

**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 6<sup>th</sup> day of December, 1995.

Iris Kieselring  
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 7<sup>th</sup> day of December, 1995.

Patricia Williams  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 8<sup>th</sup> 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  
HT legal  
check file - 2

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 19<sup>th</sup> day of September, 1994.

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



020 45-59

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 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 under Indiana Code 36-1-14, and accordingly an appropriate institution, such as an endowment; and

WHEREAS

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

BLOOMINGTON COMMUNITY FOUNDATION, INC.

By: Tomilea Allison

By: Jack Mulholland

Tomilea Allison  
Mayor

Jack Mulholland  
Executive Director

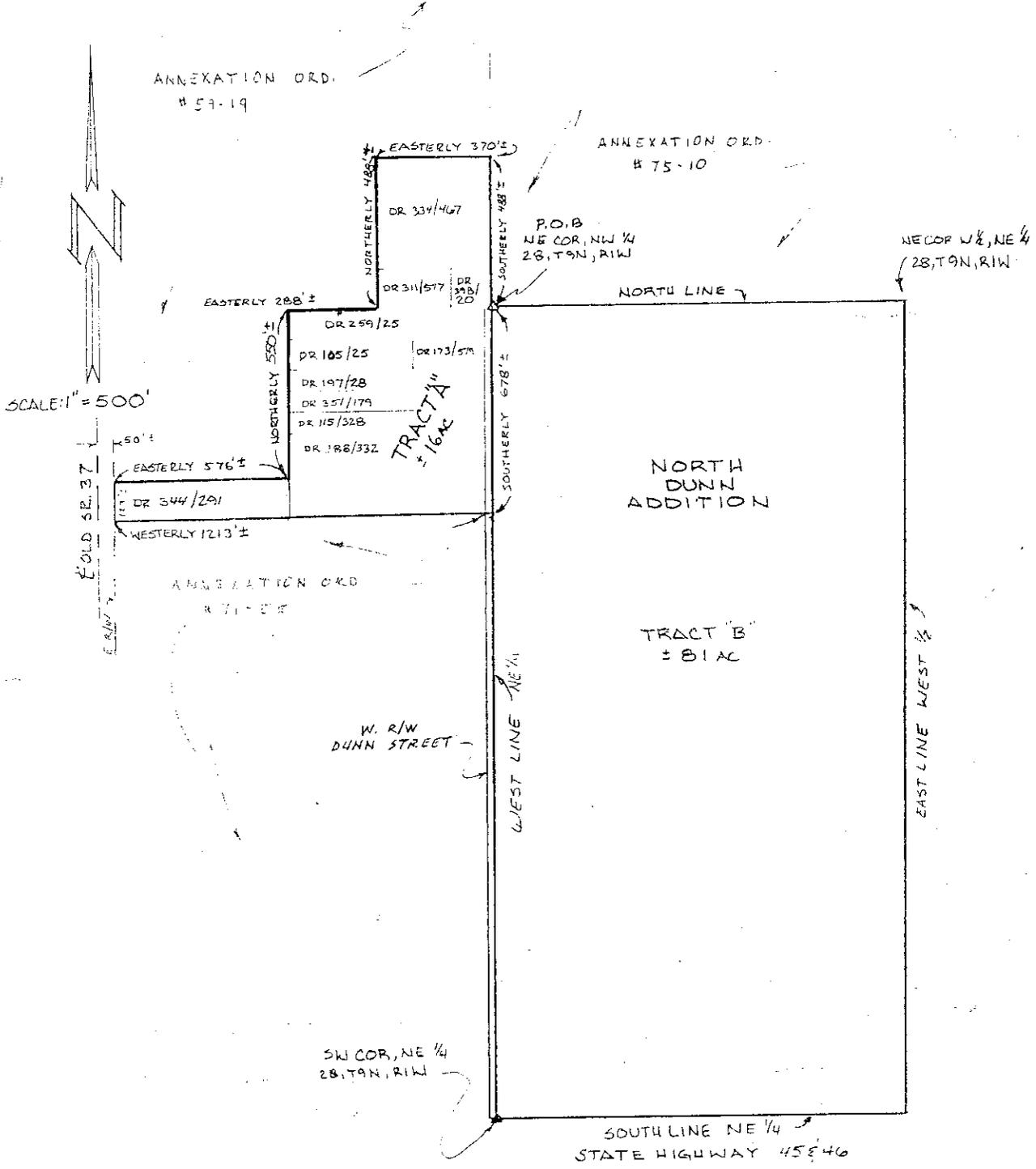
Iris Kiesling  
Iris Kiesling  
President, Common Council

