

## 2004 RESOLUTIONS

NUMBER	DATE	DESCRIPTION
R-2004-001	02-09-04	Approving & Ratifying Executive Order of Council President
R-2004-002	08-09-04	Amendment to Economic Revitalization Area Tax Abatement
R-2004-003	05-17-04	Adoption of Fiscal Plan for Annexation Area "P"
R-2004-004	08-09-04	Economic Revitalization Area
R-2004-005	07-12-04	Vacate Street (Lawrence – Charisse Rothbauer)
R-2004-006	08-09-04	Preliminary Resolution for Comm. Montessori, Inc.
R-2004-007	10-18-04	Replacement Bond for YMCA (Series 2003A Bond)
R-2004-008	12-13-04	Supporting City-Town Court Legislation

TOWN COUNCIL  
RESOLUTION NO. R2004-01  
SELLERSBURG, INDIANA  
APPROVING AND RATIFYING AN EXECUTIVE ORDER  
OF THE PRESIDENT OF THE SELLERSBURG TOWN COUNCIL  
ADOPTING A CAPITAL IMPROVEMENT PLAN  
PURSUANT TO IC 6-3.5-7

WHEREAS, the Indiana General Assembly has authorized counties to impose a county economic development income tax ("EDIT") on the adjusted gross income of county taxpayers, in accordance with IC 6-3.5-7 ("Act");

WHEREAS, the Clark County Council has imposed EDIT;

WHEREAS, the Act provides that a county, city or town which fails to adopt a capital improvement plan may not receive (1) its fractional amount of the certified distribution of revenues from EDIT ("Distributive Share"); or (2) any amount of EDIT revenues designated for its use by a city or town in the county;

WHEREAS, the Town of Sellersburg ("Town") will be a recipient of a Distributive Share upon adoption of its Capital Improvement Plan and will receive its Distributive Share semi-annually in May and November from the Clark County Auditor;

WHEREAS, the Town now desires to use its Distributive Share to finance certain projects as authorized by the Act;

WHEREAS, the President of the Town Council has adopted Executive Order No. 1, adopting a Capital Improvement Plan pursuant to the Act on FEBRUARY 9, 2004;

WHEREAS, the Town Council now desires to express its approval of the Executive Order and the Capital Improvement Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF SELLERSBURG, INDIANA, THAT:

1. Executive Order No. 1 of the Town Council President is hereby approved, ratified and confirmed.
2. The Capital Improvement Plan of the Town of Sellersburg as adopted by the Town Council President through the adoption of Executive Order No. 1 is hereby approved, ratified and confirmed.

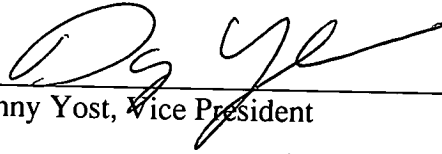
3. This resolution takes effect upon passage and compliance with IC 36-5-2-10.

Adopted this 9<sup>th</sup> day of FEBRUARY, 2004, by a vote of \_\_\_ in favor and \_\_\_ opposed.

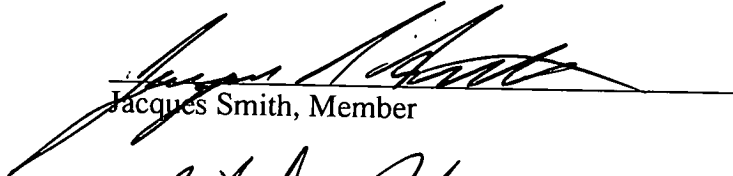
SELLERSBURG TOWN COUNCIL



Doug Reiter, President



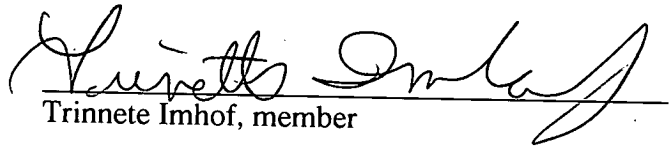
Danny Yost, Vice President



Jacques Smith, Member

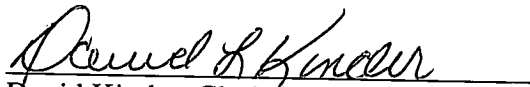


Mike Lockhart, Member



Trinnete Imhof, member

Attest:

  
David Kinder, Clerk/Treasurer

EXECUTIVE ORDER NO. 1  
OF THE PRESIDENT OF THE TOWN COUNCIL  
OF SELLERSBURG, INDIANA

An Order to Adopt a Capital Improvement Plan Pursuant to IC 6-3.5-7

WHEREAS, the Indiana General Assembly has authorized counties to impose a county economic development income tax ("EDIT") on the adjusted gross income of county taxpayers, in accordance with IC 6-3.5-7 ("Act");

WHEREAS, the Clark County Council has imposed EDIT;

WHEREAS, the Act provides that a county, city or town which fails to adopt a capital improvement plan may not receive (1) its fractional amount of the certified distribution of revenues from EDIT ("Distributive Share"); or (2) any amount of EDIT revenues designated for its use by a city or town in the county;

WHEREAS, the Town of Sellersburg ("Town") will be a recipient of a Distributive Share upon adoption of this Capital Improvement Plan and will receive its Distributive Share semiannually in May and November from the Clark County Auditor to finance certain projects as authorized by the Act;

WHEREAS, the Town may use its Distributive Share to finance capital improvement projects for which general obligation bonds may be issued and economic development projects as defined in the Act, through the issuance of bonds or through lease financings;

NOW, THEREFORE BE IT ORDERED BY THE PRESIDENT OF THE TOWN COUNCIL OF SELLERSBURG, INDIANA, THAT:

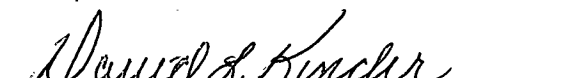
1. The Capital Improvement Plan of the Town is hereby adopted, which plan is attached hereto as Exhibit A.
2. This order shall become effective from and after the date of its adoption.

Signed by me this 9th day of February, 2004.



\_\_\_\_\_  
President, Sellersburg Town Council

Attest:



\_\_\_\_\_  
Clerk-Treasurer, Town of Sellersburg

**EXHIBIT "A"**

**ECONOMIC DEVELOPMENT INCOME TAX  
CAPITAL IMPROVEMENT PLAN  
OF THE TOWN OF SELLERSBURG**

**Introduction**

This document is the Capital Improvement Plan ("Plan") for the Town of Sellersburg, Indiana ("Town"). It is intended for adoption by the President of the Town Council ("Executive") in conformance with IC 6-3.5-7.

**Term**

The term of the Plan is twenty-three (23) years from the date of its adoption.

**Plan Objectives**

IC 6-3.5-7 requires the adoption of the Plan by the Executive before the Town may receive its certified distribution of revenues from the Economic Development Income Tax ("EDIT"). The Plan must specify the uses for which the Town proposes to use the EDIT revenues.

**Description of Capital and Economic Development Projects ("Projects")**

**Project 1**

**General Description** – Rehabilitate sewer infrastructure within the Town of Sellersburg.

**Estimated Total Cost** - One Million Five Hundred Thousand Dollars (\$1,500,000) principal amount of bonds to be sold to the Indiana State Revolving Loan Fund Program ("Bonds"). The total debt service on the Bonds, assuming an annual interest rate of 3.5%, is \$2,100,000.

**Sources of Funding** - EDIT revenues received from the Town's distributive share of EDIT for application on the costs of the annual debt service payments on the Bonds and net revenues of the sewage works for payment of debt service on the Bonds and issuance costs.

**Planning, Development and Construction Schedule** – Complete design, July 2004; Construction, August 2004 through August 2005. The Bonds shall have a maturity of 20 years or less from the date of completion of the project. The Town plans on issuing bonds in 2004 and the repayment schedule will last for no longer than 20 years from the date of completion of the project.

**Purposes of Projects**

We hereby find that the Project outlined above is an economic development project because the improvement of the sewer infrastructures and related facilities will allow commercial and residential development in and out of the Town.

**Seventy-five Percent (75%) Test**

In accordance with IC 6-3.5-7-15, the Plan incorporates projects, the cost of which is at least seventy-five percent (75%) of the certified distribution the Town expects to receive during the term of the Plan as follows:

Expenditures for the term of the Plan:

Project 1                    \$1,500,000 principal plus \$600,000 interest = \$2,100,000

Town Estimated Certified Distribution for the term of the Plan:

2004	\$117,000 (estimated)	2015	\$117,000 (estimated)
2005	\$117,000 (estimated)	2016	\$117,000 (estimated)
2006	\$117,000 (estimated)	2017	\$117,000 (estimated)
2007	\$117,000 (estimated)	2018	\$117,000 (estimated)
2008	\$117,000 (estimated)	2019	\$117,000 (estimated)
2009	\$117,000 (estimated)	2020	\$117,000 (estimated)
2010	\$117,000 (estimated)	2021	\$117,000 (estimated)
2011	\$117,000 (estimated)	2022	\$117,000 (estimated)
2012	\$117,000 (estimated)	2023	\$117,000 (estimated)
2013	\$117,000 (estimated)	2024	\$117,000 (estimated)
2014	\$117,000 (estimated)	2025	\$117,000 (estimated)
		2026	\$117,000 (estimated)

Total Estimated Certified Distribution for the term of the Plan: \$2,691,000

Percentage of Certified Distribution allocated to Project 1 for the term of the Plan: 78%

RESOLUTION NO. 2004-<sup>2</sup>003

RESOLUTION ADOPTING WRITTEN FISCAL PLANS AND ESTABLISHMENT OF A DEFINITE POLICY "ANNEXATION AREA P" WHICH TERRITORY IS CONTIGUOUS TO THE MUNICIPAL BOUNDARIES OF THE TOWN OF SELLERSBURG

WHEREAS, the Town Council for the Town of Sellersburg has elected to annex territory which is contiguous to the municipal boundaries of the Town of Sellersburg, said territory is more particularly described in Exhibit 1 and Exhibit 2 which are attached hereto and incorporated herein;

WHEREAS, the Town Council for the Town of Sellersburg has developed a written fiscal plan for "Annexation Area P" which establish a definite policy for the annexation and complies with the requirements for annexation as set forth in I.C. 36-4-3-13, a copy of which is attached hereto as Exhibit C and incorporated herein; and

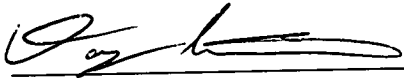
WHEREAS, the Town Council for the Town of Sellersburg has developed this fiscal plan to define the value of and cost of all capital and non-capital services which may be provided to the proposed area of annexation which is attached hereto as Exhibit 3 and incorporated herein; and

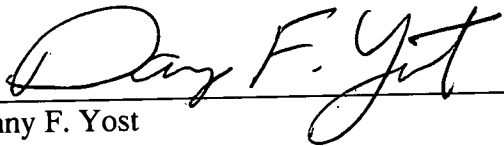
WHEREAS, this matter was considered at an open meet to which the public were invited to attend and participate;

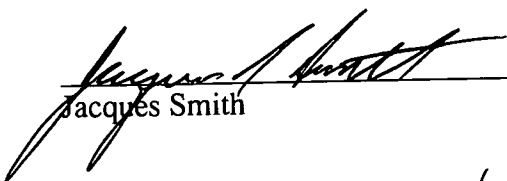
BE IT NOW THEREFORE RESOLVED by the Sellersburg Town Council the written fiscal plan for "Annexation Area P", territory which is contiguous to the municipal

boundaries of the Town of Sellersburg shall be and hereby is adopted.

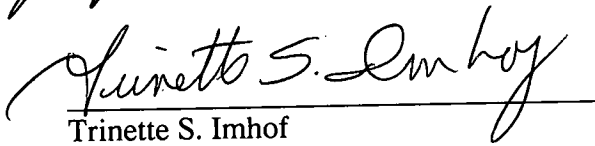
So resolved this 17th day of May, 2004.

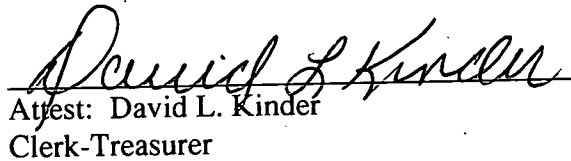
  
\_\_\_\_\_  
Doug Reiter

  
\_\_\_\_\_  
Danny F. Yost

  
\_\_\_\_\_  
Jacques Smith

  
\_\_\_\_\_  
Michael Lockhart

  
\_\_\_\_\_  
Trinette S. Imhof

  
\_\_\_\_\_  
Attest: David L. Kinder  
Clerk-Treasurer



June 24, 2003

EXHIBIT 1  
DESCRIPTION OF  
SELLERSBURG 2001/2002 ANNEX AREA 'P'

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

Beginning at the east corner of Grant 87, said point also being the southeasterly corner of a tract recorded at Deed Drawer 28, Instrument No. 9067, being a point in the boundary line of the Town of Sellersburg, and the True Place of Beginning.

