

ORDINANCE NO. 3348
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 date herein stated:

WHEREAS, a petition has been filed with the City of New Castle seeking the annexation of said 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 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:

A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 24 - TOWNSHIP 17 NORTH - RANGE 10 EAST, HENRY TOWNSHIP, HENRY COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
BEGINNING AT A POINT IN THE EXISTING CENTERLINE OF THE DUBLIN PIKE, WHICH POINT IS LOCATED APPROXIMATELY 942.0 FEET NORTHWESTERLY ALONG THE CENTERLINE OF SAID PIKE FROM A POINT 40 RODS NORTH OF THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 24 - TOWNSHIP 17 NORTH - RANGE 10 EAST; AND RUNNING THENCE NORTH 51 DEGREES 08 MINUTES WEST, ON AND ALONG THE EXISTING CENTERLINE OF SAID DUBLIN PIKE, 317.0 FEET TO THE WEST LINE OF SAID HALF QUARTER SECTION; THENCE NORTH, ON AND ALONG THE WEST LINE THEREOF, 648.5 FEET BY DEED (653.5) FEET BY ACTUAL MEASURE) TO THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF THE NICKEL PLATE RAILROAD, WHICH POINT IS LOCATED 551.5 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH 51 DEGREES 23 MINUTES EAST, ON AND ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID RAILROAD, 658.9 FEET; THENCE SOUTH 31 DEGREES 17 MINUTES WEST, MORE OR LESS, 513.2 FEET TO THE POINT OF BEGINNING.

Common address: 1930 E. Dublin Pike, New Castle, IN 47362

See Exhibit "A" in three (3) parts which is a warranty deed, survey and map of the parcel. Said Exhibit "A" is attached hereto, incorporated herein, and made a part hereof.

Section 2: WARD. The annexed territory is hereby assigned to the following municipal legislative district: Ward 1.

Section 3: CURRENT CORPORATE BOUNDARIES. The current definition of the corporate boundaries of the City of New Castle is set forth in Exhibit "B", being a map of said boundaries and Exhibit "C", being a written legal description thereof. Said Exhibits B and C are attached hereto, incorporated herein, 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 3rd DAY OF March, 2003.

Sherman Boles
Sherman Boles, Presiding
Officer, Common Council, City
of New Castle, Indiana

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NAY

<i>Andrea K. York</i>	_____
<i>Billy Lovin</i>	_____
<i>Tom Allen</i>	_____
<i>Max L. Sutherland</i>	_____
<i>Louise D. Pierce</i>	_____
<i>Tom D. Furr</i>	_____
<i>Richard Habn</i>	_____