

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

**RESOLUTION NO. 11-07-28A**

**A RESOLUTION ADOPTING THE FISCAL PLAN FOR CLINE AVENUE PARTNERS, LLC, PETITION FOR ANNEXATION OF CLINE AVENUE ESTATES.**

**WHEREAS**, Cline Avenue Partners, LLC have filed a Petition for Annexation of certain real estate abutting the Town of St. John, and known as the "Cline Avenue Estates"; and

**WHEREAS**, Cline Avenue Partners, LLC have submitted, pursuant to statute and at the Town's request, a Fiscal Plan pursuant to I.C. 36-4-3-13; and

**WHEREAS**, the Petition for Annexation seek the annexation of certain territory known as the "Cline Avenue Estates" (10800 block of Cline Avenue) and provides for an R-1 single family residential zoning designation; 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:**

**BE IT RESOLVED** that the Fiscal Plan provided by Cline Avenue Partners, LLC 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with the provisions of this resolution, are hereby deemed null, void, and of no legal affect, and are specifically repealed.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 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.

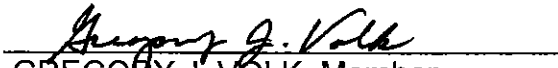
**PASSED AND RESOLVED** by the Town Council of the Town of St. John, Lake County, Indiana, and this 28<sup>th</sup> day of July, 2011.

Aye 5 Nay -

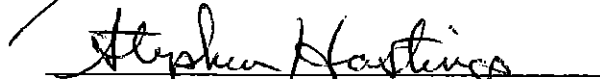
TOWN OF ST. JOHN, LAKE COUNTY,  
INDIANA, TOWN COUNCIL

  
MICHAEL S. FORBES, President

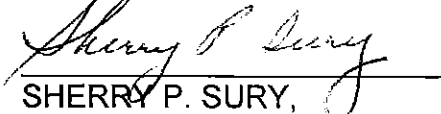
  
MARK BARENIE, Vice-President

  
GREGORY J. VOLK, Member

  
KENNETH D. GEMBALA, Member

  
, Member

ATTEST:

  
SHERRY P. SURY,  
Clerk-Treasurer

**A FISCAL PLAN FOR THE ORGANIZATION AND EXTENSION  
OF SERVICES FOR THE PROPOSED ANNEXATION OF  
THE AREA COMMONLY KNOWN AS  
10800 BLOCK OF CLINE AVENUE, ST. JOHN, INDIANA ("CLINE AVENUE ESTATES")**

This document is the written Fiscal Plan, which establishes a definite policy for providing municipal services to the described area being proposed for annexation.

The legal description of the Property is as follows:

**Parcel (1): That part of the South Half of the Northwest Quarter of Section 2, Township 34 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian in Lake County, Indiana, lying West of the 150 foot wide right-of-way conveyed to Northern Indiana Public Service Co. and recorded July 31, 1982 as Doc No. 673569 in the Lake County Recorder's Office, excepting therefrom that part platted and subdivided as JAMAR ESTATES as recorded in Plat Book 95, Page 31, in the Lake County Recorder's Office. Containing 42.606 acres, more or less, all in Lake County, Indiana.**

**Parcel Two (2): The North 750 feet, by parallel lines measured at right angles, of that part of the North Half of the Southwest Quarter of Section 2, Township 34 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian in Lake County, Indiana, lying West of the 150 foot wide right-of-way conveyed to Northern Indiana Public Service Co. and recorded July 31, 1982 as Doc No. 673569 in the Lake County Recorder's Office. Containing 29.577 acres, more or less, all in Lake County, Indiana.**

**Parcel Three (3): That part of the South Half of the Northwest Quarter of Section 2, Township 34 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian in Lake County, Indiana, lying East of the 150 foot wide right-of-way conveyed to Northern Indiana Public Service Co. and recorded July 31, 1982 as Doc No. 673569 in the Lake County Recorder's Office. Containing 23.508 acres, more or less, all in Lake County, Indiana.**

**Parcel Four (4): The North 750 feet, by parallel lines measured at right angles, of that part of the North Half of the Southwest Quarter of Section 2, Township 34 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian in Lake County, Indiana, lying East of the 150 foot right-of-way conveyed to North Indiana Public Service Co. and recorded July 31, 1982 as Doc No. 673569 in the Lake County Recorder's Office. Containing 13.593 acres, more or less, all in Lake County, Indiana.**

**Parcel Easement: (Easements & Utilities benefitting Option Parcels 3 and 4) An easement for Roadways [and Underground Utilities] created in an instrument made by and between Northern Indiana Public Service Co. to Charles L. Hein and Judith A. Hein, husband and wife. [their heirs & assigns.] recorded January 23, 1985 as Document No. 789255**

**Commonly known as: Cline Avenue Estates (10800 block of Cline Avenue).**

Once the annexation ordinance is passed by the St. John Town Council and normally enacted and this document adopted by resolution, it will be the official document regarding fiscal planning for that area. The Property will be annexed by the Town of St. John as R-1 Single Family Residential, and shown as such on the zoning maps.

