

BILL NO. R-12-02-20

ANNEXATION RESOLUTION NO. R-_____

**A RESOLUTION of the Common Council setting forth the
policy of the City in regard to the Winnsboro Pass
Voluntary Annexation.**

WHEREAS, the annexation of territory to the City of Fort Wayne is a legislative function; and

WHEREAS, the Common Council of the City of Fort Wayne is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City, including newly annexed areas; and

WHEREAS, the Common Council of the City of Fort Wayne has before it an Ordinance for the annexation of the Winnsboro Pass Voluntary Annexation Area, more specifically described as follows, to-wit:

Part of the South Half of the Northwest Quarter of Section 32, Township 32 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at a 5/8-inch rebar [Tazian cap] set at the intersection of the Northerly right-of-way line of Winnsboro pass and the Easterly right-of-way line of Lima Road (State Road #3), this being a Westerly corner of Windsor Woods, Section V, as recorded in Plat Cabinet "B", page 106 in the Office of the Recorder of Allen Count, Indiana; hence North 01 degrees 09 minutes 30 seconds West (South 01 degrees 07 minutes East plat), along the apparent Easterly right-of-way line of Lima Road (State Road #3) as established by Indian Project "S" 419 (4) 1959, 503.22 feet to a found concrete right-of-way monument; thence Northwesterly, continuing along said Easterly right-of-way line, as defined by a curve to the left having a radius of 9628.30 feet, an arc distance of 150.27 feet, being subtended by a long chord having a length of 150.27 feet and bearing North 01 degrees 36 minutes 20 seconds West to the point of intersection of said Easterly right-of-way line with the Westerly projection of the Southerly line of Holly Ridge, Section I, as recorded in Plat Cabinet "B", page 182 in the Office of the Recorder of Allen County, Indiana [1/2 inch rebar found 0.25 feet West of point]; thence North 88 degrees 17 minutes 55 seconds East, along the Southerly line of said Holly Ridge, Section I, 607.87 feet to a set 5/8-inch

1 rebar [Tazian cap] at the Northwest corner of the aforesaid Windsor Woods,
2 Section V; thence Southerly and Westerly, along the boundary line of said
3 Windsor Woods, Section V, on the following courses and distances:

4 South 01 degrees 07 minutes 00 seconds East, 676.82 feet (677.55
5 feet plat) to a set 5/8-inch rebar [Tazian cap]; thence South 88 degrees 02
6 minutes 45 seconds West, 224.41 feet to a set 5/8-inch rebar [Tazian cap];
7 thence South 88 degrees 11 minutes 00 seconds West, 79.11 feet to a set
8 5/8-inch rebar [Tazian cap]; thence North 79 degrees 07 minutes 00 seconds
9 West, 48.48 feet to a set 5/8-inch rebar [Tazian cap] at the point of curvature
10 of a curve to the left having a radius of 515.72 feet; thence Northwesterly,
11 along said curve, an arc distance of 109.01 feet, being subtended by a long
12 chord having length of 107.81 feet and bearing of North 85 degrees 07
13 minutes 00 seconds West to a set 5/8-inch rebar [Tazian cap] at the point of
14 tangency; thence South 88 degrees 53 minutes 00 seconds West and
15 tangent to said curve, 150.08 feet (150.0 feet plat) to the Point of Beginning,
16 containing 9.30 acres of land, more or less, subject to a preserve area as
17 recorded in Document Number 95-003019, subject to an I. & M. (Indiana &
18 Michigan) easement as recorded in Document Number 88-18384, and
19 subject to and/or together with all easements of record.

20 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMOM**
21 **COUNCIL OF THE CITY FORT WAYNE, INDIANA:**

22 SECTION 1. That in the case of the Winnsboro Pass Voluntary
23 Annexation Area, it is the policy of the City of Fort Wayne to follow the
24 provisions of Section 38.02 of the City of Fort Wayne, Indiana, Cod of
25 Ordinances, with regards to the provision of non-capital and capital services
26 to the annexation area.

27 SECTION 2: That it is the policy of the City of Fort Wayne to follow the
28 annexation's FISCAL PLAN for said described territory, as prepared by the
29 Division of Community Development, which is incorporated herein. Two
30 copies of said FISCAL PLAN are on file in the office of the Clerk of the City of
Fort Wayne and are available for public inspection as required by law.

SECTION 3. That said FISCAL PLAN sets forth cost estimates of the
services to be provided, the methods of financing these services, the plan for
the organization and extension of these services, delineates the non-capital
improvement services to be provided within one (1) year of the annexation,

1 and the capital improvement services to be provided within three (3) years of
2 the annexation effective date, April.16, 2012.

3 SECTION 4. That, after adoption and any and all necessary approval
4 by the Mayor , this RESOLUTION to adopt the said FISCAL PLAN for the
5 Winnsboro Pass Voluntary Annexation shall be in full force and effect.

6
7 _____
8 Council Member

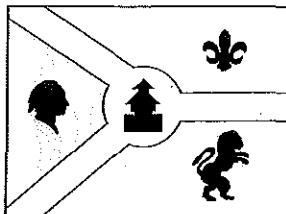
9
10 APPROVED AS TO FORM AND LEGALITY

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12 _____
13 Carol Helton, City Attorney
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WINNSBORO PASS VOLUNTARY ANNEXATION

FISCAL PLAN



CITY OF FORT WAYNE, IN
Mayor Tom Henry

DIVISION OF COMMUNITY DEVELOPMENT
January 2012

WINNSBORO PASS VOLUNTARY ANNEXATION

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SECTION ONE

BASIC DATA

A. LOCATION

The proposed Winnsboro Pass Voluntary Annexation area is bounded on the west by Lima Road (*also known as State Road 3*), Windsor Woods (Sec. 5) subdivision on the east, and Winnsboro Pass roadway on the south. These three borders are all currently the City limits. The north side of this proposed area is a single-family residential county subdivision named Holly Ridge (Sec. 1). Land use in this area is currently vacant but surrounded predominately by residential with commercial and office space; and planned light commercial development. The annexation is located in Section 32 of Perry Township, and the Northwest Allen County School District in Allen County, Indiana.

