ORDINANCE 81-46

Voluntary Annexation of
1822 South Walnut Street

WHEREAS, the boundary of the City of Bloomington, Indiana, is adjacent to the real estate described herein;

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

SECTION I. The following described land be, and the same is, hereby annexed to and declared a part of the City of Bloomington, Indiana, to-wit:

A part of the south one half of the northwest quarter of section 9, township 8 north, range 1 west, Monroe County, Indiana, bounded and described as follows: Beginning at a point that is 141.99 feet south and 872.49 feet east of the northwest corner of said south one half of the northwest quarter; thence from said point of beginning and running east for 140 feet and to the centerline of the Old Salem Road, said centerline being 17.33 feet west of the centerline of State Road 37; thence with the centerline of said Old Salem Road and running south 18 degrees 59 minutes east for 103.39 feet and to a point that is 6.14 feet west of the centerline of State Road 37; thence leaving the centerline of said Old Salem Road and running west for 150 feet; thence north 13 degrees 34 minutes west for 100.58 feet and to the point of beginning. Containing 0.33 acre, more or less.

Also, a part of the west half of section 9, township 8 north range 1 west, beginning at a point that is 900.5 feet east and 301 feet south of the northwest corner of the south half of the northwest quarter of section 9 township 8 north, range 1 west, thence running north 88 degrees 30 minutes east for a distance of 177.5 feet and to the centerline of State Hwy. 37; running thence north 14 degrees 30 minutes west over and along the centerline of said State Hwy. 37 for a distance of 61.3 feet; thence running south 88 degrees, 30 minutes west for a distance of 160 feet; thence running south for a distance of 60 feet to the place of beginning, containing in all .24 acres, more or less.

SECTION II. 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 of the real estate hereinabove described as part of the City of Bloomington, Indiana.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 6th day of May, 1981.

Alfred I. Towell, President
Bloomington Common Council

ATTEST:

Nora M. Connors, City Clerk

PRESENTED by me to the Mayor upon this 7th day of May, 1981, at the hour of 11 o'clock, 2 m.

Nora M. Connors, City Clerk

SIGNED and APPROVED by me upon this 11th day of May, 1981.

Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance would annex into the City of Bloomington land in Monroe County, Indiana, known generally as 1822 S. Walnut, formerly United Furniture store. The land will be sold by the Muzenrieder Corporation to Mark McAlister and the proposed use is a liquor store.

FISCAL IMPACT STATEMENT

Appropriation Ordinance # _____ Ordinance # 81-46 Resolution # _____

Type of Legislation:

Appropriation		End of Program		Penal Ordinance	
Budget Transfer		New Program		Grant Approval	
Salary Change		Bonding		Administrative Change	
Zoning Change		Investments		Short-Term Borrowing	
New Fees		Annexation	XX	Other	

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____ Emergency _____
Unforeseen Need _____ Other _____

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	$	$
Revenue to Date		
Revenue Expected for Rest of Year		
Appropriations to Date		
Unappropriated Balance		
Effect of Proposed Legislation (+/-)		
Projected Balance	$	$

Signature of Controller _____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes _____ No X

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

The ordinance annexes a single commercial property. Walnut Street, which serves the property, is already in the city, so that all street related costs -- plowing, maintenance, traffic control, police patrol, etc. will not be affected. Insignificant costs could accrue in terms of infrequent on-site service demands, such as police calls or fire protection. The Police Department estimates that only 6 calls per year would be generated by the entire commercial strip (west side of Walnut between Country Club Drive and Miller Drive), Fire Dept. says 1 call per 7 businesses/year.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary)

Agency submitting legislation PLAN DEPT

By Tim Mueller Date 4/15/81

City of Bloomington
Governmental Unit
Monroe County, Indiana

To Herald-Telephone
Box 909, Bloomington, IN 47402

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) number of equivalent lines..

Head—number of lines .....

Body—number of lines .....

Tail—number of lines .....

Total number of lines in notice .....

.....

