

Town of Georgetown, IN

Ordinance # G-06- 20

AN ORDINANCE ANNEXING TERRITORY INTO THE TOWN OF GEORGETOWN, INDIANA, ON PETITION BY THE OWNER OF SUCH TERRITORY PURSUANT TO THE PROVISIONS OF IC 36-4-3-5.1

Whereas, on or about April 20, 2006, the Georgetown Wastewater Utility, voluntarily filed a petition before this Town Council requesting the annexation of (i) an approximately 8.28-acre tract of real estate, and (ii) an approximately 49.78-acre tract of real estate, both of which are presently located in the unincorporated territory of Floyd County, Indiana, into the corporate boundaries of the Town of Georgetown, Indiana, pursuant to the provisions of IC 36-4-3-5.1; and,

Whereas, pursuant to the provisions of IC 36-4-3-5.1(e), a notice of public hearing scheduled before this Town Council on May 18, 2006, has been published in accordance with Indiana law at least twenty (20) days before the holding of such hearing, and evidence in the form of proof of publication of such notice was entered into the record at such public hearing; and,

Whereas, this Town Council held such public hearing as scheduled on May 18, 2006, at which the petitioner and all other persons interested in the proposed annexation were afforded the opportunity to speak and address their objections or concerns; and,

Whereas, more than fourteen (14) days have elapsed since the holding of the public hearing on the requested annexation; and,

Whereas, this Town Council now deems it to be in the best interests of the Town of Georgetown, Indiana, to grant the petition for voluntary annexation by adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by this
Town Council of the Town of Georgetown, Indiana, as follows:

Section 1: The following described real estate is hereby declared as annexed into the Town of Georgetown, Indiana, *to-wit*:

Tract 1

Being a part of Section 3, Township 3 South, Range 5 East,
Floyd County, Indiana and being further described as follows:

BEGINNING at a point on the northern Right-of-Way line of Interstate 64 where it intersects the west line of said Section 2, same corner being the northeast corner of the east corporate limits of the Town of Georgetown as described in Georgetown Annexation in ORDINANCE G-05-38 Tract 2 as ratified by Town Council on December 15, 2005, Thence, S 75° 00' 41.4" E, along said northern Right-of-Way line, 286.12 feet;

Exhibit E

Thence leaving said Right-of-Way line, S 06° 53' 07" W 256.99 feet to a point on the centerline of said Interstate 64 also being the beginning of a non-tangential curve; Said curve turning to the right, along said centerline through an angle of 17° 38' 18.6", having a radius of 4583.66 feet, and whose long chord bears S 88° 03' 15" E 1405.51 feet to a point of intersection with a non-tangential line; Thence leaving said centerline S 11° 38' 03" W a distance of 150.36 feet to a point on the southern Right-of-Way line of Interstate 64; Thence, N 83° 12' 32" W, along said southern Right-of-Way line, 218.31 feet to the beginning of a curve; Said curve turning to the left, along said southern Right-of-Way line, through an angle of 07° 45' 17.1", having a radius of 5701.57 feet, and whose long chord bears N 87° 05' 11" W 771.10 feet to a point of intersection with a non-tangential line; Thence, S 80° 10' 58" W, along said southern Right-of-Way line, 637.74 feet to a point on the said east corporate limit line of the Town of Georgetown also being the said west line of Section 2; Thence leaving said southern Right-of-Way line, N 00° 28' 20" W, along said east corporate limit line, 202.89 feet to a point on the centerline of said Interstate 64 also being on the west line of Section 2; Thence, N 00° 28' 20" W, along said east corporate limit line, 364.99 feet to the **PLACE OF BEGINNING**; containing 8.29 acres, more or less.

Tract 2

Being a part of Section 3, Township 3 South, Range 5 East, Floyd County, Indiana and being further described as follows:

BEGINNING at a point on the northern Right-of-Way line of Interstate 64 where it intersects the west line of said Section 2, same corner being the northeast corner of the east corporate limits of the Town of Georgetown as described in Georgetown Annexation in ORDINANCE G-05-38 Tract 2 as ratified by Town Council on December 15, 2005, Thence, S 75° 00' 41.4" E, along said northern Right-of-Way line, 286.12 feet to the beginning of a non-tangential curve, also being the **TRUE PLACE OF BEGINNING**; said curve turning to the right through an angle of 09° 03' 45.0", having a radius of 4833.66 feet, and whose long chord bears N 88° 22' 56.8" E 763.75, along said northern Right-of-Way line, feet to a point of intersection with a non-tangential line; Thence, S 78° 21' 57.0" E, along said northern Right-of-Way line, 1242.88 feet; thence S 76° 11' 50.0" E, along said northern Right-of-Way line, a distance of 205.54 feet to a point on the west line of the Joel & Alma S. O'Brien et al property **Plat No. 229 Parcel B**, same point being on the West line of the northeast ¼ of said Section 2; thence, N 03° 18' 00.3" W, along said west line of said O'Brien property and said West line of the northeast ¼, 737.14 feet; Thence leaving said West line of the northeast ¼, S 89° 34' 00.3" E 294.27 feet; Thence, N 02° 04' 59.7" E 305.48 feet; thence, N 02° 04' 59.7" E 26.45 feet to the centerline of waterway known as Georgetown Creek; thence, S 83° 07' 00.3" E, along said creek centerline, 227.60 feet to a point dividing said **Plat No. 229 Parcel B & Parcel C** both being said O'Brien property; Thence, N 88° 01' 59.7" E, along said creek centerline, 18.88 feet; Thence, N 88° 01' 59.7" E, along said creek centerline, 279.14 feet; Thence, S 69° 43' 30.3" E, along said creek centerline, 67.45 feet;

