

1993

1993 ORDINANCES & RESOLUTIONS

ORDINANCE NUMBER	DATE PASSED	DESCRIPTION
93-548	1/22/1993	AMENDMENT TO ORDINANCE # 92-534
93-549	2/8/1993	FAIR HOUSING ORDINANCE
93-550	2/8/1993	ADDITIONAL APPROPRIATIONS
93-551	2/8/1993	AMENDMENT TO ORDINANCE # 92-541
93-552	2/23/1993	AMENDMENT TO ORDINANCE # 513
93-553	2/22/1993	AMENDMENT TO ORDINANCE # 92-534
93-554	11/22/1993	HARDSHIP UTILITY CASES
93-555	3/8/1993	1993 SALARY, HOLIDAY, COMPENSATION
93-556	4/12/1993	ANNEXATION
93-557	4/12/1993	ANNEXATION
93-558	4/12/1993	ANNEXATION
93-559	4/12/1993	ANNEXATION OF AVCO LEASING
93-560	4/12/1993	ANNEXATION OF THE WELLS FAMILY PROPERTY
93-561	5/10/1993	TRANSFER OF APPROPRIATIONS
93-563	5/10/1993	ANNEXATION OF BORHO PROPERTY
93-564	5/10/1993	ANNEXATION OF EHRINGER PROPERTY
93-565	5/10/1993	ANNEXATION OF DEAN PROPERTY
93-567	5/24/1993	SALARY ORDINANCE
93-568	6/14/1993	AMENDMENT TO ORDINANCE # 92-534
93-569	6/14/1993	AMENDMENT TO ORDINANCE # 453
93-570	6/28/1993	AVCO ANNEXATION
93-571	6/28/1993	ANNEXATION
93-572	6/28/1993	ANNEXATION
93-573	6/28/1993	ANNEXATION
93-574	6/28/1993	ANNEXATION OF WELLS PROPERTY
93-575	7/27/1993	TRANSFER OF APPROPRIATIONS
93-576	9/13/1993	AMENDMENT ORDINANCE # 92-541
93-577	9/27/1993	SALARY ORDINANCE
93-578	9/27/1993	TRANSFER OF APPROPRIATIONS
93-579	10/25/1993	AMENDMENT ORDINANCE # 92-541
93-580	10/25/1993	POLICE DEPT STATION FUND ACCOUNT
93-581	11/8/1993	TRANSFER OF APPROPRIATIONS

RESOLUTION NUMBER	DATE PASSED	DESCRIPTION
R-93-1	1/11/1993	TRANSFER OF APPROPRIATIONS
R-93-2	1/11/1993	TRANSFER OF APPROPRIATIONS
R-93-3	02/08/1993	DESIGNATION OF FINANCIAL INSTITUTION
R-93-4	3/8/1993	TRANSFER OF APPROPRIATIONS

R-93-5	06/08/1993	FISCAL PLAN FOR PROPOSED ANNEXATION
R-93-6	06/28/1993	FISCAL PLAN FOR ANNEXED AREA
R-93-7	06/28/1993	FISCHAL PLAN FOR ANNEXED AREA
R-93-8	06/28/1993	PROVISIONS FOR ANNEXED AREA
R-93-9	06/28/1993	FISCAL PLAN FOR ANNEXED AREA
R-93-10	06/28/1993	ESTABLISHING MANDATORY CURBSIDE RECYCLING
R-93-11	09/25/1993	SHARE TAX REVENUE GENERATED BY RIVERBOAT GAMBLING
R-93-12	11/11/1993	PROLAMINATORS TAX ABATEMENT
R-93-13	10/25/1993	INCREASE IN POLICE PETTY CASH
R-93-14	10/25/1993	TRANSFER FUNDS POLICE DEPT
R-93-15	12/31/1993	TRANSFER OF APPROPRIATIONS
R-93-17	11/22/1993	ECONOMIC REVITILZATION
R-93-18	11/22/1993	MAINTANENCE OF DEIFENBACH RD
R-93-19	11/22/1993	STORM DRAINAGE

ORDINANCE NO. 93-548

AN ORDINANCE AMENDING ORDINANCE NO. 92-534,
CONCERNING 1993 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 27th day of July, 1992, pass Ordinance No. 92-534, establishing the 1993 Salary, Holiday and Longevity Pay for the employees of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has been informed of an inadvertent mistake in the calculations of the pay rate of Sewer Department employee Travis Walters; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, now wish to correct the mistake made in the calculations of said employee's rate of pay; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes said correction is necessary for the efficient and effective administration of Town Government.

BE IT THEREFORE ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that Ordinance No. 92-534, concerning 1993 Salary, Holiday and Longevity Pay, shall be and hereby is amended to reflect the following:

SEWER DEPARTMENT

Laborer (Walters)	\$284.54 per week	\$7.11 per hour
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SO ORDAINED THIS _____ DAY OF JANUARY, 1993.

Stanley E. Tucker

STANLEY E. TUCKER

Roy E. Everitt

ROY E. EVERITT

Karl N. Truman

KARL N. TRUMAN

David Broady

DAVID BROADY

Aulton D. Eddings

AULTON D. EDDINGS

ATTEST: _____

LINDA SCHAFFER
CLERK/TREASURER

ORDINANCE NO. 93-548

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WHEREAS, the Town Council for the Town of Sellersburg, Indiana, now wish to correct the mistake made in the calculations of said employee's rate of pay; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes said correction is necessary for the efficient and effective administration of Town Government.

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SEWER DEPARTMENT

Laborer (Walters)	\$284.54 per week	\$7.11 per hour
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SO ORDAINED THIS _____ DAY OF JANUARY, 1993.

STANLEY E. TUCKER



ROY E. EVERITT

KARL N. TRUMAN

DAVID BROADY

AULTON D. EDDINGS

ATTEST: _____

LINDA SCHAFER
CLERK/TREASURER

TOWN OF SELLERSBURG, INDIANA

FAIR HOUSING ORDINANCE

ORDINANCE NO. 93-549

WHEREAS, in accordance with the Civil Rights Act of 1968, as amended, the Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1, et. seq., the following provisions are necessary and appropriate to prevent discrimination in the area of housing because of race, color, religion, sex, handicap, familial status or national origin;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA, AS FOLLOWS:

Section 1. POLICY STATEMENT:

It shall be the policy of the TOWN OF SELLERSBURG to provide, with constitutional limitation, for fair housing throughout its corporate limits as provided for under the federal Civil Rights Act of 1968, as amended, the federal Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1 et. seq.

Section 2. DEFINITIONS:

The definitions set forth in this Section shall apply throughout this Ordinance:

(a) "Dwelling" means any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one (1) or more families (I.C. 22-9.5-2-8).

(b) "Family" includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined in subsection (h) of this Section.

(c) "Person" (I.C. 22-9.5-2-11) includes one (1) or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries.

(d) "To Rent" (I.C. 22-9-5.2.13) includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy the premises owned by the occupant.

(e) "Discriminatory Housing Practice" means an act that is unlawful under Sections 4, 5, 6, 7 or 8 of this Ordinance or I.C. 22-9.5-5.

(f) "Handicap" means, with respect to a person:

- (1) a physical or mental impairment which substantially limits one or more of such person's major life activities,
- (2) a record of having such an impairment, or
- (3) being regarded as having such an impairment,
- (4) An impairment described or defined pursuant to the federal Americans with Disabilities Act of 1990.
- (5) Any other impairment defined under I.C. 22-9.5-2-10.

The term "handicap" shall not include current illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21 of the United States Code [I.C. 22-9.5-2-10(b)]; nor does the term "handicap" include an individual solely because that individual is a transvestite [I.C. 22-9.5-2-10(c)].

(g) "Aggrieved person" includes any person who (I.C. 22-9.5-2-2):

- (1) claims to have been injured by a discriminatory housing practice; or
- (2) believes that such person will be injured by a discriminatory housing practice that is about to occur.

(h) "Familial status" means one or more individuals (who have not attained the age of 18 years) being domiciled with:

- (1) a parent or another person having legal custody of such individual or the written permission of such parent or other person.

The protections afforded against discrimination on this basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

(i) "Commission" (I.C. 22-9.5-2-3) means the Indiana Civil Rights Commission created pursuant to I.C. 22-9-1-4, et. seq.

(j) "Complainant" (I.C. 22-9.5-2-4) means a person, including the Commission, who files a complaint under I.C. 22-9.5-6.

Section 3. UNLAWFUL PRACTICE:

Subject to the provisions of subsection (b) of this Section, Section 9 of this Ordinance and Title 22-9.5-3 of Indiana Code, the prohibitions against discrimination in the sale or rental of housing set forth Title 22-9.5-5-1 of Indiana Code and in Section 4 of this Ordinance shall apply to:

(a) All dwellings except as exempted by subsection (b) and Title 22-9.5-3 of Indiana Code.

(b) Other than the provisions of subsection (c) of this Section, nothing in Section 4 shall apply to:

(1) Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single-family house by a private individual owner not residing in the house at the time of sale or who was not the most recent resident of such house prior to the sale, the exemption shall apply only to one such sale within any twenty-four month period. The private individual owner may not own any interest in, nor have owned or reserved on his behalf, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any such single-family house shall be excepted from application of this section only if such house is sold or rented:

(A) without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent or salesman, or person and

(B) without the publication, posting or mailing, after notice of advertisement or written notice in violation of section 4(c) of this ordinance, but noting in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies and other such professional assistance as necessary to perfect or transfer this title, or

(2) rooms or units in dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(c) For the purposes of subsection (b), a person shall be deemed to be in the business of selling or renting dwellings if:

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling unit designed or intended for occupancy by, five or more families.

Section 4. DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING:

As made applicable by section 3 and except as exempted by sections 3(b) and 9, it shall be unlawful:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status or national origin.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of an dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex handicap, familial status or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or perspective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin.

- (f) (1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of--
- (A) that buyer or renter;
 - (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - (C) any person associated with that person.
- (2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:
- (A) that person; or
 - (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - (C) any person associated with that person.
- (3) For purposes of this subsection, discrimination includes:
- (A) a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;
 - (B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or
 - (C) in connection with the design and construction of covered multi-family dwellings

for first occupancy after the date that is 30 months after September 13, 1988, a failure to design and construct those dwellings in such a manner that--

(i) the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

(ii) all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

(iii) all premises within such dwelling contain the following features of adaptive design:

(I) an accessible route into and through the dwelling;

(II) light, switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(III) reinforcements in bathroom walls to allow later installation of grab bars; and

(IV) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

(4) Compliance with the appropriate requirements Americans With Disabilities Act of 1990 and of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of paragraph (3)(C)(iii).

(5) Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals of whose tenancy would result in substantial physical damage to the property of others.

Section 5. DISCRIMINATION IN RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS:

(a) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(b) As used in this section, the term "residential real estate-related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

(A) for purchasing, construction, improving, repairing, or maintaining a dwelling; or

(B) secured by residential real estate.

(2) The selling, brokering, or appraising of residential real property.

(c) Nothing in this ordinance prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.

Section 6. DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES:

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status or national origin.

Section 7. INTERFERENCE, COERCION, OR INTIMIDATION:

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections 3, 4, 5, or 6 of this ordinance.

Section 8. PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES:

Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with:

(a) any person because of his race, color, religion, sex, handicap, familial status, or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:

(1) participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection 15(a); or

(2) affording another person or class of persons opportunity or protection so to participate; or

(c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined not more than \$1,000.00, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000.00, or imprisoned for not more than ten years, or both; and if death shall be subject to imprisonment for any term of years or for life.

Section 9. EXEMPTIONS:

(a) Exemptions defined or set forth under Title 22-9.5-3 et. seq. of Indiana Code shall be exempt from the provisions of this

Ordinance to include those activities or organizations set forth under subsections (b) and (c) of this Section.

(b) Nothing in this ordinance shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

(c)(1) Nothing in this ordinance regarding familial status shall apply with respect to housing for older persons.

(2) As used in this section, "housing for older persons" means housing:

(A) provided under any state or federal program that the Secretary of the Federal Department of Housing and Urban Development or the state civil rights commission determines is specifically designed and operated to assist elderly persons (as defined in the state or federal program); or

(B) intended for, and solely occupied by, persons 62 years of age or older; or

(C) intended and operated for occupancy by at least one person 55 years of age or older per unit.

Section 10. ADMINISTRATIVE ENFORCEMENT OF ORDINANCE:

(a) The authority and responsibility for property administering this Ordinance and referral of complaints hereunder to the Commission as set forth in Town of Sellersburg, Indiana.

(b) Notwithstanding the provisions of I.C. 22-9.5-4-8, the Town of Sellersburg, Indiana, because of a lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under this Ordinance, herein elects to refer all formal complaints of violation of articles of this Ordinance by Complainants to the Indiana Civil Rights Commission ("Commission") for administrative enforcement actions

pursuant to Title 22-9.5-6 of Indiana Code and the Chief Elected Officer of the Town of Sellersburg, Indiana, shall refer all said complaints to the Commission as provided for under subsection (a) of this Section to said Commission for purposes of investigation, resolution and appropriate relief as provided for under Title 22-9.5-6 of Indiana Code.

(c) All executive departments and agencies of the Town of Sellersburg, Indiana, shall administer their departments, programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this Ordinance and shall cooperate with the Chief Executive Officer and the Commission to further such purposes.

(d) The Chief Executive Officer of the Town of Sellersburg, or the Chief Executive Officer's designee, shall provide information on remedies available to any aggrieved person or complainant requesting such information.

Section 11. SEPARABILITY OF PROVISIONS:

If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to other circumstances shall not be affected thereby.

SO ORDAINED THIS _____ DAY OF _____, 1993.

STANLEY E. TUCKER

DAVID BROADY

ROY E. EVERITT

AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: _____

LINDA SCHAFER,
CLERK/TREASURER

TOWN OF SELLERSBURG, INDIANA

FAIR HOUSING ORDINANCE

ORDINANCE NO. 93- 549

WHEREAS, in accordance with the Civil Rights Act of 1968, as amended, the Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1, et. seq., the following provisions are necessary and appropriate to prevent discrimination in the area of housing because of race, color, religion, sex, handicap, familial status or national origin;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA, AS FOLLOWS:

Section 1. POLICY STATEMENT:

It shall be the policy of the TOWN OF SELLERSBURG to provide, with constitutional limitation, for fair housing throughout its corporate limits as provided for under the federal Civil Rights Act of 1968, as amended, the federal Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1 et. seq.

Section 2. DEFINITIONS:

The definitions set forth in this Section shall apply throughout this Ordinance:

(a) "Dwelling" means any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one (1) or more families (I.C. 22-9.5-2-8).

(b) "Family" includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined in subsection (h) of this Section.

(c) "Person" (I.C. 22-9.5-2-11) includes one (1) or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries.

(d) "To Rent" (I.C. 22-9-5.2.13) includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy the premises owned by the occupant.

(e) "Discriminatory Housing Practice" means an act that is unlawful under Sections 4, 5, 6, 7 or 8 of this Ordinance or I.C. 22-9.5-5.

(f) "Handicap" means, with respect to a person:

(1) a physical or mental impairment which substantially limits one or more of such person's major life activities,

(2) a record of having such an impairment, or

(3) being regarded as having such an impairment,

(4) An impairment described or defined pursuant to the federal Americans with Disabilities Act of 1990.

(5) Any other impairment defined under I.C. 22-9.5-2-10.

The term "handicap" shall not include current illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21 of the United States Code [I.C. 22-9.5-2-10(b)]; nor does the term "handicap" include an individual solely because that individual is a transvestite [I.C. 22-9.5-2-10(c)].

(g) "Aggrieved person" includes any person who (I.C. 22-9.5-2-2):

(1) claims to have been injured by a discriminatory housing practice; or

(2) believes that such person will be injured by a discriminatory housing practice that is about to occur.

(h) "Familial status" means one or more individuals (who have not attained the age of 18 years) being domiciled with:

(1) a parent or another person having legal custody of such individual or the written permission of such parent or other person.

The protections afforded against discrimination on this basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

(i) "Commission" (I.C. 22-9.5-2-3) means the Indiana Civil Rights Commission created pursuant to I.C. 22-9-1-4, et. seq.

(j) "Complainant" (I.C. 22-9.5-2-4) means a person, including the Commission, who files a complaint under I.C. 22-9.5-6.

Section 3. UNLAWFUL PRACTICE:

Subject to the provisions of subsection (b) of this Section, Section 9 of this Ordinance and Title 22-9.5-3 of Indiana Code, the prohibitions against discrimination in the sale or rental of housing set forth Title 22-9.5-5-1 of Indiana Code and in Section 4 of this Ordinance shall apply to:

(a) All dwellings except as exempted by subsection (b) and Title 22-9.5-3 of Indiana Code.

(b) Other than the provisions of subsection (c) of this Section, nothing in Section 4 shall apply to:

(1) Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single-family house by a private individual owner not residing in the house at the time of sale or who was not the most recent resident of such house prior to the sale, the exemption shall apply only to one such sale within any twenty-four month period. The private individual owner may not own any interest in, nor have owned or reserved on his behalf, title to or any right to all or a portion of the proceeds from the sale or rental or more than three such single-family houses at any one time. The sale or rental of any such single-family house shall be excepted from application of this section only if such house is sold or rented:

(A) without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent or salesman, or person and

(B) without the publication, posting or mailing, after notice of advertisement or written notice in violation of section 4(c) of this ordinance, but noting in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies and other such professional assistance as necessary to perfect or transfer this title, or

(2) rooms or units in dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(c) For the purposes of subsection (b), a person shall be deemed to be in the business of selling or renting dwellings if:

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling unit designed or intended for occupancy by, five or more families.

Section 4. DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING:

As made applicable by section 3 and except as exempted by sections 3(b) and 9, it shall be unlawful:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status or national origin.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of an dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or perspective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin.

(f) (1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of--

(A) that buyer or renter;

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that person.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:

(A) that person; or

(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(C) any person associated with that person.

(3) For purposes of this subsection, discrimination includes:

(A) a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;

(B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(C) in connection with the design and construction of covered multi-family dwellings

for first occupancy after the date that is 30 months after September 13, 1988, a failure to design and construct those dwellings in such a manner that--

(i) the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

(ii) all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

(iii) all premises within such dwelling contain the following features of adaptive design:

(I) an accessible route into and through the dwelling;

(II) light, switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(III) reinforcements in bathroom walls to allow later installation of grab bars; and

(IV) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

(4) Compliance with the appropriate requirements Americans With Disabilities Act of 1990 and of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of paragraph (3)(C)(iii).

(5) Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals of whose tenancy would result in substantial physical damage to the property of others.

Section 5. DISCRIMINATION IN RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS:

(a) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(b) As used in this section, the term "residential real estate-related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

(A) for purchasing, construction, improving, repairing, or maintaining a dwelling; or

(B) secured by residential real estate.

(2) The selling, brokering, or appraising of residential real property.

(c) Nothing in this ordinance prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.

Section 6. DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES:

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status or national origin.

Section 7. INTERFERENCE, COERCION, OR INTIMIDATION:

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections 3, 4, 5, or 6 of this ordinance.

Section 8. PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES:

Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with:

(a) any person because of his race, color, religion, sex, handicap, familial status, or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:

(1) participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection 15(a); or

(2) affording another person or class of persons opportunity or protection so to participate; or

(c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined not more than \$1,000.00, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000.00, or imprisoned for not more than ten years, or both; and if death shall be subject to imprisonment for any term of years or for life.

Section 9. EXEMPTIONS:

(a) Exemptions defined or set forth under Title 22-9.5-3 et. seq. of Indiana Code shall be exempt from the provisions of this

Ordinance to include those activities or organizations set forth under subsections (b) and (c) of this Section.

(b) Nothing in this ordinance shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

(c)(1) Nothing in this ordinance regarding familial status shall apply with respect to housing for older persons.

(2) As used in this section, "housing for older persons" means housing:

(A) provided under any state or federal program that the Secretary of the Federal Department of Housing and Urban Development or the state civil rights commission determines is specifically designed and operated to assist elderly persons (as defined in the state or federal program); or

(B) intended for, and solely occupied by, persons 62 years of age or older; or

(C) intended and operated for occupancy by at least one person 55 years of age or older per unit.

Section 10. ADMINISTRATIVE ENFORCEMENT OF ORDINANCE:

(a) The authority and responsibility for property administering this Ordinance and referral of complaints hereunder to the Commission as set forth in Town of Sellersburg, Indiana.

(b) Notwithstanding the provisions of I.C. 22-9.5-4-8, the Town of Sellersburg, Indiana, because of a lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under this Ordinance, herein elects to refer all formal complaints of violation of articles of this Ordinance by Complainants to the Indiana Civil Rights Commission ("Commission") for administrative enforcement actions

pursuant to Title 22-9.5-6 of Indiana Code and the Chief Elected Officer of the Town of Sellersburg, Indiana, shall refer all said complaints to the Commission as provided for under subsection (a) of this Section to said Commission for purposes of investigation, resolution and appropriate relief as provided for under Title 22-9.5-6 of Indiana Code.

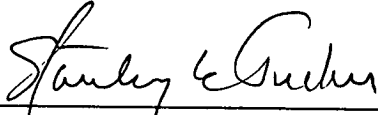
(c) All executive departments and agencies of the Town of Sellersburg, Indiana, shall administer their departments, programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this Ordinance and shall cooperate with the Chief Executive Officer and the Commission to further such purposes.

(d) The Chief Executive Officer of the Town of Sellersburg, or the Chief Executive Officer's designee, shall provide information on remedies available to any aggrieved person or complainant requesting such information.


Section 11. SEPARABILITY OF PROVISIONS:

If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to other circumstances shall not be affected thereby.

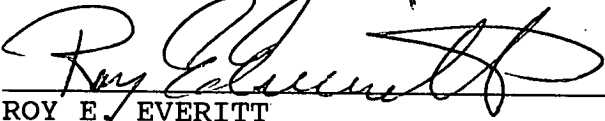
SO ORDAINED THIS _____ DAY OF _____, 1993.



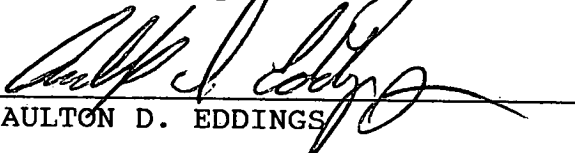
STANLEY E. TUCKER



DAVID BROADY



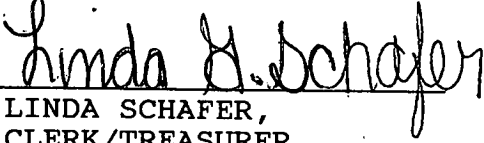
ROY E. EVERITT



AULTON D. EDDINGS



KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER,
CLERK/TREASURER

TOWN OF SELLERSBURG, INDIANA

FAIR HOUSING ORDINANCE

ORDINANCE NO. 93- 549

WHEREAS, in accordance with the Civil Rights Act of 1968, as amended, the Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1, et. seq., the following provisions are necessary and appropriate to prevent discrimination in the area of housing because of race, color, religion, sex, handicap, familial status or national origin;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA, AS FOLLOWS:

Section 1. POLICY STATEMENT:

It shall be the policy of the TOWN OF SELLERSBURG to provide, with constitutional limitation, for fair housing throughout its corporate limits as provided for under the federal Civil Rights Act of 1968, as amended, the federal Housing and Community Development Act of 1974, as amended, and Indiana Code 22-9.5-1 et. seq.

Section 2. DEFINITIONS:

The definitions set forth in this Section shall apply throughout this Ordinance:

(a) "Dwelling" means any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one (1) or more families (I.C. 22-9.5-2-8).

(b) "Family" includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined in subsection (h) of this Section.

(c) "Person" (I.C. 22-9.5-2-11) includes one (1) or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries.

(d) "To Rent" (I.C. 22-9-5.2.13) includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy the premises owned by the occupant.

(e) "Discriminatory Housing Practice" means an act that is unlawful under Sections 4, 5, 6, 7 or 8 of this Ordinance or I.C. 22-9.5-5.

(f) "Handicap" means, with respect to a person:

- (1) a physical or mental impairment which substantially limits one or more of such person's major life activities,
- (2) a record of having such an impairment, or
- (3) being regarded as having such an impairment,
- (4) An impairment described or defined pursuant to the federal Americans with Disabilities Act of 1990.
- (5) Any other impairment defined under I.C. 22-9.5-2-10.

The term "handicap" shall not include current illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21 of the United States Code [I.C. 22-9.5-2-10(b)]; nor does the term "handicap" include an individual solely because that individual is a transvestite [I.C. 22-9.5-2-10(c)].

(g) "Aggrieved person" includes any person who (I.C. 22-9.5-2-2):

- (1) claims to have been injured by a discriminatory housing practice; or
- (2) believes that such person will be injured by a discriminatory housing practice that is about to occur.

(h) "Familial status" means one or more individuals (who have not attained the age of 18 years) being domiciled with:

- (1) a parent or another person having legal custody of such individual or the written permission of such parent or other person.

The protections afforded against discrimination on this basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

(i) "Commission" (I.C. 22-9.5-2-3) means the Indiana Civil Rights Commission created pursuant to I.C. 22-9-1-4, et. seq.

(j) "Complainant" (I.C. 22-9.5-2-4) means a person, including the Commission, who files a complaint under I.C. 22-9.5-6.

Section 3. UNLAWFUL PRACTICE:

Subject to the provisions of subsection (b) of this Section, Section 9 of this Ordinance and Title 22-9.5-3 of Indiana Code, the prohibitions against discrimination in the sale or rental of housing set forth Title 22-9.5-5-1 of Indiana Code and in Section 4 of this Ordinance shall apply to:

(a) All dwellings except as exempted by subsection (b) and Title 22-9.5-3 of Indiana Code.

(b) Other than the provisions of subsection (c) of this Section, nothing in Section 4 shall apply to:

(1) Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single-family house by a private individual owner not residing in the house at the time of sale or who was not the most recent resident of such house prior to the sale, the exemption shall apply only to one such sale within any twenty-four month period. The private individual owner may not own any interest in, nor have owned or reserved on his behalf, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any such single-family house shall be excepted from application of this section only if such house is sold or rented:

(A) without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent or salesman, or person and

(B) without the publication, posting or mailing, after notice of advertisement or written notice in violation of section 4(c) of this ordinance, but noting in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies and other such professional assistance as necessary to perfect or transfer this title, or

(2) rooms or units in dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(c) For the purposes of subsection (b), a person shall be deemed to be in the business of selling or renting dwellings if:

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling unit designed or intended for occupancy by, five or more families.

Section 4. DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING:

As made applicable by section 3 and except as exempted by sections 3(b) and 9, it shall be unlawful:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status or national origin.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of an dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or perspective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin.

- (f) (1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of--
- (A) that buyer or renter;
 - (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - (C) any person associated with that person.
- (2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:
- (A) that person; or
 - (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - (C) any person associated with that person.
- (3) For purposes of this subsection, discrimination includes:
- (A) a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;
 - (B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or
 - (C) in connection with the design and construction of covered multi-family dwellings

for first occupancy after the date that is 30 months after September 13, 1988, a failure to design and construct those dwellings in such a manner that--

(i) the public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

(ii) all the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

(iii) all premises within such dwelling contain the following features of adaptive design:

(I) an accessible route into and through the dwelling;

(II) light, switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(III) reinforcements in bathroom walls to allow later installation of grab bars; and

(IV) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

(4) Compliance with the appropriate requirements Americans With Disabilities Act of 1990 and of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of paragraph (3)(C)(iii).

(5) Nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals of whose tenancy would result in substantial physical damage to the property of others.

Section 5. DISCRIMINATION IN RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS:

(a) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(b) As used in this section, the term "residential real estate-related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

(A) for purchasing, construction, improving, repairing, or maintaining a dwelling; or

(B) secured by residential real estate.

(2) The selling, brokering, or appraising of residential real property.

(c) Nothing in this ordinance prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.

Section 6. DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES:

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status or national origin.

Section 7. INTERFERENCE, COERCION, OR INTIMIDATION:

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections 3, 4, 5, or 6 of this ordinance.

Section 8. PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES:

Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with:

(a) any person because of his race, color, religion, sex, handicap, familial status, or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:

(1) participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection 15(a); or

(2) affording another person or class of persons opportunity or protection so to participate; or

(c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in subsection (a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined not more than \$1,000.00, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000.00, or imprisoned for not more than ten years, or both; and if death shall be subject to imprisonment for any term of years or for life.

Section 9. EXEMPTIONS:

(a) Exemptions defined or set forth under Title 22-9.5-3 et. seq. of Indiana Code shall be exempt from the provisions of this.

Ordinance to include those activities or organizations set forth under subsections (b) and (c) of this Section.

(b) Nothing in this ordinance shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

(c)(1) Nothing in this ordinance regarding familial status shall apply with respect to housing for older persons.

(2) As used in this section, "housing for older persons" means housing:

(A) provided under any state or federal program that the Secretary of the Federal Department of Housing and Urban Development or the state civil rights commission determines is specifically designed and operated to assist elderly persons (as defined in the state or federal program); or

(B) intended for, and solely occupied by, persons 62 years of age or older; or

(C) intended and operated for occupancy by at least one person 55 years of age or older per unit.

Section 10. ADMINISTRATIVE ENFORCEMENT OF ORDINANCE:

(a) The authority and responsibility for property administering this Ordinance and referral of complaints hereunder to the Commission as set forth in Town of Sellersburg, Indiana.

(b) Notwithstanding the provisions of I.C. 22-9.5-4-8, the Town of Sellersburg, Indiana, because of a lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under this Ordinance, herein elects to refer all formal complaints of violation of articles of this Ordinance by Complainants to the Indiana Civil Rights Commission ("Commission") for administrative enforcement actions

pursuant to Title 22-9.5-6 of Indiana Code and the Chief Elected Officer of the Town of Sellersburg, Indiana, shall refer all said complaints to the Commission as provided for under subsection (a) of this Section to said Commission for purposes of investigation, resolution and appropriate relief as provided for under Title 22-9.5-6 of Indiana Code.

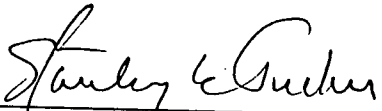
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(d) The Chief Executive Officer of the Town of Sellersburg, or the Chief Executive Officer's designee, shall provide information on remedies available to any aggrieved person or complainant requesting such information.


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If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to other circumstances shall not be affected thereby.

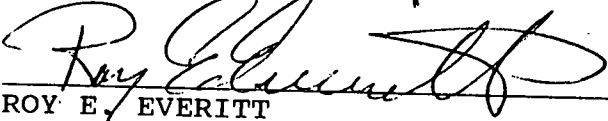
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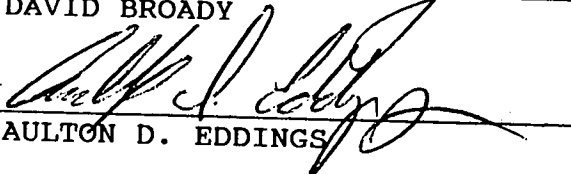
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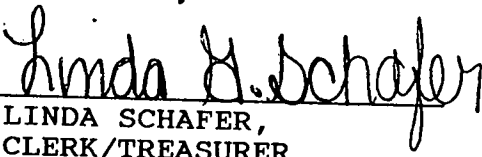
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AULTON D. EDDINGS



KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER

ORDINANCE 93-550

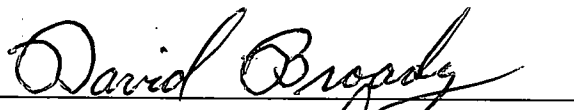
ADDITIONAL APPROPRIATION ORDINANCE

Whereas, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for calander year 1993; now, therefore:

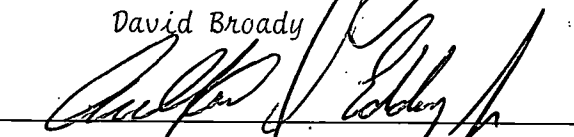
Be it obtained by the Town Council of the Civil Town of Sellersburg, Clark County, Indiana, that for expenses of the taxing unit the following additional sum of money are hereby appropriated out of fund named and for the purpose specified, subject to the laws governing the same;

NAME OF FUND	ACCT. TITLE	AMOUNT OF APPROPRIATION REQUESTED
General/Professional Ser.	Building Commissioner Salary	15,000.00

Adopted by the Town Council of the Civil Town of Sellersburg, Indiana, on this 8th day of February 1993.



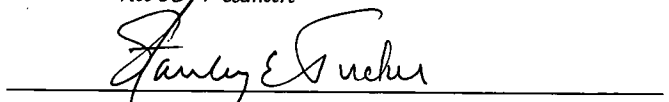
David Broady



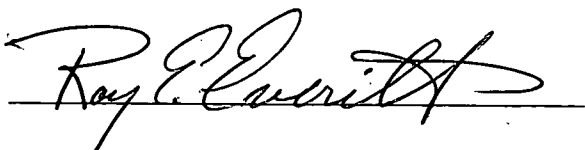
Aulton D. Eddings Jr.




Karl Truman



Stanley E. Tucker



Roy E. Everitt

ATTEST: 

Linda G. Schafer
Clerk Treasurer

ORDINANCE NO. 93- 551

AN ORDINANCE AMENDING ORDINANCE NO. 92-541,
REGARDING THE INDIANA MODEL ORDINANCE FOR FLOOD HAZARD AREAS

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 9th day of November, 1992, adopt Ordinance No. 92-541, regarding the Indiana Model Ordinance for Flood Hazard Areas; and

WHEREAS, the Town Council for the Town of Sellersburg, has been informed by the Indiana Department of Natural Resources that said Ordinance No. 92-541, contains various information which must be corrected; and

WHEREAS the Town Council for the Town of Sellersburg, Indiana, has determined in an open meeting in which the public was allowed to participate, that Ordinance No. 92-541, should be amended to reflect the changes requested by the Indiana Department of Natural Resources.

Be it ordained by the Town Board of the Town of Sellersburg, Indiana, as follows:

SECTION 1. STATUTORY AUTHORIZATION. The Indiana Legislature granted the power to local units of government (I.C. 36-7-4) to control land use within their jurisdictions in order to accomplish the following.

SECTION 2. STATEMENT OF PURPOSE. The purpose of this ordinance is to guide development in the flood hazard areas in order to reduce the potential for loss of life and property, reduce the potential for health and safety hazards, and to reduce the potential for extraordinary public expenditures for flood protection and relief. Under the authority granted to local units of government to control land use within their jurisdiction, which includes taking into account the effects of flooding, the Sellersburg Town Board of Trustees hereby adopts the following floodplain management regulations in order to accomplish the following.

- a. to prevent unwise developments from increasing flood or drainage hazards to others;
- b. to protect new buildings and major improvements to buildings from flood damage;
- c. to protect human life and health from the hazards of flooding;

- d. to lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;
- e. to maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas; and
- f. to make federally subsidized flood insurance available for property in the Town of Sellersburg by fulfilling the requirements of the National Flood Insurance Program.

SECTION 3. DEFINITIONS. For the purpose fo this ordinance, the following definitions are adopted:

- a. Building - see "structure."
- b. Development - any man-made change to improved or unimproved real estate including but not limited to:
 - 1. construction, reconstruction, or placement of a building or any addition to a building valued at more than \$1,000;
 - 2. installing a manufactured home on a site for a manufactured home or installing a travel trailer on a site for more than 180 days;
 - 3. installing utilities, erection of walls and fences, construction of roads, or similar projects;
 - 4. construction of flood control structures such as levees, dikes, channel improvements, etc.;
 - 5. mining, dredging, filling, grading, excavation, or drilling operations;
 - 6. construction and/or reconstruction of ridges or culverts;
 - 7. storage of materials; or
 - 8. any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent buildings.

- c. Existing manufactured home park or subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
- d. Expansion to an existing manufactured home park or subdivision - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- e. FHBM - means Flood Hazard Boundary Map.
- f. FIRM - means Flood Insurance Rate Map.
- g. Flood - a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.
- h. Floodplain - the channel proper and the areas adjoining any wetland, lake or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the floodway fringe districts.
- i. Flood Protection Grade or the "FPG" - means the elevation of the regulatory flood plus two feet at any given location in the SFHA.
- j. Floodway - means the channel of a river or stream and those portions of the flood plains adjoining the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.
- k. Floodway fringe - means those portions of the flood hazard areas lying outside the floodway.
- l. Lowest Floor - means the lowest of the following:
 - 1. the basement floor;
 - 2. the garage floor, if the garage is the lowest level of the building;

3. the first floor of buildings elevated on pilings or constructed on a crawl space with permanent openings; or
4. the floor level of any enclosure below an elevated building where the walls of the enclosure provided any resistance to the flow of flood waters unless:
 - (a) the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of such openings shall be no higher than one (1) foot above the enclosed area's floor.
 - (b) such enclosed space shall be usable for non-residential purposes and building access.
- m. Manufactured home - means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
- n. New manufactured home park or subdivision - means a manufactured home part or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- o. Recreation vehicle - means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, or seasonal use.
- p. Regulatory Flood - means the flood having a one percent probability of being equalled or exceeded in any given year, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission. The regulatory flood elevation at

any location is as defined in Section 5 of this ordinance. The "Regulatory Flood" is also known by the term "Base Flood."

- q. SFHA or Special Flood Hazard Area - means those lands within the jurisdiction of the Town that are subject to inundation by the regulatory flood. The SFHAs of the City are generally identified as such on the Flood Insurance Rate Map of the City prepared by the Federal Emergency Management Agency and dated August 1, 1980. The SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map prepared for Clark County by the Federal Emergency Management Agency and dated February 18, 1983.
- r. Structure - means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.
- s. Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alternation will not preclude the structures continued designation as a "historic structure".

SECTION 4. DUTIES OF THE ADMINISTRATOR. The Zoning Board for the Town of Sellersburg is appointed to review all development and subdivision proposals to insure compliance with this ordinance, including but not limited to the following duties:

- a. Ensure that all development activities within the SFHAs of the jurisdiction of the Town meet the requirements of this ordinance.
- b. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.
- c. Ensure that construction authorization has been granted by the Indiana Natural Resources Commission for all development projects subject to Section 7 of this

ordinance, and maintain a record of such authorization (either copy of actual permit or letter of recommendation).

- d. Maintain a record of the "as-built" elevation of the lowest floor (including basement) of all new and/or substantially improved buildings constructed in the SFHA.
- e. Maintain a record of the engineer's certificate and the "as built" floodproofed elevation of all buildings subject to Section 8 of this Ordinance.
- f. Cooperate with state and federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this ordinance. Submit reports as required for the National Flood Insurance Program.
- g. Maintain for public inspection and furnish upon request regulatory flood data, SFHA maps, copies of DNR permits and letters of recommendation, federal permit documents, and "as built" elevation and floodproofing data and all buildings constructed subject to this ordinance.

SECTION 5. REGULATORY FLOOD ELEVATION. This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Department of Natural Resources for review and approval.

- a. The regulatory flood elevation of the SFHAs of Muddy Fork Creek and Silver Creek shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of the Town prepared by the Federal Emergency Management Agency and dated February, 1980, and corresponding FIRM dated August 1, 1980 prepared by FEMA.
- b. The regulatory flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the Town.
- c. The regulatory Flood Elevation for each of the remaining SFHAs delineated as an "A Zone" in the Flood Insurance Rate Map of the (City, Town or County) shall be according to the best data available as provided by the Department of Natural Resources.
- d. The regulatory flood elevation of the SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the Town or that may be annexed into the Town shall be delineated on the 100 year Flood Profiles in the Flood Insurance Study of Clark

County prepared by the Federal Emergency Management Agency and dated March, 1980, and the corresponding FBFM dated February 18, 1983, prepared by FEMA.

SECTION 6. IMPROVEMENT LOCATION PERMIT. No person, firm, corporation, or governmental body not exempted by state law shall commence any "Development" in the SFHA without first obtaining an Improvement Location Permit from the Town Zoning Board. The Zoning Board shall not issue an Improvement Location Permit if the proposed "development" does not meet the requirements of this ordinance.

- a. The application for an Improvement Location Permit shall be accompanied by the following:
 1. A description of the proposed development.
 2. Location of the proposed development - sufficient to accurately locate property and structure in relation to existing roads and streams.
 3. A legal description of the property site.
 4. A site development plan showing existing and proposed structure locations and existing and proposed land grades.
 5. Elevation of lowest floor (including basement) of all proposed structures. Elevation should be in National Geodetic Vertical Datum of 1929 (NGVD).
- b. Upon receipt of an application for an Improvement Location Permit, the Building Official shall determine if the site is located within an identified floodway or within the floodplain where the limits of the floodway have not yet been determined.
 1. If the site is in an identified floodway the Building Official shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources and apply for a permit for construction in a floodway.

Under the provisions of IC 13-2-22 a permit from the Natural Resources Commission is required prior to the issuance of a local building permit for any excavation, deposit, construction or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the building.

No action shall be taken by the Building Official until a permit has been issued by the Natural Resources Commission granting approval for construction in the floodway. Once a permit has been issued by the Natural Resources Commission, the Building Official may issue the local Improvement Location Permit, provided the provisions contained in Sections 7 and 8 of this ordinance have been met. The Improvement Location Permit cannot be less restrictive than the permit issued by the Natural Resources Commission.

2. If the site is located in an identified floodway fringe, then the Building Official may issue the local Improvement Location Permit provided the provisions contained in Section 7 and 8 of this ordinance have been met. The key provision is that the lowest floor of any new or substantially improved structure shall be at or above the Flood Protection Grade.
3. If the site is in an identified floodplain where the limits of the floodway and floodway fringe have not yet been determined (shown as Zone A on the Flood Insurance Rate Map), and the drainage area upstream of the site is greater than one square mile, the Building Official shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources for review and comment.

No action shall be taken by the Building Official until either a permit for construction in the floodway or a letter of recommendation citing the 100 year flood elevation and the recommended Flood Protection Grade has been received from the Department of Natural Resources.

Once the Building Official has received the proper permit or letter of recommendation approving the proposed development, an improvement location permit may be issued provided the conditions of the ILP are not less restrictive than the conditions received from Natural Resources and the provisions contained in Section 7 and 8 of this ordinance have been met.

SECTION 7. PREVENTING INCREASED DAMAGES. No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

a. Within the floodway identified on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map, the following standards shall apply:

1. No development shall be allowed which acting alone or in combination with existing or future similar works, will cause any increase in the elevation of the regulatory flood; and
2. For all projects involving channel modifications or fill (including levees) the Town shall submit a request to the Federal Emergency management Agency to revise the regulatory flood data.

b. Within all SFHAs identified as A Zones (no 100 year flood elevation and/or floodway/floodway fringe delineation has been provided) the following standard shall apply:

1. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood elevation more than one-tenth (0.1) of one foot and will not increase flood damages or potential flood damages.

c. Public Health Standards in all SFHAs

1. No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the Flood Protection Grade, unless such materials are stored in storage tank or Floodproofed building constructed according to the requirements of section 8 of this ordinance.
2. New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings located below the FPG are watertight.

SECTION 8. PROTECTING BUILDINGS. In addition to the damage prevention requirements of Section 7, all buildings to be located in the SFHA shall be protected from flood damage below the FPG.

a. This building protection requirement applies to the following situations:

1. construction or placement of any new building valued at more than \$1,000;
2. structural alternations made to an existing building that increase the market value of the building by more than 50% (excluding the value of the land) or any structural alternation made previously (one time only alteration).
3. reconstruction or repairs made to a damaged building that are valued at or more than 50% of the market value of the building (excluding the value of the land) before damage occurred.
4. installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site is lawfully occupied before it was removed to avoid flood damage; and
5. installing a travel trailer on a site for more than 180 days.

b. This building protection requirement may be met by one of the following methods. The Building Official shall maintain a record of compliance with these building protection standards as required in Section 4 of this ordinance.

1. A residential or nonresidential building may be constructed on a permanent land fill in accordance with the following:

(a) The fill shall be placed in layers no greater than 1 foot deep before compacting to 95% of the maximum density obtainable with the Standard Proctor Test method.

(b) The fill should extend at least ten feet beyond the foundation of the building before sloping below the FPG.

(c) The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical.

(d) The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.

(e) The lowest floor (see definition of lowest floor in Section 3. Definitions) shall be at or above the FPG.

2. The residential or nonresidential building may be elevated in accordance with the following:

(a) The building or improvements shall be elevated on posts, piers, columns, extended walls, or other types of similar foundations provided:

(1) Walls of any enclosure below the elevated floor shall be designed to automatically equalize hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of all such opening shall be no higher than one (1) foot above the enclosed area's floor.

(2) Any enclosure below the elevated floor is used for non-residential purposes and building access.

(b) The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice, and floating debris.

(c) All areas below the FPG shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.

The property herein described is assigned to the Town of
Sellersburg Municipal Legislative Body District, Precinct Number
5.

SO ORDAINED this 12 day of April, 1993.

Stanley E Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Kare N. Truman
KARE N. TRUMAN

ATTEST: Linda K Schaffer
LINDA SCHAFFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Sellersburg Town Attorney
425 Watt Street
P.O. Box 729
Jeffersonville, IN 47131-0729
(812) 282-8429

- c. All owners of manufactured home parks or subdivisions located within the SFHA identified as Zone A on the community's FHMB or FIRM develop an evacuation plan for those lots located in Zone A and file it with the local Plan Commission and have it filed and approved by the appropriate community emergency management authorities.

SECTION 10. VARIANCES.

- a. The Board of Zoning Appeals may consider issuing a variance to the terms and provisions of this ordinance provided the applicant demonstrates that:
1. there exists a good and sufficient cause for the requested variance;
 2. The strict application of the terms of this ordinance will constitute an exceptional hardship to the applicant, and
 3. The granting of the requested variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.
- b. The Board of Zoning Appeals may issue a variance to the terms and provisions of this ordinance subject to the following standards and conditions:
1. No variance or exception for a residential use within a floodway subject to Section 7 (a) or (b) may be granted.
 2. Any variance or exception granted in a floodway subject to Section 7 (a) or (b) will require a permit from Natural Resources.
 3. Variances or exceptions to the Building Protection Standards of Section 8 may be granted only when a new structure is to be located on an lot of one-half acres or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.
 4. Variance or exception may be granted for the reconstruction or restoration of any structure individually listed on the Register of Historic Places or the Indiana State Survey of

Historic Architectural, Archaeological and Cultural Sites, Structures, Districts, and Objects;

5. All variances shall give the minimum relief necessary and be such that the maximum practical flood protection will be given to the proposed construction; and
6. The Board of Zoning Appeals shall issue a written notice to the recipient of a variance or exception that the proposed construction will be subject to increased risks to life and property and could require payment of excessive flood insurance premiums.

SECTION 11. DISCLAIMER OF LIABILITY. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of the community, Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

SECTION 12. VIOLATIONS. Failure to obtain an Improvement Location Permit in the SFHA or failure to comply with the requirements of a permit or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Zoning Code for the Town of Sellersburg.

- a. A separate offense shall be deemed to occur for each day the violation continues to exist.
- b. The Sellersburg Zoning Commission shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
- c. Nothing herein shall prevent the Town from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

SECTION 13. ABROGATION AND GREATER RESTRICTIONS. This ordinance repeals and replaces other ordinances adopted by the Town Council to fulfill the requirements of the National Flood Insurance Program. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the Program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants, or deed

restrictions conflict or overlap, whichever imposes the more stringent restrictions shall take precedence.


SECTION 14. SEPARABILITY. The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 15. EFFECTIVE DATE. This ordinance shall take effect upon its passage by the Town Council.

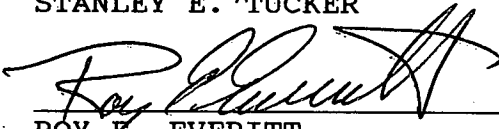
Passed and enacted by the Town of Sellersburg, Indiana, on the 8 day of February, 1997.



STANLEY E. TUCKER



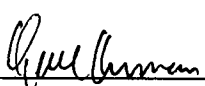
DAVID BROADY




ROY E. EVERITT



AULTON D. EDDINGS



KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER

ORDINANCE 93- 552
AN ORDINANCE AMENDING ORDINANCE NO. 513

WHEREAS, the Town of Sellersburg is desirous in amending its Crime Control Fund Ordinance in order to approve and enforce additional fees;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sellersburg that Title II, Article 5, Funds, Chapter 1, Crime Control Fund, be expanded and authorize the Police Department for the Town of Sellersburg to collect fees for the following services:

1. Pursuant to i.C. 5-2-5-7, the Town of Sellersburg Police Department is entitled to, upon a request for release or inspection of a limited criminal history to:

(a) collect a \$3.00 fee to defray the cost of processing a request for inspection; and

(b) collect a \$7.00 to defray the cost of processing a request for release.

2. Law Enforcement agencies and the Police Department may not charge a fee for requests received from the Parent Locator Service of the Child Support Division of the State Department of Public Welfare.

3. Pursuant to I.C. 15-2-5-8, unless otherwise prohibited by law, the Sellersburg Police Department, upon request and proper identification of the person about whom criminal history data is maintained, will provide that person a copy of his criminal history date for a reasonable fee, said fee being \$7.00.

4. The Town of Sellersburg Police Department is also hereby authorized to charge a notary public fee of \$2.00 for each signature notarized for any purpose including but not limited to applications for duplicate or replacement license plates and applications for hand gun licenses.

All fees collected pursuant to this Ordinance will be used as directed in Section 3, Subsection 3 of the Crime Control Fund.

SO ORDAINED THIS 22nd DAY OF February, 1993

Stanley E. Tucker
STANLEY E. TUCKER

Roy E. Everitt
ROY E. EVERITT

Karl N. Truman
KARL N. TRUMAN

David Broady
DAVID BROADY

Auldon D. Eddings
AULDON D. EDDINGS

ATTEST: Linda H. Schaffer
LINDA SCHAFFER,
CLERK-TREASURER

ORDINANCE NO. 93-553

AN ORDINANCE AMENDING ORDINANCE NO. 92-534,
CONCERNING 1993 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 27th day of July, 1992, pass Ordinance No. 92-534, establishing the 1993 Salary, Holiday and Longevity Pay for the employees of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has been informed of an inadvertent mistake in the calculations of the pay rate of Police Department Dispatcher Susan Ehringer; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, now wish to correct the mistake made in the calculations of said employee's rate of pay; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes said correction is necessary for the efficient and effective administration of Town Government.

BE IT THEREFORE ORDAINED, by the Town Council for the Town of Sellersburg, Indiana, that Ordinance No. 92-534, concerning 1993 Salary, Holiday and Longevity Pay, shall be and hereby is amended to reflect the following, retroactive to January 1, 1993;

POLICE DEPARTMENT

Full-Time Dispatcher (Ehringer)	\$279.60 per week	\$6.99 p/hr
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SO ORDAINED THIS 22 DAY OF FEBRUARY, 1993.

Stanley E. Tucker
STANLEY E. TUCKER

Roy E. Everitt
ROY E. EVERITT

Karl N. Truman
KARL N. TRUMAN

DAVID BROADY

Aulton D. Eddings
AULTON D. EDDINGS

ATTEST: Linda H. Schaffer
LINDA SCHAFER
CLERK/TREASURER

Ordinance No.

ORDINANCE NO. 93-553

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POLICE DEPARTMENT

Full-Time Dispatcher (Ehringer)	\$279.60 per week	\$6.99 p/hr
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SO ORDAINED THIS 22 DAY OF FEBRUARY, 1993.

Stanley E. Tucker
STANLEY E. TUCKER

Roy E. Everitt
ROY E. EVERITT

Karl N. Truman
KARL N. TRUMAN

DAVID BROADY

Aulton D. Eddings
AULTON D. EDDINGS

ATTEST: Linda H. Schaffer
LINDA SCHAFER
CLERK/TREASURER

Ordinance No.

ORDINANCE NO. 93- 554

AN ORDINANCE ESTABLISHING PROCEDURE FOR ADDRESSING
HARDSHIP UTILITY CASES

WHEREAS, from time to time citizens of the Town of Sellersburg find themselves in a financial condition which prevents them from making timely payments on their utility bills; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the Town cannot ignore the hardship or distressed financial condition of some of its town residents and that they must develop a policy to handle these hardship cases in a manner which is beneficial to the Town of Sellersburg as well as to the citizens requesting relief; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the development of this hardship policy is for the efficient and effective administration of town government; and

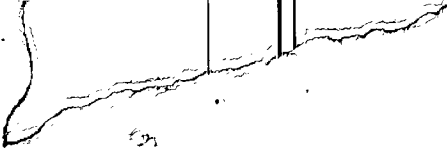
WHEREAS, the Town Council of the Town of Sellersburg has considered this matter in an open meeting where the public was present and allowed to participate.

BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg that the following hardship plan for utility payments be implemented as follows:

1. That the current policy administered by the Town for disconnection of those who are delinquent or fail to pay their utility bills shall be administered by the Town.

2. That if a family who is in a distressed financial condition whose water/sewer bill reaches \$300.00 and the family determines that their particular financial condition is a legitimate hardship case shall make an appointment with the Town Council for the Town of Sellersburg to discuss their particular situation.

3. At said meeting the Town Council for the Town of Sellersburg and/or the Clerk-Treasurer will be authorized to counsel said family or suggest counseling for the family to address their current financial condition.



4. That the Clerk-Treasurer for the Town of Sellersburg shall make an assessment of the current delinquent amount owed by the hardship family including all late charges, connection fees, etc.

5. At the request of the Town Council for the Town of Sellersburg, the service will be reconnected or continued if said Town Council believes such action is appropriate under the specific circumstances presented by the requesting family.

6. That each case presented to the Town Council for the Town of Sellersburg will be considered on an individual basis without regard to race, color, creed, national origin and/or sex.

7. That the delinquent bill of the requesting family will be cleared on all charges assessed such as late fees and other delinquent fees and only a bill for the usage and customary charges assessed by the Town of Sellersburg will be issued.

8. That the remaining balance will be scheduled for payment on a regular basis in an amount which constitutes 10% of the outstanding balance and shall continue in like payments until said balance is paid in full. Said amount shall not include any penalties or interest to the requesting family.

9. If at any time after the Clerk-Treasurer has established the payment schedule for the requesting family and said requesting family fails to maintain and pay their current usage bill and/or scheduled payments, a ten (10) days disconnect notice will be issued by the Clerk-Treasurer.

10. Upon receipt of the ten (10) day disconnect notice, the requesting family must pay the entire balance owed or said utility services will be disconnected and no reconnection will take place by the requesting family until the utility debt is cleared in full.

11. That the requesting family may appeal any decision to the collective body of the Town Council and the Town Council for the Town of Sellersburg may take any action they deem necessary and prudent in the particular case presented to them.

12. That the Town Council for the Town of Sellersburg shall administer the policy set forth above on a case by case basis and shall attempt to ease the financial burden on families of the Town of Sellersburg whose economic condition has deteriorated due to some

unforeseen event (i.e. loss of employment, extended disability, death of a spouse, or other similar reason) and implement a policy that is beneficial for the Town of Sellersburg as well as to the requesting family.

SO ORDAINED THIS 22 DAY OF February, 1993.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Auldon D. Eddings
AULDON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFER
CLERK-TREASURER

ORDINANCE NO. 93- **555**

**AN ORDINANCE AMENDING ORDINANCE NO. 92-534
CONCERNING 1993 SALARY, HOLIDAY AND LONGEVITY PAY**

WHEREAS, the Town Council for the Town of Sellersburg, did on the 27th day of July, 1992, pass Ordinance No. 92-534, establishing the 1993 salary, holiday and longevity pay for the employees of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg has learned that there is an inadvertent mistake in the calculations of the rate for which the Chief of Police receives for the insurance; and

WHEREAS, the Town Council for the Town of Sellersburg now wishes to correct this inadvertent mistake in said calculations of the amount paid to the Chief of Police for insurance benefits; and

WHEREAS, the Town Council for the Town of Sellersburg believes said correction is necessary for the efficient and effective administration of town government.

BE IT THEREFORE ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that Ordinance No. 92-534, concerning 1993 salary, holiday and longevity pay, shall be and hereby is amended to reflect the following change, retroactive to January 1, 1993.

Police Department:

Chief (Kinder) Insurance \$1,280.40 (\$106.70 per month)

SO ORDAINED this 8th day March, 1993.

Stanley E Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: Linda E. Schaffer
LINDA SCHAFFER,
CLERK/TREASURER

ORDINANCE NO. 93- 554

AN ORDINANCE CONCERNING THE ANNEXATION
OF THE 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 for the Town of Sellersburg, Indiana:

Section I

The following described real property, 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 II

BE IF FURTHER THEREFORE ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended to include all the real estate herein described in "Exhibit A" attached hereto, as a part of the Town of Sellersburg, Indiana.

Section III

This ordinance shall be in full force and effect from and after its passage, proclamation and publication in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, to take effect at least sixty (60) days after its date of publication and upon the filings required under I.C. 36-4-3-22(a).

COPY

The property herein described is assigned to the Town of Sellersburg Municipal Legislative Body District, Precinct Number 5.

SO ORDAINED this 12 day of April, 1993.

Stanley E Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Kare N. Truman
KARE N. TRUMAN

ATTEST: Linda H Schaffer
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:
William P. McCall III
Sellersburg Town Attorney
425 Watt Street
P.O. Box 729
Jeffersonville, IN 47131-0729
(812) 282-8429

DESCRIPTION OF 1993 SELLERSBURG ANNEXATION AREA "K"

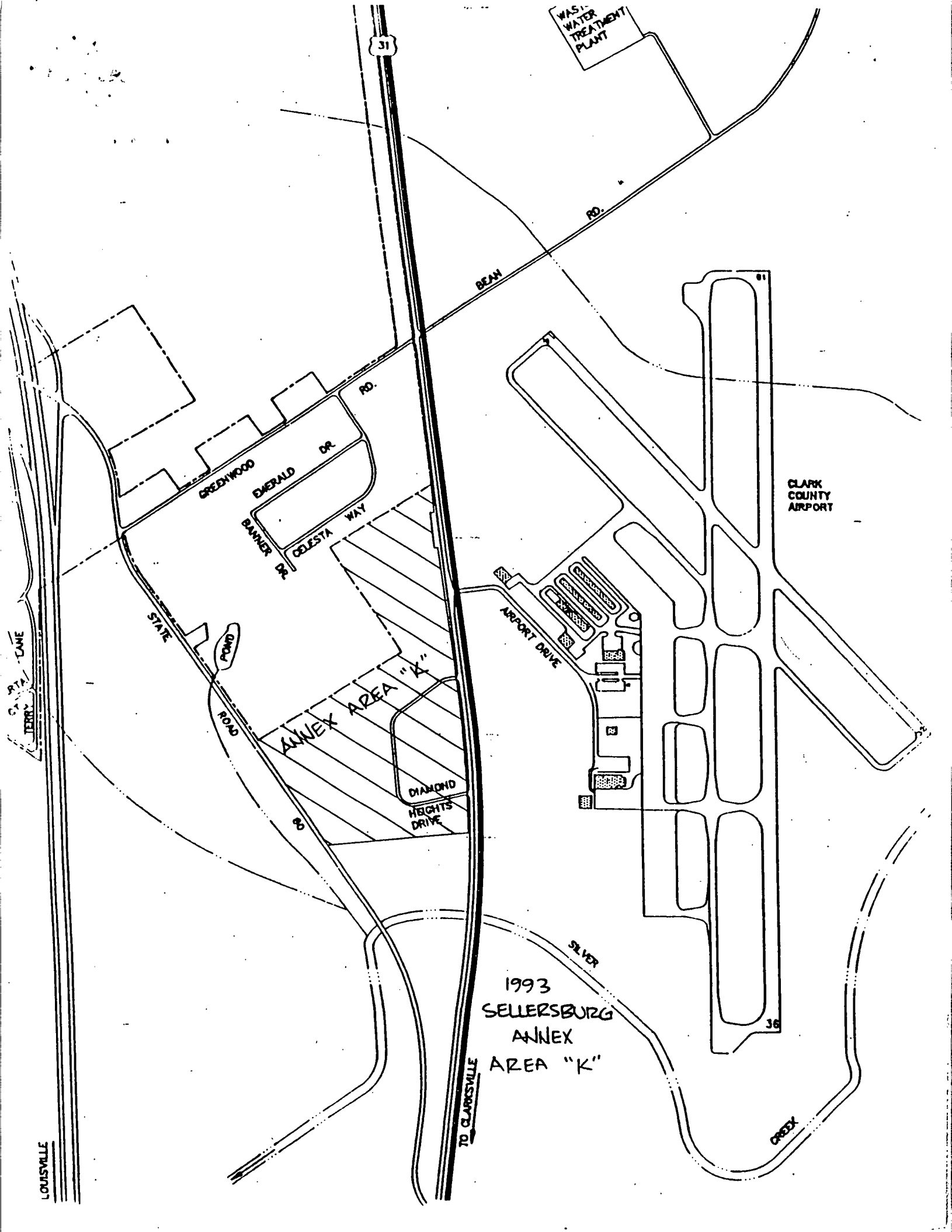
A part of Survey 66 of the Illinois Grant in Silver Creek Township of Clark County, Indiana, bounded as follows:

Beginning at the southeast corner of Lot 25 of Greenwood Subdivision Unit 1, which point is in the present Town Boundary of Sellersburg and is also on the west right-of-way line of Highway 31E, thence the following courses:

- Southwardly 190 feet, more or less, with said right-of-way line and the east line of a tract described at Deed Drawer 17, Instrument 5145;
- Westwardly, 65 feet, more or less, with said tract and said right-of-way line;
- Southwardly, 225 feet, more or less, with said tract and said right-of-way line;
- Eastwardly, 75 feet, more or less, with said tract and said right-of-way line;
- Southwardly, 306 feet, more or less, with said tract and said right-of-way line to the northeast corner of a tract of land described at Deed Drawer 5, Instrument 8662;
- Southwardly, 75 feet, more or less, with said right-of-way line to the northeast corner of a tract of land described at Deed Drawer 7, Instrument 4718;
- Southwardly, 255 feet, more or less, with said right-of-way line to the north corner of Diamond Heights Subdivision;
- South 12 deg. 42 min. East, 772.6 feet, more or less, with Diamond Heights and said right-of-way line;
- South 10 deg. 30 min. East, 324.05 feet, more or less, with Diamond Heights and said right-of-way line;
- South 6 deg. 13 min. East, 259.71 feet, more or less, with said right-of-way line to the southeast corner of Diamond Heights;
- South 69 deg. 48 min. West, 828.64 feet, more or less, to the southwest corner of Diamond Heights Subdivision, which is in the east right-of-way line of State Road 60;
- North 54 deg. 06 min. West, 235.3 feet, more or less, with said right-of-way line and line of Diamond Heights;
- North 41 deg. 03 min. West, 664.6 feet, more or less, with said right-of-way line and Diamond Heights to a point in the present Town Boundary of Sellersburg, and which point is also in the southeast line of a tract of land described at Deed Drawer 3, Instrument 2868;
- North 48 deg. 55 min. East, 1258 feet, more or less, with said tract and the present Town Boundary of Sellersburg;
- North 40 deg. West, 990 feet, more or less, with said tract and the present Town Boundary of Sellersburg to the northwest corner of a tract of land described at Deed Drawer 17, Instrument 5145;
- North 51 deg. 30 min. East, 770 feet, more or less, with said tract and the present Town Boundary of Sellersburg to the place of beginning, containing 40.3 acres, more or less.

EXHIBIT

"A"



WASTEWATER TREATMENT PLANT

31

RD.

BEAN

GREENWOOD DR

EMERALD DR

BANNER DR

CELESTA WAY

STATE ROAD

POND

ROAD

ANNEX AREA "K"

DIAMOND HEIGHTS DRIVE

AIRPORT DRIVE

CLARK COUNTY AIRPORT

1993
SELLERSBURG
ANNEX
AREA "K"

SILVER

TO CLARKSVILLE

GREER

LOUISVILLE

CA
PTA
TERRY

CANE

①

ORDINANCE NO. 93- 554

**AN ORDINANCE CONCERNING THE ANNEXATION
OF THE 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 for the Town of Sellersburg, Indiana:

Section I

The following described real property, 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 II

BE IF FURTHER THEREFORE ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended to include all the real estate herein described in "Exhibit A" attached hereto, as a part of the Town of Sellersburg, Indiana.

Section III

This ordinance shall be in full force and effect from and after its passage, proclamation and publication in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, to take effect at least sixty (60) days after its date of publication and upon the filings required under I.C. 36-4-3-22(a).

WAST
WATER
TREATMENT
PLANT

31

BEAN
RD.

CLARK
COUNTY
AIRPORT

GREENWOOD
DR.

EMERALD
DR.

BANNER
DR.

