

FILED

APR 10 2015

CITY CLERK

SPECIAL ORDINANCE NO. 9 . 2015

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

BE IT ORDAINED by the common Council of Terre Haute:

SECTION 1. Pursuant to the provisions of I.C.36-7-3-12, it is the desire and deemed necessary to vacate a portion of a Public Alleyway 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:

A part of Terre Town Subdivision per recorded plat thereof, in Plat Book 13, page 44, in the records of the Vigo county Recorder's Office, located in Section 2, Township 12 North, Range 9 West, Harrison Township, Vigo county, Indiana, described as follows:

A part of Terre Town Subdivision per recorded plat thereof, in Plat Book 13, page 44, in the records of the Vigo County Recorder's Office, located in Section 2, Township 12 North, Range 9 West, Harrison Township, Vigo County, Indiana, described as follows:

Beginning at the southeast corner of Lot 43 in said Terre Town Subdivision; thence north along the east line of said Lot 43, a distance of 130 feet to the northeast corner thereof; thence east 15 feet to the northerly prolongation of the west line of Lot 42 of said subdivision; thence south, passing through the northwest corner of Lot 42 at 20 feet, a distance of 130 feet to the southwest corner of said lot 42; thence west 15 feet to the place of beginning, containing 0.045 acres more or less.

ALSO:

Beginning at the northwest corner of Lot 42 in said Terre Town Subdivision; thence north 27½ feet to the radius point of Lots 37 through 42 of said subdivision; thence continuing north 27½ feet to the southwest corner of Lot 37 in said subdivision; thence clockwise along a non-tangent curve, concave to the west, having a radius of 27½ feet, the center point of said curve being the aforesaid radius point of Lots 37 through 42, an arc distance of 86.4 feet, to the point of beginning, containing 0.027 acres more or less.


Commonly bound by

2348 Berne Ave  
Terre Haute ,In 47805

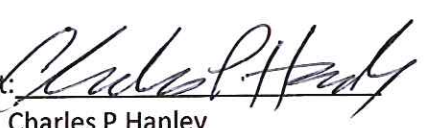
SECTION 2. Be it further ordained that said portion of said public alleyway in the City of Terre Haute , IN, above describe, be and the same is vacated and will revert to the abutting properties, subject to the continuation of any and all existing easement rights for public utilities.

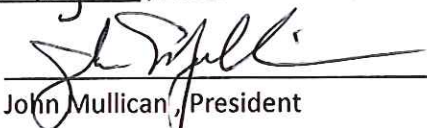
SECTION 3 . Be it further ordained that the city clerk is hereby directed to furnish a copy of this Ordinance to the Recorder of Vigo County , Indiana , for recording , and to the Auditor of Vigo County , Indiana

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

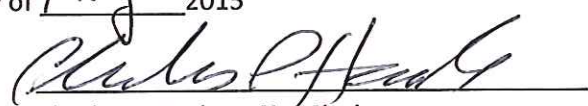
Presented By :   
Norm Loudermilk , Councilman

Passed in open Council this 14<sup>th</sup> day of May , 2015.

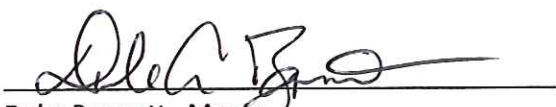
Attest:   
Charles P Hanley

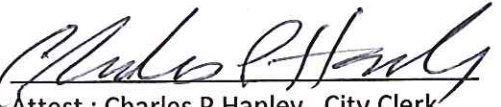
  
John Mullican , President

Presented by me to the Mayor , this 15<sup>th</sup> day of May 2015

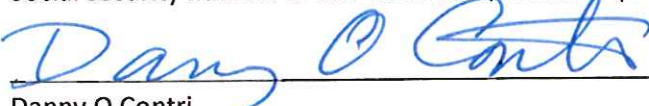
  
Charles P Hanley , City Clerk

Approved by me, the Mayor, This 15<sup>th</sup> day of MAY 2015

  
Duke Bennett , Mayor

  
Attest : Charles P Hanley , 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.