Thence, S 27° 32' 15.3" E, along said creek centerline, 113.35 feet;
 Thence, S 10° 51' 23.7" W, leaving said creek centerline, 50.46 feet;
 Thence, S 05° 47' 23.7" W 59.63 feet;
 Thence, S 78° 59' 23.7" W 73.42 feet;
 Thence, S 22° 22' 53.7" W 107.95 feet;
 Thence, S 14° 42' 06.3" E 181.03 feet;
 Thence, N 77° 44' 29.7" E 102.05 feet;
 Thence, S 19° 52' 48.3" E 84.40 feet;
 Thence, S 77° 30' 11.7" W 100.89 feet;
 Thence, S 20° 39' 48.3" E 345.54 feet;
 Thence, S 05° 08' 18.3" E 281.07 feet;
 thence, S 05° 08' 18.3" E 2.74 feet to the southeast corner of said Parcel B also being a point on the North line of the southeast ¼ of said section 2;
 Thence, S 89° 44' 48.3" E, along the North line of the southeast ¼, 232.66 feet;
 Thence leaving the North line of the southeast 1/4, S 02° 30' 23.4" E 84.36 feet to a point on the northern Right-of-Way line of Interstate 64;
 Thence, S 02° 30' 23.4" E 231.86 feet to a point on the centerline of said Interstate 64;
 thence, S 02° 30' 23.4" E 211.51 feet to a point on the southern Right-of-Way line of Interstate 64 also to the beginning of a non-tangential curve;
 said curve turning to the right through an angle of 01° 34' 18.7", having a radius of 4029.72 feet, and whose long chord bears N 85° 02' 35.7" W 110.55 feet to a point of intersection with a non-tangential line, along said southern Right-of-Way line;
 Thence, N 79° 08' 43.4" W, along said southern Right-of-Way line, 579.11 feet;
 Thence, N 74° 40' 10.8" W, along said southern Right-of-Way line, 186.73 feet;
 Thence, N 76° 11' 50.0" W, along said southern Right-of-Way line, 787.66 feet;
 Thence, N 61° 53' 43.8" W, along said southern Right-of-Way line, 283.18 feet;
 Thence, N 83° 12' 32.2" W, along said southern Right-of-Way line, 218.31 feet to the beginning of a non-tangential curve;
 Thence leaving said southern Right-of-Way line, N 11° 38' 03.0" E, 150.36 feet to a point on the centerline of said Interstate 64 also being the beginning of a non-tangential curve;
 Said curve turning to the left, along said centerline of Interstate 64, through an angle of 17° 38' 18.6", having a radius of 4583.66 feet, and whose long chord bears N 88° 03' 14.6" W for a distance of 1405.51 feet;
 Thence leaving said centerline of Interstate 64, N 06° 53' 06.9" E for a distance of 256.99 feet to the **TRUE PLACE OF BEGINNING**; containing 49.78 acres, more or less.
 NOTE: *The Basis of Bearings used in this description was based on the bearings of the RIGHT OF WAY PLANS for Interstate 64 {Project No. I-64-3(32)103}.*

Section 2: This Ordinance shall take effect thirty (30) days after its passage and adoption by this Town Council, and upon the filing and recording of the Ordinance as required by Indiana law, in the absence of an appeal under IC 36-4-3-15.5.

Section 3: The Clerk-Treasurer is hereby directed to publish notice of the adoption of this Ordinance in *The Tribune* newspaper one (1) time within thirty (30) days after the adoption of this Ordinance in accordance with the provisions of IC 5-3-1-2(h).

