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ORDINANCE NO. 1, 1955

AN ORDINANCE PROVIDING FOR THE SALE OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT:

A part of the West half of the Southeast quarter of Section 34, Township 10 North, Range 1 East, in Monroe County, Indiana, bounded and described as follows, to-wit: Beginning at a point 1510 feet South and 352 feet East of the Northwest corner of said quarter section, thence South 213.5 feet, thence East 280 feet to shore elevation 630, thence in a Northwesterly direction along and with the meanderings of elevation 630 to the point of beginning,

and

A part of the West half of the Southeast quarter of Section 34, Township 10 North, Range 1 East, in Monroe County, Indiana, bounded and described as follows, to-wit: Beginning at a point 99 feet East of the northwest corner of said quarter section, thence South 860 feet, thence East 121 feet to the 630 elevation, thence in a Northerly direction along and with the 630 elevation to the intersection with the north boundary of said quarter section, thence West 15 feet more or less to the point of beginning.

WHEREAS, a survey of the shore line of Bean Blossom lake has been made since the construction of the dam and impounding of water in said lake to the usual operating depth, and

WHEREAS, said survey discloses the fact that Ira S. Davis and Theodocia Davis, are the legal owners of two small tracts of land inundated by said waters, and

WHEREAS, said survey also discloses the fact that the City of Bloomington purchased from said Davis' two small tracts of land now situate on the shore line of said lake which are not inundated by said waters, and

WHEREAS, these tracts of land are all located in the West half of the Southeast quarter of Section 34, Township 10 North, Range 1 East, in Monroe County, Indiana, and adjoin each other along the shore line of said lake, and

WHEREAS, the said lands inundated by the waters of said lake owned by the said Davis' is approximately equal in area to the lands on the shore line of said lake which are not inundated and which are owned by the City, and

WHEREAS, it is the policy of the City of Bloomington to own and have title to all lands inundated by said lake, and

WHEREAS, the said Davis' are ready and willing to sell to the City of Bloomington the said lands so inundated, and

WHEREAS, the lands along the shore line and not inundated are not necessary for any purpose to the City of Bloomington, and

WHEREAS, the Board of Public Works of the said City of Bloomington is willing to sell the said uninundated land to said Davis', and

WHEREAS, the said Davis' are ready and willing to purchase said lands along the shore line and not inundated, THEREFORE,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA:

SECTION 1. THAT THE FOLLOWING DESCRIBED REAL ESTATE BE SOLD, TO-WIT:

CAA480

A part of the West half of the Southeast quarter of Section 34, Township 10 North, Range 1 East, in Monroe County, Indiana, bounded and described as follows, to-wit: Beginning at a point 1510 feet South and 352 feet East of the Northwest corner of said quarter section, thence South 213.5 feet, thence East 280 feet to shore elevation 630, thence in a northwesterly direction along and with the meanderings of elevation 630 to the point of beginning,

and

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Reserving to the City flowage rights thereon up to an elevation of Six Hundred Thirty-five (635) feet above sea level datum.

SECTION 2. That the Judge of the Monroe Circuit Court be requested to appoint three disinterested freeholders to appraise the same.

SECTION 3. That the Mayor be authorized to effect such sale at private sale for not less than the appraised value thereof, and that he be authorized to execute proper deeds of conveyance therefor, the City-Clerk-Treasurer be authorized to attest the same and to deliver such deed or deeds to the purchaser or respective purchasers thereof upon receipt of purchase price therefor.

SECTION 4. This ordinance shall be and become in full force and effect from and after the date of its passage.

Passed and adopted by the Common Council of the City of Bloomington, on the 15th day of February, 1955.

S/Emmett Kelly, Presiding Officer

ATTEST:

S/Esther F. Leavitt-Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington, on the 15th day of February, 1955, at the hour of 9:30 o'clock P.M.

S/Esther F. Leavitt, Clerk-Treasurer

This Ordinance approved and signed by me on the 15th day of February, 1955, at the hour of 9:30 o'clock P.M.

S/Emmett Kelly, Mayor