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Tx:4149939

BILL NO. X-14-10-08

ANNEXATION ORDINANCE NO. X- 01-14

An ORDINANCE annexing certain territory commonly known as the U.S. 30 West – A Supervoluntary Annexation to Fort Wayne and including the same Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory is and the same is hereby annexed to, and made part of, the corporation of the City of Fort Wayne, Indiana to-wit:

Part of the Southwest Quarter of the Northeast Quarter of Section 19, Township 31 North, Range 12 East, Washington Civil Township, Second Principal Meridian, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the West line of Kruse Homestead Addition according to the plat thereof as recorded in Plat Book 25, page 144, in the Office of the Recorder of Allen County, Indiana, with the north right-of-way of U.S. Highway 30 (Indiana State Highway F Project No. 870(13) Columbia City-Fort Wayne Road, 1959); thence Westerly along the aforesaid north right-of-way, said north right-of-way also being a north boundary of the North American Annexation (Ordinance No. X-01-97); a distance of 1,314 feet, more or less, to its intersection with the west line of the aforesaid Northeast Quarter, thence Northerly along the aforesaid west line, a distance of 1,119 , more or less, to the north line of the aforesaid Southwest Quarter of the Northeast Quarter; thence Easterly along the aforesaid north line a distance

2014056469

RECORDED: 11/24/2014 11:07:08 AM

**ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN**

ADDITIONAL OFFICE
Duty entered for taxation.
Subject to final
acceptance for transfer

NOV 24 2014 *al*

11/23

I/O City Clerk

1
2 of 1,322 feet, more or less, to the west line of the aforesaid Kruse Homestead
3 Addition; thence Southerly along the aforesaid west line, a distance of 1,124 feet,
4 more or less, to the point of beginning, containing 34 acres of land, more or less.
5 (See Map 1 Attached)

6
7 SECTION 2. That a petition for annexation has been received by 100% of
8 property owners in the territory proposed to be annexed in accordance with Indiana
9 Code 36-4-3-5.1.

10
11 SECTION 3. That the municipality has established and adopted a
12 resolution approving the written Fiscal Plan.

13
14 SECTION 4. That a public hearing has been advertised and held in
15 accordance with IC 36-4-3-5.1.

16
17 SECTION 5. That the City of Fort Wayne will furnish the above described
18 territory within a period of one (1) year from the effective date of annexation,
19 planned services of a non-capital nature, including police and fire protection, and
20 street and road maintenance, in a manner which is equivalent in standard and
21 scope to those non-capital services provided to the areas within the City of Fort
22 Wayne regardless of topography, patterns of land-use, and population density to the
23 said described territory. The City of Fort Wayne will also provide services of capital
24 improvement nature, to the annexed territory within three (3) years of the effective
25 date of annexation, in the same manner as such services are provided to areas
26 already in the City of Fort Wayne regardless of topography, patterns of land-use,
27
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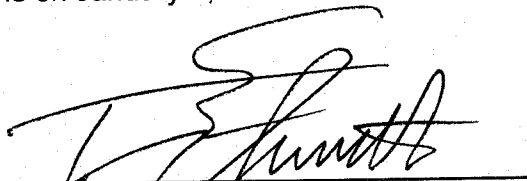
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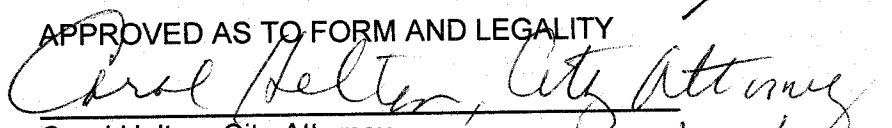

and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 6. That governmental and proprietary service will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory. Said Plan was examined by the Common Council of the City of Fort Wayne and has been approved and adopted by the Common Council. Two copies of said plan are on file in the Office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 7. That said described territory shall be temporarily assigned to City Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 32.02(A)(3) of the City of Fort Wayne Code of Ordinances. This assignment is subject to redistricting.

SECTION 8. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in Indiana Code 36-4-3-7. In the absence of appeal under I.C. 36-4-3-15.5, the above mentioned territory shall become part of the City of Fort Wayne on January 1, 2015.


COUNCIL MEMBER

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney


MAP 1

Public Hearing Date, if applicable November 4, 2014

Read the first time in full and on motion by Councilman Harper

Read the second time by title and referred to the Resolutions

Committee. Read the third time in full and on motion by Councilman _____, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>2</u>	_____	_____
BENDER	<input checked="" type="checkbox"/>	_____	_____	_____
CRAWFORD	<input checked="" type="checkbox"/>	_____	_____	_____
DIDIER	<input checked="" type="checkbox"/>	_____	_____	_____
HARPER	_____	<input checked="" type="checkbox"/>	_____	_____
HINES	<input checked="" type="checkbox"/>	_____	_____	_____
JEHL	_____	<input checked="" type="checkbox"/>	_____	_____
PADDOCK	<input checked="" type="checkbox"/>	_____	_____	_____
SHOAFF	<input checked="" type="checkbox"/>	_____	_____	_____
SMITH	<input checked="" type="checkbox"/>	_____	_____	_____

DATED: 11-18-14 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. X-01-14 on the 18th day of November, 2014

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK

Robert A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of November, 2014, at the hour of 2:00 o'clock PM, E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 21st day of November, 2014, at the hour of 10:30 o'clock AM, E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL**

ANNEXATION ORDINANCES FOR THE FOLLOWING BILLS:

X-14-10-08 - U.S. 30 WEST - (A) SUPER-VOLUNTARY ANNEXATION TO FORT WAYNE

X-14-10-10 - U.S. 30 WEST - (B) SUPER-VOLUNTARY ANNEXATION TO FORT WAYNE

X-14-10-12 - U.S. 30 WEST - (C) SUPER-VOLUNTARY ANNEXATION TO FORT WAYNE

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON NOVEMBER 4, 2014 AT 5:30 P.M., IN ROOM 030 - COUNCIL DISCUSSION ROOM - GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE INDIANA 46802. THIS MEETING IS TO PROVIDE INTERESTED PARTIES AN OPPORTUNITY TO EXPRESS THEIR VIEWS ON THE PROPOSED ANNEXATION ORDINANCES FOR U.S. 30 WEST A, U.S. 30 WEST B, AND U.S. 30 WEST C.

