

RESOLUTION NO. 25-282

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA ADOPTING A WRITTEN FISCAL PLAN AND DEFINITE POLICY FOR THE ANNEXATION OF CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF WOODBURN, INDIANA

WHEREAS, on December 16, 2024, the Common Council of the City of Woodburn (the “Common Council”) was presented with a certain Petition for Annexation into the City of Woodburn, Indiana (the “Petition”), executed by one hundred percent (100%) of the owners of certain parcels of real property contiguous to but outside the corporate boundaries of the City of Woodburn (the “City”), the general legal description of which is attached hereto as Exhibit “A” and a map of said parcels being attached hereto as Exhibit “B” (the “Annexation Area”); and

WHEREAS, pursuant to the Petition, the property owners who executed the same voluntarily petitioned for the annexation of the Annexation Area, together with any adjacent right of way, if any, into the City; and

WHEREAS, in accordance with the Petition, the City desires to annex the Annexation Area into the corporate boundaries of the City, said annexation being of benefit and use for the City; and

WHEREAS, Indiana Code §36-4-3-3.1 requires that the Common Council develop and adopt by resolution a written fiscal plan and establish a definite policy for the provision of services to the Annexation Area that meets the requirements set forth in I.C. §36-4-3-13; and

WHEREAS, the City has developed the fiscal plan (the “Fiscal Plan”) and established a definite policy for the provision of services to the Annexation Area, which Fiscal Plan is attached hereto as Exhibit “C”; and

WHEREAS, the Fiscal Plan complies with the requirements of Indiana law in that it shows: (i) the cost estimates of planned services to be furnished to the Annexation Area, itemized for each municipal department or agency; (ii) the method or methods of financing the planned services, together with an explanation of how specific and detailed expenses will be funded, indicating the taxes, grants and other funding to be used; and (iii) the plan for the organization and extension of services, detailing the specific services that will be provided and the dates the services will begin; and

WHEREAS, the Fiscal Plan complies with the requirements of Indiana law to provide services of a noncapital nature (including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries of the City) to the Annexation Area within one (1) year after the effective date of the annexation in a manner equivalent in standard and scope to those noncapital services provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density; and

WHEREAS, the Fiscal Plan complies with the requirements of Indiana law to provide for the provision of services of a capital nature (including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities) to the Annexation Area within three (3) years after the effective date of the annexation in the same manner those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density in a manner consistent with federal, state and local laws, procedures, and planning criteria; and

WHEREAS, the Fiscal Plan complies with the requirements of Indiana law to provide for the estimated effect of the proposed annexation, for four (4) years after its effective date, on: (1) municipal finances and tax revenues; (2) taxpayers in each of the political subdivisions to which the proposed annexation applies; and, (3) all other political subdivisions in the county; and

WHEREAS, the Fiscal Plan complies with the requirements of Indiana law to provide a list of all parcels of property in the annexation territory and certain information related thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA AS FOLLOWS:

Section 1. The above recitals are incorporated herein by reference and shall be deemed part of the Fiscal Plan and definite policy. As required by Indiana Code the Common Council hereby adopts and approves the Fiscal Plan for the Annexation Area. A copy of the Fiscal Plan is attached hereto and incorporated herein as Exhibit "C".

Section 2. The Common Council now reiterates and confirms that it is the policy of the City that each and every governmental service now and hereafter provided to the property and citizens within the corporate limits of the City, and specifically those services enumerated and categorized in Indiana Code §36-4-3-13(d), are either now provided to the property and citizens within the Annexation Area, or where that is not the situation, can and shall be provided as set forth in the Fiscal Plan.

Section 3. This Resolution shall be effective and in full force and effect from and after its date of passage.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED by the Common Council of the City of Woodburn, Allen County, Indiana this 6th day of January, 2025.

COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA

_____ YEA _____ Nay _____ ABS _____
John Graber

_____ YEA _____ Nay _____ ABS _____
Terry Gentz

_____ YEA _____ Nay _____ ABS _____
Dean Gerig

_____ YEA _____ Nay _____ ABS _____
Daniel Watts

_____ YEA _____ Nay _____ ABS _____
Vicky Sarrazine

ATTEST:

By: _____
Kevin T. Hileman, Sr., Clerk-Treasurer

The foregoing Resolution passed by the Common Council is signed and approved () / not approved () by me on the same date.