Thence the following courses of the boundary:

North 35 deg. 00 min. 00 sec. West, 217.80 feet, more or less, along said tract's northeasterly line and the line dividing Grants 67 and 87, with the Town Boundary;

South 53 deg. 43 min. 25 sec. West, 172.00 feet, more or less, leaving said dividing line continuing along the Town Boundary to the northeast corner of a tract recorded at Deed Drawer 19, Instrument No. 14609;

South 50 deg. 00 min. 00 sec. West, 200.00 feet, more or less, along the northwesterly line of said tract and the Town Boundary;

South 50 deg. 10 min. 00 sec. East, 217.80 feet, more or less, along said tract and the Town Boundary to the line dividing Grants No. 66 and 87;

South 53 deg. 43 min. 25 sec. West, 200.00 feet, more or less, leaving said tract, along said dividing line, the Town Boundary and the line of a tract recorded at Deed Drawer 22, Instrument No. 14219;

North 35 deg. 00 min. 00 sec. West, 217.80 feet, more or less, leaving said dividing line along the line of said tract and the Town Boundary;

South 53 deg. 43 min. 25 sec. West, 169.64 feet, more or less, continuing along the line of said tract and the Town Boundary to the easterly corner of a tract recorded at Deed Drawer 21, Instrument No. 2227;

South 53 deg. 43 min. 21 sec. West, 230.36 feet, more or less, along said tract and the Town Boundary;

South 35 deg. 00 min. 00 sec. East, 217.80 feet, more or less, along said tract and the Town Boundary to the line dividing Grants 66 and 87;

South 53 deg. 43 min. 25 sec. West, 251.20 feet, more or less, along said dividing line and the Town Boundary;

North 35 deg. 00 min. 00 sec. West, 217.80 feet, more or less, leaving said dividing line along the Town Boundary and the line of said tract recorded at Deed Drawer 21, Instrument No. 2227;

South 53 deg. 43 min. 25 sec. West, 295.18 feet, more or less, along the line said tract and the Town Boundary to the easterly right-of-way of S.R. 60;

North 9 deg. 53 min. 50 sec. West, 36.97 feet, more or less, along said right-of-way, said tract and the Town Boundary;

North 12 deg. 18 min. 50 sec. West, 209.06 feet, more or less, continuing along said right-of-way, said tract and the Town Boundary;

North 4 deg. 55 min. 30 sec. East, 114.56 feet, more or less, continuing along said right-of-way, said tract and the Town Boundary to the southerly corner of a tract recorded at Deed Record 253, page 262;

North 53 deg. 44 min. 00 sec. East, 600.00 feet, more or less, along said tracts southeasterly line and the Town Boundary to the east corner of said tract;

North 36 deg. 16 min. 00 sec. West, 750.17 feet, more or less, along said tract and the Town Boundary;

South 55 deg. 24 min. 00 sec. West, 432.83 feet, more or less, along said tract line and the Town Boundary to the easterly right-of-way of Interstate 65;

North 65 deg. 44 min. 27 sec. West, 123.08 feet, more or less, leaving said Town Boundary, along said interstate right-of-way and the line of a tract recorded at Deed Drawer 22, Instrument No. 14218;

North 27 deg. 40 min. 29 sec. West, 418.59 feet, more or less, along said Interstate and said tract;

North 12 deg. 46 min. 00 sec. West, 600.00 feet, more or less, along said Interstate and said tract;

North 14 deg. 40 min. 33 sec. West, 300.17 feet, more or less, along said Interstate and said tract;

North 12 deg. 46 min. 00 sec. West, 767.22 feet, more or less, along said Interstate and said tract to the southwesterly corner of a tract recorded at Deed Drawer 22, Instrument No. 14216;

North 12 deg. 46 min. 00 sec. West, 1548.37 feet, more or less, along said interstate right-of-way and said tract to the Town Boundary, being also the boundary of Forrest Estates Subdivision Section 3, recorded at Plat Book 8, page 20;

South 34 deg. 22 min. 35 sec. East, 224.08 feet, more or less, along said Section 3 line and said Town Boundary;

North 54 deg. 52 min. 56 sec. East, 1562.06 feet, more or less, along said Section 3 line and said Town Boundary to the southerly corner of Section 2 of said Forrest Estates Subdivision;

North 54 deg. 52 min. 56 sec. East, 46.00 feet, more or less, continuing along said Town Boundary and the southerly line of said Section 2 to the westerly corner of Lakeside Estates First Addition, recorded at Plat Book 11, page 56;

South 30 deg. 48 min. 36 sec. East, 660.25 feet, more or less, along said Lakeside line and the Town Boundary;

North 53 deg. 44 min. 41 sec. East, 532.83 feet, more or less, along said Lakeside line, the Town Boundary, and the line of a tract recorded at Instrument 200120821;

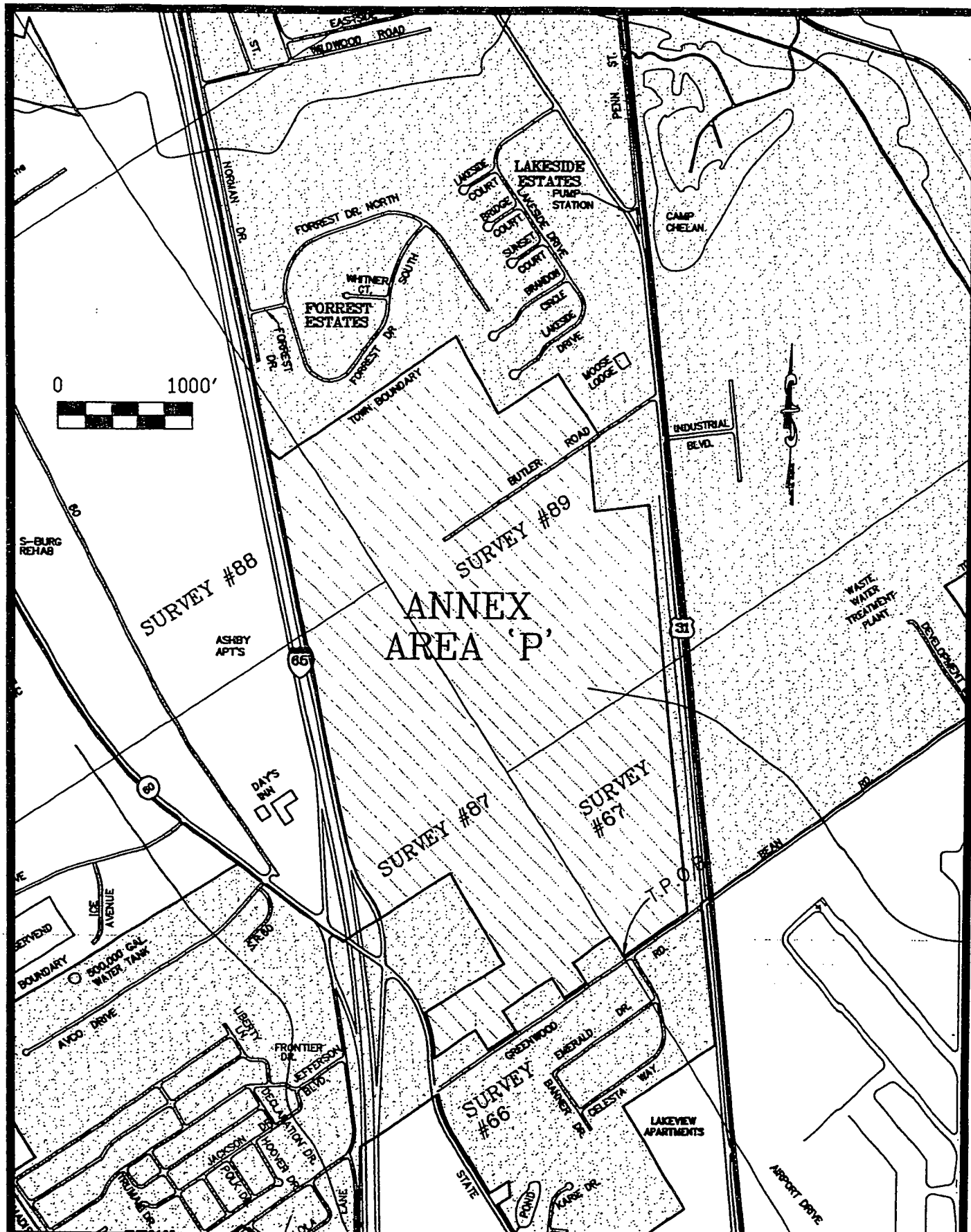
South 32 deg. 46 min. 19 sec. East, 330.84 feet with the northeast line of said tract recorded at Instrument No. 200120821 and the Town Boundary to the north corner of a tract recorded at Deed Drawer 27, Instrument No. 14773;

South 37 deg. 31 min. 00 sec. East, 217.87 feet, more or less, along said tract's northeasterly line and the Town Boundary;

South 37 deg. 31 min. 00 sec. East, 20.00 feet, more or less, crossing Butler Road along said Town Boundary;

South 54 deg. 00 min. 00 sec. East, 75.00 feet, more or less, along said Town Boundary to the northerly corner of a tract recorded at Deed Record 233, page 278;  
South 12 deg. 34 min. 00 sec. East, 494.00 feet, more or less, along the lines of said tract and the Town Boundary;  
North 77 deg. 26 min. 00 sec. East, 291.00 feet, more or less, along the lines of said tract and the Town Boundary;  
South 12 deg. 34 min. 00 sec. East, 1358.10 feet, more or less, along the Town Boundary being parallel to U.S. 31, to the northern line of a tract recorded at Deed Drawer 25, Instrument No. 20679;  
Southwardly 881.16 feet, more or less, along said Town Boundary and parallel to U.S. 31 to the line of a tract recorded at Deed Drawer 22, Instrument No. 14217;  
South 07 deg. 35 min. 00 sec. East, 804.41 feet, more or less, along said Town Boundary and parallel to U.S. 31 to Greenwood Road;  
South 54 deg. 01 min. 00 sec. West, 685.80 feet, more or less, along the Town Boundary and Greenwood Road to the True Place of Beginning and containing 239 acres of land.

It is the intent of this description to annex everything north of the Town Boundary along Greenwood Road, east of Interstate 65, south of the Town Boundary at Forrest Estates and west of the Town Boundary along U.S. 31.



**Town of Sellersburg, Indiana**  
**2001-2002 ANNEX AREA "P"**

**JACOBI, TOOMBS & LANZ, INC.**  
 CONSULTING ENGINEERS  
 120 BELL AVENUE  
 CLARKSVILLE, INDIANA 47129  
 (812) 288-6348



SCALE: 1"=1000'

DATE: 6/25/03

DRAWN: J.A.M.

CHECKED: K.W.J.

APPROVED: J.H.T.

JOB No. 682382

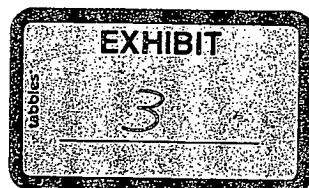
# Annexation Area " P "

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## Town of Sellersburg Annexation and Fiscal Plan

July 2003

Prepared by:  
S. K. Wilson Associates, Inc.  
109 Hunter Station Way  
Sellersburg, Indiana 47172  
812/246-0109



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# **Town of Sellersburg Area "P" Annexation Plan**

## **Annexation Area "P"**

### **INTRODUCTION**

The following Fiscal Plan was developed through the cooperative efforts of the Town of Sellersburg Police Department, Clerk Treasurer's Office, Street Department, Sanitation Department, Environmental Management Corporation (contractor for the Sewer and Water Departments), Animal Control and Sellersburg Housing Authority. It represents the Town's policy and procedure for the annexation of the following property: referred to as Annexation Area "P" and shown on Map 1.

The cost estimates of the planned services to be furnished, methods of financing, and plan for the organization and extension of services to the Annexation Area are fully discussed. In addition, information is provided to compare the services proposed for the Annexation Area with other areas within the Town's corporate boundaries regardless of similar topography, patterns of land use and population density.

### **EFFECTIVE DATE**

Indiana Code 36-4-3 provides that planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital service normally provided within the corporate boundaries, will be provided to the annexed territory within one [1] year after the effective date of the annexation and that they will be provided in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use and population density. Planned services of a capital improvement nature, will be provided to the annexed territory within three [3] years after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria. These capital services include street construction, street lighting, sewer facilities, water facilities, and storm water drainage facilities.

### **LOCATION**

The Annexation Area "P" lies entirely within Silver Creek Township. As shown on Map 1, prepared by consulting engineers Jacobi, Toombs, & Lantz [JTL], the Annexation Area is geographically situated east of Interstate 65, north of State Road 60 and west of State Road 31.

providing these services in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundary regardless of similar topography, patterns of land use, and population density.

8. The plan describes the methods of providing capital improvements, including street construction, street lighting, sewer facilities, water facilities, and storm water drainage facilities to the annexed area within three [3] years after the effective date of the annexation.
9. The plan describes the method or methods for providing these capital services in a manner equivalent in standard and scope to those capital services provided to areas within the corporate boundary regardless of similar topography, patterns of land use, and population density.
10. The plan indicates how capital services will be provided to conform to federal, state and local laws, procedures, and planning criteria.
11. The plan includes maps of the current Town corporation limits, territory to be annexed, current zoning and proposed zoning.

## EXISTING CONDITIONS

### Location

The Annexation Area includes parts of surveys 67, 87, 88, and 89 of the Illinois grant in Silver Creek Township of Clark County Indiana. Area "P" contains 239 acres of land. Map 1, prepared by JTL, illustrates the area included within Annexation Area "P." Exhibit 1 is a description of Annexed Area "P" as prepared by JTL.

The 239 acres comprising Annexation Area "P" is situated south of Forrest Estates and north of Greenwood Road, east of Interstate 65 and west of US 31.

### Property Owners

A list of property owners from records in the Clark County Auditors office is in Appendix B.

### Zoning

The following tables lists zoning categories in the annexation area as shown on records of the Clark County Plan Commission is:

Zone District	# Of Acres	% of Total
A-1	114.6	47.9
B-2	111.0	46.5
R-1	13.5	5.6
<b>Total</b>	<b>239.1</b>	<b>100.0</b>

The existing zoning as taken from records in the Clark County Plan Commission is shown on Map 3.

### Land Use

Based on Figures 3-1a and 3-1b of the Comprehensive Plan and field observations, generally the predominate land uses are:



protection from conflicting or incompatible land uses. Clark County's 1991 Comprehensive Plan does not recognize or support contemporary planning theories that conserve land while promoting smart development. Development in this annexation area is constrained due to multiple governments having planning responsibilities. Besides Sellersburg, the town of Clarksville and Clark County have planning jurisdiction either in, adjacent to or in the immediate vicinity of Annexation Area "P." Many times, constraints become obvious when roads or streets are constructed, extended, or connected through more than one community. Similar to roads and streets, the management of storm water is difficult. Difficulties sometimes are also evident from conflicting zoning regulations, and different development standards among the planning jurisdictions.

## **Need and Use By the Town of Sellersburg**

### **Need**

Need for the territory is established by previous studies and existing conditions. The Town is predominately developed with residential, commercial, and some light industrial uses. This means there is little geographical area to expand within the corporate boundaries of Sellersburg. Some infill type of development is possible, as is limited re-use of existing structures.

Figures 3-2a and 3-2b of the Comprehensive Plan are "Future Land Use" maps that include this annexation area.

### **Comprehensive Land Use Policies**

Along with "Goals and Objectives," the Sellersburg Indiana Comprehensive Plan provides guidance and definite policies for future development of the town in the following areas:

1. General land use and specific guidance for residential, commercial, office and industrial
2. Transportation including a thoroughfare plan
3. Public facilities including government, utility and other community facility guidelines
4. Environmental guidelines

These guidelines are a series of statements that provide policy for decisions and actions concerning the use of land. The guidelines are a contemporary interpretation and extensive refinement of the goals and objectives of the community. They are responses to numerous community issues, problems, and opportunities. These guidelines are the key elements of the Comprehensive Plan. Proposals for change in the way land issues within the town are reviewed against these guidelines to determine whether they are in agreement with the Comprehensive Plan. The guidelines direct the future course of the community in terms of the use of land and related concerns of growth and development.

Local, state, and federal ordinances, statutes, laws, and mandates establish other policies. Some of these are cited in this plan.

