

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

**RESOLUTION NO. 14-10-09**

**A RESOLUTION ADOPTING THE FISCAL PLAN FOR BASLER BEND, PETITION FOR ANNEXATION OF 13800 WEST 93<sup>rd</sup> AVENUE.**

**WHEREAS**, Walter and Wanda Basler have filed a Petition for Annexation of certain real estate abutting the Town of St. John, and known as the "13800 West 93<sup>rd</sup> Avenue"; and

**WHEREAS**, Walter and Wanda Basler 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 seeks the annexation of certain territory known as the 13800 West 93<sup>rd</sup> 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 Walter and Wanda Basler is hereby in all respects approved which Fiscal Plan is 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with the provisions of this resolution, are hereby deemed null, void, and of no legal affect, and are specifically repealed.

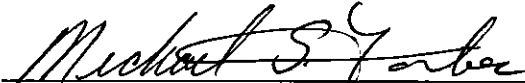
**BE IT FURTHER RESOLVED** that if any section, clause, provision of this resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this resolution.

**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.

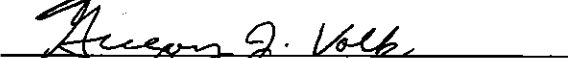
**PASSED AND RESOLVED** by the Town Council of the Town of St. John, Lake County, Indiana, and this 9<sup>th</sup> day of October, 2014.

Aye 4 Nay \_\_\_\_\_

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

  
MICHAEL S. FORBES, President

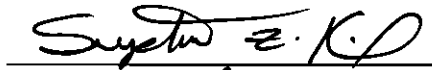
  
LARRY BUSTAMANTE, Vice-President

  
GREGORY J. VOLK, Member

  
KENNETH D. GEMBALA, Member

MARK BARENIE, Member

ATTEST:

  
TOWN MANAGER

**A FISCAL PLAN FOR THE ORGANIZATION AND EXTENSION  
OF SERVICES FOR THE PROPOSED ANNEXATION OF  
THE AREA COMMONLY KNOWN AS  
13800 WEST 93<sup>rd</sup> AVENUE, DYER, INDIANA ("BASLER BEND")**

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:

**Legal Description for 021N08471:**

**Part of the Southwest quarter of the Southwest Quarter of Section 30, Township 35 North, Range 9 West of the Second Principal Meridian, in Lake County, Indiana, more particularly described as follows:**

**Commencing at a point on the west line of the east 29 acres of said Section 30, being at a point 443.40 feet north of the south line of said Section 30; thence south along said west line a distance of 299.93 feet to a point in the center line of Schmal Road; thence northeasterly along the center line of Schmal Road a distance of 340.24 feet to a point 297.0 feet east of the west line of the said East 29 acres and which point is 269.52 feet north of the south line of Section 30; thence north on a line 297.0 feet east of and parallel to said west a distance of 173.88 feet; thence North 88 degrees 39 minutes 20 seconds west on a line 443.40 feet north of and parallel to the south line of said Section 30, a distance of 297.0 feet to the place of beginning.**

**Being the same property conveyed from Alfred Oeding and Mary Monix, as tenants in common to Mark A. Evans by deed dated 11-15-95 and recorded 11-15-95 as Instrument No. 95069947 in the Office of the recorder of Lake County, Indiana.**

**Commonly known as: 13800 West 93<sup>rd</sup> 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 2014 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.