

ORDINANCE NO. 3374  
AN ORDINANCE ANNEXING CERTAIN TERRITORY  
TO THE CITY OF NEW CASTLE, HENRY COUNTY, INDIANA

This ordinance of the City of New Castle, Henry County, Indiana, is an ordinance to annex certain real estate into its corporate boundaries. It is passed and adopted on the month and year hereinafter stated:

WHEREAS, a petition has been filed with the City of New Castle seeking the annexation of certain territory to said City of New Castle, Henry County, Indiana, and;

WHEREAS, said petition is signed by one hundred percent (100%) of the owners of said territory, and;

WHEREAS, said territory is located outside of, but contiguous to, this municipality, and;

WHEREAS, the owner has indicated a desire to develop said property and in so doing, comply with the laws, rules and regulations of the City of New Castle regarding development.

Section 1: ANNEXATION. NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE, HENRY COUNTY, INDIANA, that the following described real estate shall be annexed into the City of New Castle and shall be a part of said City of New Castle, all pursuant to I.C.36-4-3-5.1. Said real estate being annexed by this ordinance is located in Henry County, Indiana, is contiguous to the current boundaries of the City of New Castle, Henry County, Indiana, and is more particularly described as follows, to-wit:

LOT 4 IN DEERE VIEW SECTION ONE, AN ADDITION TO HENRY TOWNSHIP, AS SHOWN IN INSTRUMENT #20014812, RECORDS OF HENRY COUNTY, INDIANA.

EXCEPT: A PART OF LOT 4 IN DEERE VIEW SECTION ONE, AN ADDITION TO HENRY TOWNSHIP, AS SHOWN IN INSTRUMENT #20014812, RECORDS OF HENRY COUNTY, INDIANA.

BEGINNING AT A 5/8 INCH REBAR AT THE SOUTHEAST CORNER OF LOT 4; THENCE SOUTH 89 DEGREES 37 MINUTES 05 SECONDS WEST 311.50 FEET (PLAT BEARING) TO THE SOUTHWEST CORNER OF LOT 4; THENCE NORTH 22 DEGREES 57 MINUTES 07 SECONDS EAST 6.73 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 07 SECONDS EAST 308.89 FEET TO THE POINT OF BEGINNING, CONTAINING 0.02 OF AN ACRE, MORE OR LESS, AND SUBJECT TO ALL EASEMENTS OF RECORD.

COMMON ADDRESS: 1863 SPICELAND PIKE, NEW CASTLE, IN

Section 2: WARD. The annexed territory is hereby assigned to the following municipal legislative district: Ward 4.

Section 3: CURRENT CORPORATE BOUNDARIES. The current definition of the corporate boundaries of the corporate boundaries of the City of New Castle is set forth in Exhibit "A" being a map of said boundaries and Exhibit "B" being a written legal description. Said Exhibits "A" and "B" are attached hereto and made a part hereof.

Section 4: PUBLICATION. Upon passage of this ordinance it shall be published pursuant to the manner prescribed in I.C.36-4-3-7.

Section 5: FILING AND RECORDING. After publication and expiration of the remonstrance period, the Clerk-Treasurer of the City of New Castle shall file and record this ordinance pursuant to the provisions of I.C.36-4-3-22.

Section 6: REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7: SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be deemed to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

Section 8: EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage and publication as provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS 20<sup>th</sup> DAY OF January, 2003.

~~Chesmar Boles~~, Presiding  
Officer, Common Council, City  
of New Castle, Indiana

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NAY

<u>Jordan K. York</u>	_____
<u>Donald E. Amstutz</u>	_____
_____	_____
_____	_____
<u>Louise Price</u>	_____
<u>Jeff Hancock</u>	_____
<u>Richard Helix</u>	_____

ATTEST:

Janice Lavarney  
Janice Lavarney,  
Clerk-Treasurer

APPROVED BY ME THIS 30<sup>th</sup> DAY OF January, 2003.

Thomas D. Fox  
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\_\_\_\_\_, Mayor of the City  
Of New Castle, Indiana