Section 4: In the absence of an appeal against this Ordinance filed pursuant to IC 36-4-3-15.5, the Clerk-Treasurer is hereby directed to do the following within ninety (90) days after the adoption of this Ordinance:

A. File a certified copy of this Ordinance with each of the following:

(1) The Floyd County Auditor, together with seven (7) additional copies that the Auditor may use to forward in accordance with the provisions of IC 36-4-3-22(d) to (a) the Floyd County Highway Department, (b) the Floyd County Surveyor, (c) the Floyd County Plan Commission, (d) the Floyd County Sheriff, (e) The Georgetown Township Trustee, (f) the office of the Indiana Secretary of State, (g) the office of census data established by IC 2-5-1.1-12.2.

(2) The Clerk of the Floyd Circuit Court;

(3) The Floyd County Board of Voter Registration;

(4) The office of the Indiana Secretary of State;

(5) The office of census data established by IC 2-5-1.1-12.2.

B. Record a certified copy of this Ordinance in the office of the Floyd County Recorder.

So Ordained this 30th day of June²⁰⁰⁶, 2006.

**BY THE TOWN COUNCIL OF THE
TOWN OF GEORGETOWN, INDIANA**

Gary L. Smith
Gary Smith, President

Jeff McCaffrey
Jeff McCaffrey, Vice President

Jay Davis
Jay Davis, Member

Dean Hammersmith
Dean Hammersmith, Member

Chris Carter
Chris Carter, Member

ATTEST:

Douglas Cook
Douglas Cook, Georgetown Clerk/Treasurer

**FISCAL PLAN FOR THE PROVISION OF MUNICIPAL
SERVICES TO A 8.28-ACRE TRACT AND A 49.78-ACRE TRACT OF
LAND FOR WHICH ANNEXATION INTO THE
TOWN OF GEORGETOWN, INDIANA, HAS BEEN REQUESTED**

Petitioner, the Georgetown Wastewater Utility, has filed a petition requesting annexation of an 8.28-acre tract and a 49.78-acre tract of real property that are presently located in the unincorporated territory of Floyd County, Indiana, into the Town of Georgetown, Indiana (collectively the "Property").

This Fiscal Plan is established in accordance with the requirements of IC 36-4-3-3.1 as the definite policy of the Georgetown Town Council for the provision of services to the Property. The following shall be the policy of the Town of Georgetown regarding the provision of non-capital and capital services to the Property:

1. **Non-Capital Services.** The Town presently provides services of a non-capital nature within its current corporate boundaries, including without limitation, police protection and street and road maintenance. Such services will be provided to the Property within one (1) year after the effective date of annexation in a manner equivalent in standard and scope that such non-capital services are provided to areas within the Town's current corporate boundaries, regardless of similar topography, patterns of land use, and population density.

Due to the fact that the Property is presently not developed, and further due to the relatively small size of the Property, it is not estimated that any additional Town personnel will need to be hired to provide such services. As such, it is estimated that the planned services will not result in any material increase in the Town's cost of providing such municipal services generally. The services that are to be provided to the Property will be paid for from the Wastewater enterprise fund revenues to be received by the Town.

2. **Capital Services.** The Town presently provides services of a capital improvement nature within its current corporate boundaries, including without limitation, street construction, street lighting, and water facilities. Such services, with the exception of drinking water which is already being provided by the Edwardsville Water Company, will be provided to the Property within three (3) years after the effective date of annexation in a manner equivalent in standard and scope that such capital services are provided to areas within the Town's current corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.

There are no plans for residences to be built on the Property. In conjunction with the relatively small size of the Property, it is not estimated that any additional Town personnel will need to be hired, or capital expenditures made, in order to provide such traditional municipal services to the Property. It is estimated that the planned services will not result in any material increase in the Town's cost of providing such municipal services generally. The services that are to be provided to the Property will be paid for from the Wastewater enterprise fund revenues to be received by the Town.

Exhibit C

STATE OF INDIANA

BEFORE THE GEORGETOWN TOWN COUNCIL

IN RE THE PETITION TO ANNEX)
AN 8.28-ACRE TRACT AND)
A 49.78-ACRE TRACT OF)
REAL ESTATE INTO THE)
TOWN OF GEORGETOWN,)
INDIANA,)
)
GEORGETOWN WASTEWATER)
UTILITY)
PETITIONER)

Floyd County Recorder
Linda L. Berger 19P
JKM Date 06/01/2006 Time 10:04:03
I 200606932 Page 1 of 19

**PETITION FOR ANNEXATION INTO
THE TOWN OF GEORGETOWN, INDIANA**

Comes now petitioner, Georgetown Wastewater Utility (the "Utility"), and petitions the Town of Georgetown, Indiana (the "Town"), by the Georgetown Town Council, as its legislative body (the "Town Council"), as follows:

1. The Utility hereby requests that the Town Council adopt an ordinance annexing two tracts of the real estate described herein below into the Town pursuant to the provisions of IC 36-4-3-5.1.

