(passed 7-0)

ORDINANCE 02-22

AN ORDINANCE CONCERNING THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY (Arlington Road Commercial & Business Park/Valhalla 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 Road Commercial & Business Park/Valhalla Area;" and

WHEREAS, Pursuant to IC § 36-4-3-7 & 8, postponing the effective date of this annexation to January 1, 2004 is fairly calculated to make the annexation equitable to the property owners and residents of the municipality and the annexed territory;

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

SECTION 1. The following described land, commonly known as Arlington Road Commercial & Business Park/Valhalla Area, which includes 1210 – 2021 N. Arlington Road & 2699T N. Arlington Road (a temporary address assigned to the land bounded on the west by State Road, on the north and east by Arlington Road and on the south by the land of Banks and State Road 45/46 Bypass) 774 and 803 – 1319 W. Gourley Pike, 1319 – 1419 W. Hickory Lane, 901 – 1325 (odd only) N. Crescent Road, 1820, 1905, 2000 – 2100, 2102 – 2398 (even only) and 2400 – 2599 W. Vernal Pike, Knuckles (a.k.a. Nuckles) Road, 1601 – 1611 W. Gray Street, 220 – 310 (even only) Johnson Avenue, 1100 – 1304 (even only) W. 17th Street, 801 – 825 (odd only) N. Lemon Lane, and 2010 N. Monroe 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 Sections 29, 30, 31 and 32, 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 on the north and west lines of Annexation Ordinance 01-20 the following nineteen (19) courses: 1) South 88 degrees 00 minutes 00 seconds West 151.00 feet; thence 2) South 1 degree 39 minutes 00 seconds East 83.50 feet; thence 3) South 88 degrees 00 minutes 00 seconds West 755.00 feet; thence 4) South 01 degrees 39 minutes 01 seconds West 25.91 feet; thence 5) North 90 degrees 00 minutes 00 seconds West 450.00 feet; thence 6) North 0 degrees 00 minutes 00 seconds East 73.40 feet; thence 7) North 90 degrees 00 minutes 00 seconds West 180.00 feet; thence 8) South 0 degrees 00 minutes 00 seconds East 131.70 feet; thence 9) North 90 degrees 00 minutes 00 seconds West 155.00 feet; thence 10) South 0 degrees 00 minutes 00 seconds East 281.70 feet; thence 11) North 90 degrees 00 minutes 00 seconds West 335.00 feet; thence 12) South 0 degrees 00 minutes 00 seconds East 236.00 feet; thence 13) North 90 degrees 00 minutes 00 seconds West 260.14 feet; thence 14) South 0 degrees 00 minutes 00 seconds East 139.00 feet; thence 15) North 90 degrees 00 minutes 00 seconds East 279.04 feet; thence 16) South 0 degrees 00 minutes 00 seconds East 344.70 feet; thence 17) North 90 degrees 00 minutes 00 seconds West 28.00 feet; thence 18) South 0 degrees 00 minutes 00 seconds East 114.90 feet; thence 19) North 90 degrees 00 minutes 00 seconds East 400.00 feet to the west line of Annexation Ordinance 67-38; thence on said Annexation Ordinance 67-38 the following two (2) courses: 1) South 0 degrees 00 minutes 00 seconds East 229.80 feet; thence 2) North 90 degrees 00 minutes 00 seconds East 252.00 feet to the west line of Annexation Ordinance 69-13; thence South 0 degrees 00 minutes 00 seconds East 399.00 feet on said west line to the northeast corner of Annexation Ordinance 98-45; thence on said Annexation Ordinance 98-45 the following two (2) courses: 1) North 90 degrees 00 minutes 00 seconds West 132.00 feet; thence 2) South 0 degrees 33 minutes 03 seconds East 634.96 feet to the southwest corner of the southeast quarter of the aforesaid Section 29; thence continuing South 0 degrees 33 minutes 03 seconds East 30.00 feet to the south right-of-way line of 17th Street, also being the north line of Annexation Ordinance 56-15; thence North 90 degrees 00 minutes 00 seconds West 650.00 feet on said north line; thence North 0 degrees 00 minutes 00 seconds East 30.00 feet to the southwest corner of Annexation Ordinance 72-26; thence North 90 degrees 00 minutes 00 seconds East 65.00 feet on the south line of said Annexation Ordinance 72-26 to the southeast corner thereof; thence North 0 degrees 00 minutes 00 seconds East 330.00 feet on the east line of said Annexation Ordinance 72-26 to the northeast corner

