Irby, Member



Bret Doub, Member



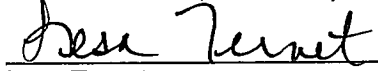
Dave Potter, Member

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."



Lesla Ternet
Document prepared by: Lesa Ternet

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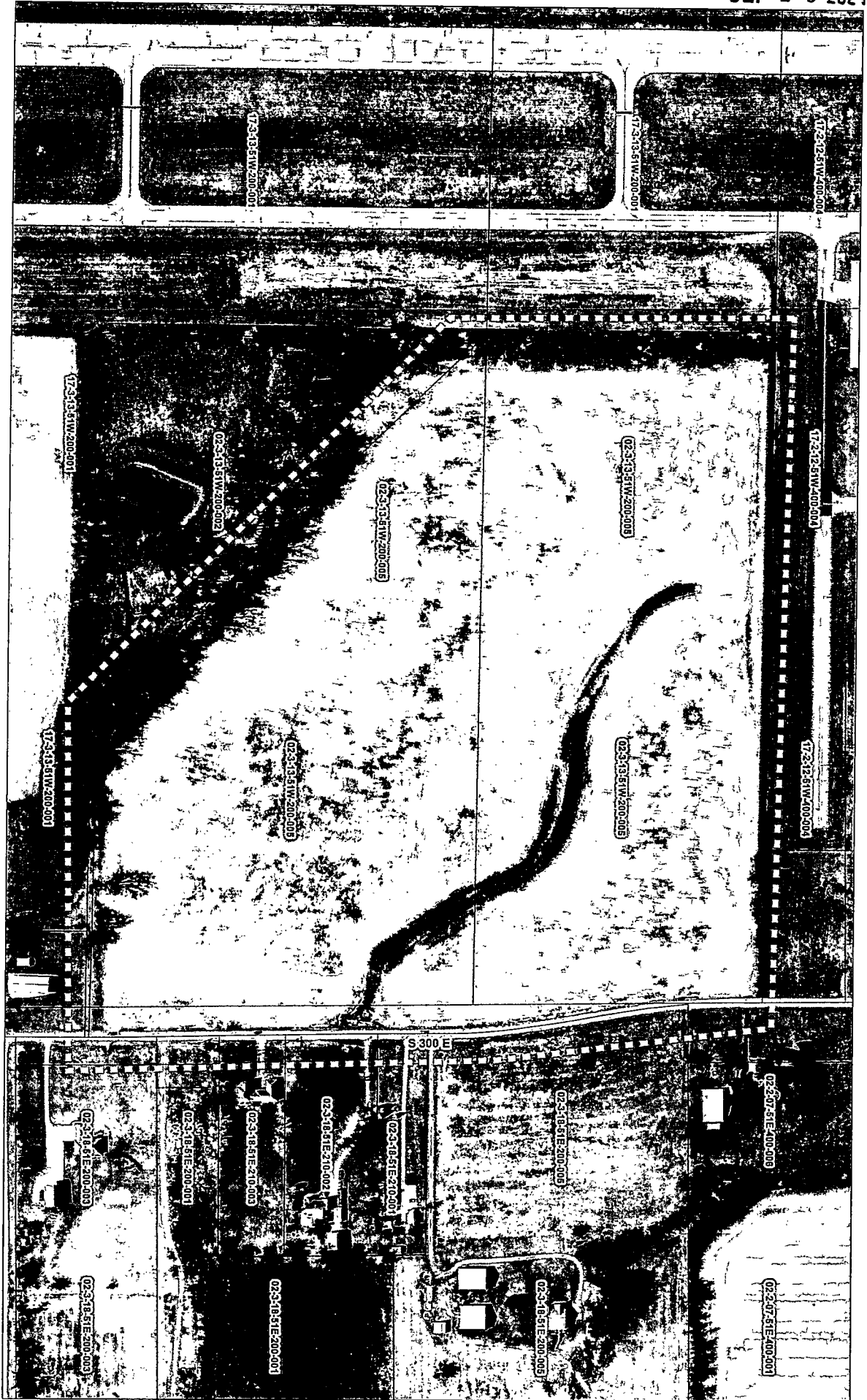
EXHIBIT A

Beginning at a point in the center line of County Road 300 East, which is 1728.75 feet North of the South line of the Northeast Quarter of Section 13, Township 15 North, Range 1 West, Hendricks County, Indiana, said point being in Section 18, Township 15 North, Range 1 East; thence North 88 degrees and 55 minutes West to the Meridian, thence continue along said course to a point 1651.80 feet West of the place of beginning; thence North 00 degrees 59 minutes East 1593.60 feet to the North line of the South Half of the South Half of the Southeast Quarter of said Section 12; thence South 88 degrees 55 minutes East 1553.00 feet to a point in the center line of County Road 300 East; thence South along said center line 00 degrees East 184.16 feet; thence South 8 degrees 21 minutes East 483.12 feet along said center line; thence South 6 minutes East 932.00 feet along said center line to the place of beginning, containing in all 59.39 acres, more or less and subject to all highways, rights-of-way and easements.

EXCEPT THEREFROM THE FOLLOWING:

A part of the Northeast Quarter of Section 13, Township 15 North, Range 1 West and a part of the Northwest Fractional Quarter of Section 18, Township 15 North, Range 1 East of the Second Principal Meridian in Center Township, Hendricks County, Indiana, and being more particularly described as follows:

Beginning at a point in the center line of County Road 300 East, which is 1728.75 feet North of the South line of the Northeast Quarter of Section 13, Township 15 North, Range 1 West; said point being in Section 18, Township 15 North, Range 1 East; thence North 88 degrees 55 minutes West to the Second Principal Meridian; thence continue North 88 degrees 55 minutes West to a point 1651.80 feet West of the point of beginning; thence North 00 degrees 59 minutes East 905.57 feet; thence South 43 degrees 55 minutes 00 seconds East 1266.53 feet; thence South 88 degrees 55 minutes East 757.60 feet to the centerline of County Road 300 East; thence South 00 degrees 06 minutes 00 seconds East 10.00 feet to the point of beginning, containing 9.39 acres, more or less.



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