

**ORDINANCE NO. 2025-28**

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

**SUMMARY**

This ordinance annexes 3.742 acres of land known as the Thomas Estates 3.742-ac Annexation Area into the City of Auburn.

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

**ORDINANCE NO. 2025-28**

**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 Thad Nixon, representing Nixon Development LLC, for a 3.742-acre parcel of land located on the east side of County Road 35, south of State Road 8, and known as the Thomas Estates 3.742-ac Annexation Area; 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 Southwest Quarter of Section 34, Township 34 North, Range 13 East of the Second Principal Meridian, Union Township in DeKalb County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number 20300059 of Miller Land Surveying, Inc., Survey No.25017704, dated September 2, 2025 and more particularly described as follows:

Commencing at a Harrison Monument marking the Northwest corner of said Southwest Quarter; thence South 00 degrees 47 minutes 53 seconds East (Indiana Geospatial Coordinate System – DeKalb County bearing and basis of bearings to follow), a distance of 265.10 feet (Deed) along the West line of said Southwest Quarter and within the right-of-way of County Road 35 to a 5/8"Steel Rebar with a "Foresight" identification cap on the South line of an existing 40.000 acre tract described in Document Number 202500134 in the Office of the Recorder of DeKalb County, Indiana, also being the **POINT OF BEGINNING** of the herein described tract; thence North 88 degrees

19 minutes 38 seconds East, a distance of 1586.72 feet (Deed) along said South line to a 5/8"Steel Rebar with a "Kline" identification cap on the Westerly line of an existing 2.038 acre tract described in Deed Record 232, Page 542 in the Office of the Recorder of DeKalb County, Indiana; thence South 32 degrees 00 minutes 35 seconds West, a distance of 126.25 feet along said Westerly line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap; thence South 88 degrees 19 minutes 55 seconds West, a distance of 1518.30 feet to a Dura Nail with a "Miller Surveying Firm #0095" identification ring on the West line of said Southwest Quarter; thence North 00 degrees 47 minutes 53 seconds West, a distance of 104.94 feet along said West line and within the right-of-way of County Road 35 to the Point of Beginning. Containing 3.742 acres, more or less.

Subject to the right-of-way of County Road 35, Cliff Metcalf Lateral 1 Legal Tile Drain and subject to easements of record.

**Section II:**

In accordance with IC 36-4-3-2.5, the public highway and road rights-of-way contiguous to the annexed parcel shall be included in the annexed area.

**Section III:**

The annexation area shall be included in Council District 3.

**Section IV:**

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

**Section V: 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.

This instrument prepared by the Department of Building, Planning and Development, City of Auburn, and approved by Zachary M. Lightner, City Attorney, City of Auburn, Indiana.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Lorrie K. Pontius, Clerk-Treasurer, City of Auburn, Indiana.

Received 11/21/2025

1<sup>ST</sup> READING 12/02/2025  
2<sup>ND</sup> READING \_\_\_\_\_

**PASSED AND ADOPTED** by the Common Council of the City of Auburn,  
Indiana, this 16<sup>th</sup> day of December, 2025.

  
James Finchum, Councilmember

ATTEST:

  
Lorrie K. Pontius, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this 16<sup>th</sup> day of December, 2025.

