

ORDINANCE 2018-35

THOMAS ROAD ANNEXATION

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

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

WHEREAS, on August 13, 2018, 2018 Petitioner Darby McCarty filed a Petition for a voluntary annexation of approximately Thirty-Two (32) acres of land located at 4630 N. Thomas Road, parcel numbers **53-04-15-200-003.000-011, 53-04-15-200-005.000-011, and 53-04-15-201-048.000-011**, pursuant to the voluntary annexation provisions of Indiana Code § 36-4-3-1.5;

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ADOPTED BY THE 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:

Address: Three (3) acres of land located at 4233 & 4235 W. State Road 46

LEGAL DESCRIPTION-

TRACT 1

A part of the Northwest quarter of Section Fifteen (15), Township Nine (9) North, Range Two (2) West, in Monroe County, Indiana, bounded and described as follows, to-wit: Beginning at a point Sixty-two (62) rods North of the Southwest corner of said quarter section; running thence South Fifteen (15) rods; thence East One Hundred Sixty (160) rods; thence North Fifteen (15) rods thence West One Hundred Sixty (160) rods to the place of beginning.

TRACT 2

A part of the Northwest quarter of Section Fifteen (15), Township Nine (9) North, Range Two (2) West, in Monroe County, Indiana, bounded and described as follows, to-wit:

Beginning at a point Forty-one (41) rods North of the Southwest corner of said Northwest quarter; thence running North Six (6) rods; thence East One Hundred Sixty (160) rods; thence South Six (6) rods; thence West One Hundred Sixty (160) rods to the place of beginning.

TRACT 3

A part of the East half of the Northwest Quarter of Section Fifteen (15), Township Nine (9) North, Range Two (2) West, Monroe County, Indiana, and more particularly described as follows:

Beginning at the Northeast Corner of the Northwest Quarter of said Section, thence along the East line of said Quarter Section South Two (02) degrees, Forty (40) minutes, Thirty-one (31) seconds East 1643.54 feet; thence leaving said East line North Eighty-nine (89) degrees, Fifty-four (54) minutes, Fifty-seven (57) seconds West 956.64 feet to an existing fence; thence along said fence North One (01) degree, Three (03) minutes, Forty-eight (48) seconds West 308.78 feet; thence leaving said fence North Seventy-nine (79) degrees, Twenty-six (26) minutes, One (01) second East 109.32 feet to the Southwest Corner of Arrowhead First Addition to the Town of Ellettsville; thence along the South line of said Addition South Eighty-nine (89) degrees, Fifty-nine (59) minutes, Thirty-three (33) seconds East 641.02 feet [Deed calls South 89 degrees 55 minutes East 640.00 feet] to the Southeast Corner of said Addition; along the East line of said Addition North Two (02) degrees, Fifty-four (54) minutes, Zero (00) seconds West 1128.30 feet to the South Right-of-way of a Fifty (50) foot wide drive (Tecumseh Drive); thence along said South Right-of-way South Eighty-nine (89) degrees, Fifty-five (55) minutes, Zero (00) seconds East 40.00 feet; thence along said Right-of-way on a curve to the left having an arc of 248.00 feet and a radius of 151.92 feet; thence along said Right-of-way North Two (02) degrees, Fifty-four (54) minutes, Zero (00) seconds West 28.56 feet to the North line of said Section; thence leaving said Right-of-way and along said North line East 1.16 feet to the place of beginning. Containing 12.49 acres, more or less.

EXCEPTING THEREFROM: A part of a tract of land described in Deed Record 272, pages 330 and 331, said tract being a part of the East half of the Northwest quarter of Section 15, Township 9 North, Range 2 West. Monroe County, Indiana, and being more particularly described as follows:

Beginning at the Northwest quarter of said Section, said point being the Northeast corner of said tract of land; thence South 02 degrees 40 minutes 31 seconds East along the East line of said quarter section and said tract 509.21 feet; thence leaving said East line South 87 degrees 06 minutes 00 seconds West 201.36 feet to a point on the West line of said tract 334.50 feet; thence South 89 degrees 55 minutes 00 seconds East along a Northerly line of said tract 40.00 feet to a point on a non-tangent curve concave Northwesterly with a radius of 151.92 feet and a chord of 219.31 feet bearing North 44 degrees 40 minutes 34 seconds East; thence Easterly and Northerly along said curve and a Northerly line of said tract an arc distance of 245.73 feet; thence North 02 degrees 54 minutes 00 seconds West along a Westerly line of said tract 28.56 feet; thence North 90 degrees 00 minutes 00 seconds East along a Northerly line of said tract 1.16 feet to the point of beginning, and containing 1.66 acres, more or less.

