

BILL NO. X-16-05-17

ANNEXATION ORDINANCE NO. X-_____

**An ORDINANCE annexing certain territory commonly known as
the North IV Annexation to Fort Wayne and including the same
Councilmanic Districts No. 1, No. 2 and 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:

A Parcel of land located in parts of T32N, R12E, here known as Perry Township,
parts of T32N, R13E, here known as Cedar Creek Township, and Parts of T31N,
R13E, here known as St. Joseph Township, 2nd P.M., all within Allen County
Indiana, more particularly described as follows:

*BEGINNING, and following along intended existing City of Fort Wayne Corporation
limits, in the Northwest corner of a property know as 1703 Carroll Road as found in
document #207003535 in the Office of the Recorder, Allen County, Indiana, said
corner lying on the southern Right-of-way of Carroll Road, and East right-of-way of
Lima Road (State Road 3), and also being the Northeast corner of previous Carroll
Road Annexation 02-06, thence Southwesterly along the eastern right-of-way of
Lima Road (State Road 3) a distance of 6.49 feet to the Eastern boundary of Carroll
Road Annexation and Eastern right-of-way of Lima Road; thence Southeasterly
along eastern right-of-way to a point on the Southwest corner of Holly Ridge Section
1, Block C, as found in Allen County Recorder's office Plat Cabinet "B" Page 182
and said point also being on the Northern boundary of Previous 01-12 Winnsboro
Pass Voluntary Annexation; thence East along Southern Boundary of Holly Ridge,
Section 1, to the Northwest Corner of Windsor Woods, Section 5, Block J, said point
also being the Northeast corner of 01-12 Winnsboro Pass Voluntary Annexation and
Northwest corner of the North II Annexation 01-93; thence Easterly a distance of
669.7 feet to the Northeast corner of the S 1/2 of the SE 1/4 of the NW 1/4 of
Section 32, Perry Township; thence Easterly 615.0 feet to the Northeast corner of
Lot 164 of said Windsor Woods, Section 5; thence Southerly a distance of 125.00
feet, thence Southwesterly a distance of 130.0 feet, thence Southwesterly a*

distance of 165.0 feet, thence Southwesterly a distance of 130.0 feet to the Southeast corner of Lot 158, thence Southeasterly a distance of 60.0 feet to the Northeast corner of Lot 156, thence Southerly a distance of 140.0 feet to the Southeast corner of Lot 156 and being on the Northerly right-of-way of Winnsboro Pass; thence Southeasterly, on and along the arc of a regular curve to the right, tangent to the last course, having a radius of 229.86 feet, an arc distance of 11.29 feet; thence Southerly a distance of 50.0 feet to the Northeast corner of Lot 155 and, Southerly along the easterly boundary of Lot 155 to the North line of the SE 1/4 of Section 32, Perry Township, thence Easterly along the North line of the SE 1/4 of said Section 32 to the Northwest corner of Lot 10, Woodmont Oaks as found in Allen County Recorder's office Plat Book "43" Page 53-55; thence Easterly along the North boundary of Woodmont Oaks to the Westerly boundary of Woodmont, Section 3; thence Northerly along the Westerly boundary of Woodmont, Section 3 to the Northerly boundary of Woodmont, Section 3; thence Easterly along the Northern boundary of Woodmont, Section 3 to the Easterly boundary of Woodmont, Section 3; thence Southerly along the Easterly boundary of Woodmont, Section 3 to its intersection with the Northerly boundary of Woodmont, Section 5; thence Easterly along the North line of the SW 1/4 of Section 33, Perry Township and also being a portion of the Northerly boundary of Woodmont, Section 5 to the Northeast corner of the SW 1/4 of said Section 33 said point also being the Northwest corner of Eagle Lake, Section 3 thence Northerly along the west line of the NE 1/4 of said Section 33 a distance 1129.45 feet; thence Northeasterly along west boundary of Eagle Lake, Section 5, and its prolongation to the Northern right-of-way of Badiac Road; Said Northern right-of-way also being the Northern boundary of previous North II 01-93 Annexation to the City of Fort Wayne. Thence Easterly along said North annexation line to its intersection with the prolongation of Western boundary of Valley Place; thence Northerly along the Westerly boundary of Valley Place to the Northerly boundary of Valley Place; thence Easterly along the Northerly boundary of Valley Place and said Northerly boundary line extended Easterly to the Westerly right-of-way of Coldwater Road; thence Northerly along the Westerly right-of-way of Coldwater Road to the to a point on the Southerly right-of-way of Union Chapel Road and the Southwest corner of Sedation Dentistry Voluntary Annexation 02-12. From said point, thence North 01 degrees 33 minutes 40 seconds West a distance of 25.00 feet; thence South 88 degrees 51 minutes 21 seconds West, a distance of 20.00 feet to a point on the extended West right-of-way of Coldwater Road; thence North 01 degrees 33 minutes 40 seconds West along said west right-of-way line, a distance of 242.15 feet; thence North 88 degrees 26 minutes 20 seconds East, a distance of 60.00 feet to centerline of Coldwater Road; thence continuing North 88 degrees 26 minutes 20 seconds East, a distance of 290.78 feet; thence South 40 degrees 12 minutes 25 seconds East, a distance of 55.81 feet to a point of curve to the right having a radius of 100.00 feet; thence along said curve having an arc length of 23.71 feet and subtended by a chord of 23.66 feet bearing South 33 degrees 24 minutes 49 seconds East to a point of compound curve to the right having a radius of 50.00 feet; thence southerly along the arc, a distance of 33.65 feet and subtended by a chord of 33.01 feet bearing South 07 degrees 20 minutes 34 seconds East; thence South 11 degrees 56 minutes 05 seconds West, a distance of 38.48 feet to a point of curve to the left having a radius of 70.00 feet; thence along said curve having an arc length of 16.49 feet and subtended by a chord of 16.45 feet bearing South 05 degrees 11 minutes 13 seconds West; thence South 01 degrees 33 minutes 40 seconds East, a distance of 20.29 feet to a point of curve to