INFORMATION RELATED TO THESE ORDINANCES INCLUDING FISCAL PLANS WILL BE AVAILABLE FOR REVIEW AS OF OCTOBER 14, 2014, AT THE OFFICE OF THE CITY CLERK, STE 110, CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; BETWEEN THE HOURS OF 8:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY.

INTERESTED CITIZENS ARE INVITED TO A NEIGHBORHOOD MEETING WHICH WILL BE HELD ON OCTOBER 16, 2014 AT 6 PM AT ST. JOHN'S LUTHERAN CHURCH, 7914 W. COOK ROAD.

COMMENTS CAN BE PROVIDED AT THE PUBLIC HEARING ON NOVEMBER 4TH, OR BY PRIOR WRITTEN COMMENT PROVIDED TO THE CLERK'S OFFICE TO BE READ AT THE PUBLIC HEARING. FOR ADDITIONAL INFORMATION CONCERNING THE PROPOSED PROJECT, PLEASE CONTACT JUSTIN BRUGGER, DIRECTOR OF REDEVELOPMENT, 260-427-1117 BETWEEN THE HOURS OF 8:00 AM. TO 5:00 P.M., MONDAY THROUGH FRIDAY.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE AT (260) 427-1120, TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

**SANDRA E. KENNEDY
CITY CLERK**

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FORT WAYNE COMMON COUNCIL

ANNEXATION ORDINANCES FOR THE FOLLOWING BILLS:

X-14-10-08 - U.S. 30 WEST - (A) SUPER-VOLUNTARY ANNEXATION TO FORT WAYNE

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X-14-10-12 - U.S. 30 WEST - (C) SUPER-VOLUNTARY ANNEXATION TO FORT WAYNE

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SANDRA E. KENNEDY
CITY CLERK

Sarah A. Rogers

From: fwn legals <fwnlegals@fwn.fortwayne.com>
Sent: Wednesday, November 26, 2014 10:44 AM
To: Sarah A. Rogers
Subject: RE: ANNEXATION INFORMATION

Please note below is your requested schedule and cost.

If there is a discrepancy, please let me know soon as possible.

Ad #: 1160382

Date: 11/29

Publication: JG & NS

Total Cost: \$257.70.....Thanks Terrie

Please Read: URGENT! Invoices-Receipt/Proof of Pubs/Affidavits are mailed out on Thursday a week after the last/ONLY run date...

Terrie Brown-Smith

Legal Sales Coordinator 260-461-8246

From: Sarah A. Rogers [<mailto:Sarah.Rogers@cityoffortwayne.org>]
Sent: Wed 11/26/14 10:19 AM
To: fwn legals
Subject: ANNEXATION INFORMATION

Terrie,

Thank you for calling me. Attached is the Word Document you requested. We figured it out and I came up with the attached.

LEGAL NOTICE

Notice is hereby given that on the 18th day of November, 2014, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-14-10-08 Annexation Ordinance No. X-01-14 to-wit:

BILL NO. X-14-10-08 ANNEXATION ORDINANCE NO. X-01-14

An ORDINANCE annexing certain territory commonly known as the U.S. 30 West - A Supervoluntary Annexation to Fort Wayne and including the same Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory is and the same is hereby annexed to, and made part of, the corporation of the City of Fort Wayne, Indiana to-wit:

Part of the Southwest Quarter of the Northeast Quarter of Section 19, Township 31 North, Range 12 East, Washington Civil Township, Second Principal Meridian, Allen County, Indiana, more particularly described as follows: Beginning at the intersection of the West line of Kruse Homestead Addition according to the plat thereof as recorded in Plat Book 25, page 144, in the Office of the Recorder of Allen County, Indiana, with the north right-of-way of U.S. Highway 30 (Indiana State Highway F Project No. 870(13) Columbia City-Fort Wayne Road, 1959); thence Westerly along the aforesaid north right-of-way, said north right-of-way also being a north boundary of the North American Annexation (Ordinance No. X-01-97), a distance of 1,314 feet, more or less, to its intersection with the west line of the aforesaid Northeast Quarter, thence Northerly along the aforesaid west line, a distance of 1,119 more or less, to the north line of the aforesaid Southwest Quarter of the Northeast Quarter; thence Easterly along the aforesaid north line, a distance of 1,322 feet, more or less, to the west line of the aforesaid Kruse Homestead Addition; thence Southerly along the aforesaid west line, a distance of 1,124 feet, more or less, to the point of beginning, containing 34 acres of land, more or less. (See Map 1 Attached)

SECTION 2. That a petition for annexation has been received by 100% of property owners in the territory proposed to be annexed in accordance with Indiana Code 36-4-3-5.1.

SECTION 3. That the municipality has established and adopted a resolution approving the written Fiscal Plan.

SECTION 4. That a public hearing has been advertised and held in accordance with IC 36-4-3-5.1.

