

2024040130
ROSEMARY BROWN
WHITLEY COUNTY RECORDER
COLUMBIA CITY, IN
\$ 25.00 TX: 4041321
04/11/2024 11:23:17 AM
Recorded as Received

APR 10 2024

Tiffany Deaton ORDINANCE 2024- 3

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 the Connie Sue Dye Property 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 131.22 acres, and all unincorporated right-of-way adjacent thereto, and the Annexation Territory is contiguous to the existing City boundaries.
- D. Prior to adoption of this Ordinance, this 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.



NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Columbia City, 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 I.C. § 36-4-3-5.1, the Annexation Territory, and all unincorporated right-of-way adjacent thereto, 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.

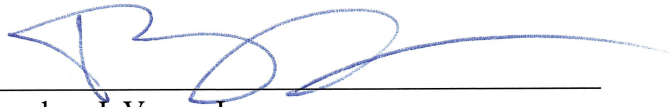
Section 5. This Ordinance shall be in full force and effect after its adoption by the Common Council and approval by the Mayor of the City of Columbia City, Indiana.

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PASSED AND ADOPTED by the Common Council of the City of Columbia City, Indiana, this 8 day of April, 2024.

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

Daniel Weigold



Theodore J. Varga, Jr.



Leslee Robinson



Jennifer B. Zartman-Romano

Jennifer Middleton

ATTEST:



Rosie Coyle, Clerk-Treasurer

Approved this 8 day of April, 2024, by:



Ryan L. Daniel, Mayor

J.K. Walker & Associates, P.C.

Land Surveying, Civil Engineering & Land Planning

William D. Kyler, P.S.

Kevin R. Michel, P.E. & P.S.

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DESCRIPTION OF SURVEYED TRACT

(Part of Document Number 01-4-38 and All of Document Number 2001110293)

Part of the Fractional Northeast Quarter of Section 1 which lies Southeasterly of the centerline of the Blue River, together with part of the East half of the Fractional Northwest Quarter of said Section 1 which lies Southeasterly of the centerline of the Blue River, all being in Township 31 North, Range 9 East, Whitley County, Indiana (This description prepared by Kevin R. Michel, LS80870006, as part of retracement survey RD-161 "B" completed by J.K. Walker and Associates, P.C., dated June 6, 2022), all together being more particularly described as follows, to wit:

