

## ORDINANCE NO. 2015-1

### SHORT TITLE: AN ORDINANCE FOR THE REGULATION OF TRAFFIC WITHIN THE TOWN OF GENEVA, INDIANA AND FOR THE PROVISION OF PENALTIES

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF GENEVA, INDIANA:

That Title VII, Chapter 73, Schedule III of the Code of Ordinances of the Town of Geneva, Indiana: "SPEED LIMITS" SHALL BE AMENDED to read as follows:

#### SCHEDULE III. SPEED LIMITS.

(A) *Fines.* Any person, firm, or corporation that violates the following specific sections of this code, shall, upon conviction, be guilty of a Class C infraction and shall be subject to penalties and fines as set out herein:

- (1) Speeding in a designated speed zone between 1 and 10 miles per hour over the speed limit - \$30 fine.
- (2) Speeding in a designated speed zone between 11 and 15 miles per hour over the speed limit - \$45 fine.
- (3) Speeding in a designated speed zone between 16 and 24 miles per hour over the speed limit - \$60 fine.
- (4) Speeding in a designated speed zone 25 miles per hour and above over the speed limit - \$75 fine.

If said person, firm, or corporation wishes to admit to the violation for which said person, firm or corporation has received a citation and further wishes to avoid appearing in court, said person, firm or corporation may pay said fine, plus court costs and fees to the Adams County Clerk prior to the date in which said person, firm or corporation is set to appear in court regarding the citation.

(B) *Fifteen miles per hour.* There is created as the maximum speed limit of 15 miles per hour on the following streets located within the town as follows:

- (1) Bristol Drive;
- (2) Richfield Lane;
- (3) Harrison Street;
- (4) Bittersweet Lane;

- (5) Holly Lane;
- (6) Cherry Lane;
- (7) Sixth Street between Hale Street and Mill Street;
- (8) Mill Street;
- (9) Short Street;
- (10) Palmer Street; and
- (11) Shackley Street west of Main Street/U.S. 27.

(C) *Twenty miles per hour.* There shall be and is created as the maximum speed limit of 20 miles per hour on the following streets located within the town as follows:

- (1) Hale Street;
- (2) Lincoln Street;
- (3) Sixth Street between Short Street and Main Street/U.S. 27;
- (4) Butcher Street between Main Street/U.S. 27 and Winchester Road; and
- (5) North Drive and South Drive located in Rainbow Lake Subdivision; and
- (6) East Shore Drive and East Lake Road located in Lake of the Woods Subdivision.

(D). *Thirty miles per hour.* There shall be and is created a maximum speed limit of 30 miles per hour on the following streets located within the town as follows:

- (1) Winchester Road;
- (2) Butcher Street east of Main Street/U.S. 27;
- (3) Spring Street;
- (4) Railroad Street; and
- (5) All other streets located in the Town.

Passed and enacted by the Common Council of the Town of Geneva, Indiana on \_\_\_\_\_, 2015.

Common Council of Geneva, Adams County, Indiana

Richard Clutter  
Richard Clutter, President

James Timmons  
James Timmons, Vice-President

Agnes Schoch  
Agnes Schoch, Council Member

ATTEST

Jane Kaveeman  
Barry Moore, Clerk-Treasurer

1<sup>st</sup> reading 4-7-15  
2<sup>nd</sup> reading 5-5-15



ORDINANCE NO. 2015-2

SHORT TITLE: AN ORDINANCE AMENDING THE PROVISION OF PENALTIES  
FOR MOVING VIOLATIONS OF DISREGARDING A STOP SIGN OR YIELD SIGN IN  
THE TOWN OF GENEVA, INDIANA

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF GENEVA,  
INDIANA:

That Title VII, Chapter 73, Schedule I, Section L of the Code of Ordinances of the Town  
of Geneva, Indiana SHALL BE AMENDED to read as follows:

(L) Any person, firm or corporation violating any portion of this schedule shall, upon  
conviction, be subject to a fine of \$60. If said person, firm, or corporation wishes to admit to the  
violation for which said person, firm or corporation has received a citation and further wishes to  
avoid appearing in court, said person, firm or corporation may pay said fine, plus court costs and  
fees to the Adams County Clerk prior to the date in which said person, firm or corporation is set  
to appear in court regarding the citation.

Passed and enacted by the Common Council of the Town of Geneva, Indiana on  
May 5, 2015.

Common Council of Geneva, Adams County, Indiana

Richard Clutter  
Richard Clutter, President

James Timmons  
James Timmons, Vice-President

Agnes Schuch  
Agnes Schuch, Council Member

ATTEST

Jane Kaverman  
Barry Moore, Clerk-Treasurer

Jane Kaverman

1<sup>st</sup> reading 4-7-15  
2<sup>nd</sup> reading 5-5-15

**ORDINANCE 2015-3**  
**ADDITIONAL APPROPRIATIONS**

WHEREAS, It has been determined that it is now necessary to appropriate more money than was appropriated and certified in the 2014 annual budget; and

WHEREAS, a public hearing was properly advertised and held on June 2, 2014 with no dissent; now, therefore:

Sec. 1. Be it ordained by the Geneva Town Council, Governing Body of the Town of Geneva, Adams County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same:

