(Passed 6-0)

ORDINANCE 02-21

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY (Garton Farm Area)

WHEREAS, the boundary of the City of Bloomington, Indiana, is contiguous and adjacent to the real estate described herein; and

WHEREAS, the City of Bloomington has determined it will provide capital and non-capital services and improvements to said real estate that are equivalent to the services and improvements currently received by the residents and property owners of the City of Bloomington as specified in the "Fiscal Plan, Annexation of Garton Farm Area;" and

WHEREAS, Pursuant to IC § 36-4-3-7 & 8, postponing the effective date of this annexation to January 1, 2004 is fairly calculated to make the annexation equitable to the property owners and residents of the municipality and the annexed territory.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The following described land, bounded on the north by East Tenth Street (East State Road 45), on the east by Pete Ellis Drive, on the south by the railroad track and on the west by Tenth and the Bypass Shopping Center, commonly known as Garton Farm Area, which includes 2815T (temporary address) and 2820 – 2920 E. Tenth Street (a.k.a. East State Road 45), including contiguous public roads and rights of way, be annexed to and declared a part of the City of Bloomington, Indiana, to-wit:

A part of the north half of the southwest quarter and a part of the south half of the northwest quarter of Section 35, and a part of the north half of the southeast quarter of Section 34, all in Township 9 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

Beginning at the northwest corner of said southwest quarter; thence North 20 feet, more or less, to the north right-of-way line of SR 45, also being the south line of Annexation Ordinance 63-37; thence North 89 degrees 09 minutes 02 seconds East 1304.68 feet on said south line to the west line of Annexation Ordinance 93-59; thence on said west line the following three (3) courses: 1) South 0 degrees 55 minutes 15 seconds East 73.49 feet, more or less; thence 2) 82.05 feet on a 366.00 feet radius tangent curve to the to the right whose chord bears South 5 degrees 30 minutes 05 seconds West 81.88 feet; thence 3) South 11 degrees 55 minutes 28 seconds West 623.29 feet, more or less to the south right-of-way line of the Illinois Central Railroad, also being the north line of Annexation Ordinance 64-13; thence North 78 degrees 00 minutes 22 seconds West 1570 feet, more or less, on said north line and also the north line of Annexation Ordinance 53-16 to the east right-of-way line of SR 46, also being the east line of Annexation Ordinance 74-53; thence North 24 degrees West 124 feet, more or less, on said east line to the north right-of-way line of the aforesaid Illinois Central Railroad, also being the south line of Annexation Ordinance 86-54; thence South 78 degrees 00 minutes 22 seconds East 425.02 feet on the south line of said Annexation Ordinance 86-54; thence North 0 degrees 21 minutes 54 seconds East 374.46 feet on the east line of said Annexation Ordinance 86-54 to the point of beginning, containing 19.22 acres, more or less.

SECTION 2. Be it further ordained, that the boundaries of the City of Bloomington, shall be, and the same are, hereby declared to be extended so as to include all the real estate hereinabove described as part of the City of Bloomington, Indiana.

SECTION 3. Pursuant to IC § 36-4-3-4(g), the above-described territory, which is hereby annexed to and declared a part of the City of Bloomington, Indiana, shall be assigned to Bloomington Common Council District 3.

SECTION 4. Services will be provided to the annexed area in accordance with the "Fiscal Plan, Annexation of Garton Farm Area" adopted by Resolution 02-26 by the Bloomington Common Council.

SECTION 5. The effective date of this ordinance shall be January 1, 2004, following its passage and adoption by the Common Council of the City of Bloomington and approval of the Mayor, and the City herein acknowledges its obligations at the time of annexation.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 18th day of December, 2002.

CHRIS GAAL, President
Bloomington Common

Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 18th day of December, 2002.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 19TH day of DECEMBER, 2002.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance annexes Garton Farm Area, bounded on the north by East Tenth Street (East State Road 45), on the east by Pete Ellis Drive, on the south by the Indiana Central Rail Road track and on the west by Tenth and the Bypass Shopping Center, commonly known as Garton Farm Area, which includes 2815T (temporary address) & 2820 – 2920 E. Tenth Street (a.k.a. East State Road 45), including contiguous public roads and rights of way, effective January 1, 2004, and assigns the area to Council District 3.

Signed copies to:
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Annexation distribution list