Passed: 9-0

ORDINANCE 00-23

TO VACATE A PUBLIC PARCEL
Re: Portions of Recorded Sewer and Electric Easements
on Lot 3 of the Whitehall Crossing Shopping Center
Located at 280 North Jacob Drive
(Whitehall Crossing, LLC, Petitioner)

WHEREAS, the petitioner, Whitehall Crossing, LLC, has filed a petition to vacate a portion of a recorded sewer easement and electric easement more particularly described below; 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 portion of City owned property shall be vacated. The property is commonly known as portions of a recorded sewer and electric easement on Lot 3 of the Whitehall Crossing Shopping Center located at 280 North Jacob Drive and is more particularly described as follows:

Sanitary Sewer Easement to Be Vacated

Part of the West half of Section 31, Township 9 North, Range 1 West, Monroe County, Indiana, more specifically described as follows:

Commencing at the Southwest corner of said Section 31; Thence North 00 degrees 33 minutes 07 seconds West 901.14 feet to a point on the westerly right-of-way line of State Highway 37; Thence Northerly and Easterly along said right-of-way line the following four (4) courses: 1) North 15 degrees 21 minutes 32 seconds East 107.36 feet; 2) South 89 degrees 45 minutes 56 seconds East 64.78 feet to a non-tangent curve concave Southeasterly with a radius of 2984.79 feet and a chord bearing North 15 degrees 49 minutes 05 seconds East for a distance of 212.38 feet; 3) Northeasterly along said curve 212.43 feet; 4) North 12 degrees 43 minutes 56 seconds East 237.26 feet to the Point of Beginning;

Thence North 72 degrees 53 minutes 07 seconds West 170.44 feet; Thence South 89 degrees 39 minutes 20 seconds West 12.00 feet; Thence North 00 degrees 05 minutes 06 seconds West 15.00 feet; Thence North 89 degrees 39 minutes 20 seconds East 14.24 feet; Thence South 72 degrees 53 minutes 07 seconds East 171.59 feet; Thence South 12 degrees 43 minutes 56 seconds West 15.04 feet to the point of beginning, containing within said bounds 2762 Square Feet (0.06 ACRES) be the same more or less.

Electric Easement to Be Vacated

Part of the West half of Section 31, Township 9 North, Range 1 West, Monroe County, Indiana, more specifically described as follows:

Commencing at the Southwest corner of said Section 31; Thence North 00 degrees 33 minutes 07 seconds West 901.14 feet to a point on the westerly right-of-way line of State Highway 37; Thence Northerly and Easterly along said right-of-way line the following four (4) courses: 1) North 15 degrees 21 minutes 32 seconds East 107.36 feet; 2) South 89 degrees 45 minutes 56 seconds East 64.78 feet to a non-tangent curve concave Southeasterly with a radius of 2984.79 feet and a chord bearing North 15 degrees 49 minutes 05 seconds East for a distance of 212.38 feet; 3)

Northeasterly along said curve 212.43 feet; 4) North 12 degrees 43 minutes 56 seconds East 252.30 feet; thence North 72 degrees 53 minutes 07 seconds West 24.05 feet to the Point of Beginning;

Thence continuing North 72 degrees 53 minutes 07 seconds West 147.54 feet; Thence South 89 degrees 39 minutes 20 seconds West 14.24 feet; Thence North 00 degrees 05 minutes 06 seconds West 15.00 feet; Thence North 89 degrees 39 minutes 20 seconds East 16.47 feet; Thence South 72 degrees 53 minutes 07 seconds East 134.54 feet; Thence North 15 degrees 59 minutes 39 seconds East 61.91 feet; Thence South 55 degrees 02 minutes 47 seconds East 15.86 feet; Thence South 15 degrees 59 minutes 39 seconds West 72.05 feet to the point of beginning, containing within said bounds **3351 Square Feet (0.08 ACRES)** be the same more or less.

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 17th day of May, 2000.

TIMOTHY MAYER, 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 18th day of May, 2000.

REGINA MOORE, Clerk

SIGNED and APPROVED by me upon this 18th day of May, 2000.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

The petitioner, Whitehall Crossing, LLC, requests vacation of the public parcels commonly known as portions of recorded sewer and electric easements found on Lot 3 of the Whitehall Crossing Shopping Center which is located at 280 North Jacob Drive.

Signed Copies to:
Petitioner
Legal
Utilities
Controller
PW