

ORDINANCE 93-51

TO VACATE A PUBLIC PARCEL
Re: Two Parcels Located at 400 W. Seventh Street
(Eighth Street Development 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, Eighth Street Development Corporation, 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 including two parcels. The two parcels are located at 400 W. Seventh Street and are more particularly described as follows:

An encroachment onto Seventh Street:

Being a part of the 7th Street right-of-way to the City of Bloomington, Indiana, as found in Plat Book A, Page 5 in the office of the Recorder of Monroe County, Indiana.

COMMENCING at the southwest corner of Inlot 296 to said City; thence NORTH 89 degrees 49 minutes 51 seconds East 71.50 feet along the north right-of-way of 7th Street to the Point of Beginning; thence leaving said right-of-way SOUTH 00 degrees 10 minutes 09 seconds East 3.04 feet; thence SOUTH 89 degrees 33 minutes 08 seconds East 136.50 feet; thence NORTH 00 degrees 10 minutes 09 seconds West 4.51 feet to the north right-of-way of 7th Street; thence along said right-of-way SOUTH 89 degrees 49 minutes 51 seconds West 136.50 feet to the Point of Beginning, containing .012 acres, more or less.

And, an encroachment onto a platted alley running north/south between Seventh and Eighth Streets:

Being a part of a public alley in the City of Bloomington, Indiana, as found in Plat Book A, Page 5, in the office of the Recorder of Monroe County, Indiana.

COMMENCING at the northwest corner of Inlot 293 to said City; thence SOUTH 00 degrees 21 minutes 09 seconds West 2.00 feet to the Point of Beginning; thence SOUTH 00 degrees 21 minutes 09 seconds West 74.74 feet; thence NORTH 01 degrees 33 minutes 00 seconds West 74.75 feet; thence NORTH 89 degrees 32 minutes 41 seconds West 1.56 feet to the Point of Beginning, containing .001 acres, 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 17 day of NOVEMBER, 1993.



JACK W. HOPKINS, President
Bloomington Common Council

ATTEST:

M. A. Shay, DEPUTY
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 18th day of November, 1993.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 18th day of November, 1993.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

The petitioner, Eighth Street Development Corporation, requests vacation of public parcels located a 400 W. Seventh Street including a portion of Seventh Street between Morton and Rogers, and a portion of a platted alley running north\south between Seventh and Eighth streets.

Signal copies to:
Petitioner
Recorder
Assessor
Planning

HARRELL, COYNE EMERY

ATTORNEYS AT LAW - A PROFESSIONAL CORPORATION
GRAHAM PLAZA SUITE 400
205 NORTH COLLEGE, P. O. BOX 5667
BLOOMINGTON, INDIANA 47407-5667
812/332-4200 FACSIMILE 812/333-9528

HAROLD A. HARRELL
LYNN H. COYNE
STEVEN K. EMERY
LANCE W. WONDERLIN
JEFFREY A. SAUNDERS

October 15, 1993

City of Bloomington
P.O. Box 100
Bloomington, IN 47401

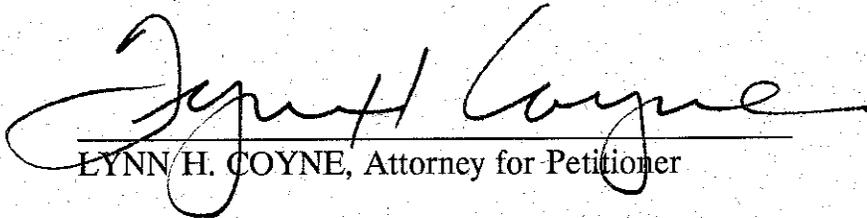
Re: BLOOMINGTON COMMON COUNCIL - NOTICE OF PUBLIC HEARING

Dear Adjacent Owner:

The Bloomington Common Council will hold public hearings at 7:30 p.m. on Wednesday, October 27, 1993 and Wednesday November 3, 1993, in the Council Chambers of the Bloomington Municipal Building at 220 East Third Street, concerning the petition of Eighth Street Development Corp. for the purpose of considering a public right-of-way vacation request for the areas where the building located at 400 W. 7th Street (Johnson Creamery Building) encroaches into 7th Street and into the West alley, and to which you are an adjacent property owner.

Under provisions of Indiana law, you may appear and speak on the merits of this proposal at the public hearings at the times and dates as set out herein. If you have any questions concerning this matter, you may telephone the City Council Office at 331-6409, ext. 13 or 14, or you may contact the undersigned at 332-4200.

