

PUBLIC NOTICE TO PROPERTY OWNERS
WITHIN AND NEAR THE CITY OF BLOOMINGTON, INDIANA
South-West B Bloomington Annexation Area

On September 24, 2021, the City of Bloomington, Indiana, adopted Ordinance 17-10, which annexes into Bloomington approximately 1,742.98 acres of land generally located south-west of the City's current boundaries. A copy of the Ordinance, with its attachments, is also available for review at the Bloomington City Hall, 401 N. Morton Street, Bloomington, Indiana 47404, and is also available online at bloomington.in.gov/annex. The Ordinance (without attachments) is as follows:

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.

Any owners of real property within the area proposed to be annexed who want to remonstrate against the proposed annexation must complete and file remonstrance petitions in compliance with I.C. 36-4-3. A remonstrance petition may not be filed by an owner of real property that is subject to a valid waiver of remonstrance. Remonstrance petitions must be filed not later than ninety (90) days after the date that notice of the adoption of the annexation ordinance was published under I.C. 36-4-3-7. The last date that remonstrance petitions must be filed with the county auditor to be valid is January 6, 2022. A remonstrance petition may be signed at the following locations provided by the municipality:

Location	Dates	Time
Bloomington City Hall 401 N. Morton Street Bloomington, IN 47404	Weekdays (excluding holidays) October 7, 2021 to January 5, 2022	Regular Business Hours 8:00 a.m. – 5:00 p.m.
City of Bloomington Utilities Headquarters 600 E. Miller Drive Bloomington, IN 47401	Monday, October 18, 2021 to Friday, October 22, 2021	5:00 p.m. – 9:00 p.m.

Dated this 8th day of October, 2021.
City of Bloomington, Indiana
4206031

YOUR PROPERTY IS SCHEDULED TO BECOME **PART OF THE CITY** OF BLOOMINGTON IN JANUARY 2024.

YOU AND YOUR NEIGHBORS ARE ALREADY VALUED MEMBERS OF THIS COMMUNITY.

BY FORMALLY JOINING THE CITY, YOU'LL **STRENGTHEN THE COMMUNITY'S** LONG-TERM SUCCESS.

ANNEXATION WON'T CHANGE YOUR LOCAL INCOME TAX RATE, THE LOWEST OF ALL SEVEN NEIGHBORING COUNTIES.

WITH A CITY ADDRESS, **YOU'LL HAVE A FULL VOICE IN ISSUES** THAT AFFECT OUR COMMUNITY—VOTING IN CITY ELECTIONS AND PERHAPS SERVING ON A CITY BOARD OR COMMISSION.

ANNEXATION WON'T CHANGE YOUR LOCAL PROPERTY TAX RATE UNTIL 2025—WHEN THE CITY PROPERTY TAX RATE APPLIES—THE SECOND LOWEST OF INDIANA'S 20 LARGEST CITIES.

CITY RESIDENCY QUALIFIES YOU FOR **MANY BENEFITS AND PROGRAMS**—DETAILS ON THE REVERSE SIDE.

YOU CAN HELP SET THE DIRECTION FOR **OUR FUTURE** TOGETHER.

FIND MORE INFORMATION ABOUT THE BENEFITS OF YOUR CITY RESIDENCY AT BLOOMINGTON.IN.GOV

BLOOMINGTON
INDIANA
citybloomington
f i t y

AS A BLOOMINGTON RESIDENT, YOU'LL RECEIVE MANY BENEFITS:

- Weekly household **curbside trash** pickup, as low as **\$7 per month**
 - Weekly **free** household curbside **recycling** pickup
 - An **11% reduction** to your monthly **sewer bill**
 - **Lower prices** for city Parks and Recreation programs and rentals
 - Seasonal snow removal
 - Regular street sweeping and maintenance
 - More **law enforcement officers** to protect you and your property, from a **nationally accredited police department** among the **top 5% nationally**
 - Investments of up to **\$8 million** in new neighborhood **parks, trails, and playgrounds**
 - Access to many city programs:
 - **Neighborhood** improvement grants up to **\$20,000**
 - Low-interest loans up to **\$25,000** for **green home improvements** like insulation, energy-efficient appliances, solar panels, geothermal systems, and more
 - No-interest loans up to **\$38,500** for **home rehabilitation**
 - Grants up to **\$7,500** for emergency **home repairs**
 - Grants up to **\$9,500** to make your **home more accessible**
 - **First-time homebuyer** purchase assistance up to **\$50,000**
 - Residential **stormwater** grants up to **\$5,000** for flooding problems
 - Grants up to **\$2,000** to support **art projects** and programs
- ...and by the way, horses, llamas, goats, and more **are welcome to remain** on your property

**FIND MORE INFORMATION ABOUT THE
BENEFITS OF YOUR CITY RESIDENCY
AT BLOOMINGTON.IN.GOV**



BLOOMINGTON