

**AN ORDINANCE ANNEXING TERRITORY INTO
THE TOWN OF GEORGETOWN, INDIANA, ON PETITION
BY ALL OF THE OWNERS OF SUCH TERRITORY
PURSUANT TO THE PROVISIONS OF IC 36-4-3-5.1**

Whereas, on or about November 2, 2005, Stephen E. Broadus voluntarily filed a petition before this Town Council requesting the annexation of an approximately 0.47-acre tract of real estate which is presently located in the unincorporated territory of Floyd County, Indiana, into the corporate boundaries of the Town of Georgetown, Indiana, pursuant to the provisions of IC 36-4-3-5.1; and,

Whereas, pursuant to the provisions of IC 36-4-3-5.1(e), a notice of public hearing scheduled before this Town Council on December 15, 2005, has been published in accordance with Indiana law at least twenty (20) days before the holding of such hearing, and evidence in the form of proof of publication of such notice was entered into the record at such public hearing; and,

Whereas, this Town Council held such public hearing as scheduled on December 15, 2005, at which the petitioner and all other persons interested in the proposed annexation were afforded the opportunity to speak and address their objections or concerns; and,

Whereas, more than fourteen (14) days have elapsed since the holding of the public hearing on the requested annexation; and,

Whereas, this Town Council now deems it to be in the best interests of the Town of Georgetown, Indiana, to grant the petition for voluntary annexation by adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by this Town Council of the Town of Georgetown, Indiana, as follows:

1. The following described real estate is hereby declared as annexed into the Town of Georgetown, Indiana, *to-wit*:

BEING A 0.47 ACRE PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA. SAME BEING PART OF THOSE SAME LANDS AS CONVEYED TO STEPHEN E. BROADUS, BEING ALL OF A 0.41 ACRE TRACT AS DESCRIBED IN DEED RECORD D.D.25, INSTRUMENT 12572, AND

EXHIBIT
"E"

PART OF A 0.66 ACRE TRACT AS DESCRIBED IN DEED RECORD 25, INSTRUMENT 17248, SAME BEING BOUNDED AS FOLLOWS: COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE ALONG THE QUARTER SECTION LINE, NORTH 00° 24' 29" EAST A DISTANCE OF 954.33 FEET TO A POINT, BEING THE SOUTHEAST CORNER OF SAID 0.66 ACRE TRACT; THENCE LEAVING SAID QUARTER SECTION LINE, ALONG THE SOUTH LINE OF SAID 0.66 ACRE TRACT, NORTH 63° 28' 32" WEST A DISTANCE OF 32.96 FEET TO A POINT ON THE WEST LINE OF SAID 0.66 ACRE TRACT; THENCE ALONG SAID WEST LINE, NORTH 00° 46' 18" EAST A DISTANCE OF 584.44 FEET TO A POINT, BEING THE TRUE PLACE OF BEGINNING OF THE ANNEXATION AREA; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 12.26 FEET TO A POINT; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 99.89 FEET TO A POINT; THENCE NORTH 66° 02' 34" WEST A DISTANCE OF 80.46 FEET TO A POINT; THENCE NORTH 05° 17' 39" EAST A DISTANCE OF 105.55 FEET TO A POINT; THENCE SOUTH 66° 02' 34" EAST A DISTANCE OF 117.36 FEET TO A POINT; THENCE CROSSING TUCKER ROAD, SOUTH 80° 31' 44" EAST A DISTANCE OF 97.04 FEET TO A POINT; THENCE SOUTH 00° 41' 52" WEST A DISTANCE OF 101.18 FEET TO A POINT; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 10.95 FEET TO THE PLACE OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF TUCKER ROAD AND ANY AND ALL OTHER EASEMENTS OF RECORD.

2. This Ordinance shall take effect thirty (30) days after its passage and adoption by this Town Council, and upon the filing and recording of the Ordinance as required by Indiana law, in the absence of an appeal under IC 36-4-3-15.5.

3. The Clerk-Treasurer is hereby directed to publish notice of the adoption of this Ordinance in *The Tribune* newspaper one (1) time within thirty (30) days after the adoption of this Ordinance in accordance with the provisions of IC 5-3-1-2(h).

