

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

RESOLUTION NO. 03-09-25

BEING A RESOLUTION ADOPTING THE FISCAL PLAN
FOR CERTAIN TERRITORY SOUGHT TO BE ANNEXED IN
THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

WHEREAS, the Town of St. John, Lake County, Indiana has placed in process proceedings to annex certain real estate abutting the Town of St. John and bordered by W. 85th Avenue, Christopher Drive, Jacobson Court, and Jacobson Drive; and

WHEREAS, the Town of St. John, Lake County, Indiana has prepared, pursuant to statute, a Fiscal Plan pursuant to I.C. 36-4-3-13; and

WHEREAS, the property sought to be annexed and described aforesaid and consisting of 24 lots, will be zoned R-1 single-family residential zoning; and

WHEREAS, the foregoing real estate is for the most part already improved with residences and many of said lots have waived their right to remonstrate against annexation; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed said Fiscal Plan and now finds that the same complies with state law and should in all respects be approved, which Fiscal Plan is attached hereto and made a part hereof by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

That the Fiscal Plan designated "Annexation Fiscal Plan" relating to the property abutting W. 85th Avenue, Jacobson Court, Jacobson Drive, and Christopher Drive, is hereby in all respects approved which Fiscal Plan is all in the following words and figures, to-wit: (Here Insert).

BE IT FURTHER RESOLVED that all existing resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby deemed null, void, and of no legal affect, and are specifically repealed.

BE IT FURTHER RESOLVED that if any section, clause, provision, or portion of this resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this resolution.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, pursuant to law.

PASSED AND RESOLVED by the Town Council of the Town of St. John, Lake County, Indiana, this 25th day of September, 2003.

Aye 5 Nay 1

TOWN COUNCIL, TOWN OF ST. JOHN
LAKE COUNTY, INDIANA

Michael S. Forbes
MICHAEL S. FORBES, President

Kristie L. Aldridge
KRISTIE L. ALDRIDGE

William M. Winterhaler
WILLIAM M. WINTERHALER

Jerome J. Rudy
JEROME J. RUDY

Gregory J. Volk
GREGORY J. VOLK

ATTEST:

Sherry P. Sury
SHERRY P. SURY
Clerk-Treasurer

ANNEXATION FISCAL PLAN

I.

Introduction

The Town of St. John is undertaking the annexation of several lots bordering on Jacobson Drive, Christopher Drive, Jacobson Court, and West 85th Avenue. These lots have in most cases connected to either Town of St. John sewer and/or water service and most have waived their right to remonstrate against annexation. Upon annexation, these lots constitute generally, an "island" within the Town of St. John inasmuch as the Town boundary surrounds in entirety these lots. The annexation area and the lots are contiguous to the corporate limits of St. John and annexation will insure that growth in this area, contiguous to the Town, is orderly, compatible, and harmonious.

Through annexation, the Town will provide municipal services to the annexed area and the lots in the same scope and manner as already exists in St. John.

For the reasons described in the following document, the annexation of the subject lots meets the statutory requirements set forth in I.C. 36-4-3-13 in that the annexation area is contiguous to the community; the territory is needed and can be utilized by the Town and should be made a part of the Town; and there is a written Fiscal Plan, herein provided, that has been or will be approved in its entirety by resolution of the St. John Town Council.

II.

Basic Data

The area proposed for annexation is and the lots involved herein are contiguous to the Town of St. John. (The Town limits surround this property). The property involved constitutes lots that border on 85th Avenue, Jacobson Drive, Jacobson Court, and Christopher Drive. The primary land use of the annexed area is residential. The property includes several single-family residential homes. The legal description of the annexation area is as follows:

(See attached Exhibit "A" consisting of lot addresses and legal descriptions).

The population of the annexed area is approximately forty-six (46). The owners of the annexed area and the subject lots are shown on the list attached hereto and made a part hereof as Exhibit "A".

The property is more particularly shown on the Plat Map, attached hereto and made a part hereof as Exhibit "B" and consists of approximately eleven (11) acres.