SECTION 5. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police and fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to the areas within the City of Fort Wayne regardless of topography, patterns of land-use, and population density to the said described territory. The City of Fort Wayne will also provide services of capital improvement nature, to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne regardless of topography, patterns of land-use, and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 6. That governmental and proprietary service will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory. Said Plan was examined by the Common Council of the City of Fort Wayne and has been approved and adopted by the Common Council. Two copies of said plan are on file in the Office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 7. That said described territory shall be temporarily assigned to City Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 32.02(A)(3) of the City of Fort Wayne Code of Ordinances. This assignment is subject to redistricting.

SECTION 8. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in Indiana Code 36-4-3-7. In the absence of appeal under I.C. 36-4-3-15.5, the above mentioned territory shall become part of the City of Fort Wayne on January 1, 2015.

Read the third time in full and on motion by Harper, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Bender, Crawford, Didier, Hines, Paddock, Shoaff, Smith
NAYS: Harper, Jehl
ABSTAINED: None
ABSENT: None

DATED: 11-18-14 Sandra E. Kennedy, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-14 on the 18th day of November, 2014

ATTEST: Sandra E. Kennedy
City Clerk by
SEAL
Martin A. Bender
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of November, 2014 at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy, City Clerk by

Approved and signed by me this 21st day of November, 2014 at the hour of 10:30 o'clock A.M., E.S.T.

Thomas C. Henry, Mayor
1160382 hspaxlp

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SECTION 5. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police and fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to the areas within the City of Fort Wayne regardless of topography, patterns of land-use, and population density to the said described territory. The City of Fort Wayne will also provide services of capital improvement nature, to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas

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AYES: Seven

Bender, Crawford, Didier, Hines, Paddock, Shoaff, Smith

NAYS: Harper, Jehl

ABSTAINED: None

ABSENT: None

DATED: 11-18-14

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as *Annexation Ordinance No. X-01-14* on the 18th day of November, 2014

ATTEST: SEAL

Sandra E. Kennedy
City Clerk by

Martin A. Bender
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of November, 2014 at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
City Clerk by

Approved and signed by me this 21st day of November, 2014 at the hour of 10:30 o'clock A.M., E.S.T.

Thomas C. Henry
Mayor



U.S. 30 West - A - Location Map



Although strict accuracy standards have been employed in the completion of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
 North American Datum 1983
 State Plane Coordinate System, Indiana East
 Photos and Contours: Spring 2009

— Annexation Boundary
 - - - City of Fort Wayne Boundary

Date: 10/22/2013 1" = 995'

The Journal Gazette

Account # 1060008 - 1152745

Allen County, Indiana

FW Common Council

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT HERE

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice **79**

COMPUTATION OF CHARGES

79 lines, 1 column(s) wide equals

79 equivalent lines at \$ 0.413 cents per line \$ 32.63

Additional charges for notices containing rule or tabular work
(50 per cent of above amount) -

Charge for extra proofs of publication
(\$1.00 for each proof in excess of two) -

TOTAL AMOUNT OF CLAIM \$ 32.63

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.
Number of Insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

<u>10/15/2014</u>	-	-	-
-	-	-	-
-	-	-	-

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.

T. Brown-Smith

T. Brown-Smith
Legal Clerk

Date: October 15, 2014

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL**

ANNEXATION ORDINANCES FOR
THE FOLLOWING BILLS:

X-14-10-08 - U.S. 30 WEST - (A)
SUPER-VOLUNTARY ANNEXATION
TO FORT WAYNE

X-14-10-10 - U.S. 30 WEST - (B)
SUPER-VOLUNTARY ANNEXATION
TO FORT WAYNE

X-14-10-12 - U.S. 30 WEST - (C)
SUPER-VOLUNTARY ANNEXATION
TO FORT WAYNE

NOTICE IS HEREBY GIVEN THAT
THE FORT WAYNE COMMON COUN-
CIL OF THE CITY OF FORT WAYNE,
INDIANA, WILL CONDUCT A PUBLIC
HEARING ON NOVEMBER 4, 2014
AT 5:30 P.M. IN ROOM 030 -
COUNCIL DISCUSSION ROOM - GAR-
DEN LEVEL CITIZENS SQUARE, 200
E. BERRY, FORT WAYNE, INDIANA
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VIDE INTERESTED PARTIES AN OP-
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WEST A, U.S. 30 WEST B, AND U.S.
30 WEST C.

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ORDINANCES INCLUDING FISCAL
PLANS WILL BE AVAILABLE FOR
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AT THE OFFICE OF THE CITY
CLERK, STE 110, CITIZENS
SQUARE, 200 E. BERRY, FORT
WAYNE, INDIANA 46802; BETWEEN
THE HOURS OF 8:00 A.M. TO 5:00
P.M., MONDAY THROUGH FRIDAY.

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WHICH WILL BE HELD ON OCTOBER
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LUTHERAN CHURCH, 7914 W.
COOK ROAD.

COMMENTS CAN BE PROVIDED AT
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BRUGGER, DIRECTOR OF REDEVEL-
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"REASONABLE ACCOMMODATIONS"
FOR PERSONS WITH A KNOWN DIS-
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PERSON NEEDING A "REASONABLE
ACCOMMODATION" SHOULD NOTIFY
PUBLIC INFORMATION OFFICE AT
(260) 427-1120, TTY (260) 1200,
AT LEAST SEVENTY-TWO HOURS
PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

10-15 1152745 hspaxlp

The News-Sentinel

Account # 1060008 - 1152745
FW Common Council

Allen County, Indiana

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Head -- number of lines

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79

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(50 per cent of above amount) -

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(\$1.00 for each proof in excess of two) -

TOTAL AMOUNT OF CLAIM \$ 32.63

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.