BEGINNING at a Mag spike found at the Southeast corner of the Fractional Northeast Quarter of said Section 1; thence $N00^{\circ}-11'-00''W$ (deed bearing and used as the basis of beginning for this description), on and along the East line of the Fractional Northeast Quarter of said Section 1, being within the right-of-way of County Road 200E, a distance of 196.80 feet to a Mag nail at the Southeast corner of a certain 0.514 acre tract of land as recorded in Document Number 2007070483 in the records of Whitley County, Indiana; thence $N84^{\circ}-20'-00''W$, on and along the South line of said 0.514 acre tract of land, a distance of 170.30 feet to a 5/8-inch iron pin capped "Walker" at the Southwest corner of said 0.514 acre tract of land, said iron pin being situated 1.2 feet North of a steel post found; thence $N04^{\circ}-36'-00''E$, on and along the West line of said 0.514 acre tract of land, a distance of 135.20 feet to a 5/8-inch iron pin capped "Walker" at the Northwest corner of said 0.514 acre tract of land; thence $S84^{\circ}-55'-00''E$, on and along the North line of said 0.514 acre tract of land, a distance of 158.80 feet to a Mag nail at the Northeast corner of said 0.514 acre tract of land, said Mag nail also being on the East line of the Fractional Northeast Quarter of said Section 1; thence $N00^{\circ}-11'-00''W$, on and along said East line, being within the right-of-way of County Road 200E, a distance of 628.11 feet (recorded 628.0 feet), to a railroad spike found at the Southeast corner of a certain 5.868 acre tract of land as recorded in Document Number 2020080157 in said records; thence $N88^{\circ}-11'-00''W$, on and along the South line of said 5.868 acre tract of land, a distance of 457.77 feet (recorded 457.8 feet), to a 5/8-inch iron pin capped "Walker" found at the Southwest corner of said 5.868 acre tract of land; thence $N00^{\circ}-39'-00''E$, on and along the West line of said 5.868 acre tract of land and on and along the West line of Lots Numbered 6 and 5 in the Plat of Wild Wing Acres as recorded in Document Number 97-2-101 in said records, a distance of 855.61 feet (recorded 855.34 feet), to the Northwest corner of said Lot Number 5, said corner being situated 0.5 feet West of an iron pin found; thence $N89^{\circ}-49'-00''E$, on and along the North line of said Lot Number 5, a distance of 445.05 feet to a Mag nail at the Northeast corner of said Lot Number 5, said Mag nail also being on the East line of the Fractional Northeast Quarter of said Section 1; thence $N00^{\circ}-11'-00''W$, on and along said East line, being within the right-of-way of County Road 200E, a distance of 70.00 feet to a Mag nail found at the Southeast corner of Lot Number 4 in said Plat of Wild Wing Acres; thence $S89^{\circ}-49'-00''W$, on and along the South line of said Lot Number 4, a distance of 444.03 feet to the Southwest corner of said Lot Number 4, said corner being situated 0.5 feet West of an iron pin found; thence $N00^{\circ}-39'-00''E$, on and along the West line of Lots Numbered 4, 3, 2, and 1 in said Plat of Wild Wing Acres, and on and along the West line of Lot Number 1 in the Plat of Schmitt's Addition as recorded in Document Number 92-5-588 in said records, a distance of 881.48 feet to a 5/8-inch iron pin capped "Walker" at the Northwest corner of said Lot Number 1, said iron pin also being on a Southerly line of a certain tract of land as recorded in Document Number 2004110337 in said records; thence $N82^{\circ}-44'-04''W$ (recorded $N82^{\circ}-44''W$), on and along said Southerly line, a distance of 3.12 feet (recorded 3.1 feet), to a 5/8-inch iron pin capped "Walker" at a Southerly corner of said tract of land in Document Number 2004110337; thence $S71^{\circ}-55'-30''W$ (recorded $S71^{\circ}-58''W$), on and along a Southerly line of said tract of land in Document Number 2004110337, a distance of 643.10 feet (recorded 643.6 feet), to a 5/8-inch iron pin capped "Walker" found at a Southerly corner of said tract of land in Document Number 2004110337; thence $N61^{\circ}-51'-15''W$, on and along a Southwesterly line of said tract of land in Document Number 2004110337, and on and along a Southwesterly line of a certain tract of land as recorded in Document Number 2010100018 in said records, a distance of 332.60 feet to a rail iron post found at a Southwesterly corner of said tract of land in Document Number 2010100018; thence $N39^{\circ}-23'-30''W$, on and along a Southwesterly line of said tract of land in Document Number 2010100018, and on and along a Southwesterly line of a certain 5.79 acre tract of land as recorded in Document Number 2019030234 in said

Date: June 6, 2022
Name: Bye, Connie Sue
Address: 200E
Survey #: RD-161 "B"



J.K. Walker & Associates, P.C.

Land Surveying, Civil Engineering & Land Planning

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records, a distance of 395.80 feet to a wood post found at a Westerly corner of said 5.79 acre tract of land; thence N03°-54'-20"W (recorded N03°-53'W), on and along a Westerly line of said 5.79 acre tract of land, a distance of 204.00 feet to a wood post found at a Westerly corner of said 5.79 acre tract of land; thence N50°-34'-55"E (recorded N50°-42'-50"E), on and along a Northwesterly line of said 5.79 acre tract of land, a distance of 395.10 feet to a 5/8-inch iron pin capped "Walker" at the Northwest corner of said 5.79 acre tract of land, said iron pin also being on the North line of the Fractional Northeast Quarter of said Section 1, said iron pin further being situated N89°-54'-02"W (recorded N89°-55'W), a distance of 1296.50 feet from a Harrison marker found at the Northeast corner of the Fractional Northeast Quarter of said Section 1; thence N89°-54'-02"W (recorded N89°-55'W), on and along said North line, a distance of 768.73 feet (recorded 770.1 feet), to the point of intersection with the centerline of the Blue River, said point being situated S89°-54'-02"E, a distance of 584.00 feet from a rail iron post found at the Northwest corner of the Fractional Northeast Quarter of said Section 1, said point also being situated N89°-54'-02"W, a distance of 45.0 feet from a 5/8-inch iron pin capped "Walker"; thence S40°-22'-00"W, on and along said centerline, a distance of 2902.07 feet to the Northeast corner of a certain 1.285 acre tract of land as recorded in Document Number 2013020309 in said records, said corner being situated N00°-13'-37"W, a distance of 55.0 feet from a 5/8-inch iron pin capped "Walker"; thence S87°-26'-47"E, a distance of 3335.58 feet; thence S00°-13'-37"E, a distance of 1114.96 feet to a point on the South line of the Fractional Northeast Quarter of said Section 1; thence S87°-21'-25"E, on and along said South line, a distance of 620.00 feet to the point of beginning, containing 131.22 acres of land, more or less, subject to legal right-of-way for County Road 200E, subject to all legal drain easements and all other easements of record.