By: _____
Joseph Kelsey, Mayor of the City of Woodburn

EXHIBIT "A"

LEGAL DESCRIPTION OF ANNEXATION AREA

All that part of the following areas that are located outside of the corporate boundaries of the City of Woodburn, Indiana:

The Southwest Quarter of Section 21, Township 31 North, Range 15 East, Allen County, Indiana, excepting therefrom the North 120 feet of the West 227 feet of said Quarter Section.

Also, the Southeast Quarter (SE $\frac{1}{4}$) of Section 20, Township 31 North, Range 15 East, Allen County, Indiana, lying East of Bull Rapids Road.

Also, the East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty (20), Township 31 North, Range 15 East, Allen County, Indiana, lying south of the centerline of Marsh Ditch, excepting therefrom the South 635.40 feet of the East 500 feet of said Quarter Section.

Also, part of the West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) and part of the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 20, Township 31 North, Range 15 East, Allen County, Indiana, lying within the following described real estate: Beginning at the Southeast corner of the West Half of the Northeast Quarter of said Section 20, said corner also being the Southeast corner of an 11.5-acre parcel described in Document #92-23707 as found in the Office of the Recorder of Allen County, Indiana; thence South 88 degrees 34 minutes 00 seconds West, on the South line of said Northeast Quarter, also being the South line of said 11.5-acre parcel, 1,066.90 feet to a deflection point on the South line of said 11.5-acre parcel; thence South 56 degrees 34 minutes 40 seconds West, on the South line of said 11.5-acre parcel, 173.70 feet to a point on the centerline of Bull Rapids Road, said point being the Southwesterly corner of said 11.5-acre parcel; thence North 33 degrees 00 minutes 00 seconds West (assumed deed bearing), on said centerline, also being the Westerly line of said 11.5-acre parcel, 108.00 feet to a mag nail on the South line of said Northeast Quarter; thence North 56 degrees 34 minutes 40 seconds East, parallel with and 108.00 feet Northwesterly of the 173.70 foot Southerly course of said 11.5-acre parcel, 178.48 feet to a 5/8" rebar capped "GOU"; thence North 33 degrees 00 minute 00 seconds East, parallel with the center line of Bull Rapids Road, 305.63 feet to a 5/8" rebar capped "GOU" on the North line of said 11.5-acre parcel; thence North 88 degrees 32 minutes 35 seconds East, on said North line, 1,282.53 feet to the Northeast corner of said 11.5-acre parcel, said point being on the East line of the West Half of said Northeast Quarter, said East line also being the East line of said 11.5-acre parcel; thence South 00 degrees 55 minutes 27 seconds East, on said East line, 355.50 feet to the Point of Beginning, containing 10.00 acres, more or less.

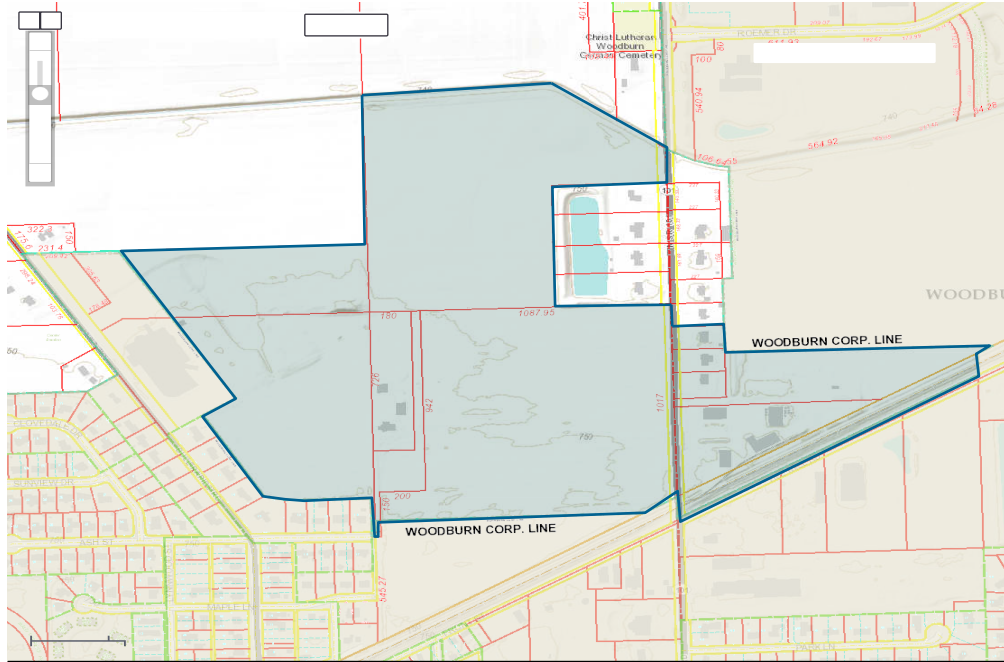
Along with all contiguous areas of any public highway and rights-of-way of said public highways.

