ORDINANCE 83 - 26

To Vacate a Public Parcel

WHEREAS, IC 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, Jerry Gates, has filed a petition to vacate a parcel of city property near Lake Lemon; and

WHEREAS, IC 36-7-3-512 requires the Plan Commission to make a recommendation on the proposed vacation and to forward it to the Common Council; and

WHEREAS, the Plan Commission has considered this petition and made a favorable recommendation on its adoption;

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 IC 36-7-3-12, a portion of city owned property near Lake Lemon shall be vacated. The property is more particularly described as follows: A part of the Southeast Quarter of Section Thirty-four (34), Township Ten (10) North, Range One (1) East, bounded and described as follows, to wit: Commencing at a point that is Fifty Hundreths (0.50) feet west of the Southeast corner of the Southeast Quarter of said Section Thirty-four (34), thence running North Thirty-seven (37) degrees and Thirty (30) minutes West for a distance of One Hundred Four and Seven tenths (104.7) feet; thence running North Sixty-six (66) degrees West for a distance of Fifty-five and one-tenth (55.10) feet to the true point of beginning; thence North sixty-six (66) degrees West for a distance of Twenty-four and Thirty-five hundreths (24.35) feet; thence North Twenty-seven (27) degrees Thirty Three (33) minutes EAst for a distance of Nine and Fifty-nine hundreths (9.59) feet; thence South Sixty-Two (62) degrees Twenty-seven (27) minutes East for a distance of Twenty-four and three tenths (24.30) feet; thence South Twenty-seven (27) degrees Thirty-three (33) minutes West for a distance of Eight and Nine Hundreths (8.09) feet, and to the point of beginning, containing Two Hundred and Fourteen and Eighty-six hundreths (214.86) square feet, more or less.

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and published according to law.

PASSED and ADOPTED upon this 1st day of June, 1983.

Pamela F Lewis

KATHERINE DILCHER, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 2 day of June, 1983

Patricia Williams

PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 2nd day of June, 1983.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

## SYNOPSIS

This ordinance would vacate a parcel of property approximately 214.86 square feet in area that lies near Lake Lemon. Petitioner, Jerry Gates, is asking for this vacation in order to clear title to an existing building which encroaches on the City right-of-way around Lake Lemon. The bulding was constructed according to faulty survey information.

Date

****ORDINANCE CERTIFICATION++++

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 83-26, is a true and complete copy of Plan Commission Case Number MP-23-83, which was given a recommendation of approval by a vote of Ayes: 9, Nays: ____, Abstentions: 1, by the Bloomington City Plan Commission on May 10, 1983.

Date: May 9, 1983.

Tim Mueller
Tim Mueller, Director
Planning Department

Received by the Common Council Office on this 10 day of May, 1983

Patricia Williams
PATRICIA WILLIAMS, City Clerk

FISCAL IMPACT STATEMENT

Appropriation Ordinance # _____ Ordinance # _____ Resolution # _____

Type of Legislation:

| | | | | | |
|---|---|---|---|---|---|
| Appropriation | | End of Program | | Penal Ordinance | |
| Budget Transfer | | New Program | | Grant Approval | |
| Salary Change | | Bonding | | Administrative Change | |
| Zoning Change | | Investments | | Short-Term Borrowing | |
| New Fees | | Annexation | | Other | XXX City Property Vacation |

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____ Emergency _____
Unforeseen Need _____ Other _____

Funds Affected by Request:

| | | |
|---|---|---|
| Fund(s) Affected | | |
| Fund Balance as of January 1 | $ | $ |
| Revenue to Date | | |
| Revenue Expected for Rest of Year | | |
| Appropriations to Date | | |
| Unappropriated Balance | | |
| Effect of Proposed Legislation (+/-) | | |
| Projected Balance | $ | $ |

Signature of Controller _____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes _____ No XXX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

This property is not within the City limits, so no City services are needed.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary)

Agency Submitting legislation: City Plan Commission
BY: Tim Mueller DATE: May 10, 1983