

ORDINANCE NO. 4 1953

An Ordinance authorizing the sale of property enacted 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 is the owner of certain items of personal property hereinafter described, and also

WHEREAS, there is standing timber in the Cascades Park area which the Board of Park Commissioners has recommended to be sold, and

WHEREAS, the Common Council believes that it would be to the best interests of said City that such items be sold and that the proceeds of sale be collected and paid to the respective Departments that have declared such surplus.

NOW THEREFORE BE IT ORDAINED BY THE  
COMMON COUNCIL OF THE CITY OF BLOOMINGTON,  
as follows:

Section 1. That the following items of personal property belonging to the Department of Sanitation be sold at Public Auction and on such terms and notice as may be prescribed by the Monroe Circuit Court but for an amount not less than their full appraised value:

- One (1) Four Cylinder gasoline power unit
- One (1) Four-Wheel heavy duty trailer
- Approximately two (2) or three (3) tons of steel and cast iron junk.

Section 2. That the following items of personal property belonging to the Water Department be sold at Public Auction and on such terms and notice as may be prescribed by the Monroe Circuit Court but for an amount not less than their full appraised value:

- One (1) 70 H.P. Hercules Internal Combustion Gas Engine #TXD1682264
- One (1) 70 H.P. Fairbanks Morse Pump #704024  
6" 5812, CPM 1400, Head 1481, RPM 1750
- Two (2) or Three (3) tons of scrap iron.

Section 3. That the following items of personal property belonging to the City of Bloomington and governed by the Board of Park Commissioners be sold at Public Auction and on such terms and notice as may be prescribed by the Monroe Circuit Court but for an amount not less than their full appraised value:

Fifteen (15) Sections Iron Fence,  
4' by 7' each.

One (1) #7 McCormick Deering horse drawn  
Mower with front wheel trucks.

One (1) Gasoline Engine, Ideal Model R,  
Serial # X30380

One (1) Gasoline Engine, Ideal Model R,  
Serial # X29170

Two (2) Tons of junk scrap.

Section 4. That the standing timber herein designated and described, belonging to the City of Bloomington and governed by the Board of Park Commissioners be sold at Public Auction and on such terms and notice as may be prescribed by the Monroe Circuit Court but for an amount not less than their full appraised value:

<u>SPECIES</u>	<u>NUMBER OF TREES</u>	<u>VOLUME IN BD.FT. BOYLE LOG SCALE</u>
Ash	34	5,282
Elm	55	7,762
Red Oak	16	3,264
Black Oak	14	1,965
White Oak	40	9,170
Sugar Maple	47	9,535
Hackberry	12	2,109
Walnut	56	6,605
Sycamore	11	2,988
Hickory	3	383
Basswood	8	792
Cherry	8	1,174
Beech	2	356
Yellow Poplar	4	947
TOTAL.....	310	52,332

BE IT FURTHER RESOLVED that while the Common Council believes that it is necessary and desirable and for the best interest of the City of Bloomington to sell the standing timber hereinabove described in Cascades Park, the Common Council hereby directs the Board of Park Commissioners to clearly mark and designate the timber hereinabove described and further directs the Board of Park Commissioners that the Part Superintendent, or some other employee authorized by the Board of Park Commissioners, shall be present when the timber is removed so that no unauthorized timber shall be

removed from the Park premises, and for the further reason of preventing damage to the Park in general, and to other timber within the Park area, and the Common Council hereby authorizes this authorizes this directive to be made a part of the terms and notice of sale.

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 this City for the appraisal of the property hereinabove described. 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 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 3 day of February, 1953.

/s/ EMMETT KELLY  
Emmett Kelly, Presiding Officer

ATTEST:

/s/ ESTHER F. LEAVITT  
Esther F. Leavitt, City Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington, Indiana  
this 3 day of February, 1953.

/s/ ESTHER F. LEAVITT  
Esther F. Leavitt, Clear-Treasurer

Approved and signed by me this 3 day of February, 1953.

/s/ EMMETT KELLY  
Emmett Kelly, Mayor