Passed: 7-0

ORDINANCE 94-12

TO VACATE A PUBLIC PARCEL
Re: Pine Ridge Drive and Cul-de-Sac
(Doug Hatton and Don Mitchell, Petitioners)

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 petitioners, Doug Hatton and Don Mitchell, have 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 commonly known as the Pine Ridge Condominium Drive and cul-de-sac and is more particularly described as follows:

A part of the Northwest Quarter of Section 11, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

COMMENCING at a brass spike found at the northwest corner of said quarter section; thence SOUTH 87 degrees 55 minutes 24 seconds East (assigned bearing basis) 405.28 feet along the north line of said quarter section; thence SOUTH 02 degrees 04 minutes 36 seconds West 30.00 feet; thence SOUTH 01 degrees 12 minutes 47 seconds West 10.00 feet to the proposed southerly right-of-way of Moores Pike; thence SOUTH 87 degrees 55 minutes 24 seconds West 121.74 feet along said right-of-way to a 5/8" rebar set at the POINT OF BEGINNING; thence SOUTH 87 degrees 55 minutes 24 seconds East 187.22 feet along said proposed right-of-way to the northerly right-of-way of an existing 38 foot road; thence along said road the following two (2) courses: 1). 13.18 feet along a 244.00 foot radius non-tangent curve to the right whose chord bears SOUTH 65 degrees 27 minutes 42 seconds East 13.18 feet; 2). 16.68 feet along a 11.00 foot radius tangent curve to the left whose chord bears NORTH 72 degrees 38 minutes 25 seconds East 15.13 feet to the proposed southerly right-of-way of Moores Pike; thence SOUTH 87 degrees 55 minutes 24 seconds East 38.95 feet to the southerly right-of-way of an existing 38 foot road; thence along said road the following five (5) courses: 1). 92.49 feet along a 49.00 foot radius non-tangent curve to the right whose chord bears SOUTH 62 degrees 01 minutes 59 seconds West 79.36 feet; 2). 89.74 feet along a 206.00 foot radius tangent curve to the left whose chord bears NORTH 74 degrees 56 minutes 28 seconds West 89.03 feet; 3). SOUTH 89 degrees 30 minutes 55 seconds West 17.30 feet; 4). 15.06 feet along a 11.00 foot radius tangent curve to the left whose chord bears SOUTH 50 degrees 17 minutes 37 seconds West 13.91 feet to a set 5/8" rebar; 5). 141.84 feet along a 39.00 foot radius tangent curve to the right whose chord bears NORTH 64 degrees 44 minutes 18 seconds West 75.62 feet to the Point of Beginning, containing 0.216 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 20th day of July, 1994.

Jim Sherman

JIM SHERMAN, 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 21st day of July, 1994.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 21st day of July, 1994.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

The petitioners, Doug Hatton and Don Mitchell, request vacation of a public parcel commonly known as the Pine Ridge Condominium Drive and cul-de-sac.

Signed copies to:
Petitioner P Hanning
Recorder
Assessor

Smith Neubecker & Associates, Inc.

Stephen L. Smith P.E., L.S.
President

Daniel Neubecker L.A.
Project Manager

June 17, 1994

Dan Sherman
Council Attorney
Bloomington Common Council
City of Bloomington
P. O. Box 100
Bloomington, IN 47402

RE: Petition to Vacate Roadway

Dear Dan and Council Members:

This letter is to serve as a petition to the Common Council to vacate the public roadway in Pine Ridge, Phase I.

Pre-application was made to the City Planning Department in September of last year. An information packet from that office recommending the vacation was forwarded to the Council sometime ago. The road in Phase I of Pine Ridge Condominiums, which is being requested for vacation, lies totally within the Pine Ridge Condominium project. It serves three units in that project. The road was originally platted and dedicated in 1977. Current policy regarding roadways in a condominium project would have resulted in the road being in private ownership. Our request, therefore, for private ownership and maintenance is consistent with current City policy.

A portion of the right-of-way lies adjacent to Moores Pike Right-of-way. The City's Thoroughfare Plan calls for additional right-of-way for Moores Pike. This vacation will leave right-of-way on Moores Pike consistent with the Thoroughfare Plan.

4625 Morningside Drive
Post Office Box 5355
Bloomington, Indiana 47407-5355
Telephone 812 336-6536
FAX 812 336-0513

A legal description, site drawing and list of names of adjacent owners is being submitted with this petition. I will contact you in a few days to confirm that we will be heard at the July 6th, 13th and 20th hearings so that we may mail notices to adjacent owners.