the right having a radius of 30.00 feet; thence along said curve having an arc length of 14.77 feet and subtended by a chord of 14.62 feet bearing South 12 degrees 32 minutes 24 seconds West to a point on the Northerly right-of-way line of Union Chapel Road as described in Document Number 202066729; thence South 01 degrees 08 minutes 39 seconds East, a distance of 76.22 feet to a point on the Southerly right-of-way line of Union Chapel Road; Said point being the Southeast corner of Sedation Dentistry Voluntary Annexation 02-12 and lying along North boundary of North II Annexation 01-93; thence Easterly along the Southerly right-of-way of Union Chapel Road to its intersection with the Easterly boundary of Burning Tree Section 1 extended Northerly; thence Southerly along the Easterly boundary of Burning Tree, Section 1 extended Northerly, and Burning Tree, Section 2 to the Southerly boundary of Burning Tree, Section 2; thence Westerly along the Southerly boundary of Burning Tree, Section 2 to the Easterly boundary of Pine Valley Country Club, First Addition; thence Southerly along the Easterly boundary of Pine Valley Country Club, First Addition and the Easterly boundary of Pine Valley Country Club, Second Addition to the Northerly boundary of Pine Valley Country Club, Second Addition; thence Easterly along the northerly boundary of Pine Valley Country Club, Second Addition, and the Northerly boundary of Pine Valley Country Club, Eighth Addition and the Northerly boundary of Pine Valley Country Club, Ninth Addition to the Westerly right-of-way of Auburn Road; thence Southerly along the Westerly right-of-way of Auburn Road to its intersection with the Northerly boundary of Northway Gardens Addition extended Westerly; thence Easterly along the northerly boundary of Northway Gardens Addition to the Westerly right-of-way of Interstate No. 69 (State Highway I Project No; 69-5) ; thence Southerly along the Westerly right-of-way-of Interstate No. 69 to the North line of the S 1/2 of the SE 1/4 of Section 35, Perry Township; thence Easterly along the North line of the S 1/2 of the SE 1/4 of said Section 35 to the Western right-of-way of Parkview Plaza Drive; thence Southerly along said Parkview Plaza Drive right-of-way to its projected intersection with the Northern right-of-way of East Dupont Road (State Road 1) also being the existing City Limits line as established by previous Annexation Ordinance X-03-95 North III; thence Easterly, along the Northerly right-of-way of East Dupont Road (State Road 1) and continuing on the Annexation Ordinance X-03-95 North III Northern boundary to its intersection with the Western right-of-way of Diebold Road; thence Southerly and Southeasterly along said Westerly right-of-way of Diebold Road and its Westerly prolongation of the Diebold Road right-of-way line to its intersection with the centerline of N. Clinton Street (Leo Road); thence Northeasterly along said centerline of N. Clinton Street (Leo Road)-to a point 2610.3 feet Northeasterly from the intersection of the West line of Bouries Reserve with the centerline of N. Clinton St. (Leo Road); thence Southeasterly along the West line of the West 1/2 of the East 1/2 of Bourie's Reserve and the existing City Limits line as established by previous Annexation Ordinance X-03-95 North III to the centerline of the St. Joseph River and the existing City Limits line as established by Annexation Ordinance X-01-89 Northeast Phase III as on file in the office of the City Clerk of Fort Wayne; thence upstream on and along the thread of the St. Joseph River, to its intersection with the Northwesternly prolongation of the North line of Lot F in Fisher's Suburban Addition Amended as recorded in Plat Book 17 A, Page 132; thence Southeasterly on and along the Northerly line of Lots F and G in said Addition to the Westerly right-of-way line of St. Joe Road; thence Northeasterly on and along said Westerly right-of-way line of St. Joe Road to its intersection with the Northwesternly prolongation of the North line of Sunnybrook Acres, Section 5 as recorded in Plat

