

**FILED**

JUL 13 2017

**CITY CLERK**

SPECIAL ORDINANCE NO. 30, 2017, as amended

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 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 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:

Alley and Access Way

All that part of the 16' wide north/south alley and access way bounded:

on the East by:

1. Parcel Nos.: 84-06-16-481-037.000-002;  
84-06-16-481-039.000-002;  
84-06-16-481-038.000-002;  
84-06-16-481-040.000-002;  
84-06-16-481-041.000-002;  
84-06-16-481-042.000-002;  
84-06-16-481-043.000-002; and  
84-06-16-481-044.000-002.

Addresses: 622-650 Lafayette Ave., Terre Haute, IN

Legal Description:

TRACT A-1  
LOT NUMBER FOUR (4) IN LOUISA A. COBBLE'S SUBDIVISION  
RECORDED IN PLAT CABINET A PAGE 241, BEING A  
SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF  
SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-II

LOT FIVE (5) EXCEPT TWENTY-THREE (23) FEET OFF THE SOUTH SIDE THEREOF IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241, BEING A SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-III

TWENTY-THREE (23) FEET OFF THE SOUTH SIDE OF LOT NUMBER FIVE (5) IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241, BEING A SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-IV

LOT SIX (6), EXCEPT TWENTY (20) FEET OF EVEN WIDTH OFF THE SOUTH SIDE THEREOF, IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-V

TWENTY (20) FEET OF EVEN WIDTH OFF THE SOUTH SIDE OF LOT SIX (6) IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-VI

28 FEET AND 3 INCHES OF EVEN WIDTH OFF THE NORTH SIDE OF THAT PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST BOUNDED AS FOLLOWS, TO-WIT:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 53 AND RUNNING THENCE EAST 16 FEET, THENCE NORTH 50 FEET 6 INCHES, THENCE WEST TO THE WEST LINE OF SAID LOT;  
THENCE SOUTH TO THE PLACE OF BEGINNING, EXCEPT SO MUCH OFF THE WEST AND THEREOF TAKEN FOR THE WIDENING OF SIXTH STREET, IN THE CITY OF TERRE HAUTE.

TRACT A-VII

PART OF LOT FIFTY-THREE (53) IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, BOUNDED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT FIFTY-THREE (53) AND RUNNING THENCE EAST ONE HUNDRED SIXTY (160) FEET, THENCE

NORTH FIFTY (50) FEET SIX (6) INCHES, THENCE WEST TO THE WEST LINE OF SAID LOT, THENCE SOUTH TO THE PLACE OF BEGINNING, EXCEPT SO MUCH OFF THE WEST END THEREOF TAKEN FOR THE WIDENING OF SIXTH STREET, IN THE CITY OF TERRE HAUTE. ALSO, EXCEPT TWENTY-EIGHT (28) FEET AND THREE (3) INCHES OF EVEN WIDTH OFF THE NORTH SIDE OF THE ABOVE DESCRIBED TRACT.

TRACT B-I

COMMENCING AT A POINT IN THE EAST LINE OF 6TH STREET AS NOW LOCATED AND ESTABLISHED IN THE CITY OF TERRE HAUTE 32 FEET AND 6 INCHES SOUTH OF THE NORTH LINE OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH RANGE 9 WEST, THENCE SOUTH ALONG THE EAST LINE OF SAID 6TH STREET 32 FEET AND 6 INCHES, THENCE EAST 143 FEET MORE OR LESS TO THE WEST LINE OF AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56 THENCE NORTH ALONG THE WEST LINE OF SAID ALLEY 32 FEET AND 6 INCHES THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-II

COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET, AS NOW LOCATED IN THE CITY OF TERRE HAUTE WHERE THE SAME INTERSECTS THE NORTH LINE OF LOT NUMBER FIFTY-SIX (56) IN THE SUBDIVISION OF SECTION SIXTEEN (16) IN TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, THENCE SOUTH ALONG THE EAST LINE OF SAID SIXTH STREET, THIRTY TWO (32) FEET AND SIX (6) INCHES; THENCE EAST ONE HUNDRED AND FORTY THREE (143) FEET MORE OR LESS TO THE WEST LINE OF AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT FIFTY SIX (56), THENCE NORTH ALONG THE WEST LINE OF SAID ALLEY THIRTY-TWO (32) FEET AND SIX (6) INCHES TO THE NORTH LINE OF SAID LOT FIFTY-SIX (56), THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-III

PART OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, AS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 87.5 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9) RUNNING THENCE NORTH 21.5 FEET; THENCE EAST PARALLEL

WITH THE NORTH LINE OF SAID LOT 56, TO THE ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED; THENCE SOUTH 21.5 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-IV

PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 87.5 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56, (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9), RUNNING THENCE SOUTH 21.50 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56, TO AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED; THENCE NORTH 21.50 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-V

TWENTY-SIX (26) FEET OFF THE SOUTH SIDE OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, BOUNDED AS FOLLOWS: COMMENCING AT A POINT ON THE EAST SIDE OF SIXTH STREET AS NOW LOCATED AND ESTABLISHED, 1 FOOT AND 4 INCHES SOUTH OF THE NORTH LINE OF THE PRIVATE ALLEY ON SAID PREMISES AS MENTIONED IN THE WILL OF SAMUEL MERRY, DECEASED, THENCE NORTH ALONG THE EAST LINE OF SAID SIXTH STREET 119 FEET AND 9 INCHES, MORE OR LESS, TO THE LOT OWNED BY MICHAEL HARKINS, THENCE EAST ALONG THE SOUTH LINE OF SAID HARKINS LOT TO THE ALLEY AS NOW LOCATED AND ESTABLISHED RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, THENCE SOUTH 119 FEET AND 9 INCHES, MORE OR LESS, TO A POINT EAST OF THE PLACE OF BEGINNING, THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-VI

THE SOUTH HALF OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: A PART OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 109 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM

AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9),  
RUNNING THENCE SOUTH 49 FEET, THENCE EAST PARALLEL  
WITH THE NORTH LINE OF SAID LOT 56 TO THE ALLEY  
RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE  
SAME IS NOW LOCATED AND ESTABLISHED, THENCE NORTH  
49 FEET, THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-VII

THE NORTH HALF (1/2) OF THE FOLLOWING DESCRIBED REAL  
ESTATE TO-WIT:

A PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16,  
TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS  
FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF  
SIXTH STREET AS THE SAME IS NOW LOCATED AND  
ESTABLISHED, 109 FEET SOUTH OF THE NORTH LINE OF SAID  
LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM  
AND PARALLEL WITH THE SOUTH LINE OF SECTION 16  
TOWNSHIP 12 NORTH, RANGE 9 WEST) RUNNING THENCE  
SOUTH 49 FEET; THENCE EAST PARALLEL WITH THE NORTH  
LINE OF SAID LOT 56 TO THE ALLEY RUNNING NORTH AND  
SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW  
LOCATED AND ESTABLISHED THENCE NORTH 49 FEET;  
THENCE WEST TO THE PLACE OF BEGINNING.

and on the West by:

2. Parcel No.: 84-06-16-481-005.000-002;  
84-06-16-481-006.000-002;  
84-06-16-481-007.000-002;  
84-06-16-481-008.000-002;  
84-06-16-481-009.000-002;  
84-06-16-481-010.000-002;  
84-06-16-481-011.000-002;  
84-06-16-481-012.000-002;  
84-06-16-481-013.000-002;  
84-06-16-481-014.000-002;  
84-06-16-481-015.000-002;  
84-06-16-481-016.000-002;  
84-06-16-481-017.000-002; and  
84-06-16-481-018.000-002.

Address: 921-1017 North 6<sup>th</sup> St., Terre Haute, IN

Legal Description:

TRACT A-VIII

BEGINNING AT SOUTHEAST CORNER OF LOT 53 IN SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, RUNNING THENCE NORTHEASTERLY ALONG WEST LINE OF LAFAYETTE AVENUE, 60 FEET, THENCE WEST 268.1 FEET MORE OR LESS TO EAST LINE OF ALLEY, 12 FEET WIDE, RUNNING NORTH AND EASTERLY THROUGH LOT 53, THENCE SOUTH ALONG EAST LINE OF SAID ALLEY, 50 FEET 6 INCHES MORE OR LESS TO SOUTH LINE OF LOT 53, THENCE EAST TO WEST LINE OF SAID LAFAYETTE AVENUE TO PLACE OF BEGINNING.