FLOOD HAZARD STATEMENT

The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map. Low-lying areas adjacent to Blue River appear to be situated in Zone "A", which is in a flood plain. The remainder of the surveyed tract appears to be situated in Zone "X", which is not in a flood plain, as said land plots by scale on Map Number 18183C0162C of the Flood Insurance Rate Maps for Whitley County, Indiana, dated May 4, 2015. The Indiana Department of Natural Resources (DNR) Floodplain Information Portal indicates that a portion of the surveyed tract along the Blue River lies within a DNR Approximate Floodway.

THEORY OF LOCATION

This is an original boundary survey of part of the Fractional Northeast Quarter of Section 1 which lies Southeasterly of the centerline of the Blue River, together with part of the East half of the Fractional Northwest Quarter of said Section 1 which lies Southeasterly of the centerline of the Blue River, all being in Township 31 North, Range 9 East, Whitley County, Indiana, located on County Road 200E. The surveyed tract is part of a certain tract of land as recorded in Document Number 01-4-38 and all of a certain tract of land as recorded in Document Number 2001110293 in the records of Whitley County, Indiana.

Multiple GPS observations utilizing a WGS84 signal and a local coordinate grid were utilized this survey. The Southeast corner of the Fractional Northeast Quarter of said Section 1 is county referenced. A Mag spike was found at this corner and was held this survey.

The Northeast corner of the Fractional Northeast Quarter of said Section 1 is county referenced. A Harrison marker was found at this corner and was held this survey.

The Northwest corner of the Fractional Northeast Quarter of said Section 1 (Northeast corner of the Fractional Northwest Quarter of said Section 1) is county referenced. A rail iron post was found at this corner and was held this survey.

The Southwest corner of the Fractional Northeast Quarter of said Section 1 (Southeast corner of the Fractional Northwest Quarter of said Section 1) is county referenced. An iron pin was found at this corner and was held this survey.

A wood post was found at the Southwest corner of the East half of the Fractional Northwest Quarter of said Section 1 and was held this survey.

A Mag spike was found at the Southeast corner of the North half of the Southwest Quarter of said Section 1 and was held this survey.

Date: June 6, 2022
Name: Dye, Connie Sue
Address: 200E
Survey #: RD-161 "B"

KRM



J.K. Walker & Associates, P.C.

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William D. Kyler, P.S.

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A wood post was found at the Southwest corner of the North half of the East half of the Southwest Quarter of said Section 1 and was held this survey.

An Easterly corner of the surveyed tract (Southeast corner of a certain 0.514 acre tract of land as recorded in Document Number 2007070483 in the records of Whitley County, Indiana) was established on the East line of the Fractional Northeast Quarter of said Section 1, a deeded distance of 196.80 feet North of the Southeast corner of the Fractional Northeast Quarter of said Section 1. A Mag nail was set at this corner.

An Easterly corner of the surveyed tract (Northeast corner of said 0.514 acre tract of land) was established on the East line of the Fractional Northeast Quarter of said Section 1, a deeded distance of 137.50 feet North of the Southeast corner of said 0.514 acre tract of land. A Mag nail was set at this corner and was held this survey.

The Southwest corner and the Northwest corner of said 0.514 acre tract of land were established using deeded distances and bearings. A 5/8-inch iron pin capped "Walker" was set at each of these corners.

A railroad spike was found at an Easterly corner of the surveyed tract (Southeast corner of a certain 5.868 acre tract of land as recorded in Document Number 2020080157 in said records) and was held this survey.