1 Book 24, Pages 127-128 in the Office of the Recorder, Allen County, Indiana;
2 thence Southeasterly on and along said prolongation and said North line of
3 Sunnybrook Acres Section 5 to the Northwesterly line of Concord Hill, Section 2
4 Amended as recorded in Plat Book 42, Pages 40 thru 45 in the Office of the
5 Recorder of Allen County; thence Northeasterly to the North corner of Lot 134
6 Concord Hill, Section 2; thence on and along the Eastern lines of Lots 134, 133, and
7 132 Concord Hill, Section 2 to the Northwest corner of Lot 108 in Concord Hill
8 Section 2; thence easterly on and along the North line of said Lot 108 and its
9 prolongation to the Northwest corner of Lot 164 Tanbark Trails Section 3 as
10 recorded in Plat Book 43, Pages 8 -12 in the Office of the Recorder, Allen County,
11 Indiana; thence Easterly on and along the North line of said Tanbark Trails Section
12 3 to the Northeast corner of said addition; thence Southerly on and long the East
13 line of said Tanbark Trails section 3 and the East line of Tanbark Trails Section 1 as
14 recorded in Plat Book 42, Pages 4 thru 8 in the Office of the Recorder Allen County,
15 Indiana and its South prolongation to the South right-of-way line of Rothman Road;
16 thence Easterly on and along said South right-of-way line of Rothman Road to the
17 East line of the Northwest one-quarter (1/4) of Section 15, St. Joseph Township;
18 thence Southerly on and along said East line of the Northwest one-quarter (1/4)
19 Section 15, St. Joseph Township, to the South line of said Northwest one-quarter
20 (1/4) also being the platted South line of Hillsboro Section I as recorded in Plat Book
21 40, Pages 51 thru 55 in the Office of the Recorder, Allen County, Indiana; thence
22 East along the North line of the Southeast one-quarter (1/4) Section 15, St. Joseph
23 Township, a platted distance of 1284.14 feet, being also the North Line of Lexington
24 Heights Add. Section C and Wedgewood Place, Section 2 (Plat Cabinet A, page
25 186, Office of the Allen County Recorder) and also being the northeast corner of the
26 W 1/2 of the SE 1/4 of said section 15; thence Easterly along the North line of the
27 SE 1/4 of said section a distance of 574.72, feet more or less, to the SW corner of a
28 property commonly known as 6641 Hazelett Rd and as recorded in Document
29 #203049355 in the Office of the Recorder Allen County, Indiana; thence Northerly
30 along a line parallel with the West line of the NE 1/4 of said section 15 to its
intersection with the North right-of-way of the Rothman Road; thence Easterly along
the North right-of-way of the Rothman Road to its intersection with the west right-of-
way of the Wheelock Road; thence Northerly along the west right-of-way of
Wheelock Road to its intersection with the Southerly right-of-way of Interstate I-469
(Indiana State Highway F-Project No. 170-2 (002) R/W); thence Easterly,
Southeasterly, Southerly, and Southeasterly along the Southern right-of-way of
Interstate I-469 to its intersection with the South Line of Section 12, St. Joseph
Township; *Thus departing from existing City of Fort Wayne Corporation Limits:*
Thence East along the South Line of Section 12 St. Joseph Township, to its
intersection with the centerline of Schwartz Road; thence North along centerline to
its intersection with projection of the southern line of a property more commonly
known as 7510 Swartz Road and as found in Document #2008046060 in the Office
of the Recorder, Allen County, Indiana; thence East to the Eastern right-of-way of
Schwartz Road ; thence North along said Eastern right-of-way to the S W corner of
a property more commonly known as 10056 Schwartz Road and Found in
Document #2008027066 in the Office of the Recorder, Allen County, Indiana;
thence Northwest to and along eastern right-of-way of improved Schwartz Road to
its projected intersection with the Northern right-of-way of Notestine Road; thence
West along the Northern right-of-way of Notestine Road to the East line of a
property known as 10025 Notestine Road as found in Document #990069448 in the

