

1 BILL NO. X-14-10-12

2 ANNEXATION ORDINANCE NO. X-_____

3 **An ORDINANCE annexing certain territory commonly known**
4 **as the U.S. 30 West – C Supervoluntary Annexation to Fort**
5 **Wayne and including the same Councilmanic District No. 3.**

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

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9 SECTION 1. That the following described territory is and the same is
10 hereby annexed to, and made part of, the corporation of the City of Fort Wayne,
11 Indiana to-wit:

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13 Part of the Southwest Quarter of Section 18 (road right-of-way, only), part of
14 the Southeast Quarter of Section 18 (road right-of-way, only), also part of the
15 fractional Northwest Quarter of Section 19, part of the Northwest Quarter of the
16 Northeast Quarter of Section 19, and part of the fractional Southwest Quarter of
17 Section 19, Township 31 North, Range 12 East, Washington Civil Township, also
18 part of the Northeast Quarter of Section 24 (road right-of-way, only), and part of the
19 Southeast Quarter of Section 24 (road right-of-way, only), Township 31 North,
20 Range 11 East, Lake Civil Township, Second Principal Meridian, Allen County,
21 Indiana, more particularly described as follows:

22 Beginning at the intersection of the south line of the Northwest Quarter of the
23 Northeast Quarter of the aforesaid Section 19 with the west line of Kruse
24 Homestead Addition according to the plat thereof as recorded in Plat Book 25, page
25 144, in the Office of the Recorder of Allen County, Indiana, thence Westerly along
26 the aforesaid line, also being along the north line of the territory described in the
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1 "U.S. 30 West – A" annexation ordinance, a distance of 1,322 feet, more or less, to
2 the southwest corner of the aforesaid Northwest Quarter of the Northeast Quarter of
3 Section 19; thence continuing Westerly along the north line of the South Half of the
4 fractional Northwest Quarter of the aforesaid Section 19, also being along the north
5 line of the territory described in the "U.S. 30 West – B" annexation ordinance, a
6 distance of 860 feet; thence Southerly, parallel with the east line of the aforesaid
7 fractional Northwest Quarter, along a west line of the territory described in the "U.S.
8 30 West – B" annexation ordinance, into the right-of-way of U.S. Highway 30
9 (Indiana State Highway F Project No. 870(13) Columbia City-Fort Wayne Road,
10 1959), a distance of 1,201 feet, more or less, to the south line of the aforesaid
11 fractional Northwest Quarter, also being the north line of the fractional Southwest
12 Quarter of the aforesaid Section 19; thence continuing Southerly, through the right-
13 of-way of the aforesaid U.S. Highway 30, parallel with the east line of the aforesaid
14 fractional Southwest Quarter, along a west line of the territory described in "U.S. 30
15 West – B" annexation ordinance, a distance of 100 feet, more or less, to the south
16 right-of-way of the aforesaid U.S. Highway 30; thence Westerly along the aforesaid
17 south right-of-way and the westerly projection of the aforesaid right-of-way, a
18 distance of 1,493 feet, more or less, to the southerly projection of the west right-of-
19 way of Flaugh Road; thence Northerly along the aforesaid projection, through and
20 into the right-of-way of the aforesaid U.S. Highway 30, and along the aforesaid west
21 right-of-way of Flaugh Road, a distance of 2,633 feet, more or less, to the north line
22 of the Northeast Quarter of Section 24, Township 31 North, Range 11 East; thence
23 Easterly along the aforesaid north line, and the north line of the fractional Northwest
24 Quarter of the aforesaid Section 19, into and through the right-of-way of Flaugh
25 Road, a distance of 32 feet, more or less, to the east right-of-way of Flaugh Road;
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1 thence continuing Easterly along the north line of the aforesaid fractional Northwest
2 Quarter, and the centerline of the right-of-way Washington Center Road, a distance
3 of 995 feet, more or less, to the southwest corner of a parcel of land conveyed to
4 Paul F. Schmidt, Trustee of the Paul F. Schmidt Revocable Trust U/A by a deed
5 recorded as Document Number 2008054455 in the office of the aforesaid recorder;
6 thence Northerly along the west line of said Schmidt parcel, a distance of 55 feet,
7 more or less, to the north right-of-way of the aforesaid road; thence Easterly along
8 said north right-of-way, a distance of 1,232 feet, more or less, to the point of
9 intersection with the northerly projection of the west line of a parcel of land
10 conveyed to Jean L. Markey, Trustee of the Jean L. Markey Revocable Living Trust
11 by a deed recorded as Document Number 2008052555 in the office of the aforesaid
12 recorder; thence Southerly into the aforesaid right-of-way, along the aforesaid
13 projection, a distance of 48 feet, more or less, to the northwest corner of the
14 aforesaid Markey parcel of land, also being the north line of the Northeast Quarter of
15 the aforesaid Section 19; thence continuing Southerly, through said right-of-way,
16 along the west line of the aforesaid Markey parcel, a distance of 400 feet (recorded
17 per the aforesaid Document Number 2008052555) to the southwest corner of the
18 aforesaid Markey parcel; thence Easterly along the south line of said Markey parcel,
19 a distance of 514.41 feet (recorded per the aforesaid Document Number
20 2008052555), more or less, to the west line of the aforesaid Kruse Homestead
21 Addition; thence Southerly along the aforesaid west line, a distance of 928 feet,
22 more or less, to the point of beginning, containing 101 acres of land, more or less.
23 (See Map 1 Attached)

