

1989

1989 ORDINANCES & RESOLUTIONS

ORDINANCE NUMBER	DATE PASSED	DESCRIPTION
461-A	1/1/1989	Tax Exempt to IRS Form 8038
462	1/23/1989	Amendments to Ord# 200, 322, 368
465	7/10/1989	TOS temporary loan to pay for preliminary expense for revenue bonds
466-A	7/24/1989	TOS Agreement for temporary loan
472	1/1/1989	Annexation ordinance
469	12/23/1989	Annexation ordinance
470	N/D	Annexation ordinance
471	10/23/1989	Annexation ordinance
473	12/15/1989	Meter Deposit Fee Charge
474	1/1/1990	Holiday Pay For Police Dept
475	1/8/1990	1989 Salary Ordinance

RESOLUTION NUMBER	DATE PASSED	DESCRIPTION
R-105	10/23/1989	Fiscal Analysis for Annexation
R-106	11/13/1989	Temporary Loans for Sewer Plant
R-108	11/13/1989	Economic Level of TOS
R-109	11/13/1989	Community Redevelopment Plan
R-110	11/03/1989	Appt of Deputy Clerk Treasurer
R-111	11/13/1989	Improvements to Water Plant
R-464	6/26/1989	Vacate property Robert Thurman

AMENDMENT TO ORDINANCE NO. 461-A

BE IT ORDAINED by the Sellersburg Town Board, that Ordinance No. 461 authorizing the Board to borrow money pursuant to I.C. 36-5-2-11(d) on behalf of the Town of Sellersburg, is hereby amended by adding the following addition to the ordinance:

Ordinance No. 461 is hereby designated as a qualified tax exempt obligation pursuant to Sec. 265(b) of the Internal Revenue Code and William Collier, Clerk Treasurer, is hereby ordered to file IRS Form 8038 on or before January 15, 1989.

ADOPTED by the governing body of the Town of Sellersburg on this 9th day of January, 1989.

Signed by:

WILLIAM MOSLEY, PRESIDENT

KAREN STORIE

CHARLES RIDENOUR

ROY EVERETT

MARY ANN DELLAROSA

ATTEST:

WILLIAM COLLIER,
CLERK TREASURER

Sell.013

ORDINANCE NO. 462

AMENDMENTS TO ORDINANCE NO. 200, NO. 322, AND NO. 368

Chapter 2. Exemptions and Exceptions

Section 2. State Highway 31 Exempted.

State Highway 31 may be used by any vehicle or combination of vehicles of a weight exceeding six (6) tons.

Section 2a. Six ton weight limit on Utica Street and Penn Streets.

It shall be unlawful for any person, firm, or corporation to cause or normally permit to be operated, stand, or be moved upon Utica Street and Penn Street within the corporate limits of the Town of Sellersburg a motor vehicle, truck, trailer, or automobile in excess of six (6) tons gross weight.

The foregoing Amendments to Ordinance Nos. 200, 322, and 368, are in full force and effect as of the date of execution of this Ordinance, however, no fine or penalty shall be assessed for violation of this Ordinance until thirty (30) days after its passage.

SO ORDAINED THIS 23RD DAY OF JANUARY, 1989.

BY TOWN OF SELLERSBURG BOARD OF TRUSTEES

Karen Storie
KAREN STORIE

CHARLES RIDENOUR

Roy Everett
ROY EVERETT

Mary Ann Dellarosa
MARY ANN DELLAROSA

ATTEST: Shirley Neville
SHIRLEY NEVILLE
CLERK TREASURER

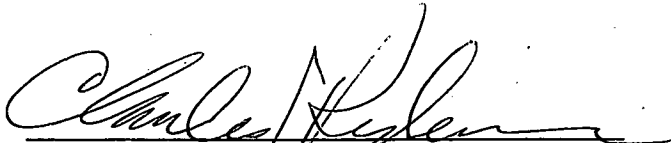
RESOLUTION NO. 463

WHEREAS, the Town of Sellersburg maintains a lock box at Citizens Fidelity Bank of Indiana within the Town of Sellersburg;

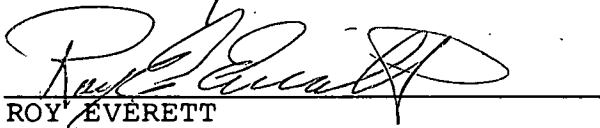
WHEREAS, it is necessary to provide for the security of said lock box and protect the access thereto;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Sellersburg hereby authorizes the Citizens Fidelity Bank to allow access to the lock box by any one board member and the Clerk Treasurer.

SO RESOLVED THIS 10TH DAY OF APRIL, 1989.



CHARLES RIDENOUR, PRESIDENT

KAREN STORIE


ROY EVERETT


MARY ANN DELLAROSA

VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

RESOLUTION ON VACATING PROPERTY

RESOLUTION NO. 464

WHEREAS, a Petition to vacate property located within the Town of Sellersburg was filed by Robert M. Thurman and Billie R. Thurman on April 13, 1989.

WHEREAS, a copy of the legal description of the affected property is attached hereto and considered a part of this Resolution.

WHEREAS, notice of hearing on the Petition was published and made pursuant to law and a hearing was later held on May 8, 1989.

WHEREAS, the Town of Sellersburg previously granted, by ordinance, a Petition to Vacate the same property to the Thurman's on November 23, 1987, but subsequently thereafter, recinded said Ordinance No. 440.

WHEREAS, having heard the evidence the Board believes:

- 1.) That the vacation would not hinder the growth or orderly development of Sellersburg or the neighborhood in which the property is located, or to which it is contiguous;
- 2.) That the vacation would not make access to the lands of any aggrieved person by means of public way difficult or inconvenient;
- 3.) That the vacation would not hinder the public's access to a church, school or other public building or place;
- 4.) That the vacation would not hinder the use of public way by the neighborhood in which it is located or to which it is contiguous.

THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Sellersburg:

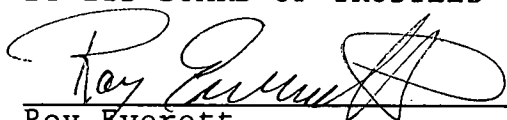
That the property which is the subject of this Petition will be vacated, by ordinance, and that Robert M. Thurman and Billie R. Thurman and Martha Beuter and William H. Beuter will be declared the owners of that property with all rights and privileges pertaining thereto, subject to the following terms and conditions:

1.) That the property being vacated shall be divided evenly between the adjoining landowners, Thurman and Beuter.

2.) That the petitioning parties have said property surveyed and a legal description provided to the Town setting forth that portion of the property to be vacated to Thurmans and that portion of the property to be vacated to Beuters.

3.) That the property be subject to a utility easement, including water, sewage, and electric, on behalf of the town.
SO RESOLVED, June 26, 1989.


TOWN OF SELLERSBURG, INDIANA
BY ITS BOARD OF TRUSTEES



Roy Everett



Mary Ann Delarosa




Karen Storie



Virgil Crawford

ATTEST:



Clerk-Treasurer
Clark County, Indiana

Described as follows, to-wit:

That part of a 40 foot right-of-way known as Spring Street running along the northern boundary of John Deitrich's Third Addition to the Town of Sellersburg, Indiana as set out in Plat Book 5, page 36, in the office of the Recorder of Clark County, Indiana.

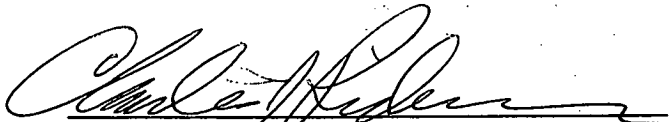
RESOLUTION NO. 464

WHEREAS, Servend Company wishes to establish a new location in Clark County, Indiana, and it is anticipated that said company will generate 200 new jobs for the surrounding area including the Town of Sellersburg; and,

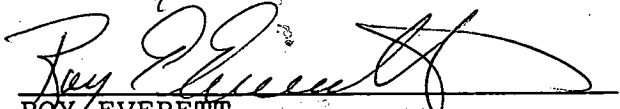
WHEREAS, the Town of Sellersburg wishes to promote and generate such economic development.

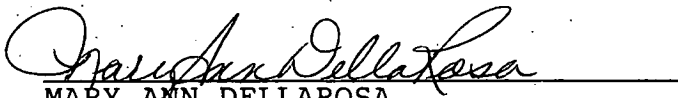
NOW, THEREFORE, BE IT RESOLVED by the Town of Sellersburg that they will provide sewer and water services to Servend Company, providing that same can be done in accordance with the local and state laws and ordinances and the required waivers can be obtained.

SO RESOLVED THIS 6TH DAY OF JUNE, 1989.


CHARLES RIDENOUR, PRESIDENT

KAREN STORIE


ROY EVERETT


MARY ANN DELLAROSA

VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

ORDINANCE NO. 465

An Ordinance of the Town of Sellersburg prescribing the manner in which the Town may make a temporary loan to pay for preliminary expenses, prior to the issuance and delivery of revenue bonds, incurred in connection with its sewage works improvement project.

WHEREAS, I.C. 36-9-23 (the "Act") empowers the Town of Sellersburg to make a temporary loan to pay for preliminary expenses incurred in connection with a sewage works improvement project, but said Act does not prescribe a specific manner for exercising the power to make such temporary loan; and

WHEREAS, I.C. 36-1-3-6 provides that if there is no constitutional or statutory provision requiring a specific manner for exercising a power, the legislative body should adopt an ordinance prescribing a specific manner for exercising such power; and

WHEREAS, the Town of Sellersburg, Indiana owns and operates a municipal sewage works in accordance with the Act; and

WHEREAS, the Board of Trustees now finds that the sewage works are in need of certain additions, extensions, and improvements; that preliminary expenses will be incurred prior to the time bond proceeds will be available to pay such preliminary expenses; and that no other funds are expected to be on hand to provide for the payment of said preliminary expenses; and

WHEREAS, the Board of Trustees finds that it may be necessary to exercise its power under the Act to make a temporary loan to pay for said preliminary expenses and that it is now necessary to adopt an ordinance prescribing the specific manner for exercising said power; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA:

Section 1. Before the Board of Trustees exercises its power to make a temporary loan to obtain funds with which to pay preliminary expenses incurred in connection with a sewage works improvement project, the following steps must be taken: (1) the municipal works board shall certify the preliminary expenses actually incurred to the Clerk-Treasurer, directing payment of the amount so certified; (2) the Clerk-Treasurer shall determine that there is no money in the general fund of the Town, not appropriated for other purposes, with which to pay said preliminary expenses; and (3) the Clerk-Treasurer shall request the Board of Trustees to make a temporary loan to pay the preliminary expenses.

Section 2. The temporary loan may be evidenced by the issuance of the Town's notes. The notes may be issued on terms set forth in an ordinance authorizing their issuance and in any amount equal to or less than the amount of preliminary expenses actually incurred. If the stated maturity of the notes is more than one year, the notes must be sold in accordance with I.C. 5-1-11.


Section 3. The notes shall be payable for proceeds of the sewage works revenue bonds in anticipation of which the notes are issued and other available revenues of the sewage works. The pledge of available revenues of the sewage works to the repayment of the notes is subject to the prior pledge thereof to the payment of any outstanding bonds payable from the revenues of the sewage works. The notes shall constitute a first charge against the proceeds of the sewage works revenue bonds in anticipation of which the notes are issued. The notes shall not constitute an indebtedness of the Town within the meaning of the provisions and limitations of the constitution of the

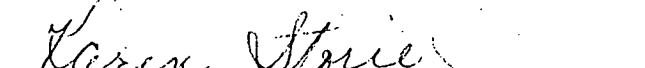
State of Indiana, and such fact shall be so stated on the face of the notes. The notes shall not exceed a total of ~~\$540,000.00~~ ^{\$560,000} plus ^{4.5%} ~~PR~~ ^{PR} interest at a rate not to exceed 2.8% under the bank's then current prime rate.


Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Board of Trustees of the Town of Sellersburg on this 10th day of July, 1989.

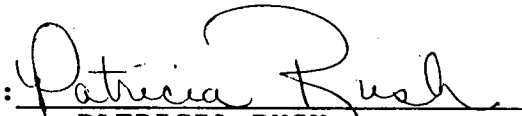

CHARLES RIDENOUR, PRESIDENT


KAREN STORIE



ROY EVERETT


MARY ANN DELLAROSA

VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

This is to certify that it is true and correct being Ordinance #465, and ordinance duly signed by the Board of Trustees of the Town and is recorded in the permanent ordinance record of said Town. The ordinance has not been amended, notified, repealed or rescinded, and is now in full force and effective so attested this 24th day of July, 1989.


Patricia Rush
Clerk-Treasurer

ORDINANCE NO. 466-A

An Ordinance of the Town of Sellersburg prescribing the manner in which the Town may make a temporary loan to pay for preliminary expenses, prior to the issuance and delivery of revenue bonds, incurred in connection with its sewage works improvement project.

WHEREAS, I.C. 36-9-23 (the "Act") empowers the Town of Sellersburg to make a temporary loan to pay for preliminary expenses incurred in connection with a sewage works improvement project, but said Act does not prescribe a specific manner for exercising the power to make such temporary loan; and

WHEREAS, I.C. 36-1-3-6 provides that if there is no constitutional or statutory provision requiring a specific manner for exercising a power, the legislative body should adopt an ordinance prescribing a specific manner for exercising such power; and

WHEREAS, the Town of Sellersburg, Indiana owns and operates a sewage department in accordance with the Act; and

WHEREAS, the Town Council now finds that the sewage works are in need of certain additions, extensions, and improvements; that preliminary expenses will be incurred prior to the time bond proceeds will be available to pay such preliminary expenses; and that no other funds are expected to be on hand to provide for the payment of said preliminary expenses; and

WHEREAS, the Town Council finds that it may be necessary to exercise its power under the Act to make a temporary loan to pay for said preliminary expenses and that it is now necessary to adopt an ordinance prescribing the specific manner for exercising said power; now therefore,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG,
INDIANA:

The Town Council ("Council") has the authority to enter into the loan transaction under the terms and conditions set forth herein.

Section 1. The Council may exercise its power to make a temporary loan to obtain funds with which to pay preliminary expenses incurred in connection with a sewage works improvement project, by taking the following steps: (1) the Sewage Department shall certify the preliminary expenses actually incurred to the Clerk-Treasurer, directing payment of the amount so certified; (2) the Clerk-Treasurer shall determine that there is no money in the general fund of the Town, not appropriated for other purposes, with which to pay said preliminary expenses; and (3) the Clerk-Treasurer shall request the Town Council to make a temporary loan to pay the preliminary expenses.

Section 2. The temporary loan may be evidenced by the issuance of the Town's notes. The notes may be issued on terms set forth in Section 3 and in any amount equal to or less than the amount of preliminary expenses actually incurred, but not to exceed \$560,000.00. If the stated maturity of the notes is more than one year, the notes must be sold in accordance with I.C. 5-1-11.

Section 3. The notes shall only be payable from proceeds of the sewage works revenue bonds or grants in anticipation of which the notes are issued and other available revenues of the sewage works. The pledge of available revenues of the sewage works to the repayment of the notes is subject to the prior pledge thereof to the payment of any outstanding bonds payable from the revenues of the sewage works. The notes shall constitute a first charge against the proceeds of the

sewage works revenue bonds in anticipation of which the notes are issued. The notes shall not exceed a total of \$560,000.00 plus interest at a rate not to exceed 2.8% under the bank's then current prime rate.

Section 4. Ordinance No. 465 and all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Town Council of the Town of Sellersburg on this 24th day of July, 1989.

Charles Ridenoir
CHARLES RIDENOIR, PRESIDENT

Karen Storie
KAREN STORIE

Roy Everett
ROY EVERETT

Mary Ann Dellarosa
MARY ANN DELLAROSA

Virgil Crawford
VIRGIL CRAWFORD

ATTEST: *Patricia Rush*
PATRICIA RUSH
CLERK TREASURER

This is to certify that it is true and correct being Ordinance #466, and ordinance duly signed by the Board of Trustees of the Town and is recorded in the permanent ordinance record of said Town. The ordinance has not been amended, notified, repealed or rescinded, and is now in full force and effective so attested this 24th day of July, 1989.

Patricia Rush
Patricia Rush
Clerk-Treasurer

ORDINANCE NO. 467AN ORDINANCE CONCERNING THE ANNEXATION
OF ADJACENT AND CONTIGUOUS TERRITORIES

WHEREAS, the boundary of the Town of Sellersburg, Indiana, is adjacent to the real estate described herein;

WHEREAS, effective July 1, 1989, the State of Indiana revised the annexation statutes which now require that this Ordinance assign territory to at least one municipal legislative body district; and

WHEREAS, the Town of Sellersburg is required to comply with said amendments to the law which therefore require the rescision of Ordinance No. 466 and passage of the Ordinance herein,

WHEREAS Resolution No. 102 was previously adopted by this Board with respect to the fiscal policy and plan for the annexation of the property described herein. Said fiscal policy and plan shall remain in full force and effect and shall not be affected by the rescision of Ordinance No. 466 and passage of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana:

1. That Ordinance No. 466 be and hereby is rescinded;

SECTION ONE

That the following described land, a copy of said description is attached hereto and incorporated herein as Exhibit A, be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

SECTION TWO

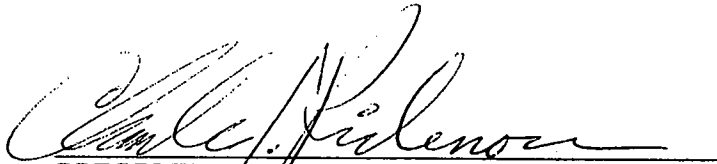
BE IT FURTHER ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended so as to include all the real estate hereinabove described in Exhibit A as part of the Town of Sellersburg, Indiana.

SECTION THREE

This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

The undersigned has been authorized to execute this Deed of Conveyance by the Town Board of Trustees for the Town of Sellersburg, Indiana, by vote at the regularly scheduled meeting on the 25th day of September, 1989.

WITNESS the hand and seal of the President of the Town Board of Trustees for the Town of Sellersburg, Indiana, on this 25th day of September, 1989.


PRESIDENT, TOWN BOARD OF TRUSTEES
SELLERSBURG, INDIANA


CHARLIE RIDENOUR
PRINTED NAME

STATE OF INDIANA)
)SS:
COUNTY OF CLARK)

Before me, a Notary Public, in and for said County and State, personally appeared the within named Charles Ridenour, President of the Town Board of Trustees, who acknowledged the execution of the foregoing document to be his voluntary act and deed.

IN WITNESS WHEREOF, I have set my hand and notarial seal this 25th day of September, 1989.

MY COMMISSION EXPIRES:
3-26-93


NOTARY PUBLIC
PRINTED NAME: PATRICIA RUSH
RESIDING IN CLARK COUNTY, IND.