B. SIZE

According to recorded plats and deeds in the Allen County Auditor's office, and Survey No. 2005-1-49A, the Winnsboro Pass Voluntary Annexation area contains approximately **9.3** acres.

C. POPULATION

The current population of the Winnsboro Pass Voluntary Annexation area is zero (0) persons. Based on existing zoning, proposed future rezoning and proposed subsequent development, the area will not be built with residential housing.

D. BUILDINGS

Table 1. Type and Number of Buildings

TYPE	CURRENTLY	PROJECTED
Single-Family Residences	0	0
Commercial/Industrial Buildings	0	4-6*
Agricultural Buildings	0	0
Total	0	4-6

* It should be noted that since the area is currently zoned for agricultural use, any commercial development would require a rezoning approval. The projected 4-6 commercial buildings are based on preliminary, conceptual plans from the owner of the property.



E. PATTERNS OF LAND USE

Table 2. Land Use Acreages and Percentages

LAND USE	ACRES	PERCENT
Agriculture	0	0
Undeveloped/Vacant	9.3	100
Single-Family Residential	0	0
Right-of-Way	0	0
Total	9.3	100%

F. ZONING

The property is currently zoned Agricultural (A-1), which converts to Low Intensity Residential (AR) effective immediately upon annexation. (See *Map 2*) It should be noted that the owner of the property is considering rezoning the area for commercial use.

Table 3. Applicable City and County Zoning Classifications

Previous County Zoning Classification	Current City Zoning Classification
<i>A-1 Agricultural</i>	<i>AR Low Intensity Residential</i>

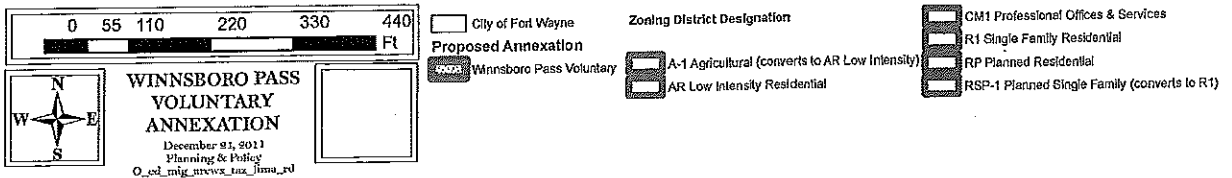
G. TOPOGRAPHY

With reference to the United States Department of Agriculture's *Allen County Soil Survey, 1969*, the Winnsboro Pass Voluntary Annexation area contains the following soils: Miami black clay loam (Mb) sands, and gravel. It has been determined by using the U.S. Geological Survey maps that this area has deep, well drained, nearly level to moderately sloping, medium textured and moderately coarse textured soils on stream terraces and beach ridges. The elevation ranges are from 844'-866' above sea level; in an area that is not in a Special Flood Hazard Area (SFHA) as determined by the National Flood Insurance Program (NFIP).

H. ASSESSMENT

The current total assessed value for the proposed Winnsboro Pass Voluntary Annexation area is **\$60,700**. This amount was derived from the Allen County Assessor's Office, and the Allen County/City of Fort Wayne's Digital UNIX System as of November 1, 2011.

WINNSBORO PASS Voluntary Annexation ZONING



MAP 2.

I. NET TAX RATE

Table 4. Net Tax Rate* Conversions

TAXING DISTRICT	EXISTING NET RATE	RATE AFTER ANNEXATION	CHANGE IN RATE	PERCENT CHANGE
Perry	2.3227			
FW Perry		3.6386	1.3159	56.65

*Tax Rates 2011 payable 2012

J. COUNCIL DISTRICT

The Winnsboro Pass Voluntary Annexation area will be in Fort Wayne City Council District 3; subject to any later statutorily required reapportionment. Although non-residential is planned, registered voters inhabiting the proposed area in the future would be able to vote for three (3) at-large council members for the City of Fort Wayne as well as the 3rd District council-member.

SECTION TWO

A. INTRODUCTION

Since its incorporation, the City of Fort Wayne has been annexing land adjacent to its corporate limits. Winnsboro Pass Voluntary Annexation is a logical continuance of this policy.

This Fiscal Plan, which is required by Indiana Code, details how the Winnsboro Pass Voluntary Annexation area meets the state law requirements for annexation. This plan will also give basic data regarding the area, describe the services which will be furnished to the area upon annexation to the City, and summarizes the fiscal impact of annexation upon the City.

The proposed annexation area is approximately nine (9) acres in size and is currently vacant with no population or buildings. It is located on the north side of the City. The owner of the two (2) parcels in the proposed area has petitioned for a *voluntary annexation*, as per state law.

B. STATE STATUTE

When Indiana municipalities annex property, they must satisfy one of two conditions established to ensure that the land is urban in character. These two conditions are:

1. The area is at least 1/8 contiguous, the density of the territory is at least three persons/acre; 60% of the territory is subdivided; or the territory is zoned commercial, industrial, or business OR
2. the territory is contiguous, except that at least one-fourth (1/4) rather than one-eighth (1/8) of the boundary must coincide with municipal boundaries; and the land is needed and can be used by the municipality for its development in the reasonably near future.

Indiana annexation requires municipalities to prepare fiscal plans prior to annexation. The purpose of a fiscal plan is to document that the municipality has the capacity to deliver all services within the time frame State of Indiana Advisory Commission on Intergovernmental Relations specified by statute (capital within three years and non-capital within one year). The annexation statute does not provide detailed criteria for the contents or analyses in a fiscal plan, and the fiscal plans prepared by municipalities to meet the requirements of the law vary considerably.

Indiana code (IC 36-4-3-13) requires courts to order proposed annexations if, among other items, the municipality has written and adopted a fiscal plan by resolution as of the date of passage of the annexation ordinance. The resolution must show:

1. Cost estimates of planned services,
2. Method or methods of financing the services,
3. Plan to organize and extend the services,

4. That non-capital services including (but not limited to) police and fire protection and street and road maintenance will be provided within one year in a manner equivalent in standard and scope to services provided elsewhere,
5. That capital services, including (but not limited to) street construction, street lighting, sewer facilities, water facilities, and storm water drainage facilities, will be provided within three years in a manner equivalent in standard and scope to services provided elsewhere, and
6. Plan for hiring employees of other governmental entities whose jobs will be eliminated by the proposed annexation, although the municipality is not required to hire any employees.

