(passed 8-0)

**ORDINANCE 02-29**

**AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY (Rogers Farm Phase II/Gentry Honours Phase II 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 Rogers Farm Phase II/Gentry Honours Phase II Area;"

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, commonly known as Rogers Farm Phase II/Gentry Honours Phase II Area, bounded on the north and west in part by Rogers Farm Phase I, the Fields, Brighton Point and Hoosier Acres, on the north and east by Gentry Honours Phase I, Gentry Estates, Hearthstone Village and State Road 446, and on the south by Moores Pike and St. James Woods, which includes 3900 – 3925 E. Brighton Crest, 916 – 929 S. Brighton Crest, 3709 (a.k.a. 3355) and 3900 – 4425 (odd only) E. Moores Pike, 856 – 938 S. Coriander Court, 806 – 936 S. Romans Way, 921 – 936 S. Brumley Court, 917 – 1175 S. Smith Road, 1456 & 1497 S. State Road 446, and 3910 E. Bennington Boulevard, 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 Sections 1, 2, 11 and 12, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

Commencing at the southeast corner of the southeast quarter of the southwest quarter of said Section 1; thence South 0 degrees 33 minutes 41 seconds East 50.00 feet and to the POINT OF BEGINNING; thence South 88 degrees 56 minutes 07 seconds West 2611.74 feet on the south right-of-way line of Moore's Pike to the west right-of-way line of Smith Road; thence North 1 degree 07 minutes 13 seconds West 625.81 feet on said west right-of-way line to the northeast corner of Saint James Woods Subdivision; thence on said subdivision the following five (5) courses: 1) South 89 degrees 23 minutes 43 seconds West 649.42 feet; thence 2) South 0 degrees 59 minutes 37 seconds East 135.50 feet; thence 3) South 72 degrees 43 minutes 31 seconds West 122.26 feet; thence 4) South 69 degrees 37 minutes 51 seconds West 258.80 feet; thence 5) South 1 degree 01 minute 51 seconds West 268.30 feet to the north right-of-way line of Moore's Pike, also being the line of Annexation Ordinance 98-53; thence on said Annexation Ordinance 98-53 the following seven (7) courses: 1) North 88 degrees 32 minutes 08 seconds West 628.00 feet; thence 2) North 22 degrees 49 minutes 06 seconds East 13.00 feet; thence 3) North 71 degrees 11 minutes 13 seconds East 175.00 feet; thence 4) North 1 degree 44 minutes 32 seconds East 225.00 feet; thence 5) North 26 degrees 32 minutes 52 seconds East 300.00 feet; thence 6) South 86 degrees 50 minutes 22 seconds East 150.00 feet; thence 7) North 20 degrees 01 minute 51 seconds East 748.84 feet to the south line of Annexation Ordinance 66-47; thence North 89 degrees 24 minutes 02 seconds East 939.53 feet on said south line to the west right-of-way line of Smith Road; thence North 0 degrees 58 minutes 50 seconds West 1878.76 feet on said west right-of-way line, also being the east line of Annexation Ordinance 66-47, to the southwest corner of Annexation Ordinance 97-46; thence on the south line of said Annexation Ordinance 97-46 the following twenty four (24) courses: 1) North 89 degrees 19 minutes 11 seconds East 20.00 feet to the west line of Section 2; thence 2) continuing North 89 degrees 19 minutes 11 seconds East 127.49 feet; thence 3) 131.14 feet on a 335.00 feet radius tangent curve to the to the left whose chord bears North 78 degrees 06 minutes 19 seconds East 130.30 feet; thence 4) North 16 degrees 57 minutes 55 seconds East 40.68 feet; thence 5) 44.85 feet on a 305.00 feet radius non-tangent curve to the left whose chord bears North 57 degrees 45 minutes 08 seconds East 44.81 feet; thence 6) South 31 degrees 07 minutes 25 seconds East 132.83 feet; thence 7) North 58 degrees 52 minutes 35 seconds East 80.00 feet; thence 8) North 31 degrees 07 minutes 25 seconds West 80.00 feet; thence 9) North 58 degrees 52 minutes 35 seconds East 142.95 feet; thence 10) 81.17 feet on a 275.00 feet radius non-tangent curve to the right whose chord bears South 22 degrees 40 minutes 04 seconds East 80.88 feet; thence 11) North 75 degrees 47 minutes 19 seconds East 50.00 feet; thence 12) 163.63 feet on a 325.00 feet radius non-tangent curve to the left whose chord bears North 28 degrees 38 minutes 04 seconds West 161.91 feet; thence 13) North 46 degrees 56 minutes 27 seconds East 145.83 feet; thence 14) South 23 degrees 19 minutes 27 seconds East 177.87 feet; thence 15) South 14 degrees 16 minutes 43 seconds East 80.37 feet; thence 16) South 10 degrees 08 minutes 50 seconds East 230.45 feet; thence 17) South 4 degrees 12 minutes 23 seconds West 156.39 feet; thence 18) South 8 degrees 08 minutes 36 seconds West 123.20 feet; thence 19) South 58 degrees 46 minutes 04 seconds East 128.36 feet; thence 20) 10.31 feet on a 337.34 feet radius non-tangent curve to the right whose chord bears South 32 degrees 08 minutes 22 seconds West 10.31 feet; thence 21) South 57 degrees 01 minute 00 seconds East 200.29 feet; thence 22) South 28 degrees 07 minutes 01 second West 45.64 feet; thence 23) South 46 degrees 10 minutes 32