### **Procedures for Development**

Procedures for subdivision development are established in the Sellersburg Subdivision Regulations. Local, state, and federal ordinances, statutes, and laws establish other procedures. Some of these are cited in this plan. The Zoning Ordinance also establishes standards and

### **Approximate Number of Persons to be Annexed**

Based on field observations there are 140 persons to be annexed in Annexation Area "P." This includes persons on Butler Road; the 26 occupied single-family dwellings in Silver Glades Section 1 and the 24 units under construction and expected to be occupied in the next 12-13 months. There are 15 vacant lots in Silver Glade Section 1. Based on field observations there is no construction activity on these lots. Projecting occupancy on these lots would not be credible.

### **Property Owners**

A list of property owners in the annexation area is Appendix B.

### **Proposed Zoning of the Territory to be Annexed**

The Town intends to zone the territory to be annexed to the town zone district that most nearly compares with the zoning district within Clark County and the land use existing on the property at the time of annexation.

<b>Town Zone Classification</b>	<b>County Zone Classification</b>
A-1	A-1
B-3	B-3
R-1	R-1

Table II shows the itemized estimated cost for each municipal department by function and fund.

Appendix A is a more detailed description of the Service Standard Method and the Case Study methodology.

## **CAPITAL SERVICES**

### **Sewer Facilities**

Within the corporate limits of the Town of Sellersburg, and to some areas outside the corporate limits, sanitary sewer service is provided by the town's public sewer system. The system facilities include sewer collectors, transmission mains and a wastewater treatment plant which is located on Bean Road where effluent is treated. Operation of the wastewater system is contracted to a private company, EMC. Map 5 illustrates the location of sanitary sewer facilities in Annexation Area "P."

The first phase of a new subdivision, Silver Glade Estates, is being developed adjacent to the properties in Forrest Estates and Lakeside Estates. The final plat of Silver Glade has been prepared and will be approved when it meets the requirements of Subdivision Regulations. The developer in accordance with Sellersburg subdivision regulations is installing sanitary sewer collection for the subdivision. The subdivision was annexed into the town in 2000, but was approved by the Clark County Plan Commission prior to being annexed into the Town of Sellersburg.

A sanitary sewer force main and individual grinder pumps serve properties along Butler Road [an easement for roadway and utilities]. A force main and grinder pumps is generally accepted as an adequate means of sewer treatment and disposal. The sewage from these properties is transported via the forced main and sewer collector system of the Sellersburg wastewater treatment plant where it is treated.

When the force main system and grinder pumps no longer are adequate they will be replaced with adequate means of sewer treatment and disposal. When this occurs, based on 2003 prices, the town will incur the cost of installing the system.

#### **Cost Estimate**

*Planned services to be furnished to annexed territory with itemized estimated cost for each Town department.*

John Toombs of JTL estimated the cost to provide sanitary sewer service to one (1) house on Butler Road and two (2) houses on US 31 as: \$38,000. No other cost is expected to be needed for sewer facilities.

#### **Methods of Financing the Planned Services**

When this method of sewer service is not adequate, financing will be from revenues, grants, and/or bond refinancing.

#### **Plan for Organization and Extension of Sewer Services**

*The plan policy and procedures must detail the specific services that will be provided and the dates the services will begin.*

#### **Policy**

The policy for the provision of sanitary sewer facilities is established in the utility guidelines of the Sellersburg Comprehensive Plan, particularly U-1, 3, & 5.

Requirements. These requirements listed on pages 169 -171 of the Sellersburg Zoning Ordinance sets out the requirements for a District Development Plan.

Subsection 3.7.3-Requirements (1) (j) and (q) requires that sanitary sewer facilities be designed to the latest Indiana Department of Environmental Management and 10 States Standards and that they are to be shown on the development plan. The location and dimension of existing or proposed easements and provisions for handling sewage lines is also to be shown on the District Development Plan.

Therefore, based on the existing policies and procedures, and in conformance with Town standards, procedures, planning criteria and I.C. 36-4-3, the Town will provide capital improvements, including sewer facilities, to the annexed area within three [3] years after the effective date of the annexation in a manner equivalent in standard and scope to those of capital services provided to areas within the Town regardless of similar topography, patterns of land use, and population density.

### **Storm Water Drainage Facilities**

The Town Street Department is responsible for storm water management and maintenance.

Storm water drainage within the corporate boundaries varies by type from curb and gutter to side ditches.

The town handles storm water drainage complaints from residents first by investigating the problem, then determining the appropriate solution and then implementing a plan to resolve the issue.

Sellersburg is participating in the EPA Phase 2 water quality program and will implement recommendations of the program once the water quality plan is completed and accepted by the Indiana Department of Environmental Management (IDEM).

Storm water for a new subdivision is governed by the Subdivision Regulations of the Town of Sellersburg. Requirements for drainage facilities in a new subdivision are described in Article VI, Section D on pages 46 and 47 of the 1993 Subdivision Regulations.

Storm water improvements resulting from a petition for rezoning, variance, special exception or contingent use must meet the requirements of the Zoning Ordinance, particularly Section 3.7-District Development Plan requirements. Subsection 3.7.3 Item (1) (j) and (q) on pages, 170 and 171 of the Zoning Ordinance specifically addresses storm drainage facilities.

### **Cost Estimate**

*Planned services to be furnished to annexed territory with itemized estimated cost for each Town department.*

The Town will incur no cost for storm water facilities due to the annexation of this area.

### **Methods of Financing the Planned Services**

Cumulative Capital Improvement – Cigarette Tax Fund and/or Cumulative Capital Development would be used on a case-by-case basis if complaints were brought to the Town Council.

## Procedure

The definite procedure for providing storm water drainage services is established by policy, and in the Sellersburg Zoning Ordinance and the Subdivision Regulations.

If an existing property owner identifies a storm water problem, the Town Council, through the Street Department budget and personnel, will address storm water complaints on a case-by-case basis.

The Subdivision Regulations, particularly Article III - Subdivision Application Approval Process and Article VI Improvement Standards, Section D establishes the requirements for drainage facilities in new subdivisions.

Any rezoning, special exception, contingent use or variance application is required to include a district development plan in conformance with Section 3.7 of the Sellersburg Zoning Ordinance. Items (j) and (q) of subsection 3.7.3-Requirements on page 170 and 171 of the Zoning Ordinance specifically address requirements for storm drainage facilities. An applicant is required to show the location of any existing or proposed easements for surface water drainage and storm drainage facilities are to be designed to the latest storm water design criteria adopted by the Town. Engineering computations are required to be submitted for storm water drainage with the district development plan.

Within three (3) of years after the effective date of the annexation, the Town will commence providing storm water drainage facilities that are installed to Town procedures, in a manner equivalent in standard and scope to those of capital services provided to areas within the Town *regardless* of similar topography, patterns of land use, and population density.

## Water Facilities

Annexation Area "P" is provided potable water by the Town of Sellersburg. The size of the water lines and mains are equivalent to those serving the corporate Town of Sellersburg.

The Town has adequate well field capacity, water treatment plant, and water distribution system. The Town of Sellersburg already provides potable water to Annexation Area "P." The water system is illustrated on Map 6.

### **Cost Estimate**

*Planned services to be furnished to annexed territory with itemized estimated cost for each Town department.*

Cost is \$0

### **Methods of Financing the Planned Services**

Not Applicable

### **Plan for Organization and Extension of Water Services**

*The plan policy and procedures must detail the specific services that will be provided and the dates the services will begin.*

## Street Construction

State Road 60, I-65, US Highway 31, Greenwood Road, and a private street, Butler Road, now serve the Annexation Area. The Indiana Department of Transportation [INDOT] is realigning the interchange of State Road 60 and Interstate 65. Any change to the present street pattern required by this intersection change would be borne by INDOT.

This annexation includes a private roadway and utility easement known as Butler Road. This roadway is not on the INDOT road inventory for Clark County. Records in the Clark County Recorders office show Butler Road as a 20-foot wide roadway and utility easement for ingress and egress to properties off of Highway 31. Butler Road does not meet design standards of the Town. No new streets will be constructed or re-constructed by the Town of Sellersburg because of this annexation.

### Cost Estimate

*Planned services to be furnished to annexed territory with itemized estimated cost for each Town department.*

Cost will be \$0.

### Methods of Financing the Planned Services

Not Applicable

### Plan for Organization and Extension of Street Construction

*The plan policy and procedures must detail the specific services that will be provided and the dates the services will begin.*

#### Policy

The definite policies for public streets are addressed in the Sellersburg Comprehensive Plan, particularly but not limited to Chapter 4 Transportation, and the environmental, utility and goal sections of the Sellersburg Comprehensive Plan.

The Comprehensive Plan discusses the jurisdiction covered by the Thoroughfare Plan. It states on page 72 that "continuity of the arterial roadway system through other incorporated areas was a prime consideration" in development of the Thoroughfare Plan. The annexation area is covered on the Future Land Use map shown on figure 3-2b of the Comprehensive Plan.

The Sellersburg Subdivision Regulations require that the rules, regulations, and standards of INDOT be followed if the subdivision or any of its lots contained therein abuts a state highway. Additionally, the Subdivision Regulations require that the Indiana Manual on Uniform Traffic Control Devices be followed for installation of traffic control devices.

#### Procedure

New street construction within a subdivision must be consistent with the procedure and requirements detailed in the 1993 Subdivision Regulations, particularly Article IV Sections F and G. New streets must be consistent with Town standards, procedures, planning criteria, and installed at the expense of the developer.

Section 2.16 on pages 134 –139 of the Zoning Ordinance addresses buffering and screening to assure that outdoor lighting is not a nuisance to adjoining property owners.

#### Procedure

Article VI Section A, Article I, Article VII, and other applicable sections of the 1993 Subdivision Regulations establish the procedure and requirements for the installation of streetlights in a new residential or nonresidential subdivision.

Streetlights are installed by petition, consistent with the requirements set forth in IC 36-9-9, et seq. within the Town. When a person or business would like to have a streetlight installed, that person petitions the Town Council requesting streetlights. The Town Council considers the installation on a case-by-case basis and in conformance with IC 36-9-9 considering and conforms to safety, crime statistics in the area or other concerns raised by the petitioner.

Within three (3) years after the effective date of the annexation, the Town will commence providing streetlight services, in a manner equivalent in standard and scope to those of capital services provided areas within the Town *regardless* of similar topography, patterns of land use, and to population density.

## Non-Capital Services

### Street Lighting

It is the policy of the Town of Sellersburg to pay the electric utility bill for streetlights. This policy will be extended to Annexation Area "P."

#### Cost Estimate

*Planned services to be furnished to annexed territory with itemized estimated cost for each Town department.*

Cost will be \$87.12. Cost is included in the General Control Totals [Table II]

1 Street lights x \$7.26/month

#### Methods of Financing the Planned Services

General Fund

#### Plan for Organization and Extension of Street Light Services

*The plan policy and procedures must detail the specific services that will be provided and the dates the services will begin.*

#### Policy

It is the Town's policy that non-capital costs associated with streetlights is paid by the Town.

Operation and maintenance of streetlights is the responsibility of the electric utility company serving the area.

The Fiscal Plan recognizes and adopts the existing policy of fire protection services in the territory to be annexed. It is also the definite policy of the Town to cooperate with established fire protection services and any other appropriate agency or entity, in providing mechanisms and or/resources as may, on a case-by-case basis, be legal and appropriate to provide development in the annexation area to facilitate the realization of the growth potential of the area.

#### Procedure

The procedure for installing fire hydrants in new developments is established in the Zoning Ordinance Section 3.7-District Development Plan Requirements. The section specifically requires a District Development Plan is submitted for approval whenever there is a petition for a rezoning, special exception, contingent use, or variance. Subsection 3.7.3-Requirements part (j) indicates that fire hydrants and other infrastructure is provided and shown on the District Development Plan. The intent is to review the proposed provisions for handling each element of infrastructure including fire hydrants.

Planned services of a noncapital nature, including fire protection and hydrant rental, normally provided within the Town boundaries will be provided to the annexed territory within one (1) year after the effective date of annexation in a manner equivalent in standard and scope to those of noncapital services provided to areas within the Town *regardless* of similar topography, patterns of land use, and population density.

#### **Street and Road Maintenance**

The Sellersburg Street Department maintains the town street system with eight (8) full-time employees. The Street Department not only maintains streets but also is responsible for routine repair and paving, sanitation services, cleaning storm water culverts, opening blocked storm water grates, and snow and ice removal.

Streets within Silver Glade subdivision are within Annexation Area "P." The Town of Sellersburg will maintain these when they are accepted into the town's street system. These streets comprise total .59 miles. Butler Road, a roadway and utility easement, is in Annexation Area "P." As is the definite policy of the Town, when Butler Road meets town street standards, and procedures for acceptance the town will accept it and maintain it.

It is the policy of the Town of Sellersburg to pay the electric utility bill for streetlights. This policy will be extended to Annexation Area "P."

The Town will extend sanitation services including curbside refuse collection and recycling collection to include m Annexation Area "P."

The Town policy requires that subdivision developers install street signs. When streets are accepted into the town will maintain and replace signs as needed. Before being accepted into the town street systems, signs are required to meet the requirement contained in the Indiana Manual on Uniform Traffic Control Devices. These services and pavement marking, traffic signal maintenance and replacement services will be extended to public streets in Annexation Area "P." Existing street signs, pavement marking and traffic signals are described below:

1. One Stop Sign at Silver Glade Trail & Miners Way
2. Street Sign at Silver Glade Trail & Miners Way



Within one [1] year after the effective date of the annexation, the Town will commence animal control services in the Annexation Area in a manner equivalent in standard and scope to those of noncapital services provided areas within the Town *regardless* of similar topography, patterns of land use, and population density.

## **Animal Control and Protection**

Sellersburg has one (1) full-time Animal Control Officer. The animal control officer works a 40-hour week, but is on call 24 hours a day and 7 days a week.

The animal control officer responds to concerns or complaints concerning any animal including nuisance animals, wild animals or other complaints concerning the control of animals.

The Animal Control Protection Department has a truck equipped for animal control services. The truck is relatively new and is well maintained. The Animal Control Officer estimated that the truck has 5 to 10 years of life remaining.

### **Cost Estimate**

*Planned services to be furnished to annexed territory with itemized estimated cost for each Town department.*

Cost is included in the street department budget

### **Methods of Financing the Planned Services**

General Fund

### **Plan for Organization and Extension of Animal Control and Protection Services**

*The plan policy and procedures must detail the specific services that will be provided and the dates the services will begin.*

#### **Policy**

It is the definite policy of the Town to address animal control problems including wild and nuisance animals.

