(passed 9-0)

ORDINANCE 01-22

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY (Broadview Phase III/Southern Pines 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 III/Southern Pines Area"; 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 III/Southern Pines Area which includes, 2700-2744 S. Pinehurst Drive, 2701-2753 S. Pine Meadows Drive, 1104-1136 W. Pine Meadows Drive, 1002-1026 W. Pinehurst Drive, 2600-2627 Southern Pines Court, 2609-2617 Southern Ridge Court, 512-1029 W. Ralston Drive, 2505-2724 S. Banta Avenue, 2500-2523 S. Ford Avenue, 506-1030 W. Country Club Road, 2602-2711 Rockport Road, and 2500-2706 Milton 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 and 17, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

Beginning at the southwest corner of the northeast quarter of the southwest quarter of said Section 8; thence on the south line of Annexation Ordinance 63-37 the following three (3) courses: 1) South 88 degrees 17 minutes 14 seconds East 754.00 feet; thence 2) North 0 degrees 15 minutes 00 seconds East 131.60 feet; thence 3) South 86 degrees 09 minutes 00 seconds East 672.00 feet to the east right-of-way line of Rockport Road and to Annexation Ordinance 98-55; thence on said Annexation Ordinance 98-55 the following sixteen (16) courses: 1) South 34 degrees 46 minutes 54 seconds West 121.07 feet; thence 2) North 89 degrees 30 minutes 00 seconds East 57.00 feet; thence 3) South 1 degree 13 minutes 50 seconds East 155.00 feet; thence 4) North 89 degrees 17 minutes 59 seconds East 219.55 feet; thence 5) South 6 degrees 15 minutes 00 seconds East 85.00 feet; thence 6) North 89 degrees 30 minutes 00 seconds East 740.00 feet; thence 7) North 6 degrees 15 minutes 00 seconds West 120.00 feet; thence 8) North 89 degrees 30 minutes 00 seconds East 75.00 feet; thence 9) North 6 degrees 15 minutes 00 seconds West 120.00 feet; thence 10) North 89 degrees 30 minutes 00 seconds East 85.00 feet; thence 11) South 6 degrees 15 minutes 00 seconds East 120.00 feet; thence 12) North 89 degrees 30 minutes 00 seconds East 184.00 feet; thence 13) North 6 degrees 15 minutes 00 seconds West 120.00 feet; thence 14) North 89 degrees 30 minutes 00 seconds East 132.00 feet; thence 15) South 6 degrees 15 minutes 00 seconds East 60.00 feet; thence 16) North 89 degrees 30 minutes 00 seconds East 172.00 feet to the west line of Annexation Ordinance 00-40; thence on said west line of Annexation Ordinance 00-40 the following six (6) courses: 1) South 6 degrees 15 minutes 00 seconds East 976.00 feet; thence 2) South 6 degrees 15 minutes 00 seconds East 72.00 feet; thence 3) North 89 degrees 30 minutes 00 seconds East 24.00 feet; thence 4) South 6 degrees 15 minutes 00 seconds East 93.00 feet; thence 5) North 89 degrees 30 minutes 00 seconds East 120.00 feet; thence 6) South 6 degrees 15 minutes 00 seconds East 199.00 feet to the south right-of-way line of Country Club Road; thence South 89 degrees 30 minutes 00 seconds West 2920.86 feet on said south right-of-way line to the east right-of-way line of

Rockport Road; thence South 34 degrees 46 minutes 54 seconds West 22.34 feet on said east right-of-way line of Rockport Road to the south right-of-way line of Tapp Road; thence North 87 degrees 10 minutes 23 seconds West 796.46 feet on said south right-of-way line of Tapp Road; thence North 1 degree 02 minutes 24 seconds East 50.00 feet to the southwest corner of Southern Pines Subdivision Phase II; thence North 1 degree 02 minutes 24 seconds East 762.67 feet on the west line of said subdivision to the northwest corner thereof; thence South 87 degrees 40 minutes 18 seconds East 492.03 feet on the north line of said subdivision to the west line of Southern Pines Subdivision; thence North 0 degrees 15 minutes 56 seconds West 529.53 feet on said west line to the POINT OF BEGINNING; said described tract containing 102 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 III/Southern Pines Area" shall be impounded in a special fund to be called Broadview Phase III/Southern Pines 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 III/Southern Pines Area" adopted in Resolution 01-15 by the Bloomington Common Council.

SECTION 7. Pursuant to I.C. 36-4-3-7, this ordinance shall take effect January 1, 2003, 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 19th day of December, 2001.

Patricia Cole

PATRICIA COLE, 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 20th day of December, 2001.

Regina Moore
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 20th day of December, 2001.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance annexes Broadview Phase III/Southern Pines Area, which includes the property located at 2700-2744 S. Pinehurst Drive, 2701-2753 S. Pine Meadows Drive, 1104-1136 W. Pine Meadows Drive, 1002-1026 W. Pinehurst Drive, 2600-2627 Southern Pines Court, 2609-2617 Southern Ridge Court, 512-1029 W. Ralston Drive, 2505-2724 S. Banta Avenue, 2500-2523 S. Ford Avenue, 506-1030 W. Country Club Road, 2602-2711 Rockport Road, 2500-2706 Milton Drive, including contiguous public roads and rights of way, effective January 1, 2003, and assigns the area to Council District 5.

Sent to: Distribution list