2. The Area 1 Real Estate is located adjacent to, but outside of, the existing municipal boundaries of the Town. Area 1 contains 8.28-acres of land that is more particularly described as follows:

Being a part of Section 3, Township 3 South, Range 5 East, Floyd County, Indiana and being further described as follows:

BEGINNING at a point on the northern Right-of-Way line of Interstate 64 where it intersects the west line of said Section 2, same corner being the northeast corner of the east corporate limits of the Town of Georgetown as described in Georgetown Annexation in ORDINANCE G-05-38 Tract 2 as ratified by Town Council on December 15, 2005, Thence, S 75° 00' 41.4" E, along said northern Right-of-Way line, 286.12 feet; Thence leaving said Right-of-Way line, S 06° 53' 07" W 256.99 feet to a point on the centerline of said Interstate 64 also being the beginning of a non-tangential curve;

Said curve turning to the right, along said centerline through an angle of $17^{\circ} 38' 18.6''$, having a radius of 4583.66 feet, and whose long chord bears $S 88^{\circ} 03' 15'' E$ 1405.51 feet to a point of intersection with a non-tangential line;

Thence leaving said centerline $S 11^{\circ} 38' 03'' W$ a distance of 150.36 feet to a point on the southern Right-of-Way line of Interstate 64;

Thence, $N 83^{\circ} 12' 32'' W$, along said southern Right-of-Way line, 218.31 feet to the beginning of a curve;

Said curve turning to the left, along said southern Right-of-Way line, through an angle of $07^{\circ} 45' 17.1''$, having a radius of 5701.57 feet, and whose long chord bears $N 87^{\circ} 05' 11'' W$ 771.10 feet to a point of intersection with a non-tangential line;

Thence, $S 80^{\circ} 10' 58'' W$, along said southern Right-of-Way line, 637.74 feet to a point on the said east corporate limit line of the Town of Georgetown also being the said west line of Section 2;

Thence leaving said southern Right-of-Way line, $N 00^{\circ} 28' 20'' W$, along said east corporate limit line, 202.89 feet to a point on the centerline of said Interstate 64 also being on the west line of Section 2;

Thence, $N 00^{\circ} 28' 20'' W$, along said east corporate limit line, 364.99 feet to the **PLACE OF BEGINNING**; Containing 8.29 acres, more or less.

3. Some 13.2% of the boundaries of the Area 1 Real Estate is in common with, and contiguous to, the existing municipal boundaries of the Town.

4. The Utility is the sole owner of the approximately 22.7-acre tract of real estate that is a part of the 49.78 acres (the "Area 2 Real Estate") that is more particularly described as follows:

Being a part of Section 3, Township 3 South, Range 5 East, Floyd County, Indiana and being further described as follows:

BEGINNING at a point on the northern Right-of-Way line of Interstate 64 where it intersects the west line of said Section 2, same corner being the northeast corner of the east corporate limits of the Town of Georgetown as described in Georgetown Annexation in ORDINANCE G-05-38 Tract 2 as ratified by Town Council on December 15, 2005, Thence, $S 75^{\circ} 00' 41.4'' E$, along said northern Right-of-Way line, 286.12 feet to the beginning of a non-tangential curve, also being the **TRUE PLACE OF BEGINNING**; said curve turning to the right through an angle of $09^{\circ} 03' 45.0''$, having a radius of 4833.66 feet, and whose long chord bears $N 88^{\circ} 22' 56.8'' E$ 763.75, along said northern Right-of-Way line, feet to a point of intersection with a non-tangential line; Thence, $S 78^{\circ} 21' 57.0'' E$, along said northern Right-of-Way line, 1242.88 feet; thence $S 76^{\circ} 11' 50.0'' E$, along said northern Right-of-Way line, a distance of 205.54 feet to a point on the west line of the Joel & Alma S. O'Brien et al property **Plat No. 229 Parcel B**, same point being on the West line of the northeast $\frac{1}{4}$ of said Section 2; thence, $N 03^{\circ} 18' 00.3'' W$, along said west line of said O'Brien property and said West line of the northeast $\frac{1}{4}$, 737.14 feet; Thence leaving said West line of the northeast $\frac{1}{4}$, $S 89^{\circ} 34' 00.3'' E$ 294.27 feet; Thence, $N 02^{\circ} 04' 59.7'' E$ 305.48 feet;

thence, N 02° 04' 59.7" E 26.45 feet to the centerline of waterway known as Georgetown Creek;

thence, S 83° 07' 00.3" E, along said creek centerline, 227.60 feet to a point dividing said **Plat No. 229 Parcel B & Parcel C** both being said O'Brien property;

Thence, N 88° 01' 59.7" E, along said creek centerline, 18.88 feet;

Thence, N 88° 01' 59.7" E, along said creek centerline, 279.14 feet;

Thence, S 69° 43' 30.3" E, along said creek centerline, 67.45 feet;

Thence, S 27° 32' 15.3" E, along said creek centerline, 113.35 feet;

