DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer
31 October, 2011
Auditor of Hamilton County
Parcel #

2011054872 ORDINANCE $71.00
10/31/2011 11:29:42A 30 PGS
Mary L. Clark
HAMILTON County Recorder IN
Recorded as Presented

6900
30
ordinance

ORDINANCE 11-18

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

WHEREAS, the Westfield City Council (the "Council") has received a petition for voluntary annexation of certain contiguous lands, generally located at the southwest corner of State Highway 32 and Carey Road, Washington Township, Hamilton County, Indiana;

WHEREAS, the Council has the authority to annex land into the municipality as defined by Ind. Code § 36-4-3;

WHEREAS, voluntary annexations are governed by Ind. Code § 36-4-3-5.1;

WHEREAS, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in Exhibit A and Exhibit B (the "Annexation Area") have filed a petition with the Council;

WHEREAS, the Council has conducted a public hearing as required by law with regard to the annexation of the Annexation Area;

WHEREAS, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Ind. Code § 36-4-3-3.1 (Resolution 11-17);

WHEREAS, the Annexation Area meets the contiguity requirements of Ind. Code § 36-4-3-1.5;

WHEREAS, the Council now finds that the statutory criteria for annexation have been met and satisfied all as demonstrated by the fiscal plan adopted hereby and made a part of the record of these proceedings; and

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-515 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:

Section 1. The Annexation Area is hereby annexed to and declared to be a part of the City of Westfield, Indiana.

Section 2. The Annexation Area is hereby assigned to the City Council District One and shall become a part of thereof immediately upon the effective date of this ordinance.

Section 3. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

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ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 26 DAY OF Sept _____, 2011.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For	**Voting Against**	**Abstain**
John Dippel	John Dippel	John Dippel
Steven Hoover	Steven Hoover	Steven Hoover
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
Kenneth Kingshill	Kenneth Kingshill	Kenneth Kingshill
Robert J. Smith	Robert J. Smith	Robert J. Smith
Thomas Smith	Thomas Smith	Thomas Smith
Robert W. Stokes	Robert W. Stokes	Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law"

I hereby certify that ORDINANCE 11-18 was delivered to the Mayor of Westfield on the 27 day of Sept, 2011, at 2:19p m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 11-18

this 27th day of Sept., 2011.

J. Andrew Cook, Mayor

I hereby VETO Ordinance 11-18

this _____ day of _____, 2011.

J. Andrew Cook, Mayor

Exhibit A

LAND DESCRIPTION

That portion of the Northeast Quarter of Section 6, Township 18 North, Range 4 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Considering the east line of said Northeast Quarter as South 00 degrees 05 minutes 42 seconds East (assumed bearing) and all bearing contained within being relative thereto.

Commencing at the northeast corner of said Northeast Quarter; thence South 00 degrees 05 minutes 42 seconds East along the east line thereof 102.54 feet to the northeast corner of the land of the Town of Westfield recorded as Instrument Number 200300046150 in the Office of the Recorder of Hamilton County, Indiana, said point also being the southeast corner of a right of way grant for State Road 32 recorded in Book 141, Page 256 in said county records; thence South 89 degrees 54 minutes 18 seconds West along the north line of said land 16.50 feet; thence North 48 degrees 43 minutes 14 seconds West along the northerly line of said land and the south line of said right of way grant 75.16 feet; thence South 89 degrees 34 minutes 45 seconds West along said south right of way line 184.90 feet to the beginning of a tangent curve to the right, having a radius of 57,343.93 feet and a central angle of 00 degrees 02 minutes 48 seconds; thence westerly along said curve and right of way line an arc length of 46.79 feet to the northeast corner of the now or former land of Peacock Carey Nat, LLC as described in Instrument Number 2006-35976 in said county records; thence South 00 degrees 05 minutes 54 seconds East along the east line of said land and the southerly extension thereof 293.43 feet to the southwest corner of the now or former land of Peacock Carey WG, LLC as described in Instrument Number 2006-35976 in said county records; thence North 89 degrees 54 minutes 00 seconds East along the south line of said land 28.86 feet to the **POINT OF BEGINNING**; thence North 89 degrees 54 minutes 00 seconds East along said south line 221.63 feet to the proposed westerly 70 foot right of way line of Carey Road and a point on non-tangent curve concaved westerly having a radius of 940.00 feet, a central angle of 05 degrees 44 minutes 55 seconds, and a radial line passing through said point which bears North 84 degrees 07 minutes 52 seconds East; thence southerly along said proposed right of way line and curve an arc length of 94.27 feet to the point of tangency; thence South 00 degrees 07 minutes 13 seconds East along said proposed right of way 160.59 feet; thence South 89 degrees 40 minutes 50 seconds West 226.45 feet; thence North 00 degrees 06 minutes 00 seconds West 255.61 feet to the **POINT OF BEGINNING**, and containing 1.323 acres, more or less.