#### **Procedure**

The animal control officer works a 40-hour week, and he officer is on call 24 hours a day and 7 days per week.

Within one (1) year after the effective date of the annexation, the Town will commence animal control services that meet the Town's standards in a manner equivalent in standard and scope to those of noncapital services provided to areas within the Town *regardless* of similar topography, patterns of land use, and population density.

## **Police Protection**

The Sellersburg Police Department has a staff of twelve (12) officers including the Police Chief and Deputy Police Chief and operates three shifts per day. The shift rotation is five days on, three days off and then five days on, two days off.

Officers are not scheduled off for holidays but are paid for nine holidays per year. This method permits the police officers to accrue vacation and sick days each year.

It is a priority of the Town not to decrease proactive police patrol time. Therefore, this annexation will not diminish time for proactive patrol by increasing workload within the same number of work hours.

#### Procedure

Additional funds are included in this plan to assure there is no decrease in proactive patrolling and to provide the service to the annexation area.

Within one [1] year after the effective date of the annexation, the Town will commence providing noncapital services including police protection [public safety] in a manner equivalent in standard and scope to those of noncapital services provided to areas within the Town *regardless* of similar topography, patterns of land use, and population density.

Within one [1] year after the effective date of the annexation, the Town will commence providing noncapital services including police protection [public safety] in a manner equivalent in standard and scope to those of noncapital services provided to areas within the Town *regardless* of similar topography, patterns of land use, and population density.

### **Parks and Recreation**

The town parks already serve persons in the proposed annexation area. The Town has a small park in the center of town at the intersection of New Albany Street and East Utica Street. The Parks & Recreation Board maintains the park.

In the northern part of town just west of Highway 31 and north of Mill View Drive, there is a 5.77-acre park and swimming pool operated and maintained by the Parks and Recreation Board.

The president of the Parks & Recreation Board explains that the board does not currently use the entire budget that is provided by the town. No additional expenses are anticipated because of this annexation.

The township owns and maintains a park located on the east side of town that serves as a regional park. This park also serves persons in the annexation area.

#### **Cost Estimate**

Planned services to be furnished to annexed territory with itemized estimated cost for each Town department.

Cost will be \$1,200

#### **Methods of Financing the Planned Services**

General Fund

#### **Plan for Organization and Extension of Parks and Recreation**

*The plan policy and procedures must detail the specific services that will be provided and the dates the services will begin.*

#### Policy

The town's policy concerning Parks and Recreation can be found in Chapter 5-Public Facilities, in the Sellersburg Comprehensive Plan. Community facility guidelines F-1, 2, 3, 4, 5, 6, 7, and 10 and 11, also establish policy regarding parks and recreation.

Within one [1] year after the effective date of the annexation, the Town will commence providing noncapital services to the same manner equivalent in standard and scope to those of noncapital services provided to areas within the Town *regardless* of similar topography, patterns of land use, and population

### **General/Other Town Functions**

This category includes Town functions other than those previously discussed. Included are the following functions, among possibly others, planning and zoning, Clerk-Treasurer, Town Council, legal, engineering, and inspection services. These are general government functions.

These are not directly involved in the provision of capital and non-capital services discussed in this Fiscal Plan. They provide administrative services to the Town. They oversee the budgetary system, create ordinances, and administer the affairs of the Town of Sellersburg. Legal advice and engineering services are provided on retainer and hourly basis. The Town attorney may initiate punitive action for ordinance violations and respond to requests for legal opinions.

The Clerk-Treasurer oversees the Town budget system after the budgets are approved. The Clerk-Treasurer is responsible for organizing Town council meetings and official record keeping.

The Plan Commission reviews development, building and site plans, issues permits and inspects for code enforcement. The Plan Commission and Board of Zoning Appeals reviews and considers special exceptions and variances to the Zoning Ordinance.

Any services not specifically addressed in this report have not been omitted for lack of consideration. Rather, their absence indicates that provision of these services to the area to be annexed will be provided in the same manner that such services are provided to similar areas within the Town of Sellersburg without the expenditure of additional funds.

### **Cost Estimate**

*Planned services to be furnished to annexed territory with itemized estimated cost for each Town department.*

Cost will be \$3,089. [Table II]

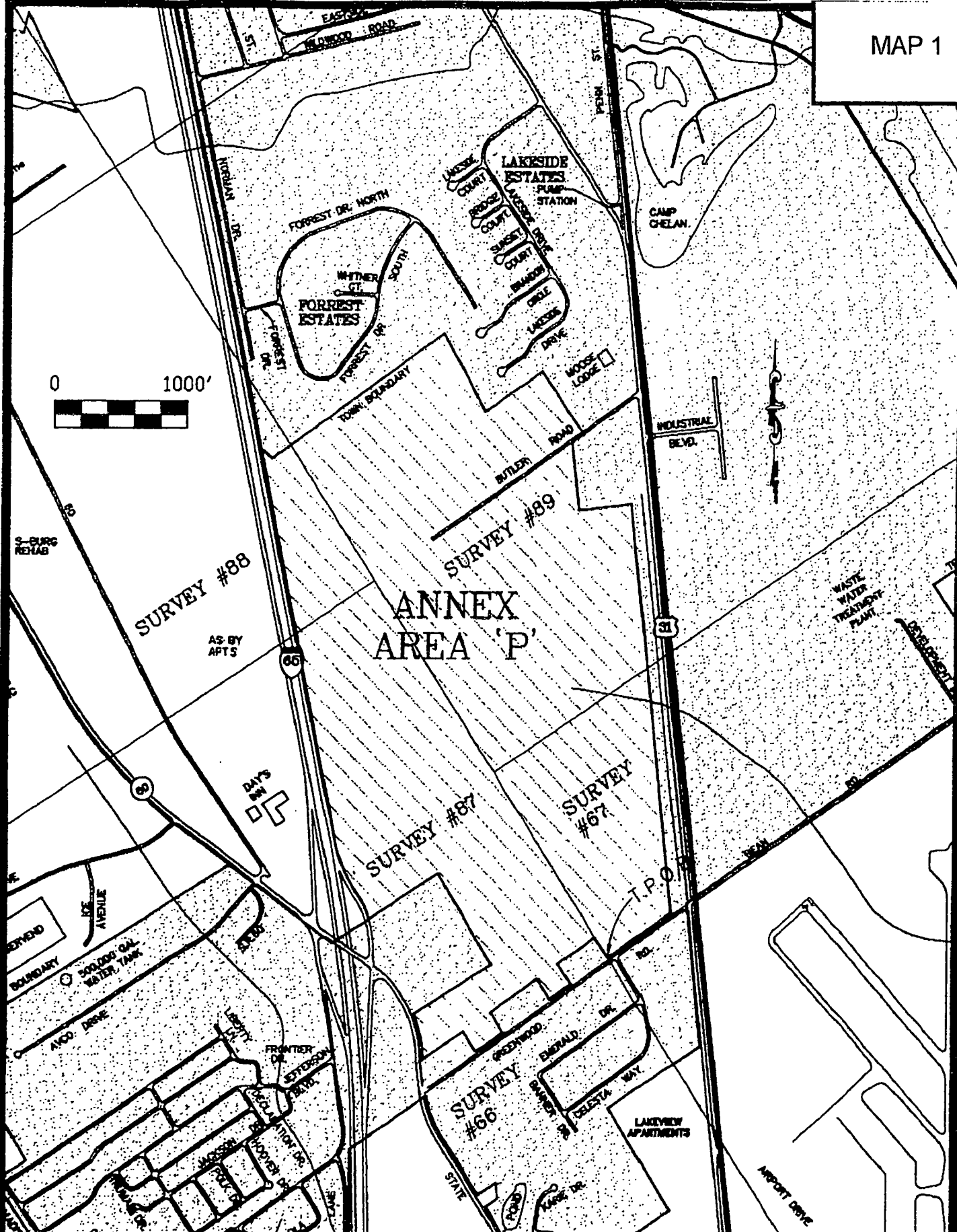
### **Methods of Financing the Planned Services**

General Fund

### **Plan for Organization and Extension of General/Other Town Functions**

*The plan policy and procedures must detail the specific services that will be provided and the dates the services will begin.*

That planned services of a non-capital nature normally provided within the corporate boundaries will be provided to the territory to be annexed within one [1] year after the effective date of annexation, and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries *regardless* of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.



**Town of Sellersburg, Indiana**  
**2001-2002 ANNEX AREA "P"**

**JACOBI, TOOMBS & LANZ, INC.**  
 CONSULTING ENGINEERS  
 120 HELL AVENUE  
 CLARKSVILLE, INDIANA 47129  
 (812) 288-6646



SCALE: 1"=1000'

DATE: 6/25/03

DRAWN: J.A.M.

CHECKED: K.W.J.

APPROVED: J.H.T.

JOB No. 882382

June 24, 2003

EXHIBIT 1  
DESCRIPTION OF  
SELLERSBURG 2001/2002 ANNEX AREA 'P'

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

Beginning at the east corner of Grant 87, said point also being the southeasterly corner of a tract recorded at Deed Drawer 28, Instrument No. 9067, being a point in the boundary line of the Town of Sellersburg, and the True Place of Beginning.

Thence the following courses of the boundary:

- North 35 deg. 00 min. 00 sec. West, 217.80 feet, more or less, along said tract's northeasterly line and the line dividing Grants 67 and 87, with the Town Boundary;
- South 53 deg. 43 min. 25 sec. West, 172.00 feet, more or less, leaving said dividing line continuing along the Town Boundary to the northeast corner of a tract recorded at Deed Drawer 19, Instrument No. 14609;
- South 50 deg. 00 min. 00 sec. West, 200.00 feet, more or less, along the northwesterly line of said tract and the Town Boundary;
- South 50 deg. 10 min. 00 sec. East, 217.80 feet, more or less, along said tract and the Town Boundary to the line dividing Grants No. 66 and 87;
- South 53 deg. 43 min. 25 sec. West, 200.00 feet, more or less, leaving said tract, along said dividing line, the Town Boundary and the line of a tract recorded at Deed Drawer 22, Instrument No. 14219;
- North 35 deg. 00 min. 00 sec. West, 217.80 feet, more or less, leaving said dividing line along the line of said tract and the Town Boundary;
- South 53 deg. 43 min. 25 sec. West, 169.64 feet, more or less, continuing along the line of said tract and the Town Boundary to the easterly corner of a tract recorded at Deed Drawer 21, Instrument No. 2227;
- South 53 deg. 43 min. 21 sec. West, 230.36 feet, more or less, along said tract and the Town Boundary;
- South 35 deg. 00 min. 00 sec. East, 217.80 feet, more or less, along said tract and the Town Boundary to the line dividing Grants 66 and 87;
- South 53 deg. 43 min. 25 sec. West, 251.20 feet, more or less, along said dividing line and the Town Boundary;
- North 35 deg. 00 min. 00 sec. West, 217.80 feet, more or less, leaving said dividing line along the Town Boundary and the line of said tract recorded at Deed Drawer 21, Instrument No. 2227;
- South 53 deg. 43 min. 25 sec. West, 295.18 feet, more or less, along the line said tract and the Town Boundary to the easterly right-of-way of S.R. 60;

North 9 deg. 53 min. 50 sec. West, 36.97 feet, more or less, along said right-of-way, said tract and the Town Boundary;

North 12 deg. 18 min. 50 sec. West, 209.06 feet, more or less, continuing along said right-of-way, said tract and the Town Boundary;

North 4 deg. 55 min. 30 sec. East, 114.56 feet, more or less, continuing along said right-of-way, said tract and the Town Boundary to the southerly corner of a tract recorded at Deed Record 253, page 262;

North 53 deg. 44 min. 00 sec. East, 600.00 feet, more or less, along said tracts southeasterly line and the Town Boundary to the east corner of said tract;

North 36 deg. 16 min. 00 sec. West, 750.17 feet, more or less, along said tract and the Town Boundary;

South 55 deg. 24 min. 00 sec. West, 432.83 feet, more or less, along said tract line and the Town Boundary to the easterly right-of-way of Interstate 65;

North 65 deg. 44 min. 27 sec. West, 123.08 feet, more or less, leaving said Town Boundary, along said interstate right-of-way and the line of a tract recorded at Deed Drawer 22, Instrument No. 14218;

North 27 deg. 40 min. 29 sec. West, 418.59 feet, more or less, along said Interstate and said tract;

North 12 deg. 46 min. 00 sec. West, 600.00 feet, more or less, along said Interstate and said tract;

North 14 deg. 40 min. 33 sec. West, 300.17 feet, more or less, along said Interstate and said tract;

North 12 deg. 46 min. 00 sec. West, 767.22 feet, more or less, along said Interstate and said tract to the southwesterly corner of a tract recorded at Deed Drawer 22, Instrument No. 14216;

North 12 deg. 46 min. 00 sec. West, 1548.37 feet, more or less, along said interstate right-of-way and said tract to the Town Boundary, being also the boundary of Forrest Estates Subdivision Section 3, recorded at Plat Book 8, page 20;

South 34 deg. 22 min. 35 sec. East, 224.08 feet, more or less; along said Section 3 line and said Town Boundary;

North 54 deg. 52 min. 56 sec. East, 1562.06 feet, more or less, along said Section 3 line and said Town Boundary to the southerly corner of Section 2 of said Forrest Estates Subdivision;

North 54 deg. 52 min. 56 sec. East, 46.00 feet, more or less, continuing along said Town Boundary and the southerly line of said Section 2 to the westerly corner of Lakeside Estates First Addition, recorded at Plat Book 11, page 56;

South 30 deg. 48 min. 36 sec. East, 660.25 feet, more or less, along said Lakeside line and the Town Boundary;

North 53 deg. 44 min. 41 sec. East, 532.83 feet, more or less, along said Lakeside line, the Town Boundary, and the line of a tract recorded at Instrument 200120821;

South 32 deg. 46 min. 19 sec. East, 330.84 feet with the northeast line of said tract recorded at Instrument No. 200120821 and the Town Boundary to the north corner of a tract recorded at Deed Drawer 27, Instrument No. 14773;

South 37 deg. 31 min. 00 sec. East, 217.87 feet, more or less, along said tract's northeasterly line and the Town Boundary;

South 37 deg. 31 min. 00 sec. East, 20.00 feet, more or less, crossing Butler Road along said Town Boundary;

South 54 deg. 00 min. 00 sec. East, 75.00 feet, more or less, along said Town Boundary to the northerly corner of a tract recorded at Deed Record 233, page 278;

South 12 deg. 34 min. 00 sec. East, 494.00 feet, more or less, along the lines of said tract and the Town Boundary;

