

1st: 12/20/89
Comm: 1/2 7-1
Final: 1/17 7-1/BS

ORDINANCE 90-4

TO VACATE A PUBLIC PARCEL
RE: ALLEY BEHIND 1017-1019-1023 NORTH JACKSON STREET
(BLOOMINGTON VENDORS, INC., 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, Bloomington Vendors, Inc., 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:

Starting at the South West corner of Lot 22 of Dolan Addition and running thence South 6 feet, thence West 6 feet, thence North 123.32 feet, thence East 6 feet, thence South 117.32 feet to the point of beginning.

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 17 day of January, 1990.

Just Kiesling
President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 17 day of January, 1990.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 17 day of January, 1990.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

The petitioner, Bloomington Vendors, Inc., requests vacation of the alley directly behind 1017-1019-1023 North Jackson Street.

Relatives
Planning
Co. Assessor
Co. Auditor
Engineering
Co. Recorder

BLGTN. VENDORS-DUNN
COMMON COUNCIL

THE HERALD-TIMES
BLOOMINGTON, INDIANA

PROOF OF PUBLICATION

State of Indiana)
County of Monroe.....) ss

Leah Leahy or Sue May being duly sworn on oath, says that she is billing clerk of The Herald-Times, a public newspaper of general circulation, printed in the town of Bloomington in said county and state; that the notice, of which the annexed is a true copy, was published in regular edition of said paper, issued upon the following dates, to wit:

1989:
12/10

Sue May

Subscribed and sworn to before me on 12/10 /89.

John D. Hodge

Notary Public or Clerk

JOHN D. HODGE
NOTARY PUBLIC STATE OF INDIANA
MONROE COUNTY
MY COMMISSION EXP. JAN. 10, 1992

My commission expires _____

Publication Fee \$10.50

PETITION FOR VACATION OF PUBLIC RIGHT-OF-WAY

CITY OF BLOOMINGTON
COMMON COUNCIL

FILE # _____
1st READING _____
COMMITTEE _____
FINAL HEARING _____

Office of the Common Council
P.O. Box 100, Municipal Building
Bloomington, Indiana 47402
(812) 339-2261, ext. 12, 13

Address of Property C'Alley behind 1017-1019-1023 N. Jackson Street

Applicant's Name Bloomington Vendors, Inc.

Address P.O. Box 108 Phone 339-4221

Counsel or Consultant _____

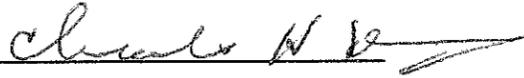
Address _____ Phone _____

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 Bloomington Vendors, Inc. by 
Charles H. Dunn, Jr., Sec.

City of
Bloomington
Indiana



Planning
Department

Post Office Box 100
Municipal Building
Bloomington, Indiana 47402
Telephone 812 339 2261
Extensions 65/69

December 11, 1989

Report to City Council

Re: Alley Vacation
6' Alley Adjacent to Lots 22 and 24, Dolan Addition

Pete Dunn is requesting that the 6-ft. by 120-ft. alley adjacent on the west side of lots 22 and 24, in Dolan Addition (16th and Jackson Streets area) be vacated. He is the owner of the property on both sides of the alley.

The criteria for ROW vacations are as follows:

Current Status -- Access to Property: The alley in question is not open and does not provide vehicular or pedestrian access to other properties. It does not contain any utilities or drainage.

Future Status: The alley in question is not necessary for public access to the area. Future changes in land use will not require use of this alley.

Proposed Private Ownership Utilization: The petitioner proposes to redevelop this area. He is the owner of a relatively large area surrounding this alley. His proposal which is pending before the Plan Commission would change the current zoning from RS (single residential) to RH (high-density multi-family). While the vacation of the alley will contribute to City growth, the format of the development proposal will not be supported by the Planning Department staff. The petitioner proposes to construct one or two-bedroom duplexes marketed toward the elderly. Staff has no objection to this type of development; however, staff view is that RH zoning is not the appropriate method to achieve this end. We have no objection per se to the vacation of this alley but are at odds with the petitioner on how this property will be developed.

Compliance with Regulations: The vacation will not create any non-compliance with applicable regulations, nor will it hinder future compliance with development standards.

Relation to Plans: This vacation is not adverse in its relationships with the Master Plan, Thoroughfare Plan, or other applicable plans. The Master Plan shows this area as single residential all the way north to 17th Street. However, the 17th Street frontage has developed commercially and the immediate area has a mix of single and multi-family developments south of the 17th Street businesses.

All relevant public and private utilities and agencies have been contacted and responded favorably to this request. These include Public Works, Utilities, Police and Fire Departments, PSI, Indiana Gas, Indiana Bell, and Cable TV.

Staff has no objection to the vacation of this alley. However, we would note that the format proposed for redevelopment of the site is not supported by the Planning staff.