  
Danny O Contri

This instrument prepared by: Danny O Contri, 2348 Berne Ave, Terre Haute, IN 47805

4/06/15

PETITION FOR VACATION OF A PORTION OF PUBLIC ALLEY

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

Ladies and Gentlemen:

Danny O. & Cathy B. Contri, as the owners of land abutting a certain platted alley, respectfully petition and request the legislative body of the City of Terre Haute, Indiana to vacate that portion of the platted alley described below 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:

A part of Terre Town Subdivision per recorded plat thereof, in Plat Book 13, page 44, in the records of the Vigo County Recorder's Office, located in Section 2, Township 12 North, Range 9 West, Harrison Township, Vigo County, Indiana, described as follows:

Beginning at the southeast corner of Lot 43 in said Terre Town Subdivision; thence north along the east line of said Lot 43, a distance of 130 feet to the northeast corner thereof; thence east 15 feet to the northerly prolongation of the west line of Lot 42 of said subdivision; thence south, passing through the northwest corner of Lot 42 at 20 feet, a distance of 130 feet to the southwest corner of said lot 42; thence west 15 feet to the place of beginning, containing 0.045 acres more or less.

ALSO:

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The attached site plan highlights in yellow that portion of the public alley, as described above, which Petitioners seek to have vacated. Two other landowners adjoin and abut that portion of the public alley to be vacated and have agreed to the described vacation. (See attached letters referencing these two other landowners, who are not petitioners:

Parcel# 84-06-02-131-010.000-002

Parcel# 84-06-02-131-012.000-002

Joseph and Lana Reagin  
2336 Berne Ave  
Terre Haute, In 47805

Blake and Brittany Bougie  
4320 N 25<sup>th</sup> St  
Terre Haute ,In 47805

The proposed vacation would not hinder the use of any other public alley and the proposed vacation 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.


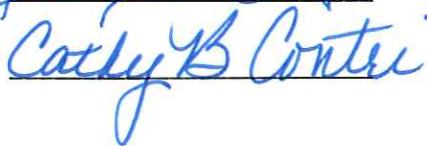
The name and address of the Petitioner is:

Parcel# 84-06-02-131-011.000-002

Danny O. & Cathy B. Contri

2348 Berne Avenue

Terre Haute IN 47805

Date: 4/10/15

Date: 4-10-15

4/28/15

FILED

MAY 4 2015

CITY CLERK

TO: Terre Haute City Council

RE: Vacation of alley

Attached is a description of the alley between properties owned by those listed below. All landowners support the proposed vacating of the alley submitted by Danny O. and Cathy B. Contri and do not object to the proposed vacating of alleys abutting their property

Amber Lytle

Parcel #84-06-02-131-012.000-002

4320 North 25<sup>th</sup> St

Terre Haute, In 47808

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4/06/2015

TO: Terre Haute City Council

RE: Vacation of Alley

Attached is a description of the alley between properties owned by those listed below. All landowners support the proposed vacating of the alley submitted by Danny O. and Cathy B. Contri and do not object to the proposed vacating of alleys abutting their property.


Blake & Brittany K (Bosilovatz) Bougie

Parcel #84-06-02-131-012.000-002

4320 North 25<sup>th</sup> St.

Terre Haute, In 47805

 4/10/2015


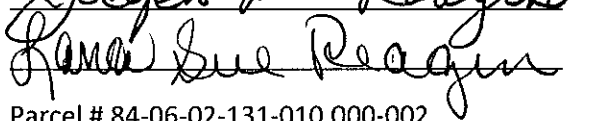
 4/10/15

4/06/15

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Parcel # 84-06-02-131-010.000-002

Joseph B. & Lana S. Reagin

2336 Berne Avenue

Terre Haute IN 47805

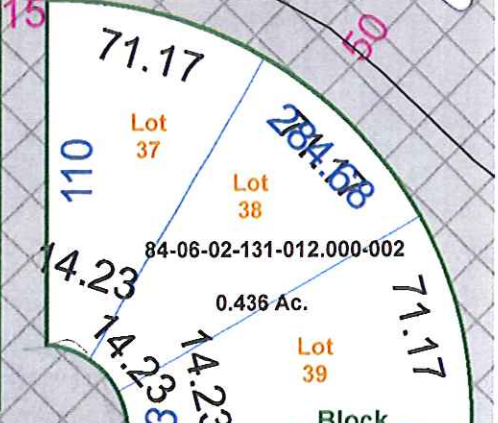


Lot 24 0.269 Ac. Block 01	Lot 22 0.634 Ac. 84-06-02-129-007.000-002	Lot 21 0.269 Ac. 84-06-02-129-008.000-002	Lot 20 0.377 Ac. 84-06-02-129-009.000-002	Lot 19	Lot 18	Lot 17	1
5 90 45	45 90 45	45 90 45	45 90 45	45 90 45	45 90 45	45 90 45	15