Very truly yours,

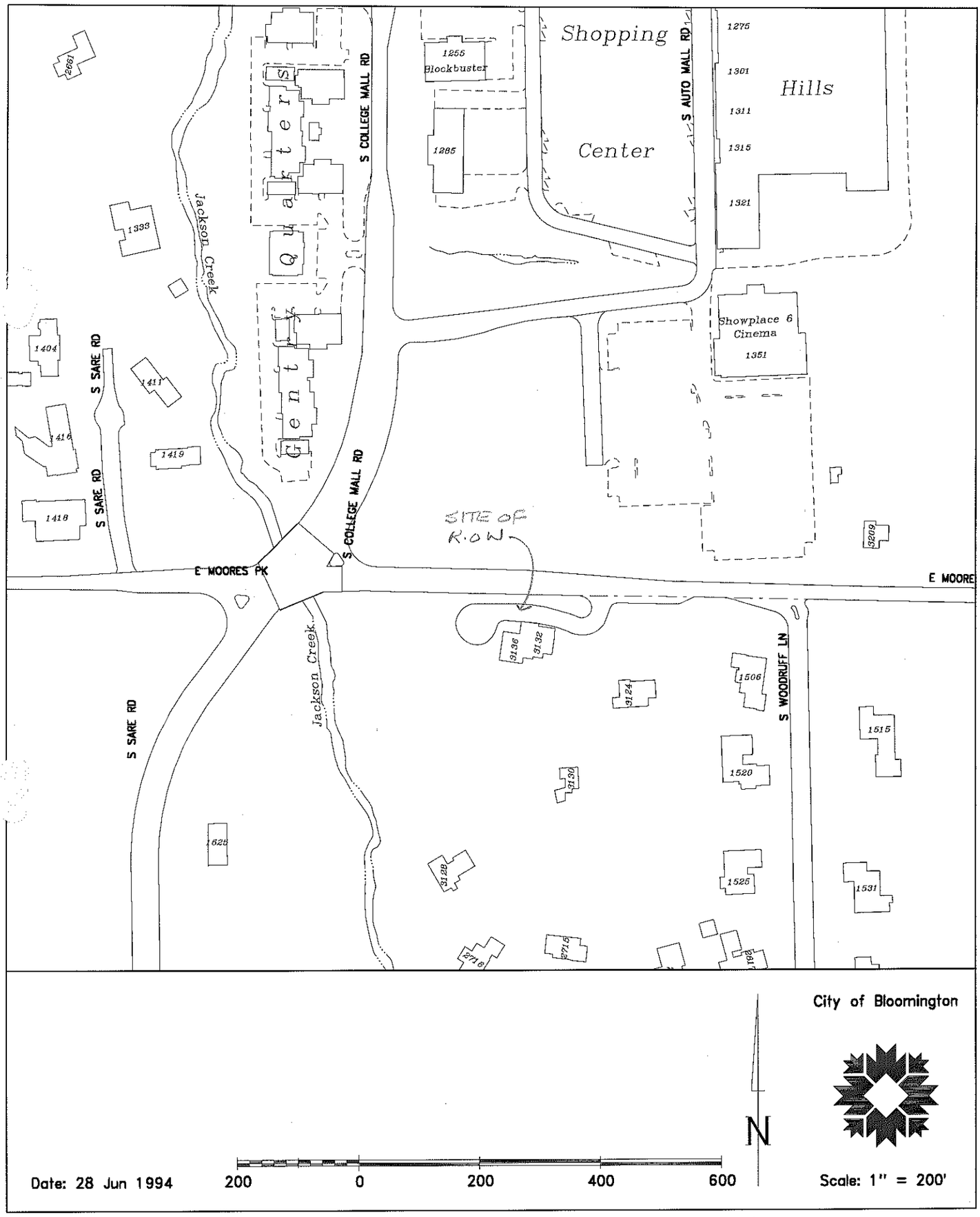
Steve

Stephen L. Smith
Engineer for Pine Ridge Condominiums

SLS:vp

Enclosures

cc: Steve Emery
Doug Hatton
File #2150



City of Bloomington

N

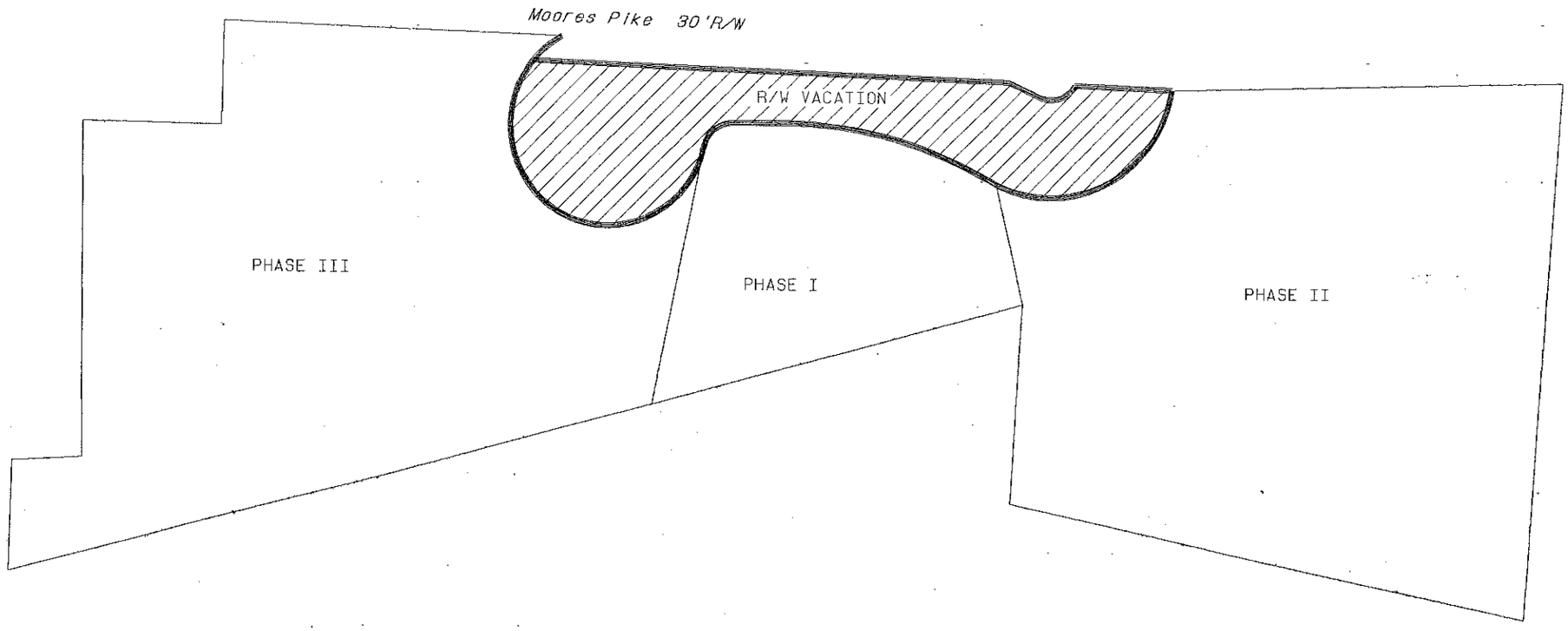
Date: 28 Jun 1994

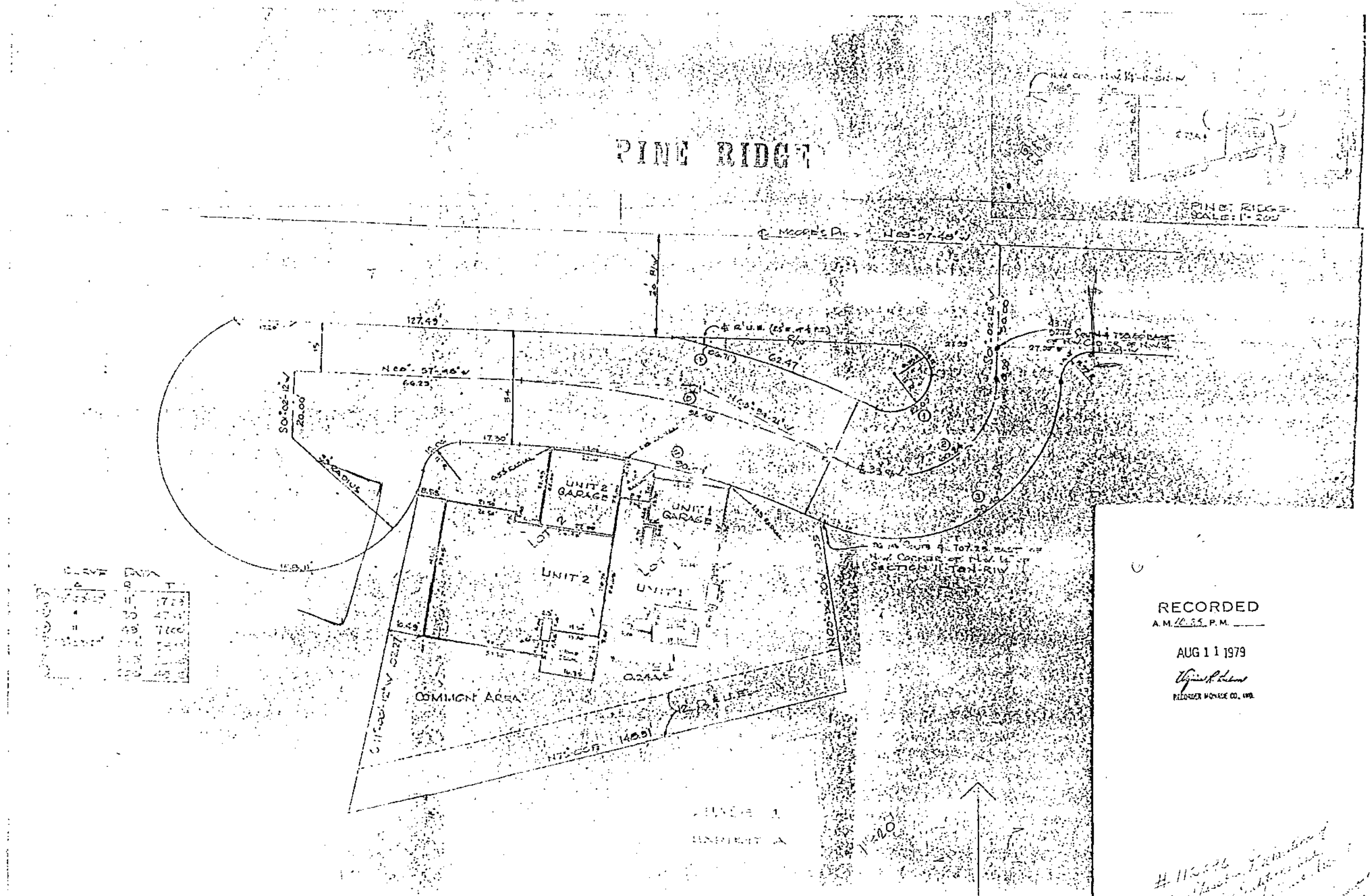
200 0 200 400 600

Scale: 1" = 200'

Scale: 1" = 60'

KERASOTES THEATER





RECORDED
A.M. ____ P.M. ____

AUG 1 1 1979

RECORDER MONROE CO., IND.

LEGAL DESCRIPTION FOR
PINERIDGE RIGHT-OF-WAY VACATION
JOB NUMBER 2150

A part of the Northwest Quarter of Section 11, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

COMMENCING at a brass spike found at the northwest corner of said quarter section; thence SOUTH 87 degrees 55 minutes 24 seconds East (assigned bearing basis) 405.28 feet along the north line of said quarter section; thence SOUTH 02 degrees 