THIS INSTRUMENT WAS PREPARED BY: SUSAN L. WILLIAMS, ALAGIA, DAY, MARSHALL, MINTMIRE, & CHAUVIN, 400 PEARL STREET, SUITE 200, NEW ALBANY, INDIANA 47150. (812) 944-9502.

4084

ORDINANCE NO. 469

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORIES

WHEREAS, the boundary of the Town of Sellersburg, Indiana, is adjacent to the real estate described herein;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana:

SECTION ONE

That the following described land, a copy of said description is attached hereto and incorporated herein as Exhibit A, be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

SECTION TWO

BE IT FURTHER ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended so as to include all the real estate hereinabove described in Exhibit A as part of the Town of Sellersburg, Indiana.

SECTION THREE

This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

The property herein described is assigned to the Town of Sellersburg municipal legislative body district, precinct No. 5.

Handwritten signature of Charles Ridenour

CHARLES RIDENOUR, PRESIDENT

VIRGIL CRAWFORD

Handwritten signature of Roy Everett

ROY EVERETT

Handwritten signature of Mary Ann Dellarosa

MARY ANN DELLAROSA

Handwritten signature of Robert Adams

ROBERT ADAMS

ATTEST: Handwritten signature of Patricia Rush
PATRICIA RUSH
CLERK TREASURER 10-23-89

RECEIVED FOR RECORD

APR 12 1 43 PM '90
RECORDED IN 4084
INSTR. NO. 4084
CAROLYN F. HANOWSKY
RECORDER OF CLARK CO.

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

APR 12 1990

Handwritten signature of Richard C. Jones Sr.
AUDITOR CLARK COUNTY

Received FOR RECORD
45
AREA "H" APR 12 1 45 PM '90
DEED
RECORDED IN 38A
INSTR. NO. 4086
CAROLYN P. MAROWSKY
RECORDER OF CLARK CO.

4086

ORDINANCE NO. 470

AN ORDINANCE CONCERNING THE ANNEXATION
OF ADJACENT AND CONTIGUOUS TERRITORIES

WHEREAS, the boundary of the Town of Sellersburg, Indiana, is adjacent to the real estate described herein;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana:

SECTION ONE

That the following described land be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

Beginning at the West corner of a tract of land conveyed to Gerald H. and Margie C. Dixon at Deed Record 246, page 195, thence the following courses;

North 52 degrees East, 146 feet, more or less, with the boundary of the Town of Sellersburg;
South 38 degrees East, 125 feet, more or less, with the boundary of the Town of Sellersburg;
South 52 degrees West, 146 feet, more or less, with the boundary of the Town of Sellersburg;
North 38 degrees, West, 125 feet, more or less with the boundary of the Town of Sellersburg to the point of beginning and containing 0.42 acres of land, more or less.

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

APR 12 1990

Richard P. Jones Sr.
AUDITOR CLARK COUNTY

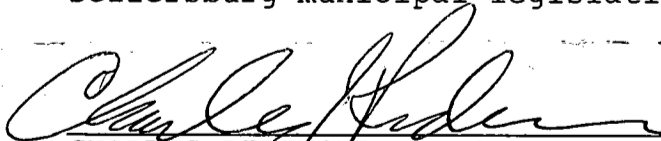
SECTION TWO

BE IT FURTHER ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended so as to include all the real estate hereinabove described as part of the Town of Sellersburg, Indiana.

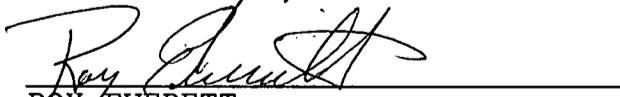
SECTION THREE


This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

The property herein described is assigned to the Town of Sellersburg municipal legislative body district, precinct No. 5.

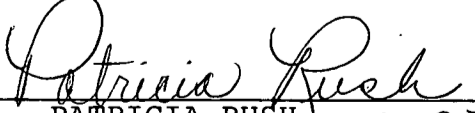

CHARLES RIDENOUR, PRESIDENT

VIRGIL CRAWFORD


ROY EVERETT


MARY ANN DELLAROSA


ROBERT ADAMS

ATTEST: 
PATRICIA RUSH
CLERK TREASURER 10-23-89

4085

ORDINANCE NO. 471

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORIES

WHEREAS, the boundary of the Town of Sellersburg, Indiana, is adjacent to the real estate described herein;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg, Indiana:

SECTION ONE

That the following described land be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

Beginning at the point where the most northerly right-of-way line of St. Joe Road East intersects the East right-of-way line of Interstate 65, said point being on the present boundary of the Town of Sellersburg; thence the following courses;

With the East right-of-way line of Interstate 65 and the present town boundary in a southerly direction for a distance of 618 feet, more or less, to a point on the present town boundary;

South 50 degrees West, 571.2 feet, more or less, with said town boundary;

North 36 degrees West, 1103.3 feet, more or less, with said town boundary, to a point on the North right-of-way line of St. Joe Road East;

Southeastwardly with said North right-of-way line of St. Joe Road East for a distance of 1064 feet, more or less, to the point of beginning and containing 16.3 acres, more or less.

SECTION TWO

BE IT FURTHER ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended so as to include all the real estate hereinabove described as part of the Town of Sellersburg, Indiana.

SECTION THREE

This Ordinance shall be in full force and effect from and after its passage, promulgation, and publication in accordance with the laws of the State of Indiana.

RECEIVED FOR RECORD APR 12 1 44 PM '90 Deed 27 RECORDED IN INSTR. NO. 4085 CAROLYN P. MAKOWSKY RECORDER OF CLARK CO.

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

APR 12 1990

Richard P. Jones Sr. AUDITOR CLARK COUNTY

DESCRIPTION OF ANNEXATION AREA 'D'

A part of Surveys No. 108, 109, 110, 128 and 129 of the Illinois Grant in Silver Creek Township of Clark County, Indiana and bounded as follows;

Beginning at a point in the southeasterly right-of-way line of St. Joe Road where it intersects the northerly extension of the southwesterly line of Hill N' Dale Subdivision, Section No. 9 which is a point in the existing boundary of the Town of Sellersburg.

Thence the following courses of the boundary of Annex Area 'D';

South 34 degrees, 01 minute, 57 seconds East, 787.63 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 9 (P.B. 9, P. 41);
North 82 degrees, 34 minutes, 21 seconds East, 6.11 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 9 (P.B. 9, P. 41);
South 35 degrees 03 minutes East, 864.37 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 5 (P.B. 7, P. 77);
South 35 degrees 03 minutes East, 136.53 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 4 (P.B. 7, P. 71) to the north corner of Lot No. 116 of Hampstead Heath Subdivision, Section 1 (P.B.9, P. 44);
South 55 degrees, 01 minute, 59 seconds West, 113.00 feet, with the Town Boundary which is the northwest line of said Hampstead Heath Subdivision, Section 1;
North 34 degrees, 58 minutes, 01 second West, 140.00 feet, with the Town Boundary which is the northeast line of said Hampstead Heath Subdivision, Section 1;
South 55 degrees, 01 minutes, 59 seconds West, 135.00 feet, with the Town Boundary which is a northwest line of said Hampstead Heath Subdivision, Section 1;
North 34 degrees, 58 minutes, 01 second West, 10.00 feet, with the Town Boundary which is a northeast line of said Hampstead Heath Subdivision, Section 1;
South 55 degrees, 01 minute, 59 seconds West, 185.00 feet, with the Town Boundary which is the northwest line of said Hampstead Heath Subdivision, Section 1;
South 34 degrees, 58 minutes, 01 second East, 170.00 feet, with the Town Boundary which is the southwest line of said Hampstead Heath Subdivision, Section 1;
North 55 degrees, 01 minute, 59 seconds East, 42.50 feet, with the Town Boundary which is the southeast line of said Hampstead Heath Subdivision, Section 1;
South 34 degrees, 58 minutes, 01 second East, 320.00 feet, with the Town Boundary which is the southwest line of said Hampstead Heath Subdivision, Section 1;
South 55 degrees, 01 minute, 59 seconds West, 42.50 feet,

with the Town Boundary which is the Northwest line of said Hampstead Heath Subdivision, Section 1;
South 34 degrees, 58 minutes, 01 second East, 975.00 feet, with the Town Boundary which is the southwest line of said Hampstead Heath Subdivision, Section 1;
North 55 degrees, 01 minute, 59 seconds East, 320.00 feet, with the Town Boundary which is the southeast line of said Hampstead Heath Subdivision, Section 1;
North 34 degrees, 58 minutes, 01 second West, 990.00 feet, with the Town Boundary which is the northeast line of said Hampstead Heath Subdivision, Section 1;
North 55 degrees, 01 minute, 59 seconds East, 113.00 feet, with the Town Boundary which is the southeast line of said Hampstead Heath Subdivision, Section 1 to a point in the southwest line of Hill N' Dale Subdivision, Section 4 (P.B. 7, P. 71);
South 36 degrees, 03 minutes East, 948.47 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 4 (P.B. 7, P. 71);
South 36 degrees, 03 minutes East, 418.71 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 3 (P.B. 7, P. 56);
North 54 degrees, 34 minutes East, 674.34 feet, with the Town Boundary which is the southeast line of Hill N' Dale Subdivision, Section 3 (P.B. 7, P. 56);
North 54 degrees, 34 minutes East, 338.67 feet, with the Town Boundary which is the southeast line of Hill & Dale Farm (P.B. 7, P. 24) to a point in the westerly right-of-way of Interstate 65;
Southwestwardly 3638 feet, more or less, with the Town Boundary which is the westerly right-of-way of Interstate 65 and State Road 311 to the east corner of a tract conveyed to O'Neal at Deed Drawer 18, Instrument No. 6543;
North 12 degrees, 46 minutes, 22 seconds West, 105.50 feet, with the Town Boundary which is a northeast line of said O'Neal Tract;
North 16 degrees, 34 minutes, 54 seconds East, 318.10 feet, with the Town Boundary which is a southeast line of said O'Neal Tract;
North 34 degrees, 50 minutes, 04 seconds West, 987.06 feet, with the Town Boundary which is a northeast line of said O'Neal Tract;
North 34 degrees, 42 minutes, 58 seconds West, 1016.42 feet, with the Town Boundary which is a northeast line of said O'Neal Tract;
South 54 degrees, 25 minutes, 54 seconds West, 749.31 feet, with the Town Boundary which is a northwest line of said O'Neal Tract;
South 34 degrees, 52 minutes, 42 seconds East, 989.24 feet, with the Town Boundary which is a southwest line of said O'Neal Tract;
South 55 degrees, 23 minutes, 35 seconds West, 207.48 feet, with the Town Boundary which is a northwest line of said

O'Neal Tract;
South 34 degrees, 52 minutes, 28 seconds East, 825.00 feet,
with the Town Boundary which is a southwest line of said
O'Neal Tract;
North 55 degrees, 58 minutes, 06 seconds East, 597.07 feet,
with the Town Boundary which is a southeast line of said
O'Neal Tract;
South 34 degrees, 51 minutes, 12 seconds East, 198.65 feet,
with the Town Boundary which is a southwest line of said
O'Neal Tract;
South 17 degrees, 09 minutes, 33 seconds West, 110.72 feet,
with the Town Boundary which is a northwest line of said
O'Neal Tract;
South 35 degrees, 54 minutes, 22 seconds East, 350.52 feet,
with the Town Boundary which is a southwest line of said
O'Neal Tract to a point in the northwesterly right-of-way
line of State Road 311;
Southwestwardly, 2310 feet, more or less, with the Town
Boundary which is the northwesterly right-of-way line of
State Road 311;
Northwestwardly, 7920 feet, more or less, with the Town
Boundary which is the southwesterly right-of-way of Old
State Road 60 and New State Road 60 to the southeasterly
right-of-way line of St. Joe Road;
Northeastwardly, 3836.5 feet, more or less, with said
southeasterly right-of-way line of St. Joe Road to the
place of beginning and containing 496.3 acres of land,
more or less.

8.50

Town of Sellersburg
316 E. Utica
Sellersburg 47172
Attn: Patricia Rush


A part of Surveys No. 88 and No. 108 of the Illinois Grant, and of the Town of Hamburg of Clark County, Indiana.

Beginning at an iron pin in the southeasterly right-of-way line of State Road 311, which marks the north corner of a tract conveyed at Deed Drawer 11, Instrument No. 8667, which point is in the boundary of the Town of Sellersburg, Indiana.

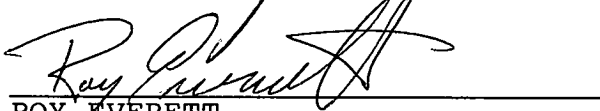
Thence the following courses of the boundary of Area "A":

- South 15 deg. 26 min 55 sec., West, 95.00 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin, the north corner of a tract conveyed at Deed Drawer 9, Instrument No. 7049;
- South 15 deg. 26 min. 55 sec. West, 53.47 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin.
- Southwestwardly 554 feet, more or less, with the Town boundary, crossing State Road 60 to the north corner of a tract conveyed at Deed Drawer 8, Instrument No. 13492;
- South 25 deg. West, 250 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 17, Instrument No. 1931;
- South 25 deg. 10 min. West, 327.15 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 64 deg. 50 min. East, 200 feet, more or less, with a Town Boundary to the east corner of the tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 25 deg. 10 min. West, 200 feet, more or less, to the south corner of a tract conveyed at Deed Record 244, page 94;
- North 64 deg. 50 min. West, 200 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311;
- South 25 deg. 10 min. West, 1124 feet, more or less, with said southeasterly right-of-way line of State Road 311;
- North 64 deg. 50 min. West, 155 feet, more or less, crossing State Road 311 onto a tract conveyed at Deed Record 157, page 297 and at Deed Record 164, page 165;
- Northeastwardly, 2603 feet, more or less, parallel to and 155 feet distant from said southeasterly right-of-way line of State Road 311 to the northeasterly line of a tract conveyed at Deed Drawer 16, Instrument No. 2461;
- South 64 deg. 50 min. East, 155 feet, more or less, with said northeasterly line of said tract to the place of beginning and containing 10.18 acres of land.


The property herein described is assigned to the Town of Sellersburg municipal legislative body district, precinct No. 5.

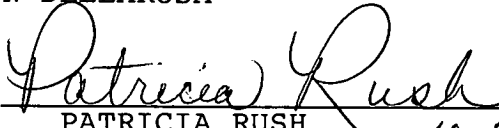

CHARLES RIDENOUR, PRESIDENT

VIRGIL CRAWFORD


ROY EVERETT


MARY ANN DELLAROSA


ROBERT ADAMS

ATTEST: 
PATRICIA RUSH
CLERK TREASURER 10-23-89

5.50

Sellersburg

ORDINANCE NO. 472

WHEREAS, the Police Department for the Town of Sellersburg desires to transfer monies between inter-departmental funds; and,

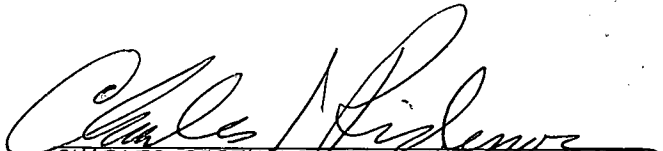
WHEREAS, the Police Department has insufficient funds within its account designated as Supplies and Maintenance, for the payment of debts as they become due; and,

WHEREAS, the Police Department has sufficient funds within its account styled Gasoline (#234), for which excessive funds will be available after all incoming debts are paid;

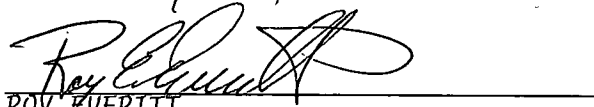
WHEREAS, the Police Department desires to transfer funds from the Gasoline (#234) account to the Police Car Maintenance (#361), account in the amount of \$3,000, pursuant to the Indiana Code for the continued efficient operation of the Police Department.

NOW, THEREFORE, BE IN ORDAINED BY THE TOWN OF SELLERSBURG, that the Police Department via the Clerk-Treasurer of the Town of Sellersburg is hereby authorized to transfer the sum of \$2,000 from the Gasoline (#234) account to the Supplies (#221) account of the Sellersburg Police Department.

SO ORDAINED THIS 13TH DAY OF NOVEMBER, 1989.


CHARLES RIDENOUR, PRESIDENT


ROBERT ADAMS


ROY EVERITT


MARVANN DELLAROSA


VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

DATE: November 13, 1989

ORDINANCE NO. 473

WHEREAS, the Town of Sellersburg has deemed it advisable to make changes in the charges for the meter deposit, installation, and hookup of individual and commercial users of water services provided by the Town of Sellersburg; and,

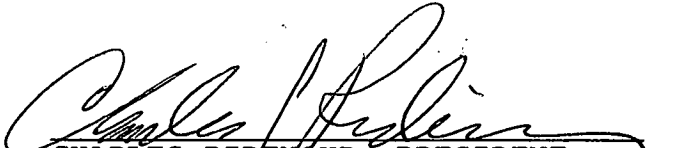
WHEREAS, said changes in meter deposit and hookup fees are required in order to continue with the efficient operation of the Town's water system;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg that the water hookup fee for residential users shall be \$ NO CHANGE, and the water hookup fee for commercial users shall be \$ NO CHANGE. In addition thereto, the meter deposit shall be:

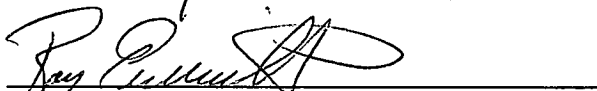
Residential users \$ 50.00
Commercial users \$ 50.00.

This Ordinance shall take effect on December, 15, 1989.

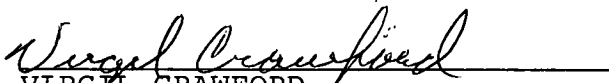
SO ORDAINED THIS 13TH DAY OF NOVEMBER, 1989.


CHARLES RIDEMOUR, PRESIDENT


ROBERT ADAMS


ROY EVERETT


MARYANN DELLAROSA


VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

DATE: November 13, 1989

TOWN OF SELLERSBURG, INDIANA

ORDINANCE FOR CONTROL OF, AND REASONABLE PROVISIONS RELATING
TO, MOBILE HOME PARKS AND MOBILE HOMES IN THE TOWN OF
SELLERSBURG, INDIANA

WHEREAS, the Plan Commission of the Town of Sellersburg, Indiana has determined a need for the management and control of mobile homes and mobile home parks so as to promote the general well-being, order, economy, and development of the Town, and

WHEREAS, such provisions are essential to the orderly growth of the Town;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SELLERSBURG, INDIANA:

SECTION A: Definitions: For the purpose of this Ordinance, the following words and phrases shall have the following meanings ascribed to them respectively.

