

*(Passed 8-0)  
goal absent*

**ORDINANCE 04-30**

**TO VACATE A PUBLIC PARCEL**

**Re: A 12-Foot Wide Right-of-Way Between Dunn Street and Indiana Avenue  
Running North of Thirteenth Street for 132 Feet  
(PSI Energy, Inc, and a Wholly Owned Subsidiary Known as South Construction Company,  
Petitioners)**

WHEREAS, I.C. 36-7-3-12 authorizes the Common Council to vacate public ways and places upon petition of persons who own or are interested in lots contiguous to those public ways and places; and

WHEREAS, the petitioners, PSI Energy, Inc, and a wholly owned subsidiary known as South Construction Company, have filed a petition to vacate a parcel of City property more particularly described below;

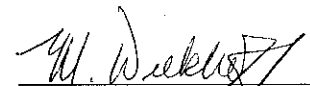
NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of I.C. 36-7-3-12, a portion of City owned property shall be vacated. The property, commonly known as a 12-foot wide right-of-way between Dunn Street and Indiana Avenue running north of Thirteenth Street for 132 feet, is more particularly described as follows:

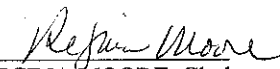
Beginning at the southeast corner of Lot 6, being a part of Lot 27 in Walnut Grove Addition to Bloomington, Indiana and on the north right-of-way of 13<sup>th</sup> Street, Bloomington, Indiana, extending north 132 feet to a point on the south line of the platted alley, also being the north line of Lot 6; thence east to the west line of Lot Number 7 of the subdivision of Lot 27 in Walnut Grove Addition to the City of Bloomington, Indiana, also being the south line of a platted alley; thence south 132 feet to the north right-of-way line of 13<sup>th</sup> Street; also being the southeast corner of Lot 27 in Walnut Grove Addition; thence west along the north right-of-way line of 13<sup>th</sup> Street to the point of beginning.

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

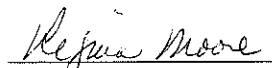
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 3rd day of November, 2004.

  
MICHAEL DIEKHOFF, President  
Bloomington Common Council

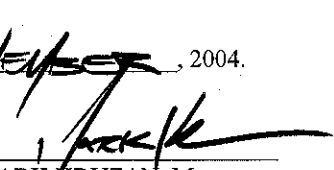
ATTEST:

  
REGINA MOORE, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 4th day of November, 2004.

  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 4th day of November, 2004.

  
MARK KRUZAN, Mayor  
City of Bloomington

SYNOPSIS

The petitioner, PSI Energy, Inc, and a wholly owned subsidiary known as South Construction Company, requests vacation of the public parcel commonly known as a 12-foot wide right-of-way between Dunn Street and Indiana Avenue running north of Thirteenth Street for 132 feet.

*Note: This ordinance was revised after it was distributed in the packet, but before it was introduced. The change corrected an error in one of the signature lines.*

