

ORDINANCE NO. 11-2-2023-26

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN  
OF BRISTOL, INDIANA ANNEXING CERTAIN TERRITORY  
AND DECLARING THE SAME TO BE A PART OF THE TOWN  
OF BRISTOL, INDIANA

WHEREAS, the Town Council (the “Council”) of the Town of Bristol, Indiana (the “Town”) has the authority to annex lands into the Town pursuant to Indiana Code § 36-4-3 (the “Act”); and

WHEREAS, the Council received a petition for voluntary annexation into the Town (the “Petition”); and

WHEREAS, the Petition requests that one parcel located at 54567 SR 15, Washington Township, Elkhart County, Indiana and identified in the Elkhart County, Indiana property records as Parcel Number 20-03-34-400-001.000-030, consisting of approximately 20 acres (the “Annexation Territory”), be annexed by the Town; and

WHEREAS, the Petition has been signed by one hundred percent (100%) of the owners of land within the Annexation Territory; and

WHEREAS, a legal description and map of the Annexation Territory are attached hereto as Exhibit A and Exhibit B, respectively, and incorporated herein by reference; and

WHEREAS, the Annexation Territory is contiguous to the current boundaries of the Town in accordance with Section 1.5 of the Act and has not been previously annexed; and

WHEREAS, the Annexation Territory is currently zoned under Elkhart County zoning as Limited Manufacturing (M-1); and

WHEREAS, the Council has adopted, by resolution, a fiscal plan for the annexation of the Annexation Territory in accordance with Section 3.1(d) of the Act; and

WHEREAS, the Council has conducted a public hearing on October 19, 2023, as required by law with regard to the annexation of the Annexation Territory; and

WHEREAS, the Council now finds that the statutory criteria under the Act for annexation have been met.

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

- Section 1. The foregoing Recitals are fully incorporated herein by this reference.
- Section 2. In accordance with Section 5.1 of the Act, the Annexation Territory is hereby annexed to and declared to be part of the Town and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.
- Section 3. The Annexation Territory is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the Annexation Territory pursuant to Section 2.5 of the Act.
- Section 4. The Annexation Territory shall not be assigned to any Town Council District as the Town has abolished the Town's Council Districts under Indiana Code 36-5-2-4.1.
- Section 5. The Annexation Territory shall retain the Limited Manufacturing (M-1) zoning classification following the annexation into the Town upon the effective date of this Ordinance.
- Section 6. This Ordinance shall be in full force and effect upon its passage by the Council, and its publication and filing, upon the passage of the applicable thirty (30) day waiting period, in the absence of remonstrance and appeal, all as provided by the Act.
- Section 7. That all ordinances or parts thereof in conflict herewith are hereby repealed.

\* \* \* \* \*

ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA,  
ON THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2023.

TOWN COUNCIL  
OF THE TOWN OF BRISTOL, INDIANA

---

Jeff Beachy, President

---

Cathy Burke

---

Andrew Medford

---

Gregg Tuholski

---

Doug DeSmith

ATTEST:

---

Cathy Antonelli, Clerk-Treasurer

Prepared by and return after recording to:

Scott C. Frissell  
Krieg DeVault LLP  
12800 North Meridian Street, Suite 300  
Carmel, IN 46032-5407  
Phone: (317) 238-6246

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. Scott C. Frissell



## EXHIBIT A

### LEGAL DESCRIPTION

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 6 EAST, WASHINGTON TOWNSHIP, ELKHART COUNTY, INDIANA; THENCE DUE SOUTH, ASSUMED BEARING, ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 2017.77 FEET; THENCE NORTH 89 DEGREES 44'29" EAST 657.13 FEET TO THE POINT OF BEGINNING HEREIN DESCRIBED: THENCE CONTINUING NORTH 89 DEGREES 44'29" EAST 672.00 FEET TO THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 14'16" EAST, ON SAID EAST LINE, 650.59 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 24'18" EAST, ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 327.00 FEET TO THE SOUTH LINE OF THE NORTH 10 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 89 DEGREES 51'10" WEST, ON SAID SOUTH LINE, 1332.71 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 00 DEGREES 15'00" WEST, ON SAID WEST LINE, 327.00 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 89 DEGREES 51'10" EAST, ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 659.81 FEET; THENCE NORTH 00 DEGREES 14'16" WEST 645.83 FEET TO THE POINT OF BEGINNING. CONTAINING 20.00 ACRES, MORE OR LESS.



EXHIBIT B

MAP OF THE ANNEXATION TERRITORY

