

APPENDIX A
ANNEXATIONS

Section

30.01 September 2001
30.02 June 2003
30.03 November 2008

§30.01 SEPTEMBER 2001

(A) Approximately 75 acres of real estate located in Montgomery County, Indiana, being contiguous and adjacent to the existing corporate limits of the Town of Linden, Indiana, is under consideration to be annexed and included within the corporate boundaries of the Town of Linden to wit:

Part of the east half of the northeast quarter of section seven (7), township twenty (20) north, range four (4) west. Located in Montgomery County near the town of Linden, Indiana, and more particularly described as follows:

Beginning at the northeast corner of said section 7, and running south along the east line of said section 366.5 feet; thence west 528.5 feet to the middle of the Chicago, Indianapolis, and Louisville Railroad thence in a northwesterly direction along the middle of said Railroad 370.7 feet to the north line of said section; thence east on the said north line 58303 feet to the place of beginning, containing 4.68 acres, more or less, in Montgomery County, Indiana.

Part of the east half of the northeast quarter of section seven (7), township twenty (20) north, range four (4) west, described as follows:

Beginning 559.3 feet south of the northeast corner of said northeast quarter and running thence west 498.3 feet to the middle of Chicago, Indianapolis, and Louisville Railroad; thence northwesterly along the middle of said railroad 195 feet; thence east 528.5 feet to the east line of said northeast quarter; thence south 192.8 feet to the place of beginning, containing 2.27 acres, more or less, in Montgomery County, Indiana.

Part of the east half of the northeast quarter of section seven (7), township twenty (20) north, range four (4) west, described as follows:

Beginning at a point 817 ½ feet north of the southeast corner of said quarter section; running thence west 285 ½ feet, to the middle of the Chicago, Indianapolis, and Louisville Railroad; thence in a northwesterly direction along the middle of said railroad, to the north line of said section; thence south along the east line of said section to the place of beginning, containing 18 acres, more or less, in Montgomery County, Indiana.

Excepting therefrom that part of said railroad right-of-way resting thereon.

Excepting the following described tract of land, to-wit:

Beginning at the northwest corner of Lot numbered 7 in George D. Nichols and Hattie J. Killen Addition to the Town of Linden; running thence east 1 chain 74 links; thence in a northwesterly direction 10 degrees right curve, 5 chains; thence south 8 degrees 20' east 4 chains 29 links, to the place of beginning, containing .21 of an acre, more or less, sold and conveyed by Wm. E. Smith and wife, to the American Milling Company, by deed dated April 11, 1905 recorded in Deed Record No. 95 page 450.

Excepting the following described tract of land, to-wit:

Beginning at the northeast corner or Lot numbered 7 in George D. Nichols and Hattie J. Killen's Addition to the town of Linden; running thence north 75 feet; thence west about 253 feet to the east line of the right-of-way of the Chicago, Indianapolis and Louisville Railroad; thence in a southeasterly direction along the east line of said right-of-way, about 76 feet to the northwest corner of said lot numbered 7 above described thence east 245 feet to the place of beginning, sold and conveyed by Wm. E. Smith, unmarried to Ernest E. Allen by deed recorded September 13, 1946 in Deed Record 152 page 244.

Excepting the following described tracts of land, to-wit:

Beginning at the northeast corner of said section 7, and running thence south along the east line of said section 366.5 feet; thence west 528.5 feet to the middle of the Chicago, Indianapolis and Louisville Railroad; thence in a northwesterly direction along the middle of said railroad 370.7 feet to the north line of said section; thence east on the said north line 583.3 feet to the place of beginning, containing 4.68 acres, more or less.

Beginning at a point 559.3 feet south of the northeast corner of said section 7, and running west 498.3 feet to the middle of the Chicago, Indianapolis and Louisville Railroad; thence in a northwesterly direction along the middle of said railroad 195 feet; thence east 528.5 feet to the east line of said section 7; thence south along said east line 192.8 feet to the place of beginning, containing 2.27 acres, more or less, in Montgomery County, Indiana.