The annexation area is currently under the jurisdiction of Lake County. Upon annexation, this area will be under the jurisdiction of the Town of St. John as well as the St. John Plan Commission. In accordance with the St. John Town Code, the annexation area, upon becoming a part of the Town of St. John through annexation, shall be classified for zoning purposes as "R-1" single-family residential. These lots which form the annexation area as indicated above, are residential lots and for the most part already contain residences.

The assessed valuation of the land, dwellings, and improvements in the annexation area is estimated at \$326,370.00.

The permanent boundary of the annexation area totals approximately 3445 linear feet. The annexation area is in excess of 1/8th contiguous to the Town of St. John.

III. Utilities

The annexation area is presently in general terms, connected to the Town of St. John Town water and/or sewer service. Those lots that are not serviced by the Town are serviced by private well and/or septic service. The Town estimates that it will cost the Town no additional expenditure of funds to connect those individual lots that are not connected to Town water and sewer service.

Natural gas service is provided to the annexation area and is presently serviced by Northern Indiana Public Service Company. No estimated additional cost will accrue to the Town for this service.

Electric service is provided to the annexation area presently by Northern Indiana Public Service Company and will continue. No estimated additional cost will accrue to the Town for this service.

Telephone service is currently provided by SBC. No estimated additional cost will accrue to the Town for this service.

IV. Existing Governmental Services

The annexation area is currently under the jurisdiction of Lake County. This includes services such as zoning administration and enforcement, subdivision control, comprehensive planning, building code regulation, and land development. Once annexed, the Town of St. John and the Town of St. John Plan Commission will take over jurisdiction of the area.

The annexation area is currently served by the Lake County Sheriff's Department. Upon annexation, the St. John Police Department will immediately assume jurisdiction of the territory and it is estimated that no additional burden will be placed on the Police Department for this service as the Police Department currently patrols the areas immediately adjacent to the annexation area.

Likewise, primary fire protection for the annexation area is now provided by the Town of St. John Fire Department. The Town of St. John provides this service as part of its service area. Thus, no additional burden on the Town of St. John will exist for fire protection which will be assumed immediately upon completion of the annexation process.

The St. John Fire Department provides emergency medical services to the annexation area and will continue to do so after the annexation area is annexed.

After the annexation is complete, the Town anticipates re-paving Christopher Drive and Jacobson Drive at a cost of approximately \$60,000.00 per street, totaling \$120,000.00. This should be accomplished within two (2) years of the completion of the annexation process. No curbs or sidewalks are anticipated at this time.

V.
State Law Requirements

In accordance with I.C. 36-4-3-13, the Town of St. John must establish a definite policy with regard to the annexation area, which this Fiscal Plan is intended to satisfy, and which must show as follows:

1. The cost estimates of planned services to be furnished to the territory to be annexed.
2. The method or methods of financing the planned services.
3. The plan for organization and extension of services.
4. That planned services of a non-capital nature will be provided to the annexed territory within one (1) year after the effective date of annexation.
5. That services of a capital improvement nature will be provided to the annexed territory within three (3) years after the effective date of annexation.
6. A plan for hiring employees of other governmental entities whose jobs will be eliminated by the proposed annexation.

The cost estimates of planned services to be furnished are as stated in Section IV above. The only services the Town intends to extend at this time of a capital improvement nature will be connection to the municipal water and sewer system. As indicated above, this will be accomplished with no additional cost to the Town of St. John. Street construction is as stated in Section IV above, as well as the cost estimates for the same. Sewer and water will be extended and provided as set forth elsewhere in this Fiscal Plan, and no storm water drainage facilities are planned at the present time. Street and road maintenance plans are as set forth elsewhere in this Fiscal Plan. The methods of financing the planned services above shall be consistent with the budget fixed each year by the Town Council of the Town of St. John and its various other departments. It is not anticipated that the planned services will create an additional burden on the Town's regular budget because the annexed area is relatively small. It is estimated that no additional burden will be placed upon the current Park Department budget because the annexed area is limited. It is estimated that the limited additional cost for the extension of services of non-capital nature, capital improvement nature, and other planned services will be off-set by the income and revenue obtained from the taxes levied upon the annexed area.

