

ORDINANCE NO; 4513

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY LIMITS OF THE CITY OF MEMPHIS BY VIRTUE OF THE PROVISIONS OF CHAPTER 113 OF THE PUBLIC ACTS OF THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE FOR 1955, AS AMENDED, BY ANNEXING

SOUTHWIND-WINDYKE ANNEXATION AREA

STUDY AREA 42

AND ASSIGNING SAID AREA TO A COUNCIL DISTRICT.

WHEREAS, the City of Memphis on its own initiative is authorized to annex territory if it appears that the prosperity of the City of Memphis and of the territory affected will be materially retarded, and the safety and welfare of the inhabitants and property thereof endangered if said territory is not annexed to the City of Memphis; and

WHEREAS, by resolution of the Council of the City of Memphis adopted on July 1, 1997, the Comptroller of the City of Memphis was authorized by said Council to give notice that a hearing would be held for the purpose of determining the action to be taken relative to the annexation of the hereinafter described property, which notice was published on July 8, 1997, so as to give the required notice under the annexation statutes; and

WHEREAS, said notice was duly made by the Comptroller for a hearing on July 15, 1997 at 4:30 p.m. o'clock, in the Council Chamber of the City Hall, 125 North Main, Memphis, Tennessee, at which time and place upon presentation of the matter pursuant to the requirements of Chapter 113 of the Public Acts of the General Assembly of the State of Tennessee for 1955, as amended, including the tentative Plan of Services recommended by the Memphis and Shelby County Office of Planning and Development which was approved by the Council of the City of Memphis on July 15, 1997, and it was determined by the Council of the City of Memphis that the proposed annexation reflects the planned and orderly growth and development of the City of Memphis taking into consideration the characteristics of the City of Memphis and those of the area proposed for annexation and is reasonable for the overall well being of the City of Memphis and the proposed area to be annexed; that it appears that the prosperity of the City of Memphis and the affected territory will be materially retarded and the safety and welfare of the inhabitants and property thereof endangered if such area is not annexed to the City of Memphis; that, therefore, it is in the best interest, safety and welfare of the inhabitants and property of said territory as well as the municipality as a whole to annex the following described property to the boundaries of the City of Memphis, and an appropriate annexation ordinance should be enacted;

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, That the Council does find that the proposed annexation reflects the planned and orderly growth and development of the City of Memphis, taking into consideration the characteristics of the City of Memphis and those of the area proposed for annexation and is reasonable for the overall well being of the City of Memphis and the proposed area to be annexed; that it appears that the prosperity of the City of Memphis and the affected territory will be materially retarded and the safety and welfare of the

#36 amended

inhabitants and property thereof endangered if such area is not annexed into the City of Memphis; that, therefore, it is to the best interest, safety and welfare of the inhabitants and property of said territory as well as the municipality as a whole to annex the hereinafter described property to the boundaries of the City of Memphis.

SECTION 2. BE IT FURTHER ORDAINED, That all of the people and territory within the following boundaries shall be annexed to and become a part of the City of Memphis, and that the City of Memphis will provide services thereto in accordance with the Plan of Services adopted July 15, 1997, commencing on December 31, 1997:

BOUNDARY DESCRIPTION
SOUTHWIND-WINDYKE ANNEXATION AREA, NO. 42
(Revised 12/15/97)

Beginning at a point on the existing Memphis City Limits, said point being the intersection of said City Limits with the easterly right-of-way line of Hacks Cross Road, said point also being located a distance of 300 feet southwardly from the centerline of Winchester Road, as measured along the easterly right-of-way line of Hacks Cross Road; thence eastwardly 300 feet south of and parallel to the centerline of Winchester Road and following the existing Memphis City Limits to a point 300 feet east of the centerline of Hacks Cross Road; thence northwardly 300 feet east of and parallel to the centerline of Hacks Cross Road and following the existing Memphis City Limits to a point on the northerly right-of-way line of Winchester Road; thence eastwardly with the northerly right-of-way line of Winchester Road to a point on the southeast corner of the Mid-South Title Corporation 19.126 acre parcel (D2-42-293); thence northwardly with the easterly property line of the Mid-South Title Corporation parcel to a point on the northeast corner of said parcel; thence westwardly, southwestwardly, northwestwardly and northwardly following the northerly property lines of the Mid-South Title Corporation parcel to a point on the easterly property line of the Mid-South Title Corporation 53.052 acre parcel (D2-42-292); thence northwardly, northwestwardly and westwardly with the easterly, northeasterly and northerly property lines of the Mid-South Title Corporation parcel to a point on the existing Memphis City Limits, said point being located a distance of 300 feet eastwardly from the centerline of Hacks Cross Road, as measured perpendicular thereto; thence northwardly 300 feet east of and parallel to the centerline of Hacks Cross Road and following the existing Memphis City Limits to a point on the southerly boundary line of the Germantown Station Subdivision, Section "B" (PB-73, PG-62), said point also being on the existing Germantown City Limits; thence eastwardly with the southerly boundary line of the said Germantown Station Subdivision and the existing Germantown City Limits to a point on the southerly right-of-way line of the Southern Railroad; thence southeastwardly with the southerly right-of-way line of the Southern Railroad and the existing Germantown City Limits to its intersection with a southward projection of the westerly boundary line of the Oakleigh Subdivision, Section "D" (PB-125, PG-20); thence northwardly with said southward projection of the Oakleigh Subdivision, Section "D" and the existing Germantown City Limits to a point on the northerly right-of-way line of the Southern Railroad; thence eastwardly with the northerly right-of-way line of the Southern Railroad and the existing Germantown City Limits to its intersection with a northward projection of the westerly boundary line of the Aintree Farms Subdivision (PB-147, PG-40); thence southwardly with said northward projection and the westerly boundary line of the Aintree Farms Subdivision to a point on the southwest corner of said subdivision; thence eastwardly with the southerly boundary line of the Aintree Farms Subdivision to a point on the westerly boundary line of the Forest Hill Manor Subdivision (PB-74, PG-28); thence southwardly with the westerly boundary line of the Forest Hill Manor Subdivision to a point on the southwest corner of said subdivision; thence eastwardly with the southerly boundary line of the Forest Hill Manor Subdivision to a point on the most

