

(Amended 8-1)
volan

RESOLUTION 09-01

TO AMEND THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA IN REGARD TO PLANNING AND ZONING JURISDICTION -

Re: Amending the Map of Said Jurisdiction to Transfer 38.31 Acres Located at 2865 East Rhorer Road from Monroe County to the City of Bloomington

- WHEREAS, Indiana Code § 36-1-7-1 *et seq.* permits governmental entities to jointly exercise powers through Interlocal Cooperation agreements; and
- WHEREAS, Indiana Code § 36-7-4-205 authorizes a municipality to exercise planning and zoning jurisdiction over unincorporated areas within two (2) miles of the corporate boundaries, with permission of the County; and
- WHEREAS, it is prudent, rational, and in the best interests of the citizens that the City of Bloomington maintain planning and zoning jurisdiction over certain unincorporated areas that are surrounded by or immediately adjacent to areas that are within the corporate boundaries of the City, which areas are known as "Areas Intended for Annexation" or "AIFA"; and
- WHEREAS, City planning and zoning jurisdiction outside the corporate boundaries is currently provided by authority of an Interlocal Cooperation Agreement between the parties that was approved by Common Council Resolution 96-33 and extended to and until March 31, 2012 by Common Council Resolution 02-09 and Resolution 07-02; and
- WHEREAS, the Monroe County Commissioners, by their action on Resolution 2008-41 at a publicly noticed meeting on June 20, 2008, voted to transfer 38.31 acres of property located within the Monroe County Planning Jurisdiction to the City of Bloomington's Planning Jurisdiction; and
- WHEREAS, the Monroe County Commissioners voted to execute this transfer in order to allow the 38.31 acres to be combined with other acreage controlled by the petitioner, YFD, LLC, which is located within the City of Bloomington's Planning Jurisdiction; and
- WHEREAS, both the County and City believe that land use decisions concerning this combined acreage can be made more reasonably under the jurisdiction of a single governmental entity; and
- WHEREAS, any transfer of acreage from the Monroe County Planning Jurisdiction to the City of Bloomington's Planning Jurisdiction requires a revision of the *Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana in regard to Planning and Zoning Jurisdiction*, specifically an amendment to the map depicting the area outside the corporate boundaries over which the City exercises planning and zoning jurisdiction;

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

SECTION 1. The map outlining the area to which the City exercises planning, zoning, and subdivision jurisdiction, which is identified in the *Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana in regard to Planning and Zoning Jurisdiction* as Exhibit A, shall be amended to include the following property located at 2865 E. Rhorer Road and more specifically described below:

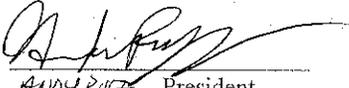
The Southeast quarter of the Southeast quarter Section Fifteen (15), Township Eight (8) North, Range One (1) West, excepting therefrom the following: Beginning at the Southwest corner of said quarter quarter; running thence North on the West line thereof

340 feet; thence East and parallel with the South line thereof 250 feet; thence South and parallel with the West line of said quarter quarter 340 feet, and to the South line thereof; thence West on the said South line 250 feet, and to the point of beginning, containing two (2) acres, more or less containing after said exception Thirty-eight (38) acres, more or less.

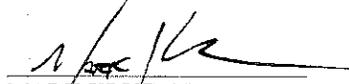
ALSO, all of the Grantors interest in a tract of land being that part of the Southwest quarter of the Southeast quarter of Section 14, Township 8 North, Range 1 West, lying west of the west boundary of Fox Chase Subdivision, containing .35 acre, more or less, and more particularly described in the Quit Claim Deed from S.P.C. Development Corporation to Jack D. Deckard and Nan L. Deckard dated February 25, 1993 and recorded March 14, 1994, in Deed Record 420 page 425, and the Boundary Line Agreement between the parties recorded March 14, 1994 in Miscellaneous Record 225, pages 9-10, in the Office of the Recorder of Monroe County, Indiana.

SECTION 2. Exhibit A – City of Bloomington Planning Jurisdiction Map – is hereby attached and made a part of this resolution.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 21st day of JANUARY, 2009.


ANDY RUFF, President
Common Council

SIGNED and APPROVED by me upon this 22nd day of JANUARY, 2009.


