

TOWN OF SYRACUSE, INDIANA
ORDINANCE NO. 2022-11

**AN ORDINANCE ANNEXING TERRITORY TO THE TOWN OF SYRACUSE,
PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF,
AND MAKING THE SAME A PART OF THE TOWN OF SYRACUSE**

Syracuse Elementary Area Annexation

WHEREAS, the Town of Syracuse ("Town" or "Syracuse") received petitions ("Petition") requesting that certain territory generally located south and west of the intersection of East County Road 1300 North and Kern Road, as hereinafter described ("Annexation Territory"), be annexed by Syracuse; and

WHEREAS, the Petition has been signed by all of the owners (i.e. 100%) of the property within the Annexation Territory; and

WHEREAS, the Town Council of Syracuse deems it desirable and in the best interests of the Town to annex the Annexation Territory; and

WHEREAS, a legal description and map of the Annexation Territory is attached hereto as Exhibit A and Exhibit B, respectively; and

WHEREAS, where the legal description attached as Exhibit A describes land that is contiguous to a public highway right-of-way that has not previously been annexed, the Annexation Territory shall include the contiguous public highway right-of-way even if it is not described in Exhibit A, except to the extent prohibited by I.C. § 36-4-3-1.5(c); and

WHEREAS, where the parcel of property within the Annexation Territory is adjacent to a parcel of property within the existing Town limits, the Annexation Territory boundary shall conform to and match the boundary of the existing Town limits so long as it does not result in adding or removing parcels of property from the Annexation Territory depicted in Exhibit B; and

WHEREAS, the Annexation Territory consists of approximately 64 acres more or less, and is contiguous to the existing Town limits; and

WHEREAS, prior to adoption of this Ordinance, the Town, by resolution, will have adopted a written fiscal plan and policy for the provision of services of both a non-capital and capital nature to the Annexation Territory that meets the requirements of I.C. § 36-4-3; and

WHEREAS, the terms and conditions of this annexation, including the written fiscal plan and policy, are fairly calculated to make the annexation fair and equitable to property owners and residents of the Annexation Territory and of the Town; and

WHEREAS, the Town has further determined the Annexation Territory is needed and can be used by the Town for its development in the reasonably near future; and

WHEREAS, prior to the final adoption of this Ordinance, the Town will have conducted a public hearing pursuant to proper notice issued as required by law; and

WHEREAS, the Council finds that the Annexation pursuant to the terms of this Ordinance is fair and equitable and should be accomplished.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SYRACUSE, INDIANA, THAT:

SECTION 1. The above recitals including Exhibit A and Exhibit B are incorporated herein by this reference as though fully set forth herein below.

SECTION 2. In accordance with I.C. § 36-4-3-5.1 and other applicable laws, the Annexation Territory is hereby annexed to the Town and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.

SECTION 3. The Annexation Territory is assigned to Council Ward 4.

SECTION 4. The Annexation Territory shall maintain its current zoning classification(s) and designation(s) until such time as the Town updates its respective comprehensive plan, zoning ordinance, or zoning map.

SECTION 5. As provided in I.C. § 36-4-3-4.1 and subject to future changes in applicable law, any real property in the Annexation Territory assessed as agricultural land (under the real property assessment rules and guidelines of the department of local government finance) is exempt from property tax liability under I.C. § 6-1.1 for municipal purposes, and is not considered a part of the Town for purposes of involuntarily annexing future additional territory, while the property's assessment classification remains agricultural land.

SECTION 6. All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance are hereby superseded. The paragraphs, sentences, words, amendments, and Annexation Territory of this Ordinance are separable, and if a court of competent jurisdiction hereof 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.

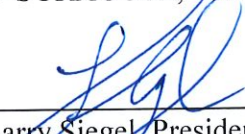
SECTION 7. The effective date of this annexation shall be as soon as allowed by law following its adoption, execution, and publication as required by law.

[Signature Page Follows]

INTRODUCED on August 16th, 2022, and passed by the Town Council of the Town of Syracuse, Indiana, on this 20th day of September, 2022.

