COM: D.P. 9-0
FINAL: 12/20 9-0

RESOLUTION 89-36

A RESOLUTION EXPRESSING INTENT TO PURCHASE LAND NECESSARY TO WIDEN ROGERS STREET BETWEEN THIRD AND FIFTH STREETS

WHEREAS, a key project for street improvements is the widening of Rogers Street between Third and Fifth Streets to provide a smooth jog for east-west traffic going through downtown; and

WHEREAS, this requires the purchase of certain properties in order to widen Rogers Street to four lanes and to provide the proper turning radii; and

WHEREAS, the Board of Public Works after holding a public hearing on May 9, 1989, on the matter has determined that the acquisition of the property at 420 W. Third Street is required for this project and subsequently authorized two (2) independent appraisals on this property in accordance with Indiana Code 36-1-10.5-5(b); and

WHEREAS, upon receipt and review of the appraisals, the Board of Public Works approved a motion to purchase the property for the average of the two (2) appraisals in accordance with Indiana Code 36-1-10.5-6, contingent upon the Common Council's passage of a resolution of intent to purchase and appropriate funds;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

(1) The acquisition of the property located at 420 W. Third Street is in the public interest and is needed for the public purpose of widening Rogers Street and its turning radii.

(2) The Board of Public Works is hereby authorized to make an offer to purchase on behalf of the City of Bloomington, said offer not to exceed the average of the two (2) independent appraisals the Board received.

(3) In the event that the Board's offer is rejected, the Board of Public Works is authorized to obtain the property through eminent domain proceedings in accordance with Indiana Code 32-11-1-1.

(4) In the event the City or a not-for-profit corporation issues bonds for the widening of Rogers Street, the cost of acquisition and purchase of 420 W. Third Street may be reimbursed out of bond proceeds.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 20th day of December, 1989.

James C. Regester
JAMES C. REGESTER, President
Bloomington Common Council

SIGNED and APPROVED by me upon this 21st day of December, 1989.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, City Clerk

SYNOPSIS

This resolution expresses authorizes the Board of Public Works to make an offer to purchase the property located at 420 W. Third Street and to acquire it by offer or eminent domain. The acquisition is a necessary step in the Rogers Street improvements between Third and Fifth Streets.

Signed copies:
BPW
Legal
Controller