Police and fire protection, emergency medical services, solid waste collection, and traffic control will be provided for the health and safety of the residents in the area to be annexed. Patrons and workers of any business will be provided the above services at standard levels upon annexation. All other non-capital services, such as street maintenance, and all administrative functions of the Town, will be provided upon annexation and in the same manner as similar areas are normally provided within the Town. As indicated elsewhere in this document, there are no facilities of a capital nature anticipated, and no need for park services or other similar services.

The supporting documentation indicates the nominal cost of providing these services as the property develops. When the area is developed, it is anticipated that revenues from property taxes will exceed the cost of services required. This is based on the assumption that if the Town of St. John and its Plan Commission approve the proposed development plan to be presented after the annexation of the property then additional services provided will be used for R-1 Single Family Residential improvements.

## **STATE LAW ANNEXATION REQUIREMENTS**

(I. C. 36-4-3-12(d))

(A). Within one (1) year of each annexation, the Town must provide the area annexed with planned services of a non-capital nature, which are equivalent in standard and scope to those non-capital services provided to similar areas in the Town.

(B). Services of a capital nature are to be provided within three (3) years of the effective date of each annexation in the same manner as those services are provided to similar areas within the Town.

(C). Cost estimates of the services, methods of financing the services, and a plan for the organization and extension of services are also required.

## **PROVISIONS FOR MUNICIPAL SERVICES**

Listed below are the municipal services that are normally provided to the areas of the Town. Within each listing is an explanation of the nature of the services as it relates to the proposed annexation and its estimated cost.

### **1. POLICE PROTECTION**

The area being considered for annexation is approximately one hundred (100) acres, more or less, and would be easily patrolled, additional equipment and/or manpower would not be required.

2. FIRE PROTECTION

Adequate taxes will be collected to fund fire protection needed. The area is currently being serviced by the Town of St. John Fire Department.

3. EMERGENCY MEDICAL SERVICES

The area is currently being serviced by the Town of St. John Emergency Medical Services Department.

4. SOLID WASTE COLLECTION

Solid Waste Collection is provided by a private company on a contracted basis. The Town's portion of said cost can be recouped from property taxes on developed residential units because the need for said services will not arise until occupancy of the residential units occurs.

5. TRAFFIC CONTROL

Traffic control for this area would be under the jurisdiction of the St. John Police Department. Installation of automatic traffic control signs or other measures are not anticipated at this time.

6. STREETS AND ROADS

The area proposed for annexation is currently served by existing public streets. Additional equipment of manpower would not be required as a result of this annexation.

7. STREET LIGHTS

No new street lights are anticipated at this time.

8. PARKS

An increase in park services for the existing residential units is insignificant; any open space within the subdivision that eventually is developed would be dedicated to the Parks and Recreation Department of the Town of St. John.

9. GENERAL ADMINISTRATIVE FUNCTIONS

The costs of General Administrative Services cannot be directly related to the size or use of the area to be annexed. It is assumed that the administrative staff of the Town of St. John will be able to absorb any additional workload that may result from the annexation.

10. PLANNING AND BUILDING

No additional funds will be required as a result of this annexation.

11. WATER

The Owner will extend existing water lines to service the Property.

12. SANITARY SEWERS

The Owner will extend existing sewer lines to service the Property.

13. STORMWATER DRAINAGE

Upon development, stormwater will be collected in inlets and catch basins and properly stored in retention ponds, and released, all in accordance with the stormwater ordinance in the Town of St. John. Maintenance of the stormwater ponds will be the responsibility of the Owner.

14. SUCCESSORS AND ASSIGNS

The covenants herein shall be binding on the successor and assigns of the Owner and any entity that develops the property annexed hereunder.

**REVENUES**

The taxes generated by the existing improvements and land should be sufficient to cover any increased costs to the Town. The total taxes to be paid once any project is completed and developed will be increased by the number of residential units constructed.

**FINANCIAL SUMMARY OF FISCAL IMPACT AREA TO BE ANNEXED**

The estimated annual costs to service the area by the Town of St. John should be nominal in relationship to the 2009 Town of St. John budget. Property taxes will be available to fund these costs.

**METHOD OF FINANCING PLANNED SERVICES**

The non-capital services will be financed by the Town's General Fund and provided within the first year of annexation. The capital services as required will be funded by the payment of property taxes assessed against improvements.

**HIRING DISPLACED GOVERNMENTAL EMPLOYEES**

This annexation will not eliminate any jobs of other employees of other government entities.