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ORDINANCE NO. 2, 1956

An Ordinance authorizing the sale of a building to be removed from the site pursuant to the "Fiftieth" Clause of the Powers granted to the Common Council, pursuant to Chapter 129, Section 53, of the Acts of 1905.

WHEREAS, The City of Bloomington did on the 29th day of November, 1955, as modified by addenda dated December 20, 1955, purchase under real estate contract to purchase the following described real estate in Bloomington, Monroe County, Indiana, to-wit:

In Lots Number Three Hundred Twenty-one (321) and Three Hundred Twenty-two (322) in the City of Bloomington, Indiana, as shown by the recorded plat thereof; and also

WHEREAS, said real estate was purchased for the purpose of developing on the land a parking area; and also

WHEREAS, there is situate on said real estate a two story brick building and attached thereto a concrete block garage and a part thereof, which said building is not needed for the development of said parking area nor for any other public purpose or purposes; and also

WHEREAS, before said land can be developed as a parking area it will be necessary to dismantle and remove said building from the real estate; and also

WHEREAS, the said seller, Mary Day, excluded in said contract to purchase the following items of property, to-wit: the floor carpeting; unit gas heaters; the large wall mirror; and all iron fence posts, and sections and connections, title to which remain in seller and did not pass to the City of Bloomington; and also

WHEREAS, the Common Council believes that said two story brick building and concrete block garage attached thereto and a part thereof is not needed for public purposes, and that it would therefore be to the best interests of said City that said building be sold as surplus property and that the proceeds thereof be collected and paid to the City of Bloomington.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, AS FOLLOWS:

Section 1. That the two story brick building and the concrete block garage attached thereto and a part thereof excluding the following: the floor carpeting; unit gas heaters; the large wall mirror; and all iron fence posts, and sections and connections; be sold for the purpose of being removed from said real estate, on such terms and notice as may be prescribed by the Monroe Circuit Court but for an amount not less than the full appraised value, said sale to be made on the basis of sealed bids to be solicited.

BE IT FURTHER RESOLVED that the City Attorney be, and he is hereby directed to file a Petition with the Monroe Circuit Court requesting the appointment of three (3) disinterested freeholders of the City of Bloomington to appraise said property to be so removed from the lands. Said appraisal to be made pursuant to the Statutes of the State of Indiana, pertaining to the sale of municipal property.

BE IT FURTHER RESOLVED that the Clerk-Treasurer of this City shall prepare and execute four (4) certified copies of this Ordinance to be presented to the Judge of the Circuit Court of Monroe County and filed with the Petition which the City Attorney has been directed to file with the Judge of the Monroe Circuit Court for the above appraisal.

BE IT FURTHER RESOLVED that the Mayor of this City and the City Clerk-Treasurer shall, and they are hereby authorized to take all necessary steps to effectuate the transfer of this property and the alienation thereof and to sign any and all necessary papers required at the earliest practicable date after receiving authority so to do from the Monroe Circuit Court.

This Ordinance shall be in full force and effect from and after its passage.

This Ordinance is passed upon the same day and at the same meeting at which it was introduced and it was passed by the unanimous consent of all members of the Common Council present, and there are present and voting at least two-thirds of all the members elect of the Common Council of this City.

Passed by at least a two-thirds member elect of the Common Council for the City of Bloomington, Indiana, this 17th day of January, 1956.

S/Thos. L. Lemon, Presiding Officer

ATTEST:

S/Esther F. Leavitt, City Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington, Indiana, this 17th day of January, 1956.

S/Esther F. Leavitt, Clerk-Treasurer

Approved and signed by me this 17th day of January, 1956.

S/Thos. L. Lemon, Mayor