Fund Name: General	Amount	Original Amount Appropriated/Certified
Major Budget Classification:		
30000 Other Services & Charges	\$24,090	\$156,823
40000 Capital Outlays	\$27,910	\$ 8,500
TOTAL for General Fund:	\$52,000	
 Fund Name: MVH	 Amount	
Major Budget Classification:		
30000 Supplies	\$25,000	\$ 29,525
40000 Capital Outlays	\$ 5,500	\$ 26,500
TOTAL for MVH Fund:	\$30,500	
 Fund Name: Safety LOIT	 Amount	
Major Budget Classification:		
40000 Capital Outlays	\$30,000	\$ 0
TOTAL for Safety LOIT Fund:	\$30,000	
 Fund Name: CUM Fire	 Amount	
Major Budget Classification:		
40000 Capital Outlays	\$20,000	\$ 10,000
TOTAL for CUM Fire Fund:	\$20,000	

Duly adopted by the Town Council of Geneva, Adams County, Indiana, on this 2<sup>nd</sup> day of June, 2015.




Richard Clutter, President



Agnes Schoch, Council Member



James Timmons, Vice-President

ATTEST: 

Jane Kaverman, Clerk-Treasurer



# **ORDINANCE 2015-4**

## **TOWN OF GENEVA**

**SHORT TITLE:** An Ordinance fixing wages and salaries paid in the year 2016 for the employees of the Water and Sewage Utilities and Street Department of the Town of Geneva, Adams County, Indiana:

**BE ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GENEVA, ADAMS COUNTY, INDIANA, AS FOLLOWS:**

**SECTION 1:** That the hourly wage of the Superintendent of Streets & Maintenance of the Town of Geneva for calendar year 2016, shall be set at not more than \$20.69, based on a forty (40) hour week. Work in excess of forty (40) hours in any single week to be paid at one and one-half (1 ½) the hourly rate for each hour worked.

**SECTION 2:** That the hourly wage of the Certified Water/Wastewater Operator of the Town of Geneva for calendar year 2016, shall be set at not more than \$20.69 per hour, based on a forty (40) hour week. Work in excess of forty (40) hours in any single week to be paid at one and one-half (1 ½) the hourly rate for each hour worked.

**SECTION 3:** That the salary of the Clerk-Treasurer of the Town of Geneva, for service rendered the Street Department and Water and Sewage Utilities of the Town in calendar year 2016, shall be fixed, set and paid up to the sum of \$21520.98 per year. With a Bachelor of Science degree pay is increased at up to 3%. A MBA or CPA License could yield yet additional pay increases at the discretion of the Town Council. Full time Clerk-Treasurer will have full benefits.

**SECTION 4:** That the hourly wage of the Deputy Clerk, with duties for Utilities Clerk and Marshal's Office Clerk, will be not more than \$14.38 per hour for the calendar year 2016. This wage is based upon a normal workweek of twenty-eight (28) hours. This is a part time position. Work in excess of forty (40) hours in any single week to be paid at one and one-half (1 ½) the hourly rate for each hour worked. Deputy Clerk will receive up to two (2) weeks (56hrs) of paid vacation per year based on seniority in job, 6 sick days, 3 personal days, 5 hours per holiday, and up to 5 bereavement days. No other benefits. The Deputy Clerk position is to be appointed by the Clerk-Treasurer, with the approval of the Town Council.

**SECTION 5:** That the hourly wage of full time laborers of the Street Department or Water & Sewage Utilities shall be paid up to a rate of not more than \$19.00 per hour calendar year 2016. Base rate of \$13.57 with strides being made to become a Certified Water/Wastewater Operator. One required water certification 15.08, 2<sup>nd</sup> required water certification or equivalent, \$16.30, and 3<sup>rd</sup> required certification for wastewater \$17.91. Council may at their discretion increase pay above certification level based on experience and job performance. Overtime hours in excess of forty (40) hours in any single week to be paid at one and one-half (1 ½) the hourly rate for each hour worked.

**SECTION 6:** That the hourly wage of part time/seasonal laborers of the Street Department or Water & Sewage Utilities shall be paid up to a rate of \$11.22 per hour for calendar year 2016. This wage is based upon a normal workweek of twenty-four (24) hours, not to exceed 1500 hr. per year. Overtime hours in excess of forty (40) hours in any single week to be paid at one and one-half (1 ½) the hourly rate for each hour worked. Part time laborers working more than 20 hours per week will be eligible for holiday pay of 4 hrs. They will not be eligible for any other fringe benefits.

**SECTION 7:** That part time/seasonal help for street or utility may be hired at minimum wage up to no more than \$11.25 per hour, depending on experience. At no more than 1500 hrs. per year. No benefits. All applicable state laws on hiring minors to be followed.

**SECTION 8:** This ordinance shall be in full force and effect from and after its passage and shall be effective as to salaries and wages provided for herein on and after January 1, 2016.

**SECTION 9:** All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

Duly adopted by the Town Council of Geneva, Adams County, Indiana, on this 6<sup>th</sup> day of October, 2015.