North 77 deg. 26 min. 00 sec. East, 291.00 feet, more or less, along the lines of said tract and the Town Boundary;

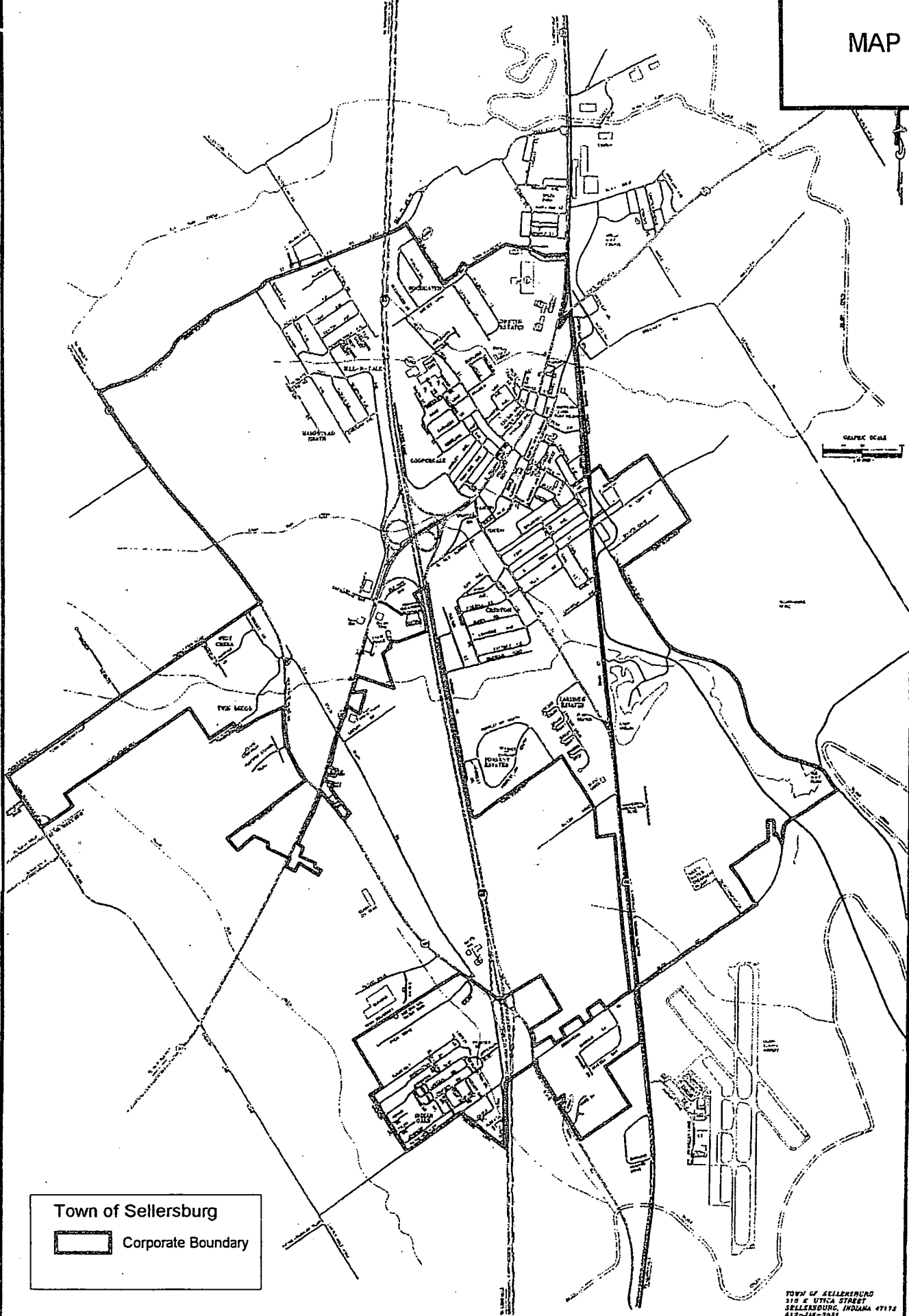
South 12 deg. 34 min. 00 sec. East, 1358.10 feet, more or less, along the Town Boundary being parallel to U.S. 31, to the northern line of a tract recorded at Deed Drawer 25, Instrument No. 20679;


Southwardly 881.16 feet, more or less, along said Town Boundary and parallel to U.S. 31 to the line of a tract recorded at Deed Drawer 22, Instrument No. 14217;

South 07 deg. 35 min. 00 sec. East, 804.41 feet, more or less, along said Town Boundary and parallel to U.S. 31 to Greenwood Road;

South 54 deg. 01 min. 00 sec. West, 685.80 feet, more or less, along the Town Boundary and Greenwood Road to the True Place of Beginning and containing 239 acres of land.

It is the intent of this description to annex everything north of the Town Boundary along Greenwood Road, east of Interstate 65, south of the Town Boundary at Forrest Estates and west of the Town Boundary along U.S. 31.



Town of Sellersburg  
 Corporate Boundary


TOWN OF SELLERSBURG  
 310 E. UTICA STREET  
 SELLERSBURG, INDIANA 47172  
 812-244-2021

1  
 SHEETS  
 1 OF 2  
 SCALE  
 1" = 800'

TOWN OF SELLERSBURG, INDIANA  
 TOWN MAP

DATE: 11-5-98  
 DRAWN: J. McMahon  
 CHECKED: J. Toombs  
 APPROVED:

JACOBI, TOOMBS & LANZ, INC.  
 CONSULTING ENGINEERS  
 120 BELL AVENUE  
 CLARKSVILLE, INDIANA 47129  
 (812) 288-6846

 M.V. SHEETS  
 1  
 2  
 3  
 4



ANNEX AREA PL

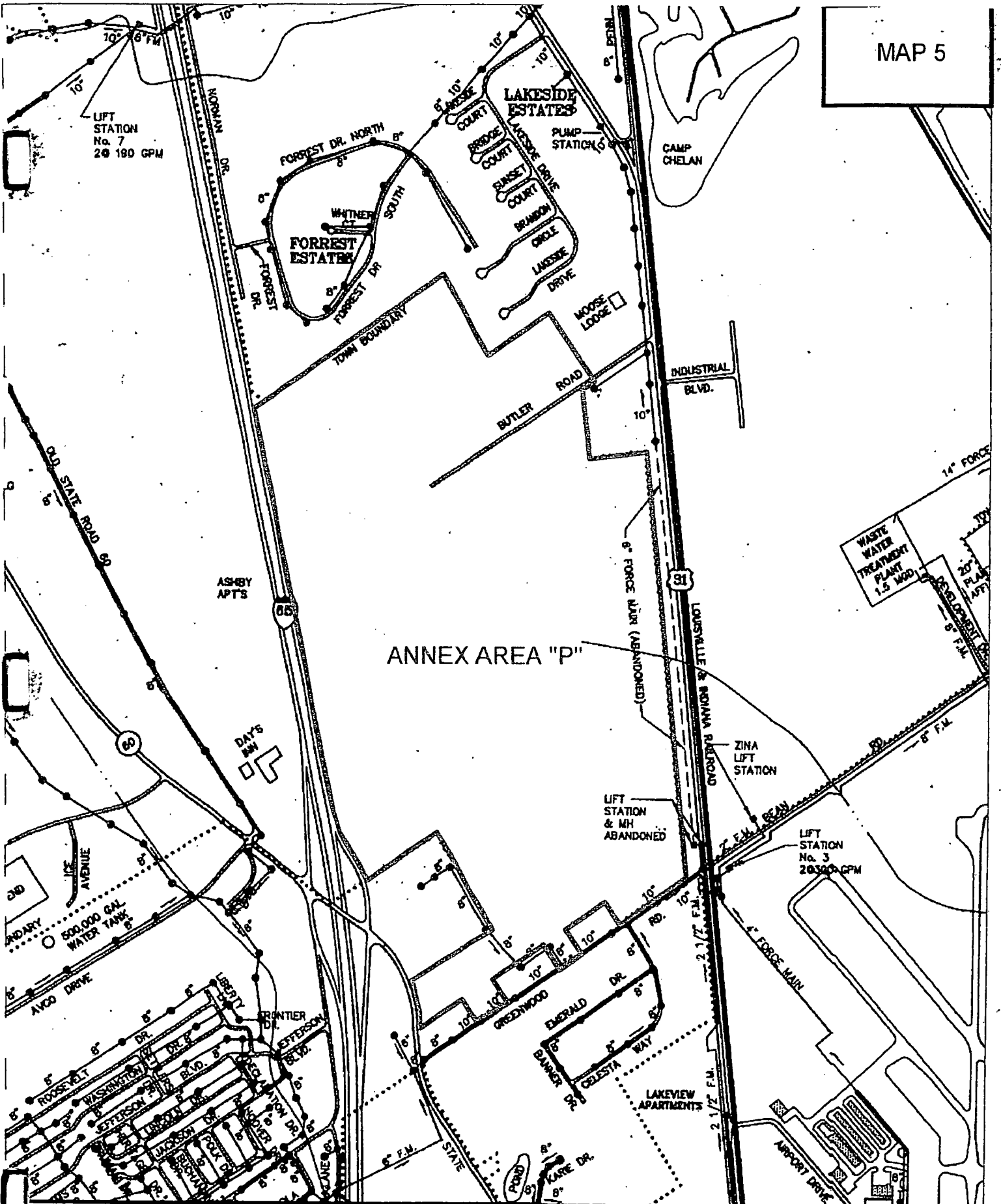
Town of Sellersburg  
Clark Co Existing Zoning

- Agricultural (1)
- R2 (2)
- B2 (2)





United States Department of Agriculture  
Soil Conservation Service  
In cooperation with  
Purdue University Agricultural Experiment Station  
Issued August 1974



ANNEX AREA "P"

TOWN OF SELLERSBURG, INDIANA  
TOWN MAPPING PROJECT  
SELLERSBURG, INDIANA

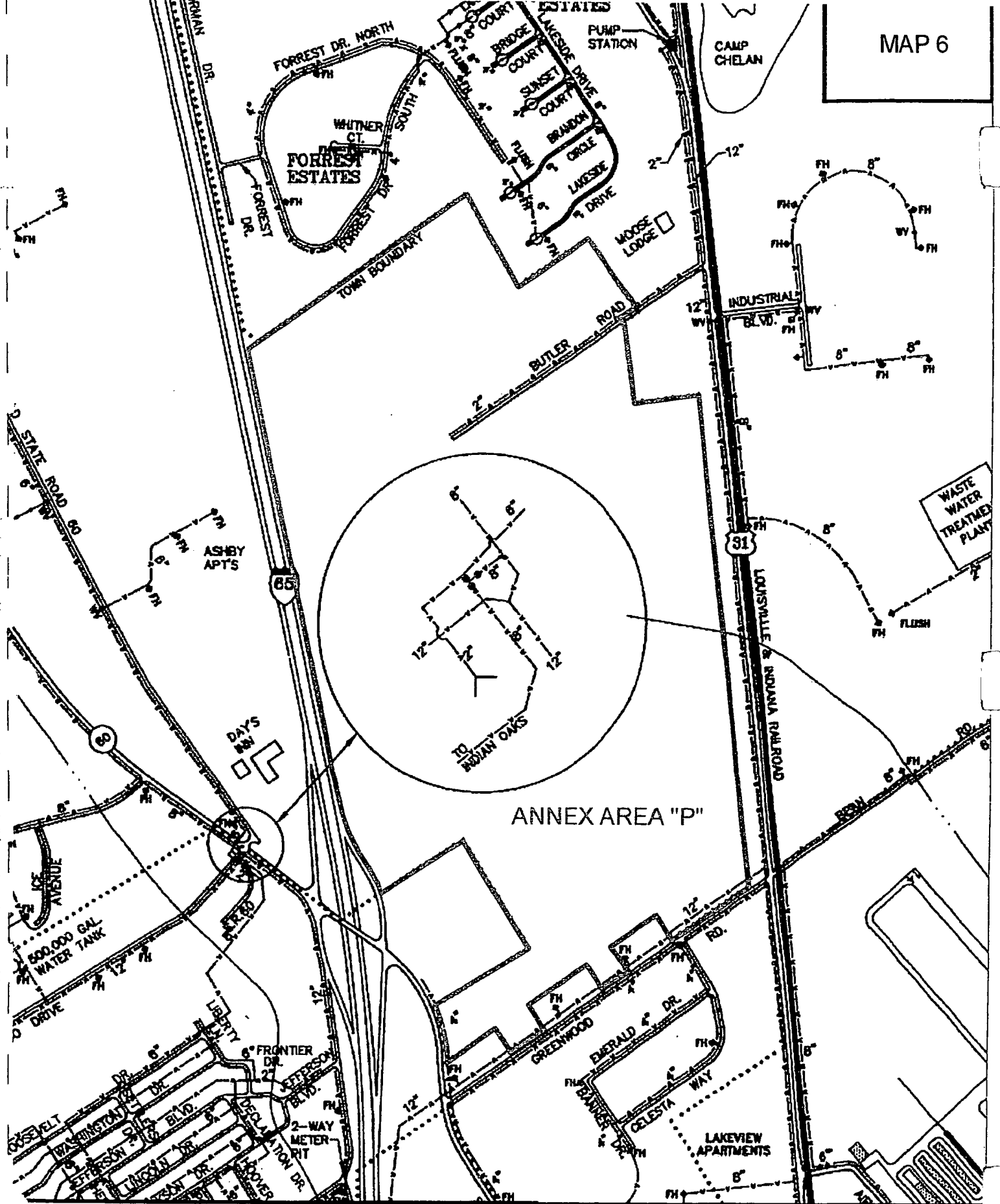
SEWER MAP

DATE:	11-5-88
DRAWN:	J.A.M.
CHECKED:	B.T.B.
APPROVED:	J.H.T.

JACOBI, TOOMBS & LANZ, INC.  
CONSULTING ENGINEERS  
120 BELL AVENUE  
CLARKSVILLE, INDIANA 47129  
[812] 288-6646

REVISIONS

- 1
- 2
- 3
- 4



TOWN OF SELLERSBURG, INDIANA  
TOWN MAPPING PROJECT  
SELLERSBURG, INDIANA

DATE: 11-5-88  
DRAWN: J.A.M.  
CHECKED: B.T.B.  
APPROVED: J.H.T.

