

JAN 27 2025

SPECIAL ORDINANCE 6, 2025

CITY CLERK

AN ORDINANCE VACATING A PORTION OF AN ALLEY LOCATED IN THE CITY OF TERRE HAUTE, VIGO COUNTY, INDIANA.

BE IT ORDAINED 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 certain public streets and alley ways 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:

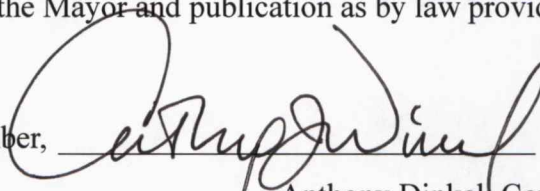
Beginning at the Southwest corner of Parcel Number 84-06-27-476-005.000-002 (commonly known as 1519 Washington Avenue); thence East approximately 120' to the Southeast corner of the same Parcel; thence South approximately 15' to the Northeast corner of Parcel Number 84-06-27-476-010.000-002 (commonly known as 1457 South 16th Street); thence North approximately 15' to the point of beginning.

SECTION 2. Be it further ordained that said portions of said alleyway in the City of Terre Haute, Indiana, above described, be and the same are 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.

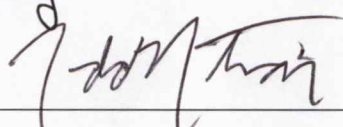
WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect form and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as by law provided.

Presented by Council Member,



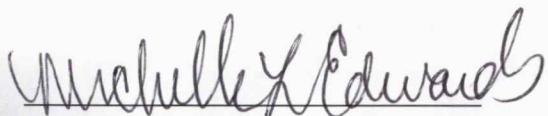
Anthony Dinkel, Councilperson

Passed in open Council this 13th day of February, 2025.



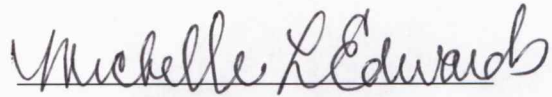
Todd Nation, President

ATTEST:



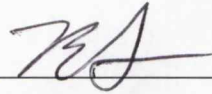
Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 18th day of February, 2025,
at 9:35 A.m.



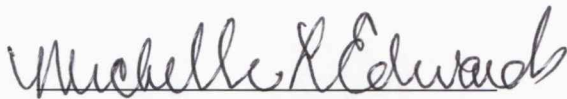
Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 18th day of February, 2025.



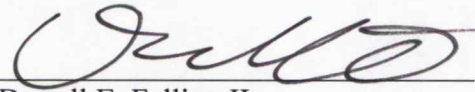
Brandon Sakbun, Mayor

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.



Darrell E. Felling II

This instrument prepared by Darrell E. Felling II, Lind & Felling Law Offices, 400 Ohio Street, Terre Haute, Indiana 47807.

PETITION FOR VACATION OF PUBLIC ALLEYWAY

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

GENTLEPERSONS:

Petitioner, Jared Smith, owns or has an interest in the real estate described in Section 1 which is contiguous to the public ways described in Section 3, and as the owner of land abutting said public ways platted in the City of Terre Haute, Indiana, respectfully petition and request the legislative body of the City of Terre Haute, Indiana, to vacate these portions of the public ways described in Section 3 pursuant to the 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. Petitioner is the owner of the following described real estate located in Vigo County, State of Indiana:

Lot Numbers Twenty-three (23), Twenty-four (24), and Twenty-five (25) in Heinl's Subdivision of a part of Lots 1 and 2 in Deans Subdivision of that part of the South Half (1/2) of the South East Quarter (1/4) of Section 27, Township 12 North of Range 9 West lying East of the Wabash and Erie Canal in the City of Terre Haute, Indiana, as shown by the recorded plat thereof recorded in Plat Record 10, page 29, records of the Recorder's Office of Vigo County, Indiana.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

Subject to real estate taxes prorated to the date hereof.

Parcel No. 84-06-27-476-005.000-002
Commonly known as: 1519 Washington Avenue, Terre Haute, IN 47804

2. That the following aerial photograph depicts the portion of the alley to be vacated:



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

Beginning at the Southwest corner of Parcel Number 84-06-27-476-005.000-002 (commonly known as 1519 Washington Avenue); thence East approximately 120' to the Southeast corner of the same Parcel; thence South approximately 15' to the Northeast corner of Parcel Number 84-06-27-476-010.000-002 (commonly known as 1457 South 16th Street); thence North approximately 15' to the point of beginning.

4. No landowner adjoining and abutting the public ways to be vacated would be adversely affected by the vacation of said public ways. To the knowledge of Petitioner, this portion of the alley has not been used as a public way for a substantial period of time, if ever.

5. Petitioner proposes the vacation of the public way in order to confirm existing uses of those public ways and to facilitate a proposed development project.