easterly boundary line of the Southwind Planned Development, Section "D", Phase VI, Parcel 13 (PB-124, PG-77), thence southwardly with said easterly boundary line to a point on the southeast corner of said Planned Development; thence westwardly with the southerly boundary line of the Southwind Planned Development, Section "D" to a point on the easterly boundary line of the Southwind Planned Development, Final Site Plan, Phase I, Parcel I (PB-132, PG-13); thence southwardly with said easterly boundary line of the Southwind Planned Development, Phase I, Parcel I to a point on the southeast corner of said Planned Development; thence in a generally southwestwardly, westwardly and northwestwardly direction following the southerly boundary line of the Southwind Planned Development, Phase I, Parcel I to a point on the most easterly northeast corner of Lot No. 12 (D2-42 PB-12) of the Southwind Planned Development, Section "E", Phase XXXIV (PB-142, PG-38); thence southwestwardly with the southeasterly boundary line of said Planned Development to a point on the southwesterly right-of-way line of Classic Drive South (Private Drive); thence northwestwardly with the southwesterly right-of-way line of Classic Drive South to a point on the northeast corner of Lot No. 13 (D2-42 PB-13) of the Southwind Planned Development, Section "E"; thence southwestwardly with the southeasterly boundary line of said Planned Development to a point on the southeast corner of Lot 13 of said Planned Development; thence westwardly with the most northerly southerly boundary line of the Southwind Planned Development, Section "E" to a point on the most westerly easterly boundary line of said Section "E"; thence southwardly with the most westerly easterly boundary line of the Southwind Planned Development, Section "E" to a point on the northerly property line of the Christ the Rock Church 20 acre parcel (D2-42-221); thence eastwardly with the northerly property line of said Church 20 acre parcel to a point on the northeast corner of said parcel; thence southwardly with the easterly property line of the Christ the Rock Church parcel to a point on the northerly right-of-way line of Winchester Road; thence southwestwardly, crossing Winchester Road, to a point on the southerly right-of-way line of said roadway, said point also being located on the northeast corner of the Windyke Park Planned Development, Phase 2 - Area "B" (PB-150, PG-57); thence southwardly with the easterly boundary lines of the Windyke Park Planned Development, Phase 2 - Area "B" and the Windyke Park Planned Development Outline Plan (PB-147, PG 21) to a point on the southeast corner of the said Outline Plan; thence westwardly with the southerly boundary line of the Windyke Park Planned Development Outline Plan to a point on the easterly property line of Windyke Country Club 375.548 acre parcel (D2-42-39C); thence in a generally southwestwardly direction following the easterly boundary line of the said 375.458 acre parcel to a point on the southeast corner of said parcel; thence westwardly with the southerly property line of the Windyke Country Club parcel to a point on the most easterly southwest corner of said parcel; thence northwardly and northwestwardly with the most easterly westerly property line of the Windyke Country Club parcel to a point on the most northerly southerly property line of said parcel; thence westwardly and southwestwardly with the most northerly southerly property line of the Windyke Country Club parcel to a point on the most westerly easterly property line of said parcel; thence southwardly with the most westerly easterly property line of the Windyke Country Club parcel to a point on the most westerly southeast corner of said parcel; thence northwestwardly with the southerly property line of the Windyke Country Club parcel to a point on the southeast corner of the King's Mill At Windyke Subdivision, Section "B" (PB-110, PG-11); thence westwardly with the southerly boundary line of the King's Mill At Windyke Subdivision, Section "B" to a point on the northeasterly right-of-way line of Windyke Drive; thence southeastwardly with the northeasterly right-of-way line of Windyke Drive to its termination at the easterly boundary line of the Windyke Hills Subdivision, Section "C", First Addition (PB-61, PG-12); thence southwestwardly with the eastern terminus of Windyke Drive and the easterly boundary line of the Windyke Hills Subdivision, Section "C", First Addition and a southwestward projection of said boundary line to its intersection with the mid-stream of the Nonconnah Creek Drainage Canal; thence northwestwardly with the mid-stream of the

Nonconnah Creek Drainage Canal and its meanderings to its intersection with the easterly right-of-way of Hacks Cross Road; thence northwardly with the easterly right-of-way line of Hacks Cross Road to a point on the existing Memphis City Limits, said point being the point of beginning.

SECTION 3. BE IT FURTHER ORDAINED, That upon annexation of the hereinabove described area, the said area shall be assigned to and become a part of the Council District 2 until said Council District boundaries are further amended. A map describing said Council District boundaries is on file in the Office of the Comptroller of the City of Memphis.

SECTION 4. BE IT FURTHER ORDAINED, That this Ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing dby the Comptroller, and become effective as otherwise provided by law.