The purpose of the requirements for fiscal plans is not to make sure that all economic factors are taken into account. For example, plans do not attempt to measure the economic value of improvements in public health that occur when municipal utilities are extended to reduce pollution from failing septic systems and to provide clean drinking water. From an economic perspective, therefore, the requirement for a fiscal plan is not the same as a requirement for a complete accounting or a benefit-cost analysis.

Indiana Code (IC 36-4-3) describes the requirements for annexation. The following describe the Indiana Statutes that apply to voluntary annexation.

IC 36-4-3-5.1

Petitions signed by 100% of landowners

Sec. 5.1. (a) This section applies to an annexation in which owners of land located outside but contiguous to a municipality file a petition with the legislative body of the municipality:

- (1) requesting an ordinance annexing the area described in the petition; and
- (2) signed by one hundred percent (100%) of the landowners that reside within the territory that is proposed to be annexed.

(b) Sections 2.1 and 2.2 of this chapter do not apply to an annexation under this section.

(c) The petition circulated by the landowners must include on each page where signatures are affixed a heading that is substantially similar to the following:

"PETITION FOR ANNEXATION INTO THE (insert whether city or town) OF (insert name of city or town)." **In this case it would read, "Petition for Annexation into the City of Fort Wayne"*

(d) The municipality may:

- (1) adopt an annexation ordinance annexing the territory; and
- (2) adopt a fiscal plan and establish a definite policy by resolution of the legislative body; after the legislative body has held a public hearing on the proposed annexation.

(e) The municipality may introduce and hold the public hearing on the annexation ordinance not later than thirty (30) days after the petition is filed with the legislative body. Notice of the public hearing may be published one (1) time in accordance with IC 5-3-1 at least twenty (20) days before the hearing. All interested parties must have the opportunity to testify at the hearing as to the proposed annexation.

(f) The municipality may adopt the annexation ordinance not earlier than fourteen (14) days after the public hearing under subsection (e).

(g) A landowner may withdraw the landowner's signature from the petition not more than

thirteen (13) days after the municipality adopts the fiscal plan by providing written notice to the office of the clerk of the municipality. If a landowner withdraws the landowner's signature, the petition shall automatically be considered a voluntary petition that is filed with the legislative body under section 5 of this chapter, fourteen (14) days after the date the fiscal plan is adopted. All provisions applicable to a petition initiated under section 5 of this chapter apply to the petition.

(h) If the municipality does not adopt an annexation ordinance within sixty (60) days after the landowners file the petition with the legislative body, the landowners may file a duplicate petition with the circuit or superior court of a county in which the territory is located. The court shall determine whether the annexation shall take place as set forth in section 5 of this chapter.

(i) **A remonstrance under section 11 of this chapter may not be filed.** However, an appeal under section 15.5 of this chapter may be filed. *(The complaint must state that the reason the annexation should not take place is that the territory sought to be annexed is not contiguous to the annexing municipality.)*

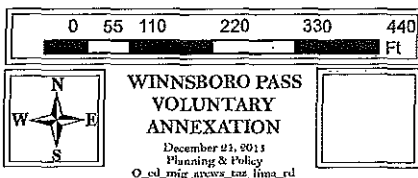
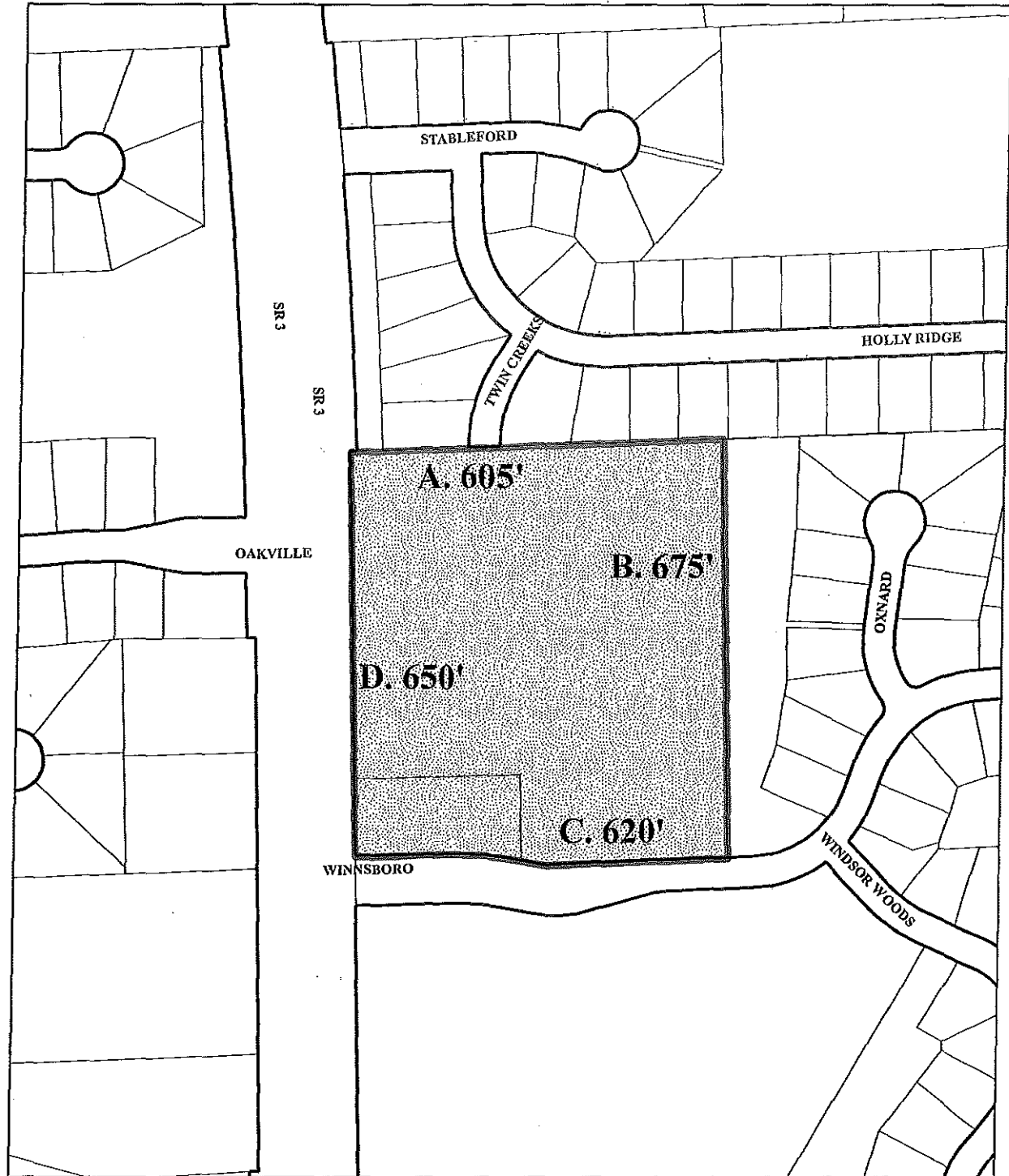
(j) In the absence of an appeal under section 15.5 of this chapter, an annexation ordinance adopted under this section takes effect not less than thirty (30) days after the adoption of the ordinance and upon the filing and recording of the ordinance under section 22 of this chapter.

