

FILED

JUL 09 2025

SPECIAL ORDINANCE NO. 35, 2025

CITY CLERK

AN ORDINANCE VACATING A PORTION OF A PUBLIC WAY LOCATED IN THE CITY OF TERREHAUTE, VIGO COUNTY, INDIANA.

BE IT ORDERED by the Common Council of the City of Terre Haute, Indiana.

SECTION 1. Pursuant to the provisions of I.C. 36-7-3-12, it is desired and deemed necessary to vacate a portion of a public way located in the City of Terre Haute, Vigo County, Indiana, which is now laid out and existing in the City of Terre Haute, Indiana, and described as follows:

Beginning in the Southeast corner of Lot 1 (Parcel ID 84-06-15-379-003.000-002) in Block 12 of McGaughey and Roache's Subdivision of the middle part of the Southwest Quarter of Section 15, Township 12 North, Range 9 West, running thence West along Southline of Lot 1 (Parcel ID 84-06-15-379-003.000-002), Lot 2 (Parcel ID 84-06-15-379-002.000-002), Lot 3 (Parcel ID 84-06-15-379-001.000-002), and to the Southwest corner of Lot 4 (Parcel ID 84-06-15-379-001.000-002) thence South to the Northwest corner of Lot 5 (Parcel ID 84-06-15-379-001.000-002) thence East along Northline of Lot 5 (Parcel ID 84-06-15-379-001.000-002) to the Northeast corner of Lot 5 (Parcel ID 84-06-15-379-001.000-002) thence north to the point of beginning.

Commonly known as 1241 North 12th Street, Terre Haute, Indiana 47807.

SECTION 2. Be it further ordained that said portion of said public way in the City of Terre Haute, Indiana, above described, be and the same is vacated and will revert to the abutting properties, subject to the continuation of any and all existing easement rights for public utilities.

SECTION 3. Be it further ordained that the City Clerk be, and she is hereby directed to furnish a copy of this Ordinance to the Recorder of Vigo County, Indiana, for recording, and to the Auditor of Vigo County, Indiana.

WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as by law provided.

Presented by Council Member, _____
James Chalos, Councilperson

Passed in open Council this _____ day of _____, 2025.

Todd Nation, President

ATTEST:

Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this _____ day of _____ 2025 at
_____ o'clock..

Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this _____ day of _____ 2025.

Barndon Sukbun, Mayor

ATTEST:

Michelle Edwards, City Clerk

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

Steve McCalister
Steve McCalister

This instrument was prepared by Steve McCalister, 1401 North 13th Street, Terre Haute, Indiana 47807.

PETITION FOR VACATION OF PORTION OF A PUBLIC WAY

TO THE PRESIDENT AND MEMBERS OF THE
COMMON COUNCIL OF THE CITY OF TERRE
HAUTE, VIGO COUNTY, INDIANA

LADIES AND GENTLEMEN:

The undersigned, Steve McCalister of McCalister Brothers Inc., is the owner of land abutting a certain Public Way platted, which is located in Terre Haute, Indiana and respectfully petition and request the legislative body of the City of Terre Haute, Indiana to vacate that portion of a Public Alley described below pursuant to the various provisions of I.C. 36-7-3-12, and in support of this Petition would show to the Common Council of said City as follows:

1. The undersigned Steve McCalister of McCalister Brothers Inc., is the owner of the following described real estate located in Vigo County, State of Indiana:

PARCEL I

Lots Numbered Three (3), Four (4), Five (5), and Six (6) in Mack's Subdivision of Lots 1, 3, and 5, except 25 feet off the South side of said Lot 5 in Block 12 in McGaughey and Roach's Subdivision of the middle part of the Southwest Quarter of Section 15, Township 12 North, Range 9 West, as shown by the recorded plat thereof in Plat Record 4, Page 94, records of Recorder's Office of Vigo County, Indiana.

More commonly known as 1241 North 12th Street, Terre Haute, Indiana 47807.

PARCEL II

Lot Numbered Fifteen (15) in Mack's Subdivision of Lots 1, 2, 3, 4, 5, and 6, in Block 12 of McGaughey and Roache's Subdivision of the middle part of the Southwest Quarter of Section 15, Township 12 North, Range 9 West, as shown by the recorded plat thereof in Plat Record 3, Page 106, records of Recorder's Office of Vigo County, Indiana.