Chairman of Council

Attest:

City Comptroller

THE FOREGOING ORDINANCE

4513 PASSED

1st Reading 7-15-97

2nd Reading 8-5-97

3rd Reading 11-4-97 Minutes approved 12/16/97

Approved _____

Chairman of Council

Date Signed: Myron Lowery

APPROVED:

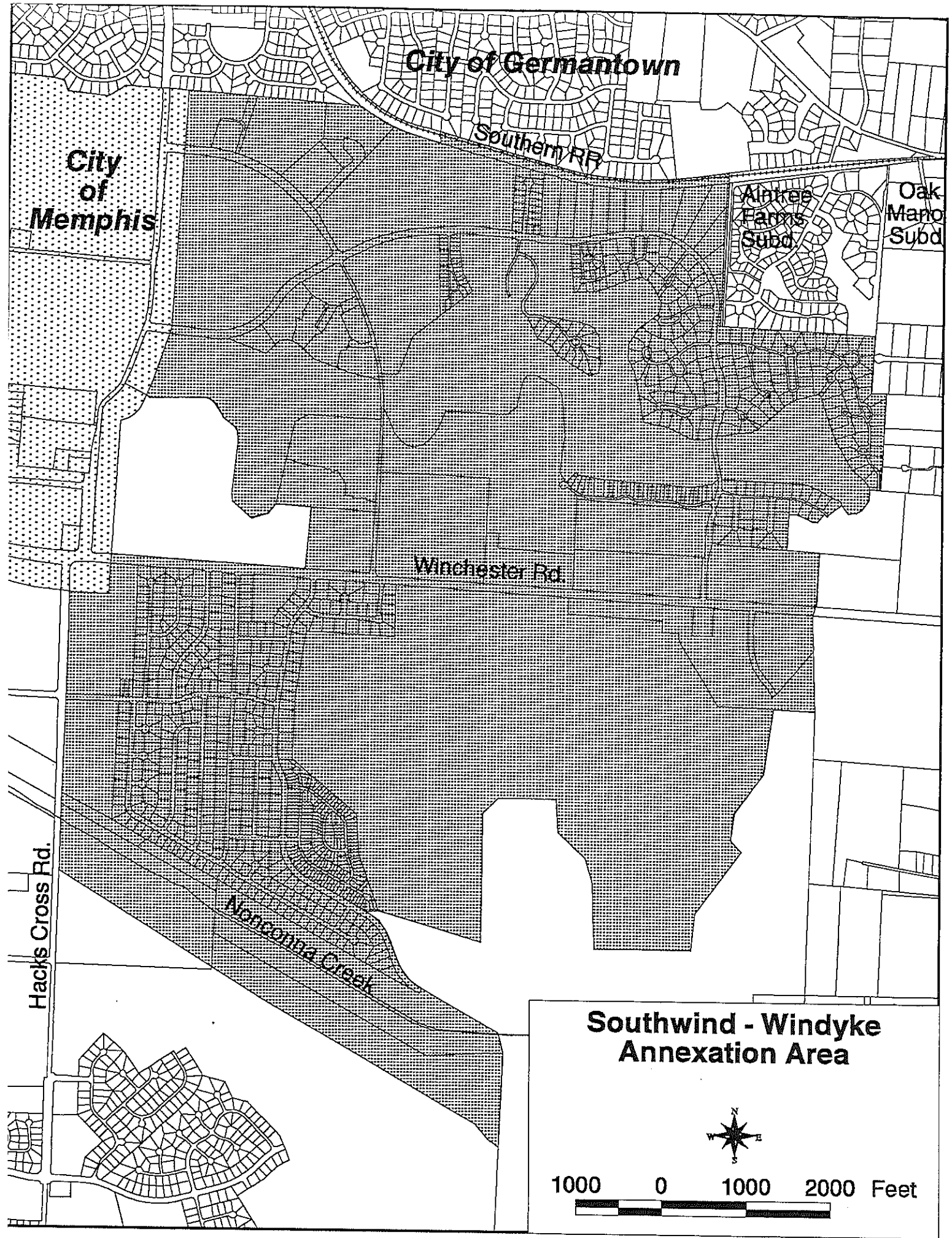
[Signature]

Mayor, City of Memphis

Date Signed: 1/15/98

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

[Signature]
Comptroller



City of Germantown

Southern RR

City of Memphis

Aintree Farms Subd

Oak Manor Subd

Winchester Rd.

Nonconform Creek

Hacks Cross Rd.

**Southwind - Windyke
Annexation Area**



1000 0 1000 2000 Feet

BERRYHILL

The annexation area has been reduced from 5.76 square miles to 2.2 square miles. The number of persons per square mile has increased from 967 to 2,501.

SOUTHWIND-WINDYKE

The annexation area has been reduced from 6.55 square miles to 2.8 square miles. The number of persons per square mile has increased from 650 to 1,183.

Southwind / Windyke
Annexation Area

Study Area #42

Memphis & Shelby County
Office of Planning and Development
August 15, 1997

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I. INTRODUCTION

The Southwind-Windyke Annexation Area is part of the City of Memphis reserve area and is included in the City of Memphis Annexation Plan, 1997 Through 1998. The Annexation Plan identified this area for annexation in 1997 to become effective January 1, 1998.

On June 30, 1997 a petition to incorporate was filed by the New Forest Hill community with the Shelby County Election Commission. The community sought to incorporate under an amendment to the Tennessee Statutes, Public Chapter No. 98, recently passed by the State Legislature. The cities of Memphis, Clarksville, Jackson, Pulaski, Harrison and the Tennessee Municipal League are currently challenging this legislation before Chancery Court in Nashville, Tennessee. The lawsuit is seeking to overturn the amended Statute by challenging the methods in which the law was passed by the State Legislature. However, the City of Memphis is also annexing the territory to protect its Annexation Reserve Area as well as its interests regarding the infrastructure constructed in anticipation of annexation. The current annexation boundaries were extended from the original found in the City of Memphis Annexation Plan to include all of the proposed area for incorporation into the New Forest Hill community.