4. In the absence of an appeal against this Ordinance filed pursuant to IC 36-4-3-15.5, the Clerk-Treasurer is hereby directed to do the following within ninety (90) days after the adoption of this Ordinance:

A. File a certified copy of this Ordinance with each of the following:

(1) The Floyd County Auditor, together with seven (7) additional copies that the Auditor may use to forward in accordance with the provisions of IC 36-4-3-22(d) to (a) the Floyd County Highway Department, (b) the Floyd County Surveyor, (c) the Floyd County Plan Commission, (d) the Floyd County Sheriff, (e) The Georgetown Township Trustee, (f) the office of the Indiana Secretary of State, (g) the office of census data established by IC 2-5-1.1-12.2.

(2) The Clerk of the Floyd Circuit Court;

(3) The Floyd County Board of Voter Registration;

(4) The office of the Indiana Secretary of State;

(5) The office of census data established by IC 2-5-1.1-12.2.

B. Record a certified copy of this Ordinance in the office of the Floyd County Recorder.

[Signature Page Follows]

So Ordained this 19 day of June, 2006.

**BY THE TOWN COUNCIL OF THE
TOWN OF GEORGETOWN, INDIANA**

Gary R. Smith
President

Allen K. McIlroy
Member

Dean Hammersmith
Member

Member
Chris Cent
Member

Attested by:

Douglas Cook
Clerk-Treasurer

Declaration

This form is to be signed by the preparer of a document and recorded with each document in accordance with IC 36-2-7.5-5(a).

I, the undersigned preparer of the attached document, in accordance with IC 36-2-7.5; do hereby affirm under the penalties of perjury:

1. I have reviewed the attached document for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers;
2. I have redacted, to the extent permitted by law, each Social Security number in the attached document.

I, the undersigned, affirm under the penalties of perjury, that the foregoing declarations are true.

Angela Cook
Signature of Declarant

Angela Cook
Printed Name of Declarant

002-05400-51

STATE OF INDIANA
Li
JKI
BEFORE THE GEORGETOWN TOWN COUNCIL

IN RE THE PETITION TO ANNEX)
A 0.47-ACRE TRACT OF REAL)
ESTATE INTO THE TOWN OF)
GEORGETOWN, INDIANA,)
)
STEPHEN E. BROADUS,)
PETITIONER)

Floyd County Recorder
Linda L. Berger 20P
JKM Date 01/31/2006 Time 12:19:52
I 200601051 Page 1 of 20

**PETITION FOR ANNEXATION INTO
THE TOWN OF GEORGETOWN, INDIANA**

Comes now petitioner, Stephen E. Broadus ("Broadus"), and petitions the Town of Georgetown, Indiana (the "Town"), by the Georgetown Town Council, as its legislative body (the "Town Council"), as follows:

1. Broadus hereby requests that the Town Council adopt an ordinance annexing the tract of the real estate described hereinbelow into the Town pursuant to the provisions of IC 36-4-3-5.1.

2. Broadus is the sole owner of the approximately 0.47-acre tract of real estate (the "Real Estate") that is more particularly described as follows:

BEING A 0.47 ACRE PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA. SAME BEING PART OF THOSE SAME LANDS AS CONVEYED TO STEPHEN E. BROADUS, BEING ALL OF A 0.41 ACRE TRACT AS DESCRIBED IN DEED RECORD D.D.25, INSTRUMENT 12572 AND PART OF A 0.66 ACRE TRACT AS DESCRIBED IN DEED RECORD 25, INSTRUMENT 17248, SAME BEING BOUNDED AS FOLLOWS: COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE ALONG THE QUARTER

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

JAN 31 2006

Jeresa A. Plais
AUDITOR FLOYD CO. IND.

