Denied 3-6
10/3/90

D.P. 3-3-3

SH
PS
JF
RF
JR
HH

RESOLUTION 90-28

TO GIVE THE COMMON COUNCIL'S CONSENT TO THE ANNEXATION OF TERRITORY BY THE TOWN OF ELLETTSVILLE WITHIN THREE MILES OF THE CORPORATE BOUNDARIES OF THE CITY OF BLOOMINGTON

WHEREAS, the Town of Ellettsville desires to annex properties southeast of its corporate boundaries in four phases; and

WHEREAS, certain phases of the intended annexations fall within three miles of the corporate boundaries of the City of Bloomington; and

WHEREAS, I.C. 36-4-3-9 requires the Town of Ellettsville to obtain the consent of the Common Council of the City of Bloomington before annexing territory within three (3) miles of the corporate boundaries of the City; and

WHEREAS, it has been determined that the proposed annexations do not infringe on the City's planning and zoning jurisdiction, and do not negatively affect the City in any other foreseeable way;

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

1. The Common Council of the City of Bloomington hereby consents to the Town of Ellettsville's intended annexations of territory in four phases, within three (3) miles of the City's corporate boundaries. The boundary description of the territory that Ellettsville intends to annex are attached hereto and made a part hereof.

2. The City of Bloomington's consent will run for a period of two (2) years from the date this Resolution is adopted and approved. If the Town of Ellettsville fails to annex the territory that falls within three miles of the City's corporate boundaries during the two (2) year time period in which the City's consent is valid, the Town must again obtain the City's consent for further annexations within three (3) miles of Bloomington's corporate boundaries.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this_____day of _____, 1990.

_____
IRIS KIESLING, President
Bloomington Common Council

ATTEST:

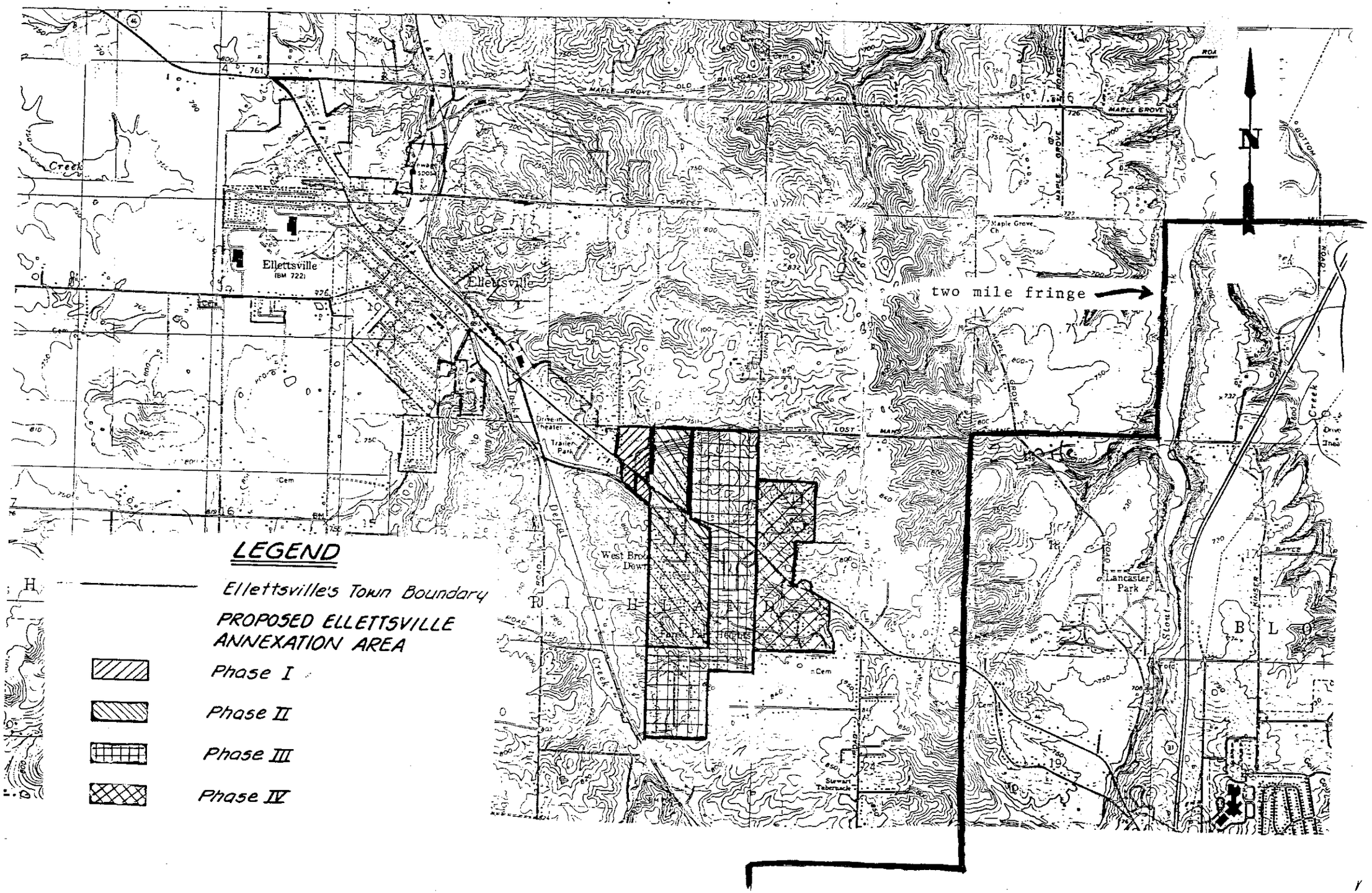
_____
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 1990.