NOTE: It should be noted that it is the policy of the City of Fort Wayne to provide non-capital services to a newly annexed area immediately upon the annexation effective date.

C. CONCLUSION

The City of Fort Wayne may annex the Winnsboro Pass Voluntary Annexation area for the reason that it meets the aforementioned annexation criteria established by the State Statute, i.e., the **petition was signed by 100% of the owner(s)** of property in the area, and is **more than 1/8 contiguous (12.5%)** to the City of Fort Wayne.

WINNSBORO PASS Voluntary Annexation CONTIGUITY



City of Fort Wayne
Proposed Annexation
Winnsboro Pass Voluntary

Non Contiguous Segment
A. 605 ft
Contiguous Segment
B. 675 ft
C. 620 ft
D. 650 ft
Total 1.945 ft or 76% Contiguity

MAP 3.

SECTION THREE

MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the Winnsboro Pass Voluntary Annexation area. The plan also describes how and when the City plans to extend services that are non-capital and capital in nature. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in provision of services and financing of it, in an equitable manner.

The municipal services described in this section are analyzed according to the needs of the Winnsboro Pass Voluntary Annexation area, the costs of providing services, and funding sources. It should be noted that the costs of providing municipal services have been rounded off to the nearest dollar and are calculated at today's dollar value. In addition, costs to provide municipal services to the Winnsboro Pass Voluntary Annexation area will be inflated for the *standard* cost of living based on present value in the Financial Summary Section, which follows this section.

As required by state law, the annexation area will receive planned services of non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries regardless of topography, patterns of land use, and population density immediately upon annexation, and services of a capital nature within three (3) years after the effective date of annexation.

A. POLICE DEPARTMENT

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work and protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order, and provides educational and technical assistance in the area of crime prevention and neighborhood services.

The Fort Wayne Police Department is a full-service agency and will provide routine uniform patrol, the follow-up investigation of any crime that may occur in the area, crime prevention outreach as needed, and community-based services related to quality of life issues. Due to the projected low number of calls in this area, law enforcement services can be provided to the Winnsboro Pass Voluntary Annexation area by absorbing calls into the existing workload. Funding for police services in the annexation area will be derived primarily from local property taxes through the General Fund.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing fire protection services to the Winnsboro Pass Voluntary Annexation area immediately upon annexation. This annexation area will receive full Fort Wayne Fire Department services. The services provided include fire protection and suppression, emergency rescue, fire prevention and inspection, EMS support to response on life hazards, hydrant maintenance, and public education.

Regardless of future development, the Fort Wayne Fire Department would not have to add any additional personnel or equipment. If the area is developed with "offices and professional spaces", the number of emergency responses would be negligible so any additional operating expenses would be minimal and absorbed into the current budget.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

C. EMERGENCY MEDICAL SERVICE (EMS)

Currently, Three Rivers Ambulance Authority (TRAA) provides ambulance service for the city of Fort Wayne. Properties in the Winnsboro Pass Voluntary Annexation area would receive full advanced life support ambulance service immediately following annexation.

A number of ambulances are stationed throughout the City 24 hours a day. Upon receiving a request for service from the annexation area, the ambulance closest to the area would be dispatched to the annexation area. For some emergencies, Fire Stations #15 and #16 would provide extra assistance.

This service to the annexation area would remain unchanged. The method of financing emergency medical services is based on user fees. The charges for ambulance service are shown in Table 5.

Table 5: EMS Fees

Service	Fee
Advanced Life Support Emergency (ALS) Base	\$1,294 plus \$16 per loaded mile
Basic Life Support Emergency (ALS) Base	\$1,294 plus \$16 per loaded mile
Advanced Life Support non-Emergency (ALS) Base	\$1,038 plus \$16 per loaded mile
Basic Life Support non-Emergency (BLS) Base	\$1,038 plus \$16 per loaded mile

Emergency/Non-Emergency Mileage	\$16 per loaded mile
Emergency, paramedic assistance	\$1,294
Response, treat and no transport	\$379 flat fee

CAPITAL COSTS:	\$	0
ESTIMATED ANNUAL COSTS:	\$	0

D. SOLID WASTE DISPOSAL

The City of Fort Wayne Solid Waste Department provides oversight and manages contracts for residential garbage and curbside recycling collections within the City of Fort Wayne. Currently, National Serv-All provides residential garbage (including yard waste), and recycling collection. City trash collection occurs weekly and recycling collection occurs every other week. These services are currently paid for through an \$11.00 per month garbage/recycling user fee per single-family household, and \$2,200 for buildings with two (2) to four (4) units. Commercial and industrial locations and institutions such as schools, churches and non-profits, as well as residential buildings with more than four (4) units will not receive City Solid Waste services. Pick-up day for this area is currently on Monday, and is in the "A" week in the event that recycling services become available for commercial development. All costs for Solid Waste services are funded by user fees.

