

Martinsville Common Council
Meeting Agenda
Monday, October 27, 2025
7:00 PM - City Hall, Council Chambers

THE CITY OF
Martinsville
INDIANA



Call to Order, Invocation., and Pledge of Allegiance

Roll Call

Consideration of the Minutes

- A. Consideration of the Tuesday, October 14, 2025, Common Council Meeting Minutes

Public Hearing

- A. Ordinance 2025-1907 - Annexing Certain Territory into the City

New Business

- A. First Reading Ordinance 2025-1907 - Annexing Certain Territory into the City
- B. Consideratin of Resolution 2025-0717 - Written Fiscal Plan for Annexation of Real Estate

Consideration of Claims

Council Comments

Public Comments

Announcements

Next Regular Meeting

- A. The next regularly scheduled meeting will be on Monday, November 10, 2025, beginning at 7:00 PM in the Council Chamber (Room 202), City Hall, 59 S. Jefferson St., Martinsville, IN

Adjournment

Any individuals who requires aid or service for effective communication, or a modification of policies or procedures to participate in a public meeting, program, service, or activity of the City of Martinsville, IN, contact Ben Meridia, ADA Coordinator, 56 North Main Street, Martinsville, IN, 46151, 765-342-6012, as soon as possible, but no later than 48 hours before the scheduled event.

**MARTINSVILLE COMMON COUNCIL
MARTINSVILLE INDIANA
MORGAN COUNTY, INDIANA
OCTOBER 14, 2025**

Call to Order, Invocation., and Pledge of Allegiance

Mayor Kenny Costin called the Martinsville Common Council meeting to order on October 14, 2025. Pastor Rick Bailey led the prayer for those in attendance. Mayor Costin then led the attendees in the Pledge of Allegiance.

Roll Call

Councilor At Large John
Badger XIV Councilor District
5 Phil Deckard II Councilor
District 3 Josh Ferran
Councilor District 2 Ben
Mahan

A quorum was declared present.

Consideration of the Minutes

A. September 22, 2025, Common Council Meeting Minutes

A motion to Approve was made by Councilor At Large John Badger XIV. Ben Mahan seconded the motion. The minutes were Passed 4-0.

Proclamation

The mayor read a proclamation celebrating the Martinsville Noon Lions Club's 100th Anniversary.

Clerk-Treasurer's Report

Clerk Treasurer Ben Merida gave the council a budget update.

Committee Report

**A. Study Committee Regarding City Code Article V, Division 1, Section 18-191
- Peddlers, Solicitors and Transient Merchants**

No update at this time.

New Business

A. Second Reading and Consideration Ordinance Number 2025-1904 - 2026 City Budget

A motion to Approve was made by Councilor At Large John Badger XIV. Phil Deckard II seconded the motion. The motion was Passed 4-0.

B. Consideration of Resolution 2025-0715 - Authorizing the Establishment of Bank Account for Martinsville City Court

A motion to Approve was made by Councilor District 5 Phil Deckard II. John Badger XIV seconded the motion. The motion was Passed 4-0.

C. Consideration of Resolution 2025-0716 - Authorizing Additional Users on Account Number 9481

A motion to Approve was made by Councilor District 5 Phil Deckard II. Ben Mahan seconded the motion. The motion was Passed 4-0.

Consideration of Claims

A motion to Approve was made by Councilor District 5 Phil Deckard II. John Badger XIV seconded the motion. The motion was Passed 4-0.

Council Comments

Councilors Ferran and Deckard, II made comments.

Public Comment

Next Regular Meeting

The next regular meeting will be on Monday, October 27, 2025, beginning at 7:00 PM in the Council Chambers (Room 202), City Hall, 59 S. Jefferson St., Martinsville, Indiana

Adjournment

Name		Signature
Phil R. Deckard II, Member, District 5, President Pro Tempore	Aye ☐ Nay ☐ Abstain ☐	
Phil R. Deckard Sr, Member, District 1	Aye ☐ Nay ☐ Abstain ☐	
Ben Mahan, Member, District 2	Aye ☐ Nay ☐ Abstain ☐	
Josh Ferran, Member, District 3	Aye ☐ Nay ☐ Abstain ☐	
Suzie Lipps, Member, District 4	Aye ☐ Nay ☐ Abstain ☐	
Ann Miller, Member-at-Large	Aye ☐ Nay ☐ Abstain ☐	
John Badger, XIV, Member-at-Large	Aye ☐ Nay ☐ Abstain ☐	
ATTEST		
Name	Signature	Date
Benjamin K. Merida, Clerk-Treasurer		
MAYOR ACTION		
Name	Signature	Date
Kenneth W. Costin, Mayor	Approve ☐ Veto ☐	