Richard Clutter

Richard Clutter, President

James Timmons

James Timmons, Vice-President

Agnes Schoch

Agnes Schoch, Council Member

ATTEST:

Jane Kaverman  
Jane Kaverman, Clerk-Treasurer

1<sup>st</sup> reading 8-4-15

2<sup>nd</sup> reading 10-6-15



## **ORDINANCE 2015-5**

### **TOWN OF GENEVA**

**SHORT TITLE:** An Ordinance fixing wages and salaries paid in the year 2016 for the Town Council, Clerk-Treasurer, Town Marshal, Deputy Clerk-Treasurer, Deputy Town Marshal, Utility Clerk and other employees of the Town of Geneva, payable from the GENERAL FUND (except SRO) and effective January 1, 2016.

**BE ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GENEVA, ADAMS COUNTY, INDIANA, AS FOLLOWS:**

**SECTION 1:** That the salary for the members of the Town Council for calendar year 2016 be fixed, set and paid in the following amounts: President of the Town Council: not more than \$233.80 per month, total annual salary of \$2805.65. Other Council members: not more than \$208.91 per month, total annual salary of \$2,506.87.

**SECTION 2:** That the salary of the Clerk-Treasurer of the Town of Geneva for calendar year 2016 paid from the general fund will be fixed, set and paid at the sum of not more than \$163.54 per week, total annual salary of \$8504.08. With a Bachelor of Science Degree pay is increased at up to 3%. A MBA or CPA License could yield yet additional pay increase at the Town Council discretion. Deputy Clerk is to be appointed by the Clerk-Treasurer, with the approval of the Town Council.

**SECTION 3:** That the salary of the Town Marshal of the Town of Geneva for calendar year 2016 paid from the general fund will be fixed, set and paid at the sum of not more than \$46,396.20, paid weekly based on 40 hours/week. Clothing allowance will be \$973.00 per year, payable pursuant to and consistent with the terms and restrictions of Geneva Town Ordinance 2007-2.

**SECTION 4:** That the salary of the Chief Deputy Town Marshal of the Town of Geneva for calendar year 2016 paid from the general fund will be fixed, set and paid at the sum of not more than \$39,505.78, paid weekly based on 40 hours/week. Clothing allowance will be \$973.00 per year, payable pursuant to and consistent with the terms and restrictions of Geneva Town Ordinance 2007-2.

**SECTION 5:** That the Deputy Town Marshal shall be paid up to the sum of not more than \$15.10 per hour for calendar year 2016. Overtime shall be paid at the rate of one and one-half (1 ½) times the hourly rate for each hour worked in excess of forty (40) hours per workweek. Clothing allowance will be \$973.00 per year, payable pursuant to and consistent with the terms and restrictions of Geneva Town Ordinance 2007-2.

**SECTION 6:** That the Deputy School Resource Officer shall be paid up to the sum of not more than \$15.10 per hour for calendar year 2016. Overtime shall be paid at the rate of one and one-half (1 ½) times the hourly rate for each hour worked in excess of forty (40) hours per workweek. Clothing allowance will be \$973.00 per year, payable pursuant to and consistent with the terms and restrictions of Geneva Town Ordinance 2007-2. All wages and benefits for this position will be paid from grant/ reimbursement.



**SECTION 7:** That part time/seasonal for police department may be hired in at minimum wage up to no more than \$11.25 per hour, depending on experience. At no more than 1500 hours per year. No benefits. All applicable state laws on hiring minors to be followed.

**SECTION 8:** That Reserve Police Officers (maximum of eight reserve officers) receive a clothing allowance of \$47.50 per 12 hour shift, maximum of two allowances per month. This maximum amount to be paid in a given month will be \$760.00. This will be paid after receiving actual hours served by the Reserve Police Officers, recorded by the Geneva Town Marshal for a given month. This payment will be pursuant to and consistent with the terms and restrictions of Geneva Town Ordinance 2007-2.

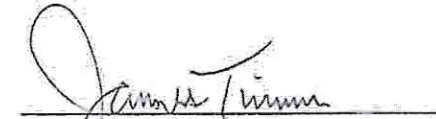
**SECTION 9:** The clothing allowances established in Sections 4, 5, 6, 7 and 8, herein above, shall be controlled and limited by Geneva Town Ordinance 2007-2.


**SECTION 10:** This ordinance shall be in full force and effect from and after its passage and shall be effective as to salaries and wages provided for herein on and after January 1, 2016.


**SECTION 11:** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Duly adopted by the Town Council of Geneva, Adams County, Indiana, on this 6<sup>th</sup> day of October, 2015.

  
Richard Clutter, President

  
James Timmons, Vice-President

  
Agnes Schoch, Council Member

ATTEST:   
Jane Kaverman, Clerk-Treasurer

1<sup>st</sup> reading 8-4-15

2<sup>nd</sup> reading 10-6-15

ORDINANCE NO. 2015-6

DEC -8 2015

AN ORDINANCE ANNEXING  
A TRACT IN WABASH TOWNSHIP  
TO THE TOWN OF GENEVA, INDIANA

*May B Beery*  
AUDITOR ADAMS COUNTY

WHEREAS, Petitioner, **ELKHART PRODUCTS CORP.**, a Delaware Corporation, is the owner of real estate located in Wabash Township, Adams County, Indiana, known as Parcel #01-11-28-100-003.000-017, which said tract is immediately adjacent and contiguous to two tracts of the Petitioner, Parcel #01-11-29-200-014.000-019 and Parcel #01-11-29-200-057.000-019, both tracts of which are owned in fee simple title by the Petitioner, and both tracts of which were previously annexed to the Town of Geneva, Adams County, Indiana; and