thereof; thence South 89 degrees 59 minutes 27 seconds West 445.19 feet; thence North 0 degrees 00 minutes 00 seconds East 370.00 feet; thence North 90 degrees 00 minutes 00 seconds West 300.00 feet to the east line of Arlington Park; thence North 0 degrees 47 minutes 58 seconds West 1608.98 feet on said east line to the south line of Chandlerville; thence North 89 degrees 55 minutes 19 seconds West 671.16 feet on said south line to the east line of Morris Subdivision; thence South 0 degrees 55 minutes 31 seconds East 1893.62 feet on said east line to the northeast corner of Tract 4 in said Morris Subdivision; thence North 89 degrees 54 minutes 20 seconds West 321.31 feet on said north line to the northwest corner thereof; thence North 87 degrees 55 minutes 29 seconds West 59.84 feet to the northeast corner of Tract 2 in said Morris Subdivision; thence North 89 degrees 54 minutes 20 seconds West 284.47 feet on said north line to the northwest corner thereof; thence South 0 degrees 22 minutes 30 seconds East 281.80 feet on the west lines of said Tract 2 and also Tract 3; thence South 89 degrees 23 minutes 23 seconds West 176.00 feet; thence South 0 degrees 22 minutes 30 seconds East 128.00 feet to the south line of the aforesaid Section 30; thence North 89 degrees 23 minutes 23 seconds East 196.00 feet on said south line to the east right-of-way line of Crescent Road (extended north); thence South 0 degrees 41 minutes 25 seconds East 1441.21 feet on said east right-of-way line to the north line of land of Thrasher; thence North 90 degrees 00 minutes 00 seconds East 312.00 feet on said north line to the northeast corner thereof; thence South 0 degrees 00 minutes 00 seconds East 132.00 feet to the north line of land of BDC Properties; thence North 69 degrees 32 minutes 22 seconds East 333.77 feet on said north line to the west line of Forest Homes Addition; thence South 0 degrees 11 minutes 10 seconds West 297.69 feet on said west line; thence South 0 degrees 11 minutes 12 seconds West 277.50 feet on said west line; thence continuing on said west line South 0 degrees 11 minutes 12 seconds West 134.76 feet to the south right-of-way line of 11th Street; thence North 89 degrees 38 minutes 24 seconds West 231.17 feet on said south line to the east right-of-way line of Vernal Pike; thence on said east right-of-way line the following four (4) courses: 1) South 38 degrees 07 minutes 08 seconds East 190.61 feet; thence 2) South 35 degrees 54 minutes 22 seconds East 56.41 feet; thence 3) South 44 degrees 50 minutes 39 seconds East 87.03 feet; thence 4) South 52 degrees 40 minutes 19 seconds East 66.38 feet to the west line of land of Copus Corporation; thence on said land of Copus Corporation the following three (3) courses: 1) North 6 degrees 30 minutes 00 seconds West 148.08 feet; thence 2) South 89 degrees 38 minutes 24 seconds East 119.29 feet; thence 3) South 6 degrees 30 minutes 00 seconds East 278.15 feet to the south right-of-way line of the aforesaid Vernal Pike; thence North 59 degrees 11 minutes 33 seconds West 148.90 feet on said south line; thence North 66 degrees 25 minutes 40 seconds West 19.47 feet on said south line to the east line of land of Robinson; thence on said land of Robinson the following three (3) courses: 1) South 10 degrees 14 minutes 59 seconds West 176.96 feet; thence 2) North 78 degrees 49 minutes 17 seconds West 291.52 feet; thence 3) North 30 degrees 12 minutes 28 seconds West 29.97 feet to the south line of land of Haddawi; thence North 89 degrees 21 minutes 16 seconds West 169.85 feet on said south line to the southwest corner thereof; thence North 2 degrees 11 minutes 41 seconds East 281.76 feet on the west line of said land of Haddawi to the south right-of-way line of Gray Street; thence North 89 degrees 22 minutes 43 seconds West 167.97 feet on said south line ; thence North 88 degrees 24 minutes 38 seconds West 152.00 feet on said south line to the west line of land of Avers; thence North 0 degrees 33 minutes 14 seconds West 286.00 feet on said west line to the south line of Ben Park Subdivision; thence on said land of Ben Park Subdivision the following four (4) courses: 1) North 88 degrees 24 minutes 38 seconds West 366.18 feet; thence 2) North 1 degree 02 minutes 59 seconds East 329.20 feet; thence 3) South 88 degrees 01 minute 36 seconds East 464.24 feet; thence 4) South 0 degrees 54 minutes 12 seconds West 83.42 feet to the southwest corner of land of Binkley; thence on said land of Binkley the following three (3) courses: 1) South 88 degrees 44 minutes 36 seconds East 51.42 feet; thence 2) North 0 degrees 41 minutes 49 seconds West 80.00 feet; thence 3) South 88 degrees 45 minutes 34 seconds East 78.68 feet to the west right-of-way line of Vernal Pike; thence on said west right-of-way line the following five (5) courses: 1) North 29 degrees 57 minutes 17 seconds West 275.65 feet; 2) North 32 degrees 23 minutes 45 seconds West 219.99 feet; thence 3) North 36 degrees 45 minutes 50 seconds West 99.17 feet; thence 4) North 43 degrees 04 minutes 10 seconds West 132.90 feet; thence North 48 degrees 35 minutes 00 seconds West 480.14 feet to the west right-of-way line of Lemon Lane; thence South 00 degrees 13 minutes 21 seconds West 325.55 feet on said west right-of-way line; thence North 88 degrees 45 minutes 36 seconds West 241.00 feet; thence continuing on said line North 88 degrees 45 minutes 36 seconds West 1.10 feet; thence South 0 degrees 53 minutes 55 seconds West 350.19 feet; thence North 89 degrees 34 minutes 18 seconds East 8.11 feet; thence South 0 degrees 25 minutes 42 seconds East 41.26 feet; thence continuing on said line South 0 degrees 25 minutes 42 seconds East 234.10 feet; thence North 89 degrees 52 minutes 24 seconds East 264.46 feet to the west right-of-way line of Lemon Lane; thence South 0 degrees 22 minutes 30 seconds East 278.00 feet on said west right-of-way line; thence continuing South 0 degrees 22 minutes 30 seconds East 567.95 feet, partially on the west right-of-way line of Lemon Lane, to the north right-of-way line of the C.I. and L. Railroad; thence 697.72 feet on a 2448.86 feet radius non-tangent curve to the right whose chord bears South 73 degrees 37 minutes 22 seconds East 695.36 feet on said north right-of-way

