

ORDINANCE NO. 12, 1953

An Ordinance authorizing the sale of Seven (7) Lots in Cummings Addition to the City of Bloomington, Indiana, each designated by number; and authorizing the City of Bloomington to acquire two (2) Lots in Cummings Addition, designated by number; and directing that the net proceeds realized from the sale of said Lots be paid to the Board of Park Trustees of the City of Bloomington, Indiana, for the development of Bryan Park.

WHEREAS, the City of Bloomington, Monroe County, Indiana, is the owner of Lots in Cummings Addition, together with an unplatted area, which said area is commonly known and designated as Bryan Park, and

WHEREAS, the CITY deems it advisable to acquire two (2) additional lots, numbered One Hundred Sixty (160) and One Hundred Sixty-One (161) in Cummings Addition; and proposes to sell seven (7) Lots, four (4) of which front on Maxwell Lane, and three (3) of which front on Henderson Street, and

WHEREAS, the purpose of the sale and acquisition is to enlarge the Park area property and to raise funds for the development of Bryan Park.

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

Section 1. That the CITY do sell, alienate and convey by Warranty Deed, duly executed and acknowledged in the name of the City of Bloomington, by its Mayor and Clerk-Treasurer, and attested with the Seal of the City, the following described real estate:

Lots numbered Six (6), Seven (7), Eight (8), Ninety-Eight (98), Ninety-Nine (99), One Hundred Forty-Two (142), and One Hundred Forty-Three (143) in Cummings Addition to the City of Bloomington, as shown by the recorded Plat thereof.

Section 2. That the City of Bloomington, through its City Attorney, be and he is hereby requested to file a Petition in the Monroe Circuit Court, requesting the appointment of three (3) disinterested freeholders of this City to appraise each of said lots that the CITY proposes to convey, and that said appraisers, duly appointed by the Court, be directed to make their report to the Monroe Circuit Court; and further said Petition shall request authority of the Court, fixing the terms under which said Lots shall be sold.

Section 3. That when said lots have been duly appraised, pursuant to Statute, Lot number One Hundred Forty-Two (142) shall be conveyed to the owner of Lot Number One Hundred Sixty (160) in exchange for a Warranty Deed conveying Lot Number One Hundred Sixty (160) to the City of Bloomington, supported by an Abstract of Title evidencing a merchantable title in said Lot Number One Hundred Sixty (160); the Deed to said Lot Number One Hundred Sixty (160) in Cummings Addition as aforesaid, to be signed by all persons having an interest in the title to said Lot; and likewise Lot Ninety-Nine (99) shall be conveyed to the owners of Lot Number One Hundred Sixty-One (161) in Cummings Addition, upon receiving from the owners of Lot Number One Hundred Sixty-One (161) an Abstract of Title and Warranty Deed, duly signed by all persons owning an interest in Lot Number One Hundred Sixty-One (161), and conveying the same to the City of Bloomington.

Section 4. That the remaining five (5) lots shall be sold as directed by the Court, and the Mayor and Clerk-Treasurer, of the

City of Bloomington, are hereby authorized to take all necessary steps to effectuate a conveyance of said Lots; and the City Attorney is directed to have Abstracts of Title prepared for each of said Lots, including Lots Number Ninety-Nine (99) and One Hundred Forty-Two (142), certified down to date, which said Abstracts shall be delivered to the person, or persons, buying the respective Lots.

Section 5. That the proceeds realized from the sale of said Lots, after paying the Court costs and abstracting expenses in connection with said sale, shall be paid to the Board of Park Trustees of the City of Bloomington, Indiana, for the development of Bryan Park.

Section 6. Be it further ordained that the proper officials of the CITY shall take, or cause to be taken, all steps necessary, or in the opinion of the Mayor of the CITY, desirable in order that the provisions of this Ordinance may be effected at the earliest practicable date.

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

Passed and adopted by the Common Council of the City of Bloomington, Indiana, on the 2nd day of June, 1953.

S/Emmett Kelly, Presiding Officer

ATTEST:

Esther F. Leavitt, Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington, on the 2nd day of June, 1953 at the hour of 8:30 o'clock P.M.

S/Esther F. Leavitt, Clerk-Treasurer

This Ordinance approved and signed by me on the 2nd day of June, 1953, at the hour of 8:30 o'clock P.M.

S/Emmett Kelly, Mayor