Exhibit B

Parcel Listing

Parcel Number	Street Address	Acreage
08-10-06-00-00-013.102	No address	0.12
08-10-06-00-00-013.202	No address	1.1
08-10-06-00-00-013.002	17365 Carey Road	0.08
	Total Acres	1.3

Legend

Parcels

Westfield City Limits

Parcels to be Annexed

N W E S

Westfield

RESOLUTION 11-17

A RESOLUTION ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF LANDS DEFINED IN ORDINANCE 11-18

WHEREAS, the City of Westfield (the "City") desires to annex certain parcels as identified in Exhibit "A" and Exhibit "B" (the "Annexation Area") into the municipality; and,

WHEREAS, pursuant to IC 36-7-4-3.1 a fiscal plan must be prepared and adopted prior to such annexation; and,

WHEREAS, this fiscal plan, identified as Exhibit "C" (the "Plan") and attached hereto and made a part hereof, has been prepared and presented to the Council for consideration; and

WHEREAS, the Plan has been reviewed and complies with the requirements of IC 36-4-3-13.

NOW, THEREFORE, BE IT RESOLVED that the Plan attached hereto and made a part hereof is hereby approved and adopted by the Westfield City Council.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

ADOPTED AND PASSED THIS 26 DAY OF Sept, 2011, BY THE WESTFIELD CITY COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For	**Voting Against**	**Abstain**
John Dippel	John Dippel	John Dippel
Steven Hoover	Steven Hoover	Steven Hoover
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
Kenneth Kingshill	Kenneth Kingshill	Kenneth Kingshill
Robert J. Smith	Robert J. Smith	Robert J. Smith
Thomas Smith	Thomas Smith	Thomas Smith
Robert W. Stokes	Robert W. Stokes	Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that RESOLUTION 11-17 was delivered to the Mayor of Westfield on the 27 day of Sept, 2011, at 2:19p m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Resolution 11-17

this 27th day of Sept, 2011.

J. Andrew Cook, Mayor

I hereby VETO Resolution 11-17

this _____ day of _____, 2011.

J. Andrew Cook, Mayor

Exhibit A

LAND DESCRIPTION

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08-10-06-00-00-013.002	17365 Carey Road	0.08
	Total Acres	1.3

Legend

Parcels

Westfield City Limits

Parcels to be Annexed

N W E S

City of Westfield Indiana

CITY OF
Westfield
INDIANA

Fiscal Plan for the Voluntary Annexation of Real Estate Contiguous to the City of Westfield, Indiana

Generally described as the real estate located at the southwest corner of State Road 32 and Carey Road.

This Fiscal Plan Supports Ordinance 11-18

This Fiscal Plan is Exhibit "C" Referenced in Resolution 11-17

Introduction

The purpose of this report is to outline the estimated fiscal impact of annexation upon the City of Westfield (the "City") and ability of the City to provide necessary municipal capital and non-capital services to an area proposed for annexation. The area proposed for annexation that is analyzed in this report is referred to as the "Peacock Carey Annexation" and is generally located at the southwest corner of State Road 32 and Carey Road. The annexation is 100% voluntary.

The Indiana Statute (IC 36-4-3-13(d)) governing annexation activity by the City of Westfield requires the preparation of a written fiscal plan and the establishment of an annexation policy, by resolution, as of the date of the annexation ordinance. The fiscal plan is required to present cost estimates and a plan for the extension of municipal services to the area proposed for annexation. Municipal services of a non-capital nature are required to be provided within one (1) year of the effective date of the annexation ordinance to the extent that such services are equivalent in standard and scope to those services already provided within the city limits. Municipal services of a capital improvement nature are required to be provided within three (3) years of the effective date of the annexation ordinance to the extent that such services are equivalent in standard and scope to those services already provided within the city limits.

This report contains an analysis of the revenues and expenditures that will result from the annexation of certain territory by the City. While the City is committed to providing the highest quality service to all areas of the community, the dollar figures presented here are only estimates and are subject to change. Variations may occur depending upon the rate and extent of future development, an increase or decrease in the cost of providing municipal services, or fluctuations in future property assessments.