line; thence South 1 degree 58 minutes 53 seconds East 67.27 feet to the south right-of-way line of said railroad, also being the northeast corner of Valhalla Memory Gardens; thence on said Valhalla Memory Gardens the following three (3) courses: 1) South 1 degree 58 minutes 53 seconds East 1011.02 feet; thence 2) South 72 degrees 32 minutes 22 seconds East 427.84 feet; thence 3) South 0 degrees 45 minutes 49 seconds West 244.32 feet to the north right-of-way line of the Illinois Central Railroad; thence South 65 degrees 11 minutes 20 seconds West 2054.14 feet on said north right-of-way line to the southwest corner of the Valhalla Memory Gardens; thence North 0 degrees 00 minutes 00 seconds East 1042.16 feet on the west line of said Valhalla Memory Gardens; thence North 90 degrees 00 minutes 00 seconds West 1031.50 feet on the south line of said Valhalla Memory Gardens to the west right-of-way line of Johnson Avenue; thence North 0 degrees 00 minutes 00 seconds East 630.00 feet on said west right-of-way line; thence on said land of Valhalla Memory Gardens the following six (6) courses: 1) North 90 degrees 00 minutes 00 seconds East 255.00 feet; thence 2) North 0 degrees 00 minutes 00 seconds East 142.00 feet; thence 3) North 90 degrees 00 minutes 00 seconds East 112.00 feet; thence 4) North 0 degrees 00 minutes 00 seconds East 68.00 feet; thence 5) North 90 degrees 00 minutes 00 seconds East 664.50 feet; thence 6) North 0 degrees 00 minutes 00 seconds East 661.09 feet to the south right-of-way line of the Illinois Central Railroad; thence North 82 degrees 51 minutes 30 seconds West 1513.00 feet on said south right-of-way line to the east right-of-way line of State Road 37; thence continuing on said south line North 82 degrees 51 minutes 30 seconds West 482.06 feet to the west right-of-way line of State Road 37; thence on said west right-of-way line the following twenty three (23) courses: 1) North 47 degrees 00 minutes 27 seconds East 78.17 feet to the north right-of-way line of the Illinois Central Railroad; thence 2) North 47 degrees 00 minutes 27 seconds East 329.36 feet; thence 3) North 35 degrees 41 minutes 54 seconds East 101.98 feet; thence 4) North 47 degrees 00 minutes 30 seconds East 600.00 feet; thence 5) North 55 degrees 32 minutes 21 seconds East 404.48 feet; thence 6) North 47 degrees 00 minutes 30 seconds East 600.00 feet; thence 7) North 63 degrees 42 minutes 27 seconds East 104.40 feet; thence 8) North 47 degrees 00 minutes 30 seconds East 500.00 feet; thence 9) North 42 degrees 43 minutes 09 seconds East 200.56 feet; thence 10) North 47 degrees 00 minutes 30 seconds East 365.74 feet; thence 11) 1321.44 feet on a 2729.78 feet radius non-tangent curve to the left whose chord bears North 33 degrees 08 minutes 24 seconds East 1308.57 feet; thence 12) North 7 degrees 50 minutes 47 seconds East 180.80 feet; thence 13) North 15 degrees 30 minutes 30 seconds East 759.25 feet; thence 14) North 1 degree 28 minutes 20 seconds East 103.08 feet; thence 15) North 15 degrees 30 minutes 30 seconds East 168.95 feet; thence 16) 1005.39 feet on a 7449.44 feet