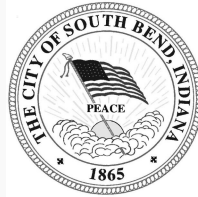


THE CITY OF SOUTH BEND

ANNEXATION REPORT

2007

ANNUAL MILESTONES
&
STATISTICS



DIVISION OF COMMUNITY DEVELOPMENT
1200 COUNTY CITY BUILDING
SOUTH BEND, IN 46601

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I. INTRODUCTION

This report provides information about the City's annexation activities in 2007.

Summary

Land Added: *64.85* acres

Assessed Value Added: \$979,020.00 (*per County tax records at time of filing of the ordinance*).

Estimated Assessed Value Once Developed: \$23,349,380.00 (*based on comparable projects in the respective townships in which the annexations are located*)

New Activity Added:

- Furthered City Plan goal of creating a regional commercial node at the intersection of Douglas and State Road 23 through annexation of three parcels.
- Land for an estimated 101 unit intergenerational housing development. The development will be a healthy mix of single-family homes, condominiums, and a 2.66 acre forest preserve.
- A 65 unit condominium/hotel development with 14 additional town-homes near the University of Notre Dame.
- Three relatively small annexations along the US 31 South corridor, which will allow for commercial redevelopment opportunities.

II. KEY EVENT(S)

City of Carmel v. Southwest Clay Annexation Remonstrators

In June, the Indiana Supreme Court over-ruled a decision that would have limited municipalities' ability to negotiate with landowners, and put greater scrutiny on fiscal plans. Essentially, the Supreme Court ruled on the following three matters:

1. Fiscal plans and annexation ordinances are not "frozen in time," meaning that they can be amended without triggering repeal moratorium up until trial or evidentiary hearings (if remonstrated against).
2. Judicial review of fiscal plans is limited to assessing whether or not it represents a credible commitment by the municipality to provide the annexation area with comparable capital and non-capital services. It is not proper for the court to conduct an audit of the fiscal plan.

3. If the statutory minimum number or percentage of landowners successfully remonstrate against the initial annexation ordinance, and the annexation ordinance is amended the initial remonstrance does not apply. Therefore, if an annexation ordinance is amended, property owners - if they are still opposed - must remonstrate against the amended ordinance as well.

2007 Legislative Session

Annexation staff is unaware of any changes to state law in 2007 that affect annexation procedures. However, the General Assembly created an “Annexation Study Committee” to examine various annexation issues. The committee met five times, and released a final report of their proceedings - available at <http://www.in.gov/legislative/interim/committee/reports/AXSCAB1.pdf> -in October. While the committee made seven findings of fact, they refrained from making any recommendations.

III. 2007 ANNEXATION MILESTONES

Annexation Area	Filed Date	Effective Date
Southfield Lake	8/9/06	1/22/07
Drake	10/4/06	3/4/07
Stadium Village	10/4/06	3/4/07
Shoemaker	11/8/06	4/9/07
Douglas and SR 23	3/7/07	7/22/07
Pulling and US 31	4/3/07	8/20/07

IV. 2006 ANNEXATION STATISTICS

By Annexation Ordinance

<u>Annexation</u>	<u>Ordinance Number</u>	<u>Date Recorded</u>	<u>Acres</u>	<u>Township</u>	<u>Land Use</u>
Southfield Lake	9723-06	1/31/07	55.00	Centre	PUD/SF1
Drake	9736-07	3/29/07	3.31	Centre	Hotel
Stadium Village	9737-07	3/29/07	3.10	Clay	MU
Shoemaker	9741-07	4/12/2007	0.52	Centre	Office/retail
Douglas and SR 23	9765-07	8/6/07	2.17	Clay	Office/retail
Pulling and US 31	9770-07	9/4/07	0.75	Centre	CB
<i>TOTAL</i>			<i>64.85</i>		