1 SECTION 2. That a petition for annexation has been received by 100% of
2 property owners in the territory proposed to be annexed in accordance with Indiana
3 Code 36-4-3-5.1.
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5 SECTION 3. That the municipality has established and adopted a
6 resolution approving the written Fiscal Plan.
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8 SECTION 4. That a public hearing has been advertised and held in
9 accordance with IC 36-4-3-5.1.
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11 SECTION 5. That the City of Fort Wayne will furnish the above described
12 territory within a period of one (1) year from the effective date of annexation,
13 planned services of a non-capital nature, including police and fire protection, and
14 street and road maintenance, in a manner which is equivalent in standard and
15 scope to those non-capital services provided to the areas within the City of Fort
16 Wayne regardless of topography, patterns of land-use, and population density to the
17 said described territory. The City of Fort Wayne will also provide services of capital
18 improvement nature, to the annexed territory within three (3) years of the effective
19 date of annexation, in the same manner as such services are provided to areas
20 already in the City of Fort Wayne regardless of topography, patterns of land-use,
21 and population density and in a manner consistent with federal, state and local laws,
22 procedures and planning criteria.
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25 SECTION 6. That governmental and proprietary services will be provided to
26 the above described territory in a manner consistent with the written Fiscal Plan for
27 the territory. Said Plan was examined by the Common Council of the City of Fort
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Wayne and has been approved and adopted by the Common Council. Two copies of said plan are on file in the Office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 7. That said described territory shall be temporarily assigned to City Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 32.02(A)(3) of the City of Fort Wayne Code of Ordinances. This assignment is subject to redistricting.

SECTION 8. 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. In the absence of appeal under I.C. 36-4-3-15.5, the above mentioned territory shall become part of the City of Fort Wayne on January 29, 2015.

COUNCIL MEMBER

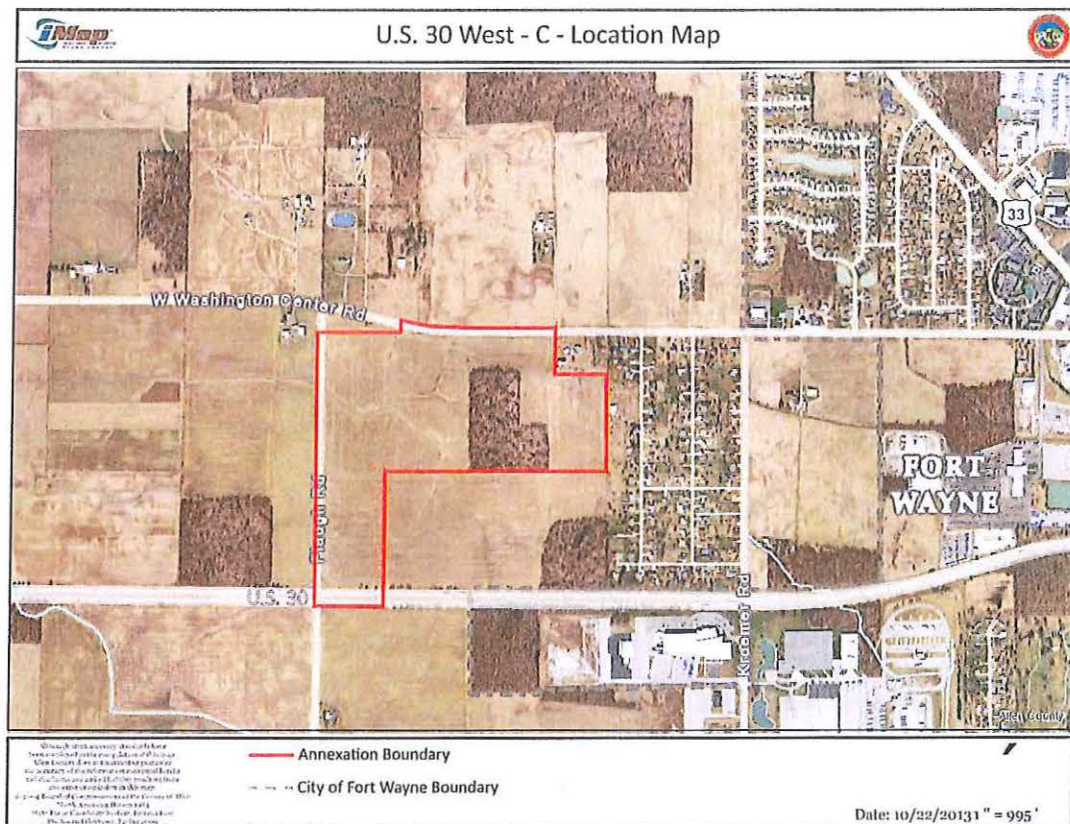
APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