ORDINANCE 2025-1907
AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF MARTINSVILLE, INDIANA, ANNEXING CERTAIN
TERRITORY INTO THE CITY, PLACING
THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF
AND MAKING THE SAME A PART OF THE CITY OF MARTINSVILLE

RECITALS

The Common Council of the City of Martinsville, Indiana (respectively, the "Council" and the "city") is in receipt of a petition ("Petition") requesting the annexation of that certain territory including Parcel **55-09-35-185-010.000-020**, located at 2640 E. Morgan Street, Martinsville, Indiana and more particularly described in attached Exhibit "A" (the "annexation territory").

- A. The Petition has been signed by one hundred percent (100%) of the landowners of the annexation territory and filed with the city.
- B. The annexation territory consists of approximately 0.97 acres, and the annexation territory is contiguous of the existing city boundaries.
- C. Responsible planning and state law require adoption of a fiscal plan and definite policy for the provision of certain services to any annexed areas.
- D. Prior to adoption of this ordinance, this Council by resolution will adopt a written fiscal plan and definite policy for the provision of services of both a non-capital and capital nature to the annexation territory.
- E. The written fiscal plan and definite policy adopted by resolution will provide for the provision of services of a non-capital nature (including police protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries of the city) to annexation territory within one year after the effective date of this annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density.
- F. The written fiscal plan and definite policy adopted by resolution will also provide for the provision of services of a capital nature (including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities) to the annexation territory within three years after the effective date of this annexation in the same manner those services are provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density an in a manner consistent with federal, state and local laws, procedures, and planning criteria.

- G. The terms and conditions of this annexation, including the written fiscal plan and definite policy, are fairly calculated to make the annexation fair and equitable to property owners and residences of the annexation territory and of the city.
- H. Prior to the final adoption of this ordinance, the city will have conducted a public hearing pursuant to proper notice issued as required by law.
- I. The Council finds that the annexation territory, pursuant to the terms of this ordinance, is fair and equitable and should be accomplished.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Martinsville, Indiana, as follows:

Section 1. The above recitals are incorporated herein by this reference as though fully set forth herein below.

Section 2. In accordance with LC. § 36-4-3-5.1, the annexation territory is hereby annexed to the city and thereby included within its corporate boundaries pursuant to the terms of this ordinance.

Section 3. The annexation territory is assigned to Common Council District No. 4.

Section 4. The annexation territory shall retain its current zoning classifications and designations by the County until such time as the County or city, as the case may be, updates its comprehensive plan, zoning ordinance or zoning map.

Section 5. All prior ordinances or parts thereof that may be inconsistent with any provision of this ordinance are hereby repealed. The paragraphs, sentences, words of this ordinance are separable, and if a court of competent jurisdiction hereof declares any portion unconstitutional, invalid, or unenforceable, such declaration shall not affect the remaining portions of this ordinance.

Section 6. This ordinance shall be in full force and effect from and after the date of its adoption and such publication and recordation as required by law,

ALL OF WHICH IS ADOPTED this __ day of _____ 2025 by the Martinsville Common Council of the City of Martinsville, Indiana.

Name		Signature
Phil R. Deckard II, Member, District 5, President Pro Tempore	Aye ☐ Nay ☐ Abstain ☐	

Phil R. Deckard Sr, Member, District 1	Aye ☐ Nay ☐ Abstain ☐		
Ben Mahan, Member, District 2	Aye ☐ Nay ☐ Abstain ☐		
Josh Ferran, Member, District 3	Aye ☐ Nay ☐ Abstain ☐		
Suzie Lipps, Member, District 4	Aye ☐ Nay ☐ Abstain ☐		
Ann Miller, Member-at-Large	Aye ☐ Nay ☐ Abstain ☐		
John Badger, XIV, Member-at-Large	Aye ☐ Nay ☐ Abstain ☐		
ATTEST			
Name		Signature	Date
Benjamin K. Merida, Clerk-Treasurer			
MAYOR ACTION			
Name		Signature	Date
Kenneth W. Costin, Mayor	Approve ☐ Veto ☐		

EXHIBIT "A"
LEGAL DESCRIPTION

Legal description for 2640 East Morgan Street, Martinsville, IN 46151

A part of the Northwest Quarter of Section 35, Township 12 North, Range 1 East, Morgan County, Indiana, described as follows: Beginning at an iron rod which is 1541.10 feet (23.35 chains) East and 511.50 feet (7.75 chains) North of the Southwest corner of said Quarter Section; thence South 397.00 feet to the existing Northwestern Right-of-Way Old S.R. 37; thence Northeasterly 114.41 feet along said Right-of-Way; thence Northwesterly 25.00 feet along said right-of-way; thence Northeasterly 165.84 feet along said right-of-way; thence Northwesterly 294.29 feet to the point of beginning and containing 0.97 acres, more or less.

