

FILED

APR 10 2013

CITY CLERK

**SPECIAL ORDINANCE NO. 9, 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:

An alley running east and west between the City of Terre Haute Department of Parks and Recreation trail and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Spang and Grubes Subdivision bounded by 22<sup>nd</sup> Street on the West and 23<sup>rd</sup> Street on the East.

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 in its entirety to the abutting property owners to the South, 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, Councilman

Passed in open Council this 9 day of May, 2013.

 Norman Loudermilk, President

ATTEST:  Charles P. Hanley, City Clerk

Presented by me to the Mayor this 20<sup>th</sup> day of May, 2013.

Charles P. Hanley Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 20<sup>th</sup> day of MAY, 2013.

Duke A. Bennett Duke A. Bennett, Mayor

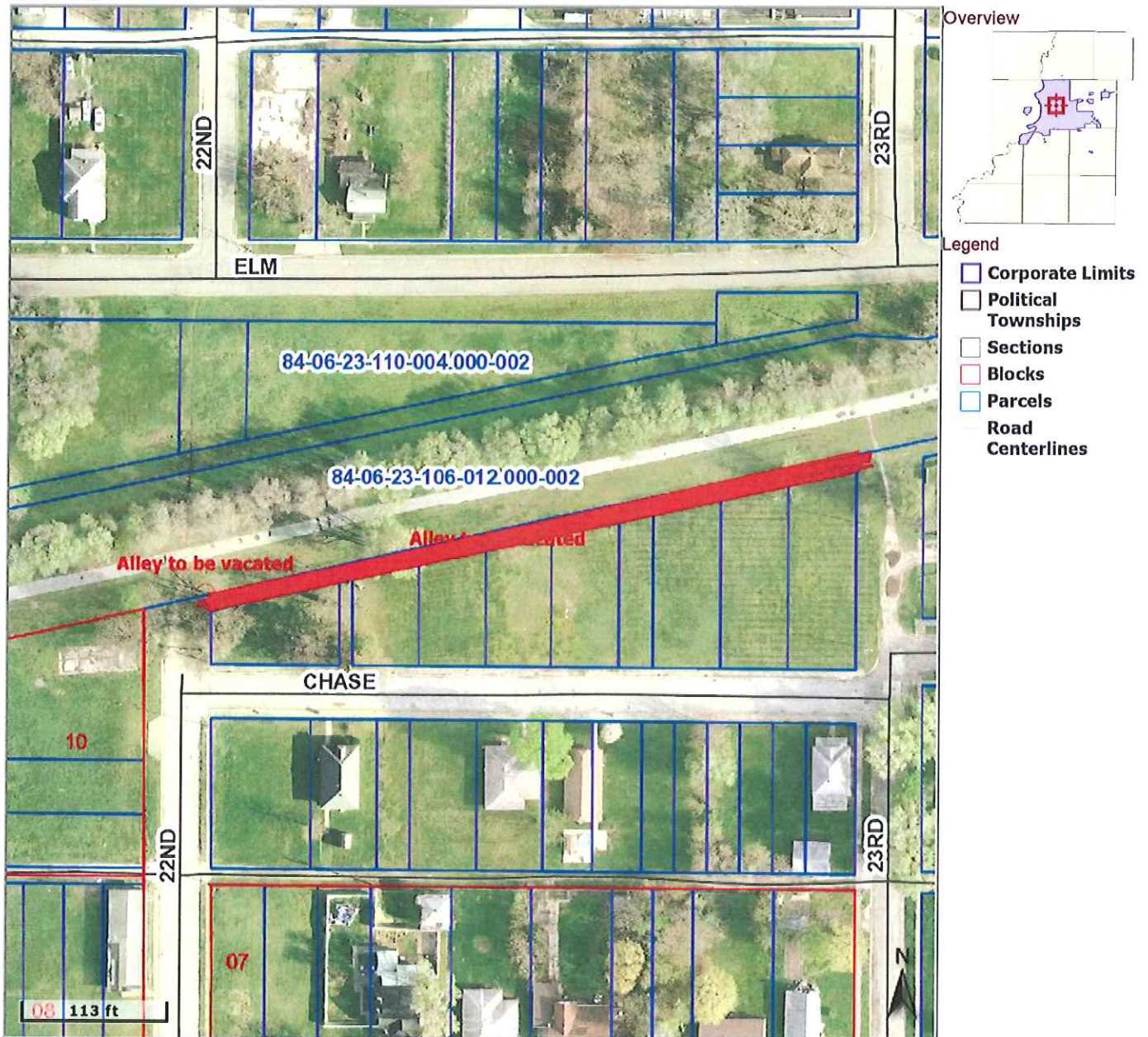
ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk

This instrument prepared by: Chou-il Lee, City Attorney, 17 Harding Avenue, Terre Haute, IN 47807; (812) 244-2373.

