

BEFORE THE TOWN BOARD OF
THE TOWN OF ULEN, INDIANA

ORDINANCE NO. 2011-01
[Ulen Country Club 2011 Annexation]

**AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS REAL ESTATE
INTO THE TOWN OF ULEN, INDIANA**

WHEREAS, Ulen Country Club, Inc. ("Petitioner") has filed a petition seeking to voluntarily annex into the Town of Ulen approximately one hundred six (106) acres, plus or minus, of land Petitioner owns on which is located the Ulen Country Club golf course, clubhouse, pro shop, maintenance buildings, practice areas and related improvements. The land is bordered along its south side by Lebanon Memorial Park, along its west side by Lebanon Memorial Park and the Sunnybrook, Brendanwood, and Ulen North subdivisions, along its north side by Golfside at Ulen subdivision, and along its east side by the Elmwood subdivision and the Town of Ulen. The legal description of the land to be annexed is set forth on Exhibit A attached (the "Land") and highlighted as depicted on Exhibit B attached; and

WHEREAS, since Petitioner is the sole owner of the Land, this a 100% voluntary annexation under IND. CODE § 36-4-3-5.1; and

WHEREAS, the Town Board has determined that more than one eighth (1/8th) of the perimeter boundary of the Land is adjacent to the current municipal boundaries of the Town, thereby making the Land contiguous to the Town as defined at IND. CODE § 36-4-3-1.5; and

WHEREAS, the Town Board has conducted a public hearing upon the petition and related fiscal plan as required by Indiana law; and

WHEREAS, all procedural requirements for said annexation have been satisfied through compliance with the requirements of the Town of Ulen, including the preparation and approval of a fiscal plan in connection this voluntary annexation sought by the petition; and

WHEREAS, the Town Board has deemed the petition appropriate and that the proposed annexation is in the best interests of the Town and its residents and taxpayers should be completed pursuant to the Indiana statutes governing municipal annexations.

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Ulen, Indiana:

Section 1. The Land be, and the same is, hereby annexed to and declared a part of the Town of Ulen, Indiana. In addition thereto, as required by IND. CODE § 36-4-3-2.5(b), the land being annexed shall also include all land comprising adjacent public roadways and related rights-of-way, but it is believed there are no such adjacent rights-of-way.

Section 2. The corporate boundaries of the Town of Ulen shall be, and the same are, hereby declared to be extended so as to include all the Land hereinabove described as part of the Town of Ulen, Indiana.


Section 3. On March 31, 2011, the Town Board adopted Resolution 2011- 01 approving a written fiscal plan establishing a plan for the provision of capital and non-capital services to the Land as required by law.

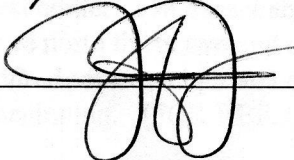
Section 4. There are no residents within the Land and none is expected so no assignment to a Town Board election district is required.

Section 5. This ordinance shall be in full force and effect from and after its passage and the required filing or notice thereof in accordance with the laws of Indiana.

ALL OF WHICH IS PASSED AND ADOPTED by the Town Board of the Town of
Ulen, Indiana, on the 19th day of April, 2011.

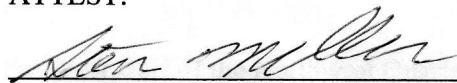
TOWN BOARD MEMBERS





Josephine Kerr (absent) _____

ATTEST:



Steven Million, Clerk-Treasurer
L-368553v3

LEGAL DESCRIPTION

A part of the East Half of the West Half of Section Thirty (30), Township Nineteen (19) North, Range One (1) East, described as follows, to-wit: Commencing at the northwest corner of said tract and running thence south (1277.1) twelve hundred seventy-seven and one-tenth feet; thence north thirty two and one-half (32 ½) degrees east eight hundred thirty seven (837) feet; thence north five hundred seventy-eight and one-half (578 ½) feet; thence west four hundred forty-three (443) feet to the point of beginning. (FOR REF. ONLY: Containing 9.43 acres, more or less.)

