

Resolution No. R-02-03

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN ESTABLISHING A DEFINITE POLICY FOR THE PROVISION OF NON-CAPITAL AND CAPITAL 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 (hereinafter this "Town Council") 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 following described real estate is contiguous to the existing boundaries of the Town pursuant to the provisions of IC 36-4-3-1.5 (the "Annexation Area"), *to-wit*:

Being a part of Sections 2 and 3, Township 3 South, Range 5 East, Floyd County, Indiana and being further described as follows:

Beginning at the northeast corner of the southeast quarter of said Section 3; thence N. 0° 04' 03" W., along the line dividing said Sections 2 and 3, and along the corporate boundary of the Town of Georgetown, 1200 feet, more or less, to the south Right-of-Way line of Interstate 64, the TRUE PLACE OF BEGINNING.

Thence continuing N. 0° 04' 03" W., along said Section line and said corporate boundary line, 500 feet, more or less, to the north Right-of-Way line of said Interstate 64; thence northwesterly and southwesterly, along said northern Right-of-Way line and a corporate boundary line of said Town, 3480 feet, more or less, to a corner of said Town, being 150 feet east of the west line of a tract of land owned by Melvin and Vickie Jensen, described in Deed Record Book 188, Page 133; thence N. 0° 07' 35" W., along a corporate boundary of said Town, being 150 feet east of and parallel to said west line of the Jensen tract, 1424 feet, more or less, to a corner of said Town, being a line of said Jensen tract; thence S. 89° 54' E., along a corporation line and said line of Jensen tract, 165 feet to a corner of said Town and a corner of said Jensen tract; thence S. 0° 07' 35" E., parallel to the west line of said Jensen tract, 1068 feet, more or less, to a point 160 feet north of the northern Right-of-Way line of said Interstate 64 as measured at right angles to said Right-of-Way line; thence northeasterly and southeasterly, parallel to and 160 feet from said northern Right-of-Way line, 3557 feet, more or less, to the line dividing the land owned by

Zelpha Schoen described in Deed Record Book 128, Page 570 from the land owned by Brenda K. Beams described in Deed Drawer 21, Instrument 1893; thence S. 24° W., along said dividing line, 148.5 feet, more or less, to the northern Right-of-Way line of said Interstate 64; thence easterly, along said northern line, 2191 feet, more or less, to the southwest corner of a tract of land owned by the Town of Georgetown, described in Instrument #200604261 and 200604262; thence N. 3° 33' W., along a line of said Georgetown property, 891.89 feet to a corner of said Georgetown property; thence S. 89° 49' E., along a line of said Georgetown property, 294.27 feet to a corner of said property; thence N. 1° 50' E., along a line of said property, 361.93 feet to the north Right-of-Way line of Old Georgetown Road; thence easterly, along said Right-of-Way line, 585 feet, more or less; thence S. 28° 10' E., partially along a line of said Georgetown property, 140 feet, more or less, to a corner of said property; thence S. 10° 36' 24" W., along a line of said property, 50.46 feet to a corner of said property; thence S. 5° 32' 24" W., along a line of said property, 59.63 feet to a corner of said property; thence S. 75° 44' 24" W., along a line of said property, 73.42 feet to a corner of said property; thence S. 22° 07' 54" W., along a line of said property, 107.95 feet to a corner of said property; thence S. 14° 57' 06" E., along a line of said property, 181.03 feet to a corner of said property; thence N. 77° 29' 30" E., along a line of said property, 102.05 feet to a corner of said property; thence S. 20° 07' 48" E., along a line of said property, 84.4 feet to a corner of said property; thence S. 77° 15' 12" W., along a line of said property, 100.89 feet to a corner of said property; thence S. 20° 54' 48" E., along a line of said property, 345.54 feet to a corner of said property; thence S. 5° 23' 18" E., along a line of said property, 283.81 feet to the northern Right-of-Way line of said Interstate 64; thence S. 70° W., 1050 feet, more or less, to the south Right-of-Way line of said Interstate 64; thence westerly, along said southern Right-of-Way, 2494 feet, more or less, to THE PLACE OF BEGINNING. Containing 69 acres, more or less.

; and,

WHEREAS, this Town Council has determined that the Annexation Area is sufficiently contiguous to statutorily qualify 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 Annexation Area is needed and will be used by the Town for its development and growth in the reasonably near future, including, but not limited to, the former O'Brien Property that is presently owned by the Town that is the proposed site for construction of a Town wastewater treatment facility; 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 non-capital and capital services in conformity with the provisions of IC

36-4-3-13 prior to enacting an ordinance to annex such Annexation Area 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" dated June 17, 2008 (the "Fiscal Plan") has been prepared, and such Fiscal Plan has been presented to this Town Council for its review and consideration; and;

WHEREAS, this Town Council is desirous of adopting the Fiscal Plan as the definite policy of the Town for the provision of non-capital and capital services to the Annexation Area in order that this Town Council may subsequently consider the annexation of the Annexation Area by separate ordinance; 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 "A" (the "Fiscal Plan") as the definite policy of the Town for the provision of non-capital and capital services to the Annexation Area prior to consideration of an ordinance to annex the Annexation Area 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 Annexation Area in a manner that is beneficial to the Town.