City of Westfield

Annexation Philosophy and Plan

The proposed "Peacock Carey Annexation" is part of a larger, more comprehensive annexation plan and philosophy that has been in existence in the Westfield community for more than 10 years.

Although not currently confirmed through a resolution, the following philosophy will be forthcoming to represent the City's annexation plan.

A. Fiscal Policy of the City

It is appropriate to state that the annexation policies of the City are expected to correspond with the fiscal policies of the City. Therefore, it is the policy of the City of Westfield that annexation(s) should only be undertaken under circumstances which are not adverse to the fiscal interests of the current residents and taxpayers of the City of Westfield.

B. General Philosophy and Plan

The philosophy and plan of the City of Westfield is to annex real estate into its corporate limits in accordance with the terms of Title 36, Article 4, Chapter 3 of the Indiana Code. The adoption of an ordinance authorizing such annexation shall:

1. Provide the residents of the City of Westfield with a broad, stable and growing economic tax base; and,

2. Provide a plan for the quality and quantity of urban development in a coordinated manner; and,

3. Provide for preservation and enhancement of the public's overall health, safety, and welfare, regarding all of the City's residents; and,

4. Allow for the provision of services to the annexed area in a cost effective manner that will not significantly impact existing residents.

C. Further the City Shall:

1. First seek the voluntary annexations of new developments contiguous to the current City boundaries. It is certainly the preference of the City of Westfield to implement annexation action under the most amenable conditions possible. Therefore, in cases where it is practical and possible to achieve consensus, the City prefers to proceed with annexation under the "voluntary" provisions of the statute (IC 36-4-3-5); and,

2. Enhance the existing assessed valuation of the municipality through voluntary annexations; and,

3. Consider any requests for voluntary annexation from existing parcels; and,

4. Consider any forced annexations that will positively impact the future economic development opportunity of the community.

D. Financial Incentives in Support of Annexation

Aside from the issue of municipal services, the City has developed annexation and growth policies with support for the concept of applying economic incentives to the annexation policies as a basis for building public support and popular consensus. The financial incentives available to the City of Westfield include:

- tax abatement provided by IC 36-4-3-8.5;
- delay of the effective date of the annexation provided by IC 36-4-3-8;
- negotiation of supplemental services (based on surplus tax revenues);
- elimination of utility services surcharges;
- appropriate arrangements as provided by IC36-4-3-21; and,
- agricultural tax liability exemption for municipal taxes provided by IC36-4-3-4.1.

It is the fundamental position of the City; however, that the extension of such financial incentives shall be made primarily in those cases where it is appropriate to the fiscal and governmental interests of the City of Westfield.

Requirements of Indiana Law

The City Council of the City of Westfield is granted the authority under Indiana law to annex land that conforms with the terms of Title 36, Article 4, Chapter 3 of the Indiana Code. The minimum criteria used to determine the eligibility of land for annexation must establish that:

1. The territory sought for annexation is contiguous to the corporate boundary of the municipality; or

2. The territory sought for annexation is not contiguous to the corporate boundary of the municipality, but is occupied by a municipally owned or operated airport or landing field; or

3. The territory sought for annexation is not contiguous to the corporate boundary of the municipality, but is occupied by a municipally owned or regulated sanitary landfill, golf course, or hospital.

Additionally the following criteria are also used to further determine the eligibility of land for annexation and must establish that:

1. The boundary of the area proposed for annexation must be at least 1/8 contiguous to the present corporate limits of the municipality, and:

    a. have a population density of at least three persons per acre; or
    b. be zoned for commercial, business, or industrial use; or
    c. be at least 60% subdivided;

2. The boundary of the area proposed for annexation must be at least ¼ contiguous to the corporate limits of the municipality, and the area must be needed and can be used by the municipality for its development in the reasonably near future. The preparation of a written fiscal plan is also required to outline the provisions for:

    a. The cost estimates of planned services to be furnished to the area proposed for annexation;
    b. The method or methods of financing the planned services;
    c. The plan for the organization and extension of planned services;
    d. The provision of planned services or a non-capital nature within one (1) year of the effective date of annexation; and,
    e. The provision of planned services of a capital improvement nature within three (3) years of the effective date of annexation.

The fiscal plan must also discuss the provisions to be made to ensure the delivery of capital and non-capital services in a manner equivalent in standard and scope to those services currently being provided to other areas within the corporate limits regardless of topography, patterns of land use, and population density. This document is intended to serve as the aforementioned fiscal plan.

