(Passed 7-0)

ORDINANCE 00-40

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY
(Broadview 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 Broadview Phase II Area," which was approved by the Common Council with the adoption of Resolution 00-24; and

WHEREAS, property taxes imposed on the annexed territory not used to meet basic services, including those of a non-capital nature and capital improvement nature, shall be impounded for a period of at least three years into a special fund to be used for the provision of additional services in the annexed territory within five years after the effective date of the annexation;

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

SECTION 1. That the following described land, commonly known as Broadview Phase II Area which includes 390 to 431 West Jed Street, 405 to 437 West Joy Street, 303 to 307 West Coolidge Drive, 304 to 415 West Graham Drive, a portion of West Ralston Drive between Rogers Street and Milton Drive, 309 to 408 West Watson Street, 298 to 403 West Country Club Road, 2101 to 2721 South Rogers Street, 2201 to 2205 South Jean Street, 2305 to 2720 South Madison Street, 2301 to 2627-1/2 South Bryan Street, 2503 to 2513 South Camden Drive, 2601 to 2627 South Kendall Drive, 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 Sections 8, 9, 16 and 17, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

BEGINNING at a point 495 feet South and 564.5 feet West of the northeast corner of the southeast quarter of said Section 8; said point being on the north line of Broadview Park Second Addition and also being on the east line of Annexation Ordinance #98-55; thence on said east line the following twelve (12) courses: 1) North 1 degree 29 minutes 44 seconds East 187.35 feet; thence 2) North 89 degrees 00 minutes 00 seconds West 86.44 feet; thence 3) North 1 degree 00 minutes 00 seconds East 106.00 feet; thence 4) North 2 degrees 30 minutes 00 seconds West 105.50 feet; thence 5) South 89 degrees 00 minutes 00 seconds East 40.00 feet; thence 6) North 2 degrees 00 minutes 00 seconds East 121.70 feet; thence 7) North 90 degrees 00 minutes 00 seconds East 16.40 feet; thence 8) North 2 degrees 30 minutes 00 seconds West 38.00 feet; thence 9) North 1 degree 20 minutes 00 seconds West 162.00 feet; thence 10) South 88 degrees 40 minutes 00 seconds West 171.00 feet; thence 11) North 1 degree 00 minutes 00 seconds West 289.50 feet; thence 12) North 86 degrees 30 minutes 00 seconds East 734.00 feet to the west right-of-way line of the Illinois Central Railroad and also the west line of Annexation Ordinance #81-95; thence Southerly on said west line 3252', more or less, to the north line of the aforementioned Section 16; thence South 89 degrees 30 minutes 00 seconds West 15.00 feet on said north line; thence continuing on the west right-of-way line of the aforesaid Illinois Central Railroad South 7 degrees 00 minutes 00 seconds West 147.50 feet to the southeast corner of land of Denny; thence North 90 degrees 00 minutes 00 seconds West 259.00 feet on the south line of said land of Denny to the east line of land of Hardin; thence South 0 degrees 00 minutes 00 seconds East 35.00 feet on said east line to the southeast corner thereof; thence North 90 degrees 00 minutes 00 seconds West 150.50 feet on the south line of said land of Hardin to the southwest corner thereof; thence North 90 degrees 00 minutes 00 seconds West 173.00 feet on the south line of land of Hardin to the southwest corner thereof; thence North 0 degrees 00 minutes 00 seconds East 36.00 feet on the west line of land of Hardin to the southeast corner of land of

Briles; thence North 90 degrees 00 minutes 00 seconds West 94.00 feet on the south line of said land of Briles to the southwest corner thereof; thence North 0 degrees 00 minutes 00 seconds West 116.15 feet on the west line of said land of Briles to the south right-of-way line of Country Club Road; thence South 89 degrees 30 minutes 00 seconds West 146.73 feet on said south right-of-way line to the west right-of-way line of Rogers Street; thence North 6 degrees 15 minutes 00 seconds West 199.00 feet on said west right-of-way line to the south line of John Walker Subdivision; thence South 89 degrees 30 minutes 00 seconds West 120.00 feet on said south line to the southwest corner of Lot 4 in said John Walker Subdivision; thence North 6 degrees 15 minutes 00 seconds West 93.00 feet on the west line of said Lot 4 to the northwest corner thereof; thence South 89 degrees 30 minutes 00 seconds West 24.00 feet on the south line of an alley; thence North 6 degrees 15 minutes 00 seconds West 72.00 feet on the west line of an alley to the northeast corner of Lot 1 in said John Walker Subdivision; thence continuing on the west line of an alley North 6 degrees 15 minutes 00 seconds West 976.00 feet to the south line of the aforementioned Annexation Ordinance #98-55; thence on said south line the following three (3) courses: 1) North 89 degrees 30 minutes 00 seconds East 12.00 feet; thence 2) North 6 degrees 15 minutes 00 seconds West 60.00 feet; thence 3) North 89 degrees 30 minutes 00 seconds East 326.00 feet to the east line of said Annexation Ordinance #98-55; thence on said east line the following two (2) courses: 1) North 6 degrees 15 minutes 00 seconds West 812.00 feet; thence 2) South 89 degrees 00 minutes 00 seconds East 51.00 feet to the POINT OF BEGINNING; said described tract containing 69.8 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 I.C. 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 5.

SECTION 4. Pursuant to I.C. 36-4-3-8, in order to make the annexation equitable to the property owners and residents of the City of Bloomington and the area to be annexed, all the municipal property taxes imposed on the annexed territory after the annexation takes effect that are not used to meet the basic services described in the "Fiscal Plan Annexation of Broadview Phase II Area" shall be impounded in a special fund to be called Broadview Phase II Property Taxes for a period of three (3) years. The impounded property taxes shall be used to provide additional services that were not specified in the plan of annexation. The impounded property taxes in the fund shall be expended not later than five (5) years after the annexation becomes effective.

SECTION 5. Pursuant to I.C. 36-4-3-8.1, an advisory board shall be appointed to advise the municipality on the provision of services to the annexed territory that are paid for with the municipal property taxes impounded as established in Section 4. The advisory board shall be appointed not later than ninety (90) days after the annexation becomes effective.

SECTION 6. Services will be provided to the annexed area in accordance with the "Fiscal Plan Annexation of Broadview Phase II Area" approved by the Common Council with the adoption of Resolution 00-24.

SECTION 7. Pursuant to I.C. 36-4-3-7(b), (d) and (e) this ordinance shall take effect January 1, 2002, 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 20th day of December, 2000.

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TIMOTHY MAYER, 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 21st day of December, 2000.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 22nd day of December, 2000.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance annexes Broadview Phase II Area, which includes the property located at 390 to 431 West Jed Street, 405 to 437 West Joy Street, 303 to 307 West Coolidge Drive, 304 to 415 West Graham Drive, a portion of West Ralston Drive between Rogers Street and Milton Drive, 309 to 408 West Watson Street, 298 to 403 West Country Club Road, 2101 to 2721 South Rogers Street, 2201 to 2205 South Jean Street, 2305 to 2720 South Madison Street, 2301 to 2627-1/2 South Bryan Street, 2503 to 2513 South Camden Drive, 2601 to 2627 South Kendall Drive, including contiguous public roads and rights of way, effective January 1, 2002, and assigns the area to Council District 5.

Note: This ordinance was amended after the packet was distributed, but before the ordinance was introduced on Wednesday, September 13, 2000. The revisions altered the addresses, which appear in Section 1 and the synopsis of the ordinance.