Section 3. In the event that the Annexation Area 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 non-capital and 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 Annexation Area 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 Annexation Area into the Town at Georgetown Town Hall on Friday, August 22, 2008, at 6:00 o'clock p.m. (prevailing local time) (a date which is not earlier than sixty (60) days after the date this Resolution is adopted and such ordinance is first introduced). 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 Annexation Area as set forth in IC 36-4-3-2.2.

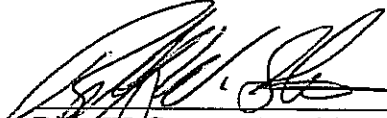
Section 6. This Resolution shall be in full force and effect from the later of the date of its passage and adoption by this Town Council.

SO RESOLVED by this Town Council this 17 day of June, 2008.

TOWN COUNCIL OF THE TOWN OF GEORGETOWN, INDIANA

Voting Aye:

Voting Nay:



Billy W. Stewart, President

Billy W. Stewart, President



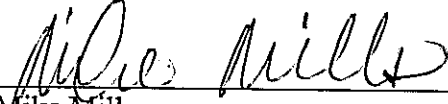
Aaron Striegel

Aaron Striegel

Karla Perkins

Karla Perkins

Mike Mills



Mike Mills



Everett Pullen

Everett Pullen

Attested by:

Doug Cook, Clerk-Treasurer

ANNEXATION FISCAL PLAN
FOR THE
TOWN OF GEORGETOWN, INDIANA

June 17, 2008

EXHIBIT "A"

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INTRODUCTION

The following fiscal plan (this "Fiscal Plan") is for the proposed annexation of the area consisting of approximately 69-acres located generally to the east/southeast of the existing municipal boundaries of the Town of Georgetown, Indiana (the "Town"), and that is more particularly described in attached Appendix I (the "Annexation Area"). A map more clearly depicting the Annexation Area is also attached as Appendix II. A map showing the boundaries of the Town before and after annexation is attached as Appendix III.

The primary purpose of the proposed annexation is to bring the Town Property described herein within the Town's municipal boundaries. By deed recorded as Instrument 200604261 in the office of the Recorder of Floyd County, Indiana, on April 7, 2006, the Town acquired approximately 17.5 acres of property from Alma S. O'Brien and Patsy Jean Schoeffler. By deed recorded as Instrument 200604262 in the office of the Recorder of Floyd County, Indiana, on April 7, 2006, the Town acquired approximately 6.8 acres of property from Alma S. O'Brien that are adjacent to the tract described above. These two tracts are referred to hereinafter as the "Town Property" and are presently located within the unincorporated territory of Floyd County, Indiana. The Town Property was acquired after the Town's engineering consultant recommended it as an appropriate site for a Town wastewater treatment facility (the "WWTP"). The Town has retained engineers that have designed the WWTP, and the Indiana Department of Environmental Management ("IDEM") has issued a construction permit for the WWTP on the Town Property based on such plans. However, actual construction of the WWTP has been delayed by the failure or refusal of the Floyd County Plan Commission, the Floyd County Board of Zoning Appeals, and/or the Floyd County Commissioners (collectively "Floyd County") to grant zoning approvals under the requirements of the Floyd County Zoning Ordinance that would authorize the construction and operation of the WWTP on the Town Property. The Town and Floyd County been engaged in litigation pending in the Floyd Circuit Court as Case No. 22C01-0803-PL-202 regarding the construction and operation of the WWTP on the Town Property in which the Town asserts that Floyd County lacks authority to determine the location of utility facilities. The Town Council continues to believe that construction of the WWTP on the Town Property is in the best interest of the Town's citizens and wastewater customers as the Town is presently party to an agreement with the City of New Albany whereby the Town collects and transports wastewater to New Albany on financial terms that are deemed uneconomic by the Town Council, and in order that the Town can secure adequate additional wastewater treatment capacity that will ensure the ability of the Town to develop and grow in the reasonably near future. The proposed annexation is therefore deemed to be consistent with the Town's stated objective to construct and operate the WWTP on the Town Property in the reasonably near future and in a manner consistent with all applicable laws and regulations.

The purpose of this document is to comply with the requirements of Indiana Code 36-4-3-13(d), the requirements of which mandate the development and adoption of a written fiscal plan and the establishment of a definite policy by resolution of the Town Council. The Indiana Code states that this fiscal plan must include and provide:

(1) The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency.

(2) The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants, and other funding to be used.

(3) The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin.

(4) That planned services of a non-capital nature, including police protection, fire protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries, will be provided to the annexed territory within one (1) year after the effective date of annexation and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density.

(5) That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as those services are provided to areas within the 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.