CELESTA
WAY

STATE
ROAD

POND

ANNEX AREA "K"

AIRPORT DRIVE

DIAMOND
HEIGHTS
DRIVE

S

SILVER

1993
SELLERSBURG
ANNEX
AREA "K"

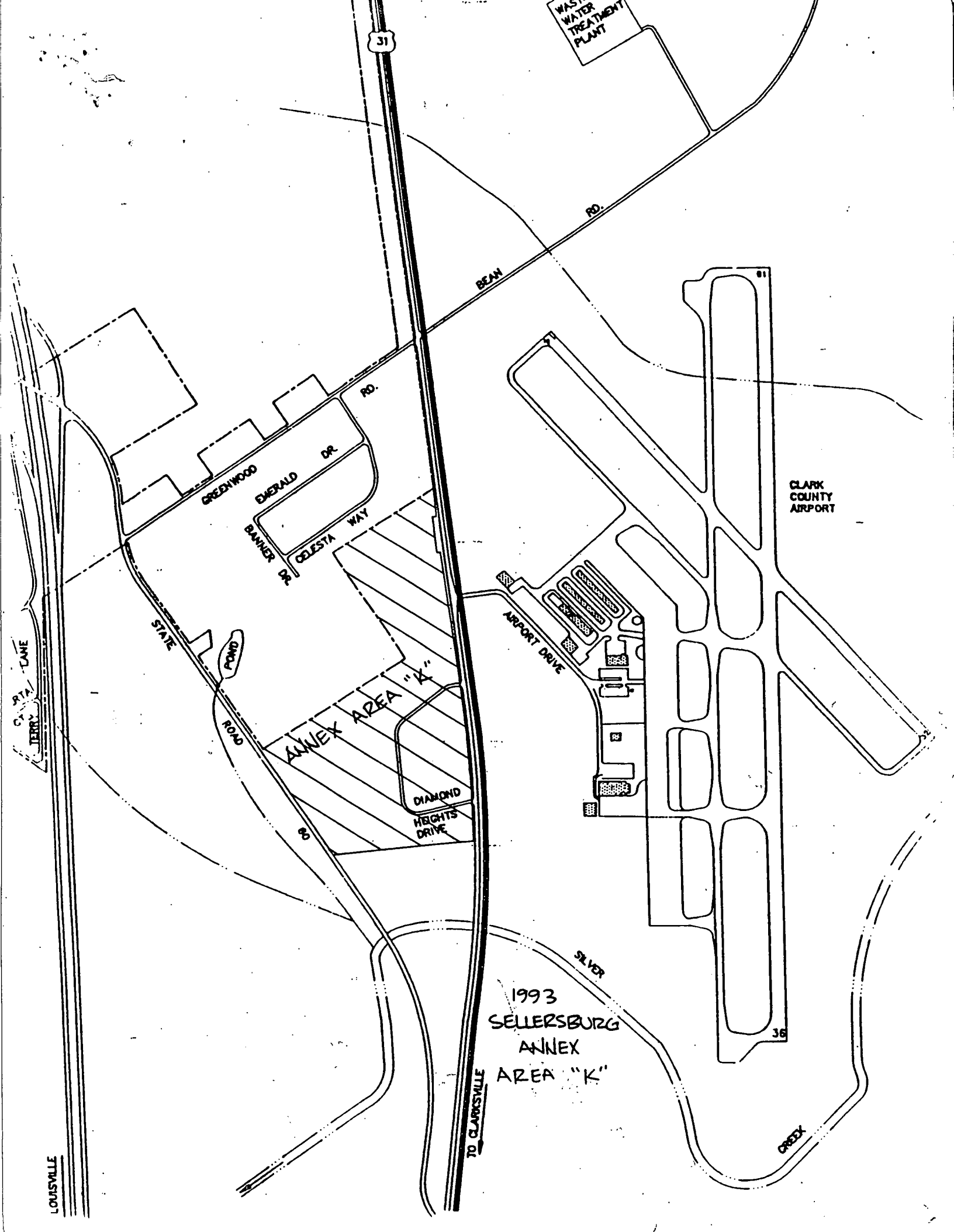
36

TO CLARKSVILLE

CREDY

LOUISVILLE

CAMP
JERRY
LANE



DESCRIPTION OF 1993 SELLERSBURG ANNEXATION AREA "K"

A part of Survey 66 of the Illinois Grant in Silver Creek Township of Clark County, Indiana, bounded as follows:

Beginning at the southeast corner of Lot 25 of Greenwood Subdivision Unit 1, which point is in the present Town Boundary of Sellersburg and is also on the west right-of-way line of Highway 31E, thence the following courses:

- Southwardly 190 feet, more or less, with said right-of-way line and the east line of a tract described at Deed Drawer 17, Instrument 5145;
- Westwardly, 65 feet, more or less, with said tract and said right-of-way line;
- Southwardly, 225 feet, more or less, with said tract and said right-of-way line;
- Eastwardly, 75 feet, more or less, with said tract and said right-of-way line;
- Southwardly, 306 feet, more or less, with said tract and said right-of-way line to the northeast corner of a tract of land described at Deed Drawer 5, Instrument 8662;
- Southwardly, 75 feet, more or less, with said right-of-way line to the northeast corner of a tract of land described at Deed Drawer 7, Instrument 4718;
- Southwardly, 255 feet, more or less, with said right-of-way line to the north corner of Diamond Heights Subdivision;
- South 12 deg. 42 min. East, 772.6 feet, more or less, with Diamond Heights and said right-of-way line;
- South 10 deg. 30 min. East, 324.05 feet, more or less, with Diamond Heights and said right-of-way line;
- South 6 deg. 13 min. East, 259.71 feet, more or less, with said right-of-way line to the southeast corner of Diamond Heights;
- South 69 deg. 48 min. West, 828.64 feet, more or less, to the southwest corner of Diamond Heights Subdivision, which is in the east right-of-way line of State Road 60;
- North 54 deg. 06 min. West, 235.3 feet, more or less, with said right-of-way line and line of Diamond Heights;
- North 41 deg. 03 min. West, 664.6 feet, more or less, with said right-of-way line and Diamond Heights to a point in the present Town Boundary of Sellersburg, and which point is also in the southeast line of a tract of land described at Deed Drawer 3, Instrument 2868;
- North 48 deg. 55 min. East, 1258 feet, more or less, with said tract and the present Town Boundary of Sellersburg;
- North 40 deg. West, 990 feet, more or less, with said tract and the present Town Boundary of Sellersburg to the northwest corner of a tract of land described at Deed Drawer 17, Instrument 5145;
- North 51 deg. 30 min. East, 770 feet, more or less, with said tract and the present Town Boundary of Sellersburg to the place of beginning, containing 40.3 acres, more or less.

EXHIBIT

"A"

3. Manufactured homes and travel trailers (also called recreational vehicles) to be installed substantially improved on a site for more than 180 days must meet one of the following anchoring requirements:

(a) The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;

(1) outside a manufactured home park or subdivision;

(2) in a new manufactured home park or subdivision;

(3) in an expansion to an existing manufactured home park or subdivision; or

(4) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.

- (b) The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood

4. Recreation vehicles placed on a site shall either:

(a) be on the site for less than 180 consecutive days;

(b) be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or

- (c) meet the requirements for "manufactured homes" in paragraph (3) of this section.
5. A non-residential building may be floodproofed to the FPG (in lieu of elevating) if done in accordance with the following:
- (a) a Registered Professional Engineer shall certify that the building has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The Building design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice.
 - (b) Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

SECTION 9. OTHER DEVELOPMENT REQUIREMENTS.

- a. The Planning Commission shall review all proposed subdivisions to determine whether the subdivision lies in a flood hazard area as defined elsewhere by ordinance. If the (review agency or official) finds the subdivision to be so located, the (review agency or individual) shall forward plans and materials to the Indiana Department of Natural Resources for review and comment. The (review agency or individual) shall require appropriate changes and modifications in order to assure that:
- 1. it is consistent with the need to minimize flood damages;
 - 2. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 - 3. adequate drainage is provided so as to reduce exposure to flood hazards;
 - 4. onsite waste disposal systems, if provided, will be so located and designed to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.
- b. Developers shall record the 100 year flood elevation on all subdivision plats containing lands identified elsewhere by ordinance as within a flood hazard area prior to submitting the plats for approval by the Plan Commission.

ORDINANCE NO. 93-557

AN ORDINANCE CONCERNING THE ANNEXATION
OF THE 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 for the Town of Sellersburg, Indiana:

Section I

The following described real property, a copy of said description is attached hereto and incorporated herein as "Exhibit B", be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

Section II

BE IF FURTHER THEREFORE ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended to include all the real estate herein described in "Exhibit B" attached hereto, as a part of the Town of Sellersburg, Indiana.

Section III

This ordinance shall be in full force and effect from and after its passage, proclamation and publication in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, to take effect at least sixty (60) days after its date of publication and upon the filings required under I.C. 36-4-3-22(a).

The property herein described is assigned to the Town of
Sellersburg Municipal Legislative Body District, Precinct Number
4.

SO ORDAINED this 12 day of April, 1993.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST:

Linda H. Schaffer
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Sellersburg Town Attorney
425 Watt Street
P.O. Box 729
Jeffersonville, IN 47131-0729
(812) 282-8429

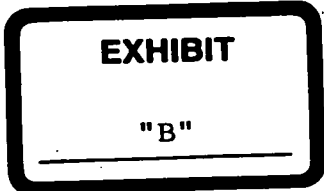
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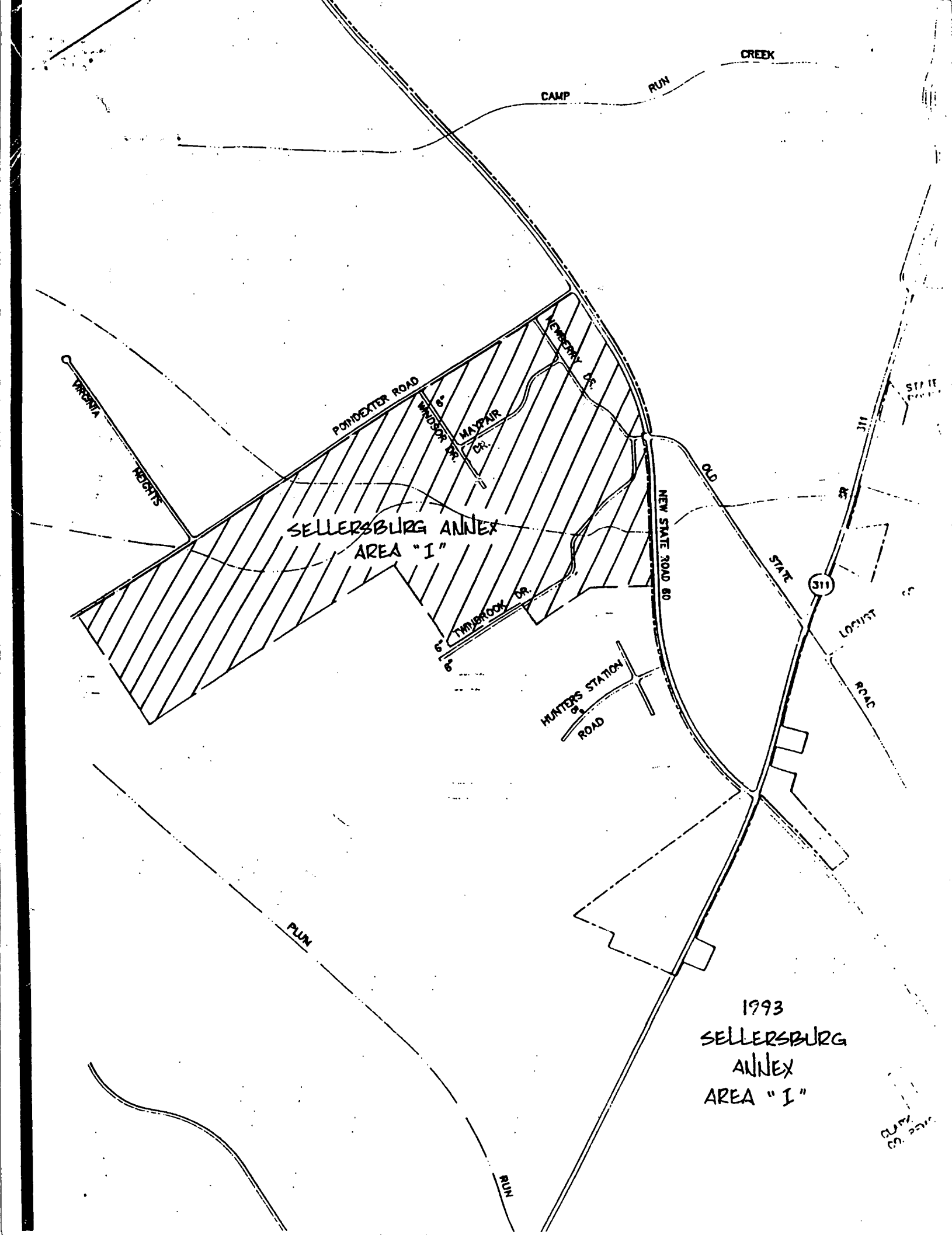
DESCRIPTION OF SELLERSBURG ANNEXATION AREA 'I'

A part of Survey 108 in Silver Creek Township of Clark County, Indiana, bounded as follows:

Beginning at the southeast corner of the first tract described at Deed Drawer 19, Instrument 1404, which point is in the southwesterly right-of-way line of New State Road 60 and in the present Town Boundary of Sellersburg, thence the following courses:

- South 69 deg. 25 min. 46 sec. West, 405.23 feet with said tract to a point in the southeasterly line of Twin Brook Subdivision, Unit 2 recorded at Plat Book 8, page 77;
- South 48 deg. 24 min. 47 sec. West, 497.46 feet with said southeasterly line;
- South 48 deg. 47 min. 58 sec. West, 90.39 feet to the south corner of Twin Brook Subdivision, Unit 2;
- North 41 deg. 12 min. 02 sec. West, 199.99 feet to a point in the southeast line of a tract described at Deed Drawer 13, Instrument 9321;
- South 48 deg. 47 min. 58 sec. West, 533.04 feet to the south corner of said tract;
- North 39 deg. 59 min. 25 sec. West, 731.14 feet to the west corner of said tract;
- South 48 deg. 15 min. 02 sec. West, 2049.32 feet to the south corner of a tract described at Deed Drawer 18, Instrument 7685;
- North 41 deg. 44 min. 58 sec. West, 893.80 feet with the southwest line of said tract to the southeast right-of-way line of Poindexter Lane, which has a 30 foot wide right-of-way;
- North 48 deg. 44 min. East, 4194.39 feet with said right-of-way line to a point in the southwesterly right-of-way line of New State Road 60, which point is also in the present Town Boundary of Sellersburg; thence
- Southeastwardly 2070 feet, more or less, with said right-of-way line and the present Town Boundary, to the point of beginning, containing 116.3 acres of land, more or less.





1993
SELLERSBURG
ANNEX
AREA "I"

CLAY
CO. 22111

ORDINANCE NO. 93-557

AN ORDINANCE CONCERNING THE ANNEXATION
OF THE 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 for the Town of Sellersburg, Indiana:

Section I

The following described real property, a copy of said description is attached hereto and incorporated herein as "Exhibit B", be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

Section II

BE IF FURTHER THEREFORE ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended to include all the real estate herein described in "Exhibit B" attached hereto, as a part of the Town of Sellersburg, Indiana.

Section III

This ordinance shall be in full force and effect from and after its passage, proclamation and publication in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, to take effect at least sixty (60) days after its date of publication and upon the filings required under I.C. 36-4-3-22(a).

COPY-

The property herein described is assigned to the Town of
Sellersburg Municipal Legislative Body District, Precinct Number
4.

SO ORDAINED this 12 day of April, 1993.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Sellersburg Town Attorney
425 Watt Street
P.O. Box 729
Jeffersonville, IN 47131-0729
(812) 282-8429

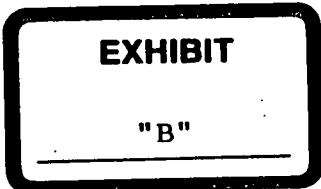
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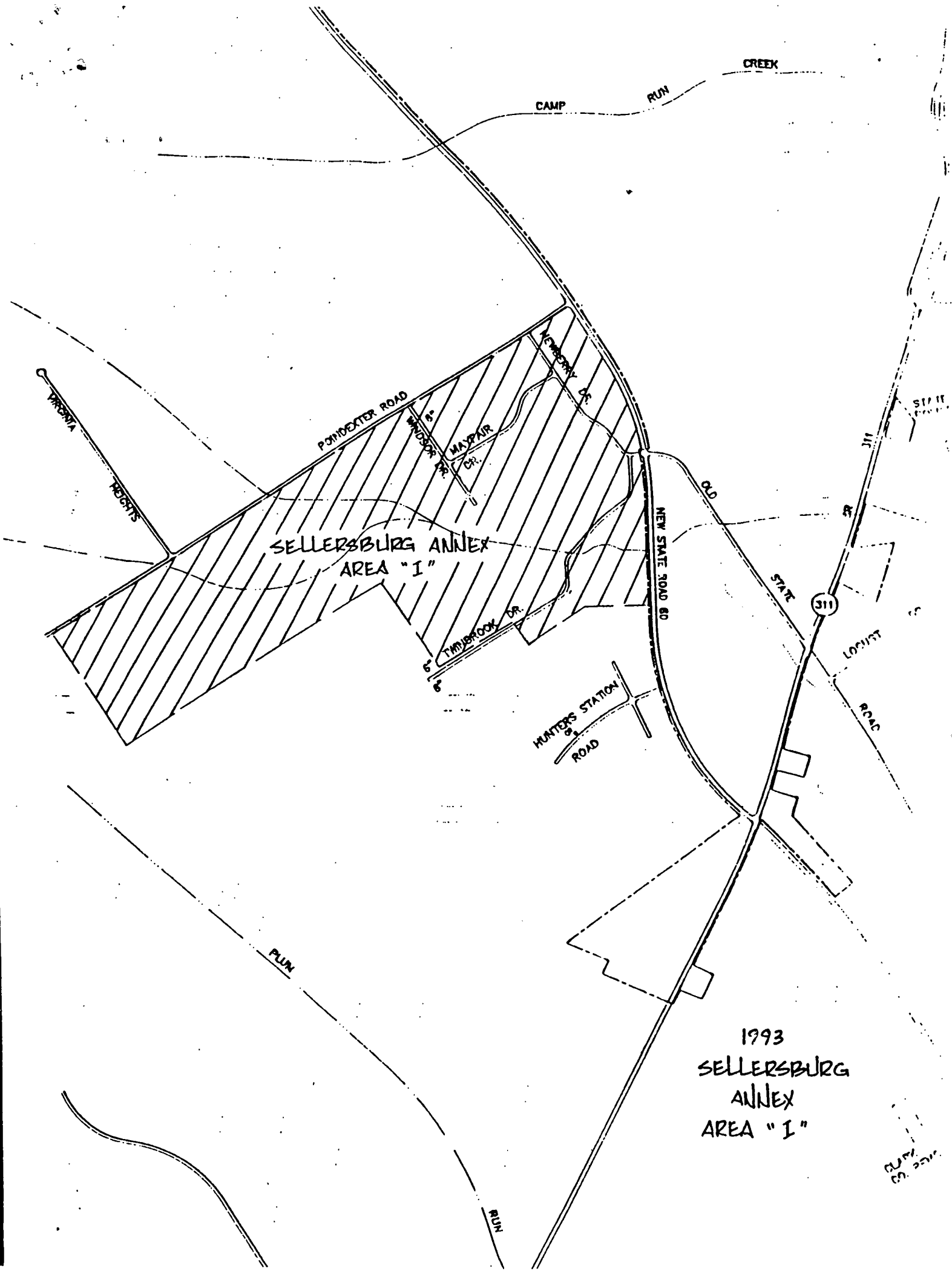
DESCRIPTION OF SELLERSBURG ANNEXATION AREA 'I'

A part of Survey 108 in Silver Creek Township of Clark County, Indiana, bounded as follows:

Beginning at the southeast corner of the first tract described at Deed Drawer 19, Instrument 1404, which point is in the southwesterly right-of-way line of New State Road 60 and in the present Town Boundary of Sellersburg, thence the following courses:

South 69 deg. 25 min. 46 sec. West, 405.23 feet with said tract to a point in the southeasterly line of Twin Brook Subdivision, Unit 2 recorded at Plat Book 8, page 77;
South 48 deg. 24 min. 47 sec. West, 497.46 feet with said southeasterly line;
South 48 deg. 47 min. 58 sec. West, 90.39 feet to the south corner of Twin Brook Subdivision, Unit 2;
North 41 deg. 12 min. 02 sec. West, 199.99 feet to a point in the southeast line of a tract described at Deed Drawer 13, Instrument 9321;
South 48 deg. 47 min. 58 sec. West, 533.04 feet to the south corner of said tract;
North 39 deg. 59 min. 25 sec. West, 731.14 feet to the west corner of said tract;
South 48 deg. 15 min. 02 sec. West, 2049.32 feet to the south corner of a tract described at Deed Drawer 18, Instrument 7685;
North 41 deg. 44 min. 58 sec. West, 893.80 feet with the southwest line of said tract to the southeast right-of-way line of Poindexter Lane, which has a 30 foot wide right-of-way;
North 48 deg. 44 min. East, 4194.39 feet with said right-of-way line to a point in the southwesterly right-of-way line of New State Road 60, which point is also in the present Town Boundary of Sellersburg; thence
Southeastwardly 2070 feet, more or less, with said right-of-way line and the present Town Boundary, to the point of beginning, containing 116.3 acres of land, more or less.





1993
SELLERSBURG
ANNEX
AREA "I"

CREEK

CAMP

RUN

POWDERTER ROAD

W. 30' 0" DR.

MAYFAIR DR.

W. 30' 0" DR.

TIMBROOK DR.

NEW STATE ROAD 60

OLD

STATE

311

LOGIST ROAD

HUNTERS STATION ROAD

VIRGINIA

RIGHTS

PLUM

RUN

STATE 311

ORDINANCE NO. 93- 550

AN ORDINANCE CONCERNING THE ANNEXATION
OF THE 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 for the Town of Sellersburg, Indiana:

Section I

The following described real property, a copy of said description is attached hereto and incorporated herein as "Exhibit C", be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

Section II

BE IF FURTHER THEREFORE ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended to include all the real estate herein described in "Exhibit C" attached hereto, as a part of the Town of Sellersburg, Indiana.

Section III

This ordinance shall be in full force and effect from and after its passage, proclamation and publication in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, to take effect at least sixty (60) days after its date of publication and upon the filings required under I.C. 36-4-3-22(a).

COPY

The property herein described is assigned to the Town of
Sellersburg Municipal Legislative Body District, Precinct Number
5.

SO ORDAINED this 12 day of April, 1993.

Stanley E. Tucker
STANLEY E. TUCKER

David L. Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Sellersburg Town Attorney
425 Watt Street
P.O. Box 729
Jeffersonville, IN 47131-0729
(812) 282-8429

DESCRIPTION OF SELLERSBURG 1993 ANNEX AREA "M"

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

Beginning at a point in the easterly right-of-way line of I-65, in the Town boundary of Sellersburg which marks the north line of a tract conveyed at Deed Record 253 page 262, thence the following courses:

Southwestwardly, 300 feet, more or less, with the Sellersburg Town Boundary, crossing I-65 to it's westerly right-of-way;

Northwestwardly, 4595 feet, more or less, with the westerly right-of-way line of I-65 and new State Road No. 60 to the southeast corner of a tract conveyed at Deed Record 189, page 58;

North 64 deg. 30 min. West, 883.43 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311, which is the Sellersburg Town Boundary;

Northeastwardly, 630 feet, more or less, with the Sellersburg Town Boundary to the west corner of a tract conveyed at Deed Drawer 4, Instrument No. 3765, said point being in the southeasterly right-of-way line of State Road 311 and the northeasterly right-of-way line of new State Road 60;

South 9 deg. 49 min. 06 sec. East, 134.78 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

South 44 deg. 15 min. 30 sec. East, 200.14 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

South 57 deg. 30 min. 02 Sec. East, 104.30 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

South 39 deg. 37 min. 28 sec. East, 128.17 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

North 43 deg. 09 min. 35 sec. West, 131.50 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

North 28 deg. 09 min. 35 sec. West, 382.75 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

North 77 deg. 09 min. 35 sec. West, 240.00 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract to a point in the south line of a tract conveyed at Deed Drawer 11, Instrument No. 8667;

North 31 deg. 09 min. 35 sec. West, 141.44 feet, more or less, with the Sellersburg Town Boundary and the line of said tract to the east corner of said tract;

North 77 deg. 09 min. 35 sec. West, 169.39 feet, more or less, with the Sellersburg Town Boundary and line of said tract to the southeasterly right-of-way line of State Road No. 311;

Northeastwardly, 290 feet, more or less, with the Sellersburg Town Boundary, which is said southeasterly right-of-way line of State Road 311 to the southwest line of a tract conveyed at Deed Drawer 21, Instrument No. 6542;

Southeastwardly, 180 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its east corner;

Northeastwardly, 130 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Southeastwardly, 30 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Northeastwardly, 27.35 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Southwestwardly, 198.90 feet, more or less, with the Sellersburg Town Boundary and line of said tract to said southeasterly right-of-way line of State Road No. 311;

Northeastwardly, 1100 feet, more or less, with the Sellersburg Town Boundary and southeasterly right-of-way line of State Road No. 311, crossing Old State Road No. 60 to the southwesterly line of a tract conveyed at Deed Drawer 22, Instrument No. 11200;

South 71 deg. 17 min. West, 194.7 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its southeast corner;

North 7 deg. 11 min. East, 407.3 feet, more or less, with the Sellersburg Town Boundary and east line of said tract to its northeast corner;

South 64 deg. 11 sec. West, 190 feet, more or less, with the Sellersburg Town Boundary and north line of said tract to said southeasterly right-of-way line of State Road No. 311;

Northeastwardly, 340 feet, more or less, with the Sellersburg Town Boundary and southeasterly right-of-way line of State Road No. 311 to the south line of a tract conveyed at Deed Record 230 page 341;

South 74 deg. 22 min. East, 832.50 feet, more or less, with the Sellersburg Town Boundary and south line of said tract;

South 48 deg. 52 min. East, 87.5 feet, more or less, with the Sellersburg Town Boundary and the south line of said tract to the southeast corner of said tract;

North 40 deg. West, 297 feet, more or less, with the Sellersburg Town Boundary and the east line of said tract to the northeast corner of said tract which is the southeast corner of a tract conveyed at Deed Drawer 22, Instrument No. 14479;

North 40 deg. West, 654.8 feet, more or less, with the Sellersburg Town Boundary and the east line of said tract to the north corner of said tract;

South 13 deg. 22 min. West, 180 feet, more or less, with the Sellersburg Town Boundary and a west line of said tract;

North 76 deg. 18 min. West, 180.1 feet, more or less, with the Sellersburg Town Boundary and a north line of said tract to the easterly right-of-way line of State Road No. 311;

North 76 deg. 18 min. West, 60 feet, more or less, crossing State Road No. 311 with the Sellersburg Town Boundary to the westerly right-of-way line thereof;

Northeastwardly, 570 feet, more or less, with the Sellersburg Town Boundary which is said westerly right-of-way line of State Road No. 311 to a point;

Southeastwardly, 60 feet, more or less, crossing State Road No. 311 with the Sellersburg Town Boundary to the corner of a tract conveyed at Deed Drawer 24, Instrument No. 4691 and 4692;

Southeastwardly, 167 feet, more or less, with the Sellersburg Town Boundary and south line of said tract which is the line between lots 18 and 19 of Block F of Fairview, crossing an alley;

North 23 deg. 51 min. 29 sec. East, 438 feet, more or less, with the Sellersburg Town Boundary and the east line of said tract and alley;

North 50 deg. 56 min. 34 sec. West, 166 feet, more or less, with the Sellersburg Town Boundary and north line of said tract to the easterly right-of-way line of State Road No. 311;

Northwestwardly, 173 feet, more or less, crossing the highway with the Sellersburg Town Boundary to the westerly right-of-way line of State Road No. 311;

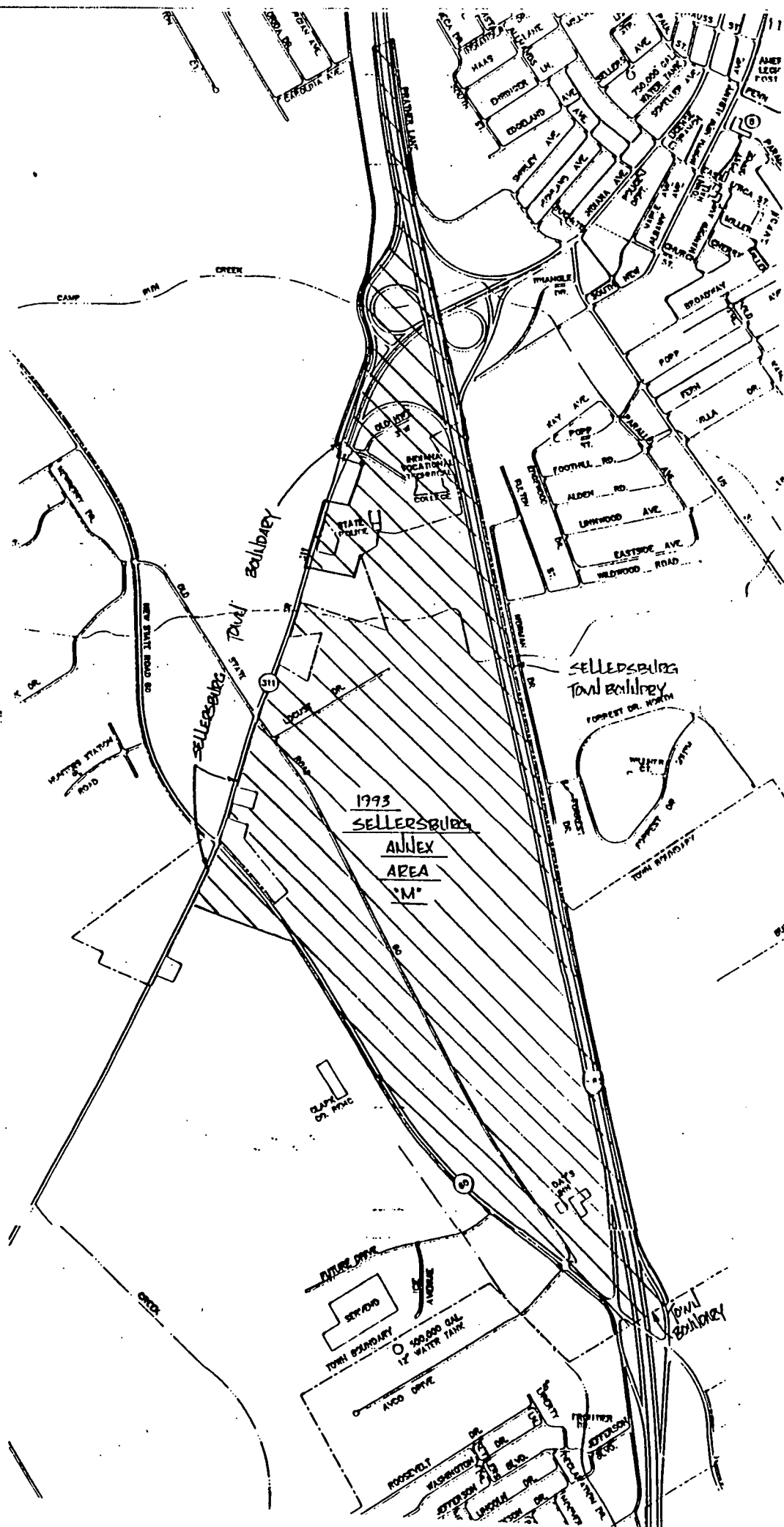
Northwardly, 3700 feet, more or less, with the Sellersburg Town Boundary which is the westerly right-of-way line of State Road No. 311 and I-65 to the south line of Hill and Dale Farm if extended eastwardly;

Northeastwardly, 200 feet, more or less, with the Sellersburg Town Boundary, crossing I-65 to its easterly right-of-way line;

Southwardly, 7760 feet, more or less, with the Sellersburg Town Boundary and the easterly right-of-way line of I-65 to the southeast line of Forrest Estates;

Southwardly, 3600 feet, more or less, with the easterly right-of-way line of I-65 to the true place of beginning and containing 363 acres, more or less, of land.

Excepting, therefrom any previously annexed areas.



Sellersburg
Broadway
State Route 311

1993
SELLERSBURG
ANNEX
AREA
'M'

SELLERSBURG
TOWN BOUNDARY

CLARK DR. POND

100,000 GAL.
WATER TANK

Avco Drive

ROOSEVELT DR.
WASHINGTON DR.
LINDSEY DR.
HUNTER DR.
CLARK DR.

CAMP POND
CREEK

NEW STATE ROAD 80
WATER TOWER ROAD

TRIANGLE PK.
BROADWAY
POW
FOOTBALL RD.
ALDEN RD.
LIMWOOD AVE.
EASTSIDE AVE.
HILWOOD ROAD

WEATHER STATION
TOWN BOUNDARY

EMERSON AVE.
HARRIS AVE.
DUNN AVE.
DODD AVE.
SPACK AVE.
TODD AVE.
WILSON AVE.
WALKER AVE.
WILSON AVE.
WALKER AVE.

WALKER AVE.
WILSON AVE.
WALKER AVE.
WILSON AVE.
WALKER AVE.
WILSON AVE.
WALKER AVE.
WILSON AVE.

CLARK DR.

CLARK DR.

ORDINANCE NO. 93- 558

AN ORDINANCE CONCERNING THE ANNEXATION
OF THE 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 for the Town of Sellersburg, Indiana:

Section I

The following described real property, a copy of said description is attached hereto and incorporated herein as "Exhibit C", be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

Section II

BE IF FURTHER THEREFORE ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended to include all the real estate herein described in "Exhibit C" attached hereto, as a part of the Town of Sellersburg, Indiana.

Section III

This ordinance shall be in full force and effect from and after its passage, proclamation and publication in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, to take effect at least sixty (60) days after its date of publication and upon the filings required under I.C. 36-4-3-22(a).

The property herein described is assigned to the Town of
Sellersburg Municipal Legislative Body District, Precinct Number
5.

SO ORDAINED this 12 day of April, 1993.

Stanley E. Tucker
STANLEY E. TUCKER

David L. Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Sellersburg Town Attorney
425 Watt Street
P.O. Box 729
Jeffersonville, IN 47131-0729
(812) 282-8429

DESCRIPTION OF SELLERSBURG 1993 ANNEX AREA "M"

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

Beginning at a point in the easterly right-of-way line of I-65, in the Town boundary of Sellersburg which marks the north line of a tract conveyed at Deed Record 253 page 262, thence the following courses:

Southwestwardly, 300 feet, more or less, with the Sellersburg Town Boundary, crossing I-65 to it's westerly right-of-way;

Northwestwardly, 4595 feet, more or less, with the westerly right-of-way line of I-65 and new State Road No. 60 to the southeast corner of a tract conveyed at Deed Record 189, page 58;

North 64 deg. 30 min. West, 883.43 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311, which is the Sellersburg Town Boundary;

Northeastwardly, 630 feet, more or less, with the Sellersburg Town Boundary to the west corner of a tract conveyed at Deed Drawer 4, Instrument No. 3765, said point being in the southeasterly right-of-way line of State Road 311 and the northeasterly right-of-way line of new State Road 60;

South 9 deg. 49 min. 06 sec. East, 134.78 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

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South 57 deg. 30 min. 02 Sec. East, 104.30 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

South 39 deg. 37 min. 28 sec. East, 128.17 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

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Southeastwardly, 180 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its east corner;

Northeastwardly, 130 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Southeastwardly, 30 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Northeastwardly, 27.35 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

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North 7 deg. 11 min. East, 407.3 feet, more or less, with the Sellersburg Town Boundary and east line of said tract to its northeast corner;

South 64 deg. 11 sec. West, 190 feet, more or less, with the Sellersburg Town Boundary and north line of said tract to said southeasterly right-of-way line of State Road No. 311;

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Northwestwardly, 173 feet, more or less, crossing the highway with the Sellersburg Town Boundary to the westerly right-of-way line of State Road No. 311;

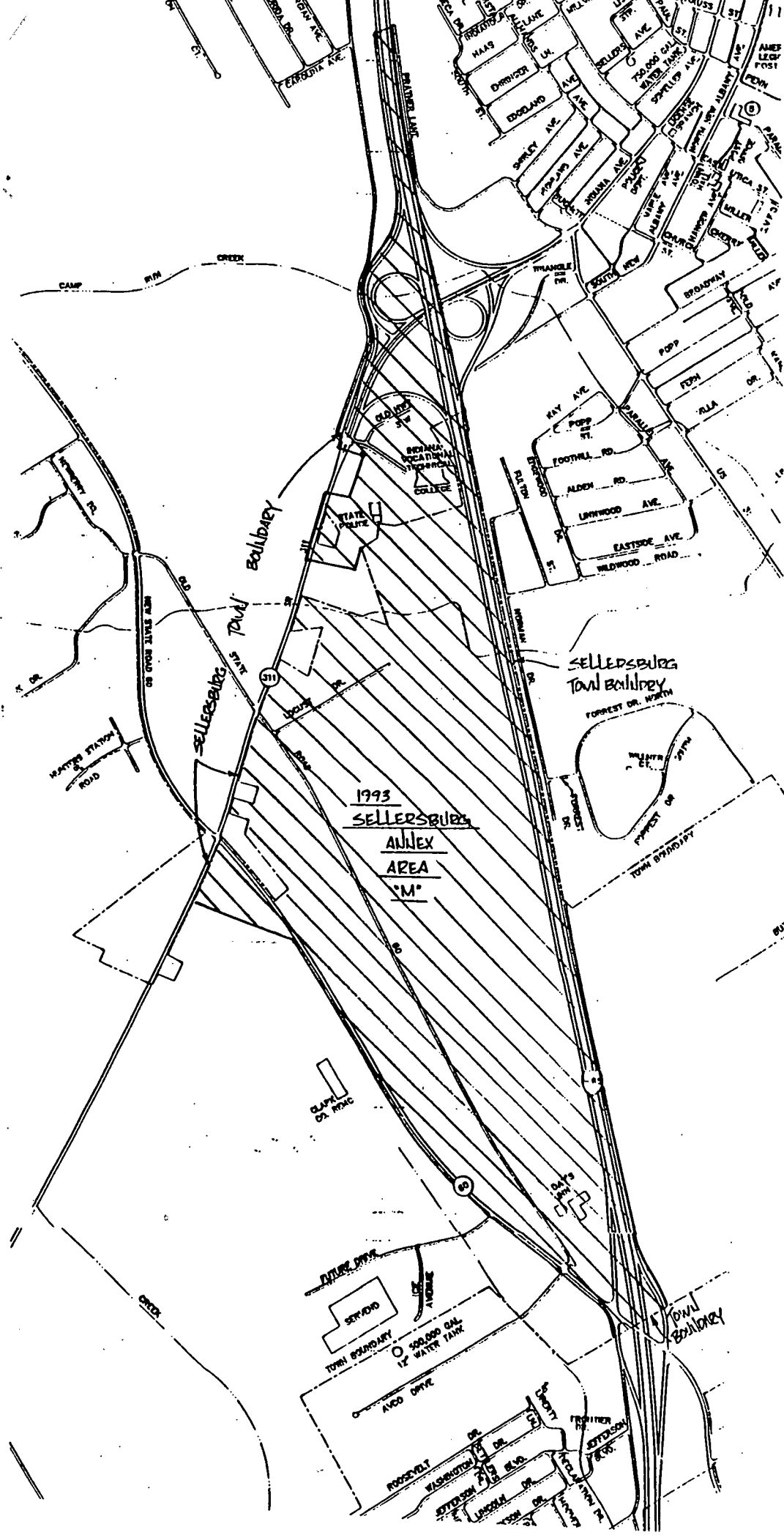
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Excepting, therefrom any previously annexed areas.



1993
SELLERSBURG
ANNEX
AREA
"M"

Sellersburg
Town Boundary

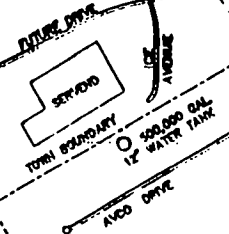
SELLERSBURG
Town Boundary

FORREST DR. NORTH

FORREST DR.

FORREST DR. SOUTH

Town Boundary



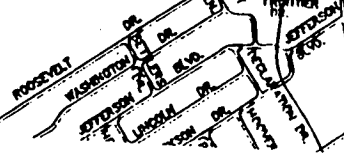
DRAINAGE DITCH

SERVING

TOWN BOUNDARY

100,000 GALL. WATER TANK

ACID OFFICE



ROOSEVELT DR

WASHINGTON DR

STATION BLVD

E. LINCOLN DR

SUNLEY AVE

MILLER ST

CHERRY ST

BROADWAY

POPP ST

FOOTBALL RD

ALDEN RD

LIMWOOD AVE

EASTSIDE AVE

WILLOWOOD ROAD

ORDINANCE NO. 93- 559

AN ORDINANCE ANNEXING PROPERTY OF AVCO LEASING, INC.,
AUTO F. AND ETHEL KOEHLER, ROBERT H. AND LOUISE ANDERSON,
AND JAMES E. AND BONNIE HAWN

WHEREAS, a Petition for annexation of real property was filed by Otto F. and Ethel Koehler, Robert H. and Louise Anderson, and James E. and Bonnie Hawn, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to the Indiana Code 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;

South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;

North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;

South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;

South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;

South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;

North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;

South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;

North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;

North 34 deg. 38 min. 03. sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;

North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

The Petitioners represent that they are the owners of fifty-one (51%) of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Avco Leasing, Inc., Otto F. and Ethel Koehler, Robert H. and Louis Anderson and James E. and Bonnie Hawn,


hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5; and

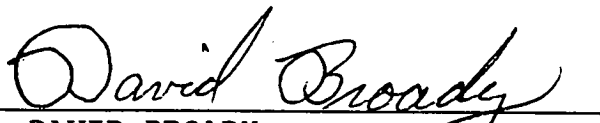
BE IT FURTHER ORDAINED that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, which requires that the first publication may be made within two weeks after the date of the adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Muncipal Legislative District No. 5.

Ordinance Number 559 shall take effect sixty days after its final publication.


PASSED AND ADOPTED this 12 day of April, 1993, by the Town Council for the Town of Sellersburg, Indiana.

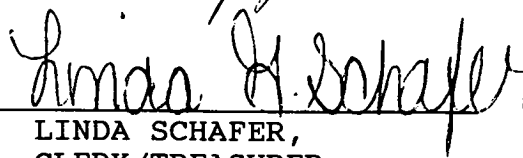

STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Attorney, Town of Sellersburg
425 Watt Street
Jeffersonville, IN 47131
(812) 282-8429

Jacobi, Toombs and Lanz, Inc.



Consulting Engineers

120 Bell Avenue Clarksville, Indiana 47129
812 288-6646 FAX: 812 288-6656

DESCRIPTION OF ANNEXATION AREA 'C'

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

- South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;
- South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;
- North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;
- South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;
- South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;
- South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;
- North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;
- South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;
- North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;
- North 34 deg. 38 min. 03 sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;
- North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

CLARK
CO. PD&C

80

85

DAYS
HW

FUTURE DRIVE

SERVEND

ICE
AVENUE

500,000 GAL
12" WATER TANK

AREA
"C"

TOWN BOUNDARY

ALCO DRIVE

ROOSEVELT DR
WASHINGTON DR

JEFFERSON DR
LINCOLN DR

LIBERTY LN
FRONTIER DR
JEFFERSON BLVD

ADAMS DR
TYLER DR
JOHNSON DR

TRUMAN DR
JACKSON DR
BICHARD DR

DECLARATION DR
HOOVER DR
GLOA ST

WILSON DR
PAYNE-KOENIGER

ALBERTA ST
TERRY LN

GREENWOOD
EVERETT
RANIER DR

STATE

POND

ROAD

1993
SELLERSBURG
ANNEX
AREA "C"

PAYNE-KOENIGER ROAD
CARTER HOLE ROAD

SVILLE

SURVEY NO. 87
PETITION FOR ANNEXATION
TO THE TOWN OF SELLERSBURG, INDIANA

We, the Owners of property in Annex Area "C", 1993 hereby petition to be annexed in the Town of Sellersburg.

AVOC LEASING, INC.
2603 Harry Hughes Road
Charlestown, Indiana 47111
09-03-65,38; D.D.21, I.No. 6459

Date: _____

OTTO F. AND ETHEL KOEHLER
7521 State Road 60
Sellersburg, Indiana 47172
09-03-11,06; D.D.2, I.No. 4148 &
D.D.4, I.No. 2890

Ethel Koehler

Date: 2-25-93

ROBERT H. AND LOUISE ANDERSON
7515 Highway 60
Sellersburg, Indiana 47172
09-03-66,36,40; D.D.13, I.No. 5062

Robert & Louise Anderson

Date: 2-25-93

JAMES E. AND BONNIE HAWN
7517 Highway 60
Sellersburg, Indiana 47172
09-03-67; D.D.21, I.Nos. 626 & 627

James & Bonnie Hawn

Date: 2-25-93

ORDINANCE NO. 93- 559

AN ORDINANCE ANNEXING PROPERTY OF AVCO LEASING, INC.,
AUTO F. AND ETHEL KOEHLER, ROBERT H. AND LOUISE ANDERSON,
AND JAMES E. AND BONNIE HAWN

WHEREAS, a Petition for annexation of real property was filed by Otto F. and Ethel Koehler, Robert H. and Louise Anderson, and James E. and Bonnie Hawn, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to the Indiana Code 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;

South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;

North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;

South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;

COPY

South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;

South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;

North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;

South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;

North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;

North 34 deg. 38 min. 03. sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;

North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

The Petitioners represent that they are the owners of fifty-one (51%) of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Avco Leasing, Inc., Otto F. and Ethel Koehler, Robert H. and Louis Anderson and James E. and Bonnie Hawn,

hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5; and

BE IT FURTHER ORDAINED that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, which requires that the first publication may be made within two weeks after the date of the adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Muncipal Legislative District No. 5.

Ordinance Number 559 shall take effect sixty days after its final publication.

PASSED AND ADOPTED this 12 day of April, 1993, by the Town Council for the Town of Sellersburg, Indiana.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Attorney, Town of Sellersburg
425 Watt Street
Jeffersonville, IN 47131
(812) 282-8429

Jacobi, Toombs and Lanz, Inc.



Consulting Engineers

120 Bell Avenue Clarksville, Indiana 47129
812 288-6646 FAX: 812 288-6656

DESCRIPTION OF ANNEXATION AREA 'C'

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

- South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;
- South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;
- North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;
- South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;
- South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;
- South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;
- North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;
- South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;
- North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;
- North 34 deg. 38 min. 03 sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;
- North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

CLARK
CO. REMC

60

65

DAYS
INN

FUTURE DRIVE

SERVICED

ICE
AVENUE

AREA
"C"

TOWN BOUNDARY

500,000 GAL
12" WATER TANK

AVCO DRIVE

CREEK

ROOSEVELT DR

WASHINGTON DR

JEFFERSON DR

LIBERTY DR

FRONTIER DR

JEFFERSON BLVD

GREEDWOOD

EVERETT

PANIER DR

WASHINGTON BLVD

LINCOLN DR

JACKSON DR

DECLARATION DR

HOOVER DR

MADISON ST

ADAMS DR

TRUMB DR

JEFFERSON DR

WILSON ST

GLORIA ST

ALBERTA ST

STATE

POUND

ROAD

TYLER DR

JOHNSON DR

PAYNE-KOCHLER

WILSON

LANE

TERRY

1993
SELLERSBURG
ANNEX
AREA "C"

PAYNE-KOCHLER ROAD

CARTER HOLE ROAD

SYDLE

SURVEY NO. 87
PETITION FOR ANNEXATION
TO THE TOWN OF SELLERSBURG, INDIANA

We, the Owners of property in Annex Area "C", 1993 hereby petition to be annexed in the Town of Sellersburg.

AVOC LEASING, INC.
2603 Harry Hughes Road
Charlestown, Indiana 47111
09-03-65,38; D.D.21, I.No. 6459

Date: _____

OTTO F. AND ETHEL KOEHLER
7521 State Road 60
Sellersburg, Indiana 47172
09-03-11,06; D.D.2, I.No. 4148 &
D.D.4, I.No. 2890

Ethel Koehler

Date: 2-25-93

ROBERT H. AND LOUISE ANDERSON
7515 Highway 60
Sellersburg, Indiana 47172
09-03-66,36,40; D.D.13, I.No. 5062

Robert H. & Louise Anderson

Date: 2-25-93

JAMES E. AND BONNIE HAWN
7517 Highway 60
Sellersburg, Indiana 47172
09-03-67; D.D.21, I.Nos. 626 & 627

James & Bonnie Hawn

Date: 2-25-93

93-560

ORDINANCE ANNEXING PROPERTY OF
THE WELLS FAMILY KNOWN AS AREA B

WHEREAS, a petition for annex of real property was filed by _____ and _____ Wells, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate which is contiguous to the Town of Sellersburg, Indiana, be annexed in to the Town pursuant to I.C. 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min. West, 564.25 feet, more or less, with the line between Surveys No. 88 and 198 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the 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 True
Place of Beginning and containing 14.07 acres of land.

The Petitioners represent that they are the owners of the land
in the territory sought to be annexed. That said real estate is
not situated within the limits of any other municipality, but
contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for
the Town of Sellersburg, Indiana, that the above-described parcel
of real estate owned by _____ and
_____ Wells, hereby be annexed into the
Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5 and

BE IF FURTHER ORDAINED that the Clerk Treasurer for the Town
of Sellersburg, Indiana, publish this Ordinance in accordance with
I.C. 36-4-3-7, I.D. 5-3-1, which requires that the first
publication may be made within two (2) weeks after the date of
adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the
Town of Sellersburg, Indiana, that the above described real estate
be assigned to Municipal Legislative District No. 4.
Ordinance No. 560 shall take effect sixty (60) days after its
final publication.

PASSED AND ADOPTED this 12 day of
April, 1993, by the Town Council for the Town of
Sellersburg, Indiana.



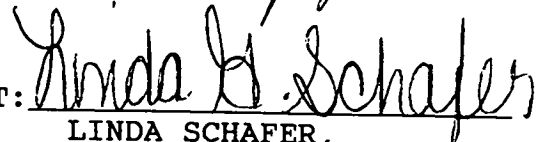
ROY E. EVERITT



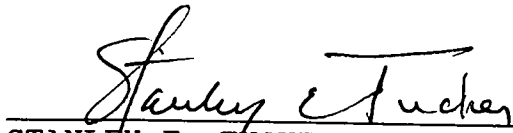
AULTON D. EDDINGS



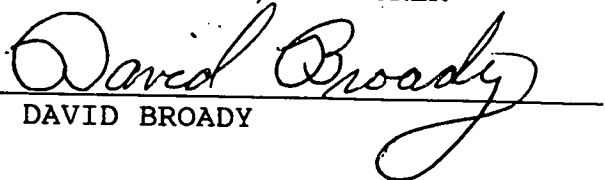
KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER



STANLEY E. TUCKER



DAVID BROADY

PREPARED BY: William P. McCall III, Attorney for the Town of
Sellersburg, 425 Watt Street, P.O. Box 729, Jeffersonville,
Indiana, (812) 282-8429

October 28, 1992

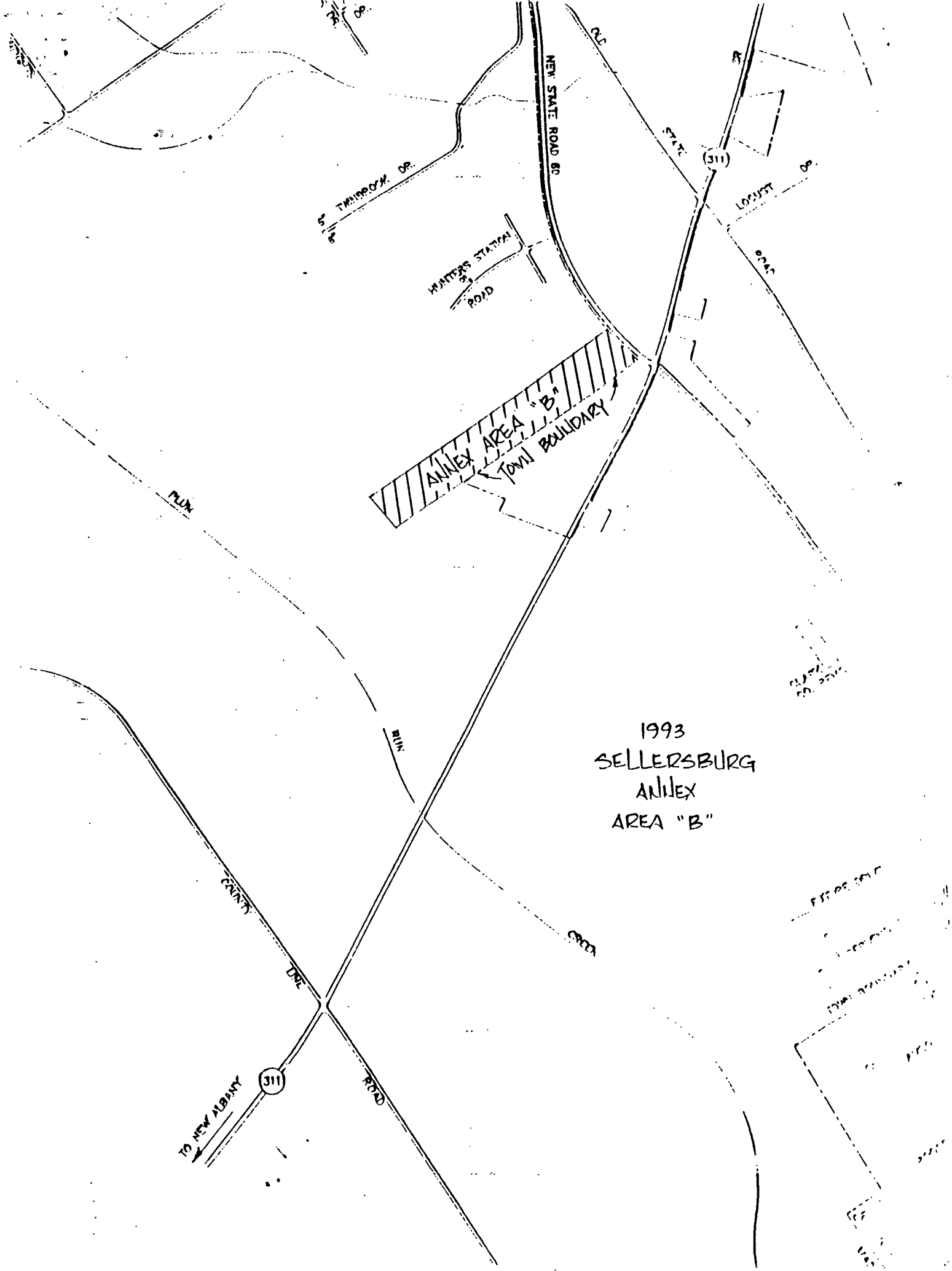
DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA 'B', 1992

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;
- South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;
- South 49 deg. 00 min, West, 564.25 feet, more or less, with the line between Surveys No. 88 and 108 to the south corner of said tract;
- North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.



1993
SELLERSBURG
ANNEX
AREA "B"

TO NEW ALBANY
311

FRONTIER
Sellersburg
TOWN BOUNDARY
ANNEX AREA "B"

93-560

ORDINANCE ANNEXING PROPERTY OF
THE WELLS FAMILY KNOWN AS AREA B

WHEREAS, a petition for annex of real property was filed by William D and Mildred C Wells, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate which is contiguous to the Town of Sellersburg, Indiana, be annexed in to the Town pursuant to I.C. 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min. West, 564.25 feet, more or less, with the line between Surveys No. 88 and 198 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.

The Petitioners represent that they are the owners of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above-described parcel of real estate owned by _____ and _____ Wells, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5 and

BE IF FURTHER ORDAINED that the Clerk Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7, I.D. 5-3-1, which requires that the first publication may be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 4. Ordinance No. 560 shall take effect sixty (60) days after its final publication.


PASSED AND ADOPTED this 12 day of April, 1993, by the Town Council for the Town of Sellersburg, Indiana.



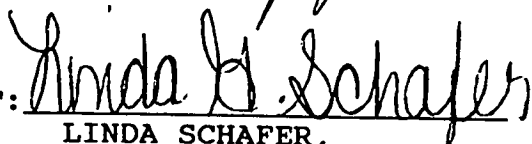
ROY E. EVERITT



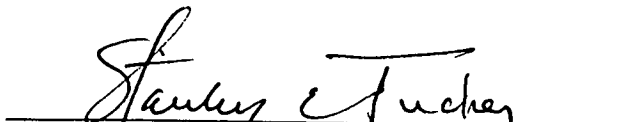
AULTON D. EDDINGS



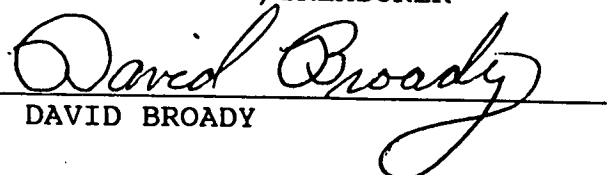
KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER



STANLEY E. TUCKER



DAVID BROADY

PREPARED BY: William P. McCall III, Attorney for the Town of Sellersburg, 425 Watt Street, P.O. Box 729, Jeffersonville, Indiana, (812) 282-8429

October 28, 1992

DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA 'B', 1992

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

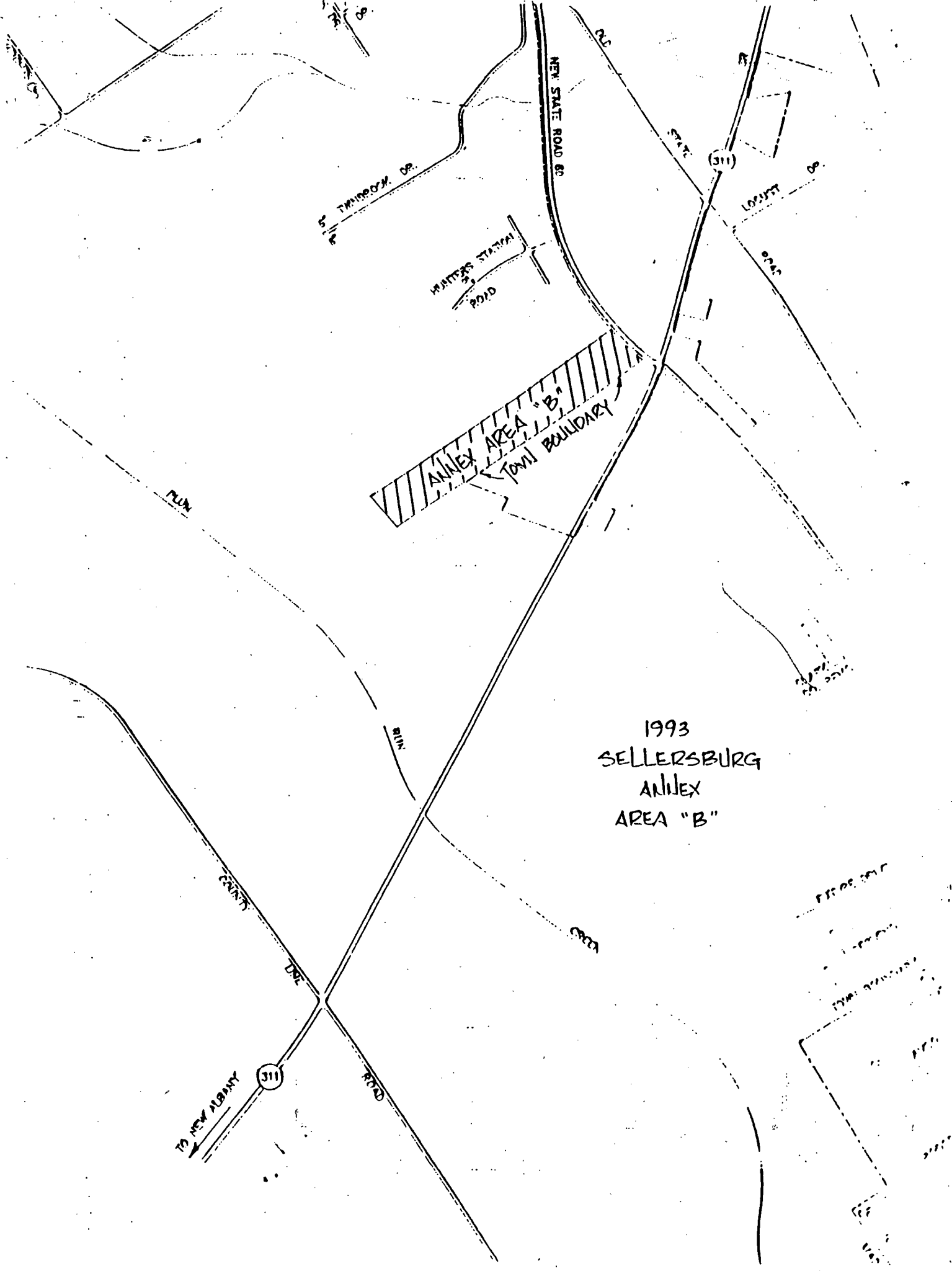
South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min, West, 564.25 feet, more or less, with the line between Surveys No. 88 and 108 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.



1993
SELLERSBURG
ANNEX
AREA "B"



93-560

ORDINANCE ANNEXING PROPERTY OF
THE WELLS FAMILY KNOWN AS AREA B

WHEREAS, a petition for annex of real property was filed by William D. and Mildred C. Wells, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate which is contiguous to the Town of Sellersburg, Indiana, be annexed in to the Town pursuant to I.C. 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

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South 49 deg. 00 min. West, 564.25 feet, more or less, with the line between Surveys No. 88 and 198 to the south corner of said tract;

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North 48 deg. 18 min. East, 2027.76 feet, more or less, with the northwesterly line of said tract to the north corner of the 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 True Place of Beginning and containing 14.07 acres of land.

The Petitioners represent that they are the owners of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above-described parcel of real estate owned by William D. and Mildred C. Wells, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5 and


BE IF FURTHER ORDAINED that the Clerk Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7, I.D. 5-3-1, which requires that the first publication may be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 4. Ordinance No. 560 shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED this 12 day of April, 1993, by the Town Council for the Town of Sellersburg, Indiana.