The Southwind-Windyke Annexation Area, herein called the "Study Area," encompasses approximately 6.55 square miles and is located to the south and east of the present Memphis City Limits. The general boundaries are the City of Germantown on the north, Nonconnah Parkway on the south, a power line easement on the east and Hacks Cross Road on the west. A detailed boundary description of the area is provided in Appendix A, and the boundaries are shown on the Existing Land Use Map located on page five.

The relevant data and analyses required to support annexation of the Study Area are divided into three chapters following this Introduction. Chapter II presents past trends, present conditions and future projections of population, housing and land use. Chapter III identifies the level of services that will be provided by the City of Memphis to the Study Area after annexation. Finally, Chapter IV presents an analysis of the costs and revenues associated with the proposed annexation.

II. GROWTH TRENDS IN THE STUDY AREA

POPULATION AND HOUSING

The Southwind-Windyke Study Area has experienced a steady growth rate since 1990. In 1990, the approximate number of dwelling units was 949 with an estimated population of 1,849. A count of the number of dwelling units in 1997 is estimated at 1,785, yielding a population of 4,260. This change represents a population increase of 130 percent during the seven year period.

The Southwind-Windyke Study Area encompasses approximately 4,191 acres of land or 6.55 square miles with a population of 650 persons per square mile. A street by street count of housing units in 1997 disclosed that there are 1,685 housing units in the Study Area. Approximately 66 percent of these units are classified as single-family. Future growth of population in the Study Area is dependent on development trends which indicate that the housing stock and population will continue to increase. Table 1 shows the projected annual population and housing units for the Study Area through 2002.

TABLE 1
PROJECTED POPULATION AND HOUSING UNITS
1997-2002

<u>YEAR</u>	<u>HOUSING UNITS</u>	<u>POPULATION</u>
1990	949	1,849
1997	1,685	4,260
1998	1,786	4,527
1999	1,886	4,793
2000	1,987	5,059
2001	2,088	5,325
2002	2,190	5,592

Source: Office of Planning and Development, 1997.

EXISTING LAND USE-1997

The most predominant features of the Southwind-Windyke Study Area are its two large golf courses. The Southwind Golf Course and Windyke Country Club make up approximately 600 acres or 14 percent of the Study Area. Residential development of both single family and multi-family homes represents the fastest growing aspect of land use in the Study Area. Commercial and residential development will no doubt intensify in the vicinity of the Nonconnah Parkway, due to the improved access to other sections of Memphis afforded by the construction of this road.

Residential

Residential development accounts for 777 acres or approximately 31 percent of the developed land in the area. That acreage is used for 1,685 housing units. The 1,125 single family dwellings consume 748 acres. There are also 560 multi-family dwelling units within the area. While multi-family dwellings constitute 33 percent of the annexation area's housing stock, this land use accounts for only 1 percent of the developed land area due to their higher density. At the time of this report, construction is underway for 190 acres of combined single family and multi-family development.

Commercial/Office

Most of the commercial and office land in the Study Area is located in the Southwind Business Park, in the north-west corner of the study area. Several national fraternal organizations have their headquarters in this area. At the present time, 119 acres or approximately 5 percent of the developed area is in commercial and office use.

Industrial

Industrial land in the Study Area is limited to one parcel. The NIKE plant accounts for 37 acres or 1.5 percent of the developed land.

Institutional

The majority of the Study Area's 578 acres of institutional land is comprised by the West Tennessee Veteran's Cemetery. This land use represents 23 percent of the total developed land in the Study Area.

Other Land Uses

Golf courses and parks account for 616 acres or approximately 25 percent of the developed land in the Study Area. The Southwind Golf Course and Windyke Country Club compromise virtually all of the existing recreational land use. One private 16 acre park on C.D. Smith road makes up the balance.

Vacant Land

Vacant Land that may be available for future development accounts for 1,706 acres or approximately 41 percent of the Study Area acreage. The vacant land is scattered throughout the Southwind-Windyke area on parcels of differing sizes in a variety of zoning districts.

Table 2 provides information on the existing land uses in the Study Area and the following map provides the land development pattern.

