

## **ORDINANCE NO. 22-2025**

### **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**

#### **JOHN T. HUME, III & REBECCA HUME 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 Northwest quarter of the Southeast quarter and a part of the Northeast quarter of the Southwest quarter of Section 3, Township 15N, 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 located at 535 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 that 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 parcels 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 Residential 1 (R1) District; and

WHEREAS, the Annexation Territory consists of approximately 2.76 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 3rd, 2025 and adopted by the Town Council of the Town of Danville, Indiana, on October 1st, 2025.

THE TOWN COUNCIL OF THE TOWN OF  
DANVILLE, INDIANA

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Dave Potter, President

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Michael Chatham, Vice-President

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Greg Irby, Member

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Bret Doub, Member

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Chris Gearld, Member

ATTEST:

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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."

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Lesa Ternet

Document prepared by: Lesa Ternet

**Super-Voluntary Annexation Timetable**  
**John T. Hume, III and Rebecca Hume**  
**535 Sycamore Lane, 2.76 acres**

Aug 21<sup>st</sup>      Petition was filed for annexation into the Town of Danville.

Aug 22<sup>nd</sup>      Legal notice submitted to *The Republican*.

*Petitioner submits public hearing notice for annexation to run one time in  
The Republican on August 28<sup>th</sup>*

**Aug 28<sup>th</sup>**      Notice of public hearings on annexation appears in *The Republican*. Minimum 20-day waiting period begins before public hearing may be held on annexation ordinance.

**Sep 3<sup>rd</sup>**      **Annexation ordinance is introduced.**

Sep 16<sup>th</sup>      20-day waiting period ends. Public hearing on annexation slated for regularly scheduled Town Council meeting.

**Sep 17<sup>th</sup>**      **Town Council holds public hearing on annexation.**

Sep 17<sup>th</sup>      Minimum 14-day waiting period begins before Council can take final action on annexation.

Sep 30<sup>th</sup>      14-day waiting periods ends. Town Council may take final action on annexation at next regularly scheduled meeting.

**Oct 1<sup>st</sup>**      **Town Council adopts annexation ordinance.**  
**Fiscal plan is adopted by Town Council.**

Oct 3<sup>rd</sup>      Clerk-Treasurer submits public notice on approved annexation to paper.

Oct 9<sup>th</sup>      Public notice on approved annexation is published.  
30-day waiting period begins before annexation can be recorded.

Nov 8<sup>th</sup>      30-day waiting period ends.

Nov 10<sup>th</sup>      *Clerk-Treasurer records annexation with County and files  
annexation with the appropriate agencies.*

2025-2254

## PETITION FOR ANNEXATION

Common Address of Property: 535 SYCAMORE LANE DANVILLE IN

[attach legal description and map showing location of property]

Petitioner Name(s): JOHN T. HUME III & REBECCA HUME

Mailing Address of Petitioner: 535 SYCAMORE LANE DANVILLE IN 46122

Petitioner's Phone Number: 317 1403-2470

Petitioner's Email: jbhume2208@gmail.com

Property Owner's Name (if not Petitioner) JOHN T. HUME III & REBECCA HUME

Property Owner's Mailing Address: 535 SYCAMORE LANE DANVILLE IN 46122

Tax ID / Parcel Number: 32-11-03-300-014,000-002 + 32-11-03-300-013,000-002

# of Persons Living on Property: two Acreage: 1.58 AND 1.18 (2.76)

Zoning Sought: R-1 Current County Zoning: RB

Present Use of Property: Home Residence

Plans for Changes in Use of Property: NONE

Reasons for Seeking Annexation: well going dry

Electrical Service Provider: Duke Energy Existing Sidewalks: Yes / No

Existing Utilities: Well ☒ Septic ☒ Other ☐ Well to be abandoned: Yes / No

JOHN T. HUME III & REBECCA HUME

Name(s) of Petitioner(s) - printed or typed

Signature(s) of Petitioner(s): Rebecca R. Hume John T. Hume III

August 21, 2025  
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)]

Lesla Ternet  
Received by (Printed)

Lesla Ternet 8-21-25  
Received by (Signature) Date

**AGREEMENT NOT TO REMONSTRATE AGAINST ANNEXATION FOR  
CONNECTION TO THE TOWN OF DANVILLE'S SANITARY SEWER  
AND/OR WATER DISTRIBUTION SYSTEMS**

We, John and Rebecca Hume, owners of approximately 3 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 21<sup>st</sup> day of August, 2025

