

ORDINANCE 04-31

(Packet 7-0)  
goal absent  
Barack not deliberating

TO VACATE A PUBLIC PARCEL

Re: A 12-Foot Wide Improved Alley Running Between 307 and 317 East Second Street from East Second Street to the First Alley North of the Street  
(The Trustees of Indiana University, Petitioner)

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 petitioner, the Trustees of Indiana University, has filed a petition to vacate a parcel of City property more particularly described below;

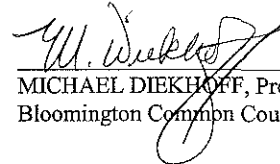
NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

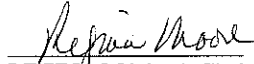
SECTION I. Through the authority of I.C. 36-7-3-12, a portion of City owned property shall be vacated. The property, commonly known as a 12-foot wide improved alley running between 307 and 317 East 2<sup>nd</sup> Street from Second Street to the first alley north of the street, is more particularly described as follows:

A part of a north-south alley platted in Wylie Addition, a subdivision to the City of Bloomington, Indiana, being a part of Seminary Lot Number 75 in the Northwest quarter of Section 4, Township 8 North, Range 1 West in Monroe County and found at page 105 of Plat Book number 2 in the Office of the Recorder of Monroe County, Indiana, and running north and south between Second Street and the first east-west alley north of Second Street and located between Lots 5 and 6 on the west side of the alley and Lots 7 and 10 on the east side of the alley, described as follows: Beginning at the Northeast corner of Lot 5 of said subdivision, running thence South 197 feet and to the Southeast corner of Lot 6 in said subdivision, thence East 12 feet and to the Southwest corner of Lot 7 in said subdivision, thence North 197 feet and to the Northwest corner of Lot 10 in said subdivision, thence West 12 feet and to the place of beginning.

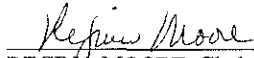
SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

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

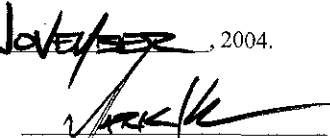
  
MICHAEL DIEKHOFF, President  
Bloomington Common Council

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, the Trustees of Indiana University, requests vacation of the public parcel commonly known as a 12-foot wide improved alley running between the Wiley House Museum (307 East 2<sup>nd</sup> Street) and the Annex (317 East 2<sup>nd</sup> Street) from East Second Street to the first alley north of the street.

*Note: The ordinance was revised after it was distributed in the packet, but before it was introduced at the Council on October 20, 2004 in order to make a minor change in the title and correct one of the signature lines.*

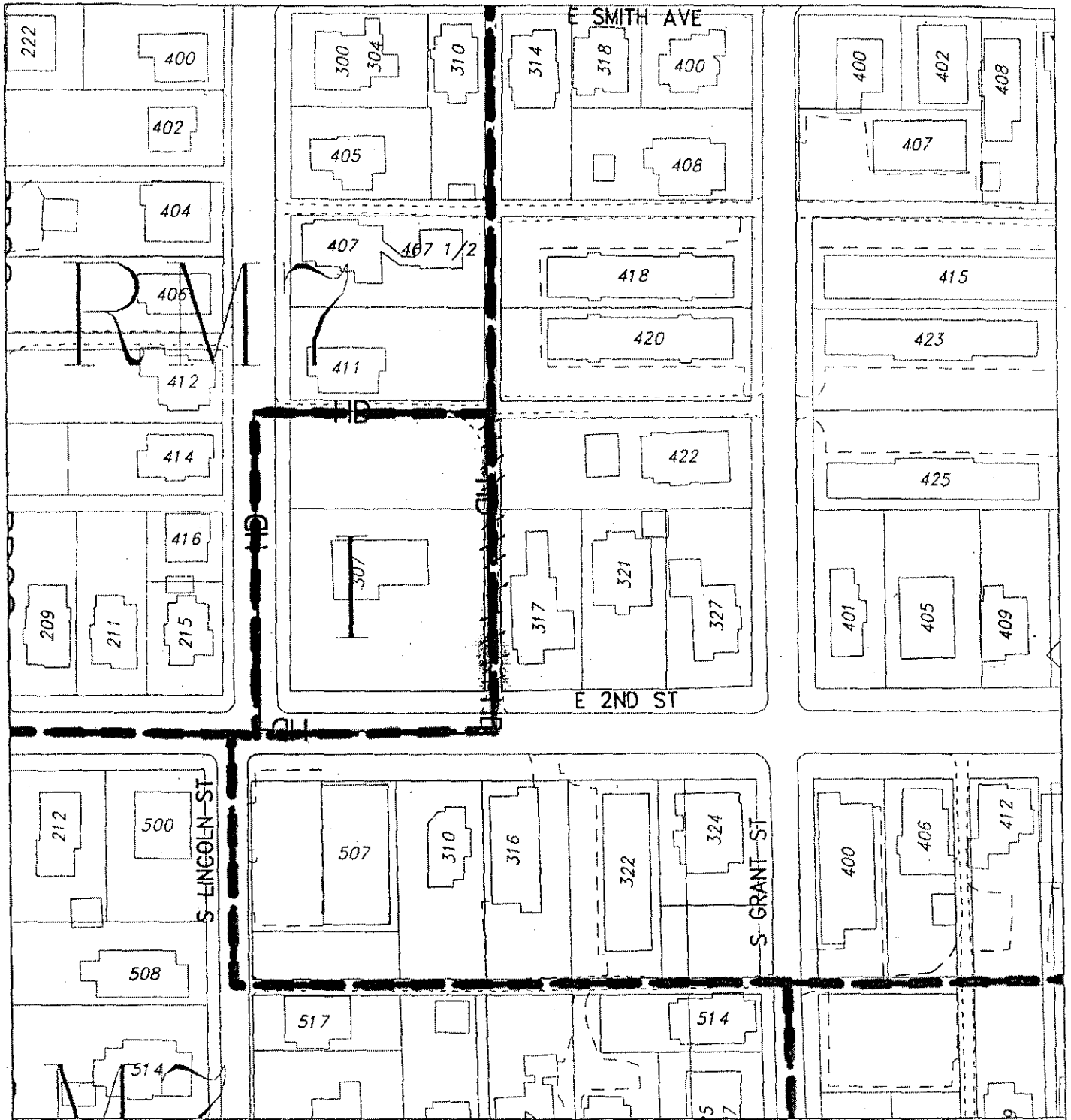
Signed copies to:

Legal (5)  
Planning  
petitioner

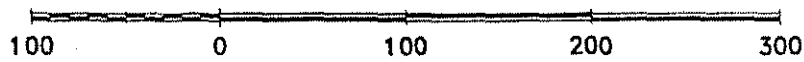
GIS  
PW  
CA/CA(2)

clerk  
file

by statute:  
MC Recorder  
MC Auditor



By: friedmel  
9 Mar 04



For reference only; map information NOT warranted.



City of Bloomington  
Planning

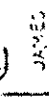
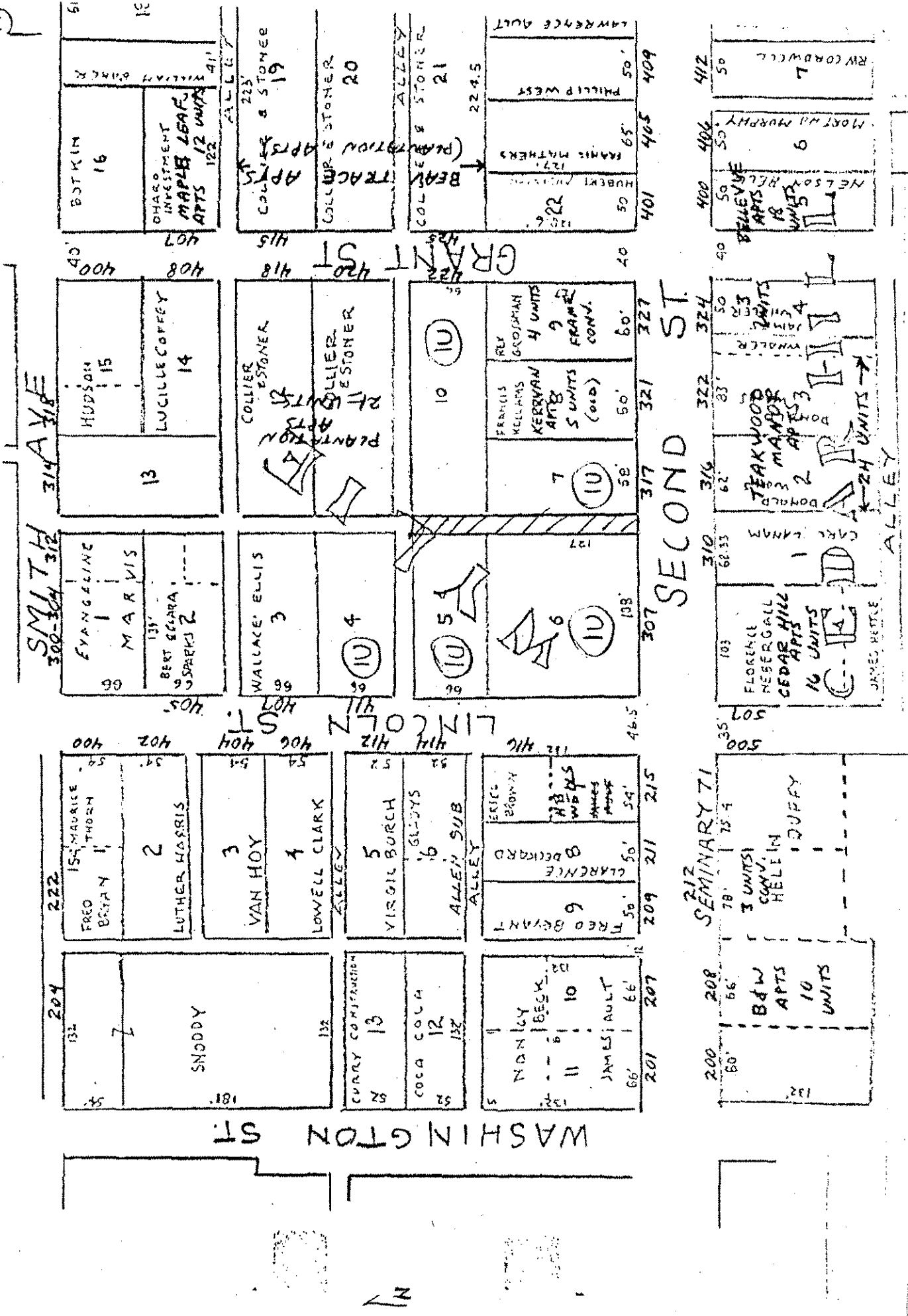