A 5/8-inch iron pin capped "Walker" was found at an Easterly corner of the surveyed tract (Southwest corner of said 5.868 acre tract of land) and was held this survey.

A Mag nail was found at an Easterly corner of the surveyed tract (Southeast corner of Lot Number 4 in the Plat of Wild Wing Acres) and was held this survey.

An Easterly corner of the surveyed tract (Northeast corner of Lot Number 5 in said Plat of Wild Wing Acres) was established on the East line of the Fractional Northeast Quarter of said Section 1, a deeded distance of 70.00 feet South of the Southeast corner of said Lot Number 4. A Mag nail was set at this corner.

The Southwest corner of said Lot Number 4 and the Northwest corner of said Lot Number 5 were established using recorded distances and bearings. An iron pin was found 0.5 feet East of each of these corners.

A Northeasterly corner of the surveyed tract (Northwest corner of Lot Number 1 in the Plat of Schmitt's Addition) was established using recorded distances and bearings. A 5/8-inch iron pin capped "Walker" was set at this corner.

A Northerly corner of the surveyed tract (a Southerly corner of a certain tract of land as recorded in Document Number 2004110337 in said records) was established using recorded distances and bearings. A 5/8-inch iron pin capped "Walker" was set at this corner.

A 5/8-inch iron pin capped "Walker" was found at a Northerly corner of the surveyed tract and was held this survey.

A rail iron post was found at a Northerly corner of the surveyed tract and was held this survey.

A wood post was found at Two (2) Northerly corners of the surveyed tract. Said wood posts were held this survey.

A Northerly corner of the surveyed tract was established on the North line of the Fractional Northeast Quarter of said Section 1, a deeded distance of 1296.50 feet West of the Northeast corner of the Fractional Northeast Quarter of said Section 1. A 5/8-inch iron pin capped "Walker" was set at this corner.

A Northwesterly corner of the surveyed tract was established at the point of intersection of the North line of the Fractional Northeast Quarter of said Section 1 with the centerline of the Blue River. A 5/8-inch iron pin capped "Walker" was set on said North line, a distance of 45.0 feet East of said Northwesterly corner.

A Southwest corner of the surveyed tract was established using recorded distances and bearings. A 5/8-inch iron pin capped "Walker" was found 55.0 feet South of the Southwest corner of the surveyed tract.

The Two (2) other corners of the surveyed tract were not marked at the owner's request.

See survey for other monuments found near the surveyed tract.

See survey for monuments found that are referenced.

SURVEYOR'S REPORT

In accordance with the Title 865 IAC 1-12 "Rule 12" of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties of the location of the lines and corners established on this survey as a result of:

Date: June 6, 2022
Name: Dye, Connie Sue
Address: 200E
Survey #: RD-161 "B"



J.K. Walker & Associates, P.C.

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(A) Availability and condition of referenced monuments.

See comments above concerning monuments set or found and held this survey. The monuments found are in good condition unless otherwise noted. Certain monuments are referenced as shown.

(B) Occupation or possession lines.

The Blue River exists as shown on this survey.

(C) Clarity or ambiguity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject tract with adjoiners' lines.

The actual calculated lengths and bearings of certain lines of the surveyed tract vary from the recorded distances and bearings as shown on this survey.

(D) The relative positional accuracy of the measurements.

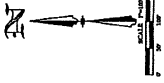
The Relative Positional Accuracy (due to random errors in measurements) of the corners of the subject tract established by this survey is within the specifications for Suburban surveys: 0.13 feet (40 millimeters) plus 100 parts per million as defined by IAC 865.

NOTES

1. This survey is subject to any facts and /or easement that may be disclosed by a full and accurate title search. The undersigned should be notified of any additions or revision that are required. The undersigned was not provided with a current title commitment for use on this survey.
2. For monuments found and set, see survey. All pins set are #5 Rebars with caps marked "Walker".
3. Origin of monuments unknown unless noted on survey.
4. Measurements of this survey are based on aforesaid G.P.S. and/or E.T.S. traverse measurements.
5. Ownership research of the subject tract, and adjoining tracts, was obtained from current tax records on file in the Offices of the county Auditor and Recorder.
6. The Whitley County Surveyor's Legal Drain Map shows a legal open drain (Blue River) along the Northwestern line of the surveyed tract. Per Indiana Code 36-9-27 legal open drains have 75-foot wide drainage easements from the top of each bank. This open drain is shown on this survey. Prior to any construction of a permanent structure near the legal drain easement, the location of the top of the bank should be verified by the Whitley County Surveyor.
7. The Plat of Wild Wing Acres was used as a reference.
The Plat of Schmitt's Addition was used as a reference.
Reference survey by Main, dated 10-10-11.
Reference survey(s) by J.K. Walker & Associates, P.C., dated 07-07-86, 10-24-88, 09-16-92, 09-25-95, 11-05-96, 02-10-97, 07-06-98, 10-29-98, 02-22-99, 07-15-99, 06-29-00, 10-24-01, 01-25-02, 04-04-02, 07-26-02, 09-02-03, 11-30-07, 02-28-08, 04-29-09, 05-24-10, 09-28-10, 09-12-13, 10-06-14, 06-07-16, 11-13-19, 04-19-22.
8. I, Kevin Michel, 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.

Date: June 6, 2022
Name: Dye, Connie Sue
Address: 200E
Survey #: RD-161 "B"





LEGEND
 P = PLAT
 C = CALCULATED
 S = SURVEYED
 M = MEASURED
 W = WALKER MONUMENT

FIELD WORK COMPLETED ON 14-2012

BASIS OF BEARINGS

The basis of bearings for this survey is a steel bearing of 100 degrees 00' 00" true, which is the bearing of the line between the corners of Section 1, Township 21 North, Range 3 East, Whitefish County, Indiana, as shown on the attached plat. The bearing of this line is 100 degrees 00' 00" true, which is the bearing of the line between the corners of Section 1, Township 21 North, Range 3 East, Whitefish County, Indiana, as shown on the attached plat. The bearing of this line is 100 degrees 00' 00" true, which is the bearing of the line between the corners of Section 1, Township 21 North, Range 3 East, Whitefish County, Indiana, as shown on the attached plat.

