

ORDINANCE 2018-16

**AN ORDINANCE REGARDING THE VOLUNTARY ANNEXATION OF 5169 W.
MCNEELY STREET**

THE NED & MICHELLE BROWN ANNEXATION

BE IT ORDAINED AND ADOPTED by the Ellettsville Town Council of Ellettsville, Indiana,

WHEREAS, the boundary of the Town of Ellettsville, Indiana, is contiguous to the real estate described herein;

WHEREAS, on June 6, 2018, 2018 Petitioners Ned & Michelle Brown filed a Petition for a voluntary annexation of approximately Fourteen and forty-one hundredths (14.41) acres of land located at 5169 W. McNeely Street, parcel number **53-04-11-400-009.000-011**; pursuant to the voluntary annexation provisions of Indiana Code § 36-4-3-1.5;

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ADOPTED BY THE ELLETTSVILLE TOWN COUNCIL OF ELLETTSVILLE, MONROE COUNTY, INDIANA, that:

Section 1. The following described land be, and the same is, hereby annexed to and declared a part of the Town of Ellettsville, Indiana, to-wit:

Fourteen and forty-one hundredths (14.41) acres of land located at 5169 W. McNeely Street, Ellettsville, Indiana.

LEGAL DESCRIPTION-

Lot Number Three (3) in J.D. Headdy Minor Subdivision Amendment One Final Plat, recorded in Plat Cabinet C, Envelope 385, in the office of the Recorder of Monroe County, Indiana.

TOGETHER WITH a roadway easement described as follows: Beginning at the Northwest corner of the Northeast quarter of Section 11, Township 9 North, Range 2 West, Monroe County, Indiana, said point being in the center of McNeely Street, thence South 88 degrees, 47 minutes, 41 seconds East on and along the North line Of said section and along McNeely Street for 30.00 feet, thence South 00 degrees, 21 minutes, 39 seconds East parallel to the West line of the East half of said section for 726.00 feet; thence North 89 degrees, 47 minutes, 41 seconds West for 30.00 feet to the West line of said quarter, thence South 00 degrees, ,21 minutes, 39 seconds East along said West line of the said quarter for 1947.00 feet and to the Southeast corner of the Northwest quarter of said Section 11, thence North 89 degrees, 45 minutes, 43 seconds West on and along the South line of the said Northwest quarter for 25.00 feet, thence North 00 degrees, 21 minutes, 39 seconds West parallel to the East line of said Northwest quarter for 2658.27 feet and to the North line of said Northwest quarter and to McNeely Street, thence South 88 degrees, 47 minutes, 41 seconds East on and along said North line and along McNeely Street for 25.00 feet and to the point of beginning.

TOGETHER WITH subject to and together with an access and utility easement described as follows:

A part of the East half of Section 11, Township 9 North, Range 2 West, Monroe County, Indiana, being more particularly described as follows: Commencing at a 5/8 inch rebar found in the centerline of McNeely Street marking the Northwest corner of said East half; thence along the West line of said East half South 00 degrees 41 minutes 08 seconds East 1842.27 feet to the point of beginning; thence South 05 degrees 44 minutes 27 seconds East 260.89 feet; thence South 64 degrees 17 minutes 48 seconds East 89.55 feet; thence South 88 degrees 34 minutes 28 seconds East 53.73 feet; thence North 74 degree 38 minutes 59 seconds East 90.71 feet; thence South 89 degrees 03 minutes 21 seconds East 206,99 feet; thence 155.74 feet along a 100.00 foot radius curve to the right whose chord bears South 44 degrees 26 minutes 26 seconds East 140.47 feet; thence South 00 degrees 10 minutes 30 seconds West 109.45 feet to the North line of Tract 3 and the termination of said easement.

Tax ID No.: 53-04-11-400-009.000-011

Section 2. BE IT FURTHER ORDAINED that the boundaries of the Town of Ellettsville shall be, and the same are, hereby declared to be extended so as to include all of the real estate described above as part of the Town of Ellettsville, Indiana.

Section 3. Pursuant to I.C. § 36-4-3-3, the above described territory, which is hereby annexed to and declared a part of the Town of Ellettsville, Indiana, shall be assigned to Council Ward 4.

Section 4. The above described territory, which is to be annexed to and declared a part of the Town of Ellettsville, Indiana, shall be zoned **R-1**, Single Family Residential, upon annexation.

Section 5. Pursuant to I.C. § 36-4-3-7(a), this Ordinance shall be in full force and effect from and after its passage, promulgation, approval by the Town Council and thirty (30) days after final publication in accordance with the law.

This ordinance was passed and adopted by the Town Council of Ellettsville, Indiana, at the Ellettsville Town Hall, Ellettsville, Indiana, on the ____ day of _____, 2018.

ELLETTSVILLE TOWN COUNCIL

Brian Scott Oldham, President

Attest:

Sandra C. Hash, Clerk/Treasurer

This Ordinance was published in the Ellettsville Journal on the _____ day of _____, 2018.

Sandra C. Hash, Clerk/Treasurer