The Solid Waste Department also provides other programs. These programs include the City's popular "Great American Clean-Up", participation in the annual "Earth Day" festival, backyard composting and assistance in neighborhood clean-up efforts as well other numerous activities. The Solid Waste Fund, contributions, and grants fund these supplementary programs.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

E. TRAFFIC ENGINEERING

The City's Traffic Engineering Department will assume responsibility for traffic control in the Winnsboro Pass Voluntary Annexation area immediately upon the effective date of annexation. Some of the services that could be provided by the department are surveys and investigations of

traffic conditions and problems. The department also provides installation and maintenance of traffic control devices such as stoplights, control signs, and fire alarm systems.

The City's Traffic Engineering Department will not require any additional signage or personnel to perform its services in the Winnsboro Pass Voluntary Annexation area. The City of Fort Wayne Sign Shop will maintain all regulatory signs and street signs, no parking, etc. in the area. There is no signal equipment in the area. Future funding sources will likely come from property taxes and Local Roads and Streets (LR&S) funds. Services in this area would be covered by normal routine maintenance and would have no impact on existing budgets.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

F. STREETS AND ROADS

The Fort Wayne Street Department will be responsible for the general maintenance of all of the streets in the annexation area immediately after the effective date of annexation. General maintenance includes snow and ice removal, street sweeping, minor ditch maintenance, right-of-way mowing, leaf pick-up, guardrail repair, and surface maintenance. The Street Department will also provide engineering services and construction supervision for all streets, alleys, and sidewalks that will be constructed within the proposed annexation area. Due to the lack of any built streets in the proposed area, there will be no costs incurred by the Fort Wayne Street Department.

In the year 2012, Transportation Engineering Services will provide engineering support and design services to improve the roadway infrastructure, as the need for improvement is determined in detail. Transportation Engineering Services will also provide a survey of the pavement condition and other infrastructure information, however none exist currently. The petition process for street and road improvements may be made to the City as well.

Streets inside the proposed development will be constructed by the developer and are generally maintenance-free for the first five (5) years. After this time, collected revenues from property taxes will offset the City's cost.

Transportation Engineering staffing costs for the proposed annexation area is estimated to be \$0 annually. The source of funding for street maintenance is the Street Department's budget, which is composed of funds from the Motor Vehicle Highway (MVH) program. The Transportation Engineering Department funds come from MVH and Local Roads and Streets (LR&S) programs.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

G. PARKS AND RECREATION

Residents of the proposed Winnsboro Pass Voluntary Annexation area will have access to city park facilities such as swimming pools, ball diamonds, picnic areas, golf courses, indoor and outdoor skating. Other recreational activities including day camp, athletic leagues, youth sports, senior citizen activities, special events, cultural arts, and instructional programs are currently available to all City residents. Most of these services are offered on a fee-for-service basis, with non-residents paying a higher fee. Once annexed, the residents of the Winnsboro Pass Voluntary Annexation area would pay the resident fee.

The Board of Park Commissioners has adopted a FAIR SHARE policy for non-resident users of Fort Wayne Parks and Recreation Department facilities. City residents, through their property taxes, make a significant financial contribution to the operation of the park system, whether they use City Parks or not. The FAIR SHARE concept is intended to apportion an equalizing fee to our non-resident participants so they contribute to the overall financing of the Department on an equitable basis with our residents. Therefore, non-residents currently pay an additional 20% above the price for residents.

At the time of annexation, a street tree survey would be done to determine how many street trees would be needed, if any, only if curbs and sidewalks exist. The cost to the homeowner per tree planted is \$30. Various budgets, such as CDBG or CEDIT, may be used to fund the cost of this project. As there will be no residential development, there are no capital or annual operating expenses that would require additional costs to the Parks & Recreation Department.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

H. WATER

No public Water Utility capital improvements are scheduled for this area at this time. Public water mains are available to the area via direct connection to the north and south property line or via a public or private water main extension onto and within the site. Such a connection or extension would be driven by development of the real estate and would be completed at the cost of the developer. The developer/property owner would be subject to all other development-related fees, etc. where applicable by Fort Wayne City Utilities.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

I. FIRE HYDRANTS

The current rate City Utilities charges the Civil City for maintenance of fire hydrants is approximately \$375 per hydrant per year. Currently, the Winnsboro Pass Voluntary Annexation

area contains zero (0) fire hydrants. The annual maintenance for the hydrants will be greatly offset by additional assessed value in the area.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

J. SANITARY SEWERS

Property owners inside the City who do not have access to sewer can submit a petition to the Board of Public Works requesting sanitary sewer service. In this case, the City would manage the design and construction of the sewer.

Property owners could also undertake a sanitary sewer extension project through the private developer process by submitting sanitary sewer extension plans prepared and sealed by a professional engineer to City Utilities for review and approval. Once plans are approved, the property owners would hire a contractor to install the sewer. The property owner would then be subject to all development-related fees, capacity allocation schedules, etc. that are applied by Fort Wayne City Utilities.

There are currently no improvements (homes or other building structures) existing in the Winnsboro Pass Voluntary Annexation area in which to provide sanitary sewer service. Sanitary sewer service is available to the area via direct connection to the existing sewer at the south property line of the area or via public or private sanitary sewer extension onto and within the site. Cost for this extension would be paid for by private funds.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

K. STORMWATER SEWERS

There does not appear to be any public (city or county-owned) stormwater drainage facilities located within the proposed annexation area at this time. Development of this site will require the construction/installation of stormwater management facilities. Any constructed stormwater facilities may be private or public but in either case would be installed at the cost of the developer

CAPITAL COSTS:	\$	0
ESTIMATED ANNUAL COST:	\$	0

L. STREET LIGHTING

It is the goal of the City of Fort Wayne Street Lighting Department to light every unlit intersection within the City limits to reduce night accidents, facilitate traffic flow, aid police protection, and inspire community spirit and growth. Therefore, the City will maintain and pay energy costs for existing lights and add lights to unlit intersections. There are presently three (3) streetlights near the annexation area at Lima Road already maintained by the City, with the probability of several being installed by the developer after annexation. No additional services or staff will be needed for this annexation. City of Fort Wayne Street Lighting would then assume maintenance of these lights.