COMPUTATION OF CHARGES

94 lines, 1 columns wide equals 94 equivalent lines at .268 cents per line

Additional charge for notices containing rule or tabular work (50 percent of above amount) $ 25.19

Charge for extra proofs of publication .....

($1.00 for each proof in excess of two) .....

TOTAL AMOUNT OF CLAIM $ 25.19

DATA FO

Width o

Number

Size of type 6 point

Size of quad upon which type is cast

SUNDAY HERALD-TI

LEGAL NOTICE

of State Road 37, thence with the centerline of said Old Salem Road and running south 18 degrees 59 minutes east for 103.39 feet and to a point that is 6.14 feet west of the centerline of State Road 37, thence leaving the centerline of said Old Salem Road and running west for 150 feet, thence north 13 degrees 34 minutes west for 100.58 feet and to the point of beginning. Containing 0.33 acre, more or less.

Also, a part of the west half of section 9, township 8 north range 1 west, beginning at a point that is 900.5 feet east and 301 feet south of the northwest corner of the south half of the northwest quarter of section 9 township 8 north, range 1 west, thence running north 88 degrees 30 minutes east for a distance of 177.5 feet and to the centerline of State Hwy. 37, running thence north 14 degrees 30 minutes west over and along the centerline of said State Hwy. 37 for a distance of 61.3 feet; thence running south 88 degrees, 30 minutes west for a distance of 160 feet; thence running south for a distance of 60 feet to the place of beginning, containing in all 24 acres, more or less.

Section II. 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 of the real estate hereinabove described as part of the City of Bloomington, Indiana.

Section III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Passed and adopted by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 6th day of May, 1981.

Alfred I. Towell, President
Bloomington Common Council

ATTEST:
Nora M. Connors, City Clerk

Presented by me to the Mayor upon this 7th day of May, 1981, at the hour of 11 o'clock a.m.
Nora M. Connors, City Clerk

Signed and approved by me upon this 11th day of May, 1981
Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance would annex into the City of Bloomington land in Monroe County, Indiana, known generally as 1822 S. Walnut, formerly United Furniture store. The land will be sold by the Muzenrieder Corporation to Mark McAlister and the proposed use is a liquor store.

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Pursua lties of Ch. 155, Acts 1953.

I hereb account is just and correct,. that the amount claimed is legally due, after allowing all just credits, has been paid.

Penny Combs
.....
Title billing clerk

Date: , 19 81

PUBLISHER'S AFFIDAVIT

State of Indiana)
SS
Monroe County)

Personally appeared before me, a notary public in and for said county and state, he undersigned Penny Combs who, eing duly sworn, says that she is billing clerk f the Herald-Telephone a daily ewspaper of general circulation printed and published in the English nguage in the (city) (town) of Bloomington in state and county oresaid, and that the printed matter attached hereto is a true opy, which was duly published in said paper for 2 time s, the dates publication being as follows:

May ~~XX~~ 17 & 24, 1981

Penny Combs
.....

bscribed and sworn to before me this 24 day of May 19 81

Mary Buckner
.....
Notary public

My commission expires 8/21/81

Claim No. ..... Warrant No. .....

IN FAVOR OF

Herald-Telephone .....

Box 909, Bloomington, IN 47402 .....

$.....

On Account Of Appropriation For

.....

Appropriation No. .....

Allowed ....., 19.....

In the sum of $.....

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I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law

That it is based upon statutory authority.

That it is aparently (Correct) (incorrect)

.....

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

.....