ALSO, a part of the southwest quarter of Section Nineteen (19), Township Nineteen (19) North, Range One (1) East, described as follows, to-wit: Commencing at a point five and five thousandths (5.005) chains east of the southwest corner of said tract, and running thence north twelve hundred ninety-nine (1299) feet; thence east eleven hundred forty-four (1144) feet; thence south twelve hundred ninety nine (1299) feet; thence west eleven hundred forty four (1144) feet to the point of beginning. (FOR REF. ONLY: Containing 34.1 acre, more or less.)

ALSO, the West Half of the Northwest Quarter of Section 30, Township 19 North, Range 1 East. (FOR REF. ONLY: Contains 62.50 acres, more or less.)

ALSO, a part of the Southeast Quarter of the Northwest Quarter of said Section Township and Range, described as follows, to-wit: Commencing at the southwest corner of said tract and run thence north 13.6 chains, thence east .25 chains, thence south 5.66 chains, thence east 8.22 chains, thence south 46 ½ degrees east 1.7 chains to the center of the Lebanon, and Kirklin State Road, thence south with the center of said road 40 degrees and 30 minutes west 8.81 chains to the south line of said tract, thence west 3.73 chains to the point of beginning. (FOR REF. ONLY: Contains 5.554 acres, more or less.)

ALSO, commencing at the northwest corner of the east half of the Southwest Quarter of said Section, Township and Range and run thence east .303 chains, thence south 3.845 chains, to the center of the Lebanon, and Kirklin State Road, thence South 40 degrees and 30 minutes west with the center of said road .47 chains to the west line of said tract, thence north 4.20 chains to the point of beginning. (FOR REF. ONLY: Contains .122 acres, more or less.)

ALSO, commencing at the northeast corner of the west half of the Southwest Quarter of said Section, Township and Range and run thence South 16.8 rods, to the center of the Lebanon and Kirklin State Road, thence South with the center of said road 40 degrees and 43 minutes west 3.75 rods, thence north 19.73 rods to the north line of said quarter section, thence east 3.42 rods to the point of beginning. (FOR REF. ONLY: Contains .276 acres, more or less)

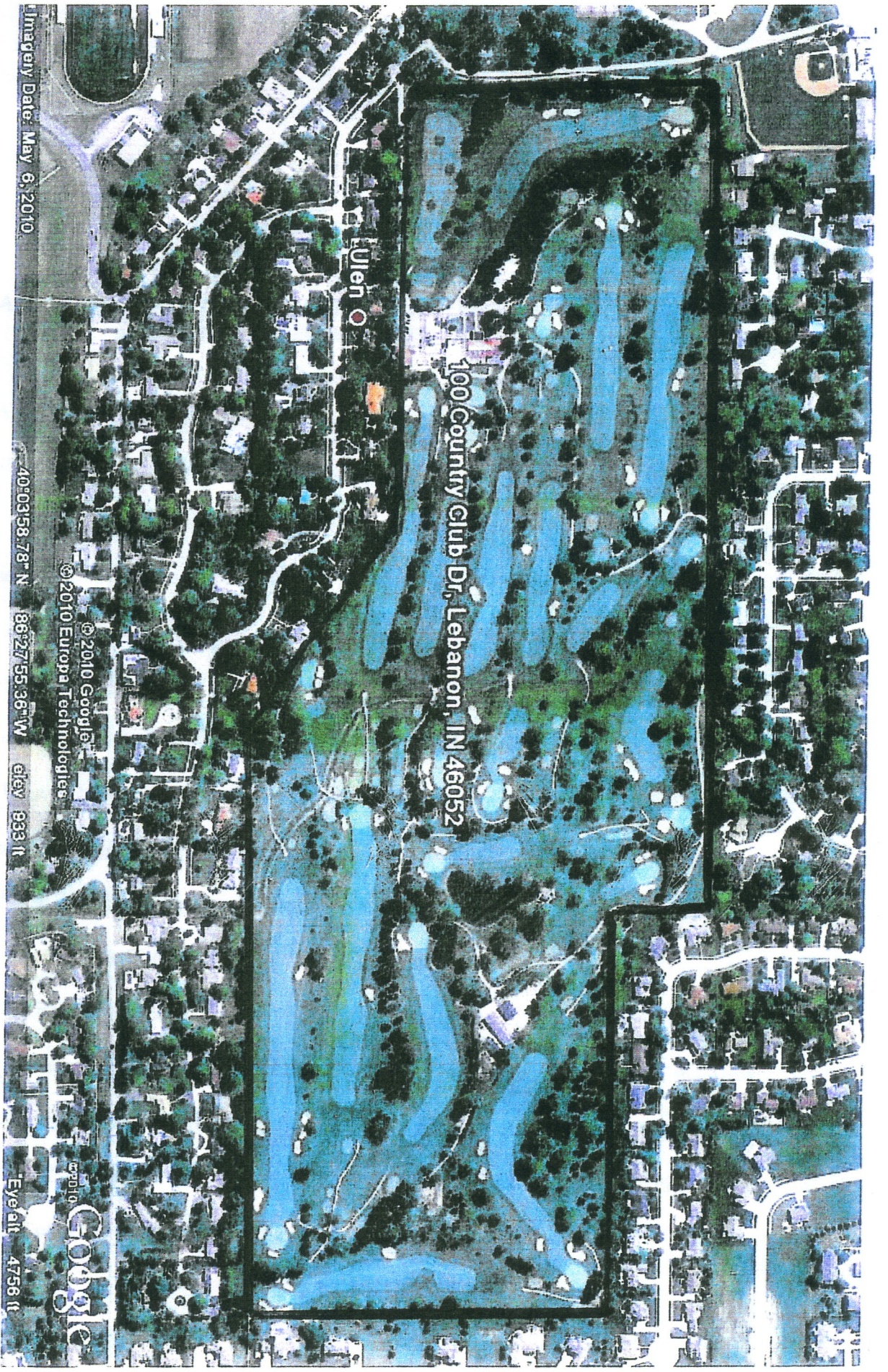
ALSO, all that part of the east half of the Southwest Quarter of Section Thirty (30), Township 19 North, Range One (1) East, that lies on the west side of the Lebanon and Kirklin State Road, the center of said road to be the line (FOR REF. ONLY: Contains 1.0 acre, more or less.)