US 30 WEST - C

SUPERVOLUNTARY ANNEXATION

Fiscal Plan



CITY OF FORT WAYNE, INDIANA
Tom Henry, Mayor

October 2014



COMMUNITY DEVELOPMENT

Thomas C. Henry, Mayor

Engage • Innovate • Perform

City of Fort Wayne
Community Development
200 East Berry Street, Suite 320
Fort Wayne IN 46802
260.427.1127

www.fwcommunitydevelopment.org

To: Fort Wayne City Council Members

From: Justin Brugger, Executive Director
Fort Wayne Redevelopment Commission

Re: U.S. 30 West (A, B, & C) Annexation Ordinances

Date: October 7, 2014

The process to consider adoption of three annexation fiscal plan resolutions and ordinances titled U.S. 30 West (A, B, & C) is being initiated at the Oct. 14, 2014, council meeting. Petitions have been received by the property owner holding 100% of the property for each annexation making the annexations super-voluntary per Indiana Code 36-4-3-5.1. It is the desire of the Fort Wayne Redevelopment Commission to purchase this property for the purpose of the future development of a corporate park similar to the nearby Sweetwater Sound development. The land needs to be part of the city for this purchase to occur.

A public hearing has been set for November 4, 2014, and a vote on the resolutions and ordinances is scheduled for November 25, 2014. The super-voluntary process includes a 30 day appeal. The annexations are presented with staggered effective dates to provide for the 25% contiguity required for each subsequent annexation. All annexations will be effective on or before January 29, 2015.

An annexation timeline has been provided for your knowledge. If you have any questions regarding the ordinance, please feel free to contact me at 427-1117.

An Equal Opportunity Employer

U.S. Highway 30 West Annexations Timeline

Summer 2014	Sign option agreement
August-September 2014	Develop three annexation fiscal plans
October 2, 2014	Petitions, Resolutions, Fiscal Plans and Ordinances to Stephanie Crandall
October 9, 2014	Petitions, Resolutions, Fiscal Plans and Ordinances to Diane Brown
October 14, 2014	File super-voluntary annexation petitions with City Council
October 14, 2014	Introduce resolutions to adopt fiscal plans and annexation ordinances at City Council (within 30 days of petition)
Week of October 14, 2014	Notice of public hearings in the newspaper (minimum of 20 days prior to public hearing)
October 16, 2014	Neighborhood Meeting
November 4, 2014	Public hearings at City Council (within 30 days of petition) and discussion. We will need to get this in the queue with the newspaper prior to the resolution intro to meet the timing.)
November 25, 2014	Approval of resolutions to adopt the fiscal plan and annexation ordinances at City Council (a minimum of 14 days after public hearing). Fiscal plan resolutions must be passed first.
Prior to December 1, 2014	Publish ordinances in newspaper and file in Recorder's Office.
January 1, 2015	Annexation A effective date (minimum of 30 days from publication)
January 15, 2015	Annexation B effective date
January 29, 2015	Annexation C effective date
TBD	Acquire Land
TBD	Rezone Land
TBD	Bond for Infrastructure