Number of Insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 3 times.

The dates of publication being as follows:

10/15/2014 - - -
- - -
- - -

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The News-Sentinel.

T. Brown-Smith
Legal Clerk

Date: October 15, 2014

ATTACH COPY OF ADVERTISEMENT HERE

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL**

ANNEXATION ORDINANCES FOR
THE FOLLOWING BILLS:

X-14-10-08 - U.S. 30 WEST - (A)
SUPER-VOLUNTARY ANNEXATION
TO FORT WAYNE

X-14-10-10 - U.S. 30 WEST - (B)
SUPER-VOLUNTARY ANNEXATION
TO FORT WAYNE

X-14-10-12 - U.S. 30 WEST - (C)
SUPER-VOLUNTARY ANNEXATION
TO FORT WAYNE

NOTICE IS HEREBY GIVEN THAT
THE FORT WAYNE COMMON COUN-
CIL OF THE CITY OF FORT WAYNE,
INDIANA WILL CONDUCT A PUBLIC
HEARING ON NOVEMBER 4, 2014
AT 5:30 P.M. IN ROOM 030 -
COUNCIL DISCUSSION ROOM - GAR-
DEN LEVEL CITIZENS SQUARE, 200
E. BERRY, FORT WAYNE, INDIANA
46802. THIS MEETING IS TO PRO-
VIDE INTERESTED PARTIES AN OP-
PORTUNITY TO EXPRESS THEIR
VIEWS ON THE PROPOSED ANNEXA-
TION ORDINANCES FOR U.S. 30
WEST A, U.S. 30 WEST B, AND U.S.
30 WEST C.

INFORMATION RELATED TO THESE
ORDINANCES INCLUDING FISCAL
PLANS WILL BE AVAILABLE FOR
REVIEW AS OF OCTOBER 14, 2014,
AT THE OFFICE OF THE CITY
CLERK, STE 110, CITIZENS
SQUARE, 200 E. BERRY, FORT
WAYNE, INDIANA 46802; BETWEEN
THE HOURS OF 8:00 A.M. TO 5:00
P.M., MONDAY THROUGH FRIDAY.

INTERESTED CITIZENS ARE INVIT-
ED TO A NEIGHBORHOOD MEETING
WHICH WILL BE HELD ON OCTOBER
16, 2014 AT 6 PM AT ST. JOHN'S
LUTHERAN CHURCH, 7914 W.
COOK ROAD.

COMMENTS CAN BE PROVIDED AT
THE PUBLIC HEARING ON NOVEM-
BER 4TH, OR BY PRIOR WRITTEN
COMMENT PROVIDED TO THE
CLERK'S OFFICE TO BE READ AT
THE PUBLIC HEARING. FOR ADDI-
TIONAL INFORMATION CONCERN-
ING THE PROPOSED PROJECT,
PLEASE CONTACT JUSTIN
BRUGGER, DIRECTOR OF REDEVEL-
OPMENT, 260-427-1117 BETWEEN
THE HOURS OF 8:00 AM. TO 5:00
P.M., MONDAY THROUGH FRIDAY.

"REASONABLE ACCOMMODATIONS"
FOR PERSONS WITH A KNOWN DIS-
ABLING CONDITION WILL BE CON-
SIDERED IN ACCORDANCE WITH
STATE AND FEDERAL LAW. ANY
PERSON NEEDING A "REASONABLE
ACCOMMODATION" SHOULD NOTIFY
PUBLIC INFORMATION OFFICE AT
(260) 427-1120, TTY (260) 1200,
AT LEAST SEVENTY-TWO HOURS
PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

10--15 1152745 hspaxlp



Engage • Innovate • Perform

City of Fort Wayne
Community Development
200 East Berry Street, Suite 320
Fort Wayne IN 46802
260.427.1127

COMMUNITY DEVELOPMENT

Thomas C. Henry, Mayor

www.fwcommunitydevelopment.org

To: Fort Wayne City Council Members

From: Justin Brugger, Executive Director
Fort Wayne Redevelopment Commission

Re: U.S. 30 West (A, B, & C) Annexation Ordinances

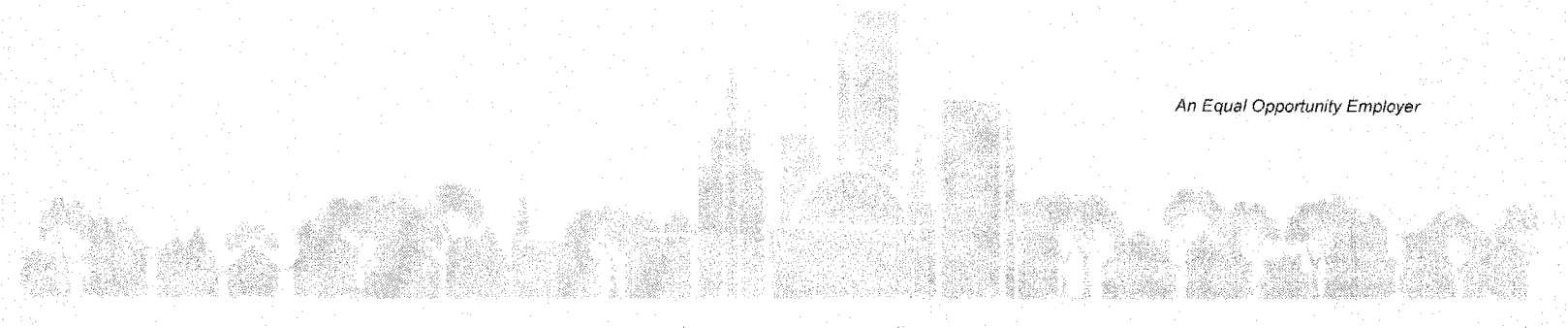
Date: October 7, 2014

The process to consider adoption of three annexation fiscal plan resolutions and ordinances titled U.S. 30 West (A, B, & C) is being initiated at the Oct. 14, 2014, council meeting. Petitions have been received by the property owner holding 100% of the property for each annexation making the annexations super-voluntary per Indiana Code 36-4-3-5.1. It is the desire of the Fort Wayne Redevelopment Commission to purchase this property for the purpose of the future development of a corporate park similar to the nearby Sweetwater Sound development. The land needs to be part of the city for this purchase to occur.