Office of the Recorder, Allen County, Indiana; thence North along said East Line and West along North Line of above mentioned property to the East Line of Section 33, St. Joseph Township; thence north along the East line of Section 33, said Line also being the East lines of Cedar Lake, Section 1 as found in Plat Cabinet "B", Page 191, and Section 2 as found in Plat Cabinet "E", Page 41, in the Office of the Recorder Allen County, Indiana, to the Northeast corner of Cedar Lake, Section 2; thence Southwesterly along the Northwest boundary of Cedar Lake, Section 2 to the Northeast corner of a property known as 10516 Wheelock Road and found in Document #930017486 in the Office of the Recorder Allen County, Indiana; thence Northwest and Southwest along boundary of said property to the Southeast corner of a property known as 10810 Meteah Trail and found in Document #201007671 in the Office of the Recorder Allen County, Indiana; thence Northwest along Eastern boundary of said property and along Eastern boundary of property known as 11322 St. Joe Road and found in Document #920045542 in the Office of the Recorder Allen County, Indiana, to its intersection with the Southeastern boundary of a property known as 11334 St. Joe Road and found in Document #207008782 in the Office of the Recorder Allen County, Indiana; thence Northeast and Northwest along boundary of said property to its projected intersection with the Northern right-of-way of St. Joe Road; thence heading Southwest along Northern right-of-way of St. Joe Road to its intersection with the Eastern boundary of a property known as 11221 St. Joe Road and found in Document #850002389 in the Office of the Recorder Allen County, Indiana; thence Northwest along said Eastern Boundary to its projected intersection with the Southern boundary of a property known as 8545 Popp Road and found in Document #2014062932 in the Office of the Recorder Allen County, Indiana; thence Southwesterly along Southern boundary and along North bank of St. Joseph to its intersection with the East line of the NW 1/4 of Section 32, Cedar Creek Township; Thence North along East Line of the NW 1/4 to its intersection with, or intersection with the projection of, the Northern right-of-way of Popp Road; thence westerly along North right-of-way of Popp Road to the Eastern boundary of a property known as 8407 Popp Road and found in Document #2008002325 in the Office of the Recorder Allen County, Indiana; thence North along Eastern boundary of said property and West along Northern Boundary of said property; thence continuing west along norther boundaries of the following three properties: 8331 Popp Road and found in Document #940037634 in the Office of the Recorder Allen County, Indiana, 8309 Popp Road and found in Document #890041802 in the Office of the Recorder Allen County, Indiana, and 8201 Popp Road and found in Document #720008697 in the Office of the Recorder Allen County, Indiana to the West line of the East 1/2 of the SE 1/4 Section 29, Cedar Creek Township; thence North along said west line to the South line of the NE 1/4 of Section 29, Cedar Creek Township; thence North along the West line of the East half of the NE 1/4 to the North 1/4 corner of the NE 1/4 of Section 29, Cedar Creek Township; thence west along the North line of the SW 1/4 of the NE 1/4 section 29, Cedar Creek Township to the East right-of-way of Hardisty Road; thence North along Eastern right-of-way of Hardisty Road until it intersects with the West Line of the NE 1/4 of Section 29; thence North along said West line to the North Line of Section 29; thence West along North line of Section 29, Cedar Creek Township, to the SE corner of the SE 1/4 of the SE 1/4 of Section 20, Cedar Creek Township; thence North on the East line of the SW 1/4 of the SW 1/4 of Section 20, a distance of 108.28 feet; thence West to the Northwest corner of a property known as 13230 Puff Road and found in Document #2013020783 in the Office of the Recorder Allen

