Passed: 8-0

ORDINANCE 94-67

TO AMEND ORDINANCE 94-53
REGARDING THE ANNEXATION OF THE GRANDVIEW AREA
(Correcting the Legal Description of the Annexed Property)

WHEREAS, on October 19, 1994 the Common Council adopted Ordinance 94-53 which annexed a property commonly known as the Grandview Area; and

WHEREAS, while an accurate map of the annexed area was attached to Ordinance 94-53 and Section 1 of the ordinance accurately described the streets in the annexed area, that section also contained an incorrect legal description; and

WHEREAS, the Common Council desires to include the correct legal description in the ordinance before publishing it;

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

SECTION I. That Ordinance 94-53 be amended to replace the legal description appearing after the words "to wit:" in Section 1 of the ordinance with the legal description appearing in the following paragraphs. This legal description refers to land commonly known as the Grandview Addition which includes other parcels along North Smith Road, Grandview Drive, East Post Road, East Hollywood Drive, Meadowlark Lane, and State Road 45 East and reads as follows:

> Part of the East half of Section 35, Township 9 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:
>
> BEGINNING at the intersection of the west right-of-way line of Smith Road and the south right-of-way line of State Highway 45; thence SOUTH concurrent with the west right-of-way line of Smith Road to the intersection of said right-of-way line with the south right-of-way line of the Illinois Central Railroad (I.C.R.R.); thence westerly concurrent with the south right-of-way line of the I.C.R.R. to the intersection of said right-of-way line with the extension of the west line of Grandview Hills Addition as recorded in Plat Book 4 Page 78A in the office of the Recorder of Monroe County, Indiana; thence NORTH concurrent with the extension of the west line of Grandview Hills Addition to the intersection of said west line with the north right-of-way line of the I.C.R.R.; thence concurrent with the north right-of-way line of the I.C.R.R. the following four (4) courses:
> (1) SOUTH 78 degrees 50 minutes EAST 415 feet; thence
> (2) SOUTH 83 degrees EAST 125 feet; thence
> (3) SOUTH 85 degrees EAST 125 feet; thence
> (4) EAST 240 feet to the southeast corner of lot 17 of Grandview Hills Addition; thence NORTH parallel with the east line of Section 35 to the south right-of-way line of State Highway 45; thence EAST concurrent with the south right-of-way line of State Highway 45 to the point of beginning.

SECTION II.Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION III.This ordinance shall be in full force and effect from and after its passage 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 14 day of December, 1994.

Anthony Pizzo

JIM ~~SHERMAN~~, 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 15 day of December, 1994.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 15th day of December, 1994.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Section I of Ordinance 94-53 in order to correct the legal description for the annexed property commonly known as the Grandview Area.

Signed copy to
HT (Legal)