A public hearing has been set for November 4, 2014, and a vote on the resolutions and ordinances is scheduled for November 25, 2014. The super-voluntary process includes a 30 day appeal. The annexations are presented with staggered effective dates to provide for the 25% contiguity required for each subsequent annexation. All annexations will be effective on or before January 29, 2015.

An annexation timeline has been provided for your knowledge. If you have any questions regarding the ordinance, please feel free to contact me at 427-1117.

An Equal Opportunity Employer



U.S. Highway 30 West Annexations Timeline

Summer 2014	Sign option agreement
August-September 2014	Develop three annexation fiscal plans
October 2, 2014	Petitions, Resolutions, Fiscal Plans and Ordinances to Stephanie Crandall
October 9, 2014	Petitions, Resolutions, Fiscal Plans and Ordinances to Diane Brown
October 14, 2014	File super-voluntary annexation petitions with City Council
October 14, 2014	Introduce resolutions to adopt fiscal plans and annexation ordinances at City Council (within 30 days of petition)
Week of October 14, 2014	Notice of public hearings in the newspaper (minimum of 20 days prior to public hearing)
October 16, 2014	Neighborhood Meeting
November 4, 2014	Public hearings at City Council (within 30 days of petition) and discussion. We will need to get this in the queue with the newspaper prior to the resolution intro to meet the timing.)
November 25, 2014	Approval of resolutions to adopt the fiscal plan and annexation ordinances at City Council (a minimum of 14 days after public hearing). Fiscal plan resolutions must be passed first.
Prior to December 1, 2014	Publish ordinances in newspaper and file in Recorder's Office.
January 1, 2015	Annexation A effective date (minimum of 30 days from publication)
January 15, 2015	Annexation B effective date
January 29, 2015	Annexation C effective date
TBD	Acquire Land
TBD	Rezone Land
TBD	Bond for Infrastructure

BILL NO. X-14-10-08

REPORT OF COMMITTEE ON REGULATIONS

NOVEMBER 4, 2014

*Mitch Harper, Chair
Thomas Didier, Co-Chair
All Council Members*

AN ORDINANCE annexing certain territory commonly known as the U.S. 30 West - A Super-voluntary Annexation to Fort Wayne and including the same Council-manic District No. 3. **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Thomas Harper			
	Mitch Harper		
T. Harper	Thomas Didier		
	MM		
Gregg Riddick			
John Spool			
John H. I.			
John A. Coffey			
Maurice A. Bunde			

**SANDRA E. KENNEDY
CITY CLERK**

U.S. Highway 30 West Annexations Timeline

October 14, 2014	File super-voluntary annexation petition A with City Council.
October 14, 2014	Introduce resolution to adopt fiscal plan and annexation ordinance at City Council (within 30 days of petition).
Week of October 14, 2014	Notice of public hearing in the newspaper (minimum of 20 days prior to public hearing).
November 4, 2014	Council Withdraws Petitions, Resolutions, Fiscal Plans & Ordinances for US 30 B & C.
November 4, 2014	Public hearing at City Council for US 30 A (within 30 days of petition) and discussion.
November 18, 2014	Approval of resolution to adopt the fiscal plan and annexation ordinance at City Council (a minimum of 14 days after public hearing). Note: Fiscal plan resolution must be passed first.
By November 21, 2014	Mayor signs & clerk publishes Ordinance A in newspaper.
January 1, 2015	Annexation A effective date (minimum of 30 days from publication).

December 16, 2014	File super-voluntary annexation petition B with City Council.
December 16, 2014	Introduce resolutions to adopt fiscal plan and annexation ordinance at City Council (within 30 days of petition).
By December 16, 2014	Notice of public hearing in the newspaper (minimum of 20 days prior to public hearing).
January 6, 2015	Public hearing at City Council (within 30 days of petition) and discussion.
January 27, 2015	Approval of resolution to adopt the fiscal plan and annexation ordinance at City Council (a minimum of 14 days after public hearing). Note: Fiscal plan resolution must be passed first.
By January 30, 2015	Mayor signs and Clerk publishes ordinances in newspaper. Absent an appeal, area B will be effective on March 2nd if the ordinance is published on 1/30.
30 Days After Publication (Approx. March 2, 2015)	Annexation B effective date (minimum of 30 days from publication).

Place Ad. in paper
12-12-14
12-16-14

February 10, 2015

File super-voluntary annexation petition C with City Council.

February 10, 2015

Introduce resolution to adopt fiscal plan and annexation ordinance at City Council (within 30 days of petition).

Week of Feb. 10, 2015

Place Ad on 4th to be placed in Newspaper on 7th w public hearing on
Notice of public hearing in the newspaper (minimum of 20 days prior to public hearing).

March 3, 2015

Public hearing at City Council (within 30 days of petition) and discussion.

March 24, 2015

Approval of resolution to adopt the fiscal plan and annexation ordinance at City Council (a minimum of 14 days after public hearing).

