

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

RESOLUTION NO. 2023-07-26

A RESOLUTION ADOPTING THE FISCAL PLAN FOR THE SIX-TENTHS ACRES SUBJECT TO THE PETITION FOR ANNEXATION FILED BY SHANKAR SANAKA

WHEREAS, (Petitioner or petitioners) has filed a Petition for Annexation of certain real property abutting the Town of St. John comprised of six-tenths acres; and

WHEREAS, Petitioner has submitted, pursuant to applicable law, and at the Town's request, a Fiscal Plan pursuant to I.C. 36-4-3-13, and amended; and

WHEREAS, the Petition for Annexation seeks the annexation of certain territory known as 10040 Cline Avenue, St. John, Indiana, 46373 and provides for an R-1 Single-Family 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 applicable state law, as amended, and should in all respects be approved; that said 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:

THAT the Fiscal Plan provided by Petitioner is hereby in all respects approved; that said Fiscal Plan is in the following words and figures, to-wit: (attached hereto); and

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with the provisions of this Resolution, are hereby deemed null, void, and of no legal affect, and are specifically repealed; and

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; and

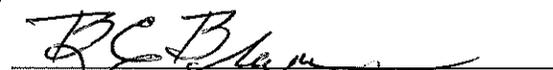
BE IT FURTHER RESOLVED that this Resolution shall take effect, and be in full force and effect, from and after its passage and approval by the Town Council of the Town of St. John, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 26 day of July, 2023, by a vote of 5 in Favor, and 0 Against.

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


MICHAEL SCHILLING, President


GERALD SWETS, Vice-President


BRYAN BLAZAK, Member


WAYNE PONDINAS, Member


MICHAEL AURELIO, Member

ATTEST:


BETH R. HERNANDEZ, Clerk-Treasurer

**A FISCAL PLAN FOR THE ORGANIZATION AND EXTENSION
OF SERVICES FOR THE PROPOSED ANNEXATION OF
THE AREA COMMONLY KNOWN AS 10040 CLINE AVENUE, ST. JOHN,
LAKE COUNTY, INDIANA**

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:

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER THEREOF; THENCE WEST 287.2 FEET; THENCE NORTH 530 FEET, MORE OR LESS, THE SOUTH RIGHT-OF-WAY LINE OF OLD JACKSON HIGHWAY; THENCE EASTERLY ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID SECTION 34; THENCE SOUTH 511.69 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPTING THE EAST 50 FEET THEREOF; ALSO EXCEPTING A PARCEL DESCRIBED AS: BEGINNING AT A POINT 218.71 FEET NORTH AND 50 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE NORTH, PARALLEL TO THE EAST LINE THEREOF, 293.69 FEET, MORE OR LESS, TO THE SOUTH RIGHT-OF-WAY LINE OF OLD JACKSON HIGHWAY; THENCE WESTERLY, ALONG SAID RIGHT-OF-WAY LINE, WITH AN INTERIOR ANGLE OF 96 DEGREES 36 MINUTES, A DISTANCE OF 17.16 FEET; THENCE WESTERLY ALONG SAID RIGHT-OF-WAY LINE, WITH AN INTERIOR ANGLE OF 175 DEGREES 53 MINUTES, A DISTANCE OF 100.24 FEET; THENCE SOUTH, PARALLEL TO SAID EAST LINE, 300 FEET; THENCE EAST 117.2 FEET, MORE OR LESS TO THE POINT OF BEGINNING, ALSO EXCEPTING A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEGREES 43 MINUTES 31 SECONDS WEST ALONG THE SOUTH LINE OF THE SAID SECTION 34, 167.21 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 43 MINUTES 31 SECONDS WEST CONTINUING ALONG THE SAID SOUTH LINE OF SECTION 34, 119.99 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 05 SECONDS WEST, 518.85 FEET TO AN IRON PIPE FOUND ON THE SOUTH RIGHT-OF-WAY OF WEST 101ST STREET, 30 FEET MORE OR LESS SOUTH OF THE CENTERLINE OF WEST 101ST STREET; THENCE SOUTH 88 DEGREES 04 MINUTES 04 SECONDS EAST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, 119.63 FEET TO AN IRON PIPE FOUND; THENCE SOUTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, 515.55 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 45-11-34-479-005.000-032

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

Per I. C. 36-4-3-12(d), *et seq.*, as amended from time to time.

(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, and will be extended and installed by the developer.

(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 six tenths (0.6) acres, more or less, and would be easily patrolled. The addition of this land would result in additional roadway; however, existing police patrols will accommodate said annexed area. Additional costs will be offset by increased revenues generated by property taxes from said development.

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 Metropolitan Police Department. Installation of automatic traffic control signs or other measures are not anticipated at this time.

6. STREETS AND ROADS

While the annexation would result in additional public roadway, additional equipment or manpower would not be required as a result of this annexation, and any additional costs is anticipated to be covered by gas tax revenues.

7. STREET LIGHTS

Upon development of the real property, the developer, at its costs, will install street lights and signage in accordance with subdivision development requirements for the Town of St. John.

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. Park Impact fees will be paid with each new construction building permit issued for residences in the twenty (20) acres.

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 as the department will generate sufficient revenues from the building permit fees.