1. Mobile Home: A vehicle or other portable structure that is designed to move on the highway and designed, constructed, or used in such a manner as to permit the occupancy thereof as a dwelling for one or more persons, which is both used and occupied as a dwelling having no foundation other than wheels, jacks, skirting, or other temporary supports.
2. Mobile Home Park: An area of land, whether or not subdivided, on which five (5) or more mobile homes are regularly accommodated, with or without charge, for the purpose of being occupied as principal residences, including any building utilities or other structures, fixtures, or equipment that is used for or intended to be used in providing that accommodation.

SECTION B: Regulations affecting Mobile Home Parks and Mobile Homes

- A. No Mobile Home Park (MHP) shall be permitted except in areas designated as a Special Zoning District Mobile Home Unit Development (MHUD), as designated by the Plan Commission. Any existing areas where there are five (5) or more mobile homes currently being accommodated shall be hereafter designated as MHUD's and shall be subject to this ordinance as interpreted by the Sellersburg Plan Commission. Any future mobile home parks, MHUD's, or single mobile homes shall not be sited nor placed within the confines of the Town's corporate limits without express permission of the Plan Commission which shall issue a permit for the MHUD.

Any future sited mobile home must be sited within an approved mobile home park. There shall be no charge for this permit but after application is made to the Plan Commission, there shall be a review period equal to the period until the next regularly scheduled meeting of the Sellersburg Town Board.

- B. Mobile homes shall be no less than fifty feet (50') apart and shall be provided with permanent public sewers for wastewater disposal. Public water sources shall be used for the potable water supply.
- C. The ordinance permitting mobile homes in the specially-designated area shall not be subject to any variance by the Sellersburg Board of Zoning Appeals.
- D. Mobile homes shall be elevated no more than four feet (4') above a permanent concrete pad, stands of compacted fill, or pilings supported in stable soil no more than ten feet (10') apart.
- E. Substantial steps shall be provided to the doors (entrance and exit) of the mobile home.
- F. Over-the-top tie-downs shall be provided on each mobile home, located at each of the four corners of the mobile home with two additional such tie-downs per side at intermediate locations for mobile homes of fifty feet (50') in length and with one additional tie-down per side located mid-way for mobile homes of less than fifty feet (50') in length.
- G. Frame tie-downs shall be provided for each corner of mobile homes with five (5) additional tie-downs per side spaced evenly for mobile homes of fifty feet (50') or more in length and with four (4) additional such tie-downs at intermediate locations for mobile homes of less than fifty feet (50') in length. All components of the above specified anchoring system shall be capable of withstanding an applied force of 4800 pounds per square inch (psi) and any additions shall be anchored with components equal to above.
- H. Adequate surface drainage shall be provided.
- I. Access and egress for a mobile home hauler shall be provided and shall comply with specifications and guidelines set forth by the Mobile Home Association of Indiana.
- J. No mobile home may be placed over or within three (3) feet of any water utility meter and may not be placed in such a position as to block or limit free and easy access to any other utility meter.

SEVERABILITY: This Ordinance and the various parts, sections, subsections, and clauses thereof, are hereby declared to be severable. If any section, provision, or any other part of this Ordinance is declared to be unconstitutional or invalid, such decision shall not affect the constitutionality or validity of the Ordinance as a whole or any portion thereof, other than the portion declared invalid or unconstitutional.

REMEDIES, FINES, AND PENALTIES: The Plan Commission, Board of Zoning Appeals, the Town's Zoning Officer, or any enforcement official, or any person or persons, firm or corporation jointly or severally aggrieved may institute a suit for injunction in the Circuit Court of Clark County to restrain an individual or a governmental unit from violation of the provisions of this Ordinance. The Plan Commission or the Board of Zoning Appeals may also institute a suit for mandatory injunction directing any individual, corporation or governmental unit to remove a structure placed in violation of this Ordinance.

Any person or corporation who shall violate any of the provisions of this Ordinance or fail to comply therewith or with any of the requirements thereof, or shall build, place, construct, or erect any structure or building in violation of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$100.00 and not more than \$1000.00 and each day such violation or non-compliance shall be permitted to exist shall constitute a separate offense. This Ordinance is intended to supplement those mobile home laws, rules, and regulations set forth in I.C. 13-9-1 et seq., including rules and regulations promulgated by the State Mobile Home Advising Board.

Signed by our hand, this 27 day of March, 1989.

Karen Storie
KAREN STORIE

Charles Ridenour
CHARLES RIDENOUR, PRESIDENT

Roy Everett
ROY EVERETT

Mary Ann Dellarosa
MARY ANN DELLAROSA

Virgil Crawford
VIRGIL CRAWFORD

ATTEST: Patricia Rush
PATRICIA RUSH
CLERK TREASURER

FILED

MAR 01 1989

RESOLUTION NO. 89-R- 3

RESOLUTION IN FAVOR OF THE IMPOSITION OF
COUNTY OPTION INCOME TAX (COIT)


Auditor Clark County

WHEREAS, Indiana Code 6-3.5-6-1 et seq. establishes the provisions and procedures for the imposition of a County Option Income Tax (COIT); and

WHEREAS, it is the belief of the Common Council of the City of Jeffersonville, as well as its Mayor, that the General Property Tax levied upon the residents of Jeffersonville and other citizens of Clark County is onerous and excessive; and that therefore a more equitable method of taxation providing for the sharing of the burden of financing local government should be utilized; and

WHEREAS, other capital improvement projects, specifically including the construction of a new county jail, make it further advisable that such an income tax be adopted in order to avoid further burdening the property owners in Clark County exclusively with such expense; and

WHEREAS, the Common Council of the City of Jeffersonville as well as its Mayor believes that for the reasons stated hereinabove, that the County Adjusted Gross Income Tax (CAGIT), is preferable vehicle to solve these problems as such funds are to be used primarily for local property tax replacement; and

WHEREAS, the Common Council of the City of Jeffersonville and its Mayor are further aware that CAGIT can be passed only by the Clark County Council and therefore the Common Council of the City of Jeffersonville hereby takes action on COIT for the reasons that is the only remedy to the problems enumerated hereinabove that the City can take affirmative action in solving and the City believes that this action is better than no action at all; and

WHEREAS, the City would continue to urge the Clark County Council to adopt CAGIT in the alternative, or to support COIT upon transmittal by the Clark County Auditor to all other members of the Clark County Income Tax Council; and

WHEREAS, the Clark County Auditor has certified that pursuant to the 1980 U.S. Census, that Jeffersonville is entitled to 24 of 100 votes pursuant to provisions of Indiana Code 6-3.5-6-3.

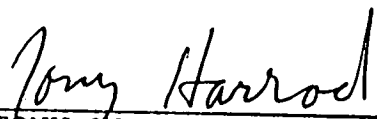
NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Jeffersonville casts its 24 votes for the proposed ordinance of the Clark County Income Tax Council, which reads as follows:

(See attached.)

Be it further resolved that by passage of this document, the City of Jeffersonville further proposes adoption of the proposed ordinance of the County Income Tax Council which is filed herewith.

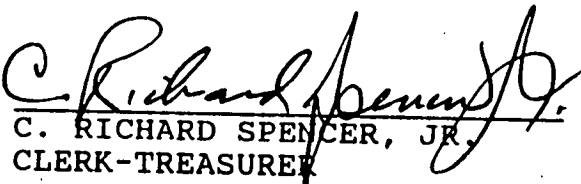
Pursuant to Indiana Code 6-3.5-6-4, a copy of this Resolution and the proposed County Income Tax Council Ordinance shall be filed with the Auditor of Clark County upon its passage, approval and signing by the Mayor.

Passed and adopted this 25 day of Feb., 1989, by the Common Council of the City of Jeffersonville, Clark County, Indiana.



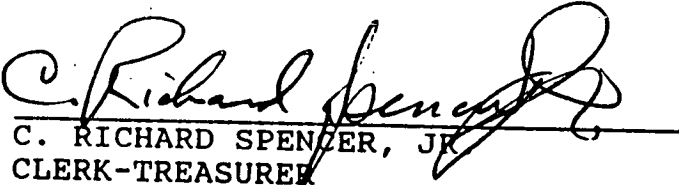
TONY HARROD
PRESIDENT, COMMON COUNCIL

ATTEST:



C. RICHARD SPENCER, JR.
CLERK-TREASURER

Presented by me as Clerk-Treasurer to the Mayor of the City of Jeffersonville, Indiana, this 25 day of Feb., 1989.



C. RICHARD SPENCER, JR.
CLERK-TREASURER

Approved and signed by me this 25 day of Feb., 1989.


MAYOR DALE L. OREM

COUNTY INCOME TAX COUNCIL

ORDINANCE

AN ORDINANCE ADOPTING A COUNTY OPTION INCOME TAX

WHEREAS, the Common Council of the City of Jeffersonville as its fiscal body has at its regular meeting on the _____ day of _____, 1989, proposed this ordinance by resolution in order to enact a County Option Income Tax (COIT), further has cast its 24 votes in favor of the same; and

WHEREAS, the Auditor of Clark County has now transmitted this proposed ordinance to all other members for approval or denial within ten (10) days after receipt of the same from the City of Jeffersonville; and

WHEREAS, the entities listed below have cast their respective votes within thirty (30) days after receipt of the proposed ordinance from the County Auditor pursuant to the provisions of Indiana Code 6-3.5-6-5:

Clark County Council (48 votes)

FOR _____ AGAINST _____

Charlestown City Council (1 vote)

FOR _____ AGAINST _____

Clarksville Town Board (17 votes)

FOR _____ AGAINST _____

Jeffersonville City Council (24 votes)

FOR X AGAINST _____

Sellersburg Town Board (4 votes)

FOR _____ AGAINST _____

Utica Town Board (1 vote)

FOR _____ AGAINST _____

New Providence Town Board (0 votes)

FOR _____ AGAINST _____

The Auditor of Clark County having tallied the votes as set forth hereinabove according to law hereby certifies that a majority of the votes cast upon said ordinance are in favor of the same.

BE IT, THEREFORE, ORDAINED that the Clark County Income Tax Council imposes the County Option Income Tax on the county

1980
Based on 3211

taxpayers of Clark County. The County Option Income Tax is imposed at a rate of two-tenths of one percent (.02%) on the resident county taxpayers of the county and at a rate of five-hundredths of one percent (0.05%) on all other county taxpayers. This tax takes effect July 1, 1989.

So ordained this _____ day of _____, 1989.

CLARK COUNTY COUNCIL

By: _____
Title: _____

CHARLESTOWN CITY COUNCIL

By: _____
Title: _____

CLARKSVILLE TOWN BOARD

By: _____
Title: _____

JEFFERSONVILLE CITY COUNCIL

By: Tommy I. Jarrod
Title: Council President

SELLERSBURG TOWN BOARD

By: _____
Title: _____

UTICA TOWN BOARD

By: _____
Title: _____

NEW PROVIDENCE TOWN BOARD

By: _____
Title: _____

I hereby certify that the foregoing votes in favor of the adoption of COIT were duly forwarded to my office, and that a majority of the votes case favor imposition of said tax pursuant to the provisions herein.

Richard P. Jones
Clark County Auditor

RESOLUTION *1989*

WHEREAS, the Town of Sellersburg has previously elected to advertise for, interview, and hire a Town Manager; and

WHEREAS, the Town anticipates that a Town Manager will not be hired until after February 1, 1989; and

WHEREAS, the position of Deputy Clerk was suspended as of January 1, 1989;

NOW THEREFORE, BE IS RESOLVED, that the current water and sewer clerks, being Teresa Tetley, Cheryl Adams, and Connie Nunn shall report directly to those Board Members who supervise the Water and Sewer Department, until such time, as a Town Manager is retained, who shall have the responsibility of supervising the herein named clerks.

BE IT SO RESOLVED THIS 9TH DAY OF JANUARY, 1989.

WILLIAM MOSLEY, PRESIDENT

Karen Storie

KAREN STORIE

Charles Bidonour

CHARLES BIDENOUR

Roy Everett

ROY EVERETT

Mary Ann Dellarosa

MARY ANN DELLAROSA

ATTEST: *William R. Collier*

WILLIAM COLLIER,
CLERK-TREASURER

RESOLUTION NO. 96

Resolution Authorizing Submission of a Major Modification to the Indiana Department of Commerce for Grant # C-86-028 of the Small Cities Community Development Block Grant, funded by the Housing and Community Development Act of 1975, as amended.

WHEREAS, It is essential for the Town of Sellersburg to provide additional construction elements to the Prather Lane Project as required by the Indiana Department of Transportation.

WHEREAS, The original grant amount does not accommodate the change of scope requested by the Indiana Department of Transportation.

WHEREAS, It is essential to complete the Prather Lane Project.

THEREFORE, LET IT BE RESOLVED this 14 day of August, 1989 by the Sellersburg Town Council that:

1. A Major Modification shall be submitted to the Indiana Department of Commerce for Grant # C-86-028 for the purpose of procuring additional funds to complete the scope change and administrative cost due to changes in scope and Major Modification. The apparent breakdown of sources of funds is:

C-86-028	\$211,840
Town of Sellersburg	<u>169,848</u>
TOTAL	\$381,688

2. The Town Council President of Sellersburg is authorized by the Town Council to execute any documents and/or take any actions necessary in association with this project.
3. S. K. Wilson & Associates a Div. of Schimpeler Corradino Associates, of Jeffersonville, IN, is authorized to submit said Major Modification to the Indiana Department of Commerce and to be the Town's exclusive representative for said project.

Patricia Rush
ATTEST

Foy C. ...
Angel Crawford
...
Karen Storie
Nancy Villalosa

RESOLUTION FOR THE EXCHANGE OF PROPERTY WITH
THE SELLERSBURG FIRE PROTECTION DISTRICT

WHEREAS, the Town of Sellersburg, Indiana, is the owner of certain described real estate situated in Sellersburg, Indiana, said property being more fully described in Exhibit A attached herewith and made a part hereof, upon which is located the fire station used by the Sellersburg Volunteer Fire Department; and

WHEREAS, the improvements upon the said real estate were made by the Sellersburg Volunteer Fire Department, at the expense of the Sellersburg Volunteer Fire Department. The improvements consist of the fire station, fire headquarters, parking area, and concrete drive; and

WHEREAS, the Town of Sellersburg has historically leased the premises to the Sellersburg Volunteer Fire Department for a nominal annual sum and the Sellersburg Volunteer Fire Department has historically provided superior fire protection services to the citizens of Sellersburg and its surroundings; and

WHEREAS, the Sellersburg Volunteer Fire Department has occupied the premises of the subject real estate and improvements thereon for a number of years; and

WHEREAS, the Sellersburg Volunteer Fire Department is in need of more space; and

WHEREAS, the Sellersburg Volunteer Fire Department desires to remodel the existing buildings and construct additions and/or extensions to the said existing buildings; and

WHEREAS, the Town of Sellersburg cannot afford to undertake the construction project anticipated by the Sellersburg Volunteer Fire Department; and

WHEREAS, the Sellersburg Volunteer Fire Department is willing to make all such necessary improvements at its own

expense, and the Sellersburg Volunteer Fire Department is financially able to make such improvements only because it has recently become supported by the Sellersburg Fire Protection District; and

WHEREAS, the Sellersburg Fire Protection District has been created for the purpose of providing fire protection and fire prevention services to the property situated within its territory and it has been functioning in such capacity since its creation on January 20, 1987; and

WHEREAS, the Sellersburg Fire Protection District is a municipality under I.C. 36-8-11-16; and

WHEREAS, I.C. 36-1-11-8 permits the exchange of property from one governmental entity to another; and

WHEREAS, the Town of Sellersburg is a municipality; and

WHEREAS, it is the desire of the Town of Sellersburg to exchange the subject real estate upon which is situated the fire station to the Sellersburg Fire Protection District for One Dollar (\$1.00) and for the consideration of continued fire protection and fire prevention services provided by the said Sellersburg Fire Protection District, and it is the desire of the Sellersburg Fire Protection District to accept the subject real estate for such consideration;

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES FOR THE TOWN OF SELLERSBURG that the town shall, and does hereby, authorize the Town Board President and the Clerk-Treasurer to execute a deed conveying the real estate described in Exhibit A attached herewith and made a part hereof to the Sellersburg Fire Protection District, a municipality, in exchange for One Dollar (\$1.00) and for the consideration of continuing to provide fire protection and fire prevention services to the Town of Sellerburg.

Should the property described in Exhibit A ever ceased being used for the purpose of actively providing the Town of Sellersburg fire protection services, then said property shall automatically revert back to the Town of Sellersburg and the Sellersburg Fire Protection District shall have no ownership interest in said property.

SO RESOLVED this 14th day of August, 1989.

Charles J. Fisher

Nigel Crawford

Roy E. Ewert

Karen Storie

Mary Ann Dillatessa

Patricia Rush
Attested

WARRANTY DEED

THIS INDENTURE WITNESSETH, that the Civil Town of Sellersburg, of Clark County, Indiana for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration as more fully set forth in a document entitled "Resolution of the Exchange of Property with the Sellersburg Fire Protection District" adopted by the Town Board of Trustees for the Town of Sellersburg, Indiana, on the 25th day of September, 1989, the receipt of which consideration is hereby acknowledged,

CONVEYS AND WARRANTS

unto the Sellersburg Fire Protection District whose address for tax billing purposes is P.O. Box 85, Sellersburg, Indiana 47172, the following described real estate in Clark County, Indiana, more particularly described as follows, to-wit:

Lots Nos. Three (3), Four (4) and Five (5) in Block E Miller's Addition to the Town of Sellersburg, Indiana, as recorded in Plat Book 4, Page 105 in the office of the Recorder of Clark County, Indiana.

ALSO, a part of Survey No. 110 of the Illinois Grant in Sellersburg, Clark County, Indiana, described as follows, to-wit: Beginning at the Northwest corner of Lot No. 5, Block E, Miller's Addition to the Town of Sellersburg, as recorded in Plat Book 4, Page 105, thence with the North line of said Lot No. 5, South 68 degrees 04' 30" East, 1.42 feet to the true place of beginning, thence continuing with the North line of Lot No. 5, 4, and 3 of Block E, Miller's Addition, South 68 degrees 04' 30" East, 76 feet to an iron pin in the North line of Lot No. 2 of said Addition. Said pin being South 68 degrees 04' 30" East, 2.42 feet from the Northeast corner of Lot No. 3 of said Addition. Thence North 20 degrees 25' East, 146.6 feet more or less to a point in the South right-of-way line of Utica Street; thence with the South right-of-way line of Utica Street, North 67 degrees 13' West, 77.02 feet, more or less, to a point; thence South 20 degrees West, 147.6 feet, more or less, to the true place of beginning. Containing in all 0.44 Acres, more or less.