TRACT A-IX

PART OF LOT FIFTY-SIX (56) IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST;  
COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 56; THENCE WEST 234.68 FEET TO A POINT 160 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 65 FEET; THENCE EAST TO LAFAYETTE AVENUE; THENCE NORTHEASTERLY ALONG SAID AVENUE TO THE PLACE OF BEGINNING.

TRACT B-VIII

LOT 3 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16 IN TOWNSHIP 12 NORTH, RANGE 9 WEST IN TERRE HAUTE, VIGO COUNTY, INDIANA.

TRACT B-IX

LOT 1 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT B-X

LOT 2 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT B-XI

35 FEET OFF THE NORTH SIDE OF THE FOLLOWING DESCRIBED PART OF LOT #56 IN THE SUBDIVISION OF SECTION 16 TOWNSHIP 12 NORTH, RANGE 9 WEST, COMMENCING 76 FEET IN A SOUTHWESTERLY DIRECTION ON THE LINE OF THE TERRE HAUTE AND LAFAYETTE STATE ROAD FROM THE NORTHEAST CORNER OF SAID LOT, THENCE WEST 197 FEET, THENCE SOUTH 70 FEET, THENCE EAST TO SAID LAFAYETTE STATE ROAD, THENCE IN A NORTHEASTERLY DIRECTION ALONG THE LINE OF SAID ROAD TO THE POINT OF BEGINNING.

TRACT B-XII

BEGINNING 157 1/2 FEET IN A SOUTHWARDLY DIRECTION FROM THE NORTHEAST CORNER OF LOT 56 IN SECTION 16-12-9 RUNNING THENCE WEST 154 FEET THENCE SOUTH 70 FEET, THENCE EAST TO THE LAFAYETTE ROAD, THENCE NORTHWARDLY TO THE PLACE OF BEGINNING. EXCEPT A STRIP TWENTY-SIX (26) FEET WIDE AND OF EVEN WIDTH THROUGHOUT OFF THE SOUTH SIDE OF THE ABOVE DESCRIBED TRACT.

TRACT B-XIII

THE SOUTH HALF OF THE FOLLOWING DESCRIBED TRACT, TO-WIT: A PART OF LOT FIFTY-SIX IN SUBDIVISION OF SECTION SIXTEEN (16), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, COMMENCING SEVENTY-SIX (76) FEET IN A SOUTHWESTERLY DIRECTION ON THE TERRE HAUTE AND LAFAYETTE STATE ROAD, FROM NORTHEAST CORNER OF SAID LOT, THENCE WEST ONE HUNDRED NINETY-SEVEN (197) FEET, THENCE SOUTH SEVENTY (70) FEET, THENCE EAST TO THE STATE ROAD, THENCE IN A NORTHEASTERLY DIRECTION ALONG THE WEST LINE OF SAID ROAD TO BEGINNING. THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-847513-CHI2, DATED APRIL 28, 2017.

SECTION 2. Be it further ordained that said portion of said public alleyway 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.

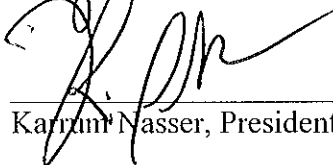
SECTION 3. Be it further ordained that the City Clerk be, and he is hereby directed to furnish a copy of this Ordinance to the Recorder of Vigo County, Indiana, for recording, and to the Auditor of Vigo County, Indiana.

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 by law provided.

Presented By: 

Curtis DeBaun, IV, Councilman

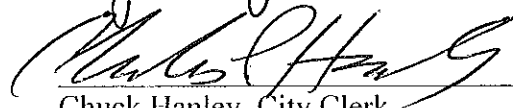
Passed in open Council this 13<sup>th</sup> day of July, 2017.

  
Karim Nasser, President

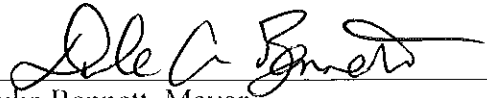
ATTEST:

  
Chuck Hanley, City Clerk

Presented by me to the Mayor this 17<sup>th</sup> day of July, 2017.

  
Chuck Hanley, City Clerk

Approved by me, the Mayor, this 17<sup>th</sup> day of July, 2017.

  
Duke Bennett, Mayor

Attest:   
Chuck 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.

  
Jeffrey A. Lewellyn

This instrument prepared by: Jeffrey A. Lewellyn, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 47807

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:

Vermilion Development, together with by contract and consent, H&H Realty and Indiana State University, 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:

1. H&H Realty and Indiana State University, collectively, Petitioner, are the owners of the following described real estate located in Vigo County, State of Indiana:

Legal Description:

TRACT A-I

LOT NUMBER FOUR (4) IN LOUISA A. COBBLE'S SUBDIVISION  
RECORDED IN PLAT CABINET A PAGE 241, BEING A  
SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF  
SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-II

LOT FIVE (5) EXCEPT TWENTY-THREE (23) FEET OFF THE SOUTH  
SIDE THEREOF IN LOUISA A. COBBLE'S SUBDIVISION  
RECORDED IN PLAT CABINET A PAGE 241, BEING A  
SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF  
SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-III

TWENTY-THREE (23) FEET OFF THE SOUTH SIDE OF LOT  
NUMBER FIVE (5) IN LOUISA A. COBBLE'S SUBDIVISION  
RECORDED IN PLAT CABINET A PAGE 241, BEING A  
SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF  
SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-IV

LOT SIX (6). EXCEPT TWENTY (20) FEET OF EVEN WIDTH OFF  
THE SOUTH SIDE THEREOF, IN LOUISA A. COBBLE'S  
SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241 OF  
PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16,  
TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-V

TWENTY (20) FEET OF EVEN WIDTH OFF THE SOUTH SIDE OF LOT SIX (6) IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-VI

28 FEET AND 3 INCHES OF EVEN WIDTH OFF THE NORTH SIDE OF THAT PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST BOUNDED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 53 AND RUNNING THENCE EAST 16 FEET, THENCE NORTH 50 FEET 6 INCHES, THENCE WEST TO THE WEST LINE OF SAID LOT; THENCE SOUTH TO THE PLACE OF BEGINNING, EXCEPT SO MUCH OFF THE WEST AND THEREOF TAKEN FOR THE WIDENING OF SIXTH STREET, IN THE CITY OF TERRE HAUTE.

TRACT A-VII

PART OF LOT FIFTY-THREE (53) IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, BOUNDED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT FIFTY-THREE (53) AND RUNNING THENCE EAST ONE HUNDRED SIXTY (160) FEET, THENCE NORTH FIFTY (50) FEET SIX (6) INCHES, THENCE WEST TO THE WEST LINE OF SAID LOT, THENCE SOUTH TO THE PLACE OF BEGINNING, EXCEPT SO MUCH OFF THE WEST END THEREOF TAKEN FOR THE WIDENING OF SIXTH STREET, IN THE CITY OF TERRE HAUTE. ALSO, EXCEPT TWENTY-EIGHT (28) FEET AND THREE (3) INCHES OF EVEN WIDTH OFF THE NORTH SIDE OF THE ABOVE DESCRIBED TRACT.