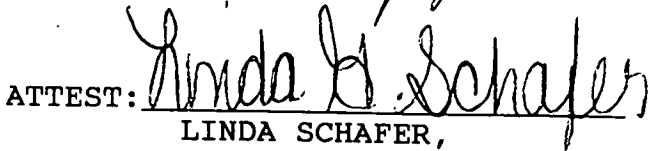
ROY E. EVERITT



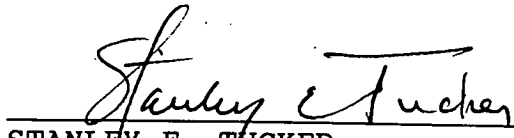
AULTON D. EDDINGS



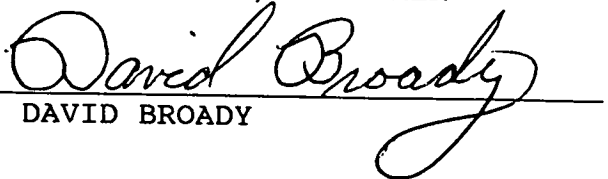
KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER



STANLEY E. TUCKER



DAVID BROADY

PREPARED BY: William P. McCall III, Attorney for the Town of Sellersburg, 425 Watt Street, P.O. Box 729, Jeffersonville, Indiana, (812) 282-8429

October 28, 1992

DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA 'B', 1992

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min, West, 564.25 feet, more or less, with the line between Surveys No. 88 and 108 to the south corner of said tract;

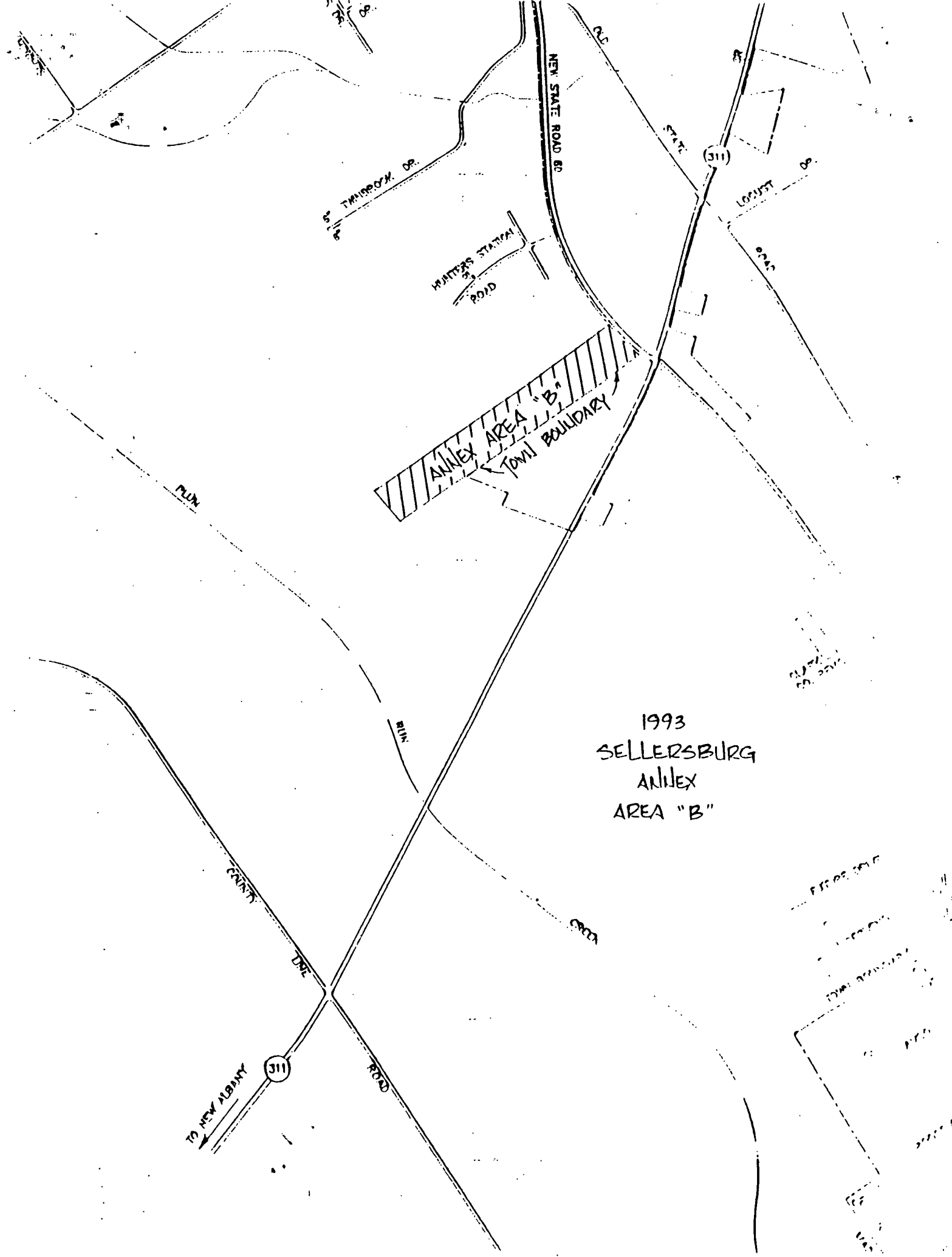
North 39 deg. 12 min. East, 295 feet, more or less, with the southwesterly line of said tract to the west corner of said tract;

North 48 deg. 18 min. East, 2027.76 feet, more or less, with the northwesterly line of said tract to the north corner of the 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 True Place of Beginning and containing 14.07 acres of land.

ANNEX AREA "B"
TOWN BOUNDARY

1993
SELLERSBURG
ANNEX
AREA "B"



93-560

ORDINANCE ANNEXING PROPERTY OF
THE WELLS FAMILY KNOWN AS AREA B

WHEREAS, a petition for annex of real property was filed by William D and Miltred C Wells, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate which is contiguous to the Town of Sellersburg, Indiana, be annexed in to the Town pursuant to I.C. 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min. West, 564.25 feet, more or less, with the line between Surveys No. 88 and 198 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the tract conveyed at Deed Drawer 16, Instrument No. 2461;

COPY

South 64 deg. 50 min. East, 98.96 feet, more or less, with the northeasterly line of said tract to the True Place of Beginning and containing 14.07 acres of land.

The Petitioners represent that they are the owners of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above-described parcel of real estate owned by _____ and _____ Wells, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5 and

BE IF FURTHER ORDAINED that the Clerk Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7, I.D. 5-3-1, which requires that the first publication may be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 4. Ordinance No. 560 shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED this 12 day of April, 1993, by the Town Council for the Town of Sellersburg, Indiana.



ROY E. EVERITT



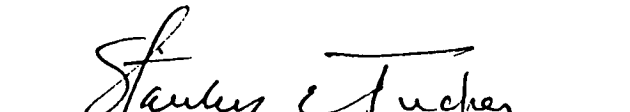
AULTON D. EDDINGS



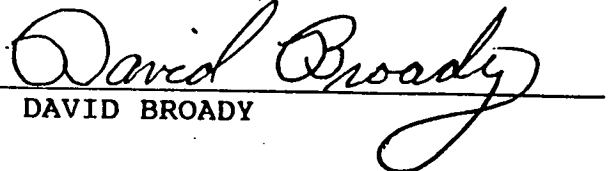
KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER



STANLEY E. TUCKER



DAVID BROADY

PREPARED BY: William P. McCall III, Attorney for the Town of Sellersburg, 425 Watt Street, P.O. Box 729, Jeffersonville, Indiana, (812) 282-8429

October 28, 1992

DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA 'B', 1992

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min, West, 564.25 feet, more or less, with the line between Surveys No. 88 and 108 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.

S. THOMPSON DR.

WATERS STATION ROAD

NEW STATE ROAD BR.

(311)

STATE

UNION

ANNEX AREA "B"
TOWN BOUNDARY

RUN

BURN

1993
SELLERSBURG
ANNEX
AREA "B"

COUNTY

DR.

RD.

(311)

TO NEW ALBANY

FRIDGE

1980

1980

1980

1980

**INTERLOCAL JOINT COOPERATION AGREEMENT
CONCERNING THE IMPLEMENTATION OF CURBSIDE RECYCLING
PROGRAMS IN CITIES, TOWNS AND DESIGNATED AREAS
OF THE CLARK COUNTY SOLID WASTE MANAGEMENT DISTRICT**

WHEREAS the Clark County Solid Waste Management District Board of Directors ("District") is a duly-authorized and existing entity pursuant to I.C. 13-1-12-1 and I.C. 13-9.5-1-29;

WHEREAS the Clark County District Board of Directors serves a single-county district pursuant to I.C. 13-9.5-2-5, said single-county being Clark County, Indiana;

WHEREAS the District Board has, heretofore, approved a District Solid Waste Management Plan and amendments thereto ("the Plan") as is required by I.C. 13-9.5-4-1 and has complied with all requirements of notice and public hearing as required by law prior to submission of the Plan to appropriate state authorities;

WHEREAS certain provisions of the Plan provide for a requirement that the District implement curbside recycling programs within the District by the end of calendar year 1993;

WHEREAS the City of Jeffersonville, the Town of Clarksville, the City of Charlestown and the Town of Sellersburg are incorporated governmental units within the District ("the cities and towns," "governmental entity or entities" where applicable herein);

WHEREAS the Board of Commissioners of Clark County, Indiana ("Commissioners") is responsible for the general administrative government of the unincorporated areas of the county and is desirous of participating in a joint curbside recycling program for certain densely-populated areas of the county that are contiguous to a municipality, specifically 1990 Census Tract 506.04 ("the county area" - see attached map);

WHEREAS the cities and towns, by their duly-authorized representatives whose signatures appear hereon, are each, respectively, desirous of entering into a joint curbside recycling program for the geographical area located within their respective corporate/municipal boundaries ("the cities and towns");

WHEREAS the District, pursuant to I.C. 13-9.5-2-11 et seq. has the power to develop and implement a solid waste management plan, the power to receive and disburse funds, the power to otherwise do all things necessary for the reduction, management and disposal of solid waste and the recovery of waste products from the solid waste stream, the power to adopt resolutions that have the force of law and the power to enter into interlocal cooperation agreements for fiscal, administrative, managerial or operational services from a county or municipality;

WHEREAS I.C. 36-1-7-2, 36-1-7-3 and 36-1-7-12 provide the legal mechanism for the Commissioners, the cities and towns and the District to enter into an interlocal joint agreement for mandatory curbside recycling programs in the District, consistent to the Plan previously submitted to state authorities by the District ("Interlocal Agreement");

WHEREAS the cities and towns and the Commissioners and the District have executed, on even date herewith, "A Resolution and Ordinance Establishing Mandatory Curbside Recycling Within the Corporate Boundaries of Designated Cities and Towns and Within Designated Unincorporated Areas of the Clark County Solid Waste Management District and For Regulating Recycling in the District" ("the Resolution and Ordinance"), which contains provisions, performances, requirements and definitions to which all signers of this Instrument agree and the Resolution and Ordinance, and all its provisions, performances, requirements and definitions are incorporated herein and made a part hereof.

NOW, THEREFORE, BE IT AGREED BY THE DISTRICT, THE CITIES AND TOWNS AND COMMISSIONERS AS FOLLOWS:

(1) That each and every recital stated above is incorporated into this Agreement;

(2) The District, the Commissioners and the cities and towns (hereinafter "the parties," where applicable) hereby authorize and appoint the District as the sole and exclusive bidding party responsible for the advertisement, awarding, management and coordination of payment (subject to the provisions contained below) of a curbside recycling contract for the cities and towns and for the 1990 Census Tract 506.04 of unincorporated Clark County, Indiana ("the county area"), which contract shall become operational on or about January 1, 1994 and shall be for a four (4) year term thereafter;

(3) The parties further agree that the cities and towns, and the Commissioners, shall each, respectively, refrain from engaging in any individual curbside recycling projects or vendor contracts within the contract area during the contract term unless same is approved and coordinated by the Board of Directors of the District as a result of a three-fourths (3/4) vote of all members of said Board of Directors present and voting;

(4) The parties further agree that they shall be responsible for management and payment of said four-year recycling vendor contract, during each of the years of said contract, as follows:

a. The District will bear the full cost of bidding, initiating, coordinating, implementing and managing the contract during the contract term. The District will bear the full cost of all publications required by law for each governmental entity participating herein in order for the Resolution and Ordinance to become effectively and legally promulgated.

b. During the **First** year of the contract, the District shall be responsible for paying all of the cost of the recycling vendor contract.

c. During the **Second** year of the contract each participating city and town, and the Commissioners in relation to the county area, shall be responsible for paying one-half (1/2) of the cost of the recycling vendor contract. The District will pay the remaining one-half (1/2) thereof.

d. During the **Third** year of the contract each participating city and town, and the Commissioners in relation to the county area, shall be responsible for paying two-thirds (2/3) of the cost of the recycling vendor contract. The District will pay the remaining one-third (1/3) thereof.

e. During the **Fourth** year of the contract each participating city and town, and the Commissioners in relation to the county area, shall be responsible for paying three-fourths (3/4) of the cost of the recycling vendor contract. The District will pay the remaining one-fourth (1/4) thereof.

f. After expiration of the initial four-year term, and in the event that said contract and this Agreement are extended the District shall continue to perform, upon terms agreeable to all parties, the contract responsibilities set forth in Paragraph 4 (a) above. Further, in each such subsequent year, each city and town, and the Commissioners, will be responsible for the full cost of providing curbside recycling services to all eligible residents within the respective corporate limits of the cities and towns and (as applicable to the Commissioners) within the county area, respectively.

(5) In consideration of the District bearing the expenses and contract responsibilities set forth hereinabove, the cities and towns, and the Commissioners (in relation to the county area) further agree to the following terms of this Joint Interlocal Agreement:

a. The cities and towns and the Commissioners agree to pass, without amendment, an "A Resolution and Ordinance Establishing Mandatory Curbside Recycling Within the Corporate Boundaries of Designated Cities and Towns and Within Designated Unincorporated Areas of the Clark County Solid Waste Management District and For Regulating Recycling in the District" ("the Resolution and Ordinance") in the form that is set forth in the attached "Exhibit A";

b. The cities and towns and the Commissioners agree to individually pass, promulgate, administer and enforce the Resolution and Ordinance without amendment, and to abide by all terms thereof, both in relation to the District and in relation to the other provisions and responsibilities contained therein.

c. The cities and towns and the Commissioners agree to perform all payments and performances required of them, as set forth in the Resolution and Ordinance. Further, the cities, towns and Commissioners hereby agree that performance of their respective obligations, including payment obligations, shall be agreed and considered by them to be specific conditions precedent that must be met before the District shall be required to perform any obligation or performance contained in this Agreement or contained in the Resolution and Ordinance.

d. The cities and towns and the Commissioners agree to use good faith and best efforts, and to assign personnel of their respective entities, if requested, to the District and its personnel to assist in the preparation of the vendor contract bidding procedure. Further, these governmental entities and officials agree to provide District personnel and representatives such information and materials as are requested to assist the District in said bidding procedure.

e. The cities and towns and the Commissioners agree that the District shall bear all expense incurred during the planning and performance of the vendor contract bidding procedure, including all costs of publication and advertising.

(6) The District, cities and towns and the Commissioners relative to the county area hereby agree that the term of this Interlocal Agreement shall be the same duration of the vendor contract through the date that the last payment obligation due thereunder is paid by the District, which term is estimated to be four (4) years from institution of said contract

(7) The parties hereto expressly agree that, while the District shall be primarily responsible for management and administration of the recycling vendor contract and shall pay the sums of monies set forth hereinabove, the cities and towns shall be each responsible for the civil prosecution of any ordinance violations described in the Resolution and Ordinance. The District shall be entitled, upon receipt of such information from the vendor, to notify the parties hereto of any reported ordinance violation. Each city, town and the Commissioners hereby agree that it shall be their respective and exclusive duty and responsibility, upon such notification from the District or upon the issuance of a civil citation as described in the Resolution and Ordinance, to investigate such reports and to fully engage in collection procedures where applicable so as to enforce this Agreement and the Resolution and Ordinance.

(8) Time shall be of the essence of this Agreement. All performances required hereunder by any eligible participant, city, town or the Commissioners shall be timely performed.

(9) If any governmental entity that joins in this Agreement withdraws or attempts to withdraw from this Interlocal Agreement, or otherwise refuses to participate in the terms of this instrument or of the Resolution and Ordinance, the District shall be entitled to institute and exercise the collection remedies set forth

in Paragraph 7 of the Resolution and Ordinance, plus any other remedy provided by law, against such withdrawing or non-participating governmental entity.

(10) All provisions of this Interlocal Joint Cooperation Agreement shall be subject to, and interpreted by, Indiana law. Should any provision, portion, segment or section hereof be determined illegal or unconstitutional by a court of competent jurisdiction, then the remaining provisions, portions, segments or sections shall be severed therefrom and shall remain enforceable and legally binding. As between the cities and towns, the Commissioners and the District, all such entities and officials hereby expressly agree that any ambiguities in the interpretation, application or management of this Interlocal Joint Cooperation Agreement, or any terms hereof, shall be resolved in favor of the District.

(11) The terms of this Interlocal Joint Cooperation Agreement and Resolution and Ordinance may be amended (a) by a simply majority vote of the District Board of Directors, afterwhich proposed amendments shall (b) be submitted to all governmental entities who are parties to these instruments. These entities agree that such amendments shall be effective upon passage and approval, by simple majority, of the city councils, town boards or board of commissioners, respectively, for such governmental entities. However, this amendment procedure may not be used as a means to withdraw from participation in, or obligations under, the Interlocal Joint Cooperation Agreement and Resolution and Agreement during the term of the vendor contract.

(12) All of the provisions of this Interlocal Joint Cooperation Agreement and of the Resolution and Ordinance shall become null and void as between the District and any governmental entity that is a party hereto if such governmental entity does not pass, approve and execute these instruments on or before June 17, 1993.

THIS AGREEMENT ENTERED INTO BY THE DISTRICT AND THE BELOW-DESIGNATED GOVERNMENTAL ENTITIES, BY THEIR RESPECTIVE OFFICERS, WITHIN THE DISTRICT.

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE CLARK COUNTY SOLID WASTE MANAGEMENT DISTRICT
BOARD OF DIRECTORS:

Ralph Guthrie, President

Gregory L. Isgrigg

Paul F. Garrett

Harold G. Satterly

Richard Dickman

Raymond J. Parker

Steven R. Stemler

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF
JEFFERSONVILLE, INDIANA

Raymond J. Parker, Mayor

Peggy Wilder

Andrew Williams

Marie Clapp

Bill Wolpert

Robert L. Potter, President

Donna M. Frantz

Steven R. Stemler

Attest:

C. Richard Spencer
Clerk-Treasurer for the
City of Jeffersonville

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE TOWN COUNCIL OF THE TOWN OF CLARKSVILLE, INDIANA

Richard Dickman, President

John Krueger

Richard Lewis

Raymond Richard

Bob Popp

John Minta

Charles King

Attest:

Clay Baird, Clerk-Treasurer
for the Town of Clarksville

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE COMMON COUNCIL OF THE CITY OF CHARLESTOWN,
INDIANA

Bob Braswell, Mayor

Gary Moore

France Hensley, President

Geneva Noe

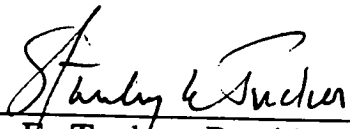
Hiram Abbott


Ward Tackett

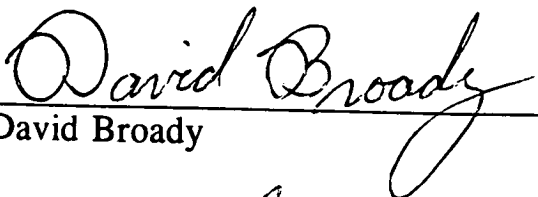
Attest:


Dorothea Jenkins, Clerk-Treasurer
for the City of Charlestown

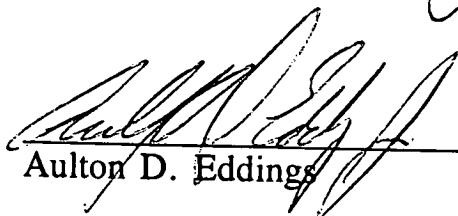
SIGNED AND EXECUTED THIS 28 DAY OF JUNE, 1993
BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA


Stanley E. Tucker, President

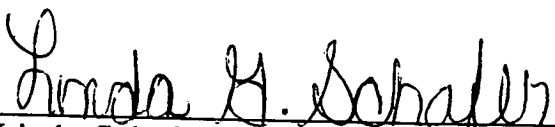

Roy E. Everitt


David Broady


Karl N. Truman


Aulton D. Eddings

Attest:


Linda Schafer, Clerk-Treasurer
for the Town of Sellersburg

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE BOARD OF COMMISSIONERS OF CLARK COUNTY, INDIANA

Ralph Guthrie, President

Paul F. Garrett

Gregory L. Isgrigg

Attest:

Keith D. Groth, Auditor
Clark County, Indiana

RESOLUTION ADOPTING COMPREHENSIVE PLAN

RESOLUTION NO. 1993-11

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, ADOPTING THE COMPREHENSIVE PLAN OF THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Plan Commission of Sellersburg, Indiana, did on June 15, 1993, hold a public hearing to consider adoption of the herein attached Comprehensive Plan for the town, and

WHEREAS, the Plan Commission did consider said Comprehensive Plan until all remonstrances were heard, and

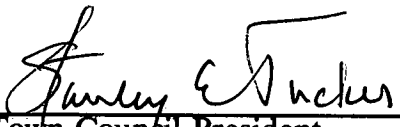
WHEREAS, the Plan Commission found that this plan meets the requirements of IC 36-7-4-500, and that adoption of this plan element to be in the best interests of the town, and

WHEREAS, the Town Council finds that it is in the best interests of the town to adopt said plan,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council hereby adopts the attached as the Comprehensive Plan of the Town of Sellersburg, Indiana.

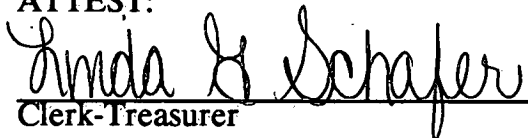
This resolution shall be effective from and after its passage.

DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, on this the 12 day of July, 1993.



Town Council President

ATTEST:



Clerk-Treasurer

**RESOLUTION OF THE PLAN COMMISSION
ADOPTING THE COMPREHENSIVE PLAN**

Resolution No:

Passed:

A RESOLUTION RECOMMENDING THAT THE TOWN COUNCIL OF SELLERSBURG, INDIANA ADOPT THE ATTACHED COMPREHENSIVE PLAN OF THE TOWN, CONSISTENT WITH INDIANA STATE LAW (Section 36-7-4-502) REQUIREMENTS, WHICH STATE THAT A COMPREHENSIVE PLAN MUST CONTAIN THE FOLLOWING ELEMENTS:

- (1) A statement of objectives for the future development of the jurisdiction.
- (2) A statement of policy for the land use development of the jurisdiction.
- (3) A statement of policy for the development of public ways, public places, public lands, public structures, and public utilities.

WHEREAS, the Plan Commission of Sellersburg, Indiana, did on June 15, 1993, hold a legally advertised public hearing on the proposed Comprehensive Plan of Sellersburg, Indiana, until all objections and remonstrances were heard; and

WHEREAS, the Plan Commission found that said plan element is in the best interests of the citizens of Sellersburg, Indiana


NOW, THEREFORE, BE IT RESOLVED, that the Plan Commission of Sellersburg, Indiana, recommends to the Town Council the adoption of said Comprehensive Plan.

6/29/93

Date



President
Plan Commission



Secretary
Plan Commission

TRANSMITTAL OF COMPREHENSIVE PLAN TO LEGISLATIVE BODY

RESOLUTION

WHEREAS, the Sellersburg Plan Commission of the Town of Sellersburg, Indiana, has been given careful study to the requirements of the town for the establishment of a Comprehensive Plan and,

WHEREAS, said plan has been submitted to a properly advertised Public Hearing, which hearing was held in the Sellersburg Public Library on the Fifteenth Day of June, 1993, and all suggestions and criticisms have been given careful study and consideration,

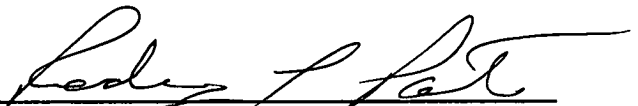
WHEREAS, the Plan was approved by the Plan Commission on June 29th, 1993.

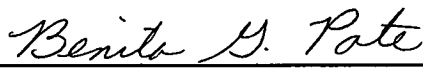
NOW, THEREFORE, BE IT RESOLVED, that said Plan be recommended to the Town Council of the Town of Sellersburg, Indiana, for passage, and that the Secretary of the Commission is hereby directed to certify a copy of said Plan to the Council at their next meeting for consideration and passage.

Adopted this 29th day of June, 1993.

SELLERSBURG PLAN COMMISSION OF

Sellersburg, Indiana

By: 
President

By: 
Secretary

ORDINANCE 93-561

Whereas, it has been determined that it is now necessary to appropriate money that was not appropriated in the annual budget for calander year 1993; now, therefore:

Be it obtained by the Town Council of the Civil Town of Sellersburg, Clark County, Indiana, that for expenses of the taxing unit the following sum of money is hereby appropriated out of the fund named and for the purpose specified, subject to the laws governing the same;

Name of Fund	Acct. Title	Amount of Appropriation Requested
CCD/Capital Outlays	Police Dept. Vehicles	12,200.00
CCD/Capital Outlays	Street & Sanit. Vehicle	8,100.00
CCD/Capital Outlays	Street & Sanit. Tractor w/attach.	7,520.00
CCD/Capital Outlays	Town Hall Garage Roof Repairs	<u>3,732.00</u>
		31,552.00

Adopted by the Town Council of the Civil Town of Sellersburg, Indiana, on this 10th day of May 1993.

David L. Broady
David Broady

Karl Truman
Karl Truman

Aulton D. Eddings Jr.
Aulton D. Eddings Jr.

Stanley E. Tucker
Stanley E. Tucker

Roy E. Everitt
Roy E. Everitt

ATTEST: Linda G. Schafer
Linda G. Schafer
Clerk Treasurer

ORDINANCE 93-561

Whereas, it has been determined that it is now necessary to appropriate money that was not appropriated in the annual budget for calander year 1993; now, therefore:

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Name of Fund	Acct. Title	Amount of Appropriation Requested
CCD/Capital Outlays	Police Dept. Vehicles	12,200.00
CCD/Capital Outlays	Street & Sanit. Vehicle	8,100.00
CCD/Capital Outlays	Street & Sanit. Tractor w/attach.	7,520.00
CCD/Capital Outlays	Town Hall Garage Roof Repairs	<u>3,732.00</u>
		31,552.00

Adopted by the Town Council of the Civil Town of Sellersburg, Indiana, on this 10th day of May 1993.

David L. Broady
David Broady

Karl Truman
Karl Truman

Multon D. Eddings Jr.
Multon D. Eddings Jr.

Stanley E. Tucker
Stanley E. Tucker

Roy E. Everitt
Roy E. Everitt

ATTEST: Linda G. Schafer
Linda G. Schafer
Clerk Treasurer

10208

RECEIVED
FOR RECORD

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

JUL 6 2:23 PM '93
RECORDED IN Deed DRA 25
INSTR. NO. 10208
RALPH C. STEMLER
RECORDER OF CLARK CO.

JUL 06 1993

ORDINANCE NO. 93-563

[Signature]
AUDITOR CLARK COUNTY

AN ORDINANCE ANNEXING PROPERTY OF
RAINELDES MEINRAD BORHO AND EDNA PAULINE BORHO

WHEREAS, Petition for Annexation of real property was filed by Raineldes Meinrad Borho and Edna Pauline Borho, would be Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to Indiana Code 36-4-3-5, and that the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

Being a part of Survey No. 88 of the Illinois Grant, bounded thus: Beginning at an iron pipe in the eastern line of State Route No. 31-W. Said point being the western corner of the tract deeded to Glenn C. Porter and wife as shown in Deed Record 159, page 327, Clark County Courthouse. Thence N. 25 deg. 10' East along said eastern line of State Route No. 31-W 878 feet to the true place of beginning, thence continuing N. 25 deg. 10' East 100 feet to an iron pipe, thence South 64 deg. 50' East 510 feet to an iron pipe, thence South 25 deg. 10' West 69.96 feet to an iron pipe, thence N. 68 deg. 19' West 510.95 feet to the true place of beginning.

The Petitioners represent that they are the owners of the land and territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg.

The Petitioners further represent and certify that they are the 100% owners of the land and territory to be annexed and/or the 100% owners of the total assessed value of the land for property tax purposes.

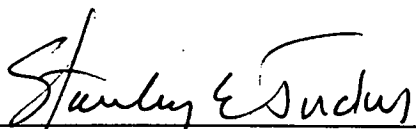
THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Raineldes Meinrad Borho and Edna Pauline Borho, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to Indiana Code 36-4-3-5; and

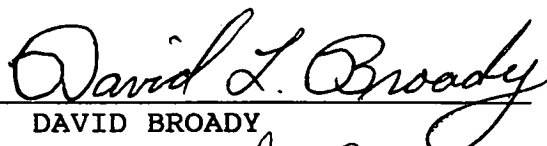
BE IT FURTHER ORDAINED AND ORDERED, that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with Indiana Code 36-4-3-7, Indiana Code 5-3-1, which requires that the first publication be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 5.

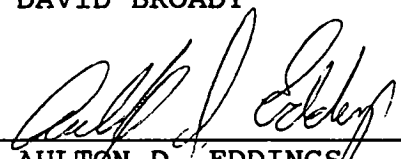
THE HEREIN ORDINANCE NO. 93-563 SHALL TAKE EFFECT SIXTY (60) DAYS AFTER ITS FINAL PUBLICATION.


PASSED AND ADOPTED THIS 10th DAY OF MAY, 1993 BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.


STANLEY E. TUCKER



DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY: 
William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

RECEIVED
FOR RECORD

10208

JUL 6 2 23 PM '93
RECORDED IN Deed DRA 25
INSTR. NO. 10208
RALPH C. STEMLER
RECORDER OF CLARK CO.

ORDINANCE NO. 93-563

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

JUL 06 1993

Keith D. ...
AUDITOR CLARK COUNTY

AN ORDINANCE ANNEXING PROPERTY OF
RAINELDES MEINRAD BORHO AND EDNA PAULINE BORHO

WHEREAS, Petition for Annexation of real property was filed by Raineldes Meinrad Borho and Edna Pauline Borho, would be Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to Indiana Code 36-4-3-5, and that the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

Being a part of Survey No. 88 of the Illinois Grant, bounded thus: Beginning at an iron pipe in the eastern line of State Route No. 31-W. Said point being the western corner of the tract deeded to Glenn C. Porter and wife as shown in Deed Record 159, page 327, Clark County Courthouse. Thence N. 25 deg. 10' East along said eastern line of State Route No. 31-W 878 feet to the true place of beginning, thence continuing N. 25 deg. 10' East 100 feet to an iron pipe, thence South 64 deg. 50' East 510 feet to an iron pipe, thence South 25 deg. 10' West 69.96 feet to an iron pipe, thence N. 68 deg. 19' West 510.95 feet to the true place of beginning.

The Petitioners represent that they are the owners of the land and territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg.

The Petitioners further represent and certify that they are the 100% owners of the land and territory to be annexed and/or the 100% owners of the total assessed value of the land for property tax purposes.

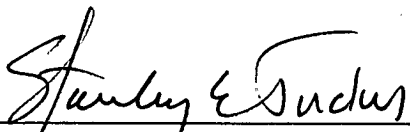
THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Raineldes Meinrad Borho and Edna Pauline Borho, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to Indiana Code 36-4-3-5; and

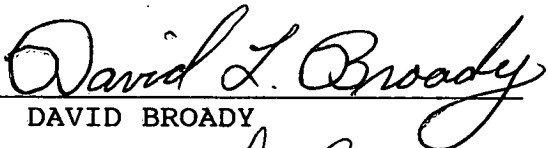
BE IT FURTHER ORDAINED AND ORDERED, that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with Indiana Code 36-4-3-7, Indiana Code 5-3-1, which requires that the first publication be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 5.

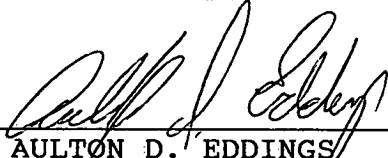
THE HEREIN ORDINANCE NO. 93-563 SHALL TAKE EFFECT SIXTY (60) DAYS AFTER ITS FINAL PUBLICATION.


PASSED AND ADOPTED THIS 10th DAY OF MAY, 1993 BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.



STANLEY E. TUCKER



DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY: 
William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

\$ 8.00 Perry McCall

✓

RECEIVED
RECORD

10209

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

JUL 6 2 24 PM '93

JUL 06 1993

RECORDED IN DRA 25

ORDINANCE NO. 93-564

INSTR. NO. 10209
RALPH C. STEMLER
RECORDER OF CLARK CO.

[Signature]
AUDITOR CLARK COUNTY

AN ORDINANCE ANNEXING PROPERTY OF
JOHN E. EHRINGER AND JUDY Y. EHRINGER

WHEREAS, Petition for Annexation of real property was filed by John E. Ehringer and Judy Y. Ehringer, would be Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to Indiana Code 36-4-3-5, and that the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

A part of Survey Number 88 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the most eastern corner of said grant 88, said corner being the common corner of grants 108, 110, 89 and 88, and running thence S. 54 deg. 22' W. along the line dividing grants 88 and 108, for a distance of 2260 feet to a point in the eastern right-of-way of State Highway 311; thence running S. 25 deg. 00' W. along said right-of-way line for a distance of 797.0 feet to a point; thence continuing with the eastern right-of-way line of State Highway 311, S. 25 deg. 10' W. for a distance of 728.65 feet to an iron pipe, the TRUE PLACE OF BEGINNING of the tract herein described; thence running S. 61 deg. 43' 49" E. for a distance of 214.11 feet to an iron pipe; thence running S. 27 deg. 44' 04" W. for a distance of 90.00 feet to an iron pipe; thence No. 64 deg. 50' W. for a distance of 209.76 feet to an iron pin in the eastern right-of-way of State Highway 311; thence running No. 25 deg. 10' E. with said right-of-way line for a distance of 101.50 feet to THE TRUE PLACE OF BEGINNING, containing in all 0.466 acre.

The Petitioners represent that they are the owners of the land and territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg.

The Petitioners further represent and certify that they are the 100% owners of the land and territory to be annexed and/or the 100% owners of the total assessed value of the land for property tax purposes.

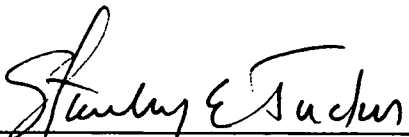
THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by John E. Ehringer and Judy Y. Ehringer, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to Indiana Code 36-4-3-5; and

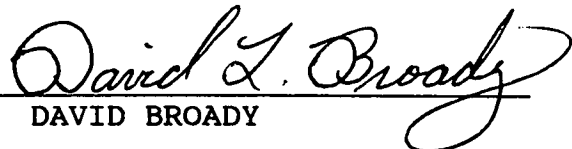
BE IT FURTHER ORDAINED AND ORDERED, that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with Indiana Code 36-4-3-7, Indiana Code 5-3-1, which requires that the first publication be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 5.

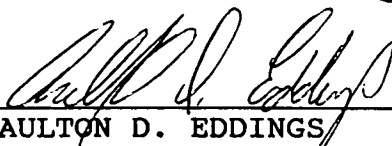
THE HEREIN ORDINANCE NO. 93-564 SHALL TAKE EFFECT SIXTY (60) DAYS AFTER ITS FINAL PUBLICATION.

PASSED AND ADOPTED THIS 10th DAY OF MAY, 1993 BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.


STANLEY E. TUCKER



DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARE N. TRUMAN

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY: 

William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

RECEIVED
FOR RECORD 10209

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

JUL 6 2 24 PM '93
RECORDED IN Deed ORA 25
INSTR. NO. 10209
RALPH C. STEMLER
RECORDER OF CLARK CO.

ORDINANCE NO. 93-564

JUL 06 1993

[Signature]
AUDITOR CLARK COUNTY

AN ORDINANCE ANNEXING PROPERTY OF
JOHN E. EHRINGER AND JUDY Y. EHRINGER

WHEREAS, Petition for Annexation of real property was filed by John E. Ehringer and Judy Y. Ehringer, would be Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to Indiana Code 36-4-3-5, and that the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

A part of Survey Number 88 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the most eastern corner of said grant 88, said corner being the common corner of grants 108, 110, 89 and 88, and running thence S. 54 deg. 22' W. along the line dividing grants 88 and 108, for a distance of 2260 feet to a point in the eastern right-of-way of State Highway 311; thence running S. 25 deg. 00' W. along said right-of-way line for a distance of 797.0 feet to a point; thence continuing with the eastern right-of-way line of State Highway 311, S. 25 deg. 10' W. for a distance of 728.65 feet to an iron pipe, the TRUE PLACE OF BEGINNING of the tract herein described; thence running S. 61 deg. 43' 49" E. for a distance of 214.11 feet to an iron pipe; thence running S. 27 deg. 44' 04" W. for a distance of 90.00 feet to an iron pipe; thence No. 64 deg. 50' W. for a distance of 209.76 feet to an iron pin in the eastern right-of-way of State Highway 311; thence running No. 25 deg. 10' E. with said right-of-way line for a distance of 101.50 feet to THE TRUE PLACE OF BEGINNING, containing in all 0.466 acre.

The Petitioners represent that they are the owners of the land and territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg.

The Petitioners further represent and certify that they are the 100% owners of the land and territory to be annexed and/or the 100% owners of the total assessed value of the land for property tax purposes.

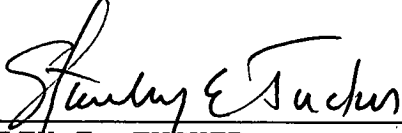
THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by John E. Ehringer and Judy Y. Ehringer, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to Indiana Code 36-4-3-5; and

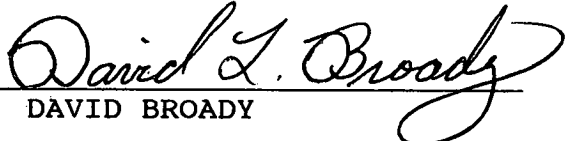
BE IT FURTHER ORDAINED AND ORDERED, that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with Indiana Code 36-4-3-7, Indiana Code 5-3-1, which requires that the first publication be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 5.

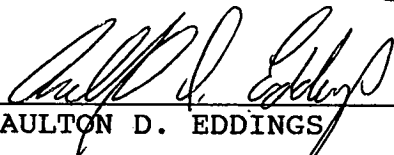
THE HEREIN ORDINANCE NO. 93-564 SHALL TAKE EFFECT SIXTY (60) DAYS AFTER ITS FINAL PUBLICATION.

PASSED AND ADOPTED THIS 10th DAY OF MAY, 1993 BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.


STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARE N. TRUMAN

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY: 

William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

8.00
Perry McCall

✓

ORDINANCE NO. 93-565

AN ORDINANCE ANNEXING PROPERTY OF
HAROLD L. DEAN JR. AND KIMBERLY DEAN

WHEREAS, Petition for Annexation of real property was filed by Harold L. Dean Jr. and Kimberly Dean, would be Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to Indiana Code 36-4-3-5, and that the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

A part of Survey Number 88 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the most eastern corner of said grant 88, said corner being the common corner of grants 108, 110, 89 and 88, and running thence S. 54 deg. 22' W. along the line dividing grants 88 and 108, for a distance of 2260 feet to a point in the eastern right-of-way of State Highway 311; thence running S. 25 deg. 00' W. along said right-of-way line for a distance of 797.0 feet to a point; thence continuing with the eastern right-of-way line of State Highway 311, S. 25 deg. 10' W. for a distance of 627.15 feet to an iron pin, the TRUE PLACE OF BEGINNING of the tract herein described:

Thence running S. 58 deg. 42' 16" E. for a distance of 219.41 feet to an iron pin; thence running S. 27 deg. 44' 04" W. along the western line of a certain 6.3858 acre tract for a distance of 179.77 feet to a point; thence running N. 64 deg. 50' W. for a distance of 209.76 feet to a point in the eastern right-of-way of State Highway 311; thence running N. 25 10' E. with said right-of-way line for a distance of 203.0 feet to the true place of beginning, containing in all 0.94 acre.

Excepting therefrom the following described real estate: A part of Survey No. 88 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the most eastern corner of said Grant 88, said corner being the common corner of Grants 108, 110, 89 and 88, and running thence S. 54 deg. 22' W. along the line dividing Grants 88 and 108, for a distance of 2260 feet to a point in the eastern right-of-way of State Highway 311; thence running S. 25 deg. 00' W. along said right-of-way line for a distance of 797.0 feet to a point: thence continuing with the eastern right-of-way line of State Highway 311, S. 25 deg. 10' W. for a distance of 728.65 feet to an iron pipe, the true place of beginning of the tract herein described:

Thence running S. 61 deg. 43' 49" E. for a distance of 214.11 feet to an iron pipe: thence running S. 27 deg. 44' 04" W. for a distance of 90.00 feet to an iron pipe, thence N. 64 50' W. for a distance of 209.76 feet to an iron pin in the eastern right-of-way of State Highway 311; thence running N. 25 deg. 10' E. with said right-of-way line for a distance of 101.50 feet to the true place of beginning, containing in all 0.466 acre. Leaving after said exception .474 acres.

The Petitioners represent that they are the owners of the land and territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg.

The Petitioners further represent and certify that they are the 100% owners of the land and territory to be annexed and/or the 100% owners of the total assessed value of the land for property tax purposes.

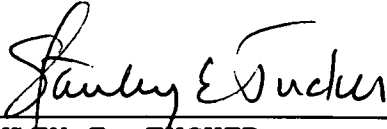
THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Harold L. Dean and Kimberly Dean, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to Indiana Code 36-4-3-5; and

BE IT FURTHER ORDAINED AND ORDERED, that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with Indiana Code 36-4-3-7, Indiana Code 5-3-1, which requires that the first publication be made within two (2) weeks after the date of adoption of this Ordinance.


BE IT FURTHER ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 5.

THE HEREIN ORDINANCE NO. 93-565 SHALL TAKE EFFECT SIXTY (60) DAYS AFTER ITS FINAL PUBLICATION.

PASSED AND ADOPTED THIS 10th DAY OF MAY, 1993 BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.



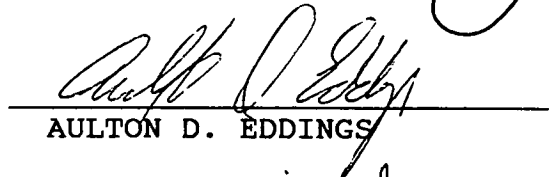
STANLEY E. TUCKER



DAVID BROADY



ROY E. EVERITT



AULTON D. EDDINGS




KARL N. TRUMAN

ATTEST:



LINDA SCHAFER
CLERK/TREASURER

PREPARED BY:


William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

RECEIVED
FOR RECORD

JUL 6 2 24 PM '93

RECORDED IN DRA 25


INSTR. NO. 10210

RALPH C. STEMLER
RECORDER OF CLARK CO.

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

JUL 06 1993

ORDINANCE NO. 93-565


AUDITOR CLARK COUNTY

AN ORDINANCE ANNEXING PROPERTY OF
HAROLD L. DEAN JR. AND KIMBERLY DEAN

WHEREAS, Petition for Annexation of real property was filed by Harold L. Dean Jr. and Kimberly Dean, would be Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to Indiana Code 36-4-3-5, and that the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

A part of Survey Number 88 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the most eastern corner of said grant 88, said corner being the common corner of grants 108, 110, 89 and 88, and running thence S. 54 deg. 22' W. along the line dividing grants 88 and 108, for a distance of 2260 feet to a point in the eastern right-of-way of State Highway 311; thence running S. 25 deg. 00' W. along said right-of-way line for a distance of 797.0 feet to a point; thence continuing with the eastern right-of-way line of State Highway 311, S. 25 deg. 10' W. for a distance of 627.15 feet to an iron pin, the TRUE PLACE OF BEGINNING of the tract herein described:

Thence running S. 58 deg. 42' 16" E. for a distance of 219.41 feet to an iron pin; thence running S. 27 deg. 44' 04" W. along the western line of a certain 6.3858 acre tract for a distance of 179.77 feet to a point; thence running N. 64 deg. 50' W. for a distance of 209.76 feet to a point in the eastern right-of-way of State Highway 311; thence running N. 25 10' E. with said right-of-way line for a distance of 203.0 feet to the true place of beginning, containing in all 0.94 acre.

Excepting therefrom the following described real estate: A part of Survey No. 88 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the most eastern corner of said Grant 88, said corner being the common corner of Grants 108, 110, 89 and 88, and running thence S. 54 deg. 22' W. along the line dividing Grants 88 and 108, for a distance of 2260 feet to a point in the eastern right-of-way of State Highway 311; thence running S. 25 deg. 00' W. along said right-of-way line for a distance of 797.0 feet to a point: thence continuing with the eastern right-of-way line of State Highway 311, S. 25 deg. 10' W. for a distance of 728.65 feet to an iron pipe, the true place of beginning of the tract herein described:

Thence running S. 61 deg. 43' 49" E. for a distance of 214.11 feet to an iron pipe: thence running S. 27 deg. 44' 04" W. for a distance of 90.00 feet to an iron pipe, thence N. 64 50' W. for a distance of 209.76 feet to an iron pin in the eastern right-of-way of State Highway 311; thence running N. 25 deg. 10' E. with said right-of-way line for a distance of 101.50 feet to the true place of beginning, containing in all 0.466 acre. Leaving after said exception .474 acres.

The Petitioners represent that they are the owners of the land and territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg.

The Petitioners further represent and certify that they are the 100% owners of the land and territory to be annexed and/or the 100% owners of the total assessed value of the land for property tax purposes.

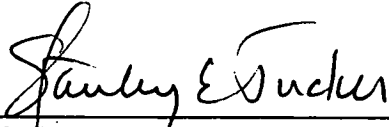
THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Harold L. Dean and Kimberly Dean, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to Indiana Code 36-4-3-5; and

BE IT FURTHER ORDAINED AND ORDERED, that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with Indiana Code 36-4-3-7, Indiana Code 5-3-1, which requires that the first publication be made within two (2) weeks after the date of adoption of this Ordinance.

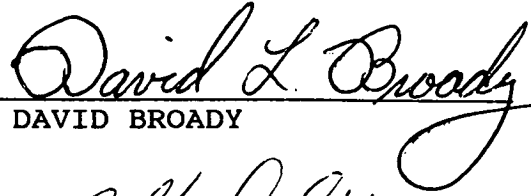
BE IT FURTHER ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 5.

THE HEREIN ORDINANCE NO. 93-565 SHALL TAKE EFFECT SIXTY (60) DAYS AFTER ITS FINAL PUBLICATION.

PASSED AND ADOPTED THIS 10th DAY OF MAY, 1993 BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.



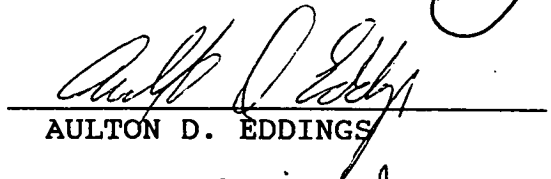
STANLEY E. TUCKER



DAVID BROADY



ROY E. EVERITT



AULTON D. EDDINGS




KARL N. TRUMAN

ATTEST:



LINDA SCHAFER
CLERK/TREASURER

PREPARED BY:


William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

10210

RECEIVED
FOR RECORD

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

JUL 6 2²⁵ PM '93
deed
RECORDED IN DRA 25
INSTR. NO. **10210**
RALPH C. STEMLER
RECORDER OF CLARK CO.

JUL 06 1993

Keith Noel
AUDITOR CLARK COUNTY

ORDINANCE NO. 93-565

AN ORDINANCE ANNEXING PROPERTY OF
HAROLD L. DEAN JR. AND KIMBERLY DEAN

WHEREAS, Petition for Annexation of real property was filed by Harold L. Dean Jr. and Kimberly Dean, would be Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to Indiana Code 36-4-3-5, and that the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

A part of Survey Number 88 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the most eastern corner of said grant 88, said corner being the common corner of grants 108, 110, 89 and 88, and running thence S. 54 deg. 22' W. along the line dividing grants 88 and 108, for a distance of 2260 feet to a point in the eastern right-of-way of State Highway 311; thence running S. 25 deg. 00' W. along said right-of-way line for a distance of 797.0 feet to a point; thence continuing with the eastern right-of-way line of State Highway 311, S. 25 deg. 10' W. for a distance of 627.15 feet to an iron pin, the TRUE PLACE OF BEGINNING of the tract herein described:

Thence running S. 58 deg. 42' 16" E. for a distance of 219.41 feet to an iron pin; thence running S. 27 deg. 44' 04" W. along the western line of a certain 6.3858 acre tract for a distance of 179.77 feet to a point; thence running N. 64 deg. 50' W. for a distance of 209.76 feet to a point in the eastern right-of-way of State Highway 311; thence running N. 25 10' E. with said right-of-way line for a distance of 203.0 feet to the true place of beginning, containing in all 0.94 acre.

Excepting therefrom the following described real estate: A part of Survey No. 88 of the Illinois Grant, Silver Creek Township, Clark County, Indiana, more particularly described as follows: Commencing at the most eastern corner of said Grant 88, said corner being the common corner of Grants 108, 110, 89 and 88, and running thence S. 54 deg. 22' W. along the line dividing Grants 88 and 108, for a distance of 2260 feet to a point in the eastern right-of-way of State Highway 311; thence running S. 25 deg. 00' W. along said right-of-way line for a distance of 797.0 feet to a point: thence continuing with the eastern right-of-way line of State Highway 311, S. 25 deg. 10' W. for a distance of 728.65 feet to an iron pipe, the true place of beginning of the tract herein described:

Thence running S. 61 deg. 43' 49" E. for a distance of 214.11 feet to an iron pipe: thence running S. 27 deg. 44' 04" W. for a distance of 90.00 feet to an iron pipe, thence N. 64 50' W. for a distance of 209.76 feet to an iron pin in the eastern right-of-way of State Highway 311; thence running N. 25 deg. 10' E. with said right-of-way line for a distance of 101.50 feet to the true place of beginning, containing in all 0.466 acre. Leaving after said exception .474 acres.

The Petitioners represent that they are the owners of the land and territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg.

The Petitioners further represent and certify that they are the 100% owners of the land and territory to be annexed and/or the 100% owners of the total assessed value of the land for property tax purposes.

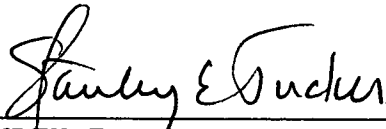
THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Harold L. Dean and Kimberly Dean, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to Indiana Code 36-4-3-5; and

BE IT FURTHER ORDAINED AND ORDERED, that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with Indiana Code 36-4-3-7, Indiana Code 5-3-1, which requires that the first publication be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 5.

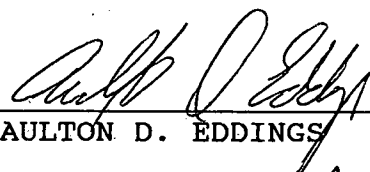
THE HEREIN ORDINANCE NO. 93-565 SHALL TAKE EFFECT SIXTY (60) DAYS AFTER ITS FINAL PUBLICATION.

PASSED AND ADOPTED THIS 10th DAY OF MAY, 1993 BY THE TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA.


STANLEY E. TUCKER


DAVID BROADY

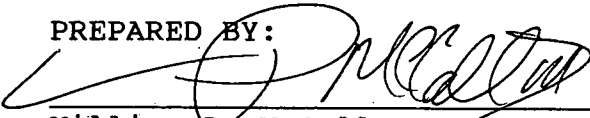

ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

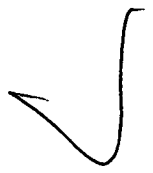
ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY:


William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

\$ 10.00
Perry McCall

[Faint, illegible handwritten text, possibly bleed-through from the reverse side of the page]



ORDINANCE NO. 93-566

AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA
RESCINDING ORDINANCE NO. 93-556, ORDINANCE NO.
93-557, ORDINANCE NO. 93-558, ORDINANCE NO.
93-559 AND ORDINANCE NO. 93-560

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 12th day of April, 1993, pass in regular session of Sellersburg Town Council, Annexation Ordinance No. 93-556, Annexation Ordinance No. 93-557, Annexation Ordinance No. 558, Annexation Ordinance No. 93-559 and Annexation Ordinance No. 93-560; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, by inadvertent mistake and omission did not pass a resolution adopting the Fiscal Plan for the areas to be annexed under the said annexation ordinances prior to the adoption of said annexation ordinances; and

WHEREAS, the Town Attorney for the Town of Sellersburg, Indiana, did not present said resolutions to the Town Council for the Town of Sellersburg, prior to the adoption and passage of said annexation ordinances as is required under Indiana Law; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that said annexation ordinances should be rescinded, in that the failure to pass the resolution adopting the Fiscal Plan for the areas to be annexed under said ordinances threatens a disruption of the municipality's governmental activity concerning said annexation area due to the potential for remonstrance; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes that rescinding said annexation ordinances will benefit the efficient and effective administration of Town Government; and

WHEREAS, this matter has been presented and considered in an open meeting in which the public have been given notice pursuant to I.C. 5-14-1.5-5, and the opportunity to address the issue currently before the Town Council.

BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that Annexation Ordinance No. 93-556, Annexation Ordinance No. 93-557, Annexation Ordinance No. 93-558, Annexation Ordinance No. 93-559 and Annexation Ordinance No. 93-560, shall be and hereby are rescinded as of this 22nd day of May, 1993.

SO ORDAINED THIS 22nd DAY OF MAY, 1993.

STANLEY E. TUCKER

DAVID BROADY

ROY E. EVERITT

AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: _____
LINDA SCHAFER
CLERK/TREASURER

ORDINANCE NO. 93- 566

AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA
RESCINDING ORDINANCE NO. 93-556, ORDINANCE NO.
93-557, ORDINANCE NO. 93-558, ORDINANCE NO.
93-559 AND ORDINANCE NO. 93-560

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 12th day of April, 1993, pass in regular session of Sellersburg Town Council, Annexation Ordinance No. 93-556, Annexation Ordinance No. 93-557, Annexation Ordinance No. 558, Annexation Ordinance No. 93-559 and Annexation Ordinance No. 93-560; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, by inadvertent mistake and omission did not pass a resolution adopting the Fiscal Plan for the areas to be annexed under the said annexation ordinances prior to the adoption of said annexation ordinances; and

WHEREAS, the Town Attorney for the Town of Sellersburg, Indiana, did not present said resolutions to the Town Council for the Town of Sellersburg, prior to the adoption and passage of said annexation ordinances as is required under Indiana Law; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that said annexation ordinances should be rescinded, in that the failure to pass the resolution adopting the Fiscal Plan for the areas to be annexed under said ordinances threatens a disruption of the municipality's governmental activity concerning said annexation area due to the potential for remonstrance; and

ORDINANCE NO. 93-256

AN ORDINANCE OF THE TOWN OF SELLERSBURG, INDIANA
RESCINDING ORDINANCE NO. 93-256, ORDINANCE NO.
93-257, ORDINANCE NO. 93-258, ORDINANCE NO.
93-259 AND ORDINANCE NO. 93-260

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 12th day of April, 1993, pass in regular session of Sellersburg Town Council, Annexation Ordinance No. 93-256, Annexation Ordinance No. 93-257, Annexation Ordinance No. 258, Annexation Ordinance No. 93-259 and Annexation Ordinance No. 93-260; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, by inadvertent mistake and omission did not pass a resolution adopting the Fiscal Plan for the area to be annexed under the said annexation ordinances prior to the adoption of said annexation ordinances; and

WHEREAS, the Town Attorney for the Town of Sellersburg, Indiana, did not present said resolutions to the Town Council for the Town of Sellersburg, prior to the adoption and passage of said annexation ordinances as is required under Indiana Law; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that said annexation ordinances should be rescinded, in that the failure to pass the resolution adopting the Fiscal Plan for the area to be annexed under said ordinances threatens a disruption of the municipality's governmental activity concerning said annexation area due to the potential for remonstrance; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes that rescinding said annexation ordinances will benefit the efficient and effective administration of Town Government; and

WHEREAS, this matter has been presented and considered in an open meeting in which the public have been given notice pursuant to I.C. 5-14-1.5-5, and the opportunity to address the issue currently before the Town Council.

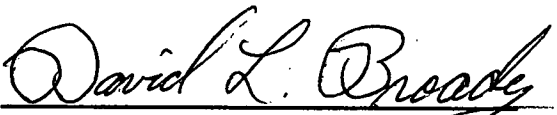
BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that Annexation Ordinance No. 93-556, Annexation Ordinance No. 93-557, Annexation Ordinance No. 93-558, Annexation Ordinance No. 93-559 and Annexation Ordinance No. 93-560, shall be and hereby are rescinded as of this 22nd day of May, 1993.

SO ORDAINED THIS 22nd DAY OF MAY, 1993.



STANLEY E. TUCKER


ROY E. EVERITT


KARL N. TRUMAN


DAVID BROADY



AULTON D. EDDINGS

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes that rescinding said annexation ordinances will benefit the efficient and effective administration of Town Government; and

WHEREAS, this matter has been presented and considered in an open meeting in which the public have been given notice pursuant to I.C. 5-14-1.5, and the opportunity to address the issue currently before the Town Council.

BE IT NOW THEREFORE ORDAINED by the Town Council for the Town of Sellersburg, Indiana, that Annexation Ordinance No. 93-256, Annexation Ordinance No. 93-257, Annexation Ordinance No. 93-258, Annexation Ordinance No. 93-259 and Annexation Ordinance No. 93-260, shall be and hereby are rescinded as of this 22nd day of May, 1993.
SO ORDAINED THIS 22nd DAY OF MAY, 1993.



DAVID BROADY

STANLEY E. LUCKER



COLTON T. EDWINGS

ROY E. EVERITT

ATTEST:

LINDA SCHAFER
CLERK/TREASURER

KARL N. TRUMAN

ORDINANCE NO. 93-567

AN ORDINANCE AMENDING ORDINANCE NO. 92-534
CONCERNING 1993 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 27th day of July, 1992, pass Ordinance No. 92-534, establishing the 1993 salary, holiday and longevity pay for the employees of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has been informed of changes that need to be made in the calculations of the pay rate for the following employees of the Town of Sellersburg, Claude Harper and Mark Warren; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, now wishes to make said changes to the calculations of said employees rate of pay; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes that said changes are in the best interest for the effective administration of Town government.

THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that Ordinance No. 92-534, concerning 1993 salary, holiday and longevity pay, shall be and hereby is amended to reflect the following changes:

STREET AND SANITATION DEPARTMENT SUPERINTENDENT:

Superintendent [Warren] Pay Rate:
o \$532.52 per week

SEWER DEPARTMENT

Laboror [Harper] \$7.71 per hour.

THE ABOVE AMENDMENT TO THE 1993 SALARY, HOLIDAY AND LONGEVITY PAY ORDINANCE SHALL BE MADE RETROACTIVE TO THE 6TH DAY OF MAY, 1993.

SO ORDAINED THIS 24 DAY OF May, 1993.

Stanley E. Tucker
STANLEY E. TUCKER

David L. Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY:

William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

ORDINANCE NO. 93-568

AN ORDINANCE AMENDING ORDINANCE NO. 92-534
CONCERNING 1993 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 27th day of July, 1992, pass Ordinance No. 92-534, establishing the 1993 salary, holiday and longevity pay for the employees of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has been informed of the need for changes that need to be made in the calculations of the pay rate for the following employee of the Town of Sellersburg, Clark Henson; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, now wishes to make said changes in the calculations of said employees rate of pay; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes that said change is in the best interest for the effective administration of Town government.

THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that Ordinance No. 92-534, concerning 1993 salary, holiday and longevity pay, shall be and hereby is amended to reflect the following change:

WATER DEPARTMENT

Superintendent [Henson] Pay Rate:
\$532.52 per week.

THE ABOVE AMENDMENT TO THE 1993 SALARY, HOLDIAY AND LONGEVITY PAY ORDINANCE SHALL BE MADE RETROACTIVE TO THE 20TH DAY OF MAY, 1993.

SO ORDAINED THIS 14 DAY OF June, 1993.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda A. Schaffer
LINDA SCHAFFER
CLERK/TREASURER

Sellersburg shall be assessed a fine of not less than \$25.00 and not more than \$500.00 for each violation of said Ordinance.

SO ORDAINED this 14th day of June, 1993.

Stanley E. Tucker

STANLEY E. TUCKER

David L. Broady

DAVID BROADY

Roy E. Everitt

ROY E. EVERITT

Aulton D. Eddings

AULTON D. EDDINGS

Karl N. Truman

KARL N. TRUMAN

ATTEST:

Linda H. Schaffer

LINDA SCHAFFER,
CLERK/TREASURER

ORDINANCE NO. 93- 569

AN ORDINANCE AMENDING ORDINANCE NO. 453 REGARDING UNAUTHORIZED USE AND DUMPING IN GARBAGE RECEPTACLES OF TOWN RESIDENCE

WHEREAS, the Town Council for the Town of Sellersburg did on the 25th day of April, 1988, adopt Ordinance No. 453 concerning unauthorized use and dumping into receptacles of residents of the Town of Sellersburg; and

WHEREAS, said Ordinance contains a penalty provision for violation of said Ordinance in an amount not less than \$25.00 but does not state a maximum penalty which can be assessed for violation of said of said Ordinance; and

WHEREAS, the penalty provision contained in such ordinance allows a fine not less than \$25.00 to be assessed for violation of said Ordinance; and

WHEREAS, said Ordinance did not contain a maximum fine for penalty that could be assessed for violation of said Ordinance; and

WHEREAS, the Town Council has determined for the efficient and effective administration of Town Government that the maximum fine which should be assessed for violation of said Ordinance should be \$500.00; and

WHEREAS, the Town Council for the Town of Sellersburg desires to remain in full force and effect all other provisions of said Ordinance.

BE IT THEREFORE NOW ORDAINED that a person in violation of Ordinance No. 453 concerning the unauthorized dumping of garbage and trash in the garbage receptacles of residents of the Town of

Perry McCall
Has original

ORDINANCE NO. 93- 570

AN ORDINANCE ANNEXING PROPERTY OF AVCO LEASING, INC.,
AUTO F. AND ETHEL KOEHLER, ROBERT H. AND LOUISE ANDERSON,
AND JAMES E. AND BONNIE HAWN

WHEREAS, a Petition for annexation of real property was filed by Otto F. and Ethel Koehler, Robert H. and Louise Anderson, and James E. and Bonnie Hawn, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to the Indiana Code 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;

South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;

North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;

South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;

South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;

South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;

North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;

South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;

North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;

North 34 deg. 38 min. 03. sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;

North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

The Petitioners represent that they are the owners of fifty-one (51%) of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Avco Leasing, Inc., Otto F. and Ethel Koehler, Robert H. and Louis Anderson and James E. and Bonnie Hawn,

hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5; and

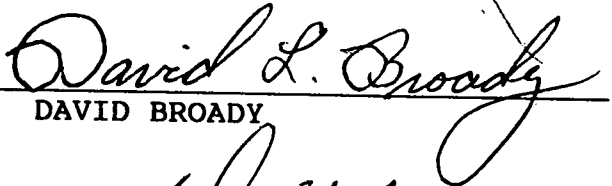
BE IT FURTHER ORDAINED that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, which requires that the first publication may be made within two weeks after the date of the adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Muncipal Legislative District No. 5.

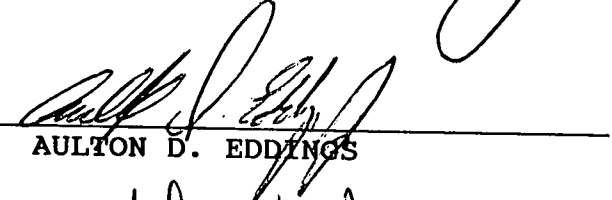
Ordinance Number 570 shall take effect sixty days after its final publication.

PASSED AND ADOPTED this 28 day of JUNE, 1993, by the Town Council for the Town of Sellersburg, Indiana.

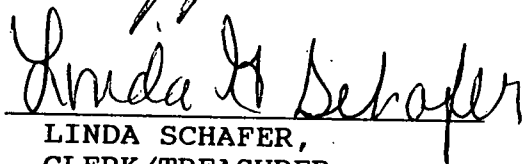

STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Attorney, Town of Sellersburg
425 Watt Street
Jeffersonville, IN 47131
(812) 282-8429

Jacobi, Toombs and Lanz, Inc.



Consulting Engineers

120 Bell Avenue Clarksville, Indiana 47129
812 288-6648 FAX: 812 288-6656

DESCRIPTION OF ANNEXATION AREA 'C'

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

- South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;
- South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;
- North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;
- South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;
- South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;
- South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;
- North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;
- South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;
- North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;
- North 34 deg. 38 min. 03 sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;
- North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

SURVEY NO. 87
PETITION FOR ANNEXATION
TO THE TOWN OF SELLERSBURG, INDIANA

We, the Owners of property in Annex Area "C", 1993 hereby petition to be annexed in the Town of Sellersburg.