Note: Fiscal plan resolution must be passed first.

By March 27, 2015

Publish ordinances in newspaper and file in Recorder's Office.

30 Days from Publication
(Approx. April 26, 2015)

Annexation C effective date (minimum of 30 days from publication)

Sarah A. Rogers

From: Kristi Sturtz <kristi@sturtzpmg.com>
Sent: Monday, November 03, 2014 9:32 AM
To: Sarah A. Rogers
Cc: Angie Davis; Tim Manges; Carol Helton; Justin Brugger; Greg Leatherman
Subject: Re: QUESTION REGARDING ANNEXATION
Attachments: US 30 West Annexatons Timeline - End to End Approach (April Conclusion).docx

Sarah,

I've attached a revised timeline that has been approved by Carl Helton, Tim Manges and Joe Bonahoom. Everything for Annexation A is moving forward...tomorrow is the public hearing on A and the discussion on the resolution for A and the ordinance for A. Passage for resolution A and the ordinance A will then occur on Nov. 18th. Publication of the ordinance can happen by Nov. 21st and everything becomes effective if passed and no appeal is filed by January 1.

At this time, the resolution, fiscal plan, and ordinances will be withdrawn for Annexations B & C. No public hearing will occur for these annexations at this time. We will wait until after the conclusion of the ordinance approval of A before initiating B and then again for C as shown on the timeline.

Tim/Carol - have you worked things out regarding how the withdraws will be handled by council?

Please feel free to let me know if you have any other questions and thanks for your patience with all the changes!

Kristi

On Mon, Nov 3, 2014 at 9:10 AM, Sarah A. Rogers <Sarah.Rogers@cityoffortwayne.org> wrote:

Good morning Kristi,

I am in the process of preparing the Agenda for tomorrow's Council Meeting and I need clarification on how to move forward...

The Public Hearing for the Annexations are on the Agenda, I have also included the two that were withdrawn, showing that they were withdrawn. But I am not sure if the Resolutions are to be discussed and passed this week. The next Council Meeting will be held on the 18th (due to Veteran's Day falling on Tuesday the 11th). Would you please clarify this for us because Angie and I both are very confused.

Also, the U.S. Highway 30 West Annexations Timeline states that the Annexation Ordinance should be published in newspaper and filed in the Recorder's Office prior to December 1st. When should it be published since our November dates have moved up.

Angie also received a petition from Mr. Mark Scovel opposing the Annexation with about 92 signatures. In his e-mail he stated that "We are not opposed to the annexation, however, we need to have a strong voice during planning efforts so that we can affect the design in a positive way."

Thank you Kristi.

Sarah A. Rogers

From: Tim Manges <manges@eflawyers.com>
Sent: Monday, November 03, 2014 10:31 AM
To: Kristi Sturtz; Sarah A. Rogers
Cc: Angie Davis; Carol Helton; Justin Brugger; Greg Leatherman
Subject: RE: QUESTION REGARDING ANNEXATION

Kristi: My understanding from speaking with Joe Bonahoom and Angie Davis is that there needs to be motions to withdraw the ordinances and resolutions regarding Parcels B and C but Joe didn't anticipate any problem with that. My further understanding is that Joe (or the chair of the committee) will make clear prior to the start of the public hearing (which proceeds the committee session in which the B and C ordinances/resolutions will be withdrawn) that the public hearing pertains to Parcel A only.

Tim

Timothy A. Manges
Attorney at Law
Eilbacher Fletcher, LLP
803 South Calhoun Street, 4th floor
Fort Wayne, IN 46802
(260)-425-9777 / Fax (260)-424-9177
E-Mail: manges@eflawyers.com

CONFIDENTIALITY NOTICE: This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of this e-mail or any attachment is prohibited. We do not waive any attorney-client or work product privilege by the transmission of this message. If you have received this e-mail in error, please notify us immediately by return e-mail and delete all copies from your system. Thank you. Eilbacher Fletcher, LLP

Further Notice: In accordance with IRS regulations, we inform you that any federal tax advice in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code.

From: Kristi Sturtz [<mailto:kristi@sturtzpmg.com>]
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Thank you Kristi.

The Journal Gazette

Allen County, Indiana

Account # 1060008 - 1160382

FW Common Council

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

208

COMPUTATION OF CHARGES

104 lines, 2 column(s) wide equals

208 equivalent lines at \$ 0.413 cents per line

\$ 85.90

Additional charges for notices containing rule or tabular work
(50 per cent of above amount)

42.95

Charge for extra proofs of publication
(\$2.00 for each proof in excess of two)

-

TOTAL AMOUNT OF CLAIM

\$ 128.85

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.

Number of Insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

11/29/2014

- - -
- - -
- - -

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.

T. Brown-Smith

T. Brown-Smith
Legal Clerk

Date: November 29, 2014

ATTACH COPY OF ADVERTISEMENT HERE

The Rev. E.W. Jackson, a conservative black pastor in Virginia, depicted Brown as "in many ways a typical kid growing up in the black com-

terson asked. "It doesn't matter what we think his legacy was. He was a human being who didn't deserve to have his life snuffed out."