WHEREAS, the Petitioner, **ELKHART PRODUCTS CORP.**, is the owner of 100% of the real estate proposed to be annexed; and

WHEREAS, Petitioner has filed a Petition for Annexation with the Common Council of the Town of Geneva, the municipality into which the tract will be annexed; and

WHEREAS, notice of the filing and pendency of the Petition For Annexation, was given in the manner prescribed by IC 5-3-1 by publication of said notice in the Berne Tri-Weekly News, a newspaper of general circulation published in Adams County, Indiana, being the county in which the real estate affected by said proceedings is located; and

WHEREAS, the Common Council of the Town of Geneva, now having held a hearing on the Petition For Annexation, being duly advised in the premises, and having heard the evidence, now finds that the material allegations contained in the Petition For Annexation are true, and further finds that no written remonstrances and objections have been filed by any person or persons owning property immediately adjoining to said real estate to be annexed.

NOW THEREFORE BE IT ORDAINED by the Common Council of the Town of Geneva, Indiana, to-wit:

Section 1.

That the following real estate in Wabash Township, Adams County, Indiana, be and hereby is annexed to the Town of Geneva, Indiana, under Indiana law:

All that part of the following described real estate located in Section 28,  
Township 25 North, Range 14 East:



Part of the Northwest Quarter of the Northwest Quarter of Section 28, together with part of the Northeast Quarter of the Northeast Quarter of Section 29, all being in Township 25 North, Range 14 East, Adams County, Indiana, and all being more particularly described as follows, to wit:

Beginning at the Northwest corner of the Northwest Quarter of said Section 28; thence N 88° - 32' E (bearings in this description are based on a deeded bearing of N 00° - 20' E for the West line of the Northwest Quarter of said Section 28), on and along the North line of said Northwest Quarter, being established by monuments found, a distance of 529.8 feet (recorded 528 feet) to a survey pipe and survey pin found; thence S 00° - 22' W (recorded S 00° - 17' W), on and along a line established by survey monuments found, a distance of 1330.0 feet to a survey pipe found on the South line of the Northwest Quarter of said Northwest Quarter, at a point situated 528.9 feet East of the Southwest corner of the Northwest Quarter of said Northwest Quarter; thence S 89° - 00' W (recorded N 89° - 45' W), on and along said South line and the South line of the Northeast Quarter of the Northeast Quarter of said Section 29, a distance of 957.8 feet (the combined recorded distance of separate deeds being 959.2 feet) to the Easterly right-of-way line of the Penn Central Railroad; thence N 05° - 43' E, on and along said Easterly right-of-way line, being a line situated 40.0 feet (measured at right angles) Southeasterly of and parallel to the center line of the main tracks, a distance of 1204.5 feet (the combined recorded distance of Separate deeds being 1217.1 feet) to a point established on line with monuments found; thence N 89° - 12' E, on and along said monument line, a distance of 40.48 feet to the Easterly right-of-way line of a county road, 40 feet in width, lying Easterly of and adjacent to the aforesaid Penn Central Railroad Easterly right-of-way line; thence S 05° - 43' W, on and along the Easterly right-of-way line of said county road, a distance of 100.0 feet; thence N 89° 12' E, a distance of 144.7 feet (recorded 158.5 feet) to a point established on line with survey monuments found; thence N 01° - 20' E, on and along said monument line, a distance of 99.5 feet to a survey pin found; thence N 89° - 12' E, a distance of 138.3 feet (recorded 138 feet) to the Southwest corner of a found 4" square wood post on the West line of the Northwest Quarter of said Section 28; thence N 00° - 20' E, on and along said West line, a distance of 130.2 feet (recorded 132 feet) to the point of beginning, containing 26.030 acres of land, subject to legal right-of-way for the aforementioned county road, together with all buildings located thereon and fixtures attached thereto as used in the conduct of Seller's business and reflected in its books and records all as at November 30, 1977.

**EXCEPT THEREFROM:**

Part of the Northeast Quarter of Section 29, Township 25 North, Range 14 East, Wabash Township, Adams County, Indiana, described as follows:

Starting at the Northeast corner of said Northeast Quarter found per record witness; thence southerly, 132.00 feet along the west line of said Southwest Quarter to 5/8" rebar stake at the southeast corner of the 0.45 acre tract described in Deed Record 177, page 161, which shall be the place of beginning; thence continuing southerly, 238.15 feet along said east line to a

5/8" rebar stake; thence westerly, deflecting right 88 degrees 47 minutes 10 seconds, 299.27 feet to the east right-of-way line of a county road; thence northerly, deflecting right 93 degrees 56 minutes 18 seconds, 137.58 feet along said right-of-way line to the southwest corner of the 0.35 acre tract described in Deed Record 133, page 443, thence easterly, deflecting right 85 degrees 45 minutes 28 seconds, 158.50 feet along the south line of said 0.35 acre tract to the southeast corner thereof; thence northerly, deflecting left 90 degrees 38 minutes 07 seconds, 99.50 feet along the east line of said 0.35 acre tract to the south line of said 0.45 acre tract; thence easterly, deflecting right 90 degrees 43 minutes 26 seconds, 138.00 feet along said south line to the place of beginning, containing 1.25 acres.

