

AMENDED

ORDINANCE NO. 3419

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;

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 THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 17 NORTH, RANGE 10 EAST IN HENRY TOWNSHIP, HENRY COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT AN IRON PIN IN THE CENTERLINE OF THE NEW CASTLE-SPICELAND ROAD, THENCE ON AN ASSUMED BEARING OF NORTH 34 DEGREES 46 MINUTES 03 SECONDS EAST A DISTANCE OF 663.21 FEET, MEASURED ALONG THE CENTERLINE OF SAID ROAD FROM THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHEAST QUARTER AND SAID CENTERLINE, TO A P.K. NAIL AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 250.00 FEET TO A 5/8 INCH REBAR, THENCE NORTH 02 DEGREES 28 MINUTES 08 SECONDS EAST A DISTANCE OF 220.00 FEET TO A 5/8 INCH REBAR, THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 393.10 FEET TO A P.K. NAIL SET IN THE CENTERLINE OF THE NEW CASTLE-SPICELAND ROAD, THENCE SOUTH 34 DEGREES 46 MINUTES 03 SECONDS WEST A DISTANCE OF 267.56 FEET ALONG THE CENTERLINE THEREOF TO THE POINT OF BEGINNING, CONTAINING 1.623 ACRES, MORE OR LESS.

Common Address: 1685 South Spiceland Pike
New Castle, IN 47362

See Exhibit "A" which is a map of the parcel. Said Exhibit "A" 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 "B" being a written legal description. Said Exhibits "B" and "C" are attached hereto, incorporated herein, 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
7th DAY OF March, 2004⁵

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

AYE

NAY

Danora York
Donald E. Hume
James P. Kedd
Louise Peace
Hyhamud
Richard Stabi

ATTEST:

Janice Lavarway
Janice Lavarway,
Clerk-Treasurer

APPROVED BY ME THIS 7th DAY OF March, 2004⁵

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