CAPITAL COSTS:	\$	0
ESTIMATED ANNUAL COST:	\$	0

M. ANIMAL CONTROL

The Fort Wayne Department of Animal Care & Control (FWACC) will provide full field, sheltering, and community outreach services to the proposed Winnsboro Pass Voluntary Annexation area. FWACC currently shelters animals delivered by citizens or by the Allen County Police Department from this area. Processing of animal bite cases for the Allen County Department of Health is already provided for this area as well. All field services or other services not currently being provided by contract will commence immediately upon the effective date of annexation. The services this department will provide, include, but are not limited to; the sheltering of stray animals, response to animal complaints and emergencies, 24-hour service (seven days a week, 365 days a year), canvassing for unconfined strays, trap rental, pet adoption, neighbor complaints, administration of the State Health Codes, and a humane education program.

It was determined by the Department of Animal Care & Control that the projected operating cost per year would total \$0, which includes the cost to handle animals, calls for service, and fuel. This negligible cost for service is due to lack of residential units in the territory to be annexed.

CAPITAL COST:	\$	0
ESTIMATED ANNUAL COST:	\$	0

N. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the Winnsboro Pass Voluntary Annexation area immediately upon the date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Barrett Law process, and many others. General administration includes all of the regulatory and program

functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of such services cannot be directly related to the size and population of an area. Therefore, this plan does not include cost estimates. Expansion of administrative functions occurs as necessary to support the entire City's needs. Funding comes from a variety of sources including the General Fund and State and Federal Governments.

CAPITAL COSTS:	\$	0
ESTIMATED ANNUAL COSTS:	\$	0

O. NEIGHBORHOOD CODE ENFORCEMENT

Until the property is developed, there would be little if any interaction with the proposed site and Neighborhood Code Enforcement (NCE). Upon development, the City would be available to promote compliance of Minimum Housing or Minimum Standards, the City's Weed Ordinance, and the Abandoned Vehicle Ordinance. Neighborhood Code services will be provided to residents and/or commercial buildings immediately upon the effective date of the annexation. This annexation would not have an impact on the current level of service. This annexation area lies within NCE's District 11 and would easily be absorbed within their daily workflow without any additional costs.

CAPITAL COSTS:	\$	0
ESTIMATED ANNUAL COSTS:	\$	0

P. LIABILITY FOR TOWNSHIP DEBT

If the township from which the City of Fort Wayne annexes territory is indebted or has outstanding unpaid bonds or other obligations at the time of annexation, the City of Fort Wayne shall be liable for and pay that indebtedness in the same ratio as the assessed valuation of the property in the annexed territory bears to the assessed valuation of property in the township, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the municipality is already liable for the indebtedness.

The City of Fort Wayne shall pay the township executive for the indebtedness of the township as outlined above. If the indebtedness consists of outstanding unpaid bonds or notes of the township, the payments to the executive shall be made as the principal or interest on the bonds or notes becomes due.

The Department of Local Government Finance (DLGF), along with Perry Township (Allen County, Indiana Auditor's Office) indicated that there is no outstanding debt for the township as of September 22, 2011.

CAPITAL COSTS:	\$	0
ESTIMATED ANNUAL COSTS:	\$	0

SECTION FOUR

FINANCIAL SUMMARY AND RECOMMENDATION

A: REVENUES

Property taxes are the primary source of revenue that would be received from the Winnsboro Pass Voluntary Annexation. Property taxes are computed from the gross assessed valuation of the area and can be obtained from the township Offices of the Perry Township Assessor. Property taxes represent a property owner's portion of the local government's budgeted spending for the previous year. Increases or decreases depend upon a local government's fiscal management, the assessed valuation of a property and/or local tax rates, which are based on the budget proposals submitted by local governments taxing entities that provide services to each community.

To calculate an individual's property tax bill, the county official takes the tax rate multiplied by the assessed value after all deductions are subtracted, and after all state credits (homestead and property tax replacement credits) are applied. Tax rates are determined by dividing the estimated amount of funds to be raised by the local unit of government by the net assessed value of all property in a county, minus the applicable deductions.

The formula for computing tax revenue is shown in the following table:

Table 6: Tax Revenue Formula

$\frac{V-E}{100}(T) = TR$	
Where:	
V =	Assessed Valuation
E =	Home Mortgage (Y) and Homestead Exemptions (X)
T =	City Tax Rate
TR =	Tax Return

X = Either 60% of assessed valuation or \$45,000, whichever is less

Y = The deduction is either one half of your assessed valuations or \$3,000, whichever is less

The total assessed valuation of the Winnsboro Pass Voluntary Annexation is currently \$60,700. However, the proposed annexation area is likely to further develop as a result of the current petition for voluntary annexation and likely rezoning. The annexation area, which is currently located in the **PERRY 57** taxing district, will be subject to the **FORT WAYNE PERRY 91** district rate upon annexation.

To calculate the revenue that will be generated from the annexation, the first step is to deduct the Home Mortgage and Homestead (if applicable) exemptions from the total assessed value in the area.

Property tax for 2011 payable 2012 (2012 payable 2013 has not been calculated) can be determined by applying the existing Fort Wayne Perry rate to the assessed value from Table 7 giving a total tax estimate of \$1,821 in 2011 dollars.

This annexation will not enable the City to receive additional revenue from the Motor Vehicle Highway (MVH) fund and from the Local Roads and Street (LR&S) Funds. These funds are allocated based on the City's total population and road mileage. The projected revenues will be determined based on an average of past MVH and LR&S distributions. The projected population figure of zero (0) persons and existing roadway mileage of zero (0) miles would be used to calculate the additional revenues the City expects to generate.

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant (CDBG), the Cigarette Tax, the County Option Income Tax (COIT), the County Economic Development Income Tax (CEDIT), and the Alcoholic Beverage Tax. Some of these grants and funds are based in part on the City's population. This annexation is not expected to impact revenue from CDBG because it will not be developed with residential land-use.