BLOOMINGTON COMMON COUNCIL



LYNN H. COYNE, Attorney for Petitioner

HARRELL, COYNE EMERY

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GRAHAM PLAZA SUITE 400
205 NORTH COLLEGE, P. O. BOX 5667
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HAROLD A. HARRELL
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LANCE W. WONDERLIN
JEFFREY A. SAUNDERS

October 11, 1993

BY HAND DELIVERY

Office of the Common Council
City of Bloomington
P.O. Box 100
Municipal Building
Bloomington, IN 47402

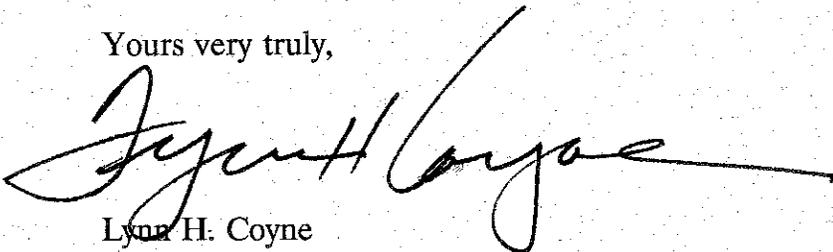
Re: Johnson Creamery - 7th Street, Bloomington, Indiana

Dear Council Members:

On behalf of Eighth Street Development Corporation, I am respectfully requesting a vacation of the area where the existing building encroaches into 7th Street and the west alley, in accordance with the information already submitted to the Planning Department. Please be advised that we are not requesting a vacation of the entire right of way for either location.

Thank you very much for your time and attention to this matter.