This Fiscal Plan was developed through the cooperative efforts of (i) the Town Council, (ii) the Town's various administrative offices, specifically including the Town's Public Works Director, Jim D. Reynolds, (iii) the Town's engineering consultant, Bob Woosley, P.E., of Heritage Engineering, LLC, (iv) the Town's surveying consultant, David R. Blankenkemper, L.S., of Blankenkemper & Son Land Surveying, Inc., and (v) the Town's special legal counsel, C. Gregory Fifer of the firm of Applegate & Fifer. This Fiscal Plan is the result of an analysis of the proposed Annexation Area.

For the reasons described in the balance of this Fiscal Plan, the annexation meets the statutory requirements set forth in Indiana Code 36-4-3-13, *to-wit*: (1) the Annexation Area is contiguous to the Town, (2) the Annexation Area is needed and can be used by the Town for its growth and development in the reasonably near future, and (3) there is a written Fiscal Plan, herein provided, that has been approved by the Town Council.

SECTION I

AREA DESCRIPTION

A. Location, Area Size and Contiguity

The proposed Annexation Area is located generally to the east/southeast side of the existing corporate boundaries of the Town. The legal description of the Annexation Area has been included in attached Appendix I, and a map of the Annexation Area is included in attached Appendix II.

The Annexation Area is approximately sixty-nine 69 acres in total. The perimeter boundary of the Annexation Area totals approximately 19,800 lineal feet, of which approximately 5,620 lineal feet is contiguous to the existing Town boundaries. Thus, approximately twenty eight and thirty-eight hundredths percent (28.38%) of the boundary of the total Annexation Area is contiguous with the current boundaries of the Town.

No portion of the Annexation Area is located within three (3) miles of the existing corporate boundaries of the City of New Albany, Indiana (which is the only second or third class city located in Floyd County), and the Town is therefore not required to obtain the consent of such city to the proposed annexation pursuant to the provisions of IC 36-4-3-9(b).

B. Property Owners, Current Land Use.

The Annexation Area consists of parcels owned or controlled by the following four (4) separate owners:

1. An approximately 10.6-acre portion of a 32.63-acre tract owned by Melvin R. and Vickie Sue Jensen (see Deed Record 188, Page 122), whose tax mailing address is 1430 North Tucker Road, Georgetown, Indiana 47122 (the "Jensen Property"). No improvements are constructed on the portion of the Jensen Property included within the Annexation Area, and no persons reside within the Jensen Property included within the Annexation Area. Upon belief the Jensen Property is presently used for passive or agricultural purposes.

2. An approximately 8-acre portion of tracts consisting of an initial 206.3-acres owned by Zelpha Schoen (see Deed Record 128, Page 570) (which tracts now consist of an aggregate of 94.55 acres according to the Floyd County Records), whose tax mailing address is 7055 State Road 64, Georgetown, Indiana 47122 (the "Schoen Property"). No improvements are constructed on the portion of the Schoen Property included within the Annexation Area, and no persons reside within the Schoen Property included within the Annexation Area. The Schoen Property is presently used for passive or agricultural purposes.

3. An approximately 26.1-acre portion of tracts owned by the State of Indiana (see Deed Record 194, Page 3, Deed Record 195, Page 5, and Court Order H40306) that is presently utilized by its Department of Transportation as a part of the right-of-way of Interstate 64 (the "State Property"). The improvements on the State Property are limited to the paved driving lanes of the interstate highway and appurtenant improvements, and no persons reside within the State Property.

4. An approximately 24.3-acre tract owned by the Town of Georgetown, Indiana (see Instruments 200604261 and 200604262) (collectively the "Town Property"). A single family home existed on the Town Property at the time that it was acquired by the Town, and the Town presently leases it to a caretaker for use as a single-family home. One (1) person presently resides in the single-family home on the Town Property.

C. Current Population

The current population of the Annexation Area is one (1) person, which consists of the single resident of the existing single-family home on the Town Property described above.

D. Current Zoning; Proposed Zoning

The Annexation Area is currently under the jurisdiction of the Floyd County Plan Commission. The properties within the Annexation Area are presently located within the following zoning districts:

1. The Jensen Property is located within the district designated as "Agricultural/Residential" on the Floyd County Zoning Map.
2. The Schoen Property is located within the district designated as "Agricultural/Residential" on the Floyd County Zoning Map.
3. The State Property is either located within the district designated as "Agricultural/Residential" on the Floyd County Zoning Map, or is not classified for zoning purposes on such map.
4. The Town Property is located within the district designated as "Agricultural/Residential" on the Floyd County Zoning Map.

The Town of Georgetown Department of Planning and Zoning will assume the responsibility for planning and zoning within the Annexation Area immediately upon the annexation ordinance taking effect. The following zoning designations under the Town of Georgetown Zoning Ordinance and Zoning Map are recommended to attach to the properties within the Annexation Area upon the proposed annexation taking effect and pursuant to the terms of the annexation ordinance:

1. The Jensen Property shall be designated as "A, Agricultural" pursuant to the provisions of Section 3.1(B) of the Georgetown Zoning Ordinance upon the annexation ordinance taking effect.
2. The Schoen Property shall be designated as "A, Agricultural" pursuant to the provisions of Section 3.1(B) of the Georgetown Zoning Ordinance upon the annexation ordinance taking effect.
3. The State Property shall be shall be designated as "A, Agricultural" pursuant to the provisions of Section 3.1(B) of the Georgetown Zoning Ordinance upon the annexation ordinance taking effect.
4. An approximately five (5) acre parcel of the Town Property as shown on the map attached hereto as Appendix IV(B) shall be designated as "M3, Hazardous Waste Disposal District" pursuant to the provisions of Section 3.1(B) of the Georgetown Zoning Ordinance upon the annexation ordinance taking effect.

