

ORDINANCE 93-42

TO VACATE A PUBLIC PARCEL

Re: The Portion of S. Clifton Between Hunter and E. 2nd Street
(Robert J. Millican, Petitioner)

WHEREAS, I.C. 36-7-3-12 authorizes the Common Council to vacate public ways and places upon petition of persons who own or are interested in lots contiguous to those public ways and places; and

WHEREAS, the petitioner, Robert J. Millican, has filed a petition to vacate a parcel of City property more particularly described below;

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, a portion of City owned property shall be vacated. The property is more particularly described as follows:

The platted and unimproved, 500 block of South Clifton between Hunter and East Second Street bordered by lots 23, 24, 27, and 28 in the Kirkwood Heights Addition.

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 _____ day of _____, 1993.

JACK W. HOPKINS, 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 _____ day of _____, 1993.

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 1993.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

The petitioner, Robert J. Millican, requests vacation of right-of-way for the five hundred block of South Clifton.

PETITION FOR VACATION OF PUBLIC RIGHT-OF-WAY

CITY OF BLOOMINGTON
COMMON COUNCIL

FILE # _____
1st READING SEPT 1
COMMITTEE SEPT 8
FINAL HEARING SEPT 15

Office of the Common Council
P.O. Box 100, Municipal Building
Bloomington, IN. 47402
(812) 331-6409, ext. 12, 13

Address of Property Unimproved Clifton running N+S in Kirkwood Hts.
Add. between Hunter + East Second ST.

Applicant's Name ROBERT J. MILLER

Address 1935 E. SECOND Phone 333-2198
333-0550

Counsel or Consultant _____

Address _____ Phone _____

This application must be accompanied by all required submittals as stated in the information packet for vacation of public right-of-way. Staff reserves the right to schedule hearing dates for petitions subject to complete submittals. Notices to adjacent property owners should not be mailed until hearing dates have been confirmed.

I (we) agree that the applicant will notify all adjacent property owners by certified mail at the applicant's expense.

I (we) further agree that the applicant will cause a legal notice of this application to be published in a paper having general circulation in Bloomington at the applicant's expense.

I (we) certify that all foregoing information is correct and that I (we) are the owners (legal agents for owners) of property adjacent to the proposed vacation of public right-of-way which is the subject of this application.

Signature: Robert J. Miller

December 7, 1992

To: Bloomington City Planning Staff
or to whom it may concern,

Please vacate the north and south unimproved strip of Clifton between Hunter and East Second Street.

1. Safety would be enhanced to all owners by vacating. The strip of Clifton is not necessary to the flow of traffic.
2. The opening and use of this section of Clifton would result in the decrease in the value of all of the surrounding property because of the close proximity of Clifton to improvements.
3. The liability would be shifted from the city to the abutting owners.
4. This strip has been maintained for many years by the abutting owners without the assistance of the city.
5. The loss of trees would distract from the enormous aesthetic appeal of the neighborhood.

Thank you for your prompt attention:

Respectfully,

Robert J. Millican
Robert J. Millican

2. Legal Description: Unimproved Clifton running north and south in Kirkwood Heights Addition between Hunter And East Second Street.

3. List of owners abutting the proposed vacation:

Mr. & Mrs. Sam Benavole
2016 Hunter 336-5907

Mr. & Mrs. Brian Werth
500 South Clifton Ave. 339-9800

Mr. & Mrs. Robert Millican
1935 East Second Street 333-2198

Miss Alma Eikerman
2007 East Second Street 332-1094

Mrs. Wilma R. Etnier
510 Clifton 336-5706

WITHDRAWN