Existing Characteristics

<u>Existing Use</u>	<u>Acres</u>	<u>Population</u>	<i>.... Existing</i>	
			<u>Houses</u>	<u>Businesses</u>
Motel	3.31	0	0	1
Residential	5.27	9	6	0
Agriculture	55.00	2.5	1	0
Vacant	1.27	0	0	0

By Township

<u>Township</u>	<u>Acres</u>	<u>Assessed Valuation - as Annexed</u>	<u>Assessed Valuation per acre</u>
Centre	59.58	\$414,720	\$6,961
Clay	5.27	\$564,300	\$107,078
<i>TOTALS</i>	<i>64.85</i>	<i>\$979,020</i>	<i>\$15,097</i>

V. 2007 DISANNEXATION

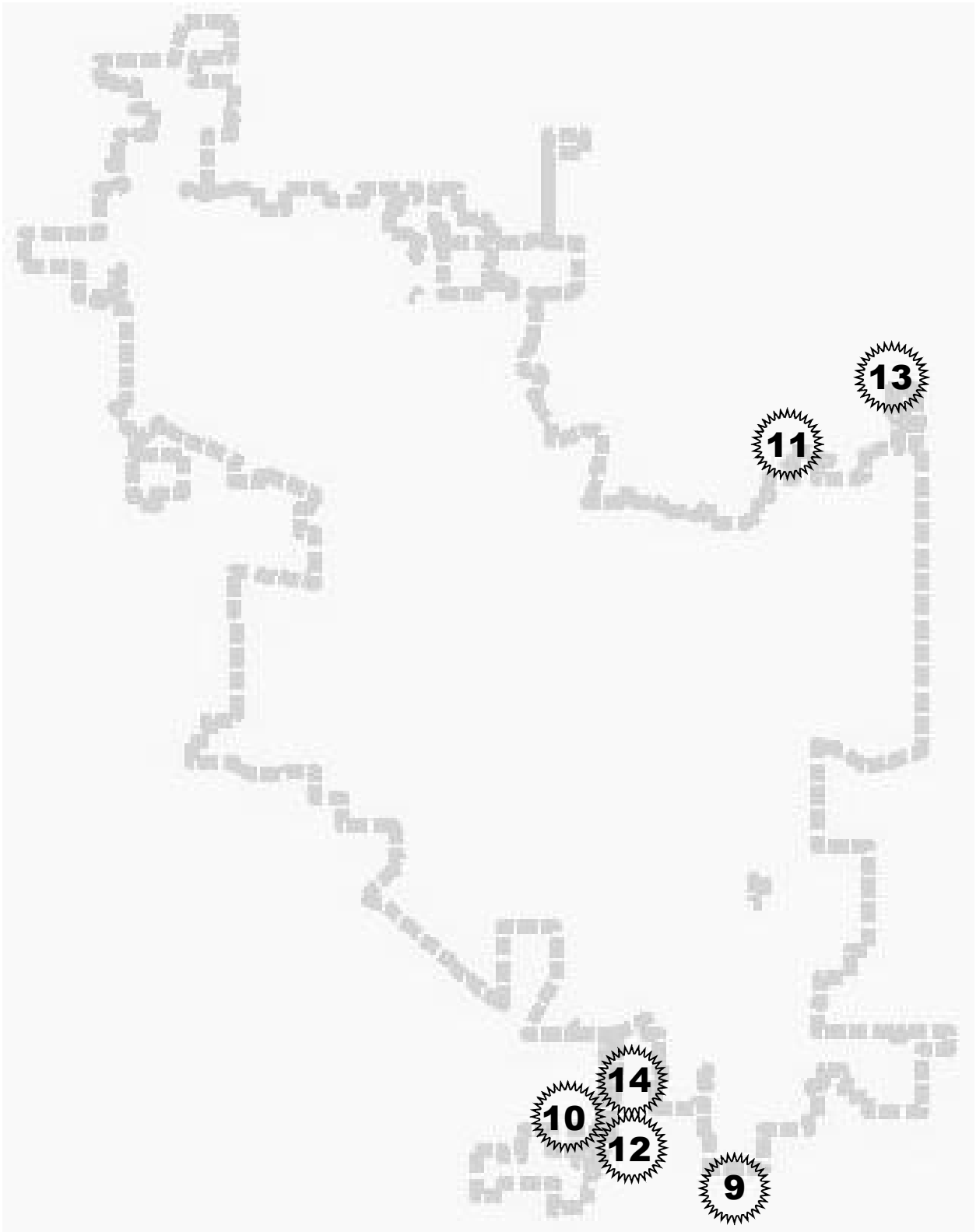
One 2.183-acre disannexation of land owned by Kendall-Weiss LLP took place in 2007. This land was originally annexed in 2006 as part of a larger 70 acre annexation. In order to accommodate a land trade between the original petitioner and an adjacent property owner, who needed a total of five acres in the county to satisfy the County Zoning Ordinance regarding livestock, the city consented to the disannexation. This disannexation allows for the installation of an access drive in St. Joseph County that will facilitate the efficient provision of police and fire protection to the proposed residential subdivision located in the City of South Bend.

