MCCORDSVILLE TOWN COUNCIL
ORDINANCE NO. 040924A

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 "A" ("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 1 acre, 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 "A" 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 1.

Section 4. The Annexation Territory shall be zoned R2.

Section 5. 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 6. Where the legal description included within Exhibit "A" 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 "A", except as prohibited by Ind. Code § 36-4-3-1.5(c) or other law.

Section 7. 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 8. 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 9. 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 10. This Ordinance shall be in effect from and after its adoption, execution, publication, and filing as required by law.

ADOPTED BY THE COUNCIL OF THE TOWN OF MCCORDSVILLE, INDIANA this _____ day of _____, 2024.

MCCORDSVILLE TOWN COUNCIL

FOR:		AGAINST:
_____	Greg Brewer	_____
_____	Scott Jones	_____
_____	Dr. Bryan Burney	_____
_____	John Price	_____
_____	Chad Gooding	_____

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 A
Legal Description

TRACT I

Beginning at a point on the North line of Section 24, Township 17 North, Range 5 East in Hancock County, Indiana, 130.0 feet East of the Northwest corner of Northeast Quarter of said Section, thence East 130.0 feet along the North line of said Section, thence South parallel to the West line of said quarter section 185.0 feet, thence West 130.0 feet parallel to the North line of said quarter section, thence North 185.0 feet parallel to the West line of said quarter section to the point of beginning, containing 0.55 of an acre, more or less.

Subject to real estate property taxes for the second half of 2016, due and payable in November, 2017, and subject to real estate property taxes due and payable thereafter. Taxing Unit: Vernon. Parcel ID Number: 30-01-24-100-007.000-016 (Tract I).

Subject to any and all easements, agreements and restrictions of record.

The address of such real estate is commonly known as 5457 West 900 North, McCordsville, Indiana 46055.

TRACT II

A part of the Northeast Quarter of Section 24, Township 17 North, Range 5 East in Vernon Township, Hancock County, Indiana; said part being more particularly described as follows:

Commencing at a railroad spike marking the Northwest corner of said quarter section; thence North 86 degrees 54 minutes 55 seconds East (assumed bearing) along the North line of said quarter section a distance of 260.00 feet to the Northeast corner of a 0.55 acre tract recorded as Instrument No. 70-2807 in the Office of the Recorder of Hancock County, Indiana, said point being the POINT OF BEGINNING of this description; thence continuing North 86 degrees 54 minutes 55 seconds East along said North line a distance of 50.00 feet to a Mag Nail; thence South 01 degree 11 minutes 19 seconds West parallel with the West line of said quarter section a distance of 242.00 feet to a 5/8" capped ("HGS") rebar; thence South 86 degrees 54 minutes 55 seconds West parallel with the North line of said quarter section a distance of 180.00 feet to a 5/8" capped ("HGS") rebar on the Southerly extension of the West line of said 0.55 acre tract; thence North 01 degrees 11 minutes 19 seconds East along said Southerly extension a distance of 57.00 feet to the Southwest corner of said 0.55 acre tract; (the next two (2) calls are along the South and East lines of said 0.55 acre tract) North 86 degrees 54 minutes 55 seconds East a distance of 130.00 feet; North 01 degrees 11 minutes 19 seconds East a distance of 185.00 feet to the POINT OF BEGINNING. Containing 0.445 acres, more or less.

Subject to any and all easements, agreements and restrictions of record.

The address of such real estate is commonly known as 5457 West 900 North, McCordsville, Indiana 46055.