

**ORDINANCE 2006-20**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE  
TOWN OF WHITESTOWN, INDIANA, ANNEXING TERRITORY TO THE TOWN OF  
WHITESTOWN, INDIANA, PLACING THE SAME WITHIN THE CORPORATE  
BOUNDARIES THEREOF AND MAKING THE SAME  
A PART OF THE TOWN OF WHITESTOWN**

**SOUTH I-65 ANNEXATION**

WHEREAS, the Town Council ("Council") of the Town of Whitestown ("Town"), Indiana deems it desirable and in the best interest of the Town to annex to the Town certain territory as hereinafter described ("Annexation Territory"); and

WHEREAS, the Annexation Territory is owned by multiple owners and others with property interests vested therein; and

WHEREAS, a map and legal description of the Annexation Territory is attached hereto as Exhibit A-1 and A-2, respectively; and

WHEREAS, the Annexation Territory consists of approximately three thousand nine hundred eighteen (3,918) acres, and is contiguous to the existing Town limits; and

WHEREAS, responsible planning and state law require adoption of a fiscal plan and a definite policy for the provision of certain services to any annexed areas; and

WHEREAS, the Town has engaged professionals to study the fiscal and governmental impacts of such an annexation on both the Town and on the affected landowners; and

WHEREAS, this Council has 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; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution provide for the provision of services of a non-capital nature (including police protection, fire protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries of the Town) to the Annexation Territory within one (1) year after the effective date of this annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the current

corporate boundaries, regardless of similar topography, patterns of land use, and population density; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution provide for the provision of services of a capital nature (including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities) to the Annexation Territory within three (3) years after the effective date of this annexation in the same manner those services are provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density and in a manner consistent with federal, state and local laws, procedures, and planning criteria; and

WHEREAS, the terms and conditions of this annexation, including the written fiscal plan and definite policy, are fairly calculated to make the annexation fair and equitable to property owners and residents of the Annexation Territory, if any, and of the Town; and

WHEREAS, the Annexation Territory is contiguous to the existing corporate boundaries of the Town; and the Annexation Territory is needed and can be used by the Town for its development in the reasonably near future; and

WHEREAS, because the Annexation Territory does not include at least three (3) persons per acre, it is not required that this Ordinance create a special fund pursuant to Ind. Code § 36-4-3-8(c); and

WHEREAS, the Town will conduct 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 Whitestown, Indiana, as follows:

1. The above recitals are incorporated herein by this reference as though fully set forth herein below.
2. In accordance with I.C. §36-4-3 et seq., 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 No. \_\_\_\_.
4. The Annexation Territory shall maintain its current zoning until such time the Town updates its comprehensive plan, zoning ordinance, or zoning map.

5. All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance are hereby repealed. The paragraphs, sentences, words, and Annexation Territory of this Ordinance are separable, and if a court of competent jurisdiction hereof declares any portion of this 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.
6. The effective date of this annexation shall be ninety (90) days following its adoption, execution, and publication as required by law.

Adopted by the Town Council of the Town of Whitestown, Indiana, on \_\_\_\_\_, 200\_\_.