AREA NOTES

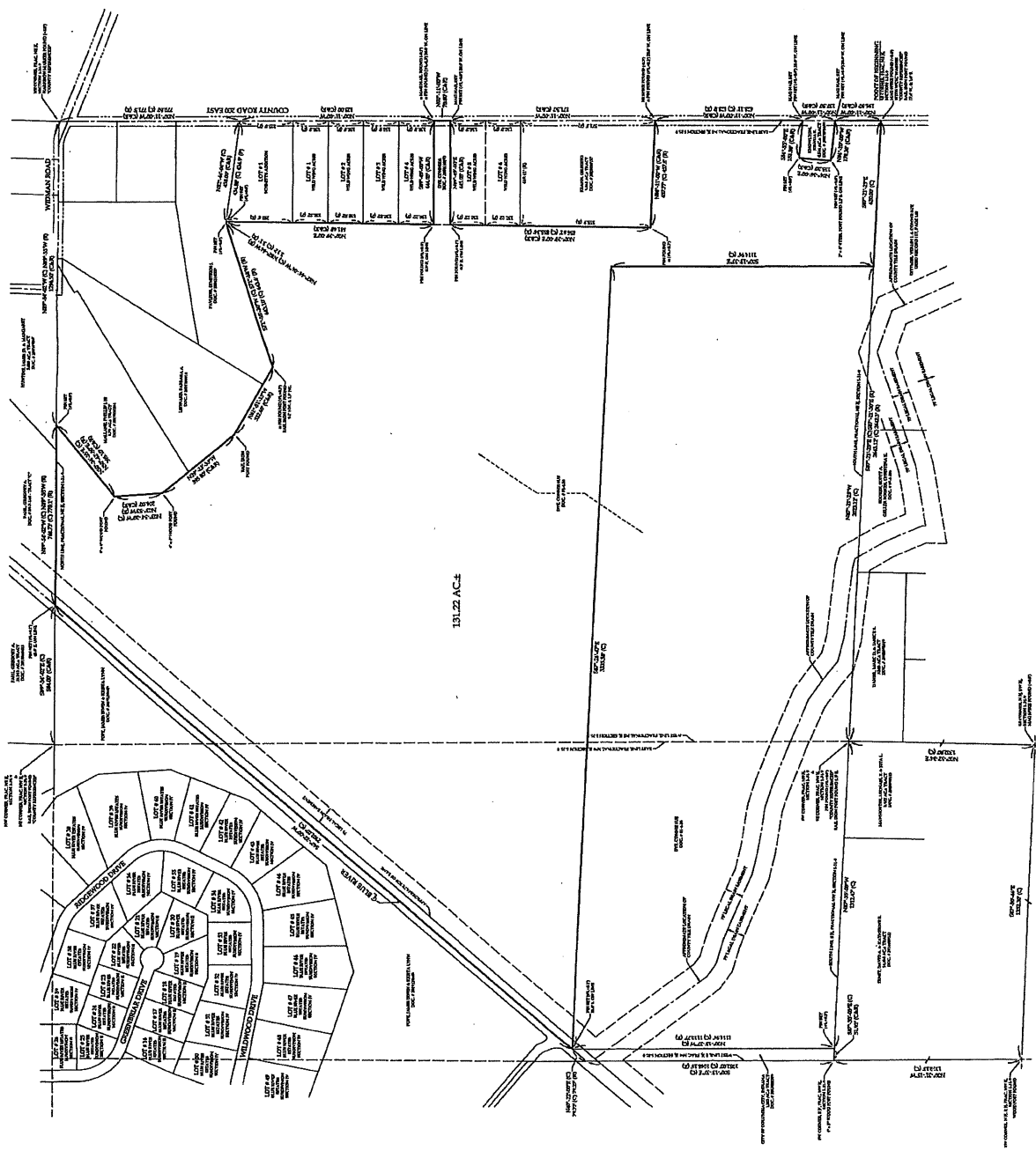
The surveyed area contains 131.22 acres. The survey was conducted on 14-2012. The survey was conducted by Walker & Associates, Inc., a professional land surveying firm, under the supervision of the State of Indiana. The survey was conducted in accordance with the rules and regulations of the Board of Land Surveyors of the State of Indiana. The survey was conducted in accordance with the rules and regulations of the Board of Land Surveyors of the State of Indiana. The survey was conducted in accordance with the rules and regulations of the Board of Land Surveyors of the State of Indiana.



CERTIFICATE OF SURVEY
 I, THE UNDERSIGNED, BEING THE LAND SURVEYOR CORRECTLY AND TRULY A SWORN UNDER THE SEAL OF THE STATE OF INDIANA, DO HEREBY CERTIFY THAT THE FOREGOING PLAT REPORT HAS BEEN COMPILED IN ACCORDANCE WITH THE REQUIREMENTS OF THE BOARD OF LAND SURVEYORS OF THE STATE OF INDIANA AND ALL OTHER APPLICABLE LAWS.

WALKER & ASSOCIATES
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 COLUMBIANA CITY, IN 46722
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FOR: DYE CONCRETE SIZE
 DATE: 11-2012
 PAGE: 2 OF 2
 PROJECT NUMBER: RD-161, 18'



**PETITION FOR VOLUNTARY ANNEXATION OF LAND TO
CITY OF COLUMBIA CITY, INDIANA**

Connie Sue Dye, whose principal address is 1660 E. 250 N, Columbia City, Indiana 46725, Petitioner herein, petitions the Common Council of the City of Columbia City, Indiana, for the annexation of land hereafter described, and in support thereof, states as follows:

1. Petitioner, Connie Sue Dye of Columbia City, Indiana, is the owner of one hundred percent (100%) of the land within the territory desired to be annexed.

