



# Common Council

## Agenda Item

### Cover Sheet

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**MEETING DATE:** October 29, 2024

- Previously Discussed Ordinance
- Proposed Development Presentation
- New Ordinance for Discussion
- Miscellaneous
- Transfer

**ITEM or ORDINANCE:** #50-09-24

**PRESENTED BY:** Joyceann Yelton

- Information Attached
- Bring Paperwork from Previous Meeting
- Verbal
- No Paperwork at Time of Packets

**ORDINANCE NO. 50-09-24**

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF  
NOBLESVILLE, HAMILTON COUNTY, INDIANA

12484 E. 156<sup>th</sup> Street  
Super-Voluntary Annexation

WHEREAS, the City of Noblesville, Hamilton County, Indiana received a petition requesting that certain territory generally located at 12484 E. 156<sup>th</sup> Street, as herein after described ("Annexation Territory"), be annexed by the City of Noblesville; and

WHEREAS, the petition has been signed by the sole owners (i.e. 100%) of the property within the "Annexation Territory"; and

WHEREAS, in accordance with Indiana Code §36-4-3-5.1(e), on or around October 15, 2024, the City Council held a duly noticed public hearing regarding the "Annexation Territory"; and

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

WHEREAS, the written fiscal plan and definite policy adopted by resolution provides for the provision of services of a non-capital nature (including police protection, fire protection, street and road maintenance and other non-capital services normally provided within the corporate boundaries of the City) to the Annexation Territory within one (1) year after the effective date of this annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution provides for the provision of services of a capital nature (including but not limited to street construction, sewer facilities, and storm water drainage facilities) to the Annexation Territory within three (3) years after the effective date of this annexation in a manner equivalent in standard and scope to those capital services provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density; and in a manner consistent with federal, state and local laws, procedures, and planning criteria; and

WHEREAS, the Common Council now desires to annex the "Annexation Territory" generally known as "12484 E. 156<sup>th</sup> Street".

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

- Section 1. Contiguity.** The petition requesting voluntary annexation for the "Annexation Territory", further described in Exhibit A, attached hereto and incorporated herein and graphically depicted in Exhibit B, attached hereto and incorporated herein.
- Section 2. Annexation Territory.** The real estate containing approximately 25.6 acres, more or less legally described in Exhibit A, and graphically depicted in Exhibit B, both attached thereto and incorporated herein, and generally known as the "12484 E. 156<sup>th</sup> Street", is hereby annexed to and declared to be a part of the City of Noblesville, Hamilton County, 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 4.** All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance are hereby superseded. The paragraphs, sentences, words, and Annexation Territory of this Ordinance are separable, and if a court of competent jurisdiction thereof 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 the Annexation Territory or this Ordinance.
- Section 5.** The effective date of this annexation shall be as soon as allowed by law following its adoption, execution, and publication as required by law.

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Upon a motion duly made a seconded, the Ordinance was fully passed by the Members of the Common Council this \_\_\_\_\_ day \_\_\_\_\_, 2024.

COMMON COUNCIL

| AYE | COUNCIL          | NAY | ABSTAIN |
|-----|------------------|-----|---------|
|     | Mark Boice       |     |         |
|     | Michael J. Davis |     |         |
|     | Evan Elliott     |     |         |
|     | David M. Johnson |     |         |
|     | Darren Peterson  |     |         |
|     | Pete Schwartz    |     |         |
|     | Aaron Smith      |     |         |
|     | Todd Thurston    |     |         |
|     | Megan G. Wiles   |     |         |

ATTEST: \_\_\_\_\_

Evelyn L. Lees, City Clerk

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Presented by me to the Mayor of the City of Noblesville, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ M.

\_\_\_\_\_  
Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

\_\_\_\_\_  
Chris Jensen, Mayor

\_\_\_\_\_  
Date

MAYOR'S VETO

\_\_\_\_\_  
Chris Jensen, Mayor

\_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Evelyn L. Lees, City Clerk

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. Joyceann Yelton

Prepared by: Joyceann Yelton, Development Services Manager, City of Noblesville, 16 South 10<sup>th</sup> Street, Noblesville, IN 46060 (317) 776-6325

