

Common Council

Agenda Item

Cover Sheet

MEETING DATE: February 11, 2025

- ☐ Previously Discussed Ordinance
- ☐ Proposed Development Presentation
- ☒ New Ordinance for Discussion
- ☐ Miscellaneous
- ☐ Transfer

ITEM or ORDINANCE: #04-02-25

PRESENTED BY: Joyceann Yelton

- ☒ Information Attached
- ☐ Verbal
- ☐ No Paperwork at Time of Packets

ORDINANCE NO. 04-02-25

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

Gatewood Lakes Super-Voluntary Annexation

WHEREAS, the City of Noblesville, Hamilton County, Indiana received a petition requesting that certain territory generally located east of Olivo Road, north and south of E. 156th Street, west of Cyntheanne Road, and north of E. 146th Street, as herein after described ("Annexation Territory"), be annexed by the City of Noblesville; and

WHEREAS, the petition has been signed by the sole owner (i.e. 100%) of the property within the "Annexation Territory"; and

WHEREAS, in accordance with Indiana Code §36-4-3-5.1(e), on or around January 14, 2025, the City Council held a duly noticed public hearing regarding the "Annexation Territory"; and

WHEREAS, in accordance with Indiana Code §36-4-3-1.5, the Common Council has determined that the "Annexation Territory" is contiguous at least by one-eight (1/8) of the aggregate external boundaries of the "Annexation Territory" and coincides with the boundaries of the City.

WHEREAS, the written fiscal plan and definite policy adopted by resolution provides for the provision of services of a non-capital nature (including police protection, fire protection, street and road maintenance and other non-capital services normally provided within the corporate boundaries of the City) to the Annexation Territory within one (1) year after the effective date of this annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density; and

WHEREAS, the written fiscal plan and definite policy adopted by resolution provides for the provision of services of a capital nature (including but not limited to street construction, sewer facilities, and storm water drainage facilities) to the Annexation Territory within three (3) years after the effective date of this annexation in a manner equivalent in standard and scope to those capital services provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density; and in a manner consistent with federal, state and local laws, procedures, and planning criteria; and

WHEREAS, the Common Council now desires to annex the "Annexation Territory" generally known as "Gatewood Lakes".

NOW, THEREFORE BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana as follows:

- Section 1. Contiguity.** The petition requesting voluntary annexation for the "Annexation Territory", further described in Exhibit A, attached hereto and incorporated herein and graphically depicted in Exhibit B, attached hereto and incorporated herein.
- Section 2. Annexation Territory.** The real estate containing approximately 1,033 acres, more or less legally described in Exhibit A, and graphically depicted in Exhibit B, both attached thereto and incorporated herein, and generally known as the "Gatewood Lakes", is hereby annexed to and declared to be a part of the City of Noblesville, Hamilton County, Indiana.
- Section 3. Council District.** The above-described real estate is hereby assigned to City Council District 6 and shall become a part thereof immediately upon the effective date of this ordinance.
- Section 4. Zoning District.** Upon annexation the property will be zoned R1 Single-Family Residential until such time as there is a request for a change of zoning of which is adopted by the Common Council and recorded as required by law.
- Section 4.** All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance are hereby superseded. The paragraphs, sentences, words, and Annexation Territory of this Ordinance are separable, and if a court of competent jurisdiction thereof declares any portion of this Ordinance or the Annexation Territory unconstitutional, invalid, or unenforceable for any reason, such declaration shall not affect the remaining portions of the Annexation Territory or this Ordinance.
- Section 5.** The effective date of this annexation shall be as soon as allowed by law following its adoption, execution, and publication as required by law.

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Upon a motion duly made a seconded, the Ordinance was fully passed by the
Members of the Common Council this _____ day _____, 2025.

COMMON COUNCIL

AYE	COUNCIL	NAY	ABSTAIN
	Mark Boice		
	Michael J. Davis		
	Evan Elliott		
	David M. Johnson		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Todd Thurston		
	Megan G. Wiles		

ATTEST: _____

Evelyn L. Lees, City Clerk

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Presented by me to the Mayor of the City of Noblesville, Indiana this _____ day of _____, 20____ at _____ M.

Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

Chris Jensen, Mayor

Date

MAYOR'S VETO

Chris Jensen, Mayor

Date

ATTEST: _____
Evelyn L. Lees, City Clerk

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. Joyceann Yelton

Prepared by: Joyceann Yelton, Development Services Manager, City of Noblesville, 16 South 10th Street,
Noblesville, IN 46060 (317) 776-6325

EXHIBIT A

ANNEXATION DESCRIPTION

PART OF SECTIONS 12 AND 13, TOWNSHIP 18 NORTH, RANGE 5 EAST AND SECTIONS 7 AND 18, TOWNSHIP 18 NORTH, RANGE 6 EAST, OF THE SECOND PRINCIPAL MERIDIAN IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE ALONG THE SOUTH LINE THEREOF NORTH 89 DEGREES 48 MINUTES 23 SECONDS WEST 2645.41 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE ALONG THE SOUTH LINE THEREOF SOUTH 89 DEGREES 54 MINUTES 31 SECONDS WEST 2651.69 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE ALONG THE WEST LINE THEREOF NORTH 00 DEGREES 27 MINUTES 10 SECONDS WEST 1965.00 FEET TO THE SOUTHWEST CORNER OF THE PRICE PARCEL AS DESCRIBED IN INSTRUMENT NUMBER 2015039844 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE ALONG THE PERIMETER OF SAID PARCEL THE FOLLOWING THREE (3) COURSES: (1) NORTH 89 DEGREES 54 MINUTES 31 SECONDS EAST 260.00 FEET; (2) NORTH 00 DEGREES 27 MINUTES 10 SECONDS WEST 265.00 FEET; (3) SOUTH 89 DEGREES 54 MINUTES 31 SECONDS WEST 260.00 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 27 MINUTES 10 SECONDS WEST 419.42 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE ALONG THE WEST LINE THEREOF NORTH 00 DEGREES 23 MINUTES 35 SECONDS WEST 2653.14 FEET TO THE NORTHWEST CORNER THEREOF; THENCE ALONG THE NORTH LINE THEREOF SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST 2641.98 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE ALONG THE NORTH LINE THEREOF SOUTH 89 DEGREES 52 MINUTES 37 SECONDS EAST 1321.55 FEET TO THE SOUTHWEST CORNER OF THE VERBRYCK PARCEL AS DESCRIBED IN BOOK 216 PAGE 290 IN SAID RECORDER'S OFFICE; THENCE ALONG THE PERIMETER OF SAID PARCEL THE FOLLOWING TWO (2) COURSES: (1) NORTH 00 DEGREES 22 MINUTES 32 SECONDS WEST 983.34 FEET; (2) NORTH 89 DEGREES 36 MINUTES 51 SECONDS EAST 1321.32 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12; THENCE ALONG SAID EAST LINE NORTH 00 DEGREES 23 MINUTES 09 SECONDS WEST 483.86 FEET TO THE NORTHWEST CORNER OF THE GATEWOOD FARMS, INC. PARCEL AS DESCRIBED IN BOOK 330 PAGE 499 IN SAID RECORDER'S OFFICE; THENCE ALONG THE NORTH LINE OF SAID PARCEL AND THE PERIMETER OF THE GATEWOOD FARMS, INC. PARCEL AS DESCRIBED IN BOOK 324 PAGE 178 THE FOLLOWING TWO (2) COURSES: (1) NORTH 89 DEGREES 43 MINUTES 37 SECONDS EAST 1684.11 FEET; (2) NORTH 00 DEGREES 18 MINUTES 27 SECONDS WEST 1335.08 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7; THENCE ALONG SAID NORTH LINE NORTH 89