TRACT B-I

COMMENCING AT A POINT IN THE EAST LINE OF 6TH STREET AS NOW LOCATED AND ESTABLISHED IN THE CITY OF TERRE HAUTE 32 FEET AND 6 INCHES SOUTH OF THE NORTH LINE OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH RANGE 9 WEST, THENCE SOUTH ALONG THE EAST LINE OF SAID 6TH STREET 32 FEET AND 6 INCHES, THENCE EAST 143 FEET MORE OR LESS TO THE WEST LINE OF AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56 THENCE NORTH ALONG THE WEST LINE OF SAID ALLEY 32 FEET AND 6 INCHES THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-II

COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET, AS NOW LOCATED IN THE CITY OF TERRE HAUTE WHERE THE SAME INTERSECTS THE NORTH LINE OF LOT NUMBER FIFTY-SIX (56) IN THE SUBDIVISION OF SECTION SIXTEEN (16) IN TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, THENCE SOUTH ALONG THE EAST LINE OF SAID SIXTH STREET, THIRTY TWO (32) FEET AND SIX (6) INCHES; THENCE EAST ONE HUNDRED AND FORTY THREE (143) FEET MORE OR LESS TO THE WEST LINE OF AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT FIFTY SIX (56), THENCE NORTH ALONG THE WEST LINE OF SAID ALLEY THIRTY-TWO (32) FEET AND SIX (6) INCHES TO THE NORTH LINE OF SAID LOT FIFTY-SIX (56), THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-III

PART OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, AS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 87.5 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9) RUNNING THENCE NORTH 21.5 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56, TO THE ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED; THENCE SOUTH 21.5 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-IV

PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 87.5 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56, (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9), RUNNING THENCE SOUTH 21.50 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56, TO AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED; THENCE NORTH 21.50 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-V

TWENTY-SIX (26) FEET OFF THE SOUTH SIDE OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: PART OF LOT

56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, BOUNDED AS FOLLOWS: COMMENCING AT A POINT ON THE EAST SIDE OF SIXTH STREET AS NOW LOCATED AND ESTABLISHED, 1 FOOT AND 4 INCHES SOUTH OF THE NORTH LINE OF THE PRIVATE ALLEY ON SAID PREMISES AS MENTIONED IN THE WILL OF SAMUEL MERRY, DECEASED, THENCE NORTH ALONG THE EAST LINE OF SAID SIXTH STREET 119 FEET AND 9 INCHES, MORE OR LESS, TO THE LOT OWNED BY MICHAEL HARKINS, THENCE EAST ALONG THE SOUTH LINE OF SAID HARKINS LOT TO THE ALLEY AS NOW LOCATED AND ESTABLISHED RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, THENCE SOUTH 119 FEET AND 9 INCHES, MORE OR LESS, TO A POINT EAST OF THE PLACE OF BEGINNING, THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-VI

THE SOUTH HALF OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: A PART OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 109 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9), RUNNING THENCE SOUTH 49 FEET, THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56 TO THE ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED, THENCE NORTH 49 FEET, THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-VII

THE NORTH HALF (1/2) OF THE FOLLOWING DESCRIBED REAL ESTATE TO-WIT:  
A PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 109 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16 TOWNSHIP 12 NORTH, RANGE 9 WEST) RUNNING THENCE SOUTH 49 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56 TO THE ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED THENCE NORTH 49 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT A-VIII

BEGINNING AT SOUTHEAST CORNER OF LOT 53 IN SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, RUNNING THENCE NORTHEASTERLY ALONG WEST LINE OF LAFAYETTE AVENUE, 60 FEET, THENCE WEST 268.1 FEET MORE OR LESS TO EAST LINE OF ALLEY, 12 FEET WIDE, RUNNING NORTH AND EASTERLY THROUGH LOT 53, THENCE SOUTH ALONG EAST LINE OF SAID ALLEY, 50 FEET 6 INCHES MORE OR LESS TO SOUTH LINE OF LOT 53, THENCE EAST TO WEST LINE OF SAID LAFAYETTE AVENUE TO PLACE OF BEGINNING.

TRACT A-IX

PART OF LOT FIFTY-SIX (56) IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST:  
COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 56; THENCE WEST 234.68 FEET TO A POINT 160 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 65 FEET; THENCE EAST TO LAFAYETTE AVENUE; THENCE NORTHEASTERLY ALONG SAID AVENUE TO THE PLACE OF BEGINNING.

TRACT B-VIII

LOT 3 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16 IN TOWNSHIP 12 NORTH, RANGE 9 WEST IN TERRE HAUTE, VIGO COUNTY, INDIANA.

TRACT B-IX

LOT 1 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT B-X

LOT 2 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT B-XI

35 FEET OFF THE NORTH SIDE OF THE FOLLOWING DESCRIBED PART OF LOT #56 IN THE SUBDIVISION OF SECTION 16 TOWNSHIP 12 NORTH, RANGE 9 WEST, COMMENCING 76 FEET IN A SOUTHWESTERLY DIRECTION ON THE LINE OF THE TERRE HAUTE AND LAFAYETTE STATE ROAD FROM THE NORTHEAST CORNER OF SAID LOT, THENCE WEST 197 FEET, THENCE SOUTH 70 FEET, THENCE EAST TO SAID LAFAYETTE STATE ROAD,

THENCE IN A NORTHEASTERLY DIRECTION ALONG THE LINE OF SAID ROAD TO THE POINT OF BEGINNING.

TRACT B-XII

BEGINNING 157 1/2 FEET IN A SOUTHWARDLY DIRECTION FROM THE NORTHEAST CORNER OF LOT 56 IN SECTION 16-12-9 RUNNING THENCE WEST 154 FEET THENCE SOUTH 70 FEET, THENCE EAST TO THE LAFAYETTE ROAD, THENCE NORTHWARDLY TO THE PLACE OF BEGINNING. EXCEPT A STRIP TWENTY-SIX (26) FEET WIDE AND OF EVEN WIDTH THROUGHOUT OFF THE SOUTH SIDE OF THE ABOVE DESCRIBED TRACT.

TRACT B-XIII

THE SOUTH HALF OF THE FOLLOWING DESCRIBED TRACT, TO-WIT: A PART OF LOT FIFTY-SIX IN SUBDIVISION OF SECTION SIXTEEN (16), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, COMMENCING SEVENTY-SIX (76) FEET IN A SOUTHWESTERLY DIRECTION ON THE TERRE HAUTE AND LAFAYETTE STATE ROAD, FROM NORTHEAST CORNER OF SAID LOT, THENCE WEST ONE HUNDRED NINETY-SEVEN (197) FEET, THENCE SOUTH SEVENTY (70) FEET, THENCE EAST TO THE STATE ROAD, THENCE IN A NORTHEASTERLY DIRECTION ALONG THE WEST LINE OF SAID ROAD TO BEGINNING. THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-847513-CHI2, DATED APRIL 28, 2017.

Said real estate is commonly known as:

622-650 Lafayette Ave., Terre Haute, IN; and  
921-1017 North 6<sup>th</sup> St., Terre Haute, IN.

2. Petitioner is the owner of real estate abutting property on both sides of the alley to be vacated. A 16-foot wide alley runs North-South through the middle of and is bounded by the property owned by H&H Realty and Indiana State University, as described above in paragraph 1 and said alley, beginning at the northern boundary line extended of Lot 3 and Lot 4 of Louisa A. Cobbles Subdivision Recorded in Plat Cabinet A Page 241, being A Subdivision of Part Of Lot 53 in the Subdivision of Section 16. Township 12 North, Range 9 West and running then South to the north line of Locust Street. The attached site plan highlights in yellow that portion of the public alley, as described above, which Petitioner seeks to have vacated.

3. There is one other landowner adjoining and abutting a portion of the public alley to be vacated, and they are receiving notice of this Petition.

4. Petitioner believes that no landowners would be adversely affected by the vacation of the public alley as requested herein.

5. Petitioner proposes the vacation of that portion of the public alley because:

- It is the intent that Vermilion Development will develop the property by constructing an assisted living facility for seniors with disabilities on the site. The vacation of the public alley way will not be detrimental to the general public or the flow of traffic in the area and will then allow for the proposed development.
- The alley is not currently heavily travelled by vehicles.
- The alley is only minimally used for any designated public service purpose and utility service rights will be maintained or otherwise revised as such utility agrees.
- There are open public streets, Lafayette Avenue and North 6<sup>th</sup> Street, allowing public traffic to travel north and south on each side of the block where the subject alley is located.

5. The proposed vacation would not hinder the use of any other public alley; and as set forth above, 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.

6. The name and address of the owners of land that abut that portion of said alley proposed to be vacated is:

- a. H&H Realty, LLC;  
659 Elm St.  
Terre Haute, IN 47807
- b. Indiana State University  
200 North Seventh Street  
Terre Haute, IN 47809; and
- c. Maroska Alan K  
159 S Ridge Rd.  
Terre Haute, IN 47802

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;



- 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 1125.06 of the City's Zoning Ordinance; and
- C) For all other proper relief in the premises.