**Subject to: Rights-of-way and easements of record.**

Section 2.


The Clerk-Treasurer of the Town of Geneva is hereby directed to furnish a copy of this Annexation Ordinance to the County Recorder for recording and to the County Auditor for its information and appropriate action.


Section 3.

This Ordinance shall be in full force and effect upon passage by the Common Council of the Town of Geneva.

**PASSED AND ADOPTED by the Common Council of the Town of Geneva by all members present and voting on October 6, 2015.**

**COMMON COUNCIL OF THE TOWN OF GENEVA**

  
Richard Clutter, President

  
James Timmons, Vice-President

  
Agnes A. Schoch, Council Member

ATTEST

  
Jane H. Kaverman, Clerk-Treasurer



I affirm under the penalties for perjury that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. David N. Baumgartner

Prepared in the law offices of

**BAUMGARTNER**  
**ATTORNEYS** PC

by David N. Baumgartner

360 West Main Street • Berne, IN 46711-1436  
Telephone: (260) 589-3139 • Toll Free: 1-888-656-3139  
Facsimile: (260) 589-3130

PETITION FOR ANNEXATION INTO THE TOWN OF GENEVA,  
ADAMS COUNTY, INDIANA  
OF  
ELKHART PRODUCTS CORP.

Dave Thomson, as the duly authorized General Manager of ELKHART PRODUCTS CORP., a Delaware Corporation, hereby declares that it is of the owner of the following described real estate, to-wit:

All that part of the following described real estate located in Section 28, Township 25 North, Range 14 East:

Part of the Northwest Quarter of the Northwest Quarter of Section 28, together with part of the Northeast Quarter of the Northeast Quarter of Section 29, all being in Township 25 North, Range 14 East, Adams County, Indiana, and all being more particularly described as follows, to wit:

Beginning at the Northwest corner of the Northwest Quarter of said Section 28; thence N 88° - 32' E (bearings in this description are based on a deeded bearing of N 00° - 20' E for the West line of the Northwest Quarter of said Section 28), on and along the North line of said Northwest Quarter, being established by monuments found, a distance of 529.8 feet (recorded 528 feet) to a survey pipe and survey pin found; thence S 00° - 22' W (recorded S 00° - 17' W), on and along a line established by survey monuments found, a distance of 1330.0 feet to a survey pipe found on the South line of the Northwest Quarter of said Northwest Quarter, at a point situated 528.9 feet East of the Southwest corner of the Northwest Quarter of said Northwest Quarter; thence S 89° - 00' W (recorded N 89° - 45' W), on and along said South line and the South line of the Northeast Quarter of the Northeast Quarter of said Section 29, a distance of 957.8 feet (the combined recorded distance of separate deeds being 959.2 feet) to the Easterly right-of-way line of the Penn Central Railroad; thence N 05° - 43' E, on and along said Easterly right-of-way line, being a line situated 40.0 feet (measured at right angles) Southeasterly of and parallel to the center line of the main tracks, a distance of 1204.5 feet (the combined recorded distance of Separate deeds being 1217.1 feet) to a point established on line with monuments found; thence N 89° - 12' E, on and along said monument line, a distance of 40.48 feet to the Easterly right-of-way line of a county road, 40 feet in width, lying Easterly of and adjacent to the aforesaid Penn Central Railroad Easterly right-of-way line; thence S 05° - 43' W, on and along the Easterly right-of-way line of said county road, a distance of 100.0 feet; thence N 89° 12' E, a distance of 144.7 feet (recorded 158.5 feet) to a point established on line with survey monuments found; thence N 01° - 20' E, on and along said monument line, a distance of 99.5 feet to a survey pin found; thence N 89° - 12' E, a distance of 138.3 feet (recorded 138 feet) to the Southwest corner of a found



4" square wood post on the West line of the Northwest Quarter of said Section 28; thence N 00° - 20' E, on and along said West line, a distance of 130.2 feet (recorded 132 feet) to the point of beginning, containing 26.030 acres of land, subject to legal right-of-way for the aforementioned county road, together with all buildings located thereon and fixtures attached thereto as used in the conduct of Seller's business and reflected in its books and records all as at November 30, 1977.

**EXCEPT THEREFROM:**

Part of the Northeast Quarter of Section 29, Township 25 North, Range 14 East, Wabash Township, Adams County, Indiana, described as follows:

Starting at the Northeast corner of said Northeast Quarter found per record witness; thence southerly, 132.00 feet along the west line of said Southwest Quarter to 5/8" rebar stake at the southeast corner of the 0.45 acre tract described in Deed Record 177, page 161, which shall be the place of beginning; thence continuing southerly, 238.15 feet along said east line to a 5/8" rebar stake; thence westerly, deflecting right 88 degrees 47 minutes 10 seconds, 299.27 feet to the east right-of-way line of a county road; thence northerly, deflecting right 93 degrees 56 minutes 18 seconds, 137.58 feet along said right-of-way line to the southwest corner of the 0.35 acre tract described in Deed Record 133, page 443, thence easterly, deflecting right 85 degrees 45 minutes 28 seconds, 158.50 feet along the south line of said 0.35 acre tract to the southeast corner thereof; thence northerly, deflecting left 90 degrees 38 minutes 07 seconds, 99.50 feet along the east line of said 0.35 acre tract to the south line of said 0.45 acre tract; thence easterly, deflecting right 90 degrees 43 minutes 26 seconds, 138.00 feet along said south line to the place of beginning, containing 1.25 acres.