MARK KRUZAN, Mayor
City of Bloomington

ATTEST:


REGINA MOORE, Clerk
City of Bloomington

SYNOPSIS

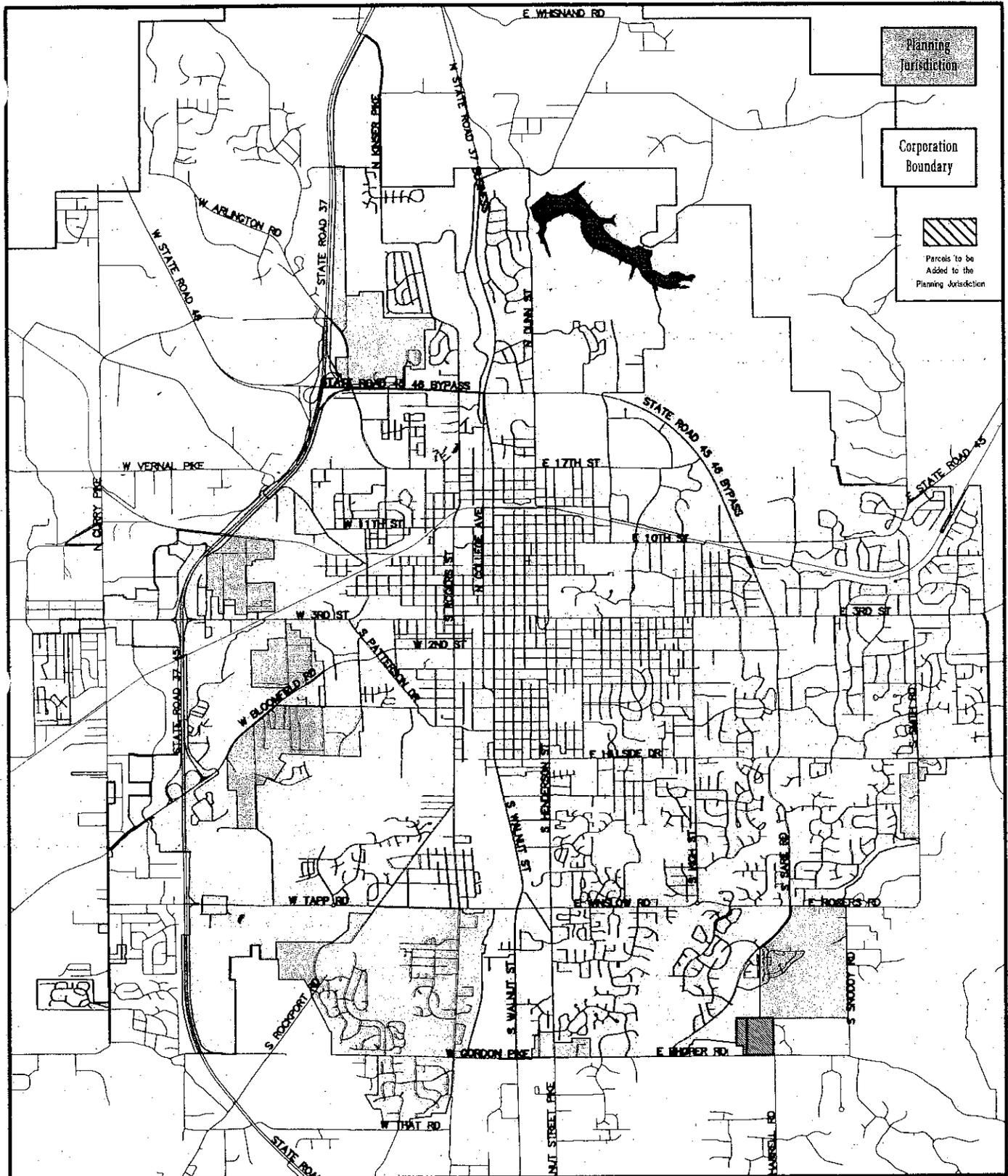
This resolution amends the *Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana in regard to Planning and Zoning Jurisdiction* to transfer a 38.31 acre property at 2865 E. Rhorer Road from the Monroe County Planning Jurisdiction to the City of Bloomington's Planning Jurisdiction.

Signed copies to:

Legal (10)
Controller
COB Plan Commission
Monroe County Planning Commission
Monroe County Building Dept.

Monroe Co. GIS
COB - GIS
Monroe Co. Recorder
Monroe Co. Commissioners
Petitioner

CA/CA(3)
Clerk
deputy



City of Bloomington, Indiana
Exhibit A - Planning Jurisdiction Map
 (Including 38.31 acres to be added)

Scale: 1 inch = 0.9 miles



City of Bloomington
 Planning Department



Geographic
 Information System



Dec 10, 2008

For use as map information only, information is NOT warranted.

Tmp\tranLP

12/12/08 IWS