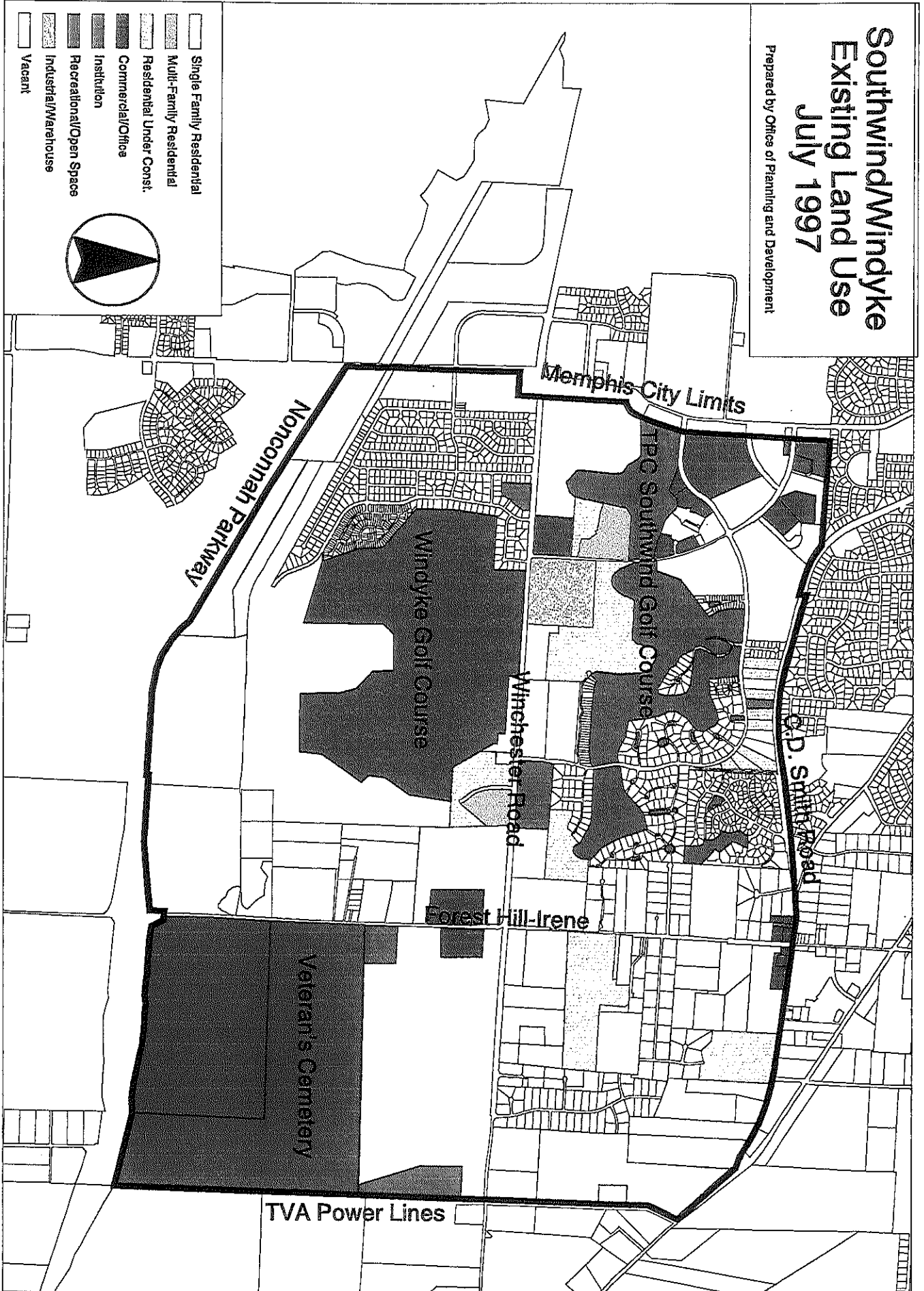
TABLE 2
1997 EXISTING LAND USE
SOUTHWIND/WINDYKE ANNEXATION AREA

<u>LAND USE</u>	<u>NUMBER OF ACRES</u>	<u>PERCENT OF TOTAL ACRES</u>	<u>PERCENT OF DEVELOPED ACRES</u>
Single Family	748	17.8	30.1
Multi-Family	29	0.7	7.2
Residential (Under Constr.)	190	4.5	7.6
Commercial/Office	119	2.8	4.8
Institutional	578	13.8	23.3
Industrial	37	0.9	1.5
Recreation	616	14.7	24.8
Transportation	<u>168</u>	<u>4.0</u>	<u>6.8</u>
Total Developed Land	2,485	59.3	100.0
Vacant	1,706	40.7	N/A
TOTAL	4,191	100.0	N/A

Source: Land use survey conducted in June 1997 by the Office of Planning and Development staff.

Southwind/Windyke Existing Land Use July 1997

Prepared by Office of Planning and Development



III. URBAN SERVICE NEEDS

The Southwind-Windyke Study Area is receiving the majority of its services at a rural level through Shelby County Government and Shelby County School Board. If the area is annexed, the City of Memphis will make extensive improvements in fire and police protection, recreation facilities, streets, lighting and other public works.

FIRE SERVICES

Extension of the City's higher standard of protection to the entire Study Area will require the construction of one City fire station. This station will be located within the study area. One pumper truck will be placed in service to ensure high standards of fire protection.

POLICE SERVICES

Following annexation, a new patrol ward will be created in the East Precinct which will contain only the Study Area. The Police Division will assign two patrol cars per shift to patrol the ward.

The City of Memphis Police Department will provide many services that will result in a significant improvement over and above the services currently being provided by the County Sheriff's Department. These services are provided as a result of Memphis' position as a large metropolitan law enforcement agency. Due to low demand for these services in small communities and the relatively high cost of provision, these services are traditionally available only through large agencies.

A partial list of these services include: the aviation squad (an emergency response team for the location and apprehension of criminals or lost/abducted individuals); the integrated criminal apprehension program; computerized communication system; the canine squad; Police Service Technicians and marked traffic units; hostage negotiation team and the crisis intervention team. The City Police Department offers numerous crime prevention programs such as personal safety, child safety, robbery preventions and a comprehensive neighborhood watch program.

EDUCATIONAL FACILITIES

After annexation, the Memphis City School System will construct one elementary school, one middle school and one high school within the Study Area. The schools will be utilized by students within the Study Area and adjacent City areas.

The City School Board also provides such services as specialized programs for the intelligently gifted (CLUE), optional schools (performing arts, medical/engineering, open education, pre-engineering, etc.), the Orff music program, specialized programs for the handicapped, and programs for students who are at risk academically. All of these programs will be available to the students in the Study Area.

PARKS AND RECREATION FACILITIES

The County has recently approved the development of a greenbelt/natural area and soccer complex adjacent to Forest Hill-Irene and Nonconnah Parkway. This park will contain approximately 240-250 acres. A 100-110 acre park located north of Nonconnah Parkway will contain a greenbelt which extends from this site along Nonconnah Creek to Collierville. This area will also contain passive recreation uses such as walking trails, a picnic area and parking. The 130 acre park site located south of Nonconnah Parkway will contain a soccer complex. In order to meet its parkland obligation, the City of Memphis will acquire and develop 14 acres of parkland after annexation. The park(s) will offer a full array of recreation activities and programs currently offered to City residents.