LEGAL NOTICE

Notice is hereby given that on the 18th day of November, 2014, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-14-10-08 Annexation Ordinance No. X-01-14 to-wit:

BILL NO. X-14-10-08 ANNEXATION ORDINANCE NO. X-01-14

An ORDINANCE annexing certain territory commonly known as the U.S. 30 West - A Supervoluntary Annexation to Fort Wayne and including the same Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory is and the same is hereby annexed to, and made part of, the corporation of the City of Fort Wayne, Indiana to-wit:

Part of the Southwest Quarter of the Northeast Quarter of Section 19, Township 31 North, Range 12 East, Washington Civil Township, Second Principal Meridian, Allen County, Indiana, more particularly described as follows: Beginning at the intersection of the West line of Kruse Homestead Addition according to the plat thereof as recorded in Plat Book 25, page 144, in the Office of the Recorder of Allen County, Indiana, with the north right-of-way of U.S. Highway 30 (Indiana State Highway F Project No. 870(13) Columbia City-Fort Wayne Road, 1959), thence Westerly along the aforesaid north right-of-way, said north right-of-way also being a north boundary of the North American Annexation (Ordinance No. X-01-97); a distance of 1,314 feet, more or less, to its intersection with the west line of the aforesaid Northeast Quarter, thence Northerly along the aforesaid west line, a distance of 1,119 more or less, to the north line of the aforesaid Southwest Quarter of the Northeast Quarter; thence Easterly along the aforesaid north line, a distance of 1,322 feet, more or less, to the west line of the aforesaid Kruse Homestead Addition; thence Southerly along the aforesaid west line, a distance of 1,124 feet, more or less, to the point of beginning, containing 34 acres of land, more or less. (See Map 1 Attached)

SECTION 2. That a petition for annexation has been received by 100% of property owners in the territory proposed to be annexed in accordance with Indiana Code 36-4-3-5.1.

SECTION 3. That the municipality has established and adopted a resolution approving the written Fiscal Plan.

SECTION 4. That a public hearing has been advertised and held in accordance with IC 36-4-3-5.1.

SECTION 5. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police and fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to the areas within the City of Fort Wayne regardless of topography, patterns of land-use, and population density to the said described territory. The City of Fort Wayne will also provide services of capital improvement nature, to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne regardless of topography, patterns of land-use, and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 6. That governmental and proprietary service will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory. Said Plan was examined by the Common Council of the City of Fort Wayne and has been approved and adopted by the Common Council. Two copies of said plan are on file in the Office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 7. That said described territory shall be temporarily assigned to City Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 32.02(A)(3) of the City of Fort Wayne Code of Ordinances. This assignment is subject to redistricting.

SECTION 8. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in Indiana Code 36-4-3-7. In the absence of appeal under I.C. 36-4-3-15.5, the above mentioned territory shall become part of the City of Fort Wayne on January 1, 2015.

Read the third time in full and on motion by Harper, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Bender, Crawford, Didier, Hines, Paddock, Shoaff, Smith
NAYS: Harper, Jehl
ABSTAINED: None
ABSENT: None

DATED: 11-18-14

Sandra E. Kennedy, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-14 on the 18th day of November, 2014

ATTEST:
Sandra E. Kennedy
City Clerk by

SEAL
Martin A. Bender
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of November, 2014 at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy, City Clerk by

Approved and signed by me this 21st day of November, 2014 at the hour of 10:30 o'clock A.M., E.S.T.

11-29

Thomas C. Henry, Mayor
1160382 hspaxlp

Open

Ki

Create
holiday

Publish

TWO INCH

EXAM

\$23

Parsons
shows
(only one)

Jessica Jo
age 1, Fort We

Merry Chris
Love, Mom &

PRINTED PHOTOS: All photos must be on a self-addressed stamped envelope. Copyrighted photo, you are assuming all rights. DIGITAL PHOTOS: By agreeing to the terms, you are assuming all rights. By submitting a copyrighted photo you

The News-Sentinel

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T. Brown-Smith

T. Brown-Smith
Legal Clerk

Date: November 29, 2014

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An ORDINANCE annexing certain territory commonly known as the U.S. 30 West - A Supervoluntary Annexation to Fort Wayne and including the same Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory is and the same is hereby annexed to, and made part of, the corporation of the City of Fort Wayne, Indiana to-wit:

Part of the Southwest Quarter of the Northeast Quarter of Section 19, Township 31 North, Range 12 East, Washington Civil Township, Second Principal Meridian, Allen County, Indiana, more particularly described as follows: Beginning at the intersection of the West line of Kruse Homestead Addition according to the plat thereof as recorded in Plat Book 25, page 144, in the Office of the Recorder of Allen County, Indiana, with the north right-of-way of U.S. Highway 30 (Indiana State Highway F Project No. 870(13) Columbia City-Fort Wayne Road, 1959); thence Westerly along the aforesaid north right-of-way, said north right-of-way also being a north boundary of the Northeast Quarter, thence Northerly along the aforesaid north line, a distance of 1,314 feet, more or less, to its intersection with the west line of the aforesaid Northeast Quarter, thence Easterly along the aforesaid north line, a distance of 1,119 feet, more or less, to the north line of the aforesaid Southwest Quarter of the Northeast Quarter; thence Southerly along the aforesaid west line, a distance of 1,124 feet, more or less, to the point of beginning, containing 34 acres of land, more or less. (See Map 1 Attached)

SECTION 2. That a petition for annexation has been received by 100% of property owners in the territory proposed to be annexed in accordance with Indiana Code 36-4-3-5.1.

SECTION 3. That the municipality has established and adopted a resolution approving the written Fiscal Plan.

SECTION 4. That a public hearing has been advertised and held in accordance with IC 36-4-3-5.1.

SECTION 5. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police and fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to the areas within the City of Fort Wayne regardless of topography, patterns of land-use, and population density to the said described territory. The City of Fort Wayne will also provide services of capital improvement nature, to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne regardless of topography, patterns of land-use, and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 6. That governmental and proprietary service will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory. Said Plan was examined by the Common Council of the City of Fort Wayne and has been approved and adopted by the Common Council. Two copies of said plan are on file in the Office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 7. That said described territory shall be temporarily assigned to City Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 32.02(A)(3) of the City of Fort Wayne Code of Ordinances. This assignment is subject to redistricting.