Parcel Analysis

A. Location

The area proposed for annexation is generally described as the real estate located at the southwest corner of State Road 32 and Carey Road. (see attached Exhibit 1, Parcel Location).

B. Contiguity

The Peacock Carey Annexation meets the contiguity requirements of IC 36-4-3-1.5.

C. Size

The area proposed for annexation encompasses an area of approximately 1.30 acres.

D. Population

The population of the area proposed for annexation is estimated to be 0 persons.

E. Structures

The area does not contain any type of structure.

F. Zoning

The area proposed for annexation is currently located within the planning and zoning jurisdiction of the City of Westfield through a joinder agreement with Washington Township served by the Westfield-Washington Township Advisory Plan Commission. If annexed, the parcels will remain in the same planning jurisdiction.

Zoning designations in the area proposed for annexation is the Local Business (LB) District.

G. Property Tax Assessment

The 2010 pay 2011 total net assessed valuation of all real property and its improvements located within the area proposed for annexation is $739,700.

H. Municipal Property Tax Rate

The existing 2010 pay 2011 property tax rate assessed to all real property and its improvements within the area proposed for annexation is $2.4817 per $100 of assessed valuation. This is the total Washington Township tax rate assessed to all real property and its improvements, subject to any property tax "cap" which may apply.

I. Council District

The area for the proposed annexation will be incorporated into Council District 1.

Municipal Services

The City of Westfield currently extends to its citizens a diverse range of public services. These services are provided by seven different municipal departments. Each department has a unique function within the municipal service system of the City. These departments include: Police, Fire, Public Works, Informatics, Administration, Parks and Recreation and Community Development.

Each of the municipal service sectors are analyzed in this section to determine the impact of annexation on their ability to provide both capital and non-capital services to the area proposed for annexation as required by Indiana law. The method used to determine the fiscal impact of annexation is known as "fiscal impact analysis".

Fiscal impact analysis is a method of evaluation that is used to measure and project the direct public costs and revenues associated with residential and non-residential growth within a municipality. It explores public (government) costs and revenues. It does not consider private costs of public actions. Therefore, special assessments on real property or the value of land dedications required of developers are considered private revenues. Individual services contracted for homeowners associations, neighborhoods, and similar groups are also considered private.

All municipal departments were analyzed to determine the extent of the affect of annexation. The Police, Fire, Public Works, Informatics, Administration, Parks and Recreation and Community Development Departments were identified as being affected by the annexation of new territory. The effect on most of these departments is determined to be minimal and is likely to create no demand for additional personnel and associated expenditures. It can therefore be assumed the area proposed for annexation will not affect the workload of these departments or cause the need for additional expenditures associated with the provision of services.

The existing levels and costs of service provisions for each department are outlined below:

A. Police Department

The 32 uniformed officers of the City of Westfield Police Department provide the citizens of Westfield with public safety and emergency response service throughout the corporate limits of the City. The individual services include: neighborhood patrols for the prevention of crime; detection and apprehension of criminal offenders; resolution of domestic disputes; anti-crime and anti-drug public education; traffic control and accident reporting; and the creation and maintenance of a general feeling of safety and security throughout the community.

The services provided by the Police Department vary in their individual requirements for personnel and financial resources and are subject to annual review and approval by the Westfield City Council.

Annual operating costs associated with the addition of one (1) uniformed police officer(s) include salary, overtime pay, holiday pay, clothing and uniform allowance, health insurance, training, pension benefits and administrative overhead.

Capital one-time costs associated with the addition of one (1) uniformed police officer(s) include a patrol vehicle and related equipment. These costs have been factored together to arrive at necessary service level increases for various areas under consideration for annexation.

The area identified for annexation includes 1.30 acres and an estimated population of 0 persons. The City of Westfield will provide police service to the proposed annexation area upon the effective date of annexation through the extension of an existing patrol area.

Provisioning of planned service of a non-capital nature within one year.
The services can be provided for the annexed area with existing personnel. Any additional cost for patrol coverage can be accommodated within the existing budget.

Provision of planned services of a capital improvement nature within three years.
Any additional capital requirements can be accommodated in future budgets through the annual budgeting process.

B. Fire Department

The 68 Firefighters, EMS and Paramedics personnel employed by the City of Westfield Fire Department respond to fire emergencies, chemical and hazardous material spills, and general life safety emergencies through the corporate limits of Westfield and throughout the remainder of Washington Township, Hamilton County.