VI. 2008 ANNEXATION PROGRAM

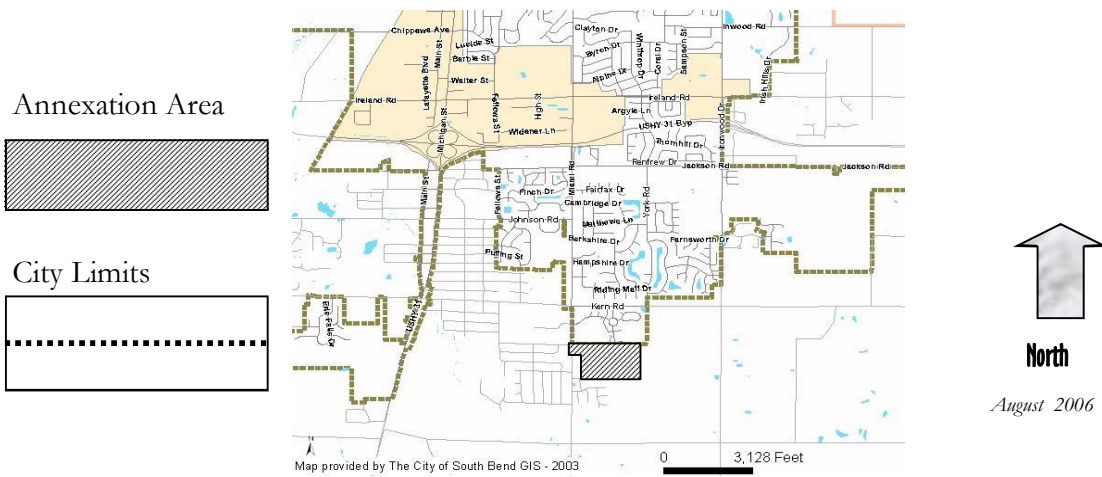
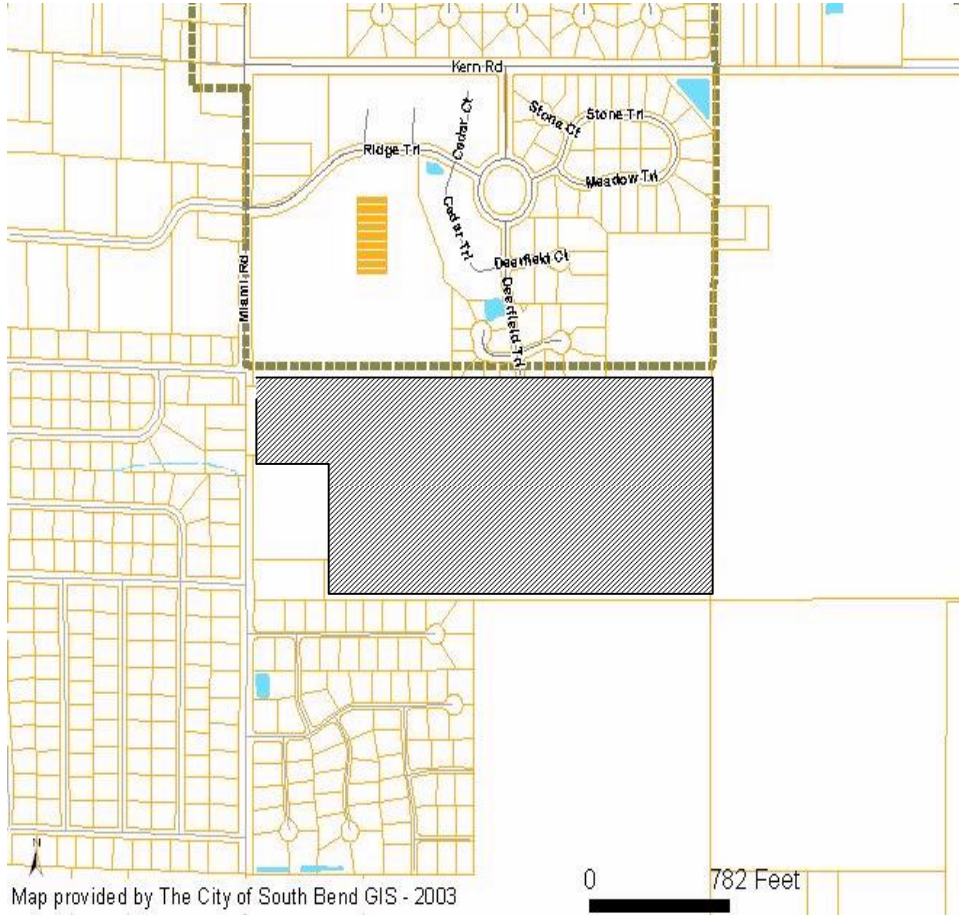
- Monitor the 2008 Indiana Legislative session relative to proposed changes in the annexation statutes.
- Support voluntary annexation petitions.
- Conduct one Growth Management Team meeting.
- Determine role of Growth Management Team relative to the implementation of *City Plan*
- Integrate Annexation Policy and Plan with *City Plan*.

