

RESOLUTION NO. 2009-5

ADOPTING A FISCAL PLAN AND DEFINITE POLICY FOR THE ANNEXATION OF  
PROPERTY CONTIGUOUS  
TO THE  
TOWN OF BARGERSVILLE, INDIANA  
PURSUANT TO ORDINANCE NO. 2009- 2  
(THE SR144/SR37 ANNEXATION)

WHEREAS, the Town Council of the Town of Bargersville is the legislative body of the Town of Bargersville in Johnson County, in the State of Indiana; and

WHEREAS, this Council has pending before it Ordinance No. 2009- 2 which would annex certain described territory therein (the "Annexation Territory"); and

WHEREAS, Indiana Code Section 36-4-3-3.1 requires the Town to develop a written fiscal plan and establish a definite policy, by resolution of its legislative body, that meets the requirements of Indiana Code Section 36-4-3-13 for the Annexation Territory; and

WHEREAS, a copy of the written fiscal plan and definite policy for the Annexation Territory is attached hereto; and

WHEREAS, this written fiscal plan shows the following:

- (1) the cost estimates of planned services to be furnished to the Annexation Territory, itemized for each municipal department or agency;
- (2) the method or methods of financing the planned services, together with an explanation of how specific and detailed expenses will be funded, indicating the taxes, grants and other funding to be used;
- (3) the plan for the organization and extension of services, detailing the specific services that will be provided and the dates the services will begin;
- (4) that planned services of a noncapital nature will be provided to the Annexation Territory within one year after the effective date of the annexation in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density; and
- (5) that planned services of a capital improvement nature will be provided to the Annexation Territory within three years after the effective date of the annexation in the same manner those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density and in a manner consistent with federal, state and local laws, procedures, and planning criteria.

NOW, THEREFORE, BE IT RESOLVED by the legislative body of the Town of Bargersville, in Johnson County, Indiana that:

Section I. The above recitals are incorporated herein by reference and shall be deemed part of the written fiscal plan and definite policy.

Section II. The attached written fiscal plan and definite policy is hereby incorporated herein by reference. Two copies of the attached are kept on file in the office of the Clerk-Treasurer for public inspection.

Section III. The Town Council of the Town of Bargersville, Indiana hereby adopts the materials set forth in the attached as the written fiscal plan and definite policy for the Annexation Territory which is the subject of Ordinance No. 2009- 2.

Section IV. The sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

Section VI. This Resolution shall be in full force and effect from and after the date of its passage.

SO RESOLVED this 10 day of March, 2009.

**TOWN COUNCIL OF THE TOWN OF BARGERSVILLE**

Steve Welch  
President  
Cynthia M. Harris  
Sheld L  
J. L. D.  
Nick Kile

ATTEST:

Carla D. Gray  
Bargersville, Clerk-Treasurer

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