Subject to any and all easements, highways, rights-of-way, covenants, conditions, restrictions and other matters of record.

Subject to all matters that would be disclosed by an accurate survey or physical inspection of said real estate

Note: The acreage indicated in this legal description is solely for the purpose of identifying the said tract and should not be construed as insuring the quantity of land.

PETITION FOR ANNEXATION INTO THE
CITY OF MARTINSVILLE, INDIANA

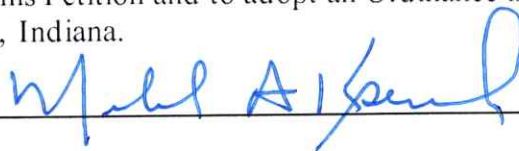
WHEREAS, the undersigned, Todd and Tricia Price (hereinafter, the "Petitioners"), by counsel, Michael Ksenak, represent that Petitioners are the owners of the following parcel of real estate (the "Real Estate") located at 2640 East Morgan Street, Martinsville, IN 46151, more particularly described in attached **Exhibit A**; and,

WHEREAS, the Petitioners desire that the Real Estate be annexed by the City of Martinsville, Indiana (the "City").

NOW THEREFORE, the Petitioners in support of this *Petition for Annexation* hereby states the following:

1. That this is a request for super voluntary annexation as Petitioners own One Hundred Percent (100%) of the Real Estate; and,
2. The Common Council of the City of Martinsville, Indiana, by Ordinance, has defined the corporate boundaries of the City; and,
3. More than one-eighth (1/8) of the aggregate external boundaries of the Real Estate is contiguous with the corporate boundaries of the City of Martinsville; and,
4. Petitioners request the City of Martinsville to hold a public hearing for purposes of adopting an Ordinance annexing the Real Estate; and
5. That Petitioners will provide proper notice of the date and time of the public hearing on the annexation ordinance.

WHEREFORE, Petitioners respectfully request that the Common Council hold a public hearing on this Petition and to adopt an Ordinance annexing the Real Estate to the City of Martinsville, Indiana.

Signed: 

Printed: Michael A. Ksenak, Attorney for Petitioners

Parcel # of Real Estate: **55-09-35-185-010.000-020**

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ORDINANCE 2025-1907
AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF MARTINSVILLE, INDIANA, ANNEXING CERTAIN
TERRITORY INTO THE CITY, PLACING
THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF
AND MAKING THE SAME A PART OF THE CITY OF MARTINSVILLE

RECITALS

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- A. The Petition has been signed by one hundred percent (100%) of the landowners of the annexation territory and filed with the city.
- B. The annexation territory consists of approximately 0.97 acres, and the annexation territory is contiguous of the existing city boundaries.
- C. Responsible planning and state law require adoption of a fiscal plan and definite policy for the provision of certain services to any annexed areas.
- D. Prior to adoption of this ordinance, this Council by resolution will adopt a written fiscal plan and definite policy for the provision of services of both a non-capital and capital nature to the annexation territory.
- E. The written fiscal plan and definite policy adopted by resolution will provide for the provision of services of a non-capital nature (including police protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries of the city) to annexation territory within one year after the effective date of this annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density.
- F. The written fiscal plan and definite policy adopted by resolution will also provide for the provision of services of a capital nature (including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities) to the annexation territory within three years after the effective date of this annexation in the same manner those services are provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density an in a manner consistent with federal, state and local laws, procedures, and planning criteria.

- G. The terms and conditions of this annexation, including the written fiscal plan and definite policy, are fairly calculated to make the annexation fair and equitable to property owners and residences of the annexation territory and of the city.
- H. Prior to the final adoption of this ordinance, the city will have conducted a public hearing pursuant to proper notice issued as required by law.
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Section 6. This ordinance shall be in full force and effect from and after the date of its adoption and such publication and recordation as required by law,

ALL OF WHICH IS ADOPTED this __ day of _____ 2025 by the Martinsville Common Council of the City of Martinsville, Indiana.