_____
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This Resolution gives the City's consent to allow Ellettsville to annex properties in four phases within three (3) miles of the City's corporate boundaries. Said consent shall be valid for a period of two (2) years.



N
two mile fringe
Ellettsville
(BM 722)
Ellettsville
Maple Grove Ch
Drive-in Theater
Trailer Park
West Brook Downs
Lancaster Park
Stewart Tabernacle
LEGEND
Ellettsville's Town Boundary
PROPOSED ELLETTSVILLE ANNEXATION AREA
Phase I
Phase II
Phase III
Phase IV

BOUNDARY DESCRIPTION FOR CONSENT AREA

A Part of Sections 13, 14, 23 and Section 24, Township 9, North, Range 2 West, Monroe County, Indiana described as follows: Beginning at the common corner of the Northwest corner of Section 13 and the Northeast corner of Section 14; Thence along the following courses and distances:

1) West along the northern line of section 14 more or less 2646.27 to north west corner of Northeast quarter of Section 14;

2) Then west along the northern line of Northwest quarter of Section 14 490 feet more or less to existing center line of a road know as Lakeview Drive (a public right-of-way running through said quarter section, more fully described and dedication to public use in a certain Warranty Deed date August 6, 1952, and recorded August 19, 1952 in Deed Record 112, page 237 in the office of the Recorder of Monroe County, Indiana);

3) Then south along the center line of road known as Lakeview Drive 681.5 feet more or less to the North right-of-way line of State Road # 46;

4) Continuing south 50 feet more or less to the south right-of-way line of State Road # 46 then southeasterly along the south right-of-way line of State Road # 46 127 feet more or less to the northeast corner of Allen Grimes and Joyce Grimes recorded January 27, 1989, in Deed Record 356, page 128 in the office of the Recorder of Monroe County, Indiana;

5) Then leaving said right-of-way running southwestwardly 363.3 feet more or less to the center of said Old Bloomington and Ellettsville Road;

6) Then eastwardly along the center line of said Old Bloomington and Ellettsville Road 796.3 feet more or less to a point on the East line of the Northwest Quarter of Section 14;

7) Continuing south along said East line of the Northwest quarter of Section 14 742.5 feet more or less to Southeast corner of the Northwest quarter of Section 14 common point to the northeast corner of Leon I Mitchell and Violet P. Mitchell, recorded February 28, 1946, in Deed Record 99, Page 443;

8) Continuing south along the East line of the Southwest quarter of Section 14 1320 feet more or less to the southwest corner of the Southwest quarter of Section 14;

9) Continuing south along the East line of Northeast Quarter of Section 23, 528 feet more or less to northwest corner of lot 29 of Forrest Park Farms, recorded September 11, 1972 in Record PB-174 in the office of the Recorder of Monroe County, Indiana;

10) Continuing south along the West line of said Forrest Park Farms 1653.05 feet more or less to the southwest corner of said Forrest Park Farms;

11) Then eastwardly along the South line of said Forrest Park Farms 1313.58 feet more or less to southeast corner of said Forrest Park Farms;

12) Then north along the East line of said Forrest Park Farms 1451 feet more or less to the Northeast corner of lot # 83 of said Forrest Park Farms;

13) Then eastwardly along the North line of Raymond Graham and June Smith Graham, recorded Feb 27, 1975, in Deed Record 232, Page 456 in the office of the Recorder of Monroe County, Indiana 552.5 feet more or less to the northeast corner of said property;

14) Continuing east along the North line of Raymond Graham and June Smith Graham, recorded June 7, 1963, in Deed Record 152, page 40 in the office of the Recorder of Monroe County, Indiana 550 feet more or less to the northeast corner of said property;