John Hume  
Rebecca R. Hume  
Property Owner (Signature)  
John T. Hume  
Rebecca R. Hume  
Property Owner (Printed)

Acceptance of the Town of Danville:

By: Mark R. Morgan  
Mark Morgan, Town Manager

Date: 8-22-25

DULY ENTERED  
FOR TAXATION

JUN 09 2008

*Cinda Kattaw*  
AUDITOR HENDRICKS COUNTY

# EXHIBIT A

## QUITCLAIM DEED



\* 2 0 0 8 1 3 9 4 8 3 \*

200813948

PAUL T HARDIN  
HENDRICKS COUNTY RECORDER  
06/09/2008 01:01:51PM

THIS INDENTURE WITNESSETH, That John T. Hume, III. (Grantor) of Hendricks

County, in the State of Indiana, QUITCLAIMS to John T. Hume, III. and Rebecca R. Hume, husband and wife, (Grantees 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.

Part of the Northwest quarter of the Southeast quarter and a part of the Northeast quarter of the Southwest quarter of Section 3, Township 15 North, Range 1 West, bounded and described as follows, to-wit: Beginning at a stone found at the center of said Section, and running thence West on and along the North Line of the Northeast quarter of the Southwest quarter of said Section a distance of 128 feet; thence South at right angles to the last described line 322.5 feet; thence East parallel to the North line of the Northeast quarter of the Southwest quarter of said Section 228 feet; thence deflect 90 degrees to the left and run North a distance of 322.12 feet to the North line of the Northwest quarter of the Southeast quarter of said Section; thence running North 89 degrees 46 minutes 40 second West on and along said North line 100 feet to the point of beginning, containing .95 acres, more or less, in said Northeast quarter of the Southwest quarter and .74 acres, more or less, in said Northwest quarter of the Southeast quarter. Aggregating in all 1.69 acres, more or less.

ALSO: All of the grantor's right, title and interest in an to an easement for driveway purposes, appearing in record in Miscellaneous Record 35 at page 141-142 of the Hendricks County Records.

This conveyance is made subject to the restrictive covenants, provisions and agreements contain in a Warranty Deed recorded April 8, 1950 and appearing of record in Deed Record 161 pages 329-330 of the aforesaid records.

Part of the Northeast Quarter of the Southwest Quarter and a part of the Southeast Quarter of the Northwest Quarter of Section 3, Township 15 North, Range 1 West, bounded and described as follows, to-wit: From an iron pin marking the center of said section run thence West on and along the center line thereof a distance of 128.00 feet and to the beginning point of this description: FROM SAID BEGINNING POINT run thence South at right angles to said center line 322.50 feet; thence West parallel to said center line 158.33 feet; thence North 237.50 feet; thence North 5 degrees 58 minutes 34 seconds East 114.11 feet and to the center of the County Road; thence South 76 degrees 15 minutes East on and along said road 123.68 feet and to the center line of said section; thence East on and along said center line 26.10 feet and to the place of beginning.

Containing 1.20 acres, more or less, subject to any and all easements and right of ways which may affect said real estate.

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The address of such real estate is commonly known at 535 Sycamore Lane, Danville,  
Indiana 46122.

This conveyance is subject to any unpaid balance of existing mortgages, highways, right  
of way, restrictions of records and all other matters affecting title whether recorded or not.

IN WITNESS WHEREOF, Grantor has executed this deed this 5<sup>th</sup> day of  
June, 2008.

Grantor: John T. Hume, III.

Signature:

Printed:

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STATE OF INDIANA            )  
  )SS:       ACKNOWLEDGEMENT  
COUNTY OF HENDRICKS )

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Before me, a Notary Public in and for said County and State, personally appeared John T.  
Hume, III. who acknowledged the execution of the foregoing Quitclaim Deed, and who, having  
been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 5<sup>th</sup> day of June, 2008.

My Commission Expires:

Signature

Linda J. Endris  
Notary Public

11-4-14

Printed

Linda J. Endris

Resident of Marion, County, Indiana



This instrument prepared by John T. Hume, III., Attorney at Law.

Return deed to John T. Hume, III, 535 Sycamore Lane, Danville, IN 46122.

- ✓ Send tax bills to John T. Hume, III. and Rebecca R. Hume, 535 Sycamore Lane, Danville, IN 46122.

"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."

NAME John T. Hume III.



John T. and Rebecca Hume, III  
Exhibit B