Name		Signature
Phil R. Deckard II, Member, District 5, President Pro Tempore	Aye ☐ Nay ☐ Abstain ☐	

Phil R. Deckard Sr, Member, District 1	Aye ☐ Nay ☐ Abstain ☐		
Ben Mahan, Member, District 2	Aye ☐ Nay ☐ Abstain ☐		
Josh Ferran, Member, District 3	Aye ☐ Nay ☐ Abstain ☐		
Suzie Lipps, Member, District 4	Aye ☐ Nay ☐ Abstain ☐		
Ann Miller, Member-at-Large	Aye ☐ Nay ☐ Abstain ☐		
John Badger, XIV, Member-at-Large	Aye ☐ Nay ☐ Abstain ☐		
ATTEST			
Name		Signature	Date
Benjamin K. Merida, Clerk-Treasurer			
MAYOR ACTION			
Name		Signature	Date
Kenneth W. Costin, Mayor	Approve ☐ Veto ☐		

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RESOLUTION #2025-0717

ADOPTION OF WRITTEN FISCAL PLAN FOR ANNEXATION OF REAL ESTATE

COMES NOW the Common Council of the City of Martinsville, Indiana and adopts a written fiscal plan for annexation of real estate to the City of Martinsville, Indiana; and,

WHEREAS, a petition has been filed by the landowner asking that its land be annexed into the City of Martinsville, Indiana, and whereby the landowner owns 100% of the real estate requesting to be annexed, and as such, the annexation is voluntary;

WHEREAS, the Common Council of the City of Martinsville, Indiana believes that the annexation of this real estate is in the best interest of the City, and will enable the City of Martinsville, Indiana to grow and provide opportunities for its citizenry;

WHEREAS, the fiscal plan must provide for the cost of the planned services to be furnished to the real estate to be annexed, address the method of financing the planned services, provide a plan for the organization and extension of services, identify the plan services of a non-capital nature, and further to address the services of a capital improvement nature;

WHEREAS, the Common Council of the City of Martinsville, Indiana believes that the real estate is needed and can be used for development in the reasonably near future; now therefore, be it resolved as follows:

SECTION 1. AREA DESCRIPTION

- A. The annexation area is contiguous to the eastern boundaries of the corporate limits of the city. A map of the annexation area is attached to this as Exhibit A.
- B. The annexation area consists of both improved and unimproved land.
- C. There are currently individuals residing in a home on the real estate The current real estate is assessed at \$157,000.

SECTION 2. EXISTING GOVERNMENTAL SERVICES OF AN ANNEXATION AREA

- A. Currently, the area is serviced by the Morgan County Sheriff's Department, the Washington Township Fire Department, and Morgan County EMS. Within one year of the area being annexed into the City of Martinsville, Indiana, the Martinsville City Police Department will begin primary law enforcement duties in the annexed area and the Martinsville City Fire Department will provide fire protection over the annexed area. Morgan County EMS will continue to provide medical services to the area.
- B. Within one year of the annexation, the City of Martinsville, Indiana will provide trash service to any residential households in the area, and the Martinsville Street Department

will be responsible for maintaining any dedicated roads within the area. Stormwater and drainage facilities throughout the annexation area will be consistent with the city's common stormwater and drainage ditches throughout Martinsville. The city and county have maintained the drainage ditches similarly; therefore, it is not anticipated that there will be any additional costs to the city. In the future, the development area will have its storm water plan approved by the City of Martinsville Engineering Department and any associated stormwater and drainage costs will be the responsibility of the developer.

SECTION 3. CAPITAL IMPROVEMENTS

- A. Currently, the City of Martinsville, Indiana has water service and wastewater service located up Morgan Street. The Petitioners does not currently wish to receive water and wastewater service from the City of Martinsville, Indiana. If at any time the parcel were to be developed or divided into separate parcels the real estate would be required to obtain water and wastewater service from the City of Martinsville, Indiana. It is anticipated the customer will pay the applicable connection fees for both water and wastewater. The stormwater and drainage throughout the annexation area will be consistent with the city's current stormwater and drainage ditches throughout the city. This will be the responsibility of the developers in the area, and it is not anticipated to be any additional cost to the city.
- B. The construction of any new streets within the annexed area will be the responsibility of the developers in accordance with the applicable city ordinance. The city will provide an evaluation and construction services for the streets in the annexed area in the same manner as provided for the streets within the city, within three years after the effective date of the annexation. It is not anticipated that any additional equipment will need to be purchased by the City of Martinsville Street Department to provide for the service of the annexed area.
- C. Parks - The city currently has four parks within the city and no additional park land facilities are anticipated during the annexation.
- D. Street lighting and sidewalks - Currently there is not any street lighting or sidewalks within the annexed area. If the property is developed, the developer will be responsible for the construction of the sidewalks, and the developer will then be responsible for providing any additional streetlights as are necessary.

