

ORDINANCE 17-10

**AN ORDINANCE OF THE CITY OF BLOOMINGTON,
MONROE COUNTY, INDIANA, ANNEXING TERRITORY TO THE
CITY OF BLOOMINGTON, PLACING THE SAME WITHIN THE CORPORATE
BOUNDARIES THEREOF, AND MAKING THE SAME A PART OF
THE CITY OF BLOOMINGTON**

South-West B Bloomington Annexation

- WHEREAS, the City of Bloomington (“City”) has studied the City’s municipal boundaries, areas historically identified for annexation or urbanization, surrounding developed territory, provisions of local government service, agreements for annexation in exchange for City services, and opportunities for growth and development of the City and its surrounding community; and
- WHEREAS, the City has identified several areas outside of the City’s current municipal boundaries that are appropriate for annexation to the City, and has determined to proceed through the introduction and consideration of separate ordinances for the several areas, of which the “South-West B Bloomington Annexation Area” set forth in this Ordinance is one; and
- WHEREAS, prior to the introduction of annexation, the City has provided notice to landowners and conducted an outreach program to inform citizens regarding the then-proposed annexations, actively investigated the proposed annexations, and conducted numerous meetings with local residents, businesses, and entities in an effort to develop annexations that include terms that are fair and equitable to the property owners and residents of the City and the annexation areas; and
- WHEREAS, a map and legal description of the “South-West B Bloomington Annexation Area” (“Annexation Territory”) are attached hereto as Exhibit A and Exhibit B, respectively; and
- WHEREAS, the Annexation Territory consists of approximately 1742.98 acres, and is contiguous to the existing City limits; and
- WHEREAS, the City has engaged professionals to study the fiscal and governmental impacts of the annexation on the City and on affected landowners and taxing units; and
- WHEREAS, the City recognizes and accepts its obligations, where applicable, pursuant to I.C. §§ 36-4-3-7 and 36-4-3-10; and
- WHEREAS, prior to adoption of this Ordinance, the City, by resolution, has adopted a written fiscal plan and policy for the provision of services of both a non-capital and capital nature to the Annexation Territory, including cost estimates and financing, and the estimated effect on taxpayers, municipal finances, and other political subdivisions, that meet the requirements of I.C. § 36-4-3; and
- WHEREAS, the terms and conditions of this annexation, including the written fiscal plan and policy, are fairly calculated to make the annexation fair and equitable to property owners and residents of the Annexation Territory and of the City; and
- WHEREAS, the City has further determined the Annexation Territory is needed and can be used by the City of Bloomington for its development in the reasonably near future; and
- WHEREAS, prior to the final adoption of this Ordinance, the City has conducted a public hearing pursuant to proper notice; and

WHEREAS, it is the determination of the Common Council that the annexation set forth herein is appropriate and the Annexation Territory should be annexed to the City of Bloomington pursuant to the terms of this Ordinance.

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

SECTION 1. The above recitals are incorporated herein by this reference as though fully set forth herein below. In accordance with I.C. § 36-1-5-4 two copies of the recitals are on file in the office of the city clerk for public inspection.

SECTION 2. In accordance with I.C. § 36-4-3 et seq., the Annexation Territory described and depicted in Exhibit A and Exhibit B is hereby annexed to the City and thereby included within its corporate boundaries pursuant to the terms of this Ordinance.

SECTION 3. The City will be responsible for local right-of-way contiguous to the Annexation Territory. As set forth in I.C. § 36-4-3-2.5, where the legal description attached as Exhibit B describes land that is contiguous to a public highway right-of-way that has not previously been annexed and is not within another municipality as of the effective date hereof, the Annexation Territory shall include the contiguous public highway right-of-way even if it is not described in Exhibit B.

SECTION 4. Notwithstanding any discrepancies, errors, or omissions in the legal descriptions of prior annexation ordinances or this Ordinance, it is the intent of the City that where a parcel of property within the Annexation Territory is adjacent to a parcel of property within the existing City limits, the Annexation Territory boundary shall conform to and match the boundary of the existing City boundaries so long as this does not result in adding or removing parcels of property from the Annexation Territory depicted in the map attached as Exhibit A.

SECTION 5. As authorized by I.C. § 36-4-3-8(b)(1), the effective date of this annexation is postponed such that the Annexation Territory shall be a part of the City as of the January 1, 2024 assessment date (i.e. effective immediately prior to January 1, 2024).

SECTION 6. As provided in I.C. § 36-4-3-4.1, any real property in the Annexation Territory assessed as agricultural land (under the real property assessment rules and guidelines of the department of local government finance) is exempt from property tax liability under I.C. § 6-1.1 for municipal purposes, and is not considered a part of the City for purposes of annexing future additional territory, while the property's assessment classification remains agricultural land.

SECTION 7. The Annexation Territory is assigned to Council District No. 5. The City recognizes its redistricting responsibilities under I.C. § 36-4-6-3(g)(1) (following the 2020 census) and I.C. § 36-4-6-3(g)(2) (following annexation). Following the effective date of the annexations, whether in conjunction with the post-census redistricting or as an additional redistricting, the City will review and redistrict its Council Districts as appropriate and required to ensure compliance with I.C. § 36-4-6-3(j) or other applicable laws.

SECTION 8. There is hereby created a special fund titled the "South-West B Bloomington Annexation Impoundment Fund" ("Impoundment Fund"). For a period of three (3) years following the effective date of this annexation, all municipal property taxes imposed in the Annexation Territory after the annexation takes effect that are not used to meet the basic non-capital and capital services set forth in the fiscal plan shall be impounded in the Impoundment Fund. The impounded property taxes in the Fund shall be used to provide additional services that were not specified in the fiscal plan, and shall be expended not later than five (5) years after the annexation becomes effective.

SECTION 9. There is hereby created an advisory board titled the "South-West B Bloomington Annexation Advisory Board" ("Advisory Board"). The Advisory Board is governed by I.C. § 36-4-3-8.1, and shall advise the City on the provision of services to the Annexation Territory that are paid for with the municipal property taxes impounded in the Impoundment Fund. The Advisory

Board shall be appointed not later than ninety (90) days after the annexation becomes effective, and shall consist of the following seven (7) members:

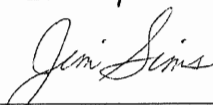
- (1) The township trustee of the township with the largest number of residents living within the Annexation Territory;
- (2) One (1) member of the County Council representing the district with the largest number of residents living within the Annexation Territory;
- (3) One (1) member who is the City engineer (or, a licensed professional engineer appointed by the Mayor if the City does not have a municipal engineer);
- (4) Two (2) citizen members, appointed by the Mayor, who own real property and reside within the Annexation Territory;
- (5) Two (2) citizen members, appointed by the County Commissioners, who own real property and reside within the Annexation Territory.

SECTION 10. The Annexation Territory shall maintain its current zoning classification(s) and designation(s) until such time as the City updates its respective comprehensive plan, zoning ordinance, or zoning map.

SECTION 11. All prior Ordinances or parts thereof that may be inconsistent with any provision of this Ordinance are hereby superseded. The paragraphs, sentences, words, and Annexation Territory of this Ordinance are separable, and if a court of competent jurisdiction hereof declares any portion of this Ordinance or the Annexation Territory unconstitutional, invalid, or unenforceable for any reason, such declaration shall not affect the remaining portions of the Annexation Territory or this Ordinance.


SECTION 12. The effective date of this annexation shall be as soon as allowed by law following its adoption, execution, and publication as required by law, except as otherwise set forth above.

