(passed 9-0)

ORDINANCE 06-22

TO VACATE A PUBLIC PARCEL -
Re: An Alley Running East/West Between 320 and 326 South Dunn which is Approximately 10 Feet Wide and 178 Feet Long
(John S., Myra, John P., Mark, and Christopher S. Burnham, 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, members of the Burnham family, have filed a petition to vacate an alley right-of-way 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, commonly known as an alley running east/west between 320 and 326 South Dunn which is approximately 10 feet wide and 178 feet long, is more particularly described as follows:

Five feet off the north side of the following described real estate:

A part of Seminary Lot 74 in the City of Bloomington, Indiana, described as follows, to-wit: Commencing at a point on the West line of Dunn Street; 295 feet, South of the center of Third Street in said city; running thence West 83 feet; thence South 50 feet; thence East 83 feet; thence North 50 feet along the West line of Dunn Street to the place of beginning.

AND

Five feet off the north side of the following described real estate:

Also a part of Seminary Lot 74 in said City of Bloomington, bounded as follows, to-wit: Commencing at the Northwest corner of a lot conveyed by Margaret B. Kirby and husband Joseph H. Kirby, and James Karsell, Trustee of Joseph H. Kirby to Joseph S. Woodward, January 14, 1898, and recorded in Deed Record 34, page 497, of the Recorder's office of Monroe County, Indiana, running thence North for the Northwest corner of said lot 45 feet; thence East 93 feet; thence South 45 feet; thence West 93 feet to the place of beginning.

AND:

Five feet off the south side of the following described real estate:

Part of Seminary Lot Number Seventy-four (74) in the City of Bloomington, bounded as follows, to wit: Commencing at a point on the West line of Dunn Street, in said City 250 feet South of the South line of Third Street in said City, said beginning point being the intersection of the West line of said Dunn Street and the North line of an alley, thence running West from said beginning point to the East line of an alley running North and South between Third Street and Smith Avenue in said City, thence North 45 feet; thence East to the West line of said Dunn Street, thence South 45 feet to the place of beginning.

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 interest to preserve as a part of this action: City of Bloomington Utilities, SBC, Duke Energy, Insight Communications, 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 4th day of October, 2006.

CHRIS STURBAUM, 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 5th day of OCTOBER, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 5th day of October, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

The petitioners, members of the Burnham family, request vacation of an alley located between 320 and 326 South Dunn.

Signed copies to:
legal (8)
controller
planning
Engineering (Haley)
CA/CA (3)
clerk
file