SECTION 8. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in Indiana Code 36-4-3-7. In the absence of appeal under I.C. 36-4-3-15.5, the above mentioned territory shall become part of the City of Fort Wayne on January 1, 2015.

Read the third time in full and on motion by Harper, and duly adopted, placed on its passage. **PASSED** by the following vote:

AYES: Seven
Bender, Crawford, Didier, Hines, Paddock, Shoaff, Smith
NAYS: Harper, Jehl
ABSTAINED: None
ABSENT: None

DATED: 11-18-14

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-01-14 on the 18th day of November, 2014

ATTEST:
Sandra E. Kennedy
City Clerk by

Sandra E. Kennedy, City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of November, 2014 at the hour of 2:00 o'clock P.M., E.S.T.

SEAL
Martin A. Bender
Presiding Officer

Sandra E. Kennedy, City Clerk by

Approved and signed by me this 21st day of November, 2014 at the hour of 10:30 o'clock A.M., E.S.T.

Thomas C. Henry, Mayor
1160382 hspaxlp

cerer's Stone" activates some of the same regions in the brain that people use to perceive real people's actions and intentions. Scientists then map what a healthy brain does as it reads.

The research reported

Sales

**IF YOU LIKE A FAST
MULTIPLE PRODUCT
AND DON'T TAKE
ANSWER, THEN YOU
CANDIDATE FOR C**

Fort Wayne Newspapers... products The News-Sentinel is seeking a dynamic Ad media sales in Northeast development position; the opportunity to sell any of

The successful candidate motivated. The key to ability to develop new business an individual who can produce results.

OTHER REQUIREMENTS

- Ability to develop new business
- Strong communication and presentation skills
- Effective planning and organization
- Proficient PC skills
- Ability to work independently
- Previous sales experience

Fort Wayne Newspaper... sation based on experience comprehensive benefits

Interested applicants... resume online at... reference AE in the

600 W. Main

X-14-10-08

Hand out 11-4-17

My name is Mark Scovel, my address is 5421 Kruse Dr. Fort Wayne, 46818.

Thank you for letting me speak. Thank you for doing the jobs that you do here.

Our petition to oppose the annexation was a knee jerk reaction. We were somewhat disarmed when we saw Justin Brugger's presentation because there were berms with landscaping, entry/exit only from Flaugh and other items that made us believe our interests are being protected.

But we still have concerns like:

1. Increased traffic hazards on Kroemer and Washington Center and US30.
2. Runoff water becoming a larger problem than it already is.
3. Increased noise from traffic on highway 30.
4. Light pollution from exterior building lights and parking lights.
5. Noise from businesses like diesel trucks and forklifts and PA systems.
6. Destruction of woods and forests.

And there are more concerns. As I understand it, there is a lot more development being planned in that US30 corridor.

We understand that that there is a system in place for us to raise our concerns, object to specifics that we don't like and negotiate a solution. This suggests we should trust the system because it presumably works.

I didn't live in Kruse Homestead when the Indiana Auto Auction was planned but I've been told that the city promised it would be tree-lined and beautiful and essentially invisible to the community. I would hope each of you has driven past it to see that it looks terrible now. Is that because someone wasn't policing the city and making them meet their promises? That is an example of a system that doesn't work unless the citizens

who are going to loose can catch the grievance before it is too late.

Sweetwater is closer to our houses than some of the planned businesses will be. We didn't get notified when Sweetwater Sound made at least two large-scale changes to their building.

These are two examples of a system that doesn't work period. Obviously it is possible for that system to take action and not notify us. Again, was someone not policing the city processes?

In order for us to participate in this system, we're going to have to learn the players, the process, the ordinances, the departments and the laws and then speak on our own behalf in order to protect our interests. Some of us are trying to fulfill that role and it is a long-term commitment. But if we get run over by a bus, then someone else will have to assume our position and re-start the learning process all over again and it is likely that they won't learn that system rapidly enough to do what is required on time. And if we fail to do something on time or the right way or if the economic motivations trump our interests, we've lost that dispute and these will accumulate until we've lost the quality of community.

The problem is that there isn't a role in the development process that has authority and carries the responsibility for our interests.

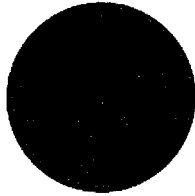
What could the city do to resolve this?

1. Assign someone to the project that has some authority and carries our best interests to every meeting on the project. Someone inside the city department infrastructure that has the mandate to attend all the planning and design meetings. Someone who will speak up when they see something that isn't what they'd want in their backyard and they'd speak up when they see something that would jeopardize their retirement home and they'd speak up when they see something that will make

their own streets more hazardous.

2. Grant us the legal right of refusal for any change on any part of the project (simple homeowner majority obtained by our designee).

Thank you again.



OFFICE OF CENSUS DATA
INDIANA LEGISLATIVE SERVICES AGENCY

January 6, 2015

Sandra E. Kennedy
City Clerk
City of Fort Wayne
Citizens Square – 200 East Berry Street
Suite 110
Fort Wayne, IN 46802-2733

Dear Clerk Kennedy:

The Office of Census Data is in receipt of an annexation ordinance for the City of Fort Wayne. The ordinance number is **X-01-14**.

Please note that filing the annexation with our office does **not** constitute a filing with the U.S. Census Bureau as part of the Boundary and Annexation Survey program.

Thanks so much for your assistance. If you have questions, please contact me at 317-233-9294.

Sincerely,

Mark Allen Stratton
Co-Manager