Table 7. Taxing District Rate Fort Wayne-Perry District

Tax Item	Rate-FW/ Perry
County	0.5155
Township	0.0055
School	1.5043
Airport	0.0447
Library	0.1985
Citilink	0.0552
City & Special	1.3149
Redevelopment General	0.0000
Gross District Rate	3.6386

B. EXPENDITURES

Expenditures from the Municipal Services section are summarized in Table 8. Capital costs are one-time expenditures, while annual operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, capital improvement projects, such as construction of streets and sidewalks, must follow routine City procedures that often require petitioning. Table 8 details the costs (in 2011 dollars) that will be incurred by each department subsequent to the annexation of the Winnsboro Pass Voluntary Annexation area to the nearest \$1.

Table 8. Expenditures

Department	Capital Cost	Annual Cost
Police	\$0	\$0
Fire	\$0	\$0
EMS	\$0	\$0
Solid Waste Disposal	\$0	\$0
Traffic Engineering	\$0	\$0
Streets & Roads	\$0	\$0
Parks & Recreation	\$0	\$0
Water	\$0	\$0
Fire Hydrants	\$0	\$0
Sanitary Sewer	\$0	\$0
Storm Sewers	\$0	\$0
Street Lighting*	\$0	\$0
Animal Control	\$0	\$0
Administrative Services	\$0	\$0
Neighborhood Code	\$0	\$0
TOTAL	\$0	\$0

*Streetlights could be a second OR third year cost but may be designated as an initial expense.

C. FIVE YEAR SUMMARY

The five-year summary shows projected expenditures compared with the tax revenues expected in the Winnsboro Pass Voluntary Annexation area for the first five years after it is incorporated into the City of Fort Wayne. The summary reflects a three (3%) percent inflation factor for capital and operating costs, and a three (3%) percent increase factor for City revenues for each of the five years.

The amount of taxes is dependent upon the effective annexation date and the cut-off date established by the Allen County Auditor's Office for the assessment of properties.

Partial property tax revenue from the annexation area will be collected in 2012. Assuming the area's effective date of annexation of mid-April, 2012, only limited property taxes; approximately eight (8) months, would be collected at the City rate. Assuming \$1,821 is full year property tax revenue; only two thirds^a would be collected. Table 9 details the revenues minus the expenses for the Winnsboro Pass Voluntary Annexation area for a 5-year period.

Table 9. *Revenues Minus Expenses

Year	Expenditures Operating & Capital	Property Tax Revenue	Balance
2012	0	1,075 ^a	1,075
2013	0	1,875	1,875
2014	0	1,931	1,931
2015	0	1,981	1,981
2016	0	2,040	2,040
TOTAL	\$0	\$8,902	\$8,902

*It should be noted that this projection chart is based on the absence of development. However, the current assessed value and current services that will be provided, will be offset in the future upon full development. The property taxes collected will more than compensate the costs of services based on previous annexations in this immediate area.

D. RECOMMENDATION

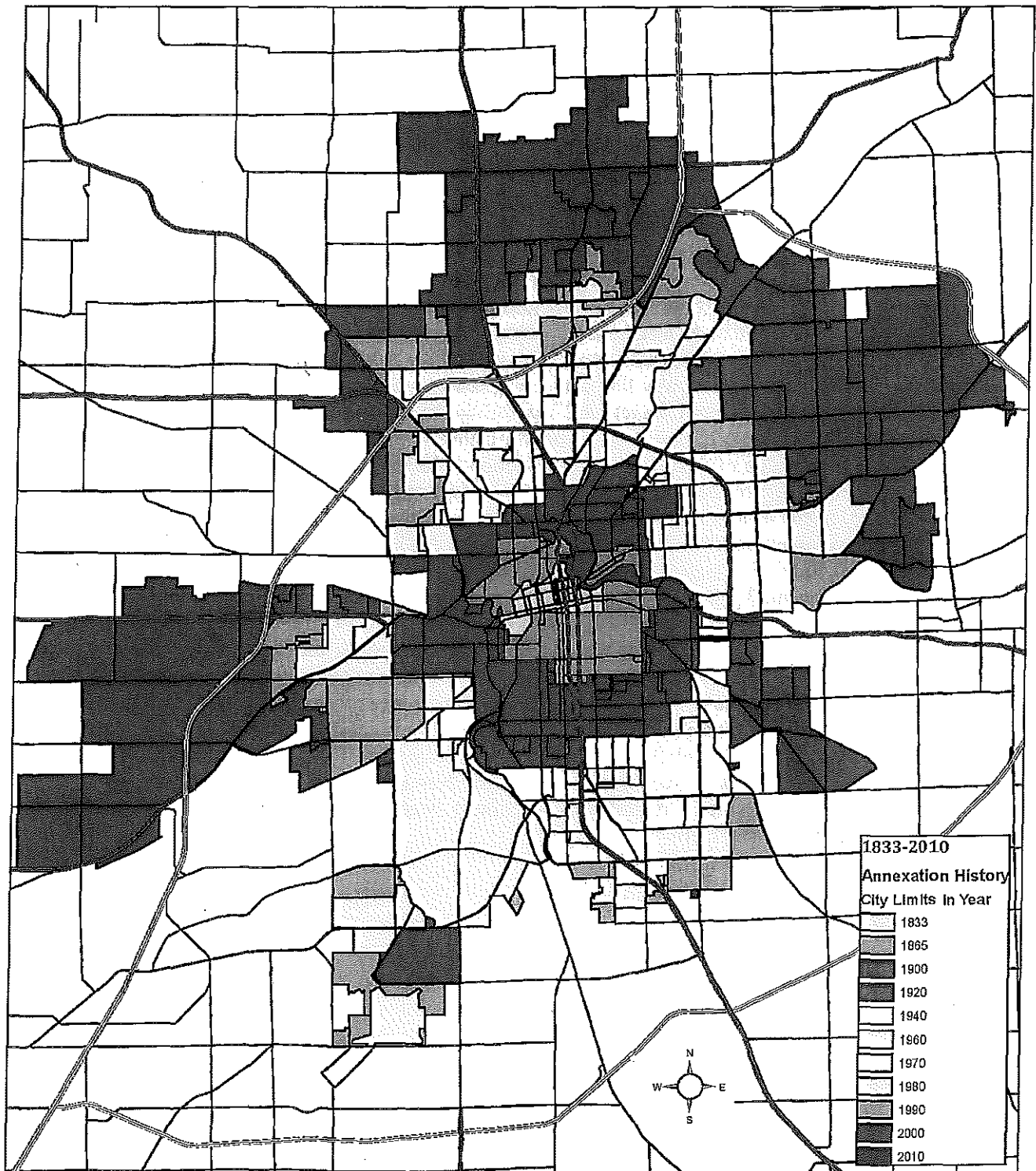
This Fiscal Plan, which meets the statutory requirements of the State of Indiana regarding the preparation of a fiscal plan, illustrates that the Winnsboro Pass Voluntary Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after passage of the annexation ordinance and its approval by the Mayor, the City of Fort Wayne should annex this area within 30 days after the publication of the annexation ordinance.