Respectfully submitted,

On behalf of Vermilion Development, H&H Realty, LLC and Indiana State University

By: \_\_\_\_\_

Jeffrey A. Lewellyn, Attorney for Petitioner  
Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP  
333 Ohio Street, Terre Haute, IN 47807  
Telephone: (812) 232-4311  
Facsimile: (812) 235-5107

TO THE CLERK OF THE CITY OF TERRE HAUTE:

RE: Petition to Vacate a Portion of Public Alley Filed on behalf of H&H Realty, LLC and Indiana State University

PRAECIPE REQUESTING SERVICE OF NOTICE

GENTLEMEN:

On behalf of H&H Realty, LLC and Indiana State University, the owner of the following described real estate:

Legal Description:

TRACT A-I  
LOT NUMBER FOUR (4) IN LOUISA A. COBBLE'S SUBDIVISION  
RECORDED IN PLAT CABINET A PAGE 241, BEING A  
SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF  
SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-II  
LOT FIVE (5) EXCEPT TWENTY-THREE (23) FEET OFF THE SOUTH  
SIDE THEREOF IN LOUISA A. COBBLE'S SUBDIVISION  
RECORDED IN PLAT CABINET A PAGE 241, BEING A  
SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF  
SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-III  
TWENTY-THREE (23) FEET OFF THE SOUTH SIDE OF LOT  
NUMBER FIVE (5) IN LOUISA A. COBBLE'S SUBDIVISION  
RECORDED IN PLAT CABINET A PAGE 241, BEING A  
SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF  
SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-IV  
LOT SIX (6), EXCEPT TWENTY (20) FEET OF EVEN WIDTH OFF  
THE SOUTH SIDE THEREOF, IN LOUISA A. COBBLE'S  
SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241 OF  
PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16,  
TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-V

TWENTY (20) FEET OF EVEN WIDTH OFF THE SOUTH SIDE OF LOT SIX (6) IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-VI

28 FEET AND 3 INCHES OF EVEN WIDTH OFF THE NORTH SIDE OF THAT PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST BOUNDED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 53 AND RUNNING THENCE EAST 16 FEET, THENCE NORTH 50 FEET 6 INCHES, THENCE WEST TO THE WEST LINE OF SAID LOT; THENCE SOUTH TO THE PLACE OF BEGINNING, EXCEPT SO MUCH OFF THE WEST AND THEREOF TAKEN FOR THE WIDENING OF SIXTH STREET, IN THE CITY OF TERRE HAUTE.

TRACT A-VII

PART OF LOT FIFTY-THREE (53) IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, BOUNDED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT FIFTY-THREE (53) AND RUNNING THENCE EAST ONE HUNDRED SIXTY (160) FEET, THENCE NORTH FIFTY (50) FEET SIX (6) INCHES, THENCE WEST TO THE WEST LINE OF SAID LOT, THENCE SOUTH TO THE PLACE OF BEGINNING, EXCEPT SO MUCH OFF THE WEST END THEREOF TAKEN FOR THE WIDENING OF SIXTH STREET, IN THE CITY OF TERRE HAUTE. ALSO, EXCEPT TWENTY-EIGHT (28) FEET AND THREE (3) INCHES OF EVEN WIDTH OFF THE NORTH SIDE OF THE ABOVE DESCRIBED TRACT.

TRACT B-I

COMMENCING AT A POINT IN THE EAST LINE OF 6TH STREET AS NOW LOCATED AND ESTABLISHED IN THE CITY OF TERRE HAUTE 32 FEET AND 6 INCHES SOUTH OF THE NORTH LINE OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH RANGE 9 WEST, THENCE SOUTH ALONG THE EAST LINE OF SAID 6TH STREET 32 FEET AND 6 INCHES, THENCE EAST 143 FEET MORE OR LESS TO THE WEST LINE OF AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56 THENCE NORTH ALONG THE WEST LINE OF SAID ALLEY 32 FEET AND 6 INCHES THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-II

COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET, AS NOW LOCATED IN THE CITY OF TERRE HAUTE WHERE THE SAME INTERSECTS THE NORTH LINE OF LOT NUMBER FIFTY-SIX (56) IN THE SUBDIVISION OF SECTION SIXTEEN (16) IN TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, THENCE SOUTH ALONG THE EAST LINE OF SAID SIXTH STREET, THIRTY TWO (32) FEET AND SIX (6) INCHES; THENCE EAST ONE HUNDRED AND FORTY THREE (143) FEET MORE OR LESS TO THE WEST LINE OF AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT FIFTY SIX (56), THENCE NORTH ALONG THE WEST LINE OF SAID ALLEY THIRTY-TWO (32) FEET AND SIX (6) INCHES TO THE NORTH LINE OF SAID LOT FIFTY-SIX (56), THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-III

PART OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, AS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 87.5 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9) RUNNING THENCE NORTH 21.5 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56, TO THE ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED; THENCE SOUTH 21.5 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-IV

PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 87.5 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56, (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9), RUNNING THENCE SOUTH 21.50 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56, TO AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED; THENCE NORTH 21.50 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-V

TWENTY-SIX (26) FEET OFF THE SOUTH SIDE OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: PART OF LOT

56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, BOUNDED AS FOLLOWS: COMMENCING AT A POINT ON THE EAST SIDE OF SIXTH STREET AS NOW LOCATED AND ESTABLISHED, 1 FOOT AND 4 INCHES SOUTH OF THE NORTH LINE OF THE PRIVATE ALLEY ON SAID PREMISES AS MENTIONED IN THE WILL OF SAMUEL MERRY, DECEASED, THENCE NORTH ALONG THE EAST LINE OF SAID SIXTH STREET 119 FEET AND 9 INCHES, MORE OR LESS, TO THE LOT OWNED BY MICHAEL HARKINS, THENCE EAST ALONG THE SOUTH LINE OF SAID HARKINS LOT TO THE ALLEY AS NOW LOCATED AND ESTABLISHED RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, THENCE SOUTH 119 FEET AND 9 INCHES, MORE OR LESS, TO A POINT EAST OF THE PLACE OF BEGINNING, THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-VI

THE SOUTH HALF OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: A PART OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 109 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9), RUNNING THENCE SOUTH 49 FEET, THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56 TO THE ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED, THENCE NORTH 49 FEET, THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-VII

THE NORTH HALF (1/2) OF THE FOLLOWING DESCRIBED REAL ESTATE TO-WIT:  
A PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 109 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16 TOWNSHIP 12 NORTH, RANGE 9 WEST) RUNNING THENCE SOUTH 49 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56 TO THE ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED THENCE NORTH 49 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT A-VIII

BEGINNING AT SOUTHEAST CORNER OF LOT 53 IN SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, RUNNING THENCE NORTHEASTERLY ALONG WEST LINE OF LAFAYETTE AVENUE, 60 FEET, THENCE WEST 268.1 FEET MORE OR LESS TO EAST LINE OF ALLEY, 12 FEET WIDE, RUNNING NORTH AND EASTERLY THROUGH LOT 53, THENCE SOUTH ALONG EAST LINE OF SAID ALLEY, 50 FEET 6 INCHES MORE OR LESS TO SOUTH LINE OF LOT 53, THENCE EAST TO WEST LINE OF SAID LAFAYETTE AVENUE TO PLACE OF BEGINNING.

TRACT A-IX

PART OF LOT FIFTY-SIX (56) IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST:  
COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 56; THENCE WEST 234.68 FEET TO A POINT 160 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 65 FEET; THENCE EAST TO LAFAYETTE AVENUE; THENCE NORTHEASTERLY ALONG SAID AVENUE TO THE PLACE OF BEGINNING.

TRACT B-VIII

LOT 3 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16 IN TOWNSHIP 12 NORTH, RANGE 9 WEST IN TERRE HAUTE, VIGO COUNTY, INDIANA.

TRACT B-IX

LOT 1 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT B-X

LOT 2 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT B-XI

35 FEET OFF THE NORTH SIDE OF THE FOLLOWING DESCRIBED PART OF LOT #56 IN THE SUBDIVISION OF SECTION 16 TOWNSHIP 12 NORTH, RANGE 9 WEST, COMMENCING 76 FEET IN A SOUTHWESTERLY DIRECTION ON THE LINE OF THE TERRE HAUTE AND LAFAYETTE STATE ROAD FROM THE NORTHEAST CORNER OF SAID LOT. THENCE WEST 197 FEET, THENCE SOUTH 70 FEET, THENCE EAST TO SAID LAFAYETTE STATE ROAD,

THENCE IN A NORTHEASTERLY DIRECTION ALONG THE LINE OF SAID ROAD TO THE POINT OF BEGINNING.