15) Continuing east along North line of Oliver Edward Deckard and Nancy Mary Deckard recorded March 2, 1968, in Deed Record 182, page 459 in the office of the Recorder in Monroe County, Indiana 220 feet more or less to the East line of Northeast quarter of Section 24;

16) Then north along the West line of Northwest quarter of Section 24 more or less 474 feet more or less to the North line of Northwest quarter of Section 24, common to the Southwest corner of lot 15 of Forrest Park Height 3rd Addition recorded March 31, 1954 in Record PB 69 in the office of Recorder of Monroe County, Indiana;

17) Then east along the South line of lots of 15 and 16 335.5 feet more or less to the Southeast corner of lot 16 and the Northwest corner of Lot 20 of said Forrest Park Height 3rd Addition;

18) Then south along the West line of lot 20 196 feet more or less to the Southwest corner of lot 20 of said Forrest Park Height 3rd Addition;

19) Then east along the South line of said Forrest Park Height 3rd Additional 1437.8 feet more or less to the Southeast corner of lot 30 of said Forrest Park Height 3rd Addition;

20) Then north along the East line of lot 30 of said Forrest Park Height 3rd Addition 180 feet more or less to the Southeast corner of lot 9 of Forrest Park Height 2nd Addition, recorded June 23, 1953, in Record PB63 in the office of the Recorder of Monroe County, Indiana;

21) Continuing north along the East line of lots 9, 8 and 7 of said Forrest Park Heights 2nd Addition 460 feet more or less to the Northeast corner of lot 7 and then northwestwardly along the

northern boundary lines of lots 5 and 6 364.5 feet more or less to the Northwest corner of lot 5 of said Forrest Park Heights 2nd Addition common to the Southeast corner of tract 3 of Donald L Cowden, recorded Sept 29, 1986, in Deed Record 329, page in the office of Recorder of Monroe County, Indiana;

22) Then north along the West line of Tract 3 of Donald L Cowden property 822.6 feet more or less to south right-of-way line of State Highway 46;

23) Then northwesterly along the south right-of-way line of State Highway 46 1015 feet more or less to Southwest corner of Spring Valley Addition;

24) Then north leaving the south right-of-way line of State Highway 46 along the West line of said Spring Valley Addition 792.5 feet more or less to the Northwest corner of said Spring Valley Addition;

25) Then east along the North line of said Spring Valley Addition 658 feet more or less to the Southeast corner of Lynwood Estates 3rd Addition, recorded Sept 11, 1970 in Record PB 144 in the office of Recorder of Monroe County Indiana common to southeast corner of southwest half of Northwest quarter of Section 13;

26) Then north along the East line of southwest half of the Northwest quarter of Section 13 1315 feet more or less to the Northeast corner of the Southwest half of Northwest quarter of Section 13;

27) Then west along the North line of the Southwest half of Northwest quarter of Section 13 1315 feet more or less to the Northwest corner of Southwest half of Northwest quarter of Section 13;

28) Then north along the West line of the Northwest half of Northwest quarter of Section 13 1342 feet more or less to the Northwest corner of Section 13 to the PLACE OF BEGINNING.

City of
Bloomington
Indiana

Interdepartmental
Memo

To: Kathy Saunders

From: Tim Mueller

Subject: Ellettsville annexation

Date: September 19, 1990

We have reviewed the phased annexation proposal from Ellettsville. The annexation phases and the proposed consent areas are approximately 1/2 mile from our 2-mile fringe boundary at its closest. We do not anticipate that the city will have any planning or utility service interest in the area. We have discussed this at a projects committee, which concurs with this position.

Upon annexation by Ellettsville, zoning and development authority would pass from Monroe County to Ellettsville. We should encourage the town to work with the state, Monroe County, and the Bloomington Area Metropolitan Planning Organization to insure coordination of Ellettsville's development policies with the state's plan for improvement of S.R. 46 and with the county's anticipated Master Plan.

Tim

STATE OF INDIANA
HOUSE OF REPRESENTATIVES
THIRD FLOOR STATE HOUSE,
INDIANAPOLIS, INDIANA 46204

JERRY F. BALES
4021 GLEN OAKS DR.
BLOOMINGTON, IN 47403

Sept 28, 1990

Bloomington City Council Members:

When the law was passed dealing with the 3 mile boundaries of a corporate city the intent of this legislation was to give protection to the city so nothing could be constructed that would be injurious to the city.

If I remember correctly the legislation was the result a dispute in the northern part of the state.

As far as I know the legislation has worked.

I would move with caution on releasing any of the property within the 3 mile limit.

If I can be of further service to speak with you concerning this matter please contact me.

I'm out of town tonight and unable to attend your meeting.

Sincerely

Jerry F. Bales