AVOC LEASING, INC.
2603 Harry Hughes Road
Charlestown, Indiana 47111
09-03-65,38; D.D.21, I.No. 6459

Date: _____

OTTO F. AND ETHEL KOEHLER
7521 State Road 60
Sellersburg, Indiana 47172
09-03-11,06; D.D.2, I.No. 4148 &
D.D.4, I.No. 2890

Ethel Koehler

Date: 2-25-93

ROBERT H. AND LOUISE ANDERSON
7515 Highway 60
Sellersburg, Indiana 47172
09-03-66,36,40; D.D.13, I.No. 5062

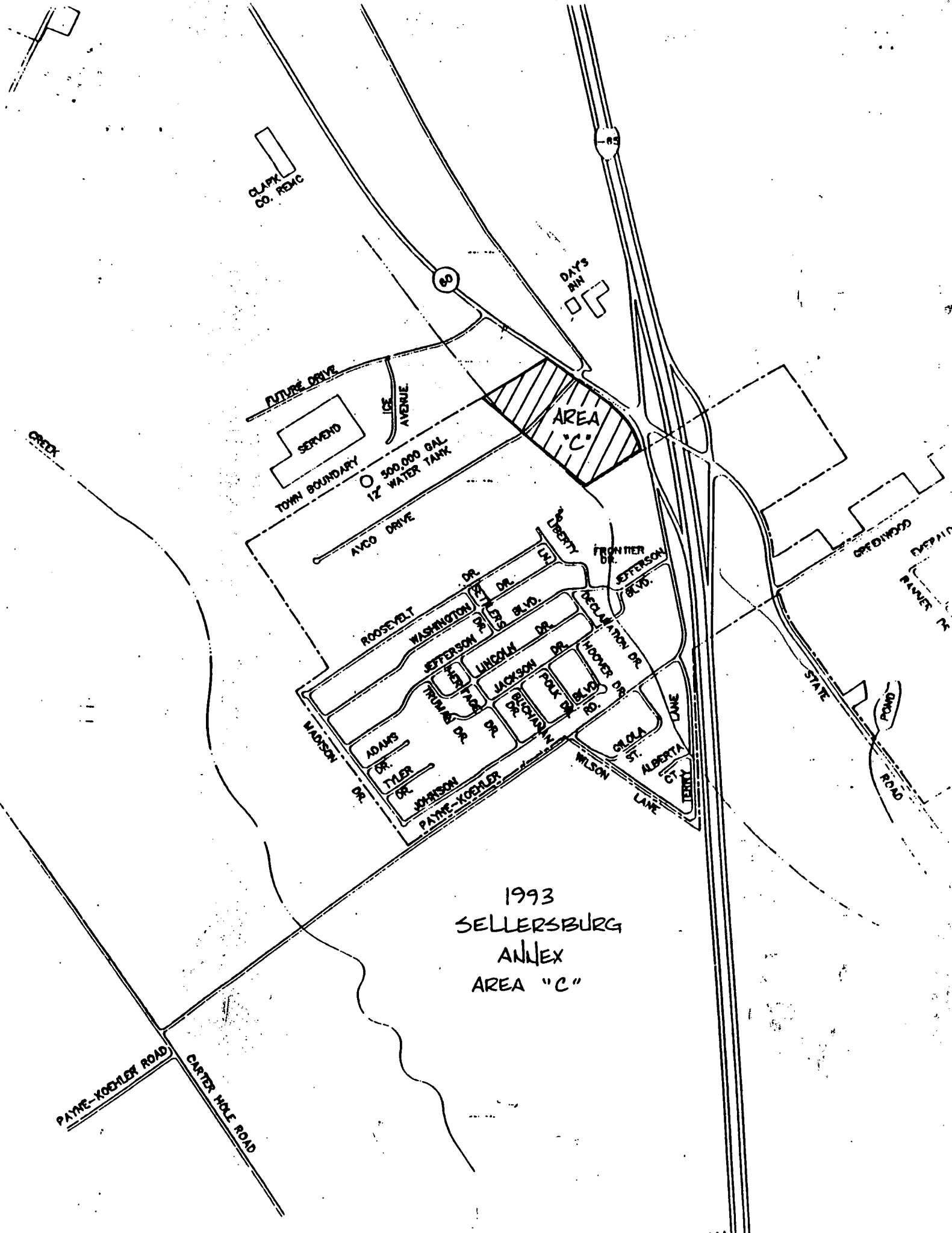
Robert & Louise Anderson

Date: 2-25-93

JAMES E. AND BONNIE HAWN
7517 Highway 60
Sellersburg, Indiana 47172
09-03-67; D.D.21, I.Nos. 626 & 627

James & Bonnie Hawn

Date: 2-25-93



1993
SELLERSBURG
ANNEX
AREA "C"

PAYNE-KOCHLER ROAD
CARTER HOLE ROAD

SCALE

RECEIVED
FOR RECORD

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

2:10
FEB 7 8 00 PM '94
RECORDED IN Deed DRA 26
INSTR NO. 1773
RALPH C. STEHLER
RECORDER OF CLARK CO.

FEB 7 1994

[Signature]
AUDITOR CLARK COUNTY

ORDINANCE NO. 93- 570
AN ORDINANCE ANNEXING PROPERTY OF AVCO LEASING, INC.,
AUTO F. AND ETHEL KOEHLER, ROBERT H. AND LOUISE ANDERSON,
AND JAMES E. AND BONNIE HAWN

WHEREAS, a Petition for annexation of real property was filed by Otto F. and Ethel Koehler, Robert H. and Louise Anderson, and James E. and Bonnie Hawn, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to the Indiana Code 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;

South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;

North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;

South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;

South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;

South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;

North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;

South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;

North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;

North 34 deg. 38 min. 03. sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;

North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

The Petitioners represent that they are the owners of fifty-one (51%) of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Avco Leasing, Inc., Otto F. and Ethel Koehler, Robert H. and Louis Anderson and James E. and Bonnie Hawn,


hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5; and

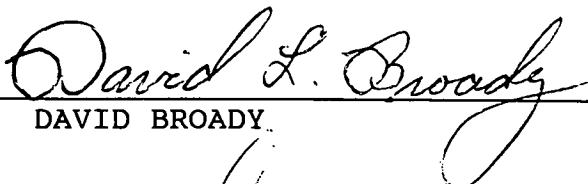
BE IT FURTHER ORDAINED that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, which requires that the first publication may be made within two weeks after the date of the adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Muncipal Legislative District No. 5.

Ordinance Number 570 shall take effect sixty days after its final publication.

PASSED AND ADOPTED this 28 day of JUNE, 1993, by the Town Council for the Town of Sellersburg, Indiana.



STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Attorney, Town of Sellersburg
425 Watt Street
Jeffersonville, IN 47131
(812) 282-8429

Jacobi, Toombs and Lanz, Inc.



Consulting Engineers

120 Bell Avenue Clarksville, Indiana 47122
812 288-6646 FAX: 812 288-6654

DESCRIPTION OF ANNEXATION AREA 'C'

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

- South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;
- South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;
- North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;
- South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;
- South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;
- South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;
- North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;
- South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;
- North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;
- North 34 deg. 38 min. 03 sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;
- North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

CLARK
CO. RD#1C

60

65

DAYS
AVENUE

FUTURE DRIVE

SERVEND

ICE
AVENUE

AREA
"C"

TOWN BOUNDARY
300,000 GAL
12" WATER TANK

AVCO DRIVE

CREEK

LIBERTY DR.
FRONTIER DR.
JEFFERSON BLVD.
DECLARATION DR.
ROOSEVELT DR.
WASHINGTON DR.
LINCOLN DR.
HOOVER DR.
JEFFERSON DR.
JACKSON DR.
POLK DR.
TRUMAN DR.
BRIGHTMAN DR.
ADAMS DR.
TYLER DR.
JOHNSON DR.
PAYNE-KOCHLER DR.
WILSON DR.
GLOLA ST.
ALBERTA ST.
TERRY LANE

GREENWOOD

FAVOR
PARK

STATE

POND
ROAD

1993
SELLERSBURG
ANNEX
AREA "C"

PAYNE-KOCHLER ROAD

CARTER HOLE ROAD

SURVEY NO. 87
PETITION FOR ANNEXATION
TO THE TOWN OF SELLERSBURG, INDIANA

We, the Owners of property in Annex Area "C", 1993 hereby petition to be annexed in the Town of Sellersburg.

AVOC LEASING, INC.
2603 Harry Hughes Road
Charlestown, Indiana 47111
09-03-65,38; D.D.21, I.No. 6459

Date: _____

OTTO F. AND ETHEL KOEHLER
7521 State Road 60
Sellersburg, Indiana 47172
09-03-11,06; D.D.2, I.No. 4148 &
D.D.4, I.No. 2890

Ethel Koehler

Date: 2-25-93

ROBERT H. AND LOUISE ANDERSON
7515 Highway 60
Sellersburg, Indiana 47172
09-03-66,36,40; D.D.13, I.No. 5062

Robert H. & Louise Anderson

Date: 2-25-93

JAMES E. AND BONNIE HAWN
7517 Highway 60
Sellersburg, Indiana 47172
09-03-67; D.D.21, I.Nos. 626 & 627

James E. & Bonnie Hawn

Date: 2-25-93

RECEIVED
FOR RECORD

2:10
FEB 7 10 26 PM '94
RECORDED IN Deed DRA 26
INSTR. NO. 1773
RALPH C. STEMLER
RECORDER OF CLARK CO.

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

FEB 7 1994

Ralph C. Stemler
AUDITOR CLARK COUNTY

ORDINANCE NO. 93- 570

1773

AN ORDINANCE ANNEXING PROPERTY OF AVCO LEASING, INC.,
AUTO F. AND ETHEL KOEHLER, ROBERT H. AND LOUISE ANDERSON,
AND JAMES E. AND BONNIE HAWN

WHEREAS, a Petition for annexation of real property was filed by Otto F. and Ethel Koehler, Robert H. and Louise Anderson, and James E. and Bonnie Hawn, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate contiguous to the Town of Sellersburg, Indiana, be annexed into the Town pursuant to the Indiana Code 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;

South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;

North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;

South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;

South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;

Jacobi, Toombs and Lanz, Inc.



Consulting Engineers

120 Bell Avenue Clarksville, Indiana 47129
812 288-6646 FAX: 812 288-6656

DESCRIPTION OF ANNEXATION AREA 'C'

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

- South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;
- South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;
- North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;
- South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;
- South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;
- South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;
- North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;
- South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;
- North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;
- North 34 deg. 38 min. 03 sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;
- North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;

South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;

North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;

South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;

North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;

North 34 deg. 38 min. 03. sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;

North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

The Petitioners represent that they are the owners of fifty-one (51%) of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described parcel of real estate owned by Avco Leasing, Inc., Otto F. and Ethel Koehler, Robert H. and Louis Anderson and James E. and Bonnie Hawn,

SURVEY NO. 87
PETITION FOR ANNEXATION
TO THE TOWN OF SELLERSBURG, INDIANA

We, the Owners of property in Annex Area "C", 1993 hereby petition to be annexed in the Town of Sellersburg.

AVOC LEASING, INC.
2603 Harry Hughes Road
Charlestown, Indiana 47111
09-03-65,38; D.D.21, I.No. 6459

Date: _____

OTTO F. AND ETHEL KOEHLER
7521 State Road 60
Sellersburg, Indiana 47172
09-03-11,06; D.D.2, I.No. 4148 &
D.D.4, I.No. 2890

Ethel Koehler

Date: 2-25-93

ROBERT H. AND LOUISE ANDERSON
7515 Highway 60
Sellersburg, Indiana 47172
09-03-66,36,40; D.D.13, I.No. 5062

Robert H. & Louise Anderson

Date: 2-25-93

JAMES E. AND BONNIE HAWN
7517 Highway 60
Sellersburg, Indiana 47172
09-03-67; D.D.21, I.Nos. 626 & 627

James & Bonnie Hawn

Date: 2-25-93

hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5; and


BE IT FURTHER ORDAINED that the Clerk-Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7 and I.C. 5-3-1, which requires that the first publication may be made within two weeks after the date of the adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Muncipal Legislative District No. 5.


Ordinance Number 570 shall take effect sixty days after its final publication.

PASSED AND ADOPTED this 28 day of JUNE, 1993, by the Town Council for the Town of Sellersburg, Indiana.



STANLEY B. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall III
Attorney, Town of Sellersburg
425 Watt Street
Jeffersonville, IN 47131
(812) 282-8429

CLARK
CO. ROMAC

80

DAYS
INN

FUTURE DRIVE

SERVEND

ICE
AVENUE

AREA
"C"

800,000 GAL
12" WATER TANK

TOWN BOUNDARY

AVCO DRIVE

CREEK

ROOSEVELT DR

WASHINGTON DR

JEFFERSON DR

LIBERTY DR

FRONTIER DR

JEFFERSON BLVD

JEFFERSON DR

LINCOLN DR

JACKSON DR

DECLARATION DR

HOOVER DR

MADISON DR

ADAMS DR

TYLER DR

JOHNSON DR

PAYNE-KOENLER DR

WILSON DR

GLORIA ST

ALBERTA ST

JERRY LANE

STATE

GREENWOOD

EVERETT

PANWER DR

ROAD

POND

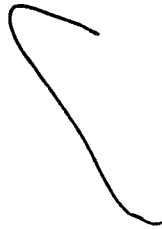
PAYNE-KOENLER ROAD

CARTER HOLE ROAD

1993
SELLERSBURG
ANNEX
AREA "C"

1600

Perry McCall
425 Watt St.
Jeff 47130



ORDINANCE NO. 93- 571

AN ORDINANCE CONCERNING THE ANNEXATION
OF THE 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 for the Town of Sellersburg, Indiana:

Section I

The following described real property, a copy of said description is attached hereto and incorporated herein as "Exhibit C", be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

Section II

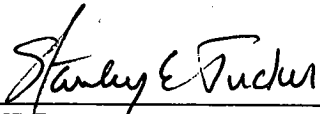
BE IF FURTHER THEREFORE ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended to include all the real estate herein described in "Exhibit C" attached hereto, as a part of the Town of Sellersburg, Indiana.


Section III

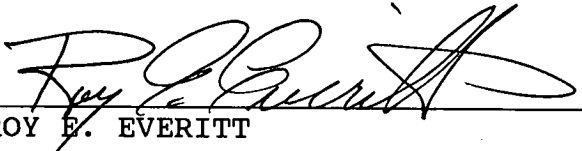
This ordinance shall be in full force and effect from and after its passage, proclamation and publication in accordance with I.C. 86-4-3-7 and I.C. 5-3-1, to take effect at least sixty (60) days after its date of publication and upon the filings required under I.C. 36-4-3-22(a).

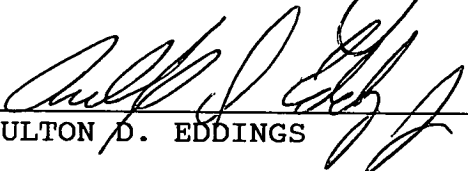
The property herein described is assigned to the Town of Sellersburg Municipal Legislative Body District, Precinct Number 5.

SO ORDAINED this 28 day of JUNE, 1993.



STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL W. TRUMAN

ATTEST: 
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall, III
Attorney for the Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana, 47131
(812) 282-8429

DESCRIPTION OF SELLERSBURG 1993 ANNEX AREA "M"

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

Beginning at a point in the easterly right-of-way line of I-65, in the Town boundary of Sellersburg which marks the north line of a tract conveyed at Deed Record 253 page 262, thence the following courses:

Southwestwardly, 300 feet, more or less, with the Sellersburg Town Boundary, crossing I-65 to it's westerly right-of-way;

Northwestwardly, 4595 feet, more or less, with the westerly right-of-way line of I-65 and new State Road No. 60 to the southeast corner of a tract conveyed at Deed Record 189, page 58;

North 64 deg. 30 min. West, 883.43 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311, which is the Sellersburg Town Boundary;

Northeastwardly, 630 feet, more or less, with the Sellersburg Town Boundary to the west corner of a tract conveyed at Deed Drawer 4, Instrument No. 3765, said point being in the southeasterly right-of-way line of State Road 311 and the northeasterly right-of-way line of new State Road 60;

South 9 deg. 49 min. 06 sec. East, 134.78 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

South 44 deg. 15 min. 30 sec. East, 200.14 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

South 57 deg. 30 min. 02 Sec. East, 104.30 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

South 39 deg. 37 min. 28 sec. East, 128.17 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

North 43 deg. 09 min. 35 sec. West, 131.50 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

North 28 deg. 09 min. 35 sec. West, 382.75 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;

North 77 deg. 09 min. 35 sec. West, 240.00 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract to a point in the south line of a tract conveyed at Deed Drawer 11, Instrument No. 8667;

North 31 deg. 09 min. 35 sec. West, 141.44 feet, more or less, with the Sellersburg Town Boundary and the line of said tract to the east corner of said tract;

North 77 deg. 09 min. 35 sec. West, 169.39 feet, more or less, with the Sellersburg Town Boundary and line of said tract to the southeasterly right-of-way line of State Road No. 311;

Northeastwardly, 290 feet, more or less, with the Sellersburg Town Boundary, which is said southeasterly right-of-way line of State Road 311 to the southwest line of a tract conveyed at Deed Drawer 21, Instrument No. 6542;

EXHIBIT

"C"

Southeastwardly, 180 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its east corner;

Northeastwardly, 130 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Southeastwardly, 30 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Northeastwardly, 27.35 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Southwestwardly, 198.90 feet, more or less, with the Sellersburg Town Boundary and line of said tract to said southeasterly right-of-way line of State Road No. 311;

Northeastwardly, 1100 feet, more or less, with the Sellersburg Town Boundary and southeasterly right-of-way line of State Road No. 311, crossing Old State Road No. 60 to the southwesterly line of a tract conveyed at Deed Drawer 22, Instrument No. 11200;

South 71 deg. 17 min. West, 194.7 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its southeast corner;

North 7 deg. 11 min. East, 407.3 feet, more or less, with the Sellersburg Town Boundary and east line of said tract to its northeast corner;

South 64 deg. 11 sec. West, 190 feet, more or less, with the Sellersburg Town Boundary and north line of said tract to said southeasterly right-of-way line of State Road No. 311;

Northeastwardly, 340 feet, more or less, with the Sellersburg Town Boundary and southeasterly right-of-way line of State Road No. 311 to the south line of a tract conveyed at Deed Record 230 page 341;

South 74 deg. 22 min. East, 832.50 feet, more or less, with the Sellersburg Town Boundary and south line of said tract;

South 48 deg. 52 min. East, 87.5 feet, more or less, with the Sellersburg Town Boundary and the south line of said tract to the southeast corner of said tract;

North 40 deg. West, 297 feet, more or less, with the Sellersburg Town Boundary and the east line of said tract to the northeast corner of said tract which is the southeast corner of a tract conveyed at Deed Drawer 22, Instrument No. 14479;

North 40 deg. West, 654.8 feet, more or less, with the Sellersburg Town Boundary and the east line of said tract to the north corner of said tract;

South 13 deg. 22 min. West, 180 feet, more or less, with the Sellersburg Town Boundary and a west line of said tract;

North 76 deg. 18 min. West, 180.1 feet, more or less, with the Sellersburg Town Boundary and a north line of said tract to the easterly right-of-way line of State Road No. 311;

North 76 deg. 18 min. West, 60 feet, more or less, crossing State Road No. 311 with the Sellersburg Town Boundary to the westerly right-of-way line thereof;

Northeastwardly, 570 feet, more or less, with the Sellersburg Town Boundary which is said westerly right-of-way line of State Road No. 311 to a point;

Southeastwardly, 60 feet, more or less, crossing State Road No. 311 with the Sellersburg Town Boundary to the corner of a tract conveyed at Deed Drawer 24, Instrument No. 4691 and 4692;

Southeastwardly, 167 feet, more or less, with the Sellersburg Town Boundary and south line of said tract which is the line between lots 18 and 19 of Block F of Fairview, crossing an alley;

North 23 deg. 51 min. 29 sec. East, 438 feet, more or less, with the Sellersburg Town Boundary and the east line of said tract and alley;

North 50 deg. 56 min. 34 sec. West, 166 feet, more or less, with the Sellersburg Town Boundary and north line of said tract to the easterly right-of-way line of State Road No. 311;

Northwestwardly, 173 feet, more or less, crossing the highway with the Sellersburg Town Boundary to the westerly right-of-way line of State Road No. 311;

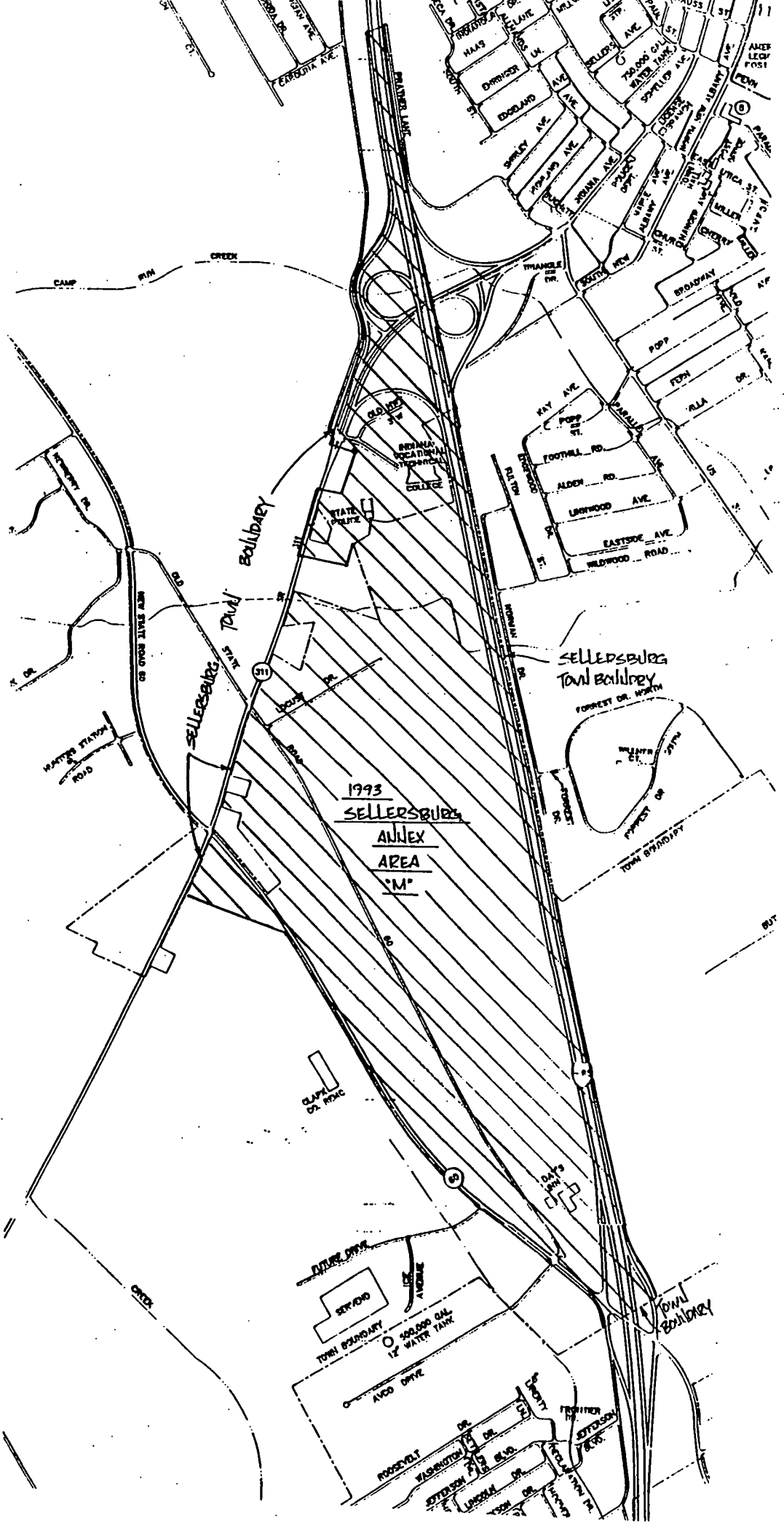
Northwardly, 3700 feet, more or less, with the Sellersburg Town Boundary which is the westerly right-of-way line of State Road No. 311 and I-65 to the south line of Hill and Dale Farm if extended eastwardly;

Northeastwardly, 200 feet, more or less, with the Sellersburg Town Boundary, crossing I-65 to its easterly right-of-way line;

Southwardly, 7760 feet, more or less, with the Sellersburg Town Boundary and the easterly right-of-way line of I-65 to the southeast line of Forrest Estates;

Southwardly, 3600 feet, more or less, with the easterly right-of-way line of I-65 to the true place of beginning and containing 363 acres, more or less, of land.

Excepting, therefrom any previously annexed areas.



1993
SELLERSBURG
ANNEX
AREA
'M'

SELLERSBURG
TOWN BOUNDARY

CLAP
OR POND

FUTURE DRIVE
SEWER
WATER TANK
AVOC DRIVE

TOWN BOUNDARY

ROOSEVELT DR
WASHINGTON DR
STETSON DR
LONGME DR
COURTNEY DR
STETSON DR
STETSON DR

ORDINANCE NO. 93- 572

AN ORDINANCE CONCERNING THE ANNEXATION
OF THE 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 for the Town of Sellersburg, Indiana:

Section I

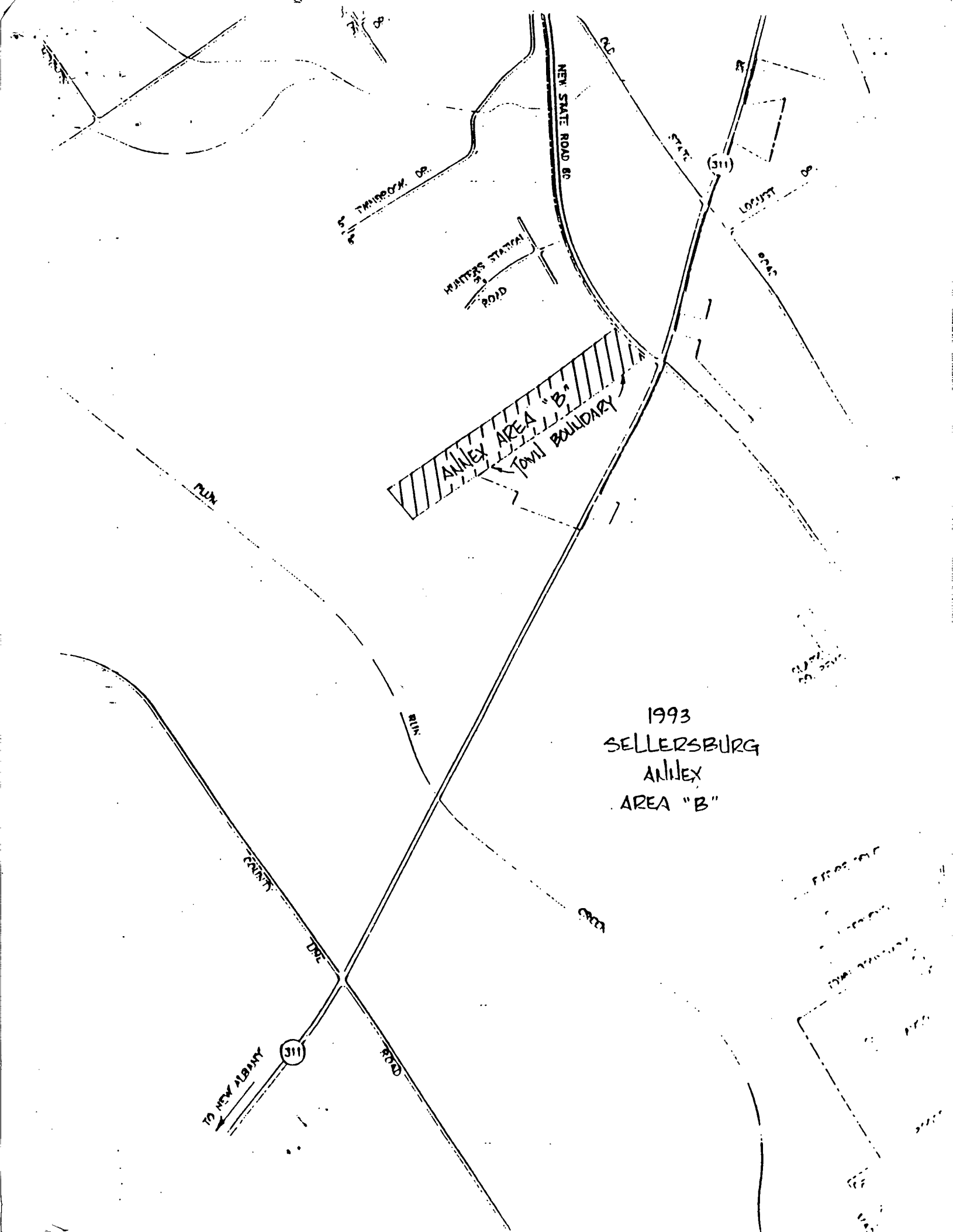
The following described real property, a copy of said description is attached hereto and incorporated herein as "Exhibit B", be, and the same is, hereby annexed to and declared a part of the Town of Sellersburg, Indiana.

Section II

BE IF FURTHER THEREFORE ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended to include all the real estate herein described in "Exhibit B" attached hereto, as a part of the Town of Sellersburg, Indiana.

Section III

This ordinance shall be in full force and effect from and after its passage, proclamation and publication in accordance with I.C. 86-4-3-7 and I.C. 5-3-1, to take effect at least sixty (60) days after its date of publication and upon the filings required under I.C. 36-4-3-22(a).



1993
SELLERSBURG
ANNEX
AREA "B"

ANNEX AREA "B"
TOWN BOUNDARY

TO NEW ALBANY

311

NEW STATE ROAD 80

STATE

311

LOPJST

STATE

THOMPSON DR.

WINTERS STAMPAL
ROAD

PUN

BIN

COUNTY

DNE

ROAD

FRONTIER

FRONTIER

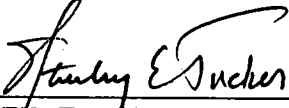
FRONTIER

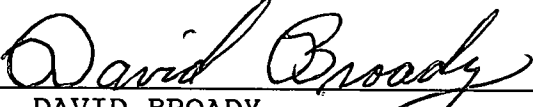
FRONTIER

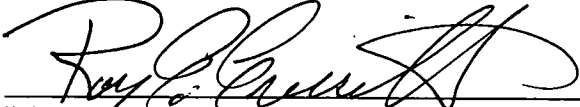
FRONTIER

The property herein described is assigned to the Town of Sellersburg Municipal Legislative Body District, Precinct Number 4.


SO ORDAINED this 28 day of JUNE, 1993.

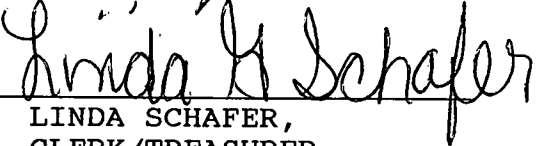

STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall, III
Attorney for the Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana, 47131
(812) 282-8429

1993

DESCRIPTION OF SELLERSBURG ANNEXATION AREA 'I'

A part of Survey 108 in Silver Creek Township of Clark County, Indiana, bounded as follows:

Beginning at the southeast corner of the first tract described at Deed Drawer 19, Instrument 1404, which point is in the southwesterly right-of-way line of New State Road 60 and in the present Town Boundary of Sellersburg, thence the following courses:

- South 69 deg. 25 min. 46 sec. West, 405.23 feet with said tract to a point in the southeasterly line of Twin Brook Subdivision, Unit 2 recorded at Plat Book 8, page 77;
- South 48 deg. 24 min. 47 sec. West, 497.46 feet with said southeasterly line;
- South 48 deg. 47 min. 58 sec. West, 90.39 feet to the south corner of Twin Brook Subdivision, Unit 2;
- North 41 deg. 12 min. 02 sec. West, 199.99 feet to a point in the southeast line of a tract described at Deed Drawer 13, Instrument 9321;
- South 48 deg. 47 min. 58 sec. West, 533.04 feet to the south corner of said tract;
- North 39 deg. 59 min. 25 sec. West, 731.14 feet to the west corner of said tract;
- South 48 deg. 15 min. 02 sec. West, 2049.32 feet to the south corner of a tract described at Deed Drawer 18, Instrument 7685;
- North 41 deg. 44 min. 58 sec. West, 893.80 feet with the southwest line of said tract to the southeast right-of-way line of Poindexter Lane, which has a 30 foot wide right-of-way;
- North 48 deg. 44 min. East, 4194.39 feet with said right-of-way line to a point in the southwesterly right-of-way line of New State Road 60, which point is also in the present Town Boundary of Sellersburg; thence
- Southeastwardly 2070 feet, more or less, with said right-of-way line and the present Town Boundary, to the point of beginning, containing 116.3 acres of land, more or less.

EXHIBIT

"B"

WAST. WATER TREATMENT PLANT

31

RD.

BEAN

CLARK COUNTY AIRPORT

GREENWOOD

EMERALD DR

BANNER DR

CELESTA WAY

STATE

POND

ROAD

ANNEX AREA "K"

AIRPORT DRIVE

DIAMOND HEIGHTS DRIVE

S

SILVER

1993
SELLERSBURG
ANNEX
AREA "K"

TO CLARKSVILLE

36

GREY

LOUISVILLE

CAPITA TERRY

ORDINANCE NO. 93- 573

AN ORDINANCE CONCERNING THE ANNEXATION
OF THE 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 for the Town of Sellersburg, Indiana:

Section I

The following described real property, 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 II

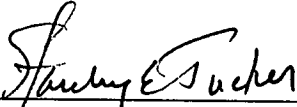
BE IF FURTHER THEREFORE ORDAINED, that the boundaries of the Town of Sellersburg, Indiana, shall be, and the same are, hereby declared to be extended to include all the real estate herein described in "Exhibit A" attached hereto, as a part of the Town of Sellersburg, Indiana.

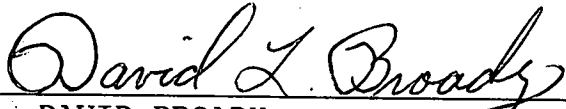
Section III

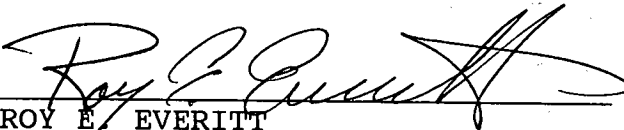
This ordinance shall be in full force and effect from and after its passage, proclamation and publication in accordance with I.C. 86-4-3-7 and I.C. 5-3-1, to take effect at least sixty (60) days after its date of publication and upon the filings required under I.C. 36-4-3-22(a).

The property herein described is assigned to the Town of
Sellersburg Municipal Legislative Body District, Precinct Number 5.

SO ORDAINED this 28 day of JUNE, 1993.

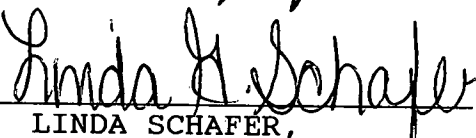

STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA SCHAFER,
CLERK/TREASURER

PREPARED BY:

William P. McCall, III
Attorney for the Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana, 47131
(812) 282-8429

DESCRIPTION OF 1993 SELLERSBURG ANNEXATION AREA "K"

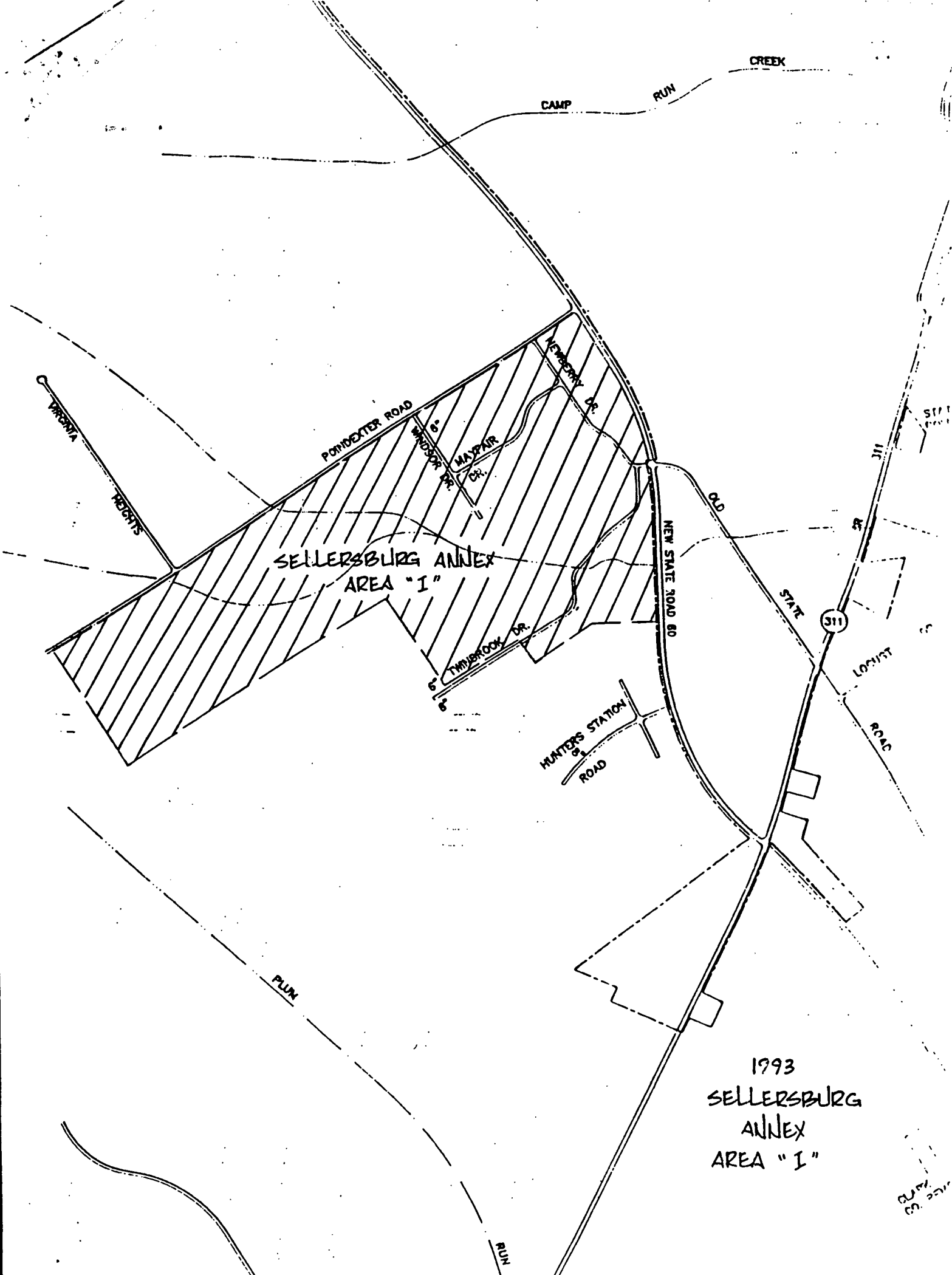
A part of Survey 66 of the Illinois Grant in Silver Creek Township of Clark County, Indiana, bounded as follows:

Beginning at the southeast corner of Lot 25 of Greenwood Subdivision Unit 1, which point is in the present Town Boundary of Sellersburg and is also on the west right-of-way line of Highway 31E, thence the following courses:

- Southwardly 190 feet, more or less, with said right-of-way line and the east line of a tract described at Deed Drawer 17, Instrument 5145;
- Westwardly, 65 feet, more or less, with said tract and said right-of-way line;
- Southwardly, 225 feet, more or less, with said tract and said right-of-way line;
- Eastwardly, 75 feet, more or less, with said tract and said right-of-way line;
- Southwardly, 306 feet, more or less, with said tract and said right-of-way line to the northeast corner of a tract of land described at Deed Drawer 5, Instrument 8662;
- Southwardly, 75 feet, more or less, with said right-of-way line to the northeast corner of a tract of land described at Deed Drawer 7, Instrument 4718;
- Southwardly, 255 feet, more or less, with said right-of-way line to the north corner of Diamond Heights Subdivision;
- South 12 deg. 42 min. East, 772.6 feet, more or less, with Diamond Heights and said right-of-way line;
- South 10 deg. 30 min. East, 324.05 feet, more or less, with Diamond Heights and said right-of-way line;
- South 6 deg. 13 min. East, 259.71 feet, more or less, with said right-of-way line to the southeast corner of Diamond Heights;
- South 69 deg. 48 min. West, 828.64 feet, more or less, to the southwest corner of Diamond Heights Subdivision, which is in the east right-of-way line of State Road 60;
- North 54 deg. 06 min. West, 235.3 feet, more or less, with said right-of-way line and line of Diamond Heights;
- North 41 deg. 03 min. West, 664.6 feet, more or less, with said right-of-way line and Diamond Heights to a point in the present Town Boundary of Sellersburg, and which point is also in the southeast line of a tract of land described at Deed Drawer 3, Instrument 2868;
- North 48 deg. 55 min. East, 1258 feet, more or less, with said tract and the present Town Boundary of Sellersburg;
- North 40 deg. West, 990 feet, more or less, with said tract and the present Town Boundary of Sellersburg to the northwest corner of a tract of land described at Deed Drawer 17, Instrument 5145;
- North 51 deg. 30 min. East, 770 feet, more or less, with said tract and the present Town Boundary of Sellersburg to the place of beginning, containing 40.3 acres, more or less.

EXHIBIT

"A"



1993
SELLERSBURG
ANNEX
AREA "I"

RECEIVED
FOR RECORD

FEB 7 2:11 PM '94

RECORDED IN

DRA

ORDINANCE NO. 93- 574

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

FEB 7 1994

1774

INSTR. NO.

1774

RALPH C. STEMLER
RECORDER OF CLARK CO.

ORDINANCE ANNEXING PROPERTY OF
THE WELLS FAMILY KNOWN AS AREA B

[Signature]
AUDITOR CLARK COUNTY

WHEREAS, a petition for annex of real property was filed by William D. and Mildred C. Wells, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate which is contiguous to the Town of Sellersburg, Indiana, be annexed in to the Town pursuant to I.C. 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min. West, 564.25 feet, more or less, with the line between Surveys No. 88 and 198 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.

The Petitioners represent that they are the owners of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above-described parcel of real estate owned by William D. and Mildred C. Wells, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5 and

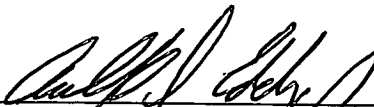
BE IF FURTHER ORDAINED that the Clerk Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7, I.D. 5-3-1, which requires that the first publication may be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 4. Ordinance No. 574 shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED this 28 day of June, 1993, by the Town Council for the Town of Sellersburg, Indiana.



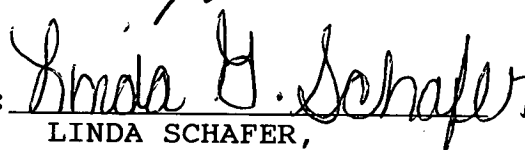
ROY E. EVERITT



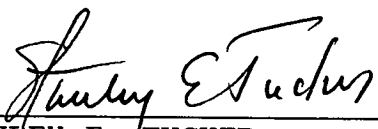
AULTON D. EDDINGS



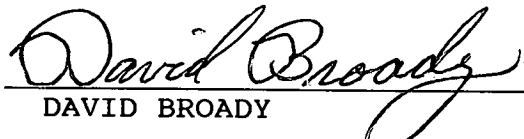
KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER



STANLEY E. TUCKER



DAVID BROADY

PREPARED BY: William P. McCall III, Attorney for the Town of Sellersburg, 425 Watt Street, P.O. Box 729, Jeffersonville, Indiana, (812) 282-8429

October 28, 1992

DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA 'B', 1992

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;
- South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;
- South 49 deg. 00 min, West, 564.25 feet, more or less, with the line between Surveys No. 88 and 108 to the south corner of said tract;
- North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.

RECEIVED
FOR RECORD

FEB 7 2:11 PM '91

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

RECORDED BY *Deed* DRA 26
INSTR NO. 1774

ORDINANCE NO. 93- 574

FEB 7 1991

1774

RALPH C. STEHLER
RECORDER OF CLARK CO
ORDINANCE ANNEXING PROPERTY OF
THE WELLS FAMILY KNOWN AS AREA B

[Signature]
AUDITOR CLARK COUNTY

WHEREAS, a petition for annex of real property was filed by William D. and Mildred C. Wells, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate which is contiguous to the Town of Sellersburg, Indiana, be annexed in to the Town pursuant to I.C. 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min. West, 564.25 feet, more or less, with the line between Surveys No. 88 and 198 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the tract conveyed at Deed Drawer 16, Instrument No. 2461;

copy

South 64 deg. 50 min. East, 98.96 feet, more or less, with the northeasterly line of said tract to the True Place of Beginning and containing 14.07 acres of land.

The Petitioners represent that they are the owners of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above-described parcel of real estate owned by William D. and Mildred C. Wells, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5 and


BE IF FURTHER ORDAINED that the Clerk Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7, I.D. 5-3-1, which requires that the first publication may be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 4. Ordinance No. 574 shall take effect sixty (60) days after its final publication.


PASSED AND ADOPTED this 28 day of June, 1993, by the Town Council for the Town of Sellersburg, Indiana.




ROY E. EVERITT



AULTON D. EDDINGS



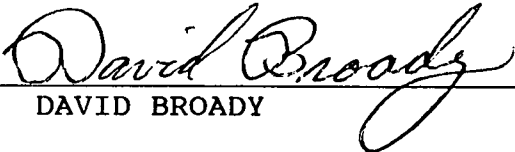
KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER



STANLEY E. TUCKER



DAVID BROADY

PREPARED BY: William P. McCall III, Attorney for the Town of Sellersburg, 425 Watt Street, P.O. Box 729, Jeffersonville, Indiana, (812) 282-8429

October 28, 1992

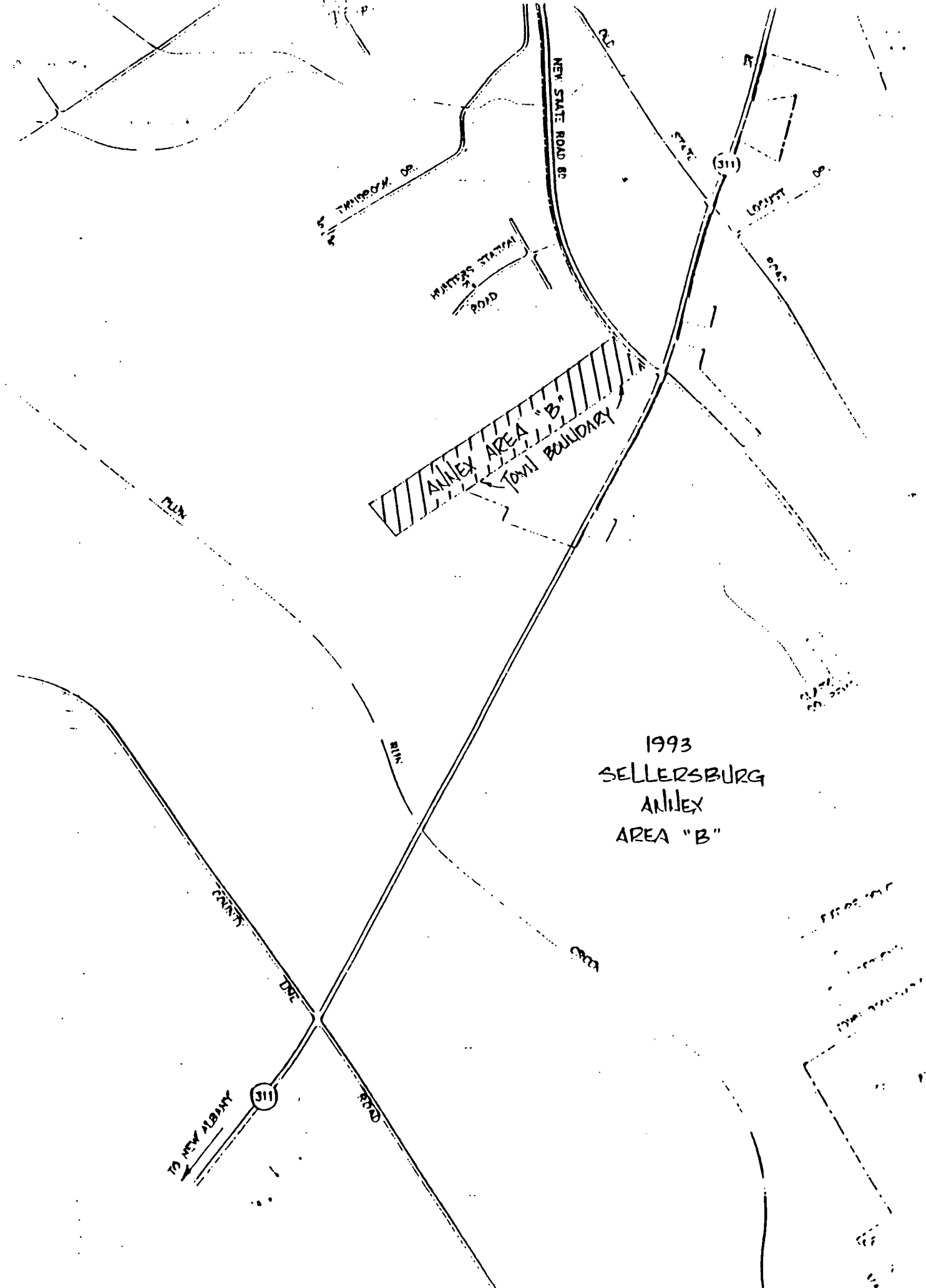
DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA 'B', 1992

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;
- South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;
- South 49 deg. 00 min, West, 564.25 feet, more or less, with the line between Surveys No. 88 and 108 to the south corner of said tract;
- North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.



1993
SELLERSBURG
ANNEX
AREA "B"

THURGOOD DR

HINTERS STATION
ROAD

LOPST

RUN

RUN

CANYON

DR

ROAD

TO NEW ALBANY

311



ORDINANCE NO. 93- 574

ORDINANCE ANNEXING PROPERTY OF
THE WELLS FAMILY KNOWN AS AREA B

WHEREAS, a petition for annex of real property was filed by William D. and Mildred C. Wells, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate which is contiguous to the Town of Sellersburg, Indiana, be annexed in to the Town pursuant to I.C. 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min. West, 564.25 feet, more or less, with the line between Surveys No. 88 and 198 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.

The Petitioners represent that they are the owners of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above-described parcel of real estate owned by William D. and Mildred C. Wells, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5 and

BE IF FURTHER ORDAINED that the Clerk Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7, I.D. 5-3-1, which requires that the first publication may be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 4. Ordinance No. 574 shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED this 28 day of June, 1993, by the Town Council for the Town of Sellersburg, Indiana.



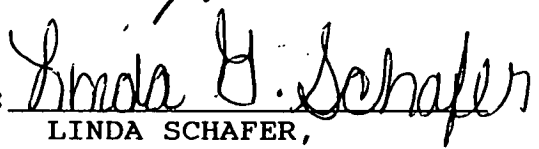
ROY E. EVERITT



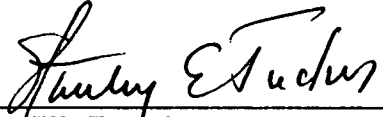
AULTON D. EDDINGS



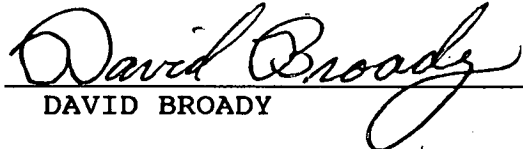
KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER



STANLEY E. TUCKER



DAVID BROADY

PREPARED BY: William P. McCall III, Attorney for the Town of Sellersburg, 425 Watt Street, P.O. Box 729, Jeffersonville, Indiana, (812) 282-8429

October 28, 1992

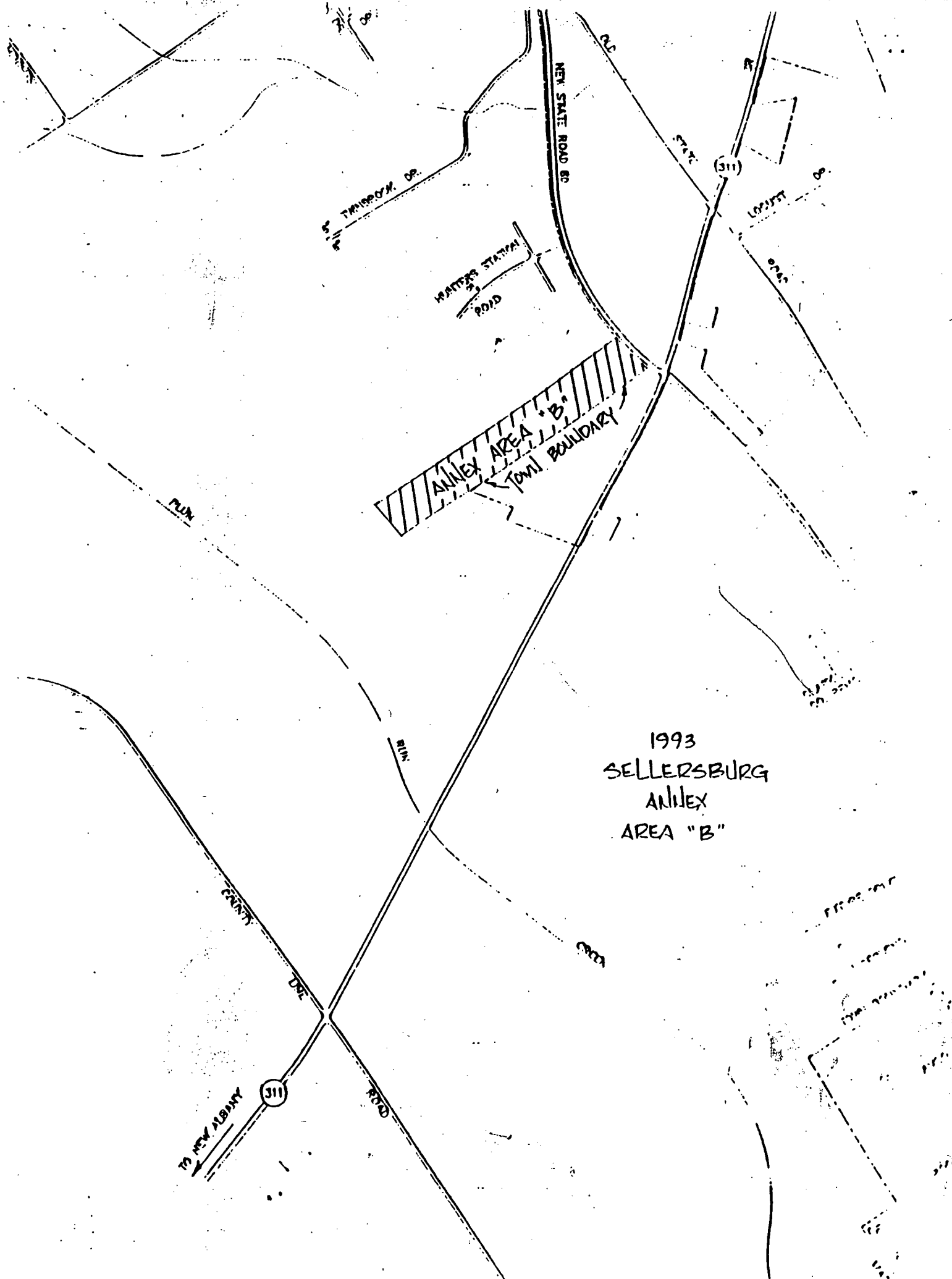
DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA 'B', 1992

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

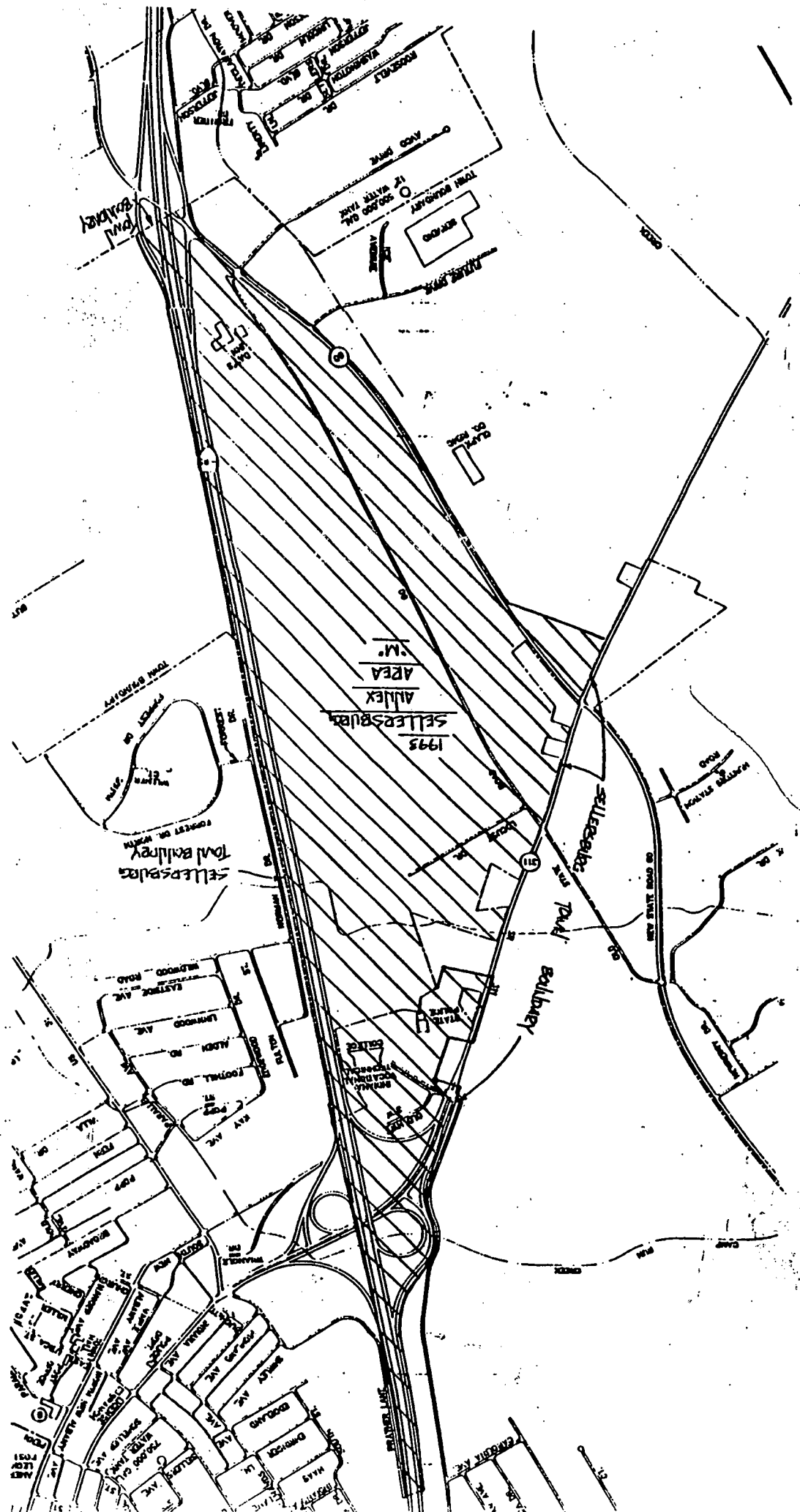
Beginning at the north corner of Annex Area "A", in the Town Boundary of Sellersburg, Indiana in the northeasterly line of a tract conveyed at Deed Drawer 16, Instrument No. 2461.

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

- Southwestwardly, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;
- South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;
- South 49 deg. 00 min, West, 564.25 feet, more or less, with the line between Surveys No. 88 and 108 to the south corner of said tract;
- North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.



1993
SELLERSBURG
ANNEX
AREA "B"



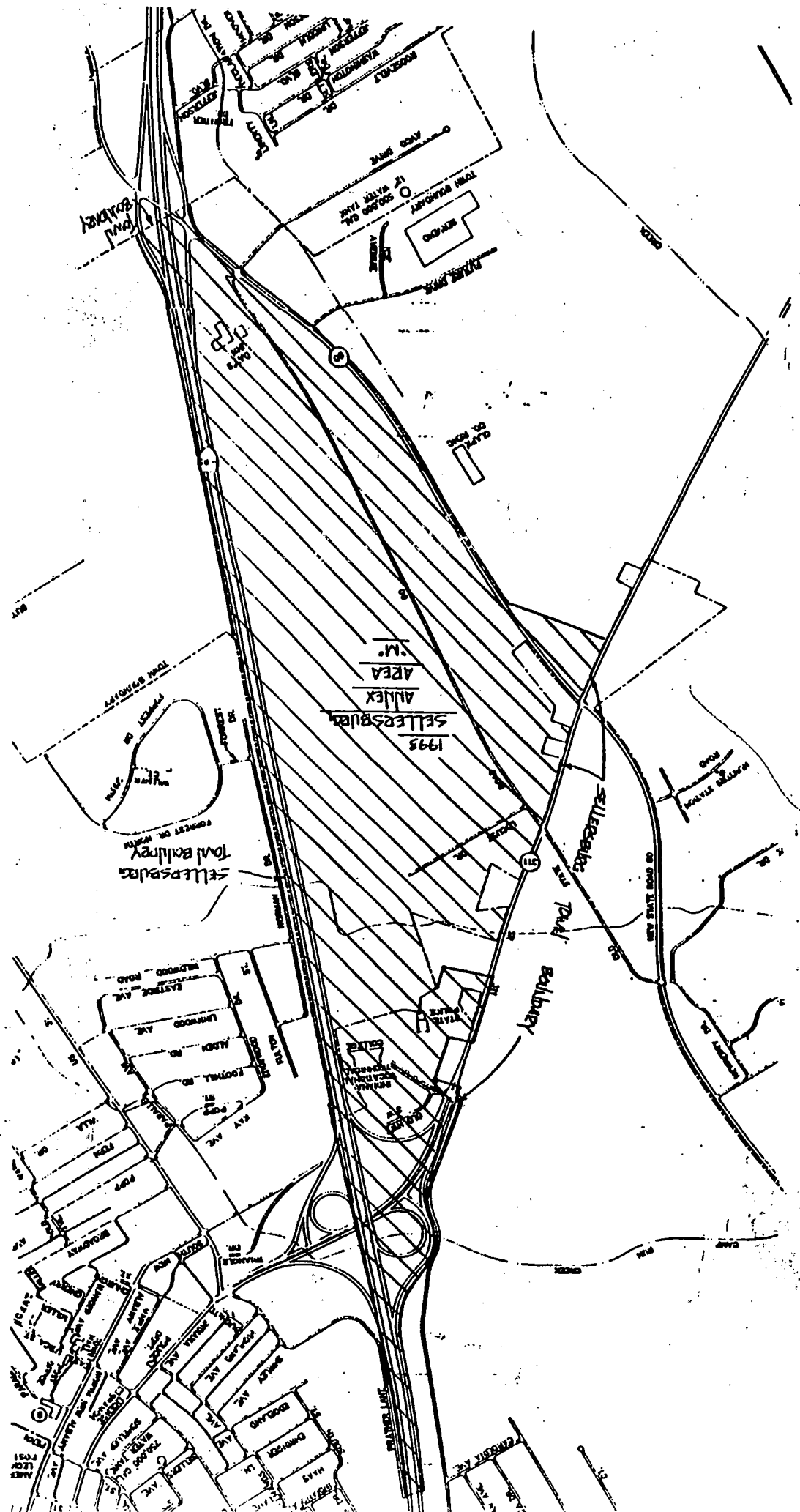
1993
SELLERSBURG
AREA
ALLEX
S.M.

Tom Ballinger
Forest of Birch

Sellersburg
Ballinger

NEW STATE ROAD 80

ROAD TO STATE



CLARK
CO. REMC

80

85

DAYS
AVENUE

FUTURE DRIVE

SERVICED

ICE
AVENUE

AREA
"C"

TOWN BOUNDARY

500,000 GAL
12" WATER TANK

AVCO DRIVE

CREEK

ROOSEVELT DR.

WASHINGTON DR.

JEFFERSON DR.

LINCOLN DR.

JACKSON DR.

DECLARATION DR.

HOOVER DR.

WILSON DR.

GLORIA ST.

ALBERTA DR.

MASON DR.

ADAMS DR.

TYLER DR.

JOHNSON DR.

PAYNE-KOCHLER DR.

LIBERTY DR.

FRONTIER DR.

JEFFERSON BLVD.

