

ORDINANCE NO. 07-453A

AN ORDINANCE TO ANNEX CERTAIN LANDS TO THE TOWN OF BATTLE GROUND, INDIANA

WHEREAS, the Town Council of the Town of Battle Ground, Indiana ("Town"), conducted a public hearing, pursuant to notice as required by law, to consider the annexation to the corporate boundaries of said Town of certain territory as hereinafter described; and,

WHEREAS, certain owners of that territory have requested that the Town annex their property; and,

WHEREAS, the Town Council has determined it is in the best interests of the Town and the owners of said territory that it be annexed; and,

WHEREAS, an appropriate fiscal plan for the area to be annexed has been prepared; and

WHEREAS, the Town is capable of extending all required municipal services to the subject territory within a reasonable time,

NOW, THEREFORE BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BATTLE GROUND, INDIANA, THAT:

SECTION 1(a). The following described lands be, and the same are, hereby annexed to and declared a part of the Town of Battle Ground, Indiana:

(See Attachment A for Legal Description of Property)
(The property is commonly known as 3429 State Road 225E.)

(b) Highways and Rights-of-way. Included in this territory are the following public highways and rights-of-way:

1. State Highway 225 as adjoining the property

(c) Acreage. The territory is comprised of 1.5 acres, more or less.

(d) Special Terms and Conditions. The following special terms and conditions are in effect for this territory:

1. As the property is intended for a Town Park, and is in the flood-way, municipal utilities (water and waste water) will not be extended to the territory.

SECTION 2: The property listed in Appendix A and annexed pursuant to this Ordinance shall be included in Battle Ground Ward #3 for voting and representation purposes.

SECTION 3: The Clerk-Treasurer is hereby directed to publish this Ordinance one (1) time in the Lafayette Journal and Courier newspaper.

SECTION 4: This ordinance shall be in full force and effect from and after its passage and signing and

notice, as provided by law.

PASSED ON FIRST READING BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BATTLE GROUND, INDIANA ON THE 19th DAY OF June , 2007.

PASSED ON SECOND AND FINAL READING BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BATTLE GROUND, INDIANA ON THE 19th DAY OF June , 2007.

Attest:

Councilpersons:

Steve Egly
Steve Egly - Council President

Carolyn Roth
Carolyn Roth

Phyllis Hall
Phyllis Hall Clerk-Treasurer

Brian Brewer
Brian Brewer

John P. Wilson
John Wilson

Becky Holladay
Becky Holladay

EXHIBIT A

Legal Description for Property at 3429 State Road 225 E

(Tax Key No.: 124-03600-02098)

A part of the East half of the Southwest Quarter of Section Twenty-three (23) in Township Twenty-four (24) North, Range Four (4) West, bounded as follows, to-wit: Commencing at the northeast corner of said tract, and running thence west two hundred fifty-eight (258) feet; thence south to the line of Burnetts Creek; thence in an easterly course along said line of Burnett's Creek to the easterly line of said lot; thence north on said east line to the place of beginning and containing one and one-half (1 1/2) acres, more or less. EXCEPT A part of the east half of the southwest quarter of Section 23, Township 24 North, Range 4 West, Tippecanoe County, Indiana, described as follows: Beginning at the north line of said half quarter section South 89 degrees 26 minutes 30 seconds West 30.00 feet from the northeast corner of said half quarter section, which point of beginning is on the west boundary of S.R. 225; thence South 0 degrees 33 minutes 30 seconds East 230.00 feet along said west boundary to the center of Burnett's Creek; thence North 4 degrees 56 minutes 23 seconds West 130.85 feet; thence North 0 degrees 33 minutes 33 seconds West 99.54 feet to the north line of said half quarter section; thence North 89 degrees 26 minutes 30 seconds east 10.00 feet along said north line to the point of beginning, and containing 0.038 acres, more

or less. Located in Tippecanoe Township, Tippecanoe County, Indiana.