SECTION LINE, NORTH 00° 24' 29" EAST A DISTANCE OF 954.33 FEET TO A POINT, BEING THE SOUTHEAST CORNER OF SAID 0.66 ACRE TRACT; THENCE LEAVING SAID QUARTER SECTION LINE, ALONG THE SOUTH LINE OF SAID 0.66 ACRE TRACT, NORTH 63° 28' 32" WEST A DISTANCE OF 32.96 FEET TO A POINT ON THE WEST LINE OF SAID 0.66 ACRE TRACT; THENCE ALONG SAID WEST LINE, NORTH 00° 46' 18" EAST A DISTANCE OF 584.44 FEET TO A POINT, BEING THE TRUE PLACE OF BEGINNING OF THE ANNEXATION AREA; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 12.26 FEET TO A POINT; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 99.89 FEET TO A POINT; THENCE NORTH 66° 02' 34" WEST A DISTANCE OF 80.46 FEET TO A POINT; THENCE NORTH 05° 17' 39" EAST A DISTANCE OF 105.55 FEET TO A POINT; THENCE SOUTH 66° 02' 34" EAST A DISTANCE OF 117.36 FEET TO A POINT; THENCE CROSSING TUCKER ROAD, SOUTH 80° 31' 44" EAST A DISTANCE OF 97.04 FEET TO A POINT; THENCE SOUTH 00° 41' 52" WEST A DISTANCE OF 101.18 FEET TO A POINT; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 10.95 FEET TO THE PLACE OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF TUCKER ROAD AND ANY AND ALL OTHER EASEMENTS OF RECORD.

3. The Real Estate is located adjacent to, but outside of, the existing municipal boundaries of the Town. The boundaries of the Real Estate are 16.84% in common with, and contiguous to, the existing municipal boundaries of the Town.

4. A survey drawing of the Real Estate is attached hereto as Exhibit "A".

5. Pursuant to the provisions of IC 36-4-3-5.1(b), notice of the filing of this petition, or the proposed adoption of an ordinance by the Town Council enacting the requested annexation, is not required to any other owner of land within the Real Estate pursuant to the provisions of IC 36-4-3-2.1 and IC 36-4-3-2.2 as Stephen E. Broadus owns one hundred percent (100%) of such real estate.

6. Broadus further requests that the Town adopt a fiscal plan and establish a definite policy by resolution of the Town Council after the holding of a public hearing on the proposed annexation, which hearing shall be held within thirty (30) days after the filing of this petition, and at which hearing all interested parties shall have the opportunity to testify as to the proposed annexation. A draft notice of public hearing is attached hereto as Exhibit "B". A draft fiscal plan proposed by Broadus is attached hereto as Exhibit "C". A draft resolution adopting such plan is attached hereto as Exhibit "D".

7. Broadus has caused notice in the form attached hereto as Exhibit "B" of a public hearing on this petition before the Town Council to be held at its regular meeting on December 15, 2005, to be published in *The Tribune*, a newspaper of general circulation published in Floyd County, Indiana, one (1) time in accordance with IC 5-3-1, *et seq.*, at least twenty (20) days before the scheduled hearing.

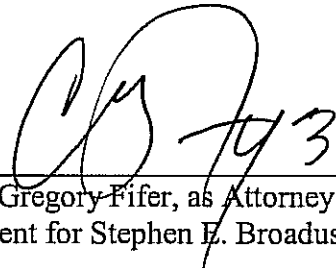
8. Broadus acknowledges that the Town Council may not adopt an ordinance effecting the requested annexation sooner than fourteen (14) days after the public hearing is conducted. A draft ordinance proposed by Broadus for such purposes is attached hereto as Exhibit "E".

9. Broadus reserves the right to withdraw its signature from this petition not more than thirteen (13) days after the Town adopts its fiscal plan by providing written notice to the office of the Town's Clerk-Treasurer. In the event of such withdrawal, Broadus acknowledges that this petition shall automatically be considered to be a voluntary petition that is filed with the legislative body under IC 36-4-3-5, and all

voluntary petition that is filed with the legislative body under IC 36-4-3-5, and all provisions applicable to a petition initiated under such statute shall then apply to this petition.

WHEREFORE, petitioner, Stephen E. Broadus, asks that the Town Council adopt an ordinance annexing the Real Estate into the Town as requested herein and pursuant to the provisions of applicable Indiana law.

