ORDINANCE 81-92

To Vacate Public Right-of-Way of West Ninth Street Located at 501 N. Rogers

WHEREAS, IC 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, Transport Motor Express, has filed a petition to vacate the public right-of-way of West Ninth Street located at 501 N. Rogers; and

WHEREAS, IC 36-7-4-512 requires the Plan Commission to make a recommendation on the proposed vacation and to forward it to the Common Council; and

WHEREAS, the Plan Commission has considered this petition and made a favorable recommendation on its adoption;

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 IC 36-7-3-12, the public right-of-way shall be vacated that is located on West Ninth Street at 501 N. Rogers, more particularly described as follows:

That part of the platted right-of-way for West Ninth Street between N. Jackson and N. Rogers Streets. Said right-of-way being between Outlots #41 and #42 in Grahams Reserve, City of Bloomington, Indiana, and being 33' x 299'.

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and published according to law.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 21st day of October, 1981.

Alfred I. Towell, President
Bloomington Common Council

ATTEST:

Nora M. Connors, City Clerk

PRESENTED by me to the Mayor upon this 23rd day of October, 1981.

Nora M. Connors, City Clerk

SIGNED and APPROVED by me upon this 26th day of October, 1981.

Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance authorizes the public right-of-way of West Ninth Street located at 501 N. Rogers between Jackson and Rogers Streets to be vacated. The petitioner, Transport Motor Express, proposes to sell the property to Beasley Produce Co., Inc, for a wholesale produce operation.

FISCAL IMPACT STATEMENT

Appropriation Ordinance # _____ Ordinance # 81-92 Resolution # _____

Type of Legislation:

Appropriation	_____	End of Program	_____	Penal Ordinance	_____
Budget Transfer	_____	New Program	_____	Grant Approval	_____
Salary Change	_____	Bonding	_____	Administrative Change	_____
Zoning Change	_____	Investments	_____	Short-Term Borrowing	_____
New Fees	_____	Annexation	_____	Other Vacation of public right-of-way	

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____ Emergency _____

Unforeseen Need _____ Other _____

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	$	$
Revenue to Date		
Revenue Expected for Rest of Year		
Appropriations to Date		
Unappropriated Balance		
Effect of Proposed Legislation (+/-)		
Projected Balance	$	$

Signature of Controller _____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes _____ No X

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

This vacation of the West Ninth Street right-of-way will incure no significant fiscal impact on the City. The property is already served by all City services. The vacation will facilitate private sector rehabilitation of the property. The City will maintain permanent Utility easements across the property.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary)

Agency submitting legislation Planning Department

By Tim Mueller Date 9/14/81