

ORDINANCE NO. 2018-6

Synopsis: This Ordinance, if adopted, would annex certain contiguous territory as described herein to the Town of Markle, Indiana.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MARKLE, INDIANA,
ANNEXING CERTAIN TERRITORY TO THE TOWN OF MARKLE, INDIANA,
PLACING THE SAME WITHIN THE CORPORATION BOUNDARIES THEREOF AND
MAKING THE SAME A PART OF THE TOWN OF MARKLE

WHEREAS, on May 16, 2018, the Town was presented with a fully signed and facially valid petition for the voluntary annexation of real property located outside, but contiguous to the Town of Markle ("Petition");

WHEREAS, in accordance with that Petition, the Town Council of the Town of Markle, Indiana ("Council") is desirous of annexing certain portions of Huntington County into the Town of Markle (the "Annexation Territory");

WHEREAS, the Annexation Territory is contiguous to the existing Town limits;

WHEREAS, a description of the boundaries of the Annexation Territory is as follows:

Survey Description:

Part of the Northeast and Southeast Quarters of Section 35, Township 28 North, Range 10 East of the Second Principal Meridian, Union Township, Huntington County, Indiana, also being part of a tract of land conveyed to Kyle E. and Lisa M. Lund in Document 2006000099, all documents referenced herein are recorded in the Office of the Recorder of Huntington County, and being more particularly described as follows: Beginning at the East Quarter Corner of said Section 35. being marked by a 1/2-inch diameter rebar: thence South 00 degrees 57 minutes 16 seconds East, on and along the East line of said Southeast Quarter, a distance of 719.77 feet to the Northeast corner of a tract of land conveyed to North Central Cooperative, Inc. in Document 2017004700 and being marked by a mag nail with an identification disk stamped "T-E INC FIRM #0070" (from herein referred to as "T-E Mag"): thence South 89 degrees 05 minutes 20 seconds West, on and along the North line of said North Central Cooperative, Inc. tract, a distance of 1222.61 feet to the Northwest corner of said North Central Cooperative, Inc. tract, also being a point on the North line of a tract of land conveyed to NC2, LLC in Documents 2015002651. 2016001009 and 2017000047 and being marked by a 5/8-inch diameter rebar with an identification cap stamped "T-E INC FIRM #0070"; thence North 64 degrees 40 minutes 10 seconds West, on and along the North line of said NC2, LLC tract, a distance of 109.23 feet to the Northwest corner of said NC2, LLC tract; thence South 00 degrees 41 minutes 14 seconds East, on and along the West line of said NC2, LLC tract, a distance of 55.64 feet to the Northeast corner of a tract of land conveyed to the United State of America (Huntington Reservoir) in Deed Book 208, page 92 and being marked by a 3-inch diameter disk stamped "235 R"; thence North 64 degrees 40 minutes II seconds West. on and along the North line of said United States of America tract, a distance of 527.6 feet to the centerline of the

McCulloch-Roche Drain: thence North 23 degrees 05 minutes 39 seconds East, on and along said centerline, a distance of 110.21 feet; thence North 05 degrees 13 minutes 48 seconds West, on and along said centerline, a distance of 45.03 feet; thence North 25 degrees 51 minutes 26 seconds West, on and along said centerline, a distance of 409.54 feet; thence North 88 degrees 44 minutes 47 seconds East, a distance of 1924.89 feet to the East line of said Northeast Quarter and being marked by a "T-E Mag"; thence South 00 degrees 53 minutes 46 seconds East. on and along said East line, a distance of 34.63 feet to the Point of Beginning, containing 29.891 acres of land more or less and being subject to and/or together with all easements and right-of-way of record.

