ORDINANCE 95-59

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY (North Dunn Street Area)

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

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA:

SECTION 1. That the land described below, with following commonly known addresses: 2200-2711 North Dunn Street and 600-999 Matlock Road - be annexed to and declared a part of the City of Bloomington, Indiana, to-wit:

TRACT A:
A part of the Southwest Quarter of Section 21 and a part of the Northwest Quarter of Section 28, Township 9 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:
BEGINNING at the northeast corner of said Northwest Quarter of Section 28; thence southerly 678 feet, more or less, along the east line of said Northwest Quarter; thence westerly 16.5 feet, more or less, to the northeast corner of Annexation Ordinance Number 71-55; thence westerly 1213 feet, more or less, along the north line of said Annexation Ordinance to the easterly right-of-way of Old State Road 37, said line also being on the east line of Annexation Ordinance Number 59-19; thence along said Annexation Ordinance 59-19 the following six (6) courses:
1). northerly 127 feet, more or less; thence 2). easterly 576 feet, more or less; thence 3). northerly 550 feet, more or less; thence 4). easterly 288 feet, more or less; thence 5). northerly 488 feet, more or less; thence 6). easterly 370 feet, more or less to the east line of the Southwest Quarter of the aforesaid Section 21, said line also being the west line of Annexation Ordinance Number 75-10; thence southerly 488 feet, more or less, along said Annexation Ordinance to the POINT OF BEGINNING, containing 16 acres, more or less.

TRACT B:
A part of the Northeast Quarter of Section 28, Township 9 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:
BEGINNING at the northwest corner of the Northeast Quarter of said Section 28; thence EAST concurrent with the north line of said Section and the southerly line of Annexation Ordinance Number 75-10 to the northeast corner of the west half of the Northeast Quarter of said Section 28; thence SOUTH concurrent with the east line of said west half of the Northeast Quarter to the southeast corner thereof; thence WEST concurrent with the south line of the Northeast Quarter of said Section 28 to the southwest corner of the Northeast Quarter of said Section 28; WEST 16.5 feet to the westerly right-of-way of Dunn Street; thence northerly 1962 feet, more or less, along said westerly right-of-way, also being the east line of Annexation Ordinance Number 71-55 to the southwest corner of Deed Record 388, Page 332; thence easterly 16.5 feet to the west line of the aforesaid Northeast Quarter; thence northerly 678 feet, more or less, along said west line to the POINT OF BEGINNING, containing 81 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 of the real estate hereinabove described as part of the City of Bloomington, Indiana.

SECTION 3. Pursuant to I.C. 36-4-3-3(d), 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 2.

SECTION 4. Pursuant to I.C. 36-4-3-7(d) this ordinance shall take effect sixty (60) days following its passage and adoption by the Common Council of the City of Bloomington and

approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 6th day of December, 1995.

Iris Kiesling

IRIS KIESLING, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 7th day of December, 1995.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 8th day of December, 1995.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance annexes property located at the following addresses: 2200-2711 North Dunn Street and 600-999 Matlock Road.

Signed copies
to legal
Clerk file -2

Smith Neubecker & Associates, Inc.

BLOOMINGTON ANNEXATION DESCRIPTION FOR NORTH DUNN ADDITION AREA
JOB NUMBER 2301

TRACT A:

A part of the Southwest Quarter of Section 21 and a part of the Northwest Quarter of Section 28, Township 9 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

BEGINNING at the northeast corner of said Northwest Quarter of Section 28; thence southerly 678 feet, more or less, along the east line of said Northwest Quarter; thence westerly 16.5 feet, more or less, to the northeast corner of Annexation Ordinance Number 71-55; thence westerly 1213 feet, more or less, along the north line of said Annexation Ordinance to the easterly right-of-way of Old State Road 37, said line also being on the east line of Annexation Ordinance Number 59-19; thence along said Annexation Ordinance 59-19 the following six (6) courses: 1). northerly 127 feet, more or less; thence 2). easterly 576 feet, more or less; thence 3). northerly 550 feet, more or less; thence 4). easterly 288 feet, more or less; thence 5). northerly 488 feet, more or less; thence 6). easterly 370 feet, more or less to the east line of the Southwest Quarter of the aforesaid Section 21, said line also being the west line of Annexation Ordinance Number 75-10; thence southerly 488 feet, more or less, along said Annexation Ordinance to the POINT OF BEGINNING, containing 16 acres, more or less.

TRACT B:

A part of the Northeast Quarter of Section 28, Township 9 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

BEGINNING at the northwest corner of the Northeast Quarter of said Section 28; thence EAST concurrent with the north line of said Section and the southerly line of Annexation Ordinance Number 75-10 to the northeast corner of the west half of the Northeast Quarter of said Section 28; thence SOUTH concurrent with the east line of said west half of the Northeast Quarter to the southeast corner thereof; thence WEST concurrent with the south line of the Northeast Quarter of said Section 28 to the southwest corner of the Northeast Quarter of said Section 28; WEST 16.5 feet to the westerly right-of-way of Dunn Street; thence northerly 1962 feet, more or less, along said westerly right-of-way, also being the east line of Annexation Ordinance Number 71-55 to the southwest corner of Deed Record 388, Page 332; thence easterly 16.5 feet to the west line of the aforesaid Northeast Quarter; thence northerly 678 feet, more or less, along said west line to the POINT OF BEGINNING, containing 81 acres, more or less.