Being the same real estate conveyed to the Grantor, the Town of Sellersburg, Clark County, Indiana by Deed dated the 11th day of December, 1967, and made of record in Deed Record 290 at page 332, in the office of the Recorder of Clark County, Indiana.

Both the Grantor and Grantee are municipal corporations under the laws of the State of Indiana, and there are no taxes due, as the Grantor is exempt from real estate taxes.

Should the property described in Exhibit A ever cease being used for the purpose of actively providing the Town of Sellersburg fire protection services, then said property shall automatically revert back to the Town of Sellersburg and the Sellersburg Fire Protection District shall have no ownership interest in said property.

file

RESOLUTION NO. 98

WHEREAS, Ordinance No. 466 on the 24th day of July, 1989, authorizes the Town Council of the Town of Sellersburg to enter into temporary loans for the payment of preliminary expenses incurred in connection with a Sewage Works Improvement Project; and

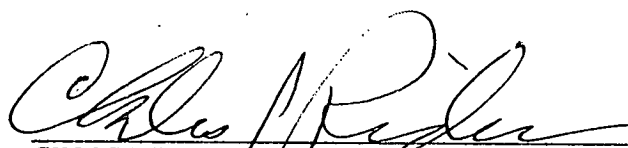
WHEREAS, the Sewage Department has certified to the Clerk-Treasurer that preliminary expenses have been incurred in connection with this Sewage Works Improvement Project; and

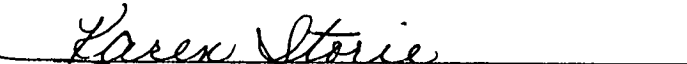
WHEREAS, the Clerk-Treasurer has determined that there is no money in the general fund of the Town, not appropriated for other purposes, with which to pay said preliminary expenses; and

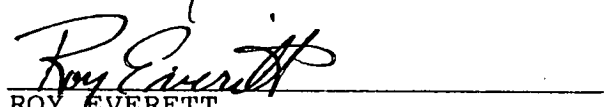
WHEREAS, the Clerk-Treasurer has requested the Town Council to make a temporary loan to pay the preliminary expenses;

THEREFORE, BE IT RESOLVED, by the Town Council of Sellersburg, in accordance with Ordinance No. 466, that, the Clerk-Treasurer is hereby authorized to request an advance from INB, pursuant to the terms of its Loan Agreement with the Town, dated July 24, 1989, in an amount equal to \$ 66,663.75. Upon receipt of said sums by the Clerk-Treasurer, she is directed to disburse said sums in accordance with the certifications of the Sewage Department with respect to preliminary expenses incurred but unpaid.

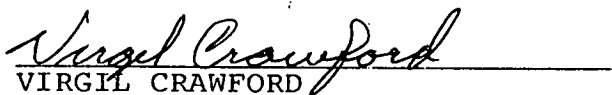
SO RESOLVED THIS 25 DAY OF September, 1989.


CHARLES RIDENOUR, PRESIDENT


KAREN STORIE


ROY EVERETT


MARY ANN DELLAROSA


VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

file

RESOLUTION NO. 99

WHEREAS, Ordinance No. 466 on the 24th day of July, 1989, authorizes the Town Council of the Town of Sellersburg to enter into temporary loans for the payment of preliminary expenses incurred in connection with a Sewage Works Improvement Project; and

WHEREAS, the Sewage Department has certified to the Clerk-Treasurer that preliminary expenses have been incurred in connection with this Sewage Works Improvement Project; and

WHEREAS, the Clerk-Treasurer has determined that there is no money in the general fund of the Town, not appropriated for other purposes, with which to pay said preliminary expenses; and

WHEREAS, the Clerk-Treasurer has requested the Town Council to make a temporary loan to pay the preliminary expenses;

THEREFORE, BE IT RESOLVED, by the Town Council of Sellersburg, in accordance with Ordinance No. 466, that, the Clerk-Treasurer is hereby authorized to request an advance from INB, pursuant to the terms of its Loan Agreement with the Town, dated July 24, 1989, in an amount equal to \$ 8,500.00. Upon receipt of said sums by the Clerk-Treasurer, she is directed to disburse said sums in accordance with the certifications of the Sewage Department with respect to preliminary expenses incurred but unpaid.

SO RESOLVED THIS 25 DAY OF September, 1989.

CHARLES RIDENOUR, PRESIDENT

Karen Storie
KAREN STORIE

Roy Everett
ROY EVERETT

Mary Ann Dellarosa
MARY ANN DELLAROSA

Virgil Crawford
VIRGIL CRAWFORD

ATTEST: Patricia Rush
PATRICIA RUSH
CLERK TREASURER

file

RESOLUTION NO. 100

WHEREAS, Ordinance No. 466 on the 24th day of July, 1989, authorizes the Town Council of the Town of Sellersburg to enter into temporary loans for the payment of preliminary expenses incurred in connection with a Sewage Works Improvement Project; and

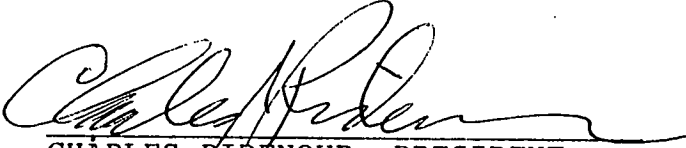
WHEREAS, the Sewage Department has certified to the Clerk-Treasurer that preliminary expenses have been incurred in connection with this Sewage Works Improvement Project; and

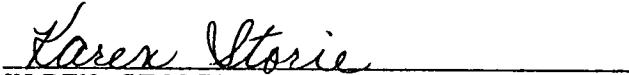
WHEREAS, the Clerk-Treasurer has determined that there is no money in the general fund of the Town, not appropriated for other purposes, with which to pay said preliminary expenses; and


WHEREAS, the Clerk-Treasurer has requested the Town Council to make a temporary loan to pay the preliminary expenses;

THEREFORE, BE IT RESOLVED, by the Town Council of Sellersburg, in accordance with Ordinance No. 466, that, the Clerk-Treasurer is hereby authorized to request an advance from INB, pursuant to the terms of its Loan Agreement with the Town, dated July 24, 1989, in an amount equal to \$ 6,643.78. Upon receipt of said sums by the Clerk-Treasurer, she is directed to disburse said sums in accordance with the certifications of the Sewage Department with respect to preliminary expenses incurred but unpaid.

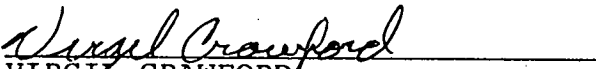
SO RESOLVED THIS 25 DAY OF September, 1989.


CHARLES RIDENOUR, PRESIDENT


KAREN STORIE


ROY EVERETT


MARY ANN DELLAROSA


VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

BY THE TOWN BOARD OF TRUSTEES
FOR THE TOWN OF SELLERSBURG, INDIANA

RESOLUTION OF CORRECTION OF RECITAL IN SELLERSBURG
TOWN BOARD RESOLUTION NO. 97

WHEREAS, on August 14, 1989, the Town of Sellersburg, by its Town Board of Trustees adopted a resolution entitled "Resolution for the Exchange of Property with the Sellersburg Fire Protection District"; and

WHEREAS, the second recital of such resolution states that the Sellersburg Volunteer Fire Department paid for certain improvements to the real estate upon which the fire station is located; and

WHEREAS, the statements contained in such recital are inaccurate, as the said expenses were not borne by the Sellersburg Volunteer Fire Department; and

WHEREAS, the person who drafted the said resolution was under the mistaken belief that the facts stated in the second recital were true, and such mistake was honestly and inadvertantly made; and

WHEREAS, the said resolution refers to the Fire Protection District and the Town as municipalities when they should each more accurately be referred to as municipal corporations and/or governmental entities; and

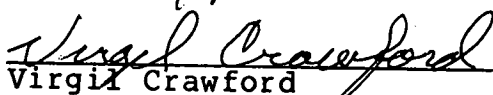
WHEREAS, the Town Board desires to correct the inaccuracy stated, but does not wish to rescind or change the effect of such Resolution No. 97;

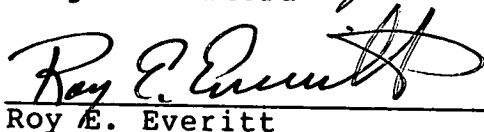
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES FOR THE TOWN OF SELLERSBURG, INDIANA, that Resolution No. 97 of the Town Board of Trustees dated August 14, 1989, shall remain in full force and effect, however, Recital No. 2 which is the second paragraph on the first page of said resolution which inaccurately


states certain facts, shall be and is hereby deleted from such resolution, and each reference to the Town or the Fire Protection District shall be changed from "municipality" to "municipal corporation".

SO RESOLVED this 25th day of September, 1989.


Charles Ridenour


Virgil Crawford


Roy E. Everitt


Karen Storie


Mary Ann DellaRosa

ATTEST:


Patricia Rush, Clerk-Treasurer


RESOLUTION 102

WHEREAS, the Town of Sellersburg has been petitioned by at least fifty-one percent (51%) of the land owners of the territory described in Exhibit A to be annexed to the Town; and


WHEREAS, the Town of Sellersburg has cause to be prepared and reviewed a Fiscal Plan for the annexation of said territory; and

WHEREAS, the Town of Sellersburg finds that the annexation of said territory would be feasible and financially viable in accordance to the terms of the Fiscal Plan.

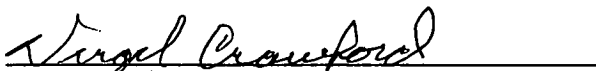
NOW THEREFORE, BE IT RESOLVED that the Analysis and Fiscal plan for annexation of Area A, a copy of which is attached and incorporated herein as Exhibit B, be and hereby is approved and adopted this 25th day of September, 1989.


CHARLES RIDEMOUR, PRESIDENT


KAREN STORIE


ROY EVERETT


MARY ANN DELLAROSA


VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

A part of Surveys No. 88 and No. 108 of the Illinois Grant, and of the Town of Hamburg of Clark County, Indiana.

Beginning at an iron pin in the southeasterly right-of-way line of State Road 311, which marks the north corner of a tract conveyed at Deed Drawer 11, Instrument No. 8667, which point is in the boundary of the Town of Sellersburg, Indiana.

Thence the following courses of the boundary of Area "A":

- South 15 deg. 26 min 55 sec., West, 95.00 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin, the north corner of a tract conveyed at Deed Drawer 9, Instrument No. 7049;
- South 15 deg. 26 min. 55 sec. West, 53.47 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin.
- Southwestwardly 554 feet, more or less, with the Town boundary, crossing State Road 60 to the north corner of a tract conveyed at Deed Drawer 8, Instrument No. 13492;
- South 25 deg. West, 250 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 17, Instrument No. 1931;
- South 25 deg. 10 min. West, 327.15 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 64 deg. 50 min. East, 200 feet, more or less, with a Town Boundary to the east corner of the tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 25 deg. 10 min. West, 200 feet, more or less, to the south corner of a tract conveyed at Deed Record 244, page 94;
- North 64 deg. 50 min. West, 200 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311;
- South 25 deg. 10 min. West, 1124 feet, more or less, with said southeasterly right-of-way line of State Road 311;
- North 64 deg. 50 min. West, 155 feet, more or less, crossing State Road 311 onto a tract conveyed at Deed Record 157, page 297 and at Deed Record 164, page 165;
- Northeastwardly, 2603 feet, more or less, parallel to and 155 feet distant from said southeasterly right-of-way line of State Road 311 to the northeasterly line of a tract conveyed at Deed Drawer 16, Instrument No. 2461;
- South 64 deg. 50 min. East, 155 feet, more or less, with said northeasterly line of said tract to the place of beginning and containing 10.18 acres of land.

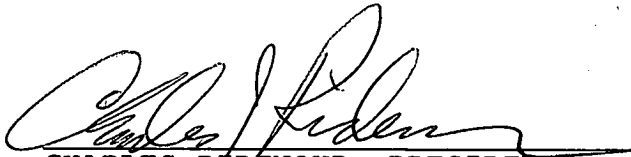
RESOLUTION NO. 105

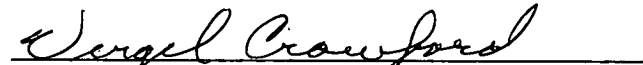
WHEREAS, the Town of Sellersburg desires to annex the contiguous territory described in the Fiscal Plans attached hereto; and


WHEREAS, the Town of Sellersburg has caused to be prepared and reviewed a Fiscal Plan for the annexation of said territory; and

WHEREAS, the Town of Sellersburg finds that the annexation of said territory would be feasible and financially viable in accordance to the terms of each Fiscal Plan.


NOW THEREFORE, BE IT RESOLVED that the Analysis and Fiscal Plan for annexation of Areas D, G, and H, copies of which are attached and incorporated herein, be and hereby are approved and adopted this 23rd day of October, 1989.

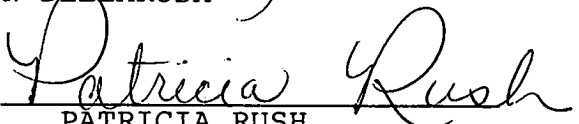

CHARLES RIDENOUR, PRESIDENT


VIRGIL CRAWFORD


ROY EVERETT


MARY ANN DELLAROSA


ROBERT ADAMS

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

ANALYSIS and FISCAL PLAN
ANNEXATION AREAS A AND B

TOWN of SELLERSBURG, INDIANA

Town Board of Trustees

Charles Ridénour	President
Karen Storie	Member
Mary Ann DellaRosa	Member
Roy Everitt	Member
Virgil Crawford	Member
Patricia Rush	Clerk-Treasurer

September 1989

INTRODUCTION

The purpose of this study is to provide the Town of Sellersburg with information needed to make a decision regarding the proposed annexation of Annexation Areas A and B. This analysis includes a comparison of revenues to be generated and costs to be incurred from providing Town services to the proposed annexation area. It will also serve as the Town's written fiscal plan and annexation policy requirements to be included in any resolution of the Town Board related to the annexation of Area A or B, such plan and policy in conformance with State statutorial requirements.

STUDY AREAS

AREA A

The proposed area to be annexed includes 10.26 acres. It includes all or part of the following:

Town of Hamburg, Parcels 7 and 34
Grant No. 108, Parcel 45
Grant No. 88, Parcels 2,7,8,9,10,11,12,13,14,15,16,17,37
and 38

AREA B

The proposed area to be annexed includes 63.84 acres. It includes all or part of the following:

Town of Hamburg, Parcels 7 and 34
Grant No. 108, Parcel 45
Grant No. 88, Parcels 2,5,6,7,8,9,10,11,12,13,14,15,16,
17 and 121.

POPULATION

	<u>AREA A</u>	<u>AREA B</u>
Acreege of proposed annexation area (3)	10.18	63.84
Number of households (approx.) (1)	14	4
Number of persons per living unit (2)	3	3
Average population per acre	4.13	0.19
Total estimated population	42	12

Source:

- (1) Clark County Surveyor's Office
- (2) U.S Bureau of Census, 1980 Census of Population and Housing
- (3) See legal descriptions

ANALYSIS AND PLANS FOR CAPITAL/NON-CAPITAL SERVICES

The incorporation of Annexation Areas A and B will require the provision of services to the area in a manner equivalent in standard and scope to services now provided in the Town of Sellersburg. This portion of the report analyzes the impact that the proposed annexation will have on various city services and outlines a plan for providing pertinent services.

FIRE PROTECTION

Fire protection is now provided to Annexation Areas A and B by the Silver Creek Fire District from stations at Memphis and on Utica Street in Sellersburg. Silver Creek Township pays the District for protection through a 0.60 tax rate for properties in the unincorporated township area as well as in the Town itself. Upon annexation, this protection will be continued in the same manner with no additional costs to be incurred by the Town.

STREET MAINTENANCE

Since State Road 311 and State Road 60 are the only roads involved, and since they are maintained by the state, there will be no increase in costs for street maintenance to the Town of Sellersburg.

WATER SERVICE

Presently, the annexation areas are served by city water provided by the Silver Creek Water Corporation and the Town of Sellersburg. Since no additional lines would be required by the proposed annexation in order to provide equivalent service, there are no anticipated costs to the Town.

RECREATION

All Sellersburg recreational facilities will be available to the residents of the proposed annexation area. There will be no additional cost to the Town.

POLICE PROTECTION

The proposed annexation areas are now served by the Clark County Police Department as well as by the Town of Sellersburg Police Department under interjurisdictional agreement. Upon annexation, this area will become the sole responsibility of the Town of Sellersburg which will commence full-time patrol protection. Although the Police Department has eleven full-time officers available with take-home cars currently, the 1989 Budget allocates funds for two additional officers and cars. Therefore, protection will be provided of the same scope and standard as currently provided to other

Town areas without incurring any additional costs to the Town due to annexation of Areas A and B.

GARBAGE COLLECTION

The Town of Sellersburg provides one garbage pick-up per week for residences, one per week for business and one for industries. There is no charge for the first pick-up and additional charges for provision of dumpster-type containers begin at \$7.50. The annexation of Areas A and B would not assign any additional costs to the Town or necessitate the acquisition of additional personnel or vehicles.

ZONING

The Town of Sellersburg's zoning regulations would become effective immediately upon the incorporation of the annexed area and the Town would assume the administration and responsibility of zoning the annexation area. There would be no additional costs to the Town for provision of this service by the Planning Commission.

SEWERS

The Town of Sellersburg is on a sewer hook-up ban until the Town's wastewater facility is replaced in order to provide alleviation of existing pollution problems caused by the plants' hydraulic and biological overloads. The Town presently has a plan to provide new sewers to an area which encompasses the proposed annexation areas and will potentially serve all future, as well as present, development. The estimated total project cost is approximately \$12,000,000.00. The most beneficial means of financing this project is through the utilization of a US EPA grant, a US EPA grant for Alternative Technology, a grant from the Indiana Department of Environmental Management (IDEM), and a Farmers Home Administration loan to finance the local share of approximately \$4,637,450.00. The cost to the proposed annexation area is \$28.56 per month per household using average equivalent service of 6000 gpm. This will be done whether the areas are annexed or not, so there will be sewers within three (3) years, at no additional cost to the Town due to annexation.

SUMMARY OF COST

The following table provides a summary of the operating and capital costs involved in the proposed annexation of Areas A and B.

