

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONROVIA,
INDIANA TO ANNEX CERTAIN TERRITORY INTO THE TOWN, PLACING
THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF
AND MAKING THE SAME APART OF THE TOWN OF MONROVIA

RECITALS

The Town Council of the Town of Monrovia, Indiana (respectively, the "Council" and the "Town") is in receipt of a petition ("Petition") requesting the annexation of that certain territory identified as Parcel No. 55-04-01-100-005.000-016, 55-04-01-100-009.000-016, 55-04-01-200-004.000-016, which are generally located along SR 39 in or immediately adjacent to Monrovia, Indiana, and are more particularly described in attached Exhibit A (the "Annexation Territory").

1. The Petition has been signed by One Hundred Percent (100%) of the landowners of the annexation territory and filed with the Town.
2. The Annexation Territory consists of approximately 79.178 acres, and the Annexation Territory is contiguous of the existing Town boundaries.
3. Responsible planning and state law require adoption of a fiscal plan and definite policy for the provision of certain services to any annexed areas.
4. Prior to adoption of this Ordinance, this Council adopted a resolution that outlined its written fiscal plan and definite policy for the provision of services of both a non-capital and capital nature to the Annexation Territory.
5. The written fiscal plan and definite policy adopted by resolution will provide for the provision of services of a non-capital nature (including police protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries of the Town) to Annexation Territory within one 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.
6. The written fiscal plan and definite policy adopted by resolution will also provide for the provision of services of a capital nature (including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities) to the Annexation Territory within three years after the effective date of this annexation in the same manner those services are provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density in a manner consistent with federal, state and local laws, procedures, and planning criteria.

7. The terms and conditions of this annexation, including the written fiscal plan and definite policy, are fairly calculated to make the annexation fair and equitable to property owners and residences of the Annexation Territory and of the Town.
8. Prior to the final adoption of this Ordinance, the Town will have conducted a public hearing pursuant to proper notice issued as required by law.
9. The Council finds that the Annexation Territory, pursuant to the terms of this Ordinance, is fair and equitable and should be accomplished.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MONROVIA, INDIANA, AS FOLLOWS:

Section 1. The above recitals are incorporated herein by this reference as though fully set forth herein below.

Section 2. In accordance with LC. § 36-4-3-5.1, the Annexation Territory is hereby annexed to the Town and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.

Section 3. The Annexation Territory is assigned to Council District No. 3.

Section 4. The Annexation Territory shall retain its current zoning classifications and designations by the County until such time as the County or Town, as the case may be, updates its comprehensive plan, zoning ordinance or zoning map.

Section 5. All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance are hereby repealed. The paragraphs, sentences, words of this ordinance are separable, and if a court of competent jurisdiction hereof declares any portion unconstitutional, invalid, or unenforceable, such declaration shall not affect the remaining portions of this Ordinance.

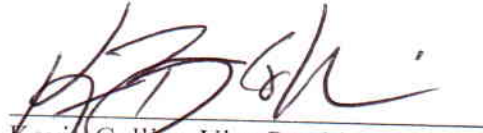
Section 6. This Ordinance shall be in full force and effect from and after the date of its adoption and such publication and recordation as required by law.

ALL OF WHICH IS ADOPTED AND SO ORDAINED this 26th day of September, 2023 by the Town Council of the Town of Monrovia, Indiana.