The personnel of the Fire Department are assigned to two (2) fire stations located on Dartown Road (Headquarters) and 151st Street, respectively. Each station is the primary respondent to emergencies within its assigned geographical area. Secondary response is provided by personnel and equipment by volunteer and paid city and town fire departments in adjacent communities. A third fire station, located on Grassy Branch Road, is scheduled to opened and operational no later than September 1, 2011.

The existing Fire Department currently has the entire responsibility for services throughout Washington Township; therefore, the annexation of this new territory will not change the impact or the need for additional personnel.

Provisioning of planned service of a non-capital nature within one year.
The services can be provided for the annexed area with existing personnel because current services already serve the entire township.

Provision of planned service of a capital nature within three years.
The capital services required for future growth in the fire services for Washington Township will be managed through the annual budgeting process.

C. Public Works - Street Division

The Street Division of the City of Westfield is part of the Public Works Department and has responsibility for the maintenance and upkeep of all streets and public rights-of-way within the City Limits of Westfield. Maintenance activities include potholes and curb repair, mowing of weeds and other vegetation, street sweeping, sign maintenance and replacement, pavement striping, and snow removal. It is also responsible for reconstruction of sidewalks and removal of dead or damaged trees from the City rights-of-way.

Other responsibilities include resurfacing and reconstruction of all public roads with the exception of the roads falling under the jurisdiction of the Indiana Department of Transportation or the Hamilton County Highway Department. These operations are primarily funded from the Motor Vehicle Highway (MVH) fund, the Local Road and Street Fund (LR&S), and the Road and Street Improvement Fund. The budgeted expenditures for MVH and LR&S is approximately $1.2 million for 2011, which is approximately $6,300 per road mile.

Provisioning of planned service of a non-capital nature within one year.
Street Division services can be provided for the annexed area with existing personnel. Based upon the new road miles and the cost per road mile, the estimated additional cost for the annexed area is approximately $14,000, which will be funded with additional funds from the State and the current budget.

Provision of planned service of a capital nature within three years.
The intent of the City with respect to future road construction will require future developers to improve, or contribute financially to the improvement of existing roadways in accordance with the impact of any proposed development on the traffic loads. Road improvements are evaluated each year and the annexed area would be in that annual review process for consideration of improvements.

D. Public Works Department - Water and Sewer Services

The Westfield Public Works Department is responsible for the operation of the Water and Wastewater works for the City of Westfield. Services for both water and sewer are provided within the corporate limits and into portions of Washington Township.

The area proposed for annexation is currently served by City water and sewer service.

a. Utility Service

The City of Westfield will provide access to sewer and water utility service for any proposed development, with the costs for connecting to that utility service to be borne by the developer/owner, in accordance with the policies and fee structure set forth by the Westfield City Council.

The development policies of the City of Westfield and the Westfield-Washington Township Advisory Plan Commission have required developers to install sewer and water utilities within their developments for the vast majority of developed sites in the Township for many years. In most cases, the developer installs such infrastructure and then adds this cost to the price of the developed parcel. This means that the cost of such infrastructure is paid by each individual property owner. However, in some cases, based upon the specific request of the developer or owner, the development has been allowed to proceed without utility connections.

The City's policy for utility connection shall be that the developer or owner may choose not to connect the proposed development to the municipal utility systems, and thus avoid the immediate cost of said connection. However, when utility connections are later required, for whatever reason, the system of fees and charges promulgated by the Westfield City Council shall apply to that utility connection. In this manner, the cost of installation of utility infrastructure is equitable to all property owners within the service area of the utility, whether the owner decides to connect to the utility systems when the development first occurs, or whether the owner decides to connect at some later date. The City currently has a method for allocating the cost of utility connections in a manner which is favorable to the property owners.

The City also reserves the right to consider other options for providing utility services when working with areas proposed for annexation. Options which may be considered include, but are not limited to: payment plans, enlargement of payment periods, discounts, Barrett Law funding, bonds, inter-local agreements and BOT agreements.

b. Municipal Water Utility

The municipal water utility provides potable water service to properties within the service area of the water utility and in many cases outside of the corporate limits of the municipality. The municipal water utility technically provides the service of pumping water from the water source, treating the water to some level, distributing the water into the system of municipal water lines, storing the water for peak demand and fire protection purposes, and maintaining the system, in its entirety. This policy states that the water utility meets the parameters of providing access to water utility service, to a property, when a municipal water distribution line is within the distributive area of a main trunk line or lateral line. When water lines are already developed with respect to a specific property, the water utility is made directly available to that property when a water line is located within 300 lineal feet of the nearest property line of the developed parcel. Water utility service and connection costs are handled in a manner similar to that of the wastewater utility.