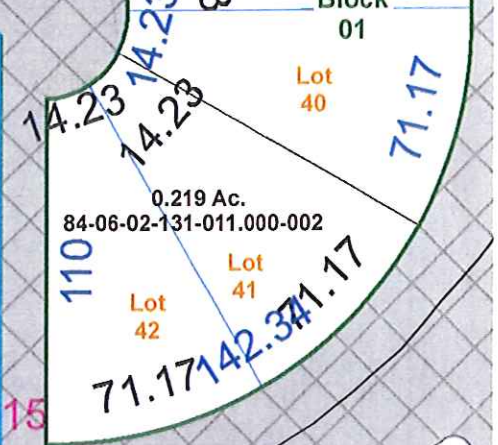


ORLEANS AVE

Lot 29 84-06-02-131-002.000-002	Lot 30 0.270 Ac.	Lot 31 0.270 Ac. 84-06-02-131-003.000-002	Block 01 Lot 32 0.270 Ac.	Lot 33 0.270 Ac. 84-06-02-131-004.000-002	Lot 34	Lot 35 0.270 Ac. 84-06-02-131-005.000-002	Lot 36 130
5 90 45	45 90 45	45 90 45	45 90 45	45 90 45	45 90 45	45 90 45	15

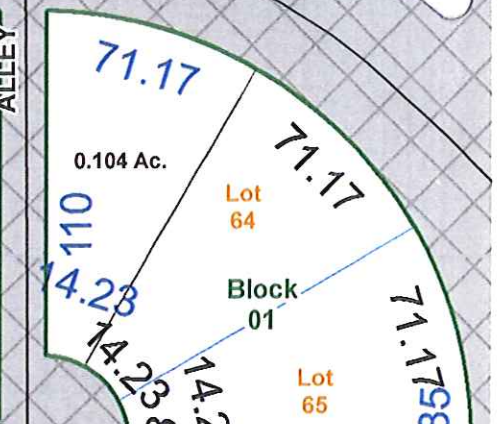


Lot 50 84-06-02-131-007.000-002	Lot 49	Lot 48 0.270 Ac.	Lot 47 84-06-02-131-008.000-002	Lot 46	Lot 45	Lot 44	Lot 43 0.135 Ac. 84-06-02-131-010.000-002
Block 01 .540 Ac.		0.270 Ac.	0.270 Ac.	84-06-02-131-009.000-002 0.405 Ac. Terre Town Sub			130
5 45	45	45 90 45	45 90 45	45 135 45	45 135 45	45	15

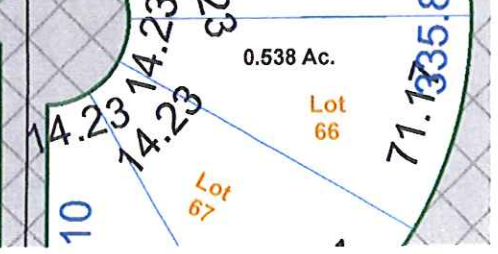


BERNE AVE

Lot 55 84-06-02-181-002.000-002 0.403 Ac.	Lot 56	Block 01 Lot 57 0.537 Ac.	Lot 58 0.537 Ac.	Lot 59	Lot 60	Lot 61	Lot 62 0.134 Ac. 84-06-02-181-004.000-002
5 135 45	45	45	45	45 180 45	45	45	130



Block 01 Lot 76 84-06-02-181-006.000-002	Lot 75 0.269 Ac.	Lot 74	Lot 73 0.537 Ac.	Lot 72	Lot 71 84-06-02-181-011.000-002	Lot 70	Lot 69 0.134 Ac.
30	10	10	10	10	10	10	30



ALLEY



OFFICE OF THE CLERK  
City Hall, Room 102  
17 Harding Avenue  
Terre Haute, Indiana 47807  
812-232-3375

Charles P. Hanley, City Clerk

April 17, 2015

Joseph and Lana Reagin  
2336 Berne Ave  
Terre Haute, IN 47805

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 9, 2015 that vacates the southern portion of a Public Alley located between Orleans Street to the North, Berne Avenue to the South, 23<sup>rd</sup> Street to the West and 25<sup>th</sup> Street to the East. This Public Alley abuts your property located at 2336 Berne Avenue, Terre Haute, Indiana (Parcel No. 84-06-02-131-010.000-002).

If you wish to be heard concerning this ordinance, it will be discussed during the Sunshine Meeting of the Terre Haute City Council on May 7, 2015. In addition, this matter will be discussed during the Regular Meeting of the Terre Haute City Council on May 14, 2015 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 812-232-3375 Monday through Friday 8:00AM to 4:00PM.