Note: The above description is intended to include the properties contained within:

02-10-20-404-002.000-052	Woodburn Missionary Church Inc
02-10-20-251-004.000-052	Woodburn Missionary Church Inc
02-10-20-426-002.000-052	Keller, Thomas L & Bambi K
02-10-20-426-001.000-052	Keller, Thomas L & Bambi K
02-10-21-301-006.000-052	AG Plus Inc
02-10-21-301-007.000-052	AG Plus Inc
02-10-21-301-004.000-052	Preston Properties LLC
02-10-21-301-003.000-052	Potter, Michael T & Christine
02-10-21-301-002.000-052	Hochstetler, Madison
02-10-20-426-002.001-052	Maumee Meadows Development LLC
02-10-20-276-001.000-052	Maumee Meadows Development LLC

EXHIBIT "B"

Map of Annexation Area



In relation with the current boundaries of the City of Woodburn, Indiana (below)

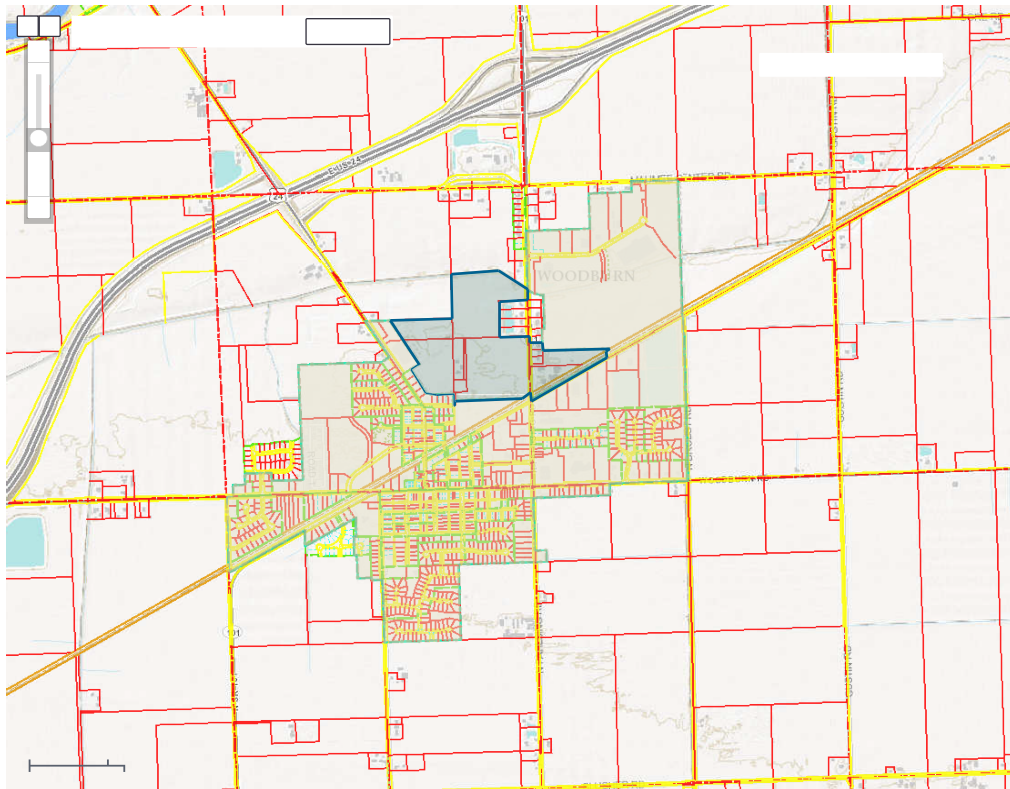


EXHIBIT "C"

Fiscal Plan for Annexation Area