In some cases, property owners have not connected their property to the municipal water system and use private water sources (primarily wells) instead. This election is made by the property owner in accordance with the development standards of the property at the time of the original development. The municipal water system also extends beyond the corporate limits of the municipality and service is provided to property in unincorporated areas.

The water utility is administered by the Westfield City Council who is responsible for recommending user charges to the legislative body of the municipality for implementation. The legislative body of the municipality may consider changes to the user charge system to reflect special situations, as well as changes in policy with regard to the type of customer and/or the location (inside or outside of the corporate limits of the municipality).

The policy of providing municipal water service is not to be construed as being "free" in any respect, and these costs are certainly not covered by property taxes. The water utility is supported by a system of user charges which is administered by the Westfield City Council. In addition, the development policies and standards of the municipality require the developer or owner to pay any capital costs associated with the extension of water distribution facilities into any proposed development. The major capital expenditures covered by the water utility (outside of the service extensions afforded by the developers) are the capital cost of constructing and maintaining water pumping and treatment and storage facilities. These are paid either directly or indirectly through the utility's user charge system. The cost of extending distribution lines is to be borne by the property owner or developer.

Property tax revenues are not a part of the water utility budget. The water utility sets a system of user charges which are generally paid on a monthly basis. Those user charges cover both the capital and operating costs of the water utility. In addition to monthly service charges, the water utility may consider and/or establish a system of fees or other services such as various connection fees, or supplemental fees for special facilities installed to meet the needs and demands of customers. The water utility is also subject to some regulatory requirements which are administered at the State and Federal level. As such, the system of fees and charges must be adjusted from time to time to remain current with regulatory and other requirements.

c. Fire Hydrants

Fire hydrants are generally supported by the user charge system of the water utility. As stated with regard to other services, the municipality may seek changes in the system of revenues used to pay for such services; however, at this time the policy of the City is that the developer of the site – without regard to the nature of the development – is responsible for installing the fire hydrants necessary to protect the proposed development from catastrophic fire.

d. Municipal Wastewater Utility

The municipal wastewater utility provides access to wastewater collection, treatment and disposal service to all properties within the corporate limits of the municipality. This policy states that the municipality meets the parameters of providing access to municipal wastewater service when the parcel is within the drainage watershed of a major interceptor, trunk or lateral sewer which ultimately delivers wastewater to the municipal wastewater treatment plant. In cases where sewer laterals are made available to developed parcels, the standard for service is met when a municipal sewer is located within 300 lineal feet of the nearest property line of the parcel.

In some cases, property owners have chosen not to connect their development to the municipal sewer system and use private wastewater disposal facilities (primarily septic tanks), instead. This decision is based purely upon the owner's election and the development standards of the original property development. As noted above, the general policy of the City is that the developer pays the cost of installing wastewater utility service in accordance with the schedule of fees and charges in effect at that time, and then adds that cost to the price of the developed parcel. In this manner, the property owner ultimately pays for the cost of the wastewater utility connection.

In the case of developers or owners who elect not to pay the cost of wastewater utility connections for whatever reason, it is the policy of the City of Westfield to respect that decision. However, when those private wastewater facilities become dysfunctional, it is the policy of the City of Westfield to provide such wastewater utility connections at the capital expense of the owner, and in accordance with the schedule of fees and charges set forth by the Westfield City Council at the time the work is undertaken. In this manner, the provision of wastewater utility services is equitable to all property owners.

The municipal wastewater system extends beyond the corporate limits of the municipality and municipal wastewater service is provided to property in unincorporated areas. The wastewater utility is also administered by the Westfield City Council which is responsible for developing and recommending a system of user charges for implementation. These user charges must cover the cost of both capital and operations of the wastewater utility. The municipality may consider changes to the user charge system to reflect special situations, as well as changes in policy with regard to the type of customer or the location (inside or outside of the corporate limits of the municipality).