EXCEPT, a strip of land twenty (20) feet in width off of the west side thereof.

EXCEPT, a part of the Southeast Quarter of the Northwest Quarter of Section Thirty (30), Township Nineteen (19) North, Range One (1) East, described as follows, to-wit: Commencing at a point 7.84 chains north and $4.66 \frac{2}{3}$ chains east of the southwest corner of the southeast quarter of the northwest quarter of Section 30, Township 19 North, Range 1 East, and running thence east $3.00 \frac{1}{3}$ chains, thence south $46 \frac{1}{2}$ degrees east 1.70 chains to the center of the Lebanon and Kirclin State Road, thence south $40 \frac{1}{2}$ degrees west along the center line of said road 7.75 chains, thence north $7.06 \frac{1}{2}$ chains to the place of beginning. (FOR REF. ONLY: Contains 2.00 acres, more or less.)

EXCEPT, a part of the southeast quarter of the northwest quarter and a part of the southeast quarter of the southwest quarter of Section Thirty (30), Township Nineteen (19) North, Range One (1) East described as follows, to-wit: Commencing at a point twenty five hundredths ($\frac{25}{100}$) chains east and 7.84 chains north of the southwest corner of the southeast quarter of the northwest quarter of said section, and running thence east 4.10 chains; thence south 7.03 chains to the center of the Lebanon and Kirclin State Road; thence south $40 \frac{1}{2}$ degrees west 6.31 chains with the center line of said road; thence north 11.83 chains to the point of beginning. (FOR REF. ONLY: Contains 3.86 acres, more or less.)

EXCEPT, a part of the east half of the Northwest Quarter of Section Thirty (30), Township Nineteen (19) North, Range One (1) East, described as follows, to-wit: Commencing at a point twenty-one and $\frac{28}{100}$ (21.28) chains north and north thirty-two (32) degrees east, eight hundred thirty-four and $\frac{5}{100}$ (834.5) feet from the southwest corner of said tract, and running thence north three hundred forty-two (342) feet; thence south nine (9) degrees west, four hundred fifty-five and $\frac{25}{100}$ (455.25) feet; thence north thirty-two degrees east, one hundred twenty-nine (129.5) feet to the point of beginning. (FOR REF. ONLY: Contains .28 acre, more or less.)



100 Country Club Dr, Lebanon, IN 46052

Ulen

Imagery Date: May 6, 2010

40°03'58.78" N

86°27'55.36" W

elev 833 ft

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Eye alt 4756 ft