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.

C. Lee  
Chou-il Lee

Date Created: 4/11/2013



Last Data Upload: 4/11/2013 6:47:52 AM

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

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

Special Ordinance 9, 2013

April 19, 2013

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 April 30, 2013.

☒ No Problems Noted

☐ Problems as noted below

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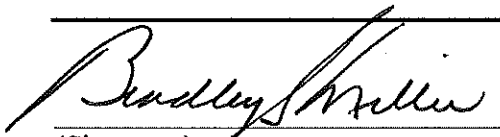
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(Signature)

BRADLEY S. MILLER  
(Printed name)

TRANSPORTATION DIRECTOR  
(Title)

4-23-2013  
(Date)

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

To: **TERRE HAUTE CITY POLICE DEPARTMENT**

Special Ordinance 9, 2013

April 19, 2013

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 April 30, 2013.

X No Problems Noted

           Problems as noted below

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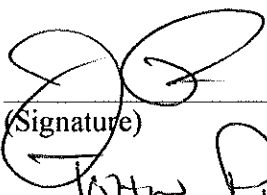
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(Signature)  
JOHN PLASSE  
(Printed name)

CHIEF OF POLICE  
(Title)  
4-23-13  
(Date)

**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 9, 2013

April 19, 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 30, 2013.

*Daniel Bell*  
(Signature)

*Lead Inspector*  
(Title)

*Daniel Bell*  
(Printed name)

*4-25-2013*  
(Date Posted)

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

To: **TERRE HAUTE FIRE DEPARTMENT**

Special Ordinance 9, 2013

April 19, 2013

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 April 30, 2013.

☒ No Problems Noted

☐ Problems as noted below

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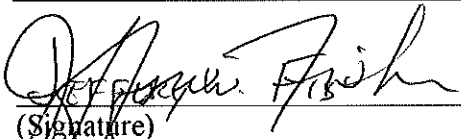
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(Signature)  
JEFFERY W. FISHER  
(Printed name)

FIRE CHIEF  
(Title)  
4-25-13  
(Date)

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

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

Special Ordinance 9, 2013

April 19, 2013

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 April 30, 2013.

☒ No Problems Noted

☐ Problems as noted below

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Marcus E. Maurer  
(Signature)

Marcus E. Maurer  
(Printed name)

Staff Engineer  
(Title)

4/29/2013  
(Date)



## **PETITION FOR VACATION OF PUBLIC ALLEY**

TO: The President and Members of the  
Common Council of the City of Terre Haute, Indiana

Council Members:

I, the undersigned Petitioner, am an authorized representative of the owner of real estate adjacent to a certain alleyway, in Terre Haute, Indiana, and respectfully submit this Petition and request 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 of this Petition state:

1. Petitioner is an authorized representative of the owner of the following described real estate located in Vigo County, Indiana:

Lot Numbers Three (3), Four (4), and Seven (7) in Spang and Grube's Subdivision, being a subdivision of Block Eleven (11) Burman's Subdivision in the Northwest Quarter of Section 23, Township 12 North of Range 9 West.

Parcel Nos. 84-06-23-111-009.000-002 and 84-06-23-111-006.000-002

Commonly known as 2248 and 2234 Chase Street, Terre Haute, IN 47807.

2. The portion of the alley to be vacated is described as follows:

An alley running east and west between the City of Terre Haute Department of Parks and Recreation trail and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Spang and Grubes Subdivision bounded by 22<sup>nd</sup> Street on the West and 23<sup>rd</sup> Street on the East.

3. 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.

4. The proposed vacation of the platted alley would not make access to any land by any person by means of public way difficult or inconvenient, nor would the vacation hinder any members of the public's access to a private or public building.

5. Petitioner proposes the vacation of the alley in order to allow more effective use of the lot by the Petitioner.

6. 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 because all land 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 and would not 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.