2007 Annexation Reference Map

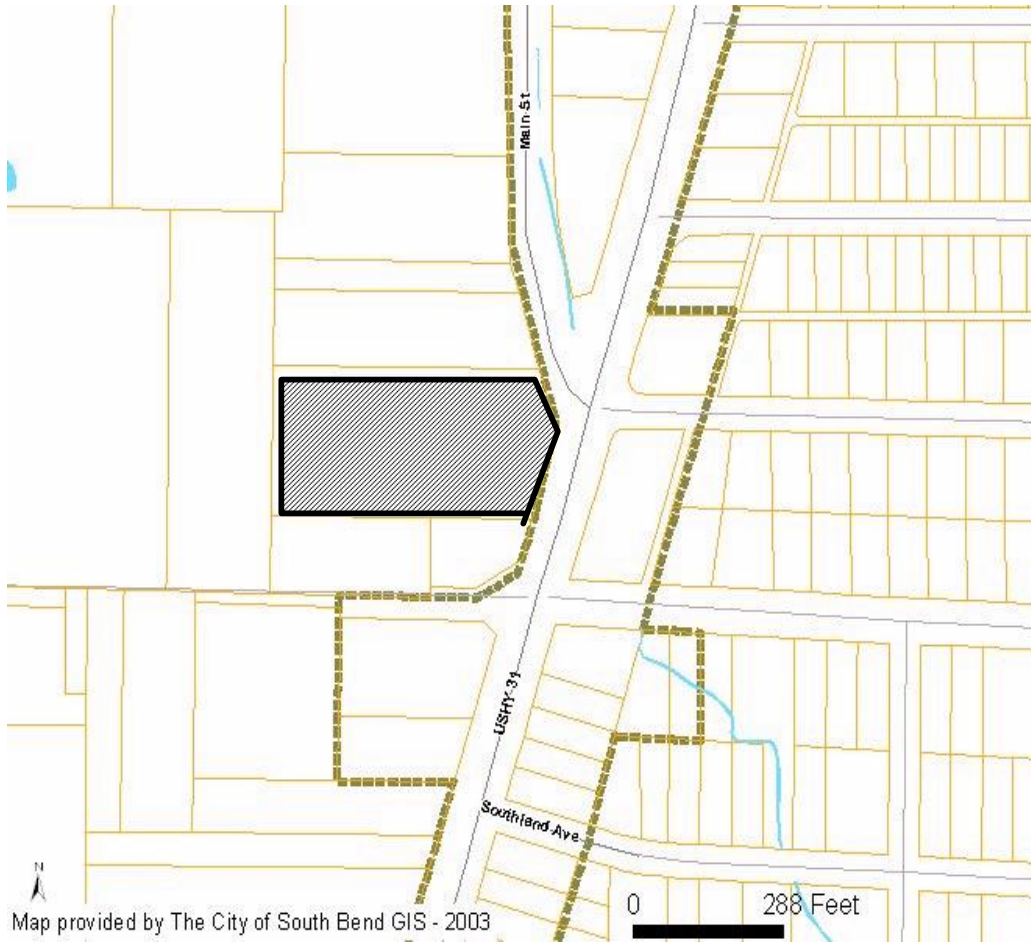
Numbers below reflect page number of corresponding annexation



