

TO BE ENTERED FOR TAXATION  
SUBJECT TO FINAL ACCEPTANCE  
FOR TRANSFER 1-23-90  
NOT TAXABLE  
HAS ALREADY BEEN LISTED  
FOR TAXATION

ORDINANCE NO. 1989- 9

AN ORDINANCE FOR THE ANNEXATION  
OF CERTAIN CONTIGUOUS TERRITORY

Thomas M. A. Smith  
DECATUR COUNTY AUDITOR

WHEREAS, Indiana Code 36-4-3-1, et seq. authorizes a town to annex territory that is contiguous to it; and

WHEREAS, the real estate described in this ordinance is contiguous to the boundary of the Town of Westport;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Westport, Indiana:

- Section 1. The land in Exhibit A attached to and made a part of this ordinance is hereby annexed to and declared a part of the Town of Westport.
- Section 2. The boundaries of the Town of Westport are hereby declared to be extended to include all of the real estate described in Exhibit A.

Approved and adopted this 9 day of October, 1989.



James Parish  
James Parish

Terry Graud  
Terry Graud

Ned Faulkner  
Ned Faulkner

Attest:  
Barbara Hayden  
Barbara Hayden, Clerk-Treasurer

Received for Record  
This 23 day of Jan 19 90  
at 10:45 o'clock A. M. and  
recorded in Record No 51 Page 852-856  
Beverly A. Steins  
DECATUR COUNTY RECORDER

WESTPORT TOWN LIMITS SURVEY  
 Sand Creek Township  
 Sections 36-9-8 and 31-9-9  
 Job #89-97 8/30/89

page 2

DESCRIPTION OF PROPOSED AREA TO BE  
 ANNEXED INTO THE TOWN OF WESTPORT:

Part of the Northeast Quarter of Section 36, Township 9 North, Range 8 East and part of the Northwest Quarter of Section 31, Township 9 North, Range 9 East, in Sand Creek Township, Decatur County, Indiana, described as follows:

Beginning at the northeast corner of Section 36, Township 9 North, Range 8 East, at a Decatur County Section Corner Monument; thence South 86-48-23 West (basis of bearings- the north-south section line between Sections 31 and 36 as established assumed N 00-00-00 E), along the north boundary of Section 36, 209.03 feet to a 3/4 inch rebar set; thence South 00-00-00 East, 416.06 feet to a 3/4 inch rebar set; thence South 90-00-00 East, 25.17 feet to a 3/4 inch rebar set; thence South 00-23-22 West, 1674.08 feet to a 3/4 inch pipe found on the north boundary of Northgate Addition; thence North 86-58-58 East, along the north boundary of Northgate Addition, 149.48 feet to a 1/2 inch pipe found on the west right-of-way line of State Road #3; thence South 00-23-22 West; along the west right-of-way line of State Road #3 and the east boundary of Northgate Addition, 592.60 feet to a railroad spike set on the south boundary of the Northeast Quarter of Section 36; thence North 87-01-50 East, along the south line of said quarter section, 49.73 feet to a railroad spike set at the southeast corner of the Northeast Quarter of Section 36 (said spike being S 00-00-00 W, 2683.89 feet from the NE Corner of Section 36); thence South 00-00-00 West, along the west boundary of Section 31, 96.16 feet to a railroad spike set at the southwest corner of the Northwest Quarter of Section 31; thence North 87-24-43 East, along the south boundary of the Northwest Quarter of Section 31, 470.17 feet to a 1/2 inch rebar found; thence North 00-21-46 East, 368.01 feet to a 1/2 inch rebar found; thence North 00-25-54 East, 185.98 feet to a 1/2 inch rebar found; thence North 00-03-21 West; 1682.63 feet to a 1/2 inch rebar found; thence North 00-23-20 West; 46.51 feet to a 1/2 inch rebar found; thence North 00-21-36 West; 467.08 feet to a 1/2 inch rebar found on the north boundary of Section 31; thence South 87-40-19 West, along the north boundary of Section 31, 468.58 feet to a Decatur County Section Corner Monument found at the northwest corner of Section 31; thence North 00-00-00 East, along the east boundary of Section 36, 27.65 feet to the point of beginning, containing 39.72 acres of which 9.92 acres are in Section 36-9-8 and 29.80 acres are in Section 31-9-9.

REV: Area in Section 36-9-8 changed from 29.90 to 29.8 on 1/18/90  
 JKG

## WESTPORT TOWN LIMITS SURVEY

Sand Creek Township

Sections 36-9-8 and 31-9-9

Job #89-97 8/30/89

SURVEYOR'S REPORT

Purpose: The purpose of the survey was to establish the boundaries and prepare a description for a proposed annexation by the Town of Westport of additional land north of Westport.