THEREFORE, 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; and
- 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 Control Code.
- c. For all other proper relief in the premises.

IN WITNESS WHEREOF, this Petition has been duly executed this 30 day of April, 2013.

Annette Houchin  
Signature

Annette Houchin Exec. Director  
Printed Name & Title

STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF VIGO       )

Before me, the undersigned, a Notary Public in and for said County and State, this 30<sup>th</sup> day of APRIL, 2013, personally appeared ANNETTE HOUCHIN, a duly authorized representative of owner, and acknowledged the execution of the foregoing Petition for Vacation of Public Alley.

Gloria E. Jackson  
Printed: GLORIA E. JACKSON  
Notary Public, residing in  
VIGO, County, Indiana

My Commission Expires:

JULY 5, 2017

This instrument prepared by Chou-il Lee, City Attorney, 17 Harding Avenue, Terre Haute, IN 47807; (812) 244-2373.

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.

Chou-il Lee  
Chou-il Lee

## **PETITION FOR VACATION OF PUBLIC ALLEY**

TO: The President and Members of the  
Common Council of the City of Terre Haute, Indiana

Council Members:

I, the undersigned Petitioner, am an authorized representative of the owner of real estate adjacent to a certain alleyway, in Terre Haute, Indiana, and respectfully submit this Petition and request 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 of this Petition state:

1. Petitioner is an authorized representative of the owner of the following described real estate located in Vigo County, Indiana:

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

Parcel Nos. 84-06-23-111-001.000-002 and 84-06-23-111-002.000-002

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

2. The portion of the alley to be vacated is described as follows:

An alley running east and west between the City of Terre Haute Department of Parks and Recreation trail and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Spang and Grubes Subdivision bounded by 22<sup>nd</sup> Street on the West and 23<sup>rd</sup> Street on the East.

3. 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.

4. The proposed vacation of the platted alley would not make access to any land by any person by means of public way difficult or inconvenient, nor would the vacation hinder any members of the public's access to a private or public building.

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

6. 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 because all land 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 and would not 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.

THEREFORE, 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; and
- 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 Control Code.
- c. For all other proper relief in the premises.

IN WITNESS WHEREOF, this Petition has been duly executed this 4<sup>th</sup> day of April, 2013.

By: Dean Branson  
Dean Branson  
Terre Haute Department of Redevelopment

STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF VIGO       )

Before me, the undersigned, a Notary Public in and for said County and State, this 4<sup>th</sup> day of April, 2013, personally appeared Dean Branson and acknowledged the execution of the foregoing Petition for Vacation of Public Alley.

Stephannie M. Gambill  
Stephannie M. Gambill  
Notary Public, residing in Vigo County, Indiana

My Commission Expires: 01/17/2016

This instrument prepared by Chou-il Lee, City Attorney, 17 Harding Avenue, Terre Haute, IN 47807; (812) 244-2373.

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.

Chou-il Lee  
Chou-il Lee

## **PETITION FOR VACATION OF PUBLIC ALLEY**

TO: The President and Members of the  
Common Council of the City of Terre Haute, Indiana

Council Members:

I, the undersigned Petitioner, am the owner of real estate adjacent to a certain alleyway, in Terre Haute, Indiana, and respectfully submit this Petition and request 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 of this Petition state:

1. Petitioner is the owner of the following described real estate located in Vigo County, Indiana:

Lot Numbers Five (5) and Six (6) in Spang and Grube's Subdivision, being a subdivision of Block Eleven (11) Burman's Subdivision in the Northwest Quarter of Section 23, Township 12 North of Range 9 West.  
Parcel No. 84-06-23-111-007.000-002

Commonly known as 2236 Chase Street, Terre Haute, IN 47807.

2. The portion of the alley to be vacated is described as follows:

An alley running east and west between the City of Terre Haute Department of Parks and Recreation trail and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Spang and Grubes Subdivision bounded by 22<sup>nd</sup> Street on the West and 23<sup>rd</sup> Street on the East.

3. 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.

4. The proposed vacation of the platted alley would not make access to any land by any person by means of public way difficult or inconvenient, nor would the vacation hinder any members of the public's access to a private or public building.

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

6. 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 because all land 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 and would not 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.



THEREFORE, 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; and
- 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 Control Code.
- c. For all other proper relief in the premises.

IN WITNESS WHEREOF, this Petition has been duly executed this 18<sup>th</sup> day of April, 2013.