Sincerely,



Michelle L. Edwards  
Chief Deputy City Clerk

city of terre haute

OFFICE OF THE CLERK  
City Hall, Room 102  
17 Harding Avenue  
Terre Haute, Indiana 47807  
812-232-3375

Charles P. Hanley, City Clerk

April 17, 2015

Blake and Brittany Bougie  
4320 North 25<sup>th</sup> Street  
Terre Haute, IN 47805

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 9, 2015 that vacates the southern portion of a Public Alley located between Orleans Street to the North, Berne Avenue to the South, 23<sup>rd</sup> Street to the West and 25<sup>th</sup> Street to the East. This Public Alley abuts your property located at 4320 North 25<sup>th</sup> Street, Terre Haute, Indiana (Parcel No. 84-06-02-131-012.000-002).

If you wish to be heard concerning this ordinance, it will be discussed during the Sunshine Meeting of the Terre Haute City Council on May 7, 2015. In addition, this matter will be discussed during the Regular Meeting of the Terre Haute City Council on May 14, 2015 as well as be acted upon. Both meetings are at 6:00PM in the City Courtroom located on the first floor of City Hall.

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Sincerely,



Michelle L. Edwards  
Chief Deputy City Clerk

city of terre haute

OFFICE OF THE CLERK  
City Hall, Room 102  
17 Harding Avenue  
Terre Haute, Indiana 47807  
812-232-3375

Charles P. Hanley, City Clerk

May 6, 2015

Amber N Lytle  
4320 North 25<sup>th</sup> Street  
Terre Haute, IN 47805

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PLEASE NOTE: We were notified on Monday, May 4, 2015, that you purchased the property (Parcel No. 84-06-02-131-012.000-002) referenced above. The petitioner for the Public Alley vacating has indicated and submitted documentation that you have been notified of this proposed Public Alley vacating and have no objections. You may still attend the City Council meetings as indicated below if you so desire.

If you wish to be heard concerning this ordinance, it will be discussed during the Sunshine Meeting of the Terre Haute City Council on May 7, 2015. In addition, this matter will be discussed during the Regular Meeting of the Terre Haute City Council on May 14, 2015 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 812-232-3375 Monday through Friday 8:00AM to 4:00PM.

Sincerely,



Michelle L. Edwards  
Chief Deputy City Clerk

city of terre haute

FILED

APR 20 2015

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 9, 2015

April 17, 2015

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 May 1, 2015.

Daniel Bell  
(Signature)

LEAD Inspector  
(Title)

Daniel Bell  
(Printed name)

4-20-2015  
(Date Posted)

FILED  
APR 21 2015  
CITY CLERK

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, 2015

April 17, 2015

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 May 1, 2015.

No Problems Noted

Problems as noted below

A sewer is located in the alley to be vacated. In order to vacate this alley, an easement must be retained for the sewer

Marcus E. Maurer  
(Signature)

Staff Engineer II  
(Title)

Marcus E. Maurer  
(Printed name)

4/20/2015  
(Date)

FILED

APR 21 2015

CITY CLERK

**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, 2015

April 17, 2015

In accordance with General Ordinance 9, 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 May 1, 2015.

No Problems Noted

Problems as noted below

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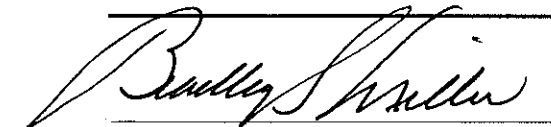
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(Signature)

BRADLEY S. MILLER  
(Printed name)

TRANSPORTATIONS DIRECTOR  
(Title)

4/21/2015  
(Date)



FILED

APR 28 2015

CITY CLERK

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

To: TERRE HAUTE FIRE DEPARTMENT

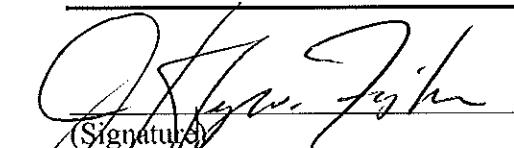
Special Ordinance 9, 2015

April 17, 2015

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No Problems Noted                       Problems as noted below

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

  
(Signature)  
JEFFERY W FISHER  
(Printed name)

Fire Chief  
(Title)  
4-28-15  
(Date)



**Receipt**

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

Date: 04/10/15

Name: Danny Contri

Reason: \_\_\_\_\_

Vacating Alley

\_\_\_\_\_

TERRE HAUTE, IN  
PAID

Cash: \_\_\_\_\_

Check: 500 CK# 1038

APR 10 2015

Credit: \_\_\_\_\_

CONTROLLER

Total: 500

Received By: Dat/Beelin