JACOBI, TOOMBS & LANZ, INC.  
CONSULTING ENGINEERS  
120 BELL AVENUE  
CLARKSVILLE, INDIANA 47129  
[812] 288-6646

REVISIONS	
1	December, 27, 2001
2	
3	
4	

**WATER MAP**

TABLE I  
TOTAL OPERATING COSTS PER EMPLOYEE BY SERVICE FUNCTION  
ANNEXATION AREA "P" FISCAL PLAN

<b>PUBLIC SERVICE FUNCTIONS</b>	<b>TOTAL OPERATING COST</b>	<b>TOTAL EXISTING EMPLOYEES</b>	<b>AVERAGE OPERATING COST PER EMPLOYEE</b>
<b>MUNICIPAL FUNCTIONS</b>			
<b>GENERAL GOVERNMENT</b>			
Finance Administration	\$203,528	3.0	\$67,843
General Public Building	55,298	0.2	276,490
General Control	313,260	1.6	195,788
<b>PUBLIC SAFETY</b>			
Police	651,602	17.5	37,234
Fire	0 <sup>1</sup>		
<b>PUBLIC WORKS</b>			
Streets	555,377	6.5	85,443
Sewerage	0 <sup>2</sup>		
Sanitation	156,382	2.5	62,553
Water	0 <sup>2</sup>		
<b>RECREATION AND CULTURE</b>			
Park & Recreation	92,655	4.0	23,164

<sup>1</sup>These Service Standard Method does not applied to these function due to the contracting of the operations.

<sup>2</sup>These figures do not applied because the territory is already served

TABLE II  
 SERVICE STANDARD METHOD<sup>1</sup> FOR SELLERSBURG  
 ANNEXATION AREA "P" FISCAL PLAN

Anticipated Population	140	Manpower Ratios <sup>2</sup> for Population Size Group	Estimated Number of Future Employees	Operating Expense Per Future Employee	Total Annual Operating Costs by Function
<b>MUNICIPAL FUNCTIONS</b>					
<b>GENERAL GOVERNMENT</b>					
Finance Administration		0.07	0.01	67,843	\$660
General Control		0.09	0.01	195,788	2,429
<b>PUBLIC SAFETY</b>					
Police		1.77	0.25	37,234	9,227
Fire				3	
<b>PUBLIC WORKS</b>					
Streets		1.13	0.16	85,443	13,517
Sanitation		0.27	0.04	62,553	2,400
<b>RECREATION AND CULTURE</b>					
Park & Recreation		0.37	0.05	23,164	1,200

<sup>1</sup> Service Standard Method Augmented with the Case Study Method

<sup>2</sup> 2001 Public Employment Data, Local Government State of Indiana


<sup>3</sup> The Service Standard Method does not apply to this function because fireprotection is provided by Tri-Township Fire District



TABLE III  
REVENUE SOURCES BY FUND

GENERAL FUND

- General Property Taxes
- Financial Institution Tax
- Commercial Vehicle Excise Tax
- Building and Planning Permits
- Liquor Excise Tax Distribution
- Liquor Gallonage Tax Distribution
- Cigarette Tax Distribution T
- Garbage and Trash Collection Fees
- Contractual Services
- Court Costs
- Interest on Investments
- Miscellaneous Revenue
- Insurance Reimbursements
- Other Refunds
- Other Reimbursement



MOTOR VEHICLE HIGHWAY FUND

- Building and Planning Permits
- Motor Vehicle Highway Distribution

LOCAL ROAD AND STREET FUND

- Local Road and Street Distribution

LAW ENFORCEMENT CONTINUING ED FUND

- Police Reports
- Charges for Other Services

PARK AND RECREATION FUND

- General Property Taxes
- Financial Institution Tax
- Auto and Aircraft Excise Tax
- Swimming Pool Receipts
- Concession Stands
- Other Refunds

CUMULATIVE CAPITAL IMPROVEMENT CIGARETTE TAX FUND

- Cigarette Tax Disbursement - General Fund

CUMULATIVE CAPITAL DEVELOPMENT FUND

- General Property Taxes
- Financial Institution Tax
- Auto and Aircraft Excise Tax



POLICE PENSION FUND

- General Property Taxes

# Appendix A

## Service Standard Method Modified with Case Study Method

There are six fiscal impact analysis methods. These were evaluated to determine the suitability of each method for use in the analysis of Sellersburg's proposed annexation alternatives. The Service Standard Method was determined to be the most appropriate method when factors such as time, cost, accuracy, and amount of detail were considered.

### Service Standard Method

The Service Standard Method has been used since the efficiency and time motion studies of the 1940's and more recently has been utilized to predict the local fiscal impact of population change resulting from development, land use alternatives, and annexation. Currently, the method is widely accepted as a legitimate technique to project fiscal impact of growth. The Service Standard Method is almost always used in annexation analyses where there is a desire to us estimate the necessary increments of both manpower and capital facilities by service function. The Service Standard Method is most suited for medium sized moderately growing cities with populations between 10,000 and 50,000 because it uses mean employment levels and median capital to operating service ratios. More data is available for midsize moderately growing communities than extremely large or small communities so that the ratios used to project fiscal impact are more reliable and representative of the Town of Sellersburg that fit the midsize moderately growing criteria. Because Sellersburg does not have a population of 10,000 persons it was determined that the Service Standard Method should be modified with interviews and research to generate original data so that cost and revenues could be projected utilizing ratios and all other data specific to the Town of Sellersburg. These include the actual public employment excess or deficiency of each service category determined by the extensive interviews and research.

The Service Standard Method uses averages of manpower and capital facility service ratios, obtained from the U.S. Census of Governments, for municipalities of a similar size and geographic location. Once the increase in population attributable to annexation is known and the manpower service ratios for each service category are obtained, the increase in employment for each service category resulting from annexation can be projected by multiplying the manpower service ratio by the population increase per 1,000. The manpower service ratios are averages of the number of people per 1,000 population employed in each service category in cities or towns of similar size and geographic area and are used to estimate the necessary increase in the number of employees for each service category. Continuing the process, it is necessary to calculate the actual average operating expense per employee for each service category by dividing total annual operating expenses per service category by the actual number of employees



involves extensive interviews and ground floor research to generate original data so that cost and revenues can be projected utilizing ratios and all other data specific to the municipality including the actual public employment excess or deficient capacity of each service category as determined by the extensive interviews and research. Although the Case Study Method provides the most detail specific to the municipality conceivably possible, it is extremely time-consuming and expensive to implement and is most often used for extreme cases in cities that deviate from the n The case study method is the second most frequently used method, having been used in approximate 15% of the fiscal impact analysis to date. It is employed for both residential and nonresidential analysis.

The method projects future local cost based on specific future service demand determined by interviewing municipal department heads. The case study method assumes that each department had knows the functional capacity of the of his department and can respond most effectively and accurately to specific questions of future service extensions. Each determination of local service excess or deficiencies is based on first-hand knowledge of existing local conditions. The results are either subtracted from or added to the best estimate of operating and capital demands imposed by growth.

The most important input to ineffective case study analysis is the information derived through the cooperation of local officials. Consequently, it is crucial to contact key officials and department heads to inform them of the studies objectives and to elicit their support. The importance of this first step cannot be overemphasized. If the analyst has not approached the most knowledgeable local officials, the case study method will not be effective.

The case study approach takes three to four times longer than most other fiscal impact projection techniques. The case study method employs intensive site-specific investigations to determine categories of excess or slack public service capabilities.

### **Modified Service Standard Method with Case Study Interviews and Research**

It was determined that the Service Standard Method would be utilized for the fiscal plan of Annexation Area "M". Additionally, it was determined that the Service Standard Method should be augmented with by the Case Study Method to be as accurate and credible as possible in estimating costs and effects of growth.

APPENDIX B

TOWN OF SELLERSBURG  
ANNEXATION--AREA "P" PROPERTY OWNERS

Updated 7/2/03

Last Name	First Names	Second Name	Key #	House #	Mailing Address	City, State & Zip
Byrd	James T. & Billy L.		9-49-020	417	Miners Way	Sellersburg, IN 47172
Byrd	James T. & Billy L.		9-49-021	417	Miners Way	Sellersburg, IN 47172
Spear	Mark W. & Tanya		9-49-022	825	Weaver Road	Memphis, IN 47143
Lynn Homes, LLC			9-49-023	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Lynn Homes, LLC			9-49-024	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-025	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Everitt	Stephen B.		9-49-026	12104	Covered Bridge Road	Sellersburg, IN 47172
Silver Glade, LLC			9-49-027	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-028	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-029	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-030	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-031	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Spear	Mark & Tanya		9-49-032	825	Weaver Road	Memphis, IN 47143
Lynn Homes, LLC			9-49-033	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Lynn Homes, LLC			9-49-034	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Lynn Homes, LLC			9-49-035	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Phillips	Paul W.		9-49-036	4206	Lakeside Drive	Sellersburg, IN 47172
Brown	Jerry & Martha		9-49-037	4204	Lakeside Drive	Sellersburg, IN 47172
Lindsey	Jason & Jennifer		9-49-038	4202	Lakeside Drive	Sellersburg, IN 47172
Silver Glade, LLC			9-49-039	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
RAS Investment, LLC			9-49-040	14505	Fawn Hill Place	Louisville, KY 40204
Ramer	Stephen A. & Susan		9-49-041		P.O. Box 66	Sellersburg, IN 47172
Ramer	Kevin &	Andrew Dunsford	9-49-042	4804	Darvin Drive	Jeffersonville, IN 47130
Tanco Building, Inc.			9-49-043		P.O. Box 444	Floyds Knobs, IN 47119
Silver Glade, LLC			9-49-044	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Schlier	John & Pamela		9-49-045	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Lynn Homes, LLC			9-49-046	4210	Silver Glade Trail	Sellersburg, IN 47172
Lynn Homes, LLC			9-49-047	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Everitt	Stephen		9-49-048	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Jones	Steven & Christina		9-49-049	12104	Covered Bridge Road	Sellersburg, IN 47172
Silver Glade, LLC			9-49-050	4202	Silver Glade Trail	Sellersburg, IN 47172
Silver Glade, LLC			9-49-051	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Pittman	Pamela J.		9-49-052	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Lewis	Charles & Karen		9-49-053	7937	Lake Drive	Sellersburg, IN 47172
Silver Glade, LLC			9-49-054	311	McConnell Drive	New Albany, IN 47150
Silver Glade, LLC			9-49-055	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-056	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150

**TOWN OF SELLERSBURG**  
**ANNEXATION--AREA "P" PROPERTY OWNERS**  
 Updated 7/2/03

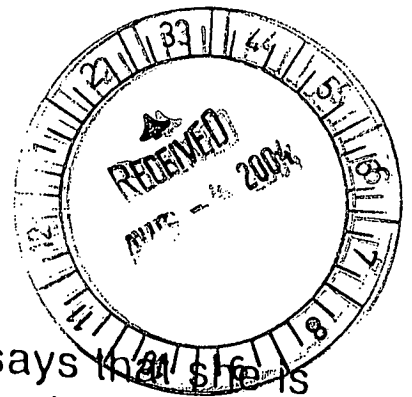
**APPENDIX B**

Last Name	First Names	Second Name	Key #	House #	Mailing Address	City, State & Zip
Silver Glade, LLC			9-05-094	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Costlin	Chris & Robin		9-05-099	1090	S. Indiana Avenue	Sellersburg, IN 47172
Lanham	Michael		9-05-098	1092	S. Indiana Avenue	Sellersburg, IN 47172
Isenberg	Harry & Tommie		9-05-092	8801	Coldstream Drive	Sellersburg, IN 47172
Silver Glade, LLC			9-05-018	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Vacated & Silver Glade, LLC			9-05-100	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Vacated & Silver Glade, LLC			9-05-097	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Bartlett, Jr.	James & Mary Ann		9-05-090	1086	Buller Road	Sellersburg, IN 47172
Davis, Jr.	Raymond & Jessica		9-05-096	1086	S. Indiana Avenue	Sellersburg, IN 47172
Hartlage, II	Robert & Vickie		9-05-069	8011	Highway 31-E	Sellersburg, IN 47172
Dickson	Elvin E. & Barbara		9-05-095	1090	S. Indiana Avenue	Sellersburg, IN 47172
Deis	Bernadine L. & George P.		9-05-001	7615	Highway 31-E	Sellersburg, IN 47172
Mohlenkamp	Robert L.	9-05-019	9-05-019	10517	Eagle Pines Lane	Louisville, KY 40223
Mohlenkamp	Robert L.		9-05-087	10517	Eagle Pines Lane	Louisville, KY 40223
Ballard Petroleum Corporation	c/o Robert L. Mohlenkamp		9-05-071	10517	Eagle Pines Lane	Louisville, KY 40223
State of Indiana			9-05-084	601	State Office Building	Indianapolis, IN 46204
State of Indiana			9-05-085	601	State Office Building	Indianapolis, IN 46204
Mohlenkamp	Robert L.		9-05-021	10517	Eagle Pines Lane	Louisville, KY 40223
Mohlenkamp	Robert L.		9-05-042	10517	Eagle Pines Lane	Louisville, KY 40223
State of Indiana			9-05-086	601	State Office Building	Indianapolis, IN 46204
Mohlenkamp	Robert L.		9-02-005	10517	Eagle Pines Lane	Louisville, KY 40223
State of Indiana			9-02-046	601	State Office Building	Indianapolis, IN 46204
Francke	David A.		9-02-006	9134	Virginia Heights	Sellersburg, IN 47172
Francke	David A.		9-02-042	9134	Virginia Heights	Sellersburg, IN 47172
Schipper	Doris A. &	Karen E. Peterson	9-02-043	2809-C	Fall Creek	Spicewood, TX 78669
Cooke	Dale P. & June M.		9-49-001	4106	Silver Glade Trail	Sellersburg, IN 47172
Silver Glade, LLC			9-49-002	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-003	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Cummins Construction Co., Inc.			9-49-004	6505	Whispering Oaks Drive	Charlestown, IN 47111
Silver Glade, LLC			9-49-005	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-006	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Ridder	Louise L.		9-49-007	4106	Miners Way	Sellersburg, IN 47172
Ross	Jennifer		9-49-008	4104	Miners Way	Sellersburg, IN 47172
Silver Glade, LLC			9-49-009	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-010	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Mongold Construction, Inc.			9-49-011	150	Hanger Avenue	Sellersburg, IN 47172
Mongold Construction, Inc.			9-49-012	150	Hanger Avenue	Sellersburg, IN 47172
Mongold Construction, Inc.			9-49-013	150	Hanger Avenue	Sellersburg, IN 47172
Mongold Construction, Inc.			9-49-014	150	Hanger Avenue	Sellersburg, IN 47172
Silver Glade, LLC			9-49-015	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150
Silver Glade, LLC			9-49-016	713	Mt. Tabor Road, Suite 4	New Albany, IN 47150

Proof  
Of  
Publication

**PUBLIC NOTICE**  
Notice is hereby given that the Town Council of the Town of Sellersburg, Indiana, on July 12, 2004, passed a resolution declaring that 2.373 acres off of Bean Road, Sellersburg, is an economic revitalization area in accordance with IC 6-1-1-12.1.1 et seq. That a copy of the request to determine the area an economic revitalization area (which includes a legal description of the area) is available for inspection in the County Assessor's Office, City-County Building, Court Avenue, Jeffersonville, Indiana 47130, and/or the office of the Clerk of the Town of Sellersburg. Further, that the Board of Trustees of the Town of Sellersburg, Indiana, will on the 9th day of August, 2004, at 7:00 o'clock p.m. EDT, hear all remonstrances and objections from interested persons. After considering the evidence, the Board of Trustees of the Town of Sellersburg, shall take final action determining whether the qualifications for an economic revitalization area have been met and will confirm, modify and confirming or rescinding the resolution. Dated this 12th day of July, 2004.  
July 19,

STATE OF INDIANA  
COUNTY OF CLARK - SS



Rebecca McDaniel On oath says that she is bookkeeper of the Evening News and in the employ of the publisher of

**THE EVENING NEWS,**

a daily newspaper of general circulation printed and published in the city of Jeffersonville, Clark County, State of Indiana, and further says that the annexed advertisement was published in said paper for # ( 1 ) time(s) to-wit: In issue of said Evening News dated: July 19, 2004.