INTRODUCED on March 29, 2017, and passed by the Common Council of the City of Bloomington, Monroe County, Indiana, on this 22 day of September, 2021.¹



JIM SIMS, President
Bloomington Common Council

ATTEST:



NICOLE BOLDEN, Clerk
City of Bloomington

¹ I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Stephen C. Unger

This Ordinance was prepared by Stephen C. Unger, Attorney At Law, Bose McKinney & Evans LLP, 111 Monument Circle, Suite 2700, Indianapolis, Indiana 46204.

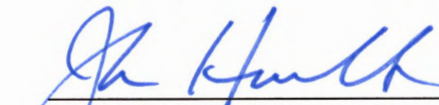
PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 24 day of September, 2021.

ATTEST:



NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 24th day of September, 2021.



JOHN HAMILTON, Mayor
City of Bloomington

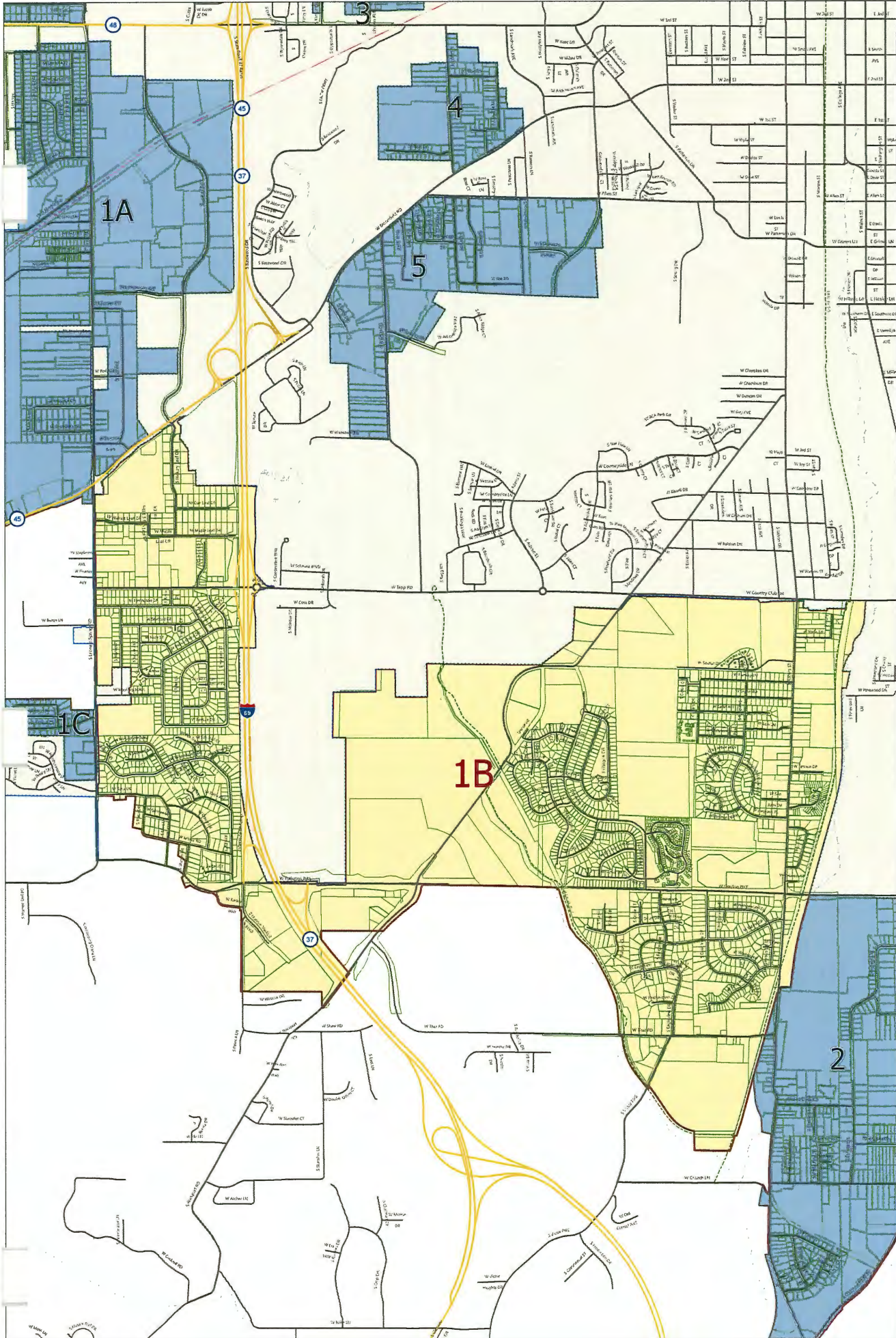
Synopsis

Upon adoption, this ordinance would take various steps necessary for the annexation of the South-West B Bloomington Annexation area, which is depicted in Exhibit A and attached to this ordinance. In the course of proposing the annexation of this area, the City prepared a written Fiscal Plan for Municipal Annexation ("Fiscal Plan") that describes the proposed provision of both non-capital and capital services to the Annexation Territory and was initially adopted via Resolution 17-17 and amended via Resolution 21-10. The approval of a further amendment to the written Fiscal Plan is scheduled for consideration at a Common Council Session on September 15, 2021, when the Common Council will consider adoption of the proposed annexation.





*Note on amendments, which have been incorporated into Ordinance 17-10:
At the May 19, 2021 Regular Session, the Council adopted Amendment 01 to Ordinance 17-10, which changed various date references and signature lines to bring the proposed ordinance forward to 2021 so that it could be properly considered by the Common Council.*

Distributed to: Clerk, Council Attorney, Legal, Mayor, Controller

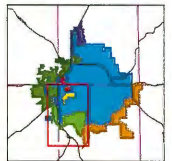
EXHIBIT A
Map of South-West B Bloomington Annexation Territory



Legend

-  Municipal Boundary
-  Proposed Annexation Area 1B
-  Proposed Annexation Areas
-  Parcels within Proposed Annexation Areas

Parcel features sourced from Monroe County Government GIS Data



April 27, 2021

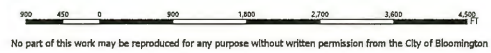


Produced: 4/28/2021
Project: AnnexAreaMaps1to22021
File: AnnexProposedArea1B0P



Proposed Annexation Areas
Area 1B - South-West Bloomington (B)

This map was produced by the City of Bloomington GIS, for use by the City and general public as map information. The planimetric information is based on aerial orthorectified flown in March 2016. Supplemental updates are made from development drawings, plats, and other sources. The accuracy of information contained in this document is based on National Mapping Standards, however it is NOT warranted. The Corporation boundary reflects annexations effective as of the print date on this map.