WHEREAS, responsible planning and state law require adoption of a fiscal plan and a definite policy for the provision of certain services to annexed areas;

WHEREAS, prior to the adoption of this Ordinance, this Council, by resolution, will adopt a written fiscal plan and definite policy for the provision of services of both a non-capital and capital nature to the Annexation Territory;

WHEREAS, the written fiscal plan and definite policy adopted by resolution will include the provision of services of a noncapital nature to the Annexation Territory within one (1) year after the effective date of this annexation in a manner equivalent in standard and scope to those noncapital services provided to areas within the current corporate boundaries, regardless of similar topography, patterns of land use, and population density;

WHEREAS, the written fiscal plan and definite policy adopted by resolution will include the provision of services of a capital nature to the Annexation Territory within three (3) years after the effective date of this annexation in the same manner those services are provided to areas within the current 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 and consistent with the annexation policy previously adopted by this Council;

WHEREAS, prior to the final adoption of this Ordinance, Council will have conducted a public hearing pursuant to proper notice issued as required by law; and

WHEREAS, Council finds that the annexation of the Annexation Territory pursuant to the terms of this Ordinance is fair and equitable and should be accomplished.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Markle, Indiana, as follows:

1. The above recitals are incorporated herein by reference as though fully set forth herein below.
2. In accordance with Indiana law the Annexation Territory is hereby annexed to the Town of Markle and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.
3. The Annexation Territory is assigned to the at-large voting district for the

Town Council of the Town of Markle, Indiana

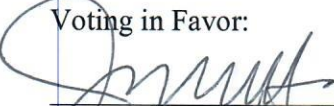
4. All land in the Annexation Territory will be zoned agricultural and any land zoned agricultural as of the effective date of this ordinance shall remain as such until an appropriate request has been made by the property owner.
5. All prior Ordinances or parts thereof which may be inconsistent with any provision of this Ordinance are hereby repealed. The paragraphs, sentences and words of this Ordinance are separable, and if any portion hereof is declared unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance.
6. This Ordinance shall be effective as provided by applicable law.


Ordinance 2018-6 was duly adopted this 18th day of July, 2018, by a vote of 2 in favor and 1 in opposition.

MARKLE, INDIANA by its TOWN COUNCIL

Voting in Favor:

Voting in Opposition:





Jeff Humbarger

Mark Hamilton

Rick Bower

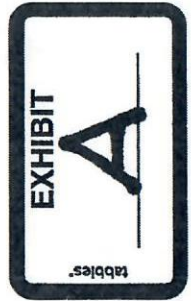
ATTEST:

By  as Clerk-
(Carolyn Hamilton) Treasurer

TOWN OF MARKLE, INDIANA

ESTIMATED ASSESSED VALUE AND TAX RATE IMPACT

(Assumes first year of tax collections from Annexation Area is 2019 pay 2020)



<u>Assessment Year</u>	<u>Estimated Net Assessed Value of Annex. Area</u>	<u>Estimated Net Assessed Value of Town</u>	<u>Total Est. Net Assessed Value of Town</u>	<u>Est. Property Tax Levy of Town</u>	<u>Sub-total: Est. Property Tax Rate</u>
	(1)	(2)	(3)	(4),(5)	(6)
2017 Pay 2018	N/A	\$37,388,239	\$37,388,239	\$422,337	\$1.1296
2018 Pay 2019	N/A	38,509,886	38,509,886	437,230	1.1354
2019 Pay 2020	MTE	39,665,183	39,665,183	451,802	1.1390
2020 Pay 2021	\$372,195	40,855,138	41,227,333	469,529	1.1389
2021 Pay 2022	372,195	42,080,792	42,452,987	487,504	1.1483
2022 Pay 2023	372,195	43,343,216	43,715,411	506,180	1.1579

- (1) Based on the current net assessed value of the real property in the Annexation Area as gathered from the Huntington County Assessor's office. The parcel is currently municipal tax-exempt due to 100% agricultural assessment. It is anticipated that development of the property will be complete and assessed in 2019, with the first year of tax collections in 2020 pay 2021. However, any development within the area will be assessed and taxed for TIF purposes only. The base assessed value was calculated using base rates from a nearby property.
- (2) Assumes the assessed value for the Town of Markle, excluding the Annexation Area, grows at a rate of 3%.
- (3) Represents the net assessed value for the Town, including the Annexation Area, used to calculate the tax rate.
- (4) Assumes controlled property tax levies increase at an annual growth factor of 3.6% for 2019, 3.4% for 2020, 4.0% for 2021 and 3.9% for 2022 and 2023. Assumes that the CCD levy remains constant.
- (5) Assumes the Town does not receive an automatic increase in its levy as a result of the annexation due to the Annexation Area initially being municipal tax-exempt.
- (6) Based on the Est. Property Tax Levy of Town divided by the Total Est. Net Assessed Value of Town.