November 29, 1989

Bloomington Vendors, Inc.
P.O. Box 108
Bloomington, Indiana 47402

Planning Department
P.O. Box 100
Bloomington, Indiana 47402

Dear Sir,

I request the 6 foot alley to the West of Lot 22 and Lot 24 in Dolan Addition be vacated.

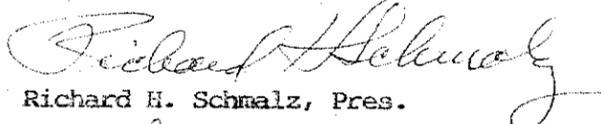
The 6 foot alley lies between land that we own on the East and West and North. We plan on building over this 6 foot.

There are no utilities on this alley.

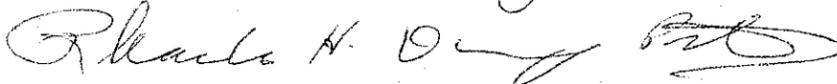
Legal Description:

Starting at the South West corner of Lot 22 of Dolan Addition and running thence South 6 feet, thence West 6 feet, thence North 123.32 feet, thence East 6 feet, thence South 117.32 feet to the point of beginning.

Bloomington Vendors, Inc.

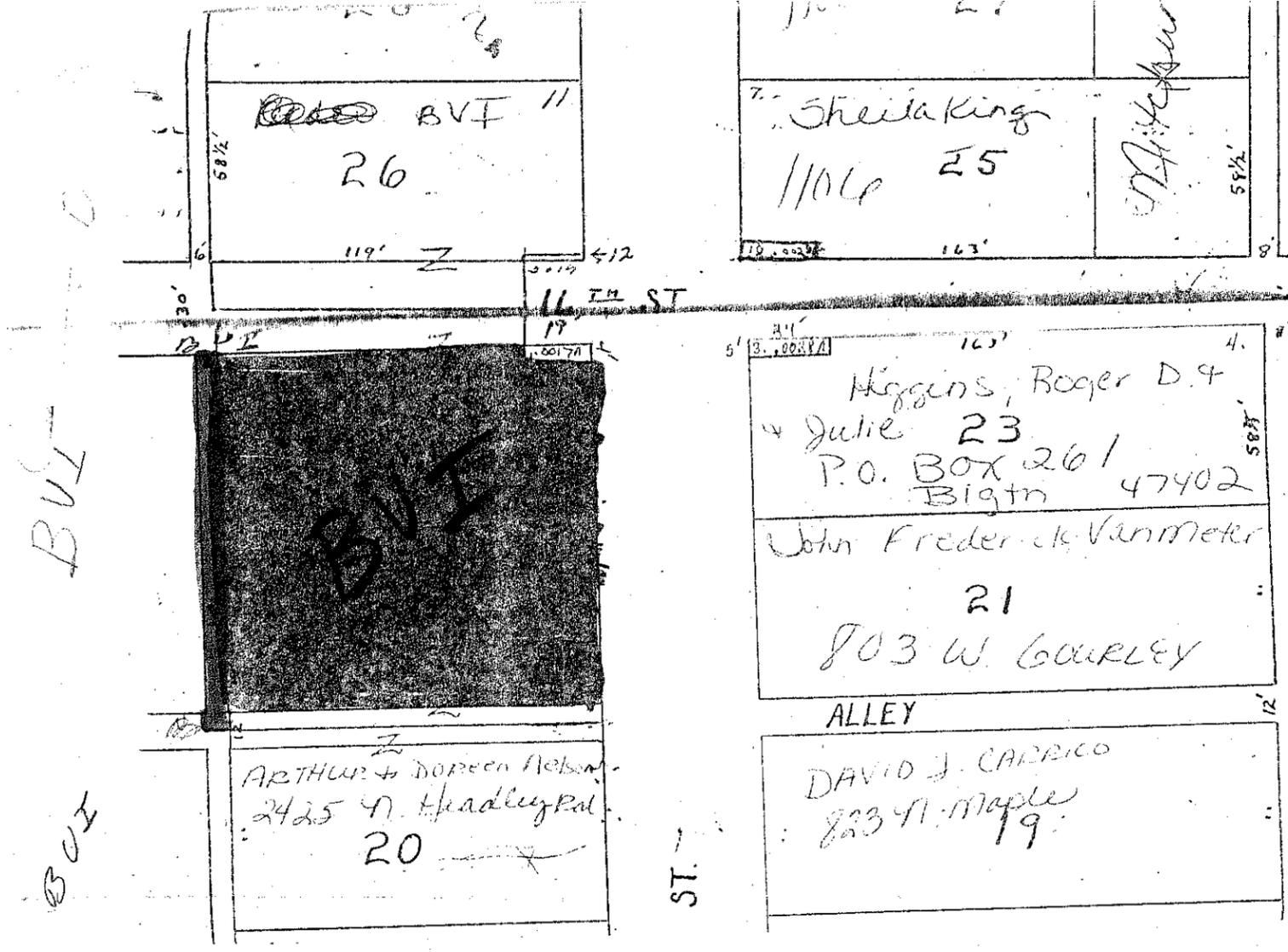


Richard H. Schmalz, Pres.