SPRINGWOOD

EVERETT

PLANNED

STATE

ROAD

POND

1993
SELLERSBURG
ANNEX
AREA "C"

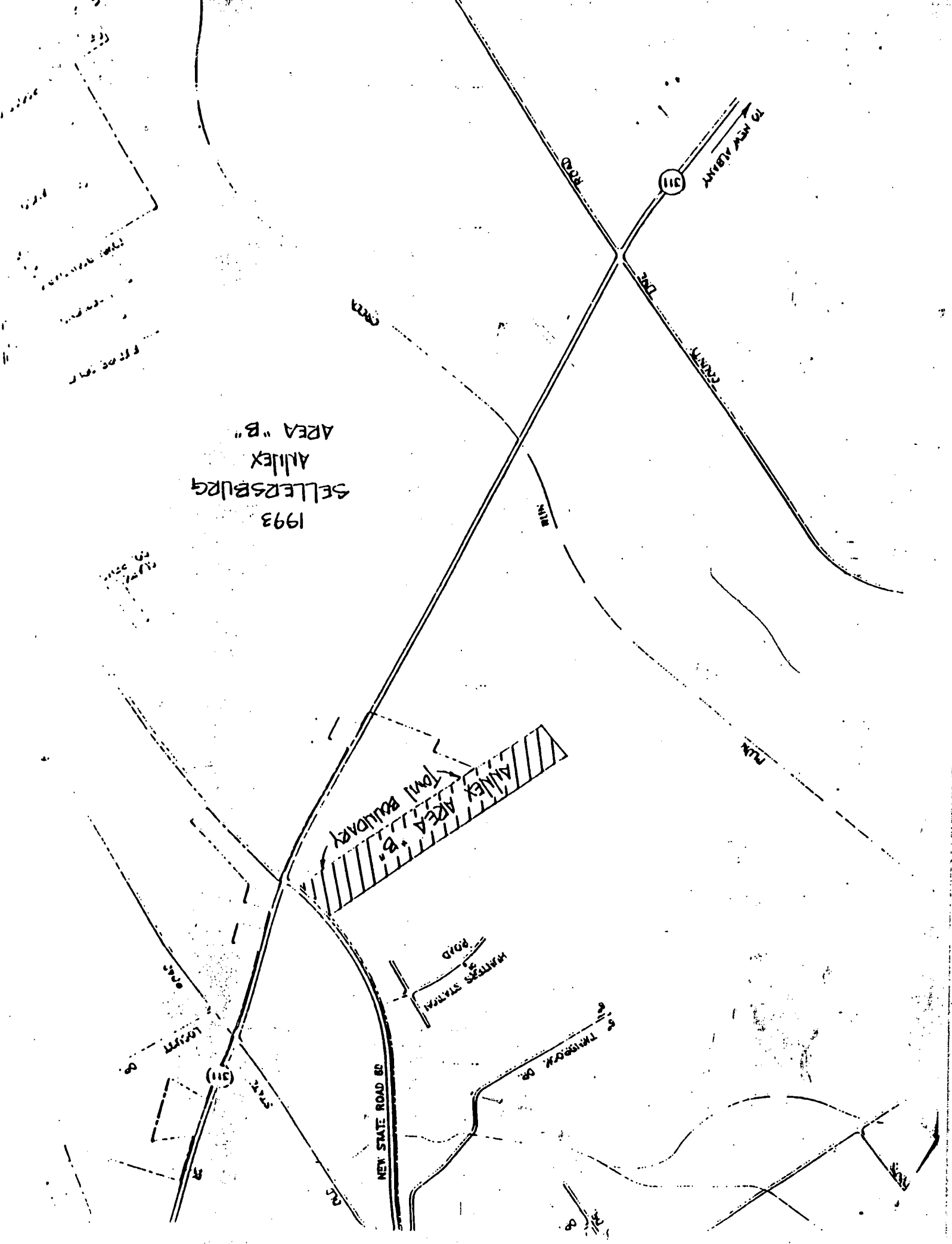
PAYNE-KOCHLER ROAD

CARTER HOLE ROAD

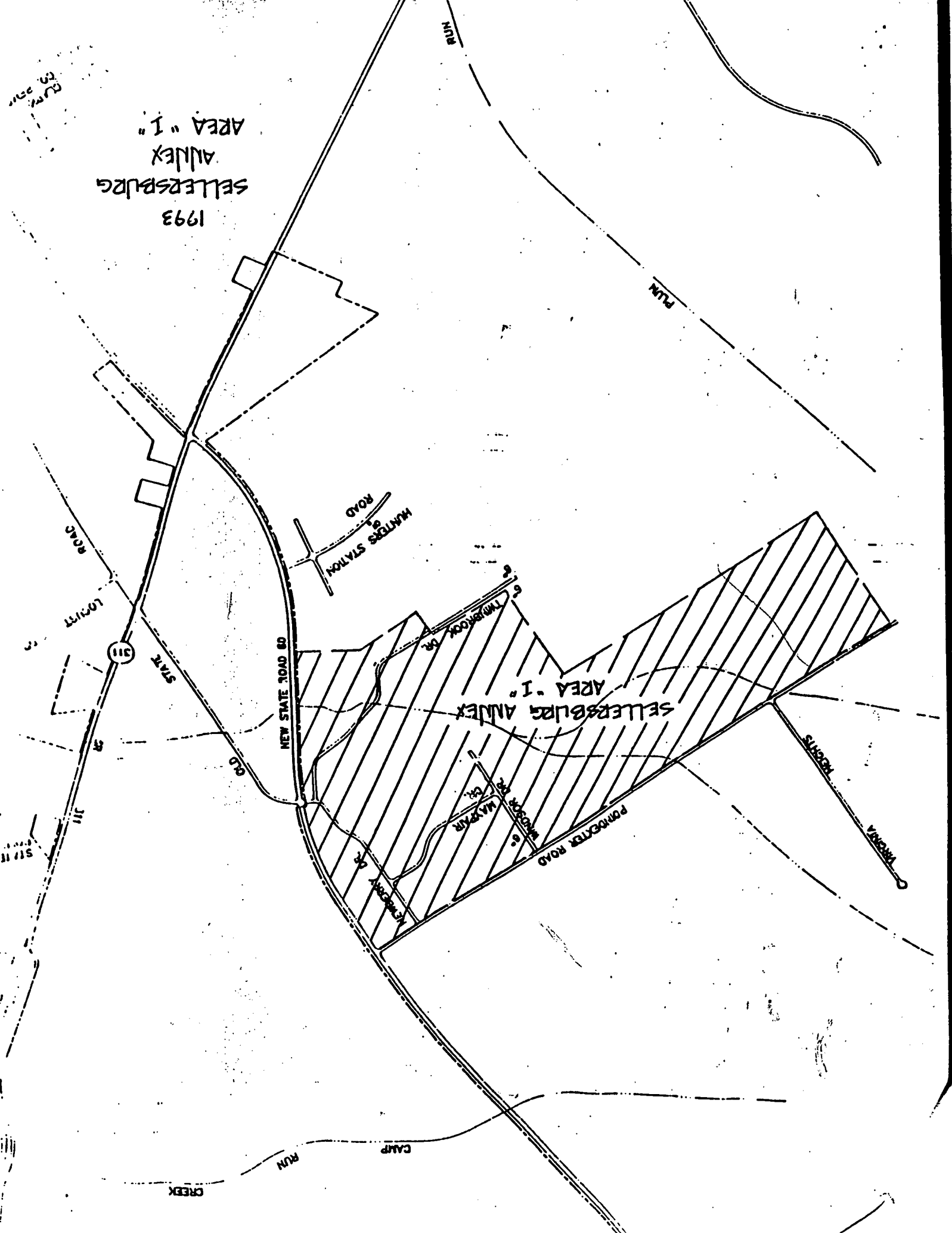
SVILLE

SELLERSBURG
Arllex
AREA "B"
1993

Arllex AREA "B"
TOWNSHIP BOUNDARY



SELLERSBURG
ALLEY
AREA "I"
1993



RUN

RUN

WATERS STATION
ROAD

311

STATE

NEW STATE ROAD 60

SELLERSBURG ALLEY
AREA "I"

6
5
4
3
2
1
TIMBERCREEK DR.

WATERS
DR.

POMFRET ROAD

ROADS

ROADS

CREEK

RUN

CAMP

LOUISVILLE

TERRY TANE

31

WATER TREATMENT PLANT

CLARK COUNTY AIRPORT

1993 SELERSBURG ALLEX AREA "K"

ALLEX AREA "K"

DIAMOND HEIGHTS DRIVE

BANKER DR
CELESTIA WAY
GERALD DR
GREENWOOD

POND

STATE ROAD

BEAN RD

AIRPORT DRIVE

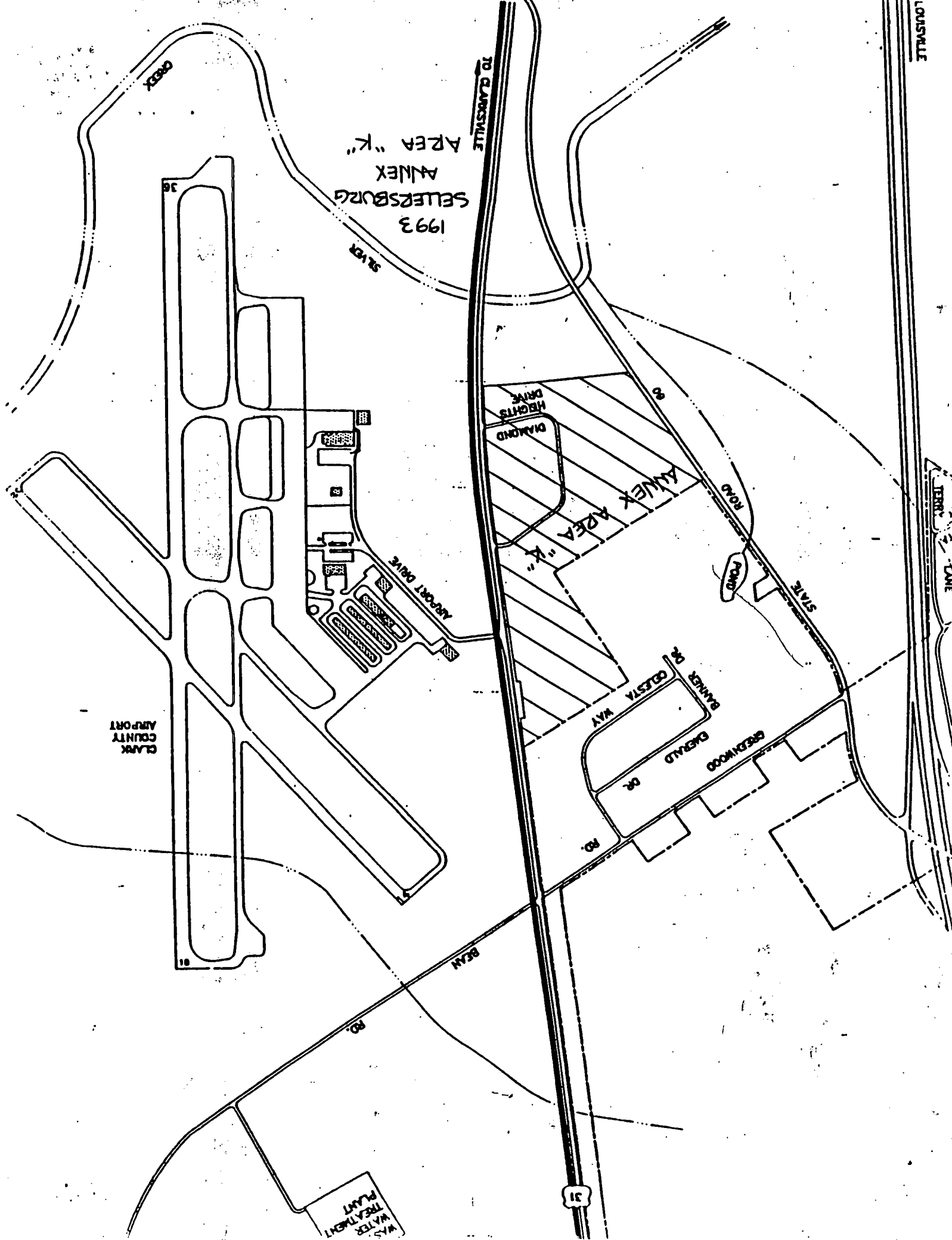
SLYER

TO CLARKSVILLE

080X

36

81



RECEIVED
FOR RECORD

2:11
FEB 7 8 00 PM '94

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

RECORDED IN Deed DRA 26 ORDINANCE NO. 93- 574

FEB 7 1994

INSTR NO. 1774

RALPH C. STEMLE
RECORDER OF CLARK CO.

ORDINANCE ANNEXING PROPERTY OF
THE WELLS FAMILY KNOWN AS AREA B

Ralph C. Stemle
AUDITOR CLARK COUNTY

WHEREAS, a petition for annex of real property was filed by William D. and Mildred C. Wells, with the Town of Sellersburg, Indiana, asking that certain privately owned real estate which is contiguous to the Town of Sellersburg, Indiana, be annexed in to the Town pursuant to I.C. 36-4-3-5, and the corporate limits of the Town of Sellersburg be extended so as to include the privately owned real estate described as follows:

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min. West, 564.25 feet, more or less, with the line between Surveys No. 88 and 198 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.

The Petitioners represent that they are the owners of the land in the territory sought to be annexed. That said real estate is not situated within the limits of any other municipality, but contiguous to the Town of Sellersburg, Indiana.

WHEREFORE, BE IT ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above-described parcel of real estate owned by William D. and Mildred C. Wells, hereby be annexed into the Town of Sellersburg, Indiana, pursuant to I.C. 36-4-3-5 and

BE IF FURTHER ORDAINED that the Clerk Treasurer for the Town of Sellersburg, Indiana, publish this Ordinance in accordance with I.C. 36-4-3-7, I.D. 5-3-1, which requires that the first publication may be made within two (2) weeks after the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED AND ORDERED by the Town Council for the Town of Sellersburg, Indiana, that the above described real estate be assigned to Municipal Legislative District No. 4. Ordinance No. 574 shall take effect sixty (60) days after its final publication.

PASSED AND ADOPTED this _____ day of _____, 1993, by the Town Council for the Town of Sellersburg, Indiana.




ROY E. EVERITT



AULTON D. EDDINGS



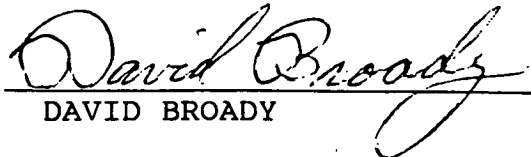
KARL N. TRUMAN

ATTEST: 

LINDA SCHAFER,
CLERK/TREASURER



STANLEY E. TUCKER



DAVID BROADY

PREPARED BY: William P. McCall III, Attorney for the Town of Sellersburg, 425 Watt Street, P.O. Box 729, Jeffersonville, Indiana, (812) 282-8429

October 28, 1992

DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA 'B', 1992

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.

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- South 64 deg. 50 min. East, 98.96 feet, more or less, with the northeasterly line of said tract to the True Place of Beginning and containing 14.07 acres of land.

TRIMPOCK DR

NEW STATE ROAD 62

STATE

(311)

LOUISIANA

WINTERS STATION
ROAD

ANNEX AREA "B"
TOWN BOUNDARY

FLUX

BURN

1993
SELLERSBURG
ANNEX
AREA "B"

FLUX

DR

TO NEW ALBANY

(311)

RD

FRONTIER
COUNTY

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1993, AS REQUESTED BY THE CLERK-TREASURER AND FORWARDED TO THE TOWN COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC 6-1.1-18-6.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget for the year of 1993 and it is now necessary to transfer appropriations into different categories than was appropriated in the annual budget for the various functions of this department to meet its needs.

SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, that for the expenses of the Town Government, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the transferred unless otherwise stipulated by law.

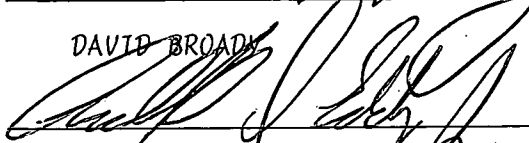
SECTION 2. Where it has been shown that certain existing appropriations have unobligated balances which will be available for transferring as follows.

ACCT.#, NAME, & AMOUNT		TO ACCT.#, NAME, & AMOUNT	
MOTOR VEHICLE HIGHWAY		MOTOR VEHICLE HIGHWAY	
222-EQUIPMENT REPAIRS	1000.00	397-PAVING	1000.00
224-OTHER GARAGE SUP.	394.04	397-PAVING	394.04
225-GASOLINE	365.69	397-PAVING	365.69
231-TIRES & TUBES	350.00	397-PAVING	350.00
355-STREET LIGHTS	413.32	397-PAVING	413.32
366-GRAVEL	12495.99	397-PAVING	12495.99
368-BITUMINOUS MAT.	605.96	397-PAVING	605.96
	<u>15625.00</u>		<u>15625.00</u>

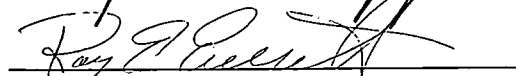
SO ORDAINED THIS _____ DAY OF _____ 19____.



DAVID BROADY



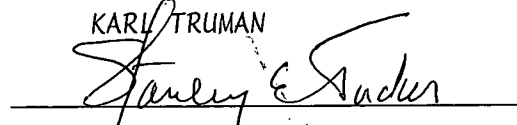
AULTON D. EDDINGS JR.



ROY E. EVERITT

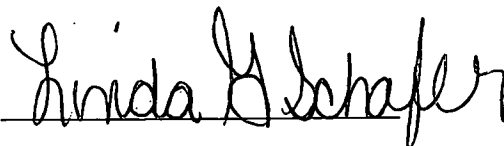


KARL TRUMAN



STANLEY E. TUCKER

ATTEST:



LINDA G. SCHAFFER
CLERK TREASURER

ORDINANCE NO. _____

1993 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, the Town of Sellersburg desires to pass the herein Ordinance in order to establish and clarify the salary, holiday and longevity pay of employees of the Town; and

WHEREAS, said Ordinance is necessary for the efficient administration of the Town.

NOW, THEREFORE, BE IT ORDAINED, this 27 day of July, 1992, by the Town Council of the Town of Sellersburg, that:

The following annual/weekly/hourly wage, holiday and longevity pay, as indicated, shall be paid to the following employees, from the funds as indicated, effective January 1, 1993:

SEWER DEPARTMENT

Superintendent (Wheeler)	\$ 532.50 per week	
Plant Operator (Blincoe)	390.20 per week	\$9.75 per hour
Laborer (Blevins)	327.80 per week	8.19 per hour
Laborer (Harper)	284.54 per week	7.11 per hour
Laborer (Samples)	290.78 per week	7.26 per hour
Laborer (Walters)	249.60 per week	6.34 per hour
Deputy Clerk Treasurer	332.80 per week	8.32 per hour
Clerk Treasurer	10,764.05 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Attorney	9,900.02 per year	

WATER DEPARTMENT

Superintendent	511.66 per week	
Heavy Equipment Operator	396.44 per week	9.91 per hour
Plant Operator/Laborer	321.15 per week	8.02 per hour
Plant Operator/Laborer	284.54 per week	7.11 per hour
Meter Repairman	284.54 per week	7.11 per hour
Billing Clerk	275.80 per week	6.89 per hour
Accounts Receivable Clerk	275.80 per week	6.89 per hour
Clerk Treasurer	10,764.05 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Town Council Member	2,126.25 per year	
Attorney	9,900.02 per year	

GENERAL FUND

Clerk Treasurer	2,392.02 per year
Town Council Member	472.50 per year
Town Council Member	472.50 per year
Town Council Member	472.50 per year
Town Council Member	472.50 per year
Town Council Member	472.50 per year
Commissioner	500.00 per year
Commissioner	500.00 per year
Commissioner	500.00 per year
Commissioner	500.00 per year
Commissioner	500.00 per year
Attorney	2,199.96 per year

CALL OFFICE

STREET AND SANITATION DEPARTMENT

Superintendent	511.66 per week	
Truck Driver	308.67 per week	7.71 per hour
Laborer	284.54 per week	7.11 per hour
Laborer	284.54 per week	7.11 per hour
Laborer	284.54 per week	7.11 per hour
Laborer	284.54 per week	7.11 per hour

POLICE DEPARTMENT

Dispatcher (Sorrels)		6.99 per hour
Dispatcher (Campbell)		6.99 per hour
Dispatcher (Austin)		6.99 per hour
Dispatcher (Lothery)		6.99 per hour
Part-time Dispatcher (Ehringer)		6.00 per hour
Part-time/Part-time Dispatcher (Starks)		5.00 per hour

Holiday pay for Dispatchers will be determined on 3 persons for 9 holidays which will be 27 days x 8 hours which equals 216 hours.

.....\$1,509.84 per year

	<u>Salary</u>	<u>Holiday</u>	<u>Longevity Factor =.005 of Annual Sal. x yrs of Service</u>
Chief (Kinder)	700.21 per week	1,260.00	316.04
PERF per Quarter	1,216.76		
Yrly. Insurance	1,596.00		
Assistant Chief (Bradshaw) X	534.23 per week	961.61	526.73
1 Detective/Capt. (Huber) X	455.59 per week	820.06	1,790.89
✓ * Sergeant (Meyer) X	424.26 per week	763.66	1,685.54
✓ * Sergeant (-TBD-) Hqent	424.26 per week	763.66	421.38 <i>wrong</i>
✓ * Patrolman (Ellenbrand)	405.18 per week	729.32	842.77
✓ * Patrolman (Zahnd)	405.18 per week	729.32	842.77
✓ * Patrolman (Stricker)	405.18 per week	729.32	737.42
✓ * Patrolman (Emerick)	405.18 per week	729.32	421.38
* Patrolman (Haehl) Ash	405.18 per week	729.32	316.04
* Patrolman (Hall)	405.18 per week	729.32	105.35
* Patrolman (-TBD-)	359.99 per week	647.98	.00

* A 3% adjustment to Patrolman's and Sergeant's salary to be effective 7/1/93.

STANLEY E. TUCKER, COUNCIL PRESIDENT

KARL TRUMAN, COUNCIL MEMBER

DOUG EDDINGS, COUNCIL MEMBER

ROY EVERITT, COUNCIL MEMBER

DAVE BROADY, COUNCIL MEMBER

LINDA SCHAFFER, CLERK-TREASURER

DATE: _____

This is what
they make
now 10-20-94
↓

This is
what the 9-27-93
ord. says

	This is what they make now 10-20-94		This is what the 9-27-93 ord. says
X Gum Blencoe	- 10.85		10.09
* Samples	- 7.86		7.51
* Walters	- 9.00	(7.86)	7.36
* Crawford	- 6.50		? Not on ord.
* Atenson	- 611.16		551.16
* Adams	- 7.86		7.36
✓ Jackson	- 7.23		? Not on ord.
✓ Stillwell	- 5.18		? Not on ord.
✓ Yochem	- 7.23		5.18

Render ins

106.70.

- 106.70

- 28.29

134.99

Jan 1st to Aug 31 - 853.60

Sept - Dec 539.96

~~ADAMS~~ - ~~yochem~~ ~~Render~~ -

Walters 7.36 - 7.86

ADAMS 7.36 - 7.86

Samples 7.51 - 7.86

Render Insurance
Retroactive back to Jan 20th

amended from 1596.00

ORDINANCE NO. 93- 576

AN ORDINANCE AMENDING ORDINANCE NO. 92-541,
REGARDING THE INDIANA MODEL ORDINANCE FOR FLOOD HAZARD AREAS

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 9th day of November, 1992, adopt Ordinance No. 92-541, regarding the Indiana Model Ordinance for Flood Hazard Areas; and

WHEREAS, the Town Council for the Town of Sellersburg, has been informed by the Indiana Department of Natural Resources that said Ordinance No. 92-541, contains various information which must be corrected; and

WHEREAS the Town Council for the Town of Sellersburg, Indiana, has determined in an open meeting in which the public was allowed to participate, that Ordinance No. 92-541, should be amended to reflect the changes requested by the Indiana Department of Natural Resources.

Be it ordained by the Town Board of the Town of Sellersburg, Indiana, as follows:

SECTION 1. STATUTORY AUTHORIZATION. The Indiana Legislature granted the power to local units of government (I.C. 36-7-4) to control land use within their jurisdictions in order to accomplish the following.

SECTION 2. STATEMENT OF PURPOSE. The purpose of this ordinance is to guide development in the flood hazard areas in order to reduce the potential for loss of life and property, reduce the potential for health and safety hazards, and to reduce the potential for extraordinary public expenditures for flood protection and relief. Under the authority granted to local units of government to control land use within their jurisdiction, which includes taking into account the effects of flooding, the Sellersburg Town Board of Trustees hereby adopts the following floodplain management regulations in order to accomplish the following.

- a. to prevent unwise developments from increasing flood or drainage hazards to others;
- b. to protect new buildings and major improvements to buildings from flood damage;
- c. to protect human life and health from the hazards of flooding;

- d. to lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;
- e. to maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas; and
- f. to make federally subsidized flood insurance available for property in the Town of Sellersburg by fulfilling the requirements of the National Flood Insurance Program.

SECTION 3. DEFINITIONS. For the purpose fo this ordinance, the following definitions are adopted:

- a. Building - see "structure."
- b. Development - any man-made change to improved or unimproved real estate including but not limited to:
 - 1. construction, reconstruction, or placement of a building or any addition to a building valued at more than \$1,000;
 - 2. installing a manufactured home on a site for a manufactured home or installing a travel trailer on a site for more than 180 days;
 - 3. installing utilities, erection of walls and fences, construction of roads, or similar projects;
 - 4. construction of flood control structures such as levees, dikes, channel improvements, etc.;
 - 5. mining, dredging, filling, grading, excavation, or drilling operations;
 - 6. construction and/or reconstruction of ridges or culverts;
 - 7. storage of materials; or
 - 8. any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent buildings.

- c. Existing manufactured home park or subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
- d. Expansion to an existing manufactured home park or subdivision - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- e. FHBM - means Flood Hazard Boundary Map.
- f. FIRM - means Flood Insurance Rate Map.
- i. FBFM - Flood Boundary and Floodway Map.
- h. FEMA - Federal Emergency Management Agency.
- i. Flood - a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.
- j. Floodplain - the channel proper and the areas adjoining any wetland, lake or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the floodway fringe districts.
- k. Flood Protection Grade or the "FPG" - means the elevation of the regulatory flood plus two feet at any given location in the SFHA.
- l. Floodway - means the channel of a river or stream and those portions of the flood plains adjoining the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.
- m. Floodway fringe - means those portions of the flood hazard areas lying outside the floodway.
- n. Letter of Map Amendment (LOMA) - An amendment to the currently effective FEMA map that establishes that a property is not located in a Special Flood Hazard Area (SFHA). A LOMA is only issued by FEMA.

- o. Letter of Map Revision (LOMR) - An official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

- p. Lowest Floor - means the lowest of the following:
 - 1. the top of basement floor;
 - 2. the top of the garage floor, if the garage is the lowest level of the building;
 - 3. the top of the first floor of buildings elevated on pilings or constructed on a crawl space with permanent openings; or
 - 4. the top of the floor level of any enclosure below an elevated building where the walls of the enclosure provided any resistance to the flow of flood waters unless:
 - (a) the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of such openings shall be no higher than one (1) foot above the enclosed area's floor.
 - (b) such enclosed space shall be usable for non-residential purposes and building access.

- m. Manufactured home - means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

- n. New manufactured home park or subdivision - means a manufactured home part or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

- o. Recreation vehicle - means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3)

- designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, or seasonal use.
- p. Regulatory Flood - means the flood having a one percent probability of being equalled or exceeded in any given year, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission. The regulatory flood elevation at any location is as defined in Section 5 of this ordinance. The "Regulatory Flood" is also known by the term "Base Flood."
- q. SFHA or Special Flood Hazard Area - means those lands within the jurisdiction of the Town that are subject to inundation by the regulatory flood. The SFHAs of the Town are generally identified as such on the Flood Insurance Rate Map of the Town prepared by the Federal Emergency Management Agency and dated August 1, 1980. The SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the Town or that may be annexed into the Town are generally identified as such on the Flood Insurance Rate Map prepared for Clark County by the Federal Emergency Management Agency and dated February 18, 1983.
- r. Structure - means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.
- s. Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historic structure".

SECTION 4. DUTIES OF THE ADMINISTRATOR. The Zoning Board for the Town of Sellersburg shall implement this ordinance and hereafter be referred to as the Zoning Administrator. The Zoning Administrator for the Town of Sellersburg is appointed to review all development and subdivisioin proposals to insure compliance with this

ordinance, including but not limited to the following duties:

- a. Ensure that all development activities within the SFHAs of the jurisdiction of the Town meet the requirements of this ordinance.
- b. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.
- c. Ensure that construction authorization has been granted by the Indiana Natural Resources Commission for all development projects subject to Section 7 of this ordinance, and maintain a record of such authorization (either copy of actual permit or letter of recommendation).
- d. Maintain a record of the "as-built" elevation of the lowest floor (including basement) of all new and/or substantially improved buildings constructed in the SFHA.
- e. Maintain a record of the engineer's certificate and the "as built" floodproofed elevation of all buildings subject to Section 8 of this Ordinance.
- f. Cooperate with state and federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this ordinance., Submit reports as required for the National Flood Insurance Program.
- g. Maintain for public inspection and furnish upon request regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and letters of recommendation, federal permit documents, and "as built" elevation and floodproofing data and all buildings constructed subject to this ordinance.

SECTION 5. REGULATORY FLOOD ELEVATION. This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Department of Natural Resources for review and approval.

- a. The regulatory flood elevation and floodway limits for the SFHAs of Muddy Fork Creek and Silver Creek shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of the Town dated February, 1980, and corresponding FIRM dated August 1, 1980 prepared by

Federal Emergency Management Agency.

- b. The regulatory flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the Town.
- c. The regulatory Flood Elevation for each of the remaining SFHAs delineated as an "A Zone" in the Flood Insurance Rate Map of the (City, Town or County) shall be according to the best data available as provided by the Department of Natural Resources.
- d. The regulatory flood elevation of the SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the Town or that may be annexed into the Town shall be delineated on the 100 year Flood Profiles in the Town shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of Clark County prepared by the Federal Emergency Management Agency and dated March, 1980, and the corresponding FBFM dated September 30, 1980, prepared by FEMA.
- e. If the SFHA is delineated as "AH Zone or AO Zone," the elevation (or depth) will be delineated on the County Flood Insurance Rate Map. If the SFHA is delineated as "Zone A" on the County Flood Insurance Rate Map, the regulatory flood elevation shall be according to the best data available as provided by the Department of Natural Resources.

SECTION 6. IMPROVEMENT LOCATION PERMIT. No person, firm, corporation, or governmental body not exempted by state law shall commence any "Development" in the SFHA without first obtaining an Improvement Location Permit from the Town Zoning Board. The Zoning Board shall not issue an Improvement Location Permit if the proposed "development" does not meet the requirements of this ordinance.

- a. The application for an Improvement Location Permit shall be accompanied by the following:
 - 1. A description of the proposed development.
 - 2. Location of the proposed development - sufficient to accurately locate property and structure in relation to existing roads and streams.
 - 3. A legal description of the property site.
 - 4. A site development plan showing existing and proposed structure locations and existing and proposed land grades.

5. Elevation of lowest floor (including basement) of all proposed structures. Elevation should be in National Geodetic Vertical Datum of 1929 (NGVD).

b. Upon receipt of an application for an Improvement Location Permit, the Building Official shall determine if the site is located within an identified floodway or within the floodplain where the limits of the floodway have not yet been determined.

1. If the site is in an identified floodway the Building Official shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources and apply for a permit for construction in a floodway.

Under the provisions of IC 13-2-22 a permit from the Natural Resources Commission is required prior to the issuance of a local building permit for any excavation, deposit, construction or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the building.

No action shall be taken by the Building Official until a permit has been issued by the Natural Resources Commission granting approval for construction in the floodway. Once a permit has been issued by the Natural Resources Commission, the Building Official may issue the local Improvement Location Permit, provided the provisions contained in Sections 7 and 8 of this ordinance have been met. The Improvement Location Permit cannot be less restrictive than the permit issued by the Natural Resources Commission.

2. If the site is located in an identified floodway fringe, then the Building Official may issue the local Improvement Location Permit provided the provisions contained in Section 7 and 8 of this ordinance have been met. The key provision is that the lowest floor of any new or substantially improved structure shall be at or above the Flood Protection Grade.
3. If the site is in an identified floodplain where the limits of the floodway and floodway fringe have not yet been determined (shown as

Zone A on the Flood Insurance Rate Map), and the drainage area upstream of the site is greater than one square mile, the Building Official shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources for review and comment.

No action shall be taken by the Building Official until either a permit for construction in the floodway or a letter of recommendation citing the 100 year flood elevation and the recommended Flood Protection Grade has been received from the Department of Natural Resources.

Once the Zoning Administrator has received the proper permit or letter of recommendation approving the proposed development, an Improvement Location Permit may be issued provided the conditions of the ILP are not less restrictive than the conditions received from Natural Resources and the provisions contained in Section 7 and 8 of this ordinance have been met.

SECTION 7. PREVENTING INCREASED DAMAGES. No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

- a. Within the floodway identified on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map, the following standards shall apply:
 1. No development shall be allowed which acting alone or in combination with existing or future similar works, will cause any increase in the elevation of the regulatory flood; and
 2. For all projects involving channel modifications or fill (including levees) the Town shall submit a request to the Federal Emergency management Agency to revise the regulatory flood data.
- b. Within all SFHAs identified as A Zones (no 100 year flood elevation and/or floodway/floodway fringe delineation has been provided) the following standard shall apply:
 1. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not

increase the regulatory flood elevation more than one-tenth (0.1) of one foot and will not increase flood damages or potential flood damages.

c. Public Health Standards in all SFHAs

1. No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the Flood Protection Grade, unless such materials are stored in storage tank or Floodproofed building constructed according to the requirements of section 8 of this ordinance.
2. New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings located below the FPG are watertight.

SECTION 8. PROTECTING BUILDINGS. In addition to the damage prevention requirements of Section 7, all buildings to be located in the SFHA shall be protected from flood damage below the FPG.

a. This building protection requirement applies to the following situations:

1. construction or placement of any new building valued at more than \$1,000; or greater than 400 square feet, whichever is less.
2. structural alternations made to an existing building that increase the market value of the building by more than 50% (excluding the value of the land) or any structural alternation made previously (one time only alteration).
3. reconstruction or repairs made to a damaged building that are valued at or more than 50% of the market value of the building (excluding the value of the land) before damage occurred.
4. installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site is lawfully occupied before it was removed to avoid flood damage; and
5. installing a travel trailer on a site for more than 180 days.

b. This building protection requirement may be met by one of the following methods. The Building Official shall maintain a record of compliance with these building protection standards as required in Section 4 of this ordinance.

1. A residential or nonresidential building may be constructed on a permanent land fill in accordance with the following:

(a) The fill shall be placed in layers no greater than 1 foot deep before compacting to 95% of the maximum density obtainable with the Standard Proctor Test method.

(b) The fill should extend at least ten feet beyond the foundation of the building before sloping below the FPG.

(c) The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical.

(d) The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.

(e) The lowest floor (see definition of lowest floor in Section 3. Definitions) shall be at or above the FPG.

2. The residential or nonresidential building may be elevated in accordance with the following:

(a) The building or improvements shall be elevated on posts, piers, columns, extended walls, or other types of similar foundations provided:

(1) Walls of any enclosure below the elevated floor shall be designed to automatically equalize hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed floor area subject to flooding. The bottom of all such opening shall be no higher than one

(1) foot above the enclosed area's floor.

(2) Any enclosure below the elevated floor is used for non-residential purposes and building access.

(b) The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice, and floating debris.

(c) All areas below the FPG shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.

3. Manufactured homes and travel trailers (also called recreational vehicles) to be installed substantially improved on a site for more than 180 days must meet one of the following anchoring requirements:

(a) The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;

(1) outside a manufactured home park or subdivision;

(2) in a new manufactured home park or subdivision;

(3) in an expansion to an existing manufactured home park or subdivision; or

(4) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.

- (b) The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood

- 4. Recreation vehicles placed on a site shall either:
 - (a) be on the site for less than 180 consecutive days;
 - (b) be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
 - (c) meet the requirements for "manufactured homes" in paragraph (3) of this section.
- 5. A non-residential building may be floodproofed to the FPG (in lieu of elevating) if done in accordance with the following:
 - (a) a Registered Professional Engineer shall certify that the building has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The Building design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice.
 - (b) Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

SECTION 9. OTHER DEVELOPMENT REQUIREMENTS.

- a. The Planning Commission shall review all proposed subdivisions to determine whether the subdivision lies in a flood hazard area as defined elsewhere by ordinance. If the (review agency or official) finds the subdivision to be so located, the (review agency or individual) shall

- forward plans and materials to the Indiana Department of Natural Resources for review and comment. The (review agency or individual shall require appropriate changers and modifications in order to assure that:
1. it is consistent with the need to minimize food damages;
 2. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 3. adequate drainage is provided so as to reduce exposure to flood hazards;
 4. onsite waste disposal systems, if provided, will be so located and designed to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.
- b. Developers shall record the 100 year flood elevation on all subdivision plats containing lands identified elsewhere by ordinance as within a flood hazard area prior to submitting the plats for approval by the Plan Commission.
- c. All owners of manufactured home parks or subdivisions located within the SFHA identified as Zone A on the community's FHMB or FIRM develop an evacuation plan for those lots located in Zone A and file it with the local Plan Commission and have it filed and approved by the appropriate community emergency management authorities.

SECTION 10. VARIANCES.

- a. The Board of Zoning Appeals may consider issuing a variance to the terms and provisions of this ordinance provided the applicant demonstrates that:
1. there exists a good and sufficient cause for the requested variance;
 2. The strict application of the terms of this ordinance will constitute an exceptional hardship to the applicant, and
 3. The granting of the requested variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.

b. The Board of Zoning Appeals may issue a variance to the terms and provisions of this ordinance subject to the following standards and conditions:

1. No variance or exception for a residential use within a floodway subject to Section 7 (a) or (b) may be granted.
2. Any variance or exception granted in a floodway subject to Section 7 (a) or (b) will require a permit from Natural Resources.
3. Variances or exceptions to the Building Protection Standards of Section 8 may be granted only when a new structure is to be located on an lot of one-half acres or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.
4. Variance or exception may be granted for the reconstruction or restoration of any structure individually listed on the Register of Historic Places or the Indiana State Survey of Historic Architectural, Archaeological and Cultural Sites, Structures, Districts, and Objects;
5. All variances shall give the minimum relief necessary and be such that the maximum practical flood protection will be given to the proposed construction; and
6. The Board of Zoning Appeals shall issue a written notice to the recipient of a variance or exception that the proposed construction will be subject to increased risks to life and property and could require payment of excessive flood insurance premiums.

SECTION 11. DISCLAIMER OF LIABILITY. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of the community, Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

SECTION 12. VIOLATIONS. Failure to obtain an Improvement Location Permit in the SFHA or failure to comply with the requirements of a permit or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a

common nuisance and be treated as such in accordance with the provisions of the Zoning Code for the Town of Sellersburg.

a. A separate offense shall be deemed to occur for each day the violation continues to exist.

b. The Sellersburg Zoning and Planning Commission shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

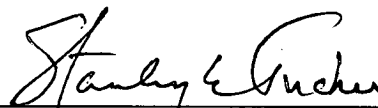
c. Nothing herein shall prevent the Town from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.


SECTION 13. ABROGATION AND GREATER RESTRICTIONS. This ordinance repeals and replaces other ordinances adopted by the Town Council to fulfill the requirements of the National Flood Insurance Program. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the Program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall take precedence.

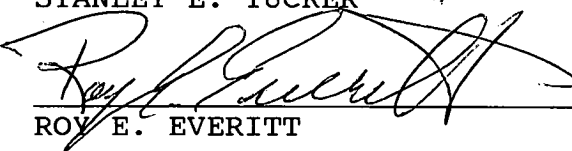
SECTION 14. SEPARABILITY. The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

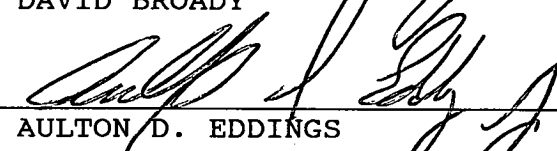
SECTION 15. EFFECTIVE DATE. This ordinance shall take effect upon its passage by the Town Council.

Passed and enacted by the Town of Sellersburg, Indiana, on the 13th day of September, 1993.



STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: 
LINDA SCHAFFER,
CLERK/TREASURER

1994 SALARY, HOLIDAY AND LONGEVITY PAY

WHEREAS, THE Town of Sellersburg desires to pass the herein Ordinance in order to establish and clarify the salary, holiday and longevity pay of employees of the Town; and

WHEREAS, said Ordinance is necessary for the efficient administration of the Town.

NOW, THEREFORE, BE IT ORDAINED, this _____ day of _____, 19____, by the Town Council of the Town of Sellersburg, that:

The following annual/weekly/hourly wage, holiday and longevity pay, as indicated, shall be paid to the following employees, from the funds as indicated, effective January 1, 1993:

SEWER DEPARTMENT

* Superintendent	\$ 551.16 per week	Rick ✓	
* Maint. Supervisor	403.60 per week	Jim ✓	10.09 per hour ✓ 1085
Laboror	339.20 per week	Earl ✓	8.48 per hour ✓
Laboror	319.20 per week	Sam ✓	7.98 per hour ✓
Laboror Samples	300.40 per week	Robin ✓	7.51 per hour ✓ 786
Laboror	294.40 per week	Bobby ✓	7.36 per hour ✓
Deputy Clerk Treas.	344.40 per week	Cheryl ✓	
Clerk Treasurer	11,140.74 per year	Linda ✓	
Town Council Member	2,126.25 per year	Stan	
Town Council Member	2,126.25 per year	Dave	
Town Council Member	2,126.25 per year	Doug	
Town Council Member	2,126.25 per year	Roy	
Town Council Member	2,126.25 per year	Karl	
Attorney	11,250.00 per year	Perry	
* Sewer Dept. Lab. Tech.	294.40 per week	TRAVIS	7.36 per hour 7.86-9.00
		patty	6.50 hr

WATER DEPARTMENT

* Superintendent	611.16 551.16 per week	Clark ✓	
Heavy Equip. Operator	410.40 per week	Ronnie ✓	10.26 per hour ✓
Plant Oper./ Laboror	294.40 per week	Louie ✓	7.36 per hour ✓
Laboror	294.40 per week	Bary ✓	7.36 per hour ✓ 786
Plant Oper./ Meter Repair	294.40 per week	Du ✓	7.36 per hour ✓
Billing Clerk	285.20 per week	Cindy ✓	7.13 per hour ✓
Acct. Rec. Clerk	285.20 per week	Andrea ✓	7.13 per hour ✓
Clerk Treasurer	11,140.74 per year	Linda	
Town Council Member	2,126.25 per year	Stan	
Town Council Member	2,126.25 per year	Dave	
Town Council Member	2,126.25 per year	Doug	
Town Council Member	2,126.25 per year	Roy	
Town Council Member	2,126.25 per year	Paul	
Attorney	11,250.00 per year	Perry	

GENERAL FUND

Clerk Treasurer	2,475.72 per year	Linda
Town Council Member	472.50 per year	Stan
Town Council Member	472.50 per year	Dave
Town Council Member	472.50 per year	Doug
Town Council Member	472.50 per year	Roy
Town Council Member	472.50 per year	Karl
Commissioner	500.00 per year	
Commissioner	500.00 per year	
Commissioner	500.00 per year	
Commissioner	500.00 per year	
Commissioner	500.00 per year	
Attorney	2,500.00 per year	Perry

ORDINANCE NO. 1994 (CONT.)

STREET AND SANITATION DEPARTMENT

Superintendent	551.16 per week	Mark ✓	
Truck Driver	319.20 per week	Tom ✓	7.98 per hour ✓
Laborer	294.40 per week	Danny ✓	7.36 per hour ✓
Laborer	294.40 per week	Jacky ✓	7.36 per hour ✓
Laborer	294.40 per week	Phil ✓	7.36 per hour ✓
Laborer	294.40 per week	Eddie ✓	7.36 per hour ✓

POLICE DEPARTMENT

Dispatcher Sanders			7.23 per hour ✓
Dispatcher Campbell			7.23 per hour ✓
Dispatcher Austin			7.23 per hour ✓
Dispatcher Bringer			7.23 per hour ✓
Dispatcher Lother			7.23 per hour ✓
Part-time Dispatcher	McCuid ✓	Worona ✓	5.18 per hour ✓

Jackson 7.23
 Stillwell 5.18

McCuid ✓
 Worona ✓
 7.23

Holiday pay for Dispatchers will be determined on 3 persons for 9 holidays which will be 27 days x 8 hours which equals 216 hours.

.....1,561.68 per year

	<u>Salary</u>	<u>Holiday</u>	<u>Longevity</u>
0027 Chief Kunder	724.72 per week ✓	1304.46 yearly	449.24 yearly
Chief Perf	5,188.60 yearly		
Chief Ins.	1,596.00 yearly		
0006 Asst. Chief Bradshaw (0006)	552.93 per week ✓	995.31 yearly	673.86 yearly ✓
0023 Dect./Capt. Huber (0023)	471.54 per week ✓	848.79 yearly	2,021.58 yearly ✓
0031 Sergeant Meyer (0031)	452.28 per week ✓	814.14 yearly	1,909.27 yearly ✓
Sergeant	452.28 per week	814.14 yearly	449.24 yearly
0013 Patrolman Ellendorn (0013)	431.95 per week ✓	777.51 yearly	1,010.79 yearly ✓
0046 Patrolman Zamud (0046)	431.95 per week ✓	777.51 yearly	1,010.79 yearly
0037 Patrolman Steicker (0037)	431.95 per week ✓	777.51 yearly	898.48 yearly ✓
0014 Patrolman Emerick (0014)	431.95 per week ✓	777.51 yearly	561.55 yearly ✓
0019 Patrolman Hall (0019)	431.95 per week ✓	777.51 yearly	224.62 yearly ✓
0014 Patrolman Ash/Oldham	431.95 per week ✓	777.51 yearly	112.31 yearly
Patrolman (TBA)	383.77 per week ✓	690.79 yearly	-0- yearly
0048 - Ash			
0077 - Oldham			

David Broady

Karl Truman

Aulton D. Eddings Jr.

Stanley E. Tucker

Roy E. Everitt

Attest:

Linda G. Schafer
Clerk/Treasurer

28.51
Done

ORDINANCE 93-578

Whereas, it has been determined that it is now necessary to appropriate more money that was appropriated in the annual budget for calander year 1993; now, therefore:

Be it obtained by the Town Council of the Civil Town of Sellersburg, Clark County, Indiana, that for expenses of the taxing unit the following additional sum of money are hereby appropriated out of fund named and for the purpose specified, subject to the laws governing the same:

NAME OF FUND	ACCT. TITLE	AMOUNT OF APPROPRIATION REQUESTED
MPP/Other Ser. and Charges	Pensions to Retired	1,300.00

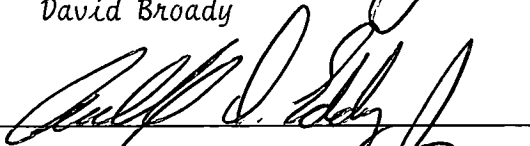
Adopted by the Town Council of the Civil Town of Sellersburg, Indiana, on this _____ day of _____ 1993.



David Broady



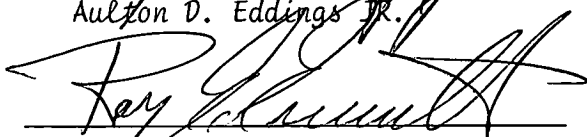
Karl Truman



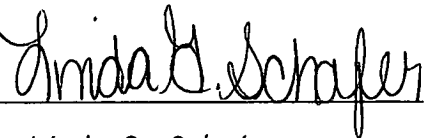
Aulton D. Eddings Jr.



Stanley E. Tucker



Roy E. Everitt

ATTEST: 

Linda G. Schafer
Sellersburg Clerk Treasurer

Should be
91-495

ORDINANCE NO. 93-577

AN ORDINANCE AMENDING ORDINANCE NO. 91-495
IN THE MATTER OF ESTABLISHING A DEFERRED COMPENSATION PLAN

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 11th day of February, 1991, establish a Deferred Plan for all eligible employees and elected officials of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, in said Ordinance appointed Patricia Rush, previous Clerk-Treasurer, as the administrator of the plan, and authorized her to make deductions in the pay of the employees who voluntarily participate, and to make such other arrangements as are necessary to implement the plan; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, now wishes to delete the name of Patricia Rush as the administrator of the Deferred Compensation Plan and authorize the duly elected Clerk-Treasurer to be the administrator of the plan in the future; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, desires to remove the name of any specific individual as the administrator of the Deferred Compensation Plan and that all future Sellersburg Clerk-Treasurer's shall serve as the administrator of said plan; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes that deleting the name of Patricia Rush as administrator of the Deferred Compensation Plan is in the best interest of the Town and necessary for the efficient administration of Town government; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, desires that all other Town legislation concerning the Deferred Compensation Plan remain in full force and effect as previously adopted by the Sellersburg Town Council on the 11th day of February, 199 .

THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the name of Patricia Rush, previous Clerk-Treasurer of the Town of Sellersburg, shall be eliminated as the administrator of the Deferred Compensation Plan and that the Sellersburg Clerk-Treasurer shall serve in the capacity as administrator of the Deferred Compensation Plan in the future.

SO ORDAINED THIS _____ DAY OF _____, 1993.

BE IT FURTHER RESOLVED that the Town of Sellersburg Clerk-Treasurer take all steps necessary by law to make the transfers so indicated above.

PASSED AND ADOPTED this _____ day of _____, 1993, by the Sellersburg Town Council, Sellersburg, Indiana.

STANLEY E. TUCKER

DAVID BROADY

ROY E. EVERITT

AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: _____
LINDA D. SCHAFER

AGREEMENT

THIS AGREEMENT, made and entered into on this 2/11/91, by and between Town of Sellersburg (hereinafter referred to as the "Town") and Indiana Deferred Compensation Plan, Inc. of 150 West Market Street, Suite #406, Indianapolis, Indiana, an Indiana Corporation (hereinafter referred to as "IDCP").

WITNESSETH THAT

WHEREAS, IDCP is an Indiana Corporation which specializes in assisting the State of Indiana and its political subdivisions, in the development, installation, administration and supervision of deferred compensation plans created for the benefit of their employees; and

WHEREAS, the Town has established the Town of Sellersburg Deferred Compensation Plan (hereinafter referred to as the "Plan") to be administered under the supervision of the Plan Administrator; and

WHEREAS, the Town deems it desirable to authorize and appoint IDCP to perform certain functions as hereinafter provided:

NOW, THEREFORE, it is mutually agreed between the parties hereto as follows:

1. AGREEMENT TERMS

a) The Town hereby appoints IDCP as the exclusive Servicing Manager and Enroller for the Plan, effective as of the date of this Agreement and continuing for a period of five years. This agreement shall be renewable for an additional five years unless written notice of termination is given at least six months prior to expiration.

b) This Agreement may, upon 60 days advance written notice, be terminated a) by the Town for malfeasance or gross neglect should IDCP fail to or unreasonably refuse to perform the services required and described herein; or b) by IDCP upon failure of the Town to support IDCP in meeting its responsibilities.

2. IDCP RESPONSIBILITIES:

IDCP hereby agrees to utilize its best efforts and to provide appropriate personnel to:

a) Provide the Clerk-Treasurer a copy of the State's Deferred Compensation Plan document and from time to time, provide the appropriate amendments to maintain the Plan in compliance with provisions of Section 457 of the Internal Revenue Service.

b) Utilize only those funding options which have been selected by competitive bid and approved by the Treasurer of the State for use in the State's Plan. Alternate funding options may be utilized only upon approval of IDCP and written acceptance by Town.

c) Meet with the appropriate Town officials and provide the assistance necessary to implement the Plan and to maintain its effective and orderly operation.

ORDINANCE

495

Original

IN THE MATTER OF ESTABLISHING A DEFERRED COMPENSATION PLAN

WHEREAS, the Town of Sellersburg wishes to establish a Deferred Compensation Plan for all eligible employees and elected officials; and

WHEREAS, certain tax benefits could accrue to employees, which would act as incentives for them to voluntarily set aside and invest portions of their current income, so as to provide for future financial security and to supplement their retirement benefits; and

WHEREAS, the State of Indiana currently sponsors a deferred compensation plan and permits public entities to utilize its plan document, its investment options, and the enrollment and administrative support of its Servicing Manager;

NOW, THEREFORE THE SELLERSBURG TOWN BOARD DOES HEREBY RESOLVE AS FOLLOWS:

The Sellersburg Town Board, meeting in a regularly scheduled session, this 11th day of February, hereby establishes the Town of Sellersburg Deferred Compensation Plan for the voluntary participation of all eligible employees and elected officials.

The Town will utilize the State's plan document and its investment options. The Town will contract with Indiana Deferred Compensation Plan, Inc. to be the exclusive Servicing Manager and Enroller.

The Town Board hereby appoints the Patricia Rush as the Administrator of the Plan, and authorizes him/her to make deductions from the pay of employees, who voluntarily participate, and to make such other arrangements as are necessary to implement the Plan. It is understood that, other than the incidental expense of collecting the employees' deferrals and other minor administrative matters, there is to be no cost to the Town or contribution by the Town to this Plan.

IT IS HEREBY FURTHER ORDERED, that a true copy of this Ordinance be spread upon the Sellersburg Town Board's record of this date.

[Signature]
Board Member

[Signature]
Board Member

[Signature]
Board Member

Board Member

[Signature]
Board Member

Board Member

Attested: Patricia Rush
Clerk - Treasurer

ORDINANCE NO. 93-579

AN ORDINANCE AMENDING ORDINANCE NO. 92-495
IN THE MATTER OF ESTABLISHING A DEFERRED COMPENSATION PLAN

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, did on the 11th day of February, 199__, establish a Deferred Plan for all eligible employees and elected officials of the Town of Sellersburg, Indiana; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, in said Ordinance appointed Patricia Rush, previous Clerk-Treasurer, as the administrator of the plan, and authorized her to make deductions in the pay of the employees who voluntarily participate, and to make such other arrangements as are necessary to implement the plan; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, now wishes to delete the name of Patricia Rush as the administrator of the Deferred Compensation Plan and authorize the duly elected Clerk-Treasurer to be the administrator of the plan in the future; and

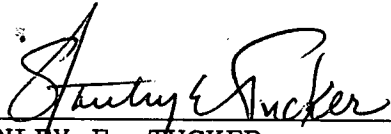
WHEREAS, the Town Council for the Town of Sellersburg, Indiana, desires to remove the name of any specific individual as the administrator of the Deferred Compensation Plan and that all future Sellersburg Clerk-Treasurer's shall serve as the administrator of said plan; and

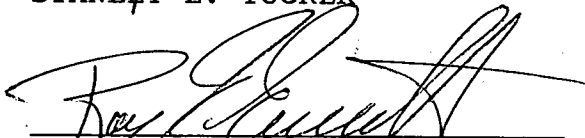
WHEREAS, the Town Council for the Town of Sellersburg, Indiana, believes that deleting the name of Patricia Rush as administrator of the Deferred Compensation Plan is in the best interest of the Town and necessary for the efficient administration of Town government; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, desires that all other Town legislation concerning the Deferred Compensation Plan remain in full force and effect as previously adopted by the Sellersburg Town Council on the 11th day of February, 199__.

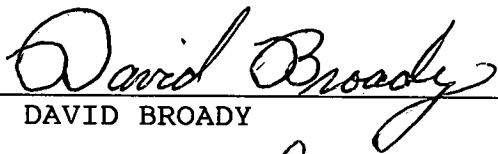
THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that the name of Patricia Rush, previous Clerk-Treasurer of the Town of Sellersburg, shall be eliminated as the administrator of the Deferred Compensation Plan and that the Sellersburg Clerk-Treasurer shall serve in the capacity as administrator of the Deferred Compensation Plan in the future.

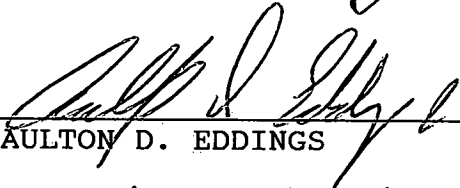
SO ORDAINED THIS 25th DAY OF October, 1993.



STANLEY E. TUCKER


ROY E. EVERITT

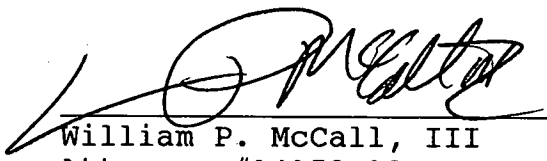

KARL N. TRUMAN


DAVID BROADY


AULTON D. EDDINGS

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY:


William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

ORDINANCE NO. 93- 580

AN ORDINANCE ESTABLISHING A TOWN OF SELLERSBURG
POLICE DEPARTMENT STATION FUND ACCOUNT

WHEREAS, the Town of Sellersburg Police Department, from time to time, receives monetary donations from interested citizens or groups; and

WHEREAS, the Town of Sellersburg Police Department receives proceeds from vending machines contained in the Town of Sellersburg Police Department; and

WHEREAS, the Town of Sellersburg Police Department, from time to time, receives other monies from other sources; and

WHEREAS, the donations received from citizens or groups, vending proceeds and other monies given to the Town of Sellersburg Police Department are non-budgeted amounts by the Town of Sellersburg; and

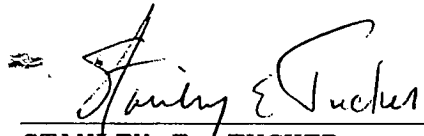
WHEREAS, the Town of Sellersburg Police Department desires to use the funds contained in a Town of Sellersburg Police Station Fund Account for non-budgeted expenses or special items; and

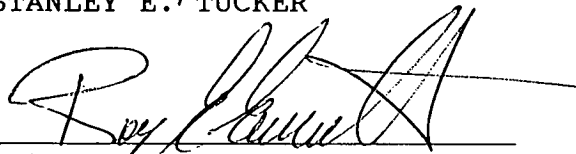
WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the establishment of a Town of Sellersburg Police Station Fund Account is in the best interest of the Town for the effective administration of Town government.

THEREFORE, BE IT ORDAINED AND ORDERED, by the Town Council for the Town of Sellersburg, Indiana, that there shall be, and hereby is, established a Town of Sellersburg Police Station Fund Account in which private and group donations, vending proceeds and other monies given to the Town of Sellersburg Police Department shall be deposited for use by the Town of Sellersburg Police Department for non-budgeted expenses for special items.

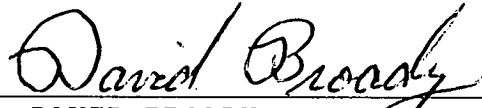
BE IT FURTHER ORDAINED, that the Town of Sellersburg Clerk-Treasurer shall take all steps necessary under the law to open and maintain the Town of Sellersburg Police Department's Police Station Fund Account.

SO ORDAINED THIS 25th DAY OF October, 1993.

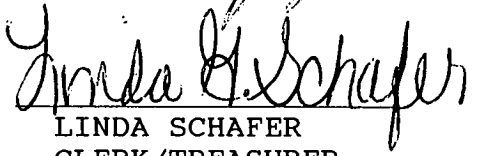

STANLEY E. TUCKER


ROY E. EVERITT


KARL N. TRUMAN


DAVID BROADY


AULTON D. EDDINGS

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY:

William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

ORDINANCE 93-581

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1993, AS REQUESTED BY THE CLERK-TREASURER AND FORWARDED TO THE TOWN COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC 6-1.1-18-6.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget for the year of 1993 and it is now necessary to transfer appropriations into different categories than was appropriated in the annual budget for the various functions of the several departments to meet the emergencies.

SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, that for the expenses of the Town Government, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law.


SECTION 2. Where it has been shown that certain existing appropriations have unobligated balances which will be available for transferring as follows:

ACCT.#, NAME, & AMOUNT		TO ACCT.#, NAME, & AMOUNT	
<u>TOWN COUNCIL</u>		<u>TOWN COUNCIL</u>	
395-SETTLEMENTS & JUDGEMENTS	4000.00	394-MISC. SERVICES	4000.00
<u>CLERK TREAS.</u>		<u>CLERK TREAS.</u>	
124-GROUP INS.	2500.00	323-TELEPHONE & PAGERS	2500.00
341-INSURANCE	500.00	331-LEGAL PUBLICATIONS	500.00
341-INSURANCE	2000.00	351-ELECTRIC	2000.00
124-GROUP INSURANCE	500.00	353-WATER	500.00
<u>MVH</u>		<u>MVH</u>	
397-PAVING	600.00	225-GASOLINE	600.00
397-PAVING	500.00	224-SUPPLIES	500.00
397-PAVING	500.00	368-BITUMINOUS MAT.	500.00
<u>PARKS</u>		<u>PARKS</u>	
111-PARK SALARY	3000.00	362-REPAIRS/MAINT.	3000.00

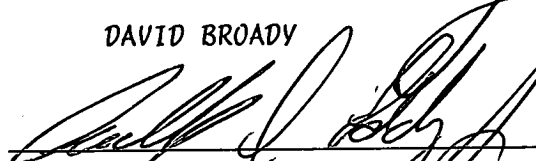
SO ORDAINED THIS _____ DAY OF _____ 19__.



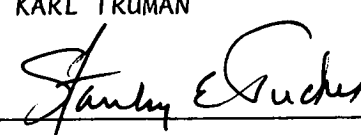
DAVID BROADY



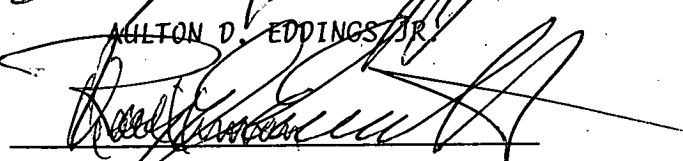
KARL TRUMAN



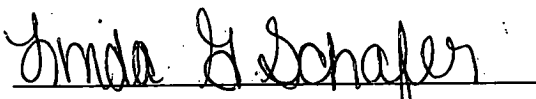
MILTON D. EDDINGS JR.



STANLEY E. TUCKER



ROY E. EVERITT



ATTEST: LINDA G. SCHAFER
CLERK TREASURER

ORDINANCE 93-582

AN ORDINANCE PROVIDING FOR THE TRANSFER OF APPROPRIATIONS FOR THE TOWN OF SELLERSBURG, INDIANA, FOR THE YEAR 1993, AS REQUESTED BY THE CLERK-TREASURER AND FORWARDED TO THE TOWN COUNCIL FOR THEIR ACTION AND PASSAGE PURSUANT TO IC 6-1.1-18-6.

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget for the year of 1993 and it is now necessary to transfer appropriations into different categories that was appropriated in the annual budget for the various functions of the several departments to meet the emergencies.

SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA, that for the expenses of the Town Government, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law.

SECTION 2. Where it has been shown that certain existing appropriations have unobligated balances which will be available for transferring as follows:

ACCT.#, NAME, & AMOUNT		TO ACCT.#, NAME & AMOUNT	
<u>CLERK TREAS.</u>		<u>CLERK TREAS.</u>	
113-BUILDING COMMISSIONER SAL.	100.00	112-CLERK TREAS. SALARY	100.00
113-BUILDING COMMISSIONER SAL.	10.00	121-CLERK TREAS. S.S	10.00
<u>STREET & SANITATION</u>		<u>STREET & SANITATION</u>	
431-STORM DRAINS	500.00	115-STREET SALARY	500.00
431-STORM DRAINS	7,000.00	381-GARBAGE CONTRACT	7,000.00
431-STORM DRAINS	1,200.00	125-CIVIL RETIREMENT	1,200.00
<u>POLICE DEPT.</u>		<u>POLICE DEPT.</u>	
121-SOCIAL SEC.	3,500.00	114- DISPATCHERS SALARY	3,500.00
121-SOCIAL SEC.	1,000.00	125- CIVIL RETIREMENT	1,000.00
225-GASOLINE	600.00	363- MAINT. POL. VEH.	600.00

SO ORDAINED THIS _____ DAY OF _____ 19____.

Absent

DAVID BROADY

Aulton D. Eddings Jr.

AULTON D. EDDINGS JR.

Roy E. Everitt

ROY E. EVERITT

Linda G. Schaffer

ATTEST: LINDA G. SCHAFER
CLERK TREASURER

Absent

KARL TRUMAN

Stanley E. Tucker

STANLEY E. TUCKER

RESOLUTION NO. 93-1

A RESOLUTION AUTHORIZING TOWN OF SELLERSBURG
CLERK TREASURER TO TRANSFER FUNDS FROM UTILITY CASH
RESERVE FUND TO GENERAL FUND FOR PURPOSE OF MEETING
TOWN OF SELLERSBURG EXPENSES

WHEREAS, the Town of Sellersburg, Indiana, has established a Utility Cash Reserve Fund for the purpose of collecting and maintaining all sewer tap-in fees paid by the Citizens of the Town of Sellersburg, Indiana; and

WHEREAS, the Utility Cash Reserve Fund is a non-designated fund from which monies collected by the Town of Sellersburg, Indiana, for sewer tap-in fees can be transferred to the Town of Sellersburg General Fund; and

WHEREAS, the Town of Sellersburg, Indiana, has engaged the services of the Schimpeler-Corradino Group to develop a comprehensive plan for the Town of Sellersburg, Indiana; and

WHEREAS, the Town of Sellersburg, Indiana, has contracted with the Schimpeler-Corradino Group to perform said service and to pay said Company up to \$49,500.00 for services rendered in the development of the Town of Sellersburg's comprehensive plan; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the Town of Sellersburg

Clerk/Treasurer must pay claims received from the Schimpeler-Corradino Group by transferring funds out of the Utility Cash Reserve Fund to the Town's General Fund as said claims are submitted by the Schimpeler-Corradino Group; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the Town of Sellersburg, Indiana, may expended up to \$49,500.00 for the development of the Town's comprehensive plan; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that for the efficient and effective performance and administration of Town Government, that the Clerk/Treasurer should be authorized to transfer funds from the Utility Cash Reserve Fund to the General Fund from time to time as claims are submitted by the Schimpeler-Corradino Group to the Town of Sellersburg Clerk/Treasurer for services rendered in the development of the Town's comprehensive plan, which shall not exceed \$49,500.00 in the aggregate; and

WHEREAS, this matter has been considered in an open meeting at which the public were given the opportunity to be heard.