This certification does not take into consideration additional facts that an accurate and correct title search and/or examination or field survey might disclose.

Subject to the above reservation, I hereby certify that the survey work performed on the project shown hereon was performed either by me or under my direct supervision and control and that all information shown is true and correct to the best of my knowledge and belief.

Certified this 19th day of September, 1994.

Jess A. Gwinn
Registered Land Surveyor No. 9300019
State of Indiana

JESS A. GWINN REGISTERED No. 9300019 State of INDIANA LAND SURVEYOR

ACCOMPANIES RESOLUTION 95-59

DESIGNATED TRUST ENDOWMENT FUND AGREEMENT

BETWEEN

THE REDEVELOPMENT DEPARTMENT OF THE CITY OF BLOOMINGTON

AND

THE BLOOMINGTON COMMUNITY FOUNDATION

This Agreement made and entered into on 1/10/1996 at Bloomington, Indiana, between the Redevelopment Commission of the City of Bloomington, hereinafter referred to as the City, and the Bloomington Community Foundation, hereinafter referred to as the Foundation. The Foundation agrees to engage in activities as set forth below and to comply with all provisions of this Agreement and the City agrees to provide funding, as set forth below.

WHEREAS, pursuant to IC 6-3.5-6-1 et.seq., county option income tax ("COIT") has been imposed in Monroe County, Indiana, since 1984, and the City receives a distributive share of the COIT; and

WHEREAS, pursuant to IC 6-3.5-6-17.5, the Monroe County Income Tax Council (CITC) elected to reduce Monroe County's COIT special account balance from a six-month to three-month reserve and receive a one-time distribution of COIT from the special account to Monroe County governmental entities; and

WHEREAS, the City believes that education and training can be key elements for citizens to prepare for full participation in the cultural, economic, political, and social life of the community; and

WHEREAS, the City has supported the Community Alliance for Lifelong Learning in its efforts to make substantial and sustainable improvements in the quality of life for all the citizens of our community through education; and

WHEREAS, the City would like to contribute financial support to enhance education and training opportunities throughout the community for perpetuity; and

WHEREAS, cities are authorized to establish permanent endowments with nonprofit community foundations to serve the purposes of the city pursuant to Indiana Code 36-1-14, and the City wishes to use $125,000 of its COIT revenues to establish a designated endowment for an education and training fund in the Foundation; and

WHEREAS, the Foundation is a nonprofit Indiana corporation exempt from taxation under Internal Revenue Code ("Code") section 501(c)(3), a public charity described in section 170

... or its agent, shall have all powers necessary
... the Fund according to the terms of this agreement, including,
... to, the power to retain, invest and reinvest the portions of the Fund not

(b) (1) (A) (vi) of the Code, and a charitable nonprofit community foundation
Indiana Code 36-1-14, and accordingly an appropriate institution
such an endowment; and

WHERE

committed for purposes of this agreement, and the power to commingle the assets of the Fund with those of other funds for investment purposes.

10. Costs of the Fund. The Foundation shall receive an annual fee for administering the fund in the amount of one percent (1%) of the principal of the Fund.

11. Jurisdiction. Initially only projects located within Monroe County shall be eligible for funding pursuant to this Agreement. If other Donors decide to contribute a significant source of revenue for the purposes of this Agreement and for the benefit of areas outside of Monroe County, the City and Foundation agree to amend the Agreement to allow for participation outside the area of Monroe County for funding under this Agreement.

12. Amendment Procedure. Subject to IC 36-1-14, this Agreement may be amended by resolution of the City's Common Council and the Foundation's Board of Directors.

IN WITNESS WHEREOF, the City has approved this Agreement through its Mayor and Common Council, and the Foundation has caused this Agreement to be approved by its Board of Directors and to be executed by a duly authorized officer, all as of the day and year first above written.

CITY OF BLOOMINGTON, INDIANA

By: Tomilea Allison

Tomilea Allison
Mayor

Iris Kiesling

Iris Kiesling
President, Common Council

Attest: Patricia Williams
Patricia Williams
City Clerk

Date

BLOOMINGTON COMMUNITY FOUNDATION, INC.