**LEGAL DESCRIPTION**

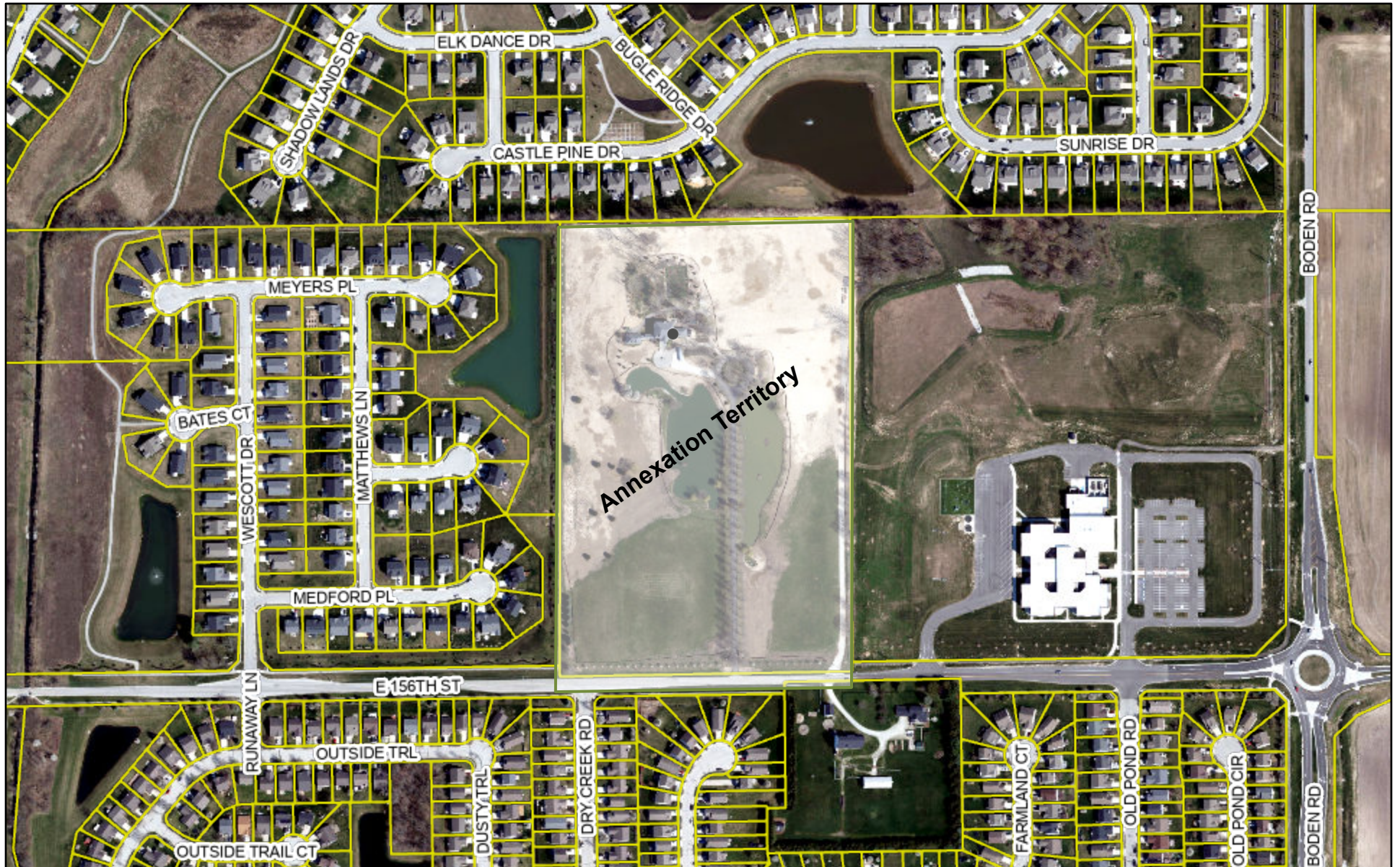
Part of the Southwest Quarter of the Southeast Quarter of Section 10, Township 18 North, Range 5 East, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 10, Township 18 North, Range 5 East; thence North 89 degrees 55 minutes 01 second West 676.29 feet on and along the South line of said Southeast Quarter to a mag nail at the point of beginning of this description; thence North 89 degrees 55 minutes 01 second West 163.33 feet on and along the South line of said Southeast Quarter to a mag nail; thence North 00 degrees 48 minutes 23 seconds West 1331.95 feet to an 5/8" iron rod with yellow cap stamped S0083 on the North line of the Southwest Quarter of said Southeast Quarter; thence South 89 degrees 55 minutes 48 seconds East 183.53 feet on and along the North line of the Southeast Quarter of said Southeast Quarter to a 5/8" iron rod with "R. E. WARD" cap; thence South 00 degrees 48 minutes 23 seconds West 1331.99 feet to a mag nail at the point of beginning of this description. Containing 5.0 acres, more or less.

ALSO, a part of the Southwest Quarter of the Southeast Quarter of Section 10, Township 18 North, Range 5 East, more particularly described as follows:

Beginning at a point (PK nail set) marking the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 10, Township 18 North, Range 5 East, said point being North 89 degrees 55 minutes 01 second West 1324.16 feet from an existing railroad spike marking the Southeast corner of the Southeast Quarter of said Section 10, said point also being South 89 degrees 55 minutes 01 second East 1324.16 feet from an existing iron pipe marking the Southwest corner of said Southeast Quarter, thence North 89 degrees 55 minutes 01 second West 676.29 feet, thence North 00 degree 48 minutes 23 seconds East 1331.99 feet to a point on the North line of the South Half of said Southeast Quarter, thence South 89 degrees 55 minutes 48 seconds East 675.88 feet along said North line to an iron pipe set marking the Northeast corner of the Southwest Quarter of said Southeast Quarter, thence South 00 degree 47 minutes 20 seconds West 1332.14 feet along the East line of said Quarter-Quarter Section to a point of beginning. Containing 20.673 acres, more or less.

Also, any public right-of-way adjacent to the above-described land not previously annexed by the City of Noblesville, Indiana shall be included as a part of the annexation. The adjacent full right-of-way of East 156<sup>th</sup> Street shall be included.



9/5/2024, 12:37:17 PM

- centerlines
- Parcels

