

COPY

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ROSEMARY BROWN
WHITLEY COUNTY RECORDER
COLUMBIA CITY, IN
\$ 25.00 TX: 4032465
04/04/2022 12:34:34 PM
Recorded as Received

## 22 ORDINANCE 2021-4

# AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA CITY, INDIANA, ANNEXING CERTAIN TERRITORY TO THE CITY OF COLUMBIA CITY, INDIANA, PLACING THE SAME WITHIN THE CORPORATE BOUNDARIES THEREOF AND MAKING THE SAME A PART OF THE CITY OF COLUMBIA CITY

- A. The City Council of the City of Columbia City, Indiana (respectively, the "Council") and the "City") is in receipt of a petition ("Petition") requesting the annexation of certain territory, commonly known as City of Columbia City, Indiana and more particularly described in attached Exhibit "A" (the "Annexation Territory").
- B. The Petition has been signed by one hundred percent (100%) of the landowners of the Annexation Territory as is attached hereto as Exhibit "B".
- C. The Annexation Territory consists of approximately 1.285 acres, and the Annexation Territory is contiguous to the existing City boundaries.
- D. Prior to adoption of this Ordinance, the Council by resolution may 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. If applicable, 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 the 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, patters of land use, and population density.
- F. The terms and conditions of this annexation, including, if applicable, the written fiscal plan and definite policy, are fairly calculated to make the annexation fair and equitable to property owner of the Annexation Territory of the City.
- G. 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.
- H. Prior to the final adoption of this Ordinance, the Council will have found that the Annexation Territory, pursuant to the terms of this Ordinance, is fair and equitable and should be accomplished.



The Market

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

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

Section 2. In accordance with I.C. § 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 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 4. 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 5. This Ordinance shall be in full force and effect after its adoption by the Common Council and approval by the Mayor of the City of Columbia City, Indiana.

PASSED AND ADOPTED by the Common Council of the City of Columbia City, Indiana, this day of 10 for 2022.

COMMON COUNCIL OF THE CITY OF COLUMBIA CITY, INDIANA, BY:

(0)

miler Middleton

Walter C. Crowder

Jennifer B. Zarknan-Romano

Theodore J. Varga, Jr.

Daniel Weigold

50' 100' SCALE: 1"=100" %" Aluminum Capped Rebar %" Aluminum Capped Rebar Stamped
"Structurepoint 0094"
Set 55.00' S0'27'13"E Stamped
"Structurepoint 0094"
Set 55.00' S0'27'13"E
of the Northwest Corner EDITED BY: JMAIN DRAWING FILE: P:\Z003\D0884\D. DRAWINGS\SURVEY\MITIGATION BOUNDARY SURVEY\Z00900884.SV.Z011-10-05. of the Northeast Corner C. Dive River NEW TRACT 1.285 Ac. ± The City of Columbia City Inst. No. 88-1-289 Tax ID: 92-06-01-000-401.000-004 1048.16 S0'27'13"E - 1110.77 Connie Sue Dye Inst. No. 01-4-38 Tax ID: 92-06-01-000-108,000-043 The City of Columbia City Deed Record 118, page 470 Tax ID: 92-06-01-000-303.900-004 P.O.B. SOUTHWEST CORNER. E 1/2, NW 1/4, SEC. 1-T31N-R9E WOOD POST (called for in Walker & Associates Survey Inst. No. 95-12-219) %" Aluminum Capped Rebar Stamped 6:34 "Structurepoint 0094" Set N87'31'50"W 51.93' New Tract Exhibit DATE: 10/12/2010 SHEET NO. EDIT DATE: 7260 SHADELAND STATION INDIANAPOLIS, IN 46256-3957 TEL 317.547.5580 FAX 317.543.0270 STRUCTUREPOINT

DESC. FILE: New Tract Exhibit

2009,00884

of

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DRAWN BY: JEM

JOB NO.

www.structurepoint.com

# BY: JMAIN DRAWING FILE: P:\2009\00884\D. DRAWINGS\SURVEY\MITIGATION BOUNDARY SURVEY\200900884.SV.2011-10-05.EXH-WITH 10/12/11

DATE

## NEW TRACT LAND DESCRIPTION

A part of the East Half of the Northwest Quarter of Section 1, Township 31 North, Range 9 East, Whitley County, Indiana, which lies southeasterly of the centerline of Blue River, more particularly described as follows:

Beginning at the southwest comer of said half-quarter section, designated by a wood post per a Walker & Associates survey recorded as Instrument Number 95-12-219 in the Office of the Recorder of Whitley County; thence North 0 degrees 27 minutes 13 seconds West 1,048.16 feet along the west line of said half-quarter section (passing through a 5/8" rebar with an aluminum cap stamped "STRUCTUREPOINT 0094" at a distance of 993.16 feet) to said centerline of Blue River; thence North 40 degrees 24 minutes 08 seconds East 79.27 feet along said centerline of Blue River; thence South 0 degrees 27 minutes 13 seconds East 1,110.77 feet (passing through a 5/8" rebar with an aluminum cap stamped "STRUCTUREPOINT 0094" at a distance of 55.00 feet) to a point on the south line of said half-quarter section designated by a 5/8" rebar with an aluminum cap stamped "STRUCTUREPOINT 0094"; thence North 87 degrees 31 minutes 00 seconds West 51.93 feet along the south line of said half-quarter section to the point of beginning and containing 1.285 acres, more or less.

All bearings in this description are based upon the bearing system of the aforementioned Walker & Associates survey recorded as Instrument Number 95-12-219 in the Office of the Recorder of Whitley County.

# New Tract Description Exhibit

STRUCTUREPOINT

7260 SHADELAND STATION INDIANAPOLIS, IN 46256-3967 TEL 317.547.5580 FAX 317.543.0270 www.structurepoint.com DATE: 10/12/2010 SHEET NO.

DRAWN BY: JEM 2

JOB NO. 2009.00884