THE TOWN COUNCIL OF THE TOWN
OF SYRACUSE, INDIANA

YAY/NAY



Larry Siegel, President

Yay



William Musser

Yay!



Paul Stoelting

Yay



Cindy Kaiser

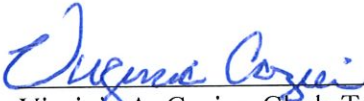
Yay!



Larry Martindale

Yay

ATTEST:



Virginia A. Cazier, Clerk-Treasurer
Town of Syracuse, Indiana

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. Stephen C. Unger

This Ordinance was prepared by Stephen C. Unger, Attorney At Law, Bose McKinney & Evans LLP, 111 Monument Circle, Suite 2700, Indianapolis, Indiana 46204.

Exhibit "A"

Annexation Limits Legal Description

BEING A PART OF THE SECTION 7, TOWNSHIP 34 NORTH, RANGE 7 EAST, OF TURKEY CREEK TOWNSHIP, KOSCIUSKO COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE NORTH 88 DEGREES 33 MINUTES 32 SECONDS EAST ON AND ALONG THE NORTH LINE OF SECTION 7 1221.09 FEET (RECORDED 1221.0 FEET) TO THE NORTHWEST CORNER OF "TRACT B" AS DESCRIBED IN A CO-EXECUTORS' DEED RECORDED AS DOCUMENT NUMBER 92-05-0821 IN THE OFFICE OF THE KOSCIUSKO COUNTY RECORDER, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 33 MINUTES 32 SECONDS EAST, 1102.51 FEET ALONG SAID NORTH LINE TO THE SOUTHWEST CORNER OF WEAVER'S SUBDIVISION, RECORDED IN PLAT BOOK 9, PAGE 2 IN THE OFFICE OF SAID RECORDER; THENCE NORTH 88 DEGREES 19 MINUTES 58 SECONDS EAST, 734.28 FEET ALONG THE SOUTH LINE OF SAID WEAVER'S SUBDIVISION TO THE SOUTHEAST CORNER OF SAID WEAVER'S SUBDIVISION; THENCE SOUTH 87 DEGREES 15 MINUTES 06 SECONDS EAST, 20.00 FEET LONG THE CENTERLINE OF COUNTY ROAD 1300 NORTH TO THE CENTERLINE OF KERN ROAD; THENCE SOUTH 36 DEGREES 43 MINUTES 53 SECONDS WEST, 687.80 FEET ALONG THE CENTERLINE OF KERN ROAD TO THE NORTH LINE OF AN EXISTING TRACT DESCRIBED IN DOCUMENT NUMBER 2021121273 AND RECORDED IN THE OFFICE OF SAID RECORDER; THENCE NORTH 87 DEGREES 39 MINUTES 25 SECONDS EAST, 202.58 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID TRACT; THENCE SOUTH 19 DEGREES 31 MINUTES 39 SECONDS WEST, 200.00 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID TRACT; THENCE SOUTH 89 DEGREES 39 MINUTES 36 SECONDS WEST, 261.76 FEET (261.68 FEET RECORD) ALONG SAID SOUTH LINE TO THE CENTERLINE OF KERN ROAD; THENCE SOUTH 34 DEGREES 46 MINUTES 02 SECONDS WEST, 590.22 FEET ALONG SAID CENTERLINE; THENCE SOUTH 34 DEGREES 45 MINUTES 57 SECONDS WEST, 61.93 FEET ALONG SAID CENTERLINE TO THE SOUTH LINE OF DOCUMENT NUMBER 2015120085 AS RECORDED IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 88 DEGREES 36 MINUTES 07 SECONDS WEST, 2146.79 FEET ALONG THE SOUTH LINE OF SAID DOCUMENT NUMBER 2015120085 AND ALONG THE SOUTH LINE OF DOCUMENTS NUMBER 2016020828 AS RECORDED IN THE OFFICE OF SAID RECORDER TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE NORTH 00 DEGREES 58 MINUTES 14 SECONDS WEST, 813.45 FEET (813.40 FEET RECORD) ALONG SAID WEST LINE TO A POINT 429.00 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 88 DEGREES 33 MINUTES 32 SECONDS EAST, 1220.87 FEET (1221.00 FEET RECORD) ALONG THE NORTH LINE OF SAID DOCUMENT NUMBER 2016020828; THENCE NORTH 00 DEGREES 58 MINUTES 03 SECONDS WEST, 429.00 FEET ALONG THE WEST LINE OF SAID DOCUMENT NUMBER 2016020828 TO THE POINT OF BEGINNING, CONTAINING 64 ACRES MORE OR LESS.