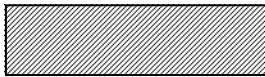
Southfield Lake Annexation Area



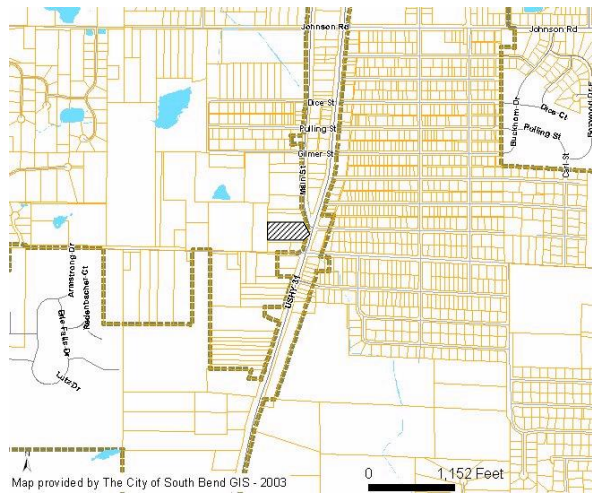
Drake Annexation Area



Annexation Area



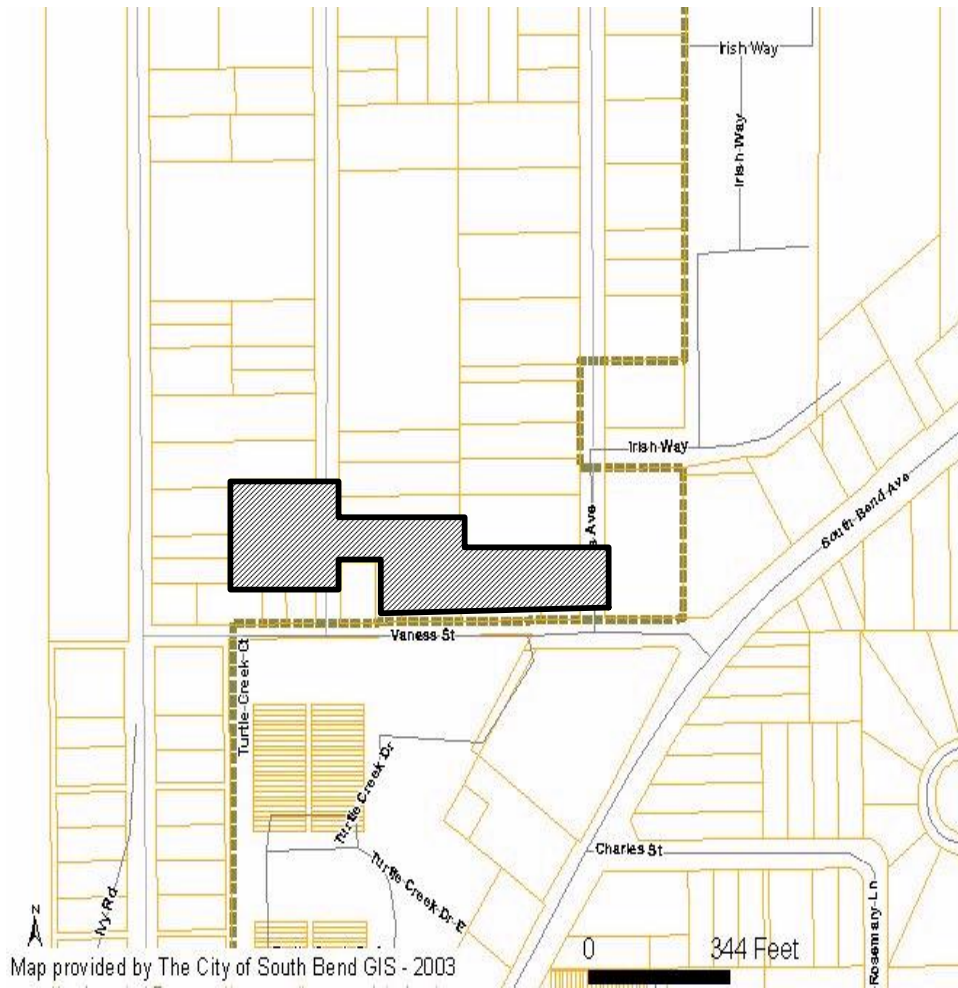
City Limits



