

ORDINANCE 2011 – 03

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY COMMONLY KNOWN AS 2356 E. STATE ROAD 46, 2412 E. STATE ROAD 46, AND 1150 OLD STATE ROAD 46 E.

WHEREAS: The properties located at the addresses listed above, and more particularly described in the legal descriptions attached hereto as exhibits A,B,and C, are adjacent and contiguous to the Town of Nashville, and the owners thereof have agreed and consented to annexation by the Town of Nashville; and,

WHEREAS: The Town of Nashville has adopted a fiscal plan for the annexation of said properties by Resolution Number 2011-2; and,

WHEREAS: The Town has published notice of a Public Hearing, notified the affected landowners by certified mail, and held a Public Hearing all as required by law;

IT IS HEREBY ORDAINED AS FOLLOWS:

1. The properties described in exhibits A, B, and C be, and the same are hereby annexed to and made a part of the Town of Nashville, Indiana.
2. The Town of Nashville will furnish the above described territory with governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the Town which are similar in topography, land use and population density to the annexed areas.
3. Governmental and proprietary services will be provided to the above described properties in a manner consistent with the fiscal plan adopted by Resolution 2011-1.
4. Said properties shall be zoned in a town use district that is equivalent to the county use district for the respective properties locations prior to their annexation.
5. Said described properties shall be part of Town Council District Number 3.

SEVERABILITY. If any section or provision of this ordinance shall be declared invalid, such invalidity shall not affect any of the other sections.

EFFECTIVE DATE. This ordinance shall take effect thirty-one (31) days after its adoption and upon filing and recording as required by law.

PASSED AND ADOPTED by the Nashville Town Council this 15 day of Sept, 2011.

Robert Kirlin ☒ yea ☐ nay ☐ abstain
Council President Robert Kirlin

Approved as to form:

James T. Roberts
Attorney for the
Town of Nashville

Charles B. King ☒ yea ☐ nay ☐ abstain
Council Vice-President Charles B. King

R. Sean Cassiday ☐ yea ☐ nay ☐ abstain
Council Member R. Sean Cassiday

Jane Gore ☒ yea ☐ nay ☐ abstain
Council Member Jane Gore

Arthur Omberg ☒ yea ☐ nay ☐ abstain
Council Member Arthur Omberg

ATTEST:

Brenda K. Young
Clerk-Treasurer, Brenda K. Young

EXHIBIT A
"Circle K"

A part of the Northeast quarter of the Northwest quarter of Section 28, Township 9 North, Range 3 East of the Second Principal Meridian, described as follows:

Beginning at a point that is 24.51 feet South of and 225.32 feet West of the Northeast corner of the said quarter section, said point being on the Westerly right of way line of Salt Creek Road at the center line of Old State Road 46; thence South 79 degrees 21 minutes West on and along the said center line and the center line extended 412.50 feet to the Northerly right of way line of New State Road 46; thence South 54 degrees 21 minutes East on and along the said right of way line 31.66 feet; thence South 57 degrees 19 minutes East on and along the said right of way line 225.08 feet; thence North 84 degrees 29 minutes East 57.42 feet to the Westerly right of way line of Salt Creek Road; thence North 33 degrees 34 minutes 30 seconds East on and along the last said right of way line 219.54 feet; thence North 22 degrees 27 minutes East 30.25 feet to the place of beginning, containing 0.98 of an acre more or less.

EXHIBIT B
"NAPA"

Deed attached (Book 137, Page(s) in Brown County, Indiana
more commonly known as:

Part of the Northeast Quarter of the Northwest Quarter of Section 28, Township 9 North,
Range 3 East described as follows:

Beginning South 01 degrees 08 minutes East 152.66 feet from the Northeast corner of
said quarter quarter section; thence South 01 degrees 08 minutes East 373.47 feet;
thence North 57 degrees 19 minutes west 199.58 feet; thence North 23 degrees 49
minutes East 197.6 feet; thence North 69 degrees 49 minutes West 157.0 feet; thence
North 24 degrees 27 minutes East 128.7 feet; thence North 44 degrees 100 minutes
East 24.95 feet; thence South 56 degrees 32 minutes East 189.4 feet to the beginning,
containing 1.34 acres more or less. Subject to all legal rights of way.

EXHIBIT C
"Holistic Vet"

Washington Township, Brown County, Indiana:

A part of the East half of the Northwest quarter of the Northwest quarter of Section 20, Township 9 North, Range 3 East, more particularly described as follows:

Beginning at a point located 20 rods North and 12 rods West of the Southeast corner of the Northwest quarter of the Northwest quarter of Section 20, Township 9 North, Range 3 East; running thence North 29 degrees 00 minutes 00 seconds West a distance of 100.0 feet; thence North 47 degrees 45 minutes 00 seconds West a distance of 139.0 feet; thence South 74 degrees 45 minutes 00 seconds West a distance of 66.0 feet; thence South a distance of 264.5 feet to State Highway No. 46; thence following the State Highway No. 46 North 86 degrees 00 minutes 00 seconds East a distance of 100.0 feet; thence following State Highway No. 46 South 74 degrees 00 minutes 00 seconds East a distance of 117.3 feet to a point; thence North a distance of 130.0 feet to the place of beginning, containing 1 1/8 acres, more or less,

EXCEPT 0.12 acres, more or less, sold to Wm. A. Gore and Margot Y. Gore, husband and wife, as recorded January 6, 1969 in Deed Record 86, on page 57, in the Office of the Recorder of Brown County, Indiana.