

FILED

FEB 03 2010

Special Ordinance No. 3, 2010

CITY CLERK

AN ORDINANCE VACATING A PORTION OF A PUBLIC ACCESS LOCATED IN THE CITY OF TERRE HAUTE, 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 access 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:

Starting from the Northeast corner of Parcel #84-06-22-402-015.000-002 and extending East six and one-half feet (6 ½) to the boundary of Parcel #84-06-22-402-018.000-002 then South fifty-five and one-half feet (55 ½) to the Southwest corner of Parcel #84-06-22-402-018.000-002 then West six and one-half feet (6 ½) to the boundary of Parcel #84-06-22-402-015.000-002 then North fifty-five and one-half feet (55 ½) to the Northeast corner of Parcel #84-06-22-402-015.000-002.

Commonly bound by 1440 Eagle Street on the West, 1450 Eagle Street on the East, Eagle Street on the South and an alley on the North.

SECTION 2. Be it further ordained that said portion of said access 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.

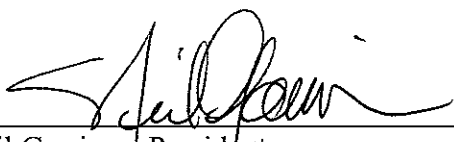
SECTION 3. Be it further ordained that the City Clerk be, and he is hereby directed to furnish a copy of this Ordinance to the Recorder of Vigo County, Indiana, for recording, and to the Auditor of Vigo County, Indiana.

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 be law provided,

Presented by Council Member,


John Millican

Passed in open Council this 11 day of March, 2010


Neil Garrison, President

ATTEST: Charles P. Hanley
Charles P. Hanley, City Clerk

Presented by me to the Mayor of the City of Terre Haute, this 12th day of March 2010.

Charles P. Hanley
Charles P. Hanley, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 12th day of MARCH 2010.

Duke A. Bennett
Duke A. Bennett, Mayor

ATTEST: Charles P. Hanley
Charles P. Hanley, City Clerk

This instrument prepared by Darin Higgs, 676 Ohio St., Terre Haute, Indiana 47807

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.

Darin Higgs
Darin Higgs

PETITION FOR VACATION OF PORTION OF A PUBLIC ACCESS

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

CITY OFFICIALS:

Larry Switzer, of Terre Haute, Indiana is the owner of land abutting a certain Public Access which is located in Terre Haute, Indiana, and respectfully petitions and requests the legislative body of the City of Terre Haute, Indiana to vacate that portion of a Public Access 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. Larry Switzer, the petitioner, is owner of the following parcels of real estate located in Vigo County, State of Indiana:

| <u>Real Estate Owner</u> | <u>Parcel Numbers</u> |
|---------------------------------|------------------------------|
| Larry & Annette Switzer | 84-06-22-402-015.000-002 |
| Larry Switzer | 84-06-22-402-018.000-002 |

2. That the portion of the Access to be vacated as set forth may be more particularly described as follows, to wit:

Starting from the Northeast corner of Parcel #84-06-22-402-015.000-002 and extending East six and one-half feet (6 ½) to the boundary of Parcel #84-06-22-402-018.000-002 then South fifty-five and one-half feet (55 ½) to the Southwest corner of Parcel #84-06-22-402-018.000-002 then West six and one-half feet (6 ½) to the boundary of Parcel #84-06-22-402-015.000-002 then North fifty-five and one-half feet (55 ½) to the Northeast corner of Parcel #84-06-22-402-015.000-002.

Commonly bound by 1440 Eagle Street on the West, 1450 Eagle Street on the East, Eagle Street on the South and an alley on the North.

3. No landowner adjoining and abutting the Public Access to be vacated would be adversely affected by the vacation of said Public Access. Listed landowner of affected property is the owner of all property adjoining and abutting the Public Access to be vacated.
4. Vacating the Public Access will not interfere in any way with fire protection or police protection for property located within the City of Terre Haute, Indiana.

5. The name and address of the owners of land that abuts to that portion of the Public Access above proposed is to be vacated is the Petitioner herein.

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 Access 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.

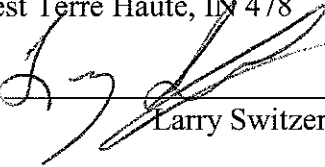
PETITIONER:

Larry Switzer

5440 W Nevada Dr.

West Terre Haute, IN 478

By

A handwritten signature in black ink, appearing to read 'Larry Switzer', is written over a horizontal line. The signature is stylized with a large initial 'L' and a long, sweeping horizontal stroke.

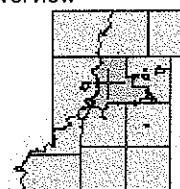
Larry Switzer

This instrument prepared by Darin Higgs, 676 Ohio St., Terre Haute, Indiana 47807.







Date Created: 1/25/2010
Map Scale: 1 in = 53 ft



Overview



Legend

-  Road Centerlines
-  Parcels
-  Blocks
-  Sections
-  Political Townships
-  Corporate Limits

Parcel ID 84-06-22-402-018.000-002

Sec/Twp/Rng

Property Address 1450 EAGLE ST
TERRE HAUTE

Alternate ID N/A

Class Res Vacant platted lot

Acreage 0.00

Owner Name SWITZER LARRY

Owner Address SWITZER LARRY
1440 EAGLE ST
TERRE HAUTE, IN 47807

District 002 HARRISON

Brief Tax Description BAILEY PLACE S-1/2 LOTS 1-2 & 14.67' W SIDE S 1/2 LOT 3
22-12-9

(Note: Not to be used on legal documents)

Last Data Upload: 1/23/2010 5:28:19 AM



developed by
The Schneider Corporation
www.schneidercorp.com

BRETT GIBSON / owner
P/R 2008 010797

SITE PLAN

The future intended use of the property is as follows:

To extend and enclose the property consisting of the public access, located between Parcel #84-06-22-402-018.000-002 and Parcel #84-06-22-402-015.000-002, and adjoining Parcel #84-06-22-402-018.000-002 with a chain-linked fence as an extension of Switzer's Auto Repair, a business located on adjoining Parcel #84-06-22-402-015.000-002. The lot will be used as **TEMPORARY** storage of vehicles at the facility. Vehicles will only be stored as needed until they are repaired. The lot will be covered with white rock and minimum to moderate landscaping.