5. The remainder of the Town Property as shown on the map attached hereto as Appendix IV(B) shall be designated as "A, Agricultural" pursuant to the provisions of Section 3.1(B) of the Georgetown Zoning Ordinance upon the annexation ordinance taking effect.

A map showing the existing zoning designations within the Annexation Area is attached hereto as Appendix IV(A). A map showing the proposed zoning designation within the Annexation Area to be effective upon annexation is attached hereto as Appendix IV(B).

E. Real Property Assessed Valuation

The net assessed valuation for land and improvements in the Annexation Area as of March 1, 2006, for taxes payable in 2007 is \$143,242, which value is calculated as follows:

| Property | Total Acreage | Total A/V (\$) | Acreage in Annexation Area | % of A/V in Annexation Area | Net A/V (\$) |
|-----------------|----------------------|--------------------------|-----------------------------------|------------------------------------|---------------------|
| Jensen Property | 32.63 | 39,000 | 10.6 | 32.49 | 12,670 |
| Schoen Property | 94.55 | 62,300 | 8.0 | 8.46 | 5,272 |
| State Property | -- | 0 | 26.1 | -- | 0 |
| Town Property | 24.3 | 36,000 (L) 89,300 (I) | 23.3 | 100.00 | 125,300 |
| TOTALS | | | 69.0 | | 143,242 |

F. Council District

The Annexation Areas on the attached map shall be assigned to Town Council Districts as follows:

| Existing Township and Precinct # | Town Council District After Annexation |
|---|---|
| Georgetown 3 | Third District |

SECTION II
EXISTING UTILITY SERVICES

A. Water

The Annexation Area is currently served by Edwardsville Water Corporation. No change in this service is expected to result from the annexation.

B. Wastewater

The Annexation Area is within the jurisdictional service area of the Town pursuant to the provisions of Indiana Code 36-9-23-33. However, the existing home on the Town Property is presently served by an on-site septic system, and no customers are presently connected to the Town's sanitary sewer collection and treatment system within the Annexation Area.

C. Natural Gas

The Annexation Area is currently served by Vectren. No change in this service is expected to result from the annexation.

D. Electricity

The Annexation Area is currently served by Duke Energy. No change in this service is expected to result from the annexation.

E. Telephone

The Annexation Area is currently served by AT&T and Insight Communications. No change in this service is expected to result from the annexation.

**SECTION III
EXISTING GOVERNMENTAL SERVICES**

A. Police

The Floyd County Sheriff's Department currently provides law enforcement service to the Annexation Area. The Town has a mutual aid agreement with the County whereby the Town already responds to emergency calls within areas outside of the Town's boundaries that include the Annexation Area. Beginning at 12:01 a.m. (prevailing local time) on December 30, 2009, the Town will perform primary law enforcement duties in the Annexation Area. In the interim period, the town will continue to provide mutual aid in the Annexation Area.

B. Fire

The Town does not provide municipal fire protection service. The Annexation Area is currently served by the Georgetown Township Fire Protection District. The entirety of the Town is also presently located within such district. As such, the proposed annexation will have no effect on the provision of fire protection service to the Annexation Area or require any financial adjustment under the provisions of IC 36-4-3-7.

C. Emergency Medical Services

The Town currently has an interlocal agreement with Floyd County under which the County is solely responsible for the assignment of EMS service territories to providers,

including within both the Town and the Annexation Area. It is expected that there will be no change in this agreement as a result of this annexation.

D. Parks

The Annexation Area does not contain any parks. There is a combination of approximately two (2) park and recreation facilities in the Town available for all residents.

E. Planning, Building and Zoning

The Annexation Area is currently under the jurisdiction of the Floyd County Building Commission, the Floyd County Plan Commission, and the Floyd County Board of Zoning Appeals. The services provided by these offices include comprehensive planning, zoning administration and building code regulation and enforcement. The Town Department of Planning and Zoning and the Town Building Commission Office will take over these roles in the Annexation Area immediately upon the annexation ordinance taking effect.

F. Streets and Street Lights

The only existing publicly dedicated street within the Annexation Area is I-64, which is exclusively under the jurisdiction of the State of Indiana and its Department of Transportation. The Town Street Department will be responsible for maintaining the roads in the area beginning at 12:01 a.m. (prevailing local time) on December 30, 2009.

It is not presently anticipated that the Town will be adding any streetlights within the Annexation Area. In the event that a streetlight is deemed as needed on any publicly dedicated street under the Town's jurisdiction, such request should be submitted to the Town Council for review and consideration in accordance with the Town's existing policy.

