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ORDINANCE NO. 2022-11

**AN ORDINANCE FOR THE ANNEXATION OF TERRITORY
INTO THE CITY OF AUBURN**

SUMMARY

This ordinance annexes 0.911 acres of land, known as the Thomas L. Smith property, into the City of Auburn.

_____	Recorder's Office	_____	Publish Public Hearing
_____	Auditor's Office	_____	09.20.2022@6pm
_____	Clerk's Office	_____	Publish O/R after adoption
<u> X </u>	Building Department		
_____	Engineering Department		
_____	DeKalb County Plan Commission		
<u> X </u>	Internet Code Site – Council Ordinance		

ORDINANCE NO. 2022-11

**AN ORDINANCE FOR THE ANNEXATION OF TERRITORY
INTO THE CITY OF AUBURN**

WHEREAS, a Petition for Annexation into the City of Auburn was filed by Thomas L. Smith on August 5, 2022 for a 0.911-acre parcel of land located at 3483 State Road 8 and known as the Thomas L. Smith property; and

WHEREAS, a Fiscal Plan has been prepared and adopted by Resolution in accordance with Indiana Code 36-4-4-3.1 IC; and

WHEREAS, the annexation area exceeds the contiguity requirements of IC 36-4-4-1.5; and

WHEREAS, the Common Council of the City of Auburn has determined annexation of the area to be in the best interest of future growth and development of the community; and

WHEREAS, said Petition for Annexation is a Super Voluntary Annexation, because all property owners have requested and consented to be annexed into the City limits of the City of Auburn, Indiana.

**NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF AUBURN, INDIANA:**

Section I:

The following described real estate located in DeKalb County, Indiana, is hereby annexed into the City of Auburn, a map of which is attached as Exhibit A:

Part of the Southeast Quarter (1/4) of Section Twenty-eight (28), Township Thirty-Four (34) North, Range Thirteen (13) East, Union Civil Township, DeKalb County, Indiana and more particularly described as follows:

Commencing at a Harrison Monument marking the Southeast corner of the Southeast Quarter (1/4) of said Section 28; thence South 88 degrees 00 minutes 00 seconds West, (bearing from original deed), 1,407.42 feet on and along the South line of the Southeast Quarter (1/4) of said Section 28 to a P.K. nail, said point being the true point of beginning of this description; thence North 01 degrees 07 minutes 00 seconds East, 283.66 feet to a 4x4 Wood Post on the Southerly right-of-way line of the former Philadelphia, Baltimore and Washington Railroad Co. (former Detroit, Eel River and Illinois Railroad); thence

South 62 degrees 51 minutes 18 seconds West, 184.68 feet on and along said Southerly right-of-way line to a ¾ inch pinched pipe; thence South 00 degrees 56 minutes 16 seconds West, 205.04 feet to a P.K. nail on the South line of said Southeast Quarter (1/4); thence North 88 degrees 00 minutes 00 seconds East, 162.27 feet on and along said South line to the point of beginning, containing 0.911 acres.

Subject to all easements, rights of way, rights, duties, obligations, covenants, conditions, restrictions, limitations, and agreements of record; all legal highways and public rights-of-way, all matters which would be disclosed by an accurate survey or inspection of said real estate and the provisions of all applicable zoning laws.

Section II:

The annexation area shall be included in Council District 3.

Section III:

The Clerk-Treasurer shall give notice of the passage of this Ordinance as is required by law (IC 36-4-3-22)

Section IV: BE IT FURTHER ORDAINED that this Ordinance be in full force and effect after its passage by the Common Council and after the occurrence of all other actions required by law.

PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this _____ day of _____, 2012.

DAVID BUNDY, Council Member

ATTEST:

Patricia Miller, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this _____ day of _____, 2022.

PATRICIA MILLER, Clerk-Treasurer

1ST READING _____

2ND READING _____

APPROVED AND SIGNED by me this _____ day of _____, 2022.

MICHAEL D. LEY, Mayor

VOTING:

AYE

NAY

David Bundy

Natalie DeWitt

James Finchum

Dennis Ketzenberger

Dennis K. Kruse II

Michael Walter

Kevin Webb

EXHIBIT A

