

**TOWN OF SYRACUSE, INDIANA  
ORDINANCE NO. 2021-13**

**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**

**Kern Road Annexation**

WHEREAS, the Town of Syracuse ("Town") has evaluated the Town's municipal boundaries, surrounding territory, provision of local government service, existing developments, agreements for annexation, and opportunities for growth and development of the Town and its surrounding community; and

WHEREAS, the Town has identified an area west and south of the Town's current municipal boundaries for annexation to the Town, generally known as the "2021 Kern Road Annexation Area"; and

WHEREAS, a map and legal description of the 2021 Kern Road Annexation Area is attached hereto as Exhibit A and Exhibit B, respectively ("Annexation Territory"); and

WHEREAS, where the legal description attached as Exhibit B 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 B, 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 A; and

WHEREAS, the Annexation Territory consists of approximately ninety-five and three tenths (95.3) acres, and is contiguous to the existing Town limits; and

WHEREAS, prior to the introduction of this Ordinance, the Town has provided notice to landowners and conducted an outreach program to inform citizens regarding the annexation; and

WHEREAS, prior to adoption of this Ordinance, the Town, by resolution, has 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 has conducted a public hearing pursuant to proper notice; and

WHEREAS, it is the determination of the Town Council that the annexation set forth herein is appropriate and the Annexation Territory should be annexed to the Town of Syracuse pursuant to the terms of this Ordinance.

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 et seq., the Annexation Territory described and depicted in Exhibit A and Exhibit B is hereby annexed to the Town and thereby included within the Town's 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.

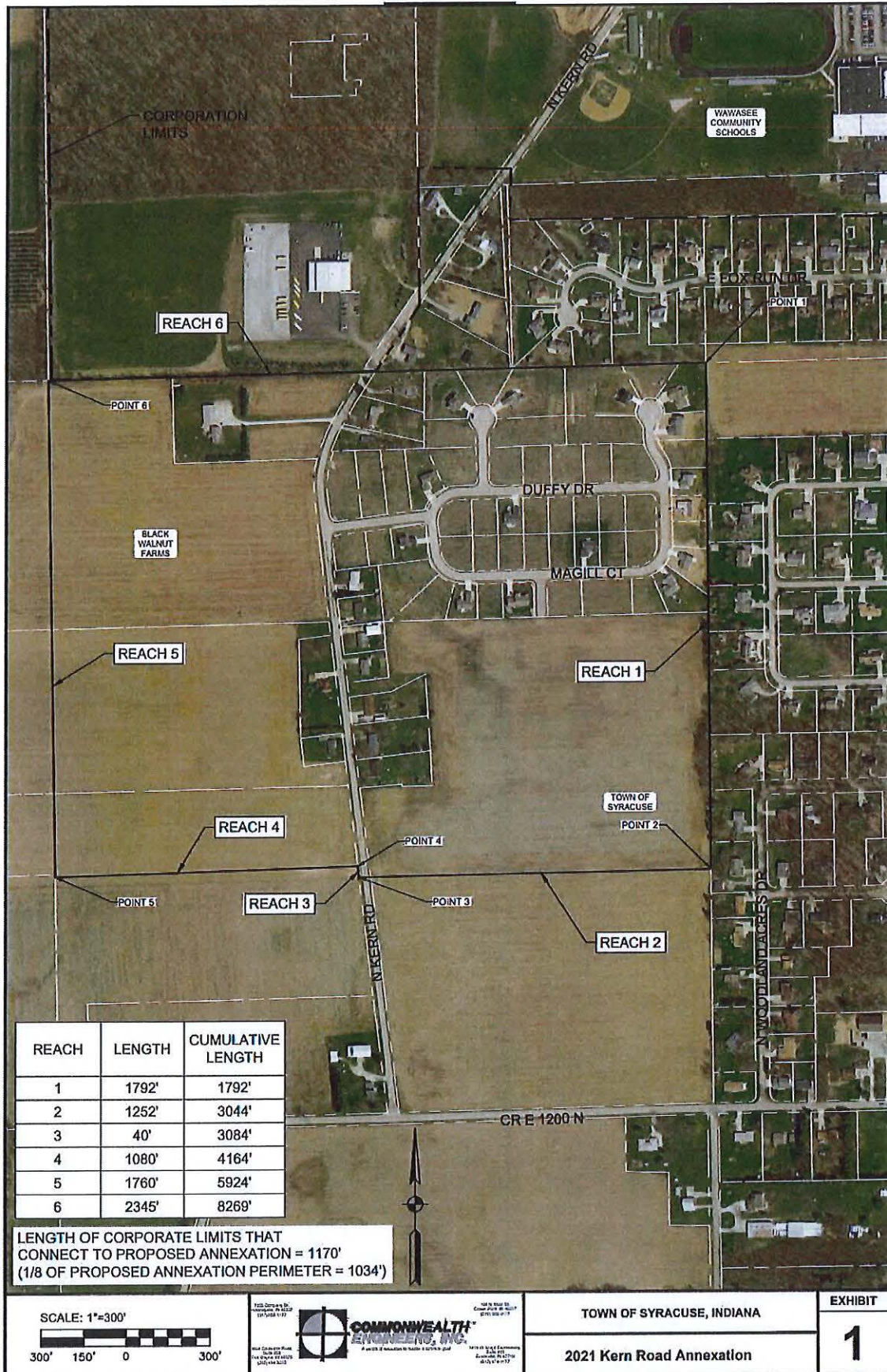
SECTION 5. As provided in I.C. § 36-4-3-4.1 and subject to future changes in applicable law, any real property in the Annexation Territory assessed as agricultural land (under the real property assessment rules and guidelines of the department of local government finance) is exempt from property tax 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]