Subject to: Rights-of-way and easements of record.

Said real estate is located in Wabash Township, Adams County, Indiana, is known as Parcel #01-11-28-100-003.000-017, and is immediately adjacent and contiguous to two tracts of the petitioner, Parcel #01-11-29-200-014.000-019 and Parcel #01-11-29-200-057.000-019, both tracts of which are owned in fee simple title by the petitioner, and both tracts of which were previously annexed to the Town of Geneva, Adams County, Indiana.

The owner does hereby certify that ELKHART PRODUCTS CORP. is the owner of 100% of the real estate proposed to be annexed.

The owner does hereby petition the Common Council of the Town of Geneva, Indiana, pursuant to IC 36-4-3-5, that said real estate be annexed to the Town by proper ordinance.

PETITION FOR ANNEXATION INTO THE TOWN OF GENEVA,  
ADAMS COUNTY, INDIANA

IN WITNESS WHEREOF, Dave Thomson, as the duly authorized General Manager of  
ELKHART PRODUCTS CORP., a Delaware Corporation, has hereunto executed this Petition  
for Annexation as of July 22, 2015.

Elkhart Products Corp.

By: Dave Thomson  
Dave Thomson

STATE OF INDIANA           )  
  )SS:  
COUNTY OF ADAMS        )

Before me, the undersigned, a Notary Public in and for said County and State, personally  
appeared Dave Thomson, as the duly authorized General Manager of ELKHART PRODUCTS  
CORP., a Delaware Corporation, and as of July 22, 15, 2015, acknowledged the  
execution of the above and foregoing document to be his voluntary act and deed on behalf of  
said ELKHART PRODUCTS CORP.

IN WITNESS WHEREOF, I hereunto affix my hand and official

Melissa Zimmerman  
Notary Public

Resident of Adams County, Indiana

Commission Expires: 8-13-2022

A resident of Adams County, Indiana



Melissa Zimmerman  
Melissa Zimmerman, Notary Public

My Commission Expires:

8-13-2022

Approved by the Common Council of the Town of Geneva, Indiana, on \_\_\_\_\_  
\_\_\_\_\_, 2015.

\_\_\_\_\_  
Richard Clutter, President

\_\_\_\_\_  
James Timmons, Vice-President

\_\_\_\_\_  
Agnes Schoch, Council Member



**TOWN OF GENEVA, INDIANA  
PROPOSED FISCAL PLAN FOR ANNEXED TERRITORY  
ORDINANCE NO. 2015-7**

ELKHART PRODUCTS CORP. has petitioned for the voluntary annexation of the following described contiguous territory and the adoption of Annexation Ordinance No. 2015-6 which was introduced at the September 1, 2015 regular Common Council meeting. The territory which is contiguous to the Town of Geneva to be considered for annexation is legally described as follows, to-wit:

**All that part of the following described real estate located in Section 28, Township 25 North, Range 14 East:**

Part of the Northwest Quarter of the Northwest Quarter of Section 28, together with part of the Northeast Quarter of the Northeast Quarter of Section 29, all being in Township 25 North, Range 14 East, Adams County, Indiana, and all being more particularly described as follows, to wit:  
Beginning at the Northwest corner of the Northwest Quarter of said Section 28; thence N 88° - 32' E (bearings in this description are based on a deeded bearing of N 00° - 20' E for the West line of the Northwest Quarter of said Section 28), on and along the North line of said Northwest Quarter, being established by monuments found, a distance of 529.8 feet (recorded 528 feet) to a survey pipe and survey pin found; thence S 00° - 22' W (recorded S 00° - 17' W), on and along a line established by survey monuments found, a distance of 1330.0 feet to a survey pipe found on the South line of the Northwest Quarter of said Northwest Quarter, at a point situated 528.9 feet East of the Southwest corner of the Northwest Quarter of said Northwest Quarter; thence S 89° - 00' W (recorded N 89° - 45' W), on and along said South line and the South line of the Northeast Quarter of the Northeast Quarter of said Section 29, a distance of 957.8 feet (the combined recorded distance of separate deeds being 959.2 feet) to the Easterly right-of-way line of the Penn Central Railroad; thence N 05° - 43' E, on and along said Easterly right-of-way line, being a line situated 40.0 feet (measured at right angles) Southeasterly of and parallel to the center line of the main tracks, a distance of 1204.5 feet (the combined recorded distance of Separate deeds being 1217.1 feet) to a point established on line with monuments found; thence N 89° - 12' E, on and along said monument line, a distance of 40.48 feet to the Easterly right-of-way line of a county road, 40 feet in width, lying Easterly of and adjacent to the aforesaid Penn Central Railroad Easterly right-of-way line; thence S 05° - 43' W, on and along the Easterly right-of-way line of said county road, a distance of 100.0 feet; thence N 89° 12' E, a distance of 144.7 feet (recorded 158.5 feet) to a point established on line with survey monuments found; thence N 01° - 20' E, on and along said monument line, a distance of 99.5 feet to a survey pin found; thence N 89° - 12' E, a distance of 138.3 feet (recorded 138 feet) to the Southwest corner of a found 4" square wood post on the West line of the Northwest Quarter of said Section 28; thence N 00° - 20' E, on and along said West line, a distance of



130.2 feet (recorded 132 feet) to the point of beginning, containing 26.030 acres of land, subject to legal right-of-way for the aforementioned county road, together with all buildings located thereon and fixtures attached thereto as used in the conduct of Seller's business and reflected in its books and records all as at November 30, 1977.