Thence, S 10° 51' 23.7" W, leaving said creek centerline, 50.46 feet;

Thence, S 05° 47' 23.7" W 59.63 feet;

Thence, S 78° 59' 23.7" W 73.42 feet;

Thence, S 22° 22' 53.7" W 107.95 feet;

Thence, S 14° 42' 06.3" E 181.03 feet;

Thence, N 77° 44' 29.7" E 102.05 feet;

Thence, S 19° 52' 48.3" E 84.40 feet;

Thence, S 77° 30' 11.7" W 100.89 feet;

Thence, S 20° 39' 48.3" E 345.54 feet;

Thence, S 05° 08' 18.3" E 281.07 feet;

thence, S 05° 08' 18.3" E 2.74 feet to the southeast corner of said Parcel B also being a point on the North line of the southeast ¼ of said section 2;

Thence, S 89° 44' 48.3" E, along the North line of the southeast ¼, 232.66 feet;

Thence leaving the North line of the southeast 1/4, S 02° 30' 23.4" E 84.36 feet to a point on the northern Right-of-Way line of Interstate 64;

Thence, S 02° 30' 23.4" E 231.86 feet to a point on the centerline of said Interstate 64;

thence, S 02° 30' 23.4" E 211.51 feet to a point on the southern Right-of-Way line of Interstate 64 also to the beginning of a non-tangential curve;

said curve turning to the right through an angle of 01° 34' 18.7", having a radius of 4029.72 feet, and whose long chord bears N 85° 02' 35.7" W 110.55 feet to a point of intersection with a non-tangential line, along said southern Right-of-Way line;

Thence, N 79° 08' 43.4" W, along said southern Right-of-Way line, 579.11 feet;

Thence, N 74° 40' 10.8" W, along said southern Right-of-Way line, 186.73 feet;

Thence, N 76° 11' 50.0" W, along said southern Right-of-Way line, 787.66 feet;

Thence, N 61° 53' 43.8" W, along said southern Right-of-Way line, 283.18 feet;

Thence, N 83° 12' 32.2" W, along said southern Right-of-Way line, 218.31 feet to the beginning of a non-tangential curve;

Thence leaving said southern Right-of-Way line, N 11° 38' 03.0" E, 150.36 feet to a point on the centerline of said Interstate 64 also being the beginning of a non-tangential curve;

Said curve turning to the left, along said centerline of Interstate 64, through an angle of 17° 38' 18.6", having a radius of 4583.66 feet, and whose long chord bears N 88° 03' 14.6" W for a distance of 1405.51 feet;

Thence leaving said centerline of Interstate 64, N 06° 53' 06.9" E for a distance of 256.99 feet to the **TRUE PLACE OF BEGINNING**; containing 49.78 acres, more or less.

NOTE: *The Basis of Bearings used in this description was based on the bearings of the RIGHT OF WAY PLANS for Interstate 64 {Project No. I-64-3(32)103}.*

5. The Area 2 Real Estate is located outside of the existing municipal boundaries of the Town, but adjacent to the Area 1 Real Estate. Some 16% of the boundaries of the

Area 2 Real Estate is in common with, and contiguous to, the boundaries of the Area 1 Real Estate.

6. A survey drawing of the Areas 1 & 2 Real Estate is attached hereto as Exhibit "A".

7. Pursuant to the provisions of IC 36-4-3-5.1(b), notice of the filing of this petition, or the proposed adoption of an ordinance by the Town Council enacting the requested annexation, is not required to any other owner of land within the Area 4 Real Estate pursuant to the provisions of IC 36-4-3-2.1 and IC 36-4-3-2.2 as the Utility owns one hundred percent (100%) of such real estate.

8. The Utility further requests that the Town adopt a fiscal plan and establish a definite policy by resolution of the Town Council after the holding of a public hearing on the proposed annexation, which hearing shall be held within thirty (30) days after the filing of this petition, and at which hearing all interested parties shall have the opportunity to testify as to the proposed annexation. A draft notice of public hearing is attached hereto as Exhibit "B". A draft fiscal plan proposed by the Utility is attached hereto as Exhibit "C". A draft resolution adopting such plan is attached hereto as Exhibit "D".

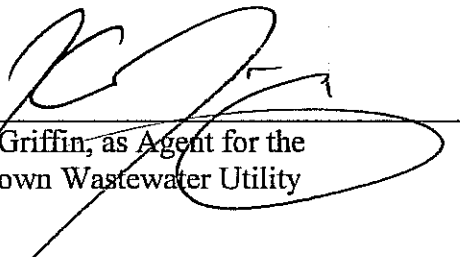
9. The Utility has caused notice in the form attached hereto as Exhibit "B" of a public hearing on this petition before the Town Council to be held at its regular meeting on May 18, 2006, to be published in *The Tribune*, a newspaper of general circulation published in Floyd County, Indiana, one (1) time in accordance with IC 5-3-1, *et seq.*, at least twenty (20) days before the scheduled hearing.