THE TOWN COUNCIL OF THE TOWN  
OF WHITESTOWN, INDIANA

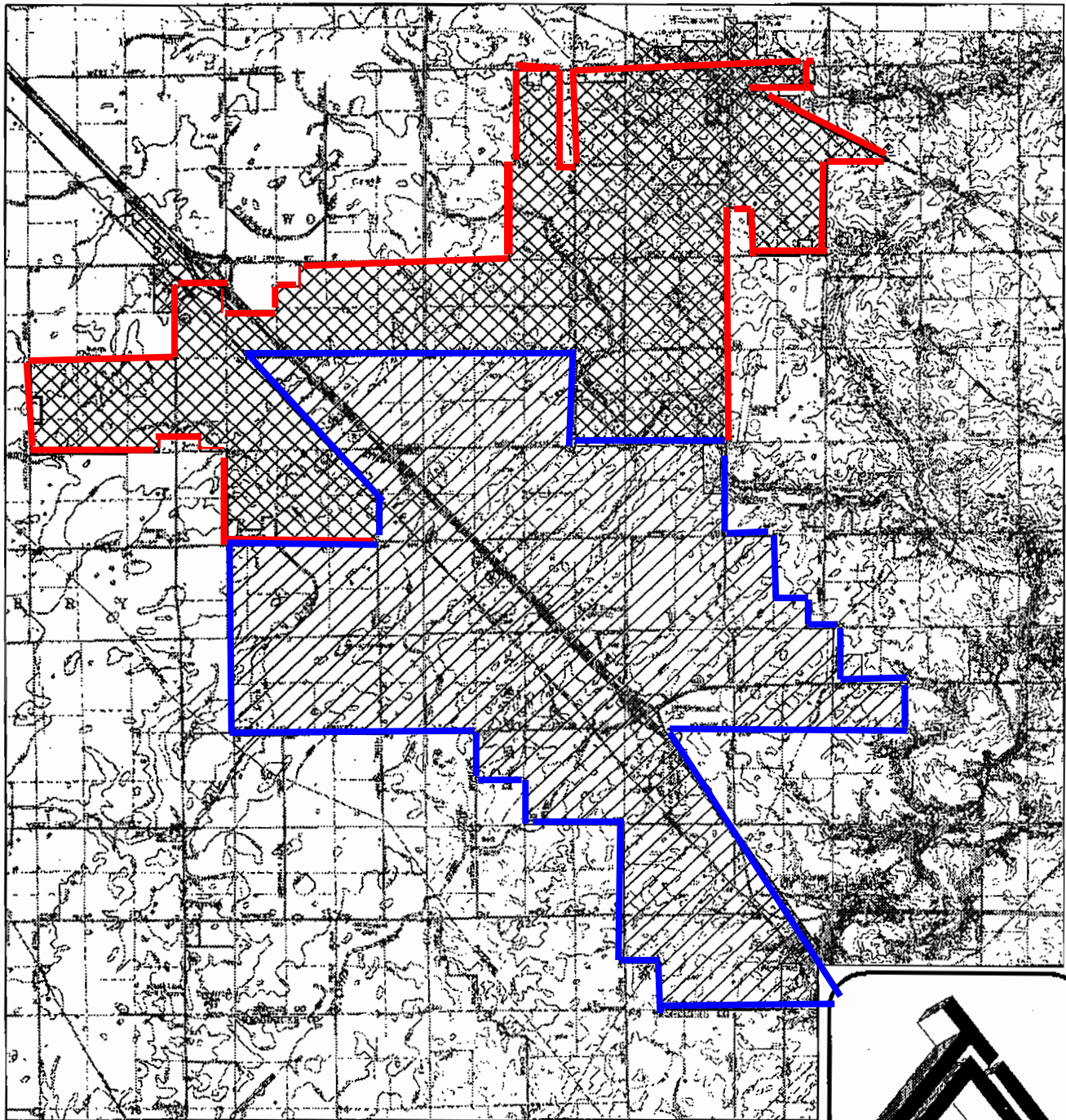
\_\_\_\_\_  
Sam Sortor, President

\_\_\_\_\_  
Carla A. Jackson, Council Member

\_\_\_\_\_  
Celia Follmar, Council Member



ATTEST:

\_\_\_\_\_  
Debi Zachelmeyer, Clerk-Treasurer  
Town of Whitestown, Indiana

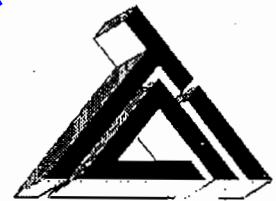


# TOWN OF WHITESTOWN CORPORATE LIMITS

**LEGEND**

-  EXISTING CORPORATE LIMITS
-  PROPOSED CORPORATE LIMITS (3,918 Acres±)

SCALE: 1" = 4000'



TRIAD ASSOCIATES INC.  
5835 LAWTON LOOP EAST DRIVE  
INDIANAPOLIS, INDIANA 46216  
PHONE: 317-377-5230 FAX: 317-377-5241

