

ORDINANCE OF THE CITY OF BLOOMINGTON,
 COUNTY OF MONROE, STATE OF INDIANA,
 No. 2, 1952

An Ordinance concerning the acquisition of land necessary to fulfill the purposes of the Water Works Improvement Program of the City of Bloomington, Indiana.

WHEREAS, The Common Council of the City of Bloomington, Indiana, and the Board of Public Works and Safety of said City have heretofore authorized the commencement of a water works improvement program as an addition to and an extension of the existing water works system now owned and operated by the City of Bloomington by and through its Board of Public Works and Safety, and

WHEREAS, The City of Bloomington, with the approval of the Public Service Commission of the State of Indiana, has entered into contracts for the construction of a dam and spillway, a contract for the relocation and improvement of public highways in the area where such extension to the present water works system is being developed, and a contract for the clearing of the land in the reservoir area, and other contracts to extend and enlarge the facilities of the existing water works, and

WHEREAS, In order to finance the said water works improvement program, the City, with the approval of the Public Service Commission, has issued and sold Water Revenue Bonds numbered 1 to 1750, the total sum being in excess of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), and

WHEREAS, The necessary funds with which to finance said water works improvement program and to carry out all of the various contracts heretofore entered into by the City are now available, and

WHEREAS, The construction of said improvements is now underway, having been begun in the year 1951, and

WHEREAS, The Board of Public Works and Safety of the City of Bloomington, Indiana has the power to condemn or purchase any real estate needed by the City of Bloomington, Indiana for any public use, and

WHEREAS, There is a specific tract or parcel of land located in Benton township of Monroe County, Indiana, now owned by Roy E. Greenfield & Helen Greenfield, husband and wife, which property is needed by the City of Bloomington for the public use hereinabove described,

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

Section 1. That the Board of Public Works and Safety of the City of Bloomington, Indiana, for and on behalf of, and in the name of the City of Bloomington, be, and the same is, hereby expressly authorized, ordered, and directed to acquire the title in fee simple to the real estate hereinafter described, either by purchase or condemnation under the laws of the State of Indiana.

Section 2. That the Board of Public Works and Safety be, and the same is, hereby expressly authorized, ordered, and directed to negotiate for and acquire the title to the real estate hereinafter described by purchase from the owners thereof, if possible, at its fair market value.

Section 3. That in the event the City of Bloomington, Indiana, by and through its Board of Public Works and Safety, is unable to acquire the fee simple title to the hereinafter described real estate by negotiation and purchase, then, in that event, the Board of Public Works and Safety of the City of Bloomington, Indiana, for and on behalf

of, and in the name of the City of Bloomington, is hereby expressly authorized, ordered, and directed to institute condemnation proceedings against the owners of record and any persons, firms, or corporations having or claiming any right, title, or interest in and to the following described real estate located in the County of Monroe, State of Indiana; to-wit:

A part of the West half of the Northeast quarter of Section Twenty-eight (28), Township Ten (10) North, Range One (1) East, bounded as follows: Beginning at the Southeast corner of said West half of said Northeast quarter of said Section Twenty-eight (28), running thence North to the Northeast corner of the Southwest quarter of the Northeast quarter of said Section Twenty-eight (28), running thence West to the West side of Bean Blossom Creek at high water mark; thence in a Southerly direction with the meanderings of said creek at high water mark on the West side thereof to the line dividing the Northeast quarter from the Southeast quarter of said Section Twenty-eight (28); thence East to the Southeast corner of said West half of the Northeast quarter of said Section Twenty-eight (28) to the place of beginning; with a right of way Fifteen (15) feet wide along the South edge of the Northeast quarter of the Northeast quarter of Section Twenty-eight (28), Fifteen (15) feet wide and extending West Twenty (20) feet from the Southwest corner of said quartersection, containing Twenty-five (25) acres, more or less.

Section 4. It is hereby determined and declared by the Common Council of the City of Bloomington that the acquisition of the fee simple title to the above described real estate is needed by the City for the construction of an extension to and improvement of the present water works system for the following public use, to-wit: The construction of and improvement to and extension of the present water works system of the City of Bloomington, including the necessary water reservoir area, and also including an area for water drainage and relocation of existing public highways.

Section 5. The purpose of this ordinance is to authorize the City of Bloomington, Indiana, by and through its Board of Public Works and Safety, to acquire title to real estate either by purchase or by condemnation under the power of Eminent Domain necessary for the completion of the extension of the present water works system owned and operated by said city.

Section 6. 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 on the 15th day of January, 1952.

/s/ Emmett Kelly
Emmett Kelly, Presiding Officer

Attest:

/s/ Esther F. Leavitt
Esther F. Leavitt, Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington on the 15th day of January 1952, at the hour of 8:20 o'clock P.M.

/s/ Esther F. Leavitt
Esther F. Leavitt, Clerk-Treasurer

This Ordinance approved and signed by me on the 15 day of January 1952, at the hour of 8:20 o'clock P.M.

/s/ Emmett Kelly
Emmett Kelly, Mayor