Except: Part of the east half of the northeast quarter of section 7, township 20 north, range 4 west, described as follows:

Beginning at a point 892.5 feet north of the southeast corner of said quarter section in the approximate centerline of US Route #2311 thence north (assumed bearing) with said centerline 589.4 feet; thence north 89 degrees 00' west, 388.7 feet to the centerline of the Chicago, Indianapolis and Louisville Railroad; thence southeasterly with said centerline 597.0 feet; thence easterly with a fence line 297.4 feet to the place of beginning, containing 4.56 acres more or less, and subject to all existing highway and railroad rights-of-way and easements of record.

Part of the east half of the northeast quarter of Section 7, Township 20 north, Range 4 West, described as follows:

Beginning at a point which is 76 feet North $8^{\circ} 20'$ west 213.74 feet, thence southeasterly along a 10° left curve to a point due east of the point of beginning thence west to the point of beginning, Said point of beginning and the west line of said above described tract being the east right-of-way line of the Chicago, Indianapolis and Louisville Railroad.

Also, an easement for utility purposes only over and upon the west 15 feet of the following described tract:

Part of the east half of the northeast quarter of Section 7, Township 20 North, Range 4 West, described as follows:

Beginning at the northeast corner of lot numbered 7, in George D. Nichols and Hattie J. Killen's Addition to the Town of Linden; running thence north 75 feet; thence west about 253 feet to the east line of the right of way of the Chicago, Indianapolis and Louisville Railroad; thence in a southeasterly direction along the east line of said right of way, about 76 feet to the northwest corner of said Lot numbered 7, above described, thence east 245 feet to the place of beginning, containing .51 of an acre, more or less, situate in Montgomery County, Indiana.

Part of the east half of the southwest quarter of section 8, township 20 north, range 4 west, described as follows:

Beginning 550.88 feet north and 386.3 feet west of the southeast corner of said east half and running thence north 156.12 feet; thence west 70 feet; thence south 156.12 feet; thence east 70 feet to the place of beginning, containing 0.251 of an acre, more or less.

Beginning 550.88 feet north and 456.3 feet west of the southeast corner of said east half and running thence north 156.12; thence west 65 feet; thence south 156.12 feet; thence east 65 feet to the place of beginning containing 0.233 of an acre, more or less.

All in Montgomery County, Indiana, subject to easements for utilities.

Part of the east half of the southwest quarter of section eight (8), township twenty (20) north, range four (4) west, described as follows:

Beginning 394.76 feet north of the southeast corner of said east half on the north line of Water Street in the town of Linden if extended east and running thence west 361.5 feet; thence south 361.5 feet to the place of beginning, containing 3 acres, more or less; in Montgomery County, Indiana.

Part of the east half of the southwest quarter of section 8, township 20 north, range 4 west, described as follows:

Beginning 394.76 feet north and 386.3 feet west of the southeast corner of said east half and running thence north 156.12 feet; thence west 70 feet; thence south 156.12 feet; thence east 70 feet to the place of beginning, in Montgomery County, Indiana, subject to an easement for utilities over the north 6 feet.

Part of the east half of the southwest quarter of section 8, township 20 north, range 4 west, described as follows:

Beginning 394.76 feet north and 456.3 feet west of the southeast corner of said east half and running thence north 156.12 feet; thence west 70 feet; thence south 156.12 feet; thence east 70 feet to the place of beginning, containing 0.251 of an acre, more or less, in Montgomery County, Indiana, subject to an easement for utilities.

Part of the east half of the southwest quarter of section 8, township 20 north, range 4 west, described as follows:

Beginning 184.76 feet north and 450.8 feet west of the southeast corner of said east half and running thence north 150 feet; thence west 75 feet; thence south 150 feet; thence east 75 feet to the place of beginning containing .258 of an acre, more or less, in Montgomery County, Indiana.

The East Half of part of the East Half of the Southwest Quarter of Section 8, Township 20 North, Range 4 West, described as follows:

Beginning 184.76 feet North and 375.8 feet West of the Southeast corner of said East Half and running thence North 150 feet; thence West 150 feet; thence South 150 feet; thence East 150 feet to the place of beginning, containing 0.258 of an acre, more or less, in Montgomery County, Indiana.