G. Solid Waste

Garbage disposal is provided to residents in the unincorporated territory of Floyd County (including the Annexation Area) by private firms. Beginning at 12:01 a.m. (prevailing local time) on December 30, 2009, the Town will provide trash, recycling, and yard waste removal to any residents of the Annexation Area.

H. Drainage

Floyd County currently provides drainage services to the Annexation Areas. The Town will provide drainage service to the Annexation Area beginning at 12:01 a.m. (prevailing local time) on December 30, 2009.

SECTION IV
CAPITAL SERVICES AND IMPROVEMENTS REQUIREMENTS

A. Cost of Services

The Annexation Area was evaluated to determine the services and facilities required to provide the same type of services and in the same manner as services that are currently provided within the existing Town's corporate limits.

The Town will provide all necessary capital improvements to the Annexation Area by 12:01 a.m. (prevailing local time) on December 30, 2011, in a manner equivalent in standard and scope to those capital services provided to areas within the Town regardless of topography, patterns of land use, and population density.

B. Water Service

Edwardsville Water Corporation is currently responsible for serving the Annexation Area and this will continue following annexation. No additional costs will be incurred by the Town regarding the providing of water service.

C. Wastewater Service

During the first year following the effective date of annexation, the Town plans to construct a new 0.35 million gallons per day ("MGD") wastewater treatment plant on a portion of the Town Property. The Town presently pumps its wastewater to the City of New Albany for treatment pursuant to a contract that limits capacity to 0.226 MGD. The Town is presently nearing the limits of this capacity, and has been unable to obtain an expansion of such capacity from New Albany under economic terms that the Town Council deems beneficial. The Town Council has accordingly identified the need for the Town to construct its own treatment facility, with sufficient capacity to assure the ability of the Town to develop and grow in the reasonably near future, as one of its primary objective. The Town estimates that the construction cost of the wastewater treatment plant project will be approximately \$2 million (excluding land acquisition). The Town plans to fund the project costs by issuing sewer revenue bonds, and has retained the accounting firm of H. J. Umbaugh & Associates to provide advice and guidance in the process of obtaining such financing. As a part of constructing this project, the Town will extend sanitary sewer service to the existing single-family home on the Town Property. The Town's engineering consultant estimates that the Town will incur costs of approximately \$5,000 to construct such extension and connection. The Town will pay for the cost of such extension either directly from sewer utility revenues or from the proceeds of the financing for the wastewater treatment plant project. Extension costs to any new structures in the Annexation Area will be borne by the owners and/or developers thereof pursuant to current Town policy.

D. Storm Drainage

Storm drainage throughout the Annexation Area will be consistent with the Town's current storm drainage policies and practices throughout the Town. The Town identifies and constructs drainage projects throughout the Town utilizing funding as drainage fees

becomes available. Drainage projects within the Annexation Area shall be implemented as identified by the Town Drainage Board shall be implemented by using this same procedure.

E. Street Maintenance and Construction

Construction of any new streets within the developments in the Annexation Area will be the responsibility of the appropriate developer in accordance with Town policies. The Town does not anticipate that any existing thoroughfares within the Annexation Area will need to be reconstructed within three (3) years of the annexation.

F. Trash Collection

Trash collection throughout the Annexation Area will be consistent with the Town's current trash collection policies throughout the Town. The annexation will not create the need for any new garbage trucks or other equipment.

G. Street Lighting

The Town does not anticipate any capital expenses related to providing streetlights in the Annexation Area. In the event that any streetlights are subsequently added within the Annexation Area, the capital cost of those lights will be the responsibility of Duke Energy. The Town, however, will assume responsibility for the monthly purchased power bills related to any such new lights and will appropriate and utilize funds in the Town General Fund to pay same.

**SECTION V
NON-CAPITAL SERVICES AND IMPROVEMENTS**

A. Cost of Services

The Annexation Area was evaluated to determine the services and facilities required to provide the same type of services and in the same manner as services that are currently provided within the existing Town corporate limits.

The proposed Annexation Area will not require the addition of new personnel for the Town departments for police, streets, garbage collection, building commission, zoning, or other administrative services.

The Town will provide all necessary non-capital services to the Annexation Area beginning at 12:01 a.m. (prevailing local time) on December 30, 2009, in a manner equivalent in standard and scope to those non-capital services provided to areas within the Town regardless of topography, patterns of land use, and population density.

B. Police Protection

The Town Police Department's primary purpose is the prevention of crime. The police department patrols the boundaries of the Town on a daily basis and responds to all alarm calls.

In addition, the police department provides other services such as detection and apprehension of offenders, traffic control, and preservation of civil order. The police department does not distinguish between different areas of the Town. The same services are provided throughout the entirety of the Town. The Town does not anticipate needing to hire any additional officers as a result of the annexation in order to maintain the current service ratio of police officers per 1,000 population.