# EXHIBIT A





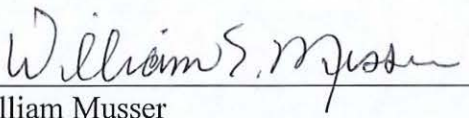
INTRODUCED on August 17, 2021, and passed by the Town Council of the Town of Syracuse, Indiana, on this 23 day of Nov., 2021.

THE TOWN COUNCIL OF THE TOWN  
OF SYRACUSE, INDIANA

YAY/NAY

  
Larry Siegel, President


YAY

  
William Musser

YAY

  
Paul Stoelting

Y

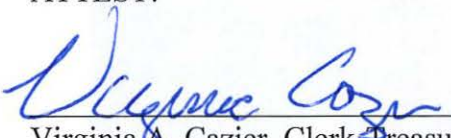
  
Cindy Kaiser

YAY

  
Larry Martindale

AYE

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 B**

Legal Description of Annexation Territory

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

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 45 MINUTES 01 SECONDS WEST, 848.84 FEET (RECORD BEARING PER DOCUMENT NUMBER 2002121171 AND BASIS FOR THIS DESCRIPTION) ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE SOUTH LINE OF A 23.57 ACRE TRACT DESCRIBED TO THE TOWN OF SYRACUSE PER DOCUMENT NUMBER 2020081020, RECORDED ON AUGUST 21, 2020 IN THE OFFICE OF THE KOSCIUSKO COUNTY RECORDER, SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE SOUTH 88 DEGREES 38 MINUTES 16 SECONDS WEST, 2367.52 FEET ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF THE LANDS DESCRIBED TO THE LINDA ANNE NEFF AND RICHARD RAY NEFF REVOCABLE TRUST PER DOCUMENT NUMBER 2002121171, RECORDED ON DECEMBER 26, 2002 IN THE OFFICE OF SAID RECORDER TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 04 MINUTES 27 SECONDS EAST, 1786.40 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 19 MINUTES 00 SECONDS EAST, 2341.99 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 45 MINUTES 01 SECONDS EAST, 1799.07 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING, CONTAINING 97 ACRES MORE OR LESS.