TRACT B-XII

BEGINNING 157 1/2 FEET IN A SOUTHWARDLY DIRECTION FROM THE NORTHEAST CORNER OF LOT 56 IN SECTION 16-12-9 RUNNING THENCE WEST 154 FEET THENCE SOUTH 70 FEET, THENCE EAST TO THE LAFAYETTE ROAD, THENCE NORTHWARDLY TO THE PLACE OF BEGINNING. EXCEPT A STRIP TWENTY-SIX (26) FEET WIDE AND OF EVEN WIDTH THROUGHOUT OFF THE SOUTH SIDE OF THE ABOVE DESCRIBED TRACT.

TRACT B-XIII

THE SOUTH HALF OF THE FOLLOWING DESCRIBED TRACT, TO-WIT: A PART OF LOT FIFTY-SIX IN SUBDIVISION OF SECTION SIXTEEN (16), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, COMMENCING SEVENTY-SIX (76) FEET IN A SOUTHWESTERLY DIRECTION ON THE TERRE HAUTE AND LAFAYETTE STATE ROAD, FROM NORTHEAST CORNER OF SAID LOT, THENCE WEST ONE HUNDRED NINETY-SEVEN (197) FEET, THENCE SOUTH SEVENTY (70) FEET, THENCE EAST TO THE STATE ROAD, THENCE IN A NORTHEASTERLY DIRECTION ALONG THE WEST LINE OF SAID ROAD TO BEGINNING. THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-847513-CHI2, DATED APRIL 28, 2017.

Said real estate is commonly known as:

622-650 Lafayette Ave., Terre Haute, IN; and  
921-1017 North 6<sup>th</sup> St., Terre Haute, IN.

H&H Realty, LLC and Indiana State University having concurrently herewith filed a Petition to vacate a portion of a public alleyway, requests that you give notice of the filing of this Petition and of the time and place of hearings thereon by the Common Council of the City of Terre Haute in accordance with I.C. 36-7-3-12 by:

A) Causing notice in substantially the form attached hereto to be published in the Terre Haute Tribune-Star in accordance with I.C. 5-3-1; and

B) By mailing a copy of said notice by certified mail return receipt requested to the

following owners of land abutting the alley portion proposed to be vacated:

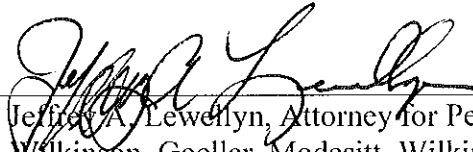
1. H&H Realty, LLC;  
659 Elm St.  
Terre Haute, IN 47807
2. Indiana State University  
200 North Seventh Street  
Terre Haute, IN 47809;
3. Alan K Maroska  
159 S Ridge Rd.  
Terre Haute, IN 47802

and to cause proof of the publication thereof to be filed in this cause, together with the Clerk's return showing publication and mailing accordance herewith.

Respectfully submitted,

Vermilion Development, H&H Realty and Indiana State University

By: \_\_\_\_\_

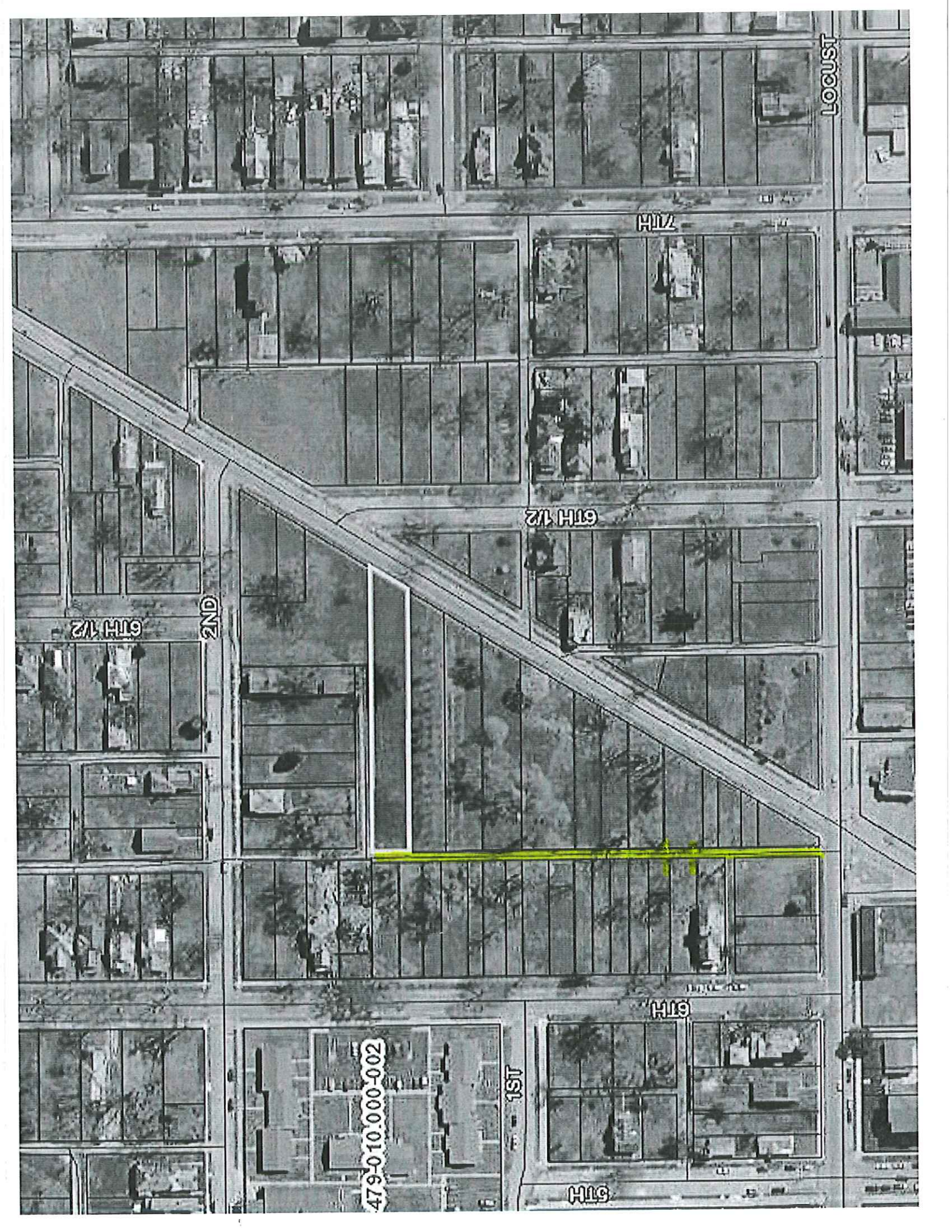


Jeffrey A. Lewelyn, Attorney for Petitioner  
Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP  
333 Ohio Street, Terre Haute, IN 47807  
Telephone: (812) 232-4311  
Facsimile: (812) 235-5107