11. WATER - The developer will extend existing water lines to service the Property, and potable water will be available to all residents in the proposed area to be annexed.

12. SANITARY SEWERS - The developer will extend existing sewer lines to service the Property. Infrastructure necessary to provide a sanitary sewer connection and

wastewater treatment service to each of the proposed lots will be constructed and paid for in the course of the development construction by the developer. Sanitary sewer usage will be paid for by the Town billing household users directly on a monthly basis.

13. STORMWATER DRAINAGE - Storm sewers and other storm water flow control measures will be installed and paid for by the developer. 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. OTHER UTILITIES - Natural gas and electric service is provided to the area to be annexed by Northern Indiana Public Service Company by utility lines located on or near the said area. Telephone, Internet, and cable services are available by multiple service providers to the said area.
15. 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 2023 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.

FILED

AUG 09 2023

GINA PIMENTEL
RECORDER

2023-020102

STATE OF INDIANA
LAKE COUNTY
RECORDED AS PRESENTED

12:51 PM 2023 Aug 9

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

**TOWN OF ST. JOHN, LAKE COUNTY, INDIANA
ORDINANCE NO. 1800**

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY

WHEREAS, the Town of St. John, Lake County, Indiana, is aware that certain property adjacent to or abutting the Northern, boundary of the Town of St. John, commonly known as 10040 Cline Avenue, St. John, Lake County, Indiana 46373, should be annexed to the Town of St. John; and

WHEREAS, the parcel is in excess of one-eighth (1/8) contiguous to the corporate boundary limits of the Town of St. John; and

WHEREAS, the territory sought to be annexed is needed and can be reasonably utilized by the Town of St. John for its development in the reasonably near future; and

WHEREAS, the real estate commonly known as 10040 Cline Avenue, St. John, Lake County, Indiana 46373, will be connected to sanitary sewer service and water service provided by the Town of St. John; and

WHEREAS, the Town of St. John, by resolution, has adopted a written Fiscal Plan pursuant to I.C. 36-4-3-13, as amended, with respect to this parcel of real estate.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana:

SECTION ONE: That the following described parcel of real estate be and is hereby annexed to and declared a part of the Town of St. John, Lake County, Indiana, to-wit:

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER THEREOF; THENCE WEST 287.2 FEET; THENCE NORTH 530 FEET, MORE OR LESS, THE SOUTH RIGHT-OF-WAY LINE OF OLD JACKSON HIGHWAY; THENCE EASTERLY ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID SECTION 34; THENCE SOUTH 511.69 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPTING THE EAST 50 FEET THEREOF; ALSO EXCEPTING A PARCEL DESCRIBED AS: BEGINNING AT A POINT 218.71 FEET NORTH AND 50 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE NORTH, PARALLEL TO THE EAST LINE THEREOF, 293.69 FEET, MORE OR LESS, TO THE SOUTH RIGHT-OF-WAY LINE OF OLD JACKSON HIGHWAY; THENCE WESTERLY, ALONG SAID RIGHT-OF-WAY LINE, WITH AN INTERIOR ANGLE OF 96 DEGREES 36 MINUTES, A DISTANCE OF 17.16 FEET; THENCE WESTERLY ALONG SAID RIGHT-OF-WAY LINE, WITH AN INTERIOR ANGLE OF 175 DEGREES 53 MINUTES, A DISTANCE OF 100.24 FEET; THENCE SOUTH, PARALLEL TO SAID EAST LINE, 300 FEET; THENCE EAST 117.2 FEET, MORE OR LESS TO THE POINT OF BEGINNING, ALSO EXCEPTING A PARCEL OF LAND IN THE

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Commonly known as: 10040 Cline Avenue, St. John, Lake County, Indiana.

SECTION TWO: That the parcel of real estate sought to be annexed will be assigned to Ward 3 as a voting district in the Town of St. John pursuant to I.C. 36-4-3-4(g), as amended.

SECTION THREE: That the zoning district classification of said parcel of real estate is hereby determined to be R-1 Single-Family Zoning District and the master zoning map is hereby amended to reflect this zoning classification.

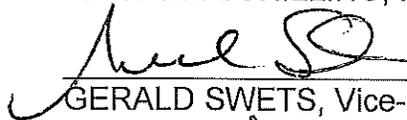
SECTION FOUR: Be it further ordained that the municipal corporate boundaries of the Town of St. John, Lake County, Indiana, shall be, and the same are, hereby declared to be extended so as to include all of the parcel of real estate hereinabove described as part of the Town of St. John, Lake County, Indiana.

SECTION FIVE: That this Ordinance shall take effect, and be in full force and effect from and after its passage, promulgation, and adoption by the Town Council of the Town of St. John, and publication in conformance with applicable law.

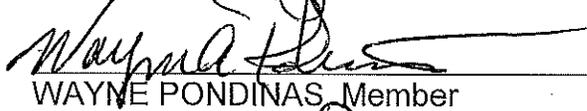
ALL OF WHICH IS PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 26th day of July, 2023, by a vote of 5 in Favor, and 0 Against.

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


MICHAEL SCHILLING, President


GERALD SWETS, Vice-President


BRYAN BLAZAK, Member


WAYNE PONDINAS, Member


MICHAEL AURELIO, Member

ATTEST:


BETH R. HERNANDEZ, Clerk-Treasurer