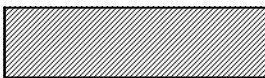
North

October 2006

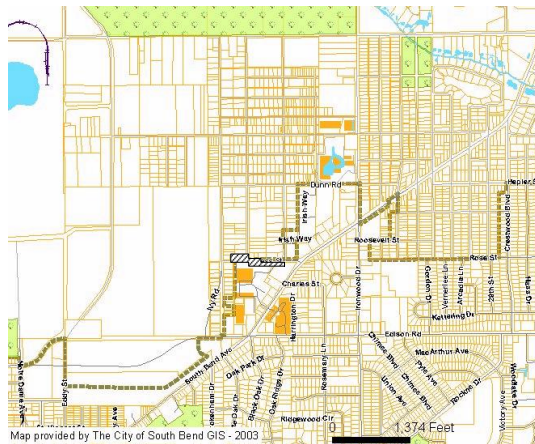
Stadium Village Annexation Area



Annexation Area



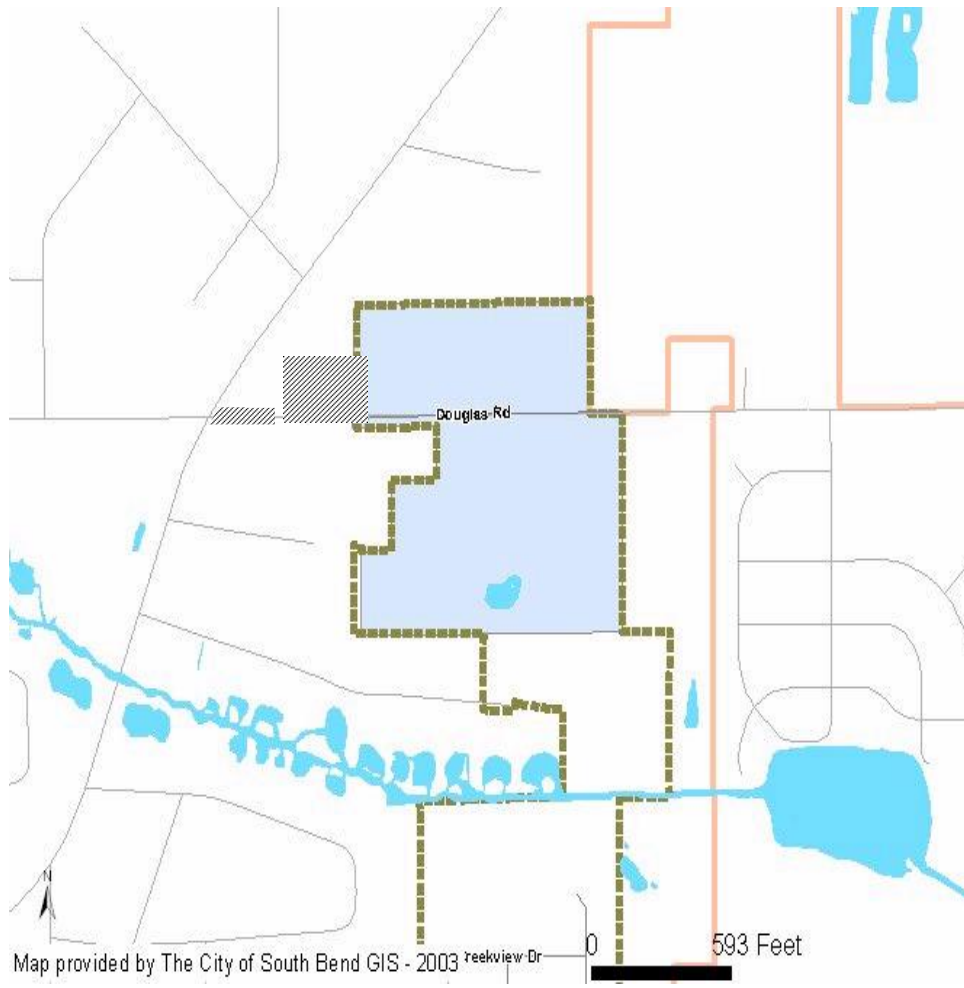
City Limits



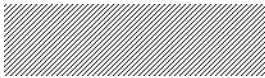
North

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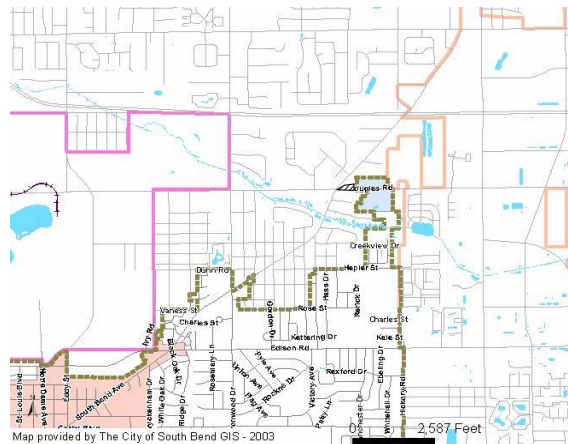
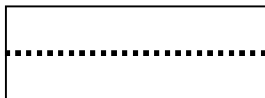
(Douglas Road) Annexation Area