County, Indiana; thence south a distance of 130.22 feet; thence Northwesterly along Northern property Lines to the Eastern right-of-way of Puff Road; thence North on and along the East right-of-way of Puff Road, to its projected intersection with the Northern right-of-way of Hursh Road; Thence West along Northern right-of-way of Hursh Road to its intersection with Tonkel Road (State Route 427); thence continuing Northwesterly along the North right-of-way of Hursh Road, to a property on the West line of the NE 1/4 of the NE 1/4 of Section 23 of Perry Township, found in Document #206065991 in the Office of the Recorder Allen County, Indiana; Thence North along East boundary of said property and Northwest along Northern Boundary, to the 1/4 Section Line of the NW 1/4 of Section 23, Perry Township; thence North along 1/4 Section line to the North Line of Section 23, Perry Township; thence West along 1/4 Section Line to its intersection with the Northern right-of-way of Hursh Road; thence continuing Westerly along Northern right-of-way to the Eastern right-of-way of Auburn Road; thence North along the Eastern right-of-way of Auburn Road to its projected intersection with the Northern right-of-way of East Gump Road; thence West along the Northern right-of-way of East Gump Road to the intersection with Coldwater Road (State Route 327) and Including right-of-way of entire intersection; thence South along the Western right-of-way of Coldwater Road (State Route 327) to the South Line of Section 16, Perry Township; thence West along South line of Section 16 to the Northwest corner of the NE 1/4 of Section 21, Perry Township; thence South along the West line the NE 1/4 of section 21 to the Southwest Corner of the NE 1/4, Section 21; thence West along the North Line of the SE 1/4 Section 21, Perry Township, to the projected intersection with the West right-of-way of Dunton Road; thence South along the Western right-of-way of Dunton Road to its intersection with the North right-of-way of Hathaway Road; thence Southeast to the Southeast Corner of Section 21, Perry Township; thence South along the West Line of Section 28, Perry Township to the Northern right-of-way of Carroll Road (Deed Record 206040087); thence Southwest and West along the Northern right-of-way of Carroll Road to the East line of the SE 1/4 of Section 29, in Perry Township; thence South to the Southern right-of-way of Carroll Road ; thence West along Southern right-of-way of Carroll Road, to the POINT OF BEGINNING. Containing 14,600 acres, more or less. (see attached map)

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police and fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to the areas within the City of Fort Wayne regardless of topography, patterns of land-use, and population density to the said described territory. The City of Fort Wayne will also provide services of capital improvement nature, to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City

1 of Fort Wayne regardless of topography, patterns of land-use, and population
2 density and in a manner consistent with federal, state and local laws,
3 procedures and planning criteria.

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5 SECTION 3. That governmental and proprietary services will be
6 provided to the above described territory in a manner consistent with the
7 written Fiscal Plan for the territory developed by the Fort Wayne Department
8 of Planning. Said Plan was examined by the Common Council of the City of
9 Fort Wayne and has been approved and adopted by the Common Council.
10 Two copies of said plan are on file in the Office of the Clerk of the City of Fort
11 Wayne and are available for inspection as required by law.

12 SECTION 4. That said described territory shall be temporarily
13 assigned to City Councilmanic Districts No. 1, No. 2 and No. 3 of the City of
14 Fort Wayne, Indiana, as described in Section 32.02(A)(3) of the City of Fort
15 Wayne Code of Ordinances. This assignment is subject to redistricting
16 pursuant to Indiana Code 36-4-6-3 (g).

17 SECTION 5. That the municipality has established and adopted a
18 resolution approving the written Fiscal Plan.

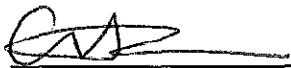
19 SECTION 6. That notification has been sent to all landowners in the
20 territory proposed to be annexed under and in accordance with Indiana Code
21 36-4-3-2.2.

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23 SECTION 7. That the territory described in Section 1 shall be
24 annexed into the City of Fort Wayne under the zoning districts outlined in the
25 City of Fort Wayne Zoning Ordinance, Chapter 157.201(E). All property
26 currently zoned A3 under the Allen County zoning ordinance shall be
27 converted to AR.
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2 SECTION 8. That, after adoption and any and all necessary approval
3 by the Mayor, this Ordinance shall be published as provided for in Indiana
4 Code 36-4-3-7. In the absence of remonstrance and appeal under I.C. 36-4-
5 3-11 and I.C. 36-4-3-15.5, the above mentioned territory shall become part of
6 the City of Fort Wayne on December 31, 2016.
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9 _____
10 COUNCIL MEMBER

11 APPROVED AS TO FORM AND LEGALITY

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14 Carol Helton, City Attorney
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HUNTERTOWN

Proposed North IV Annexation Area

LEO-CEDARVILLE

NORTH IV ANNEXATION

FORT WAYNE



0.5 0.25 0 0.5 Miles