LOCUST

7TH

6TH 1/2

6TH 1/2

2ND

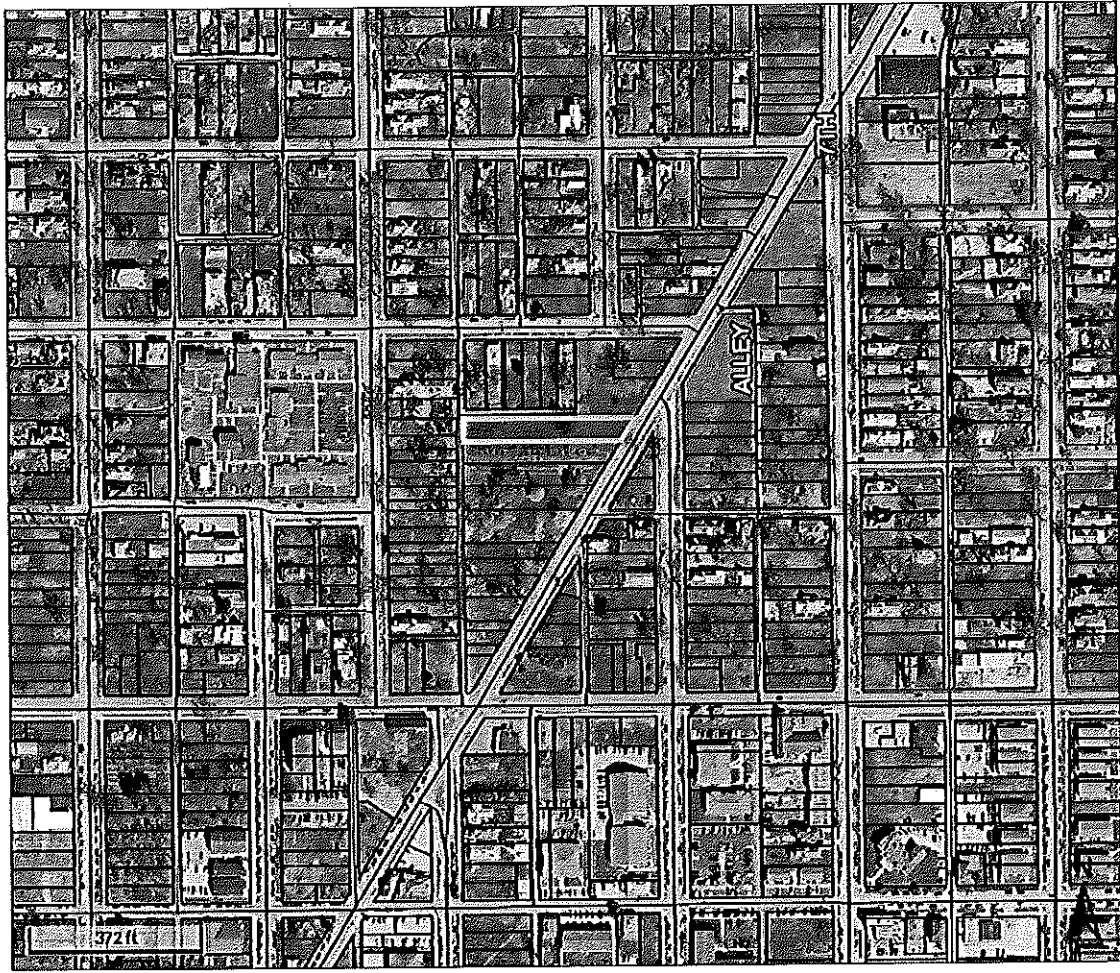
479-010.000-002

1ST

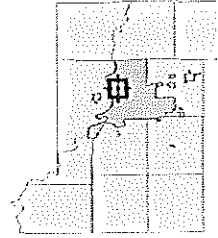
5TH

4TH





Overview



Legend

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

Parcel ID	84-06-16-481-037.000-002	Alternate ID	118-06-16-481-037	Owner Address	INDIANA STATE UNIVERSITY BOARD OF TRUSTEES 200 N 7TH ST TERRE HAUTE, IN 47809
Sec/Twp/Rng	16	Class	Exempt: State		
Property Address	650 LAFAYETTE AVE TERRE HAUTE	Acreage	n/a		
District	002 HARRISON				
Brief Tax Description	COBBLES SUB (650 LAFAYETTE) 2003032663 D 442/1602 16-12-9 LOT 3 (Note: Not to be used on legal documents)				

Date created: 6/1/2017  
Last Data Uploaded: 1/21/2017 1:28:54 AM

Receipt

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

Date: 6/2/17

Name: ISU

Reason: Vacating an alley

TERRE HAUTE, IN  
RECEIVED  
JUN 07 2017  
CONTROLLER

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

Check: 5<sup>00</sup> # 96393

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

Total: \$5<sup>00</sup>

Received By: L. Ellesby

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

Charles P. Hanley, City Clerk

June 16, 2017

Alan K Maroksa  
159 S Ridge Rd  
Terre Haute, IN 47802

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 30, 2017 that vacates a portion of a North-South Public Alley located between 2<sup>nd</sup> Avenue to the North, Locust Street to the South, Lafayette Avenue to the East and 6<sup>th</sup> Street to the West. This North-South Public Alley abuts your property located at 915 North 6<sup>th</sup> Street. (Parcel No. 84-06-16-481-020.000-002)

If you wish to be heard concerning this ordinance, it will be discussed during the Sunshine Meeting of the Terre Haute City Council on July 6, 2017. In addition, this matter will be discussed during the Regular Meeting of the Terre Haute City Council on July 13, 2017 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 812-244-2131 Monday through Friday 8:00AM to 4:00PM. You may also reach me by email at [Michelle.Edwards@Terrehaute.IN.Gov](mailto:Michelle.Edwards@Terrehaute.IN.Gov)

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

June 16, 2017

H&H Realty LLC  
659 Elm St  
Terre Haute, IN 47807

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 30, 2017 that vacates a portion of a North-South Public Alley located between 2<sup>nd</sup> Avenue to the North, Locust Street to the South, Lafayette Avenue to the East and 6<sup>th</sup> Street to the West. This North-South Public Alley abuts your properties located at:

1017 North 6<sup>th</sup> Street  
1011 North 6<sup>th</sup> Street  
1009 North 6<sup>th</sup> Street  
1001 North 6<sup>th</sup> Street  
939 North 6<sup>th</sup> Street  
632 Lafayette Avenue  
636 Lafayette Avenue  
Terre Haute, Indiana

Parcel No. 84-06-16-481-041.000-002, 84-06-16-481-040.000-002, 84-06-16-481-011.000-002, 84-06-16-481-010.000-002, 84-06-16-481-009.000-002, 84-06-16-481-008.000-002, 84-06-16-481-007.000-002, 84-06-16-481-006.000-002, 84-06-16-481-005.000-002

If you wish to be heard concerning this ordinance, it will be discussed during the Sunshine Meeting of the Terre Haute City Council on July 6, 2017. In addition, this matter will be discussed during the Regular Meeting of the Terre Haute City Council on July 13, 2017 as well as be acted upon. Both meetings are at 6:00PM in the City Courtroom located on the first floor of City Hall.

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

If you have any questions, please feel free to contact me at 812-244-2131 Monday through Friday 8:00AM to 4:00PM. You may also reach me by email at [Michelle.Edwards@Terrehaute.IN.Gov](mailto:Michelle.Edwards@Terrehaute.IN.Gov)

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

June 16, 2017

Indiana State University  
200 North Seventh Street  
Terre Haute, IN 47809

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 30, 2017 that vacates a portion of a North-South Public Alley located between 2<sup>nd</sup> Avenue to the North, Locust Street to the South, Lafayette Avenue to the East and 6<sup>th</sup> Street to the West. This North-South Public Alley abuts your properties located at:

933 North 6<sup>th</sup> Street  
931 North 6<sup>th</sup> Street  
929 North 6<sup>th</sup> Street  
927 North 6<sup>th</sup> Street  
925 North 6<sup>th</sup> Street  
921 North 6<sup>th</sup> Street  
917 North 6<sup>th</sup> Street  
620 Lafayette Avenue  
622 Lafayette Avenue  
626 Lafayette Avenue  
628 Lafayette Avenue  
644 Lafayette Avenue  
650 Lafayette Avenue  
Terre Haute, Indiana

Parcel No. 84-06-16-481-037.000-002, 84-06-16-481-039.000-002, 84-06-16-481-042.000-002, 84-06-16-481-043.000-002, 84-06-16-044-009.000-002, 84-06-16-481-045.000-002, 84-06-16-481-018.000-002, 84-06-16-481-017.000-002, 84-06-16-481-016.000-002, 84-06-16-481-015.000-002, 84-06-16-481-014.000-002, 84-06-16-481-013.000-002, 84-06-16-481-012.000-002

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

If you wish to be heard concerning this ordinance, it will be discussed during the Sunshine Meeting of the Terre Haute City Council on July 6, 2017. In addition, this matter will be discussed during the Regular Meeting of the Terre Haute City Council on July 13, 2017 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 812-244-2131 Monday through Friday 8:00AM to 4:00PM. You may also reach me by email at [Michelle.Edwards@Terrehaute.IN.Gov](mailto:Michelle.Edwards@Terrehaute.IN.Gov)

Sincerely,



Michelle L. Edwards  
Chief Deputy City Clerk

city of terre haute

**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 30, 2017

June 16, 2017

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 June 30, 2017.

No Problems Noted

Problems as noted below

Vacating this alley will create a dead end alley. The developer has proposed dedicating an alley to 6th St. to provide full access. The dedication of the proposed alleys need to be part of this ordinance or a condition of approval.