**EXCEPT THEREFROM:**

Part of the Northeast Quarter of Section 29, Township 25 North, Range 14 East, Wabash Township, Adams County, Indiana, described as follows:

Starting at the Northeast corner of said Northeast Quarter found per record witness; thence southerly, 132.00 feet along the west line of said Southwest Quarter to 5/8" rebar stake at the southeast corner of the 0.45 acre tract described in Deed Record 177, page 161, which shall be the place of beginning; thence continuing southerly, 238.15 feet along said east line to a 5/8" rebar stake; thence westerly, deflecting right 88 degrees 47 minutes 10 seconds, 299.27 feet to the east right-of-way line of a county road; thence northerly, deflecting right 93 degrees 56 minutes 18 seconds, 137.58 feet along said right-of-way line to the southwest corner of the 0.35 acre tract described in Deed Record 133, page 443, thence easterly, deflecting right 85 degrees 45 minutes 28 seconds, 158.50 feet along the south line of said 0.35 acre tract to the southeast corner thereof; thence northerly, deflecting left 90 degrees 38 minutes 07 seconds, 99.50 feet along the east line of said 0.35 acre tract to the south line of said 0.45 acre tract; thence easterly, deflecting right 90 degrees 43 minutes 26 seconds, 138.00 feet along said south line to the place of beginning, containing 1.25 acres.

**Subject to: Rights-of-way and easements of record.**

1. Cost estimates of planned services to be furnished to the territory. Attach itemized cost estimates for each municipal department or agency.

It is estimated that this annexation will not result in any significant increase in direct costs for planned services to be furnished the territory for any of the following departments:

Police Department	\$0.00
Sanitation Department	\$0.00
Water Department	\$0.00
Sewage Department	\$0.00
Parks and Recreation Department	\$0.00
Street Department	\$0.00

2. Describe the method or methods of financing the planned services. Explain how specific and detailed expenses will be funded. Indicate the taxes, grants, fees, and other funding to be used.



Because the town does not anticipate any direct costs for any planned services to the territory, there is no method of financing which is required. Generally, the annexed property will be subject to real estate property taxes at the Geneva-Wabash rates and the town will receive property tax revenues accordingly once any abatements cease. Water and sewage services have been supplied by the developer, and the owner of the property will be a user and charged normal water and sewer rates as the property is connected to town services.

3. Explain the municipality's plan for organizing and providing services to the annexed territory. Identify the specified services to be provided and the date or dates services will begin.

All of the above department city services will be provided immediately.

4. Demonstrate that services of a noncapital nature, including police protection, fire protection, road and street maintenance, and other noncapital services normally provided with the current municipal boundaries will be provided to the annexed territory within one year after the effective date of the annexation in a manner equivalent in standard and scope to the noncapital services currently provided to areas within the municipality, regardless of topography, patterns of land use, or population density.

All non-capital services will be provided immediately upon annexation.

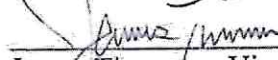
5. Demonstrate that services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three years after the effective date of the annexation in the same manner as those services are currently provided to areas within the municipality, regardless of topography, patterns of land use, or population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

All capital improvement services have already been installed by the developer and have been approved and accepted by the town.

Passed and adopted by the Common Council of the Town of Geneva, Indiana, as of October 6, 2015.

#### COMMON COUNCIL OF THE TOWN OF GENEVA

  
Richard Clutter, President

  
James Timmons, Vice-President

Agnes A. Schoch  
Agnes A. Schoch, Council Member

ATTEST

Jane H. Kaverman  
Jane H. Kaverman, Clerk-Treasurer



**ORDINANCE NO. 2015-8**  
**AN ORDINANCE FOR CROSS CONNECTION CONTROL**

TO PROVIDE A PROGRAM FOR PROTECTING THE PUBLIC WATER SYSTEM OF THE  
TOWN OF GENEVA FROM CONTAMINATION DUE TO BACKFLOW OF  
CONTAMINANTS THROUGH THE WATER SERVICE CONNECTION INTO THE PUBLIC  
WATER SYSTEM

WHEREAS Chapter 10 of the Uniform Plumbing Code, as adopted by the State of Indiana, requires protection of the public water supply from contaminants due to backflow of contaminants through the water service connection; and

WHEREAS the Indiana Department of Environmental Management endorses the maintenance of a continuing program of cross connection control which will systematically and effectively prevent the contamination of all potable water systems;

NOW, THEREFORE, BE IT ORDAINED by the council of the Town of Geneva, State of Indiana:

SECTION 1. That a cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Town of Geneva water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

SECTION 2. That no person, firm, or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary, or emergency water supply other than the regular public water supply of the Town of Geneva may enter the supply or distribution system of said municipality, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Town of Geneva Utilities and by the Indiana Department of Environmental Management in accordance with 327 IAC 8-10.

SECTION 3. That it shall be the duty of the Geneva Water Utility to cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Geneva Water Utility.

