

RESOLUTION 93-16

TO ALLOW THE PROPERTY LOCATED AT 122 SOUTH WALNUT STREET TO BE  
ENCUMBERED WITH A COVENANT RUNNING WITH THE LAND AND LEGALLY  
ENFORCEABLE BY THE STATE OF INDIANA  
(Bloomington Area Arts Council [BAAC], Petitioner)

WHEREAS, BAAC has been awarded a grant from the State of Indiana through the Department of Natural Resources, Hometown Indiana Program, in the amount of \$70,000.00 for the purpose of historical preservation of the old Bloomington City Hall, a condition of said grant being the recording of the attached covenant which is required to be executed by the City of Bloomington as mortgagee; and

WHEREAS, the City of Bloomington Common Council has demonstrated support for the development of the BAAC's John Waldron Arts Center at the above address by a contribution of a portion of the property for the purpose of operating an arts center; and

WHEREAS, the Bloomington Comprehensive Master Plan supports historic preservation in the downtown area; and

WHEREAS, all other terms of the proposed covenant are consistent with City policy;

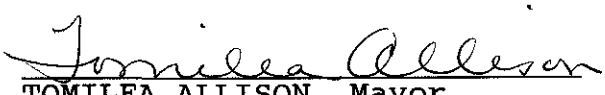
NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

The Common Council finds that it is in the interest of the City that the BAAC receive the above referenced grant for the stated purpose of historic preservation and does hereby resolve to authorize the execution of the proposed covenant.


PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 1<sup>st</sup> day of April, 1993.

  
JACK W. HOPKINS, President  
Bloomington Common Council

SIGNED and APPROVED by me upon this 12<sup>th</sup> day of April, 1993.

  
TOMILEA ALLISON, Mayor  
City of Bloomington

ATTEST:

  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

SYNOPSIS

This resolution would allow a covenant to be recorded that would encumber the property known as the John Waldron Arts Center so as to assure the historic preservation of the property for a period of 20 years and to assure compliance with Title VI of the Civil Rights Act of 1964 [42 USC 2000 (d)], Section 504 of the Rehabilitation Act of 1973 [29 USC Section 794] and the Americans With Disabilities Act. It is the intention of the BAAC to comply fully with all terms of the covenant. Should the BAAC default on its responsibility under the terms of the mortgage with the City to operate an arts center in the property then the City as owner would be required to obtain permission from the State prior to making visual or structural alterations to the building.

Signed copies to:  
BAAC  
Legal