PASSED: 5-1(Volan)

ORDINANCE 16-21

TO VACATE A PUBLIC PARCEL -
Re: A 50-Foot by 120-Foot Segment of North Grant Street Located South of 18th Street and East of 1313 North Grant Street (RCR Properties, LLC, 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, RCR Properties, LLC, has filed a petition to vacate one parcel of City property more particularly described below;

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 Transportation Department and the Clerk and Council Office at 401 North Morton Street, Bloomington, Indiana (47402); and

WHEREAS, pursuant to I.C. §36-7-3-12(c), the City Clerk has provided notice to the owners of abutting property and published notice to the general public of the petition and public hearing on this matter, which will be held during the Common Council Regular Session on Wednesday, October 19th, 2016 at 7:30 p.m. in the Council Chambers, Room 115, of City Hall, 401 North Morton Street; and

WHEREAS, pursuant to I.C. §36-7-3-12, upon vacation the City Clerk must furnish a copy of this ordinance to the County Recorder for recording and to the County Auditor;

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, one portion of City owned property shall be vacated as described below:

A part of the Southwest quarter of Section Twenty-Eight (28), Township Nine (9) North, Range One (1) West, Monroe County, Indiana, described as follows:

Commencing at the Southeast corner of said Southwest quarter; thence North 89 degrees 57 minutes 09 seconds West (assumed) along the South line thereof 26.61 feet; thence North 00 degrees 25 minutes 23 seconds West 425.70 feet to the South right of way line of 18th Street; thence North 89 degrees 39 minutes 32 seconds West along said South line 316.99 feet to the East right of way line of grant and the point of beginning; thence South 00 degrees 20 minutes 06 seconds West along said East line 120.00 feet to the South right of way line of Grant Street; thence North 89 degrees 59 minutes 27 seconds West along said South line 50.70 feet to the West right of way line of Grant Street; thence North 00 degrees 20 minutes 06 seconds East along said West line 120.00 feet the aforesaid South right of way line of 18th Street; thence South 89 degrees 59 minutes 27 seconds East 50.70 feet to the point of beginning. Containing 0.14 acres, more or less.

SECTION 2. If any section, sentence of 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 9 day of November, 2016.

ANDY RUFF, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 10th day of November, 2016.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 18th day of November, 2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

The petitioner, RCR Properties, LLC, requests vacation of a segment of North Grant Street located south of 18th Street and east of 1313 N. Grant Street in order to create a green beltway as proposed in Ord 16-20, which rezones the surrounding property from Residential High-Density Multifamily (RH) to Planned Unit Development (PUD) and approves the associated District Ordinance and Preliminary Plan.

Distributed to: Legal Department, Office of the Mayor, Office of the City Clerk, Council Administrator, Planning and Transportation Department