SECTION 4. NON-CAPITAL SERVICES

- A. In regard to Police protection and Fire protection, it is not anticipated that any additional policeman or fireman will need to be hired in order to provide service to the proposed annexed area, and therefore, no additional costs will be incurred.
- B. Trash collections-As a result of the annexation, the Sanitation Department will provide residential trash service to the area within one year of the effective date of annexation, however it is not anticipated there will be any additional costs associated with providing

this service. In addition, there will be no additional governmental administrative service costs for this annexation.

SECTION 5. FISCAL IMPACT

- A. As a result of this annexation, the assessed value for the city will increase, and as the land is developed, the city will receive additional property tax revenues. It is also anticipated that the City of Martinsville, Indiana will realize an increase in its tax levy as a result of the annexation. It is not, however, anticipated that the tax rate will increase for the city.

ALL OF WHICH IS RESOLVED this ___ day of _____, 2025.

Name		Signature
Phil R. Deckard II, Member, District 5, President Pro Tempore	Aye ☐ Nay ☐ Abstain ☐	
Phil R. Deckard Sr, Member, District 1	Aye ☐ Nay ☐ Abstain ☐	
Ben Mahan, Member, District 2	Aye ☐ Nay ☐ Abstain ☐	
Josh Ferran, Member, District 3	Aye ☐ Nay ☐ Abstain ☐	
Suzie Lipps, Member, District 4	Aye ☐ Nay ☐ Abstain ☐	
Ann Miller, Member-at-Large	Aye ☐ Nay ☐ Abstain ☐	
John Badger, XIV, Member-at-Large	Aye ☐ Nay ☐ Abstain ☐	

ATTEST			
Name		Signature	Date
Benjamin K. Merida, Clerk-Treasurer			
MAYOR ACTION			
Name		Signature	Date
Kenneth W. Costin, Mayor	Approve ☐ Veto ☐		



EXHIBIT A to Resolution 2025-0717

TODD AND TRICIA PRICE

PETITION FOR ANNEXATION INTO THE
CITY OF MARTINSVILLE, INDIANA

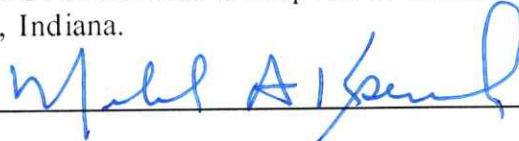
WHEREAS, the undersigned, Todd and Tricia Price (hereinafter, the "Petitioners"), by counsel, Michael Ksenak, represent that Petitioners are the owners of the following parcel of real estate (the "Real Estate") located at 2640 East Morgan Street, Martinsville, IN 46151, more particularly described in attached **Exhibit A**; and,

WHEREAS, the Petitioners desire that the Real Estate be annexed by the City of Martinsville, Indiana (the "City").

NOW THEREFORE, the Petitioners in support of this *Petition for Annexation* hereby states the following:

1. That this is a request for super voluntary annexation as Petitioners own One Hundred Percent (100%) of the Real Estate; and,
2. The Common Council of the City of Martinsville, Indiana, by Ordinance, has defined the corporate boundaries of the City; and,
3. More than one-eighth (1/8) of the aggregate external boundaries of the Real Estate is contiguous with the corporate boundaries of the City of Martinsville; and,
4. Petitioners request the City of Martinsville to hold a public hearing for purposes of adopting an Ordinance annexing the Real Estate; and
5. That Petitioners will provide proper notice of the date and time of the public hearing on the annexation ordinance.

WHEREFORE, Petitioners respectfully request that the Common Council hold a public hearing on this Petition and to adopt an Ordinance annexing the Real Estate to the City of Martinsville, Indiana.

Signed: 

Printed: Michael A. Ksenak, Attorney for Petitioners

Parcel # of Real Estate: **55-09-35-185-010.000-020**

EXHIBIT "A"
LEGAL DESCRIPTION

Legal description for 2640 East Morgan Street, Martinsville, IN 46151

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Subject to any and all easements, highways, rights-of-way, covenants, conditions, restrictions and other matters of record.

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