Marcus C. Mauer  
(Signature)

Marcus E. Mauer  
(Printed name)

Staff Engineer II  
(Title)

6/21/2017  
(Date)

**CITY CLERK OF TERRE HAUTE  
ROOM 102 CITY HALL  
TERRE HAUTE, IN 47830  
812-232-3375**

**FILED  
JUL 06 2017  
CITY CLERK**

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

Special Ordinance 30, 2017

June 16, 2017

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 June 30, 2017

*Daniel Bell*  
(Signature)

*Lead Inspector*  
(Title)

*Daniel Bell*  
(Printed name)

*6-19-2017*  
(Date Posted)

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

FILED

JUL 06 2017

CITY CLERK

To: Street Department, City of Terre Haute

Special Ordinance 30, 2017

June 16, 2017

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 June 30, 2017.

No Problems Noted

Problems as noted below

[Empty space for handwritten responses]

Bryan Driskill  
(Signature)  
Bryan Driskill  
(Printed name)

lead foreman  
(Title)  
7-6-2017  
(Date)

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

FILED

JUN 20 2017

CITY CLERK

To: TERRE HAUTE CITY POLICE DEPARTMENT

Special Ordinance 30, 2017

June 16, 2017

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 June 30, 2017.

No Problems Noted

Problems as noted below

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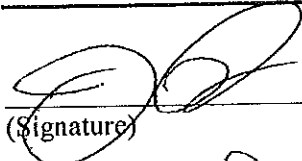
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(Signature)  
John Passie  
(Printed name)

CHIEF OF POLICE  
(Title)  
6-20-17  
(Date)

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

FILED

JUN 20 2017

CITY CLERK

To: TERRE HAUTE FIRE DEPARTMENT

Special Ordinance 30, 2017

June 16, 2017

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 June 30, 2017.

No Problems Noted

\_\_\_\_\_ Problems as noted below

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Jeffery W. Fisher  
 (Signature)  
 \_\_\_\_\_  
 JEFFERY W. FISHER  
 (Printed name)

FIRE CHIEF  
 (Title)  
 \_\_\_\_\_  
6/19/17  
 (Date)

FILED

JUN 02 2017

CITY CLERK

SPECIAL ORDINANCE NO. 30, 2017

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 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 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:

Alley and Access Way

All that part of the 16' wide north/south alley and access way bounded:

on the East by:

1. Parcel Nos.: 84-06-16-481-037.000-002;  
84-06-16-481-039.000-002;  
84-06-16-481-038.000-002;  
84-06-16-481-040.000-002;  
84-06-16-481-041.000-002;  
84-06-16-481-042.000-002;  
84-06-16-481-043.000-002; and  
84-06-16-481-044.000-002.

Addresses: 622-650 Lafayette Ave., Terre Haute, IN

Legal Description:

TRACT A-1  
LOT NUMBER FOUR (4) IN LOUISA A. COBBLE'S SUBDIVISION  
RECORDED IN PLAT CABINET A PAGE 241, BEING A  
SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF  
SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-II

LOT FIVE (5) EXCEPT TWENTY-THREE (23) FEET OFF THE SOUTH SIDE THEREOF IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241, BEING A SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-III

TWENTY-THREE (23) FEET OFF THE SOUTH SIDE OF LOT NUMBER FIVE (5) IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241, BEING A SUBDIVISION OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-IV

LOT SIX (6), EXCEPT TWENTY (20) FEET OF EVEN WIDTH OFF THE SOUTH SIDE THEREOF, IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-V

TWENTY (20) FEET OF EVEN WIDTH OFF THE SOUTH SIDE OF LOT SIX (6) IN LOUISA A. COBBLE'S SUBDIVISION RECORDED IN PLAT CABINET A PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT A-VI

28 FEET AND 3 INCHES OF EVEN WIDTH OFF THE NORTH SIDE OF THAT PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST BOUNDED AS FOLLOWS, TO-WIT:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 53 AND RUNNING THENCE EAST 16 FEET, THENCE NORTH 50 FEET 6 INCHES, THENCE WEST TO THE WEST LINE OF SAID LOT; THENCE SOUTH TO THE PLACE OF BEGINNING, EXCEPT SO MUCH OFF THE WEST AND THEREOF TAKEN FOR THE WIDENING OF SIXTH STREET, IN THE CITY OF TERRE HAUTE.

TRACT A-VII

PART OF LOT FIFTY-THREE (53) IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, BOUNDED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT FIFTY-THREE (53) AND RUNNING THENCE EAST ONE HUNDRED SIXTY (160) FEET, THENCE



NORTH FIFTY (50) FEET SIX (6) INCHES, THENCE WEST TO THE WEST LINE OF SAID LOT, THENCE SOUTH TO THE PLACE OF BEGINNING, EXCEPT SO MUCH OFF THE WEST END THEREOF TAKEN FOR THE WIDENING OF SIXTH STREET, IN THE CITY OF TERRE HAUTE. ALSO, EXCEPT TWENTY-EIGHT (28) FEET AND THREE (3) INCHES OF EVEN WIDTH OFF THE NORTH SIDE OF THE ABOVE DESCRIBED TRACT.

TRACT B-I

COMMENCING AT A POINT IN THE EAST LINE OF 6TH STREET AS NOW LOCATED AND ESTABLISHED IN THE CITY OF TERRE HAUTE 32 FEET AND 6 INCHES SOUTH OF THE NORTH LINE OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH RANGE 9 WEST, THENCE SOUTH ALONG THE EAST LINE OF SAID 6TH STREET 32 FEET AND 6 INCHES, THENCE EAST 143 FEET MORE OR LESS TO THE WEST LINE OF AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56 THENCE NORTH ALONG THE WEST LINE OF SAID ALLEY 32 FEET AND 6 INCHES THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-II

COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET, AS NOW LOCATED IN THE CITY OF TERRE HAUTE WHERE THE SAME INTERSECTS THE NORTH LINE OF LOT NUMBER FIFTY-SIX (56) IN THE SUBDIVISION OF SECTION SIXTEEN (16) IN TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, THENCE SOUTH ALONG THE EAST LINE OF SAID SIXTH STREET, THIRTY TWO (32) FEET AND SIX (6) INCHES; THENCE EAST ONE HUNDRED AND FORTY THREE (143) FEET MORE OR LESS TO THE WEST LINE OF AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT FIFTY SIX (56), THENCE NORTH ALONG THE WEST LINE OF SAID ALLEY THIRTY-TWO (32) FEET AND SIX (6) INCHES TO THE NORTH LINE OF SAID LOT FIFTY-SIX (56), THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-III

PART OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, AS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 87.5 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9) RUNNING THENCE NORTH 21.5 FEET; THENCE EAST PARALLEL

WITH THE NORTH LINE OF SAID LOT 56, TO THE ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED; THENCE SOUTH 21.5 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-IV

PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 87.5 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56, (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9), RUNNING THENCE SOUTH 21.50 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 56, TO AN ALLEY RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW LOCATED AND ESTABLISHED; THENCE NORTH 21.50 FEET; THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-V

TWENTY-SIX (26) FEET OFF THE SOUTH SIDE OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, BOUNDED AS FOLLOWS: COMMENCING AT A POINT ON THE EAST SIDE OF SIXTH STREET AS NOW LOCATED AND ESTABLISHED, 1 FOOT AND 4 INCHES SOUTH OF THE NORTH LINE OF THE PRIVATE ALLEY ON SAID PREMISES AS MENTIONED IN THE WILL OF SAMUEL MERRY, DECEASED, THENCE NORTH ALONG THE EAST LINE OF SAID SIXTH STREET 119 FEET AND 9 INCHES, MORE OR LESS, TO THE LOT OWNED BY MICHAEL HARKINS, THENCE EAST ALONG THE SOUTH LINE OF SAID HARKINS LOT TO THE ALLEY AS NOW LOCATED AND ESTABLISHED RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, THENCE SOUTH 119 FEET AND 9 INCHES, MORE OR LESS, TO A POINT EAST OF THE PLACE OF BEGINNING, THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-VI

THE SOUTH HALF OF THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: A PART OF LOT 56 IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF SIXTH STREET AS THE SAME IS NOW LOCATED AND ESTABLISHED, 109 FEET SOUTH OF THE NORTH LINE OF SAID LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM

AND PARALLEL WITH THE SOUTH LINE OF SECTION 16-12-9),  
RUNNING THENCE SOUTH 49 FEET, THENCE EAST PARALLEL  
WITH THE NORTH LINE OF SAID LOT 56 TO THE ALLEY  
RUNNING NORTH AND SOUTH THROUGH SAID LOT 56, AS THE  
SAME IS NOW LOCATED AND ESTABLISHED, THENCE NORTH  
49 FEET, THENCE WEST TO THE PLACE OF BEGINNING.

