

**TOWN COUNCIL
KIRKLIN, INDIANA**

ORDINANCE NO. 2025-9-4

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

WHEREAS, the Town Council (hereinafter the "Council") of Kirklín, Indiana (hereinafter the "Town") has investigated annexation of property which is within the right of way of Jefferson Street and from the current corporate limits of the Town located at the middle of the Jefferson Street right of way to the Northern right of way of Jefferson Street thence in an East by Northeasterly direction a distance of 1,130 feet thence south 30 feet to the current boundary of the Town of Kirklín described on Exhibit A attached hereto; and

WHEREAS, pursuant to Indiana Code § 36-4-3, the legislative body of a municipality may, by ordinance, annex territory that is contiguous to the municipality, subject to certain limitations; and

WHEREAS, responsible planning and Indiana Code require adoption of a written fiscal plan and a definite policy for the provision of services to the annexed areas; and

WHEREAS, this Council has previously adopted by resolution a written fiscal plan and definite policy for the provision of municipal services pursuant to Resolution No. 2025-9-3 (hereinafter the "Fiscal Plan"); and

WHEREAS, Exhibit A is a description and map of the territory to be annexed, which territory consists of approximately 0.778 acres (hereinafter the "Annexation Territory"); and

WHEREAS, the Annexation Territory is at least one-eighth (1/8) contiguous to the existing corporate boundaries of the Town; and

WHEREAS, it is the intent of this Council that zoning of the Annexation Territory shall not be changed because as part of a public road right of way the property does not have a specified zoning classification; and

WHEREAS, this Ordinance has been adopted following a duly noticed public hearing; and

WHEREAS, this Council has determined to annex the Annexation Territory pursuant to the terms of this Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF KIRKLIN, INDIANA, as follows:

1. The above recitals, including Exhibit A, are incorporated herein by reference as though fully set forth herein below. Two copies of Exhibit A shall be kept on file with the Clerk-Treasurer for public inspection.

2. In accordance with Indiana Code § 36-4-3-5.1, the Annexation Territory is hereby annexed to the Town of Kirklin and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.

3. The terms and conditions applicable to this Annexation are as follows:

i. Timing of Annexation. Pursuant to Indiana Code § 36-4-3-8, the effective date of this Ordinance shall be immediately upon the adoption of this Ordinance pursuant to Indiana Code § 36-4-3-7.

ii. Zoning Classification. There shall be no zoning change as a result of annexation.

iii. Connection to Municipal Utilities. The Annexation Territory is within the Town's Municipal Utilities area and shall be included in its storm water assessment area.

v. Taxes. Those parcels in the Annexation Territory which are currently not assessed as public road right of way under the real property assessment rules and regulations of the department of local government finance shall be exempt as provided by Indiana Code, so long as the property remains a public road.

4. The Annexation Territory is hereby assigned to the Town of Kirklin for municipal election purposes.

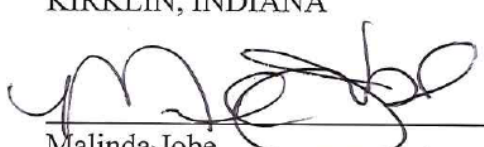
5. The effective date of this annexation shall be immediately after the date as lawfully permitted following its adoption and execution and publication as required by law.

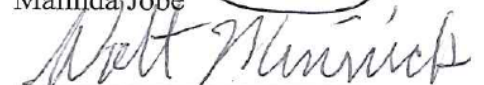
6. The paragraphs, sentences and words of this Ordinance are severable, and if any portion hereof is declared unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance.

7. All prior Ordinances or parts thereof which may be inconsistent with any provision of this Ordinance are hereby repealed.

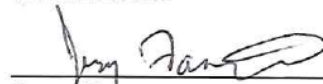
ADOPTED on this 8th day of October, 2025, by the Town Council of Kirklin, Indiana.

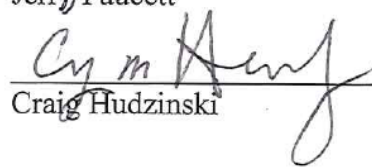
TOWN COUNCIL,
KIRKLIN, INDIANA



Malinda Jobe

Walt Minnick

Brent Stetler

Jerry Faucett

Craig Hudzinski

ATTEST:



Tara Walker, Clerk-Treasurer

