

1 BILL NO. X-14-12-14

2 ANNEXATION ORDINANCE NO. X-_____

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

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

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

14 Part of the fractional Northwest Quarter of Section 19 and also part of the
15 fractional Southwest Quarter of Section 19, Township 31 North, Range 12 East,
16 Washington Civil Township, Second Principal Meridian, Allen County, Indiana, more
17 particularly described as follows:

18 Beginning at the intersection of the east line of the aforesaid
19 fractional Northwest Quarter with the north right-of-way of U.S.
20 Highway 30 (Indiana State Highway F Project No. 870(13)
21 Columbia City-Fort Wayne Road, 1959); thence Southerly, into the
22 right-of-way of the aforesaid U.S. Highway 30, along the east line
23 of the aforesaid fractional Northwest Quarter, also being a west
24 boundary of the North American Annexation (Ordinance No. X-01-
25 97); a distance of 95 feet, more or less, to the southeast corner of
26 the aforesaid fractional Northwest Quarter ; thence continuing
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1 Southerly, through the right of-way of the aforesaid U.S. Highway
2 30, along the east line of the aforesaid fractional Southwest
3 Quarter, also being a west of the boundary of the aforesaid North
4 American Annexation, a distance of 100 feet, more or less, to the
5 south right-of-way of the aforesaid U.S. Highway 30; thence
6 Westerly along the aforesaid south right-of-way, a distance of 860
7 feet; thence Northerly, into the right-of-way of the aforesaid U.S.
8 Highway 30, parallel with the east line of the aforesaid fractional
9 Southwest Quarter, a distance of 100 feet, more or less, to the
10 north line of the aforesaid fractional Southwest Quarter; thence
11 continuing Northerly, through the right-of-way of the aforesaid U.S.
12 Highway 30 and beyond, parallel with the east line of the aforesaid
13 fractional Northwest Quarter, a distance of 1,201 feet, more or
14 less, to the north line of the South Half of the aforesaid fractional
15 Northwest Quarter; thence Easterly along the aforesaid north line,
16 a distance of 860 feet, to the east line of the aforesaid fractional
17 Northwest Quarter, thence Southerly along the aforesaid east line,
18 said east line also being the west line of the territory described in
19 the "U.S. 30 West - A" annexation (Ordinance No. X-01-14), a
20 distance of 1,119 feet, to the Point of Beginning, containing 26
21 acres of land, more or less. (See Map 1 Attached.)
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25 SECTION 2. That a petition for annexation has been received by 100% of
26 property owners in the territory proposed to be annexed in accordance with Indiana
27 Code 36-4-3-5.1.
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1 SECTION 3. That the municipality has established and adopted a
2 resolution approving the written Fiscal Plan.
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4 SECTION 4. That a public hearing has been advertised and held in
5 accordance with IC 36-4-3-5.1.
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7 SECTION 5. That the City of Fort Wayne will furnish the above described
8 territory within a period of one (1) year from the effective date of annexation,
9 planned services of a non-capital nature, including police and fire protection, and
10 street and road maintenance, in a manner which is equivalent in standard and
11 scope to those non-capital services provided to the areas within the City of Fort
12 Wayne regardless of topography, patterns of land-use, and population density to the
13 said described territory. The City of Fort Wayne will also provide services of capital
14 improvement nature, to the annexed territory within three (3) years of the effective
15 date of annexation, in the same manner as such services are provided to areas
16 already in the City of Fort Wayne regardless of topography, patterns of land-use,
17 and population density and in a manner consistent with federal, state and local laws,
18 procedures and planning criteria.
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21 SECTION 6. That governmental and proprietary services will be provided to
22 the above described territory in a manner consistent with the written Fiscal Plan for
23 the territory. Said Plan was examined by the Common Council of the City of Fort
24 Wayne and has been approved and adopted by the Common Council. Two copies
25 of said plan are on file in the Office of the Clerk of the City of Fort Wayne and are
26 available for inspection as required by law.
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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.