radius tangent curve to the to the left whose chord bears North 11 degrees 38 minutes 31 seconds East 1004.63 feet; thence 17) North 19 degrees 58 minutes 48 seconds East 200.72 feet; thence 18) 449.86 feet on a 7494.44 feet radius non-tangent curve to the left whose chord bears North 4 degrees 33 minutes 21 seconds East 449.79 feet; thence 19) North 7 degrees 56 minutes 35 seconds West 347.55 feet; thence 20) North 7 degrees 07 minutes 31 seconds East 401.12 feet; thence 21) North 12 degrees 45 minutes 45 seconds East 203.04 feet; thence 22) North 2 degrees 50 minutes 10 seconds East 250.00 feet; thence 23) North 2 degrees 51 minutes 40 seconds East 342.61 feet to the north line of the aforesaid Section 29; thence South 89 degrees 45 minutes 50 seconds East 284.42 feet on said north line to the east right-of-way line of Arlington Road; thence on said east right-of-way line the following four (4) courses: 1) South 41 degrees 22 minutes 20 seconds East 122.07 feet; thence 2) South 41 degrees 22 minutes 20 seconds East 287.60 feet; thence 3) 1084.45 feet on a 1457.40 feet radius non-tangent curve to the right whose chord bears South 20 degrees 49 minutes 26 seconds East 1059.60 feet; thence 4) South 0 degrees 29 minutes 05 seconds West 51.92 feet; thence on the land of Shabahrami the following seven (7) courses: 1) North 88 degrees 47 minutes 20 seconds West 480.05 feet; thence 2) South 1 degree 49 minutes 21 seconds East 464.44 feet; thence 3) South 89 degrees 29 minutes 29 seconds East 62.00 feet; thence 4) South 0 degrees 29 minutes 43 seconds West 128.00 feet; thence 5) South 88 degrees 34 minutes 48 seconds East 126.92 feet; thence 6) South 0 degrees 20 minutes 12 seconds West 194.30 feet; thence 7) South 89 degrees 48 minutes 28 seconds East 312.11 feet to the east right-of-way line of Arlington Road; thence South 14 degrees 41 minutes 55 seconds East 199.32 feet on said east right-of-way line to the north right-of-way line of State Road 45/46 Bypass; thence on said north line the following fifteen (15) courses: 1) North 88 degrees 05 minutes 55 seconds East 51.48 feet; thence 2) North 88 degrees 05 minutes 55 seconds East 250.50 feet; thence 3) North 0 degrees 37 minutes 18 seconds East 22.57 feet; thence 4) South 87 degrees 50 minutes 00 seconds East 57.85 feet; thence 5) North 75 degrees 28 minutes 03 seconds East 104.40 feet; thence 6) South 87 degrees 50 minutes 00 seconds East 900.00 feet; thence 7) South 82 degrees 07 minutes 22 seconds East 201.00 feet; thence 8) South 87 degrees 50 minutes 00 seconds East 450.00 feet; thence 9) North 50 degrees 58 minutes 51 seconds East 53.15 feet; thence 10) South 87 degrees 50 minutes 00 seconds East 64.71 feet; thence 11) South 87 degrees 50 minutes 00 seconds East 110.85 feet; thence 12) South 0 degrees 01 minute 00 seconds East 51.52 feet; thence 13) South 87 degrees 50 minutes 00 seconds East 341.48 feet; thence 14) North 86 degrees 46 minutes 37 seconds East 403.79 feet; thence 15) South 86 degrees 57 minutes 45 seconds East 82.72 feet; thence South 0 degrees 01 minute 00 seconds East 263.52 feet to the south

