(passed 8-0) Sutterfield & Ed not participate

ORDINANCE 08-12

TO VACATE A PUBLIC PARCEL
Re: Four Right-of-Ways on the Property Known as Fairview School
Located at 627 West 8th Street
(Monroe County School Corporation, 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, Monroe County Community School Corporation (MCCSC), has filed a petition to vacate a parcel of City property more particularly described below; and

WHEREAS, pursuant to I.C. 36-7-3-16, the following Utilities have submitted written communications to the City indicating that they are not occupying or using any part of these public ways and have no objection to the vacation: City of Bloomington Digital Underground, AT&T, Duke Energy, and Vectren;

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, four City right-of-ways located on the property known as Fairview School at 627 West 8th Street shall be vacated. These right-of-ways include: a 40-foot wide portion of Fairview Street; a 12-foot wide east/west alley running through the entire block; a 12-foot wide alley running north/south across the west side of the block and a portion of a 12-foot alley running north/south across the east side of the block. These right-of-ways are depicted in the map attached to this ordinance and are more particularly described as follows:

Alley #1

A North-South alley located between Lots 3 and 5 and lots 4 and 6, including the East-West alley between Lots 3, 4, 5, and 6 in Fairview Addition and being described as follows;
Beginning at the Southwest corner of Lot 3: thence N00°05'34"W along the West line of said Lot 3, across an East-West alley and along the West line of Lot 4 a distance of 274.23 feet to the Northwest corner of Lot 4 and the South Right-of-Way of 8th Street; thence along said South Right-of-Way S89°20'38"W 12.00 feet to the Northeast corner of Lot 6; thence S00°05'34"E along the East line of Lot 6, across an East-West alley and along the East line of Lot 5 a distance of 274.19 feet to the Southeast corner of Lot 5 and the North Right-of-Way of 7th Street; thence along said Right-of-Way N89°34'17"E 12.00 feet to the point of beginning.

Alley #2

An East-West alley located between Lots 1 through 10 in Fairview Addition and between Lots 282, 283, 286, and 287 of the IN-Lots to the City of Bloomington and also including a portion of Jackson Street and being described as follows;

Beginning at the Southwest corner of Lot 10 in Fairview Addition; thence N89°27'26"E along the South line of Lots 10, 8, 6, 4, and 2 in Fairview Addition, crossing Jackson Street and along the South line of Lots 283 and 286 of the IN-Lots, a distance of 645.22 feet to the Southeast corner of Lot 286 and the West Right-of-Way of Rogers Street; thence along said West Right-of-Way S00°21'40"W 12.00 feet to the Northeast corner of Lot 287; thence S89°27'26"W 645.08 feet along the North line of Lots 287 and 282 of the IN-Lots, crossing Jackson Street and along the North line of Lots 1, 3, 5, 7, and 9 in Fairview Addition to the Northwest corner of Lot 9 and the East Right-of-Way of Fairview Street; thence along said Right-of-Way N00°19'03"W 12.00 feet to the point of beginning.

Alley #3

A North South alley between Lots 281, 282, 283, 286, 287 and 288 of the IN-Lots and described as follows;

Beginning at the Southwest corner of Lot 288; thence N00°12'25"E along the West line of Lots 288, 287 and 286 a distance of 210.15 feet to the Northwest corner of Lot 286; thence S89°38'27"W a distance of 12.00 feet to the Northeast corner of Lot 283; thence S00°12'25"W along the East line of Lots 283, 282 and 281 a distance of 210.16 feet to the Southeast corner of Lot 281 and the North Right-of-Way of 7th Street; thence along said Right-of-Way N89°34'17"E 12.00 feet to the point of beginning.

Jackson Street

Jackson Street located between Lots 1 and 2 of Fairview Addition and Lots 281, 282, 283 and 284 of the IN-Lots and described as follows;

Beginning at the Southwest corner of Lot 281 of the IN-Lots; thence N00°03'07"E along the West line of Lots 281, 282, 283 and 284 a distance of 274.89 feet to the Northwest corner of Lot 284 and the South Right-of-Way of 8th Street; thence along said Right-of-Way S89°20'38"W 40.00 feet to the Northeast corner of Lot 2 in Fairview Addition; thence S00°03'07"W along the East line of Lot 2 and Lot 1 a distance of 274.73 feet to the Southeast corner of Lot 1 in Fairview Addition and the North Right-of-Way of 7th Street, thence along said Right-of-Way N89°34'17"E 40.00 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 19th day of NOVEMBER, 2008.

SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20th day of NOVEMBER, 2008.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 22nd day of NOVEMBER, 2008.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

The petitioner, Monroe County Community School Corporation, requests vacation of four right-of-ways located on property commonly known as Fairview School at 627 W. 8th Street in order to build a new elementary school.

Signed copies to:
legal(o)
controller
GIS
engineering
webmistress
CA/CA (3)
petitioner
MC assessor
auditor
recorder
clerk/deputy