....., 19____

LEGAL ADVERTISING

TABLE SHOWING PRICE PER LINE AND PER INSERTION

(As Set by Chapter 89, Acts of 1967)

SIZE OF TYPE	10½ Em Column (126 Points) Number of Insertions				11 Em Column (132 Points) Number of Insertions				11½ Em Column (138 Points) Number of Insertions			
	1	2	3	4	1	2	3	4	1	2	3	4
5½	.183	.274	.366	.457	.192	.288	.384	.480	.20	.30	.40	.50
6	.168	.252	.336	.42	.176	.264	.352	.440	.184	.276	.368	.460
7	.144	.216	.288	.360	.151	.227	.302	.378	.158	.237	.316	.395
7½	.134	.201	.268	.335	.14	.21	.28	.35	148	.222	.296	.37
8	.126	.189	.252	.315	.132	.198	.264	.33	.138	.207	.276	.345
9	.112	.168	.224	.28	.117	.176	.234	.293	.122	.183	.244	.305
10	.10	.15	.20	.25	.106	.159	.212	.265	.11	.165	.22	.275
12	.084	.126	.168	.21	.088	.132	.176	.22	.092	.138	.184	.23

SIZE OF TYPE	12 Em Column (144 Points) Number of Insertions				12½ Em Column (150 Points) Number of Insertions				13 Em Column (156 Points) Number of Insertions			
	1	2	3	4	1	2	3	4	1	2	3	4
5½	.210	.315	.42	.525	.22	.33	.44	.55	.227	.340	.454	.567
6	.192	.288	.384	.48	.20	.30	.40	.50	.208	.312	.416	.520
7	.164	.246	.328	.412	.172	.258	.344	.43	.178	.267	.356	.445
7½	.154	.231	.308	.385	.16	.24	.320	.40	.166	.249	.332	.416
8	.144	.216	.288	.36	.15	.225	.30	.375	.156	.234	.312	.39
9	.128	.192	.256	.32	.134	.201	.268	.335	.139	.209	.278	.348
10	.116	.174	.232	.29	.12	.18	.24	.30	.125	.188	.25	.313
12	.096	.144	.192	.24	.10	.15	.20	.25	.104	.156	.208	.26

NOTE: Above table is based on a square of 250 ems.

NOTE: The above table applies to notices published in the calendar year 1979. The table is subject to the following increases pursuant to Public Law 33, Acts 1979: Year 1980, 10%; Year 1981, 20%; Year 1982, 30% Year 1983, 40%; Year 1984, 50%.

BACKUP 81-46

PETITION FOR VOLUNTARY ANNEXATION

We, the undersigned, being the owner and potential purchaser of the below mentioned real estate located in Monroe County, Indiana, and beyond the present corporate limits of the City of Bloomington, petition the Common Council to annex said real estate to the City of Bloomington, to-wit:

The property is owned by the Muzenrieder Corporation of Pineallas County, Florida, and is about to be purchased by Mark A. McAlister of Monroe County, Indiana. The property is commonly known as 1822 South Walnut Street, Bloomington, Indiana, more particularly described as follows, to-wit: (See attached copy of warranty deed).

Dated this ___ day of April, 1981.

Mark A. McAlister, Purchaser

Muzenrieder Corporation By William Taylor
Muzenrieder Corporation, Owner
by William Taylor, Attorney
in fact for Muzenrieder Corporation

Douglas R. Bridges, Attorney
for Purchaser

Pinellas Park, Florida

95615

WARRANTY DEED

BOOK 258 PAGE 250

THIS INDENTURE WITNESSETH, That RONALD J. KILLION and JUDITH S. KILLION, husband and wife, of Monroe County, in the State of Indiana, CONVEY AND WARRANT TO MUNZENRIEDER CORPORATION of Pinellas County, in the State of Florida, for and in consideration of the sum of One Dollar ($1.00) and other valuable consideration not herein expressed, the receipt whereof is hereby acknowledged, the following described real estate in Monroe County, Indiana, to-wit:

A part of the south one half of the northwest quarter of section 9, township 8 north, range 1 west, Monroe County, Indiana, bounded and described as follows: Beginning at a point that is 141.99 feet south and 872.49 feet east of the northwest corner of said south one half of the northwest quarter; thence from said point of beginning and running east for 140 feet and to the centerline of the Old Salem Road, said centerline being 17.33 feet west of the centerline of State Road 37; thence with the centerline of said Old Salem Road and running south 18 degrees 59 minutes east for 103.39 feet and to a point that is 6.14 feet west of the centerline of State Road 37; thence leaving the centerline of said Old Salem Road and running west for 150 feet; thence north 13 degrees 34 minutes west for 100.58 feet and to the point of beginning. Containing 0.33 acre, more or less.