right-of-way line of said State Road 45/46 Bypass; thence North 85 degrees 11 minutes 58 seconds West 112.75 feet on said south right-of-way line to the northeast corner of land of Deremiah Frye Associates; thence on said land of Deremiah Frye Associated the following three (3) courses: 1) South 0 degrees 00 minutes 00 seconds East 104.00 feet; thence 2) North 89 degrees 41 minutes 48 seconds West 10.40 feet; thence 3) North 90 degrees 00 minutes 00 seconds West 217.64 feet to the west right-of-way line of Gourley Pike; thence South 1 degree 39 minutes 00 seconds East 11.12 feet on said west right-of-way line to the POINT OF BEGINNING; said described tract containing 407 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 IC § 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 and District 2 in the following manner: The line separating these two districts shall run west along West 17th Street, then south along North Crescent Road, and then west along West Vernal Pike with the area generally to the south being assigned to District 1 and the area generally to the north being assigned to District 2.

SECTION 4. Services will be provided to the annexed area in accordance with the "Fiscal Plan, Annexation of Arlington Road Commercial & Business Park/Valhalla Area" adopted by Resolution 02-27 by the Bloomington Common Council.

SECTION 5. The effective date of this ordinance shall be January 1, 2004, 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 18th day of December, 2002.

Chris Gaal

CHRIS GAAL, 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 18th day of December, 2002.

Regina Moore

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 19TH day of DECEMBER, 2002.

J. Fernandez

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance annexes Arlington Road Commercial & Business Park/Valhalla Area which includes 1210 – 2021 N. Arlington Road & 2699T N. Arlington Road (a temporary address assigned to the land bounded on the west by State Road, on the north and east by Arlington Road and on the south by the land of Banks and State Road 45/46 Bypass), 774 and 803 – 1319 W. Gourley Pike, 1319 – 1419 W. Hickory Lane, 901 – 1325 (odd only) N. Crescent Road, 1820, 1905, 2000 – 2100, 2102 – 2398 (even only) and 2400 – 2599 W. Vernal Pike, Knuckles (a.k.a. Nuckles) Road, 1601 – 1611 W. Gray Street, 220 – 310 (even only) Johnson Avenue, 1100 – 1304 (even only) W. 17th Street, 801 – 825 (odd only) N. Lemon Lane, and 2010 N. Monroe Street, including contiguous public roads and rights of way, effective January 1, 2004. Upon annexation, the territory to the south of the line along 17th Street, North Crescent Road and West Vernal Pike will become part of Council District 1 and the territory to the north will become part of Council District 2.

Note: The Council amended this ordinance at the public hearing on November 13, 2002. The amendment affected Section 3 and the Synopsis of the ordinance and reflected the new Council districts.

Signed copies to:
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annexation distribution list