More commonly known as 1219 North 12th Street, Terre Haute, Indiana 47807

PARCEL III

Part of Lot Numbered Seven (7) in Block Numbered Twelve (12) in McGaughey and Roaches Subdivision of Fifty-six 66/100 acres in the middle part of the Southwest Quarter of Section Fifteen (15), Township Twelve (12) North, Range Nine (9) West, bounded as follows, to-wit:

Beginning at a point Thirty (30) feet South of the Northwest corner of said Lot Numbered Seven (7) running thence East to the East line of said Lot; thence South Thirty-nine (39) feet; thence West to the West line of said Lot; thence North Thirty-nine (39) feet to the place of beginning.
Except that part off the east end thereof taken for alley.

Also, Thirty (30) feet off the North side of Lot Numbered Seven (7) in Block Numbered Twelve (12) in McGaughey and Roach's Subdivision of Fifty-six 66/100 acres in the middle part of the Southwest Quarter of Section Fifteen (15), Township Twelve (12) North, Range Nine (9) West
More commonly known as 1217 North 12th Street, Terre Haute, Indiana 47807

2. That a copy of a map that shows the alley which runs between the Owners' property is attached hereto, made a part hereof:



3. That the portion of the Public Alley to be vacated as set forth above may be more particularly described as follows, to-wit:

Beginning in the Southeast corner of Lot 1 (Parcel ID 84-06-15-379-003.000-002) in Block 12 of McGaughey and Roache's Subdivision of the middle part of the Southwest Quarter of Section 15, Township 12 North, Range 9 West, running thence West along Southline of Lot 1 (Parcel ID 84-06-15-379-003.000-002), Lot 2 (Parcel ID 84-06-15-379-002.000-002), Lot 3 (Parcel ID 84-06-15-379-001.000-002), and to the Southwest corner of Lot 4 (Parcel ID 84-06-15-379-001.000-002) thence South to the Northwest corner of Lot 5 (Parcel ID 84-06-15-379-001.000-002) thence East along Northline of Lot 5 (Parcel ID 84-06-15-379-001.000-002) to the Northeast corner of Lot 5 (Parcel ID 84-06-15-379-001.000-002) thence north to the point of beginning.

4. Petitioner believe that no landowner adjoining and abutting the Public Way to be vacated would be adversely affected by the vacation of said Public Way, since the real estate is the said Public Way does not nor will not serve a functional purpose to the public.

5. Petitioner propose the vacation of the Public Way in order to allow more efficient and effective use of Petitioner's real estate.

6. The proposed vacation would not hinder the use of a public way by the neighborhood in which said portion of the Public Way is located or to which they are contiguous since the Petitioner is the owner

6. The proposed vacation would not hinder the use of a public way by the neighborhood in which said portion of the Public Way is located or to which they are contiguous since the Petitioner is the owner of the lands abutting said portion of said Public Way; as set forth above, the proposed vacation of said portion of said Public Way would not make access to any land by any person by means of a public way difficult or inconvenient; nor would said vacation hinder any member of the public's access to a church, school or other public building or place, nor will it interfere in any way with fire protection or police protection for property located within the City of Terre Haute, Indiana.

7. The names and addresses of all owners of land that abuts that portion of the Public Way above proposed to be vacated are the following:

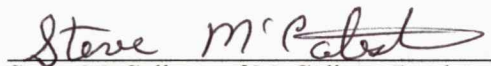
McCalister Brothers, Inc.
1401 North 13th Street
Terre Haute, Indiana 47807

WHEREAS, Petitioner respectfully requests and petitions the Common Council of the City of Terre Haute, Indiana, after hearing on this Petition in accordance with law to:

- a) Adopt an Ordinance vacating that portion of the Public Way referred to and described above, subject to existing easement rights for public utilities
- b) Cause the Clerk of the City of Terre Haute to furnish copies of said Vacation Ordinance to the County Recorder of Vigo County for recording and to the county Auditor, and to thereupon cause the Recorder to release said Ordinance to the Vigo County Area Planning Department for distribution in accordance with the City's Zoning Ordinance and Subdivision Code.
- c) For all other proper relief in the premises.

Date: 07-08-2025

PETITIONER: McCalister Brothers, Inc.


Steve McCalister of McCalister Brothers Inc.

Petitioner's Address: 1401 North 13th Street, Terre Haute, Indiana 47807

This instrument was prepared by Steve McCalister, 1401 North 13th Street, Terre Haute, Indiana 47807.



TERRE HAUTE, IN.

PAID

JUL 09 2025

CONTROLLER

Receipt of Payment

The following was paid to the City of Terre Haute Controller's Office

Date 07-09-2025
Name McCalister Brothers Inc
Reason Vacate Alley - \$5.00

Cash \$5.00

Check _____ Ck # _____

Credit _____

Total \$5.00

Received By E. J. Mone