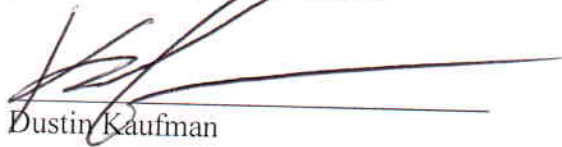
MONROVIA TOWN COUNCIL



Philip Fowler, President



Kevin Collier, Vice President



Dustin Kaufman



Carol Youngblood



Loren Moore

ATTEST:

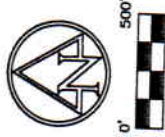
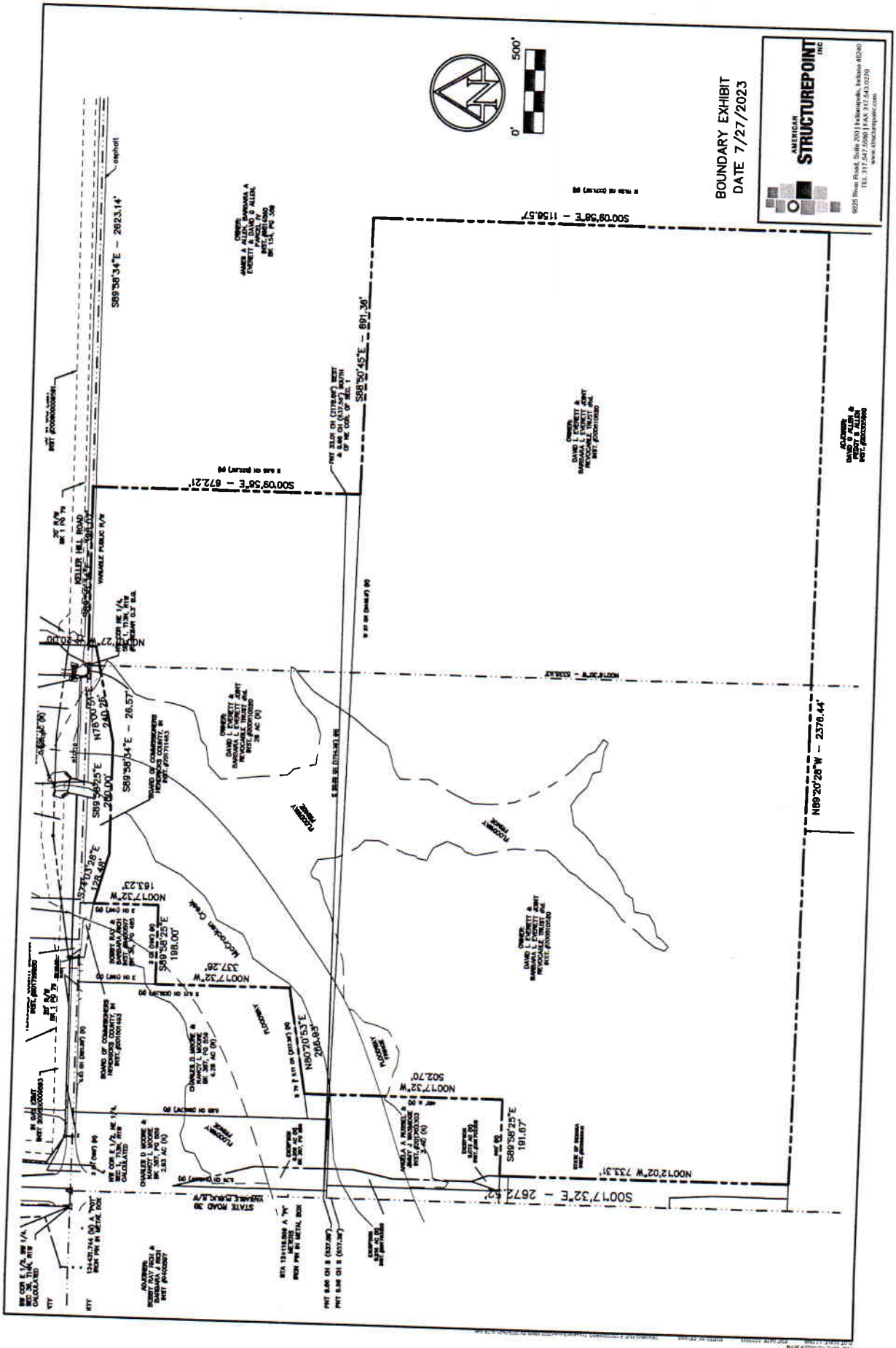

