

RESOLUTION NO. 2015- 6
**A RESOLUTION OF THE COMMISSIONERS FOR SHELBY COUNTY,
INDIANA CONSENTING TO THE
TOWN OF EDINBURGH'S ANNEXTION OF
APPROXIMATELY THREE (3) ACRES ALONG LIND DRIVE**

WHEREAS, Christ Fellowship Assembly of Edinburgh, Inc., owns approximately three (3) acres of land located in Shelby County, but outside of the Town of Edinburgh, Indiana commonly known as 125 Lind Drive, Edinburgh, Indiana 46124, more particularly described in Exhibit A ("Territory To Be Annexed"); and

WHEREAS, Christ Fellowship Assembly of Edinburgh, Inc., filed a Petition for Annexation with the Town Council of the Town of Edinburgh, a copy of which is attached hereto as Exhibit B; and

WHEREAS, Indiana Code 36-4-3-9.1 authorizes a municipality to annex territory within a county only if (1) part or all of that municipality was within the county on January 1, 1982; or (2) the consent of the executive of the county is first obtained; and

WHEREAS, no part of the Town of Edinburgh was within Shelby County on January 1, 1982; and

WHEREAS, the Commissioners for Shelby County, Indiana have determined that there are no grounds for objecting to the Town of Edinburgh's proposed annexation.

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Board of Commissioners that:

Section 1. The Shelby County Board of Commissioners hereby consents to the Town of Edinburgh's annexation of the property commonly known as 125 Lind Drive located in Shelby County, Indiana, and more particularly described as follows:

A part of the northwest quarter of Section 35, Township 11 North, Range 5 East of the Second Principal Meridian, described as follows: Beginning at a point in a wire fence that is 20 feet east of and 1660.80 feet south of the northwest corner of said quarter section; thence east on and along said wire fence 396.00 feet; thence north and parallel to the west line of said quarter section 330.00 feet; thence west 396.00 feet to a point that is 20 feet east of the west line of said quarter section; thence south 330.00 feet to the place of beginning, containing three acres, more or less.

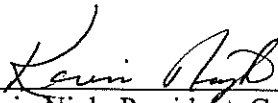
And the public highways and the rights-of-way of the public highways contiguous to the above described real estate.

Section 2. Should any provision of this Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part declared to be unconstitutional or invalid.


ADOPTED this 21 day of December, 2015.

VOTE: Ayes: 3 Nays: 0 Absent: 0

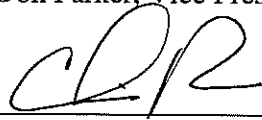
SHELBY COUNTY BOARD OF COMMISSIONERS:



Kevin Nigh, President, Center District




Don Parker, Vice President, South District



Chris Ross, North District

ATTEST:



Mary Jo Phares, Auditor

Exhibit "A"

Legal Description of Property Requested to be Annexed:

A part of the northwest quarter of Section 35, Township 11 North, Range 5 East of The Second Principal Meridian, described as follows: Beginning at a point in a wire fence that is 20 feet east of and 1660.80 feet south of the northwest corner of said quarter section; thence east on and along said wire fence 396.00 feet; thence north and parallel to the west line of said quarter section 330.00 feet; thence west 396.00 feet to a point that is 20 feet east of the west line of said quarter section; thence south 330.00 feet to the place of beginning, containing three acres, more or less, subject to all legal rights of way.

Exhibit "B"

PETITION FOR ANNEXATION INTO THE TOWN OF EDINBURGH

The undersigned (hereafter "Petitioner"), in support of this Petition for Annexation alleges:

1. That Christ Fellowship Assembly of Edinburgh, Inc. is the owner of the real estate described on Exhibit A attached hereto (hereafter "Real Estate").
2. That the Real Estate is contiguous to public highways and the public rights-of-ways thereof (hereafter "Public Highway").
3. That the Town Council of the Town of Edinburgh, Indiana (hereafter "Council") has by ordinance defined the corporate boundaries of the Town of Edinburgh, Indiana.
4. That more than one-eighth (1/8) of the aggregate external boundaries of the Real Estate coincides with the corporate boundaries of the Town of Edinburgh, Indiana.

WHEREFORE, Petitioner requests that the Council adopt an ordinance annexing the Real Estate and the contiguous areas of Public Highway to the Town of Edinburgh, Indiana.

Petitioner: Christ Fellowship Assembly of Edinburgh, Inc.

By: _____



Name: Paul A. Burton, Pastor

Date: September 14, 2015

Legal Description of Property Requested to be Annexed:

A part of the northwest quarter of Section 35, Township 11 North, Range 5 East of The Second Principal Meridian, described as follows: Beginning at a point in a wire fence that is 20 feet east of and 1660.80 feet south of the northwest corner of said quarter section; thence east on and along said wire fence 396.00 feet; thence north and parallel to the west line of said quarter section 330.00 feet; thence west 396.00 feet to a point that is 20 feet east of the west line of said quarter section; thence south 330.00 feet to the place of beginning, containing three acres, more or less, subject to all legal rights of way.

**CHRIS FELLOWSHIP
CHURCH**

May Christ be glorified

Paul A. Burton
Pastor

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