

BILL NO. X- 12-03-17

ANNEXATION ORDINANCE NO. X-_____

An ORDINANCE annexing certain territory commonly known as the Winnsboro Pass Voluntary Annexation to Fort Wayne and including the same Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory is and the same is hereby annexed to, and made part of, the corporation of the City of Fort Wayne, Indiana 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 rebar [Tazian cap] at the Northwest corner of the aforesaid Windsor Woods,

1 Section V; thence Southerly and Westerly, along the boundary line of said
2 Windsor Woods, Section V, on the following courses and distances:

3 South 01 degrees 07 minutes 00 seconds East, 676.82 feet (677.55
4 feet plat) to a set 5/8-inch rebar [Tazian cap]; thence South 88 degrees 02
5 minutes 45 seconds West, 224.41 feet to a set 5/8-inch rebar [Tazian cap];
6 thence South 88 degrees 11 minutes 00 seconds West, 79.11 feet to a set
7 5/8-inch rebar [Tazian cap]; thence North 79 degrees 07 minutes 00 seconds
8 West, 48.48 feet to a set 5/8-inch rebar [Tazian cap] at the point of curvature
9 of a curve to the left having a radius of 515.72 feet; thence Northwesterly,
10 along said curve, an arc distance of 109.01 feet, being subtended by a long
11 chord having length of 107.81 feet and bearing of North 85 degrees 07
12 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.

13 SECTION 2. That the City of Fort Wayne will furnish the above
14 described territory within a period of one (1) year from the effective date of
15 annexation, planned services of a non-capital nature, including police and fire
16 protection, and street and road maintenance, in a manner which is equivalent
17 in standard and scope to those non-capital services provided to the areas
18 within the City of Fort Wayne regardless of topography, patterns of land-use,
19 and population density to the said described territory. The City of Fort
20 Wayne will also provide services of capital improvement nature, including
21 street construction, street lighting, and storm water drainage facilities to the
22 annexed territory within three (3) years of the effective date of annexation, in
23 the same manner as such services are provided to areas already in the City
24 of Fort Wayne regardless of topography, patterns of land-use, and population
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1 density and in a manner consistent with federal, state and local laws,
2 procedures and planning criteria.

3 SECTION 3. That governmental and proprietary services will be
4 provided to the above described territory in a manner consistent with the
5 written Fiscal Plan for the territory developed by the Fort Wayne Department
6 of Planning and Policy. Said Plan was examined by the Common Council of
7 the City of Fort Wayne and has been approved and adopted by the Common
8 Council. Two copies of said plan are on file in the office of the Clerk of the
9 City of Fort Wayne and are available for inspection as required by law.
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11 SECTION 4. That said described territory shall be temporarily
12 assigned to Councilmanic Political Ward No. 3 of the City of Fort Wayne,
13 Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal
14 Code of the City of Fort Wayne, Indiana of 1974, as amended. This
15 assignment is subject to redistricting pursuant to Indiana Code 36-4-6-3 (g).
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17 SECTION 5. That the municipality has established and adopted a
18 resolution approving the written Fiscal Plan.
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20 SECTION 6. That notification has been sent to all landowners in the
21 territory proposed to be annexed under and in accordance with Indiana Code
22 36-4-3-2.2.
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SECTION 7. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in Indiana Code 36-4-3-7. The above-mentioned territory shall become part of the City of Fort Wayne on April 16, 2012.

COUNCIL MEMBER

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney