

ORDINANCE NO. 031318C

AN ORDINANCE CONCERNING THE ANNEXATION OF
ADJACENT AND CONTIGUOUS TERRITORY CHANGING
AND EXTENDING THE CORPORATE BOUNDARIES OF
THE TOWN OF MCCORDSVILLE, INDIANA

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF MCCORDSVILLE, INDIANA THAT:

Section I. The corporate boundary of the Town of McCordsville, Indiana is hereby changed and extended so as to include and make a part of the corporation of the Town of McCordsville, Indiana, the following described real estate situated in Hancock County, Indiana, consisting of 1 acres, more or less, including right of way, described on "Exhibit A", attached hereto and incorporated herein by reference.

Section II. The Town of McCordsville, Indiana has developed a fiscal plan and has established a definite policy to furnish the annexed territory within a period of three (3) years, governmental and proprietary service substantially equivalent in standard and scope to the areas of the Town which have characteristics of topography, patterns of land utilization and population density similar to the above-described property.

Section III. The annexed territory east of County Road 600 West is hereby assigned to Council District 2.


Section IV. This Ordinance shall be in full force and effect from and after its passage, approval by the Town Council, and publication as prescribed by law.

Section V. The annexed territory to be zoned "Residential-1 (R-1)" is described in attached "Exhibit A".

Section VI. Introduced and filed on the 13th day of March, 2018. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of 5 in favor and 0 opposed pursuant to I.C. 36-5-9.8.

Duly ordained and passed this 10th day of April, 2018 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

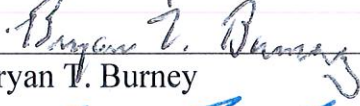
Voting Affirmative:



Larry J. Longman



Barry A. Wood



Bryan T. Burney



Thomas R. Strayer



Branden D. Williams

Voting Opposed:

Larry J. Longman

Barry A. Wood

Bryan T. Burney

Thomas R. Strayer

Branden D. Williams

ATTEST:



Cathy Gardner, Clerk-Treasurer

This instrument was prepared by Gregg Morelock, Attorney at Law.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. – Gregg Morelock

**“EXHIBIT A”
ANNEXATION LEGAL DESCRIPTION
(Including Right of Way)**

±17 feet generally by parallel lines (specifically controlling to the northern existing edge of pavement of West County Road 900 North) from the northern line of the following described real estate:

Quitclaim Deed to Matt R & Misty D Ewing recorded as Instrument 2018-01389 in the Office of the Recorder of Hancock County, Indiana, described as follows:

5619+/- W 900 North, McCordsville, Indiana, 46055 (property located between 5597 and 5639 W 900 North) Legally described as:

A part of the northwest quarter of Section 24, Township 17 North, Range 5 East in Vernon Township; said part being more particularly described as follows:

Commencing at a railroad spike marking the Northeast corner of said Northwest Quarter; thence South 89 degrees 12 minutes 23 seconds West (assumed bearing) along the North line of said Northwest Quarter a distance of 591.00 feet to the Northwest corner of William Godbey's Minor Subdivision as per plat thereof recorded as Instrument No. 96-5472 in the Office of the Recorder of said Hancock County and said point being the POINT OF BEGINNING of this description (said point being marked by a MAG nail); thence South 02 degrees 06 Minutes 53 seconds West along the Westerly boundary of said Minor Subdivision and along the Southerly extension thereof a distance of 334.48 feet to a 5/8" capped rebar (Gibson); thence South 89 degrees, 12 minutes, 23 seconds West, parallel with the North line of said Northwest Quarter a distance of 121.91 feet to a 5/8" capped rebar (Gibson); thence North 00 degrees 47 minutes 37 seconds West a distance of 334.05 feet to the North line of said Northwest Quarter (said point being marked by a MAG nail); thence North 89 degrees 12 minutes 23 seconds East along said North line a distance of 138.89 feet to the Point of Beginning. Containing 1.000 acres more or less. Subject to all legal highways, rights of way, easements and restrictions of record. Parcel Number: 30-01-24-200-004.004-016

Annexation Fiscal Plan
For Land Contiguous to the Town of McCordsville, Indiana
To Be Known as the:

“Ewing” Annexation

March 13, 2018

Petitioner:
Matt & Misty Ewing

Prepared for:
Town of McCordsville, Town Council

This Fiscal Plan is for Territory containing one (1) tract of property located in Vernon Township in Hancock County, Indiana, hereinafter referred to as “Territory”. The parcel identification number of the Territory is 30-01-24-200-004.004-016. The acreage for the Territory is 1 +/- acres and is owned by Matt and Misty Ewing. There are no structures on the property.

A legal description is included in Exhibit “A”. The 2017 assessed value for this property (land and improvements) was \$28,700. Based on the 2017 McCordsville tax rate of .4973, the total annual taxes that McCordsville may collect from this property in the existing state is \$142.73.

The zoning designation as determined by the Hancock County Area-wide Plan Commission is R-1 (one residential unit per acre). The 2015 Town of McCordsville Future Land Use Map has designated the area as Low Density Residential. A full list of permitted uses and special exceptions can be found in the Town of McCordsville Zoning Ordinance No. 121410, as amended. It is anticipated that this property will remain as a single-family residence.

The 2010 certified census showed McCordsville at a population of 4,797. However, with over 2470 “roof tops”, as well as an apartment complex, it is believed that the current population is close to 7,400. The current population of the territory is 0. The estimated future population of territory, following build-out of the proposed development is 2.9.

1. The cost estimates of planned services to be furnished to the Territory are itemized per department or agency as follows:

I.	General Administration	\$0.00
II.	Fire Protection	\$0.00
III.	Police Protection	\$0.00
IV.	Sanitary Sewers	\$0.00
V.	All Roads and Streets	\$0.00
VI.	Storm Drainage Facilities	\$0.00
VII.	Parks and Recreation	\$0.00
VIII.	Trash Service	\$0.00

- The planned services will be funded via the Town’s General Fund, Local Option Income Tax, Motor Vehicle Highway, Local Roads & Streets, and developer contributions. Revenues will be received from the following sources: Property taxes, Local Option Income Tax, Alcoholic Beverage Tax, Cigarette Tax, Vehicle Excise Tax, Motor Vehicle Highway Tax, Local Road & Street Tax, Wheel Tax, Gas Tax, Riverboat Tax, PILOT, and permit fees.
- The plan for extension of services is detailed below:

Specific Service	Beginning Date of Service
Sewer Service	Summer 2018
Water Service	Spring 2021 (Provided by Others)
Electricity Service	Exists
Phone Service	Exists
Cable Service	Exists
Trash Service	Summer 2018

Initial capital expenses for installation of all services noted above will be provided by the property owner and/or developer of the adjacent subdivision. The Town contracts with a provider for trash service. The current provider is CGS, and is funded via the General Fund.

- All planned non-capital services, which includes 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 immediately upon the effective date of the annexation, which is 30 days following approval by the Town Council, and after the petition is recorded in the Hancock County Recorder’s Office. That effective date is anticipated to be approximately June 15, 2018.
- All capital services, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided by the property owner. The only service currently estimated to be provided is sanitary and it is expected to be provided beginning in the Summer 2018. In the event the subdivision is not constructed, the Town would provide the same level of services as it does to other rural properties in the Town.

6. Specific methods of financing the planned services are itemized as follows:

I.	General Administration	N/A
II.	Fire Protection	N/A
III.	Police Protection	N/A
IV.	Sanitary Sewers.	Sewer Availability Fees (capital) Sewer Bills (ops & maintenance) Contributions from the property owner in conjunction with the developer of the adjacent subdivision
V.	All Roads and Streets.	Motor Vehicle Highway Funds, LRS
VI.	Storm Drainage Facilities.	No Capital expense anticipated Stormwater management fee (ops & maintenance)
VII.	Parks & Recreation	N/A
VIII.	Trash Service	N/A

Article I: General Administration

- 1. Responsibilities:** The general administration of the Town of McCordsville provides government services, including, but not limited to utility billing, fiscal health and budgeting, planning and zoning services, building permits, engineering, and all other general administrative services. The Administration includes a five (5) member Town Council and a Clerk-Treasurer. The Town also employs a Town Manager, three (3) Department heads, a Town Engineer, two and half (2.5) administrative assistants, two (2) building inspectors, and five (5) public works employees. The Town contracts professional services to act as Town Attorney. The administrative staff, as presently composed, has the capability of meeting the needs of the proposed Territory to be annexed to the same extent as the rest of the community. The hiring of additional personnel is not anticipated.
- 2. Cost Estimate of Services:** No additional services are planned. The Territory will receive the same services the Town provides to all other parts of the Town.
- 3. Funding Plan:** The administration of the Town is funded by property taxes, local income taxes, fees, grants, and other miscellaneous sources.
- 4. Plan for Extension of Services:** No additional services are planned. The Territory will receive the same services the Town provides to all other parts of the Town. All non-capital services will be provided immediately upon the effective date of the annexation, which is 30 days following approval by Council, and after the petitioner is recorded with the Hancock County Recorder's Office. All capital services are anticipated to be provided by the developer of the adjacent subdivision, and will be provided as stated herein.

Article II: Fire Protection

The Territory proposed for annexation is within the current service Territory of the McCordsville Fire Department, under the jurisdiction of Vernon Township. As the Territory develops, the Indianapolis Water Company will install fire hydrants which will be located for adequate fire protection of the proposed homes.

Article III: Police Protection

1. **Responsibilities:** The services provided by the Town of McCordsville Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends and neighbors and the creation and maintenance of a feeling of security in the community. Also, the Police Department performs traffic control, vehicle crash investigations and promotes civil order.
2. **Cost Estimate of Services:** The costs associated with providing services to the Territory are expected to be negligible.
3. **Funding Plan:** The Police Department is funded by property taxes, LOIT, and other miscellaneous sources.
4. **Plan for Extension of Services:** No additional services are planned. The Territory will receive the same services the Town provides to all other parts of the Town. All non-capital services will be provided immediately upon the effective date of the annexation, which is 30 days following approval by Council, and after the petitioner is recorded with the Hancock County Recorder's Office.

Article IV: Sanitary Sewers

1. **Responsibilities:** The Town of McCordsville owns and is operating a Wastewater Treatment Plant (WWTP) and Collection System. The adopted "Sewer Master Plan" prepared by Witsman Engineering, LLC, and is dated October 11, 2011 designates this Territory to be contained within the "Bay Creek" sewage collection basin. The developer must comply with the master plan as interpreted by the Town Engineer.
2. **Cost Estimate of Services:** The Territory is estimated to contain 1 equivalent dwelling units (EDUs) and corresponding average sewage load of 310 gallons per day. The Bay Creek sewage collection basin is already partially developed. The Bay Creek lift station and force mains were constructed with prior developments along with the gravity sewer extending to the property line of the development. The added Territory would represent a negligible increase in the current service of the Bay Creek basin. The Territory would be serviced by extension of a 10" gravity line along McCord Road which was designed and installed specifically to serve the area of the Territory. There will be no cost to the town's utility for the gravity sewer extension since it will be funded by the developer, constructing a subdivision adjacent to the Territory. Immediate expansion of the WWTP will not be necessary from the added flows from the Territory. There is capacity within the existing WWTP. There will be no immediate cost to the town's utility for WWTP expansion. The future cost of the next WWTP expansion which will

take capacity from 0.5 mgd to 1.0 mgd is expected to be approximately \$2,300,000.

3. **Funding Plan:** McCordsville's method of collecting sewer availability fees provides the necessary funds to increase capacity at the WWTP. The sewer availability fees collected with this development will be used along with fees from other developments will be used to fund the next planned expansion of the WWTP. The estimated sewer availability fees to be generated by the development with this Territory are \$3,100 based on 1 EDU at \$3,100 per EDU. Funds available in the Sewer Improvement and Betterment (SIB) fund at this time are approximately \$1,263,067. Monthly sewer use bills will fund expenses required to operate the WWTP and provide maintenance on the collection system. The Town of McCordsville will review and approve the design and construction of the infrastructure to serve the Territory.
4. **Plan for Extension of Services:** The developer of the adjacent subdivision will install and dedicate the sewer infrastructure and easements necessary to service the Territory. The property owner of the Territory will be responsible for the installation of a sewer lateral to service the Territory.

Article V: All Roads and Streets

1. **Responsibilities:** The Public Works Department is responsible for maintaining all roads within the incorporated limits of the Town. Currently, the Town has 40 road miles.
2. **Cost Estimate of Services:** There is one road, McCord Road, located within this Territory. There is 122 feet or 0.023 miles of McCord Road that would be incorporated into the Town. The total road maintenance cost for the Territory is expected to be negligible.
3. **Funding Plan:** The Territory will expand the Town's total road miles by 0.023 miles. The additional miles will provide an additional \$93.83 of Motor Vehicle Highway (MVH) funds and \$32.24 of Local Road and Street (LRS) funds. The total of \$126.07 will be enough to fund road maintenance for the Territory.
4. **Plan for Extension of Services:** The Town will be responsible for maintenance of McCord Road. No new employee or equipment will be needed to service this territory.

Article VI: Storm Drainage Facilities

1. **Responsibilities:** The Public Works Department is responsible for maintaining all storm infrastructure within the incorporated limits of the Town, which are not regulated drains by the Hancock County Drainage Board. There is no current storm sewer infrastructure located within this Territory.
2. **Cost Estimate of Services:** There is no current storm sewer infrastructure located within this Territory. As development occurs, the developers of the adjacent subdivision will install any proposed storm sewer infrastructure. The design and construction of the storm sewer infrastructure will be reviewed and approved by the Town of McCordsville. The Town will responsible for maintenance of this

infrastructure. It is unknown at this time the amount of storm sewer infrastructure that will be incorporated into a potential development.

3. **Funding Plan:** Upon effective annexation, the Town’s stormwater utility will become applicable to the property. The Town of McCordsville’s stormwater utility would collect funds from the residential home within the Territory, which would allow for maintenance of any future stormwater infrastructure.
4. **Plan for Extension of Services:** The Town does not anticipate the need for any capital stormwater projects in the Territory. The Town will be responsible for maintenance. No new employee or equipment will be needed to service this territory.

Article VII: Trash Service

1. **Responsibilities:** The Utility Department is responsible for overseeing the trash service provided to all residential homes. The Town contracts with a provider for this service.
2. **Cost Estimate of Services:** The anticipated cost to the Town per home within the Territory is \$7.26 per month.
3. **Funding Plan:** Trash service is currently paid from the General Fund.
4. **Plan for Extension of Services:** Trash service will be provided immediately upon recording of the annexation ordinance and following occupancy of a home on the property.

Article VIII: Parks & Recreation

1. **Responsibilities:** The General Administration is responsible for overseeing the Town’s park.
2. **Cost Estimate of Services:** A new park is not proposed within the Territory.
3. **Funding Plan:** No costs will be incurred.
4. **Plan for Extension of Services:** Future residents will be able to use the Town’s existing park.

Article IX: SUMMARY

The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the annexation applies is listed below:

	2017 Tax Rate	2018 Tax Rate	2019 Tax Rate	2020 Tax Rate	2021 Tax Rate
County	0.341	0.3461	N/A	N/A	N/A
Township	0.1449	0.1426	N/A	N/A	N/A
School	1.588	1.7693	N/A	N/A	N/A
Town	0.4973	0.5036	N/A	N/A	N/A

The estimated effect the proposed annexation will have on municipal finances, specifically how the municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation is listed below. Please note there is a 1 year delay in time between taxes being assessed and collected by the Town. This annexation will not affect other political subdivisions in the County not part of this annexation.

	2018	2019	2020	2021	2022	
Town Revenue*	\$0.00	\$415.14	\$415.14	\$415.14	\$415.14	
Town** Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

*Based upon 2017 AV & 2018 municipal tax rate.

**Costs are considered negligible.

Exhibit:

Legal Description – The Territory

±17 feet generally by parallel lines (specifically controlling to the northern existing edge of pavement of West County Road 900 North) from the northern line of the following described real estate:

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