Part of the east half of the southwest quarter of Section Eight (8), Township Twenty (20) North, Range Four (4) West, Montgomery County, Indiana described as follows:

Beginning 184.76 feet north of the southeast corner of said east half and running thence north 150 feet; thence west 76.3 feet; thence south 150 feet; thence east 75.8 feet to the place of beginning, containing 0.262 acres, more or less. Subject to an easement for utilities and to highway right-of-way.

ALSO: Beginning 184.76 feet north and 75.8 feet west of the southeast corner of said east half and running thence north 150 feet; thence west 75 feet; thence south 150 feet; thence east 75 feet to the place of beginning, containing 0.258 acres, more or less. Subject to an easement for utilities.

Part of the east half of the southwest quarter of section 8 township 20 north, range 4 west, Montgomery County, Indiana, described as follows:

Beginning 150 feet west of the southeast corner of said east half and running thence north 184.76 feet; thence west 75 feet; thence south 184.76 feet; thence east 75 feet to the place of

beginning, containing 0.318 acres, more or less. Subject to an easement for utilities and to highway right of way.

Part of the east half of the Southwest quarter of Section Eight(8) Township Twenty (20) North, Range Four (4) West, Montgomery County, Indiana, described as follows:

Beginning at the southeast corner of said east half and running Thence north 184.76 feet; Thence west 75.8 feet; Thence South 184.76 feet; Thence east 75 feet to the place of beginning, containing 0.329 acres, more or less. Subject to an easement for utilities and to highway Right-of-Way.

Part of the east half of the Southwest quarter of Section Eight(8) Township Twenty (20) North, Range Four (4) West as follows:

Plat no. 26 Beginning 75 feet West of the Southwest corner of said east half and running Thence North 184.76 feet; Thence West 75 feet; Thence South 184.76 feet; Thence east 75 feet to the place of beginning, containing 0.318 acres more or less. Subject to an easement for utilities and to highway Right-of-Way.

Part of the east half of the southwest quarter of Section Eight (8), Township Twenty (20) North, Range Four (4) West, Montgomery County, Indiana, described as follows:

Beginning 225 feet west of the southeast corner of said east half and running thence north 184.76 feet; thence west 75 feet; thence south 184.76 feet; thence east 75 feet to the place of beginning, containing 0.318 acres, more or less. Subject to an easement for utilities and to highway right-of-way.

A plot of ground from Part of the west half of the southeast quarter of section eight (8), township twenty (20) north, range four (4) west, bounded as follows, to-wit:

Beginning at the southwest corner of the Southeast quarter of Section eight (8), township twenty (20) north, range four (4) west, running thence east seventy-five (75) feet, thence north one hundred fifty (150) feet, thence west seventy-five (75) feet, thence south one hundred fifty (150) feet to the place of beginning;

Part of the east half of the southwest quarter of section 8, township 20 north, range 4 west, described as follows:

Beginning 300 feet west of the southeast corner of said east half and running thence west 226.3 feet to the southeast corner of lands now owned by the Hazel Willhite herein; running thence north 184.76 feet; thence east 226.3 feet to a point 184.76 feet north of the place of beginning; thence south 184.76 feet to the place of beginning, in Montgomery County, Indiana.

EXCEPT: Beginning 300 feet west of the southeast corner of said east half and running thence west 75 feet; running thence north 184.76 feet; thence east 75 feet to a point 184/76 feet

north of the place of beginning thence south 184.76 feet to the place of beginning, in Montgomery County, Indiana.

Part of the east half of the southwest quarter of Section 8, Township 20 north, range 4 west, described as follows:

Beginning 300 feet west of the southeast corner of said east half and running thence west 75 feet; running thence north 184.76 feet; thence east 75 feet to a point 184.76 feet north of the place of beginning; thence south 184.76 feet to the place of beginning in Montgomery County, Indiana.

