

ORDINANCE NO. 3362  
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, the real estate sought to be annexed and described below is contiguous to the current boundaries of the City of New Castle, Henry County, Indiana, and;

WHEREAS, water and sewer utilities have been extended to said territory, and;

WHEREAS, the owner of said real estate has requested connection to said real estate and in so doing consented to and waived any right to remonstrate against this annexation (see consent attached as Exhibit "A").

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:

LOT 5 IN DEERE VIEW SECTION ONE, AN ADDITION TO HENRY TOWNSHIP, AS SHOWN IN INSTRUMENT #20014812, RECORD HENRY COUNTY, INDIANA

Common address: 1889 S. Spiceland Rd., New Castle, IN 47362

See Exhibit "B" in two (2) parts which is a warranty deed and map of the parcel. Said Exhibit "B" 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 4.

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 "C" being a map of said boundaries and Exhibit "D" being a written legal description. Said Exhibits "C" and "D" 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 17<sup>th</sup> DAY OF November, 2003.

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

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NAY

<u>Donna K. Upton</u>	_____
<u>Larry [Signature]</u>	_____
<u>Max Sutherland</u>	_____
<u>Louise Pierce</u>	_____
<u>Tom [Signature]</u>	_____
<u>Richard Hahn</u>	_____

ATTEST:

Janice Lavarney  
Janice Lavarney,  
Clerk-Treasurer

APPROVED BY ME THIS 17<sup>th</sup> DAY OF November, 2003.

Sherman Boles  
Sherman Boles, Mayor of the City  
Of New Castle, Indiana