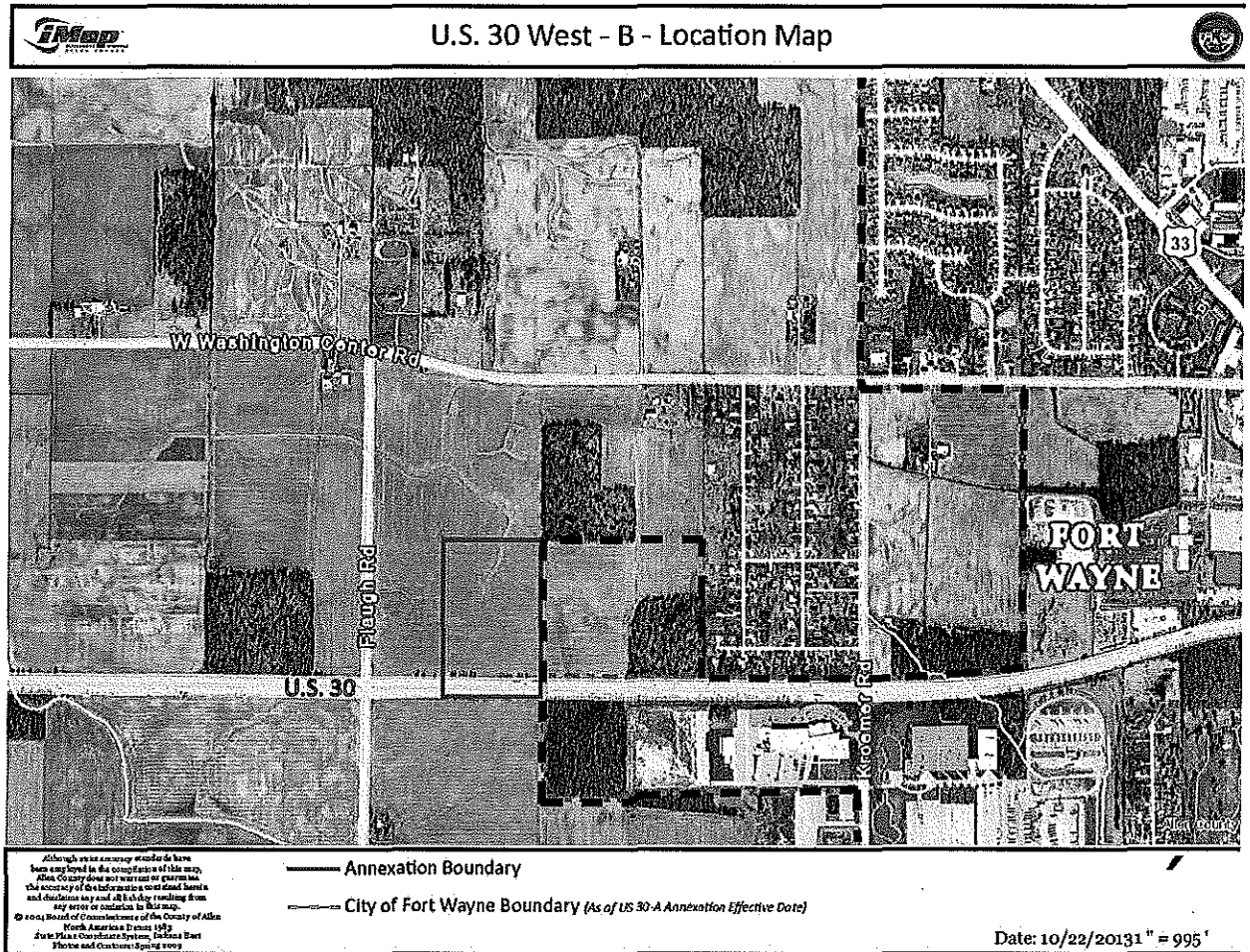
SECTION 8. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in Indiana Code 36-4-3-7. In the absence of appeal under I.C. 36-4-3-15.5, the above mentioned territory shall become part of the City of Fort Wayne thirty-one days from the publication of the approved annexation ordinance.

COUNCIL MEMBER

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

MAP 1



PETITION FOR AND CONSENT TO ANNEXATION INTO THE

CITY OF FORT WAYNE, INDIANA

The undersigned hereby certify that they own land located outside of the City of Fort Wayne, Indiana, and hereby request and consent to the adoption of an ordinance, annexing to the City of Fort Wayne, Indiana, the territory, containing that land. The territory sought to be annexed is legally described as follows, to wit:

Part of the fractional Northwest Quarter of Section 19 and also part of the fractional Southwest Quarter of Section 19, Township 31 North, Range 12 East, Washington Civil Township, Second Principal Meridian, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the east line of the aforesaid fractional Northwest Quarter with the north right-of-way of U.S. Highway 30 (Indiana State Highway F Project No. 870(13) Columbia City-Fort Wayne Road, 1959); thence Southerly, into the right-of-way of the aforesaid U.S. Highway 30, along the east line of the aforesaid fractional Northwest Quarter, also being a west boundary of the North American Annexation (Ordinance No. X-01-97); a distance of 95 feet, more or less, to the southeast corner of the aforesaid fractional Northwest Quarter; thence continuing Southerly, through the right-of-way of the aforesaid U.S. Highway 30, along the east line of the aforesaid fractional Southwest Quarter, also being a west of the boundary of the aforesaid North American Annexation, a distance of 100 feet, more or less, to the south right-of-way of the aforesaid U.S. Highway 30; thence Westerly along the aforesaid south right-of-way, a distance of 860 feet; thence Northerly, into the right-of-way of the aforesaid U.S. Highway 30, parallel with the east line of the aforesaid fractional Southwest Quarter, a distance of 100 feet, more or less, to the north line of the aforesaid fractional Southwest Quarter; thence continuing Northerly, through the right-of-way of the aforesaid U.S. Highway 30 and beyond, parallel with the east line of the aforesaid fractional Northwest Quarter, a distance of 1,201 feet, more or less, to the north line of the South Half of the aforesaid fractional Northwest Quarter; thence Easterly along the aforesaid north line, a distance of 860 feet, to the east line of the aforesaid fractional Northwest Quarter, thence Southerly along the aforesaid east line, said east line also being the west line of the territory described in the "U.S. 30 West - A" annexation ordinance, a distance of 1,119 feet, to the Point of Beginning, containing 26 acres of land, more or less.

Executed 4 day of December 2014.

Signed

Edna Horkemeyer, Gen Partner



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-B Annexation

Date: December 11, 2014

The process to consider adoption of an annexation fiscal plan resolution and ordinance titled, *U.S. 30 West-B*, is being initiated at the December 16, 2014, City Council meeting. A petition has been received by the property owner holding 100% of the property for this annexation, making it 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 future development of a corporate park, with facilities similar to the adjacent Sweetwater Sound. This annexation is the second of three that will need to occur prior to acquisition of the annexed land.

A public hearing has been set for January 6, 2015, and a vote on the resolution and ordinance is scheduled for January 27, 2015. The super-voluntary process includes a 30 day appeal. The annexation will be effective 31 days after publication of an approved ordinance, or approximately March 2, 2014.

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

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