Part of the east half of the southwest quarter of section eight (8), township twenty (20) north, range four (4) west, described as follows:

Beginning 394.76 feet north of the southeast corner of said east half on the north line of Water Street in the town of Linden if extended east and running thence west 401.5 feet; thence north 361.5 feet; thence east 401.5 feet; thence south 361.5 feet to the place of beginning, in Montgomery County, Indiana.

All her right, title and interest in and to the following tract:

Part of the northeast quarter of the northwest quarter of section 17, township 20 north, range 4 west, of the second principal meridian, described as follows:

Beginning at an iron spike 822 feet west of the northeast corner of said northeast quarter of said northwest quarter and running thence south 0 degrees 29' east 317.0 feet to an iron pipe; thence east 150.0 feet to an iron pin; thence north 0 degrees 29' west 317.0 feet to an iron spike; thence west 150.0 feet to the place of beginning, containing 1.09 acres, more or less.

In trust, that such premises shall be held, kept and maintained as a place of residence for the use and occupancy of the ordained ministers of the United Methodist Church who may from time to time be entitled to occupy the same by appointment: subject the Discipline and usage of said Church as from time to time authorized and declared by the General Conference and the annual conference within whose bounds the said premises are situated. This provision is solely for the benefit of the grantee, and the grantor reserves no right or interest in said premises.

Subject to all right of ways, easements and restrictions of record.

Part of the northeast quarter of the northwest quarter of section 17, township 20 north, range 4 west in Montgomery County, Indiana, more particularly described as follows:

Beginning 1054.8 feet west of the northeast corner on the north line of said quarter-quarter section; thence south 0 degrees 29 minutes east 317.0 feet; thence east 232.8 feet; thence north 0 degrees 29 minutes west 317.0 feet to the north line; thence west with said north line 232.8 feet to the place of beginning. Containing 1.69 acres, more or less, and subject to all rights-of way and easements of record.

The east 150 feet of the following described tract:

Part of the northwest quarter of section 17, township 20 north, range 4 west, described as follows:

Beginning at a point 80 rods east of a point 20 feet south of the northwest corner of said section, running thence east 18 rods, thence south 18 rods, thence west 18 rods, thence north 18 rods to the place of beginning, containing 2 acres, more or less.

Part of the northwest quarter of section 17, township 20 north, range 4 west, described as follows:

Beginning at a point 80 rods east of a point 20 feet south of the northwest corner of said section; running thence east 18 rods, thence south 18 rods, thence west 18 rods, thence north 18 rods, to the place of beginning, containing 2 acres, more or less, except the east 150 feet, in Montgomery County, Indiana.

Land being a part of the Northwest Quarter of Section 17, Township 20 North, Range 4 West of the Second Principal Meridian in Madison Township, Montgomery County, Indiana, more particularly described as follows:

Commencing on the northern line of the Northwest Quarter of said Section 17, at a point that is South $89^{\circ} 42' 26''$ East a distance of 42.10 feet from the centerline of the CSX Railroad (formerly Louisville & Nashville Railroad and formerly Monon Railroad); thence South $0^{\circ} 07' 00''$ West along the centerline of State Road 43 and its northerly prolongation a distance of 1,349.12 feet to the Point of Beginning of the herein-described parcel, said point being also on the southern line of an 11.95-acre parcel conveyed to Tipmont Rural Electric Membership Corporation by Warranty Deed recorded February 23, 1978, in Deed Record 280, Page 397 in the Office of the Recorder of said County, thence North $89^{\circ} 28' 54''$ East along said southern line of Tipmont and its easterly prolongation 730.00 feet to said centerline; thence South $0^{\circ} 07' 00''$ West parallel with said southern line 730.00 feet to said centerline; thence North $0^{\circ} 07' 00''$ East along said centerline 400.00 feet to the Point of Beginning, containing 6.70 acres, more or less. Subject to the right-of-way for State Road 43 across the western 30 feet thereof; subject to rights-of-way, easements, and restrictions of record.