Annexation Area



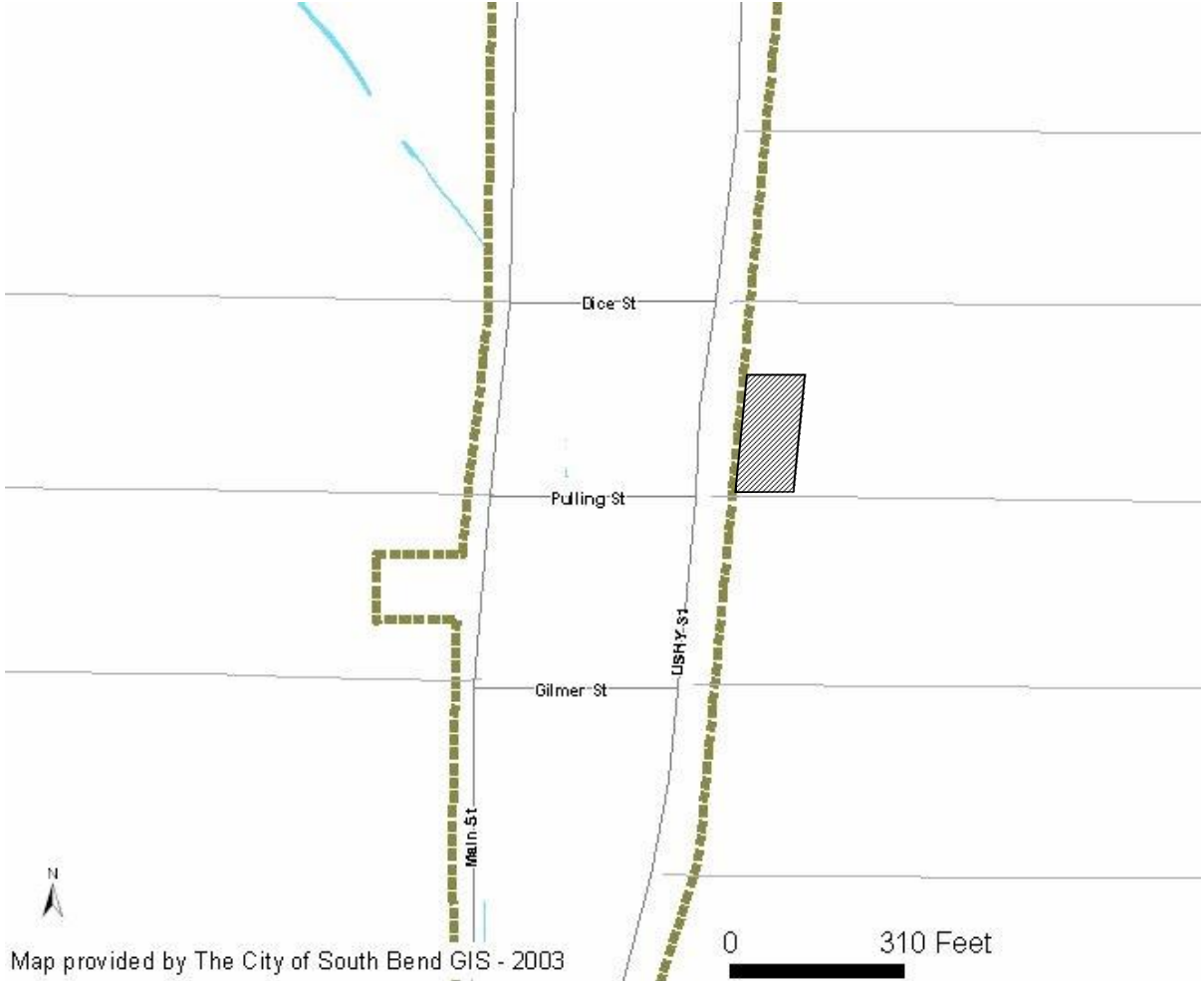
City Limits



North

March 2007

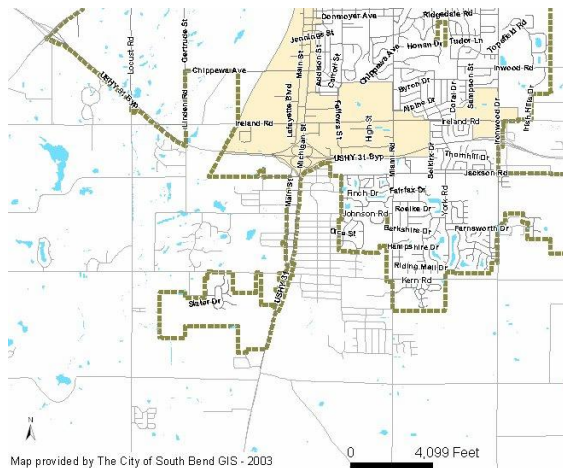
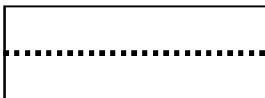
(Pulling and U.S. 31) Annexation Area



Annexation Area



City Limits



North

April 2007