

FILED
MAR 14 2013
CITY CLERK

SPECIAL ORDINANCE NO. 8, 2013

An Ordinance Vacating a Platted Public Alley 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 platted public alley located in the City of Terre Haute, Vigo County, Indiana, which is platted in the City of Terre Haute, Indiana, and described as follows:

The alley running North and South between Lots 13 and 14 of Spang and Grubes Subdivision bounded by Chase Street on the South and the Heritage Trail on the North.


SECTION 2. Be it further ordained that said alley in the City of Terre Haute, Indiana, above described, be and the same is vacated and will revert to the abutting owner, City of Terre Haute Department of Redevelopment, 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 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.

Introduced by: 
Neil Garrison

Passed in Open Council this 10th day of April, 2013.



Norm Loudermilk-City Council President

ATTEST: 
Charles P. Hanley, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 19th
day of April, 2013.


Charles P. Hanley, City Clerk

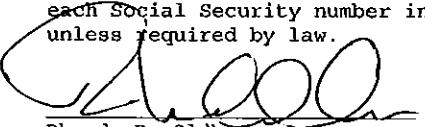
Approved by me, the Mayor, this 19th day of April, 2013.


Duke Bennett, Mayor

ATTEST: 
Charles P. Hanley, City Clerk

This instrument prepared by Rhonda D. Oldham, Attorney at Law, 191
Harding Avenue, Terre Haute, Indiana 47807;
Phone: (812)238-2421
Facsimile: (812)232-2940

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


Rhonda D. Oldham

PETITION FOR VACATION OF PUBLIC ALLEY

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

COUNCIL MEMBERS:

City of Terre Haute Department of Redevelopment, being owner of land abutting a Public Alley platted and located in Terre Haute, Indiana respectfully petitions and requests the legislative body of the City of Terre Haute, Indiana, to vacate the Public Alley described below pursuant to the provisions of I.C. 36-7-3-12 and in support thereof would show to the Common Council of said City the following:

1. That the petitioner owns the following described real estate located in Vigo County, State of Indiana:

Lots Number Thirteen (13) and Fourteen (14) in Spang and Grube's Subdivision, being a subdivision of Block Eleven (11) Burnam's Subdivision in the Northwest Quarter of Section 23, Township 12 North of Range 9 West.

Parcel No's. 84-06-23-111-001.000-002
84-06-23-111-002.000-002

Commonly known as 2210 and 2212 Chase St., Terre Haute, IN 47807.

2. That there are no owners of land adjacent to or abutting the alley to be vacated except the Petitioner.

3. That a copy of a portion of the plat of the Public Alley which runs between the Petitioner's parcels of real estate abutting the alley to be vacated is attached hereto as Exhibit A.

4. That said Public Alley to be vacated is specifically described as follows:

The alley running North and South between Lots 13 and 14 of Spang and Grube's Subdivision bounded by Chase Street on the South and the Heritage Trail on the North.

5. That said Alley has never been open for use of the general public and no landowner adjoining and abutting the alley to be vacated would be adversely affected by the vacation of the Alley.

6. Petitioner proposes the vacation of the alley in order to allow more effective use of the lots by the Petitioner.

7. The proposed vacation would not hinder the use of a public way by the neighborhood in which such alley is located or to which they are contiguous since all owners have direct access to a city street. The proposed vacation of the alley would not make access to any land by any person by means of a public way more difficult or inconvenient nor would it hinder any member of the public's access to a church, school or other public building or place nor will it interfere with the provision of utility service.

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 Alley 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.

IN WITNESS WHEREOF, this Petition has been duly executed this 14th day of March, 2013.

By:


Dean Branson

Dean Branson



STATE OF INDIANA)
)SS:
COUNTY OF VIGO)

Before me, the undersigned, a Notary Public in and for said County and State, this 14th day of March, 2013, personally appeared Dean Branson and acknowledged the execution of the foregoing Petition for Vacation of Public Alley.

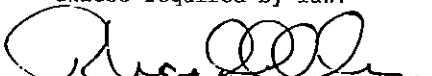
In witness whereof, I have hereunto subscribed my name and affixed my official seal.

Cynthia A. Chandler
Printed: Cynthia A. Chandler
Notary Public, residing in
Vigo County, Indiana

My Commission Expires:
10-3-2015

This instrument prepared by Rhonda D. Oldham, Attorney at Law,
191 Harding Avenue, Terre Haute, Indiana 47807;
Phone: (812)238-2421
Facsimile: (812)232-2940

I affirm, under the penalties of perjury,
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each Social Security number in this document,
unless required by law.


Rhonda D. Oldham

84-06-23-106-012.000-002

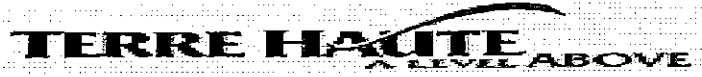
84-06-23-111-001.000-002

84-06-23-111-002.000-002

84-06-23-111-003.000-002

CHASE

EXHIBIT A



Receipt

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

Date: March 14, 2013

Name: Olham Law

Reason: Vacate Alley

Cash: -

Check: 500

Credit:

Total: 500

TERRE HAUTE, IN
PAID
MAR 13 2013
CONTROLLER

Received By: Pat Bellis

Introduced by: _____
Neil Garrison

Passed in Open Council this ____ day of _____, 2013.

Norm Loudermilk-City Council President

ATTEST: _____
Charles P. Hanley, City Clerk

Presented by me to the Mayor of the City of Terre Haute this ____
day of _____, 2013.

Charles P. Hanley, City Clerk

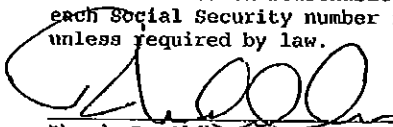
Approved by me, the Mayor, this ____ day of _____, 2013.

Duke Bennett, Mayor

ATTEST: _____
Charles P. Hanley, City Clerk

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Rhonda D. Oldham

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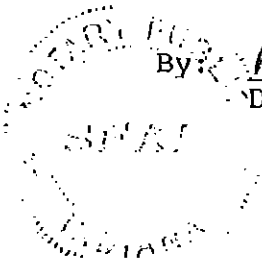
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By: 

Dean Branson



84-06-23-106-012,000-002

84-06-23-111-001,000-002

84-06-23-111-002,000-002

84-06-23-111-003,000-002

CHASE

EXHIBIT A

**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 8, 2013

March 15, 2013

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 April 5, 2013.

Daniel Bell
(Signature)

LEAD Inspector
(Title)

Daniel Bell
(Printed name)

3-22-2013
(Date Posted)

