

Town of Georgetown, IN

Resolution # R-07-03

**A RESOLUTION AMENDING RESOLUTION #R-07-02
RE-ADOPTING A WRITTEN
FISCAL PLAN ESTABLISHING A DEFINITE
POLICY FOR THE PROVISION OF CAPITAL
AND NON-CAPITAL TOWN SERVICES TO
CERTAIN REAL ESTATE THAT IS
CONTIGUOUS TO THE EXISTING BOUNDARIES
OF, AND WHICH MAY BE ANNEXED
BY SUBSEQUENT ORDINANCE INTO,
THE TOWN OF GEORGETOWN, INDIANA**

WHEREAS, this Town Council of the Town of Georgetown, Indiana, is the legislative body of the Town of Georgetown, County of Floyd, State of Indiana (the "Town"); and,

WHEREAS, this Town Council has determined that the real estate described in Exhibit "A" attached hereto and incorporated herein (collectively, the "Real Estate") is contiguous to the existing boundaries of the Town pursuant to the provisions of IC 36-4-3-1.5; and,

WHEREAS, the boundaries of this annexation area have been slightly expanded from those originally proposed and attached to Resolution #R-07-02, the Town Council has determined that the updated real estate description in Exhibit "A", dated 2/27/07, attached hereto and incorporated herein (collectively, the "Real Estate"), is contiguous to the existing boundaries of the Town pursuant to the provisions of IC 36-4-3-1.5; and,

WHEREAS, this Town Council has determined that the Real Estate statutorily qualifies for annexation under the provisions of IC 36-4-3, *et seq.*; and,

WHEREAS, by adoption of this Resolution this Town Council hereby finds that the Real Estate is needed and will be used by the Town for its development and growth in the reasonably near future; and,

WHEREAS, IC 36-4-3-3.1 requires that a municipality shall develop and adopt a written fiscal plan and establish a definite policy by resolution of its legislative body for the provision of capital and non-capital services in conformity with the provisions of IC 36-4-3-13 prior to enacting an ordinance to annex such real estate into the municipality; and,

WHEREAS, at the direction of this Town Council a written fiscal plan entitled "Annexation Plan for the Town of Georgetown, Indiana" and dated 2/13/2007 has been developed and such Fiscal Plan has been presented to this Town Council; and;

WHEREAS, this Town Council is desirous of adopting the Fiscal Plan as the definite policy of the Town the provision of capital and non-capital services to the Real Estate; and,

WHEREAS, this Town Council hereby adopts this resolution in order to fully satisfy such statutory requirements and municipal planning objectives.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN
COUNCIL OF THE TOWN OF GEORGETOWN, INDIANA,
AS FOLLOWS:**

Section 1. By adoption of this Resolution, the Town of Georgetown, Indiana, hereby establishes and adopts the written fiscal plan attached hereto and incorporated herein as Exhibit "B" (the "Fiscal Plan") as the definite policy of the Town for the provision of capital and non-capital services to the Real Estate prior to consideration of an ordinance to annex the Real Estate into the Town.

Section 2. The purpose of the Fiscal Plan is to ensure that the Town is physically and financially able to provide municipal services of a non-capital and capital nature to the Real Estate in a manner that is beneficial to the Town.

Section 3. In the event that the Real Estate is annexed into the Town by subsequent ordinance properly adopted by this Town Council, it shall be the definite policy of this Town to provide services of both a capital and non-capital nature in the manner described in the Fiscal Plan. Any monies necessary for the provision of services as described and itemized in the Fiscal Plan shall be budgeted and appropriated from the applicable Town fund or funds pursuant to Indiana law and the Town's budget procedure.

Section 4. The Clerk-Treasurer of the Town shall provide a copy of the attached Fiscal Plan without charge to any landowner within the Real Estate that requests a copy following adoption of this Resolution.

Section 5. A public hearing shall be held by this Town Council on an ordinance to adopt the Real Estate into the Town on May 10, 2007, after 7:30 PM. All interested parties shall have the opportunity to testify as to the proposed annexation at such hearing. As promptly as practicable after adoption of this Resolution, notice of this public hearing shall be given by the Clerk-Treasurer by (a) publication in accordance with IC 5-3-1, except that the notice shall be published at least sixty (60) days before the hearing, and (b) mailing to each owner of property within the Real Estate as set forth in IC 36-4-3-2.2.

The public hearing originally scheduled for 4/26/07 is hereby postponed to the new May 10th hearing date.

Section 6. This Resolution shall be in full force and effect from the date of its passage and adoption by this Town Council.

SO RESOLVED by this Town Council this 1st day of March, 2007.

Georgetown Town Council


Gary Smith, President