

ORDINANCE NO. 2007-1

200700000517
Filed for Record in
BENTON COUNTY INDIANA
TISH RINGLE
03-14-2007 At 02:06 PM.
ORDINANCE 31.00
OR 188 2068 - 2077

**ORDINANCE TO ANNEX PROPERTY
CONTIGUOUS TO THE TOWN OF BOSWELL**

WHEREAS, Indiana Code § 36-4-3-5.1, (the "Act") allows a municipality to annex contiguous property with the consent of all landowners residing within the area to be annexed; and

WHEREAS, a Petition for Annexation to the Town of Boswell, attached hereto as Exhibit A, containing the requisite information has been submitted by all landowners residing within the following area (the "Area"):

"One Hundred Seventy-Five (175) acres on the Southeast Corner of U.S Highway 41 and S.R. 352.;" situated in Grant Township, Benton County, Indiana, and

WHEREAS, pursuant to Ind. Code § 36-4-3-3.5, the Area is more fully described as:

Tract One:

Parts of the Northwest Quarter, Northeast Quarter, and Southeast Quarter of Section 19, Township 24 North, Range 8 West, Grant Township, Benton County, Indiana, being further described as follows: Beginning at a point in said Northwest Quarter, at the intersection of the south right-of-way line of the KB&S Railroad and the east right-of-way of U.S. Highway 41, which point is South 88 degrees 12 minutes 00 seconds East (assumed bearing) 833.86 feet from the intersection of said railroad right-of-way line and the west line of said Northwest Quarter, as measured along said railroad right-of-way line; thence South 88 degrees 12 minutes 00 seconds East 3023.34 along said railroad right-of-way to the east line of the West Half of said Northeast Quarter; thence South 01 degree 08 minutes 35 seconds West 2033.67 feet along the east line of said half-quarter section to the southeast corner thereof; thence South 01 degree 02 minutes 55 seconds West 315.90 feet along the east line of the Northwest Quarter of said Southeast Quarter to the center of Goose Creek; thence along the center of Goose Creek for the following (8) calls: North 82 degrees 57 minutes 23 seconds West 216.16 feet, North 49 degrees 10 minutes 46 seconds West 529.41 feet, North 38 degrees 49 minutes 58 seconds West 103.57 feet, North 67 degrees 18 minutes 11 seconds West 108.63 feet, North 81 degrees 23 minutes 12 seconds West 333.00 feet, North 84 degrees 59 minutes 08 seconds West 57.17 feet, South 84 degrees 11 minutes 43 seconds West 80.76 feet, and South 68 degrees 31 minutes 32 seconds West 247.34 feet to the south line to the south line of said Northeast Quarter; thence North 84 degrees 46 minutes 46 seconds West 1506.75 feet along the south line of said Northeast Quarter to the east right-of-way of U.S. Highway 41; thence North 00 degrees 04 minutes 41 seconds East 979.55 feet along said right-of-way; thence North 45 degrees 04 minutes 41 seconds East 70.71 feet along said right-of-way; thence North 00 degrees 04 minutes 41 seconds East 60.00 feet; thence North 44degrees 55

minutes 19 seconds West 70.71 feet along said right-of-way; thence North 00 degrees 04 minutes 41 seconds East 716.10 feet along said right-of-way to the Point of Beginning, and containing 135.137 acres, more or less.

Tract Two:

A part of the Northwest Quarter (NW) of Section Nineteen (19), Township Twenty-four (24) North, Range Eight (8) West, Grant Township, Benton County, Indiana, being more particularly described as follows:

Commencing at the intersection of the West line of said Section Nineteen (19), and the South Right-of-Way of the Norfolk & Western Railroad; thence South Eighty-nine degrees Six minutes Fifty-six seconds (89° 06' 56") East along said Railroad Right-of-Way for Eight Hundred Thirty-three and One tenth (833.10) feet to the point of beginning; thence South Zero degrees Fifty-four minutes Twenty-one seconds (00° 54' 21") East along the East Right-of-Way of new U.S. Route 41 for Seven Hundred Nineteen and Twenty-four hundredths (719.24) feet; thence continuing along said Right-of-Way South Forty-five degrees Eleven minutes Fifty-one seconds (45° 11' 51") East for Seventy-one and Fifty-eight hundredths (71.58) feet; thence continuing along said Right-of-Way South Zero degrees Fifty-four minutes Thirteen seconds (00° 54' 13") East for Sixty (60.0) feet; thence continuing along said Right-of-Way South Forty-four degrees Forty-eight minutes Eight seconds (44° 48' 08") West for Sixty-nine and Eighty-three hundredths (69.83) feet; thence continuing along said Right-of-Way South Zero degrees Fifty-four minutes Thirteen seconds (00° 54' 13") East for Nine Hundred Seventy-five and Seventy-two hundredths (975.72) feet to a point on the South line of the Northwest Quarter (NW1/4) of said Section Nineteen (19); thence South Eighty-five degrees Twenty-four minutes Seven seconds (85° 24' 07") East along said South line for Three Hundred Seventy-seven and Ninety-five hundredths (377.95) feet; thence North Zero degrees Fifty-four minutes Sixteen seconds (00° 54' 16") West for One Thousand Eight Hundred Seventy-nine and Forty-four Hundredths (1879.44) feet to the South Right-of-Way line of the Norfolk & Western Railroad; thence North Eighty-nine degrees Six minutes Fifty-six seconds (89° 06' 56") West along said Railroad Right-of-Way for Three Hundred Seventy-six and Thirty-nine hundredths (376.39) feet to the point of beginning, Said tract containing Fifteen and Nine Hundred Ninety-nine thousandths (15.999) acres, more or less.

Tract Three:

A part of the Southwest Quarter of Section Nineteen(19), Township Twenty-four (24) North, Range Eight (8) West of the Second Principal Meridian, more completely described as follows:

Beginning at a point on the North line of the Southwest Quarter of Section Nineteen (19), Township Twenty-four (24) North, Range Eight (8) West of the Second Principal Meridian said point of beginning being eight hundred thirty-nine (839) feet South eighty-six degrees no minutes East (S.86°00'E) of the Northwest corner of the Southwest Quarter of said Section 19 and running from thence South eighty-six degrees no minutes East (S.86°00'E.) For a distance of three hundred forty-three (343) feet; thence South four hundred fifty-seven (457) feet; thence South fifty-nine degrees five minutes West (S.59°05'W.) Two hundred eighty-one (281) feet; thence South eighty-seven degrees fourteen minutes West (S.87°14'W.) ninety-two (92) feet; thence North no degrees fifty-four minutes West (N.00°54'W.) six hundred twenty-nine and eight tenths (629.8) feet to the place of beginning.

The above described tract contains 4.36 acres.

WHEREAS, the Town of Boswell shall adopt such fiscal plan and policy as is necessary following adoption of the present Ordinance; and

WHEREAS, the Town desires to annex the Area;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Boswell, as follows:

At the request of all landowners in the Area, the Town of Boswell now annexes the Area to the Town of Boswell.

SO RESOLVED this 8th day of January, 2007.



ATTEST: Jennifer Crisp
Jennifer Crisp, Clerk-Treasurer

Norman Skoog
Norman Skoog, President
Barb Happ
Barb Happ
Joe Kult
Joe Kult

BARCE & BARCE
ATTORNEYS AT LAW
103 NORTH JACKSON AVENUE
P.O. BOX 252
TOWNSHIP OF PULASKI, INDIANA 47044

Prepared by: Hunter Reese, Atty at Law
"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."
Name Hunter Reese