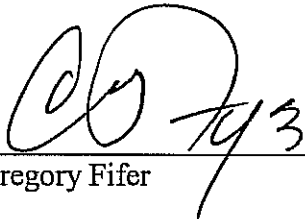
THE UNDERSIGNED, AS THE DULY AUTHORIZED ATTORNEY AND AGENT FOR PETITIONER, STEPHEN E. BROADUS, HEREBY AFFIRMS, UNDER THE PENALTIES FOR PERJURY, THAT THE FOREGOING REPRESENTATIONS WITHIN THIS *PETITION FOR ANNEXATION INTO THE TOWN OF GEORGETOWN, INDIANA*, ARE TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

A handwritten signature in black ink, appearing to read 'C. Gregory Fifer', is written over a horizontal line. The signature is stylized and includes the number '743' at the end.

C. Gregory Fifer, as Attorney and Agent for Stephen E. Broadus

CERTIFICATE OF FILING

The undersigned hereby certifies that on the 2nd day of November, 2005, the foregoing Petition for Annexation into the Town of Georgetown, Indiana, was filed personally in the office of the Georgetown Clerk-Treasurer, 9110 State Road 64, Georgetown, Indiana 47122.



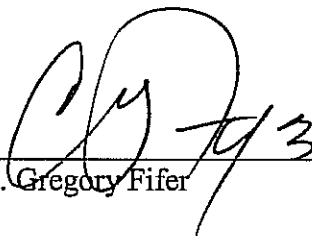
C. Gregory Fifer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 2nd day of November, 2005, a copy of the foregoing Petition for Annexation into the Town of Georgetown, Indiana, was served by first class United States mail, postage prepaid, on the following:

Stan O. Faith, 412 E. Main Street, New Albany, Indiana 47150

John R. Vissing, JOHN R. VISSING, LLC, 432 E. Court Avenue, Jeffersonville, Indiana 47130



C. Gregory Fifer

This Petition prepared by:

C. Gregory Fifer, #8121-98

APPLEGATE & FIFER

131 E. Court Avenue, Suite 101

Jeffersonville, Indiana 47131-1418

(812) 294-9499

Counsel for Petitioner

MAP of ANNEXATION

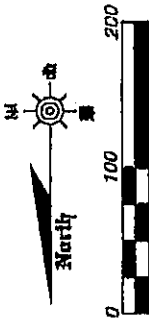
0.47 ACRE PARCEL

ADDITION TO BROOKSTONE SUBDIVISION

LAND DESCRIPTION:

BEING A 0.47 ACRE PARCEL OF LAND LING IN SECTION 34, TOWNSHIP 3 SOUTH, RANGE 3 EAST, GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA, SAME BEING PART OF THOSE SAME LANDS AS CONVEYED TO STEPHEN E. BROADUS, BEING ALL OF A 0.41 ACRE TRACT AS DESCRIBED IN DEED RECORD D.D. 25, INSTRUMENT 12572 AND PART OF A 0.66 ACRE TRACT AS DESCRIBED IN DEED RECORD 21, INSTRUMENT 17248, SAME BEING BOUNDED AS FOLLOWS: COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE ALONG THE QUARTER SECTION LINE, NORTH 00°24'29" EAST A DISTANCE OF 594.33 FEET TO A POINT; BEING THE SOUTHEAST CORNER OF SAID 0.66 ACRE TRACT; THENCE LEAVING SAID QUARTER SECTION LINE, ALONG THE SOUTH LINE OF SAID 0.66 ACRE TRACT, NORTH 65°37'32" WEST A DISTANCE OF 31.94 FEET TO A POINT ON THE WEST LINE OF SAID 0.66 ACRE TRACT; THENCE ALONG SAID WEST LINE, NORTH 00°46'18" EAST A DISTANCE OF 584.44 FEET TO A POINT, BEING THE TRUE PLACE OF BEGINNING OF THE ANNEXATION AREA; THENCE NORTH 80°31'50" WEST A DISTANCE OF 11.26 FEET TO A POINT; THENCE NORTH 68°02'54" WEST A DISTANCE OF 80.46 FEET TO A POINT; THENCE NORTH 05°17'38" EAST A DISTANCE OF 101.18 FEET TO A POINT; THENCE SOUTH 66°02'34" EAST A DISTANCE OF 117.36 FEET TO A POINT; THENCE CROSSING TUCKER ROAD, SOUTH 86°31'49" EAST A DISTANCE OF 97.04 FEET TO A POINT; THENCE SOUTH 80°41'51" WEST A DISTANCE OF 101.18 FEET TO A POINT; THENCE NORTH 80°31'50" WEST A DISTANCE OF 10.95 FEET TO THE PLACE OF BEGINNING, SUBJECT TO TUCKER ROAD AND ANY AND ALL EASEMENTS OF RECORD.