2. The real estate proposed to be annexed is located in Whitley County and is described as follows, to-wit:

BEGINNING at a Mag spike found at the Southeast comer of the Fractional Northeast Quarter of said Section 1; thence N00°-11' -00" W (deed bearing and used as the basis of beginning for this description), on and along the East line of the Fractional Northeast Quarter of said Section 1, being within the right-of-way of County Road 200E, a distance of 196.80 feet to a Mag nail at the Southeast comer of a certain 0.514 acre tract of land as recorded in Document Number 2007070483 in the records of Whitley County, Indiana; thence N84°-20' -00"W. on and along the South line of said 0.514 acre tract of land, a distance of 170.30 feet to a 5/8-inch iron pin capped "Walker" at the Southwest comer of said 0.514 acre tract of land, said iron pin being situated 1.2 feet North of a steel post found; thence N04°-36'-00"E. on and along the West line of said 0.514 acre tract of land. a distance of 135.20 feet to a 5/8-inch iron pin capped "Walker" at the Northwest comer of said 0.514 acre tract of land; thence S84°-55' -00"E, on and along the North line of said 0.514 acre tract of land, a distance of 158.80 feet to a Mag nail at the Northeast comer of said 0.514 acre tract of land, said Mag nail also being on the East line of the Fractional Northeast Quarter of said Section 1; thence N00°-11'-00" W, on and along said East line, being within the right-of-way of County Road 200E, a distance of 628.11 feet (recorded 628.0 feet). to a railroad spike found at the Southeast comer of a certain 5.868 acre tract of land as recorded in Document Number 2020080157 in said records; thence N88°-11'-00" W, on and along the South line of said 5.868 acre tract of land, a distance of 457.77 feet (recorded 457.8 feet), to a 5/8-inch iron pin capped "Walker" found at the Southwest comer of said 5.868 acre tract of land; thence N00°-39' -00"E, on and along the West line of said 5.868 acre tract of land and on and along the West line of Lots Numbered 6 and 5 in the Plat of Wild Wing Acres as recorded in Document Number 97-2-101 in said records, a distance of 855.61 feet (recorded 855.34 feet), to the Northwest comer of said Lot Number 5, said comer being situated 0.5 feet West of an iron pin found; thence N89°-49' -00"E, on and along the North line of said Lot Number 5, a distance of 445.05 feet to a Mag nail at the Northeast comer of said Lot Number 5, said Mag nail also being on the East line of the Fractional Northeast Quarter of said Section 1; thence N00°-11'-00"W, on and along said East line, being within the right-of-way of County Road 200E, a distance of 70.00 feet to a Mag nail found at the Southeast comer of Lot Number 4 in said Plat of Wild Wing Acres; thence S89°-49'-00"W, on and along the South line of said Lot Number 4, a distance of 444.03 feet to the Southwest comer of said Lot Number 4, said comer being situated 0.5 feet West of an iron pin found; thence N00°-39'- 00"E, on and along the West line of Lots Numbered 4, 3, 2, and 1 in said Plat of Wild Wing Acres, and on and along the West line of Lot Number 1 in the Plat of Schmitt's Addition as recorded in Document Number 92-5- 588 in said records, a distance of 881.48 feet to a 5/8-inch iron pin capped "Walker" at the Northwest comer of said Lot Number 1, said iron pin also being on a Southerly line of a certain tract of land as recorded in Document Number 2004110337 in

