

FILED

DEC 30 2024

Nancy J. Marsh
AUDITOR HENDRICKS COUNTY



ORDINANCE NO. 28-2024

**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**

**TONY PRESLEY
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 Center Township, Part of the Southeast Quarter of the Southeast Quarter of Section 1, Township 15N, Range 1 West, 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 2949 East Main Street 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 shall be zoned Industrial Light District (IL); and

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WHEREAS, the Annexation Territory consists of approximately 1.86 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

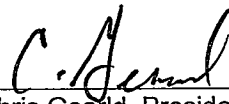
WHEREAS, the Council finds that the Annexation pursuant to the terms of this Ordinance is fair and equitable and should be accomplished.

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

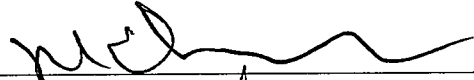
1. The above recitals including Exhibit A are incorporated herein by this reference as though fully set forth herein below.
2. In accordance with I.C. § 36-4-3-5.1 and other applicable laws, the Annexation Territory is hereby annexed to the Town and thereby included within its corporate boundaries pursuant 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 October 16th, 2024 and adopted by the Town Council of the Town of Danville, Indiana, on November 20th, 2024.

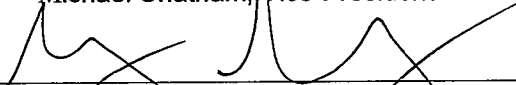
THE TOWN COUNCIL OF THE TOWN OF
DANVILLE, INDIANA



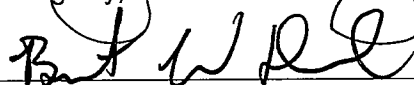
Chris Gearld, President



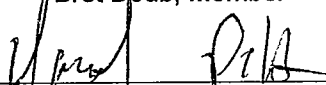
Michael Chatham, Vice-President



Greg Irby, Member

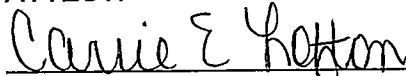


Bret Doub, Member



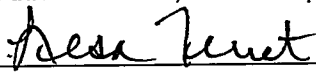
Dave Potter, Member

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."



Lesa Ternet

Document prepared by: Lesa Ternet

Exhibit A

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

From a corner stone marking the Southeast corner of said quarter quarter section; run thence North on and along the East line thereof a distance of 502.70 feet and to the South right of way line of U.S. Highway #36; thence run in a Southwesterly direction on and along said right of way line 300.00 feet and to the place of beginning of this description; From said beginning point continue in a Southwesterly direction on and along said right of way line 300.00 feet; thence run South parallel to said East line 270.00 feet; thence run in a Northeasterly direction parallel to said right of way line 300.00 feet; thence North parallel to said East line 270.00 feet and to the Place of Beginning, containing 1.86 acres, more or less. Subject to all highways, rights of way and easements.

 **Beacon**TM Town of Danville, IN

Exhibit B
Tony Presley