BE IT THEREFORE RESOLVED, by the Town Council for the Town of Sellersburg, Indiana, that the Clerk/Treasurer for the Town of Sellersburg, Indiana, shall be authorized to transfer fund from the Utility Cash Reserve Fund to the General Fund from time to time as needed as claims are

submitted by the Schimpeler-Corradino Group to the Town of Sellersburg, Indiana, for services rendered in the development of the Town's comprehensive plan, not to exceed \$49,500.00 in the aggregate.

SO RESOLVED THIS _____ DAY OF JANUARY, 1993.

STANLEY E. TUCKER

DAVID BROADY

ROY E. EVERITT

AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: _____

LINDA SCHAFFER
CLERK/TREASURER

RESOLUTION NO. 92-1

A RESOLUTION AUTHORIZING TOWN OF SELLERSBURG
CLERK TREASURER TO TRANSFER FUNDS FROM UTILITY CASH
RESERVE FUND TO GENERAL FUND FOR PURPOSE OF MEETING
TOWN OF SELLERSBURG EXPENSES

WHEREAS, the Town of Sellersburg, Indiana, has established a Utility Cash Reserve Fund for the purpose of collecting and maintaining all sewer tap-in fees paid by the Citizens of the Town of Sellersburg, Indiana; and

WHEREAS, the Utility Cash Reserve Fund is a non-designated fund from which monies collected by the Town of Sellersburg, Indiana, for sewer tap-in fees can be transferred to the Town of Sellersburg General Fund; and

WHEREAS, the Town of Sellersburg, Indiana, has engaged the services of the Schimpeler-Corradino Group to develop a comprehensive plan for the Town of Sellersburg, Indiana; and

WHEREAS, the Town of Sellersburg, Indiana, has contracted with the Schimpeler-Corradino Group to perform said service and to pay said Company up to \$49,500.00 for services rendered in the development of the Town of Sellersburg's comprehensive plan; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the Town of Sellersburg

Clerk/Treasurer must pay claims received from the Schimpeler-Corradino Group by transferring funds out of the Utility Cash Reserve Fund to the Town's General Fund as said claims are submitted by the Schimpeler-Corradino Group; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the Town of Sellersburg, Indiana, may expended up to \$49,500.00 for the development of the Town's comprehensive plan; and


WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that for the efficient and effective performance and administration of Town Government, that the Clerk/Treasurer should be authorized to transfer funds from the Utility Cash Reserve Fund to the General Fund from time to time as claims are submitted by the Schimpeler-Corradino Group to the Town of Sellersburg Clerk/Treasurer for services rendered in the development of the Town's comprehensive plan, which shall not exceed \$49,500.00 in the aggregate; and

WHEREAS, this matter has been considered in an open meeting at which the public were given the opportunity to be heard.

BE IT THEREFORE RESOLVED, by the Town Council for the Town of Sellersburg, Indiana, that the Clerk/Treasurer for the Town of Sellersburg, Indiana, shall be authorized to transfer fund from the Utility Cash Reserve Fund to the General Fund from time to time as needed as claims are

submitted by the Schimpeler-Corradino Group to the Town of Sellersburg, Indiana, for services rendered in the development of the Town's comprehensive plan, not to exceed \$49,500.00 in the aggregate.

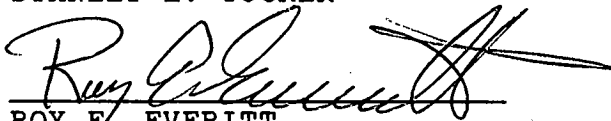
SO RESOLVED THIS _____ DAY OF JANUARY, 1993.



STANLEY E. TUCKER



DAVID BROADY



ROY E. EVERITT



AULTON D. EDDINGS



KARL N. TRUMAN

ATTEST: _____
LINDA SCHAFER
CLERK/TREASURER

RESOLUTION NO. 92-2

A RESOLUTION AUTHORIZING TOWN OF SELLERSBURG
CLERK TREASURER TO TRANSFER FUNDS FROM UTILITY CASH
RESERVE FUND TO GENERAL FUND FOR PURPOSE OF MEETING
TOWN OF SELLERSBURG EXPENSES

WHEREAS, the Town of Sellersburg, Indiana, has established a Utility Cash Reserve Fund for the purpose of collecting and maintaining all sewer tap-in fees paid by the Citizens of the Town of Sellersburg, Indiana; and

WHEREAS, the Utility Cash Reserve Fund is a non-designated fund from which monies collected by the Town of Sellersburg, Indiana, for sewer tap-in fees can be transferred to the Town of Sellersburg General Fund; and

WHEREAS, the Town of Sellersburg, Indiana, has engaged the services of the Schimpeler-Corradino Group to develop a comprehensive plan for the Town of Sellersburg, Indiana; and

WHEREAS, the Town of Sellersburg, Indiana, has contracted with the Schimpeler-Corradino Group to perform said service and to pay said Company up to \$49,500.00 for services rendered in the development of the Town of Sellersburg's comprehensive plan; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the Town of Sellersburg

Clerk/Treasurer must pay claims received from the Schimpeler-Corradino Group by transferring funds out of the Utility Cash Reserve Fund to the Town's General Fund as said claims are submitted by the Schimpeler-Corradino Group; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the Town of Sellersburg, Indiana, may expended up to \$49,500.00 for the development of the Town's comprehensive plan; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that for the efficient and effective performance and administration of Town Government, that the Clerk/Treasurer should be authorized to transfer funds from the Utility Cash Reserve Fund to the General Fund from time to time as claims are submitted by the Schimpeler-Corradino Group to the Town of Sellersburg Clerk/Treasurer for services rendered in the development of the Town's comprehensive plan, which shall not exceed \$49,500.00 in the aggregate; and

WHEREAS, this matter has been considered in an open meeting at which the public were given the opportunity to be heard.

BE IT THEREFORE RESOLVED, by the Town Council for the Town of Sellersburg, Indiana, that the Clerk/Treasurer for the Town of Sellersburg, Indiana, shall be authorized to transfer fund from the Utility Cash Reserve Fund to the General Fund from time to time as needed as claims are

submitted by the Schimpeler-Corradino Group to the Town of Sellersburg, Indiana, for services rendered in the development of the Town's comprehensive plan, not to exceed \$49,500.00 in the aggregate.

SO RESOLVED THIS _____ DAY OF JANUARY, 1993.

STANLEY E. TUCKER



ROY E. EVERITT

DAVID BROADY

AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: _____

LINDA SCHAFFER
CLERK/TREASURER

Agreement for Contract Management

This Agreement, made and entered into this _____ day of _____, 1995, by and between:

The Town of Sellersburg, a municipal corporation in the County of Clark, State of Indiana, (hereinafter "Town") acting through its elected officials, and Environmental Management Corporation (hereinafter "EMC") a Missouri corporation with its principal place of business at 689 Craig Road, St. Louis, Missouri, agree to the following:

WHEREAS: The Town owns, leases and contracts for the operation and maintenance of certain land, buildings and equipment which include, but are not limited to, a water plant, water wells, water distributing system, wastewater treatment plant, sewer collection system, sewage lift stations, flood/effluent pump stations, combined sewer overflow facilities, and a billing system for water, sewer and billing for trash services (hereinafter "Facilities"); and

WHEREAS: The Town desires to contract with EMC to provide management of said Facilities, all as more specifically set forth herein below; and

WHEREAS: The Town desires for EMC to utilize a ninety (90) day interim period to perform a detailed evaluation of the Facilities concluding in submittal of a proposal for full contract operations of the Facilities; and

WHEREAS: The Town has the authority under the laws of the State of Indiana to enter into this interim Agreement; and

WHEREAS: EMC desires to provide said interim management and has the knowledge and skills to provide said management;

NOW THEREFORE, in consideration of the mutual agreements herein contained, and subject to the terms and conditions herein stated, the parties agree as follows:

I. Scope of Services

EMC shall provide the following services under the terms and conditions set forth below:

- a.) Provide an EMC employee as full-time interim Facilities Manager. This manager will have at least a Class 3 Indiana Wastewater Certification.
- b.) Provide other EMC personnel for support in the management of the Facilities as deemed necessary by EMC.

- c.) EMC will immediately hire three billing clerks at wages and benefits comparable to current Town wages and benefits. EMC will assume supervisory duties with the remainder of Town employees whose functions are within the scope of this agreement. During the 90 day "interim" period, EMC shall exercise direct authority over these employees and the Town agrees to give every assistance to EMC to insure said employees perform their designated functions.

All employees will be provided with a pay rate and employment benefits package comparable to the level of pay and benefits provided by the Town. Additionally, all employees will be protected from losing accrued leave benefits.

- d.) EMC will use its best efforts to oversee the Facilities operation to assure compliance with all Town, county, state and federal regulations. This is not a guarantee of water or effluent quality by EMC during the interim management period.
- e.) Ensure that all laboratory analysis and permit testing for process control of the water plant and the wastewater treatment plant are performed.
- f.) EMC shall maintain the following insurance during the term of this Agreement:

- Public Liability and Property Damage Insurance in the amount of not less than \$1,000,000 (one million dollars) with combined single limits for personal injury and property damage.
- Worker's Compensation Insurance for all EMC personnel employed at the Facilities.

EMC shall furnish the Town with satisfactory proof of such insurance, naming the Town as an additional insured.

- g.) EMC shall pay all expenses required for the normal operation and maintenance of the Facilities, including but not limited to, personnel costs, utilities, fuels, contracted services, chemicals, maintenance and repair charges, and expendable supplies.

Examples of items not paid for by EMC include, but are not limited to, the following:

- Change in scope of services
- Capital expenditures

- Any damages which result from an Act of God, the Client, or any third party

- h.) Maintain required operating records, billing information and collection data which will be kept on file as current practice dictates.
- i.) Provide the Town with a sampling of standard EMC monthly operating reports.
- j.) Meet with representatives of various regulatory agencies as necessary.
- k.) Submit to the Town a full proposal for contract operations of the Facilities within ninety days of the commencement of this Agreement. This proposal will be based on detailed information providing full disclosure by the Town needed for an accurate evaluation for the Facilities operations.

II. Responsibilities of the Town

During this interim period, the Town will:

- a.) Provide the full compliment of current Town employees assigned to the operation and maintenance of the Facilities.
- b.) Provide additional labor and materials necessary during any emergency situations that may arise as required under the Town's emergency operating plan.
- c.) Maintain all insurance policies currently covering the Facilities operation and name EMC as an additional insured.
- d.) Agreed to good faith negotiations with EMC on an exclusive basis for a minimum three-year full contract operations Agreement to consummate at the conclusion of this interim period.
- e.) Provide EMC, its employees, agents and staff with complete and full cooperation in accessing the utilities facilities, business office(s) and all necessary and relevant business records (including those records subject to disclosure under the Indiana "Open Door" law) of the operations.

In the event EMC is denied access to either the facilities, offices or records, including records subject to disclosure under the Indiana Open Door law, so as to substantially hinder EMC's ability to perform its obligations under this contract, the parties agree that

EMC, at its sole option, may void the terms of the contract, provided that the town shall reimburse EMC for any expenditures of EMC to provide services up to the date of voiding said contract. The parties mutually agree to use best efforts to resolve any conflicts or refusal of access prior to EMC voiding said contract.

III. Compensation

During this ninety (90) day period, the Town will pay EMC as compensation for the services to be performed as described in this Agreement under the following two components:

- a.) Operating Expenses Component This component covers all operating expenses such as personnel costs including the full-time interim EMC manager, utilities, chemicals, maintenance and repair, outside services, expendable supplies, etc. All of these expenses will be paid by EMC when due and re invoiced to the Town. EMC will prepare this invoice on the 5th of each month for the previous month's services. Monthly payments are due the 15th of each month for the previous month's services. Late payments will accrue interest at the current prime rate plus one percent per annum on the unpaid balance.
- b.) Overhead Component This component is fixed at \$3,500 per month. EMC will invoice the Town for this component on the 5th of each month for the current month being serviced with payments due on the 15th.
- c.) Major Maintenance and Repair Exclusive of the above, the Town will pay for any major maintenance or repair at the time such maintenance or repair is or becomes necessary. "Major maintenance or repair" is defined as any maintenance or repair of the subject facilities or lines or equipment thereof which cost in excess of two thousand dollars (\$2,000.00).

IV. Interim Management Period

Interim management by EMC will be in effect as of _____, April _____, 1995, and will expire ninety (90) days later on _____, July _____, 1995, or on such earlier date as a long-term contract operations Agreement is entered into between the parties.

IN WITNESS WHEREOF, the parties sign this Agreement as of the date first above written.

Witness

Town of Sellersburg

Witness

Environmental Management Corporation



RESOLUTION NO. 93-3

A RESOLUTION DESIGNATING VARIOUS FINANCIAL
INSTITUTIONS AS DEPOSITORIES FOR THE TOWN OF SELLERSBURG
PUBLIC FUNDS

WHEREAS, the Town of Sellersburg, Indiana, receives during the normal course of day to day Town business various public funds; and

WHEREAS, the Town of Sellersburg, Indiana, has the need to deposit all public funds into a financial institution for safe keeping and accounting purposes; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined the need to have all financial institutions within the Town of Sellersburg, Indiana, to be designated as a receiving depository for public funds of the Town of Sellersburg, Indiana, as the need arises; and

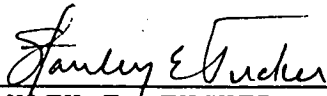
WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined Citizens Fidelity Bank and Trust Company, INB Banking Company, Liberty National Bank and Trust Company and Community Savings Bank FSB, which are within Town's boundaries, are financial institutions which should be designated as depositories for the Town of Sellersburg, Indiana, public funds, as the need arises; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has considered this matter in an open meeting in which the public were present and given the opportunity to participate in discussion; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that said action is necessary for the efficient and effective administration of Town Government.

BE IT THEREFORE RESOLVED, by the Town Council for the Town of Sellersburg, Indiana, that Citizens Fidelity Bank and Trust Company, INB Banking Company, Liberty National Bank and Trust Company and Community Savings Bank FSB, which are within the Town's boundaries, shall be and hereby are designated as depositories for public funds of the Town of Sellersburg, Indiana, as the need arises.

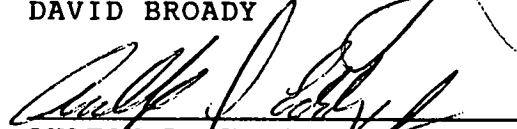
SO RESOLVED THIS 8th DAY OF FEBRUARY, 1993.


STANLEY E. TUCKER


ROY E. EVERITT


KARL N. TRUMAN


DAVID BROADY


AULTON D. EDDINGS

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

RESOLUTION NO. 93-3

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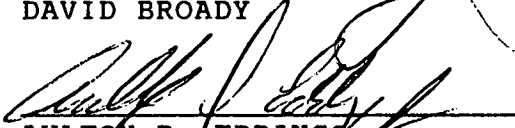
SO RESOLVED THIS 8th DAY OF FEBRUARY, 1993.


STANLEY E. TUCKER


ROY E. EVERITT


KARL N. TRUMAN


DAVID BROADY


AULTON D. EDDINGS

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

RESOLUTION NO. 93-3

A RESOLUTION DESIGNATING VARIOUS FINANCIAL
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PUBLIC FUNDS

WHEREAS, the Town of Sellersburg, Indiana, receives during the normal course of day to day Town business various public funds; and

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WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined Citizens Fidelity Bank and Trust Company, INB Banking Company, Liberty National Bank and Trust Company and Community Savings Bank FSB, which are within Town's boundaries, are financial institutions which should be designated as depositories for the Town of Sellersburg, Indiana, public funds, as the need arises; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has considered this matter in an open meeting in which the public were present and given the opportunity to participate in discussion; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that said action is necessary for the efficient and effective administration of Town Government.

BE IT THEREFORE RESOLVED, by the Town Council for the Town of Sellersburg, Indiana, that Citizens Fidelity Bank and Trust Company, INB Banking Company, Liberty National Bank and Trust Company and Community Savings Bank FSB, which are within the Town's boundaries, shall be and hereby are designated as depositories for public funds of the Town of Sellersburg, Indiana, as the need arises.


SO RESOLVED THIS _____ DAY OF FEBRUARY, 1993.



STANLEY E. TUCKER


ROY E. EVERITT


KARL N. TRUMAN


DAVID BROADY


AULTON D. EDDINGS

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

RESOLUTION NO. 93- 4

A RESOLUTION AUTHORIZING THE TOWN OF SELLERSBURG
CLERK-TREASURER TO TRANSFER FUNDS FROM UTILITY CASH
RESERVE FUND TO GENERAL FUND FOR PURPOSE OF
MEETING TOWN OF SELLERSBURG EXPENSES

WHEREAS, the Town of Sellersburg, Indiana has established a Utility Cash Reserve Fund for the purpose of collecting and maintaining all sewer tap-in fees paid by the Citizens of the Town of Sellersburg, Indiana; and

WHEREAS, the Utility Cash Reserve Fund is a non-designated fund from which monies collected by the Town of Sellersburg, Indiana, for sewer tap-in fees can be transferred to the Town of Sellersburg General Fund; and

WHEREAS, the Town of Sellersburg, Indiana, has engaged the services of the Jacobi Toombs and Lanz, Inc./Consulting Engineers for the purpose of developing an annexation plan for the Town of Sellersburg, Indiana; and

WHEREAS, the Town of Sellersburg, Indiana, has contracted with Jacobi Toombs and Lanz, Inc.,/Consulting Engineers to perform said service and to pay said Company up to \$ 8,000.00 for services rendered to the Town of Sellersburg in the preparation and development of the annexation plan; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the Town of Sellersburg Clerk/Treasurer must pay claims received from Jacobi Toombs and Lanz, Inc./Consulting Engineers by transferring funds out of Utility Cash Reserve Fund to the Town's General Fund as said plans

are submitted by Jacobi Toombs and Lanz, Inc./Consulting Engineers;
and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the Town of Sellersburg, Indiana, may expend up to \$ 8,000.00 for the services provided by Jacobi Toombs and Lanz, Inc., in the development of the annexation plan for the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg has determined for the efficient and effective performance and administration of Town Government, the Clerk/Treasurer should be authorized to transfer funds from the Utility Cash Reserve Fund to the General Fund from time to time as claims are submitted by Jacobi Toombs and Lanz, Inc./Consulting Engineers to the Town of Sellersburg Clerk/Treasurer for services rendered in the preparation and development of the Town's annexation plan, which shall not exceed \$ 8,000.00 in the aggregate; and

WHEREAS, this matter has been considered in an open meeting in which the public was given the opportunity to participate and be heard.

BE IT THEREFORE RESOLVED, by the Town Council for the Town of Sellersburg, Indiana, that the Clerk/Treasurer for the Town of Sellersburg shall be authorized to transfer funds from the Utility Cash Reserve Fund to the General Fund from time to time as needed as claims are submitted by Jacobi Toombs and Lanz, Inc./Consulting Engineers to the Town of Sellersburg, Indiana, for services rendered in the preparation and development of the Town's annexation plan, said amount not to exceed \$ 8,000.00 in the

aggregate.

SO RESOLVED this 8th day of March, 1993.

Stanley E. Tucker David Broady
STANLEY E. TUCKER DAVID BROADY

Roy E. Everitt Aulton D. Eddings
ROY E. EVERITT AULTON D. EDDINGS

Karl N. Truman ATTEST: _____
KARL N. TRUMAN LINDA SCHAFER,
CLERK/TREASURER

RESOLUTION NO. 1993-5

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to annex contiguous area located on its northwestern and northeastern boundary, known as "Annexation Area C", which area is more specifically described in Ordinance No. 93-570; and

WHEREAS, responsible planning and Indiana Law requires adoption of a fiscal plan and a definite policy for provision of services to annexed areas; and

WHEREAS, such plan has been developed and presented to the Town Council for the Town of Sellersburg, Indiana, entitled "Analysis and Fiscal Plan Annexation Area C"; and

WHEREAS, said fiscal plan addresses the need and the implementation of noncapital services to the annexed areas, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, which will be provided to the annexed territory within one (1) year after the effective date of annexation, and that said noncapital services will be provided in a manner equivalent in standard and scope to corporate boundaries that have similar topography, patterns of land use, and population density; and

WHEREAS, said fiscal plan addresses the need and the implementation of capital services to the annexed area,

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to

annex contiguous area located on its northwestern and
northeastern boundary, known as "Annexation Area C", which
area is more specifically described in Ordinance No. 93-

and;

WHEREAS, responsible planning and Indiana law requires
adoption of a fiscal plan and a definite policy for provision

of services to annexed areas; and

WHEREAS, such plan has been developed and presented to

the Town Council for the Town of Sellersburg, Indiana,

entitled "Analysis and Fiscal Plan Annexation Area C"; and

WHEREAS, said fiscal plan addresses the need and the

implementation of noncapital services to the annexed areas,

including police protection, fire protection, street and road

maintenance, and other noncapital services normally provided

within the corporate boundaries, which will be provided to

the annexed territory within one (1) year after the effective

date of annexation, and that said noncapital services will be

provided in a manner equivalent in standard and scope to

corporate boundaries that have similar topography, patterns

of land use, and population density; and

WHEREAS, said fiscal plan addresses the need and the

implementation of capital services to the annexed area,

including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities, which will be provided to the annexed territory within three (3) years after the effective date of the annexation, and that said capital services will be provided 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.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Sellersburg, Clark County, Indiana, that:

1.) That the Town Council for the Town of Sellersburg, Indiana, hereby approves and adopts the fiscal plan, "Analysis and Fiscal Plan Annexation Area C", which plan is attached hereto and made a part hereof, and hereby approves and adopts specific policies for implementation of the plan as set forth therein;

2.) Any monies necessary for provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable funds, pursuant to Indiana Law and the Town's budget procedures;

3.) It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities, but in the event that it does, the Town Council for the Town of Sellersburg, Indiana, and all of

Town Council for the Town of Sellersburg, Indiana, and all of governmental entities, but in the event that it does, the result in the elimination of jobs for employees of other

3.) It is anticipated that this annexation will not impact on the Town's budget procedures and appropriated from the applicable funds, pursuant to described and itemized in the attached plan shall be budgeted

5.) Any monies necessary for provision of services as set forth herein:

and adopts specific policies for implementation of the plan attached hereto and made a part hereof, and hereby approves "Annexation and Fiscal Plan Annexation Area C," which plan is Indiana, hereby approves and adopts the fiscal plan.

1.) That the Town Council for the Town of Sellersburg, the Town of Sellersburg, Clark County, Indiana, that:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR and planning criteria:

consistent with federal, state, and local laws, procedures, patterns of land use, and population density, and in a manner within the corporate boundaries that have similar topography, in the same manner as those services are provided to areas annexation, and that said capital services will be provided within three (3) years after the effective date of the facilities, which will be provided to the annexed territory facilities, water facilities and stormwater drainage including street construction, street lighting, sewer

its departments are hereby directed to assist such employees in obtaining new employment, but nothing herein shall require the Town to hire any such employees.

PASSED AND ADOPTED this 28th day of June, 1993, by the Town Council for the Town of Sellersburg, Indiana.

Stanley E. Tucker
STANLEY E. TUCKER

Roy E. Everitt
ROY E. EVERITT

Karl N. Truman
KARL N. TRUMAN

David L. Broady
DAVID BROADY

Aulton D. Eddings
AULTON D. EDDINGS

ATTEST: Linda H. Schaffer
LINDA SCHAFFER
CLERK/TREASURER

**ANALYSIS AND FISCAL PLAN
ANNEXATION AREA "C"**

TOWN OF SELLERSBURG, INDIANA

Town Board of Trustees

Stanley E. Tucker	President
Roy E. Everitt	Member
A. Douglas Eddings	Member
David Broady	Member
Karl N. Truman	Member
Linda Schafer	Clerk-Treasurer

January, 1993

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 Area C. 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 C, such plan and policy in conformance with State statutory requirements.

STUDY AREA

AREACB

The proposed area to be annexed includes 10.00 acres. It includes all or part of the following:

Grant No. 87, Parcels No. 38, 65, 06, 11, 66, 36, 40 and 67.

POPULATION

Acreage of proposed annexation area (3)	10.00
Number of households (approx.) (1)	5
Number of persons per living unit (2)	2.72
Average population per acre	1.40
Total estimated population	14

Source:

1. Clark County Surveyor's Office
2. U.S. Bureau of Census, 1990 Census of Population and Housing
3. See legal description

ANALYSIS AND PLANS FOR CAPITAL/NON-CAPITAL SERVICES

The incorporation of Annexation Area C 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 analyses the impact that the proposed annexation will have on various town services and outlines a plan for providing pertinent services.

FIRE PROTECTION

Fire protection is now provided to Annexation Area C 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 Avco Drive, which is already being maintained by the town and State Road 60 which is maintained by the State are the only roads involved, there will be no increase in costs for street maintenance to the Town of Sellersburg.

WATER SERVICE

Presently, the annexation area is served by city water provided by 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 area is 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. The Police Department has full-time officers available with take-home cars currently. 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 Area C.

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 a \$3.00 per month charge for the first pick-up and additional charges for provision of dumpster-type containers. The annexation of Area C 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 area is presently served by the Sanitary Sewer System of the Town of Sellersburg, therefore there would be no expense in this regard

SUMMARY OF COST

The following table provides a summary of the operating and capital costs involved in the proposed annexation of Area C.

TABLE 1

EXPENDITURES REQUIRED BY ANNEXATION AREA C

Summary of Costs

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

CAPITAL EXPENDITURES

WASTEWATER/SEWER COSTS

Required Annual Expense Breakdown	
Annual Operating and Maintenance for Annexation Area C	\$ 0.00
Total Required Income for Annexation Area C	\$ 0.00

ESTIMATED INCREASED REVENUES

INTRODUCTION

If the Town of Sellersburg annexes the proposed area, 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 of 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 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 1990, and the new population figures were probably not certified for use in distributions until 1992. The next census, which would include this area, will not occur until 2000, with additions in 2001 or 2002.

Except from the Cigarette Tax (which is currently firmly based on the 1990 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 could 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.

INCREASE 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 Area 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)**

<u>Revenue Source</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>
General Property Tax (2)	\$ 1880	\$ 1880	\$ 1880
Auto/. Aircraft Excise Tax (3)	460	460	460
Alcohol Taxes (4)	0	0	0
Cigarette Tax -GF (5)	0	0	0
Cigarette Tax -CCI (6)	0	0	0
LRS Distribution (7)	0	0	0
Motor Vehicle Highway (4)	0	0	0
TOTALS	\$ 2340	\$ 2340	\$ 2340

NOTES:

1. These estimates assume no new development.
2. Additional assessed valuation from Annexation Area C at the existing tax rate (\$3.3247/\$100, 1993 payable in 1994).
3. Based on 1992 revenues increased by same percentage that property tax will increase from annexation.
4. No increase until next or special census.
5. No increase until next or special census.
6. No increase until next or special census.
7. No increase because of no new road mileage will be added by the annexation, and no population increase until next or special census.

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 consideration. 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 Area 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 sewer maintenance, but for the short-term scope required for annexation analysis, and because the sewers are new, these costs will be insignificant, and such costs must be amortized over a longer term.

SEWER USER FEES

Since the area is now served by Sellersburg Sanitary Sewers the following is an estimate of the expected income from sewer charges based on a averaged bill of \$28.50 per month for 3 years.

TABLE 3
Estimated Sewer Revenues

Total Present Users in Annexation Area C	5
User Fees yearly	\$ 5130

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 Area C for the three-year period covered by this report.

It is possible that at some time 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 for this purpose.

PLAN FOR HIRING

The annexation of Area C 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 cost and cash flow based on total revenues and costs from Annexation Area C, and the revenues are the total revenues which will be available from the area.

TABLE 4

AREA 'B'

<u>Expense & Revenues</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>
Increased Operating Expenses	-0-	-0-	-0-
Increased Capital Cost	-0-	-0-	-0-
Increased Revenues	\$ 2340	\$ 2340	\$ 2340
Net Gains (or Loss)	\$ 2340	\$ 2340	\$ 2340

CONCLUSION

From the evidence presented in this report, it is apparent that the annexation of Area C would be a sound decision for the Town of Sellersburg and the residents of the Area. It is further evident that the area meets 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 Area C.

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 "C" would be more than one-quarter (1/4) contiguous (51.32% with a Town boundary 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).

4

CLARK
CO. PDMC

65

DAYS
MIN

FUTURE DRIVE

SERVICED

ICE
AVENUE

AREA
"C"

TOWN BOUNDARY

500,000 GAL
12" WATER TANK

ALCO DRIVE

CREEK

ROOSEVELT DR

WASHINGTON DR

JEFFERSON DR

LINCOLN DR

JACKSON DR

HUGHES DR

MADISON DR

ADAMS DR

TRUMAN DR

RICHARDSON DR

PAINE-KOEBLER DR

WILSON DR

ALBERTA DR

JERRY LANE

LIBERTY DR

FRONIER DR

JEFFERSON BLVD

GREENWOOD

PANET PK

STATE

POND

ROAD

1993
SELLERSBURG
ANNEX
AREA "C"

PAYNE-KOEBLER ROAD

CARTER HOLE ROAD

ASVILLE

70

11

**DESCRIPTION OF ANNEXATION AREA 'C'**

Beginning at an iron pin in the south right-of-way line of New State Road 60 which marks the east corner of a tract of land described at Deed Record 218, page 231, thence the following courses of the boundary:

- South 54 deg. 59 min. 15 sec. East, 288.26 feet, more or less, with said right-of-way line;
- South 35 deg. 00 min. 45 sec. West, 70.00 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 15 sec. East, 218.02 feet, more or less, with said right-of-way line;
- North 53 deg. 30 min. 45 sec. East, 50.45 feet, more or less, with said right-of-way line;
- South 54 deg. 59 min. 01 sec. East, 171.88 feet, more or less, with said right-of-way line;
- South 37 deg. 30 min. 26 sec. East, 82.00 feet, more or less, with said right-of-way line and the right-of-way of I-65;
- South 22 deg. 08 min. 49 sec. East, 258.49 feet, more or less, with said right-of-way line to the north corner of a tract of land described at Deed Drawer 14, Instrument 10296 which is a point in the present Town boundary of Sellersburg;
- South 55 deg. 24 min. 00 sec. West, 476.05 feet, more or less, with the northwest line of said tract and the Sellersburg Town Boundary to the south corner of a tract described at Deed Drawer 2, Instrument 4148;
- North 34 deg. 36 min. 00 sec. West, 492.30 feet, more or less, with the Sellersburg Town boundary and the southwest line of the above-referenced tract and also with a tract described at Deed Drawer 21, Instrument 627 and a tract described at Deed Drawer 20, Instrument 13704;
- South 73 deg. 08 min. 05 sec. East, 36.39 feet, more or less, with the Sellersburg Town boundary to the south corner of a tract described at Deed Drawer 1, Instrument 6459;
- North 54 deg. 59 min. 13 sec. West, 109.00 feet, more or less, with the Sellersburg Town boundary and with said tract to the south corner of a tract described at Deed Drawer 20, Instrument 13704;
- North 34 deg. 38 min. 03 sec. West, 426.51 feet, more or less, with the Sellersburg Town boundary and said tract to the west corner thereof;
- North 55 deg. 21 min. 57 sec. East, 322.14 feet, more or less, with the northwest line of said tract to the place of beginning, containing 10 acres more or less.

RESOLUTION NO. 1993- 6

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to annex contiguous area located on its western and southeastern boundary, known as "Annexation Area M", which area is more specifically described in Ordinance No. 93-571; and

WHEREAS, responsible planning and Indiana Law requires adoption of a fiscal plan and a definite policy for provision of services to annexed areas; and

WHEREAS, such plan has been developed and presented to the Town Council for the Town of Sellersburg, Indiana, entitled "Analysis and Fiscal Plan Annexation Area M"; and

WHEREAS, said fiscal plan addresses the need and the implementation of noncapital services to the annexed areas, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, which will be provided to the annexed territory within one (1) year after the effective date of annexation, and that said noncapital services will be provided in a manner equivalent in standard and scope to corporate boundaries that have similar topography, patterns of land use, and population density; and

WHEREAS, said fiscal plan addresses the need and the implementation of capital services to the annexed area, including street construction, street lighting, sewer

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to annex contiguous area located on its western and southeastern boundary, known as "Annexation Area M", which area is more specifically described in Ordinance No. 93-011; and

WHEREAS, responsible planning and Indiana law requires adoption of a fiscal plan and a definite policy for provision of services to annexed areas; and

WHEREAS, such plan has been developed and presented to the Town Council for the Town of Sellersburg, Indiana, entitled "Analysis and Fiscal Plan Annexation Area M"; and

WHEREAS, said fiscal plan addresses the need and the implementation of noncapital services to the annexed areas, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, which will be provided to the annexed territory within one (1) year after the effective date of annexation, and that said noncapital services will be provided in a manner equivalent in standard and scope to corporate boundaries that have similar topography, patterns of land use, and population density; and

WHEREAS, said fiscal plan addresses the need and the implementation of capital services to the annexed areas, including street construction, street lighting, sewer

facilities, water facilities and stormwater drainage facilities, which will be provided to the annexed territory within three (3) years after the effective date of the annexation, and that said capital services will be provided 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.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Sellersburg, Clark County, Indiana, that:

1.) That the Town Council for the Town of Sellersburg, Indiana, hereby approves and adopts the fiscal plan, "Analysis and Fiscal Plan Annexation Area M", which plan is attached hereto and made a part hereof, and hereby approves and adopts specific policies for implementation of the plan as set forth therein;

2.) Any monies necessary for provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable funds, pursuant to Indiana Law and the Town's budget procedures;

3.) It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities, but in the event that it does, the Town Council for the Town of Sellersburg, Indiana, and all of

facilities, water facilities and stormwater drainage facilities, which will be provided to the annexed territory within three (3) years after the effective date of the annexation, and that said capital services will be provided 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.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for

the Town of Sellersburg, Clark County, Indiana, that:

1.) That the Town Council for the Town of Sellersburg,

Indiana, hereby approves and adopts the fiscal plan, "Analysis and Fiscal Plan Annexation Area M", which plan is attached hereto and made a part hereof, and hereby approves and adopts specific policies for implementation of the plan as set forth therein;

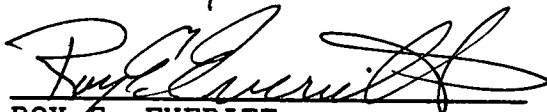
2.) Any monies necessary for provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable funds, pursuant to Indiana law and the Town's budget procedures;

3.) It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities, but in the event that it does, the Town Council for the Town of Sellersburg, Indiana, and all of


its departments are hereby directed to assist such employees in obtaining new employment, but nothing herein shall require the Town to hire any such employees.

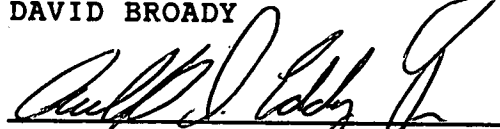
PASSED AND ADOPTED this 28th day of June, 1993, by the Town Council for the Town of Sellersburg, Indiana.



STANLEY E. TUCKER


ROY E. EVERITT


KARL N. TRUMAN


DAVID BROADY


AULTON D. EDDINGS

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

**ANALYSIS AND FISCAL PLAN
ANNEXATION AREA "M"**

TOWN OF SELLERSBURG, INDIANA

Town Board of Trustees

Stanley E. Tucker	President
Roy E. Everitt	Member
A. Douglas Eddings	Member
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Linda Schafer	Clerk-Treasurer

January, 1993

Revised June 25, 1993

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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).

STATUTORY REQUIREMENTS

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 non-capital 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.

SUMMARY INFORMATION OF THE PROPOSED ANNEXATION AREA

The area proposed to be annexed is hereinafter referred to as 1993 Annex Area M. The tract is fully described in the legal description attached as Exhibit 1 of this fiscal plan.

Population and Demographic Information

Total Acres	Approximate Number of Households ²	Estimated Population Per Acre	Total Population ³	% Contiguous ¹
363	103	0.772	280	70%

Sources:

1. Legal Description.
2. Based on topographical maps, aerial maps and a windshield survey.
3. 1990 Census of Population and Housing, 507.02 Census Tract average person per household (Data was rounded after computing)

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

The proposed annexation of 1993 Annex Area M meets the following statutory conditions of IC36-4-3-13 (b):

1. 1993 Annex Area M meets the 1/4 contiguity requirement all being over 25 percent contiguous to the existing external municipal boundaries. As shown above 1993 Annex Area M is 70% contiguous.
2. 1993 Annex Area M is territory that is needed and can be used by the municipality for its development in the reasonably near future.

**1993 ANNEX AREA M
ANALYSIS AND FISCAL PLAN FOR THE EXTENSION OF
CAPITAL/NON-CAPITAL SERVICES**

The proposed annexation will require the provision of services of a non-capital or capital improvement nature to 1993 Annex Area M 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. 1993 Annex Area M is approximately 363 acres in size and is fully described in the legal description attached as Exhibit 1 of this fiscal plan section of the report. 1993 Annex Area M contains an estimated population of 280 persons and 103 households. Summary demographic information is included in Chapter II of this report. This fiscal plan 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). Compliance with IC36-4-3-13 (b) or (c) is summarized in Chapter II of this report and is more thoroughly illustrated individually for 1993 Annex Area M at the end of this section.

Fire Protection

Fire protection is now provided to 1993 Annex Area M and to the Town of Sellersburg, both of which are within the Sellersburg Volunteer Fire Department jurisdiction area which includes all of Silver Creek Township. Upon annexation, the provision of fire protection services, equivalent in standard and scope to fire protection services available to existing corporate areas and its residents, will continue to be provided by the Sellersburg Volunteer Fire Department at no additional cost to the municipality.

Streets

The Town of Sellersburg currently maintains 23.91 Certified Miles of streets. The town will assume maintenance responsibility for an additional 1.36 miles of roads since 1993 Annex Area M contains county roads. Since these streets have all been fully paved in 1992, it will not be necessary for the Town to expend any funds for street maintenance, paving or repair, in the foreseeable future (10 years), however some street lights may be needed if requested.

By petition of residents along roads for which the town has maintenance responsibility, street lighting is installed with the cost borne by the electric utility and the ongoing operating cost assumed by the municipality. Street lighting installations closer than 400 feet from another street light are not considered necessary since the effective range of any two street lights would be duplicated. Street lighting to residents who reside along state highways or roads which are maintained by the county are the responsibility of those respective governmental entities. Since there are County roads located in 1993 Annex Area M for which the town will assume maintenance responsibility, the provision of street light services to 1993 Annex Area M will be the responsibility of the Town of Sellersburg. This is consistent with the existing town

policy; and therefore, the provision of street light services as described above is in a manner equivalent in standard and scope to street lighting services now provided within the existing town boundaries and its residents.

Water Service

1993 Annex Area M is within the service area of the Sellersburg Municipal Water Department. Water service is now provided to 1993 Annex Area M and will continue upon annexation. The Water Department will continue to provide water service equivalent in standard and scope to water service provided to the existing corporate areas and residents. Water service will continue with no improvements of a capital nature or additional non-capital services attributable to annexation at no additional cost to the municipality.

Recreation

All municipal recreational facilities can accommodate and will be available to residents of 1993 Annex Area M immediately upon annexation without affecting the capacity of such facilities of the responsible administrative department at no additional cost to the municipality.

Police Protection

Upon annexation, 1993 Annex Area M will be served by Town of Sellersburg's Police Department. Patrols currently are made within areas adjacent to 1993 Annex Area M. The Sellersburg Police Department currently must utilize SR 311 to access and patrol currently incorporated areas of the municipality.

The addition of 1993 Annex Area M to the police department's jurisdiction and the provision of police protection services will not significantly affect the capacity of the Police Department. In fact, is already routinely traveled and will provide a route to the areas that the police department must currently patrol.

Upon annexation, overall police protection and patrols equivalent in standard and scope to police service now provided to existing municipal residents will commence in 1993 Annex Area M without affecting the capacity of available police service. The additional area to receive police protection will not measurably increase cost and could be viewed as a logical addition to the jurisdictional limits of the Police Department.

Thus, there will be no need for the expenditure of additional funds through acquiring additional equipment, nor the hiring of additional personnel; and, therefore, will result in no additional cost to the municipality for the provision of police service to 1993 Annex Area M.

Garbage Collection

The Town of Sellersburg provides one garbage pick-up per week for residents, one per week, for businesses and one for industries. There is a \$3.00 per month charge for this first pick-up and additional charges for provision of dumpster-type containers. The annexation of Area M would not require any additional personnel or equipment if it alone is adopted by the Town of Sellersburg, if however Areas "K" and "I" are also adopted one new Garbage Packer and an additional employee will be required. For the sake of this area, 1/3 of the cost will be attributed.

Zoning, Building Permits, and Inspection

The Town of Sellersburg's zoning regulations would become effective immediately upon the incorporation of 1993 Annex Area M. Upon annexation, the Town of Sellersburg will assume the administration and responsibility of zoning, building permit, inspections and other related services of 1993 Annex Area M 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 1993 Annex Area M.

Sewers

The Town of Sellersburg currently provides sanitary sewer services to 1993 Annex Area M.

As new developments occur, sanitary sewer service will be 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. Prior to the three year requirement of the provision of capital improvements, the capacity of the sewer system can accommodate any reasonably anticipated future development in 1993 Annex Area M.

Any future developments will be provided sanitary sewer service extensions with the cost to be financed by the developer at no cost to the municipality. New developments are likely to occur within the reasonably near future requiring the extension of sanitary sewer services that will be financed by the developer.

This is consistent with sanitary sewer service provided to existing municipal areas and its residents with similar topography, patterns of land use and population density.

One small area of 1993 Annex Area M will require Capitol expenditures for extension of Sanitary Sewer Service and this cost is included in the analysis.

Other Municipal Functions

The annexation of 1993 Annex Area M will not measurably impact other municipal services of a non-capital or capital improvement nature not previously mentioned. Upon annexation, any other capital or non-capital services not previously mentioned that are available within the Town and to its residents, will be provided within 1993 Annex Area M and to its residents, without the expenditure of additional funds, in a manner equivalent in standard and scope to such services that are now provided within the existing municipal boundaries.

Plan for Hiring

The annexation of 1993 Annex Area M may 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/Financing Methods/Plan for Service Extensions

The following section 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 non-capital nature or capital improvement nature, in a manner equivalent in standard and scope to those now provided to existing corporate areas that have similar topography, patterns of land use, and population density. Also summarized, are the methods of financing the extension of services, and the plan for the organization and extension of services. This section summarizes the above analysis and clearly illustrates compliance with IC36-4-3-13 (d).

Fire Protection

Cost: \$ 0.00

Method of Financing: N/A

Plan for Service Extensions:

Upon annexation, the provision of fire protection services, equivalent in standard and scope to fire protection services available to existing corporate areas and its residents, will continue to be provided by the Sellersburg Volunteer Fire Department at no additional cost to the municipality.

Streets

Cost: Street Lighting

(Capital) \$ 0.00

(Non-capital) \$710.00

Method of Financing: General Fund

Plan for Service Extensions:

Because County roads are located within 1993 Annex Area M for which the Town will assume maintenance responsibility, the extension of street lighting or street maintenance services will be necessary. Since the streets have all just been paved and because S.R. 60 and S.R. 311 are State Roads (Maintained by the State) no repaving of streets will be required for the foreseeable future (10 years). Street lights will be provided where requested.

Water Service

Cost: \$ 0.00
Method of Financing: N/A
Plan for Service Extensions:

Water service is now provided to 1993 Annex Area M by the Sellersburg Municipal Water Department and will continue upon annexation to 1993 Annex Area M at no additional cost to the town.

Recreation

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

All municipal recreational facilities can accommodate and will be available to residents of 1993 Annex Area M immediately upon annexation without significantly affecting the capacity of such facilities or responsible administrative department at no additional cost to the municipality.

Police Protection

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

Upon annexation, overall police protection and patrols equivalent in standard and scope to police service now provided to existing municipal residents will commence upon annexation of 1993 Annex Area M without affecting the capacity of available police service.

Garbage Collection

Cost:
(Capital) \$ 17,000.00
Non-Capital \$ 4,100.00
Method of Financing: Fees and General Funds
Plan for Service Extensions:

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, however if Annex Areas "I" and "K" are adopted one (1) new Packer and

employee will be needed to service all three (3) areas, therefore 1/3 of the cost is attributed here.

Zoning, Building Permits and Inspections

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

The Town of Sellersburg's zoning regulations would become effective immediately upon the incorporation of 1993 Annex Area M. Upon annexation, the Town of Sellersburg will assume the administration and responsibility of zoning, building permit, inspections and other related services of 1993 Annex Area M in a manner equivalent in standard and scope to these services now provided to area within the existing corporate limits. No measurable increase in operating or capital cost will occur with the extension of these services.

Sewers

Cost:
(Capital) \$ 68,000.00
(Non-Capital) \$ 0.00
Method of Financing: Tap-In Fees, Sewer Use Fees, General Fund
Plan for Service Extensions:

The Existing residents of 1993 Annex Area M are now being served by the Town sewer system, however there is one small area which may need to be served. 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.

Other Municipal Functions

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

Upon annexation, any other capital or non-capital services not previously mentioned that are available within the Town and to its residents, will be provided within 1993 Annex Area M and to its residents. The capacity of any other department not previously mentioned will not be measurably affected. Any such services will be extended without the expenditure of additional funds, in a manner equivalent in standard and scope to such services that are now provided within the existing municipal boundaries.

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

The proposed annexation of 1993 Annex Area M, meets the following statutory conditions of IC36-4-3-13 (c):

1. 1993 Annex Area M meets the 1/4 contiguity requirement being over approximately 70 percent contiguous to the existing external municipal boundaries.
2. 1993 Annex Area M is territory that is needed and can be used by the municipality for its development in the reasonably near future.

1993 Annex Area M has substantial development potential now that the provision of municipal services, primarily access to a sewage system, that can accommodate the potential growth, is available. Thus, 1993 Annex Area M is needed and can be used by the Town of Sellersburg for its development in the reasonably near future.

Conclusion

This fiscal plan has analyzed the impact of the annexation of 1993 Annex Area M on each municipal service category in terms of additional cost to the municipality. It should be noted that any municipal service improvement needs or expenditure of funds necessary, regardless of annexing 1991 Annex Area E that are not attributable to the incorporation of 1993 Annex Area M, are not considered in this fiscal plan. Where applicable the source of funds necessary to finance the extension of required services were indicated and a plan was outlined for the provision organization and extension of Capital and Non-capital services. Thus, this fiscal plan section of the report conforms with and meets the requirements of IC36-4-3-13 (d). Also, as thoroughly illustrated above, the annexation of 1993 Annex Area M clearly complies with the requirements of IC36-4-3-13 (c).

EXHIBIT "1"

DESCRIPTION OF SELLERSBURG 1993 ANNEX AREA "M"

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

Commencing at the east corner of Survey No. 87 in the center of Bean Road, thence the following courses:

Northwestwardly, 4550 feet, more or less, with the northeast line of said Survey No. 87;
Southwestwardly, 200 feet, more or less, to the easterly right-of-way line of I65, which is the True Place of Beginning.

Thence beginning at a point in the easterly right-of-way line of I-65, in the Town boundary of Sellersburg which marks the north line of a tract conveyed at Deed Record 253 page 262, thence the following courses:

Southwestwardly, 300 feet, more or less, with the Sellersburg Town Boundary, crossing I-65 to it's westerly right-of-way;
Northwestwardly, 4595 feet, more or less, with the westerly right-of-way line of I-65 to new State Road No. 60 thence along the right-of-way to the southeast corner of a tract conveyed at Deed Record 189, page 58;
North 64 deg. 30 min. West, 883.43 feet, more or less, with the southwesterly line of said tract to the southeasterly right-of-way line of State Road 311, which is the Sellersburg Town Boundary;
Northeastwardly, 630 feet, more or less, with the Sellersburg Town Boundary to the west corner of a tract conveyed at Deed Drawer 4, Instrument No. 3765, said point being in the southeasterly right-of-way line of State Road 311 and the northeasterly right-of-way line of new State Road 60;
South 9 deg. 49 min. 06 sec. East, 134.78 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;
South 44 deg. 15 min. 30 sec. East, 200.14 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;
South 57 deg. 30 min. 02 Sec. East, 104.30 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;
South 39 deg. 37 min. 28 sec. East, 128.17 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;
North 43 deg. 09 min. 35 sec. East, 131.50 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;
North 28 deg. 09 min. 35 sec. West, 382.75 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract;
North 77 deg. 09 min. 35 sec. West, 240.00 feet, more or less, with the Sellersburg Town Boundary and the boundary of said tract to a point in the south line of a tract conveyed at Deed Drawer 11, Instrument No. 8667;

North 31 deg. 09 min. 35 sec. West, 141.44 feet, more or less, with the Sellersburg Town Boundary and the line of said tract to the east corner of said tract;

North 77 deg. 09 min. 35 sec. West, 169.39 feet, more or less, with the Sellersburg Town Boundary and line of said tract to the southeasterly right-of-way line of State Road No. 311;

Northeastwardly, 290 feet, more or less, with the Sellersburg Town Boundary, which is said southeasterly right-of-way line of State Road 311 to the southwest line of a tract conveyed at Deed Drawer 21, Instrument No. 6542;

Southeastwardly, 180 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its east corner;

Northeastwardly, 130 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Southeastwardly, 30 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Northwardly, 27.35 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its corner;

Southwestwardly, 198.90 feet, more or less, with the Sellersburg Town Boundary and line of said tract to said southeasterly right-of-way line of State Road No. 311;

Northwardly, 1100 feet, more or less, with the Sellersburg Town Boundary and southeasterly right-of-way line of State Road No. 311, crossing Old State Road No. 60 to the southwesterly line of a tract conveyed at Deed Drawer 22, Instrument No. 11200;

South 71 deg. 17 min. West, 194.7 feet, more or less, with the Sellersburg Town Boundary and line of said tract to its southeast corner;

North 7 deg. 11 min. East, 407.3 feet, more or less, with the Sellersburg Town Boundary and east line of said tract to its northeast corner;

South 64 deg. 11 sec. West, 190 feet, more or less, with the Sellersburg Town Boundary and north line of said tract to said southeasterly right-of-way line of State Road No. 311;

Northeastwardly, 340 feet, more or less, with the Sellersburg Town Boundary and southeasterly right-of-way line of State Road No. 311 to the south line of a tract conveyed at Deed Record 230 page 341;

South 74 deg. 22 min. East, 832.50 feet, more or less, with the Sellersburg Town Boundary and south line of said tract;

South 48 deg. 52 min. East, 87.5 feet, more or less, with the Sellersburg Town Boundary and the south line of said tract to the southeast corner of said tract;

North 40 deg. West, 297 feet, more or less, with the Sellersburg Town Boundary and the east line of said tract to the northeast corner of said tract which is the southeast corner of a tract conveyed at Deed Drawer 22, Instrument No. 14479;

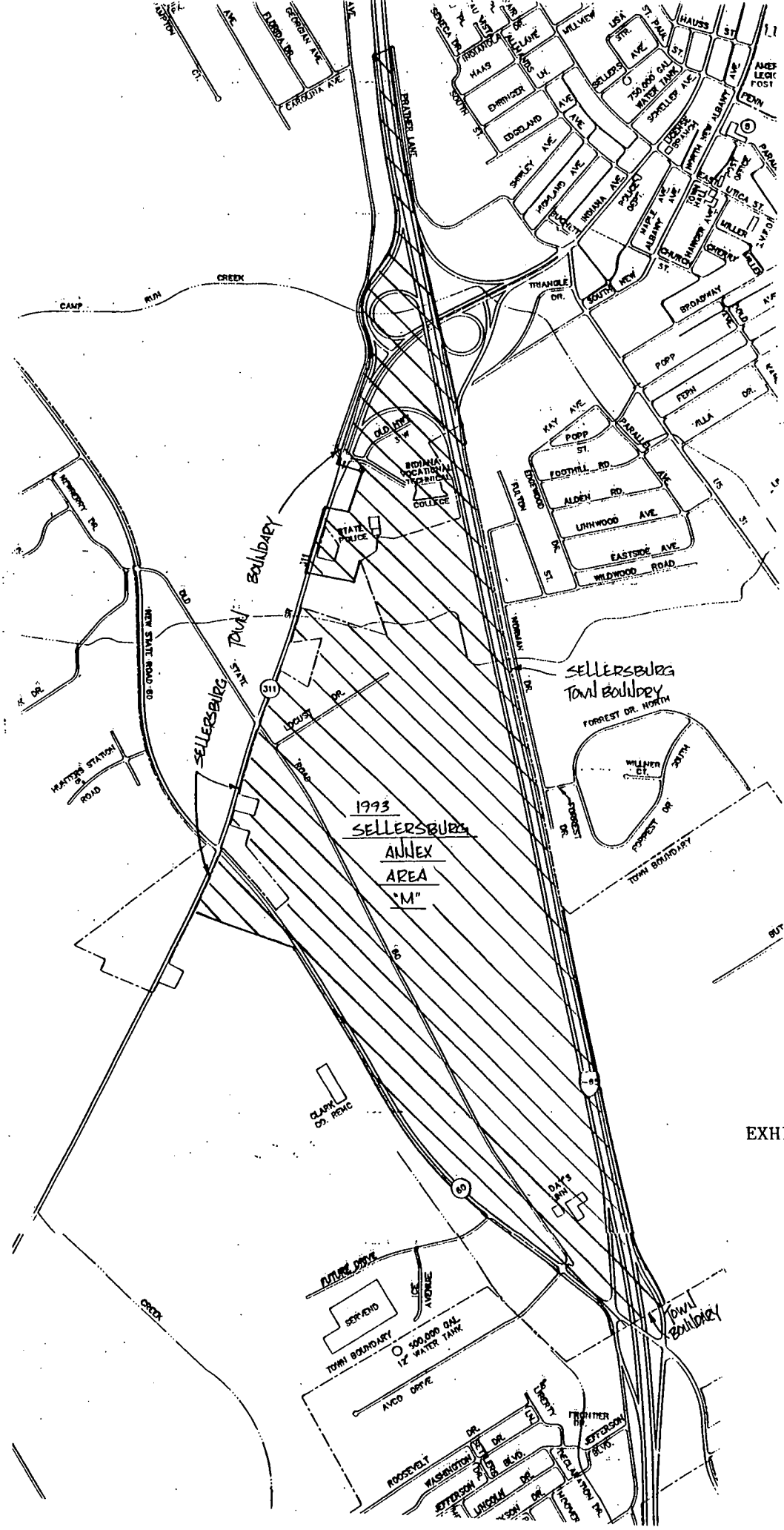
North 40 deg. West, 654.8 feet, more or less, with the Sellersburg Town Boundary and the east line of said tract to the north corner of said tract;

South 13 deg. 22 min. West, 180 feet, more or less, with the Sellersburg Town Boundary and a west line of said tract;

North 76 deg. 18 min. West, 180.1 feet, more or less, with the Sellersburg Town Boundary and a north line of said tract to the easterly right-of-way line of State Road No. 311;

North 76 deg. 18 min. West, 60 feet, more or less, crossing State Road No. 311 with the Sellersburg Town Boundary to the westerly right-of-way line thereof;
Northeastwardly, 570 feet, more or less, with the Sellersburg Town Boundary which is said westerly right-of-way line of State Road No. 311 to a point;
Southeastwardly, 60 feet, more or less, crossing State Road No. 311 with the Sellersburg Town Boundary to the corner of a tract conveyed at Deed Drawer 24, Instrument No. 4691 and 4692;
Southeastwardly, 167 feet, more or less, with the Sellersburg Town Boundary and south line of said tract which is the line between lots 18 and 19 of Block F of Fairview, crossing an alley;
North 23 deg. 51 min. 29 sec. East, 438 feet, more or less, with the Sellersburg Town Boundary and the east line of said tract and alley;
North 50 deg. 56 min. 34 sec. West, 166 feet, more or less, with the Sellersburg Town Boundary and north line of said tract to the easterly right-of-way line of State Road No. 311;
Northwestwardly, 173 feet, more or less, crossing the highway with the Sellersburg Town Boundary to the westerly right-of-way line of State Road No. 311;
Northwardly, 3700 feet, more or less, with the Sellersburg Town Boundary which is the westerly right-of-way line of State Road No. 311 and I-65 to the south line of Hill and Dale Farm if extended eastwardly;
Northeastwardly, 200 feet, more or less, with the Sellersburg Town Boundary, crossing I-65 to its easterly right-of-way line;
Southwardly, 7760 feet, more or less, with the Sellersburg Town Boundary and the easterly right-of-way line of I-65 to the southeast line of Forrest Estates;
Southwardly, 3600 feet, more or less, with the easterly right-of-way line of I-65 to the true place of beginning and containing 363 acres, more or less, of land.

Excepting, therefrom any previously annexed areas.



1993
SELLERSBURG
ANNEX
AREA
"M"

EXHIBIT "2"

RESOLUTION NO. 1993- 7

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to annex contiguous area located on its southwestern boundary, known as "Annexation Area I", which area is more specifically described in Ordinance No. 93-572; and

WHEREAS, responsible planning and Indiana Law requires adoption of a fiscal plan and a definite policy for provision of services to annexed areas; and

WHEREAS, such plan has been developed and presented to the Town Council for the Town of Sellersburg, Indiana, entitled "Analysis and Fiscal Plan Annexation Area I"; and

WHEREAS, said fiscal plan addresses the need and the implementation of noncapital services to the annexed areas, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, which will be provided to the annexed territory within one (1) year after the effective date of annexation, and that said noncapital services will be provided in a manner equivalent in standard and scope to corporate boundaries that have similar topography, patterns of land use, and population density; and

WHEREAS, said fiscal plan addresses the need and the implementation of capital services to the annexed area, including street construction, street lighting, sewer

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to
annex contiguous area located on its southwestern boundary,
known as "Annexation Area I", which area is more specifically
described in Ordinance No. 93-11; and

WHEREAS, responsible planning and Indiana law requires
adoption of a fiscal plan and a definite policy for provision
of services to annexed areas; and

WHEREAS, such plan has been developed and presented to
the Town Council for the Town of Sellersburg, Indiana,
entitled "Analysis and Fiscal Plan Annexation Area I"; and

WHEREAS, said fiscal plan addresses the need and the
implementation of noncapital services to the annexed areas,
including police protection, fire protection, street and road
maintenance, and other noncapital services normally provided
within the corporate boundaries, which will be provided to
the annexed territory within one (1) year after the effective
date of annexation, and that said noncapital services will be

provided in a manner equivalent in standard and scope to
corporate boundaries that have similar topography, patterns
of land use, and population density; and

WHEREAS, said fiscal plan addresses the need and the
implementation of capital services to the annexed areas,
including street construction, street lighting, sewer

facilities, water facilities and stormwater drainage facilities, which will be provided to the annexed territory within three (3) years after the effective date of the annexation, and that said capital services will be provided 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.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Sellersburg, Clark County, Indiana, that:

1.) That the Town Council for the Town of Sellersburg, Indiana, hereby approves and adopts the fiscal plan, "Analysis and Fiscal Plan Annexation Area I", which plan is attached hereto and made a part hereof, and hereby approves and adopts specific policies for implementation of the plan as set forth therein;

2.) Any monies necessary for provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable funds, pursuant to Indiana Law and the Town's budget procedures;

3.) It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities, but in the event that it does, the Town Council for the Town of Sellersburg, Indiana, and all of

Town Council for the Town of Sellersburg, Indiana, and all of governmental entities, but in the event that it does, the result in the elimination of jobs for employees of other

3.) It is anticipated that this annexation will not impact on the town's budget procedures and appropriated from the applicable funds, pursuant to described and itemized in the attached plan shall be budgeted

5.) Any monies necessary for provision of services as set forth therein:

and adopts specific policies for implementation of the plan attached hereto and made a part hereof, and hereby approves "Annexation and Fiscal Plan Annexation Area 1," which plan is Indiana, hereby approves and adopts the fiscal plan.

1.) That the Town Council for the Town of Sellersburg, the Town of Sellersburg, Clark County, Indiana, that:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR AND PLANNING CRITERIA, consistent with federal, state, and local laws, procedures, patterns of land use, and population density, and in a manner within the corporate boundaries that have similar topography, in the same manner as those services are provided to areas annexation, and that said capital services will be provided within three (3) years after the effective date of the facilities, which will be provided to the annexed territory facilities, water facilities and stormwater drainage


its departments are hereby directed to assist such employees in obtaining new employment, but nothing herein shall require the Town to hire any such employees.

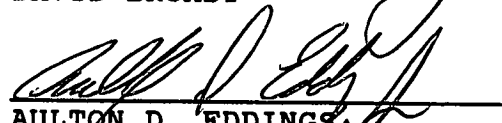
PASSED AND ADOPTED this 28th day of June, 1993, by the Town Council for the Town of Sellersburg, Indiana.

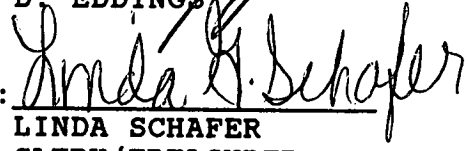

STANLEY E. TUCKER


ROY E. EVERITT


KARL N. TRUMAN


DAVID BROADY


AULTON D. EDDINGS

ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

**ANALYSIS AND FISCAL PLAN
ANNEXATION AREA "I"**

TOWN OF SELLERSBURG, INDIANA

Town Board of Trustees

Stanley E. Tucker	President
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Linda Schafer	Clerk-Treasurer

January, 1993

Revised June 25, 1993

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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).

STATUTORY REQUIREMENTS

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 non-capital 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.

SUMMARY INFORMATION OF THE PROPOSED ANNEXATION AREA

The area proposed to be annexed is hereinafter referred to as 1993 Annex Area I. The tract is fully described in the legal description attached as Exhibit 1 of this fiscal plan.

Population and Demographic Information

Total Acres	Approximate Number of Households ²	Estimated Population Per Acre	Total Population ³	% Contiguous ⁴
116.3	74	1.737	202	17.75%

Sources:

- 1. Legal Description.
- 2. Based on topographical maps, aerial maps and a windshield survey.
- 3. 1990 Census of Population and Housing, 507.02 Census Tract average person per household (Data was rounded after computing)

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

The proposed annexation of 1993 Annex Area I meets the following statutory conditions of IC36-4-3-13 (b):

- 1. 1993 Annex Area I meets the 1/8 contiguity requirement all being over 12.5 percent contiguous to the existing external municipal boundaries. As shown above 1993 Annex Area I is 17.75% contiguous.
- 2. 1993 Annex Area I is territory that is over 60 percent subdivided.

**1993 ANNEX AREA I
ANALYSIS AND FISCAL PLAN FOR THE EXTENSION OF
CAPITAL/NON-CAPITAL SERVICES**

The proposed annexation will require the provision of services of a non-capital or capital improvement nature to 1993 Annex Area I 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. 1993 Annex Area I is approximately 116.3 acres in size and is fully described in the legal description attached as Exhibit 1 of this fiscal plan section of the report. 1993 Annex Area I contains an estimated population of 202 persons and 74 households. Summary demographic information is included in Chapter II of this report. This fiscal plan 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). Compliance with IC36-4-3-13 (b) or (c) is summarized in Chapter II of this report and is more thoroughly illustrated individually for 1993 Annex Area I at the end of this section.

Fire Protection

Fire protection is now provided to 1993 Annex Area I and to the Town of Sellersburg, both of which are within the Sellersburg Volunteer Fire Department jurisdiction area which includes all of Silver Creek Township. Upon annexation, the provision of fire protection services, equivalent in standard and scope to fire protection services available to existing corporate areas and its residents, will continue to be provided by the Sellersburg Volunteer Fire Department at no additional cost to the municipality.

Streets

The Town of Sellersburg currently maintains 23.81 Certified Miles of streets. The town will assume maintenance responsibility for an additional 2.46 miles of new roads in 1993 Annex Area I. Since these streets have all been fully paved in 1992, it will not be necessary for the Town to expend any funds for street maintenance, paving or repair in the foreseeable future (10 years).

By petition of residents along roads for which the town has maintenance responsibility, street lighting is installed with the cost borne by the electric utility and the ongoing operating cost assumed by the municipality. Street lighting installations closer than 400 feet from another street light are not considered necessary since the effective range of any two street lights would be duplicated. Street lighting to residents who reside along state highways or roads which are maintained by the county are the responsibility of those respective governmental entities. Since there are County roads located in 1993 Annex Area I for which the town will assume maintenance responsibility, the provision of street light services to 1993 Annex Area I will be the responsibility of the Town of Sellersburg. This is consistent with the existing town policy;

and therefore, the provision of street light services as described above is in a manner equivalent in standard and scope to street lighting services now provided within the existing town boundaries and its residents.