C. Fire Protection

The Georgetown Township Fire Protection District presently serves the entirety of both the Town and the Annexation Area. No impact on the provision of fire protection services is therefore anticipated as the result of the annexation.

D. Emergency Medical Services

The Town currently has an interlocal agreement with Floyd County under which the County is solely responsible for the assignment of EMS service territories to providers, including in both the Town and the Annexation Area. It is expected that there will be no change in this agreement as a result of this annexation.

E. Street Maintenance

The Town Street Department will be responsible for the maintenance and snow and ice removal of the publicly dedicated streets in the Annexation Area that are under the control of the Town. There are presently no such publicly dedicated streets within the Annexation Area that the Town will be responsible for maintaining.

F. Trash Collection

The Town will provide garbage and yard refuse collection services to all properties in the Annexation Area. The Town does not anticipate needing to hire any additional employees as a result of the annexation.

G. Storm Drainage

Storm drainage maintenance throughout the Annexation Area will be consistent with the Town's current storm drainage maintenance throughout the Town. The Town does not anticipate needing to hire any additional employee as a result of the annexation.

H. Animal Control

The Town utilizes the services and facilities of the New Albany – Floyd County Animal Shelter to promote the rescue and adoption of domestic animals. However, the Town does have two temporary holding pens in which stray or abandoned animals are held prior to transfer to the animal shelter. Neither the Town nor Floyd County distinguish between different areas of the Town or the County in providing such services. The Town does not anticipate any change in these services within the Annexation Area following annexation.

I. Parks

The Town presently has two (2) parks and recreation facilities throughout the Town. No additional parkland or facilities are anticipated due to the annexation.

J. Planning and Zoning

The Town Department of Planning and Zoning is responsible for assisting citizens and developers with all aspects of their development needs. The department does not anticipate the need to hire any administrative personnel as a result of the annexation.

L. Building Commission

This office is responsible for the issuance of construction trade licenses and permits related to new construction, alterations, repair and additions to existing structures. Inspection activities are conducted to insure that the minimum levels of construction are in compliance with the Indiana Building Code and local ordinances. The office does not anticipate needing to hire any new administrative staff as a result of the annexation.

M. Governmental Administrative Services

The administrative services of the Town will become available to the residents of the Annexation Area at 12:01 a.m. (prevailing local time) on December 30, 2009. These services include, but are not limited to, the Town Council Office, the Clerk-Treasurer's Office, the Wastewater Utility, Street Department, and Parks and Recreation Department. It is not anticipated that any new administrative staff will need to be added as a result of the annexation. Furthermore, the costs of these services are not directly related to the initial size and population of the Annexation Area; therefore, this Fiscal Plan does not include estimates related to any such costs.

**SECTION VI
FISCAL IMPACT**

The total assessed value of the Town for 2007 is \$90,104,750. As a result of this annexation, the assessed value for the Town is expected to increase by \$143,242 (see Section E above) to \$90,247,992. This represents a negligible increase of approximately 0.15897%. Property tax controls instituted by the 2003 Indiana General Assembly limit the Town to a property tax increase equal to the six-year average non-farm income (3.9% for 2006 budget year) annually for most funds. The net impact of increasing the Town's assessed value through this annexation will not result in substantial additional property tax revenues to the Town (particularly as the State Property and the Town Property are exempt), but may assist in small measure to stabilize or lower property tax rates for Town residents.

Annexation Area property owners will not pay property taxes to the Town until 2009 payable 2010. However, the Town will begin providing non-capital municipal services to the

property owners at 12:01 a.m. (prevailing local time) on December 30, 2009, with the exception of planning and zoning, which will be provided immediately following the effective date of annexation.

It is anticipated that there will be very minimal additional costs, if any, to the Town as a result of the annexation. Detailed revenue projections were not included in this Fiscal Plan because of the property tax controls. The majority of any property taxes paid within the Annexation Area will not constitute new revenues, but rather represents the proportional share of the Town's levy that is applicable to the Annexation Area taxpayers. Additional state revenues based on population will not be adjusted until the next census. The cost of a special census to modify the portion the Town would receive is cost prohibitive and is not being contemplated by the Town at this time.

SECTION VII **ASSUMED INDEBTEDNESS**

A. Township Debt

As required by Indiana Code 36-4-3-10, upon request of the Georgetown Township Trustee, the Town will assume and pay any unpaid bonds or other obligations of Georgetown Township existing at the effective date of the annexation of the Annexation Area in the same ratio as the assessed valuation of the property in the Annexation Area bears to the assessed valuation of all property in Georgetown Township, as shown on the most recent assessment for taxation prior to the effective date of the annexation.

The Georgetown Township Trustee, David Riley, has advised that Georgetown Township has no debt currently outstanding.

B. Fire Protection District Debt

As required by Indiana Code 36-4-3-7(e), upon request of the Georgetown Township Fire Protection District, the Town will assume and pay any unpaid bonds or other obligations of the Georgetown Township Fire Protection District existing at the effective date of the annexation of the Annexation Area in the same ratio as the assessed valuation of the property in the Annexation Area (that is part of the fire protection district) bears to the assessed valuation of all property in the district, as shown on the most recent assessment for taxation prior to the effective date of the annexation.