Technical Report:

In accordance with Title 864, Article 1.1, Chapter 13, Section 1 through 34 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- a) Random Errors in Measurement (Theoretical Uncertainty);
- b) Variances in the reference monuments;
- c) Discrepancies in the record description and plats;
- d) Inconsistencies in lines of occupation;

The Theoretical Uncertainty: (due to random errors in measurement) of the corners of the subject tract established in this survey is within the specifications for a Class D Survey (plus or minus 1.00 foot) as defined in IAC 864. All boundary points to be set and measurements shown meet this specification.

Variances in Reference Monuments:

Please note that the basis of monumentation of the north-south section line between Sections 31 and 36 is based upon a established section line. This line was established by running in a line from the SW Corner of Section 31 (same as the SE Corner of Section 36) at a PK Nail found at the intersection of Main and Range Streets in Westport to found Section corners at the NW Corner of Section 31 and the NE Corner of Section 36. Some previous surveys in the vicinity used the centerline of State Road #3 as the Section Line. This was not a bad assumption and was logical prior to the advent of modern equipment which allows for easier measuring of long distances. However, it was not correct and to add to the problem, State Road #3 curves near the north end of the subject tract. The section corner monumentation at the north end of the tract was not available to prior surveyors. Since they are now in place, and their purpose was for steady monumentation, they have been used in the establishment of the section line. To summarize, the section line established does not follow the centerline of State Road #3.

The prior surveys and descriptions stand as they are and will not need to be changed. Most of the existing descriptions note that the centerline of State Road #3 was assumed to be the section line and thus, in that case the centerline of State Road #3 is the boundary. The "back" boundary of said properties will remain the same. And for practical purposes, the property owners do not enjoy the use of the

WESTPORT TOWN LIMITS SURVEY  
Sand Creek Township  
Sections 36-9-8 and 31-9-9  
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SURVEYOR'S REPORT (cont.)

Land contained in the State Road #3 Right-of-Way.

The SE Corner of the NE1/4 of Section 36 was established by intersecting the south line of said quarter as defined in the plat of the Northgate Addition with the north-south section line. This corner is 9.56 feet east of the centerline of State Road #3.

The SW Corner of the NW1/4 of Section 31 was established by intersecting the south line of said quarter as established by found survey points and fencelines with the north-south section line. This corner is 9.87 feet east of the centerline of State Road #3.

The west boundary of the six lots on the west side of State Road #3 is parallel with the centerline of State Road #3. Since this line is consistent, it was extended north to the Wiggam Property.

Many reference monuments were found to document the boundaries of the properties involved they are shown on the page #1 drawing. The existing markers when found were measured to and checked. All of the monuments found were used in the description.

Inconsistencies in Lines of Occupation: None found relative to the boundaries established in this survey.


Discrepancies in Record Descriptions and Plats: The Book and Page numbers for the Gault Property seem to be in error.

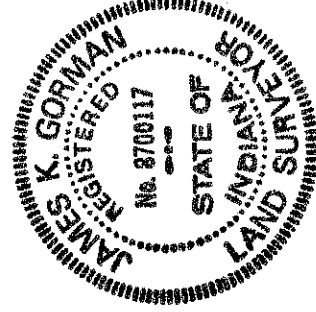
The description of the Smith Property (B.130, P.972) appears to include an area south of the quarter section line. This is not consistent with the land use or with the understanding of the boundary in a brief conversation with the owner.

These were problems noted by the surveyor and do not appear to effect the result of the survey since this survey was for the Town Boundary.