10. The Utility acknowledges that the Town Council may not adopt an ordinance effecting the requested annexation sooner than fourteen (14) days after the public hearing is conducted. A draft ordinance proposed by the Utility for such purposes is attached hereto as Exhibit "E".

11. The Utility reserves the right to withdraw its signature from this petition not more than thirteen (13) days after the Town adopts its fiscal plan by providing written notice to the office of the Town's Clerk-Treasurer. In the event of such withdrawal, the Utility acknowledges that this petition shall automatically be considered to be a voluntary petition that is filed with the legislative body under IC 36-4-3-5, and all provisions applicable to a petition initiated under such statute shall then apply to this petition.

WHEREFORE, petitioner, the Georgetown Wastewater Utility, asks that the Town Council adopt an ordinance annexing the Real Estate into the Town as requested herein and pursuant to the provisions of applicable Indiana law.

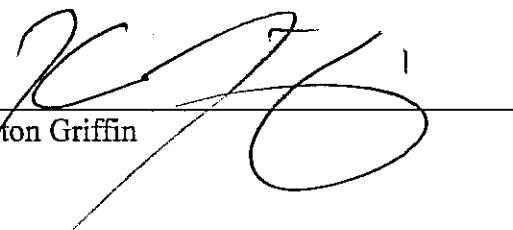
THE UNDERSIGNED, AS THE DULY AUTHORIZED AGENT FOR PETITIONER, THE GEORGETOWN WASTEWATER UTILITY, HEREBY AFFIRMS, UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING REPRESENTATIONS WITHIN THIS *PETITION FOR ANNEXATION INTO THE TOWN OF GEORGETOWN, INDIANA*, ARE TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.



Kenton Griffin, as Agent for the
Georgetown Wastewater Utility

CERTIFICATE OF FILING

The undersigned hereby certifies that on the 20th day of April, 2006, the foregoing Petition for Annexation into the Town of Georgetown, Indiana, was filed personally in the office of the Georgetown Clerk-Treasurer, 9110 State Road 64, Georgetown, Indiana 47122.

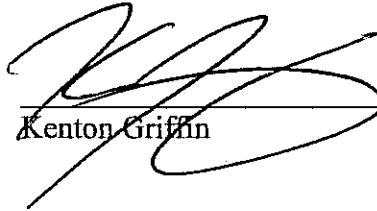


Kenton Griffin

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 20th day of April, 2006, a copy of the foregoing Petition for Annexation into the Town of Georgetown, Indiana, was served by first class United States mail, postage prepaid, on the following:

Stan O. Faith, 412 E. Main Street, New Albany, Indiana 47150

A handwritten signature in black ink, appearing to read 'Kenton Griffin', is written over a horizontal line. The signature is stylized and cursive.

Kenton Griffin

NOTICE OF PUBLIC HEARING
ON PETITION FOR ANNEXATION

Notice is hereby given that petitioner, the Georgetown Wastewater Utility has filed a petition before the Georgetown Town Council for the annexation of the following-described tract of real property that is presently located in the unincorporated territory of Floyd County into the corporate boundaries of the Town of Georgetown, *to-wit*:

Tract 1

Being a part of Section 3, Township 3 South, Range 5 East, Floyd County, Indiana and being further described as follows:

BEGINNING at a point on the northern Right-of-Way line of Interstate 64 where it intersects the west line of said Section 2, same corner being the northeast corner of the east corporate limits of the Town of Georgetown as described in Georgetown Annexation in ORDINANCE G-05-38 Tract 2 as ratified by Town Council on December 15, 2005, Thence, S 75° 00' 41.4" E, along said northern Right-of-Way line, 286.12 feet; Thence leaving said Right-of-Way line, S 06° 53' 07" W 256.99 feet to a point on the centerline of said Interstate 64 also being the beginning of a non-tangential curve; Said curve turning to the right, along said centerline through an angle of 17° 38' 18.6", having a radius of 4583.66 feet, and whose long chord bears S 88° 03' 15" E 1405.51 feet to a point of intersection with a non-tangential line; Thence leaving said centerline S 11° 38' 03" W a distance of 150.36 feet to a point on the southern Right-of-Way line of Interstate 64; Thence, N 83° 12' 32" W, along said southern Right-of-Way line, 218.31 feet to the beginning of a curve; Said curve turning to the left, along said southern Right-of-Way line, through an angle of 07° 45' 17.1", having a radius of 5701.57 feet, and whose long chord bears N 87° 05' 11" W 771.10 feet to a point of intersection with a non-tangential line; Thence, S 80° 10' 58" W, along said southern Right-of-Way line, 637.74 feet to a point on the said east corporate limit line of the Town of Georgetown also being the said west line of Section 2; Thence leaving said southern Right-of-Way line, N 00° 28' 20" W, along said east corporate limit line, 202.89 feet to a point on the centerline of said Interstate 64 also being on the west line of Section 2; Thence, N 00° 28' 20" W, along said east corporate limit line, 364.99 feet to the **PLACE OF BEGINNING**; containing 8.29 acres, more or less.

