Passed 7-2 (Banach, Young)

ORDINANCE 98-14

TO REPEAL ORDINANCE 97-49,
AN ORDINANCE CONCERNING THE ANNEXATION OF
ADJACENT AND CONTIGUOUS TERRITORY
AND
TO REPEAL RESOLUTION 97-25,
TO ADOPT A WRITTEN FISCAL PLAN AND TO ESTABLISH A POLICY
FOR CITY SERVICES TO AN ANNEXED AREA
(Rhorer Road West Area)

WHEREAS, On November 19, 1997, the Common Council approved Ordinance 97-49 and Resolution 97-25 regarding the annexation of adjacent and contiguous property commonly known as "Rhorer Road West Area," said annexation to be effective on January 2, 2000; and

WHEREAS, On January 30, 1998, a remonstrance was filed by property owners alleging that the annexation should not occur; on March 13, 1998, the Court certified the remonstrance; and on April 2, 1998, the City filed its answer; and

WHEREAS, It is reasonable, prudent and efficient to avoid protracted litigation through the repeal of said annexation; and, acting upon advice of counsel for the City, the Common Council determines that it is advisable to repeal the annexation and will consider annexation of the territory later this year after modification of the alleged deficiencies;

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

SECTION I. Ordinance 97-49, an Ordinance Concerning the Annexation of Adjacent and Contiguous Territory and Resolution 97-25, To Adopt a Written Fiscal Plan and to Establish a Policy for City Services to an Annexed Area (Rhorer Road west area) are repealed.

SECTION II. 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 22nd day of April, 1998.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 23rd day of April, 1998.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 23 day of April, 1998.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance repeals Ordinance 97-49 Concerning the Annexation of Adjacent and Contiguous Territory and Resolution 97-25 To Adopt a Written Fiscal Plan and to Establish a Policy for City Services to an Annexed Area (Rhorer Road west area).

Signed copies to
Legal
Controller
F.U.
#T legal