Basis of bearings is the centerline of State Road 43, shown as bearing North $0^{\circ} 07'$ East on plans for F.A. Project No. 191 Sec. A, Crawfordsville-Lafayette Toad, dated 1930.

Part of the northwest quarter of section seventeen (17), township twenty (20) north, range four (4) west, Montgomery County, Indiana, more particularly described as follows:

Beginning at a PK nail in the approximate center line of US Route 231, 42.10 feet south 89 degrees 42 minutes 26 seconds east and 1749.12 feet south 00 degrees 07 minutes 00 seconds west (basis of bearings/ record highway) of the point of intersection of the approximate center line of the CSX Railroad (formerly Louisville & Nashville Railroad) and the northern line of said

northwest quarter, thence north 89 degrees 28 minutes 54 seconds east for a distance of 730.00 feet to a 5/8" rebar; thence south 00 degrees 07 minutes 00 seconds west for a distance of 787.00 feet to a 5/8" rebar; thence south 89 degrees 28 minutes 54 seconds west for a distance of 730.00 feet to a PK nail in the approximate centerline of US Route 231; thence north 00 degrees 07 minutes 00 seconds east, generally following said approximate center line for a distance of 787.00 feet to the place of beginning, containing ????? acres, more or less.

Part of the east half of the southwest quarter of section 8, township 20 north, range 4 west, described as follows:

Beginning 394.76 feet north and 456.3 feet west of the southeast corner of said west half and running thence north 156.12 feet; thence west 70 feet; thence south 156.12 feet; thence east 70 feet to the place of beginning, containing 0.251 of an acre, more or less, in Montgomery County, Indiana, subject to an easement for utilities.

(B) That the Town of Linden is required by law to prepare and adopt a fiscal plan before undertaking the annexation of the contiguous and adjacent real estate.

(C) That the attached fiscal plan is hereby adopted and incorporated as a part of this Ordinance.

§30.02 JUNE 2003

(A) The following described real estate located in Montgomery County, Indiana, being contiguous and adjacent to the existing corporate limits of the Town of Linden, Indiana, be and the same is hereby annexed to said Town of Linden, Indiana, and included within its corporate boundaries, to-wit:

Part of the east half of the southwest quarter of section 8, township 20 north, range 4 west, described as follows:

Beginning at the northwest corner of Fred Bible's First Subdivision of Outlots to the town of Linden, recorded in Deed Record 163 page 476, of the Records of Montgomery County, Indiana, and running thence north 150 feet on the west boundary of a tract conveyed by these grantors to Donald Kunkel for a point of beginning; thence continuing north on the same line as extended 50 feet to a point; thence east parallel with the north line of said Fred Bible's First Subdivision of Outlots 187 1/2 feet; thence south parallel with the west line hereof 50 feet to a point; thence west 187 1/2 feet parallel with the north line hereof to the point of beginning.

Also a non-exclusive right of way and easement over the following described tract:

Beginning at the northeast corner of said above described real estate and running thence south 200 feet to the north line of Walnut Street extended east; thence

west 37 1/2 feet to Walnut Street; thence south 60 feet; thence east 75 feet; thence north 260 feet; thence west 37 1/2 feet to the place of beginning in Montgomery County, Indiana.

Seven and one-half (7 1/2) acres off the south side of the following described real estate:

Part of the west half of the northwest quarter of section 8, township 20 north, range 4 west described as follows:

Beginning at a point 7 links north of the southwest corner of said west half, said beginning point being on the north line of the right of way of the Toledo, St. Louis and Western Railroad Company, and running thence north 9.63 chains; thence east 20.10 chains to the east line of said west half; thence south 9.58 chains to the north line of the right of way of said Railroad Company, said point being 42 links north of the Southeast corner of said west half; thence west 13.635 chains; thence south 30 links with said right of way; thence west to the place of beginning, in Montgomery County, Madison Township, Indiana.

