

1ST: 3/21  
COMM: 3/28 D.P. 8-0-1  
FINAL: 9/4 9-0

ORDINANCE 90-14

TO VACATE A PUBLIC PARCEL  
RE: ALLEY BETWEEN 403-409 S. MADISON, AND 400 S. MORTON STREET  
(CFC, 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, CFC, 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:

A 12.00 foot platted alley in Howe Addition being between Lots Number 2 and 3 and running from the South right-of-way of Smith Avenue South for 62.95 feet, said point being the South line of the North half of Lots Number 2 and 3 in said addition.

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 4 day of April, 1990.

*Irish Kiesling*  
IRIS 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 5 day of April, 1990.

*Patricia Williams*  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 5<sup>th</sup> day of April, 1990.

*Tomilea Allison*  
TOMILEA ALLISON, Mayor  
City of Bloomington

SYNOPSIS

The petitioner, CFC, Inc., requests vacation of the alley between 403-409 S. Madison Street and 400 S. Morton Street.

Signed copies to:  
Petitioner  
Planning  
Certified to Records  
Assessor  
Auditor

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, IN 47402  
(812) 339-2261, ext. 12, 13

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Address of Property 403 & 409 S. Madison & 400 S. Morton, Bloomington, IN

Applicant's Name CFC Incorporated

Address 405 N. Rogers St., Bloomington, IN Phone 332-0053

Counsel or Consultant Theodore J. Ferguson, FERGUSON FERGUSON & LLOYD

Address 403 E. Sixth St., Bloomington, IN Phone 332-2113  
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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.

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Signature \_\_\_\_\_

CFC hereby requests a waiver of the second hearing.

RECEIVED

FEB 16 1990

THE PLANNING DEPARTMENT

CFC APTS.  
403-409 S. MAD

HERALD-TIMES  
BLOOMINGTON, INDIANA

PROOF OF PUBLICATION

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

Leah Leahy being duly sworn on oath, says that she is billing clerk of 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:

1990:  
03/25

Leah Leahy

Subscribed and sworn to before me on 03/25 .

John D. Hodge

Notary Public or Clerk  
JOHN D. HODGE

NOTARY PUBLIC STATE OF INDIANA  
MONROE COUNTY

My commission expires MY COMMISSION EXP JAN. 10, 1992

Publication Fee \$10.00