SOLID WASTE MANAGEMENT SERVICES

Annexation of the Study Area will result in regularly scheduled curbside pickup service as provided throughout Memphis by the Solid Waste Department of the Public Works Division. All single family residences will receive weekly curbside garbage collection, weekly recycling collection and weekly curbside trash pickup. Commercial and industrial uses will continue to be served by a private sanitation service. Other sanitation services provided by Memphis include regularly scheduled street sweeping, weed-cutting on public rights-of-way and vacant lots, clean-up of illegal dumping, and collection of roadside litter.

SANITARY SEWER SERVICE

Sewer laterals will be extended in the study area as development occurs.

PUBLIC WORKS ACTIVITIES AND SERVICES

After annexation, Memphis will construct a number of street improvements to provide better vehicular access within the Study Area. These improvements are as follows:

- Installation of traffic signals at the intersection of Winchester and Forest Hill-Irene Road.
- Widen Forest Hill-Irene Road to 6 lanes from Nonconnah Parkway to Nonconnah Creek.
- Construct Forest Hill-Irene Road to 6 lanes from Nonconnah Creek to Winchester Road.

Memphis will assume all responsibility for maintaining the public streets and stormwater drainage within the Study Area following annexation. Memphis will also erect traffic signs and signals as conditions warrant. Street lights will be installed and maintained on all public streets by Memphis Light, Gas and Water within the first five years after annexation.

WATER, ELECTRIC AND GAS SERVICES

Memphis Light, Gas and Water provides gas, water and electricity to the entire Study Area. Water facilities located in Forest Hill-Irene Road from Winchester Road to Shelby Drive will be upgraded after annexation to provide increased water pressure to the Study Area.

LAND DEVELOPMENT SERVICES

The Office of Planning and Development conducts the comprehensive planning and zoning administration for both Memphis and Shelby County. The Office of Planning and Development will continue to perform these same functions for the Study Area following annexation. Similarly, the Land Use Control Board and the Board of Adjustment, which serve both the City and the County governments, will continue to perform the same functions following annexation.

At present, zoning changes, planned unit developments and sewerer subdivisions proposed in the Study Area require approval from both the City of Memphis and Shelby County

legislative bodies. Following annexation, only approval of the Memphis City Council will be required. The joint zoning regulations now in effect will continue within the annexed area.

OTHER PUBLIC SERVICES

Animal Control Services

In addition to the previously described urban services, the City of Memphis will provide animal control services to the annexed area. This will include enforcement of Memphis dog licensing and leash laws, complaint response, rabies vaccinations for dogs and cats and other animal control activities.

Emergency Management Services

The Emergency Management Agency will install one new pole mounted warning siren located at or near the right-of-way on the north side of the intersection of Winchester Road and Forest Hill-Irene Road, with an effective range of 9,000 feet. The siren currently located on the roof of Crump Elementary School will be relocated and pole mounted at or near the intersection of Winchester Road and Wincross. The relocated siren will have an effective range of 5,000 feet.

V. FINANCIAL ANALYSIS

The operating and capital costs presented in this section represents estimates and projections of the additional expenses that would be incurred as a result of the proposed annexation. They should not be considered as budgets for the specified fiscal years. Expenditure changes or re-allocations could occur through refinement of the preliminary plans for providing City-level services.

REVENUE ANALYSIS

Annexation of the Study Area will result in additional revenues for the City of Memphis from the following sources:

- 1) property tax revenues, based on assessed valuation;
- 2) state-shared revenues, based on population as determined by a census of the annexed area;
- 3) city service fees, gross receipt taxes, auto fees and telephone franchise taxes based on the number of housing units;
- 4) state aid and distribution of funds for education based on the number of public school students; and
- 5) local option sales tax revenues from this area.

Revenues are estimated in Table 3 for fiscal year 1998 through fiscal year 2002. Growth of the revenue base was projected according to population and housing growth as shown in Table 1. All tax rate and distribution formulas were assumed to continue unchanged during the four and one half year period. The revenue estimates are of course subject to many uncertainties, such as the impact of the economy upon state-shared taxes and upon the rate of growth in the Study Area.

TABLE 3
FOUR AND ONE HALF YEAR REVENUE ANALYSIS
SOUTHWIND-WINDYKE ANNEXATION AREA
FISCAL YEARS 1998-2002

GENERAL FUNDS AND REVENUES

Property Tax	\$8,191,404
Delinquent Tax	\$61,204
Automobile Fees	\$661,343
State Shared Revenues	\$1,707,419
Telephone Franchise Fees	\$162,792
City Service Fees	\$745,161
Local Sales Tax	\$1,206,722
Gross Receipts Tax	<u>\$65,750</u>
TOTAL GENERAL FUND	\$12,801,795

BOARD OF EDUCATION REVENUES

Property Tax	\$4,762,809
Net Local Sales Tax Loss*	(\$929,176)
Delinquent Tax	<u>\$35,587</u>
TOTAL BOARD OF EDUCATION REVENUES	\$3,869,219

DEBT SERVICE REVENUES

Property Tax	\$2,621,406
State Shared Tax	\$592,747
Delinquent Tax	<u>\$19,587</u>
TOTAL DEBT SERVICE REVENUES	\$3,233,740

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TOTAL REVENUES FROM ALL SOURCES	<u>\$19,904,754</u>
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Source: Memphis Division of Finance; July 1997.

*Loss of Shelby County sales tax revenues that are designated for City and County schools.

COST ANALYSIS

Projected costs for the first four and one half years following annexation are presented in Table 4 (Capital Costs) and Table 5 (Operating Costs). Only those costs are included that would represent major additional commitments for service and facilities from the City of Memphis due to annexation. Excluded are costs related to services that are now provided by the City beyond its corporate limits and reimbursed through user charges or other agreements. Also excluded are those services provided County-wide in which Memphis shares the costs with the Shelby County government.