Deed Reference: D.D. 25, Inst. 12572 & D.D. 25, Inst. 17248
 Percentage of contiguity to Town Boundary = 18.84%



Old Georgetown to New Albany Road
 begin 40' R/W
 Old State Road 64

Tucker Road 40' R/W
 D.R. 130, Pg. 397

MELVIN AND VICKIE JENSEN
 1430 N. TUCKER ROAD
 GEORGETOWN, IN. 47122
 D.R. 188, PG. 133

WESLEY R. AND BONNIE J. GRIFFIN
 1432 N. TUCKER RD.
 GEORGETOWN, IN. 47122
 D.D. 20, INST. 14156

RONALD AND DIANA S. KERR
 1421 N. TUCKER ROAD
 GEORGETOWN, IN. 47122

STEPHEN E. BROADUS
 D.D. 25, INST. 12572
 0.41 ACRES

ROBERTA AND
 ROSETTA HARVEY
 1400 N. TUCKER ROAD
 GEORGETOWN, IN. 47122

DAVID J. RUCKMAN CO.
 SURVEYORS PLANNERS & CONSULTANTS
 4259 Evans Memorial Road
 New Albany, Indiana 47150
 (812) 949-4334

SCALE	DATE	BY	REV.
1"=50'	12/20/00	DRG	

0.46 ACRE - ANNEXATION MAP
 AN ADDITION TO THE TOWN OF GEORGETOWN
 SECTION 34, T-3-S, R-3-E
 GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA

David J. Ruckman
 DAVID J. RUCKMAN L.S.

I.P. @ S.E. CORNER
 OF S.W. QUARTER OF
 SECTION 34, T2S, R3E

STEPHEN E. BROADUS
 D.D. 25, INST. 17248
 0.66 ACRES

1/4 SEC. LINE
 0.66 ACRES

EASEMENT TO SCHARRA TRACT

12.26'

S 80°31'50" E

101.18'

S 07°11'49" E

141.28'

S 20°07'30" W

67.17'

S 00°24'29" W

584.44'

N 00°46'18" E

594.33'

N 00°24'29" E

32.96'

N 63°28'32" W

101.18'

S 80°31'50" E

101.18'

S 07°11'49" E

141.28'

S 20°07'30" W

67.17'

S 00°24'29" W

584.44'

N 00°46'18" E

594.33'

N 00°24'29" E

101.18'

S 80°31'50" E

NOTICE OF PUBLIC HEARING
ON PETITION FOR ANNEXATION

Notice is hereby given that petitioner, Stephen E. Broadus, has filed a petition before the Georgetown Town Council for the annexation of the following-described tract of real property that is presently located in the unincorporated territory of Floyd County into the corporate boundaries of the Town of Georgetown, *to-wit*:

BEING A 0.47 ACRE PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA. SAME BEING PART OF THOSE SAME LANDS AS CONVEYED TO STEPHEN E. BROADUS, BEING ALL OF A 0.41 ACRE TRACT AS DESCRIBED IN DEED RECORD D.D.25, INSTRUMENT 12572 AND PART OF A 0.66 ACRE TRACT AS DESCRIBED IN DEED RECORD 25, INSTRUMENT 17248, SAME BEING BOUNDED AS FOLLOWS: COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE ALONG THE QUARTER SECTION LINE, NORTH 00° 24' 29" EAST A DISTANCE OF 954.33 FEET TO A POINT, BEING THE SOUTHEAST CORNER OF SAID 0.66 ACRE TRACT; THENCE LEAVING SAID QUARTER SECTION LINE, ALONG THE SOUTH LINE OF SAID 0.66 ACRE TRACT, NORTH 63° 28' 32" WEST A DISTANCE OF 32.96 FEET TO A POINT ON THE WEST LINE OF SAID 0.66 ACRE TRACT; THENCE ALONG SAID WEST LINE, NORTH 00° 46' 18" EAST A DISTANCE OF 584.44 FEET TO A POINT, BEING THE TRUE PLACE OF BEGINNING OF THE ANNEXATION AREA; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 12.26 FEET TO A POINT; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 99.89 FEET TO A POINT; THENCE NORTH 66° 02' 34" WEST A DISTANCE OF 80.46 FEET TO A POINT; THENCE NORTH 05° 17' 39" EAST A DISTANCE OF 105.55 FEET TO A POINT; THENCE SOUTH 66° 02' 34" EAST A DISTANCE OF 117.36 FEET TO A POINT; THENCE CROSSING TUCKER ROAD, SOUTH 80° 31' 44" EAST A DISTANCE OF 97.04 FEET TO A POINT; THENCE SOUTH 00° 41' 52" WEST A DISTANCE OF 101.18 FEET

EXHIBIT

"B"

TO A POINT; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 10.95 FEET TO THE PLACE OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF TUCKER ROAD AND ANY AND ALL OTHER EASEMENTS OF RECORD.

Notice is further hereby given that a public hearing will be held on the above-described petition at the regular Georgetown Town Council meeting scheduled for December 15, 2005, at 7:30 o'clock p.m. (prevailing local time), to be held at Georgetown Town Hall, 9110 State Road 64, Georgetown, Indiana 47122.

A complete copy of the petition for annexation is on file and may be viewed in the Clerk-Treasurer's office at Georgetown Town Hall during regular business hours. Remonstrances or objections to the proposed annexation shall be heard at such hearing. The Georgetown Town Council may continue the public hearing from time-to-time as deemed necessary, and may adopt an ordinance effecting such annexation not sooner than fourteen (14) days following the close of such hearing.

So noticed this 2nd day of November, 2005.

/s/ Doug Cook, Georgetown Clerk-Treasurer

This notice prepared by:

C. Gregory Fifer, Attorney

APPLEGATE & FIFER

131 East Court Avenue, Suite 101

Jeffersonville, Indiana 47131-1418

(812) 284-9499

Counsel for Petitioner

**FISCAL PLAN FOR THE PROVISION OF
MUNICIPAL SERVICES TO A 0.47-ACRE TRACT
OF LAND FOR WHICH ANNEXATION INTO THE TOWN
OF GEORGETOWN, INDIANA, HAS BEEN REQUESTED**

Petitioner, Stephen E. Broadus, has filed a petition requesting annexation of a 0.47-acre tract of real property that is presently located in the unincorporated territory of Floyd County, Indiana, into the Town of Georgetown, Indiana (collectively the "Property").

This Fiscal Plan is established in accordance with the requirements of IC 36-4-3-3.1 as the definite policy of the Georgetown Town Council for the provision of services to the Property. The following shall be the policy of the Town of Georgetown regarding the provision of non-capital and capital services to the Property:

1. **Non-Capital Services.** The Town presently provides services of a non-capital nature within its current corporate boundaries, including without limitation, police protection and street and road maintenance. Such services will be provided to the Property within one (1) year after the effective date of annexation in a manner equivalent in standard and scope that such non-capital services are provided to areas within the Town's current corporate boundaries, regardless of similar topography, patterns of land use, and population density.

Due to the fact that the Property, and adjacent real estate, is presently being developed as a residential subdivision by Brookstone Georgetown, LLC, and further due to the relatively small size of the Property, it is not estimated that any additional Town personnel will need to be hired to provide such services. As such, it is estimated that the planned services will not result in any material increase in the Town's cost of providing such municipal services generally. The services that are to be provided to the Property will be paid for from the new *ad valorem* tax revenues to be received by the Town from such Property.

