

BY THE COMMON COUNCIL FOR THE
CITY OF CHARLESTOWN, INDIANA

ORDINANCE NO. 1995-5

AN ORDINANCE ANNEXING CERTAIN
CONTIGUOUS TERRITORY INTO THE CITY
SUBJECT TO TAX ABATEMENTS

WHEREAS, James H. Todd has filed a request for annexation pursuant to I.C. 36-4-3-5 seeking the adoption of an ordinance annexing into the City a certain 20 acre parcel of land contiguous to the City of Charlestown (as is more particularly described below); and

WHEREAS, at the time the request for annexation was made, James H. Todd is the owner of more than fifty-one percent (51%) of the subject 20 acre parcel and Clark Rural Development Corporation the owner of the remaining portion of the subject real estate has given its consent to the requested annexation; and

WHEREAS, the subject parcel is land outside the City but contiguous to the City; and

WHEREAS, essential municipal services and facilities are not available to the territory sought to be annexed; and

WHEREAS, the City is physically and financially able to provide municipal services to the territory sought to be annexed; and

WHEREAS, it is in the best interests of the City for the territory sought to be annexed to become a part of the City; and

WHEREAS, since the Todd request for annexation was made, the twenty acre parcel sought to be annexed has been sold to NIBCO, Inc., a corporation doing business in the State of Indiana with headquarters located in Elkhart, Indiana; and

WHEREAS, NIBCO, Inc. intends to build a manufacturing plant upon the parcel sought to be annexed and desires for the land to be annexed and has consented to it being annexed in order that the new manufacturing plant will have essential municipal services available to it; and

WHEREAS, the manufacturing plant will employ in excess of two hundred jobs which will pay an approximate average of \$10.00 per hour; and

WHEREAS, such jobs will benefit the local economy of Charlestown and the surrounding area and will serve the best interests of the citizens of Charlestown; and

WHEREAS, NIBCO, Inc. has sought and received approval of the Clark County Council for a tax abatement for the real estate which is the subject of this annexation and for certain manufacturing equipment to be installed in the new plant to be built upon the subject real estate; and

WHEREAS, this annexation ordinance, pursuant to I.C. 36-4-3-7 will not take effect until sixty (60) days after its final publication, a time after the tax abatements become effective; and

WHEREAS, the City wishes to annex the territory subject to the tax abatements;

NOW, THEREFORE, BE IT ORDAINED by the Common Council for the City of Charlestown, Indiana, that the following described land shall be, and is hereby, annexed into the City of Charlestown,

*orig filed
with deeds*

Indiana, and shall become a part of the City of Charlestown upon proper promulgation of this ordinance in accordance with Indiana law. The annexed territory is described as follows:

A part of Survey #95 of the Illinois Grant, Charlestown Township, Clark County, Indiana, also being more particularly described as follows: Beginning at a stone found at the North Corner of Survey #95; Thence S 40°11'00" E, a distance of 1249.23 feet to a Stone found; Thence S 40°09'24" E, a distance of 44.25 feet along to an Iron Pin found THE TRUE PLACE OF BEGINNING; Thence S 40°09'24" E, a distance of 379.99 feet along Charlestown Industrial Complex 8-11697 to an Iron Pin found; Thence S 40°10'51" E, a distance of 771.77 feet along Charlestown Industrial Complex to an Iron Pin set; Thence S 49°07'41" W, a distance of 786.67 feet to an Iron Pin Set; Thence N 40°10'51" W, a distance of 1107.51 feet to an Iron Pin set; Thence N 49°07'41" E, a distance of 406.81 feet to an Iron Pin set; Thence N. 49°07'41" E, a distance of 380.55 feet to the TRUE PLACE OF BEGINNING.

Containing 20.0000 Acres, more or less. Subject to any and all easements of record.

The foregoing parcel is annexed subject to any and all tax abatements as are approved by the County Council of Clark County, Indiana. To the extent as may be deemed necessary or appropriate, the City hereby ratifies, authorizes, approves, consents to, and adopts any and all such tax abatements.

Adopted by unanimous consent of the Common Council for the City of Charlestown, Indiana, on this 1st day of May, 1995.

James Stanley

Greg W. Moore

Thomas Abbott

Geneva Poe

Ward Tackett

Approved by the Mayor for the City of Charlestown, Indiana, on this 1st day of May, 1995.

Mayor Robert Braswell
Mayor Robert Braswell

ATTEST:

Dorothea Jenkins
Dorothea Jenkins
Clerk-Treasurer