04 minutes 36 seconds West 30.00 feet; thence SOUTH 01 degrees 12 minutes 47 seconds West 10.00 feet to the proposed southerly right-of-way of Moores Pike; thence SOUTH 87 degrees 55 minutes 24 seconds West 121.74 feet along said right-of-way to a 5/8" rebar set at the POINT OF BEGINNING; thence SOUTH 87 degrees 55 minutes 24 seconds East 187.22 feet along said proposed right-of-way to the northerly right-of-way of an existing 38 foot road; thence along said road the following two (2) courses: 1). 13.18 feet along a 244.00 foot radius non-tangent curve to the right whose chord bears SOUTH 65 degrees 27 minutes 42 seconds East 13.18 feet; 2). 16.68 feet along a 11.00 foot radius tangent curve to the left whose chord bears NORTH 72 degrees 38 minutes 25 seconds East 15.13 feet to the proposed southerly right-of-way of Moores Pike; thence SOUTH 87 degrees 55 minutes 24 seconds East 38.95 feet to the southerly right-of-way of an existing 38 foot road; thence along said road the following five (5) courses: 1). 92.49 feet along a 49.00 foot radius non-tangent curve to the right whose chord bears SOUTH 62 degrees 01 minutes 59 seconds West 79.36 feet; 2). 89.74 feet along a 206.00 foot radius tangent curve to the left whose chord bears NORTH 74 degrees 56 minutes 28 seconds West 89.03 feet; 3). SOUTH 89 degrees 30 minutes 55 seconds West 17.30 feet; 4). 15.06 feet along a 11.00 foot radius tangent curve to the left whose chord bears SOUTH 50 degrees 17 minutes 37 seconds West 13.91 feet to a set 5/8" rebar; 5). 141.84 feet along a 39.00 foot radius tangent curve to the right whose chord bears NORTH 64 degrees 44 minutes 18 seconds West 75.62 feet to the Point of Beginning, containing 0.216 acres, more or less.