(x) Rebecca McDaniel

STATE OF INDIANA  
COUNTY OF CLARK

Subscribed and sworn to before me this 26<sup>th</sup> day of July, 2004.

(x) Jean Gibson  
JEAN GIBSON  
Notary Public, Clark County, Indiana

(My Commission Expires)  
October 11, 2006

Publication  
Fee \$ 35.02

06504928

8-404  
Pd. ch # 8054

**RESOLUTION NO. R-2004-004**

**PRELIMINARY**

**RESOLUTION OF THE TOWN COUNCIL OF SELLERSBURG,  
INDIANA, DESIGNATING A CERTAIN AREA WITHIN THE TOWN  
OF SELLERSBURG AS AN ECONOMIC REVITALIZATION AREA  
FOR THE PURPOSES OF REAL AND PERSONAL PROPERTY TAX ABATEMENT**

WHEREAS, a Petition to determine the following area to be an area desirable for an Economic Revitalization Area has been filed with the Clerk of the Town of Sellersburg, Indiana, for consideration by the Town Council for the Town of Sellersburg, Indiana, hereinafter called Town Council, said area is located on Enterprise Way in the Town of Sellersburg, and is more particularly described as follows:

(See attached Exhibit "A")

The foregoing area is eligible for designation as an economic revitalization area under provisions I.C. 6-1.1-12.1-1 et. seq.; and

WHEREAS, the Town Council has concluded pursuant to an investigation and other information provided that the area qualifies as an economic revitalization area under I.C. 6-1.1-12.1-1 et. seq., and has further created a map and plat showing the boundaries and such other information regarding the area in question as required by law. It is, now, therefore

WHEREAS, the Town Council has determined that additional value will be added to the tax rolls by the redevelopment and rehabilitation that can be reasonably expected to occur by the projects that will result in the area so designated. Additionally, an increase in numbers of individuals will be employed or whose employment will be retained can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

That additional annual salaries of those individuals or whose employment will be retained can reasonably be expected to result from the proposed redevelopment or rehabilitation;

That the other benefits about which information was requested of benefits that can be reasonably be expected to result and proposed described redevelopment or rehabilitation; and

WHEREAS, the Town Council for the Town of Sellersburg, hereby finds that the area described is an economic revitalization area in accordance with I.C. 6-1.1-12.1-2.

WHEREAS, the totality of benefits is sufficient to justify the deductions, all of which satisfy the requirements of I.C. 6-1.1-12.1.3, and can be reasonably expected to result in the rehabilitation of real property or the redevelopment thereof and

the installation of new manufacturing equipment.

WHEREAS, the Town Council hereby determines and finds that the proposed redevelopment and rehabilitation of Real Estate and installation of new manufacturing equipment can be reasonably expected to yield benefits and is sufficient to justify the deductions granted and made available under I.C. 6-1.1-12.1-4.5 and I.C. 6-1.12.1-3 of the Indiana Code.

WHEREAS, the Town Council hereby designates the area heretofore set out, an economic revitalization area for the purposes of real and personal property tax abatement and hereby makes such a designation.

The Town Council hereby determines that the property owner who qualifies for and is granted property tax deductions will be for a period of ten years for manufacturing equipment and ten years for real property.

The Town Council directs the Clerk of the Town of Sellersburg to cause notice that the adoption of this preliminary resolution determining the area to be an economic revitalization area for personal and real property tax shall be published and that said publication providing the date and notice of a public hearing for the Town Council to hear all remonstrances and objections from interested persons and to confirm, rescind or modify this proposed declaration.

BE IT RESOLVED, by the Town Council as follows:

1. The Town Council hereby determines and finds that application/applications for real and personal property tax abatement shall be accepted by the Town Council for the Town of Sellersburg and determined under the provisions of I.C. 6-1.1-12.1-1 et. seq.; and

2. The Town Council hereby determines and finds that the Petition to designate the foregoing area as an economic revitalization area for the purposes of real and personal property tax abatement shall be and hereby is approved.

3. The Town Council hereby determines and finds that the purposes of an economic revitalization area as defined by law would be served by allowing deductions;

4. That a statement of benefits is not waived and must be submitted to the Town Council and approved by the Town Council.

BE IT FURTHER RESOLVED by the Town Council upon submission of an application for deduction presented by the Statement of Benefits filed by the applicant and approved by the Town Council for the town of Sellersburg, shall be entitled to deductions for a period of ten (10) years from improvements of real property, pursuant to I.C. 6-1.1-12.1-3(d) and I.C. 6-1.1-12.1-4(d)(10) and ten years

from 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.

This Resolution shall be in full force and effect from and after the hearing to be conducted as set out herein and the date of its' final adoption by the Town Council.


PRELIMINARILY PASSED AND ADOPTED this 12th day of July, 2004, by the Town Council for the Town of Sellersburg, Indiana.

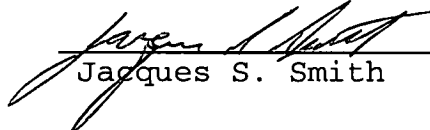
SO ORDAINED this 12<sup>th</sup> day of July, 2004.

TOWN COUNCIL, TOWN OF SELLERSBURG

  
\_\_\_\_\_  
Douglas J. Reiter

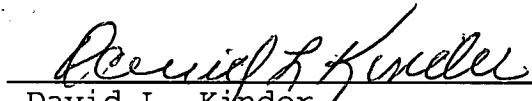
  
\_\_\_\_\_  
Trinette Imhof

  
\_\_\_\_\_  
Danny F. Yost

  
\_\_\_\_\_  
Jacques S. Smith

  
\_\_\_\_\_  
Michael N. Lockhart

Attest:

  
\_\_\_\_\_  
David L. Kinder  
Clerk/Treasurer

c:\client\abatement\giraffe\prel

"EXHIBIT A"

Being a part of Illinois Grant Survey No. 67 in Clark County, Indiana, and being part of the property conveyed to Team Properties, Deed Drawer 28, Instrument No. 20,385, said part being more particularly described as follows: Commencing at the North corner of Illinois Grant Survey No. 67, thence with the line dividing Surveys No. 67 and 89, South 54 deg. 54 min. 14 sec. West 1854.08 feet to an iron pipe; thence South 35 deg. 00 min. 46 sec. East 597.14 feet to a found rebar, thence South 54 deg. 51 min. 23 sec. West 273.43 feet to a set rebar at the true point of beginning of the tract being herein described, thence South 35 deg. 08 min. 16 sec. East 183.73 feet to a rebar, thence South 54 deg. 43 min. 32 sec. West 308.42 feet to a set rebar, thence South 35 deg. 08 min. 16 sec. East 212.22 feet to a set rebar, thence South 55 deg. 01 min. 16 sec. West 118.10 feet to a found rebar, thence North 34 deg. 58 min. 44 sec. West 396.31 feet to a found rebar, thence North 54 deg. 51 min. 23 sec. East 425.43 feet to the true point of beginning, containing 2.373 acres, more or less.

c:\client\abatement\giraff\exhibita



RESOLUTION NO. R-2004-004

FINAL

RESOLUTION OF THE TOWN COUNCIL OF SELLERSBURG,  
INDIANA, DESIGNATING A CERTAIN AREA WITHIN THE TOWN  
OF SELLERSBURG AS AN ECONOMIC REVITALIZATION AREA  
FOR THE PURPOSES OF REAL AND PERSONAL PROPERTY TAX ABATEMENT

WHEREAS, a Petition to determine the following area to be an area desirable for an Economic Revitalization Area has been filed with the Clerk of the Town of Sellersburg, Indiana, for consideration by the Town Council for the Town of Sellersburg, Indiana, hereinafter called Town Council, said area is located on Enterprise Way in the Town of Sellersburg, and is more particularly described as follows:

(See attached Exhibit "A")

The foregoing area is eligible for designation as an economic revitalization area under provisions I.C. 6-1.1-12.1-1 et. seq.; and

WHEREAS, the Town Council has concluded pursuant to an investigation and other information provided that the area qualifies as an economic revitalization area under I.C. 6-1.1-12.1-1 et. seq., and has further created a map and plat showing the boundaries and such other information regarding the area in question as required by law. It is, now, therefore

WHEREAS, the Town Council has determined that additional value will be added to the tax rolls by the redevelopment and rehabilitation that can be reasonably expected to occur by the projects that will result in the area so designated. Additionally, an increase in numbers of individuals will be employed or whose employment will be retained can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

That additional annual salaries of those individuals or whose employment will be retained can reasonably expected to result from the proposed redevelopment or rehabilitation;

That the other benefits about which information was requested of benefits that can be reasonably be expected to result and proposed described redevelopment or rehabilitation; and

WHEREAS, the Town Council for the Town of Sellersburg, hereby finds that the area described is an economic revitalization area in accordance with I.C. 6-1.1-12.1-2.

WHEREAS, the totality of benefits is sufficient to justify the deductions, all of which satisfy the requirements of I.C. 6-1.1-12.1.3, and can be reasonably expected to result in the rehabilitation of real property or the redevelopment thereof and

the installation of new manufacturing equipment.

WHEREAS, the Town Council hereby determines and finds that the proposed redevelopment and rehabilitation of Real Estate and installation of new manufacturing equipment can be reasonably expected to yield benefits and is sufficient to justify the deductions granted and made available under I.C. 6-1.1-12.1-4.5 and I.C. 6-1.12.1-3 of the Indiana Code.

WHEREAS, the Town Council hereby designates the area heretofore set out, an economic revitalization area for the purposes of real and personal property tax abatement and hereby makes such a designation.

The Town Council hereby determines that the property owner who qualifies for and is granted property tax deductions will be for a period of ten years for manufacturing equipment and ten years for real property.

WHEREAS, the Town Council for the Town of Sellersburg has in accordance with Indiana Law published a notice of public hearing, conducted a hearing to hear all remonstrances and objections from interested persons, and after considering the evidence hereby confirms the resolution as previously adopted on October 27, 1997 as finally set out herein.

BE IT RESOLVED, by the Town Council as follows:

1. The Town Council hereby determines and finds that application/applications for real and personal property tax abatement shall be accepted by the Town Council for the Town of Sellersburg and determined under the provisions of I.C. 6-1.1-12.1-1 et. seq.; and

2. The Town Council hereby determines and finds that the Petition to designate the foregoing area as an economic revitalization area for the purposes of real and personal property tax abatement shall be and hereby is approved.

3. The Town Council hereby determines and finds that the purposes of an economic revitalization area as defined by law would be served by allowing deductions;

4. That a statement of benefits is not waived and must be submitted to the Town Council and approved by the Town Council.

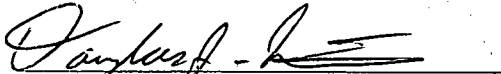
BE IT FURTHER RESOLVED by the Town Council upon submission of an application for deduction presented by the Statement of Benefits filed by the applicant and approved by the Town Council for the town of Sellersburg, shall be entitled to deductions for a period of ten (10) years from improvements of real property, pursuant to I.C. 6-1.1-12.1-3(d) and I.C. 6-1.1-12.1-4(d)(10) and ten years from 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

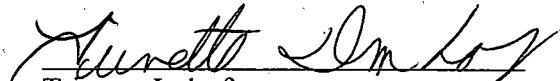
Auditor's Office.

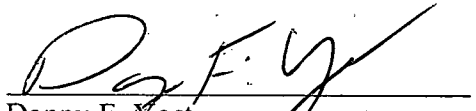
PASSED AND ADOPTED this 9<sup>th</sup> day of August, 2004, by the Town Council for the Town of Sellersburg, Indiana.

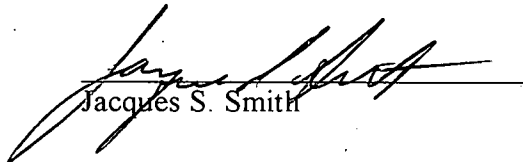
SO ORDAINED this 9<sup>th</sup> day of August, 2004.

TOWN COUNCIL, TOWN OF SELLERSBURG

  
Douglas J. Reiter

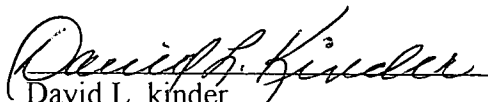
  
Trinette Imhof

  
Danny F. Yost

  
Jacques S. Smith

  
Michael N. Lockhart

Attest:

  
David L. Kinder  
Clerk-Treasurer

"EXHIBIT A"

Being a part of Illinois Grant Survey No. 67 in Clark County, Indiana, and being part of the property conveyed to Team Properties, Deed Drawer 28, Instrument No. 20,385, said part being more particularly described as follows: Commencing at the North corner of Illinois Grant Survey No. 67, thence with the line dividing Surveys No. 67 and 89, South 54 deg. 54 min. 14 sec. West 1854.08 feet to an iron pipe; thence South 35 deg. 00 min. 46 sec. East 597.14 feet to a found rebar, thence South 54 deg. 51 min. 23 sec. West 273.43 feet to a set rebar at the true point of beginning of the tract being herein described, thence South 35 deg. 08 min. 16 sec. East 183.73 feet to a rebar, thence South 54 deg. 43 min. 32 sec. West 308.42 feet to a set rebar, thence South 35 deg. 08 min. 16 sec. East 212.22 feet to a set rebar, thence South 55 deg. 01 min. 16 sec. West 118.10 feet to a found rebar, thence North 34 deg. 58 min. 44 sec. West 396.31 feet to a found rebar, thence North 54 deg. 51 min. 23 sec. East 425.43 feet to the true point of beginning, containing 2.373 acres, more or less.