Water Service

1993 Annex Area I is within the service area of the Sellersburg Municipal Water Department or Silver Creek Water Corporation. Water service is now provided to 1993 Annex Area I and will continue upon annexation. The Water Departments will continue to provide water service equivalent in standard and scope to water service provided to the existing corporate areas and residents. Water service will continue with no improvements of a capital nature or additional non-capital services attributable to annexation at no additional cost to the municipality.

Recreation

All municipal recreational facilities can accommodate and will be available to residents of 1993 Annex Area I immediately upon annexation without affecting the capacity of such facilities or the responsible administrative department at no additional cost to the municipality.

Police Protection

Upon annexation, 1993 Annex Area I will be served by the Town of Sellersburg's Police Department. Patrols currently are made within areas adjacent to 1993 Annex Area I. The Sellersburg Police Department currently must utilize area roads to access and patrol currently incorporated areas of the municipality.

The addition of 1993 Annex Area I to the police department's jurisdiction and the provision of police protection services will not significantly affect the capacity of the Police Department. In fact, will provide a route to the areas that police department must currently patrol.

Upon annexation, overall police protection and patrols equivalent in standard and scope to police service now provided to existing municipal residents will commence in 1993 Annex Area I without significantly affecting the capacity of available police service. The additional area to receive police protection will not measurably increase cost and could be viewed as a logical addition to the jurisdictional limits of the Police Department.

Thus, there will be no need for the expenditure of additional funds through acquiring additional equipment, nor the hiring of additional personnel; and, therefore, will result in no additional cost to the municipality for the provision of police service to 1993 Annex Area I.

Garbage Collection

The Town of Sellersburg provides one garbage pick-up per week for residents, one per week, for businesses and one for industries. There is a \$3.00 per month charge for this first pick-up and additional charges for provision of dumpster-type containers. The annexation of Area I

would not require any additional personnel or equipment if it alone is adopted by the Town of Sellersburg, if however Areas "K" and "M" are also adopted one new Garbage Packer and an additional employee will be required. For the sake of this area, 1/3 of the cost will be attributed.

Zoning, Building Permits, and Inspection

The Town of Sellersburg's zoning regulations would become effective immediately upon the incorporation of 1993 Annex Area I. Upon annexation, the Town of Sellersburg will assume the administration and responsibility of zoning, building permit, inspections and other related services of 1993 Annex Area I 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 1993 Annex Area I.

Sewers

1993 Annex Area I is currently served by the town's municipal sewer system. As new developments occur, sanitary sewer service will be 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. The capacity of the sewer system can accommodate any reasonable anticipated future development in 1993 Annex Area I.

Any future developments will be provided sanitary sewer service extensions with the cost to be financed by the developer at no cost to the municipality. New developments are likely to occur within the reasonably near future requiring the extension of sanitary sewer services that will be financed by the developer.

This is consistent with sanitary sewer service provided to existing municipal areas and its residents with similar topography, patterns of land use and population density.

Other Municipal Functions

The annexation of 1993 Annex Area I will not measurably impact other municipal services of a non-capital or capital improvement nature not previously mentioned. Upon annexation, any other capital or non-capital services not previously mentioned that are available within the Town and to its residents, will be provided within 1993 Annex Area I and to its residents, without the expenditure of additional funds, in a manner equivalent in standard and scope to such services that are now provided within the existing municipal boundaries.

Plan for Hiring

The annexation of 1993 Annex Area I may require the hiring of one new employee. The jobs of no employees of other governmental entities will be eliminated by the proposed annexation.

Summary of Cost/Financing Methods/Plan for Service Extensions

The following section 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 non-capital nature or capital improvement nature, in a manner equivalent in standard and scope to those now provided to existing corporate areas that have similar topography, patterns of land use, and population density. Also summarized, are the methods of financing the extension of services, and the plan for the organization and extension of services. This section summarizes the above analysis and clearly illustrates compliance with IC36-4-3-13 (d).

Fire Protection

Cost: \$ 0.00
Method of Financing: N/A
Plan for Service Extensions:

Upon annexation, the provision of fire protection services, equivalent in standard and scope to fire protection services available to existing corporate areas and its residents, will continue to be provided by the Sellersburg Volunteer Fire Department at no additional cost to the municipality.

Streets

Cost: Street Lighting
(Capital) \$ 0.00
(Non-capital) \$ 622.00
Method of Financing: General Fund
Plan for Service Extensions:

Because County roads are located within 1993 Annex Area I for which the Town will assume maintenance responsibility, the extension of street lighting or street maintenance services will be necessary. Since the streets were all completely paved in 1992 it will not be necessary to repave them in the 3 year period (not for 10 years), however it may be necessary to install street lights where requested by one or more residents.

Water Service

Cost: \$ 0.00
Method of Financing: N/A
Plan for Service Extensions:

Water service is now provided to 1993 Annex Area I by the Sellersburg Municipal Water Department and Silver Creek Water Corporation and will continue upon annexation to 1993 Annex Area I at no additional cost to the town.

Recreation

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

All municipal recreational facilities can accommodate and will be available to residents of 1993 Annex Area I immediately upon annexation without significantly affecting the capacity of such facilities or responsible administrative department at no additional cost to the municipality.

Police Protection

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

Upon annexation, overall police protection and patrols equivalent in standard and scope to police service now provided to existing municipal residents will commence upon annexation of 1993 Annex Area I without affecting the capacity of available police service.

Garbage Collection

Cost:
(Capital) \$ 17,000.00
(Non Capital) \$ 4,100.00
Method of Financing: Fees and General Funds
Plan for Service Extensions:

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, however if Annex Areas "K" and "M" are adopted one (1) new Packer and employee will be needed to service all three (3) areas, therefore 1/3 of the cost is attributed here.

Zoning, Building Permits and Inspections

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

The Town of Sellersburg's zoning regulations would become effective immediately upon the incorporation of 1993 Annex Area I. Upon annexation, the Town of Sellersburg will assume the administration and responsibility of zoning, building permit, inspections and other related services of 1993 Annex Area I in a manner equivalent in standard and scope to these services now provided to area within the existing corporate limits. No measurable increase in operating or capital cost will occur with the extension of these services.

Sewers

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

The Existing residents of 1993 Annex Area I are being served by the Town sewer system. 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.

Other Municipal Functions

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

Upon annexation, any other capital or non-capital services not previously mentioned that are available within the Town and to its residents, will be provided within 1993 Annex Area I and to its residents. The capacity of any other department not previously mentioned will not be measurably affected. Any such services will be extended without the expenditure of additional funds, in a manner equivalent in standard and scope to such services that are now provided within the existing municipal boundaries.

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

The proposed annexation of 1993 Annex Area I, meets the following statutory conditions of IC36-4-3-13 (b):

1. 1993 Annex Area I meets the 1/8 contiguity requirement being over approximately 17.75 percent contiguous to the existing external municipal boundaries.
2. 1993 Annex Area I is territory that is an area which is 60 percent subdivided.

1993 Annex Area I has substantial development potential now that the provision of municipal services, primarily access to a sewage system, that can accommodate the potential growth of 1993 Annex Area I, is available.

Conclusion

This fiscal plan has analyzed the impact of the annexation of 1993 Annex Area I on each municipal service category in terms of additional cost to the municipality. It should be noted that any municipal service improvement needs or expenditure of funds necessary, regardless of annexing 1993 Annex Area I that are not attributable to the incorporation of 1993 Annex Area I, are not considered in this fiscal plan. Where applicable the source of funds necessary to finance the extension of required services were indicated and a plan was outlined for the provision organization and extension of Capital and Non-capital services. Thus, this fiscal plan section of the report conforms with and meets the requirements of IC36-4-3-13 (d). Also,

as thoroughly illustrated above, the annexation of 1993 Annex Area I clearly complies with the requirements of IC36-4-3-13 (b).

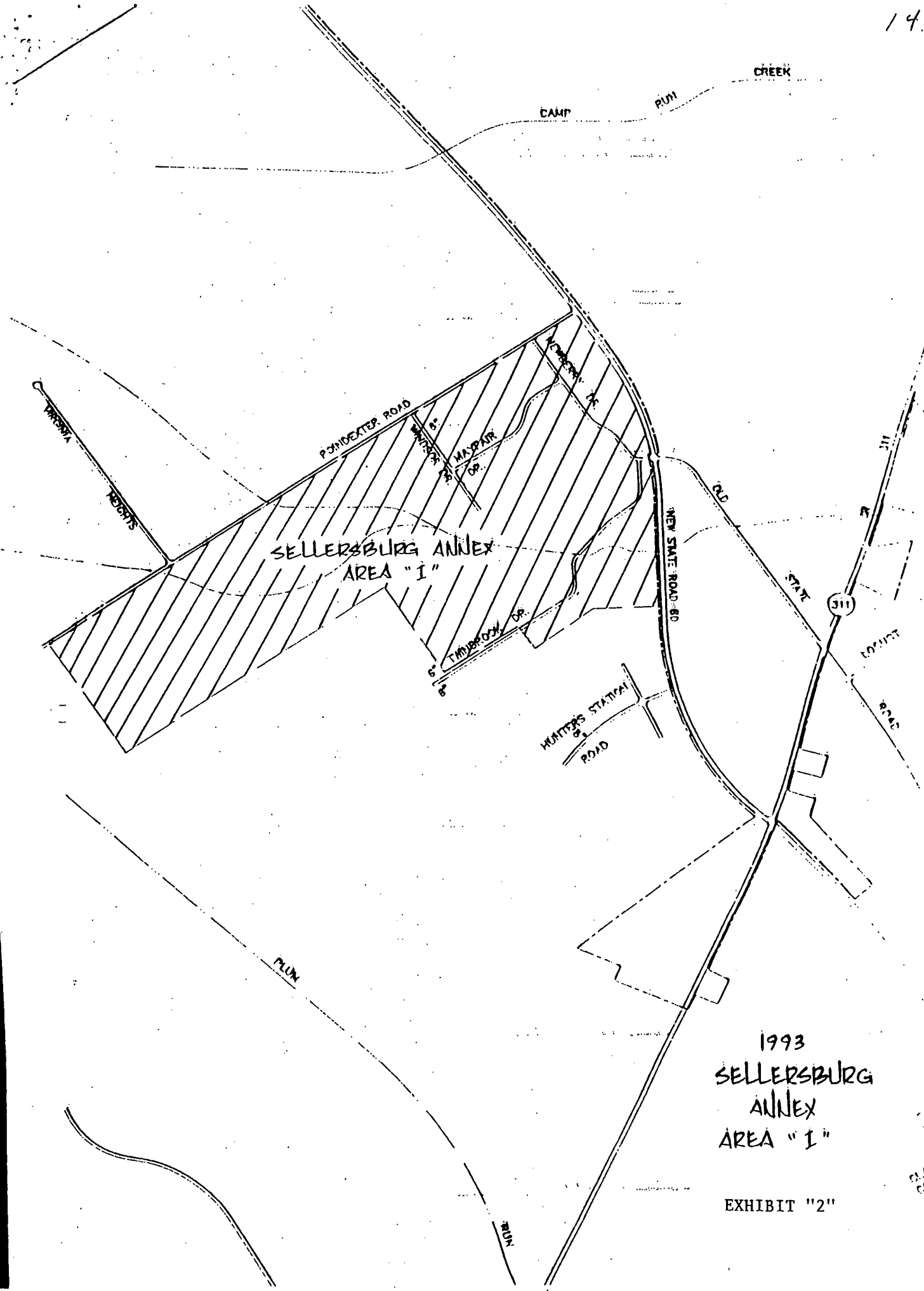
1993

DESCRIPTION OF SELLERSBURG ANNEXATION AREA 'I'

A part of Survey 108 in Silver Creek Township of Clark County, Indiana, bounded as follows:

Beginning at the southeast corner of the first tract described at Deed Drawer 19, Instrument 1404, which point is in the southwesterly right-of-way line of New State Road 60 and in the present Town Boundary of Sellersburg, thence the following courses:

South 69 deg. 25 min. 46 sec. West, 405.23 feet with said tract to a point in the southeasterly line of Twin Brook Subdivision, Unit 2 recorded at Plat Book 8, page 77;
South 48 deg. 24 min. 47 sec. West, 497.46 feet with said southeasterly line;
South 48 deg. 47 min. 58 sec. West, 90.39 feet to the south corner of Twin Brook Subdivision, Unit 2;
North 41 deg. 12 min. 02 sec. West, 199.99 feet to a point in the southeast line of a tract described at Deed Drawer 13, Instrument 9321;
South 48 deg. 47 min. 58 sec. West, 533.04 feet to the south corner of said tract;
North 39 deg. 59 min. 25 sec. West, 731.14 feet to the west corner of said tract;
South 48 deg. 15 min. 02 sec. West, 2049.32 feet to the south corner of a tract described at Deed Drawer 18, Instrument 7685;
North 41 deg. 44 min. 58 sec. West, 893.80 feet with the southwest line of said tract to the southeast right-of-way line of Poindexter Lane, which has a 30 foot wide right-of-way;
North 48 deg. 44 min. East, 4194.39 feet with said right-of-way line to a point in the southwesterly right-of-way line of New State Road 60, which point is also in the present Town Boundary of Sellersburg; thence
Southeastwardly 2070 feet, more or less, with said right-of-way line and the present Town Boundary, to the point of beginning, containing 116.3 acres of land, more or less.



1993
 SELLERSBURG
 ANNEX
 AREA "1"

EXHIBIT "2"

RESOLUTION NO. 1993-8

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to annex contiguous area located on its southeastern boundary, known as "Annexation Area K", which area is more specifically described in Ordinance No. 93-573; and

WHEREAS, responsible planning and Indiana Law requires adoption of a fiscal plan and a definite policy for provision of services to annexed areas; and

WHEREAS, such plan has been developed and presented to the Town Council for the Town of Sellersburg, Indiana, entitled "Analysis and Fiscal Plan Annexation Area K"; and

WHEREAS, said fiscal plan addresses the need and the implementation of noncapital services to the annexed areas, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, which will be provided to the annexed territory within one (1) year after the effective date of annexation, and that said noncapital services will be provided in a manner equivalent in standard and scope to corporate boundaries that have similar topography, patterns of land use, and population density; and

WHEREAS, said fiscal plan addresses the need and the implementation of capital services to the annexed area, including street construction, street lighting, sewer

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to
annex contiguous area located on its southeastern boundary,
known as "Annexation Area K", which area is more specifically
described in Ordinance No. 93-214; and

WHEREAS, responsible planning and Indiana law requires
adoption of a fiscal plan and a definite policy for provision
of services to annexed areas; and

WHEREAS, such plan has been developed and presented to
the Town Council for the Town of Sellersburg, Indiana,

entitled "Analysis and Fiscal Plan Annexation Area K"; and
WHEREAS, said fiscal plan addresses the need and the

implementation of noncapital services to the annexed areas,
including police protection, fire protection, street and road

maintenance, and other noncapital services normally provided
within the corporate boundaries, which will be provided to

the annexed territory within one (1) year after the effective
date of annexation, and that said noncapital services will be

provided in a manner equivalent in standard and scope to
corporate boundaries that have similar topography, patterns

of land use, and population density; and
WHEREAS, said fiscal plan addresses the need and the

implementation of capital services to the annexed areas,
including street construction, street lighting, sewer

facilities, water facilities and stormwater drainage facilities, which will be provided to the annexed territory within three (3) years after the effective date of the annexation, and that said capital services will be provided 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.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Sellersburg, Clark County, Indiana, that:

1.) That the Town Council for the Town of Sellersburg, Indiana, hereby approves and adopts the fiscal plan, "Analysis and Fiscal Plan Annexation Area K", which plan is attached hereto and made a part hereof, and hereby approves and adopts specific policies for implementation of the plan as set forth therein;

2.) Any monies necessary for provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable funds, pursuant to Indiana Law and the Town's budget procedures;

3.) It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities, but in the event that it does, the Town Council for the Town of Sellersburg, Indiana, and all of

Town Council for the Town of Sellersburg, Indiana, and all of governmental entities, but in the event that it does, the result in the elimination of jobs for employees of other

3.) It is anticipated that this annexation will not Indians law and the Town's budget procedures, and appropriated from the applicable funds, pursuant to described and itemized in the attached plan shall be budgeted

3.) Any monies necessary for provision of services as set forth herein:

and adopts specific policies for implementation of the plan attached hereto and made a part hereof, and hereby approves "Analysis and Fiscal Plan Annexation Area K," which plan is Indians, hereby approves and adopts the fiscal plan,

1.) That the Town Council for the Town of Sellersburg, the Town of Sellersburg, Clark County, Indiana, that:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR and planning criteria,

consistent with federal, state, and local laws, procedures, patterns of land use, and population density, and in a manner within the corporate boundaries that have similar topography, in the same manner as those services are provided to areas annexation, and that said capital services will be provided within three (3) years after the effective date of the facilities, which will be provided to the annexed territory facilities, water facilities and stormwater drainage

its departments are hereby directed to assist such employees in obtaining new employment, but nothing herein shall require the Town to hire any such employees.

PASSED AND ADOPTED this 28th day of June, 1993, by the Town Council for the Town of Sellersburg, Indiana.



STANLEY E. TUCKER



DAVID BROADY




ROY E. EVERITT



AULTON D. EDDINGS



KARE N. TRUMAN

ATTEST: 

LINDA SCHAFER
CLERK/TREASURER

**ANALYSIS AND FISCAL PLAN
ANNEXATION AREA "K"**

TOWN OF SELLERSBURG, INDIANA

Town Board of Trustees

Stanley E. Tucker	President
Roy E. Everitt	Member
A. Douglas Eddings	Member
David Broady	Member
Karl N. Truman	Member
Linda Schafer	Clerk-Treasurer

January, 1993

Revised June 25, 1993

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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).

STATUTORY REQUIREMENTS

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 non-capital 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.

SUMMARY INFORMATION OF THE PROPOSED ANNEXATION AREA

The area proposed to be annexed is hereinafter referred to as 1993 Annex Area K. The tract is fully described in the legal description attached as Exhibit 1 of this fiscal plan.

Population and Demographic Information

Total Acres	Approximate Number of Households ²	Estimated Population Per Acre	Total Population ³	% Contiguous ¹
40.3	33	2.23	90	41.37%

Sources:

1. Legal Description.
2. Based on topographical maps, aerial maps and a windshield... survey.
3. 1990 Census of Population and Housing, 507.02 Census Tract average person per household (Data was rounded after computing)

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

The proposed annexation of 1993 Annex Area K meets the following statutory conditions of IC36-4-3-13 (c):

1. 1993 Annex Area K meets the 1/4 contiguity requirement all being over 25 percent contiguous to the existing external municipal boundaries. As shown above 1993 Annex Area K is 41.37% contiguous.
2. 1993 Annex Area K is territory that is needed and can be used by the municipality for its development in the reasonably near future

**1993 ANNEX AREA K
ANALYSIS AND FISCAL PLAN FOR THE EXTENSION OF
CAPITAL/NON-CAPITAL SERVICES**

The proposed annexation will require the provision of services of a non-capital or capital improvement nature to 1993 Annex Area K 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. 1993 Annex Area K is approximately 40.3 acres in size and is fully described in the legal description attached as Exhibit 1 of this fiscal plan section of the report. 1993 Annex Area K contains an estimated population of 90 persons and 33 households. Summary demographic information is included in Chapter II of this report. This fiscal plan 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). Compliance with IC36-4-3-13 (b) or (c) is summarized in Chapter II of this report and is more thoroughly illustrated individually for 1993 Annex Area K at the end of this section.

Fire Protection

Fire protection is now provided to 1993 Annex Area K and to the Town of Sellersburg, both of which are within the Sellersburg Volunteer Fire Department jurisdiction area which includes all of Silver Creek Township. Upon annexation, the provision of fire protection services, equivalent in standard and scope to fire protection services available to existing corporate areas and its residents, will continue to be provided by the Sellersburg Volunteer Fire Department at no additional cost to the municipality.

Streets

The Town of Sellersburg currently maintains 23.81 Certified Miles of streets. The town will assume maintenance responsibility for an additional 0.31 miles of roads in 1993 Annex Area K. Since these streets have all been fully paved in 1992, it will not be necessary for the Town to expend any funds for street maintenance, paving or repair in the foreseeable future (10 years), however some street lights may have to be installed where requested.

By petition of residents along roads for which the town has maintenance responsibility, street lighting is installed with the cost borne by the electric utility and the ongoing operating cost assumed by the municipality. Street lighting installations closer than 400 feet from another street light are not considered necessary since the effective range of any two street lights would be duplicated. Street lighting to residents who reside along state highways or roads which are maintained by the county are the responsibility of those respective governmental entities. Since there are County roads located in 1993 Annex Area K for which the town will assume maintenance responsibility, the provision of street light services to 1993 Annex Area K will

be the responsibility of the Town of Sellersburg. This is consistent with the existing town policy; and therefore, the provision of street light services as described above is in a manner equivalent in standard and scope to street lighting services now provided within the existing town boundaries and its residents.

Water Service

1993 Annex Area K is within the service area of the Sellersburg Municipal Water Department. Water service is now provided to 1993 Annex Area K and will continue upon annexation. The Water Department will continue to provide water service equivalent in standard and scope to water service provided to the existing corporate areas and residents. Water service will continue with no improvements of a capital nature or additional non-capital services attributable to annexation at no additional cost to the municipality.

Recreation

All municipal recreational facilities can accommodate and will be available to residents of 1993 Annex Area K immediately upon annexation without affecting the capacity of such facilities or the responsible administrative department at no additional cost to the municipality.

Police Protection

Upon annexation, 1993 Annex Area K will be served by Town of Sellersburg's Police Department. Patrols currently are made within areas adjacent to 1993 Annex Area K. The Sellersburg Police Department currently must utilize area roads to access and patrol currently incorporated areas of the municipality.

The addition of 1993 Annex Area K to the police department's jurisdiction and the provision of police protection services will not significantly affect the capacity of the Police Department.

Upon annexation, overall police protection and patrols equivalent in standard and scope to police service now provided to existing municipal residents will commence in 1993 Annex Area K without affecting the capacity of available police service. The additional area to receive police protection will not measurably increase cost and could be viewed as a logical addition to the jurisdictional limits of the Police Department.

Thus, there will be no need for the expenditure of additional funds through acquiring additional equipment, nor the hiring of additional personnel; and, therefore, will result in no additional cost to the municipality for the provision of police service to 1993 Annex Area K.

Garbage Collection

The Town of Sellersburg provides one garbage pick-up per week for residents, one per week, for businesses and one for industries. There is a \$3.00 per month charge for this first pick-up and additional charges for provision of dumpster-type containers. The annexation of Area K would not require any additional personnel or equipment if it alone is adopted by the Town of Sellersburg, if however Areas "I" and "M" are also adopted one new Garbage Packer and an additional employee will be required. For the sake of this area, 1/3 of the cost will be attributed.

Zoning, Building Permits, and Inspection

The Town of Sellersburg's zoning regulations would become effective immediately upon the incorporation of 1993 Annex Area K. Upon annexation, the Town of Sellersburg will assume the administration and responsibility of zoning, building permit, inspections and other related services of 1993 Annex Area K 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 1993 Annex Area K.

Sewers

The Town of Sellersburg is currently serving 1993 Annex Area K with sanitary sewer service.

As new developments occur, sanitary sewer service will be 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. Prior to the three year requirement of the provision of capital improvements, the capacity of the sewer system can accommodate any reasonable anticipated future development in 1993 Annex Area K.

Any future developments will be provided sanitary sewer service extensions with the cost to be financed by the developer at no cost to the municipality. New developments are likely to occur within the reasonably near future requiring the extension of sanitary sewer services that will be financed by the developer.

This is consistent with sanitary sewer service provided to existing municipal areas and its residents with similar topography, patterns of land use and population density.

Other Municipal Functions

The annexation of 1993 Annex Area K will not measurably impact other municipal services of a non-capital or capital improvement nature not previously mentioned. Upon annexation, any other capital or non-capital services not previously mentioned that are available within the Town and to its residents, will be provided within 1993 Annex Area K and to its residents, without the expenditure of additional funds, in a manner equivalent in standard and scope to such services that are now provided within the existing municipal boundaries.

Plan for Hiring

The annexation of 1993 Annex Area K may 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/Financing Methods/Plan for Service Extensions

The following section 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 non-capital nature or capital improvement nature, in a manner equivalent in standard and scope to those now provided to existing corporate areas that have similar topography, patterns of land use, and population density. Also summarized, are the methods of financing the extension of services, and the plan for the organization and extension of services. This section summarizes the above analysis and clearly illustrates compliance with IC36-4-3-13 (d).

Fire Protection

Cost: \$ 0.00
Method of Financing: N/A
Plan for Service Extensions:

Upon annexation, the provision of fire protection services, equivalent in standard and scope to fire protection services available to existing corporate areas and its residents, will continue to be provided by the Sellersburg Volunteer Fire Department at no additional cost to the municipality.

Streets

Cost: Street Lighting
(Capital) \$ 0.00
(Non-capital) \$ 266.00
Method of Financing: General Fund
Plan for Service Extensions:

Because County roads are located within 1993 Annex Area K for which the Town will assume maintenance responsibility, the extension of street lighting or street maintenance services will be necessary. Since the streets were completely paved in 1993, there will be no

paving required in the 3 year period (not for 10 years), however some streets lights may need to be installed if requested.

Water Service

Cost: \$ 0.00

Method of Financing: N/A

Plan for Service Extensions:

Water service is now provided to 1993 Annex Area K by the Sellersburg Municipal Water Department and will continue upon annexation to 1993 Annex Area K at no additional cost to the town.

Recreation

Cost: \$ 0

Method of Financing: N/A

Plan for Service Extensions:

All municipal recreational facilities can accommodate and will be available to residents of 1993 Annex Area K immediately upon annexation without significantly affecting the capacity of such facilities or responsible administrative department at no additional cost to the municipality.

Police Protection

Cost: \$ 0

Method of Financing: N/A

Plan for Service Extensions:

Upon annexation, overall police protection and patrols equivalent in standard and scope to police service now provided to existing municipal residents will commence upon annexation of 1993 Annex Area K without affecting the capacity of available police service.

Garbage Collection

Cost:

(Capital) \$ 17,000.00

(Non-Capital) \$ 4,100.00

Method of Financing: Fees and General Funds

Plan for Service Extensions:

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, however if Annex Areas "I" and "M" are adopted one (1) new Packer and employee will be needed to service all three (3) areas, therefore 1/3 of the cost is attributed here.

Zoning, Building Permits and Inspections

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

The Town of Sellersburg's zoning regulations would become effective immediately upon the incorporation of 1993 Annex Area K. Upon annexation, the Town of Sellersburg will assume the administration and responsibility of zoning, building permit, inspections and other related services of 1993 Annex Area K in a manner equivalent in standard and scope to these services now provided to area within the existing corporate limits. No measurable increase in operating or capital cost will occur with the extension of these services.

Sewers

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

The Existing residents of 1993 Annex Area K are being served by the Town sewer system. 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.

Other Municipal Functions

Cost: \$ 0
Method of Financing: N/A
Plan for Service Extensions:

Upon annexation, any other capital or non-capital services not previously mentioned that are available within the Town and to its residents, will be provided within 1993 Annex Area K and to its residents. The capacity of any other department not previously mentioned will not be measurably affected. Any such services will be extended without the expenditure of additional funds, in a manner equivalent in standard and scope to such services that are now provided within the existing municipal boundaries.

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

The proposed annexation of 1993 Annex Area K, meets the following statutory conditions of IC36-4-3-13 (c):

1. 1993 Annex Area K meets the 1/4 contiguity requirement being over approximately 41.37 percent contiguous to the existing external municipal boundaries.
2. 1993 Annex Area K is territory that is needed and can be used by the municipality for its development in the reasonably near future.

1993 Annex Area K has development potential now that the provision of municipal services, primarily access to a sewage system, that can accommodate the potential growth of 1993 Annex Area K, is available. It is expected that this area will develop residentially. The potential for developments is severely hindered without the availability of and access to a sanitary sewer system and other municipal services. Thus, 1993 Annex Area K is needed and can be used by the Town of Sellersburg for its development in the reasonably near future.

Conclusion

This fiscal plan has analyzed the impact of the annexation of 1993 Annex Area K on each municipal service category in terms of additional cost to the municipality. It should be noted that any municipal service improvement needs or expenditure of funds necessary, regardless of annexing 1993 Annex Area K that are not attributable to the incorporation of 1993 Annex Area K, are not considered in this fiscal plan. Where applicable the source of funds necessary to finance the extension of required services were indicated and a plan was outlined for the provision organization and extension of Capital and Non-capital services. Thus, this fiscal plan section of the report conforms with and meets the requirements of IC36-4-3-13 (d). Also, as thoroughly illustrated above, the annexation of 1993 Annex Area K clearly complies with the requirements of IC36-4-3-13 (c).

EXHIBIT "1"

DESCRIPTION OF 1993 SELLERSBURG ANNEXATION AREA "K"

A part of Survey 66 of the Illinois Grant in Silver Creek Township of Clark County, Indiana, bounded as follows:

Beginning at the southeast corner of Lot 25 of Greenwood Subdivision Unit 1, which point is in the present Town Boundary of Sellersburg and is also on the west right-of-way line of Highway 31E, thence the following courses:

Southwardly 190 feet, more or less, with said right-of-way line and the east line of a tract described at Deed Drawer 17, Instrument 5145;

Westwardly, 65 feet, more or less, with said tract and said right-of-way line;

Southwardly, 225 feet, more or less, with said tract and said right-of-way line;

Eastwardly, 75 feet, more or less, with said tract and said right-of-way line;

Southwardly, 306 feet, more or less, with said tract and said right-of-way line to the northeast corner of a tract of land described at Deed Drawer 5, Instrument 8662;

Southwardly, 75 feet, more or less, with said right-of-way line to the northeast corner of a tract of land described at Deed Drawer 7, Instrument 4718;

Southwardly, 255 feet, more or less, with said right-of-way line to the north corner of Diamond Heights Subdivision;

South 12 deg. 42 min. East, 772.6 feet, more or less, with Diamond Heights and said right-of-way line;

South 10 deg. 30 min. East, 324.05 feet, more or less, with Diamond Heights and said right-of-way line;

South 6 deg. 13 min. East, 259.71 feet, more or less, with said right-of-way line to the southeast corner of Diamond Heights;

South 69 deg. 48 min. West, 828.64 feet, more or less, to the southwest corner of Diamond Heights Subdivision, which is in the east right-of-way line of State Road 60;

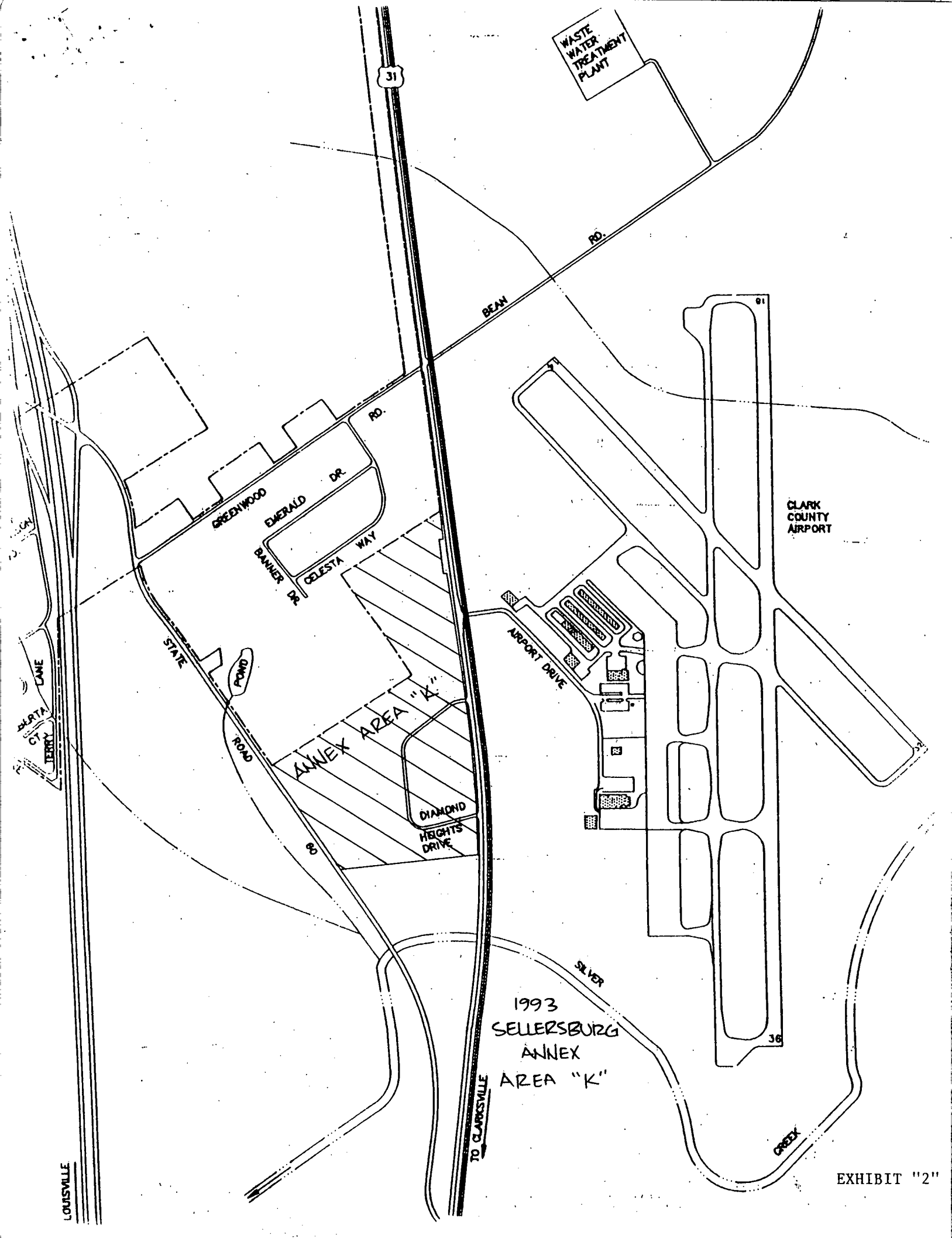
North 54 deg. 06 min. West, 235.3 feet, more or less, with said right-of-way line and line of Diamond Heights;

North 41 deg. 03 min. West, 664.6 feet, more or less, with said right-of-way line and Diamond Heights to a point in the present Town Boundary of Sellersburg, and which point is also in the southeast line of a tract of land described at Deed Drawer 3, Instrument 2868;

North 48 deg. 55 min. East, 1258 feet, more or less, with said tract and the present Town Boundary of Sellersburg;

North 40 deg. West, 990 feet, more or less, with said tract and the present Town Boundary of Sellersburg to the northwest corner of a tract of land described at Deed Drawer 17, Instrument 5145;

North 51 deg. 30 min. East, 770 feet, more or less, with said tract and the present Town Boundary of Sellersburg to the place of beginning, containing 40.3 acres, more or less.



WASTE WATER TREATMENT PLANT

31

CLARK COUNTY AIRPORT

ANNEX AREA "K"

1993
SELLERSBURG
ANNEX
AREA "K"

EXHIBIT "2"

LOUISVILLE

TO CLARKSVILLE

BLERTA
CT
TERRY
LANE

STATE
ROAD

POND

GREENWOOD
RD.

EMERALD
DR.

BANNER
DR.

CELESTA
WAY

AIRPORT
DRIVE

DIAMOND
HEIGHTS
DRIVE

SILVER

CREEK

BEAN
RD.

91

36

RESOLUTION NO. 1993- 9

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to annex contiguous area located on its northwestern and southwestern boundary, known as "Annexation Area B", which area is more specifically described in Ordinance No. 93-574; and

WHEREAS, responsible planning and Indiana Law requires adoption of a fiscal plan and a definite policy for provision of services to annexed areas; and

WHEREAS, such plan has been developed and presented to the Town Council for the Town of Sellersburg, Indiana, entitled "Analysis and Fiscal Plan Annexation Area B"; and

WHEREAS, said fiscal plan addresses the need and the implementation of noncapital services to the annexed areas, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the corporate boundaries, which will be provided to the annexed territory within one (1) year after the effective date of annexation, and that said noncapital services will be provided in a manner equivalent in standard and scope to corporate boundaries that have similar topography, patterns of land use, and population density; and

WHEREAS, said fiscal plan addresses the need and the implementation of capital services to the annexed area,

A RESOLUTION ADOPTING A WRITTEN FISCAL PLAN
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO
PROPOSED ANNEXED AREA

WHEREAS, the Town of Sellersburg, Indiana, desires to
annex contiguous area located on its northwestern and
southwestern boundary, known as "Annexation Area B", which
area is more specifically described in Ordinance No. 93-

271; and

WHEREAS, responsible planning and Indiana law requires
adoption of a fiscal plan and a definite policy for provision
of services to annexed areas; and

WHEREAS, such plan has been developed and presented to

the Town Council for the Town of Sellersburg, Indiana,
entitled "Analysis and Fiscal Plan Annexation Area B"; and
WHEREAS, said fiscal plan addresses the need and the
implementation of noncapital services to the annexed areas,
including police protection, fire protection, street and road
maintenance, and other noncapital services normally provided
within the corporate boundaries, which will be provided to
the annexed territory within one (1) year after the effective
date of annexation, and that said noncapital services will be
provided in a manner equivalent in standard and scope to
corporate boundaries that have similar topography, patterns

of land use, and population density; and

WHEREAS, said fiscal plan addresses the need and the
implementation of capital services to the annexed area,

including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities, which will be provided to the annexed territory within three (3) years after the effective date of the annexation, and that said capital services will be provided 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.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Sellersburg, Clark County, Indiana, that:

1.) That the Town Council for the Town of Sellersburg, Indiana, hereby approves and adopts the fiscal plan, "Analysis and Fiscal Plan Annexation Area B", which plan is attached hereto and made a part hereof, and hereby approves and adopts specific policies for implementation of the plan as set forth therein;

2.) Any monies necessary for provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable funds, pursuant to Indiana Law and the Town's budget procedures;

3.) It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities, but in the event that it does, the Town Council for the Town of Sellersburg, Indiana, and all of

including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities, which will be provided to the annexed territory within three (3) years after the effective date of the annexation, and that said capital services will be provided 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.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for

the Town of Sellersburg, Clark County, Indiana, that:
 1. That the Town Council for the Town of Sellersburg,

Indiana, hereby approves and adopts the fiscal plan, "Analysis and Fiscal Plan Annexation Area B", which plan is attached hereto and made a part hereof, and hereby approves and adopts specific policies for implementation of the plan as set forth therein;

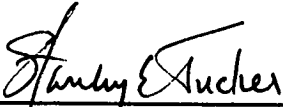
2. Any monies necessary for provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable funds, pursuant to

Indiana Law and the Town's budget procedures;

3. It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities, but in the event that it does, the Town Council for the Town of Sellersburg, Indiana, and all of

its departments are hereby directed to assist such employees in obtaining new employment, but nothing herein shall require the Town to hire any such employees.

PASSED AND ADOPTED this 28th day of June, 1993, by the Town Council for the Town of Sellersburg, Indiana.




STANLEY E. TUCKER



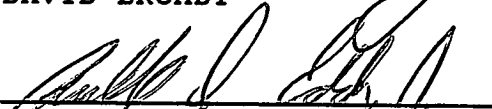
ROY E. EVERITT



KARL N. TRUMAN



DAVID BROADY



AULTON D. EDDINGS

ATTEST: 

LINDA SCHAFER
CLERK/TREASURER

**ANALYSIS AND FISCAL PLAN
ANNEXATION AREA "B"**

TOWN OF SELLERSBURG, INDIANA

Town Board of Trustees

Stanley E. Tucker	President
Roy E. Everitt	Member
A. Douglas Eddings	Member
David Broady	Member
Karl N. Truman	Member
Linda Schafer	Clerk-Treasurer

January, 1993

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 area is presently served by the Sanitary Sewer System of the Town of Sellersburg, therefore there would be no expense in this regard

SUMMARY OF COST

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

TABLE 1
EXPENDITURES REQUIRED BY ANNEXATION AREA B

Summary of Costs

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

CAPITAL EXPENDITURES

WASTEWATER/SEWER COSTS

Required Annual Expense Breakdown	
Annual Operating and Maintenance for Annexation Area B	\$ 0.00
Total Required Income for Annexation Area B	\$ 0.00

FIRE PROTECTION

Fire protection is now provided to Annexation Area 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 area is served by city water provided by 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 area is 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. The Police Department has full-time officers available with take-home cars currently. 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 Area 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 a \$3.00 per month charge for the first pick-up and additional charges for provision of dumpster-type containers. The annexation of Area B would not assign any additional costs to the Town or necessitate the acquisition of additional personnel or vehicles.

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 Area 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 B, such plan and policy in conformance with State statutory requirements.

STUDY AREA

AREA B

The proposed area to be annexed includes 14.07 acres. It includes all or part of the following:

Town of Hamburg, Parcels 7 and 3
Grant No. 108, Parcel 45

POPULATION

Acreage of proposed annexation area (3)	14.07
Number of households (approx.) (1)	2
Number of persons per living unit (2)	2.72
Average population per acre	0.43
Total estimated population	6

Source:

1. Clark County Surveyor's Office
2. U.S. Bureau of Census, 1990 Census of Population and Housing
3. See legal descriptions

ANALYSIS AND PLANS FOR CAPITAL/NON-CAPITAL SERVICES

The incorporation of Annexation Area 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 analyses the impact that the proposed annexation will have on various town services and outlines a plan for providing pertinent services.

ESTIMATED INCREASED REVENUES

INTRODUCTION

If the Town of Sellersburg annexes the proposed area, 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 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 1990, and the new population figures were probably not certified for use in distributions until 1992. The next census, which would include this area, will not occur until 2000, with additions in 2001 or 2002.

Except from the Cigarette Tax (which is currently firmly based on the 1990 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 could 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.

INCREASE 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 Area 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)**

<u>Revenue Source</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>
General Property Tax (2)	\$ 750	\$ 750	\$ 750
Auto/. Aircraft Excise Tax (3)	183	183	183
Alcohol Taxes (4)	0	0	0
Cigarette Tax -GF (5)	0	0	0
Cigarette Tax -CCI (6)	0	0	0
LRS Distribution (7)	0	0	0
Motor Vehicle Highway (4)	0	0	0
TOTALS	\$ 933	\$ 933	\$ 933

NOTES:

1. These estimates assume no new development.
2. Additional assessed valuation from Annexation Area B at the existing tax rate (\$3.3247/\$100, 1993 payable in 1994).
3. Based on 1992 revenues increased by same percentage that property tax will increase from annexation.
4. No increase until next or special census.
5. No increase until next or special census.
6. No increase until next or special census.
7. No increase because of no new road mileage will be added by the annexation, and no population increase until next or special census.

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 consideration. 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 Area 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 sewer maintenance, but for the short-term scope required for annexation analysis, and because the sewers are new, these costs will be insignificant, and such costs must be amortized over a longer term.

SEWER USER FEES

Since the area is now served by Sellersburg Sanitary Sewers the following is an estimate of the expected income from sewer charges based on a averaged bill of \$28.50 per month for 3 years.

TABLE 3
Estimated Sewer Revenues

Total Users in Annexation Area B	2
User Fees yearly	\$2052

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 Area B for the three-year period covered by this report.

It is possible that at some time 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 for this purpose.

PLAN FOR HIRING

The annexation of Area 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 cost and cash flow based on total revenues and costs from Annexation Area B, and the revenues are the total revenues which will be available from the area.

TABLE 4

AREA 'B'

<u>Expense & Revenues</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>
Increased Operating Expenses	-0-	-0-	-0-
Increased Capital Cost	-0-	-0-	-0-
Increased Revenues	\$ 933	\$ 933	\$ 933
Net Gains (or Loss)	\$ 933	\$ 933	\$ 933

CONCLUSION

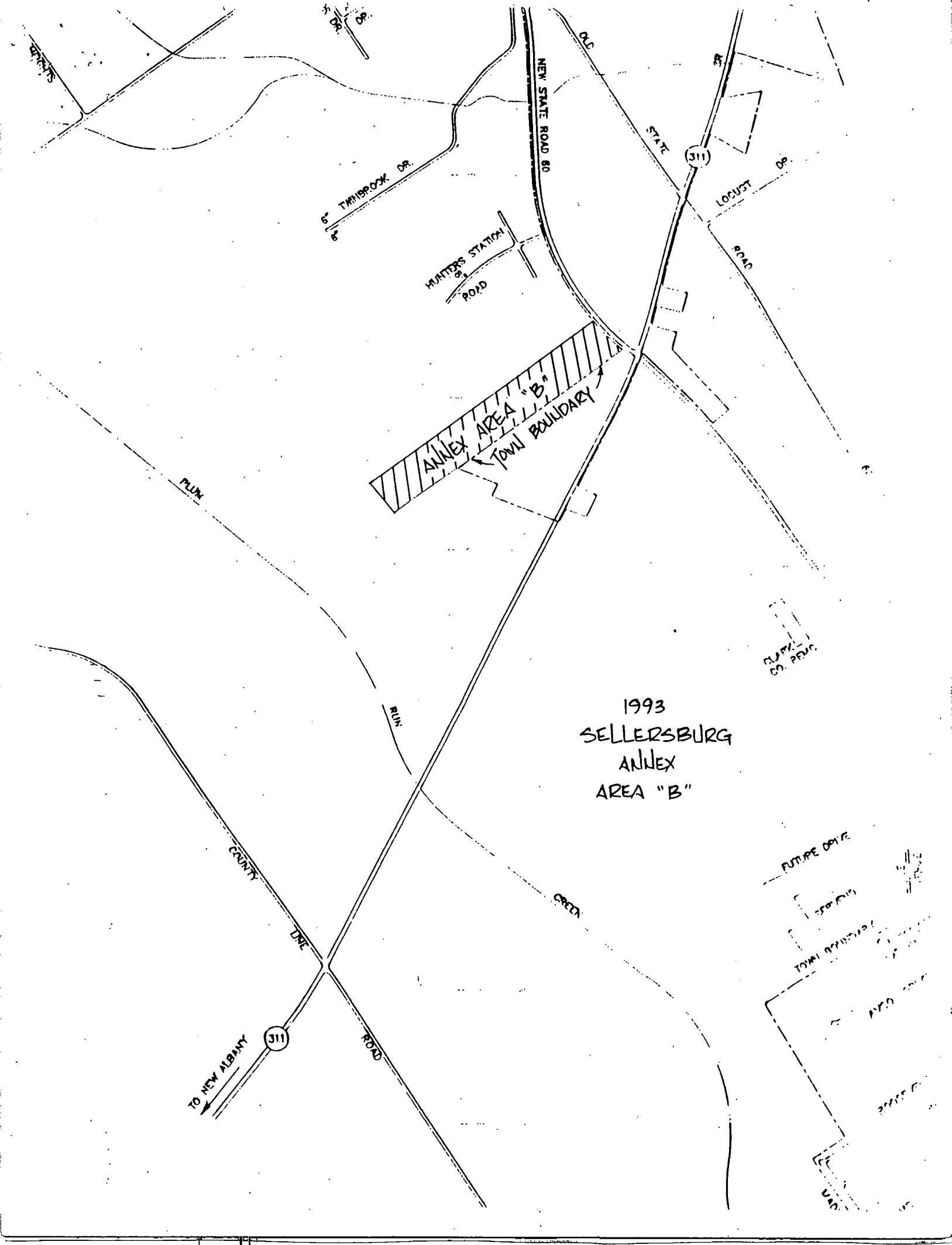
From the evidence presented in this report, it is apparent that the annexation of Area B would be a sound decision for the Town of Sellersburg and the residents of the Area. It is further evident that the area meets all the requirements for annexation. The residents will benefit from improved services 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 Area 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 "B" would be more than one-quarter (1/4) contiguous with a Town boundary 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).



1993
SELLERSBURG
ANNEX
AREA "B"

ANNEX AREA "B"
TOWN BOUNDARY

TO NEW ALBANY
311

FUTURE DRIVE
TOWN BOUNDARY
ANNEX AREA

October 28, 1992

DESCRIPTION OF TOWN OF SELLERSBURG ANNEXATION AREA 'B', 1992

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, 420 feet, more or less, with the northwesterly line of Annex Area "A", which is the Town Boundary of Sellersburg, Indiana, to a point in the line between Surveys No. 88 and 108 which is the southeasterly line of a tract conveyed at Deed Record 177, page 362;

South 49 deg. 00 min. West, 1241 feet, more or less, with the Town Boundary along the line between Surveys No. 88 and 108 to the west corner of a tract conveyed at Deed Drawer 18, Instruments 6915 and 6916, which point is on the Town Boundary of Sellersburg;

South 49 deg. 00 min, West, 564.25 feet, more or less, with the line between Surveys No. 88 and 108 to the south corner of said tract;

North 39 deg. 12 min. East, 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 the 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 True Place of Beginning and containing 14.07 acres of land.

RESOLUTION AND ORDINANCE NO. 1993-10

**A RESOLUTION AND ORDINANCE ESTABLISHING MANDATORY
CURBSIDE RECYCLING WITHIN THE CORPORATE BOUNDARIES
OF DESIGNATED CITIES AND TOWNS AND WITHIN
DESIGNATED UNINCORPORATED AREAS OF THE
CLARK COUNTY SOLID WASTE MANAGEMENT DISTRICT
AND FOR REGULATING RECYCLING IN THE DISTRICT**

WHEREAS the Clark County Solid Management District ("District") is a duly-authorized and existing District pursuant to I.C. 13-1-12-1 and I.C. 13-9.5-1-29;

WHEREAS the District serves a single-county pursuant to I.C. 13-9.5-2-5, said county being Clark County, Indiana;

WHEREAS the District Board of Directors ("District Board") has, heretofore, approved a District Solid Waste Management Plan and amendments thereto ("the Plan") as is required by I.C. 13-9.5-4-1. The District Board has complied with all requirements of notice and public hearing as required by law prior to submission of the Plan;

WHEREAS certain provisions of the Plan provide for a requirement for implementation of curbside recycling programs within the District by the end of calendar year 1993;

WHEREAS the City of Jeffersonville, the Town of Clarksville, the City of Charlestown and the Town of Sellersburg are incorporated governmental units within the District ("the cities and towns," "governmental entity or entities" where applicable herein) and 1990 Census Tract 506.04 is a designated geographical area within unincorporated Clark County, Indiana ("the county area" - see attached map);

WHEREAS the Board of Commissioners of Clark County, Indiana comprises the county executive and legislative body for Clark County, Indiana and said Board is responsible for the administrative governmental management of unincorporated Clark County, Indiana ("the Commissioners");

"Exhibit A"

WHEREAS I.C. 13-9.5-2-11 grants the District the power to adopt resolutions that have the force of law, the power to otherwise do all necessary for the reduction, management and disposal of solid waste and the recovery of waste products from the waste stream, the power to make grants or loans of money, property or services, the power, under I.C. 36-1-7, to obtain fiscal, administrative, managerial or operational services from a county or municipality and other powers provided by law;

WHEREAS the District, the cities and towns and the Commissioners have entered into an Interlocal Joint Cooperation Agreement ("Interlocal Agreement") for the purpose of acting in unison and for delegating unto the District the authority and responsibility to bid, initiate, implement, award and pay for a curbside recycling program, for an estimated four-year term commencing in January, 1994;

WHEREAS the District, the cities and towns and the Commissioners, as a part of said Interlocal Agreement, hereby agree and acknowledge that the duty and obligation to meet certain payment obligations in relation to said curbside recycling contract is delegated to the District pursuant to the terms of said Interlocal Agreement;

WHEREAS all of the terms of the Interlocal Agreement, executed by the Board of Directors of the District on _____, are incorporated by reference and made a part hereof. Additionally, all of the terms of this Resolution are incorporated by reference into said Interlocal Agreement and made a part thereof; and

WHEREAS joint local cooperation between the cities and towns, the Commissioners and the District is deemed in the public interest hereby and is further deemed to be a necessity in order to obtain the best possible cost, service and implementation of a curbside recycling program within the cities and towns and the county.

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT AND BE IT ORDAINED BY THE BELOW-DESIGNATED CITY AND TOWN OFFICIALS AS FOLLOWS:

1. That each and every recital set forth hereinabove is incorporated into this Resolution and Ordinance;

2. That the following definitions apply to this Resolution and Ordinance:

a. **The Contract Area** shall be defined to mean all of the geographical area within the legal corporate and municipal limits of the City of Jeffersonville, the Town of Clarksville, the City of Charlestown, the Town of Sellersburg and 1990 Census Tract 506.04 of unincorporated Clark County, Indiana.

b. **Single-Family Residence** shall be defined to mean a house, residential building, residential garage, residential barn or residential outbuilding wherein persons, either individuals or families, reside on a regular basis and comprise a single-family household. Possession of an assigned mailing address for an individual or for a head of a family or household is considered some evidence, though not solely determinative, of a single-family residence.

c. **Multi-family Dwelling** shall be defined to mean a living unit, not a single-family residence, that contains between one (1) and four (4) regular mailing addresses wherein the respective addressees are not members of the same family and regularly occupy separate living areas of the dwelling. This definition includes, but is not limited to, duplex buildings, buildings that contain three (3) separate mailing addresses, and four-plex buildings and other buildings, townhouses or flats with common walls, etc. wherein persons regularly reside. Buildings or apartment complexes having five (5) or more separate living units are not within this definition.

d. **Eligible Participant** shall be defined to mean (i) the occupant of each and every single-family residence and (ii) the owner(s) (regardless of any rental arrangement)

of each and every multi-family dwelling unit generating solid waste and recyclable materials within the contract area.

e. **The Contract Term** shall be defined to mean the length of time and duration of a curbside recycling contract entered into by the District with an curbside recycling service firm, including all extensions.

f. **Enforcement Officers** shall be defined to mean all regular and reserve police officers of the Clark County Sheriff's Office, the Jeffersonville Police Department, the Clarksville Police Department, the Charlestown Police Department, the Sellersburg Police Department, the Indiana State Police and shall also include all investigative personnel and representatives of the Clark County Health Department, the Clark County Solid Waste Management District staff and the Engineering Departments of Clark County, Indiana, the City of Jeffersonville, the Town of Clarksville, the City of Charlestown and the Town of Sellersburg.

g. **Vendor** shall be defined to mean the business entity with whom the District contracts for curbside recycling services in the contract area.

h. **Vendor Contract and Vendor Contracts** shall be defined to mean the curbside recycling vendor contract or contracts, and any additions or amendments thereto, entered into and approved by the District for institution of a curbside recycling program in the contract area defined above.

i. **Recycling Non-reverting Escrow Fund** shall be defined to mean a special separate recycling non-reverting cash fund established by each of the following governmental entities subject to this Resolution and Ordinance: the City of Jeffersonville, the Town of

Clarksville, the City of Charlestown, the Town of Sellersburg and the Board of Commissioners of Clark County for purposes of administering the vendor contract in the 1990 Census Tract 506.04 of unincorporated Clark County, Indiana. This fund shall be the sole depository for eligible participant user fees collected by the respective cities and towns and the Commissioners during the contract term. This fund shall also be the depository for any funds and/or civil judgments collected for ordinance violations in the respective cities, towns and the above Census Tract. This fund (as established by the cities, towns and Commissioners, respectively) shall be the primary source from which these governmental entities and officers shall pay their respective vendor contract obligations to the District during calendar years 1995, 1996 and 1997. Its usage shall be governed and determined by this Resolution and Ordinance.

j. **Scavenging** shall be defined to mean any removal, displacement or disturbance of any materials placed within a designated recycling container, either at a curbside or at any other location selected by the District in the contract area or outside of the contract area within the District in Clark County, Indiana, after such container has been placed at curbside or at its designated location for collection by the vendor.

Establishment of Mandatory Program

3. There is hereby established a mandatory curbside recycling program in the contract area and all residences located therein are hereby, effective January 1, 1994, required to participate in said mandatory curbside recycling program which shall be implemented, managed and controlled by the District.

4. The undersigned representatives of the below-designated city and/or town or county within the contract area hereby join in this Resolution and Ordinance and adopt it as having the same force and effect as an originally-passed ordinance

promulgated by the respective council or board of the below-designated governmental entity. Further, each city and town, and the Commissioners relative to the county area, hereby establish a recycling non-reverting escrow fund to be used in the manner, and for the purposes, set forth herein.

5. There is hereby, as of the effective date of this Resolution and Ordinance, imposed a monthly recycling assessment of \$ _____ for the occupant of each residence and \$ _____ for the owners of each multi-family dwelling ("eligible participants") that is in existence in the contract area, including those eligible participants specifically located in the contract area. The District reserves the right, on one occasion during each year of the vendor contract, after ninety (90) days' written notification given, to the Commissioners and to the executive of the cities and towns, to increase this assessment, if necessary to meet District obligations in relation to the vendor contract, in a sum not greater than _____ percent per year. Such increases shall be effective according to the terms of the notification.

Billing and Collection Responsibilities

6. The cities and towns, and the Commissioners relative to the county area, by execution hereof and joinder herein, shall be responsible, effective January 1, 1994, for assisting the District in issuing quarterly billings to each eligible participant within the contract area, in the sums designated in Paragraph 5. The District shall be solely responsible for implementing a billing and collection procedure for all curbside recycling service in the contract area. The mode and manner of the billing and collection process shall be left to the discretion of the District. The cities, towns and the Commissioners, hereby expressly agree to assist the District, when requested, in providing information and reasonable assistance to the District in an effort to implement and supplement the District's billing and collection responsibilities. All monies collected by the District, pursuant to billings described herein, shall be remitted to the cities, towns and the Commissioners, respectively, in the net amount remaining after the District deducts therefrom each governmental entity's respective payment obligations for the vendor contract provided for by this Resolution and Ordinance. All monies so remitted to each governmental entity that joins in this Resolution and Ordinance and the Interlocal Agreement shall be held in the recycling non-reverting escrow fund created by each respective governmental entity and there shall be no expenditures

from said fund except as provided for by the terms of this Resolution and Ordinance and the Interlocal Agreement.

7. Should collections from the cities and towns, or the Commissioners relative to the county area, be insufficient to meet the contract obligations of any governmental entity that is a party hereto, then the District shall (first) issue a written notice to the executive of such governmental entity requiring payment of that entity's contract obligations from any other fund under the control of that entity. Such payment shall be remitted to the District before the expiration of fifteen (15) days after the mailing date of the written notice issued by the District. If such payment is not timely made, the District shall be entitled to initiate a civil action to seek a judgment in any circuit, superior or county court of Clark County for the amount due from such governmental entity. If the District is caused to initiate such court action, the cities and towns, and the Commissioners relative to the county area, by execution and adoption hereof and joinder herein, agree to entry of judgment, in the amount due the District for any such billing, against their respective governmental entity and agree that the amount due shall be paid from any fund within the control of the non-paying governmental entity, as selected by the District. The non-paying entity shall be liable for the costs and attorney fees incurred by the District in such litigation and these amounts shall be included in the total amount collected by the District. Notwithstanding the above provisions for entry of a judgment at law, the District shall be entitled, in its discretion, to seek such injunctive relief, in the courts designated above, against any governmental entity that is a party to the Resolution and Ordinance and the Interlocal Agreement to enjoin any such entity for refusing to comply with any term of these instruments, respectively. In such cases where injunctive relief is successfully obtained, the District shall be entitled to recover all costs and attorney fees incurred as a result of having to file such a court action against any governmental entity that is a party to these instruments.

8. In addition to deposits made in the recycling non-reverting escrow fund from collections payable from eligible participants, the cities, towns and Commissioners relative to the county area shall be entitled to deposit all collections from civil judgments and/or court enforcement actions brought against violators of this Resolution and Ordinance into this fund.

Ownership and Usage of Recycling Non-reverting Escrow Fund

9. Title to the recycling non-reverting escrow fund of each governmental entity subject to this Resolution and Ordinance shall be vested in the governmental entity that created such fund pursuant to this Resolution and Ordinance. Each entity may select a banking institution of its choice as depository for this fund. The institution so selected, the account number of the fund and copies of monthly bank statements of the fund shall be delivered to the controller of the District during the contract term, within ten (10) days of the date the depository mails it to each governmental entity. Each entity shall be entitled to invest the monies, for a term not exceeding three (3) months, not presently due or anticipated to be due, the District so as to increase its value and worth. All income earned from such investments shall belong to the entity holding title to the fund. The fund shall be expended, during the contract term, only for expenses and vendor contract payment obligations due the District as a result of the operation, maintenance and management of the vendor contract. The cities and towns, and the Commissioners relative to the county area, shall be entitled to make other expenditures from the recycling non-reverting escrow fund (a) only after their respective contract payment obligations are paid in full to the District through the entire contract term or (b) for such other purposes relating to recycling and solid waste reduction prior to expiration of the contract term and upon majority approval of the District Board of Directors after consideration of the requesting entity's then-remaining contract obligations. The cities, towns and Commissioners shall establish withdrawal procedures from their respective recycling non-reverting escrow fund providing that no withdrawals from such fund can be made, for so long as the entity has outstanding or future obligations to the vendor contract, without the signature of the controller of the District upon any withdrawal document or instrument.

Violations

10. It shall be a violation of this Resolution and Ordinance for any eligible participant to refuse to pay the assessment imposed pursuant to Paragraph 5 above.

11. It shall be a violation of this Resolution and Ordinance for any person or entity, or for any agent of any person or entity, to perform any act of scavenging both inside of and outside of the contract area, but within the District, during the contract term.

12. It shall be a violation of this Resolution and Ordinance for any person or entity, or for any agent of any person or entity, to interfere with, disturb, prevent or attempt to prevent any vendor performing services pursuant to the vendor contract from performing those services at any place or location in the District.

13. It shall be a violation of this Resolution and Ordinance for any person or entity, or for any agent of any person or entity, to mix or commingle recyclable materials and non-recyclable materials in any container provided by the District, at any location within the District, and the vendor for pick-up of recyclable materials only.

Enforcement

14. A citation is hereby authorized to be issued, by any enforcement officer designated above, against the owner of any residence who violates any of Paragraphs 10 - 13 above. The citation shall constitute a civil complaint that may be prosecuted in any circuit, superior or county court of Clark County, Indiana. The attorney for the District, or any attorney hired by the District, and/or the respective city/town attorneys for the cities and towns and/or the attorney for the Commissioners shall be, and hereby are, authorized to represent the respective governmental entity ("Plaintiff") that retains them for purposes of prosecuting such civil complaint.

15. After institution of the civil complaint enforcement action, and after issuance of summons as required by the Indiana Rules of Trial Procedure, the Plaintiff shall be required to prove an ordinance violation hereunder by a preponderance of evidence before the judge of any court designated herein. All such civil complaint enforcement trials shall be to the bench only and not to a jury, unless otherwise required by law or the court.

16. Should the Plaintiff prove a violation by a preponderance of evidence in any such civil complaint enforcement action, the court shall assess a civil judgment against the violating party ("Defendant[s]") as follows:

- a. For a proved violation of Paragraph 10, a judgment in the sum of not less than One Dollar (\$1.00) nor more

than Two Thousand Five Hundred Dollars (\$2,500.00), plus court costs and attorney fees incurred in prosecuting the action shall be entered against the Defendant(s).

b. For a proved violation of Paragraph 11, a judgment in the sum of not less than One Dollar (\$1.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00), plus court costs and attorney fees incurred in prosecuting the action shall be entered against the Defendant(s).

c. For a proved violation of Paragraph 12, a judgment in the sum of not less than One Dollar (\$1.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00), plus court costs and attorney fees incurred in prosecuting the action shall be entered against the Defendant(s).

d. For a proved violation of Paragraph 13, a judgment in the sum of not less than One Dollar (\$1.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00), plus court costs and attorney fees incurred in prosecuting the action shall be entered against the Defendant(s).

Construction and Interpretation; Severability

17. All provisions of this Resolution and Ordinance shall be subject to, and interpreted by, Indiana law. Should any provision, portion, segment or section hereof be determined illegal or unconstitutional by a court of competent jurisdiction, then the remaining provisions, portions, segments or sections shall be severed therefrom and shall remain enforceable and legally binding. As between the cities and towns, the Commissioners and the District, all such entities and officials hereby expressly agree that any ambiguities in the interpretation, application or management of this Resolution and Ordinance, or any terms hereof, shall be resolved in favor of the District.

Time

18. Time shall be of the essence of this Resolution and Ordinance. All performances required hereunder by any eligible participant, city, town or the Commissioners shall be timely performed.

Amendment

19. The terms of this Resolution and Ordinance and the Interlocal Joint Cooperation Agreement may be amended (a) by a simply majority vote of the District Board of Directors, afterwhich proposed amendments shall (b) be submitted to all governmental entities who are parties to these instruments. These entities agree that such amendments shall be effective upon passage and approval, by simple majority, of the city councils, town boards or board of commissioners, respectively, for such governmental entities. However, this amendment procedure may not be used as a means to withdraw from participation in, or obligations under, the Resolution and Ordinance and the Interlocal Joint Cooperation Agreement during the term of the vendor contract.