By: Stephanie Stephens  
Stephanie Stephens

STATE OF Indiana )  
COUNTY OF Vigo ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 18<sup>th</sup> day of April, 2013, personally appeared Stephanie Stephens and acknowledged the execution of the foregoing Petition for Vacation of Public Alley.

Sally Elder  
Printed: \_\_\_\_\_  
Notary Public, residing in \_\_\_\_\_, County, State of \_\_\_\_\_

My Commission Expires:



This instrument prepared by Chou-il Lee, City Attorney, 17 Harding Avenue, Terre Haute, IN 47807; (812) 244-2373.

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.

C Lee  
Chou-il Lee

## PETITION FOR VACATION OF PUBLIC ALLEY

TO: The President and Members of the  
Common Council of the City of Terre Haute, Indiana

Council Members:

I, the undersigned Petitioner, am an authorized representative of the owner of real estate adjacent to a certain alleyway, in Terre Haute, Indiana, and respectfully submit this Petition and request 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 of this Petition state:

1. Petitioner is a duly authorized representative of the owner of the following described real estate located in Vigo County, Indiana:

### TRACT VI

Commencing at the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 13, Township 12 North, Range 9 West; A part of Section 23, Township 12 North, Range 9 West in Harrison Township, Vigo County, more particularly described as follows, to-wit: Commencing on the intersection of the half section line of Section 23, Township 12 North, Range 9 West and the center of Elm Street; thence North 25 feet to the place of beginning of this description; thence in a generally Southwesterly direction along the South line of the Terre Haute, Brazil and Eastern Railroad 2,725 feet; thence North 100 feet to the North line of the Terre Haute, Brazil and Eastern Railroad; thence in a Northeasterly direction 2,675 feet to the section line; thence South 100 feet to the place of beginning, and containing therein approximately 6.19 acres, more or less.

Parcel No. 84-06-23-106-012.000-002 (Instrument No. 2013000846; recorded 1/22/13)

Commonly known as 657 North 21<sup>st</sup> Street, Terre Haute, IN 47807.

2. The portion of the alley to be vacated is described as follows:

An alley running east and west between the City of Terre Haute Department of Parks and Recreation trail and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Spang and Grubes Subdivision bounded by 22<sup>nd</sup> Street on the West and 23<sup>rd</sup> Street on the East.

3. 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.

4. The proposed vacation of the platted alley would not make access to any land by any person by means of public way difficult or inconvenient, nor would the vacation hinder any members of the public's access to a private or public building.

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

6. 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 because all land 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 and would not 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.

THEREFORE, 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; and


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 Control Code.

c. For all other proper relief in the premises.

IN WITNESS WHEREOF, this Petition has been duly executed this 17<sup>th</sup> day of April, 2013.

City of Terre Haute Department of  
Parks and Recreation

By:

  
Signature

Gordon Bryan VP- Parks Board  
Printed Name & Title



STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF VIGO       )

Before me, the undersigned, a Notary Public in and for said County and State, this  
17<sup>th</sup> day of April, 2013, personally appeared  
Jordan Bryan, a duly authorized representative of real property  
owner, City of Terre Haute Department of Parks and Recreation, and acknowledged the  
execution of the foregoing Petition for Vacation of Public Alley.

Rita L. Coleman-Alsof

Printed: \_\_\_\_\_

Notary Public, residing in

Vigo County, State of Indiana

My Commission Expires: 10/5/13

This instrument prepared by Chou-il Lee, City Attorney, 17 Harding Avenue, Terre Haute, IN 47807;  
(812) 244-2373.

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.

Chou-il Lee  
Chou-il Lee

## **PETITION FOR VACATION OF PUBLIC ALLEY**

TO: The President and Members of the  
Common Council of the City of Terre Haute, Indiana

Council Members:

I, the undersigned Petitioner, am the owner of real estate adjacent to a certain alleyway, in Terre Haute, Indiana, and respectfully submit this Petition and request 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 of this Petition state:

1. Petitioner is the owner of the following described real estate located in Vigo County, Indiana:

Lot Numbers One (1) and Two (2) in Spang and Grube's Subdivision, being a subdivision of Block Eleven (11) Burman's Subdivision in the Northwest Quarter of Section 23, Township 12 North of Range 9 West.  
Parcel No. 84-06-23-111-010.000-002

Commonly known as 2250 Chase Street, Terre Haute, IN 47807.