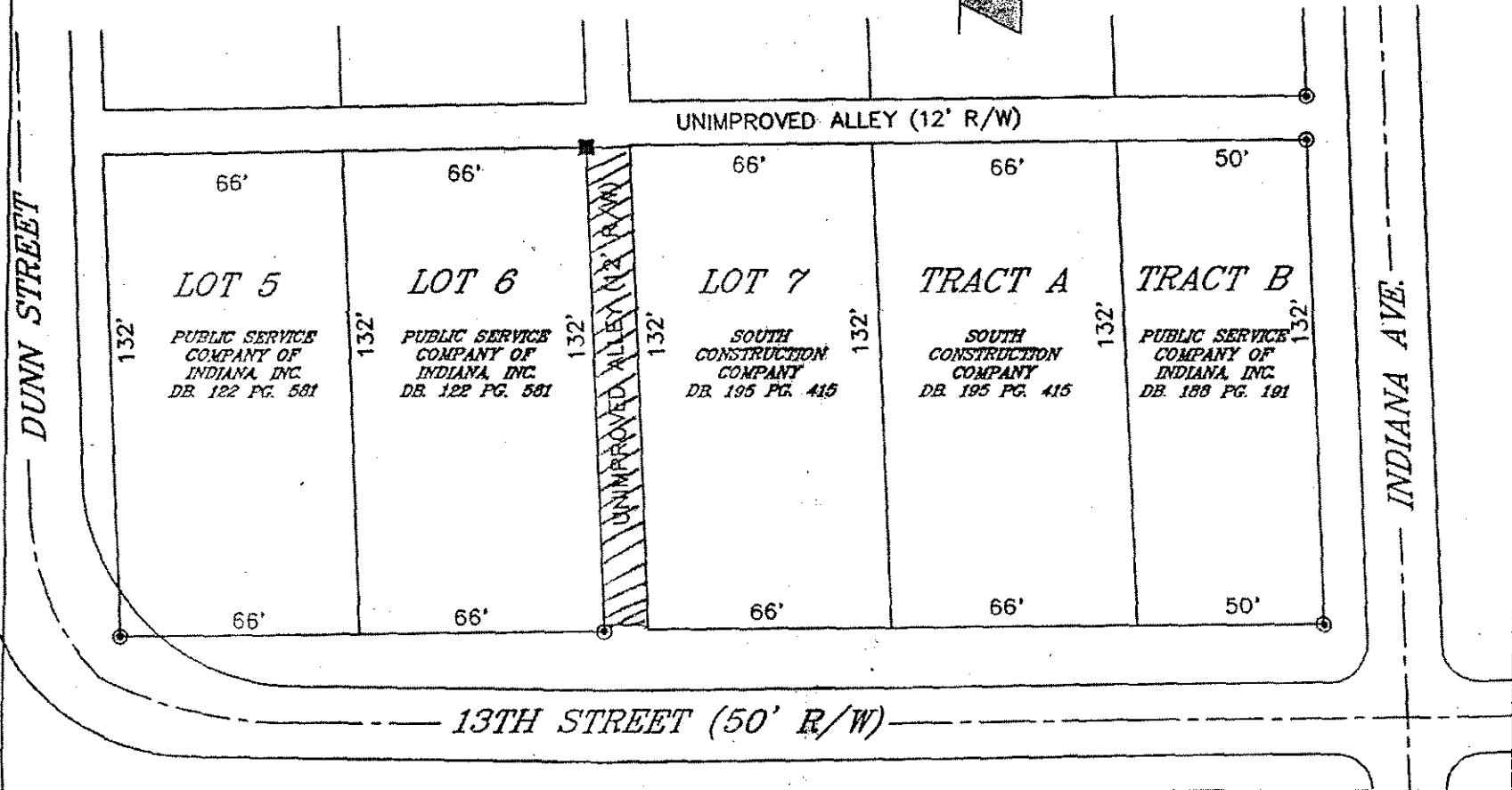
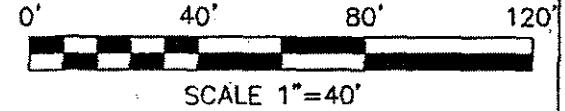
Signed copies to:  
legal (5)  
planning  
petitioner  
GIS  
PW  
CA/CA(2)  
clerk  
file  
by statute  
MC Recorder  
MC Auditor

*PROPERTY PLAT  
OF  
DUNN STREET SUBSTATION SITE  
PART OF LOT 27 IN WALNUT GROVE  
AN ADDITION TO THE  
CITY OF BLOOMINGTON,  
MONROE COUNTY, INDIANA*

MARCH, 2004

**LEGEND:**

- ⊙ IRON PIN FOUND
- CONC. MONUMENT FOUND



*DUNN STREET*

*INDIANA AVE.*

UNIMPROVED ALLEY (12' R/W)

13TH STREET (50' R/W)