The policy of providing municipal wastewater service is also not to be construed as being "free" in any respect, and the costs of such services are certainly not covered by property taxes. The wastewater utility is supported by a system of user charges which is administered by the Westfield City Council to cover both capital and operating expenses, in cooperation with the municipality. Property tax revenues are not a part of the wastewater utility budget. The development standards of the municipality are such that the capital cost of wastewater utility services are afforded by the developer as part of the development of the property (and that cost is ultimately passed on to property owners). In addition to monthly service charges, the wastewater utility has established a system of fees for other services such as various connection fees, and/or supplemental fees for special facilities installed to meet the needs and demands of various customers. The cost of extending distribution lines is to be borne by the property owner or developer. The wastewater utility is also subject to regulatory requirements which are administered at the State and Federal level. As such, the system of fees and charges must be adjusted from time to time to remain current with regulatory and other requirements.

Wastewater utility services which are within the wastewater service area of the City of Westfield will be extended to any property desiring wastewater services and charges for the capital and non-capital cost of extending these wastewater services will be paid by the property owner in accordance with the approved schedule of rates and charges of the wastewater utility, and in accordance with approved annexation policies of the City. Currently, private developers install

the local collector sewers as part of their development cost and pay access, as well as, capacity fees for the interceptor and treatment plant costs.

E. Parks and Recreation

The Westfield Parks and Recreation services are funded out of the Parks budget with the City of Westfield. The inventory of facilities include: Armstrong Park, Old Friends Cemetery Park, Osborne Park, Raymond Worth Park, Quaker Park, Simon Moon Park, Asa Bales Park, Liberty Park, Hadley Park and Freedom Trail Park. These parks and recreation operations are supported by the City's General Fund. The proposed annexation is not anticipated to have an appreciable effect on existing park facilities and no additional costs for this function are anticipated.

Provisioning of planned service of a non capital nature within one year
The services can be provided for the annexed area with the existing budget.

Provision of planned service of a capital nature within three years
The capital services required for future growth in parks will be accomplished through the annual budgeting process.

F. Clerk-Treasurer

The Clerk-Treasurer of the City of Westfield is responsible for the maintenance of all city records.

Provisioning of planned service of a non capital nature within one year.
The services can be provided for the annexed area with existing personnel.

Provision of planned service of a capital nature within three years.
The capital services required for this department can be accomplished through the annual budgeting process.

G. Community Development Department

a. Planning Division

The Planning Division of Community Development is responsible for all of the planning and zoning support for the Westfield-Washington Township Advisory Plan Commission and the Westfield-Washington Township Board of Zoning Appeals. These responsibilities currently involve all of Washington Township; therefore, no service level increases are expected for this division with respect to the proposed annexation area.

Provisioning of planned service of a non capital nature within one year.
The services can be provided for the annexed area with exiting personnel who already serve the entire Township area.

Provision of planned service of a capital nature within three years.
The capital services required for this division can be accomplished through the annual budgeting process.

b. Economic Development Division

The Economic Development Division of Community Development is responsible for all of the economic development functions within the City of Westfield corporate limits. No service level increases are expected for this division with respect to the proposed annexation area.

Provisioning of planned service of a non capital nature within one year.
The services can be provided for the annexed area with exiting personnel who already serve the entire Township.

Provision of planned service of a capital nature within three years.
The capital services required for this division can be accomplished through the annual budgeting process.

c. Building Division

The Building Division of Community Development processes building permits throughout all of the Washington Township, Hamilton County area. It conducts inspections on new buildings and unsafe structures. Since this division currently functions throughout the entire Township, no service level increases are expected for this division with respect to the proposed annexation.

Provisioning of planned service of a non capital nature within one year.
The services can be provided for the annexed area with existing personnel, who already serve the entire Township.

Provision of planned service of a capital nature within three years.
The capital services required for this division can be accomplished through the annual budgeting process.

Financial Summary

The area proposed for annexation has been researched and analyzed in accordance with the terms of the Indiana Code, Title 36, Article 4, Chapter 3.

The primary source of revenue for the City of Westfield is that which is received from property taxes and COIT (County Option Income Tax).

The net assessed valuation of all real property and its improvements within the area proposed for annexation is $798,800.

As a result of additional population and road miles, the City of Westfield also receives revenue from other sources that include Alcohol Gallonage Taxes, Cigarette Tax, Vehicle Excise Tax, MVH road miles tax, and LR& S road mile tax.

Assuming the annexation occurs prior to March 1, 2012; the property within the area proposed for annexation will then be entered into public record and assessed for taxation as an incorporated area.

