(Passed 9-0)

ORDINANCE 01-20

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY (Arlington Place/Cascades Heights 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 Arlington Place/Cascades Heights 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 Arlington Place/Cascades Heights Area which includes 1804-1920 N. Monroe Street; 1110-1230 W. 20th Street; 801, 803-1024 W. Cascade Avenue; 802 W. Cascade Avenue (also known as 1703 N. Maple Street); 1612-1614 E. Vine Street; 702 W. Gourley Pike; a vacant lot with no address located to the west of 702 W. Gourley Pike; 761 W. Gourley Pike (also known as 1709 N. Maple Street); 765 W. Gourley Pike (also known as 1721 N. Maple Street); 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 Section 29, Township 9 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

Beginning at the northeast corner of Lot 6 in Cascade Heights Subdivision; thence North 1 degree 39 minutes 00 seconds West 11.12 feet on the west right-of-way line of Gourley Pike; thence North 90 degrees 00 minutes 00 seconds East 217.64 feet to the west line of Annexation Ordinance 93-61; thence on said west line the following four (4) courses: 1) South 0 degrees 03 minutes 30 seconds West 151.11 feet; thence 2) South 89 degrees 00 minutes 03 seconds East 100.17 feet; thence 3) South 0 degrees 00 minutes 21 seconds West 197.40 feet; thence 4) North 90 degrees 00 minutes 00 seconds East 185.94 feet to the west line of Annexation Ordinance 94-55; thence South 0 degrees 00 minutes 00 seconds East 36.58 feet on said west line to the northeast corner of Annexation Ordinance 63-37; thence on said Annexation Ordinance 63-37 the following two (2) courses: 1) North 90 degrees 00 minutes 00 seconds West 438.78 feet; thence 2) South 0 degrees 00 minutes 00 seconds East 130.00 feet to the northeast corner of Annexation Ordinance 80-90; thence on said Annexation Ordinance 80-90 the following six (6) courses: 1) North 90 degrees 00 minutes 00 seconds West 503.54 feet; thence 2) South 1 degree 39 minutes 00 seconds East 130.00 feet; thence 3) North 90 degrees 00 minutes 00 seconds West 100.00 feet; thence 4) North 1 degree 39 minutes 00 seconds West 130.00 feet; thence 5) North 90 degrees 00 minutes 00 seconds West 352.72 feet; thence 6) South 0 degrees 00 minutes 00 seconds East 508.00 feet to Annexation Ordinance 67-38; thence on said Annexation Ordinance 67-38 the following four (4) courses: 1) North 90 degrees 00 minutes 00 seconds West 174.50 feet; thence 2) North 0 degrees 00 minutes 00 seconds East 155.00 feet; 3) North 90 degrees 00 minutes 00 seconds West 554.60 feet; 4) South 0 degrees 00 minutes 00 seconds East 459.60 to the southeast corner of Lot 3 in Block 1 of Arlington Place; thence North 90 degrees 00 minutes 00 seconds West 400.00 feet on the south line of said Lot 3; thence North 0 degrees 00 minutes 00 seconds East 114.90 feet to the south line of Lot 4 in said Block 1; thence North 90 degrees 00 minutes 00 seconds East 28.00 feet on said south line to the southwest corner of Lot 7 in said Block 1; thence North 0 degrees 00 minutes 00 seconds East 344.70 feet on the west line of said

Lot 7 to the south right-of-way line of 20th Street; thence North 90 degrees 00 minutes 00 seconds West 279.04 feet on said south right-of-way line; thence North 0 degrees 00 minutes 00 seconds East 139.00 feet to the northeast corner of land of McClung and the south line of Lot 2 in Block 2 in Arlington Place; thence North 90 degrees 00 minutes 00 seconds East 260.14 feet on said south line to the west right-of-way line of North Adams Street; thence North 0 degrees 00 minutes 00 seconds East 236.00 feet on said west right-of-way line; thence North 90 degrees 00 minutes 00 seconds East 335.00 feet on the south line of Block 4 in said Arlington Place; thence North 0 degrees 00 minutes 00 seconds East 281.70 feet to the south line of Block 5 in said Arlington Place; thence North 90 degrees 00 minutes 00 seconds East 155.00 feet on said south line; thence North 0 degrees 00 minutes 00 seconds East 131.70 feet; thence North 90 degrees 00 minutes 00 seconds East 180.00 feet to the east right-of-way line of North Monroe Street; thence South 0 degrees 00 minutes 00 seconds East 73.40 feet on said east right-of-way line to the northeast corner of land of Tapp; thence North 90 degrees 00 minutes 00 seconds East 450.00 feet on the north line of said land of Tapp to the west line of Cascade Heights Subdivision; thence North 01 degrees 39 minutes East 25.91 feet to the northwest corner of said Cascade Heights Subdivision; thence North 88 degrees 00 minutes 00 seconds East 755.00 feet on the north line of said subdivision to the west line of the aforementioned Lot 6 in Cascade Heights Subdivision; thence North 1 degree 39 minutes 00 seconds West 83.50 feet on said west line of Lot 6; thence North 88 degrees 00 minutes 00 seconds East 151.00 feet on the north line of said Lot 6 to the POINT OF BEGINNING; said described tract containing 33 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 1.

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 Arlington Place/Cascades Heights Area" shall be impounded in a special fund to be called Arlington Place/Cascades Heights Area 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 Arlington Place/Cascades Heights Area" adopted by Resolution 01-13 by the Bloomington Common Council.

SECTION 7. Pursuant to I.C. 36-4-3-7, this ordinance shall be published following its passage and adoption by the Common Council of the City of Bloomington and approval of the Mayor, and shall take effect no earlier than 90 days following publication and upon the filing required by I.C. 36-4-3-22(a).

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 14th day of NOVEMBER, 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 15th day of November, 2001.

Regina Moore
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 15th day of November, 2001.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance annexes Arlington Place/Cascades Heights Area, which includes the property located at 1804-1920 N. Monroe Street, 1110- 1230 W. 20th Street, 801-1024 W. Cascade Avenue, 1612-1614 E. Vine Street, 702- 802 W. Gourley Pike, including contiguous public roads and rights of way, effective no earlier than 90 days following its publication and upon the filing required by I.C. 36-4-3-22(a), and assigns the area to Council District 1.

Note: The Council adopted Am 01 on October 3, 2001 by a vote of 9 - 0. This amendment changed Section One to include duplicate addresses for properties currently located on a segment of West Cascades Avenue and West Gourley Pike that was formerly known as North Maple Street.

Signed copies to:
notification list
H-T