said records; thence $N82^{\circ}-44'-04''W$ (recorded $N82^{\circ}-44''W$), on and along said Southerly line, a distance of 3.12 feet (recorded 3.1 feet), to a 5/8-inch iron pin capped "Walker" at a Southerly corner of said tract of land in Document Number 2004110337; thence $S71^{\circ}-55'-30''W$ (recorded $S71^{\circ}-58''W$), on and along a Southerly line of said tract of land in Document Number 2004110337, a distance of 643.10 feet (recorded 643.6 feet), to a 5/8-inch iron pin capped "Walker" found at a Southerly corner of said tract of land in Document Number 2004110337; thence $N61^{\circ}-51'-15''W$, on and along a Southwesterly line of said tract of land in Document Number 2004110337, and on and along a Southwesterly line of a certain tract of land as recorded in Document Number 2010100018 in said records, a distance of 332.60 feet to a rail iron post found at a Southwesterly corner of said tract of land in Document Number 2010100018; thence $N39^{\circ}-23'-30''W$, on and along a Southwesterly line of said tract of land in Document Number 2010100018, and on and along a Southwesterly line of a certain 5.79 acre tract of land as recorded in Document Number 2019030234 in said records, a distance of 395.80 feet to a wood post found at a Westerly corner of said 5.79 acre tract of land; thence $N03^{\circ}-54'-20''W$ (recorded $N03^{\circ}-53''W$), on and along a Westerly line of said 5.79 acre tract of land, a distance of 204.00 feet to a wood post found at a Westerly corner of said 5.79 acre tract of land; thence $N50^{\circ}-34'-55''E$ (recorded $N50^{\circ}-42'-50''E$), on and along a Northwesterly line of said 5.79 acre tract of land, a distance of 395.10 feet to a 5/8-inch iron pin capped "Walker" at the Northwest corner of said 5.79 acre tract of land, said iron pin also being on the North line of the Fractional e Northeast Quarter of said Section 1, said iron pin further being situated $N89^{\circ}-54'-02''W$ (recorded $N89^{\circ}-55''W$), a distance of 1296.50 feet from a Harrison marker found at the Northeast corner of the Fractional Northeast Quarter of said Section 1; thence $N89^{\circ}-54'-02''W$ (recorded $N89^{\circ}-55''W$), on and along said North line, a distance of 768.73 feet (recorded 770.1 feet), to the point of intersection with the centerline of the Blue River, said point being situated $S89^{\circ}-54'-02''E$, a distance of 584.00 feet from a rail iron post found at the Northwest corner of the Fractional Northeast Quarter of said Section 1, said point also being situated $N89^{\circ}-54'-02''W$, a distance of 45.0 feet from a 5/8-inch iron pin capped "Walker"; thence $S40^{\circ}-22'-00''W$, on and along said centerline, a distance of 292.07 feet to the Northeast corner of a certain 1.285 acre tract of land as recorded in Document Number 2013020309 in said records, said corner being situated $N00^{\circ}-13'-37''W$, a distance of 55.0 feet from a 5/8-inch iron pin capped "Walker"; thence $S87^{\circ}-26'-47''E$, a distance of 3335.58 feet; thence $S00^{\circ}-13'-37''E$, a distance of 1114.96 feet to a point on the South line of the Fractional Northeast Quarter of said Section 1; thence $S87^{\circ}-21'-25''E$, on and along said South line, a distance of 620.00 feet to the point of beginning, containing 131.22 acres of land, more or less, subject to legal right-of-way for County Road 200E, subject to all legal drain easements and all other easements of record.

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.

Hereinafter referred to as the "Real Estate".

3. The Real Estate is located outside of, but contiguous to, the municipality of the City of Columbia City, Indiana.
4. Petitioner brings this petition pursuant to I.C. 36-4-3-5.1 and requests an ordinance Annexing Real Estate not already located within the corporate boundaries of the City of Columbia City.
5. Petitioner has attached a current survey of the real property subject to the

proposed annexation.

6. Petitioner identifies the following steps under I.C. 36-4-3 to be taken after the filing of the City's Petition requesting annexation of the Real Estate into the City of Columbia City's corporate boundaries:

(a) Publication of Notice of the Public Hearing pursuant to I.C. 5-3-1 at least 20 days prior to the public hearing;

(b) Public Hearing to be held not later than 30 days after the filing of this Petition and not earlier than 20 days after publication of the Notice of Public Hearing;

(c) Adoption by the City of Columbia City of the Ordinance Annexing the Real Estate into the City of Columbia City's Corporate Boundaries, which adoption may not be done earlier than 14 days after the public hearing; and

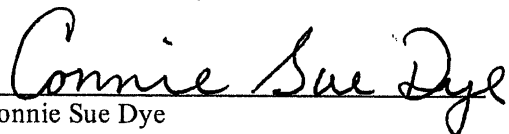
(d) Not less than 30 days after the adoption of the Ordinance and upon the filing and recording by the Columbia City Clerk-Treasurer pursuant to I.C. 36-4-3-22, the Annexation Ordinance shall become effective.

7. The City of Columbia City may adopt a fiscal plan and establish a definite policy by resolution of the Common Council. In such an event, any terms set forth on Exhibit A which would otherwise be in such a fiscal plan must also be adopted therein.

WHEREFORE, Petitioner requests the Common Council of the City of Columbia City, Indiana, approve such petition and adopt an ordinance annexing the Real Estate not currently located within the corporate boundaries of the City of Columbia City, Indiana, on such terms and conditions as may be fair and equitable, and for all other right and proper relief and pursuant to the requirements and directives of I.C. 36-4-3-5.1.

Dated this 24 day of January, 2024.

Connie Sue Dye, by:


Connie Sue Dye