Charles H. (Pete) Dunn, Jr.

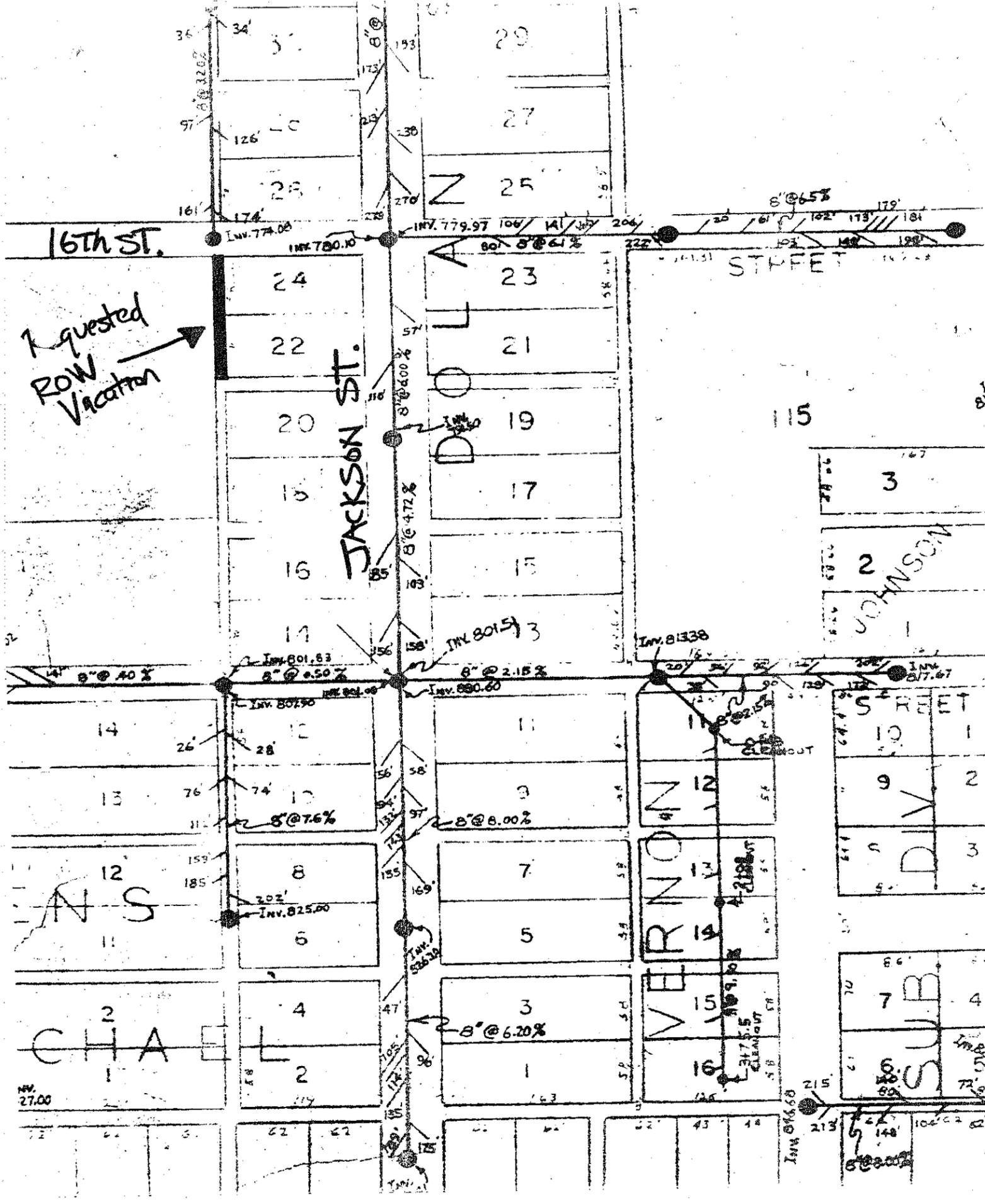
RHS/CPD/sch



green area is alley that we are requesting vacation of

only one party needs notification, as we own all other adjacent property

1. Arthur & Doreen Nelson
2425 N. Headley Rd
Bloomington, IN
47401



Requested
ROW
Vacation

JACKSON ST.

CHA

VERNO

JOHNSON

STREET

STREET

STREET

STREET

16th ST.

STREET

14

13

12

11

2

1

24

22

20

18

16

14

12

10

8

6

4

2

23

21

19

17

15

13

11

9

7

5

3

1

115

3

2

1

10

9

8

7

6

5

4

3

2

1

INV. 27.00

INV. 801.83

INV. 801.90

INV. 825.00

INV. 779.97

INV. 801.53

INV. 800.60

INV. 835.10

INV. 81338

INV. 817.67

INV. 816.60

INV. 780.10

INV. 779.97