Tract 2

Being a part of Section 3, Township 3 South, Range 5 East, Floyd County, Indiana and being further described as follows:

BEGINNING at a point on the northern Right-of-Way line of Interstate 64 where it

Exhibit B

intersects the west line of said Section 2, same corner being the northeast corner of the east corporate limits of the Town of Georgetown as described in Georgetown Annexation in ORDINANCE G-05-38 Tract 2 as ratified by Town Council on December 15, 2005, Thence, S 75° 00' 41.4" E, along said northern Right-of-Way line, 286.12 feet to the beginning of a non-tangential curve, also being the **TRUE PLACE OF BEGINNING**; said curve turning to the right through an angle of 09° 03' 45.0", having a radius of 4833.66 feet, and whose long chord bears N 88° 22' 56.8" E 763.75, along said northern Right-of-Way line, feet to a point of intersection with a non-tangential line; Thence, S 78° 21' 57.0" E, along said northern Right-of-Way line, 1242.88 feet; thence S 76° 11' 50.0" E, along said northern Right-of-Way line, a distance of 205.54 feet to a point on the west line of the Joel & Alma S. O'Brien et al property **Plat No. 229 Parcel B**, same point being on the West line of the northeast ¼ of said Section 2; thence, N 03° 18' 00.3" W, along said west line of said O'Brien property and said West line of the northeast ¼, 737.14 feet; Thence leaving said West line of the northeast ¼, S 89° 34' 00.3" E 294.27 feet; Thence, N 02° 04' 59.7" E 305.48 feet; thence, N 02° 04' 59.7" E 26.45 feet to the centerline of waterway known as Georgetown Creek; thence, S 83° 07' 00.3" E, along said creek centerline, 227.60 feet to a point dividing said **Plat No. 229 Parcel B & Parcel C** both being said O'Brien property; Thence, N 88° 01' 59.7" E, along said creek centerline, 18.88 feet; Thence, N 88° 01' 59.7" E, along said creek centerline, 279.14 feet; Thence, S 69° 43' 30.3" E, along said creek centerline, 67.45 feet; Thence, S 27° 32' 15.3" E, along said creek centerline, 113.35 feet; Thence, S 10° 51' 23.7" W, leaving said creek centerline, 50.46 feet; Thence, S 05° 47' 23.7" W 59.63 feet; Thence, S 78° 59' 23.7" W 73.42 feet; Thence, S 22° 22' 53.7" W 107.95 feet; Thence, S 14° 42' 06.3" E 181.03 feet; Thence, N 77° 44' 29.7" E 102.05 feet; Thence, S 19° 52' 48.3" E 84.40 feet; Thence, S 77° 30' 11.7" W 100.89 feet; Thence, S 20° 39' 48.3" E 345.54 feet; Thence, S 05° 08' 18.3" E 281.07 feet; thence, S 05° 08' 18.3" E 2.74 feet to the southeast corner of said Parcel B also being a point on the North line of the southeast ¼ of said section 2; Thence, S 89° 44' 48.3" E, along the North line of the southeast ¼, 232.66 feet; Thence leaving the North line of the southeast 1/4, S 02° 30' 23.4" E 84.36 feet to a point on the northern Right-of-Way line of Interstate 64; Thence, S 02° 30' 23.4" E 231.86 feet to a point on the centerline of said Interstate 64; thence, S 02° 30' 23.4" E 211.51 feet to a point on the southern Right-of-Way line of Interstate 64 also to the beginning of a non-tangential curve; said curve turning to the right through an angle of 01° 34' 18.7", having a radius of 4029.72 feet, and whose long chord bears N 85° 02' 35.7" W 110.55 feet to a point of intersection with a non-tangential line, along said southern Right-of-Way line; Thence, N 79° 08' 43.4" W, along said southern Right-of-Way line, 579.11 feet; Thence, N 74° 40' 10.8" W, along said southern Right-of-Way line, 186.73 feet; Thence, N 76° 11' 50.0" W, along said southern Right-of-Way line, 787.66 feet; Thence, N 61° 53' 43.8" W, along said southern Right-of-Way line, 283.18 feet;

Thence, N 83° 12' 32.2" W, along said southern Right-of-Way line, 218.31 feet to the beginning of a non-tangential curve;
Thence leaving said southern Right-of-Way line, N 11° 38' 03.0" E, 150.36 feet to a point on the centerline of said Interstate 64 also being the beginning of a non-tangential curve;
Said curve turning to the left, along said centerline of Interstate 64, through an angle of 17° 38' 18.6", having a radius of 4583.66 feet, and whose long chord bears N 88° 03' 14.6" W for a distance of 1405.51 feet;
Thence leaving said centerline of Interstate 64, N 06° 53' 06.9" E for a distance of 256.99 feet to the **TRUE PLACE OF BEGINNING**; containing 49.78 acres, more or less.