2. **Capital Services.** The Town presently provides services of a capital improvement nature within its current corporate boundaries, including without limitation, street construction, street lighting, and water facilities. Such services will be provided to the Property within three (3) years after the effective date of annexation in a manner equivalent in standard and scope that such non-capital services are provided to areas within the Town's current corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.

The residences within the subdivision being developed adjacent to the Property are, or will be, provided with service by the Town Water Utility and the Town Sewer Utility through extensions funded and constructed by Petitioner. In conjunction with the relatively small size of the Property, it is not estimated that any additional Town personnel will need to be hired, or capital expenditures made, in order to provide such services to the Property. Any costs for extension of the water system to other presently

undeveloped portions of the Property will be borne by the owner or developer thereof in a manner consistent with the Town's established policies. As such, it is estimated that the planned services will not result in any material increase in the Town's cost of providing such municipal services generally. The services that are to be provided to the Property will be paid for from the new *ad valorem* tax revenues to be received by the Town from such Property.

RESOLUTION NO. R-05-10

**A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
AS THE DEFINITE POLICY OF THE TOWN OF
GEORGETOWN, INDIANA, WITH RESPECT TO THE
PROVISION OF MUNICIPAL SERVICES TO A
0.47-ACRE AREA THAT IS PROPOSED TO BE
ANNEXED INTO ITS CORPORATE BOUNDARIES**

Whereas, on or about November 2, 2005, Stephen E. Broadus, voluntarily filed a petition before this Town Council requesting the annexation of an approximately 0.47-acre tract of real estate that is presently located in the unincorporated territory of Floyd County, Indiana, into the corporate boundaries of the Town of Greenville, Indiana, pursuant to the provisions of IC 36-4-3-5.1; and,

Whereas, pursuant to the provisions of IC 36-4-3-5.1(e), a notice of public hearing scheduled before this Town Council on December 15, 2005, has been published in accordance with Indiana law at least twenty (20) days before the holding of such hearing, and evidence in the form of proof of publication of such notice was entered into the record at such public hearing; and,

Whereas, this Town Council held such public hearing as scheduled on December 15, 2005, at which the petitioner and all other persons interested in the proposed annexation were afforded the opportunity to speak and address their objections or concerns; and,

Whereas, IC 36-4-3-3.1(d) requires this Town Council to adopt a written fiscal plan establishing a definite policy of the Town for the provision of municipal services to the proposed annexed area before this Town Council may adopt of an ordinance effecting the requested annexation; and,

Whereas, this Town Council now deems it to be in the Town's best interests to adopt a written fiscal plan establishing a definite policy for the provision of municipal services to the proposed annexed area as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by this Town Council of the Town of Georgetown, Indiana, as follows:

1. The Fiscal Plan attached hereto as Exhibit "1" is hereby adopted as the definite policy of the Town of Georgetown, Indiana, with respect to the provision of municipal services to the tracts of real estate for which annexation is requested, which tracts of real estate are more particularly described as follows, *to-wit*:

EXHIBIT
"1"

BEING A 0.47 ACRE PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA. SAME BEING PART OF THOSE SAME LANDS AS CONVEYED TO STEPHEN E. BROADUS, BEING ALL OF A 0.41 ACRE TRACT AS DESCRIBED IN DEED RECORD D.D.25, INSTRUMENT 12572 AND PART OF A 0.66 ACRE TRACT AS DESCRIBED IN DEED RECORD 25, INSTRUMENT 17248, SAME BEING BOUNDED AS FOLLOWS: COMMENCING AT AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE ALONG THE QUARTER SECTION LINE, NORTH 00° 24' 29" EAST A DISTANCE OF 954.33 FEET TO A POINT, BEING THE SOUTHEAST CORNER OF SAID 0.66 ACRE TRACT; THENCE LEAVING SAID QUARTER SECTION LINE, ALONG THE SOUTH LINE OF SAID 0.66 ACRE TRACT, NORTH 63° 28' 32" WEST A DISTANCE OF 32.96 FEET TO A POINT ON THE WEST LINE OF SAID 0.66 ACRE TRACT; THENCE ALONG SAID WEST LINE, NORTH 00° 46' 18" EAST A DISTANCE OF 584.44 FEET TO A POINT, BEING THE TRUE PLACE OF BEGINNING OF THE ANNEXATION AREA; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 12.26 FEET TO A POINT; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 99.89 FEET TO A POINT; THENCE NORTH 66° 02' 34" WEST A DISTANCE OF 80.46 FEET TO A POINT; THENCE NORTH 05° 17' 39" EAST A DISTANCE OF 105.55 FEET TO A POINT; THENCE SOUTH 66° 02' 34" EAST A DISTANCE OF 117.36 FEET TO A POINT; THENCE CROSSING TUCKER ROAD, SOUTH 80° 31' 44" EAST A DISTANCE OF 97.04 FEET TO A POINT; THENCE SOUTH 00° 41' 52" WEST A DISTANCE OF 101.18 FEET TO A POINT; THENCE NORTH 80° 31' 50" WEST A DISTANCE OF 10.95 FEET TO THE PLACE OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF TUCKER ROAD AND ANY AND ALL OTHER EASEMENTS OF RECORD.

