

ORDINANCE 12-08

*Passed 8-0  
Starkbaum absent*

**TO VACATE A PUBLIC PARCEL**

**- Re: Alley Right-of-Way Running North/South between North College Avenue and North Morton Street, North of West Ninth Street (KPM Hotel group, 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 Petitioners, (KPM Hotel Group) have filed a petition to vacate a parcel of City property more particularly described below; and

WHEREAS, pursuant to I.C. 36-7-3-16, the City received written communications from utility services regarding their interests in the right-of-way and those communications are on file and available for inspection at the City Planning and Clerk and Council Office at 401 North Morton Street, Bloomington, Indiana (47402);

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Through the authority of I.C. 36-7-3-12, a portion of City-owned property shall be vacated. The property is a segment of alley right-of-way running north/south between North College Avenue and North Morton Street, north of Ninth Street in the Woodburn's Addition of the City and is more particularly described as follows:


A part of Woodburn's Addition to the City of Bloomington as recorded in Plat Cabinet B, Envelope 3 in the Office of the Recorder in Monroe County, Indiana and described as follows:


Beginning at the southeast corner of Lot 12 in said Woodburn's Addition; thence North 00 degrees 40 minutes 42 seconds East 132.12 feet to the northeast corner of Lot 11; thence South 89 degrees 34 minutes 07 seconds East 12.00 feet to the northwest corner of Lot 2; thence South 00 degrees 40 minutes 42 seconds West 132.12 feet to the southwest corner of Lot 1; thence North 89 degrees 30 minutes 22 seconds West 12.00 feet to the Point of Beginning, containing 0.036 acres, more or less.

SECTION 2. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.


SECTION 3. 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 18<sup>th</sup> day of APRIL, 2012.

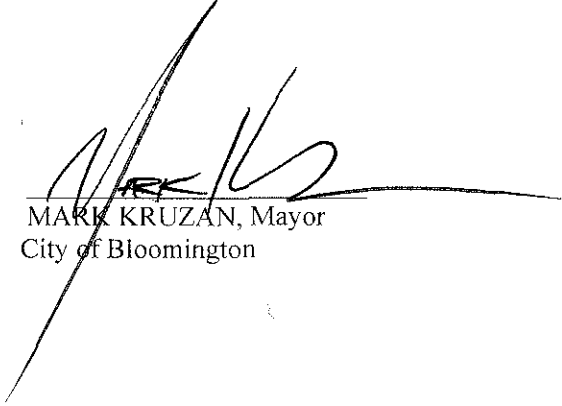
  
TIMOTHY MAYER, President  
Bloomington Common Council

ATTEST:  
  
REGINA MOORE, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 19<sup>th</sup> day of APRIL, 2012.

  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 19<sup>th</sup> day of APRIL, 2012.



MARK KRUZAN, Mayor  
City of Bloomington

SYNOPSIS

The petitioner, KPM Hotel Group, requests vacation of a segment of alley right-of-way bounded by North College Ave. and North Morton Street, north of West 9<sup>th</sup> Street in order to construct a hotel.

controlled  
planning  
public works

CE/EA  
clerk  
auditor (MC)  
assessor (MC)  
recorder (MC)