seconds East 200.81 feet; thence 24) North 44 degrees 03 minutes 19 seconds East 258.32 feet to the west line of Annexation Ordinance 94-62; thence South 0 degrees 25 minutes 55 seconds East 1569.41 feet on said west line; thence North 88 degrees 56 minutes 04 seconds East 651.64 feet on the south line of said Annexation Ordinance 94-62 to the northwest corner of Annexation Ordinance 96-57; thence South 0 degrees 34 minutes 50 seconds East 682.43 feet on the west line of said Annexation Ordinance 96-57; thence North 88 degrees 53 minutes 45 seconds East 634.62 feet on the south line of said Annexation Ordinance 96-57 to the east line of the west half of Section 1; thence North 88 degrees 22 minutes 25 seconds East 60 feet to the east right-of-way line of State Road 446; thence South 0 degrees 46 minutes 12 seconds East 390.92 feet on said east right-of-way line to the south right-of-way line of Moore's Pike; thence South 88 degrees 53 minutes 40 seconds West 61.42 feet on said south right-of-way line to the POINT OF BEGINNING; said described tract containing 139.3 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 Rogers Farm Phase II/Gentry Honours Phase II Area" adopted by Resolution 02-34 by the Bloomington Common Council.

SECTION 5. Pursuant to IC § 36-4-3-7 this ordinance shall take effect 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

CHRIS GAAL, President
Bloomington Common Council

ATTEST:

Regina Moore

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

REGINA MOORE, Clerk
City of Bloomington

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

J Fernandez

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance annexes Rogers Farm Phase II/Gentry Honours Phase II Area, bounded on the north and west in part by Rogers Farm Phase I, the Fields, Brighton Point and Hoosier Acres, on the north and east by Gentry Honours Phase I, Gentry Estates, Hearthstone Village and State Road 446, on the south by Moores Pike and St. James Woods, which includes 3900 – 3925 E. Brighton Crest, 916 – 929 S. Brighton Crest, 3709 (a.k.a. 3355) and 3900 – 4425 (odd only) E. Moores Pike, 856 – 938 S. Coriander Court, 806 – 936 S. Romans Way, 921 – 936 S. Brumley Court, 917 – 1175 S. Smith Road, 1456 & 1497 S. State Road 446, and 3910 E. Bennington Boulevard, 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