Certificate of Survey

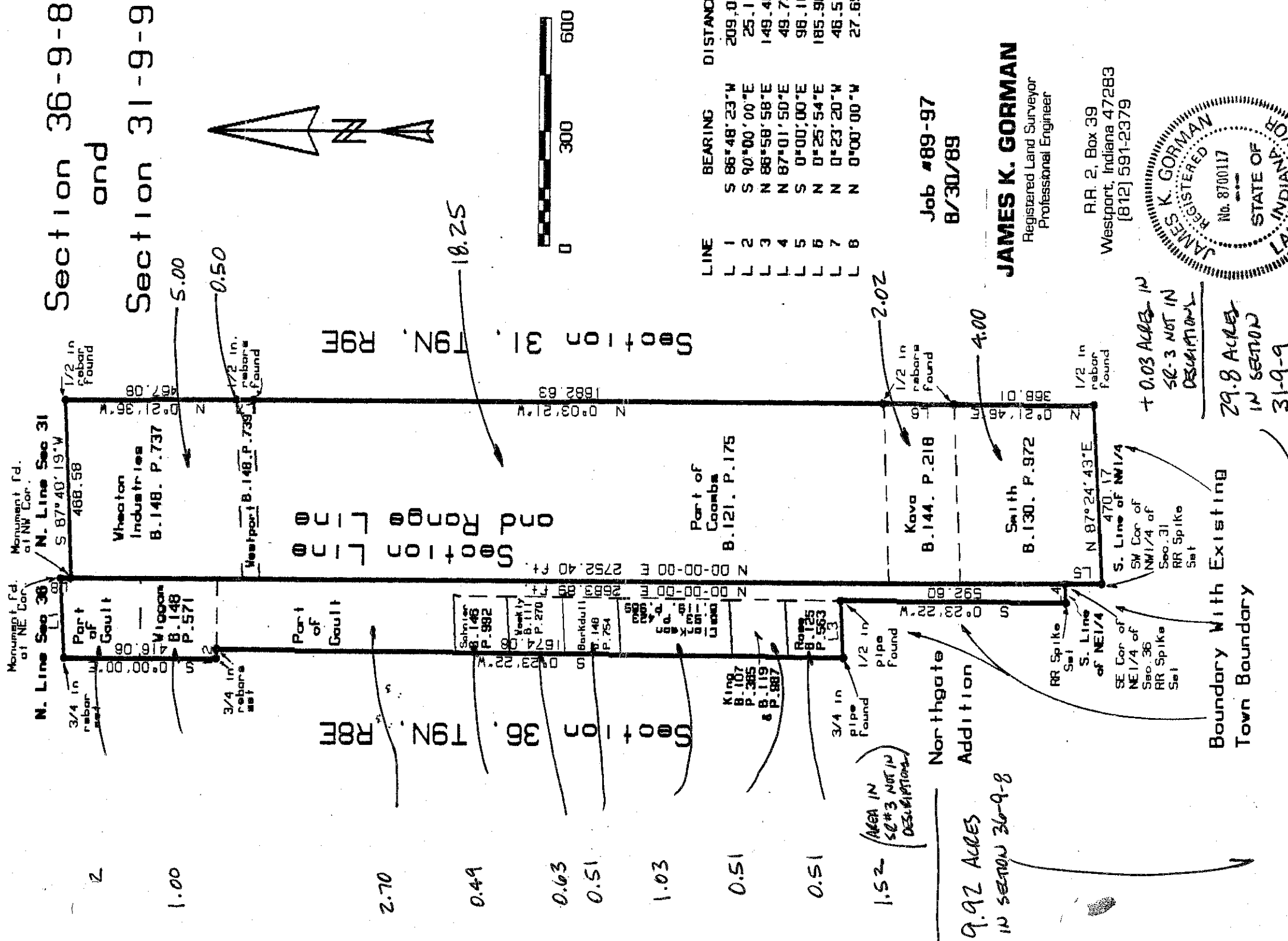
I hereby certify that to the best of my information, knowledge and belief, the within drawing and description represent a survey completed by me on 08/30/89.

  
James K. Gorman, RLS #8700117

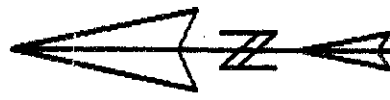


# WESTPORT TOWN LIMITS SURVEY

## Sand Creek Township



Section 36-9-8  
and  
Section 31-9-9

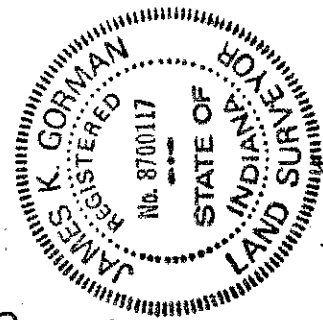


| LINE | BEARING      | DISTANCE |
|------|--------------|----------|
| L 1  | S 86°48'23"W | 209.03   |
| L 2  | S 90°00'00"E | 25.17    |
| L 3  | N 86°58'58"E | 149.48   |
| L 4  | N 87°01'50"E | 49.73    |
| L 5  | S 0°00'00"E  | 98.16    |
| L 6  | N 0°25'54"E  | 185.98   |
| L 7  | N 0°23'20"W  | 46.51    |
| L 8  | N 0°00'00"W  | 27.65    |

Job #89-97  
8/30/89

**JAMES K. GORMAN**  
Registered Land Surveyor  
Professional Engineer

R.R. 2, Box 39  
Westport, Indiana 47283  
[812] 591-2379



*James K. Gorman*

+ 0.03 ACRES IN  
SE-3 NOT IN  
DESCRIPTION  
29.8 ACRES  
IN SECTION  
31-9-9

9.92 ACRES  
IN SECTION 36-9-8

39.72 ACRES  
TOTAL

JKG