**THIS RESOLUTION AND ORDINANCE PASSED BY _____
VOTE ON THE DATE SHOWN BELOW, AND SIGNED AND ATTESTED
BY ALL OFFICERS OF ALL GOVERNMENTAL ENTITIES INCLUDED
HEREIN AND RESOLVED AND ORDAINED AS EFFECTIVE
SUBSEQUENT TO PUBLICATION AS REQUIRED BY LAW.**

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE CLARK COUNTY SOLID WASTE MANAGEMENT DISTRICT
BOARD OF DIRECTORS:

Ralph Guthrie, President

Gregory L. Isgrigg

Paul F. Garrett

Harold G. Satterly

Richard Dickman

Raymond J. Parker

Steven R. Stemler

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF
JEFFERSONVILLE, INDIANA

Raymond J. Parker, Mayor

Peggy Wilder

Andrew Williams

Marie Clapp

Bill Wolpert

Robert L. Potter, President

Donna M. Frantz

Steven R. Stemler

Attest:

C. Richard Spencer
Clerk-Treasurer for the
City of Jeffersonville

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE TOWN COUNCIL OF THE TOWN OF CLARKSVILLE, INDIANA

Richard Dickman, President

John Krueger

Richard Lewis

Raymond Richard

Bob Popp

John Minta

Charles King

Attest:

Clay Baird, Clerk-Treasurer
for the Town of Clarksville

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE COMMON COUNCIL OF THE CITY OF CHARLESTOWN,
INDIANA

Bob Braswell, Mayor

Gary Moore

France Hensley, President

Geneva Noe


Hiram Abbott

Ward Tackett

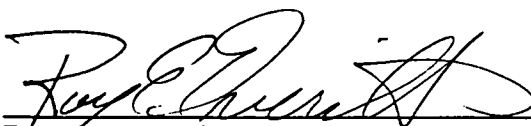
Attest:

Dorothea Jenkins, Clerk-Treasurer
for the City of Charlestown

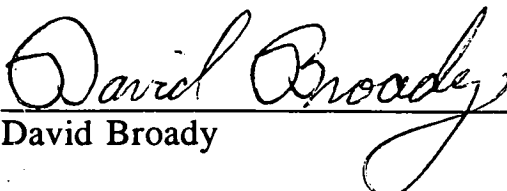
SIGNED AND EXECUTED THIS 28 DAY OF JUNE, 1993
BY THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA



Stanley E. Tucker, President



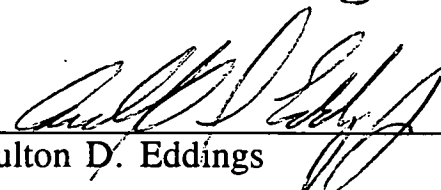
Roy E. Everitt



David Broady




Karl N. Truman



Aulton D. Eddings

Attest:



Linda Schafer, Clerk-Treasurer
for the Town of Sellersburg

SIGNED AND EXECUTED THIS _____ DAY OF _____, 1993
BY THE BOARD OF COMMISSIONERS OF CLARK COUNTY, INDIANA

Ralph Guthrie, President

Paul F. Garrett

Gregory L. Isgrigg

Attest:

Keith D. Groth, Auditor
Clark County, Indiana

RESOLUTION: 1993 - 11

WHEREAS, the Indiana legislature recently passed legislation authorizing the voters of Clark County, Indiana to decide whether licenses should be issued to permit riverboat gambling in Clark County;

WHEREAS, I.C. 4-33, Chapter 13. "Wagering Taxes", authorizes a city or county designated as the "Home Dock" of a riverboat to enter into agreements with other units of government to share the city's or county's portion of the tax revenue generated from the aforementioned wagering tax;

WHEREAS, the occurrence of any riverboat gambling in Clark County, Indiana, is contingent ;upon the passage of a referendum by special election by a majority of voters in the county permitting this activity, which includes the jurisdictional area of the Town of Sellersburg, and

WHEREAS, the Town of Sellersburg has been in negotiations with the City of Jeffersonville to share in the tax revenue generated from any riverboat gaming.

NOW, THEREFORE, BE IT RESOLVED:

That the Town of Sellersburg favors, recommends, and supports the following proposed division of tax revenue to be generated from riverboat gaming:

- a. The first 10% of the revenues shall be divided to pay for standard budget items out of the budgets of all the parties to this agreement for capital expenditures, based upon the respective tax bases of each

entity at this time. (This portion is intended to reduce taxes to the city, town and county residents by making additional appropriation to regular budgets unnecessary). The appropriate division of this portion of the wagering tax funds is as follows:

(i)	The CITY OF JEFFERSONVILLE	28.13%
(ii)	The CITY OF CHARLESTOWN	3.44%
(iii)	The TOWN OF SELLERSBURG	4.89%
(iv)	The TOWN OF CLARKSVILLE	30.30%
(v)	The TOWN OF BORDEN	1.00%
(vi)	The TOWN OF UTICA	1.00%
(vii)	The COUNTY OF CLARK (unincorporated areas)	31.24%

b. The next 40% of the revenues to the City of Jeffersonville;

c. The remaining 50% of the revenues are to be distributed to each municipal corporation located in Clark County, Indiana, (including the Clark County Government) based primarily upon population but with it understood that the smaller communiites of Borden and Utica are to receive a greater percentage of the revenues than simply based upon population. In no event shall the percentage received by any municipal corporation be less than 1%. It is recommended that this portion of the Wagering tax shall be distributed in the following percentages:

(i)	The CITY OF JEFFERSONVILLE	24.9%
(ii)	The CITY OF CHARLESTOWN	6.7%
(iii)	The TOWN OF SELLERSBURG	6.5%
(iv)	The TOWN OF CLARKSVILLE	22.6%
(v)	The TOWN OF BORDEN	4.00%
(vi)	The TOWN OF UTICA	4.00%
(vii)	The COUNTY OF CLARK (unincorporated areas)	31.3%

These figures are based upon the most recent Federal Census information available at this time.

THEREFORE, based upon the foregoing, it is recommended that the percentage of the entire Wagering tax revenues be divided among each community as shown in Exhibit "A" attached hereto:

PASSED AND ADOPTED this 25th day of September,

1993, by the Town of Sellersburg.

Stanley E. Tucker
STANLEY E. TUCKER

David L. Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Absent
AULTON D. EDDINGS

Absent
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFER,
CLERK/TREASURER

	Percentage from Assessed Valuation	Other	Percentage from Population	Total Percentage
CITY OF JEFFERSONVILLE	2.813%	40%	12.45%	= 55.26%
CITY OF CHARLESTOWN	.344%		3.35%	= 3.69%
TOWN OF SELLERSBURG	.489%		3.25%	= 3.74%
TOWN OF CLARKSVILLE	3.030%		11.30%	= 14.33%
TOWN OF BORDEN	.10%		2.0%	= 2.1%
TOWN OF UTICA	.10%		2.0%	= 2.1%
COUNTY OF CLARK (unincorporated areas)	3.124%		15.65%	= 18.78%
	<hr/>		<hr/>	
	10.00%	+ 40%	+ 50.00%	= 100.00%

EXHIBIT "A"

RESOLUTION 1993-12

RESOLUTION APPROVING STATEMENT OF BENEFITS FOR
PURPOSES OF PROPERTY TAX ABATEMENT

WHEREAS, PRO LAMINATORS, (Applicant) has petitioned the Sellersburg Town Council, Sellersburg, Indiana, for a deduction in real property and personal property taxes to be assessed on proposed improvement to be made and equipment on property located in Clark County, Indiana;

WHEREAS, Applicant has submitted a Statement of Benefits on the form prescribed by the Indiana State Board of Tax Commissioners for such purpose, which statement includes a description of the proposed development, an estimate of the number of individuals who will be employed as a result of the redevelopment, an estimate of the annual salaries of these individuals, and an estimate of the value of the redevelopment;

WHEREAS, the Sellersburg Town Council, Sellersburg, Indiana, recognizes the need to stimulate growth and to maintain a sound economy in the Town of Sellersburg, under the jurisdiction of the Sellersburg Town Council;

WHEREAS, certain areas of the County are undesirable for, and/or impossible of, normal development and occupancy, because of a lack of normal development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, or other factors which have impaired values or prevented a normal development of property or use of property;

WHEREAS, the Sellersburg Town Council now determines that the area where the proposed redevelopment project is located in Clark County qualifies as an Economic Revitalization Area pursuant to Indiana Code 6-1.1-12.1 et seq., and

WHEREAS, the Sellersburg Town Council has reviewed the Statement of Benefits submitted herein, and attaches and incorporates that Statement to this Resolution.

WHEREAS, the Sellersburg Town Council has determined that Pro Laminators should be granted a tax abatement on real property for a period of ten (10) years, and a tax abatement on equipment for a period of five (5) years.

NOW BE IT RESOLVED that the area legally described on attached Exhibit "A", be and is hereby designated as an Economic Revitalization Area.

BE IT FURTHER RESOLVED by the Sellersburg Town Council, Sellersburg, Indiana, that it specifically and affirmatively finds as follows:

1. That the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of the nature described in the Statement of Benefits submitted by the developer.
2. That the estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed described redevelopment or rehabilitation.
3. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

4. That all other information requested from Applicant has been submitted, and the benefits described in such information can be reasonably expected to result from the proposed described redevelopment or rehabilitation.
5. That the totality of benefits for said redevelopment or rehabilitation is sufficient to justify the deduction.

BE IT FURTHER RESOLVED that the Sellersburg Town Council, Sellersburg, Indiana, hereby approves the application for deduction presented by the Statement of Benefits filed by Applicant and that said Applicant shall be entitled to deductions for a period of ten (10) years for improvements to real property, pursuant to the provisions of I.C. 6-1.1-12-3(d) and I.C. 6-1.1-12.1-4(d)(3), and five (5) years for new manufacturing equipment pursuant to I.C. 6-1.1-12.1-4.5, with the timely filing and perfection thereof with the Clark County Auditor's Office.

PASSED AND ADOPTED this 11 day of October, 1993, by the Sellersburg Town Council, Sellersburg, Indiana.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaper *clerk*
~~KEITH GROTH;~~ *seas.*
~~CLARK COUNTY AUDITOR~~

RESOLUTION NO. 93- 13

A RESOLUTION INCREASE THE TOWN OF SELLERSBURG
POLICE DEPARTMENT PETTY CASH FUND

WHEREAS, the Town of Sellersburg Police Department currently has a petty cash fund in the amount of \$100.00; and

WHEREAS, the Town of Sellersburg Police Department has determined that the current amount in said fund is insufficient for the needs of the Town of Sellersburg Police Department; and

WHEREAS, the Town of Sellersburg Police Department needs an increase in its petty cash fund to the amount of \$300.00; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that an increase in the Town of Sellersburg Police Department petty cash fund from \$100.00 to \$300.00 will aid in the efficient and effective administration of Town government.

NOW BE IT RESOLVED that the Town of Sellersburg Police Department petty cash fund shall be, and hereby is increased from the amount of \$100.00 to the amount of \$300.00.

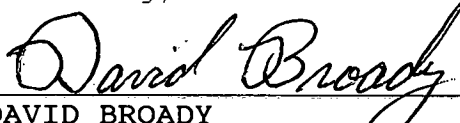
BE IT FURTHER RESOLVED that the Town of Sellersburg Clerk-Treasurer shall take all steps necessary by law to effect the increase in said petty cash fund from the amount of \$100.00 to \$300.00.


PASSED AND ADOPTED this 25 day of Oct., 1993,
by the Sellersburg Town Council, Sellersburg, Indiana.



STANLEY E. TUCKER


ROY E. EVERITT


KARL N. PRUMAN


DAVID BROADY


AULTON D. EDDINGS

ATTEST: 
LINDA D. SCHAFER
CLERK-TREASURER

RESOLUTION NO. 93- 14

A RESOLUTION FOR TRANSFER OF FUNDS
TO THE TOWN OF SELLERSBURG POLICE DEPARTMENT

WHEREAS, due to an extraordinary emergency, it is necessary that a transfer of funds for the fiscal year ending December 31, 1993; and

WHEREAS, the Town of Sellersburg Police Department has found that there will be certain deficiencies in a number of its accounts for the fiscal year ending December 31, 1993; and

WHEREAS, the Town of Sellersburg Police Department has requested that a transfer of funds occur; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said transfer of funds will be for the efficient and effective administration of Town government.

NOW BE IT RESOLVED that the following transfer of funds be made by the Town of Sellersburg Clerk-Treasurer in the manner required by law, for the fiscal year ending December 31, 1993, as follows:

- ✓ From the Off-Duty Court Appearance Account #133 to the Police Equipment Account #223, in the amount of \$350.00;
- ✓ From the Tire and Tubes Account #231 to the Uniform Allowance Account #243, in the amount of \$800.00;
- ✓ From the Police Training Account #393 to the Repair to Building Account #364, in the amount of \$300.00;
- ✓ From the Police Training Account #393 to the Police Equipment Account #223, in the amount of \$700.00.

RESOLUTION NO. 93-¹⁵~~14~~

**A RESOLUTION FOR TRANSFER OF APPROPRIATIONS
FOR THE TOWN OF SELLERSBURG POLICE DEPARTMENT**

WHEREAS, due to an extraordinary emergency, it is necessary that a transfer of funds for the fiscal year ending December 31, 1993; and

WHEREAS, the Town of Sellersburg Police Department has found that there will be certain deficiencies in a number of its accounts for the fiscal year ending December 31, 1993; and

WHEREAS, the Town of Sellersburg Police Department has requested that a transfer of funds occur; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said transfer of funds will be for the efficient and effective administration of Town government.

NOW BE IT RESOLVED that the following transfer of funds be made by the Town of Sellersburg Clerk-Treasurer in the manner required by law, for the fiscal year ending December 31, 1993, as follows:

From the Off-Duty Court Appearance Account #133 to the Police Equipment Account #223, in the amount of \$350.00;


From the Tire and Tubes Account #231 to the Uniform Allowance Account #243, in the amount of \$800.00;

From the Police Training Account #393 to the Repair to Building Account #364, in the amount of \$300.00;

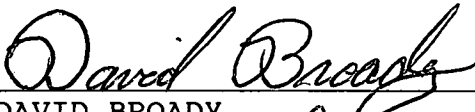
From the Police Training Account #393 to the Police Equipment Account #223, in the amount of \$700.00.

BE IT FURTHER RESOLVED that the Town of Sellersburg Clerk-Treasurer take all steps necessary by law to make the transfers so indicated above.

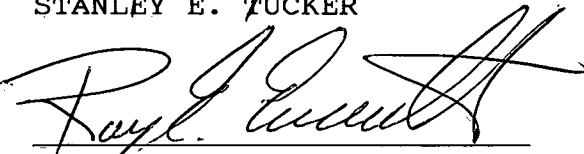
PASSED AND ADOPTED this _____ day of _____, 1993,
by the Sellersburg Town Council, Sellersburg, Indiana.



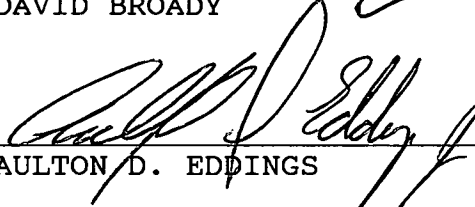
STANLEY E. TUCKER



DAVID BROADY



ROY E. EVERITT



AULTON D. EDDINGS

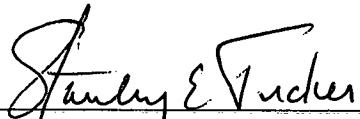


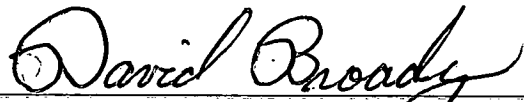
KARL N. TRUMAN

ATTEST: _____
LINDA D. SCHAFER

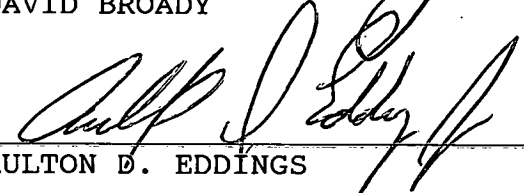
BE IT FURTHER RESOLVED that the Town of Sellersburg Clerk-Treasurer take all steps necessary by law to make the transfers so indicated above.

PASSED AND ADOPTED this 25 day of Oct., 1993,
by the Sellersburg Town Council, Sellersburg, Indiana.



STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS


KARL N. TRUMAN

ATTEST: 
LINDA D. SCHAFER

COPY

RESOLUTION NO. 93- 17**A RESOLUTION DECLARING ECONOMIC REVITALIZATION AREA
WITHIN THE TOWN LIMITS OF THE OF SELLERSBURG, INDIANA**

WHEREAS, the Town of Sellersburg, Indiana, desires to designate specific areas within its town boundaries as an Economic Revitalization Areas; and

WHEREAS, the Town of Sellersburg wishes to declare the area described in Exhibit A attached hereto and the map set forth as Exhibit B as the areas to be designated as the Economic Revitalization Areas; and

WHEREAS, the Town Council of the Town of Sellersburg, Indiana, desires to make two (2) areas Economic Revitalization Areas, one (1) designated as Economic Revitalization Area "A", and the other designated as Economic Revitalization Area "B", with a description attached hereto and marked as Exhibit A and a corresponding map attached hereto and marked as Exhibit B; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that a tax abatement for the areas which have been declared Economic Revitalization Areas shall be for a period of ten (10) years for real property, and for a period of five (5) years on personal property/equipment; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the designation of Economic Revitalization Areas is in the best interest of the Town and will provide for the economic growth of the Town of Sellersburg in the future;.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that Area "A" as designated by the

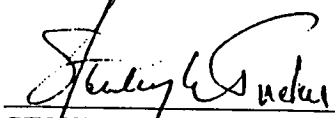
description and map attached hereto and marked as Exhibits A and B shall be designated an Economic Revitalization Area.

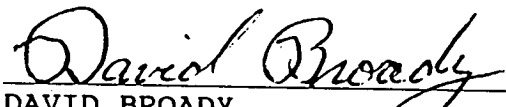
NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that Area "B" as set forth in the description marked as Exhibit A and the map marked as Exhibit B, shall be, and hereby is, designated as an Economic Revitalization Area.

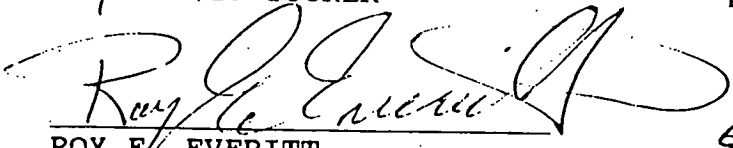
BE IT FURTHER THEREFORE RESOLVED that the reduction and tax abatement for those individuals or companies seeking to locate in the designated areas shall be entitled to a ten (10) year deduction/tax abatement for real property and a five (5) year deduction/tax abatement for personal property/equipment.

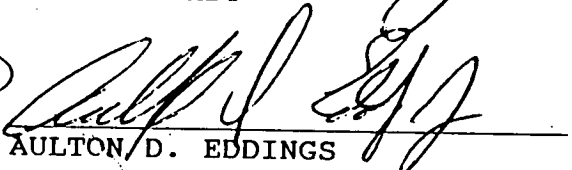
BE IT FURTHER THEREFORE RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that the adoption of this resolution and the designation of Economic Revitalization Areas within the town limits of the Town of Sellersburg, Indiana, is in the best interest of Town Government and will facilitate the economic development of the areas described as Economic Revitalization Areas.

PASSED AND ADOPTED this _____ day of November, 1993, by the Town Council for the Town of Sellersburg, Indiana.



STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: 
LINDA D. SCHAFER

ECONOMIC REVITALIZATION AREA "A"

Part of Survey No. 111 of the Illinois Grant bounded thus: Beginning at the corner of Levi Hill's lot in the center of the Utica Highway; thence along said highway South 41 deg. East, 70.95 feet; running thence North 47 deg. 50 min. East, 628.65 feet to a stake in the said line; thence North 41 deg. 50 min. West, 70.95 feet to a stone; thence South 48 deg. 13 min. West, 628.65 feet to the place of beginning, containing 1 acre more or less.

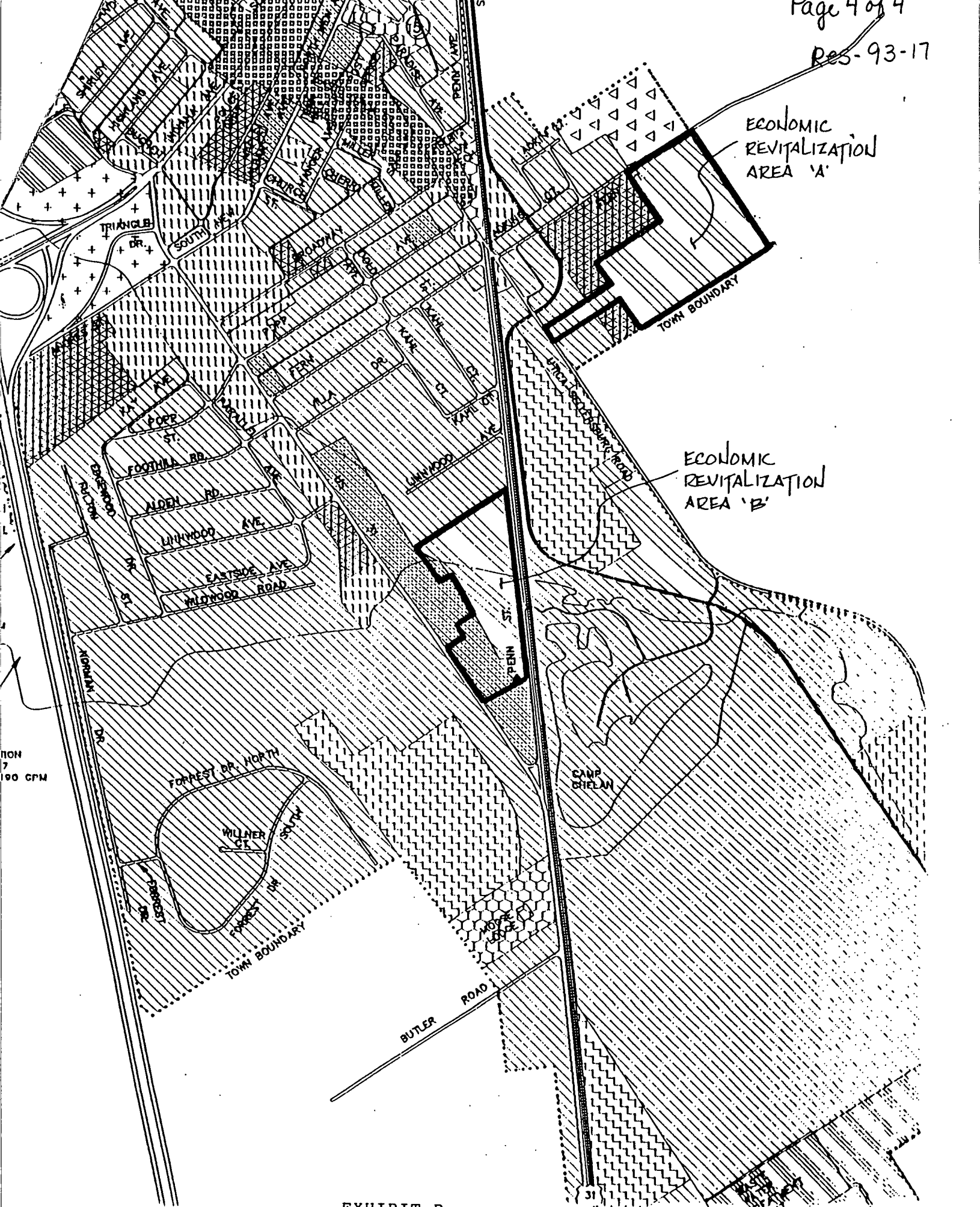
ALSO, being a part of Survey No. 111 of the Illinois Grant, described as follows: Beginning at the common corners of Surveys No. 89, 90, 110 and 111 of the Illinois Grant; thence North with the grant line dividing Surveys Nos. 90 and 111, thence North 48 degrees 13 min. East, 628.65 feet to the true place of beginning; thence continuing with said grant line, North 48 degrees 13 min. East, 1076.5 feet to an iron pin; thence North 41 degrees 50 min. West, 562.86 feet to an iron pin; thence South 48 degrees 13 min. West, 1076.5 feet to an iron pin; thence South 41 degrees 50 minutes East, 562.86 feet to the true place of beginning, containing 13.91 Acres, more or less.

ECONOMIC REVITALIZATION AREA "B"

A part of Survey No. 89 of the Illinois Grant in the City of Sellersburg of Clark County, Indiana and bounded as follows: Commencing at the intersection of the west line of Penn Street with the line dividing Surveys 89 and 110, thence South 11 deg. East, 469.2 feet with the west line of Penn Street to the true place of beginning. Thence the following courses of the boundary:

South 11 deg. East, 1341.77 feet with the west line of Penn Street;
South 51 deg. 07 min. 03 sec. West, 394.62 feet to the east line of Highway 31-E;
North 38 deg. 52 min. 57 sec. West, 445.86 feet with the east line of Highway 31-E;
North 51 deg. 53 min. 45 sec. East, 140.00 feet;
North 38 deg. 52 min. 57 sec. West, 150.00 feet;
North 51 deg. 53 min. 45 sec. East, 340.30 feet;
North 39 deg. 54 min. 26 sec. West, 299.86 feet;
South 51 deg. 27 min. 00 sec. West, 121.80 feet;
North 51 deg. 38 min. 00 sec. West, 308.00 feet;
North 51 deg. 27 min. 00 sec. East, 737.00 feet to the place of beginning and containing 13.41 acres of land, more or less.

EXHIBIT A



ION
7
90 CFM

EXHIBIT B

*Transfer of appropriations*RESOLUTION NO. 93-14

For A RESOLUTION FOR ~~TRANSFER OF FUNDS~~
 TO THE TOWN OF SELLERSBURG POLICE DEPARTMENT

WHEREAS, due to an extraordinary emergency, it is necessary that a transfer of funds for the fiscal year ending December 31, 1993; and

WHEREAS, the Town of Sellersburg Police Department has found that there will be certain deficiencies in a number of its accounts for the fiscal year ending December 31, 1993; and

WHEREAS, the Town of Sellersburg Police Department has requested that a transfer of funds occur; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that said transfer of funds will be for the efficient and effective administration of Town government.

NOW BE IT RESOLVED that the following transfer of funds made by the Town of Sellersburg Clerk-Treasurer in the required by law, for the fiscal year ending December 31, 1993 follows:

From the Off-Duty Court Appearance Account #133 to the Police Equipment Account #223, in the amount of \$350.00;

From the Tire and Tubes Account #231 to the Uniform Allowance Account #243, in the amount of \$800.00;

From the Police Training Account #393 to the Repair Building Account #364, in the amount of \$300.00;

From the Police Training Account #393 to the Police Equipment Account #223, in the amount of \$700.00.

Stanley E. Tucker
STANLEY E. TUCKER

David Broady
DAVID BROADY

Roy E. Everitt
ROY E. EVERITT

Aulton D. Eddings
AULTON D. EDDINGS

Karl N. Truman
KARL N. TRUMAN

ATTEST: Linda H. Schaffer
LINDA SCHAFER
CLERK/TREASURER

PREPARED BY:

William P. McCall, III
William P. McCall, III
Attorney #14159-10
Attorney for Town of Sellersburg
425 Watt Street, P.O. Box 729
Jeffersonville, Indiana 47131
Telephone: (812) 282-8429

RESOLUTION NO. 93- 17**A RESOLUTION DECLARING ECONOMIC REVITALIZATION AREA
WITHIN THE TOWN LIMITS OF THE OF SELLERSBURG, INDIANA**

WHEREAS, the Town of Sellersburg, Indiana, desires to designate specific areas within its town boundaries as an Economic Revitalization Areas; and

WHEREAS, the Town of Sellersburg wishes to declare the area described in Exhibit A attached hereto and the map set forth as Exhibit B as the areas to be designated as the Economic Revitalization Areas; and

WHEREAS, the Town Council of the Town of Sellersburg, Indiana, desires to make two (2) areas Economic Revitalization Areas, one (1) designated as Economic Revitalization Area "A", and the other designated as Economic Revitalization Area "B", with a description attached hereto and marked as Exhibit A and a corresponding map attached hereto and marked as Exhibit B; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that a tax abatement for the areas which have been declared Economic Revitalization Areas shall be for a period of ten (10) years for real property, and for a period of five (5) years on personal property/equipment; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the designation of Economic Revitalization Areas is in the best interest of the Town and will provide for the economic growth of the Town of Sellersburg in the future;.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that Area "A" as designated by the

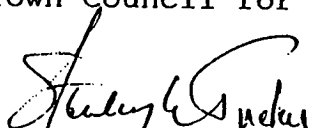
description and map attached hereto and marked as Exhibits A and B shall be designated an Economic Revitalization Area.

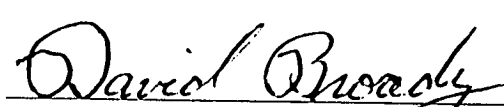
NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that Area "B" as set forth in the description marked as Exhibit A and the map marked as Exhibit B shall be, and hereby is, designated as an Economic Revitalization Area.

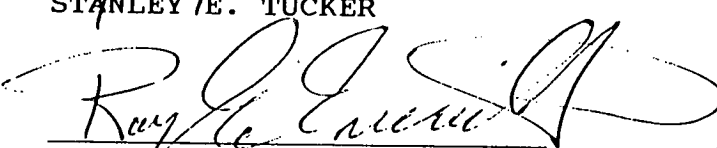
BE IT FURTHER THEREFORE RESOLVED that the reduction and tax abatement for those individuals or companies seeking to locate in the designated areas shall be entitled to a ten (10) year deduction/tax abatement for real property and a five (5) year deduction/tax abatement for personal property/equipment.

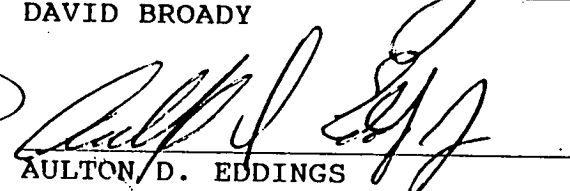
BE IT FURTHER THEREFORE RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that the adoption of this resolution and the designation of Economic Revitalization Areas within the town limits of the Town of Sellersburg, Indiana, is in the best interest of Town Government and will facilitate the economic development of the areas described as Economic Revitalization Areas.

PASSED AND ADOPTED this _____ day of November, 1993, by the Town Council for the Town of Sellersburg, Indiana.



STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: 
LINDA D. SCHAFER

ECONOMIC REVITALIZATION AREA "A"

Part of Survey No. 111 of the Illinois Grant bounded thus: Beginning at the corner of Levi Hill's lot in the center of the Utica Highway; thence along said highway South 41 deg. East, 70.95 feet; running thence North 47 deg. 50 min. East, 628.65 feet to a stake in the said line; thence North 41 deg. 50 min. West, 70.95 feet to a stone; thence South 48 deg. 13 min. West, 628.65 feet to the place of beginning, containing 1 acre more or less.

ALSO, being a part of Survey No. 111 of the Illinois Grant, described as follows: Beginning at the common corners of Surveys No. 89, 90, 110 and 111 of the Illinois Grant; thence North with the grant line dividing Surveys Nos. 90 and 111, thence North 48 degrees 13 min. East, 628.65 feet to the true place of beginning; thence continuing with said grant line, North 48 degrees 13 min. East, 1076.5 feet to an iron pin; thence North 41 degrees 50 min. West, 562.86 feet to an iron pin; thence South 48 degrees 13 min. West, 1076.5 feet to an iron pin; thence South 41 degrees 50 minutes East, 562.86 feet to the true place of beginning, containing 13.91 Acres, more or less.

ECONOMIC REVITALIZATION AREA "B"

A part of Survey No. 89 of the Illinois Grant in the City of Sellersburg of Clark County, Indiana and bounded as follows: Commencing at the intersection of the west line of Penn Street with the line dividing Surveys 89 and 110, thence South 11 deg. East, 469.2 feet with the west line of Penn Street to the true place of beginning. Thence the following courses of the boundary:

South 11 deg. East, 1341.77 feet with the west line of Penn Street;
 South 51 deg. 07 min. 03 sec. West, 394.62 feet to the east line of Highway 31-E;
 North 38 deg. 52 min. 57 sec. West, 445.86 feet with the east line of Highway 31-E;
 North 51 deg. 53 min. 45 sec. East, 140.00 feet;
 North 38 deg. 52 min. 57 sec. West, 150.00 feet;
 North 51 deg. 53 min. 45 sec. East, 340.30 feet;
 North 39 deg. 54 min. 26 sec. West, 299.86 feet;
 South 51 deg. 27 min. 00 sec. West, 121.80 feet;
 North 51 deg. 38 min. 00 sec. West, 308.00 feet;
 North 51 deg. 27 min. 00 sec. East, 737.00 feet to the place of beginning and containing 13.41 acres of land, more or less.

EXHIBIT A

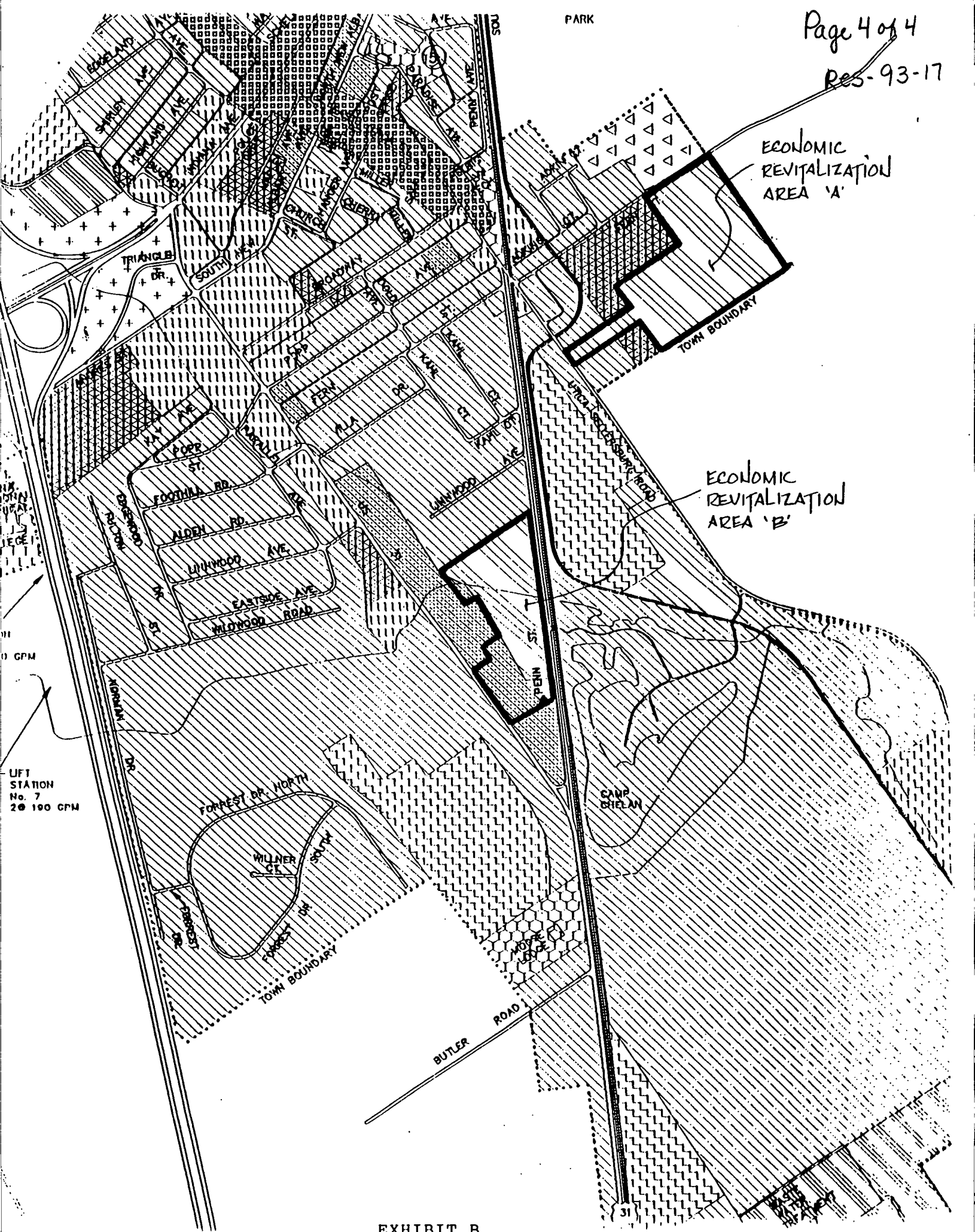


EXHIBIT B

PUBLIC HEARING NOTICE

Notice to Town of Sellersburg Residents of a public hearing declaring economic revitalization area within the town limits of Sellersburg, Indiana.

Notice is hereby given to the Residents of Town of Sellersburg, Clark County, Indiana that a public hearing will be held by the Sellersburg Town Council, on December 27, 1993, at 6:30 p.m. at the Sellersburg Library on declaring economic revitalization area within the town limits of Sellersburg, Indiana.

Resolution No. 93-17

A RESOLUTION DECLARING ECONOMIC REVITALIZATION AREA WITHIN THE TOWN LIMITS OF SELLERSBURG, INDIANA

WHEREAS, the Town of Sellersburg, Indiana, desires to designate specific areas within its town boundaries as an Economic Revitalization Areas; and

WHEREAS, the Town of Sellersburg wishes to declare the area described in Exhibit A attached hereto and the map set forth as Exhibit B as the areas to be designated as the Economic Revitalization Areas; and

WHEREAS, the Town Council of the Town of Sellersburg, Indiana, desires to make two (2) areas Economic Revitalization Areas, one (1) designated as Economic Revitalization Area "A", and the other designated as Economic Revitalization Area "B", with a description attached hereto and marked as Exhibit A and corresponding map attached hereto and marked as Exhibit B; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that a tax abatement for the areas which have been declared Economic Revitalization Areas shall be for a period of ten (10) years for real property, and for a period of five (5) years on personal property/equipment; and

WHEREAS, the Town Council for the Town of Sellersburg, Indiana, has determined that the designation of Economic Revitalization Areas is in the best interest of the Town and will provide for the economic growth of the Town of Sellersburg in the future;.

NOW, THEREFORE, BE IT RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that Area "A" as designated by the description and map attached hereto and marked as Exhibits A and B shall be designated an Economic Revitalization Area.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that Area "B" as set forth in the description marked as Exhibit A and the map marked as Exhibit B shall be, and hereby is, designated as an Economic Revitalization Area.

BE IT FURTHER THEREFORE RESOLVED that the reduction and tax abatement for those individuals or companies seeking to locate in the designated areas shall be entitled to a ten (10) year deduction/tax abatement for real property and a five (5) year deduction/tax abatement for personal property/equipment.

BE IT FURTHER THEREFORE RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that the adoption of this resolution and the designation of Economic Revitalization Areas within the town limits of the Town of Sellersburg, Indiana, is in the best interest of Town Government and will facilitate the economic development of the areas described as Economic Revitalization Areas.

ECONOMIC REVITALIZATION AREA "A"

Part of Survey No. 111 of the Illinois Grant bounded thus: Beginning at the corner of Levi Hill's lot in the center of the Utica Highway; thence along said highway South 41 deg. East, 70.95 feet; running thence North 47 deg. 50 min. East, 628.65 feet to a stake in the said line; thence North 41 deg. 50 min. West, 70.95 feet to a stone; thence South 48 deg. 13 min. West, 628.65 feet to the place of beginning, containing 1 acre more or less.

ALSO, being a part of Survey No. 111 of the Illinois Grant, described as follows: Beginning at the common corners of Surveys No. 89, 90, 110 and 111 of the Illinois Grant; thence North with the grant line dividing Surveys Nos. 90 and 111, thence North 48 degrees 13 min. East, 628.65 feet to the true place of beginning; thence continuing with said grant line, North 48 degrees 13 min. East 1076.5 feet to an iron pin; thence North 41 degrees 50 min. West 562.86 feet to an iron pin; thence South 48 degrees 13 min. West, 1076.5 feet to an iron pin; thence South 41 degrees 50 minutes East, 562.86 feet to the true place of beginning, containing 13.91 Acres, more or less.

ECONOMIC REVITALIZATION AREA "B"

A part of Survey No. 89 of the Illinois Grant in the City of Sellersburg of Clark County, Indiana and bounded as follows: Commencing at the intersection of the west line of Penn Street with the line dividing Surveys 89 and 110, thence South 11 deg. East, 469.2 feet with the west line of Penn Street to the true place of beginning. Thence the following courses of the boundary:

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North 51 deg, 53 min. 45 sec. East, 340.30 feet;
North 39 deg. 54 min. 26 sec. West, 299.86 feet;
South 51 deg. 27 min. 00 sec. West 121.80 feet;
North 51 deg. 38 min. 00 sec. West, 308.00 feet;
North 51 deg. 27 min. 00 sec. East, 737.00 feet to the place of beginning and containing 13.41 acres of land, more or less

Resolution #93-17 passed by the Sellersburg Town Council and filed with the Clark County Assessor's Office, contains the legal descriptions of the affected property and map available for public review.

Public Hearing notice, legal description, and map is also posted for public review in the following locations:

Sellersburg Town Hall
Sellersburg Library
Sellersburg Police Station

Residents appearing at the public hearing shall have the right to be heard.

Linda G. Schafer, Sellersburg Clerk Treasurer

RESOLUTION NO. 93- 17

**A RESOLUTION DECLARING ECONOMIC REVITALIZATION AREA
WITHIN THE TOWN LIMITS OF THE OF SELLERSBURG, INDIANA**

WHEREAS, the Town of Sellersburg, Indiana, desires to designate specific areas within its town boundaries as an Economic Revitalization Areas; and

WHEREAS, the Town of Sellersburg wishes to declare the area described in Exhibit A attached hereto and the map set forth as Exhibit B as the areas to be designated as the Economic Revitalization Areas; and

WHEREAS, the Town Council of the Town of Sellersburg, Indiana, desires to make two (2) areas Economic Revitalization Areas, one (1) designated as Economic Revitalization Area "A", and the other designated as Economic Revitalization Area "B", with a description attached hereto and marked as Exhibit A and a corresponding map attached hereto and marked as Exhibit B; and

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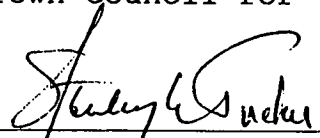
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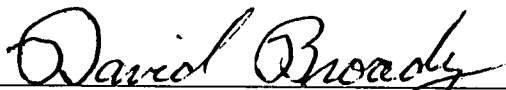
NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that Area "B" as set forth in the description marked as Exhibit A and the map marked as Exhibit B shall be, and hereby is, designated as an Economic Revitalization Area.

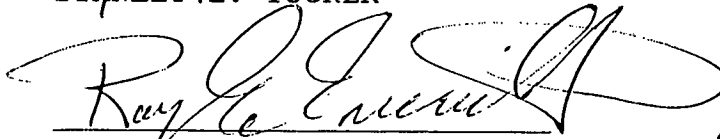
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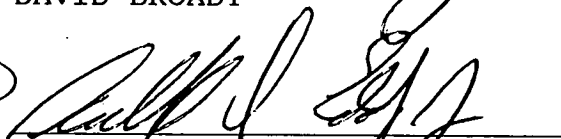
BE IT FURTHER THEREFORE RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that the adoption of this resolution and the designation of Economic Revitalization Areas within the town limits of the Town of Sellersburg, Indiana, is in the best interest of Town Government and will facilitate the economic development of the areas described as Economic Revitalization Areas.

PASSED AND ADOPTED this _____ day of November, 1993, by the Town Council for the Town of Sellersburg, Indiana.



STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: 
LINDA D. SCHAFER

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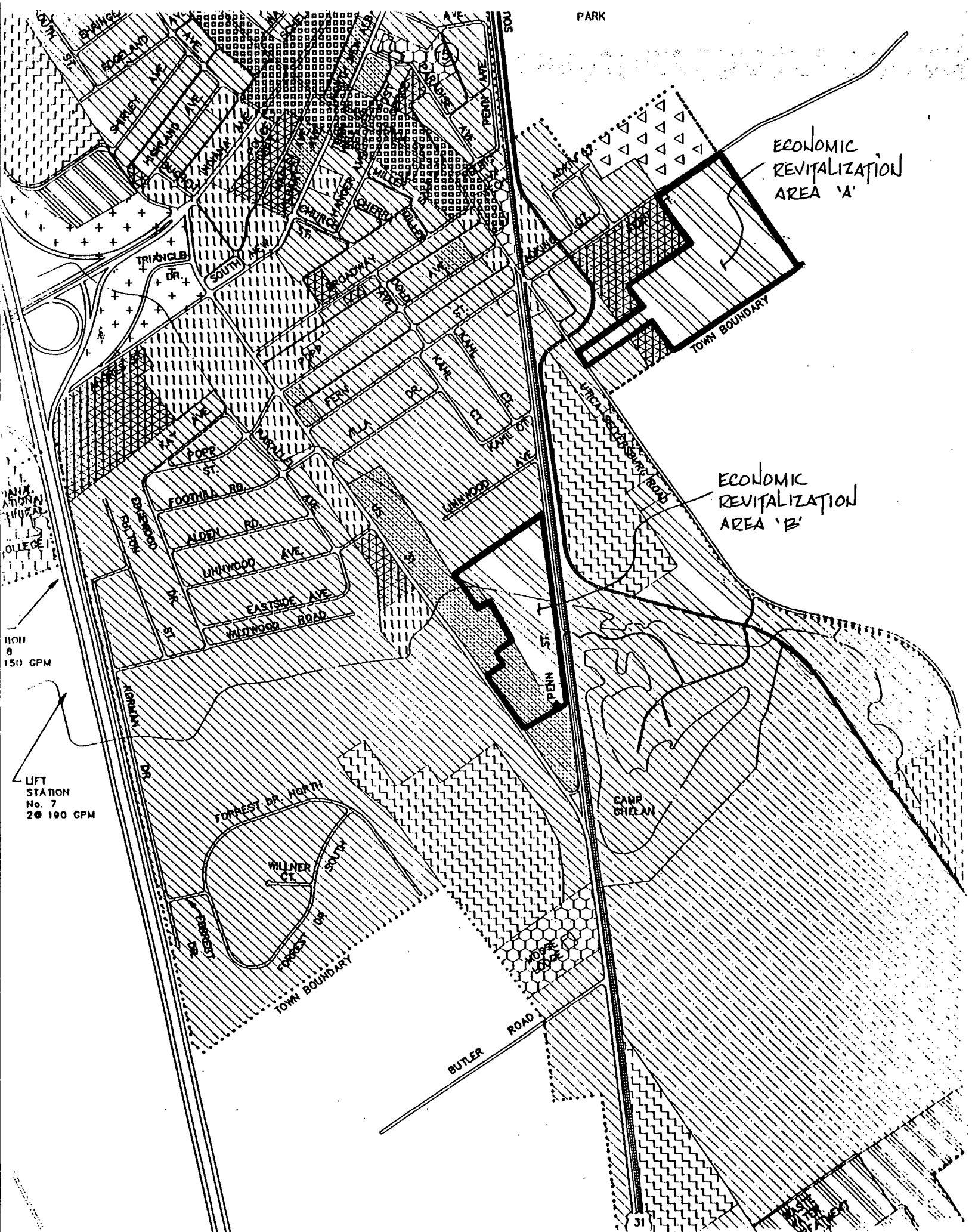
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EXHIBIT A



ECONOMIC REVITALIZATION AREA 'A'

ECONOMIC REVITALIZATION AREA 'B'

TOWN BOUNDARY

CAMP CHELAN

TOWN BOUNDARY

RESOLUTION NO. 93- 17

**A RESOLUTION DECLARING ECONOMIC REVITALIZATION AREA
WITHIN THE TOWN LIMITS OF THE OF SELLERSBURG, INDIANA**

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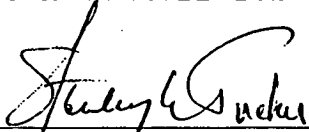
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NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that Area "B" as set forth in the description marked as Exhibit A and the map marked as Exhibit B shall be, and hereby is, designated as an Economic Revitalization Area.

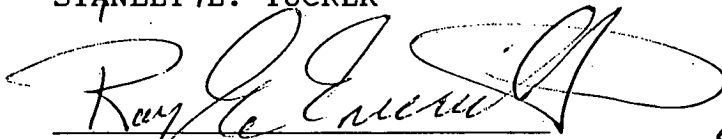
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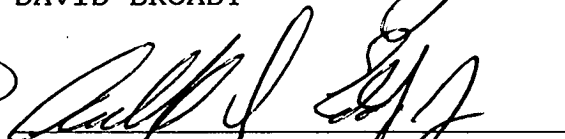
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PASSED AND ADOPTED this _____ day of November, 1993, by the Town Council for the Town of Sellersburg, Indiana.

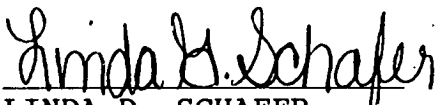

STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: 
LINDA D. SCHAFFER

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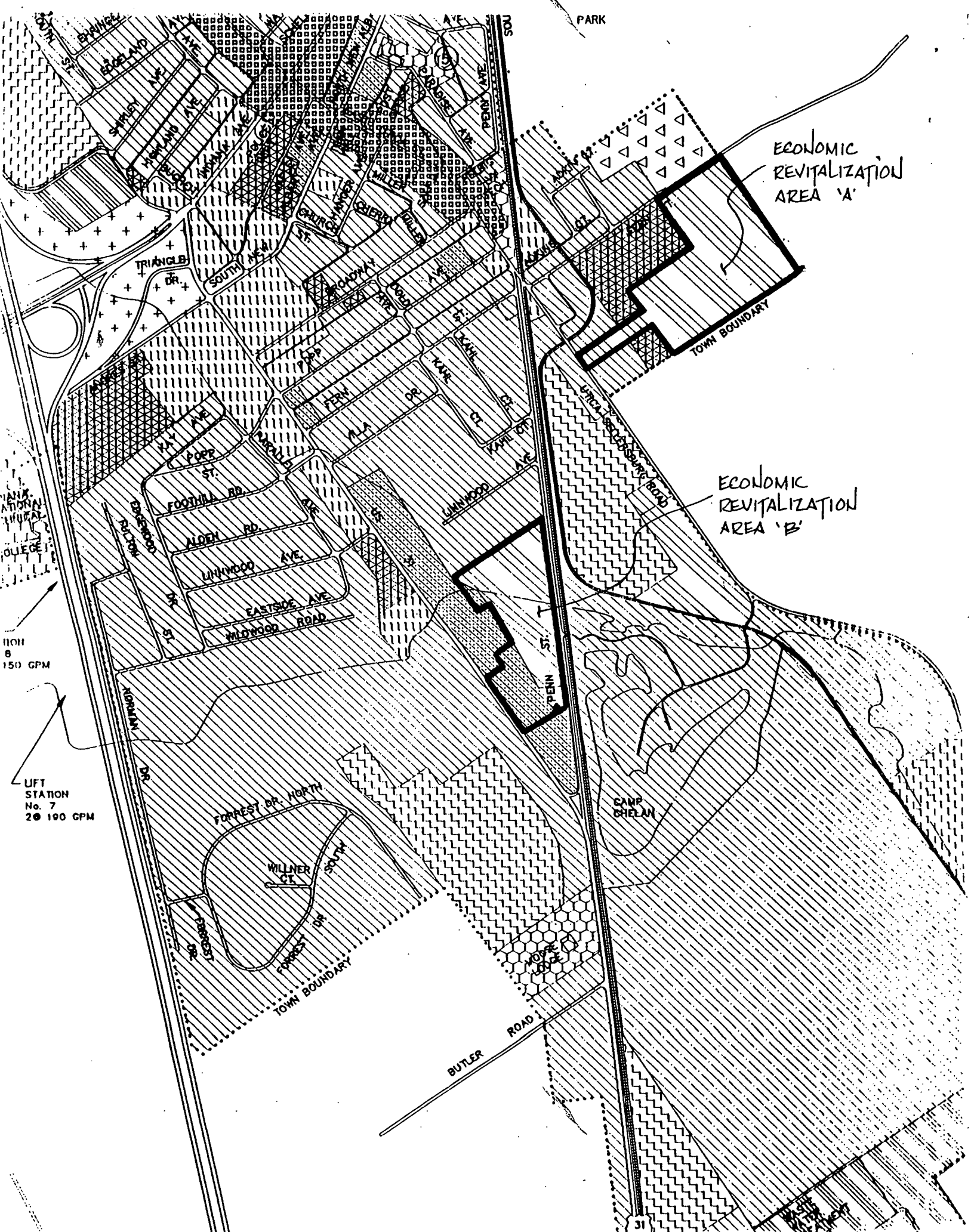
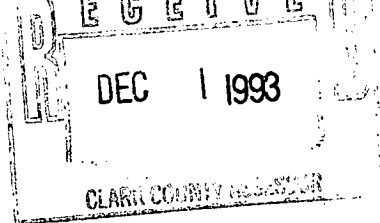


EXHIBIT B



RESOLUTION NO. 93- 17

**A RESOLUTION DECLARING ECONOMIC REVITALIZATION AREA
WITHIN THE TOWN LIMITS OF THE OF SELLERSBURG, INDIANA**

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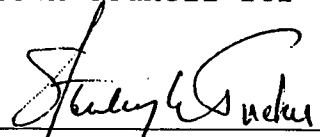
description and map attached hereto and marked as Exhibits A and B shall be designated an Economic Revitalization Area.


NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that Area "B" as set forth in the description marked as Exhibit A and the map marked as Exhibit B shall be, and hereby is, designated as an Economic Revitalization Area.

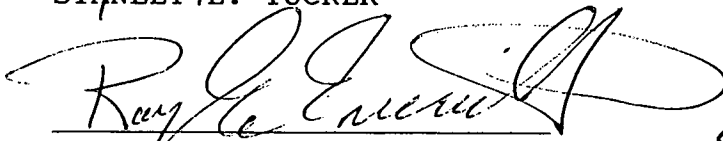
BE IT FURTHER THEREFORE RESOLVED that the reduction and tax abatement for those individuals or companies seeking to locate in the designated areas shall be entitled to a ten (10) year deduction/tax abatement for real property and a five (5) year deduction/tax abatement for personal property/equipment.

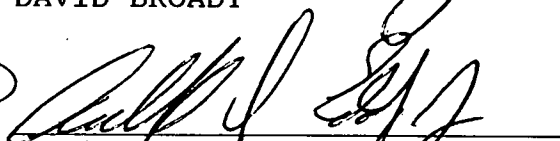
BE IT FURTHER THEREFORE RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that the adoption of this resolution and the designation of Economic Revitalization Areas within the town limits of the Town of Sellersburg, Indiana, is in the best interest of Town Government and will facilitate the economic development of the areas described as Economic Revitalization Areas.

PASSED AND ADOPTED this _____ day of November, 1993, by the Town Council for the Town of Sellersburg, Indiana.

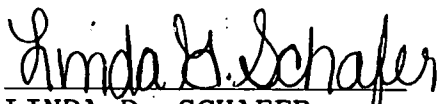

STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS

KARL N. TRUMAN

ATTEST: 
LINDA D. SCHAFER

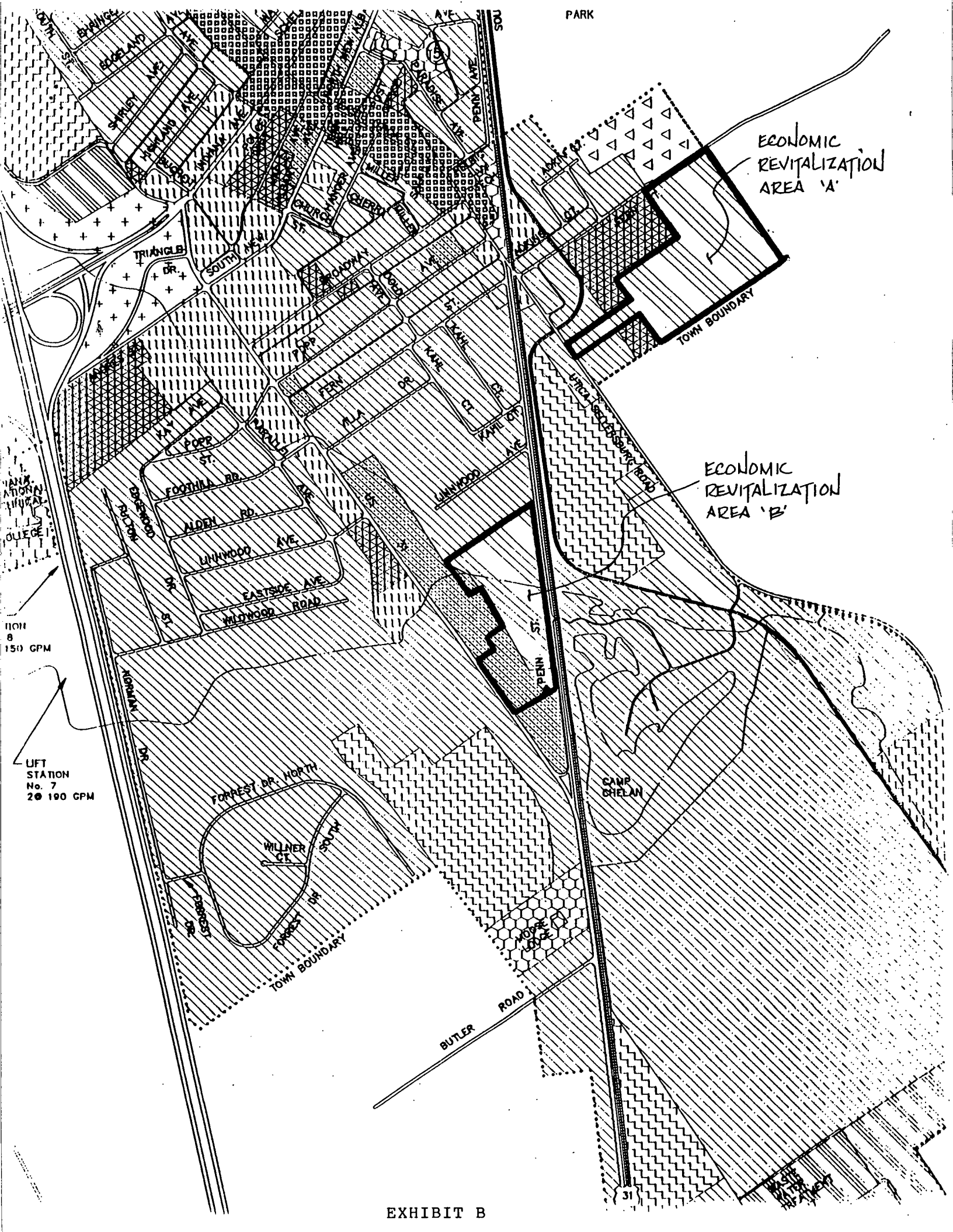


EXHIBIT B

RESOLUTION NO. 93- 18

A RESOLUTION BY THE TOWN OF SELLERSBURG TO
ASSUME MAINTENANCE AND REPAIR OF DIEFENBACH ROAD WATERLINE
UPON TRANSFER AND CONVEYANCE OF RESIDENT'S INTEREST

WHEREAS, residents residing along Diefenbach Road, in Clark County, Indiana have contacted the Town of Sellersburg, Indiana for the purpose receiving water provided by the Town; and

WHEREAS, said residents have granted easements to the Town of Sellersburg, Indiana for the purpose of laying a waterline for all residents which have granted an easement and desire to receive water provided by the Town of Sellersburg, Indiana; and

WHEREAS, said residents have agreed to assume the full and total financial responsibility for the installation of the waterline which will travel along and on said easements; and

WHEREAS, said residents have agreed to require their contractor hired for the installation of said waterline to post a one (1) year maintenance bond with the Town of Sellersburg, to run in favor of the Town; and

WHEREAS, the Town of Sellersburg by its Town Council has agreed to assume the maintenance for the waterline after the expiration of the contractor's one (1) year maintenance bond posted with the Town of Sellersburg; and

WHEREAS, the Town of Sellersburg by its Town Council further agrees to replace and restore all fences, walls, or other structures which have been relocated or removed

during repair and maintenance, and to replant grass in areas which grass is destroyed or damaged as a result of repairs or maintenance, or shall pay the residents reasonable compensation for such fences, walls or structures which are not replaceable, and for such vegetation and crops as have been damaged or destroyed during such repairs and maintenance; and

WHEREAS, the residents have agreed to give, convey and/or transfer the waterline on said easement to the Town of Sellersburg, Indiana for the purposes heretofore set out above; and

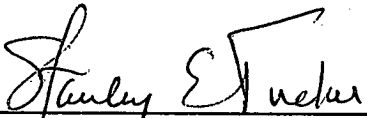
WHEREAS, the residents have agreed to pay all charges assessed by the Town of Sellersburg, Indiana for water or water usage at a rate assessed to Town of Sellersburg residents, or at a rate deemed required by the Indiana Utility Regulatory Commission, or other State law or regulation.


BE IT, THEREFORE NOW, RESOLVED by the Town Council for the Town of Sellersburg, Indiana, that upon the expiration of the one (1) year maintenance bond posted by the contractor for the waterline running along Diefenbach Road, the Town of Sellersburg, Indiana, will assume the maintenance and repair of said waterline under the terms and conditions set forth above; and

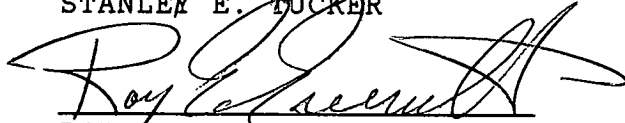
BE IT FURTHER RESOLVED, that the assumption of maintenance and repair of said waterline running along Diefenbach Road will constitute a conveyance and transfer to

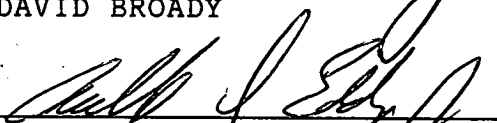
the Town of Sellersburg, Indiana of any and all interest said residents have in the waterline described above.

SO RESOLVED this _____ day of November, 1993.


STANLEY E. TUCKER


DAVID BROADY


ROY E. EVERITT


AULTON D. EDDINGS

KARL N. TRUMAN

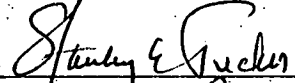
ATTEST: 
LINDA SCHAFER
CLERK/TREASURER

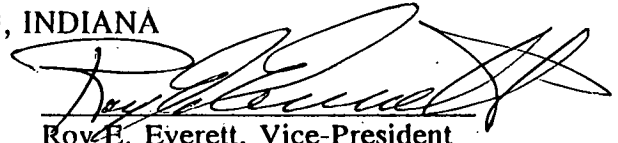
STORM DRAINAGE DESIGN CRITERIA

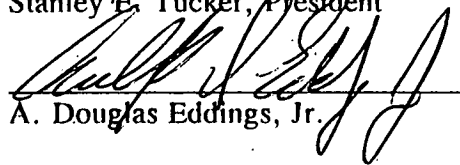
~~RESOLVED~~
BE IT ~~RESOLVED~~ by the Town Council of Sellersburg, Indiana that the herein contained Storm Drainage Design Criteria is hereby adopted this 22ND day of NOVEMBER, 1993

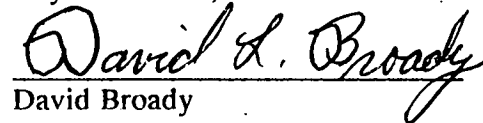
These criteria are in full force and effect from this day forward, and shall be used for the design of all Storm Drainage Facilities to be constructed in the Town of Sellersburg.

Signed: TOWN COUNCIL OF SELLERSBURG, INDIANA


Stanley E. Tucker, President


Roy E. Everett, Vice-President


A. Douglas Eddings, Jr.


David Broady

Karl N. Truman

Attest: Linda G. Schafer
Clerk Treasurer

These criteria adopted by the Town of Sellersburg are to be used for the design of all new storm drainage systems and detention basins for any area within the Town and the two-mile fringe area.

Drainage facilities are divided into several categories; culverts and bridges, storm sewer systems of pipe and catch basins and detention basins.

Detention Basins are required on any developments west of I-65 and north of the present Town of Sellersburg. They should be designed to retain that amount of rain-fall, being the difference between runoff from a piece of property during a 100 year rain-event prior to development and the amount after development due to increased run-off because of grading, hard surface development and other factors