2. The portion of the alley to be vacated is described as follows:

An alley running east and west between the City of Terre Haute Department of Parks and Recreation trail and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Spang and Grubes Subdivision bounded by 22<sup>nd</sup> Street on the West and 23<sup>rd</sup> Street on the East.

3. 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.

4. The proposed vacation of the platted alley would not make access to any land by any person by means of public way difficult or inconvenient, nor would the vacation hinder any members of the public's access to a private or public building.

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

6. 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 because all land 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 and would not 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.

THEREFORE, 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; and

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 Control Code.

c. For all other proper relief in the premises.

IN WITNESS WHEREOF, this Petition has been duly executed this 19 day of April, 2013.

By: Arica R Burskey  
Arica R. Burskey

STATE OF \_\_\_\_\_ )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

Before me, the undersigned, a Notary Public in and for said County and State, this 19<sup>th</sup> day of April, 2013, personally appeared Arica R. Burskey and acknowledged the execution of the foregoing Petition for Vacation of Public Alley.

Karen Buchanan  
Printed: \_\_\_\_\_  
Notary Public, residing in \_\_\_\_\_,  
County, State of \_\_\_\_\_

My Commission Expires:



This instrument prepared by Chou-il Lee, City Attorney, 17 Harding Avenue, Terre Haute, IN 47807; (812) 244-2373.

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.

Chou-il Lee  
Chou-il Lee

## **PETITION FOR VACATION OF PUBLIC ALLEY**

TO: The President and Members of the  
Common Council of the City of Terre Haute, Indiana

Council Members:

I, the undersigned Petitioner, am the owner of real estate adjacent to a certain alleyway, in Terre Haute, Indiana, and respectfully submit this Petition and request 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 of this Petition state:

1. Petitioner is the owner of the following described real estate located in Vigo County, Indiana:

Lot Numbers Eight (8) and Nine (9) in Spang and Grube's Subdivision, being a subdivision of Block Eleven (11) Burman's Subdivision in the Northwest Quarter of Section 23, Township 12 North of Range 9 West.  
Parcel No. 84-06-23-111-005.000-002

Commonly known as 2230 Chase Street, Terre Haute, IN 47807.

2. The portion of the alley to be vacated is described as follows:

An alley running east and west between the City of Terre Haute Department of Parks and Recreation trail and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Spang and Grubes Subdivision bounded by 22<sup>nd</sup> Street on the West and 23<sup>rd</sup> Street on the East.

3. 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.

4. The proposed vacation of the platted alley would not make access to any land by any person by means of public way difficult or inconvenient, nor would the vacation hinder any members of the public's access to a private or public building.

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

6. 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 because all land 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 and would not 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.

THEREFORE, 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; and

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 Control Code.

c. For all other proper relief in the premises.

IN WITNESS WHEREOF, this Petition has been duly executed this 18<sup>th</sup> day of April, 2013.

By:

Jennifer E. Clark  
Jennifer E. Clark

STATE OF IN )  
 ) SS:  
COUNTY OF Vigo )

Before me, the undersigned, a Notary Public in and for said County and State, this 18<sup>th</sup> day of April, 2013, personally appeared Jennifer E. Clark and acknowledged the execution of the foregoing Petition for Vacation of Public Alley.

Jamie L. Clark  
Printed: Jamie L. Clark  
Notary Public, residing in  
Vigo, County, State of IN

My Commission Expires:

12/6/14

This instrument prepared by Chou-il Lee, City Attorney, 17 Harding Avenue, Terre Haute, IN 47807; (812) 244-2373.

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.

Chou-il Lee  
Chou-il Lee



**PETITION FOR VACATION OF PUBLIC ALLEY**

TO: The President and Members of the  
Common Council of the City of Terre Haute, Indiana

Council Members:

I, the undersigned Petitioner, am an authorized representative of the owner of real estate adjacent to a certain alleyway, in Terre Haute, Indiana, and respectfully submit this Petition and request 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 of this Petition state:

1. Petitioner is an authorized representative of the owner of the following described real estate located in Vigo County, Indiana:

Lot Numbers Ten (10) and Eleven (11) in Spang and Grube's Subdivision, being a subdivision of Block Eleven (11) Burman's Subdivision in the Northwest Quarter of Section 23, Township 12 North of Range 9 West.  
Parcel Nos. 84-06-23-111-004.000-002

Commonly known as 2228 Chase Street, Terre Haute, IN 47807.

