

ORDINANCE NO. 012120
AN ORDINANCE ANNEXING CERTAIN REAL ESTATE
TO THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA

WHEREAS, the City of Fishers, Hamilton County, Indiana (“City”), in accordance with Ind. Code §36-4-3-5.1, wishes to annex an area consisting of approximately 0.39 acres located outside of but contiguous to the City, those areas being more particularly described in Exhibit A, attached hereto and incorporated herein, and further depicted in Exhibit B, attached hereto and incorporated herein (the “Annexed Territory”);

WHEREAS, in accordance with Ind. Code §36-4-3-5.1(e), on or around January 21, 2020, the City Council held a duly noticed public hearing regarding the Annexed Territory;

WHEREAS, the Common Council has determined, in accordance with Ind. Code §36-4-3-5.1, the petition requesting voluntary annexation is signed by 100% of the owners of land within the Annexed Territory;

WHEREAS, in accordance with Ind. Code §36-4-3-1.5, the Common Council has determined that that Annexed Territory is contiguous as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City;

WHEREAS, on or around February 17, 2020, in accordance with Ind. Code §§ 36-4-3-3.1 and 36-4-3-13, the Common Council adopted a Written Fiscal Plan for the Annexed Territory; and

WHEREAS, the Common Council now desires to annex the Annexed Territory generally known as the Q-Comm, Lot 2 Annexation.

NOW, THEREFORE BE IT ORDAINED by the Common Council of the City of Fishers, Hamilton County, Indiana as follows:

- Section 1.** **Contiguity.** The petition requesting voluntary annexation for the Annexed Territory, further described in Exhibit A, attached hereto and incorporated herein, and graphically depicted in Exhibit B, attached hereto and incorporated herein, is signed by 100% of the owners of land within the Annexed Territory and is contiguous to the City boundaries as at least one-eighth (1/8) of the aggregate external boundaries of the Annexed Territory coincides with the boundaries of the City.
- Section 2.** **Annexed Territory.** The real estate containing approximately 0.39 acres more or less legally described in Exhibit A attached hereto and incorporated herein, and graphically depicted in Exhibit B attached hereto and incorporated herein, generally to be known as the Q-Comm, Lot 2 Annexation, is hereby annexed to and declared to be a part of the City of Fishers, Indiana.
- Section 2.** **Council District.** The above described real estate is hereby assigned to City Council District 3 and shall become a part thereof immediately upon the effective date of this ordinance.

Section 3. Effective Date. This ordinance shall be in full force and effect on this 17th day of February 2020.

Section 4. All ordinances or parts thereof in conflict herewith are hereby repealed.

SO ORDAINED by the Common Council of the City of Fishers, Indiana, on this 17th day of February, 2020.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY		NAY	ABSTAIN
	Cecilia C. Coble, President		
	Selina M. Stoller, Vice President		
	David George, Member		
	C. Pete Peterson, Member		
	John Weingardt, Member		
	Todd Zimmerman, Member		
	Brad DeReamer, Member		
	Samantha DeLong Member		
	Jocelyn Vare, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the ___17th___ day of ___February___ 2020, at _____ m.

ATTEST: _____
Kimberly Greiner, Deputy Clerk

MAYOR’S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR’S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Christopher P. Greisl, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