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EXHIBIT B

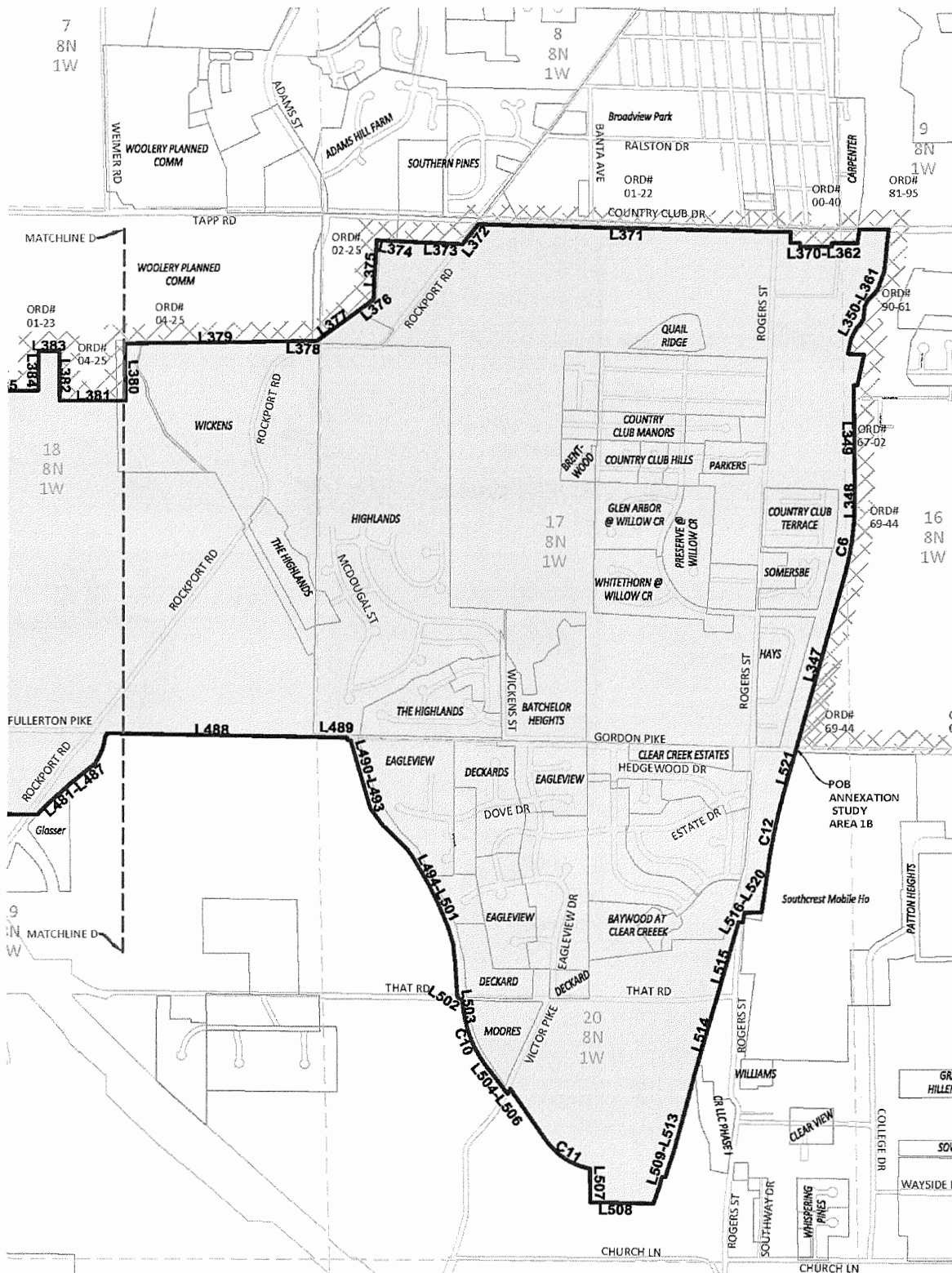
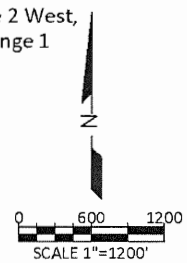
Legal Description of South-West B Bloomington Annexation Territory



ANNEXATION STUDY AREA 1B (2017) EXHIBIT

A part of Sections 12, 13 and 24, Township 8 North, Range 2 West,
Sections 7, 16, 17, 18, 19 and 20, Township 8 North, Range 1
West, Monroe County, Indiana

- SECTION LINE PER GIS
- ANNEXATION STUDY AREA
- EXISTING CITY OF BLOOMINGTON BOUNDARY



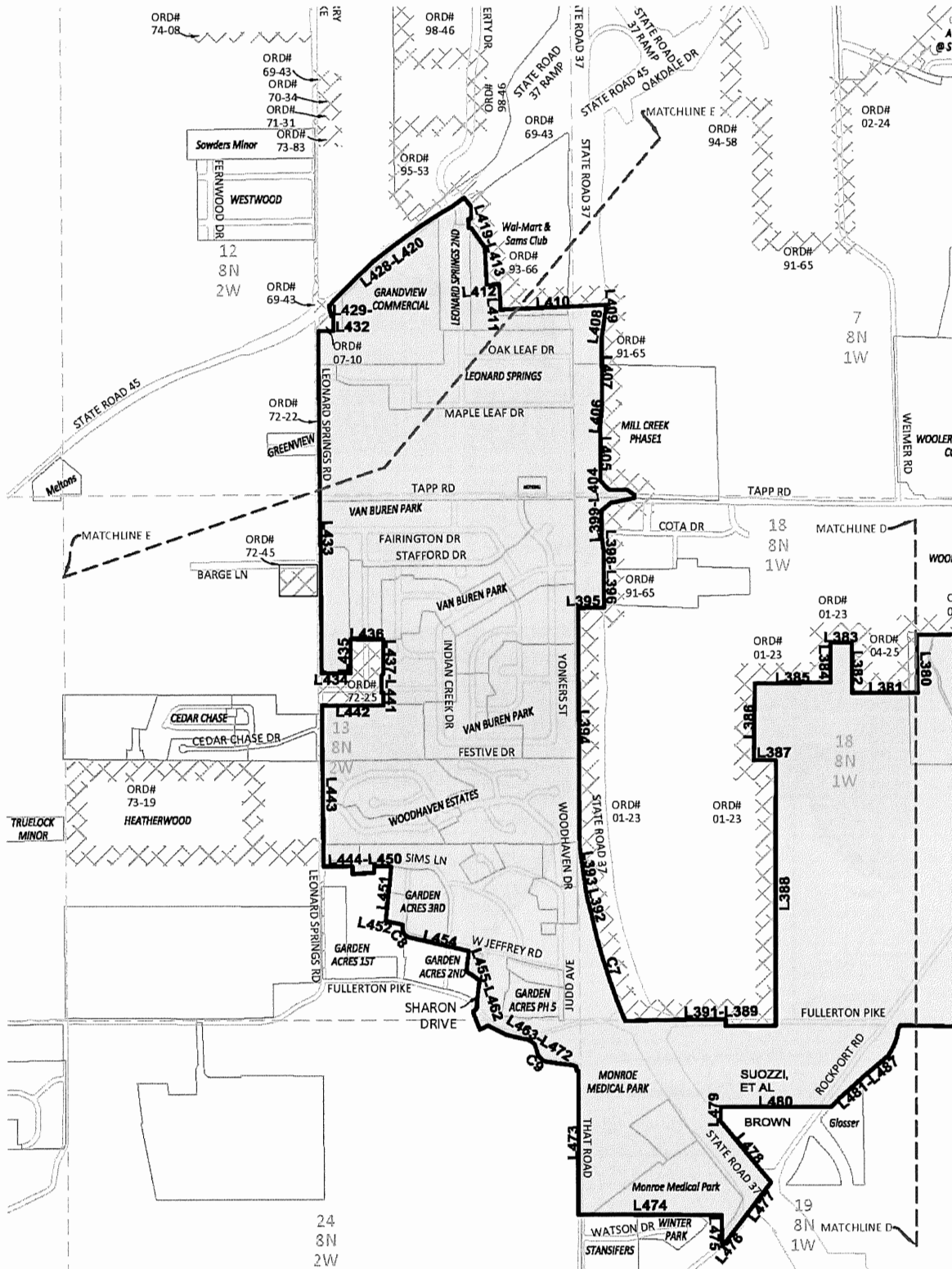
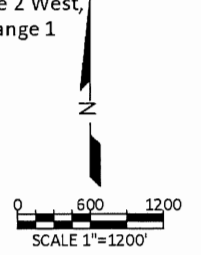
Bloomington • Bedford • Paoli



