

ORDINANCE NO. 2022-17

AN ORDINANCE TO ANNEX PROPERTY Known as 8759 E County Road 200 N

WHEREAS, the Town Council of the Town of Avon has adopted a policy regarding the expansion of the corporate boundaries of the Town through the annexation of contiguous real estate located outside the Town's boundaries; and

WHEREAS, the Hendricks County Commissioners have consented to this annexation, and

WHEREAS, this Annexation Policy sets forth certain criteria as a guide for the Town Council to use in deciding whether areas contiguous to the Town should be considered for annexation; and

WHEREAS, the owner of real estate at 8759 E County Road 200 North, located west of County Road 900 East and south of CR 200 North, has petitioned the Town to annex that real estate into the Town of Avon, and

WHEREAS, this area fits the Annexation Policy's criteria for areas that should be considered for annexation; and

WHEREAS, this annexation petition is subject to the voluntary annexation process set forth in Indiana Code 36-4-3-5.1; and

WHEREAS, the boundaries of this area are over one eighth contiguous; and

WHEREAS, a written fiscal plan for the provision of services to this area has been prepared showing how the requirements of Indiana Code 36-4-3-13(d) can be satisfied in the annexation of this real estate and how services will be provided to this real estate if it is annexed; and

WHEREAS, The Town Council will have conducted a public hearing in regards to the annexation of this real estate prior to this ordinance's adoption.

NOW THEREFORE BE IT ORDAINED THAT, by the powers vested in the Town Council pursuant to Indiana Code 36-4-3-1 et. seq., the real estate that is shown on the attached legal description (Exhibit A), and all of the roadway and rights-of-way of the roads that are a part of, or lie adjacent to, the described real estate, except any and all real estate located in the boundaries of another municipality at the time this ordinance becomes effective, shall be annexed into the Town of Avon, Indiana, subject to the following terms and conditions:

1. This territory shall be made a part of Avon Town Council District No 2.
2. As soon as practical after the adoption of this ordinance, the Clerk-Treasurer of Avon shall cause a copy of this ordinance to be published in the newspaper qualified to publish legal notices of the Town of Avon.

3. The annexation will take effect thirty (30) days from the date of the publication of this ordinance and the Clerk-Treasurer's filing of a copy of the ordinance with the County Auditor and with the Circuit Court Clerk of Hendricks County and recording of the ordinance in the Office of the County Recorder of Hendricks County.
4. Any commitments or conditions imposed on this property, resulting from actions taken by governmental officials, boards or agencies of Hendricks County, shall continue to be in effect and to the extent allowable by law, be enforceable by the Town of Avon.
5. This property is currently zoned Agriculture/AGR in the county and shall be zoned Agriculture/AG in the Town of Avon.

This ordinance is hereby passed and adopted this _____ day of _____, 2022.

TOWN COUNCIL, TOWN OF AVON

Robert Pope, President

Aaron Tevebaugh, Vice President

Steve Eisenbarth, Member

Dawn Lowden, Member

Greg Zusan, Member

Constituting a majority of all the members
of the Town Council of Avon, Indiana

ATTESTED BY:

Julie Loker, Clerk-Treasurer
Town of Avon, Indiana

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.

Daniel L. Taylor

This instrument prepared by Daniel L. Taylor, Indiana Supreme Court #11337-54
Kirtley, Taylor, Sims, Chadd & Minnette, P.C., 105 North Washington Street
Crawfordsville, Indiana 47933. Telephone 765-361-9680.