Subject to a perpetual, non-exclusive easement for ingress and egress thirty (30) feet across the entire north side of the above described real estate.

ALSO, a part of the west half of section 9, township 8 north range 1 west, beginning at a point that is 900.5 feet east and 301 feet south of the northwest corner of the south half of the northwest quarter of section 9 township 8 north, range 1 west, thence running north 88 degrees 30 minutes east for a distance of 177.5 feet and to the center line of State Highway No. 37; running thence north 14 degrees 30 minutes west over and along the center line of said State Highway No. 37 for a distance of 61.3 feet; thence running south 88 degrees, 30 minutes west for a distance of 160 feet; thence running south for a distance of 60 feet to the place of beginning, containing in all .24 acres, more or less

Subject to any and all conditions, utility easements, highways, rights of way and other restrictions and limitations of record affecting said real estate.

Subject to right of grantors Earl W. Cooper and Marilyn Sue Cooper, husband and wife, retained in Warranty Deed recorded January 20, 1975, in Deed Record 232, pages 147-148, to grantees Ronald J. Killion and Judith S. Killion, husband and wife, in which grantors Cooper retained the right to maintain a sign or to erect a sign or signs on the north six (6) feet of the above described real estate Grantees agree not to block the view of Grantors' sign presently in existence or Grantors' sign or signs subsequently erected for 150 feet by line of sight on the State Highway.

Subject to right of Grantors Earl W. Cooper and Marilyn Sue Cooper, husband and wife, retained in Warranty Deed recorded January 20, 1975 in Deed Record 232, pages 147-148, to use the presently existing 30 foot easement for ingress and egress across the entire north side of above described real estate.

It is agreed and understood by and between the Grantors and Grantees that the presently existing blacktop driveway within said easement area shall not be disturbed or materially altered.

Subject to a building line of thirty (30) feet from the north line of said real estate, said 30 foot building line to run across the entire north side of said real estate.

Subject to easement for water along presently existing line.

REAL ESTATE TRANSFER

MAR 1 1978

John W. Davis
Auditor Monroe County, Ind.

RECORDED
A.M. ____ P.M. 2:28

MAR 2 1978

Emily M Wade
RECORDER MONROE CO., IND.

Subject to Gas line Easement to Indiana Gas Company, Inc., dated June 3, 1975, recorded June 5, 1975, in Deed Record 234, page 411-412 in the office of the Recorder of Monroe County, Indiana.

Subject to taxes for the second half of the year 1977, due and payable in November 1978, and all subsequent taxes.

Subject to the unpaid balance mortgage from Ronald J. Killion and Judith S. Killion, husband and wife to Monroe County State Bank, dated July 9, 1975 and recorded July 11, 1975 in Mortgage Record A240, at pages 500-502 in the office of the Recorder of Monroe County, Indiana, and calling for the original principal amount of $75,000.00.

IN WITNESS WHEREOF, the said RONALD J. KILLION and JUDITH S. KILLION, husband and wife, have hereunto set their hands and seals this 1st day of March, 1978.

Ronald J. Killion
RONALD J. KILLION

Judith S. Killion
JUDITH S. KILLION

STATE OF INDIANA, COUNTY OF MONROE, SS:

Before me, the undersigned, a Notary Public, in and for said County and State, this 1st day of March, 1978, personally appeared the within named RONALD J. KILLION and JUDITH S. KILLION, husband and wife, grantors in the above conveyance and acknowledged the execution of the same to be their voluntary act and deed, for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

