Passed: 7-1 (PS)

ORDINANCE 98-25

TO VACATE A PUBLIC PARCEL
Re: Sanitary Sewer Easement in Whitehall Crossing Shopping Center
Located at 3000 West Third Street
(Whitehall Crossing, LLC, Petitioner)

WHEREAS, the petitioner, Whitehall Crossing, LLC, has filed a petition to vacate a recorded sanitary sewer easement, which is more particularly described below; and

WHEREAS, the petitioner has installed sanitary sewers and has established new easements in another location; and

WHEREAS, I.C. 36-7-3-16 authorizes the Common Council to vacate platted easements in the same manner as it vacates public ways and places; and

WHEREAS, the Common Council follows the procedure set forth in I.C. 36-7-3-12 to vacate public ways and places, and that procedure commences upon petition with the Common Council by persons who own or are interested in lots contiguous to those public ways and places;

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

SECTION I. Through the authority of I.C. 36-7-3-12 and I.C. 36-7-3-16, a sanitary sewer easement shall be vacated. The property, commonly known as a part of a recorded sanitary sewer easement in the Whitehall Crossing Shopping Center located at 3000 West Third Street, is more particularly described as follows:

> A 25-foot permanent easement for sanitary sewer by parallel lines, 12.5 foot either side of the following described line:
>
> Commencing at the Southwest corner of the Northwest quarter of Section 31, Township 9 North, Range 1 West, Monroe County, Indiana; running North along the West line of said Section 574.19 to the southern right-of-way line of the Louisville and Nashville Railroad; Thence easterly along said right-of-way 309.51 feet to the point of beginning of this description: Thence running South parallel with the West line of said Section 1124.0 feet; thence S. 20° 38' 40" W. 304.63 feet; Thence S. 3° 36' 20" E. 336.53 feet to the West right-of-way line of State Road 37 West By-pass of the City of Bloomington, Indiana.

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 1ST day of July, 1998.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 2nd day of July, 1998.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 2 day of July, 1998.

J R Fernandez
JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

The petitioner, Whitehall Crossing, LLC, requests vacation of the public parcel commonly known as a sanitary sewer easement in the Whitehall Crossing Shopping Center located at 3000 West Third Street.

Signed copies to:
Planning Dept
Public Works
Petitioner

MC Recorder
Assessor
Auditor
Treasurer