**Appendix: WINNSBORO PASS VOLUNTARY ANNEXATION
LEGAL DESCRIPTION**

Part of the South Half of the Northwest Quarter of Section 32, Township 32 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at a 5/8-inch rebar [Tazian cap] set at the intersection of the Northerly right-of-way line of Winnsboro pass and the Easterly right-of-way line of Lima Road (State Road #3), this being a Westerly corner of Windsor Woods, Section V, as recorded in Plat Cabinet "B", page 106 in the Office of the Recorder of Allen County, Indiana; hence North 01 degrees 09 minutes 30 seconds West (South 01 degrees 07 minutes East plat), along the apparent Easterly right-of-way line of Lima Road (State Road #3) as established by Indian Project "S" 419 (4) 1959, 503.22 feet to a found concrete right-of-way monument; thence Northwesterly, continuing along said Easterly right-of-way line, as defined by a curve to the left having a radius of 9628.30 feet, an arc distance of 150.27 feet, being subtended by a long chord having a length of 150.27 feet and bearing North 01 degrees 36 minutes 20 seconds West to the point of intersection of said Easterly right-of-way line with the Westerly projection of the Southerly line of Holly Ridge, Section I, as recorded in Plat Cabinet "B", page 182 in the Office of the Recorder of Allen County, Indiana [1/2 inch rebar found 0.25 feet West of point]; thence North 88 degrees 17 minutes 55 seconds East, along the Southerly line of said Holly Ridge, Section I, 607.87 feet to a set 5/8-inch rebar [Tazian cap] at the Northwest corner of the aforesaid Windsor Woods, Section V; thence Southerly and Westerly, along the boundary line of said Windsor Woods, Section V, on the following courses and distances: South 01 degrees 07 minutes 00 seconds East, 676.82 feet (677.55 feet plat) to a set 5/8-inch rebar [Tazian cap]; thence South 88 degrees 02 minutes 45 seconds West, 224.41 feet to a set 5/8-inch rebar [Tazian cap]; thence South 88 degrees 11 minutes 00 seconds West, 79.11 feet to a set 5/8-inch rebar [Tazian cap]; thence North 79 degrees 07 minutes 00 seconds West, 48.48 feet to a set 5/8-inch rebar [Tazian cap] at the point of curvature of a curve to the left having a radius of 515.72 feet; thence Northwesterly, along said curve, an arc distance of 109.01 feet, being subtended by a long chord having length of 107.81 feet and bearing of North 85 degrees 07 minutes 00 seconds West to a set 5/8-inch rebar [Tazian cap] at the point of tangency; thence South 88 degrees 53 minutes 00 seconds West and tangent to said curve, 150.08 feet (150.0 feet plat) to the Point of Beginning, containing 9.30 acres of land, more or less, subject to a preserve area as recorded in Document Number 95-003019, subject to an I. & M. (Indiana & Michigan) easement as recorded in Document Number 88-18384, and subject to and/or together with all easements of record.

CITY OF FORT WAYNE ANNEXATION HISTORY



0 0.5 1 2 3 4 5 Miles

MAP 4.



MEMO

Planning & Policy

To: City of Fort Wayne Law Department

From: Dennis Donahue, Fort Wayne Planning & Policy

Date: February 22, 2012

Subject: Winnsboro Pass Voluntary Annexation

Attached is the fiscal plan for the Winnsboro Pass Voluntary Annexation for which a Public Hearing will be held on February 28, 2012. Other significant dates regarding this annexation, as verified by the City Clerk's Office, are as follows:

Fiscal Plan Resolution Introduction	2/28/12
Resolution Discussion	3/06/12
Resolution Passage	3/13/12
Annexation Ordinance Introduction	3/27/12
Ordinance Discussion	4/03/12
Ordinance Passage	4/10/12

Members of the Planning & Policy staff will be present at the February 28th City Council meeting during the public hearing/resolution introduction to present the plan and answer any questions you may have regarding this annexation.

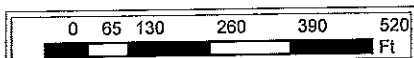
The proposed annexation area is approximately 9.3 acres. The area's land use is currently vacant, with zero residents and zero structures. The present assessed value of the area is \$60,700. The expected net revenue is \$8,902 during the first five years after annexation. The proposed effective date, based on mayoral signature, is April 16, 2012. City taxes would be first payable in 2012.

The petitioner is requesting an annexation of the properties in this area in order to seek a rezoning that will permit the development for preferred use, and to receive City services. The petitioner also owns the property just south of the proposed annexation area (as shown), and this would best suit planning needs for the contiguous parcels.

Services in this area would entail minimal costs, and will have no impact on existing departmental budgets. The attached fiscal plan meets or exceeds state requirement to document that the municipality has the capacity to deliver all services, and to provide cost analysis for these services.

If you have any questions, please feel free to call me at 4272141.

WINNSBORO PASS Voluntary Annexation LOCATION



**WINNSBORO PASS
VOLUNTARY
ANNEXATION**

December 31, 2011
Planning & Policy
O_ed_mlg_arowa_tor_lima_rd

- City of Fort Wayne
- Proposed Annexation
- Winnsboro Pass Voluntary
- Petitioner's Property