

ORDINANCE 86 - 36

To Vacate a Public Parcel
RE: Lot 145 Spicewood II - Poplar Drive (Theresa Block)

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, Theresa Block, has filed a petition to vacate a parcel of City property on Poplar Drive (Lot 145 Spicewood II); 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 on Poplar Drive (Lot 145 Spicewood II) shall be vacated. The property is more particularly described as follows:

Part of Lot 145 Spicewood II, Section 4 as recorded in the Office of the Recorder in Monroe County, Indiana and more particularly described as follows:

Beginning at the northwest corner of said lot marked by a 5/8" rebar found this survey; thence South 85 degrees 11 minutes 16 seconds East 70.49 feet; thence South 66 degrees 11 minutes 16 seconds East 65.01 feet to an iron fence post; thence South 03 degrees 03 minutes 44 seconds West 100.00 feet; thence North 66 degrees 21 minutes 05 seconds West 120.22 feet; thence North 09 degrees 39 minutes 16 seconds West 85.00 feet to the Point of Beginning.

Excepting therefrom a permanent sanitary sewer easement described as follows: Commencing at the Northwest corner of said lot; thence South 09 degrees 39 minutes 16 seconds East 67.05 feet to the point of beginning; thence South 66 degrees 21 minutes 05 seconds East 124.44 feet; thence South 03 degrees 03 minutes 44 seconds West 16.02 feet; thence North 66 degrees 21 minutes 05 seconds West 120.22 feet; thence North 09 degrees 39 minutes 16 seconds West 17.95 feet to the point of beginning, said easement being 15 feet in width off of the entire South side of the above described parcel also excepting therefrom a permanent drainage easement described as follows: Commencing at the Northwest corner of said lot; thence South 85 degrees 11 minutes 16 seconds East 32.00 feet to the point of beginning; thence South 85 degrees 11 minutes 16 seconds East 38.49 feet; thence South 66 degrees 11 minutes 16 seconds East 65.01 feet; thence South 03 degrees 03 minutes 44 seconds West 83.98 feet; thence North 66 degrees 21 minutes 06 seconds West 16.02 feet; thence North 36 degrees 20 minutes 51 seconds West 132.73 feet to the point of beginning.

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 16 day of July, 1986.


JAMES REGISTER, 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 17 day
of July, 1986.

Patricia Williams
PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this _____ day of
_____, 1986.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

Petitioner (Theresa Block) requests the partial vacation of a
one hundred foot utility and drainage easement across the
entire rear of Lot 145 in Spicewood II to build a single
family residence. The best building location on this lot
is located in this utility easement.

synopsis. Petition to Repeal & Sublice
Repeal
Sub Public

ORDINANCE CERTIFICATION

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 86-36 is a true and complete copy of Plan Commission Case Number MP-44-86 which was given a recommendation of approval by a vote of ___ Ayes, ___ Nays, and ___ Abstentions by the Bloomington City Plan Commission at a public hearing held on July 14, 1986.

Timothy A. Mueller
Planning Director

Date: July 2, 1986

Tim Mueller, Secretary
 Plan Commission

Received by the Common Council Office this ___ day of _____,

Patricia Williams
 Patricia Williams, City Clerk

Appropriation Ordinance # _____ Fiscal Impact Statement # _____ Resolution# _____
 Ordinance

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 _____

partial vacation of utility/drainage easement

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

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

No services will be added as a result of this ordinance.

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 Planning Department

By Tim Mueller Date July 2, 1986

Form Prescribed by State Board of Accounts General Form #99P (Rev 1967)
CITY - CLERK TO: Herald-Telephone...Dr.
(Governmental Unit)
Monroe County, Indiana Box 909, Bloomington, IN 47402

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed 2 actual lines, neither of which shall total more than four solid lines of the type in which the body of the Advertisement is set) - Number of equivalent lines -----

Head-Number of lines -----

Body-Number of lines -----

Tail-Number of lines -----

Total number of lines in notice -----

COMPUTATION OF CHARGES:

17 lines 1 COLUMN wide, equals -----

17 lines at .298 cents per line.....\$5.06

Additional Charges for notices containing rule or tabular work (50% of above amount).....

Charge for extra proofs of publication..... (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM.....\$5.06

DATA FOR COMPUTING COST

Width of Single Column 12.41 ems Size of type 6 point

Number of insertions 1 time Size of quad on which type is cast

Pursuant to the provisions and penalties of Ch 155, Acts 1953, I hereby certify that the foregoing is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

date: JULY 7, 1986

Margaret Johnson
Title: billing clerk

PUBLISHER'S AFFIDAVIT

State of Indiana, Monroe County) ss

Personally appeared before me, a notary public in and for said county and state, the undersigned, Margaret Johnson who, being duly sworn, says that she is billing clerk of the Herald-Telephone, a daily newspaper of general circulation printed and published in the English language in the city of Bloomington in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time the dates of publication being as follows:

JULY 7, 1986

Margaret Johnson

Subscribed and sworn to before me JULY 7, 1986

Starke M. Ritter Notary Public

Monroe Co. Indiana

My Commission expires 8-16-88

Claim No. _____ Warrant No. _____
IN FAVOR OF _____
Herald-Telephone
P.O. Box 909, Bloomington, IN 47402

\$ _____

ON ACCOUNT OF APPROPRIATION FOR

Appropriation No. _____

Allowed _____, 198____

In the Sum of \$ _____

* I have examined the within claim
* and hereby certify as follows:
* That it is in proper form.
* That it is duly authenticated
* as required by law.
* That it is based upon statutory
* authority.
* That it is apparently (correct)
* (incorrect).

* I certify that the within claim
* is true and correct; that the
* services therein itemized and for
* which charge is made were ordered
* by me and necessary to the public
* business.

-----, 198____

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State of Indiana, Monroe County) ss

Personally appeared before me, a notary public in and
for said county and state, the undersigned, Margaret
Johnson who, being duly sworn, says that she is billing
clerk of the Herald-Telephone, a daily newspaper of
general circulation printed and published in the English
language in the city of Bloomington in state and county
aforesaid, and that the printed matter attached hereto
is a true copy, which was duly published in said paper
for 1 time the dates of publication being as follows:

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