Yours very truly,

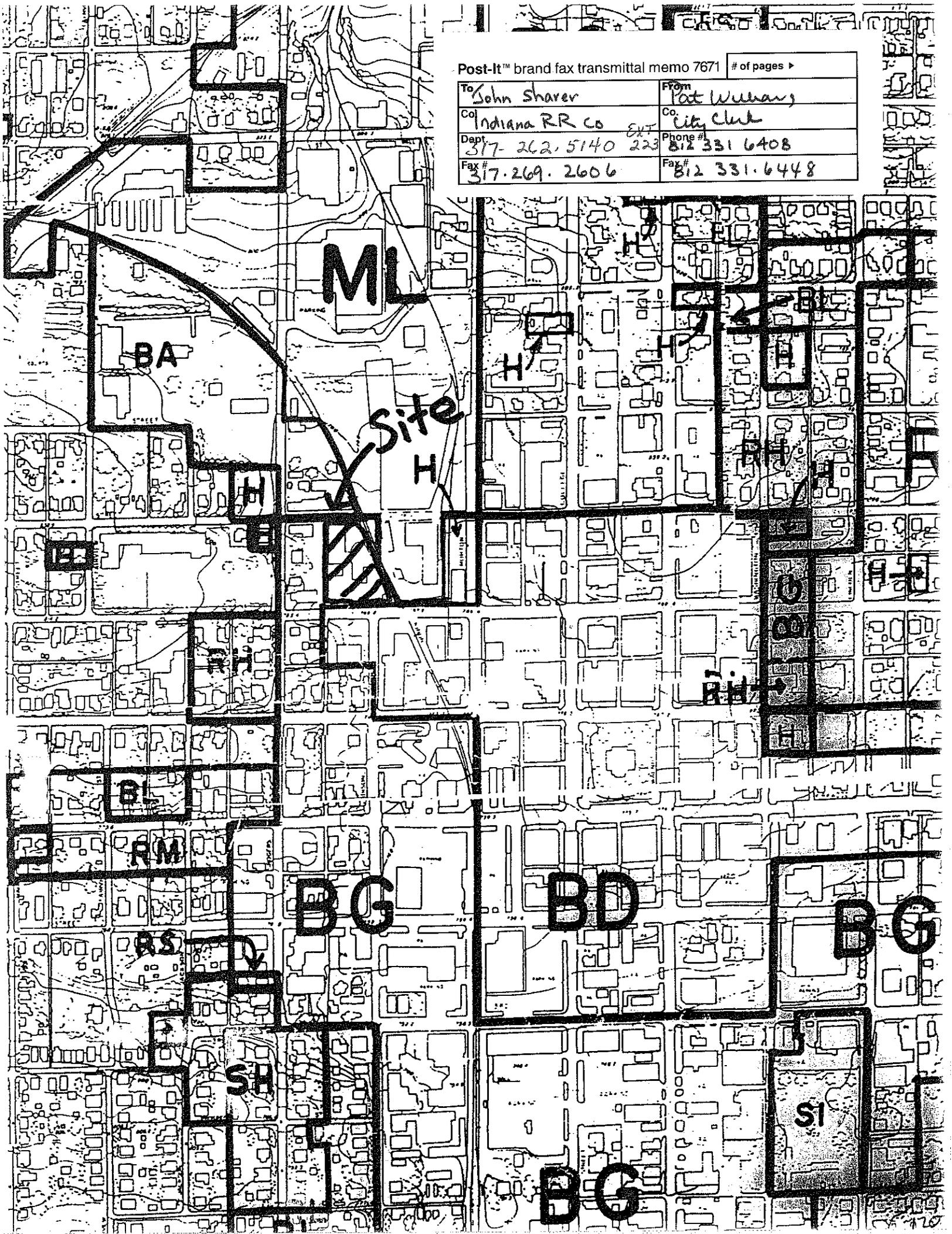


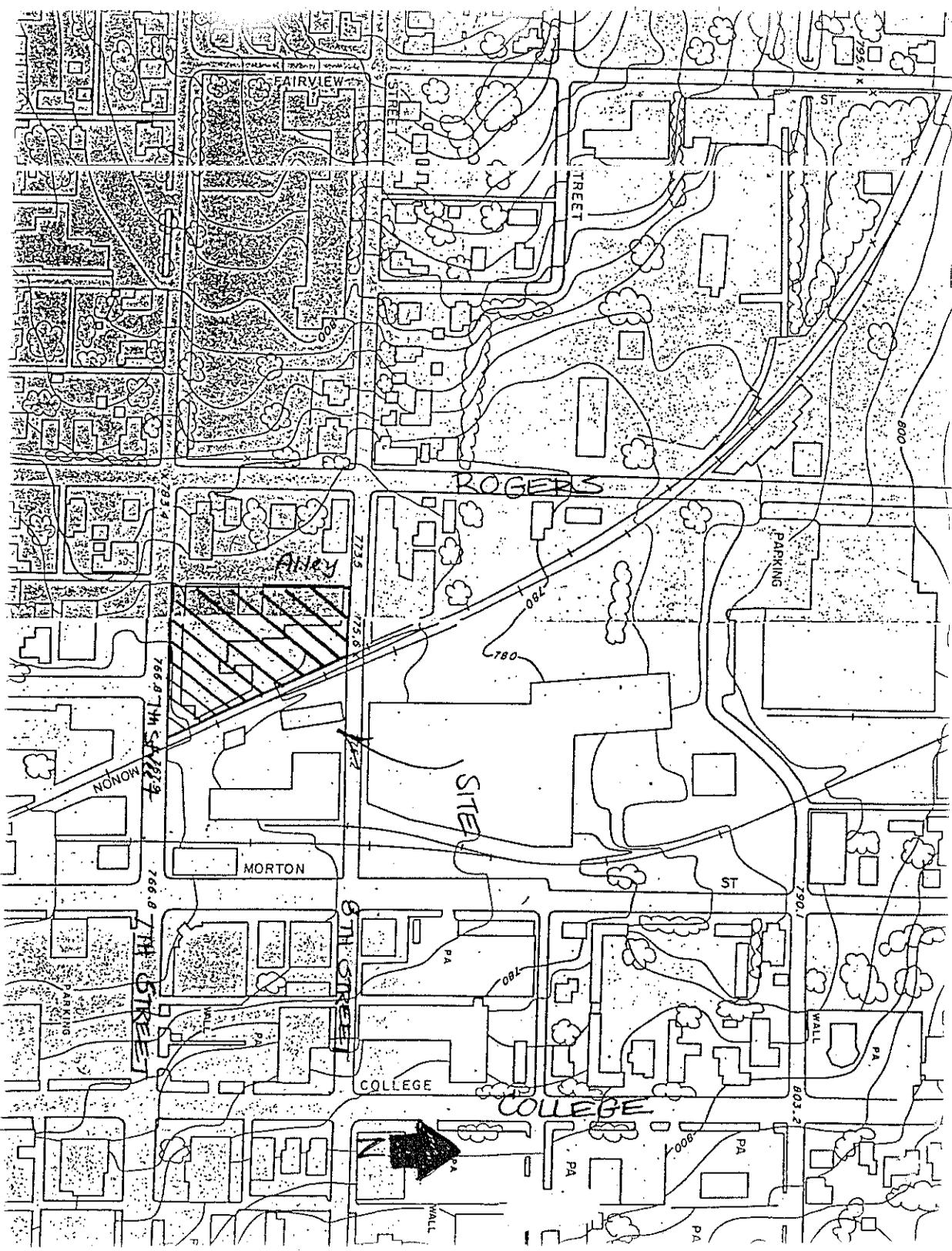
Lynn H. Coyne

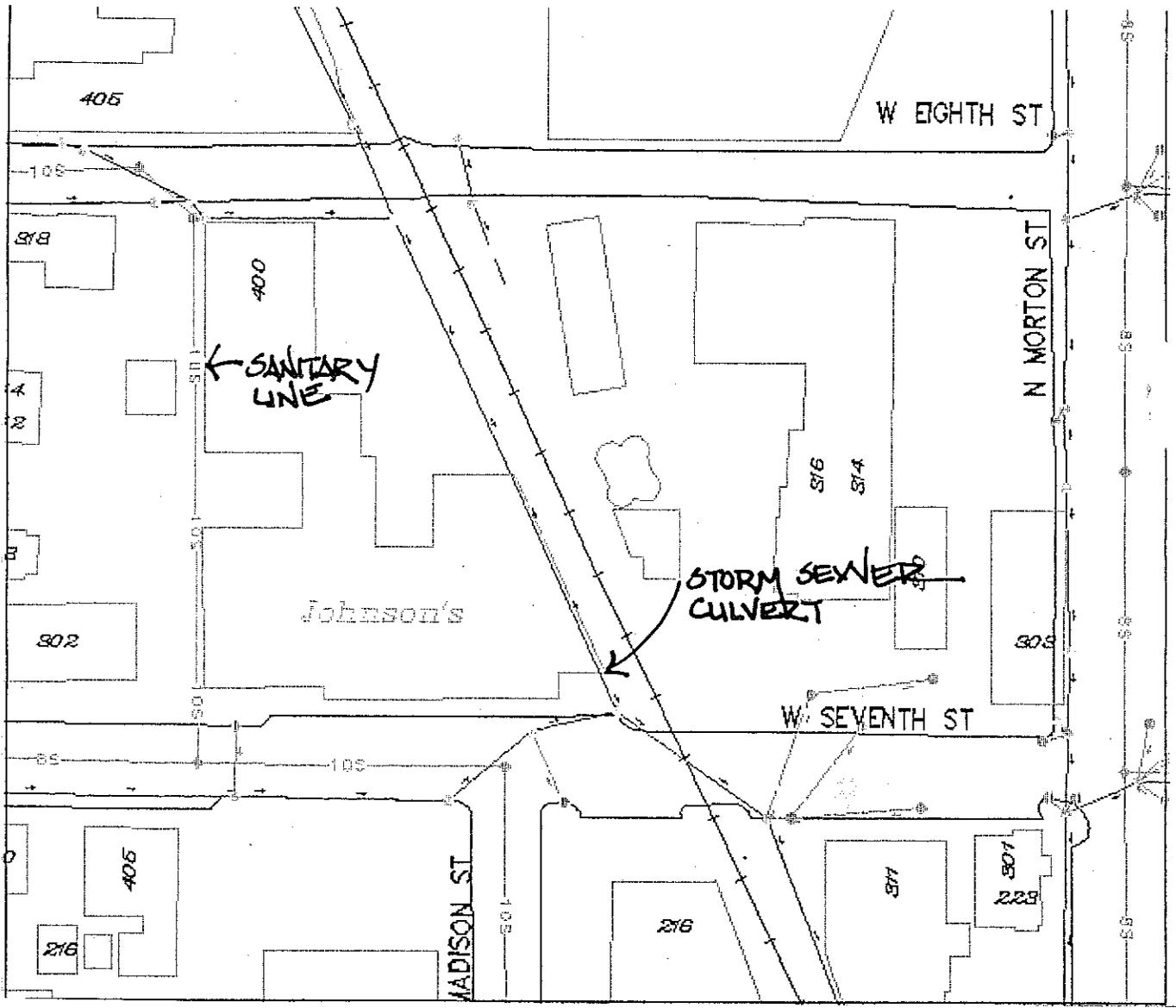
LHC/imh

080 42-57
Bldg

To: John Shaver	From: Pat Wuehary
Co: Indiana RR Co	Co: City Club
Dapt: 317-262-5140 EXT 223	Phone #: 812 331 6408
Fax #: 317-269-2606	Fax #: 812 331-6448







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