TABLE 1

Expenditures required by Annexation Areas A and B

Summary of Costs

Recreation	-0-
Street Light User Fees	-0-
Water Service	-0-
Fire Protection	-0-
Police Protection	-0-
Street Maintenance	-0-
Total Annual Operating Costs	-0-

CAPITAL EXPENDITURES

WASTEWATER/SEWER COSTS

Required Annual Expenses Breakdown (1)

Annual Operating and Maintenance for
Annexation Areas A and B \$ 0.00

Total Required Income for
Annexation Areas A and B \$ 0.00

(1) At completion of project, due to annexation

ESTIMATED INCREASED REVENUES

INTRODUCTION

If the Town of Sellersburg annexes the proposed areas, the Town would receive certain additional revenues in various forms. It is reasonable to expect some additional revenues from the following sources:

- General Property Tax
- Auto/Aircraft Excise Tax
- Alcohol Taxes
- Cigarette Tax
- Local Roads and Streets (LRS)
- Motor Vehicle Highway Funds
- Sewer Tap-In/User Fees
- Permits and Licenses
- Cable Television Receipts
- Interest on Deposits

Other sources or revenue such as Bank, Building, and Loan Tax, Property Rental Income, Sale of Property, and Fines will probably not be affected by the annexation of Area A and B.

From the above list certain sources of revenue are not significant to annexation decision. These include Permits and Licenses, Cable-TV Receipts and Interest on Deposits. Other sources are estimated.

It is important to realize that additional revenues to be expected will accrue to the town in varying time frames. Certain of the revenues are distributed (by the State of Indiana) on a per capita/population basis (Alcohol Tax, Cigarette Tax, Motor Vehicle Highway Funds, and some of the Local Roads and Streets Distribution), and for the most part they are firmly based on the last decennial (10-year) census of the Town of Sellersburg. The last such census occurred in 1980, and population increases will not be conducted in 1990, but the new population figures will probably not be certified for use in distributions until at least 1991, and more probably 1992.

Except for the Cigarette Tax (which is currently firmly based on the 1980 census figure), it may be possible to have a new population figure certified for per capital distributions by having the U.S. Census Bureau conduct a "special census". However, the Town would have to consider that such a census would be costly and there would still be some time delay in conducting and finalizing the special census for use by the State in its distribution formulas. For the purpose of this report, it is assumed that no special census will be conducted.

INCREASES IN REVENUES (OTHER THAN SEWER RELATED)

Table 2 is an estimate of revenues (except sewer related) which might be expected by the Town of Sellersburg from the annexation of Annexation Areas A and B, examining only the first three (3) years, and of the timing of their receipt by the Town. Sewer related revenues are shown in Table 3 and will be discussed later.

TABLE 2

Estimated Increases in Revenues (1)

Revenue Source	1990		1991		1992	
	A	B	A	B	A	B
General Property Tax (2)	\$2646	\$1487	\$2646	\$1487	\$2646	\$1487
Auto/Aircraft Excise Tax (3)	642	362	642	362	642	342
Alcohol Taxes (4)	0	0	0	0	156	47
Cigarette Tax-GF (5)	0	0	0	0	55	16
Cigarette Tax-CCI(6)	0	0	0	0	133	38
LRS Distribution (7)	0	0	0	0	232	60
Motor Vehicle Highway (4)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>912</u>	<u>260</u>
TOTALS	\$3288	\$1849	\$3288	\$1849	\$4776	\$2270

NOTES:

- (1) These estimates assume no new development.
- (2) Additional assessed valuation from Annexation Areas A and B at the existing tax rate (\$3.188/\$100, 1988 payable 1989).
- (3) Based on 1988 revenues increased by same percentage that property tax will increase from annexation.
- (4) Calculated on 1988 per capita rate times additional population (A=42, B=12).
- (5) Calculated on 1988 per capita rate times additional population, designated for General Fund.
- (6) Calculated on 1988 per capita rate times additional population, designated for Cumulative Capital Improvement Fund.
- (7) Will increase only for additional population because no new road mileage will be added by the annexation.

FISCAL PLAN AND COST/REVENUE ANALYSIS

INTRODUCTION

This section contains the "cost/revenue analysis" to determine if the costs to be incurred from the annexation can be financed by revenues to be available. This is determined by comparing the "Analysis and Plan for Capital /Noncapital Services" section of this report with the "Estimated Increased Revenues" section, and by bringing to bear other fiscal considerations. The "fiscal plan" portion of this section reconciles the cost/revenue equation.

NONCAPITAL COSTS

As discussed in the "Analysis and Plan for Capital/Noncapital Services" section of this report, "noncapital" costs represent those additional costs for annual operating based on the ongoing needs generated by Annexation Areas A and B being a part of the Town of Sellersburg. There are no costs of any significance on an annual basis. Cumulative costs over a period of years will accrue for street and sewer maintenance, but for the short-term scope required for annexation analysis, these costs will be insignificant, and such costs must be amortized over a longer term.

SEWER USER FEES

Since the proposed wastewater facilities project is still under review by IDEM, it is impossible to project precisely when the construction activity will be complete and all users on-line. However, based on the facilities plan completed by Commonwealth Engineers, it is possible to project the costs to the Town of the sewer element and to extract any revenues. Therefore, no date projections will be used. If the project is uncompleted at the end of the three-year window for provision of capital-cost services, an exemption will be sought, based on the Town of Sellersburg's best efforts.

The Town of Sellersburg is an incorporated Town of the State of Indiana. The Town has authority and capability to finance, build, operate and maintain the proposed wastewater facilities improvements. The Town will pay its local share of the costs through a loan from the Farmers Home Administration (FmHA) or from the Indiana Bond Bank. As required by the United States Environmental Protection Agency, the Town will develop and adapt a sewer use ordinance and a user charge system.

Table 3

Estimated Sewer Revenues

Total Users in Annexation Areas A & B 18
(at completion of project and all
associated new tap-ins)

User Fees yearly (upon completion of project \$6,169
and all associated tap-ins).

CAPITAL COSTS (ALL, INCLUDING SEWERS)

As discussed in the "Analysis and Plan for Capital/Noncapital Services" section of this report, there are no capital cost improvements needed for Annexation Areas A and B for the three-year period covered by this report.

It is possible that at some period in the more distant future, there may be needs for drainage improvements in the general annexation area. However, these needs will develop over time as new development and increased traffic volumes occur and financing from IDOC Community Improvement Project grants will be sought by the Town of Sellersburg.

PLAN FOR HIRING

The annexation of Areas A and B will not require the hiring of new employees. The jobs of no employees of other governmental entities will be eliminated by the proposed annexation, although the municipality is not required to hire any employees.

PRO FORMA

Table 4 provides a three-year pro-forma of capital costs, noncapital costs and cash flow based on total revenues and costs from Annexation Areas A and B. The costs are solely those incurred from Annexation Areas A and B, and the revenues are the total revenues which will be available from the area.

TABLE 4

THREE YEAR PRO-FORMA/ANNEX AREAS "A" AND "B"

AREA "A"

Expenses & Revenues	1990	1991	1992
Increased Operating Costs	-0-	-0-	-0-
Increased Capital Cost	-0-	-0-	-0-
Increased Revenues	<u>\$3288</u>	<u>\$3288</u>	<u>\$4776</u>
Net Gain (or loss)	\$3288	\$3288	\$4776

AREA "B"

Expenses & Revenues	1990	1991	1992
Increased Operating Expense	-0-	-0-	-0-
Increased Capital Cost	-0-	-0-	-0-
Increased Revenues	<u>\$1849</u>	<u>\$1849</u>	<u>\$2270</u>
Net Gains (or loss)	\$1849	\$1849	\$2270

CONCLUSION

From the evidence presented in this report, it is apparent that the annexation of Areas A and B would be a sound decision for the Town of Sellersburg and the residents of the Areas. It is further evident that these areas meet all the requirements for annexation. The residents will benefit from improved services and the services required by law can be provided in a timely, fiscally sound manner as indicated herein. The services provided will be of equivalent nature to those provided within the present corporate boundaries of the Town of Sellersburg.

This study recommends the annexation of Areas A and B.

REASON FOR ANNEXATION

More than fifty one (51) percent of the property owners in the area have requested annexation by written petition to the Town of Sellersburg, Indiana.

Area "A" is more than one-eighth (1/8) contiguous with the present Town boundary and contains more than three (3) persons per acre in accordance with IC 34-4-3-13 (b) (c).

Area "B" would be more than one-quarter (1/4) contiguous with a Town boundary after Area "A" is annexed and the area is needed and can be used by the municipality for its development in the reasonably near future in accordance with IC 34-4-3-13 (b) (c).

September 20, 1989

DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA "A", 1989

A part of Surveys No. 88 and No. 108 of the Illinois Grant, and of the Town of Hamburg of Clark County, Indiana.

Beginning at an iron pin in the southeasterly right-of-way line of State Road 311, which marks the north corner of a tract conveyed at Deed Drawer 11, Instrument No. 8667, which point is in the boundary of the Town of Sellersburg, Indiana.

Thence the following courses of the boundary of Area "A":

- South 15 deg. 26 min 55 sec., West, 95.00 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin, the north corner of a tract conveyed at Deed Drawer 9, Instrument No. 7049;
- South 15 deg. 26 min. 55 sec. West, 53.47 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town boundary of Sellersburg to an iron pin.
- Southwestwardly 554 feet, more or less, with the Town boundary, crossing State Road 60 to the north corner of a tract conveyed at Deed Drawer 8, Instrument No. 13492;
- South 25 deg. West, 250 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 17, Instrument No. 1931;
- South 25 deg. 10 min. West, 327.15 feet, more or less, with the southeasterly right-of-way line of State Road 311, which is a Town Boundary to the north corner of a tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 64 deg. 50 min. East, 200 feet, more or less, with a Town Boundary to the east corner of the tract conveyed at Deed Drawer 21, Instrument No. 7954;
- South 25 deg. 10 min. West, 200 feet, more or less, to the south corner of a tract conveyed at Deed Record 244, page 94;
- North 64 deg. 50 min. West, 200 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311;
- South 25 deg. 10 min. West, 1124 feet, more or less, with said southeasterly right-of-way line of State Road 311;
- North 64 deg. 50 min. West, 155 feet, more or less, crossing State Road 311 onto a tract conveyed at Deed Record 157, page 297 and at Deed Record 164, page 165;
- Northeastwardly, 2603 feet, more or less, parallel to and 155 feet distant from said southeasterly right-of-way line of

FN/ANNEXA2

State Road 311 to the northeasterly line of a tract conveyed at Deed Drawer 16, Instrument No. 2461; South 64 deg. 50 min. East, 155 feet, more or less, with said northeasterly line of said tract to the place of beginning and containing 10.18 acres of land.

September 20, 1989

DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA "B", 1989

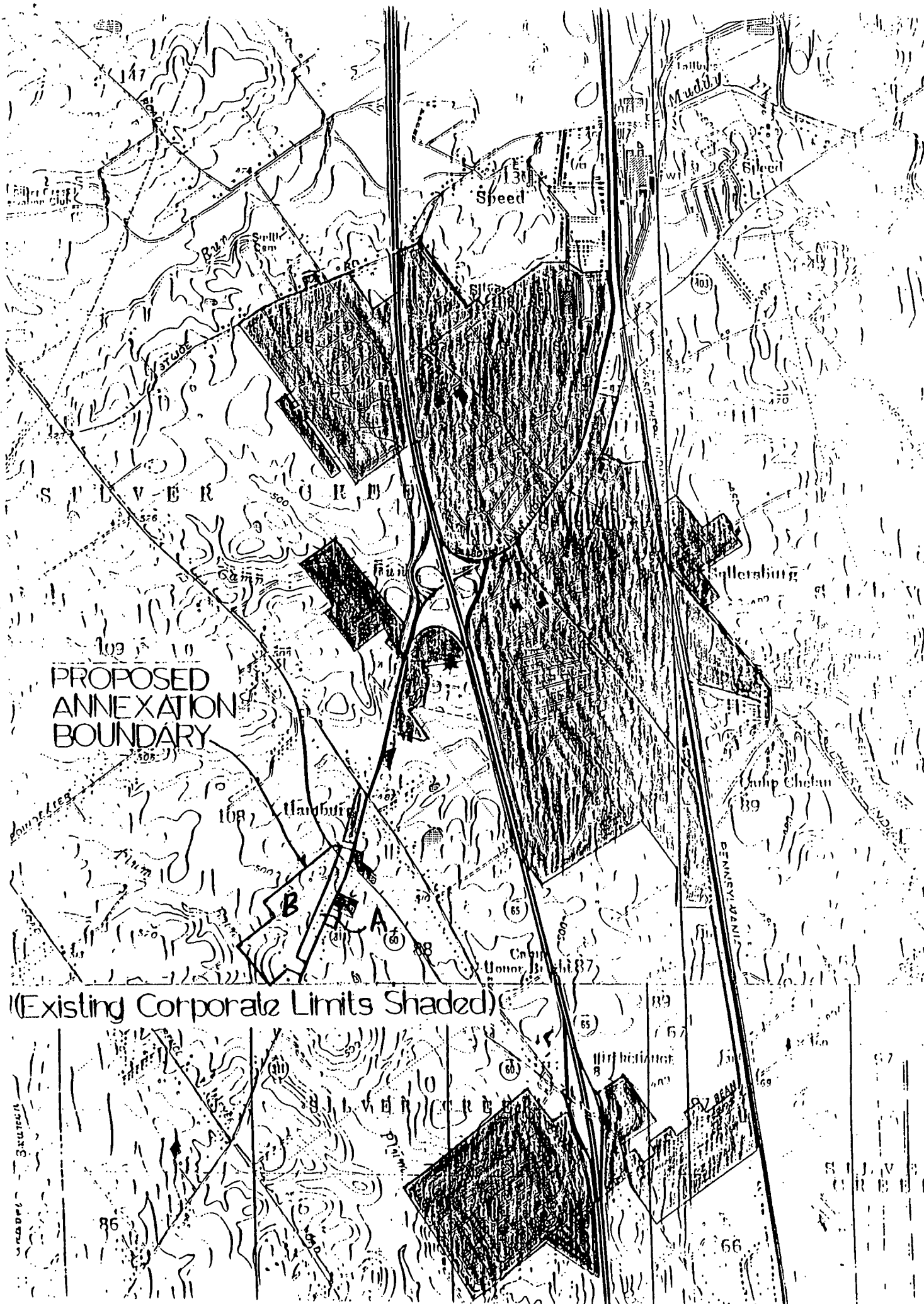
A part of Surveys No. 88 and No. 108 of the Illinois Grant, and of the town of Hamburg of Clark County, Indiana.

Beginning at the north corner of Annex Area "A", in the Town Boundary of Sellersburg, Indiana in the northeasterly line of a tract conveyed at Deed Drawer 16, Instrument No. 2461.

Thence the following courses of the boundary of Area "B":

Southwestwardly, 2603 feet, more or less, with the northwesterly line of Annex Area "B", which is the Town Boundary of Sellersburg, Indiana;
South 64 deg. 50 min. East, 155 feet, more or less, with the southwesterly line of Annex Area "B", which is the Town Boundary of Sellersburg, Indiana, to a point in the southeasterly right-of-way line of State Road 311;
South 25 deg. 10 min. West, 247 feet, more or less, with said southeasterly right-of-way line of State Road 311 to a point opposite the south corner of a tract conveyed at Deed Record 245, page 244;
North 65 deg. 45 min. West, 355 feet, more or less, crossing State Road 311, along the southwesterly line of said tract, to a point in the line of a tract conveyed at Deed Record 157, page 297 and Deed Record 164, page 165;
South 50 deg. 15 min. West, 838.29 feet, more or less, with said line to the south corner of said tract;
North 34 deg. 49 min. West, 962.2 feet, more or less, with the southwesterly line of said tract to the west corner of said tract in the line between Survey's No. 88 and No. 108;
North 54 deg. 22 min. East, 1340 feet, more or less, with said Survey line which is the northwesterly line of said tract to the south corner of a tract conveyed at Deed Record 177, page 362;
North 39 deg. 12 min. West, 295 feet, more or less, with the southwesterly line of said tract, to the west corner of said tract;
North 48 deg. 18 min. East, 2027.76 feet, more or less, with the northwesterly line of said tract to the north corner of said tract conveyed at Deed Drawer 16, Instrument No. 2461;
South 64 deg. 50 min. East, 98.96 feet, more or less, with the northeasterly line of said tract to the place of beginning and containing 63.84 acres of land.

FN:ANNEXB2



**PROPOSED
ANNEXATION
BOUNDARY**

(Existing Corporate Limits Shaded)

FISCAL ANALYSIS AND PLAN

Area D Annexation

Town of Sellersburg, Indiana

Town Council
of
Sellersburg

Prepared by:
River Hills Economic Development District
and
Regional Planning Commission

October 1989

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INTRODUCTION

The purpose of this report is to provide information necessary to make a fiscally responsible decision regarding the annexation of currently unincorporated territory. This report includes an analysis and comparison of projected revenues to be generated and estimated cost to be incurred as a result of the proposed annexation. This report will also serve as a written fiscal plan meeting annexation policy requirements which must be included in a resolution of the municipal body related to the annexation of the proposed area. Such a plan and policy is in conformance with State statutory requirements. This plan will clearly illustrate that the proposed annexation meets the requirements of IC36-4-3-13 (b) or (c); and (d).

STUDY AREA AND PROPOSED ANNEXATION AREA

The area proposed to be annexed, hereinafter referred to as Area D, includes approximately 458.63 acres and is fully described in Exhibit 1, which is the legal description attached as part of this report.

POPULATION AND DEMOGRAPHIC INFORMATION

Acreage of Area D:	458.63	2
Approximate Number of Households:	48.00	3
Estimate Number of Persons per Living Unit:	3.50	1
Estimated Average Population Per Acre:	0.37	
Total Estimated Population:	168.00	

Source:

- 1 U.S. Bureau of the Census 1980 Census Population and Housing.
2. Legal Description.
3. Based on topographical, aerial maps and windshield survey.

STATUTORY REQUIREMENTS AND METHODS OF ANNEXATION

A municipality, as provided by IC36-4-3-3 may, by ordinance, annex territory that is contiguous to the existing corporate boundaries of a municipality. Contiguity is defined as at least 1/8 of the aggregate external boundaries of the territory proposed to be annexed coinciding with the existing external boundaries of the municipality. IC36-4-3-4 provides exceptions to the contiguity requirement for areas that have certain land uses delineated in IC36-4-3-4 or otherwise meet the conditions of IC36-4-3-4.

In addition to the contiguity requirements, a municipality must also meet one of the following conditions of IC36-4-3-13 (b).

1. The resident population density is at least three persons per acre; or
2. Sixty percent of the territory is subdivided; or
3. The territory is zoned for commercial, business or industrial use.

IC36-4-3-13 (c) provides that an annexation may still take place even though the 1/8 contiguity requirements and one of the above three conditions of IC36-4-3-13 (b) are not met if the following conditions of IC36-4-3-13 (c) are met.