Costs were determined by a survey of all City divisions directly affected by the proposed annexation. Each division was asked to provide capital costs by project and operations and maintenance costs by category. To insure compatibility, all costs are shown in 1997 dollars.

Capital Costs

The capital costs presented in this analysis represent estimates and projections of additional expenses that would be incurred as a result of annexation. They should not be considered to be specific budget items for any specified fiscal year. A number of projects, particularly road construction and drainage improvements, may be accomplished through the private land development process. Capital costs are generally financed through General Obligation Bonds and financed over 20 years. The capital cost analysis reflects the annual debt service requirements of these bonds. The four and one half year total of debt service obligation for the Study Area is presented in Table 4.

Operating Costs

Operating costs are presented as estimates and projections of the additional expense that will be incurred by the City in the provision of services to the Study Area. These costs are based upon such factors as number of households, types of households, projected growth of housing, population and non-residential uses and the number of miles of streets and infrastructure in the Study Area.

Operating costs are subject to adjustment based on changes in the factors listed above. These projected costs should not be considered to be specific budgetary items. The projected operating costs have a direct impact on the general revenue fund of the City. The estimated four and one half year operating costs are presented in Table 5.

TABLE 4
FOUR AND ONE HALF YEAR CAPITAL COSTS ANALYSIS
SOUTHWIND-WINDYKE ANNEXATION AREA
FISCAL YEARS 1998-2002

AGENCIES

FIRE SERVICES		
Fire Station	\$1,651,500	
Equipment	<u>\$275,000</u>	
FIRE SERVICES TOTAL		\$1,926,500
POLICE SERVICES		\$0
PARK COMMISSION		
Acquire/Develop Parks	<u>\$1,608,700</u>	
PARK COMMISSION TOTAL		\$1,608,700
PUBLIC WORKS		
Extend Forest Hill-Irene -Nonconnah Pkwy to Nonconnah Creek	\$450,000	
Extend Forest Hill-Irene -Nonconnah Creek to Winchester	\$2,700,000	
Repave Existing Streets	<u>\$325,000</u>	
PUBLIC WORKS TOTAL		\$3,475,000
EMERGENCY MANAGEMENT		
Install 1/Relocate 1 Warning Siren	<u>\$50,000</u>	
EMERGENCY MANAGEMENT		<u>\$50,000</u>
TOTAL CITY AGENCIES		\$7,060,200
MEMPHIS LIGHT, GAS & WATER		
Install Street Lights	\$1,011,984	
Install Water Main	<u>\$525,000</u>	
MEMPHIS LIGHT, GAS & WATER		\$1,536,984
BOARD OF EDUCATION		
Acquire Land/Develop 1 Elementary	\$12,000,000	
Acquire Land/Develop 1 Middle School	\$18,000,000	
Acquire Land/Develop 1 High School	<u>\$28,000,000</u>	
BOARD OF EDUCATION TOTAL		<u>\$58,000,000</u>
TOTAL CAPITAL COSTS		<u>\$66,597,184</u>
DEBT SERVICE REQUIREMENTS*		
CITY	\$3,150,308	
BOARD OF EDUCATION	\$26,738,972	

* Debt service requirement includes long term (20 year) bonds for Capital Improvement Projects and short term bonds for capital equipment.

TABLE 5
FOUR AND ONE HALF YEAR OPERATING COST ANALYSIS
SOUTHWIND-WINDYKE ANNEXATION AREA
FISCAL YEARS 1998-2002

GENERAL FUND

Police Services	\$2,757,466
Fire Services	\$5,292,957
Park Commission	\$156,800
Public Works	\$2,686,173
Emergency Management	<u>\$900</u>

TOTAL GENERAL FUND	\$10,894,276
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BOARD OF EDUCATION	\$2,864,088
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TOTAL OPERATING COSTS	<u>\$13,758,364</u>
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FUND BALANCE ANALYSIS

Revenues are obtained from a variety of sources and allocated to three general categories: General Fund, Board of Education, and Debt Service. Table 6 presents a four and one-half year summary of the impact on city finances as a result of this annexation.

The City's General Fund is used to finance the daily operations of each division. It is estimated that property taxes, vehicle registration fees and other revenues from the annexed area will add approximately 12.8 million dollars to this fund during the four and one-half year period. However, operating costs due to the annexation are expected to increase by 10.8 million dollars, which will leave the General Fund with an estimated surplus of 1.9 million dollars.

The Board of Education has an intricate funding procedure that is shared among Federal, State, County and City governments. The annexation will increase revenues but expenditures for students and the debt service for new schools to serve the annexed area will result in a deficit of 25.7 million dollars to the Board of Education.

It is estimated that the portion of the property tax allocated to Debt Service will generate approximately 3.2 million dollars in revenues during Fiscal Years 1998-2002. Debt service expenditures for capital items to serve the annexed area for the same years is also estimated to be about 3.1 million dollars. This provides the city with an estimated Debt Service Fund surplus of approximately 83 thousand dollars.

The annexation of Southwind-Windyke will produce more expenses than revenues for the City of Memphis. The General Fund plus Debt Service surpluses minus the Board of Education deficit will yield the City 23.7 million dollar deficit during Fiscal Years 1998-2002.

