Passed 8-1 (Ruff)

ORDINANCE 01-23

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY (Fullerton/Tapp Development 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 Fullerton/Tapp Development Area"; and has further determined that no further terms or conditions are necessary to make the annexation equitable to the property owners and residents of the annexed area and the City of Bloomington.

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 Fullerton/Tapp Development Area, which has been assigned a temporary address of 2401 Tapp Road by the City of Bloomington Engineering Department, and which is bounded on the west by State Road 37, on the north by the municipal boundary, on the east by the land of Campbell (2300 Tapp Road) and the Planning Jurisdiction boundary of the City of Bloomington and on the south by Fullerton Pike, including contiguous public roads and rights of way, shall be annexed to and declared a part of the City of Bloomington, Indiana, to-wit:

A part of Sections 18 and 19, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

Beginning at the northwest corner of the southwest quarter of said Section 18; thence North 0 degrees 18 minutes 31 seconds West 1538.42 feet on the west line of said Section 28; thence South 88 degrees 38 minutes 01 second East 298.04 feet to Annexation Ordinance 91-65; thence on said Annexation Ordinance 91-65 the following three (3) courses: 1) South 88 degrees 38 minutes 01 second East 1477.49 feet; thence 2) North 1 degree 49 minutes 58 seconds West 1058.63 feet; thence 3) South 88 degrees 38 minutes 01 second East 1502.01 feet to the west line of 2300 Tapp Road Subdivision; thence on said west line the following four (4) courses: 1) South 4 degrees 11 minutes 18 seconds West 449.36 feet; thence 2) South 30 degrees 07 minutes 03 seconds West 595.63 feet; thence 3) South 34 degrees 39 minutes 03 seconds West 197.18 feet; thence 4) South 0 degrees 26 minutes 13 seconds East 205.00 feet to the north line of land of Campbell et al (DR 474/404); thence on said north line the following four (4) course: 1) North 90 degrees 00 minutes 00 seconds West 259.31 feet; thence 2) South 0 degrees 00 minutes 00 seconds East 401.89 feet; thence 3) South 89 degrees 32 minutes 56 seconds West 762.29 feet; thence 4) South 0 degrees 55 minutes 45 seconds West 782.23 feet to the north line of the southeast quarter of the aforesaid Section 18; thence North 89 degrees 56 minutes 28 seconds East 219.92 feet on said north line to the northeast corner of land of Fullerton Assisted Care (DR 372, page 65); thence South 0 degrees 01 minute 11 seconds West 2678.76 feet on the east line of said land of Fullerton Assisted Care to the south right-of-way line of Fullerton Pike; thence South 89 degrees 30 minutes 54 seconds West 504.36 feet on said south right-of-way line; thence North 1 degree 09 minutes 42 seconds West 72.40 feet to the north line of said Fullerton Pike; thence South 89 degrees 06 minutes 40 seconds West 1010.89 feet on said north line to the west right-of-way line of State Road 37; thence on said west right-of-way line the following four (4) courses: 1) 1111.84 feet on a 5874.58 foot radius curve to the right whose chord bears North 17 degrees 37 minutes 00 seconds West 1111.34 feet; thence 2) North 14 degrees 13 minutes 47 seconds West 205.47 feet; thence 3) 503.10 feet on a 5884.58 foot radius curve to the right whose chord bears North 07 degrees 59 minutes 28 seconds West 502.95 feet; thence 4) North 00 degrees 14 minutes 08 seconds West 871.92 feet and to the POINT OF BEGINNING; said described tract containing 220 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. Services will be provided to the annexed area in accordance with the "Fiscal Plan Annexation of Fullerton/Tapp Development Area" adopted in Resolution 01-16 by the Bloomington Common Council.

SECTION 5. 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, 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 20th day of December, 2001.

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 Fullerton/Tapp Development Area effective January 1, 2003, and assigns the area to Council District 5. This area has been assigned a temporary address of 2401 Tapp Road by the City of Bloomington Engineering Department and is bounded on the west by State Road 37, on the north by the municipal boundary, on the east by the land of Campbell (2300 Tapp Road) and the Planning Jurisdiction boundary of the City of Bloomington, and on the south by Fullerton Pike, including contiguous public roads and rights of way.

Sent to: Distribution list