

ORDINANCE NO. 3390  
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:

A PART OF THE NORTH HALF OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 10 EAST IN HENRY TOWNSHIP, HENRY COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT A BRASS PIN AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 14 MINUTES 04 SECONDS WEST A DISTANCE OF 1622.13 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO A RAILROAD SPIKE ON THE CENTERLINE OF THE SPICELAND PIKE AND TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89 DEGREES 14 MINUTES 04 SECONDS WEST A DISTANCE OF 1073.69 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO A RAILROAD SPIKE AT THE NORTHWEST CORNER THEREOF; THENCE NORTH 89 DEGREES 29 MINUTES 44 SECONDS WEST A DISTANCE OF 28.60 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION TO A P.K. NAIL; THENCE SOUTH 00 DEGREES 45 MINUTES 56 SECONDS WEST A DISTANCE OF 700.00 FEET TO A ½ INCH REBAR; THENCE SOUTH 89 DEGREES 14 MINUTES 04 SECONDS EAST A DISTANCE OF 771.20 FEET TO A P.K. NAIL IN THE CENTERLINE OF SPICELAND PIKE; THENCE NORTH 18 DEGREES 58 MINUTES 53 SECONDS EAST A DISTANCE OF 43.12 FEET ALONG THE CENTERLINE OF SAID PIKE TO A P.K. NAIL; THENCE NORTH 25 DEGREES 41 MINUTES 56 SECONDS EAST A DISTANCE OF 74.82 FEET ALONG THE CENTERLINE OF SAID PIKE TO A P.K. NAIL; THENCE NORTH 26 DEGREES 34 MINUTES 56 SECONDS



EAST A DISTANCE OF 656.89 FEET ALONG THE CENTERLINE OF SAID PIKE TO THE POINT OF BEGINNING, CONTAINING 15.000 ACRES, MORE OR LESS, SUBJECT TO RIGHT OF WAY FOR COUNTY ROAD 200S AND FOR THE SPICELAND PIKE AND SUBJECT TO ANY EASEMENTS OF RECORD.

ALSO, A PART OF THE NORTH HALF OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 10 EAST IN HENRY TOWNSHIP, HENRY COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT A BRASS PIN AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 14 MINUTES 04 SECONDS WEST A DISTANCE OF 1622.13 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO A RAILROAD SPIKE ON THE CENTERLINE OF THE SPICELAND PIKE; THENCE SOUTH 26 DEGREES 34 MINUTES 56 SECONDS WEST A DISTANCE OF 656.89 FEET ALONG THE CENTERLINE OF SAID PIKE TO A P.K. NAIL; THENCE SOUTH 25 DEGREES 41 MINUTES 56 SECONDS WEST A DISTANCE OF 74.82 FEET ALONG THE CENTERLINE OF SAID PIKE TO A P.K. NAIL; THENCE SOUTH 18 DEGREES 58 MINUTES 53 SECONDS WEST A DISTANCE OF 43.12 FEET ALONG THE CENTERLINE OF SAID PIKE TO A P.K. NAIL AT THE SOUTHEAST CORNER OF A CERTAIN 15.00 ACRE TRACT PRESENTLY OWNED BY THE FIRST BAPTIST CHURCH AND TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 18 DEGREES 58 MINUTES 53 SECONDS WEST A DISTANCE OF 107.12 FEET ALONG THE CENTERLINE OF SAID PIKE TO A P.K. NAIL; THENCE SOUTH 14 DEGREES 16 MINUTES 23 SECONDS WEST A DISTANCE OF 75.65 FEET ALONG THE CENTERLINE OF SAID PIKE TO A P.K. NAIL; THENCE NORTH 89 DEGREES 19 MINUTES 45 SECONDS WEST A DISTANCE OF 720.04 FEET ALONG THE NORTH BANK OF A DITCH TO A 5/8 INCH REBAR; THENCE NORTH 00 DEGREES 45 MINUTES 56 SECONDS EAST A DISTANCE OF 176.50 FEET TO A 5/8 INCH REBAR AT THE SOUTHWEST CORNER OF SAID 15.00 ACRE TRACT; THENCE SOUTH 89 DEGREES 14 MINUTES 56 SECONDS EAST A DISTANCE OF 721.20 FEET ALONG THE SOUTH LINE OF SAID 15.00 ACRE TRACT TO THE POINT OF BEGINNING, CONTAINING 3.000 ACRES, MORE OR LESS, SUBJECT TO RIGHT OF WAY FOR SPICELAND PIKE AND SUBJECT TO ANY EASEMENTS OF RECORD.

COMMONLY KNOWN AS: 2015 SOUTH SPICELAND ROAD, NEW CASTLE, INDIANA 47362

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

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 \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

Tom Nipp, Presiding Officer,  
Common Council, City of New  
Castle, Indiana

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ATTEST:

\_\_\_\_\_  
Janice Lavarney,  
Clerk-Treasurer

APPROVED BY ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
Tom Nipp, Mayor of the City  
Of New Castle, Indiana