



Common Council

Agenda Item

Cover Sheet

MEETING DATE: December 17, 2024

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

ITEM or ORDINANCE: #75-12-24

PRESENTED BY: Joyceann Yelton

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

ORDINANCE NO. 75-12-24

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

18161 & 18291 Presley Drive
Super-Voluntary Annexation

WHEREAS, the City of Noblesville, Hamilton County, Indiana received a petition requesting that certain territory generally located at 18161 and 18291 Presley Drive, as herein after described ("Annexation Territory"), be annexed by the City of Noblesville; and

WHEREAS, the petition has been signed by the sole owner (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 January 14, 2025, 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 "18161 and 18291 Presley Drive".

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 5.94 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 "16864 Union Chapel Road", 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 4 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 _____, 2025.

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 10th Street, Noblesville, IN 46060 (317) 776-6325

EXHIBIT A

Legal Descriptions

A part of the northwest quarter of Section 32, Township 19 North, Range 5 East, described as follows: Beginning at a point 660.5 feet west of the southeast corner of the northwest quarter of Section 32, Township 19 North, Range 5 East, thence north 1319.0 feet to a corner post, thence west 623.3 feet to the intersection with the centerline of State Road #37 By-Pass, thence southwesterly on and along the centerline 600.0 feet, thence following a curve southwesterly on and along the centerline 600.0 feet, thence following a curve to the southwesterly 753.5 feet to the intersection with the south line of said northwest quarter, thence east on and along said south line 899.0 feet to the place of beginning, containing 22.56 acres, more or less.

Also, the East half of the Southeast Quarter of the Northwest Quarter of Section 32, Township 19, North, Range 5 East in Hamilton County, Indiana and containing 20.22 acres, more or less.

Total acreage to be annexed: 42.78 acres including adjacent right-of-way for State Road No. 37.

EXHIBIT B

Graphic Depiction forth coming