

**McCORDSVILLE TOWN COUNCIL
ORDINANCE NO. 081225A**

**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 361 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 3.

Section 4. The Annexation Territory shall be zoned Kelly Landing PUD.

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.

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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, Copeland Law LLC; 11650 Olivo Rd., Suite 1000-184, Fishers, IN 46037; Telephone: (317) 691-6461.

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

Part of the South Half of Section 18 and Part of the North Half of Section 19, all in Township 17 North, Range 6 East of the Second Principal Meridian, in Vernon Township, Hancock County, Indiana, based on an Annexation Exhibit prepared by Michael G. Judt, Professional Surveyor #21500017, HWC Engineering Job #2024-368-S, dated July 17, 2025, more particularly described as follows:

Beginning at the Northwest corner of the Southwest Quarter of Section 18, Township 17 North, Range 6 East; thence Easterly along the north line of said Southwest Quarter a distance of 2610.50 feet to the Northeast corner of the Southwest Quarter of said Section 18; thence North 89 degrees 08 minutes 15 seconds East along the north line of the Southeast Quarter of said Section 18 a distance of 1323.30 feet to the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 18; thence North 89 degrees 48 minutes 30 seconds East along the north line of said Southeast Quarter a distance of 796.90; thence South 00 degrees 37 minutes 44 seconds West a distance of 427.84 feet to the south line of Instrument Number 202403972, recorded in the Office of the Hancock County Recorder; thence North 89 degrees 48 minutes 30 seconds East, parallel with north line of the Southeast Quarter of said Section 18 and along said south line a distance of 527.00 feet to the east line of the Southeast Quarter of said Section 18; thence South 00 degrees 37 minutes 44 seconds West along said east line 1245.05 to the northerly right-of-way of line of the CSX Railroad; thence South 56 degrees 31 minutes 11 seconds West along said northerly right-of-way a distance of 1596.03 feet to the west line of the East Half of the Southeast Quarter of said Section 18; thence North 00 degrees 14 minutes 43 seconds East along said west line a distance of 311.19 feet to the northeast corner of a 0.99-acre tract of land described in Instrument Number 202506694 in said Recorder's Office; thence North 89 degrees 40 minutes 15 seconds West along the north line of said tract a distance of 409.03 feet to the northwest corner thereof; thence South 00 degrees 10 minutes 12 seconds West along the west line of said tract a distance of 352.65 feet to the southwest corner thereof; thence South 89 degrees 49 minutes 48 seconds East along a south line of said tract a distance of 45.00 feet to the west line of a 3.0-acre tract of land described in Instrument Number 202204866 in said Recorder's Office; thence South 00 degrees 10 minutes 12 seconds West along said west line a distance of 205.35 feet to the northerly right-of-way of line of the CSX Railroad; thence Southwesterly along said northerly right-of-way a distance of 446.00 feet; thence Northerly a distance of 397.00 feet, more or less, to the north line of the Northeast Quarter of said Section 19; thence Westerly a distance of 563.80 feet to the Northeast corner of the East Half of the Northwest Quarter of said Section 19; thence Westerly along the north line of said Section 19 a distance of 912.00 feet to the west line of Instrument Number 202301433, recorded in the Office of the Hancock County Recorder; thence Southerly along said west line a distance of 164.00 feet, more or less, to the center of the George Shultz Drain; thence Southeasterly along said center of drain, a distance of 904.00 feet, more or less, to the west line of Wilson Subdivision, recorded as Instrument Number 74-2047 in the Office of the Hancock County Recorder; thence Southerly along said west line and the southerly extension thereof 130.00 feet, more or less, to the

northerly right-of-way of line of the CSX Railroad; thence Southwesterly along said northerly right-of-way 1171.00 feet, more or less, to the centerline of the alley between Lots 14 and 15 in the Town of Woodbury, recorded in Book 1, Pages 26-27 in the Office of the Hancock County Recorder; thence Northwesterly in the center of said alley and continuing Northwesterly on a line extended from said centerline 170.00 feet to a point on the north line of the Street which runs parallel with said right-of-way; thence Southwesterly on and along the north line of said street 143.00 feet to the centerline of the first street running at right angles to the said last named Street; thence Northwesterly on and along the centerline of said Street and continuing Northwesterly on a line extended from said centerline 170.00 feet to the North line of the South Half of the Northwest Quarter of said Section 19; thence Westerly along said North line a distance of 1160.00 feet, more or less, to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 19; thence Northerly along the west line of the Northwest Quarter of said Section 19 a distance of 1328.50 feet to the Southwest corner of the Southwest Quarter of Section 18; thence Northerly along the west line of said Southwest Quarter of Section 18 a distance of 2657 feet to the Point of Beginning, containing 361.0 acres, more or less.