1. At least 1/4 of the aggregate external boundaries of the territory sought to be annexed coincides with the existing municipal boundaries; and
2. The territory sought to be annexed is needed and can be used by the municipality for its development in the reasonably near future.

Additionally, as required by IC36-4-3-13 (d) the municipality must develop a written fiscal plan and establish a definite policy by resolution of the legislative body, as of the date of passage of the annexation ordinance relative to the territory to be annexed. The resolution must show:

- (1) The cost estimates of planned services to be furnished to the territory to be annexed;
- (2) The method or methods of financing the planned services;
- (3) The plan for the organization and the extension of services.
- (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 noncapital services provided to areas within the corporate boundaries that have 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 storm water drainage facilities, will be provided to the annexed territory within three (3) years after the effective date to the annexation, in the same manner as those services are provided to areas

within the corporate boundaries that have similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria; and

- (6) the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation, although the municipality is not required to hire any employees.

IC36-4-3-13 (b) or (c) Requirements

The proposed annexation of Area D meets the following statutory conditions of IC36-4-3-13 (c):

1. Area D meets the 1/4 contiguity requirement being approximately 63.13 percent contiguous to the existing external municipal boundaries.
2. Area D is territory that is needed and can be used by the municipality for its development in the reasonably near future.

Area D has substantial development potential once the provision of municipal services, primarily access to a sewage system, that can accommodate the potential growth of Area D is made available. It is expected that this area will develop primarily residentially both through small developments and large developments. Without the provision of a sanitary sewer system, development is nearly prohibited and at least limited to slow smaller scaled residential developments within Area D that must utilize on site sewage disposal systems. The potential for larger scaled developments is severely hindered without the availability of and access to a sanitary sewer system. There is currently a shortage of vacant developable land, especially land to support large scale developments, within Sellersburg. Thus, Area D is needed and can be used by the Town of Sellersburg for its development in the reasonably near future.

ANALYSIS AND PLAN FOR CAPITAL/NON-CAPITAL SERVICES

The proposed annexation will require the provision of services of a noncapital or capital improvement nature to the area in a manner equivalent in standard and scope to services now provided to the present municipality with similar topography, patterns of land use and population density. This portion of the report analyzes the impact that the proposed annexation will have on the municipality in the form of additional cost and outlines a plan for the provision, organization, and extension of Capital/Non-Capital services delineating the method or methods of financing the extension of such services within the time frame requirements in

accordance with IC36-4-3-13 (d).

Fire Protection

Fire protection is now provided to Area D and to the Town of Sellersburg, both of which are within the Silver Creek Fire District which is funded through a tax rate for properties within its jurisdiction. Upon annexation, the provision of fire protection services, equivalent in standard and scope to fire protection services available to existing corporate residents, will continue at no additional cost to the municipality.

Streets

The Town of Sellersburg currently maintains 21.94 Certified Miles of streets. The only county road for which the town will assume maintenance responsibility is the entrance road to Hill N Dale subdivision. The road is in reasonably good condition and no repairs of any significance can be expected to be necessary within the three year scope of this analysis. The small amount of paved streets described above, approximately 3,300 feet (.63 miles), to be added by the proposed annexation will have no measurable impact on the maintenance budget within the time limits of the scope of this study. Thus, the proposed annexation will not require the acquisition of additional equipment or the hiring of additional personnel at no additional cost to the municipality.

By petition of residents, street lighting is installed with the cost borne by the electric utility and the ongoing operating cost assumed by the municipality. Since this is the existing policy of the municipality, street lighting services will be provided by petition to those residents along the above described street. Street lighting to the other residents who reside along state highways or roads which will continue to be maintained by the county will continue to be the responsibility of those respective governmental entities.

Approximately three residents reside along the above described road for which the town will assume maintenance responsibility. Assuming all three residents petition for street lighting installation, three street lights will be installed upon petition but within the three year capital improvement time limit requirement of IC36-4-3-13 (d). The installation cost will be borne by the electric utility while monthly charges will be assumed by the municipality upon installation at a rate of \$10.64 each per month. Annualized, this non-capital expenditure totals \$383.04 for the operating cost of three street lights. The source of funds to finance this expenditure will be the Local Road and Street Fund, the Motor Vehicle Highway Fund, or the General Fund.

Water Service

The annexation area is within the service area of the Sellersburg municipal water system and the Silver Creek Water Corporation. Because service is now provided to the proposed annexation area by these two water systems equivalent in standard and scope to water service provided to the existing corporate areas and its residents, no improvements of a capital nature or additional noncapital services will be necessary at no additional cost to the municipality.

Recreation

All municipal recreational facilities can accommodate and will be available to residents of Area D immediately upon annexation without significantly affecting the capacity of such facilities at no additional cost to the municipality.

Police Protection

Upon annexation, the annexation area will be served by Town of Sellersburg's Police Department. Patrols currently are made within areas adjacent to Area D. The Sellersburg Police Department currently must utilize S.R. 311 and the frontage road to Hill N Dale subdivision to access and patrol currently incorporated areas of the municipality. Many of the residents of Area D reside along S.R. 311 and the Hill N Dale frontage road. The other remaining roadways bordering Area D, where the remaining residents proposed to be annexed reside, are not routinely traveled to access and patrol the existing incorporated areas of the municipality. However, these two roadways, S.R. 60 and St Joe Road, are utilized to quickly access other incorporated areas of the municipality. For example, if a patrol is being made in the Hamburg area and a disturbance occurs requiring immediate access to the Hill N Dale area, the quickest route to this area would be via S.R. 60. The addition of Area D to the police department's jurisdiction and the provision of police protection services to its estimated 48 households will not significantly affect the capacity of the Police Department. In fact, the additional roadways that must be patrolled are either already routinely traveled or will provide a logical route to the areas that the police department must currently patrol.

Upon annexation, 24 hour patrols equivalent in standard and scope to police service now provided to existing municipal residents will commence upon annexation of Area D without significantly affecting the capacity of available police service. The additional roadways to be patrolled will not measurably increase cost and could possibly be viewed as an enhancement and a logical addition to the jurisdictional

limits of the Sellersburg Police Department.

Thus, there will be no need for acquiring additional equipment nor the hiring of additional personnel; and, therefore, will result in no additional cost to the municipality.

Garbage Collection

The Town of Sellersburg currently provides weekly refuse pick-up to residences at no charge. As is the case with the provision of police service, many of the additional routes are already traveled to serve existing corporate residents and those routes that are not currently traveled would not add significant travel distance and may eliminate some non-productive "backtracking" with appropriate route revisions. Thus, the additional time and travel distance required to provide weekly garbage pick to the additional 48 residents will not measurably increase cost and not significantly affect the capacity of the department.

Upon annexation, garbage collection service to the area will begin upon request (in a manner equivalent in standard and scope to this service now being provided to existing corporate residents) and will not significantly affect the capacity of the department providing this service; and thus, will not necessitate the acquisition of additional equipment or hiring of personnel at no additional cost to the municipality.

Zoning, Building Permits and Inspection

The Town of Sellersburg's zoning regulations would become effective immediately upon the incorporation of Area D. Upon annexation, the Town of Sellersburg will assume the administration and responsibility of zoning, building permit issuance, inspections and other related services of Area D in a manner equivalent in standard and scope to these services now provided to areas within the existing corporate limits. No measurable increase in operating or capital cost will occur with the extension of these services. Therefore, no additional cost to the town for the provision of these services will occur as a result of the incorporation of Area D.

Sewers

The Town of Sellersburg is currently served by the town's municipal sewer system. No sanitary sewer service is presently available to Area D. The Town of Sellersburg is currently on a sewer hook up ban until the town's .7 MGD sewage treatment facility, which is experiencing hydraulic and biological overloads, is replaced. The construction of a 1.5 MGD sewage treatment plant, that will increase its

customer capacity from 2,500 to approximately 7,000, is planned regardless of this annexation and is expected to be operational some time in 1991. The extension of sewers to eight of the residents of Area D located at the more densely populated intersection of S.R. 311 and old S.R. 60 is planned as a portion of this EPA mandated project regardless of annexation. Because these eight residential units of Area D will be provided sanitary sewer service regardless of annexation, the cost of extending sewers to these eight residents of Area D is unrelated to the annexation and is not considered attributable to the incorporation of Area D.

Area D has an approximate population density of only .37 persons per acre which is significantly lower than the population density within the existing corporate boundary. The predominant land use of Area D is agricultural or idle while a very few areas within the existing corporate boundary have similar patterns of land use. Thus, Area D does not have similar patterns of land use or population density as areas within the existing corporate boundaries.

As provided by IC36-4-3-13 (d), services of a noncapital and capital improvement nature must be provided in the same manner equivalent in standard and scope as provided to other areas within the corporate boundaries that have similar topography, patterns of land use and population density.

Because Area D has very dissimilar patterns of land use and population density relative to areas within the existing corporate boundaries; the Town of Sellersburg, as provided by IC36-4-3-13 (d), is not required to extend sanitary sewers to Area D. Extending sanitary sewer service to the sparsely populated proposed annexation area with predominate agricultural, and idle, land use is not practicable at this time and will not be undertaken until expected revenues will more feasibly justify the cost of such sewer extensions. This is consistent with the existing policy of the town regarding the financing of sewer line extensions.

Area D has a high potential for further residential development which can be expected in the reasonably near future. As developments occur, the Town of Sellersburg will have sanitary sewer service available to the new developments. It is the existing policy of the town, that the developer finance the extension of sanitary sewer lines to any proposed development. Before the required three year period for providing capital improvements, the capacity of the sewer system will have been expanded to the extent that any reasonably anticipated future developments in Area D can be accommodated.

Any future developments will have sanitary sewer service available with the cost of extensions to be financed by the developer at no cost to the municipality. Larger developments

are likely to occur within the reasonably near future requiring the extension of sanitary sewer services that will be financed by the developer.

Thus, within the three year scope of this analysis and plan, the town will not finance sanitary sewer extensions to the existing residents of Area D with the exception of those eight users previously described that are part of the planned sewer project that is not related to this annexation but is being mandated and partially funded by EPA. Future developments will have sewer service available within three years of the effective date of annexation. However, any associated sewer line extensions will be the financial responsibility of the developer at no cost to the municipality.

Other Municipal Functions

The inclusion of approximately 48 households and its estimated 168 people residing in Area D will not measurably impact other municipal services of a noncapital or capital improvement nature not previously mentioned. Upon annexation, any other services not previously mentioned that are available within the Town and to its residents, will be provided within Area D and to its residents in a manner equivalent in standard and scope to such services that are now provided within the existing municipal boundaries that have similar topography, patterns of land use, and population density without the expenditure of additional funds.

Plan for Hiring

The annexation of Area D will not require the hiring of new employees. The jobs of no employees /of other governmental entities will be eliminated by the proposed annexation.

Summary of Cost

The following table summarizes the operating and capital cost, to the municipality, that can reasonably be expected to increase significantly as a result of the proposed annexation and the provision of services, of a noncapital nature or capital improvement nature, in a manner equivalent in standard and scope to those now provided to existing corporate areas and its residents.

Table 1

Required Expenditures

CAPITAL COST		0
NONCAPITAL COST		
Street Lights	(Noncapital)	\$383.04
TOTAL		\$383.04

It is assumed that the municipality will become responsible for this operating cost beginning in 1992 and including the entire year of 1992.

ESTIMATED INCREASED REVENUES

Introduction

Upon annexation of Area D, the municipality can expect to receive certain additional revenues from various sources. Sewer related revenue increases from the eight users to be added to the system will be received regardless of annexation and are not attributable to the incorporation of Area D; and, therefore, are not considered in this analysis. The following is a list of sources which the municipality can possibly expect to produce additional revenue as a result of annexing Area D.

General Property Tax (Real and Personal)
 Auto/Aircraft Excise Tax
 Alcohol Tax
 Cigarette Tax
 Local Road and Streets
 Motor Vehicle Highway
 Sewer Tap-in/User Fees
 Permits and Licenses
 Cable Television Receipts
 Interest on Deposits

Other sources of revenue such as Bank, Building and Loan Tax, Property rental income, Sale of Property, and Fines will almost certainly not be affected by this proposed annexation. Also, certain sources from the above list will be impacted only minimally and are not considered significant to an annexation decision based on feasibility or are near impossible to accurately estimate. In order to obtain a conservative estimate of reasonably expected future revenue, the remaining sources are estimated.

It should be realized that additional revenues will accrue to the municipality in varying time frames. Certain revenues are distributed by the State of Indiana on a per capita basis and

are listed below.

Alcohol Tax
Cigarette Tax
Motor Vehicle Highway Funds
A portion of the Local Road and Street Funds

These are based on the last decennial census of the municipality. No increases in population attributable to annexation will be included in the 1990 census for annexations becoming effective after June 30, 1989. However, a municipality can have a special census conducted by the U.S. Bureau of Census that would provide a means of certifying the newly annexed population for revenue distribution purposes by the state. Without a special census, population increases will not be considered until after the next decennial census in 2000. Except for the Cigarette Tax which is firmly based on the last decennial census, the special census will certify a new population count for use in per capita distributions formulas by the state. However, the municipality would have to consider that such a census would be costly and that there would still be some time delay in conducting and finalizing the special census data for use by the state. The decision will depend on the revenues that will be gained verses the cost of a special census. For the purpose of this report, it is assumed that no special census will be taken.

For revenues based on Certified Street Miles (part of the LRS funds), the new mileage gained from the annexation can be certified almost immediately upon annexation. The new mileage will be certified for distribution purposes the year following the year in which the annexation takes effect. Official maps and adopted ordinances must be submitted to the State Highway Commission-Road Inventory division by the end of the year prior to the year the new mileage is to be considered. For purposes of this report it is assumed that no new mileage will be certified until the year 1990 for use in the 1991 distribution.

Increase in Revenues

Table 2 provides a summary of estimated revenues that can reasonably be expected to be derived as a result of the proposed annexation. The table below examines only the three year scope of this analysis.

TABLE 2

REVENUE SOURCE	1990	1991	1992
General Property Tax	0	0	11,719.06
Auto/Aircraft Excise Tax	0	0	2,792.74
Alcohol Tax	0	0	0
Cigarette Tax-General Fund	0	0	0
Cigarette Tax- CCI	0	0	0
LRS Distribution	0	339.92	339.92
Motor Vehicle Highway	0	0	0
TOTAL	0	339.92	14,851.72

Sources and Assumptions:

General Property Tax revenue increases are based on real property assessments of the area to be annexed as recorded in official county records. The existing municipal 1988 payable in 1989 tax rate of \$3.188/ \$100 of assessed valuation was applied to the incremental assessment. It is assumed that these property tax revenues will not be received until 1992.

Auto/Aircraft Excise Tax revenue increases are assumed to increase in by the same percentage that general property taxes increased of the previous years total receipts.

Alcohol and Motor Vehicle Highway tax redistribution revenue increases can be projected by applying the per capita rates based on the 1988 receipts by fund to the projected population increase. If a special census were undertaken and certified for distribution purposes by 1992, additional revenues from these sources could be expected in 1992. It is assumed that no special census is will be conducted meaning that the new population will not be certified for distribution purposes until approximately 2002. Cigarette tax redistribution revenues are firmly based on the last decennial census and would not be affected by any special census.

LRS redistribution revenue increases are based solely on the 1988 rate per mile of certified municipal street mileage applied to the projected street mileage increase. 60% of the LRS distribution formula is based on population. Because it is assumed that a special census will not be undertaken, the 60% per capita based portion of the LRS revenues are not projected to be received until approximately 2002. If a special census were undertaken and certified for distribution purposes by 1992, the 1992 LRS revenues would include the increase attributable to mileage increases plus a per capita rate applied to the expected additional population.

FISCAL PLAN AND COST/REVENUE ANALYSIS

Introduction

This section outlines and compares the cost to be incurred and the revenues to be generated as a result of the proposed annexation. The "Analysis and Plan for Capital/Non-Capital Services" section of this report provided a reasonable estimate of the cost to be incurred while the "Estimated Increased Revenues" section provided a conservative estimate of the revenues that will be generated. The estimates derived in these two previous sections are outlined and compared in this section.

Noncapital Cost

Non-capital cost for annual operating based on the additional needs generated by Area D. The only needs which reflect a cost to the municipality of any significance are those identified previously for street lighting. Cumulative cost over a period of years will accrue for street and sewer maintenance and other noncapital cost, but for the three year scope of this analysis and plan, these cost will be insignificant or nonexistent, and such cost may accumulate over a longer term. Table 3 outlines the non-capital cost for the three year analysis period which is the scope of this report.

TABLE 3

ITEM	SUMMARY OF NONCAPITAL COST		
	1990	1991	1992
Street Lighting	\$ 0	\$ 0	\$383.04
Totals	\$ 0	\$ 0	\$383.04

These cost can be financed by the local road and street fund, the Motor Vehicle Highway Fund and the General Fund for street lighting. This service will assumed by the municipality upon annexation. These estimates assume no changes in the charges to the municipality for street light service. Additional funds generated by the annexation will be available to cover these cost.

Capital Cost

As discussed in the "Analysis and Plan for Capital/Non-Capital Services", the only extension of services a capital improvement nature that may be necessary in Area D within

three years are the provision of street lights and the extension of sanitary sewer service for any future large developments. The initial capital cost for the installation of street lights is the responsibility of the electric utility. The cost of sewer extensions will be the financial responsibility of the individual or entity undertaking the development. Thus, any sanitary sewer extensions deemed appropriate by any future development will be financed by the developer and will be provided in a manner equivalent in standard and scope to the services of a capital improvement nature that are currently provided to the existing corporate areas and its residents.

Possibly at some time in the more distant future, there may develop a need for drainage or other capital improvements as smaller developments cause the land use patterns and population density of Area D to approach that of the existing corporate limits. However, these needs will develop over time as new development occurs and is beyond the time frame of this analysis and plan.

Three Year Comparison

Table 4

Table four provides a 3 year comparison of projected revenues and cost that can be expected to be incurred as a result of this proposed annexation.

	1990	1991	1992
Increased Operating Expense	0.00	0.00	383.04
Increased Capital Cost	0.00	0.00	0.00
Revenues	0.00	339.92	14,851.72
Net Gain or (Loss)	0.00	339.92	14,468.68
Cumulative Affect	0.00	339.92	14,808.60

CONCLUSION

From the evidence presented in this report, it is apparent that the annexation of Area D will be a fiscally sound decision. It is further evident that the incorporation of Area D meets all the legal requirements for annexation. This plan clearly documents that the proposed annexation meets the requirements of IC36-4-3-13 (c) and (d).

DESCRIPTION OF ANNEXATION AREA 'D'

A part of Surveys No. 108, 109, 110, 128 and 129 of the Illinois Grant in Silver Creek Township of Clark County, Indiana and bounded as follows;

Beginning at a point in the southeasterly right-of-way line of St. Joe Road where it intersects the northerly extension of the southwesterly line of Hill N' Dale Subdivision, Section No. 9 which is a point in the existing boundary of the Town of Sellersburg.