Police protection, fire protection, and other non-capital services will be provided immediately to the area annexed as indicated earlier in this Fiscal Plan. Services of capital

improvement nature, including sewer and water facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation.

It is estimated that no employees of any other governmental entity, and particularly Lake County, will lose their jobs as a result of this proposed annexation. This is due to the fact that the real estate consists only of 24 lots.

VI.

Plan to Provide Municipal Services

As stated earlier in this Fiscal Plan, state law requires that within one (1) year of annexation, the Town of St. John is required to provide the annexation area with "planned services of a non-capital nature" which are "equivalent in standard and scope" to those non-capital services provided to similar areas within the Town. The law requires that the services of a "capital improvement nature" be provided within three (3) years of the effective date of the annexation. Historically, the Town of St. John does not employ different service standards for different areas of the Town. Therefore, the service standards of the annexation area will be the same as they exist presently for the entire community. The St. John Town Council will assure that the service standards for the annexed area will be the same as that presently provided and which will be provided in the future to other areas of the Town of St. John.

Thus, it is the purpose of this Fiscal Plan that the services to be extended, including those utility services described earlier in this Fiscal Plan as well as the governmental services also described earlier in this Fiscal Plan, shall be provided at the same standard as is presently provided by the Town of St. John to all areas of the community.

VII.

Financial Impact

As indicated earlier in this Fiscal Plan, the cost of planned services to be furnished to the annexation area has already been stated. As indicated elsewhere in this Fiscal Plan, it is not thought that the area to be annexed will be an additional financial burden upon the Town's budget as the revenue sources to be derived from the annexed area will offset the cost of planned services.

Again, the method of financing the planned services will be derived from the revenue due to the taxes levied upon the annexation area. It is anticipated that the tax revenue will be sufficient to defray the cost of planned services.

VIII.

Conclusion

The annexation area is contiguous with the Town of St. John. This area should be annexed for the reason that the area constitutes an "island" bordered on all four sides by the Town of St. John and most of the lots are connected to St. John Town water and/or sewer service. The

purpose of the acquisition is to eliminate this "island" and to incorporate the annexed territory within the Town of St. John. The annexation area will be within the jurisdiction of the Town of St. John including the Town of St. John Department of Parks and Recreation and the St. John Plan Commission. Both the Town and the proposed annexation area have much to gain from the inclusion of this area within the St. John corporate boundaries. Because of the location of the annexation area, most of the services the Town of St. John provides are adjacent to this area at this time.

The residents and property owners of the Town of St. John would benefit by the annexation of the subject property for the reason that the property already receives St. John water and sewer service for the most part.

Day-to-day services of police and fire protection as set forth elsewhere in this Fiscal Plan are not estimated to place any additional burden on the taxpayers of the Town of St. John financially. This is due to the fact that the area is relatively small and already adjacent to residential areas of the Town to which services are already provided.

Finally, it is estimated that the only additional cost for the first several years of operation, will be the re-paving of Christopher Drive, Jacobson Court, and Jacobson Drive, as set forth elsewhere in this Fiscal Plan.

Dated: September 25, 2003.