6. The proposed vacation would not hinder the use of a public way by the neighborhood in which the portions of the public ways to be vacated are located or to which they are contiguous. All other landowners in the area have and will continue to have direct access to public ways; and as set forth above, the proposed vacation of said portions of said public ways 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.

7. The names and addresses of all owners of land that abut that portion of the public ways to be vacated are as follows:

Jared Smith, Petitioner
1519 Washington Ave.
Terre Haute, IN 47804
Parcel No:
84-06-27-476-005.000-002

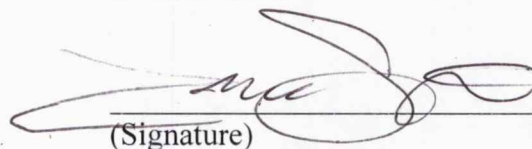
Strain Logistics LLC
9574 N. Co. Rd. 675 W.
Fairbanks, IN 47849
Parcel No.
84-06-27-476-010.000-002

WHEREFORE, 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 described in Section 3.
- 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 paragraph 10-125 of the City's Zoning Ordinance;
- c) For all other proper relief in the premises.

Respectfully submitted,

JARED SMITH


(Signature)

1/23/2025



Receipt of Payment

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

Date 11/27/25
Name JARED SMITH
Reason VACATING AN ALIBY

Cash 5.00
Check _____ Ck# _____
Credit _____
Total 5.00

Received By MS / ST

TERRE HAUTE, IN
PAID
JAN 27 2025
CONTROLLER

OFFICE OF THE CLERK
City Hall, Room 102
17 Harding Avenue
Terre Haute, Indiana 47807
812-244-2103

Michelle L. Edwards, City Clerk

city of terre haute

February 5, 2025

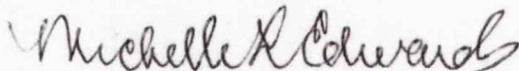
Strain Logistics
9574 N Co Rd 675 W
Fairbanks, IN 47849

Pursuant to I.C. 36-7-3-12, our office is notifying you of a proposed alley vacating. Enclosed is a copy of Special Ordinance 6, 2025 that vacates a portion of an East-West Public Alley located to the south of 1519 Wabash Avenue. This East-West Public Alley abuts your property located at 1457 S 16th Street. (Parcel No. 84-06-27-476-010.000-002)

If you wish to be heard concerning this ordinance, it will be discussed during the Regular Meeting of the Terre Haute City Council on February 13, 2025. If the Terre Haute City Council does not take action at that meeting, this matter will be continued to the next Regular Meeting of the Terre Haute City Council on March 6, 2025 as well as be acted upon. Both meetings are at 6:00PM in the City Courtroom located on the first floor of City Hall.

If you have any questions, please feel free to contact me at 812-244-2103 option #2 Monday through Friday 8:00AM to 4:00PM. You may also reach me by email at Michelle.Edwards@Terrehaute.IN.Gov

Sincerely,



Michelle L. Edwards
City Clerk

**CITY CLERK OF TERRE HAUTE
ROOM 102 CITY HALL
TERRE HAUTE, IN 47807
812-232-3375**

To: **Building Inspector, City of Terre Haute**

Special Ordinance 6, 2025

February 3, 2025

The street/alley as noted on attached ordinance needs posting at least ten (10) days prior to passage of ordinance. Please indicate posting date and return to the City Clerk's Office by February 12, 2025.



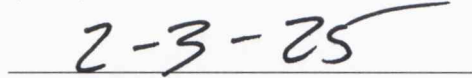
(Signature)



(Printed name)



(Title)



(Date Posted)

**CITY CLERK OF TERRE HAUTE
ROOM 102 CITY HALL
TERRE HAUTE, IN 47807
812-244-2103**

To: **Engineering Department, City of Terre Haute**

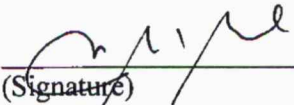
Special Ordinance 6, 2025

February 5, 2025

In accordance with General Ordinance 7, 1990, the City Clerk's Office must poll various departments in regard to the closing of a street or alley. Please review the attached ordinance and indicate any problems you see with the proposed closing. If there are any problems, please write in the space below. Return to the City Clerk's Office by February 12, 2025.

No Problems Noted

Problems as noted below


(Signature)

NORMAN CARUAL
(Printed name)

STAFF ENGINEER
(Title)

2/11/2025
(Date)

**CITY CLERK OF TERRE HAUTE
ROOM 102 CITY HALL
TERRE HAUTE, IN 47807
812-232-3375**

To: **TERRE HAUTE FIRE DEPARTMENT**

Special Ordinance 6, 2025

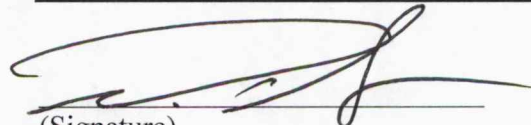
February 5, 2025

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No Problems Noted

Problems as noted below

n/a


(Signature)

Darrell C Scott
(Printed name)

Chat
(Title)

2/12/25
(Date)