According to information provided by the chief of the Georgetown Township Fire Protection District, the district currently has outstanding debt in the approximate amount of \$185,000.00, which debt was for a fire truck that was assumed from the former volunteer fire department. However, as both all of the Town and all of the Annexation Area are presently located within the Georgetown Township Fire Protection District, no financial impact to the Town or the district are expected to result from the annexation, and the Town should not be required to assume any additional debt of the district under the terms of the above-referenced statute.

SECTION VIII
STATUTORY REQUIREMENTS

The Town will provide the services of a capital improvement nature related to the annexation as described in this Fiscal Plan by 12:01 a.m. (prevailing local time) on December 30, 2009, and services of a non-capital nature by 12:01 a.m. (prevailing local time) on December 30, 2009, in the same standard and scope as those services of a capital improvement nature and non-capital nature provided to areas within the current corporate boundaries of the Town. The Town will finance the additional municipal services expenditures through a combination of the funds mentioned above.

The Annexation Area meets the requirements of IC 36-4-3-13 in that approximately twenty-eight and thirty-eight hundredths percent (28.38%) of the aggregate boundary of the Annexation Area is contiguous with the current boundaries of the Town. Therefore, this area meets the one-fourth (1/4) contiguity requirement established by IC 36-4-3-13(c)(1). Also, the territory sought to be annexed is needed and can be used by the municipality for its development in the reasonably near future. Therefore, all of the requirements of IC 36-4-3-13 are met.

The requirements of a written fiscal and policy plan are being met for the Annexation Area, stated above, by this document. The five (5) specific items, which must be included in the fiscal plan, are addressed in this document and satisfy the requirements under Indiana law.

In the case of this annexation, the Town has initiated annexation procedures to annex the Annexation Area into the boundaries of the Town in the manner required and authorized by IC 36-4-3, *et seq.* Once the Fiscal Plan has been adopted, the Town will publish a public notice in *The Tribune* of the public hearing to be held by the Georgetown Town Council concerning the proposed annexation. Once that notice has been published and the written notice of the hearing has been sent to each owner of the real property within the Annexation Area as shown on the Floyd County's auditor's current tax list, all legal and procedural requirements for the Town to annex the Annexation Area will have been satisfied.

APPENDIX I

LEGAL DESCRIPTION OF ANNEXATION AREA TO THE TOWN OF GEORGETOWN, INDIANA

Being a part of Sections 2 and 3, Township 3 South, Range 5 East, Floyd County, Indiana and being further described as follows:

Beginning at the northeast corner of the southeast quarter of said Section 3; thence N. $0^{\circ} 04' 03''$ W., along the line dividing said Sections 2 and 3, and along the corporate boundary of the Town of Georgetown, 1200 feet, more or less, to the south Right-of-Way line of Interstate 64, the TRUE PLACE OF BEGINNING.

Thence continuing N. $0^{\circ} 04' 03''$ W., along said Section line and said corporate boundary line, 500 feet, more or less, to the north Right-of-Way line of said Interstate 64; thence northwesterly and southwesterly, along said northern Right-of-Way line and a corporate boundary line of said Town, 3480 feet, more or less, to a corner of said Town, being 150 feet east of the west line of a tract of land owned by Melvin and Vickie Jensen, described in Deed Record Book 188, Page 133; thence N. $0^{\circ} 07' 35''$ W., along a corporate boundary of said Town, being 150 feet east of and parallel to said west line of the Jensen tract, 1424 feet, more or less, to a corner of said Town, being a line of said Jensen tract; thence S. $89^{\circ} 54' E.$, along a corporation line and said line of Jensen tract, 165 feet to a corner of said Town and a corner of said Jensen tract; thence S. $0^{\circ} 07' 35'' E.$, parallel to the west line of said Jensen tract, 1068 feet, more or less, to a point 160 feet north of the northern Right-of-Way line of said Interstate 64 as measured at right angles to said Right-of-Way line; thence northeasterly and southeasterly, parallel to and 160 feet from said northern Right-of-Way line, 3557 feet, more or less, to the line dividing the land owned by Zelpha Schoen described in Deed Record Book 128, Page 570 from the land owned by Brenda K. Beams described in Deed Drawer 21, Instrument 1893; thence S. $24^{\circ} W.$, along said dividing line, 148.5 feet, more or less, to the northern Right-of-Way line of said Interstate 64; thence easterly, along said northern line, 2191 feet, more or less, to the southwest corner of a tract of land owned by the Town of Georgetown, described in Instrument #200604261 and 200604262; thence N. $3^{\circ} 33' W.$, along a line of said Georgetown property, 891.89 feet to a corner of said Georgetown property; thence S. $89^{\circ} 49' E.$, along a line of said Georgetown property, 294.27 feet to a corner of said property; thence N. $1^{\circ} 50' E.$, along a line of said property, 361.93 feet to the north Right-of-Way line of Old Georgetown Road; thence easterly, along said Right-of-Way line, 585 feet, more or less; thence S. $28^{\circ} 10' E.$, partially along a line of said Georgetown property, 140 feet, more or less, to a corner of said property; thence S. $10^{\circ} 36' 24'' W.$, along a line of said property, 50.46 feet to a corner of said property; thence S. $5^{\circ} 32' 24'' W.$, along a line of said property, 59.63 feet to a corner of said property; thence S. $75^{\circ} 44' 24'' W.$, along a line of said property, 73.42 feet to a corner of said property; thence S. $22^{\circ} 07' 54'' W.$, along a line of said property,