Scale: 1" = 100'

**Item 2. Legal Description of the Right-of-Way**

A part of a north-south alley as platted in Wylie Addition, a subdivision to the City of Bloomington, Indiana, being a part of Seminary Lot Number 75 in the Northwest quarter of Section 4, Township 8 North, Range 1 West in Monroe County and found at page 105 of Plat Book number 2 in the Office of the Recorder of Monroe County, Indiana, and running north and south between Second Street and the first east-west alley north of Second Street and located between Lots 5 and 6 on the west side of the alley and Lots 7 and 10 on the east side of the alley, described as follows: Beginning at the Northeast corner of Lot 5 of said subdivision, running thence South 197 feet and to the Southeast corner of Lot 6 in said subdivision, thence East 12 feet and to the Southwest corner of Lot 7 in said subdivision, thence North 197 feet and to the Northwest corner of Lot 10 in said subdivision, thence West 12 feet and to the place of beginning.

WYHE HOUSE AREA



PETITION FOR VACATION OF PUBLIC RIGHT-OF-WAY

CITY OF BLOOMINGTON  
COMMON COUNCIL

ORDINANCE 04-31  
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

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Address of Property:    North/ South running right-of-way located between Lincoln and Grant Streets and between 2<sup>nd</sup> Street and Smith Ave. directly east of the Wylie Museum. Specifically, this right -of-way segment is located between Lots 5 & 6, and Lots 7 & 10 of the Wylie Addition.

Applicant's Name:    The Trustees of Indiana University

Address: Carmichael Center, Suite 204, 530 East Kirkwood Ave.      Phone: 812- 855-4100  
Bloomington, IN 47408-4003

Counsel or Consultant: Lynn H. Coyne, Assistant Vice President for Administration

Address: Carmichael Center, Suite 204, 530 East Kirkwood Ave.      Phone: 812-855-4100  
Bloomington, IN 47408-4003

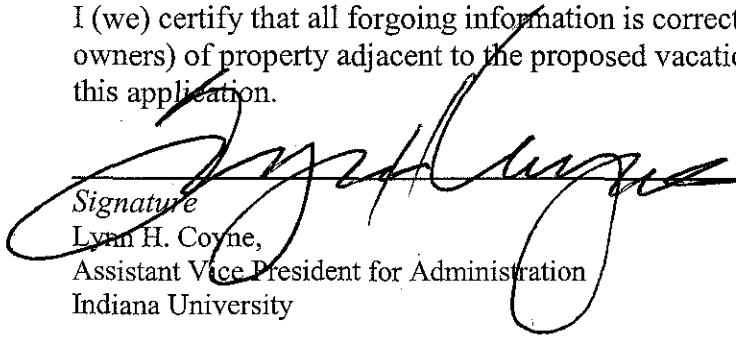
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This application must be accompanied by all required submittals as stated in the information packet for vacation of public right-of-way. Staff reserves the right to schedule hearing dates for petitions subject to complete submittals. Notices to adjacent 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.

  
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Signature  
Lynn H. Coyne,  
Assistant Vice President for Administration  
Indiana University

  
\_\_\_\_\_  
Date