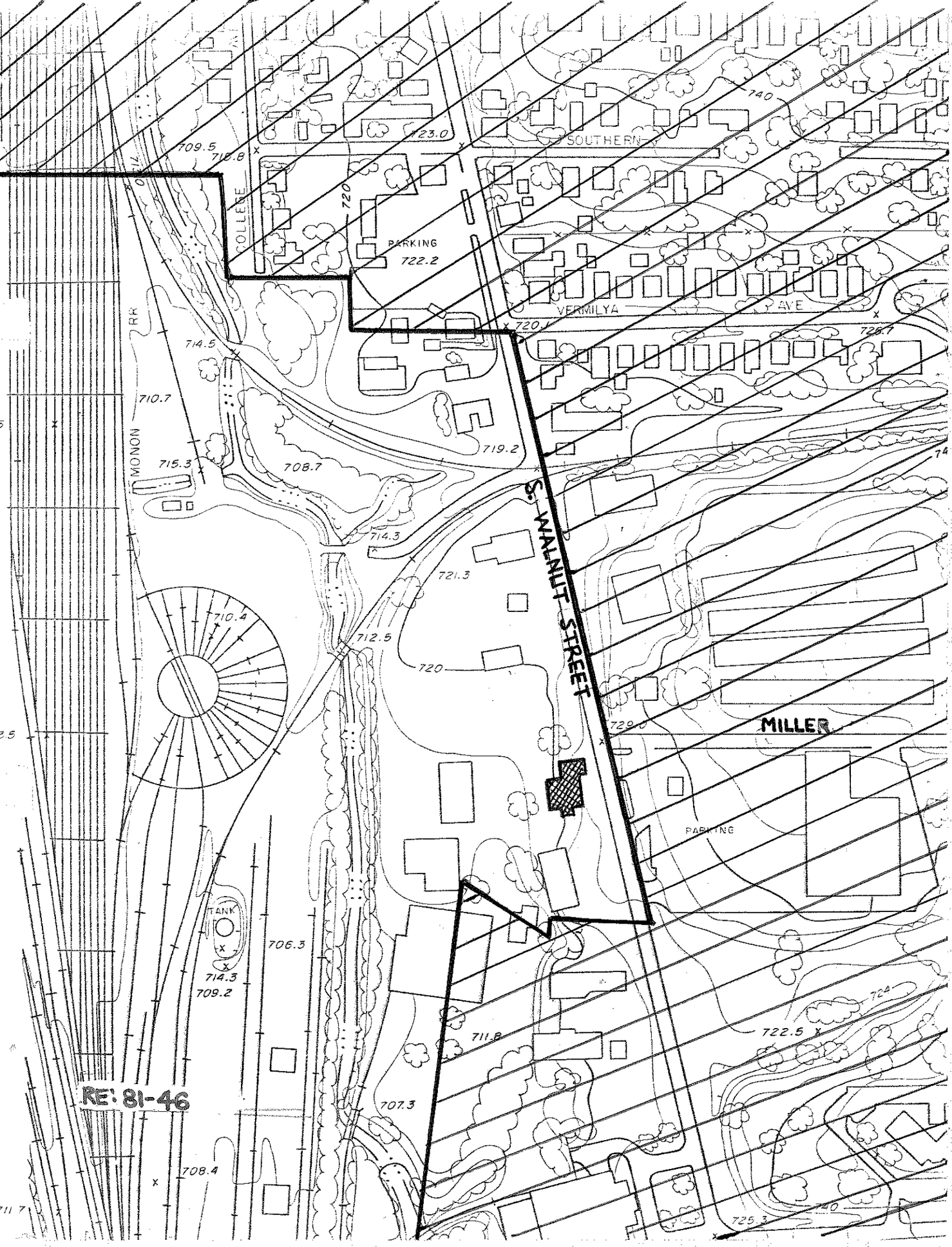
Katherine L. Taylor
Notary Public - Residing in Monroe County, Indiana
Katherine L. Taylor

NOTARY PUBLIC INDIANA

My Commission Expires:

December 8, 1981

This instrument prepared by Harold A. Harrell, Attorney at Law.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