“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.” Christopher P. Greisl

EXHIBIT A
Legal Description

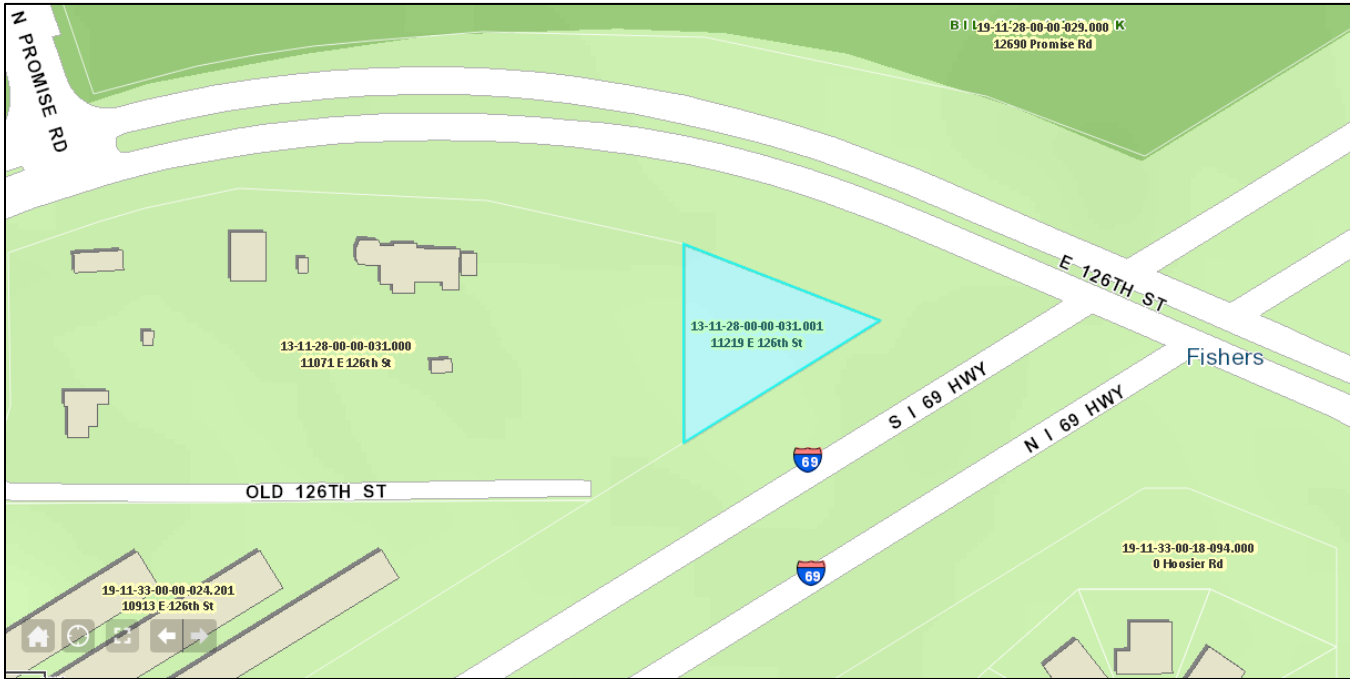
A part off the Southeast Quarter of the Southwest Quarter of Section 28, Township 18 North, Range 5 East, Hamilton County, Indiana, being described as follows:

Commencing at the southwest corner of the Southeast Quarter of the Southwest Quarter of Section 28, Township 18 North, Range 5 East; thence on the west line of said Southeast Quarter of the Southwest Quarter North 00 degrees 19 minutes 03 seconds West 142.10 feet; thence North 89 degrees 45 minutes 27 seconds East 34.31 feet to the east right of way line of Promise Road per Instrument No. 2010035820 and the POINT OF BEGINNING of this description; thence on said right of way line North 00 degrees 48 minutes 19 seconds West 81.01 feet to a non-tangent curve with a radius of 1085.00 feet and a central angle of 11 degrees 55 minutes 04 seconds being the south right of way line of 126th Street per said Instrument No. 2010035820; thence on said south right of way line the following 4 courses 1) on the arc of said curve 225.69 feet having a chord bearing North 74 degrees 24 minutes 12 seconds East; 2) thence South 87 degrees 18 minutes 49 seconds East 234.02 feet; 3) thence South 77 degrees 31 minutes 36 seconds East 183.41 feet; 4) thence South 68 degrees 50 minutes 27 seconds East 202.61 feet to the northwest right of way line of Interstate No. 69; thence on said right of way line South 58 degrees 14 minutes 48 seconds West 299.42 feet to the south line of said Southwest Quarter; thence on said south line South 89 degrees 45 minutes 27 seconds West 352.57 feet to the east line of the tract of real estate described in Deed Book 289, page 774; thence on said east line North 00 degrees 19 minutes 03 seconds West 142.10 feet to the north lien of said tract; thence on said north line South 89 degrees 45 minutes 27 seconds West 209.69 feet to the POINT OF BEGINNING, containing 151,916.72 square feet or 3.49 acres, more or less.

Also including: The entire width of any unincorporated rights-of-way that are contiguous with the above described real estate.

EXHIBIT B

Location Map



Parcel: 13-11-28-00-00-31.001
Address: 11219 E 126th St, Fishers, IN 46038