Stephanie Ramirez, Clerk-Treasurer

Land Description

Part of the Northeast Quarter and part of the East Half of the Northwest Quarter of Section 1, Township 13 North, Range 1 West in Morgan County, Indiana, more particularly described as follows:

Commencing at the northeast corner of the Northeast Quarter of Section 1; thence North 89 degrees 58 minutes 34 seconds West along the north line of said Northeast Quarter 2,178.66 feet to the Point of Beginning; thence South 00 degrees 09 minutes 58 seconds East parallel with the east line of said Northeast Quarter 672.21 feet; thence South 88 degrees 50 minutes 45 seconds East 691.36 feet; thence South 00 degrees 09 minutes 58 seconds East parallel with the east line of said Northeast Quarter 1,156.57 feet to the north line of a 857 foot wide strip off the south sides of the Northeast Quarter and the East Half of the Northwest Quarter; thence North 89 degrees 20 minutes 28 seconds West parallel with the south lines of the Northeast Quarter and the East half of the Northeast Quarter 2,376.44 feet to the east right of way line of State Road 39 as conveyed to the State of Indiana by Instrument number 200809941 as recorded in the Office of the Morgan County Recorder; thence North 00 degrees 12 minutes 02 seconds West along said east right of way 733.31 feet to the south line of a 3 acre land tract as described in Instrument number 201703303; thence South 89 degrees 58 minutes 25 seconds East along the south line of said land tract 191.67 feet; thence North 00 degrees 17 minutes 32 seconds West along the east line of said land tract 502.70 feet to the south line of a 4.28 acre land tract as described in Book 387, page 559; thence North 80 degrees 20 minutes 53 seconds East along the south line of said land tract 266.93 feet; thence North 00 degrees 17 minutes 32 seconds West along the east line of said land tract 337.26 feet to the south line of a 0.9 acre land tract as described in Book 36, page 485; thence South 89 degrees 58 minutes 25 seconds East along the south line of said land tract 198.00 feet; thence North 00 degrees 17 minutes 32 seconds West along the east line of said land tract 163.23 feet to the south right of way line of Keller Hill Road as conveyed to the Board of Commissioners of Hendricks County, Indiana by Instrument number 201711463; thence South 74 degrees 03 minutes 28 seconds East along a south line of said right of way 128.48 feet; thence South 89 degrees 58 minutes 25

seconds East along a south line of said right of way 280.00 feet; thence North 78 degrees 00 minutes 51 seconds East along a south line of said right of way 240.26 feet; thence North 00 degrees 01 minutes 27 seconds West along an east line of said right of way 20.00 feet to the north line of the Northeast Quarter; thence South 89 degrees 58 minutes 34 seconds East along said north line 396.07 feet to the Point of Beginning. Containing 79.178 acres, more or less.



BOUNDARY EXHIBIT
DATE 7/27/2023

AMERICAN STRUCTUREPOINT INC.
 8025 River Road, Suite 200 | Indianapolis, Indiana 46240
 TEL: 317.547.5900 | FAX: 317.543.0270
 www.structurepoint.com

OWNER:
JAMES A. ALLEN, BERNONA A
BENJAMIN J. FRANKLIN & ALLIANCE
INC. 154, PO BOX 300

OWNER:
DAVID L. ENRIGHT &
BERNARD L. ENRIGHT PARTNERSHIP
10000 N. STATE ROAD 100, PO BOX 10000

OWNER:
DAVID L. ENRIGHT &
BERNARD L. ENRIGHT PARTNERSHIP
10000 N. STATE ROAD 100, PO BOX 10000

OWNER:
ALANZERS
10000 N. STATE ROAD 100, PO BOX 10000

OWNER:
CHARLES D. MOORE &
MAYO L. MOORE
10000 N. STATE ROAD 100, PO BOX 10000

OWNER:
STATE OF INDIANA
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