

Town of Georgetown, Indiana

Resolution R-2010-06

STIPULATING THAT NO APPEAL CONCERNING ANNEXATION WILL BE FILED

WHEREAS, the Town Council of the Town of Georgetown, Indiana (hereinafter this "Town Council"), is the legislative body of the Town of Georgetown, County of Floyd, State of Indiana (the "Town"); and,

WHEREAS, Georgetown has attempted to annex certain real property pursuant to Ordinance G-08-15, comprised of approximately 66 acres, which is the subject of a remonstrance in Case No. 22C01-0811-PL-799 in the Floyd Circuit Court.

WHEREAS, Georgetown has agreed to sell a 24.423 acre portion of the aforementioned 66 acres, by certain agreements with the Floyd County Commissioners, and the Floyd County Council, being the Settlement Agreement, dated November 18, 2008, and that Amendment to Settlement Agreement, last executed on January 12, 2009 (collectively the "Agreements").

WHEREAS, the Agreements require that Georgetown suspend its actions with respect to the aforementioned annexation ordinance.

WHEREAS, the court in Case No. 22C01-0811-PL-799 has issued a final order, which, if not appealed by Georgetown, will effectively stop the present annexation of the 66 acres.

WHEREAS, Georgetown is amendable to letting the court's order stand and stopping the annexation, in compliance with its obligations under the Agreements, provided, however, that Floyd County completes the purchase of the 24.423 acres.

NOW, THEREFORE, BE IT RESOLVED BY THIS TOWN COUNCIL OF THE TOWN OF GEORGETOWN, INDIANA, AS FOLLOWS:

SECTION 1: Provided Floyd County completes the purchase of the 24.423 acres, according to the terms and conditions of the Agreements, Georgetown will not appeal the order of the court in Case No. 22C01-0811-PL-799; furthermore, Georgetown will not undertake further efforts to pursue annexation under Ordinance G-08-15.

So ADOPTED by the Town Council this 16 day of July 2010.

YEA

NAY

[Signature]
Ann Ford
Mike Mills
[Signature]
Ernest Ruller

ATTEST:

Douglas Cook
Douglas Cook, Georgetown Clerk/Treasurer