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13-  
VB

BEFORE THE TOWN COUNCIL  
TOWN OF SELLERSBURG  
CLARK COUNTY  
STATE OF INDIANA

IN RE: THE PETITION TO  
VACATE FILED BY:  
LAWRENCE A. ROTHBAUER AND  
CHARISSE M. ROTHBAUER,  
PETITIONERS

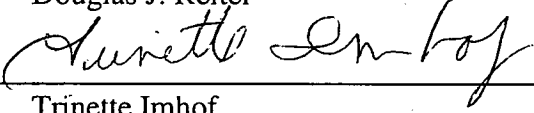
FILING DATE: July 14, 2004

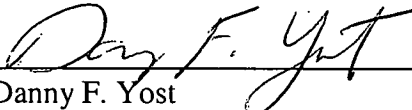
ORDINANCE VACATING REAL ESTATE  
(No. R-2004-005)

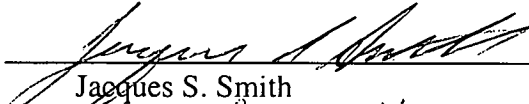
The Town Council for the Town of Sellersburg, Clark County, Indiana, pursuant to I.C. 36-7-3-12, do hereby ordain and order that the unnamed street being the real estate described on the attached "Exhibit A" is hereby vacated.

SO ORDAINED this 12<sup>TH</sup> day of July, 2004.

By:   
Douglas J. Reiter

  
Trinetta Imhof

  
Danny F. Yost

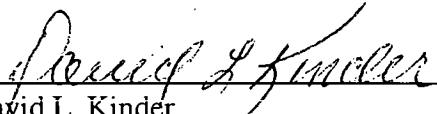
  
Jacques S. Smith

  
Michael N. Lockhart

Shirley Nolot  
CLARK COUNTY RECORDER  
Clark County Recorder  
I 200417136 Page 1 of 3  
C2 Date 07/14/2004 Time 15:30:21

3P

ATTEST:

  
David L. Kinder  
CLERK-TREASURER

JUL 14 2004

STATE OF INDIANA    )  
                              :SS  
COUNTY OF CLARK    )

Before me, the undersigned, a Notary Public, in and for Clark County, State of Indiana, personally appeared council members, Douglas J. Reiter, Trinette Imhof, Danny F. Yost, Jacques S. Smith, and Michael N. Lockhart, and Clerk-Treasurer, David L. Kinder, and acknowledged the execution of this instrument this 13<sup>th</sup> day of July, 2004.

WITNESS MY HAND AND NOTARIAL SEAL.

Michelle D. Eve  
Notary Public

COMMISSION INFORMATION:

Name: Michelle D. Eve  
Expiration date: 7-9-2008  
County of Residence: Clark

"EXHIBIT A"

That part of Greenwood Subdivision, Unit 1 (Plat Book 6, Page 197), being designated as a 50-foot wide street being situated between Lots 23 and 24, being further described as follows: Beginning at the southeastern corner of Lot 23 of said subdivision, being in the western right-of-way line of U. S. Highway 31; Thence along said right-of-way line, South 07 degrees 30 minutes 00 seconds East, 50.00 feet to the northeastern corner of Lot 24; Thence leaving said right-of-way line along the northern line of Lot 24, 105.81 feet along a curve to the left having a radius of 250.00 feet and a chord which bears South 70 degrees 24 minutes 08 seconds West, 105.02 feet (South 70 degrees 22 minutes 49 seconds West, 105.0 feet - Plat); Thence continuing along the northern line of Lot 24, South 58 degrees 15 minutes 24 seconds West, 25.03 feet; Thence leaving the north line of Lot 24 on the projected western line of Lot 23, North 31 degrees 44 minutes 36 seconds West, 50.00 feet to the southwestern corner of Lot 23; Thence along the southern line of Lot 23 for the next two calls, North 58 degrees 15 minutes 24 seconds East, 25.03 feet; Thence 126.97 feet along a curve to the right having a radius of 300.00 feet and a chord which bears North 70 degrees 23 minutes 54 seconds East, 126.02 feet (North 77 degrees 22 minutes 49 seconds East, 126.00 feet) to the True Point of Beginning.

This tract of land contains 7,071 square feet, which is subject to all rights-of-way and easements record.

TOWN COUNCIL RESOLUTION NO. R2004-006

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SELLERSBURG, INDIANA PROVIDING PRELIMINARY APPROVAL OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PROVIDING FINANCING OF CERTAIN ECONOMIC DEVELOPMENT FACILITIES TO BE OWNED AND OPERATED BY COMMUNITY MONTESSORI, INC.

RESOLVED, by the Town Council of the Town of Sellersburg, Indiana (the "Town"), as follows:

WHEREAS, the Town is authorized by I.C. 36-7-11.9 and 12., et seq. as supplemented and amended (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction, installation and equipping of said facilities, and said facilities to be either leased to another person or directly owned by another person; and

WHEREAS, Community Montessori, Inc. a non-profit corporation (the "Applicant"), has advised the Sellersburg Economic Development Commission (the "Commission") and the Town that it proposes that the Town issue and sell its economic development revenue bonds for the purpose of providing financing to the Applicant for certain economic development facilities consisting of the acquisition, construction, installation and equipping of a new school facility located at 4102 St. Joseph Road, New Albany, Indiana (the "Project"), and the Commission has adopted a Resolution, containing the requisite findings of the Commission, recommending that the Town adopt a resolution giving preliminary approval to a proposed issuance of economic development revenue bands for the financing of the Project; and

WHEREAS, the Project will be owned and operated by the Applicant for use as an economic development facility within the meaning of the Act; and

WHEREAS, it appears that the creation and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the Project will serve a public purpose and will be of benefit to the health and general welfare of the Town, and that the proposed financing complies with the provisions of the Act; and

WHEREAS, it appears that the Project will not have adverse competitive effect on any similar facility already constructed or operating in the Town;

FURTHER RESOLVED, by the Town Council of the Town of Sellersburg, Indiana, as follows:

SECTION 1. The Town Council finds, determines, ratifies and confirms that the creation and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the Project in the Town of Sellersburg, Indiana will be of benefit to the health and general welfare of the citizens of the Town; and that it is in the public interest that the Town Council take such action as it lawfully may to encourage diversification of industry and promotion of job opportunities in and near said Town.



SECTION 2. The Town Council further finds, determines, ratifies and confirms that the issuance and sale of economic development revenue bonds of the Town under the Act in an amount not to exceed \$4,500,000 for the Project and the loan of the proceeds of the revenue bonds to the Applicant will serve the public purposes referred to above, in accordance with the Act.

SECTION 3. The proposed economic development facilities will not have an adverse competitive effect on any similar facilities already under construction or in operation in the Town.

SECTION 4. In order to induce the Applicant to proceed with the Project, the Town Council hereby finds, determines, ratifies and confirms that:

- (i) It will take or cause to be taken such actions pursuant to the Act as may be reasonably required to implement the aforesaid financing, or as it may deem reasonably appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Town and the Applicant; and
- (ii) It will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be reasonably necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 5. All costs of the Project incurred for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction, installation and equipping of the Project will be permitted to be included as part of the Project costs to be financed out of the loan of the proceeds from the sale of the bonds to the extent permitted by the Act and applicable regulations promulgated under the Internal Revenue Code of 1986, as amended.

SECTION 6. All action taken and approvals given by the Town with regard to the Applicant are based upon the evidence submitted and representations made by the Applicant, its agents and counsel. No independent examination, appraisal or inspection of the Project was made, requested, or is contemplated by the Town.

SECTION 7. The Town does not, by this or any other approval or finding, guarantee, warrant or even suggest that the bonds (if and when issued), coupons or series thereof will be a reasonable investment for any person, firm or corporation.

SECTION 8. THE TOWN SHALL NOT BE OBLIGATED, DIRECTLY OR INDIRECTLY, TO SEE TO THE APPLICATION OR USE OF THE PROCEEDS FROM THE SALE OF THE BONDS OR TO SEE THAT THE CONTEMPLATED IMPROVEMENTS, IF ANY, ARE CONSTRUCTED. THE TOWN IS IN NO WAY RESPONSIBLE TO THE

HOLDERS OF ANY BONDS FOR ANY PAYMENT OBLIGATION CREATED BY THE BONDS.

SECTION 9. The Town does not warrant, guarantee or even suggest that interest to be paid to or income to be received by the holders of any bond, coupon, or series thereof is exempt from taxation by any local, state or federal government.

SECTION 10. THE BONDS, IF AND WHEN ISSUED, SHALL BE SPECIAL, LIMITED OBLIGATIONS OF THE TOWN PAYABLE SOLELY FROM THE FUNDS PROVIDED BY THE APPLICANT, AND SHALL NOT CONSTITUTE AN INDEBTEDNESS OF THE COMMISSION OR THE TOWN, THE STATE OF INDIANA OR ANY OF ITS OFFICERS OR OFFICIALS, OR A LOAN OF THE CREDIT THEREOF.

SECTION 11. This Resolution does not constitute a binding obligation of the Commission or the Town to issue the bonds, but instead, is a commitment by the Town to proceed with negotiations for the financing described herein with the Applicant and is subject to the adoption of a bond ordinance by the Town in accordance with the provisions of the Act.

SECTION 12. This Resolution shall be in full force and effect upon adoption and compliance with I.C. 36-4-6 et seq.

The forgoing was passed and adopted by the Town Council this 9<sup>th</sup> day of August, 2004.

  
\_\_\_\_\_  
Douglas J. Reiter, Council President

  
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Danny F. Yost, Council Vice President

  
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Trinette S. Imhof, Council Member

  
\_\_\_\_\_  
Michael N. Lockhart, Council Member

  
\_\_\_\_\_  
Jacques S. Smith, Council Member

  
\_\_\_\_\_  
ATTEST: David L. Kinder  
Clerk-Treasurer

RESOLUTION NO. R2004-007 SERIES 2003A

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A  
REPLACEMENT BOND FOR THE TOWN OF SELLERSBURG, INDIANA ECONOMIC  
DEVELOPMENT REVENUE BOND SERIES 2003A  
(YMCA OF SOUTHERN INDIANA PROJECT)

WHEREAS, as a result of an error, the payment schedule for the Town of Sellersburg, Indiana Economic Development Revenue Bond Series 2003A, only, was incorrect on the original bond authorized and delivered by the Town of Sellersburg;

WHEREAS, since the issuance of that bond in error has been discovered and the bond holder desires to replace the bond with the proper amortization schedule attached thereto;

WHEREAS, it is hereby found and declared that it is appropriate for the Town Board to authorize the re-execution of the bond.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF SELLERSBURG, INDIANA, AS FOLLOWS;

1. The bond form attached hereto as Exhibit A is hereby authorized to be executed and delivered by the Town Board President and attested to by the Clerk/Treasurer.

2. Further Acts and Deeds. The President of the Town Board and the Clerk/Treasurer of the Town Board and other appropriate officers and employees of the Town are authorized and directed to execute, acknowledge and deliver on behalf of the Town any other papers or certificates necessary for the proper effectuation of this resolution provided that neither the Town nor any of its members, officers, employees or agents shall incur any general liability there.

3. Severability. The provisions of this Resolution are severable, and if any section phrase or provision thereto shall for any reason be declared invalid or unenforceable, such declaration shall not affect the validity of the remainder of this Resolution.

4. Prior Conflicting Actions Superseded. To the extent that any ordinance, resolution order or part thereof is in conflict with provisions of this Resolution, the provisions of this Resolution shall prevail and be given effect.


5. Effective Date. This Resolution shall be in full force and effect from and after its enactment.

SO RESOLVED THIS 18<sup>th</sup> DAY OF OCTOBER, 2004.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF  
SELLERSBURG, INDIANA ON THIS THE 18<sup>TH</sup> DAY OF OCTOBER, 2004.

  
DOUGLAS J. REITER, PRESIDENT

ATTEST:

  
DAVID L. KINDER  
TOWN CLERK/TREASURER

**RESOLUTION NO. R2004-008**

**WHEREAS**, courts have been lawfully established and presently are operating in 76 Indiana cities and towns, and

**WHEREAS**, more than 396,000 cases were filed in Indiana's city and town courts in 2003, which represents nearly 25 percent of all cases filed in all Indiana courts, and

**WHEREAS**, as much as ten (10) percent of Indiana's total population had contact with a city or town court in 2002, either as a defendant, witness or visitor, and

**WHEREAS**, city and town courts now are a vital part of the Indiana legal system, and

**WHEREAS**, the city and town court system has materially and substantially changed during the past twenty (20) years, and

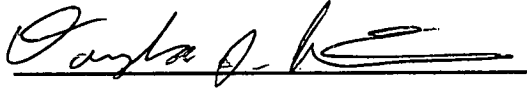
**WHEREAS**, a number of non-fiscal issues affecting city and town courts exist which merit careful examination, and

**WHEREAS**, the Indiana Association of City and Town Court Judges has adopted a resolution calling upon the 2005 Indiana General Assembly to establish an interim study committee on non-fiscal issues relating to city and town courts.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of Sellersburg, Indiana supports the Indiana Association of City and Town Court Judges and requests that the 2005 Indiana General Assembly establish an Interim Study Committee on City and Town Courts, empowered to study, conduct hearings on, and make recommendations to the 2006 Indiana General Assembly

on such matters concerning the city and town courts as may be appropriate,  
except that fiscal issues should NOT be a part of this committee's review.

**ADOPTED THIS 13<sup>th</sup> DAY OF DECEMBER, 2004.**



Douglas J. Reiter, Council President

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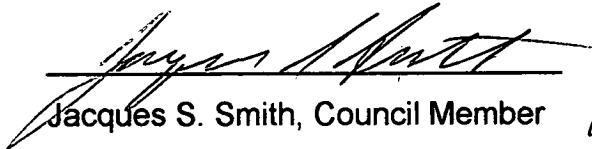
Danny F. Yost, Council Vice President



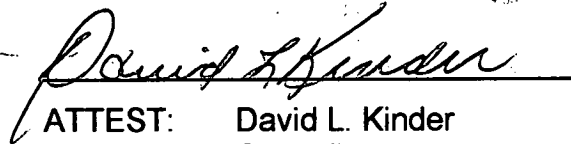
Trinette S. Imhof, Council Member



Michael N. Lockhart, Council Member



Jacques S. Smith, Council Member



ATTEST: David L. Kinder  
Clerk-Treasurer