ANNEXATION STUDY AREA 1B (2017) EXHIBIT

A part of Sections 12, 13 and 24, Township 8 North, Range 2 West,
Sections 7, 16, 17, 18, 19 and 20, Township 8 North, Range 1
West, Monroe County, Indiana

- SECTION LINE PER GIS
- ANNEXATION STUDY AREA
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ANNEXATION STUDY AREA 1B (2017) EXHIBIT

A part of Sections 12, 13 and 24, Township 8 North, Range 2 West,
Sections 7, 16, 17, 18, 19 and 20, Township 8 North, Range 1
West, Monroe County, Indiana

AREA 1B LINE TABLE			AREA 1B LINE TABLE			AREA 1B LINE TABLE		
L347	N 15°35'36" E	1696.74'	L410	S 87°29'39" W	1061.74'	L473	S 00°08'48" W	1456.12'
L348	N 00°00'00" W	169.93'	L411	N 02°56'27" W	260.00'	L474	S 89°46'26" E	1445.26'
L349	N 00°45'30" W	1086.83'	L412	S 87°50'56" W	126.35'	L475	S 00°41'58" E	316.73'
L350	S 89°30'00" E	37.57'	L413	N 02°58'15" W	380.47'	L476	N 39°29'16" E	84.29'
L351	N 12°12'13" E	320.00'	L414	N 34°55'15" W	237.67'	L477	N 37°04'59" E	728.30'
L352	N 87°05'44" W	164.00'	L415	S 87°05'48" W	24.02'	L478	N 39°17'19" W	798.27'
L353	N 11°35'52" E	160.22'	L416	N 03°06'18" W	89.74'	L479	N 00°13'28" W	144.09'
L354	N 27°29'04" E	126.58'	L417	N 80°15'56" E	25.49'	L480	S 89°55'45" E	1113.02'
L355	N 54°29'04" E	30.00'	L418	N 00°01'04" E	123.89'	L481	N 43°34'40" E	131.28'
L356	N 32°29'02" E	76.00'	L419	N 37°54'06" W	109.85'	L482	N 47°43'22" E	306.45'
L357	N 05°29'06" E	129.00'	L420	S 54°49'34" W	162.12'	L483	N 50°22'30" E	341.55'
L358	N 24°29'04" E	74.00'	L421	S 59°12'19" W	127.34'	L484	N 28°03'53" E	116.39'
L359	N 43°29'04" E	145.00'	L422	S 57°28'05" W	266.47'	L485	N 20°35'27" E	77.40'
L360	N 19°44'04" E	202.00'	L423	S 54°05'59" W	291.55'	L486	N 09°42'50" E	86.50'
L361	N 05°29'04" E	419.03'	L424	S 51°39'09" W	291.89'	L487	N 26°33'54" E	46.28'
L362	S 89°53'04" W	295.08'	L425	S 45°25'11" W	280.71'	L488	S 68°59'39" E	2108.25'
L363	S 07°00'00" W	139.34'	L426	S 45°28'03" W	252.03'	L489	S 88°33'55" E	309.56'
L364	N 90°00'00" W	259.00'	L427	S 37°38'57" W	64.04'	L490	S 02°32'34" E	24.53'
L365	S 00°00'00" E	35.00'	L428	S 52°51'16" W	20.93'	L491	S 85°55'02" E	31.97'
L366	N 90°00'00" W	323.50'	L429	S 14°23'49" E	110.94'	L492	S 16°14'51" E	716.69'
L367	N 00°00'00" W	36.00'	L430	N 89°58'59" E	16.39'	L493	S 36°14'13" E	214.21'
L368	N 90°00'00" W	94.00'	L431	S 00°00'01" E	148.37'	L494	S 45°51'52" E	340.06'
L369	N 00°00'00" W	116.15'	L432	S 89°55'06" W	151.21'	L495	S 34°36'26" E	120.32'
L370	S 89°30'00" W	146.73'	L433	S 00°27'27" E	3452.56'	L496	S 29°30'55" E	266.23'
L371	N 88°31'28" W	2994.90'	L434	S 89°43'08" E	292.57'	L497	S 27°15'36" E	213.84'
L372	S 38°11'21" W	258.03'	L435	N 00°00'00" W	340.00'	L498	S 23°06'15" E	295.62'
L373	N 87°29'55" W	830.35'	L436	S 89°42'23" E	330.00'	L499	S 18°34'39" E	188.50'
L374	N 80°24'21" W	37.22'	L437	S 00°00'00" E	340.29'	L500	S 06°04'06" E	183.15'
L375	S 03°00'36" W	599.72'	L438	S 33°41'30" W	35.85'	L501	S 03°51'28" E	355.71'
L376	S 52°30'47" W	218.77'	L439	S 00°00'00" E	165.00'	L502	S 57°35'49" E	57.65'
L377	S 54°04'02" W	497.03'	L440	S 89°42'23" E	20.00'	L503	S 08°05'36" E	148.81'
L378	N 88°44'52" W	102.47'	L441	S 00°00'00" E	135.00'	L504	S 37°59'40" E	386.03'
L379	S 89°06'27" W	1823.79'	L442	N 89°42'40" W	620.10'	L505	N 27°18'58" E	55.67'
L380	S 01°02'12" E	583.86'	L443	S 00°28'01" E	1632.57'	L506	S 34°54'10" E	629.78'
L381	N 90°00'00" W	861.15'	L444	N 89°22'51" E	290.40'	L507	S 00°29'33" E	339.86'
L382	N 00°26'13" W	508.09'	L445	S 00°00'18" W	80.84'	L508	S 88°44'13" E	636.40'
L383	N 90°00'00" W	213.11'	L446	N 86°55'45" E	109.71'	L509	N 19°08'52" E	170.66'
L384	S 00°00'00" E	401.89'	L447	N 86°55'45" E	109.01'	L510	N 15°39'47" E	110.42'
L385	S 89°32'56" W	762.28'	L448	N 00°23'47" E	69.04'	L511	N 87°07'38" E	34.18'
L386	S 00°55'45" W	782.23'	L449	S 89°20'46" E	123.31'	L512	N 17°54'16" E	290.59'
L387	N 89°56'28" E	219.92'	L450	S 86°28'45" E	49.74'	L513	N 15°05'10" E	809.47'
L388	S 00°01'11" W	2679.76'	L451	S 05°44'15" W	558.66'	L514	N 16°10'36" E	755.63'
L389	S 89°30'54" W	504.36'	L452	S 78°11'57" E	173.86'	L515	N 15°47'48" E	666.83'
L390	N 01°09'42" W	72.40'	L453	S 02°06'31" W	33.15'	L516	N 15°42'11" E	147.84'
L391	S 89°06'40" W	1010.89'	L454	S 77°07'46" E	605.65'	L517	N 90°00'00" E	43.04'
L392	N 14°12'38" W	204.31'	L455	S 05°44'44" W	210.55'	L518	N 10°00'01" E	100.81'
L393	N 07°59'28" W	502.95'	L456	S 57°57'02" E	89.81'	L519	N 89°16'10" E	171.90'
L394	N 00°17'28" W	2411.45'	L457	S 52°28'00" E	70.50'	L520	N 07°54'50" E	370.77'
L395	N 88°49'03" E	262.86'	L458	S 07°28'58" W	210.85'	L521	N 15°46'30" E	444.12'
L396	N 00°12'00" W	571.81'	L459	S 00°16'24" E	57.01'			
L397	N 07°47'41" W	151.33'	L460	S 45°58'26" W	55.74'			
L398	N 00°12'00" W	250.00'	L461	S 20°57'58" E	191.90'			
L399	N 50°23'13" E	124.41'	L462	N 64°19'51" E	92.50'			
L400	N 78°05'33" E	238.18'	L463	S 63°22'05" E	210.10'			
L401	N 02°13'14" E	33.80'	L464	S 76°07'26" E	169.46'			
L402	N 54°04'23" W	85.65'	L465	S 88°04'40" E	41.89'			
L403	N 88°40'04" W	187.70'	L466	S 58°21'03" E	79.48'			
L404	N 43°56'38" W	118.87'	L467	S 27°06'22" E	33.03'			
L405	N 00°12'00" W	550.00'	L468	S 14°59'03" E	74.77'			
L406	N 05°30'38" E	201.00'	L469	S 83°20'05" E	262.52'			
L407	N 00°12'00" W	700.00'	L470	S 66°25'40" E	38.89'			
L408	N 08°19'51" E	363.56'	L471	S 01°43'31" E	40.17'			
L409	N 05°23'09" W	34.36'	L472	S 89°55'37" E	19.89'			