Revenue received by the City of Westfield from property assessed on or before March 1, 2012 will not be realized until May and November of 2013. The delay in the collection of property taxes will cause the City to experience a cost of services from existing budgets due to the required provision of non-capital services in the first year following annexation. To the extent that real costs exceed revenue as a result of this annexation, the City of Westfield is prepared to use funds from other budgeted line items in order to assure that services required by State Statute are provided to the area proposed for annexation. Apart from any costs associated with the Street Division, it is assumed that there will be no additional non-capital costs associated with this annexation.

The City projects that the extension of all municipal services to the existing undeveloped land within the area proposed for annexation will be paid through existing revenue streams, some of which will be enhanced by this annexation. Primarily, the City will receive nominal property taxes from the existing improvements within the annexation, as well as a nominal amount of other revenues, including cigarette taxes and gasoline taxes. It should be understood, however, that the annexation of undeveloped land has a very minimal impact on municipal revenue streams and generally a minor impact on the provision of municipal services, if proper fiscal planning is performed.

When development occurs, the impact of that development on various revenue streams, as well as the impact of that development on the demand for municipal services, is to be examined by the City as a part of the development approval process. It is the City's stated goal that it seeks to establish fiscal policies which would result in no negative impact on property taxes for existing City residents as a result of growth. Therefore, the City will seek to assure that all proposed development offers a balance between the cost of services demanded and the revenues produced.

It is the intent of the City to pay for extension of all municipal services to the area from revenues generated as a result of the annexation, which will be derived from property taxes, along with other state distributions. The total property tax rate in Washington Township outside of the corporate limits for pay 2011 is $2.4817. The tax rate for all taxpayers in the City/Washington Township, including all overlapping taxing units, is equal to $2.9238, an increase of $0.4421 or 18%.

Exhibit 1 – Property Description (1of 2)

That portion of the Northeast Quarter of Section 6, Township 18 North, Range 4 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Considering the east line of said Northeast Quarter as South 00 degrees 05 minutes 42 seconds East (assumed bearing) and all bearing contained within being relative thereto.

Commencing at the northeast corner of said Northeast Quarter; thence South 00 degrees 05 minutes 42 seconds East along the east line thereof 102.54 feet to the northeast corner of the land of the Town of Westfield recorded as Instrument Number 200300046150 in the Office of the Recorder of Hamilton County, Indiana, said point also being the southeast corner of a right of way grant for State Road 32 recorded in Book 141, Page 256 in said county records; thence South 89 degrees 54 minutes 18 seconds West along the north line of said land 16.50 feet; thence North 48 degrees 43 minutes 14 seconds West along the northerly line of said land and the south line of said right of way grant 75.16 feet; thence South 89 degrees 34 minutes 45 seconds West along said south right of way line 184.90 feet to the beginning of a tangent curve to the right, having a radius of 57,343.93 feet and a central angle of 00 degrees 02 minutes 48 seconds; thence westerly along said curve and right of way line an arc length of 46.79 feet to the northeast corner of the now or former land of Peacock Carey Nat, LLC as described in Instrument Number 2006-35976 in said county records; thence South 00 degrees 05 minutes 54 seconds East along the east line of said land and the southerly extension thereof 293.43 feet to the southwest corner of the now or former land of Peacock Carey WG, LLC as described in Instrument Number 2006-35976 in said county records; thence North 89 degrees 54 minutes 00 seconds East along the south line of said land 28.86 feet to the **POINT OF BEGINNING**; thence North 89 degrees 54 minutes 00 seconds East along said south line 221.63 feet to the proposed westerly 70 foot right of way line of Carey Road and a point on non-tangent curve concaved westerly having a radius of 940.00 feet, a central angle of 05 degrees 44 minutes 55 seconds, and a radial line passing through said point which bears North 84 degrees 07 minutes 52 seconds East; thence southerly along said proposed right of way line and curve an arc length of 94.27 feet to the point of tangency; thence South 00 degrees 07 minutes 13 seconds East along said proposed right of way 160.59 feet; thence South 89 degrees 40 minutes 50 seconds West 226.45 feet; thence North 00 degrees 06 minutes 00 seconds West 255.61 feet to the **POINT OF BEGINNING**, and containing 1.323 acres, more or less.

Exhibit 1 – Property Description (2 of 2)

Parcel Number	Street Address	Acreage
08-10-06-00-00-013.102	No address	0.12
08-10-06-00-00-013.202	No address	1.1
08-10-06-00-00-013.002	17365 Carey Road	0.08
	Total Acres	1.3