By: Jack Mulholland

Jack Mulholland
Executive Director

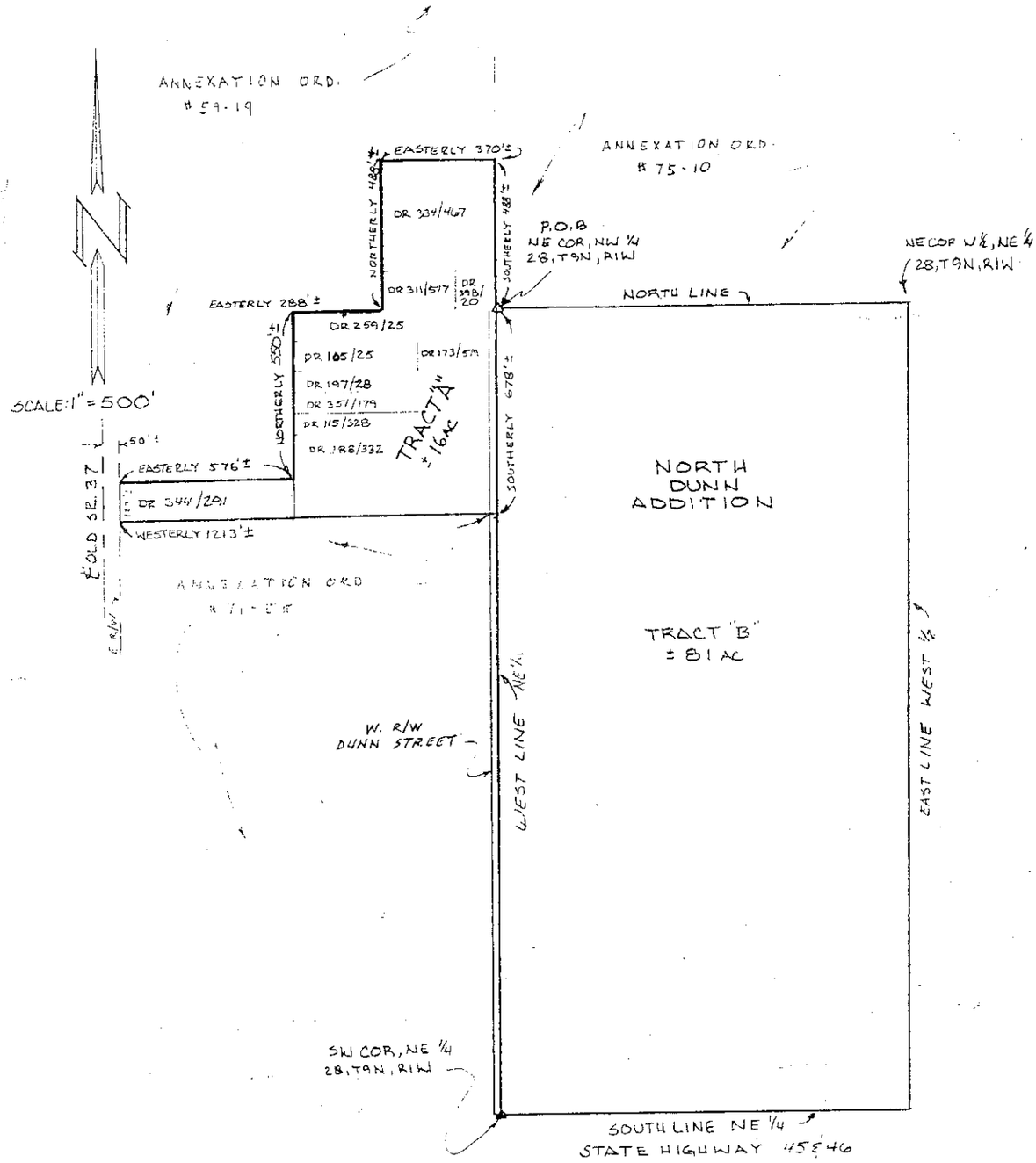
Ilknur Ralston

Ilknur Ralston
Board President

Date

Smith Neubecker & Associates, Inc.

BLOOMINGTON ANNEXATION
NORTH DUNN ADDITION
JOB NO. 2301



ate Board of Accounts General Form #99P (Rev 1988)

TO: The Herald-Times__Dr.
Box 909
Bloomington, IN 47402

nit)

PUBLISHER'S CLAIM

st not exceed 2 actual lines, neither of which shall
r solid lines of the type in which the body of the
Number of equivalent lines _____
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_____
s in notice _____

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wide, equals 107 equivalent lines
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notices containing rule
above amount).....
of publication.....
f in excess of two)
.....$35.31

mn 12.5 ems Size of type 6 point
1 time

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ons and penalties of Ch 155, Acts 1953.
the foregoing is just and correct, that the amount
after allowing all just credits, and that no part
id.

Sue May
Title: billing clerk

PUBLISHER'S AFFIDAVIT

State of Indiana, Monroe County) ss
Personally appeared before me, a notary public in and for said county and state, the undersigned, Leah Leahy or Sue May who, being duly sworn, says that she is billing clerk for The Herald-Times newspaper of general circulation printed and published in the English language in the city of Bloomington in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the dates of publication being as follows:

1995 :
12/20

Sue May

Subscribed and sworn to before me 12/20/95

Leah E. Leahy Notary Public
Monroe Co. Indiana
My Commission expires 1-10-96

Claim No.____ Warrant No._____
IN FAVOR OF
Herald-Times
P.O. Box 909, Bloomington, IN 47402
****

$_____

ON ACCOUNT OF APPROPRIATION FOR

_____

Appropriation No. 351262682_____

****

Allowed_____,19__

In the Sum of $_____

_____

_____

_____

_____

_____

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is based upon statutory authority.
That it is apparently (correct) (incorrect).

_____

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and necessary to the public business.

_____

_____,19__

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