DEGREES 43 MINUTES 55 SECONDS EAST 997.92 FEET TO THE NORTHEAST CORNER OF SAID QUARTER; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 05 MINUTES 37 SECONDS EAST 2670 FEET TO THE SOUTHEAST CORNER OF SAID QUARTER; THENCE ALONG THE SOUTH LINE THEREOF SOUTH 89 DEGREES 43 MINUTES 20 SECONDS WEST 2670.23 FEET TO THE SOUTHWEST CORNER OF QUARTER; THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 12 SOUTH 00 DEGREES 23 MINUTES 09 SECONDS EAST 143.72 FEET TO THE NORTHEAST CORNER OF NORTHEAST QUARTER OF SAID SECTION 13; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 08 MINUTES 37 SECONDS EAST 675.21 FEET TO THE NORTHWEST CORNER OF THE ENTRUST GROUP PARCEL AS DESCRIBED IN INSTRUMENT NUMBER 2015067136 IN SAID RECORDER'S OFFICE; THENCE ALONG THE PERIMETER OF SAID PARCEL THE FOLLOWING TWO (2) COURSES: (1) SOUTH 89 DEGREES 54 MINUTES 08 SECONDS EAST 1518.92 FEET; (2) SOUTH 00 DEGREES 08 MINUTES 37 SECONDS EAST 1831.02 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 18; THENCE ALONG SAID SOUTH LINE NORTH 89 DEGREES 45 MINUTES 42 SECONDS EAST 1160.21 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE ALONG THE NORTHLINE THEREOF NORTH 89 DEGREES 37 MINUTES 38 SECONDS EAST 2659.03 FEET TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 07 MINUTES 20 SECONDS EAST 700.40 FEET TO THE NORTH LINE OF THE ROUSH PARCEL AS DESCRIBED IN INSTRUMENT NUMBER 2016062540; THENCE ALONG THE PERIMETER OF SAID PARCEL THE FOLLOWING FOUR (4) COURSES: (1) NORTH 89 DEGREES 14 MINUTES 25 SECONDS WEST 357.96 FEET; (2) SOUTH 00 DEGREES 58 MINUTES 50 SECONDS WEST 425.07 FEET; (3) SOUTH 65 DEGREES 56 MINUTES 35 SECONDS EAST 91.92 FEET; (4) SOUTH 01 DEGREES 21 MINUTES 15 SECONDS WEST 170.96 FEET TO THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHEAST QUARTER; THENCE ALONG SAID SOUTH LINE SOUTH 89 DEGREES 40 MINUTES 10 SECONDS WEST 401.00 FEET TO THE CENTERLINE OF MUD CREEK (NOW EXISTING AS A BURIED FIELD TILE WHICH BECOMES AN OPEN DITCH AND CREEK SOUTH OF THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER); THENCE ALONG SAID CENTERLINE THE FOLLOWING (11) COURSES; (1) SOUTH 38 DEGREES 20 MINUTES 32 SECONDS WEST 103.75 FEET; (2) SOUTH 52 DEGREES 23 MINUTES 14 SECONDS WEST 107.93 FEET; (3) SOUTH 49 DEGREES 34 MINUTES 27 SECONDS WEST 133.55 FEET; (4) SOUTH 60 DEGREES 10 MINUTES 16 SECONDS WEST 313.46 FEET; (5) SOUTH 57 DEGREES 50 MINUTES 44 SECONDS WEST 310.74 FEET; (6) SOUTH 63 DEGREES 40 MINUTES 43 SECONDS WEST 174.41 FEET; (7) SOUTH 77 DEGREES 06 MINUTES 56 SECONDS WEST 106.55 FEET; (8) SOUTH 88 DEGREES 22 MINUTES 58 SECONDS WEST 555.17 FEET; (9) SOUTH 74 DEGREES 55 MINUTES 43 SECONDS WEST 103.77 FEET; (10) SOUTH 53 DEGREES 57 MINUTES 02 SECONDS WEST 95.08 FEET; (11) SOUTH 41 DEGREES 27 MINUTES 35 SECONDS WEST 283.21 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 11 MINUTES 55 SECONDS WEST 1483.01 FEET TO THE NORTHEAST CORNER OF THE RONALD AND SALLY THIEME PARCEL AS

DESCRIBED IN INSTRUMENT NUMBER 2016049006 IN SAID RECORDER'S OFFICE; THENCE ALONG THE NORTH LINE THEREOF SOUTH 89 DEGREES 45 MINUTES 36 SECONDS WEST 1686.82 FEET TO THE EAST LINE OF THE MARTIN, MARSHA, AND MATHEW THIEME PARCEL AS DESCRIBED IN INSTRUMENT NUMBER 200000030627 IN SAID RECORDER'S OFFICE; THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 48 MINUTES 53 SECONDS EAST 1856.67 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE ALONG SAID SOUTH LINE SOUTH 89 DEGREES 36 MINUTES 27 SECONDS WEST 983.94 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER AND THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE ALONG THE EAST LINE THEREOF SOUTH 03 DEGREES 16 MINUTES 49 SECONDS EAST 127.63 FEET TO THE POINT OF BEGINNING CONTAINING 1033.3 ACRES, MORE OR LESS.

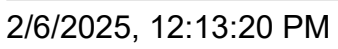
ALSO,

THE PUBLIC RIGHT-OF-WAYS FOR CYNTHEANNE ROAD, 146TH STREET, PRAIRIE BAPTIST ROAD, 156TH STREET, AND OLIO ROAD ADJACENT THEREOF.

EXCEPTING THEREFROM:

LOT 1 IN SUNNYFIELD ESTATES THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2012077388 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, IN.

EXHIBIT B



1:19,200

