

Withdrawn by Petition
January 17, 1983

ORDINANCE 82-62

To Vacate a Public Right-of-Way

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, Real Estate Problem Solvers, has filed a petition to vacate a portion of alley right-of-way located between 14th and 15th Streets, midblock between Madison and Woodburn Avenues; and

WHEREAS, IC 36-7-4-512 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 the north-south alley shall be vacated that is located between 14th and 15th Streets, midblock between Madison and Woodburn Avenues, more particularly described as follows:

Beginning at a point on the Southeast corner of Lot 47 Kenwood Addition, said point being on the East line of an existing 12 foot alley right-of-way, thence North for a distance of 132 feet to the Northeast corner of Lot 48, Kenwood Addition, thence East for a distance of 12 feet to the Northwest corner of Lot 58, Kenwood Addition, thence South for 132 feet to the Southwest corner of Lot 58, thence West for 12 feet to the point of beginning. Said alley right-of-way being located in the Kenwood Addition to the City of Bloomington, Indiana, as shown by the recorded plat thereof.

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 _____ day of _____, 1982

PATRICK J. MURPHY, President
Bloomington Common Council

ATTEST:

PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1982.

PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this _____ day of _____, 1982.

FRANCIS X. McCLOSKEY, Mayor
City of Bloomington

SYNOPSIS

This ordinance will vacate a portion of the north-south alley right-of-way located between 14th and 15th Streets, midblock between Madison and Woodburn Avenues, as petitioned by Real Estate Problem Solvers, who own property adjacent to this alley.

****ORDINANCE CERTIFICATION****

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 82- 62, is a true and complete copy of Plan Commission Case Number MP-26-82 , which was given a recommendation of approval by a vote of 6 Ayes, 3 Nays, and 1 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 30 , 1982.

Date: September 3 , 1982

Tim Mueller
Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this 3 day of September , 1982.

Patricia Williams
Patricia Williams, City Clerk

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

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 <input checked="" type="checkbox"/> alley vacation.

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 X

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

The request is for vacation of an unimproved alley right-of-way.

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 Bloomington Plan Commission

By Tim Mueller Date September 3, 1982

HERALD-TELEPHONE

BLOOMINGTON, INDIANA

PROOF OF PUBLICATION

State of Indiana)
County of Monroe) ss:

PENNY COMBS

being duly sworn on oath, says that she
is billing clerk

of Herald-Telephone, a public newspaper of general circula-
tion, printed in the town of Bloomington in said county and
state; that the notice, of which the annexed is a true copy, was
published in regular edition of said paper, issued upon the
following dates, to wit:

Sept. 17, 1982

Penny Combs
Name of Affiant

Subscribed and sworn to before me, this 17
of Sept. 1982 day

Joyce Colbert

Notary Public or Clerk.

My Commission Expires 7-5-85

Publication Fee \$ XXXXX 21.37

Attac

NOTICE OF PUBLIC HEARING
ORDINANCE 82-62
The Common Council of the City of Bloomington, Indiana, has been petitioned to hear a request for the approval of vacating right-of-way of a public alley that is located between 14th and 15th Streets, mid-block between Madison and Woodburn Avenues.
This property is further described as follows, to wit:
LEGAL DESCRIPTION
The north-south alley to be vacated, more particularly described as follows:
Beginning at a point of the Southeast corner of Lot 47 Kenwood Addition, said point being on the East line of an existing 12 foot alley right-of-way, thence North for a distance of 132 Feet to the Northeast corner of Lot 48, Kenwood Addition, then East for a distance of 12 Feet to the Northwest corner of Lot 58, Kenwood Addition, thence South for 132 feet to the Southwest corner of Lot 36, thence West for 12 feet to the point of beginning. Said alley right-of-way being located in the Kenwood Addition to the City of Bloomington, Indiana, as shown by the plat thereof.
The Public hearing will be held on this request on September 20, 1982 and October 6, 1982. Both hearings will be held in the Council Chambers of the Municipal Building at 7:30 P.M.
The first hearing will be in committee and for the purpose of exchanging information and questioning the petitioner about the request. At the second meeting the Common Council will vote on the ordinance.
All persons interested in the proposed vacation of the right-of-way may be heard at the time and place as herein set out.
THE COMMON COUNCIL OF BLOOMINGTON, INDIANA
PETITIONER: REPS
DATE: SEPTEMBER 14, 1982
SUBMITTED BY: Patricia Williams
City Clerk 17

REPS

Gilbert J. Coty, III
Lawrence Fisher
Thomas A. Kovach
Robert A. Morris
& Associates

17 January 1983

Tim Mueller
City of Bloomington
P.O. Box 100
Bloomington, IN 47402

Dear Tim,

Please be advised that we wish to withdraw our request for an alley vacation at 14th and Madison Streets. Please remove from the Council's agenda.

If you can remember to send me the letter on the 19th Street Plat and the information on the proposed changes regarding expansion of non-conforming uses I would be appreciative.

Sincerely yours,


Robert A. Morris

RAM/sns

RECEIVED
JAN 18 1982
PLANNING DEPARTMENT
XC: SP-31-82

1017 N. College Ave.
Bloomington, Indiana 47401

REAL ESTATE PROBLEM SOLVERS

Phone
812-336-1300