Thence the following courses of the boundary of Annex Area 'D';

South 34 degrees, 01 minute, 57 seconds East, 787.68 feet,
with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 9 (P.B. 9, P. 41);
North 82 degrees, 34 minutes, 21 seconds East, 6.11 feet,
with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 9 (P.B. 9, P. 41);
South 36 degrees 03 minutes East, 864.37 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 5 (P.B. 7, P. 77);
South 36 degrees 03 minutes East, 136.53 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 4 (P.B. 7, P. 71) to the north corner of Lot No. 116 of Hampstead Heath Subdivision, Section 1 (P.B.9, P. 44);
South 55 degrees, 01 minute, 59 seconds West, 113.00 feet,
with the Town Boundary which is the northwest line of said Hampstead Heath Subdivision, Section 1;
North 34 degrees, 58 minutes, 01 second West, 140.00 feet,
with the Town Boundary which is the northeast line of said Hampstead Heath Subdivision, Section 1;
South 55 degrees, 01 minutes, 59 seconds West, 135.00 feet,
with the Town Boundary which is a northwest line of said Hampstead Heath Subdivision, Section 1;
North 34 degrees, 58 minutes, 01 second West, 10.00 feet,
with the Town Boundary which is a northeast line of said Hampstead Heath Subdivision, Section 1;
South 55 degrees, 01 minute, 59 seconds West, 185.00 feet,
with the Town Boundary which is the northwest line of said Hampstead Heath Subdivision, Section 1;
South 34 degrees, 58 minutes, 01 second East, 170.00 feet,
with the Town Boundary which is the southwest line of said Hampstead Heath Subdivision, Section 1;
North 55 degrees, 01 minute, 59 seconds East, 42.50 feet,
with the Town Boundary which is the southeast line of said Hampstead Heath Subdivision, Section 1;
South 34 degrees, 58 minutes, 01 second East, 320.00 feet,
with the Town Boundary which is the southwest line of said Hampstead Heath Subdivision, Section 1;
South 55 degrees, 01 minute, 59 seconds West, 42.50 feet,

with the Town Boundary which is the Northwest line of said Hampstead Heath Subdivision, Section 1;
South 34 degrees, 58 minutes, 01 second East, 975.00 feet, with the Town Boundary which is the southwest line of said Hampstead Heath Subdivision, Section 1;
North 55 degrees, 01 minute, 59 seconds East, 320.00 feet, with the Town Boundary which is the southeast line of said Hampstead Heath Subdivision, Section 1;
North 34 degrees, 58 minutes, 01 second West, 990.00 feet, with the Town Boundary which is the northeast line of said Hampstead Heath Subdivision, Section 1;
North 55 degrees, 01 minute, 59 seconds East, 113.00 feet, with the Town Boundary which is the southeast line of said Hampstead Heath Subdivision, Section 1 to a point in the southwest line of Hill N' Dale Subdivision, Section 4 (P.B. 7, P. 71);
South 36 degrees, 03 minutes East, 948.47 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 4 (P.B. 7, P. 71);
South 36 degrees, 03 minutes East, 418.71 feet, with the Town Boundary which is the southwest line of Hill N' Dale Subdivision, Section 3 (P.B. 7, P. 56);
North 54 degrees, 34 minutes East, 674.34 feet, with the Town Boundary which is the southeast line of Hill N' Dale Subdivision, Section 3 (P.B. 7, P. 56);
North 54 degrees, 34 minutes East, 338.67 feet, with the Town Boundary which is the southeast line of Hill & Dale Farm (P.B. 7, P. 24) to a point in the westerly right-of-way of Interstate 65;
Southwestwardly 3538 feet, more or less, with the Town Boundary which is the westerly right-of-way of Interstate 65 and State Road 311 to the east corner of a tract conveyed to O'Neal at Deed Drawer 18, Instrument No. 6543;
North 12 degrees, 46 minutes, 22 seconds West, 105.50 feet, with the Town Boundary which is a northeast line of said O'Neal Tract;
North 16 degrees, 34 minutes, 54 seconds East, 318.10 feet, with the Town Boundary which is a southeast line of said O'Neal Tract;
North 34 degrees, 50 minutes, 04 seconds West, 987.06 feet, with the Town Boundary which is a northeast line of said O'Neal Tract;
North 34 degrees, 42 minutes, 58 seconds West, 1016.42 feet, with the Town Boundary which is a northeast line of said O'Neal Tract;
South 54 degrees, 25 minutes, 54 seconds West, 749.31 feet, with the Town Boundary which is a northwest line of said O'Neal Tract;
South 34 degrees, 52 minutes, 42 seconds East, 989.24 feet, with the Town Boundary which is a southwest line of said O'Neal Tract;
South 55 degrees, 23 minutes, 35 seconds West, 207.48 feet, with the Town Boundary which is a northwest line of said

O'Neal Tract;
South 34 degrees, 52 minutes, 28 seconds East, 825.00 feet,
with the Town Boundary which is a southwest line of said
O'Neal Tract;
North 55 degrees, 58 minutes, 06 seconds East, 597.07 feet,
with the Town Boundary which is a southeast line of said
O'Neal Tract;
South 34 degrees, 51 minutes, 12 seconds East, 198.65 feet,
with the Town Boundary which is a southwest line of said
O'Neal Tract;
South 17 degrees, 09 minutes, 33 seconds West, 110.72 feet,
with the Town Boundary which is a northwest line of said
O'Neal Tract;
South 35 degrees, 54 minutes, 22 seconds East, 360.52 feet,
with the Town Boundary which is a southwest line of said
O'Neal Tract to a point in the northwesterly right-of-way
line of State Road 311;
Southwestwardly, 2310 feet, more or less, with the Town
Boundary which is the northwesterly right-of-way line of
State Road 311;
Northwestwardly, 7920 feet, more or less, with the Town
Boundary which is the southwesterly right-of-way of Old
State Road 60 and New State Road 60 to the southeasterly
right-of-way line of St. Joe Road;
Northeastwardly, 3836.5 feet, more or less, with said
southeasterly right-of-way line of St. Joe Road to the
place of beginning and containing 496.3 acres of land,
more or less.

PROPOSED ANNEXATION BY THE TOWN OF SELLERSBURG, INDIANA

A part of Surveys No. 67, No. 87, No. 88, No. 89, No. 108, and No. 110 of the Illinois Grant, in Silver Creek Township in Clark County, Indiana, and being fully described as follows:

Beginning at a corner of the Town of Sellersburg, Indiana, said corner being in Greenwood Road at the intersection of the southeasterly line of a tract of land recorded at Deed Book 220, page 434 in the Clark County Recorder's Office, and a Town of Sellersburg's line which is parallel to and 125 feet west of the westerly Right-of-Way line of U. S. Highway 31 (75' R/W) in Survey No. 67, thence with said Town boundary the following courses:

- South 53 deg. 43 min. 25 sec. West, 641.0 feet, more or less, with said southeasterly line of said tract recorded in Deed Book 220, page 434, and Greenwood Road to the east corner of Survey No. 87;
- North 35 deg. West, 217.8 feet, more or less, with the line dividing Surveys No. 87 and No. 67;
- South 53 deg. 43 min. 25 sec. West, 372.0 feet, more or less;
- South 35 deg. East, 217.8 feet, more or less, to the southeasterly line of Survey No. 87 in Greenwood Road;
- South 53 deg. 43 min. 25 sec. West, 200.0 feet, more or less, with said southeasterly line of Survey No. 87 and Greenwood Road;
- North 35 deg. West, 217.8 feet, more or less;
- South 53 deg. 43 min. 25 sec. West, 400 feet, more or less;
- South 35 deg. East, 217.8 feet, more or less, to said southeasterly line of Survey No. 87 and Greenwood Road;
- South 53 deg. 43 min. 25 sec. West, 251.2 feet, more or less, with said southeasterly line of Survey No. 87 and Greenwood Road;
- North 35 deg. West, 217.8 feet, more or less;
- South 53 deg. 43 min. 25 sec. West, 295.18 feet, more or less, to the easterly Right-of-Way of S. R. 60;
- North 09 deg. 53 min. 50 sec. West, 36.97 feet, more or less, with said easterly line of S. R. 60;
- North 12 deg. 18 min. 50 sec. West, 209.06 feet, more or less, with said easterly line of S. R. 60;
- North 04 deg. 55 min. 30 sec. East, 114.56 feet, more or less, with said easterly line of S. R. 60;
- North 53 deg. 44 min. East, 600.0 feet, more or less;
- North 36 deg. 16 min. West, 750.17 feet, more or less;
- South 55 deg. 24 min. West, 432.83 feet, more or less, to the easterly Right-of-Way line of I-65. Thence continuing and crossing I-65;
- South 55 deg. 24 min. West, 600.0 feet, more or less, to the westerly Right-of-Way line of I-65. Continuing thence;
- South 55 deg. 24 min. West, 476.05 feet;
- North 34 deg. 36 min. West, 309.74 feet, more or less;
- South 33 deg. 08 min. 05 sec. East, 36.39 feet, more or less;
- North 54 deg. 59 min. 13 sec. West, 109.0 feet, more or less;
- North 34 deg. 38 min. 03 sec. West, 426.51 feet, more or less, to the southeasterly line of the Town of Clarksville, Indiana.

Thence with said southeasterly line of the Town of Clarksville, Indiana and leaving the boundary of the Town of Sellersburg, Indiana;

North 55 deg. East, 322.1 feet, more or less, to the westerly Right-of-Way line of new highway S. R. 60 and an easterly corner of the Town of Clarksville, Indiana;

North 55 deg. 04 min. 31 sec. West, 307.12 feet, more or less, with said westerly Right-of-Way line of new highway S. R. 60 and a northeasterly line of the Town of Clarksville, Indiana;

North 54 deg. 49 min. 06 sec. West, 8.32 feet, more or less, with said westerly Right-of-Way line of new highway S. R. 60 and a northeasterly line of the Town of Clarksville, Indiana;

North 54 deg. 47 min. 34 sec. West, 203.49 feet, more or less, with said westerly Right-of-Way line of new highway S. R. 60 and said northeasterly line of the Town of Clarksville, Indiana;

North 53 deg. 40 min. 34 sec. West, 101.97 feet, more or less, with said westerly Right-of-Way line of new highway S. R. 60, and a distance of 61.67 feet, more or less with said northeasterly line of the Town of Clarksville, Indiana;

North 48 deg. West, 407.44 feet, more or less, with said westerly Right-of-way line of new highway S. R. 60;

North 45 deg. 49 min. 51 sec. West, 114.11 feet, more or less, with said westerly line of new highway S. R. 60 to the northwesterly line of Survey No. 87, which is also the southeasterly line of Survey No. 88;

South 55 deg. 12 min. 14 sec. West, 3414.43 feet, more or less, with said line dividing Surveys No. 87 and No. 88;

North 50 deg. 20 min. West, 345.97 feet, more or less;

North 59 deg. 25 min. 26 sec. West, 50.64 feet, more or less;

North 50 deg. 04 min. 45 sec. West, 359.14 feet, more or less;

South 29 deg. 07 min. 57 sec. West, 400.0 feet, more or less;

South 55 deg. 12 min. 14 sec. West, 425.0 feet, more or less, to the Floyd County line which is also the southwesterly line of Survey No. 88 in County Line Road, said point being North 34 deg. 44 min. 34 sec. West, 550.0 feet, more or less, from the south corner of Survey No. 88, which is also the west corner of Survey No. 87;

North 34 deg. 44 min. 34 sec. West, 1366.79 feet, more or less, with said southwesterly line of Survey No. 88 and County Line Road, and crossing State Road 311 at approximately 300 feet;

North 53 deg. 17 min. 50 sec. East, 1164.82 feet, more or less;

North 35 deg. 11 min. West, 330.8 feet, more or less;

North 51 deg. 55 min. East, 388.45 feet, more or less;

North 25 deg. 10 min. East, 211.7 feet, more or less;

South 63 deg. 17 min. 41 sec. East, 98.3 feet, more or less;

North 25 deg. 10 min. East, 825.0 feet, more or less, running parallel to and 200 feet distant from the northwesterly Right-of-Way line of State Road 311;

North 64 deg. 50 min. West, 210.6 feet, more or less;

North 25 deg. 10 min. East, 600.0 feet, more or less;

North 64 deg. 50 min. West, 25.0 feet, more or less, to the north-

westerly line of Survey No. 88 , which is also the south-easterly line of Survey No. 108;

North 54 deg. 22 min. East, 764.3 feet, more or less, with said line dividing Surveys No. 88 and No. 108 to the westerly Right-of-Way line of new S. R. 60;

North 07 deg. 44 min. 15 sec. East, 41.5 feet, more or less, with said westerly Right-of-Way line of new S. R. 60. Thence crossing said Highway;

North 24 deg. 44 min. 15 sec. East, 180.0 feet, more or less, to the easterly Right-of-Way line of new S. R. 60;

South 83 deg. 04 min. 55 sec. West, 60.98 feet, more or less, with said easterly line of new highway S. R. 60;

North 50 deg. 16 min. 25 sec. West, 120.45 feet, more or less, with said easterly line of new highway S. R. 60;

North 41 deg. 42 min. 20 sec. West, 33.65 feet, more or less, with said easterly line of new highway S. R. 60;

North 41 deg. 43 min. 15 sec. West, 381.19 feet, more or less, with said easterly line of new highway S. R. 60. Thence with a curve to the right of radius 1834.89 feet, whose chord bears

North 22 deg. 11 min. 18 sec. West, 949.43 feet, more or less, with said easterly line of new highway S. R. 60;

North 06 deg. 14 min. 20 sec. East, 103.06 feet, more or less, with said easterly Right-of-Way line of new highway S. R.60;

North 07 deg. 06 min. 46 sec. West, 200.00 feet, more or less, with said easterly Right-of-Way line of new highway S.R.60;

North 15 deg. 04 min. 18 sec. West, 288.89 feet, more or less, with said easterly Right-of-Way line of new highway S. R.60. Thence with a curve to the left of radius 2606.5 feet, whose chord bears

North 11 deg. 46 min. 08 sec. West, 423.19 feet, more or less, with said easterly line of new highway S. R. 60;

South 76 deg. 29 min. 39 deg. East, 142.59 feet, more or less, leaving said easterly Right-of-Way of new highway S. R. 60, and travelling with the westerly line of Old S.R. 60;

South 33 deg. 27 min. 34 sec. East, 94.73 feet, more or less, with said westerly line of Old S.R. 60;

South 29 deg. 29 min. 11 sec. East, 74.17 feet, more or less, with said westerly line of Old S.R. 60;

South 40 deg. 15 min. East, 331.0 feet, more or less, with said westerly line of Old S.R. 60;

South 40 deg. 26 min. 54 sec. East, 296.51 feet, more or less, with said westerly line of Old S.R. 60;

South 39 deg. 25 min. 17 sec. East, 411.68 feet, more or less, with said westerly line of Old S.R. 60;

South 37 deg. 13 min. 31 sec. East, 350.39 feet, more or less, with said westerly line of Old S.R. 60, and a distance of 124.56 feet, more or less, with the boundary of the Town of Sellersburg, Indiana, to the northwesterly Right-of-Way line of State Road 311. Thence crossing State Road 311 and Old S. R. 60;

North 60 deg. East, 86.0 feet, more or less, to the intersection of the southeasterly Right-of-Way line of S. R. 311 and the easterly Right-of-Way line of Old S.R. 60;

