

ORDINANCE NO. 3474
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 (Exhibit "E" attached) 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, (see Exhibit "A" attached hereto) 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, is contiguous to the current boundaries of the City of New Castle, Henry County, Indiana, and is more particularly described as follows, to-wit:

(See written legal description Exhibit "A" in three parts attached hereto.)

Section 2: SURVEY OF AREA TO BE ANNEXED. A survey map of the parcel to be annexed is attached hereto and incorporated herein as Exhibit "B".

Section 3: WARD. The annexed territory is hereby assigned to the following municipal legislative district: Ward 4.

Section 4: CURRENT CORPORATE BOUNDARIES. The current definition 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. A map showing the location of the area to be annexed in relation to these boundaries is attached and incorporated herein as Exhibit "D".

Section 5: PUBLICATION. Upon passage of this ordinance it shall be published pursuant to the manner prescribed in I.C.36-4-3-7.

Section 6: 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 7: REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8: 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 9: **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 _____, 2006.

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

AYE

NAY

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ATTEST:

Janice Lavarney,
Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2006.

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