SECTION 4. That upon presentation of credentials, the representative of the Geneva Water Utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the Town of Geneva for cross connections. On request, the owner, lessee, or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of access or refusal of requested pertinent information shall be deemed evidence of the presence of cross connections.



SECTION 5. That the Town of Geneva Water Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice is served on the owner, lessee, or occupants of the property or premises where a violation is found or suspected to exist. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

SECTION 6. That, if it is deemed by the Town of Geneva Water Utility that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the Clerk of the Town of Geneva and delivered to the consumer's premises, service may be immediately discontinued. The consumer shall have an opportunity for hearing within ten (10) days of such emergency discontinuance.

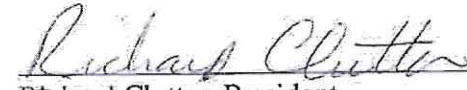
SECTION 7. That, pursuant to 327 IAC 8-4, the following consumers shall be designated as cross connection hazards, and shall install and maintain a reduced-pressure-principle backflow preventer in the main water line serving each building on the premises. The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing. Said presumed cross connection hazards are as follows: 1) aircraft and missile manufacturing plants; 2) automotive plants, including those plants that manufacture motorcycles, automobiles, trucks, recreational vehicles, and construction and agricultural equipment; 3) beverage bottling plants, including dairies and breweries; 4) canneries, packing houses, and reduction plants; 5) car washes; 6) chemical, biological, and radiological laboratories, including those in high schools, trade schools, colleges, universities, and research institutions; 7) hospitals, clinics, medical buildings, autopsy facilities, morgues, other medical facilities, and mortuaries; 8) metal and plastic manufacturing, fabricating, cleaning, plating, and processing facilities; 9) plants manufacturing paper and paper products; 10) plants manufacturing, refining, compounding, or processing fertilizer, film, herbicides, natural or synthetic rubber, pesticides, petroleum or petroleum products, pharmaceuticals, radiological materials, or any chemical that could be a contaminant to the public water supply; 11) commercial facilities that use herbicides, pesticides, fertilizers, or any chemical that could be a contaminant to the public water supply; 12) plants processing, blending, or refining animal, vegetable, or mineral oils; 13) commercial laundries and dye works, excluding coin-operated laundromats; 14) sewage, storm water, and industrial waste treatment plants and pumping stations; 15) waterfront facilities, including piers, docks, marinas, and shipyards; 16) industrial facilities that recycle water; and 17) restricted or classified facilities (federal government defense or military installations), or other facilities closed to the supplier of water or to the commissioner.

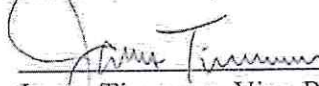
SECTION 8. That this ordinance does not supersede the State Uniform Plumbing Code or the Town of Geneva Code of Ordinances, but is supplementary to them.

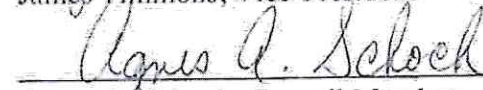


Passed and adopted by the Common Council of the Town of Geneva, Indiana, as of September 1, 2015.

**COMMON COUNCIL OF THE TOWN OF GENEVA**

  
Richard Clutter, President

  
James Timmons, Vice-President

  
Agnes A. Schoch, Council Member

ATTEST

  
Jane H. Kaverman, Clerk-Treasurer

# ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)  
Approved by the State Board of Accounts, 2015  
Prescribed by the Department of Local Government Finance

Budget Form No. 4

Ordinance Number: 2015-9

Be it ordained/resolved by the Town of Geneva that for the expenses of GENEVA CIVIL TOWN for the year ending December 31, 2016 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of GENEVA CIVIL TOWN, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the Town of Geneva.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Town of Geneva	Town Council	10/06/2015

## DLGF Reviewed Funds

Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0005	CASINO/RIVERBOAT	\$10,000	\$0	0.0000
0061	RAINY DAY	\$12,000	\$0	0.0000
0101	GENERAL	\$484,326	\$405,306	1.0634
0254	LOCAL INCOME TAX	\$30,000	\$0	0.0000
0706	LOCAL ROAD & STREET	\$15,000	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$197,079	\$149,742	0.3925
1191	CUMULATIVE FIRE SPECIAL	\$10,000	\$6,670	0.0175
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$4,000	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$20,000	\$19,735	0.0518
2411	ECONOMIC DEV INCOME TAX CEDIT	\$53,000	\$0	0.0000
		<b>\$835,405</b>	<b>\$581,453</b>	<b>1.5252</b>

## Home-Ruled Funds (Not Reviewed by DLGF)

Fund Code	Fund Name	Adopted Budget
9500	Local Law	\$3,500
		<b>\$3,500</b>



# ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)  
 Approved by the State Board of Accounts, 2015  
 Prescribed by the Department of Local Government Finance

Budget Form No. 4

Name		Signature
Richard Clutter	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Richard Clutter</i>
James Timmons	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>James Timmons</i>
Agnes Schoch	Aye <input checked="" type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	<i>Agnes Schoch</i>

ATTEST		
Name	Title	Signature
Jane Kaverman	Clerk Treasurer	<i>Jane Kaverman</i>

MAYOR ACTION / For City use only			
Name		Signature	Date
	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		