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 5.

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 **A-1**, Agricultural, 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.

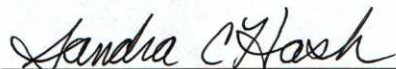
This ordinance was passed and adopted by the Town Council of Ellettsville, Indiana, at the Ellettsville Town Hall, Ellettsville, Indiana, on the 8th day of October, 2018.

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



Town of Ellettsville

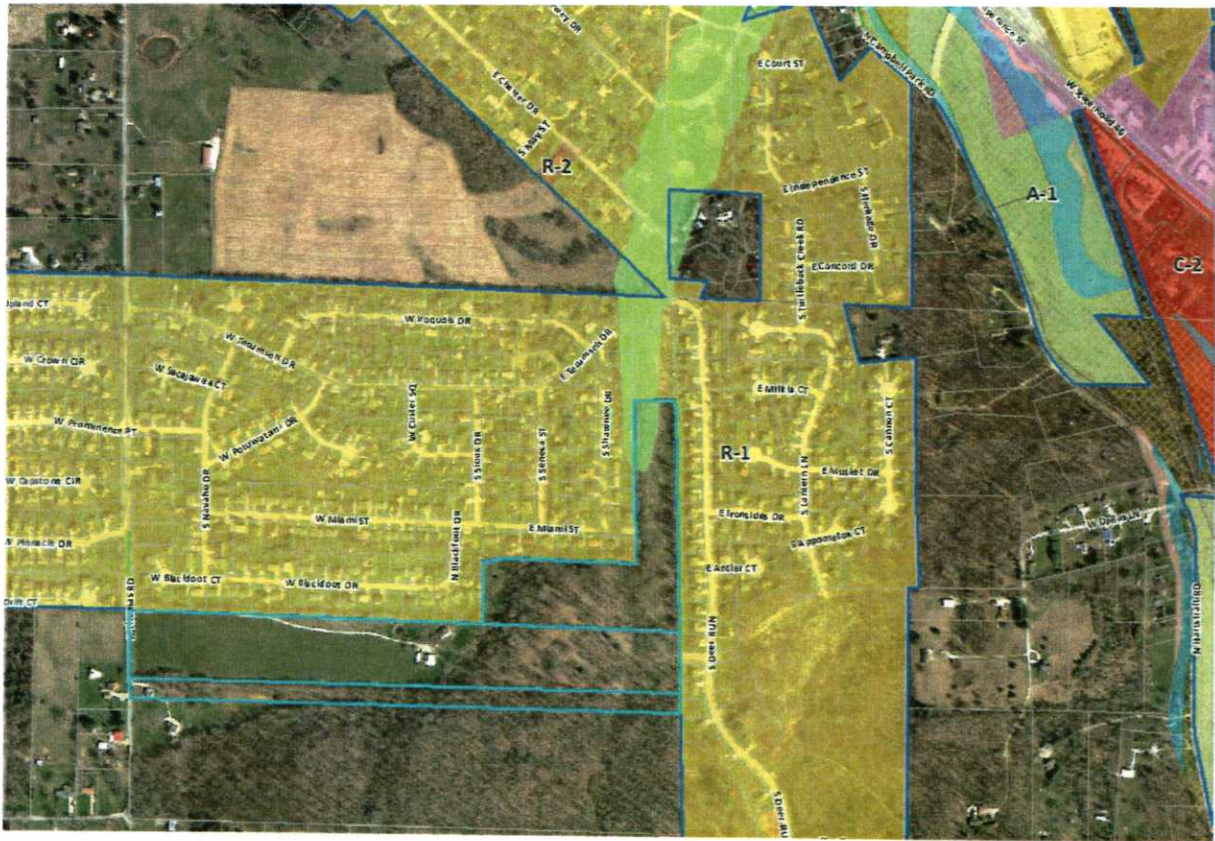
Department of Planning & Development

PC 2018-13 – Voluntary Annexation Petition Staff Report

Petition

Case - PC 2018-13 – McCarty Annexation. A request by Darby McCarty to voluntarily annex approximately thirty-two (32) acres of land. The subject property is located at 4630 N. Thomas Road.

Surrounding Zoning Districts & Uses



	Zoning District	Property Use
North:	R-1; Single Family Residential	Residential (Arrowhead)
South:	AG/RR; Agriculture/Rural Reserve(County)	Residential
East:	R-1; Single Family Residential	Residential (Deer Run)
West:	ER; Estate Residential (County)	Residential