ORDINANCE NO. 1312-ANNEXATION

| <u>Address</u> | <u>Owner</u> | <u>Legal Description</u> |
|----------------------|--|--|
| 13051 W. 85th Avenue | Stephen J. and Isabella Peters | Marydale Subdivision Lot 1 as recorded in the Office of the Recorder of Lake County, Indiana |
| 13031 W. 85th Avenue | Monica L. Vecchio | The West 90 feet of the East 849.84 feet of the North 230 feet of the Northeast quarter of the Northeast quarter of Section 30 Township 35 North Range 9 West as recorded in the Office of the Recorder of Lake County, Indiana |
| 13005 W. 85th Avenue | Bobby C. and Sylvia P. Wray | The East 100 feet of the North 435.6 feet of the East one- half of the West one-half of the Northeast quarter of the Northeast quarter Section 30 Township 35 North Range 9 West as recorded in the Office of the Recorder of Lake County, Indiana |
| 8501 Jacobson Drive | John A. and Mary L. Fagan | Carlyle Acres Addition Lot 14 as recorded in the Office of the Recorder of Lake County, Indiana |
| 8500 Jacobson Drive | Cheryl A. Emslander | Carlyle Acres Addition Lots 1 and 2 as recorded in the Office of the Recorder of Lake County, Indiana |
| 8510 Jacobson Drive | Robert K. and Alice A. Mulvihill 833 Mulberry Street Hammond, IN 46324 | Carlyle Acres Addition Lot 3 as recorded in the Office of the Recorder of Lake County, Indiana |

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|--|---------------------------------------|--|
| 8602 Jacobson Drive | Rojello Garcia | Carlyle Acres Addition Lot 4 and the North one-half of Lot 5 as recorded in the Office of the Recorder of Lake County, Indiana |
| 8606 Jacobson Drive | Edward and Cecilia Sobczak | Carlyle Acres Addition Lot 6 and the South one-half of Lot 5 as recorded in the Office of the Recorder of Lake County, Indiana |
| 8614 Jacobson Court | Gregory A. and Mary Lee | Carlyle Acres Addition Lot 7 as recorded in the Office of the Recorder of Lake County, Indiana |
| 8611 Jacobson Court | Charles and Spottiswood Wisniewski | Carlyle Acres Addition Lot 8 as recorded in the Office of the Recorder of Lake County, Indiana |
| 8609 Jacobson Court | Dale D. and Joann Freeman | Carlyle Acres Addition Lot 9 as recorded in the Office of the Recorder of Lake County, Indiana |
| 8601 Christopher Drive 8603 Christopher Drive | Woodrow B. Manchak | Marydale Subdivision Lot 5 as recorded in the Office of the Recorder of Lake County, Indiana |
| 8607 Christopher Drive | Naume and Pera Poposki | Bovernkirk Addition Lot 1 a re-subdivision of Lots 6, 7, and 8 Marydale Subdivision as recorded in the Office of the Recorder of Lake County, Indiana |
| 8611 Christopher Drive | James and Annette S. McFarland | Bovernkirk Addition Lot 2 a re-subdivision of Lots 6, 7, and 8 Marydale Subdivision as recorded in the Office of the Recorder of Lake County, Indiana |

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| 8615 Christopher Drive | Dale R. Mahoney 8046 Kennedy Avenue Highland, IN 46322 | Bovenkirk Addition Lot 3 a re-subdivision of Lots 6, 7, and 8 Marydale Subdivision as recorded in the Office of the Recorder of Lake County, Indiana |
| 8621 Christopher Drive | Randy L. and Julie T. Gilbert | Lot 9 Marydale Subdivision as recorded in the Office of the Recorder of Lake County, Indiana |
| 8625 Christopher Drive | John Robert and Andrea L. Voss | Lot 10 Marydale Subdivision as recorded in the Office of the Recorder of Lake County, Indiana |
| 8631 Christopher Drive | John W. and Nina Dimer | Lot 11 Marydale Subdivision as recorded in the Office of the Recorder of Lake County, Indiana |
| 8635 Christopher Drive | Thelma M. Gibbs | Lot 12 Marydale Subdivision as recorded in the Office of the Recorder of Lake County, Indiana |
| 8626 Christopher Drive | Clara Campbell | Lot 13 Marydale Subdivision as recorded in the Office of the Recorder of Lake County, Indiana |
| 8622 Christopher Drive | Lydia Ann Ferguson | Lot 14 Marydale Subdivision as recorded in the Office of the Recorder of Lake County, Indiana |

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Exhibit "B"