

ORDINANCE 00-39

**AN ORDINANCE CONCERNING THE ANNEXATION OF
ADJACENT AND CONTIGUOUS TERRITORY
(Bell Trace Area)**

WHEREAS, the boundary of the City of Bloomington, Indiana, is adjacent and contiguous 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 Bell Trace Area" approved by the Common Council with the adoption of Resolution 00-23, and has further determined that no further terms or conditions are necessary to make the annexation equitable to the property owners and residents of the annexed area and the City of Bloomington;

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 Bell Trace Area, which includes Bell Trace Circle, North Bell Trace Drive, North Bell Trace Court and 3730 East Tenth Street and the contiguous railroad right of way, be annexed to and declared a part of the City of Bloomington, Indiana, to-wit:

A part of the east half of Section 35, Township 9 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

Commencing at the northwest corner of the southeast quarter of said Section 35; thence South 0 degrees 00 minutes 00 seconds East 25.00 feet to the south right-of-way line of State Road 45, also being the south line of Annexation Ordinance 71-56, and to the POINT OF BEGINNING; thence on said south right-of-way line and annexation line the following eight (8) courses: 1) North 89 degrees 55 minutes 49 seconds East 171.23 feet; thence 2) 155.14 feet on a 666.34 feet radius tangent curve to the left, thence 3) North 76 degrees 35 minutes 25 seconds East 56.99 feet; thence 4) North 75 degrees 00 minutes 00 seconds East 100.02 feet; thence 5) North 76 degrees 30 minutes 00 seconds East 99.35 feet; thence 6) North 78 degrees 00 minutes 00 seconds East 39.45 feet; thence 7) North 79 degrees 00 minutes 00 seconds East 49.45 feet; thence 8) North 80 degrees 30 minutes 00 seconds East 44.81 feet to the west line of Annexation Ordinance 71-57; thence South 1 degree 30 minutes 00 seconds West 273.53 feet on said west line to the southeast corner of land of Davis; thence North 88 degrees 30 minutes 00 seconds West 97.90 feet on the south line of said land of Davis to the east line of Belle Trace; thence South 1 degree 30 minutes 00 seconds West 1033.36 feet on said east line to the southerly right-of-way line of the Illinois Central Rail Road, said line being the north line of Annexation Ordinance 59-09; thence on said southerly right-of-way line and annexation line the following two (2) courses: 1) North 78 degrees 30 minutes 00 seconds West 240.00 feet; thence 2) North 76 degrees 25 minutes 00 seconds West 385.00 feet to the east line of Annexation Ordinance 81-8; thence North 0 degrees 00 minutes 00 seconds East 1058.85 feet to the POINT OF BEGINNING; said described tract containing 16.8 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 3.

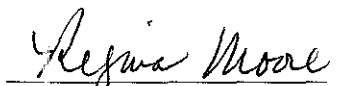
SECTION 4. Services will be provided to the annexed area in accordance with the "Fiscal Plan Annexation of Bell Trace Area" approved by the Common Council with the adoption of Resolution 00-23.

SECTION 5. Pursuant to I.C. 36-4-3-7(b), (d) and (e) this ordinance shall take effect February 22, 2001, 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.

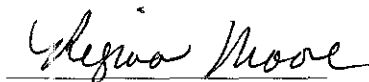
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 20th day of December, 2000.


TIMOTHY MAYER, President
Bloomington Common Council


ATTEST:


REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21st day of December, 2000.


REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 22nd day of December, 2000.


JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance annexes the Bell Trace Area, which includes the property located on Bell Trace Circle, North Bell Trace Drive, North Bell Trace Court and 3730 East Tenth Street and the contiguous railroad right of way, effective February 22, 2001, and assigns the area to Council District 3.

Note: This ordinance was revised after the packet went out, but before it was introduced on Wednesday, September 13th. In brief the revisions: added the words "and contiguous" to the first whereas clause; added the latter phrase regarding the absence of any further equitable terms of annexation in the second whereas clause; and, altered the addresses as they appear in first section and synopsis of the ordinance.