TABLE 6
FOUR AND ONE HALF YEAR IMPACT ON FUND BALANCES
SOUTHWIND-WINDYKE ANNEXATION AREA

GENERAL FUND

Revenues	\$12,801,795
Expenditures	<u>\$10,894,276</u>
FUND BALANCE	\$1,907,519

BOARD OF EDUCATION

Revenues	\$3,869,219
Expenditures*	<u>\$29,603,060</u>
FUND BALANCE	(\$25,733,841)

CAPITAL IMPROVEMENT PROGRAM

Debt Service Revenues	\$3,233,740
Debt Service Expenditures	<u>\$3,150,308</u>
FUND BALANCE	\$83,432

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TOTAL NET IMPACT ON FUND BALANCES	<u>(\$23,742,890)</u>
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*Board of Education expenditures include annual debt service for capital projects.

APPENDIX A

LEGAL DESCRIPTION

SOUTHWIND-WINDYKE ANNEXATION AREA
STUDY AREA #42

Southwind-Windyke
Annexation Area #42
(as approved by Memphis City Council)

Beginning at a point on the existing Memphis City Limits, said point being three hundred feet east of centerline of existing Hacks Cross Road and three hundred feet south of the existing centerline of Winchester Road; thence westwardly along a line three hundred feet south of Winchester Road to a point in east right of way of Hacks Cross Road; thence southwardly along the east right of way line of Hacks Cross Road to point in the north right of way line of Nonconnah Parkway; thence eastwardly and southeastwardly along the North right of way of Nonconnah Parkway crossing Forest Hill-Irene Road and continuing eastwardly along the North right of way line of Nonconnah Parkway to a point on the east property line of a 103.69 acre tract (D2-43-247); thence northwardly along the eastern property line of said 103.69 acre tract (D2-43-247) and continuing northwardly along the western property line of 90.0 acre tract (D2-43-102) and continuing northwardly along the western property line of a 65.99 acre tract (D2-43-173), being also the western line of a MLGW transmission line easement across Winchester Road and continuing northwardly to a point in the north right of way line of the Southern Railroad; thence northwesterly along the North western right of way line of the Southern Railroad to a point, said point being the southern line of the City of Germantown; thence westwardly along the south line of the City of Germantown and the southern right of way of the Southern Railroad and continuing westwardly along the south line of the City of Germantown, also being the north line of the Southwind P.U.D. to a point three hundred east of the centerline of Hacks Cross Road crossing Winchester Road to a point three hundred feet south of Winchester Road, said point being the point of beginning.

APPENDIX B

PLAN OF SERVICES

SOUTHWIND-WINDYKE ANNEXATION AREA
STUDY AREA #42

PLAN OF SERVICES
SOUTHWIND-WINDYKE
ANNEXATION AREA #42

POLICE

Patrolling, radio response to calls and other routine police services using present personnel and equipment will be provided on January 1, 1998.

FIRE SERVICES

Fire Protection by the present personnel and equipment of the fire suppression force, within the limits of available water and distance from fire stations, will be provided on January 1, 1998.

EMERGENCY MEDICAL SERVICES

Emergency medical services will be provided, including ambulance and paramedic service, on January 1, 1998 by the closest available fire station with an ambulance.

WATER

1. Water for domestic, commercial and industrial use will be provided at City rates from existing lines on January 1, 1998. Thereafter, water will be provided from new lines as extended in accordance with current policies of the City. The City will purchase any additional lines owned by the Shelby County Board of Public Utilities.
2. Water for fire protection is generally available throughout the area to be annexed. The installation of additional water lines and fire hydrants to meet the standards applicable in the City will be completed by January 1, 1999.

SANITARY AND STORM SEWERS

1. Intercepting and trunk sewers will be constructed as warranted by the progress of land development in accordance with existing sewer extension policy.
2. When needed, construction of new collector sewers in the previously developed portions of the annexed area will be completed in accordance with priorities set by the governing body through the Capital Improvement Program. Residences and commercial and industrial properties will then be connected to those servers in accordance with current policies.

3. Drainage improvements in the previously developed portions of the annexation area will be made with priorities set by the governing body through the Capital Improvement Program and the current City policies regarding emergency repairs.

SEWAGE TREATMENT

Wastewater from the existing sewers of the annexed area will continue to be treated by the City treatment plant(s) in accordance with State and Federal regulations on January 1, 1998.

REFUSE COLLECTION

Refuse collection service will be provided by the City in the annexed area on January 1, 1998. Curbside pickup, in accordance with City of Memphis standards will be in effect on January 1, 1998.

STREETS

1. Emergency maintenance, (repair of hazardous pot holes, measures necessary for traffic flow, etc.) will begin on January 1, 1998.
2. Routine maintenance, on the same basis as in the present City, will begin in the annexed area when funds from the State gasoline tax based on the annexed population are received.
3. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters and other such major improvements as the need thereof is determined by the governing body, will be accomplished through the Capital Improvement Program of the City and the provisions of the Subdivisions Regulations.
4. Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need thereof is established by appropriate engineering studies and in accordance with appropriate traffic engineering standards.

STREET LIGHTING

In those areas of the annexed area that are substantially developed with commercial and residential uses on the effective date of the annexation, street light construction will begin within six months of January 1, 1998 and the entire area will be served by July 1, 2000. In all other such areas that are developed subsequent to January 1, 1998, street lights will be installed in accordance with the policies currently in effect throughout the City.

PLANNING AND ZONING

Planning, zoning and subdivision regulations for the unincorporated area of Shelby County as contained in the Joint Ordinance and Resolutions numbers 2524, 3064 and 3352 respectively, and as they may be amended, are also the planning, zoning and subdivision regulations for the City of Memphis. The services provided by the Office of Planning and Development, the Land Use Control Board and the Board of Adjustment will continue to be the same in the annexed area after January 1, 1998. The existing zoning of the annexed area will be maintained until the need for changes is determined by the governing body in accordance with the Zoning Ordinance.

MISCELLANEOUS

All City of Memphis administrative, health, construction codes, and similar services and regulations will apply to the area on January 1, 1998.