*LOT 5*

*LOT 6*

*LOT 7*

*TRACT A*

*TRACT B*

*PUBLIC SERVICE  
COMPANY OF  
INDIANA, INC.  
DB. 122 PG. 581*

*PUBLIC SERVICE  
COMPANY OF  
INDIANA, INC.  
DB. 122 PG. 581*

*SOUTH  
CONSTRUCTION  
COMPANY  
DB. 195 PG. 415*

*SOUTH  
CONSTRUCTION  
COMPANY  
DB. 195 PG. 415*

*PUBLIC SERVICE  
COMPANY OF  
INDIANA, INC.  
DB. 188 PG. 191*

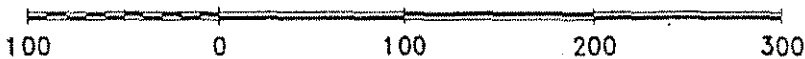
**PROPOSED ALLEY VACATION**

Beginning at the southeast corner of Lot 6, being a part of Lot 27 in Walnut Grove Addition to Bloomington, Indiana and on the north right-of-way of 13<sup>th</sup> Street, Bloomington, Indiana, extending north 132 feet to a point on the south line of the platted alley, also being the north line of Lot 6; thence east to the west line of Lot Number 7 of the subdivision of Lot 27 in Walnut Grove Addition to the City of Bloomington, Indiana, also being on the south line of a platted alley, thence south 132 feet to the north right-of-way line of 13<sup>th</sup> Street, also being the southeast corner of Lot 7 of a subdivision of Lot 27 in Walnut Grove Addition; thence west along the north right-of-way line of 13<sup>th</sup> Street to the point of beginning.



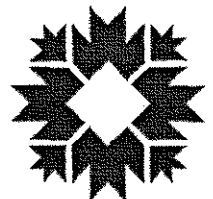
Location Map

By: friedmel  
9 Mar 04



N

City of Bloomington  
Planning



Scale: 1" = 100'

For reference only; map information NOT warranted.

**PETITION FOR VACATION OF PUBLIC RIGHT-OF-WAY**

CITY OF BLOOMINGTON  
COMMON COUNCIL

ORDINANCE 04-30  
1<sup>ST</sup> READING      October 20, 2004  
COMMITTEE        October 27, 2004  
FINAL HEARING    November 3, 2004

Office of the Common Council  
P.O. Box 100, Showers City Hall  
Bloomington, IN 47402  
(812) 349-3409

Address of Property:    North/South platted alley between North Dunn Street and Indiana Street,  
extending north from 13<sup>th</sup> Street to the East/West platted alley. The alley  
actually is between Lots 6 and 7, a part of Lot 27 in Walnut Grove  
Addition to Bloomington

Applicant's Name:      PSI Energy, Inc. (being formerly named) Public Service Company of  
Indiana, Inc.

Address:                    1000 East Main Street, Plainfield, IN 46168                    Phone: 800-428-4337  
ext. 6161

Counsel or Consultant: Michael L. Carmin,  
Andrews, Harrell, Mann, Carmin & Parker, P.C.

Address:                    400 W. 7<sup>th</sup> St., Ste. 104                    Phone: 812-332-4200  
P.O. Box 2639,  
Bloomington, IN 47402

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This application must be accompanied by all required submittals as stated in the information packet for vacation of public right-of-way. Staff reserves the right to schedule hearing dates for petitions subject to complete submittals. Notices to adjacent property owners should not be mailed until hearing dates have been confirmed.

I (we) agree that the applicant will notify all adjacent property owners by certified mail at the applicant's expense.

I (we) further agree that the applicant will cause a legal notice of this application to be published in a paper having general circulation in Bloomington at the applicant's expense.

I (we) certify that all forgoing information is correct and that I (we) are the owners (legal agents for owners) of property adjacent to the proposed vacation of public right-of-way which is the subject of this application.

Michael L. Carmin  
Signature    ATTORNEY FOR PETITIONER

10-14-04  
Date

MICHAEL L. CARMIN  
Please print name