**EXHIBIT**

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A-1

REVISED: 9/21/06

ANNEXATION 2006

Sept. 21, 2006

Beginning at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of Section 35, Township 18 North, Range 1 East; thence East 16.5 feet to the East Right-of-Way of County Road 475 East; thence South along said East Right-of-Way to the South Right-of-Way of County Road 550 South; thence West along said South Right-of-Way to the East Line of the Southwest Quarter of the Northwest Quarter of Section 35, Township 18 North, Range 1 East; thence North approximately 550 feet along the East Line of said Quarter Section; thence West approximately 270 feet; thence South approximately 300 feet; thence West approximately 650 feet; thence South to the South Line of the Northwest Quarter of Section 35, Township 18 North, Range 1 East, thence West approximately 40 feet along said South Line; thence North approximately 440 feet; thence West to the West Line of Section 35; thence South approximately 440 feet to the South Line of the Northwest Quarter of Section 35, Township 18 North, Range 1 East; thence continuing South along the West Line of Section 35 to the South Right-of-Way of County Road 650 South; thence East along said South Right-of-Way to the West Right-of-Way Line of County Road 525 East; then South along said Right-of-Way to the South Line of the North Half of the Southwest Quarter of Section 1, Township 17 North, Range 1 East; thence East along said South Line to the East Line of the Southwest Quarter of Section 1, Township 17 North, Range 1 East; thence South along said East Line 1,320 feet to the Northwest Corner of the Northeast Quarter of Section 12, Township 17 North, Range 1 East; thence along the North Line of Section 12 to the West Right-of-Way Line of County Road 600 East; thence South along said Right-of-Way Line 2,640 feet to a point; thence continuing along the West Right-of-Way of County Road 600 East South  $00^{\circ} 54' 45''$  East a distance of 1,306.69 feet to a point in the West Right-of-Way of County Road 600 East; thence South  $89^{\circ} 56' 16''$  East, a distance of 973.86 feet; thence South  $00^{\circ} 27' 02''$  East a distance of 489.96 feet; thence South  $89^{\circ} 45' 58''$  East a distance of 4.35 feet; thence South  $00^{\circ} 54' 45''$  East to the South Right-of-Way Line of County Road 800 East; thence South  $89^{\circ} 47' 09''$  East along said Right-of-Way, 1,942.16 feet; thence North  $89^{\circ} 59' 10''$  East continuing along said South Right-of-Way of County Road 800 South, approximately 1,319.06 feet; thence North  $00^{\circ} 39' 52''$  West, approximately 17.5 feet to the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 7, Township 17 North, Range 2 East; thence North  $00^{\circ} 39' 52''$  East a distance of 1,287.31 feet; thence South  $89^{\circ} 45' 35''$  East a distance of 361.39 feet; thence North  $23^{\circ} 36' 27''$  West a distance of 32.80 feet; thence South  $89^{\circ} 45' 35''$  East a distance of 29.25 feet; thence South  $22^{\circ} 17' 25''$  East a distance of 142.80 feet; thence North  $67^{\circ} 42' 35''$  East a distance of 122.50 feet; thence North  $57^{\circ} 24' 31''$  East to the East Right-of-Way of Interstate 65; thence Northwesterly along the East Right-of-Way of I-65 to the South Right-of-Way Line of County Road 650 South (SR 334); thence East along said South Right-of-Way to the West Right-of-Way of Interstate 65; thence Northeasterly along the South Right-of-Way of State Road 334 to the West Right-of-Way of County Road 650 East; thence South along the West Right-of-Way of County Road 650 East to the South Right-of-Way of County Road 650 South; thence East along said South Right-of-Way to the East Line of the Northeast Quarter of Section 6, Township 17 North, Range 2 East; thence continuing West along the South Line of the Northeast Quarter of Section 6, on a bearing of South  $89^{\circ} 40' 43''$  East, a distance of 2,039.16 feet; thence North to the North Right-of-Way Line of State Road 334; thence West along said North Right-of-Way Line on a bearing of South  $89^{\circ} 30' 31''$  West, a distance of 1260.04 feet; thence North  $00^{\circ} 12' 30''$  West, a distance of 791.75 feet; thence West to the East Right-of-Way Line of County Road 700 East; thence North along said East Right-of-Way to the South Line of Section 32, Township 18 North, Range 2 East; thence continue along said East Right-of-Way in a Westerly direction to the Southeast Corner of Section 31, Township

**EXHIBIT**

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A-2

**ANNEXATION 2006**

Sept. 21, 2006

18 North, Range 2 East; thence South  $88^{\circ} 47' 45''$  West, a distance of 445.50 feet; thence North  $00^{\circ} 00' 00''$  East, a distance of 507.70 feet; thence North  $88^{\circ} 47' 45''$  East, a distance of 170.50 feet; thence North  $00^{\circ} 00' 00''$  East, a distance of 151.71 feet; thence South 88 degrees 44' 08" West, a distance of 1,062.50 feet; thence North  $00^{\circ} 07' 21''$  East to the North Line of the Southeast Quarter of Section 31, Township 18 North, Range 2 East; thence West along said North Line to the East Right-of-Way Line of County Road 650 East; thence West to the Centerline of County Road 650 East; thence Continue West a distance of 646 feet to the West Line of the East Half of the Northeast Quarter of the Northwest Quarter of Section 31, Township 18 North, Range 2 East; thence North to the South Right-of-Way Line of County Road 500 South; thence West along said South Right-of-Way to the West Right-of-Way of County Road 575 East; thence North along said Right-of-Way to a point intersecting the Right-of-Way of County Road 450 South; thence West, crossing County Road 575 East, along the South Right-of-Way Line of County Road 450 South to the East Right-of-Way of Perry Worth Road; thence West to the East Right-of-Way of Interstate 65; thence West to the East Right-of-Way of Indianapolis Road (old U.S. 52); thence Southeast along the East Right-of-Way of Indianapolis Road to the South Line of the Northeast Quarter of the Northeast Quarter of Section 35, Township 17 North, Range 1 East, said point being the point of Beginning and containing 3,918 acres more or less.