Annexation Exhibit
Turkey Creek Twp, Sect. 7, T34N, R7E
Kosciusko County, Indiana

TOWN OF SYRACUSE

EX.B

BERTSCH FRANK & ASSOCIATES
LAND SURVEYORS
1100 N. 10TH ST., SUITE 100
MARIETTA, OHIO 45750

REVISIONS

NO.	DATE	DESCRIPTION
1	08/11/2011	ORIGINAL

DATE 08/11/2011
BY [Signature]
FOR [Signature]
SCALE 1" = 220'

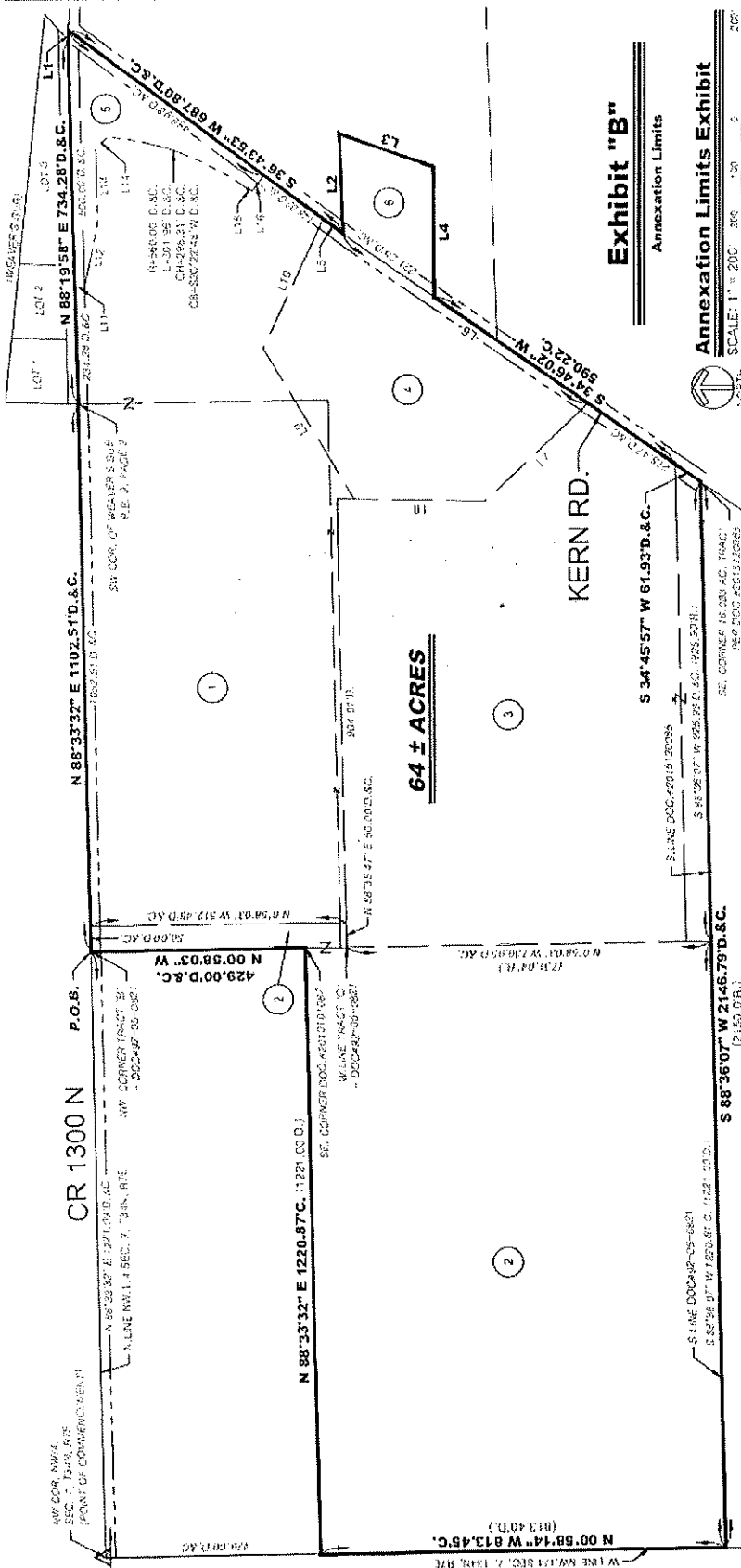


Exhibit Notes:

- BEING THE SAME PROPERTY DESCRIBED IN DOCUMENT NUMBER 2011010101, 2011022801, 2011030601, 2011110101, 2011120101, AND 2011121201 AND LISTED AS PARCELS 1-6 UNDER THE OWNERSHIP LEGEND.
- TAX PARCEL ID NUMBERS: 007-026-004, 207-026-004, 047-007-005-201, 8, 107-005-004, D. 7, 007-005-017, 7, 207-005-005, B.
- THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RE-TRACED OR ORIGINAL BOUNDARY SURVEY. A ROUTE SURVEY OR A SURVEY OF LOCATION REPORT THIS EXHIBIT WAS COMPLETED FOR THE PURPOSE OF ANNEXING APPROXIMATELY 64 ACRES TO THE TOWN OF SYRACUSE.
- THESEY CENTER THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
- AND I AFFIRM, UNDER THE PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO PREPARE EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

