

passed 8-1 (veteran)

ORDINANCE 07-23

TO VACATE A PUBLIC PARCEL -

Re: The Portion of the West 9th Street Right-of-Way Running from North Rogers Street to the B-Line Trail
(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 has filed a petition to vacate an alley right-of-way more particularly described below;

WHEREAS, pursuant to I.C. 36-7-3-12, the Common Council has set aside the public comment portion of its deliberation of this ordinance at its Regular Session on September 19, 2007 as the public hearing on this action and the City Clerk has provided notice of that hearing;

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 portion of the West 9th Street right-of-way located directly south of 502 North Rogers and is more particularly described as follows:

Land between Graham's Reserve and Out Lot 40, beginning at the Northwest corner of out lot 40 and on the East right-of-way line of Rogers Street; thence East, 95.13 feet to the westerly right-of-way line of the C.I. and L. Railroad; thence North 35 degrees 34 minutes 09 seconds West, 23.26 feet along said railroad right-of-way; thence West, 81.60 feet to the East right-of-way of Rogers Street, thence South 18.92 feet to the beginning and containing 1671.87 square feet.

SECTION II. Pursuant to I.C. 36-7-3-16, the following Utilities have submitted letters to the Common Council indicating that they are not occupying or using any part of this public way and have no objection to this action: City of Bloomington Utilities, City of Bloomington Information and Technology Services; SBC, and Vectren.

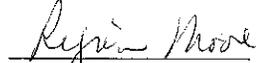
SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 19th day of SEPTEMBER, 2007.



DAVE ROLLO, President
Bloomington Common Council

ATTEST:

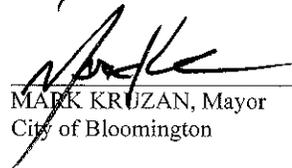


REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2007.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 21st day of ~~SEPTEMBER~~, 2007.


MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

The petitioner, CFC, Inc., requests vacation of the portion of the West 9th Street right-of-way located directly south of 502 North Rogers running from North Rogers to the B-Line Trail. The public comment on this ordinance at the Regular Session on September 19, 2007 shall serve as the required public hearing on this action.

Signed copies to:

- | | | |
|-------------|--------------|--------|
| 1 eqpt (10) | McRecorder | Clerk |
| Controller | Mc Auditor | deputy |
| Planning | Mc Treasurer | |
| petitioner | Mc Assessor | |
| CA/EA (3) | Engineering | |
| | GIS | |