EXCEPT, Part of the west half of the northwest quarter of section 8, township 20 north, range 4 west of the second principal meridian, described as follows:

Beginning at an iron pipe at the southeast corner of the Second Northfield Addition to the Town of Linden, Indiana, and running thence south 1° 06' 22" East on the east boundary of said west half 238.86 feet to the north right-of-way of the Norfolk and Western Railway; thence south 88° 43' 43" west along said right-of-way 915.46 feet; thence south 1° 23' 00" east 261.03 feet to an iron pin; thence north 1° 23' 00" east 261.03 feet to an iron pin; thence north 88° 50' 58" East along the south boundary of said Northfield Addition 958.75 feet to the place of beginning, in Montgomery County, Indiana. (containing 5.33 acres, more or less)

ALSO EXCEPT, Part of the west half of the northwest quarter of Section 8, township 20 north, range 4 west, described as follows:

Beginning at a point 7 links north of the southwest corner of said west half; said beginning point being on the north line of the right-of-way of the Norfolk and Western Railway and the center line of U.S. 231; thence north 175.45 feet; thence east along an existing fence line 221.4 feet to a corner post; thence northerly 83.8 feet to an iron pin set; thence north 88° 50' 58" east 141.50 feet to an iron pin set; thence north 88° 50' 58" east 141.50 feet to an iron pin; thence south 1° 23' 00" west 261.03 feet to an iron pin on the north right-of-way line of the Norfolk and Western Railway; thence south 88° 52' 04" west along said right-of-way 356.22 feet to the point of beginning, in Montgomery County, Indiana, (containing 1.71 acres more or less) total of 46 acres. Part of the west half of the northwest quarter of section 8, township 20 north, range 4 west, described as follows:

Beginning at a point 7 links north of the southwest corner of said west half; said beginning point being on the north line of the right-of-way of the Norfolk and Western Railway and the center line of U.S. 231 ; thence north 175.45 feet; thence east along an existing fence line 22 1.4 feet to a corner post; thence northerly 83.8 feet to an iron pin set; thence north 88° 50' 58" east 141.50 feet to an iron pin; thence south 1° 23' 00" west 261.03 feet to an iron pin on the north right-of-way line of the Norfolk and Western Railway; thence south 88° 52' 04" west along said right-of-way 356.22 feet to the point of beginning, containing 1.71 acres, more or less, in Montgomery County, Indiana.

- (a) That the approximate number of acres in the territory to be annexed is four (4).
- (b) There are no special terms and conditions of this annexation under I.C. §36-4-3-8.
- (c) There are no real property tax abatements adopted under I.C. § 36-4-3-8.5.
- (d) That the above-described real estate shall be part of the legislative body district of the Town of Linden, Indiana.

§30.03 NOVEMBER 2008

The following described real estate located in Montgomery County, Indiana, being Contiguous and adjacent to the existing corporate limits of the Town of Linden, Indiana, be and the same is hereby annexed to said Town of Linden, Indiana, and included within its corporate boundaries. to-wit:

EAST SIDE OF ROAD:

Part or the northwest quarter and part of the southwest quarter of section 17, township 20 north, range 4 west, described as follows:

Commencing at a point south 00° 07' 00" east 2536.12 feet from the intersection of the south right of way line of the railroad and north section line of section 17 for a PLACE OF BEGINNING; said point being on the west line of said section and 42.10 feet west of the southwest corner of the Linden Kirkpatrick Methodist Church tract, see Instrument Number 9603794 feet to a place of beginning; thence south 00° 07' 00" east, 300.00 feet along the west line of said section to a point; thence north 89° 28' 54" east 772.1 feet to a point; thence north 00° 07' 00" west 300.00 feet to the southeast corner of said church tract; thence south 89° 28' 54" west along said south line of said church, 772.1 feet to the place of beginning.

WEST SIDE OF ROAD

Part of the northeast quarter of the southeast quarter of section 18, Township 20 north, range 4 west described as follows:

Beginning at the northeast corner of the northeast quarter of the southeast quarter of section 18; thence west on the north line of said northeast quarter southeast quarter; 300.00 feet; thence south parallel with the section line 724.64 feet to a point; thence east 300.00 feet to the section line; thence north along said east section line 724.64 feet to the place of beginning, containing 5.0 acres, more or less.