Ilknur Ralston  
Ilknur Ralston  
Board President

Attest: Patricia Williams  
Patricia Williams  
City Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



080 95-57

ate Board of Accounts General Form #99P (Rev 1988)  
 TO: The Herald-Times Dr.  
 Box 909  
 Bloomington, IN 47402

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

s in notice

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  
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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

*Col. J. Hodge* Notary Public  
 Monroe Co. Indiana  
 My Commission expires 1-18-96

along the north line of said property in Deed  
 Record 386, page 161; thence SOUTH 00 degrees  
 00 minutes 00 seconds WEST 238.83 feet along the east  
 line of said property in Deed Record 386, page 161  
 and to the northwest corner of the property  
 described in Deed Record 344, page 137 (as  
 recorded in said Monroe County, Indiana); thence  
 NORTH 76 degrees 06 minutes 00 seconds EAST  
 112.26 feet along the north line of the said property  
 described in Deed Record 344, page 137; thence  
 continuing along the said north line the next four  
 (4) courses:  
 (1) SOUTH 00 degrees 06 minutes 00 seconds  
 WEST 76.89 feet;  
 (2) thence SOUTH 88 degrees 40 minutes second 1/2  
 EAST 166.71 feet;  
 (3) thence NORTH 00 degrees 06 minutes 00 sec-  
 onds EAST 208.71 feet;  
 (4) thence SOUTH 88 degrees 40 minutes 30 sec-  
 onds EAST 400 feet;  
 thence along the west line of Bitmer Woods (as  
 recorded in Plat Book 5, page 57, in the office of the  
 Recorder, Monroe County, Indiana) for the next  
 four (4) courses:  
 (1) SOUTH 00 degrees 06 minutes 00 seconds  
 WEST 331.42 feet;  
 (2) thence NORTH 89 degrees 17 minutes 20 sec-  
 onds WEST 329.90 feet;  
 (3) thence SOUTH 12 degrees 32 minutes 00 sec-  
 onds WEST 438.91 feet;  
 (4) thence SOUTH 18 degrees 17 minutes 30 sec-  
 onds WEST 224.85 feet  
 to the northwest corner of the property  
 described in Deed Record 266, page 46 (as recorded  
 in said Monroe County, Indiana); thence SOUTH 34  
 degrees 42 minutes 22 seconds WEST 62.40 feet  
 the west line of said property described in Deed  
 Record 266, page 46; thence continuing along the  
 west line SOUTH 34 degrees 57 minutes 22 seconds  
 WEST 133.19 feet to the northwest corner of HYVAC  
 Park, Section One, Phase I (as recorded in Plat  
 Book 8, page 15, in said Monroe County, Indiana);  
 thence along the west line of said Hyde Park, Sec-  
 tion One, phase I SOUTH 33 degrees 55 minutes 15  
 seconds WEST 166.35 feet to a point on the west  
 line of said Section 11; thence NORTH 90 degrees 00  
 minutes 00 seconds WEST 18.00 feet to the approx-  
 imate west right-of-way line of Sare Road extended  
 south; thence NORTH 00 degrees 00 minutes 00 sec-  
 onds EAST 1882.94 feet along said west right-of-  
 way to the north line of said Section 10; thence  
 NORTH 90 degrees 00 minutes 00 seconds EAST  
 18.00 feet to the point of beginning, containing 15.96  
 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 heretofore  
 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  
 Ord 05 50

