

**McCORDSVILLE TOWN COUNCIL
ORDINANCE NO. 021825**

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE TOWN OF
McCORDSVILLE, PLACING THE SAME WITHIN THE BOUNDARIES THEREOF, AND
MAKING THE SAME A PART OF THE TOWN OF McCORDSVILLE**

WHEREAS, a Petition for Annexation into the Town of McCordsville, Indiana, pursuant to Ind. Code § 36-4-3-5.1 (“Petition”) was filed with the McCordsville Town Council, (“Town”), requesting the Town annex certain real estate, more particularly described and depicted in Exhibit “1” (“Annexation Territory”) to the Town;

WHEREAS, pursuant to Ind. Code § 36-4-3-5.1, the Petition was signed by 100% of the owners of land within the Annexation Territory;

WHEREAS, the Annexation Territory consists of approximately 159 acres, and is located outside of, but contiguous to, the existing Town boundaries;

WHEREAS, prior to adoption of this Ordinance, the Town Council has adopted a written fiscal plan, established a definite policy by resolution, held a public hearing on the proposed annexation pursuant to proper notice, and undertaken all other actions as required by applicable law; and

WHEREAS, the Town, by and through its Town Council, now finds that it is desirable and in the best interests of the Town and its citizens to annex the Annexation Territory, and that the terms and conditions of this annexation are fair and equitable.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MCCORDSVILLE, INDIANA, THAT:

Section 1. The foregoing recitals are fully incorporated herein by reference.

Section 2. Pursuant to Ind. Code § 36-4-3-5.1 and other applicable laws, the Annexation Territory, specifically described and depicted in Exhibit “1” is hereby annexed into the Town of McCordsville, and thereby included within the Town’s corporate boundaries in accordance with the terms of this Ordinance.

Section 3. The Annexation Territory is assigned to District 2.

Section 4. The Annexation Territory shall be zoned R-1 with Commitments.

Section 5. The Annexation Territory described and depicted in Exhibit "1" is currently used and assessed as agricultural land and shall maintain that status to qualify under Indiana Code section 36-4-3-4.1.

Section 6. 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, as long as it does not result in adding or removing parcels of property from the Annexation Territory.

Section 7. Where the legal description included within Exhibit "1" includes land contiguous to the public right-of-way that has not been previously annexed, the Annexation Territory shall include the contiguous public right-of-way even if it is not described in Exhibit "1", except as prohibited by Ind. Code § 36-4-3-1.5(c) or other law.

Section 8. Prior Ordinances and sections of the Town of McCordsville, Indiana Code of Ordinances are repealed only to the extent inconsistent with the terms of this Ordinance. The paragraphs, sentences, words, and Annexation Territory of this Ordinance are separable, and if a court of competent jurisdiction 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 this Ordinance or the Annexation Territory.

Section 9. After adoption, this Ordinance shall be published in the manner prescribed by Ind. Code § 36-4-3-7 and Ind. Code § 5-3-1 *et seq.*

Section 10. The Clerk-Treasurer of the Town shall file and record this ordinance as required by the provisions of Ind. Code § 36-4-3-22.

Section 11. This Ordinance shall be in effect from and after its adoption, execution, publication, and filing as required by law.

[The remainder of this page is intentionally blank.]

ADOPTED BY THE COUNCIL OF THE TOWN OF MCCORDSVILLE, INDIANA this
_____ day of _____, 2025.

MCCORDSVILLE TOWN COUNCIL

FOR:

AGAINST:

_____ Gregory J. Brewer _____

_____ Scott Jones _____

_____ Dr. Bryan Burney _____

_____ Chad D. Gooding _____

_____ Dr. John Price _____

ATTEST:

Stephanie Crider, Clerk-Treasurer

This Ordinance was prepared by: Beth Copeland, Taft Stettinius and Hollister, LLP; 1 Indiana Square, Suite #3500, Indianapolis, IN 46204; Telephone: (317) 713-3519.

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. Beth Copeland

Exhibit 1 Legal Description

The West half of the Southwest Quarter of Section 31, Township 17 North, Range 6 East, containing eighty (80) acres, more or less.

EXCEPTION: A part of the west half of the southwest quarter of Section 31, Township 17 North, Range 6 East, in Vernon Township, Hancock County, Indiana, more particularly described as follows, to-wit:

Commencing at the northwest corner of said quarter section, said point being marked by an old corner fence post, thence on an assumed bearing of North 88 degrees 50 minutes 00 seconds East, a distance of 1333.50 feet along the north line of said quarter section to a railroad spike on the east line of the west half of said quarter section, thence South 00 degrees 06 minutes 00 seconds East a distance of 707.56 feet along the east line of said west half to a P.K. Nail at the point of beginning of this description; thence South 00 degrees 06 minutes 00 seconds East a distance of 250.00 feet along the east line of said west half to a P.K. Nail, thence South 89 degrees 54 minutes 00 seconds West a distance of 174.25 feet to an iron pin, thence North 00 degrees 06 minutes 00 seconds West a distance of 250.00 feet to an iron pin, thence North 89 degrees 54 minutes 00 seconds East a distance of 174.25 feet to the point of beginning, containing 1.000 acre, more or less, subject to right-of-way for County Road 500 W and subject to any easements of record.

ALSO, the East half of the Southeast Quarter of Section 36, Township 17 North, Range 5 East, containing Eighty (80) acres, more or less.