AREA 1B CURVE TABLE

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C6	799.53'	3038.76'	N 09°21'30" E	797.23'
C7	1113.00'	5874.58'	N 17°37'00" W	1111.34'
C8	134.64'	98.27'	S 37°57'25" E	123.93'
C9	136.96'	117.85'	S 48°16'31" E	129.38'
C10	535.90'	1081.63'	S 22°17'14" E	530.44'
C11	542.84'	708.58'	S 56°50'59" E	529.66'
C12	888.67'	5699.65'	N 11°18'30" E	887.77'

NOTE:

1. THIS PLAT AND ALL LINES SHOWN HEREON WERE PREPARED FROM RECORD INFORMATION OBTAINED FROM THE MONROE COUNTY INDIANA GEOGRAPHIC INFORMATION SYSTEM IN JANUARY, 2017. NO FIELD WORK WAS PERFORMED. ALL BEARINGS AND DISTANCES ARE APPROXIMATE AND NO GUARANTY IS MADE AS TO THEIR ACCURACY.

2. THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.

3. 1742.98 ACRES CALCULATED IN AREA 1B.

4. TOTAL LENGTH OF AREA 1B BOUNDARY: 68,196'
CONTIGUOUS WITH EXISTING BOUNDARY: 42,884'
NON-CONTIGUOUS WITH EXISTING BOUNDARY: 25,312'
PERCENTAGE OF AREA 1B CONTIGUOUS WITH EXISTING CITY OF BLOOMINGTON BOUNDARY: 62.9%.

Bledsoe Riggert Cooper James

LAND SURVEYING • CIVIL ENGINEERING • GIS

City of Bloomington Indiana Annexation Study Area Number 18 Legal Description:

The intent of the following description is to describe the City of Bloomington Annexation Study Area Number 18 as provided by the City of Bloomington Indiana Geographic Information System Department in January, 2017. The following described lines are intended to be coincident with existing annexation ordinance and parcel boundary lines. No field work was performed in preparing this description. Bearings and distances shown were taken from the Monroe County Geographic Information System files.

A part of Sections 12, 13 and 24, Township 8 North, Range 2 West, Sections 7, 16, 17, 18, 19 and 20, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as:

Beginning at the point of intersection of the south line of Section 17, Township 8 North, Range 1 West and the eastern right of way line of the former Chicago, Indianapolis and Louisville Railroad; thence coincident with said eastern right of way line and the lines of Ordinance 69-44 NORTH 15 degrees 35 minutes 36 seconds EAST a distance of 1696.74 feet to the point of curvature of a curve concave westerly, with a radius of 3038.76 feet, a chord bearing of NORTH 09 degrees 21 minutes 30 seconds EAST and a chord length of 797.23 feet; thence northerly along said curve a distance of 799.53 feet; thence continuing coincident with said eastern right of way line and said Ordinance 69-44 NORTH 00 degrees 00 minutes 00 seconds WEST a distance of 169.93 feet to the southwest corner of Ordinance 67-02; thence continuing coincident with said eastern right of way line and the west line of said Ordinance 67-02 NORTH 00 degrees 45 minutes 30 seconds WEST a distance of 1086.83 feet to the northwest corner of said Ordinance 67-02; thence coincident with the north line of said Ordinance 67-02 SOUTH 89 degrees 30 minutes 00 seconds EAST a distance of 37.57 feet to the southwest corner of Ordinance 90-61; thence coincident with the west line of said Ordinance 90-61 the following 11 courses:

- 1) NORTH 12 degrees 12 minutes 13 seconds EAST a distance of 320.00 feet;
- 2) NORTH 87 degrees 05 minutes 44 seconds WEST a distance of 164.00 feet;
- 3) NORTH 11 degrees 35 minutes 52 seconds EAST a distance of 160.22 feet;
- 4) NORTH 27 degrees 29 minutes 04 seconds EAST a distance of 126.58 feet;
- 5) NORTH 54 degrees 29 minutes 04 seconds EAST a distance of 30.00 feet;
- 6) NORTH 32 degrees 29 minutes 02 seconds EAST a distance of 76.00 feet;
- 7) NORTH 05 degrees 29 minutes 06 seconds EAST a distance of 129.00 feet;
- 8) NORTH 24 degrees 29 minutes 04 seconds EAST a distance of 74.00 feet;
- 9) NORTH 43 degrees 29 minutes 04 seconds EAST a distance of 145.00 feet;
- 10) NORTH 19 degrees 44 minutes 04 seconds EAST a distance of 202.00 feet;
- 11) NORTH 05 degrees 29 minutes 04 seconds EAST a distance of 419.03 feet to the south line of Section 9, Township 8 North, Range 1 West and the south line of Ordinance 81-95;

thence coincident with said south line of Ordinance 81-95 SOUTH 89 degrees 53 minutes 04 seconds WEST a distance of 295.08 feet to the west line of the Illinois Central Railroad and the east line of Ordinance 00-40; thence coincident with the line of said Ordinance 00-40 the following 8 courses:

- 1) SOUTH 07 degrees 00 minutes 00 seconds WEST a distance of 139.34 feet;
- 2) NORTH 90 degrees 00 minutes 00 seconds WEST a distance of 259.00 feet;
- 3) SOUTH 00 degrees 00 minutes 00 seconds EAST a distance of 35.00 feet;
- 4) NORTH 90 degrees 00 minutes 00 seconds WEST a distance of 323.50 feet;
- 5) NORTH 00 degrees 00 minutes 00 seconds WEST a distance of 36.00 feet;
- 6) NORTH 90 degrees 00 minutes 00 seconds WEST a distance of 94.00 feet;
- 7) NORTH 00 degrees 00 minutes 00 seconds WEST a distance of 116.15 feet to the south right of way line of Country Club Road;
- 8) coincident with said right of way line SOUTH 89 degrees 30 minutes 00 seconds WEST a distance of 146.73 feet to the southeast corner of Ordinance 01-22;

thence coincident with said south right of way and the south line of said Ordinance 01-22 NORTH 88 degrees 31 minutes 28 seconds WEST a distance of 2994.90 feet to the east right of way line of Rockport Road and the northeast corner of Ordinance 02-25; thence coincident with said east right of way and said Ordinance 02-25 SOUTH 38 degrees 11 minutes 21 seconds WEST a distance of 258.03 feet to a southeastern corner of said Ordinance 02-25; thence continuing coincident with said Ordinance 02-25 the following 6 courses:

- 1) NORTH 87 degrees 29 minutes 55 seconds WEST a distance of 830.35 feet;
- 2) NORTH 80 degrees 24 minutes 21 seconds WEST a distance of 37.22 feet;
- 3) SOUTH 03 degrees 00 minutes 36 seconds WEST a distance of 599.72 feet;
- 4) SOUTH 52 degrees 30 minutes 47 seconds WEST a distance of 218.77 feet;
- 5) SOUTH 54 degrees 04 minutes 02 seconds WEST a distance of 497.03 feet;
- 6) NORTH 88 degrees 44 minutes 52 seconds WEST a distance of 102.47 feet to a southeast corner of Ordinance 04-25;

thence coincident with said Ordinance 04-25 the following 4 courses:

- 1) SOUTH 89 degrees 06 minutes 27 seconds WEST a distance of 1823.79 feet;
- 2) SOUTH 01 degrees 02 minutes 12 seconds EAST a distance of 583.86 feet;
- 3) NORTH 90 degrees 00 minutes 00 seconds WEST a distance of 661.15 feet;
- 4) NORTH 00 degrees 26 minutes 13 seconds WEST a distance of 508.09 feet to a corner of Ordinance 01-23;

thence coincident with said Ordinance 01-23 the following 9 courses:

- 1) NORTH 90 degrees 00 minutes 00 seconds WEST a distance of 213.11 feet;
- 2) SOUTH 00 degrees 00 minutes 00 seconds EAST a distance of 401.89 feet;
- 3) SOUTH 89 degrees 32 minutes 56 seconds WEST a distance of 762.29 feet;
- 4) SOUTH 00 degrees 55 minutes 45 seconds WEST a distance of 782.23 feet;
- 5) NORTH 89 degrees 56 minutes 28 seconds EAST a distance of 219.92 feet;
- 6) SOUTH 00 degrees 01 minutes 11 seconds WEST a distance of 2678.76 feet;
- 7) SOUTH 89 degrees 30 minutes 54 seconds WEST a distance of 504.36 feet;
- 8) NORTH 01 degrees 09 minutes 42 seconds WEST a distance of 72.40 feet;
- 9) SOUTH 89 degrees 06 minutes 40 seconds WEST a distance of 1010.89 feet to the west right of way line of State Road 37;

thence continuing coincident with said Ordinance 01-23 and coincident with said west right of way the following 4 courses:

- 1) 1113.00 feet on a non-tangent curve, concave easterly, having a radius of 5874.58 feet, and a chord which bears NORTH 17 degrees 37 minutes 00 seconds WEST, with a chord length of 1111.34 feet;
- 2) NORTH 14 degrees 12 minutes 38 seconds WEST a distance of 204.31 feet;

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- 3) NORTH 07 degrees 59 minutes 28 seconds WEST a distance of 502.95 feet;
- 4) NORTH 00 degrees 17 minutes 28 seconds WEST a distance of 2411.45 feet;

thence leaving said west right of way line and continuing coincident with said Ordinance 01-23 NORTH 88 degrees 49 minutes 03 seconds EAST a distance of 262.86 feet to the southwest corner of Ordinance 91-65; thence coincident with said Ordinance 91-65 the following 14 courses:

- 1) NORTH 00 degrees 12 minutes 00 seconds WEST a distance of 571.61 feet;
- 2) NORTH 07 degrees 47 minutes 41 seconds WEST a distance of 151.33 feet;
- 3) NORTH 00 degrees 12 minutes 00 seconds WEST a distance of 250.00 feet;
- 4) NORTH 50 degrees 23 minutes 13 seconds EAST a distance of 124.41 feet;
- 5) NORTH 78 degrees 05 minutes 33 seconds EAST a distance of 238.18 feet;
- 6) NORTH 02 degrees 13 minutes 14 seconds EAST a distance of 33.80 feet;
- 7) NORTH 54 degrees 04 minutes 23 seconds WEST a distance of 85.65 feet;
- 8) NORTH 88 degrees 40 minutes 04 seconds WEST a distance of 187.70 feet;
- 9) NORTH 43 degrees 56 minutes 38 seconds WEST a distance of 118.87 feet;
- 10) NORTH 00 degrees 12 minutes 00 seconds WEST a distance of 550.00 feet;
- 11) NORTH 05 degrees 30 minutes 38 seconds EAST a distance of 201.00 feet;
- 12) NORTH 00 degrees 12 minutes 00 seconds WEST a distance of 700.00 feet;
- 13) NORTH 08 degrees 19 minutes 51 seconds EAST a distance of 303.56 feet;
- 14) NORTH 05 degrees 23 minutes 09 seconds WEST a distance of 34.36 feet to a southeast corner of Ordinance 93-66;

thence coincident with said Ordinance 93-66 the following 10 courses:

- 1) SOUTH 87 degrees 29 minutes 39 seconds WEST a distance of 1061.74 feet;
- 2) NORTH 02 degrees 56 minutes 27 seconds WEST a distance of 260.00 feet;
- 3) SOUTH 87 degrees 50 minutes 56 seconds WEST a distance of 126.35 feet;
- 4) NORTH 02 degrees 58 minutes 15 seconds WEST a distance of 380.47 feet;
- 5) NORTH 34 degrees 55 minutes 15 seconds WEST a distance of 237.67 feet;
- 6) SOUTH 87 degrees 05 minutes 48 seconds WEST a distance of 24.02 feet;
- 7) NORTH 03 degrees 06 minutes 18 seconds WEST a distance of 89.74 feet;
- 8) NORTH 80 degrees 15 minutes 56 seconds EAST a distance of 25.49 feet;
- 9) NORTH 00 degrees 01 minutes 04 seconds EAST a distance of 123.89 feet;
- 10) NORTH 37 degrees 54 minutes 06 seconds WEST a distance of 109.85 feet to the southern line of Ordinance 69-43 on the southern right of way line of State Road 45;

thence coincident with said Ordinance 69-43 and said southern right of way line the following 9 courses:

- 1) SOUTH 54 degrees 49 minutes 34 seconds WEST a distance of 162.12 feet;
- 2) SOUTH 59 degrees 12 minutes 19 seconds WEST a distance of 127.34 feet;
- 3) SOUTH 57 degrees 26 minutes 05 seconds WEST a distance of 266.47 feet;
- 4) SOUTH 54 degrees 05 minutes 59 seconds WEST a distance of 291.55 feet;
- 5) SOUTH 51 degrees 39 minutes 09 seconds WEST a distance of 291.89 feet;
- 6) SOUTH 45 degrees 25 minutes 11 seconds WEST a distance of 280.71 feet;
- 7) SOUTH 45 degrees 28 minutes 03 seconds WEST a distance of 252.03 feet;
- 8) SOUTH 37 degrees 38 minutes 57 seconds WEST a distance of 64.04 feet;
- 9) SOUTH 52 degrees 51 minutes 16 seconds WEST a distance of 20.93 feet to the east line of Ordinance 07-10;

thence coincident with the lines of said Ordinance 07-10 the following 4 courses:

- 1) SOUTH 14 degrees 23 minutes 49 seconds EAST a distance of 110.94 feet;
- 2) NORTH 89 degrees 59 minutes 59 seconds EAST a distance of 16.39 feet;
- 3) SOUTH 00 degrees 00 minutes 01 seconds EAST a distance of 148.37 feet;
- 4) SOUTH 89 degrees 55 minutes 06 seconds WEST a distance of 151.21 feet to the east line of Ordinance 72-22 on the east right of way line of Leonard Springs Road;

thence coincident with said Ordinance 72-22 and said east right of way line SOUTH 00 degrees 27 minutes 27 seconds EAST a distance of 3452.56 feet to a northern line of Ordinance 72-25; thence coincident with the lines of said Ordinance 72-25 the following 9 courses:

- 1) SOUTH 89 degrees 43 minutes 08 seconds EAST a distance of 292.57 feet;
- 2) NORTH 00 degrees 00 minutes 00 seconds WEST a distance of 340.00 feet;
- 3) SOUTH 89 degrees 42 minutes 23 seconds EAST a distance of 330.00 feet;
- 4) SOUTH 00 degrees 00 minutes 00 seconds EAST a distance of 340.29 feet;
- 5) SOUTH 33 degrees 41 minutes 30 seconds WEST a distance of 35.65 feet;
- 6) SOUTH 00 degrees 00 minutes 00 seconds EAST a distance of 165.00 feet;
- 7) SOUTH 89 degrees 42 minutes 23 seconds EAST a distance of 20.00 feet;
- 8) SOUTH 00 degrees 00 minutes 00 seconds EAST a distance of 135.00 feet;
- 9) NORTH 89 degrees 42 minutes 40 seconds WEST a distance of 620.10 feet to the east line of said Ordinance 72-22 on said east right of way line of Leonard Springs Road;

thence coincident with said Ordinance 72-22 and said east right of way line SOUTH 00 degrees 28 minutes 01 seconds EAST a distance of 1632.57 feet to the extended south right of way line of Sims Lane; thence leaving the existing City of Bloomington boundary and coincident with said extended south right of way line NORTH 89 degrees 22 minutes 51 seconds EAST a distance of 290.40 feet to the west line of a parcel in the name of Mary Diener Stroup, as recorded in Instrument Number 1999017866; thence coincident with said west line SOUTH 00 degrees 00 minutes 18 seconds WEST a distance of 80.64 feet to the southwest corner of said parcel; thence coincident with the south line of said parcel NORTH 86 degrees 55 minutes 45 seconds EAST a distance of 109.71 feet to the southwest corner of a parcel in the name of Larry and Helen L. Williams, as recorded in Instrument Number 1999017734; thence coincident with the south line of said parcel NORTH 86 degrees 55 minutes 45 seconds EAST a distance of 109.01 feet to the southeast corner of said parcel; thence coincident with the east line of said parcel NORTH 00 degrees 23 minutes 47 seconds EAST a distance of 69.04 feet to said south right of way line of Sims Lane; thence coincident with said south right of way line the following 2 courses:

- 1) SOUTH 89 degrees 20 minutes 46 seconds EAST a distance of 123.31 feet;
- 2) SOUTH 86 degrees 28 minutes 45 seconds EAST a distance of 49.74 feet to the west line of Garden Acres 3rd Addition as recorded in Plat Cabinet B, Envelope 81;

thence coincident with said west line SOUTH 05 degrees 44 minutes 15 seconds WEST a distance of 558.66 feet to a southwest corner of said Garden Acres 3rd Addition; thence coincident with a southern line of said Garden Acres 3rd Addition SOUTH 78

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degrees 11 minutes 57 seconds EAST a distance of 173.86 feet to the westerly right of way line of Jeffery Road; thence coincident with said westerly right of way line and the southerly right of way line of said Jeffery Road the following 3 courses:

- 1) SOUTH 02 degrees 06 minutes 31 seconds WEST a distance of 33.15 feet to the point of curvature of a curve concave to the northeast, with a radius of 96.27 feet, and a chord bearing of SOUTH 37 degrees 57 minutes 25 seconds EAST and a chord length of 123.93 feet;
- 2) Southeasterly along said curve a distance of 134.64 feet;
- 3) SOUTH 77 degrees 07 minutes 46 seconds EAST a distance of 605.65 feet to the northwest corner of Lot 26 of Garden Acres 2nd Addition as recorded in Plat Cabinet B, Envelope 69;

thence coincident with the west line of said Lot 26 and the west line of Lot 24 of said Garden Acres 2nd Addition SOUTH 05 degrees 44 minutes 44 seconds WEST a distance of 210.55 feet to the southwest corner of said Lot 24; thence coincident with the southern lines of said Lot 24 the following 2 courses:

- 1) SOUTH 57 degrees 57 minutes 02 seconds EAST a distance of 89.61 feet;
- 2) SOUTH 52 degrees 28 minutes 00 seconds EAST a distance of 70.50 feet to the west right of way line of Sharon Drive;

thence coincident with said west right of way line SOUTH 07 degrees 28 minutes 58 seconds WEST a distance of 210.85 feet; thence leaving said west right of way line SOUTH 00 degrees 16 minutes 24 seconds EAST a distance of 57.01 feet to the centerline of Fullerton Pike; thence coincident with an extended southern right of way line of said Fullerton Pike SOUTH 45 degrees 58 minutes 26 seconds WEST a distance of 55.74 feet; thence continuing coincident with said southern right of way line the following 5 courses:

- 1) SOUTH 20 degrees 57 minutes 58 seconds EAST a distance of 191.90 feet;
- 2) NORTH 64 degrees 19 minutes 51 seconds EAST a distance of 92.50 feet;
- 3) SOUTH 63 degrees 22 minutes 05 seconds EAST a distance of 210.10 feet;
- 4) SOUTH 76 degrees 07 minutes 26 seconds EAST a distance of 169.46 feet;
- 5) SOUTH 88 degrees 04 minutes 40 seconds EAST a distance of 41.89 feet to the west right of way line of That Road;

thence coincident with said west right of way line the following 9 courses:

- 1) SOUTH 58 degrees 21 minutes 03 seconds EAST a distance of 79.48 feet;
- 2) SOUTH 27 degrees 06 minutes 22 seconds EAST a distance of 33.03 feet;
- 3) SOUTH 14 degrees 59 minutes 03 seconds EAST a distance of 74.77 feet to the point of curvature of a curve concave to the northeast, with a radius of 117.85 feet, a chord bearing of SOUTH 48 degrees 16 minutes 31 seconds EAST and a chord length of 129.38 feet;
- 4) Southeasterly along said curve a distance of 136.96 feet;
- 5) SOUTH 83 degrees 20 minutes 05 seconds EAST a distance of 262.52 feet;
- 6) SOUTH 66 degrees 25 minutes 40 seconds EAST a distance of 38.89 feet;
- 7) SOUTH 01 degrees 43 minutes 31 seconds EAST a distance of 40.17 feet;
- 8) SOUTH 89 degrees 55 minutes 37 seconds EAST a distance of 19.89 feet;
- 9) SOUTH 00 degrees 08 minutes 48 seconds WEST a distance of 1456.12 feet to the intersection of said west right of way line and the extended southern line of Lot 1 of Monroe Medical Park Type E Administrative Subdivision, as recorded in Plat Cabinet D, Envelope 151;

thence coincident with said extended southern line SOUTH 89 degrees 46 minutes 26 seconds EAST a distance of 1445.26 feet to a corner of said Lot 1; thence coincident with a western line of said Lot 1 and said line extended SOUTH 00 degrees 41 minutes 58 seconds EAST a distance of 316.73 feet to the southern right of way line of Rockport Road; thence coincident with said southern right of way line the following 2 courses:

- 1) NORTH 39 degrees 29 minutes 16 seconds EAST a distance of 84.29 feet;
- 2) NORTH 37 degrees 04 minutes 59 seconds EAST a distance of 728.30 feet to the eastern right of way line of State Road 37;

thence coincident with said eastern right of way line NORTH 39 degrees 17 minutes 19 seconds WEST a distance of 798.27 feet to a corner of a parcel in the name of Bill C. Brown Revocable Trust, as recorded in Instrument Number 2013009976; thence coincident with a west line of said parcel NORTH 00 degrees 13 minutes 28 seconds WEST a distance of 144.09 feet to the southwest corner of a parcel in the name of Suozzi, Harris, Cadwell, and Bush as recorded in Instrument Number 2007007005; thence coincident with the extended south line of said parcel SOUTH 89 degrees 55 minutes 45 seconds EAST a distance of 1113.02 feet to the eastern right of way line of Rockport Road; thence coincident with said eastern right of way line the following 7 courses:

- 1) NORTH 43 degrees 34 minutes 40 seconds EAST a distance of 131.28 feet;
- 2) NORTH 47 degrees 43 minutes 22 seconds EAST a distance of 306.45 feet;
- 3) NORTH 50 degrees 22 minutes 30 seconds EAST a distance of 341.55 feet;
- 4) NORTH 28 degrees 03 minutes 53 seconds EAST a distance of 116.39 feet;
- 5) NORTH 20 degrees 35 minutes 27 seconds EAST a distance of 77.40 feet;
- 6) NORTH 09 degrees 42 minutes 50 seconds EAST a distance of 86.50 feet;
- 7) NORTH 26 degrees 33 minutes 54 seconds EAST a distance of 46.28 feet to the south line of Section 18, Township 8 North, Range 1 West;

thence coincident with said south line SOUTH 88 degrees 59 minutes 39 seconds EAST a distance of 2108.25 feet to the Southwest Corner of Section 17, Township 8 North, Range 1 West; thence coincident with the south line of said Section 17

SOUTH 88 degrees 33 minutes 55 seconds EAST a distance of 309.56 feet to west right of way line of an abandoned railroad;

thence coincident with said west right of way line the following 16 courses:

- 1) SOUTH 02 degrees 32 minutes 34 seconds EAST a distance of 24.53 feet;
- 2) SOUTH 85 degrees 55 minutes 02 seconds EAST a distance of 31.97 feet;
- 3) SOUTH 16 degrees 14 minutes 51 seconds EAST a distance of 716.69 feet;
- 4) SOUTH 36 degrees 14 minutes 13 seconds EAST a distance of 214.21 feet;
- 5) SOUTH 45 degrees 51 minutes 52 seconds EAST a distance of 340.06 feet;
- 6) SOUTH 34 degrees 36 minutes 26 seconds EAST a distance of 120.32 feet;
- 7) SOUTH 29 degrees 30 minutes 55 seconds EAST a distance of 266.23 feet;
- 8) SOUTH 27 degrees 15 minutes 36 seconds EAST a distance of 213.84 feet;
- 9) SOUTH 23 degrees 06 minutes 15 seconds EAST a distance of 295.62 feet;
- 10) SOUTH 16 degrees 34 minutes 39 seconds EAST a distance of 188.50 feet;
- 11) SOUTH 06 degrees 04 minutes 06 seconds EAST a distance of 183.15 feet;
- 12) SOUTH 03 degrees 51 minutes 26 seconds EAST a distance of 355.71 feet to the centerline of That Road;
- 13) SOUTH 57 degrees 35 minutes 49 seconds EAST a distance of 57.65 feet to the south right of way line of said That Road;

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- 14) SOUTH 08 degrees 05 minutes 36 seconds EAST a distance of 148.61 feet to the point of curvature of a curve concave to the east, with a radius of 1081.63 feet, a chord bearing of SOUTH 22 degrees 17 minutes 14 seconds EAST and a chord length of 530.44 feet;
- 15) Southerly along said curve a distance of 535.90 feet;
- 16) SOUTH 37 degrees 59 minutes 40 seconds EAST a distance of 386.03 feet to the southern right of way line of Victor Pike;

thence coincident with said southern right of way line NORTH 27 degrees 18 minutes 58 seconds EAST a distance of 55.67 feet to the east right of way line of said abandoned railroad; thence coincident with said east right of way line SOUTH 34 degrees 54 minutes 10 seconds EAST a distance of 629.78 feet to the point of curvature of a curve concave to the northeast, with a radius of 708.58 feet, a chord bearing of SOUTH 56 degrees 50 minutes 59 seconds EAST and a chord length of 529.66 feet; thence southeasterly along said curve a distance of 542.84 feet to the intersection of said east right of way line with the extended west line of a parcel in the name of Randy Cassady, as recorded in Instrument Number 2011.01.295; thence coincident with said extended west line SOUTH 00 degrees 29 minutes 33 seconds EAST a distance of 339.66 feet to the southwest corner of said parcel; thence coincident with the south line of said parcel SOUTH 88 degrees 44 minutes 13 seconds EAST a distance of 636.40 feet to the southeast corner of said parcel; thence coincident with the east line of said parcel NORTH 19 degrees 06 minutes 52 seconds EAST a distance of 170.66 feet; thence continuing coincident with said east line and said east line extended NORTH 15 degrees 39 minutes 47 seconds EAST a distance of 110.42 feet; thence NORTH 87 degrees 07 minutes 38 seconds EAST a distance of 34.18 feet to the eastern right of way line of a former railroad; thence coincident with said eastern right of way line the following 5 courses:

- 1) NORTH 17 degrees 54 minutes 16 seconds EAST a distance of 290.59 feet;
- 2) NORTH 15 degrees 05 minutes 10 seconds EAST a distance of 809.47 feet;
- 3) NORTH 16 degrees 10 minutes 36 seconds EAST a distance of 755.63 feet;
- 4) NORTH 15 degrees 47 minutes 48 seconds EAST a distance of 666.83 feet;
- 5) NORTH 15 degrees 42 minutes 11 seconds EAST a distance of 147.84 feet;

thence NORTH 90 degrees 00 minutes 00 seconds EAST a distance of 43.04 feet to the eastern right of way line of South Rogers Street; thence coincident with said eastern right of way NORTH 10 degrees 00 minutes 01 seconds EAST a distance of 100.81 feet to the north line of a parcel in the name of David A Rose, Jacob Whitney and Joshua Seth Young Trust, and Jessica Lynn & Craig Allen Newsome Trust, with a tax identification number of 53-08-20-100-057.000-008; thence coincident with said north line NORTH 89 degrees 16 minutes 10 seconds EAST a distance of 171.90 feet to the eastern right of way line of the former Chicago, Indianapolis and Louisville Railroad; thence coincident with said eastern right of way line NORTH 07 degrees 54 minutes 50 seconds EAST a distance of 370.77 feet to the point of curvature of a curve concave to the east, with a radius of 5699.65 feet, a chord bearing of NORTH 11 degrees 18 minutes 30 seconds EAST and a chord length of 887.77 feet; thence northerly along said curve a distance of 888.67 feet; thence continuing coincident with said eastern right of way line NORTH 15 degrees 46 minutes 30 seconds EAST a distance of 444.12 feet to the point of beginning and containing 1742.98 acres, more or less.