

1 **BILL NO. X-18-07-06**

2
3 **ANNEXATION ORDINANCE NO. X-_____**

4 **AN ORDINANCE ANNEXING CERTAIN**
5 **TERRITORY COMMONLY KNOWN AS THE LA**
6 **CABREAH VOLUNTARY ANNEXATION TO FORT**
7 **WAYNE AND INCLUDING THE SAME**
8 **COUNCILMANIC DISTRICT NO. 3.**

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

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

13 Beginning at the Southwest corner of the Northeast Quarter of Section 33, T32N, R12E,
14 this point also being the Southwest corner of the Secondary Plat of Eagle Lake, Section V,
15 as recorded in Plat Cabinet C, Page 8, in the Office of the Recorder of Allen County,
16 Indiana; also being the Northwest corner of the Secondary Plat of Eagle Lake, Section III,
17 as recorded in Plat Cabinet B, Page 110, in the Office of the Recorder of Allen County,
18 Indiana; thence Northerly, on and along the Westerly line of said Eagle Lake, Section V, on
19 the following courses and distances; North 00 degrees 10 minutes 00 seconds East, a
20 distance of 1129.45 feet (also being the current City of Fort Wayne Corporate Limits as
21 established by Annexation Ordinance X-01-93); thence North 26 degrees 47 minutes 15
22 seconds East, a distance of 223.20 feet; to Northwest Corner of Eagle Lake, Section V, also
23 being the Northeast Corner of the Secondary Plat of La Cabreah, Section III, as recorded in
24 Plat Cabinet C, Page 37, in the Office of the Recorder of Allen County, Indiana (also being
25 the current City of Fort Wayne Corporate Limits as established by Annexation Ordinance
26 X-01-93);thence continuing North 26 degrees 47 minutes 15 seconds East , projecting the
27 previous line Northeasterly to the North right-of-way line of Badiac Road (also being the
28 current City of Fort Wayne Corporate Limits as established by Annexation Ordinance X-01-
29 93); thence Westerly on and along the North right-of-way line of Badiac Road to the East
30 boundary of the Secondary Plat of La Cabreah, Section III; thence Northerly on and along
said East boundary to the Northeasterly corner of Lot 99 in the Secondary Plat of La
Cabreah, Section III, , said point also being the Southeast corner of the Secondary Plat of
La Cabreah, Section IV, as recorded in Plat Cabinet C, Page 85, in the Office of the
Recorder of Allen County, Indiana; thence on and along the East boundary of La Cabreah,
Section IV, on the following courses and distances; North 00 degrees 10 minutes 03
seconds East, a distance of 1211.94 feet to the North One-quarter corner of said Section
33, said point also being the South Quarter corner of Section 28 as found marked by a rail

1 post; thence North 00 degrees 05 minutes 56 seconds East along the North-South
2 centerline of Section 28, a distance of 241.20 feet to the Northeast corner of La Cabreah,
3 Section IV; thence North 00 degrees 05 minutes 56 seconds East, a distance of 33.80 feet
4 along the Eastern most line of Block "S" to the Northeast corner of the Secondary Plat of
5 La Cabreah, Section VII, as recorded in Plat Cabinet E, Page 74, in the Office of the
6 Recorder of Allen County, Indiana; thence on and along the boundary of La Cabreah,
7 Section VII, on the following courses and distances; North 89 degrees 30 minutes 28
8 seconds West, a distance of 511.39 feet; thence North 59 degrees 29 minutes 10 seconds
9 West, a distance of 455.12 feet; thence North 89 degrees 25 minutes 56 seconds West, a
10 distance of 415.00 feet; thence South 00 degrees 04 minutes 33 seconds East, a distance
11 of 112.52 feet to the as platted Northwest corner of Lot 209; thence North 89 degrees 32
12 minutes 31 seconds West, a distance of 51.79 feet (Reference Allen County, Indiana
13 Recorder's Office Document Number 2012056509); thence continuing North 89 degrees
14 32 minutes 31 seconds West, projecting a line to the west boundary of the abandoned
15 Fort Wayne, Jackson & Saginaw Railroad (Reference Allen County, Indiana Recorder's
16 Office Document Number 206013366); thence Southerly on and along the West boundary
17 of the abandoned Fort Wayne, Jackson & Saginaw Railroad Parcels(PIN
18 #020233151002000057 and PIN #020228351002000057) to the Northeast corner of the
19 Final Plat of Woodmont, Section 5, as recorded in Plat Book 41, Pages 54-57 within
20 current City of Fort Wayne Corporate Limits as established by Annexation Ordinance X-01-
21 93; thence Easterly on and along the current City of Fort Wayne Corporate Limits as
22 established by Annexation Ordinance X-01-93 to the Point of Beginning. Containing 105
23 acres, more or less. (see attached map)

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25 SECTION 2. That the City of Fort Wayne will furnish the above described
26 territory within a period of one (1) year from the effective date of annexation, planned
27 services of a non-capital nature, including police and fire protection, and street and road
28 maintenance, in a manner which is equivalent in standard and scope to those non-capital
29 services provided to the areas within the City of Fort Wayne regardless of topography,
30 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, including street
construction, street lighting, and stormwater drainage facilities 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 of Fort Wayne regardless of topography,
patterns of land-use, and population density and in a manner consistent with federal,
state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided
to the above described territory in a manner consistent with the written Fiscal Plan for
the territory developed by the Fort Wayne Department of Planning and Policy. Said Plan
was examined by the Common Council of the City of Fort Wayne and has been approved

1 and adopted by the Common Council. Two copies of said plan are on file in the office of
2 the Clerk of the City of Fort Wayne and are available for inspection as required by law.

3 SECTION 4. That said described territory shall be temporarily assigned to
4 Councilmanic Political Ward No. 3 of the City of Fort Wayne, Indiana, as described in
5 Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne,
6 Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to
7 Indiana Code 36-4-6-3 (g).

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

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

12 SECTION 7. That, after adoption and any and all necessary approval by the
13 Mayor, this Ordinance shall be published as provided for in Indiana Code 36-4-3-7. The
14 above-mentioned territory shall become part of the City of Fort Wayne on January 1,
15 2020.

16 _____
17 COUNCIL MEMBER

18 APPROVED AS TO FORM AND LEGALITY

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20 CAROL HELTON, CITY ATTORNEY
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