

ORDINANCE NO. 011822B
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 4.59 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 18, 2022, 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 21, 2022, 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 Yin Property.

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 4.59 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 Yin Property, is hereby annexed to and declared to be a part of the City of Fishers, Indiana.
- Section 3.** **Council District.** The above described real estate is hereby assigned to City Council District 6 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 March 24, 2022, and as provided by Indiana law.

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 21st day of February 2022.

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

011822B

YAY

NAY

ABSTAIN

| | | | |
|--|-----------------------------------|--|--|
| | Todd Zimmerman, President | | |
| | John Weingardt, Vice President | | |
| | C. Pete Peterson, Member | | |
| | Cecilia C. Coble, Member | | |
| | Brad DeReamer, Member | | |
| | Selina Stoller, Member | | |
| | Jocelyn Vare, Member | | |
| | Crystal Neumann, Member | | |
| | David Giffel, Member | | |

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 21st day of February 2022, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

February 21, 2022

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

Property 1:

Part of the West Half of the Southwest Quarter of Section 30, Township 18 North, Range 6 East, in Hamilton County, Indiana, described as follows: Commencing at the Southwest corner of said Southwest Quarter Section; thence North 00 degrees 00 minutes 09 seconds East (assumed bearing) along the West line thereof 992.14 feet to the Point of Beginning; thence North 00 degrees 00 minutes 09 seconds East along said West line 1042.93 feet to a PK Nail set in the centerline of State Road 238; thence South 34 degrees 22 minutes 38 seconds East along said centerline 805.95 feet to the point of curvature of a curve having a radius of 1563.27 feet; thence Southeasterly along said centerline and curve 248.52 feet to the point of tangency of said curve; thence South 43 degrees 29 minutes 09 seconds East along said centerline 255.07 feet; thence North 89 degrees 58 minutes 00 seconds West 786.65 feet to the point of beginning and containing 8.785 acres, more or less.

EXCEPTING THEREFROM: Part of the West Half of the Southwest Quarter of Section 30, Township 18 North, Range 6 East, in Fall Creek Township, Hamilton County, Indiana, described as follows:

Commencing at the Southwest corner of said Quarter Section; thence North 00 degrees 00 minutes 09 seconds East (assumed bearing) on and along the West line of said Quarter Section, 1295.44 feet to the Point of Beginning; thence continue North 00 degrees 00 minutes 09 seconds East, along said West line 739.63 feet to the centerline of State Road 238; thence South 34 degrees 22 minutes 38 seconds East, along said centerline, 780.04 feet; thence South 77 degrees 43 minutes 33 seconds West 450.78 feet to the point of beginning, and containing 3.740 acres, more or less.

ALSO EXCEPTING THEREFROM: A part of the West Half of the Southwest Quarter of Section 30, Township 18 North, Range 6 East, Hamilton County, Indiana, and being that part of the grantors' land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat marked "Exhibit B", described as follows: Commencing at the southwest corner of said quarter section, thence north 0 degrees 22 minutes 34 seconds West 394.851 meters (1,295.44 feet) along the west line of said quarter section to the northwest corner of the grantors' land; thence North 77 degrees 20 minutes 50 seconds East 137.393 meters (450.78 feet) along the northern line of the grantors' land to the centerline of S.R. 238 and the point of beginning of this description: thence south 34 degrees 45 minutes 05 seconds East 7.930 meters (26.02 feet) along the centerline of said S.R. 238; thence along said centerline southeasterly 75.749 meters (248.52 feet) along an arc top the left having a radius of 476.485 meters (1,563.27 feet) and subtended by a long chord having a bearing of South 39 degrees 18 minutes 37 seconds East and a length 75.670 meters (248.26 feet); thence South 43 degrees 51 minutes 52 seconds East 77.745 meters (255.07 feet) along said centerline to the southeast corner of the grantors' land; thence South 89 degrees 39 minutes 35 seconds West 22.480 meters (73.75 feet) along the south line of the grantors' land; thence North 43 degrees 51 minutes 42 seconds West 112.557 meters (369.28 feet) to the point designated "10516" on said Right-of-Way Parcel Plat; thence North 34 degrees 38 minutes 28 seconds West 43.574 meters (142.96 feet) to the north line of the grantors' land; thence North 77 degrees 20 minutes 50 seconds East 19.390 meters (63.58 feet) along said north line to the point of beginning and containing 0.2704 hectares (0.668 acres) more or less, inclusive of the present existing right-of-way which contains 0.0554 hectares (0.137 acres), more or less, for a net additional taking of 0.2150 hectares (0.531 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



Parcel ID: 13-12-30-00-00-013.001

Common Address: 14985 Southeastern Parkway Fishers, IN 46037