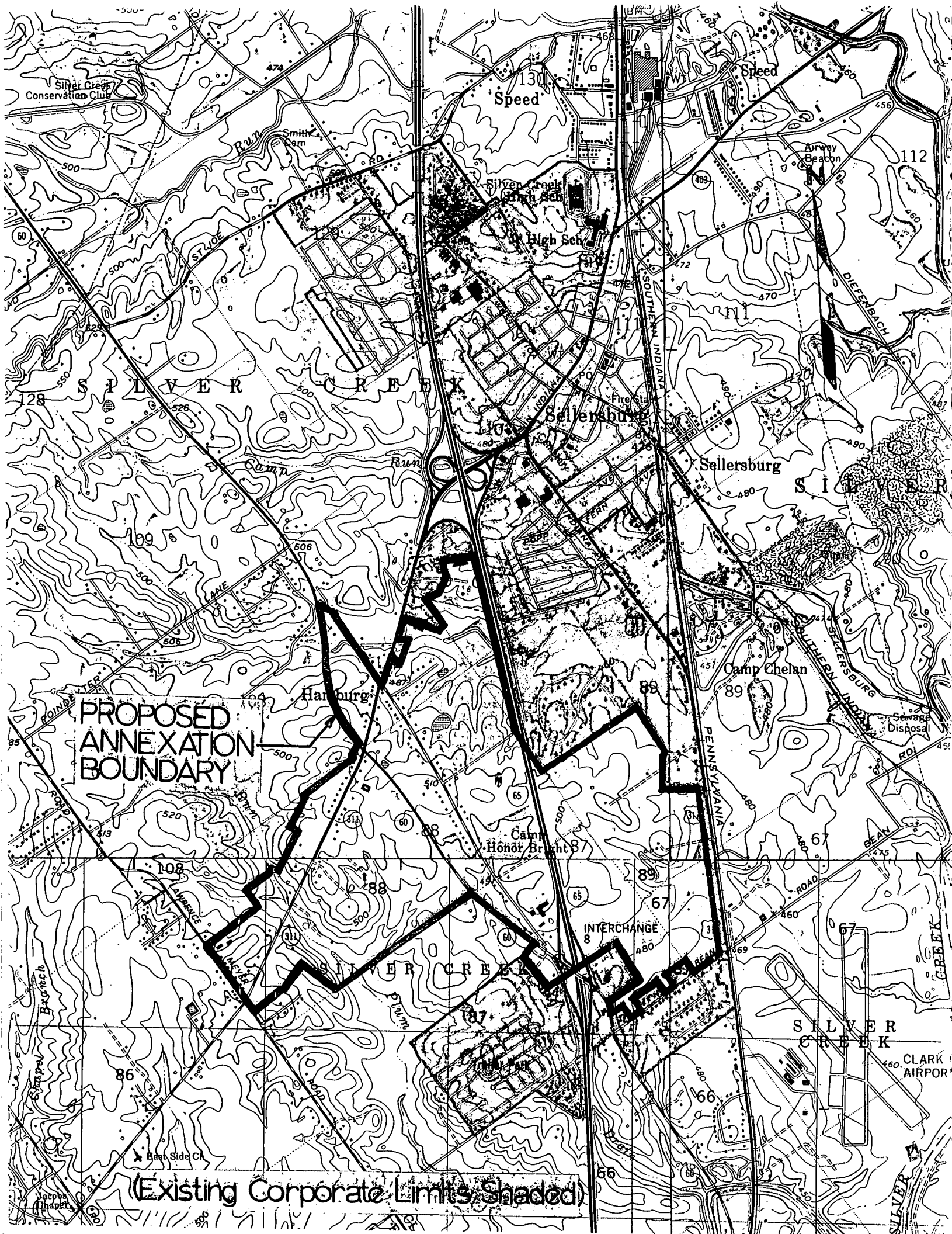
North 17 deg. 11 min. East, 460.0 feet, more or less, with said southeasterly line of S. R. 311 to a boundary of the Town of Sellersburg, Indiana. Thence with the Town boundary;
 North 71 deg. 17 min. West, 192.7 feet, more or less, continuing thence with said Town boundary;
 South 07 deg. 11 min. West, 407.3 feet, more or less, continuing thence with said Town boundary;
 North 68 deg. 11 min. East, 182.7 feet, more or less, to said southeasterly Right-of-Way line of S. R. 311. Thence leaving the Town boundary;
 North 09 deg. 07 min. East, 362.4 feet, more or less, with said southeasterly Right-of-Way line of S. R. 311 to the boundary of the Town of Sellersburg. Thence again with the Town boundary the following courses:
 South 74 deg. 22 min. East, 860.3 feet, more or less;
 North 48 deg. 52 min. East, 87.5 feet, more or less, to the line dividing Surveys No. 108 and No. 110, said point being North 40 deg. West, 686.5 feet from the common corner of Surveys No. 88, No. 89, No. 108, and No. 110;
 North 40 deg. West, 647.6 feet, more or less, with said line dividing Surveys No. 108 and No. 110;
 North 65 deg. 47 min. 39 sec. East, 218.72 feet, more or less;
 North 0 deg. 41 min. 29 sec. East, 444.33 feet, more or less;
 North 11 deg. 36 min. 48 sec. West, 39.58 feet, more or less;
 South 84 deg. 44 min. 10 sec. East, 238.21 feet, more or less;
 North 49 deg. 47 min. 03 sec. East, 200.05 feet, more or less;
 North 49 deg. 46 min. 00 sec. East, 276.42 feet, more or less, to the westerly Right-of-Way line of I-65. Thence leaving the boundary of the Town of Sellersburg, Indiana, and travelling along said westerly Right-of-Way line of I-65 the following courses:
 South 13 deg. 55 min. 21 sec. East, 353.46 feet, more or less;
 South 16 deg. 35 min. 27 sec. East, 300.67 feet, more or less;
 South 12 deg. 46 min. 36 sec. East, 700.00 feet, more or less;
 South 04 deg. 14 min. 46 sec. East, 202.24 feet, more or less;
 South 21 deg. 18 min. 27 sec. East, 202.24 feet, more or less, crossing the line dividing Surveys No. 110 and No. 89 at approximately 147 feet;
 South 12 deg. 46 min. 36 sec. East, 508.61 feet, more or less;
 South 12 deg. 46 min. 02 sec. East, 828.89 feet, more or less, to the line dividing Surveys No. 88 and No. 89. Thence with said line and crossing I-65;
 South 34 deg. 22 min. 35 sec. East, 669.25 feet, more or less, to the easterly Right-of-Way line of I-65 and the boundary of the Town of Sellersburg, Indiana. Thence with said Town boundary the remaining following courses:
 South 34 deg. 22 min. 35 sec. East, 224.08 feet, more or less, with said line dividing Surveys No. 88 and No. 89;
 North 54 deg. 52 min. 56 sec. East, 2079.76 feet, more or less;
 South 34 deg. 57 min. 24 sec. East, 1164.3 feet, more or less;
 South 55 deg. 08 min. West, 61.77 feet, more or less;
 South 08 deg. 46 min. East, 494.0 feet, more or less;
 North 77 deg. 26 min. East, 291.0 feet, more or less;

South 12 deg. 34 min. East, 1093.8 feet, more or less, running parallel to and 125 feet distant from the westerly Right-of-Way line of U. S. Highway 31 to the line dividing Surveys No. 89 and No. 67;

South 08 deg. 01 min. 20 sec. East, 795.9 feet, more or less, running parallel to and 125 feet distant from said westerly Right-of-Way line of U. S. Highway 31;

South 11 deg. 44 min. East, 901.4 feet, more or less, running parallel to and 125 feet distant from said westerly Right-of-Way line of U. S. Highway 31 to the True Place of Beginning and containing 710.5 acres of land.

Excepting therefrom, 11.0 acres of land from parcels previously annexed by the Town of Sellersburg, Indiana, which are included in the total area of the boundary described above, leaving 699.5 acres of new land being annexed.



Silver Creek Conservation Club

Smith Farm

Speed 130

Speed

Airway Beacon

112

Silver Creek High Sch

High Sch

Sellersburg

Sellersburg

SILVER CREEK

PROPOSED ANNEXATION BOUNDARY

Hamburg

Camp Chelan

89

Camp Honor Bright

87

INTERCHANGE 8

SILVER CREEK

CLARK AIRPORT

(Existing Corporate Limits Shaded)

RESOLUTION NO. 106

WHEREAS, Ordinance No. 466 on the 24th day of July, 1989, authorizes the Town Council of the Town of Sellersburg to enter into temporary loans for the payment of preliminary expenses incurred in connection with a Sewage Works Improvement Project; and


WHEREAS, the Sewage Department has certified to the Clerk-Treasurer that preliminary expenses have been incurred in connection with this Sewage Works Improvement Project; and

WHEREAS, the Clerk-Treasurer has determined that there is no money in the general fund of the Town, not appropriated for other purposes, with which to pay said preliminary expenses; and

WHEREAS, the Clerk-Treasurer has requested the Town Council to make a temporary loan to pay the preliminary expenses;

THEREFORE, BE IT RESOLVED, by the Town Council of Sellersburg, in accordance with Ordinance No. 466, that, the Clerk-Treasurer is hereby authorized to request an advance from INB, pursuant to the terms of its Loan Agreement with the Town, dated July 24, 1989, in an amount equal to \$ 82,824.74. Upon receipt of said sums by the Clerk-Treasurer, she is directed to disburse said sums in accordance with the certifications of the Sewage Department with respect to preliminary expenses incurred but unpaid.


SO RESOLVED THIS 13 DAY OF November, 1989.



CHARLES RIDENOUR, PRESIDENT



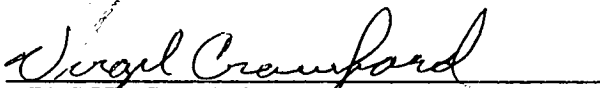
~~KAREN STORIE~~



ROY EVERETT



MARY ANN DELLAROSA



VIRGIL CRAWFORD

ATTEST: 

PATRICIA RUSH
CLERK TREASURER

LEGAL DESCRIPTION OF O'NEAL SEWER SERVICE

A part of Survey No. 110 of the Illinois Grant in Silver Creek Township of Clark County, Indiana, and bounded as follows:

Commencing at a stone monument in the southwesterly line of said Survey No. 110 which marks the north corner of Survey No. 108 of the Illinois Grant, thence the following courses:

Southeasterly 1815.59 feet more or less with the line dividing said Surveys No. 108 and 110 of the Illinois Grant to an iron pipe in the easterly line of U.S. Highway No. 31-W being the north corner of a parcel of land owned by James and Lenora Coons at Deed Record 273, page 106; thence along the east line of said U.S. Highway No. 31-W, 96.35 feet more or less to an iron pipe; thence northeasterly with the southerly line of Lot 22, Block F. Fairview Addition to Sellersburg (Plat Book 4, page 101) 153.67 feet to an iron pipe, the southeast corner of said Lot No. 22; thence southeasterly 16.01 feet more or less with the south line of an alley to an iron pipe; thence northeasterly 498.46 feet more or less with the easterly line of said alley to an iron pipe; being the true place of beginning.

Thence the following courses of the boundary:

Northwesterly 166.00 feet more or less with the northern line of Lot No. 1, Block F. of said Fairview Addition to an iron pin, the northwest corner thereof; thence northeasterly 12.0 feet more or less to a point; thence southeasterly 224.85 feet more or less along a line parallel and 12 feet north of said northerly line of Lot No. 1, Block F. of said Fairview Addition to a point on a line common to the Indiana State Police and the Indiana Vocational Technical College; thence along said line southwesterly 25.18 feet more or less to an iron pin; thence southeasterly 415.00 feet more or less along the eastern line of a parcel of land owned by the Indiana State Police at Deed Record 10, page 6609; thence southwesterly 12 feet more or less and perpendicular to said property line to a point; thence northwesterly 418.82 feet more or less and parallel to said east property line to a point; thence northeasterly 19.85 feet more or less to a point; thence northwesterly 49.70 more or less to the true place of beginning and containing 0.182 acres of land.

LEGAL DESCRIPTION OF O'NEAL SEWER SERVICE

A part of Survey No. 110 of the Illinois Grant in Silver Creek Township of Clark County, Indiana, and bounded as follows:

Commencing at a stone monument in the southwesterly line of said Survey No. 110 which marks the north corner of Survey No. 108 of the Illinois Grant, thence the following courses:

Southeasterly 1815.59 feet more or less with the line dividing said Surveys No. 108 and 110 of the Illinois Grant to an iron pipe in the easterly line of U.S. Highway No. 31-W being the north corner of a parcel of land owned by James and Lenora Coons at Deed Record 273, page 106; thence along the east line of said U.S. Highway No. 31-W, 96.35 feet more or less to an iron pipe; thence northeasterly with the southerly line of Lot 22, Block F. Fairview Addition to Sellersburg (Plat Book 4, page 101) 153.67 feet to an iron pipe, the southeast corner of said Lot No. 22; thence southeasterly 16.01 feet more or less with the south line of an alley to an iron pipe; thence northeasterly 498.46 feet more or less with the easterly line of said alley to an iron pipe; being the true place of beginning.

Thence the following courses of the boundary:

Northwesterly 186.00 feet more or less with the northern line of Lot No. 1, Block F. of said Fairview Addition to an iron pin, the northwest corner thereof; thence northeasterly 12.0 feet more or less to a point; thence southeasterly 224.85 feet more or less along a line parallel and 12 feet north of said northerly line of Lot No. 1, Block F. of said Fairview Addition to a point on a line common to the Indiana State Police and the Indiana Vocational Technical College; thence along said line southwesterly 25.18 feet more or less to an iron pin; thence southeasterly 415.00 feet more or less along the eastern line of a parcel of land owned by the Indiana State Police at Deed Record 10, page 6609; thence southwesterly 12 feet more or less and perpendicular to said property line to a point; thence northwesterly 418.82 feet more or less and parallel to said east property line to a point; thence northeasterly 19.85 feet more or less to a point; thence northwesterly 49.70 more or less to the true place of beginning and containing 0.182 acres of land.

RESOLUTION NO. 108


WHEREAS, the Town of Sellersburg is desirous of promoting economic development within the Town; and,


WHEREAS, the Town of Sellersburg is desirous of accepting a grant easement from the State of Indiana which contains or will contain sanitary sewer lines for the purpose of serving property within the Town of Sellersburg;


WHEREAS, the State of Indiana has expressed its willingness to grant such an easement.

NOW THEREFORE, BE IT RESOLVED, by the Town of Sellersburg that it will accept a grant of easement from the State of Indiana for that property set forth in the legal description attached hereto and incorporated herein. The Town of Sellersburg states that it is willing to accept said grant immediately upon receipt from the State of Indiana.

SO RESOLVED THIS 13TH DAY OF NOVEMBER, 1989.


CHARLES RIDENOUR, PRESIDENT


ROBERT ADAMS


ROY EVERETT


MARYANN DELLAROSA


VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

DATE: Nov. 11, 1989

RESOLUTION NO. 109

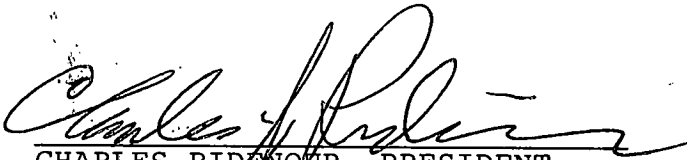
WHEREAS, the Town Council for the Town of Sellersburg has been approached by the Sellersburg Economic Development Committee with respect to a preliminary application to obtain grants for a Community Redevelopment Program; and,

WHEREAS, the Sellersburg Economic Development Committee wishes to file a preliminary application for community redevelopment grants; and,

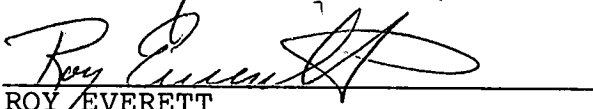
WHEREAS, the Town of Sellersburg believes it to be in the best interest of the Town to promote its growth and operation for said preliminary application to be filed;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Sellersburg, that the Sellersburg Economic Redevelopment Committee is hereby authorized to file a preliminary application for community redevelopment grant monies. Said authority is limited only to the filing of a preliminary grant application. All additional acts of the Sellersburg Economic Development Committee are subject to additional approval by the Town of Sellersburg.

SO RESOLVED THIS 13TH DAY OF NOVEMBER, 1989.



CHARLES RIDENCOUR, PRESIDENT


ROBERT ADAMS


ROY EVERETT


MARYANN DELLAROSA


VIRGIL CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

DATE: Nov. 13, 1989

RESOLUTION NO. 109

WHEREAS, the Town of Sellersburg is committed to providing a quality level of municipal services to residents and businesses in the corporate limits and franchise area of Sellersburg, and

WHEREAS, the Town of Sellersburg is desirous of providing whatever assistance it reasonably can to aid in the development of the local economy through increased employment opportunities, and

WHEREAS, Sellersburg is eligible to compete for Community Development Block Grant assistance through the Indiana Department of Commerce, and for local public works assistance through the U.S. Economic Development Administration, and

NOW, THEREFORE, BE IT RESOLVED BY THE SELLERSBURG TOWN COUNCIL, that:

1. The Town Council will submit applications to both the Indiana Department of Commerce and the U.S. Economic Development Administration for funding assistance for construction of infrastructure improvements to aid in the relocation/expansion of a local industry, SerVend International.
2. The Sellersburg Town Council, will secure additional funding to account for the required local match, up to a maximum of \$400,000.
3. The President of the Town Council of Sellersburg is authorized to execute any documents and/or take any actions necessary for the completion of this project.
4. This resolution shall be effective immediately.

ADOPTED by the Town Council of the Town of Sellersburg and approved by me, as President of said Board; this 11th day of December, 1989, at 7:00 P.M. o'clock.

Charles J. Peterson
President

Margaret Bell

Robert Adams

Urgel Crawford

Roy

ATTEST:


Patricia Rush
Clerk-Treasurer

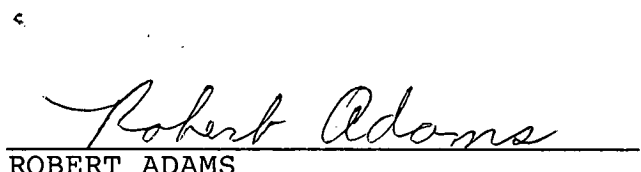
RESOLUTION NO. 110

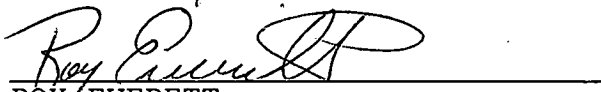
WHEREAS the Clerk-Treasurer, Patty Rush, has notified the Town Council that she seeks consent for the appointment of Jackie Hanger as Deputy Clerk-Treasurer for the Town of Sellersburg; and,

WHEREAS, it is necessary to appoint a Deputy Clerk-Treasurer for the effective operation of the Clerk-Treasurer's Office in accordance with I.C. 36-5-6-7;

NOW, THEREFORE, BE IT RESOLVED, this 13th day of November, 1989, that Jackie Hanger be and is hereby authorized by the Town Council of the Town of Sellersburg to act as the Deputy Clerk-Treasurer.

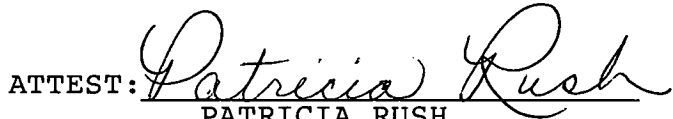

CHARLES RIDENOUR, PRESIDENT


ROBERT ADAMS


ROY EVERETT


MARYANN DELLAROSA


VIRGIE CRAWFORD

ATTEST: 
PATRICIA RUSH
CLERK TREASURER

DATE: Nov. 13, 1989

RESOLUTION # 111

WHEREAS, the Town of Sellersburg, Indiana herein called the Municipality intends to plan, design and construct improvements to its municipal water utility, including a new 500,000 gallon elevated water storage tank, water main extensions and other miscellaneous related appurtenances, as required to provide service to the new industrial development along State Road 60 in the Hamburg Area, and

WHEREAS, the Town of Sellersburg, Indiana has been notified by the Indiana Department of Commerce that the Town will receive a \$263,500 grant from the Industrial Development Infrastructure Program (IDIP) to partially fund said project, and

WHEREAS, the Town of Sellersburg, Indiana has been notified by the Economic Development Administration, U.S. Department of Commerce that it is eligible to submit a full application and related documents for said project, and

WHEREAS, the Town of Sellersburg, Indiana has need for various professional engineering and planning services to assist in the preparation of said grant application and related documents.

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

1. That the Municipality hereby intends to retain the River Hills Economic Development District and Regional Planning Commission to prepare the EDA grant application.
2. That the Municipality hereby intends to retain Jacobi, Toombs and Lanz, Inc. for the purpose of furnishing the various professional engineering services necessary to assist River Hills Economic Development District in preparing the Application and Preliminary Report Phase of said project.
3. That both River Hills Economic Development District and Jacobi, Toombs and Lanz, Inc. are authorized to submit Professional Services Agreements to the Municipality for approval.

CERTIFICATE

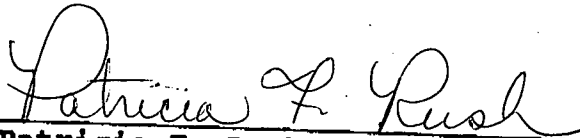
STATE OF INDIANA

SS:

COUNTY OF CLARK

I certify that I am the duly appointed, qualified and acting Clerk-Treasurer of the Town of Sellersburg, Indiana and that the above and foregoing is an excerpt from the minutes of a regular meeting of the Town Council of the Town of Sellersburg, Indiana held on the 13 day of November, 1989, a quorum being present and acting throughout.

Dated: November 13, 1989


Patricia F. Rush, Clerk-Treasurer