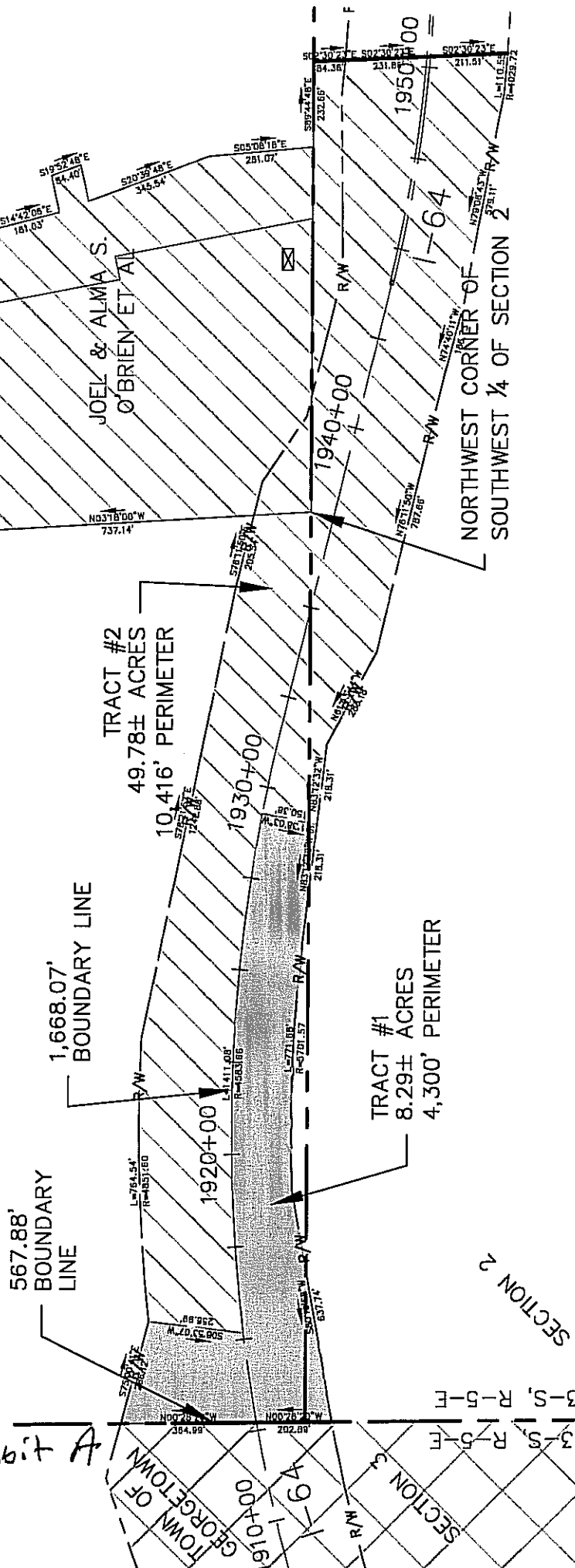
Notice is further hereby given that a public hearing will be held on the above-described petition at the regular Georgetown Town Council meeting scheduled for May 18, 2006, after 7:30 o'clock p.m. (prevailing local time), to be held at Georgetown Town Hall, 9110 State Road 64, Georgetown, Indiana 47122.

A complete copy of the petition for annexation is on file and may be viewed in the Clerk-Treasurer's office at Georgetown Town Hall during regular business hours. Remonstrances or objections to the proposed annexation shall be heard at such hearing. The Georgetown Town Council may continue the public hearing from time-to-time as deemed necessary, and may adopt an ordinance effecting such annexation not sooner than fourteen (14) days following the close of such hearing.

/s/ Doug Cook, Georgetown Clerk-Treasurer

TRACT #1 - % OF CONTINUITY = 13.2%
 TRACT #2 - % OF CONTINUITY = 16.0%

Exhibit A



TOWN OF GEORGETOWN, INDIANA ANNEXATION DRAWING

APRIL 20, 2006

NORTHWEST CORNER OF
 SECTION 2

GRAPHIC SCALE



(IN FEET)
 1 inch = 400 ft.

PREVIOUSLY ANNEXED
 DECEMBER 15, 2005

RAINELLE
 WOODS

TOWN OF
 GEORGETOWN

SECTION 3

T-3-S, R-5-E

SECTION 2

SECTION