2. The portion of the alley to be vacated is described as follows:

An alley running east and west between the City of Terre Haute Department of Parks and Recreation trail and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Spang and Grubes Subdivision bounded by 22<sup>nd</sup> Street on the West and 23<sup>rd</sup> Street on the East.

3. 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.

4. The proposed vacation of the platted alley would not make access to any land by any person by means of public way difficult or inconvenient, nor would the vacation hinder any members of the public's access to a private or public building.

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

6. 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 because all land 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 and would not 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.

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THEREFORE, 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; and
- 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 Control Code.
- c. For all other proper relief in the premises.

IN WITNESS WHEREOF, this Petition has been duly executed this 26<sup>th</sup> day of April, 2013.

By:



Signature

Jeff Stewart, Executive Director  
Printed Name & Title

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF VIGO     )

Before me, the undersigned, a Notary Public in and for said County and State, this 26<sup>th</sup> day of April, 2013, personally appeared Jeff Stewart and acknowledged the execution of the foregoing Petition for Vacation of Public Alley.

Kristen M. Hollingsworth  
Printed Name: Kristen M. Hollingsworth  
Notary Public, residing in Vigo, County, Indiana  
My Commission Expires: November 23, 2017

This instrument prepared by Chou-il Lee, City Attorney, 17 Harding Avenue, Terre Haute, IN 47807; (812) 244-2373.

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.

Chou-il Lee  
Chou-il Lee

## **PETITION FOR VACATION OF PUBLIC ALLEY**

TO: The President and Members of the  
Common Council of the City of Terre Haute, Indiana

Council Members:

I, the undersigned Petitioner, am the owner of real estate adjacent to a certain alleyway, in Terre Haute, Indiana, and respectfully submit this Petition and request 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 of this Petition state:

1. Petitioner is the owner of the following described real estate located in Vigo County, Indiana:

Lot Numbers Twelve (12) in Spang and Grube's Subdivision, being a subdivision of Block Eleven (11) Burman's Subdivision in the Northwest Quarter of Section 23, Township 12 North of Range 9 West.  
Parcel No. 84-06-23-111-003.000-002

Commonly known as 2218 Chase Street, Terre Haute, IN 47807.

2. The portion of the alley to be vacated is described as follows:

An alley running east and west between the City of Terre Haute Department of Parks and Recreation trail and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of Spang and Grubes Subdivision bounded by 22<sup>nd</sup> Street on the West and 23<sup>rd</sup> Street on the East.

3. 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.

4. The proposed vacation of the platted alley would not make access to any land by any person by means of public way difficult or inconvenient, nor would the vacation hinder any members of the public's access to a private or public building.

5. Petitioner proposes the vacation of the alley in order to allow more effective use of the lot by the Petitioner.

6. 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 because all land 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 and would not 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.



THEREFORE, 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:

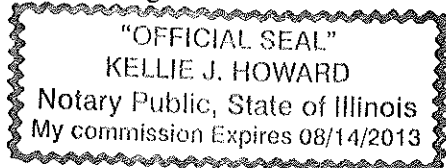
- a. Adopt an Ordinance vacating that portion of the Public Alley referred to and described above, subject to existing easement rights for public utilities; and
- b. Cause the Clerk of the City of Terre Haute to furnish copies of said vacation Ordinance to the County Recorder of Vigo County for recording 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 Control Code.
- c. For all other proper relief in the premises.

IN WITNESS WHEREOF, this Petition has been duly executed this 23 day of April, 2013.

By: Allen Dixon, Jr.  
Allen Dixon, Jr.

STATE OF Illinois )  
 ) SS:  
COUNTY OF Vermillion )

Before me, the undersigned, a Notary Public in and for said County and State, this 23 day of April, 2013, personally appeared Allen Dixon, Jr. and acknowledged the execution of the foregoing Petition for Vacation of Public Alley.



Kellie J. Howard  
Printed: Kellie J. Howard  
Notary Public, residing in  
Vermillion, County, State of IL

My Commission Expires:

8-14-2013

This instrument prepared by Chou-il Lee, City Attorney, 17 Harding Avenue, Terre Haute, IN 47807; (812) 244-2373.

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.

Chou-il Lee  
Chou-il Lee