  
LORRIE K. PONTIUS, Clerk-Treasurer

**APPROVED AND SIGNED** by me this 16<sup>th</sup> day of December, 2025.

  
DAVID E. CLARK, Mayor

Received 11/21/2025

1<sup>ST</sup> READING 12/02/2025  
2<sup>ND</sup> READING \_\_\_\_\_

**VOTING:**

**AYE**

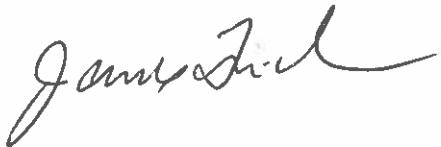
**NAY**

Natalie DeWitt, President

Rod Williams



James Finchum



Dan Braun



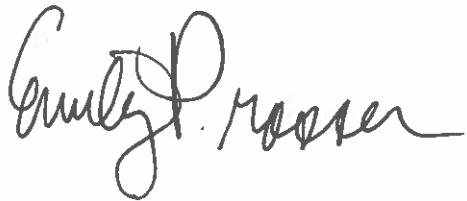
David Bundy



Kevin Webb



Emily Prosser



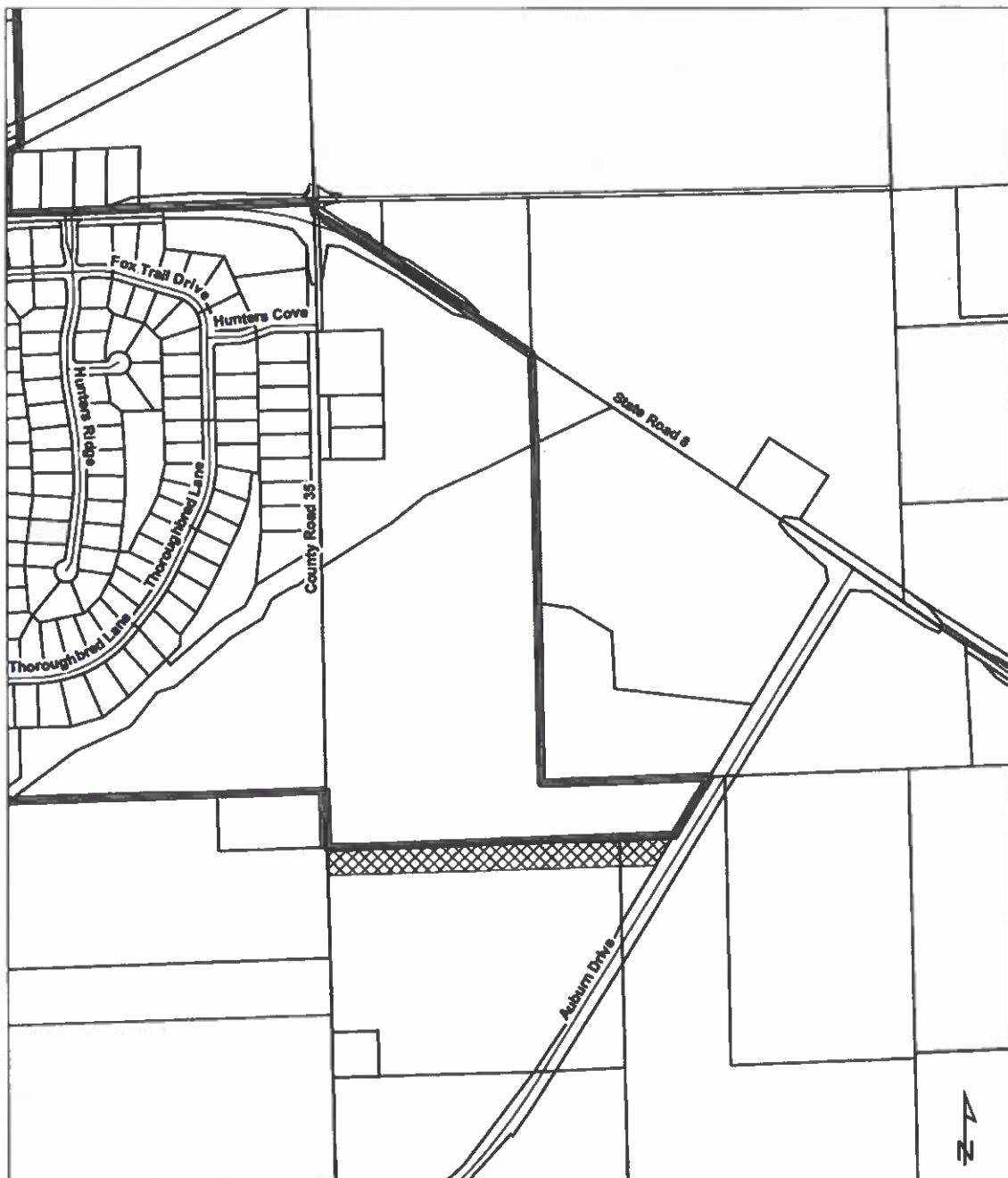
Received 11/21/2025

1<sup>ST</sup> READING 12/02/2025  
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**EXHIBIT A**

Received 11/21/2025

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2<sup>ND</sup> READING \_\_\_\_\_



ANNEXATION AREA



EXISTING CITY BOUNDARY