

Daleville, Chesterfield end land bout

By **COOKIE WALTER CLEMENTS**
Bulletin Staff Writer

Daleville can incorporate and Chesterfield can annex.

That's the result of an agreement made by the two communities to end a year-long squabble concerning approximately 60 acres in Delaware County.

Daleville's petition to incorporate as a town will be considered by the Anderson City Council at its 7:30 p.m. meeting Thursday.

City council approval is the last step for the western Delaware County community in its efforts to become a recognized town in the state of Indiana.

Representatives from both communities reached the settlement, William Hughes, attorney for Daleville, said today. "We knew the two towns were going

to be side by side. It was just a matter of where the boundaries were going to be," he said.

About 45 acres in Delaware County were designated to Chesterfield, a Madison County town, for its annexation. Ten acres in the disputed territory go to Daleville for its incorporation. And about 10 more acres are no-man's-land.

"Those are rough numbers," Hughes said and added a surveyor is making precise measures now to present to the city council Thursday.

Allowing Chesterfield to complete its annexation plans and allowing Daleville to incorporate prior to the November general elections were the two factors which prompted the agreement, Hughes said.

Once it is incorporated, Daleville must elect a town board. If done in the general election this fall, the cost

will be considerably less than conducting a separate election for those offices.

The city council, if it approves the Daleville petition on two readings Thursday, will be asked to give it final approval at a special meeting Aug. 19. A similar petition was denied 3-5 in March.

The council's approval is required because a portion of the land to be incorporated comes within three miles of city-owned property.

As a result of the agreement, a lawsuit on the issue which was pending in a Delaware County court has been dropped, Charles Braddock, city attorney, told the council at a public hearing Tuesday.

After approval of the Anderson City Council is obtained, the final step in Daleville's incorporation is getting approval from the Delaware County commissioners.

MUNCIE, INDIANA, WEDNESDAY, AUGUST 11, 1982

Daleville, Chesterfield End Boundary Dispute

DALEVILLE — The community of Daleville and the town of Chesterfield have reached an agreement in their boundary dispute.

The agreement was announced Tuesday at an Anderson City Council meeting.

The dispute involved 65 acres in Delaware County that Chesterfield wanted to annex and that Daleville wanted to include when it incorporated.

Daleville is in Delaware County and Chesterfield is in Madison County.

Of the disputed 65 acres, Chesterfield will be allowed to annex 45 and Daleville will be allowed to incorporate 10. Neither side will get the remaining 10 acres in dispute.

More specific details were not available.

Chesterfield's reason for the annexation is that it had extended services to the area. Daleville wanted to

incorporate the area because it is in Delaware County.

Daleville will consist of more than 1,000 acres when incorporated. The committee for incorporation will ask for introduction of its incorporation ordinance Thursday at an Anderson City Council meeting.

The committee hopes to get the ordinance passed quickly so it can hold a town election this November. That will require either a rules suspension by council or a special meeting.

The incorporation must also be approved by the Delaware County Commissioners.

Incorporation attorney William Hughes said earlier this week that a town election is "possible" this year if the council and commissioners approve the incorporation this month.

Hughes said Tuesday night that a suit filed by Daleville residents to block the annexation will be dropped.

ANDERSON HERALD

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SATURDAY, AUGUST 21, 1982

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Daleville: A town at long last!

By **TODD E. APPLEMAN**
Herald staff writer

Daleville's a town at last. Daleville's petition to incorporate was approved 3-0 Friday at a special meeting of the Delaware County Commissioners, ending months of doubt.

THE LONG-AWAITED decision paves the way for the 140-year-old community to legally incorporate into a town Jan. 1, 1983.

Before the commissioners made their decision, Anderson's Common Council approved Daleville's petition, 8-0, at its Thursday night meeting. The Council had to approve the incorporation plans of the 1,146-acre town first because it is within three miles of the Ander-

son city limits (by way of the Anderson Municipal Airport).

The approval was an 11th-hour decision of sorts for Daleville because it had to complete the incorporation process by Sept. 1 in order to meet the deadline to file a petition so town board candidates can appear on the November general election ballot.

ACCORDING TO William Hughes, the attorney who has represented the Committee to Incorporate Daleville, the town will elect a five-member town board and a clerk-treasurer.

Before this week's action, months of legal battle with Chesterfield and proceedings with the Anderson City Council prevented

the town from moving ahead with its plans to incorporate.

One of the earliest hurdles came when Chesterfield announced it was going to annex land in Delaware County. The town provides water and sewer utilities to several businesses only yards past the Chesterfield-Madison County limits and wanted to incorporate its investment, putting part of the land in Delaware County into Chesterfield city limits.

AT STAKE WERE about 65 acres of real estate near the Interstate 69 exit.

At one point, Daleville filed a lawsuit against Chesterfield in Delaware County courts contesting that it was illegal for a town to

annex across county lines.

To make matters even more complicated, Daleville had to gain Anderson City Council approval before it could even incorporate undisputed land.

AS THE DEADLINE to incorporate approached, Daleville and Chesterfield hammered out an out-of-court settlement and divided the 65 acres of disputed land between themselves.

Daleville agreed to take 10 acres, Chesterfield was granted 45 and the remaining 10 were left off limits to both camps.

Following Friday's decision, the Daleville incorporation committee announced its first "town board meeting" for Tuesday at 7:30 p.m.