OWNERSHIP LEGEND

1	LANDS OF WAKARUSA COMMUNITY SCHOOL CORP. PER DOC #201010101, REC. 11/30/2010.
2	LANDS OF WAKARUSA COMMUNITY SCHOOL CORP. PER DOC #201010101, REC. 11/30/2010.
3	LANDS OF WAKARUSA COMMUNITY SCHOOL CORP. PER DOC #201010101, REC. 11/30/2010.
4	LANDS OF WAKARUSA COMMUNITY SCHOOL CORP. PER DOC #201010101, REC. 11/30/2010.
5	LANDS OF THE TOWNSHIP OF SYRACUSE, INDIANA PER DOC #201010101, REC. 11/30/2010.
6	LANDS OF THE TOWNSHIP OF SYRACUSE, INDIANA PER DOC #201010101, REC. 11/30/2010.

Line Table

Line #	Length	Direction
L1	20.00 D. AC.	S01°40'02"E
L2	02.16 D. AC.	S75°40'21"E
L3	200.00 D. AC.	N88°19'58"E
L4	261.76 D. AC.	S44°00'24"E
L5	50.30 D. AC.	S57°29'33"W
L6	597.26 D. AC.	S41°46'02"W
L7	284.18 D. AC.	S43°28'42"E
L8	262.00 D. AC.	S00°47'00"W
L9	31.00 D. AC.	S58°55'17"W
L10	287.00 D. AC.	N65°24'50"W

Line Table

Line #	Length	Direction
L1	20.00 D. AC.	S01°40'02"E
L2	02.16 D. AC.	S75°40'21"E
L3	200.00 D. AC.	N88°19'58"E
L4	261.76 D. AC.	S44°00'24"E
L5	50.30 D. AC.	S57°29'33"W
L6	597.26 D. AC.	S41°46'02"W
L7	284.18 D. AC.	S43°28'42"E
L8	262.00 D. AC.	S00°47'00"W
L9	31.00 D. AC.	S58°55'17"W
L10	287.00 D. AC.	N65°24'50"W