The within survey was performed without benefit of evidence of source of title, and is subject to any statement of facts revealed by the same. Evidence of easements have not been located in the field and are not shown on this survey drawing. This qualification will be removed upon receipt and inspection of current title work.

Subject to the above reservation, I hereby certify that the survey work performed on the project shown hereon was performed either by me or under my direct supervision and control, and that all information shown is true and correct to the best of my knowledge and belief.

Certified this 17th day of June, 1994.

Stephen L. Smith
Registered Land Surveyor No. S0427
State of Indiana

STEPHEN L. SMITH
REGISTERED
No.
S0427
State of
INDIANA
LAND SURVEYOR

Smith Neubecker & Associates, Inc.

PINE RIDGE CONDOMINIUMS
JOB NO. 2150
ADJACENT PROPERTY OWNERS

	Kerasotes Indiana Theaters	104 N 6th St., Springfield IL 62701
	Pine Ridge Ph I	
1	Patrick Baude & Julia Lamber	3136 E Moores Pike, Blgtn IN 47401
2	Janet Hatton	3132 E Moores Pike, Blgtn IN 47401
Common	Janet Hatton	Same as above
	Pine Ridge Ph II	
1,2, 3	Louis & Johanna Cascardo	3124 E Moores Pike, Blgtn IN 47401
Common	Douglas & Janet Hatton	Same as above
	Pine Ridge Ph III	
	Douglas & Janet Hatton	Same as above

Smith Neubecker & Associates, Inc.
4625 E. Morningside Dr.
P.O. Box 5355
BLOOMINGTON, IN 47407-5355

(812) 336-6536

LETTER OF TRANSMITTAL

DATE	JOB NO.
7-5-94	2150
ATTENTION Dan Sherman	
RE: Doug Watton Petition	

TO City Council

WE ARE SENDING YOU ☑ Attached ☐ Under separate cover via Delivery the following items:

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of letter ☐ Change order ☐

COPIES	DATE	NO.	DESCRIPTION
1			Original Petition for Vacation of Public Right-of-Way

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval

☑ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution

☑ As requested ☐ Returned for corrections ☐ Return _____ corrected prints

☐ For review and comment ☐

☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS

COPY TO file

RECYCLED PAPER: Contents: 40% Pre-Consumer • 10% Post-Consumer

SIGNED: Rinda Brown

If enclosures are not as noted, kindly notify us at once.

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) 331-6409, ext. 12, 13

Address of Property 3130 Moores Pike

Applicant's Name Doug Hatton, Janet Hatton, Patrick L. Baude, Julia C. Lamber, Louis B Cascardo, and Johanna Cascardo

Address 3132 Moores Pike Phone 332-0576

Counsel or Consultant Smith Neubecker & Associates, Inc.

Address P.O. Box 5355, Blgtn 47407 Phone 812-336-6536

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.

Signature: Doug Hatton Janet Hatton

Douglas D. Hatton and Janet E. Hatton, owners of Lot 1 Pine Ridge PH I and certain other unplatted real estate west of Pine RIdge Phase I

Patrick L. Baude, Julia Lamber

Patrick L. Baude and Julia C. Lamber, owners of Lot 2 in Pine Ridge Phase I

Louis B Cascardo Johanna Cascardo

Louis B. Cascardo and Johanna Cascardo, owners of Lots 1, 2, & 3 in Pine Ridge Phase II.

City of Bloomington Indiana

Post Office Box 100
Municipal Building
Bloomington, Indiana 47402

812-331-6408

Office of the Clerk

NOTICE TO ADJACENT PROPERTY OWNERS
July 8, 1994

You are hereby notified, pursuant to IC 36-7-3-12, that a Petition for Vacation of a Public Right of Way or Place has been filed with the Common Council of the City of Bloomington.

The property proposed to be vacated is: **Pine Ridge Condominium Drive and Cul-de-Sac which is part of the Northwest Quarter of Section 11, Township 8 North, Range 1 West, Monroe County Indiana.**

The petitioner requesting the proposed vacation is: **Doug Hatton and Don Mitchell.**

The Common Council shall hold a hearing on the petition on the following date and time in the Council Chambers of the Municipal Building, 220 E. Third Street, Bloomington, Indiana:

Wednesday, July 20, 1994 at 7:30 P.M.

At the hearing, any person aggrieved by the proposed vacation may object to it as provided by IC 36-7-13; after the hearing on the petition, the legislative body may, by ordinance, vacate the public right of way or public place.

Please do not hesitate to contact me if you have questions regarding the proposed legislation.

Sincerely,

Patricia Williams

Patricia Williams
City Clerk

Common\rowpropo

Recycled Paper