107.95 feet to a corner of said property; thence S. 14° 57' 06" E., along a line of said property, 181.03 feet to a corner of said property; thence N. 77° 29' 30" E., along a line of said property, 102.05 feet to a corner of said property; thence S. 20° 07' 48" E., along a line of said property, 84.4 feet to a corner of said property; thence S. 77° 15' 12" W., along a line of said property, 100.89 feet to a corner of said property; thence S. 20° 54' 48" E., along a line of said property, 345.54 feet to a corner of said property; thence S. 5° 23' 18" E., along a line of said property, 283.81 feet to the northern Right-of-Way line of said Interstate 64; thence S. 70° W., 1050 feet, more or less, to the south Right-of-Way line of said Interstate 64; thence westerly, along said southern Right-of-Way, 2494 feet, more or less, to THE PLACE OF BEGINNING. Containing 69 acres, more or less.

Note: The above description was prepared by David R. Blankenkaker, L.S., of Blankenkaker & Son Land Surveyors, Inc., P.C., from deeds and maps of record for Annexation purposes.

David R. Blankenkemper, P.L.S.
Terry A. Kendall, P.L.S.

Howard R. Blankenkemper (1905-1974)
Rollyn H. Blankenkemper (1934-1994)

Blankenkemper & Son

Land Surveyors Inc., P.C.

Established 1945

426 Meigs Avenue
Jeffersonville, Indiana 47130

(812) 282-4183 phone
(812) 282-4197 fax

P.O. Box 157
Jeffersonville, Indiana
47131-0157

12 June 2008

DESCRIPTION OF PROPOSED ANNEXATION TO GEORGETOWN

Being a part of Sections 2 and 3, Township 3 South, Range 5 East, Floyd County, Indiana and being further described as follows:

Beginning at the northeast corner of the southeast quarter of said Section 3; Thence N.0°04'03"W., along the line dividing said Sections 2 and 3, and along the corporate boundary of the Town of Georgetown, 1200 feet, more or less, to the south Right-of-Way line of Interstate 64, the TRUE PLACE OF BEGINNING.

Thence continuing N.0°04'03"W., along said Section line and said corporate boundary line, 500 feet, more or less, to the north Right-of-Way line of said Interstate 64; Thence northwesterly and southwesterly, along said northern Right-of-Way line and a corporate boundary line of said Town, 3480 feet, more or less, to a corner of said Town, being 150 feet east of the west line of a tract of land owned by Melvin and Vickie Jensen, described in Deed Record Book 188, Page 133; Thence N.0°07'35"W., along a corporate boundary of said town, being 150 feet east of and parallel to said west line of the Jensen tract, 520 feet, more or less, to a south line of a 1006.33 acre tract described in the "Judgement on Petitioner's Verified Petition for Remonstrance" entered in the Floyd Circuit Court in Cause 22 C01-0709-PL-657 on June 20, 2008; Thence N.61°22'48"E., along said south line, 205 feet, more or less, to a point 315 feet east of said west line of the Jensen tract; Thence S.0°07'35"E., parallel to the west line of said Jensen tract, 265 feet, more or less, to a point 160 feet north of the northern Right-of-Way line of said Interstate 64 as measured at right angles to said Right-of-Way line; Thence northeasterly and southeasterly, parallel to and 160 feet from said northern Right-of-Way line, 3557 feet, more or less, to the line dividing the land owned by Zelpha Schoen described in Deed Record Book 128, Page 570 from the land owned by Brenda K. Beams described in Deed Drawer 21, Instrument 1893; Thence S.24°W., along said dividing line, 148.5 feet, more or less, to the northern Right-of-Way line of said Interstate 64; Thence easterly, along said northern line, 2191 feet, more or less, to the southwest corner of a tract of land owned by the Town of Georgetown, described in Instrument #200604261 and 200604262; Thence N.3°33'W., along a line of said Georgetown property, 891.89 feet to a corner of said Georgetown property; Thence S.89°49'E., along a line of said Georgetown property, 294.27 feet to a corner of said property; Thence N.1°50'E., along a line of said property, 361.93 feet to the north Right-of-Way line of Old Georgetown Road; Thence easterly, along said Right-of-Way line, 585 feet, more or less; Thence S.28°10'E., partially along a line of said Georgetown property, 140 feet, more or less, to a corner of said property; Thence S.10°36'24"W., along a line of said property, 50.46 feet to a corner of said property;

APPENDIX I