2. This Resolution shall take effect immediately upon its passage and adoption by this Town Council.

EXHIBIT
"D"

**FISCAL PLAN FOR THE PROVISION OF
MUNICIPAL SERVICES TO A 0.47-ACRE TRACT
OF LAND FOR WHICH ANNEXATION INTO THE TOWN
OF GEORGETOWN, INDIANA, HAS BEEN REQUESTED**

Petitioner, Stephen E. Broadus, has filed a petition requesting annexation of a 0.47-acre tract of real property that is presently located in the unincorporated territory of Floyd County, Indiana, into the Town of Georgetown, Indiana (collectively the "Property").

This Fiscal Plan is established in accordance with the requirements of IC 36-4-3-3.1 as the definite policy of the Georgetown Town Council for the provision of services to the Property. The following shall be the policy of the Town of Georgetown regarding the provision of non-capital and capital services to the Property:

1. **Non-Capital Services.** The Town presently provides services of a non-capital nature within its current corporate boundaries, including without limitation, police protection and street and road maintenance. Such services will be provided to the Property within one (1) year after the effective date of annexation in a manner equivalent in standard and scope that such non-capital services are provided to areas within the Town's current corporate boundaries, regardless of similar topography, patterns of land use, and population density.

Due to the fact that the Property, and adjacent real estate, is presently being developed as a residential subdivision by Brookstone Georgetown, LLC, and further due to the relatively small size of the Property, it is not estimated that any additional Town personnel will need to be hired to provide such services. As such, it is estimated that the planned services will not result in any material increase in the Town's cost of providing such municipal services generally. The services that are to be provided to the Property will be paid for from the new *ad valorem* tax revenues to be received by the Town from such Property.

2. **Capital Services.** The Town presently provides services of a capital improvement nature within its current corporate boundaries, including without limitation, street construction, street lighting, and water facilities. Such services will be provided to the Property within three (3) years after the effective date of annexation in a manner equivalent in standard and scope that such non-capital services are provided to areas within the Town's current corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.

The residences within the subdivision being developed adjacent to the Property are, or will be, provided with service by the Town Water Utility and the Town Sewer Utility through extensions funded and constructed by Petitioner. In conjunction with the relatively small size of the Property, it is not estimated that any additional Town personnel will need to be hired, or capital expenditures made, in order to provide such services to the Property. Any costs for extension of the water system to other presently

undeveloped portions of the Property will be borne by the owner or developer thereof in a manner consistent with the Town's established policies. As such, it is estimated that the planned services will not result in any material increase in the Town's cost of providing such municipal services generally. The services that are to be provided to the Property will be paid for from the new *ad valorem* tax revenues to be received by the Town from such Property.

So Resolved this 15 day of Jan, 2005.

**BY THE TOWN COUNCIL OF THE
TOWN OF GEORGETOWN, INDIANA**

Gary L Smith
President

Jay Lam
Member

Dean Hammesmith
Member

Chris A Cant
Member

Member

Attested by:

Douglas Cole
Clerk-Treasurer