TRACT B-VII

THE NORTH HALF (1/2) OF THE FOLLOWING DESCRIBED REAL  
ESTATE TO-WIT:

A PART OF LOT 56, IN THE SUBDIVISION OF SECTION 16,  
TOWNSHIP 12 NORTH, RANGE 9 WEST, DESCRIBED AS  
FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF  
SIXTH STREET AS THE SAME IS NOW LOCATED AND  
ESTABLISHED, 109 FEET SOUTH OF THE NORTH LINE OF SAID  
LOT 56 (SAID NORTH LINE BEING 405.0 FEET DISTANT FROM  
AND PARALLEL WITH THE SOUTH LINE OF SECTION 16  
TOWNSHIP 12 NORTH, RANGE 9 WEST) RUNNING THENCE  
SOUTH 49 FEET; THENCE EAST PARALLEL WITH THE NORTH  
LINE OF SAID LOT 56 TO THE ALLEY RUNNING NORTH AND  
SOUTH THROUGH SAID LOT 56, AS THE SAME IS NOW  
LOCATED AND ESTABLISHED THENCE NORTH 49 FEET;  
THENCE WEST TO THE PLACE OF BEGINNING.

and on the West by:

2. Parcel No.: 84-06-16-481-005.000-002;  
84-06-16-481-006.000-002;  
84-06-16-481-007.000-002;  
84-06-16-481-008.000-002;  
84-06-16-481-009.000-002;  
84-06-16-481-010.000-002;  
84-06-16-481-011.000-002;  
84-06-16-481-012.000-002;  
84-06-16-481-013.000-002;  
84-06-16-481-014.000-002;  
84-06-16-481-015.000-002;  
84-06-16-481-016.000-002;  
84-06-16-481-017.000-002; and  
84-06-16-481-018.000-002.

Address: 921-1017 North 6<sup>th</sup> St., Terre Haute, IN

Legal Description:

TRACT A-VIII

BEGINNING AT SOUTHEAST CORNER OF LOT 53 IN SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST, RUNNING THENCE NORTHEASTERLY ALONG WEST LINE OF LAFAYETTE AVENUE, 60 FEET, THENCE WEST 268.1 FEET MORE OR LESS TO EAST LINE OF ALLEY, 12 FEET WIDE, RUNNING NORTH AND EASTERLY THROUGH LOT 53, THENCE SOUTH ALONG EAST LINE OF SAID ALLEY, 50 FEET 6 INCHES MORE OR LESS TO SOUTH LINE OF LOT 53, THENCE EAST TO WEST LINE OF SAID LAFAYETTE AVENUE TO PLACE OF BEGINNING.

TRACT A-IX

PART OF LOT FIFTY-SIX (56) IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST:  
COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 56; THENCE WEST 234.68 FEET TO A POINT 160 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 65 FEET; THENCE EAST TO LAFAYETTE AVENUE; THENCE NORTHEASTERLY ALONG SAID AVENUE TO THE PLACE OF BEGINNING.

TRACT B-VIII

LOT 3 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53 IN THE SUBDIVISION OF SECTION 16 IN TOWNSHIP 12 NORTH, RANGE 9 WEST IN TERRE HAUTE, VIGO COUNTY, INDIANA.

TRACT B-IX

LOT 1 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT B-X

LOT 2 IN LOUISA A. COBBLES SUBDIVISION RECORDED IN PLAT CABINET A, PAGE 241 OF PART OF LOT 53, IN THE SUBDIVISION OF SECTION 16, TOWNSHIP 12 NORTH, RANGE 9 WEST.

TRACT B-XI

35 FEET OFF THE NORTH SIDE OF THE FOLLOWING DESCRIBED PART OF LOT #56 IN THE SUBDIVISION OF SECTION 16 TOWNSHIP 12 NORTH, RANGE 9 WEST, COMMENCING 76 FEET IN A SOUTHWESTERLY DIRECTION ON THE LINE OF THE TERRE HAUTE AND LAFAYETTE STATE ROAD FROM THE NORTHEAST CORNER OF SAID LOT, THENCE WEST 197 FEET, THENCE SOUTH 70 FEET, THENCE EAST TO SAID LAFAYETTE STATE ROAD, THENCE IN A NORTHEASTERLY DIRECTION ALONG THE LINE OF SAID ROAD TO THE POINT OF BEGINNING.

TRACT B-XII

BEGINNING 157 1/2 FEET IN A SOUTHWARDLY DIRECTION FROM THE NORTHEAST CORNER OF LOT 56 IN SECTION 16-12-9 RUNNING THENCE WEST 154 FEET THENCE SOUTH 70 FEET, THENCE EAST TO THE LAFAYETTE ROAD, THENCE NORTHWARDLY TO THE PLACE OF BEGINNING. EXCEPT A STRIP TWENTY-SIX (26) FEET WIDE AND OF EVEN WIDTH THROUGHOUT OFF THE SOUTH SIDE OF THE ABOVE DESCRIBED TRACT.

TRACT B-XIII

THE SOUTH HALF OF THE FOLLOWING DESCRIBED TRACT, TO-WIT: A PART OF LOT FIFTY-SIX IN SUBDIVISION OF SECTION SIXTEEN (16), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, COMMENCING SEVENTY-SIX (76) FEET IN A SOUTHWESTERLY DIRECTION ON THE TERRE HAUTE AND LAFAYETTE STATE ROAD, FROM NORTHEAST CORNER OF SAID LOT, THENCE WEST ONE HUNDRED NINETY-SEVEN (197) FEET, THENCE SOUTH SEVENTY (70) FEET, THENCE EAST TO THE STATE ROAD, THENCE IN A NORTHEASTERLY DIRECTION ALONG THE WEST LINE OF SAID ROAD TO BEGINNING. THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-847513-CHI2, DATED APRIL 28, 2017.

and further, said alley and access way is bounded on the South end by Locust Street.

SECTION 2. Be it further ordained that said portion of said public alleyway 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 by law provided.

Presented By: \_\_\_\_\_

Curtis DeBaun, IV, Councilman

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Karrum Nasser, President

ATTEST:

\_\_\_\_\_  
Chuck Hanley, City Clerk

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chuck Hanley, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Duke Bennett, Mayor

Attest: \_\_\_\_\_  
Chuck 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.

  
Jeffrey A. Lewellyn

This instrument prepared by: Jeffrey A. Lewellyn, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 47807

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 H+H Realty LLC  
 659 Elm St  
 Terre Haute IN 47807



9590 9402 1405 5329 7346 56

2. Article Number (Transfer from service label)  
 16 3560 0000 1010 1269

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Jadyler*  Agent  Addressee

B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery \_\_\_\_\_

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restrict Delivery          |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Alan Maroska  
 159 S Ridge Rd  
 Terre Haute IN 47802



9590 9402 1405 5329 7346 70

2. Article Number (Transfer from service label)  
 16 3560 0000 1010 1245

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *JSMO*  Agent  Addressee

B. Received by (Printed Name) \_\_\_\_\_ C. Date of Delivery *Apr 21 17*

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restrict Delivery          |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

Domestic Return Receipt

**U.S. Postal Service™  
 CERTIFIED MAIL® RECEIPT  
 Domestic Mail Only**

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

7016 3560 0000 1010 1269

Certified Mail Fee  
 \$ \_\_\_\_\_

Extra Services & Fees (check box, add fees as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage  
 \$ \_\_\_\_\_

Total Postage and Fees  
 \$ \_\_\_\_\_

Postmark  
 Here

Sent To *H+R Realty*  
 Street and Apt. No., or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4® \_\_\_\_\_

PS Form 3800, April 2014 PSN 7530-02-000-9053 See Reverse for Instructions

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**OFFICIAL USE**

2521 0101 0000 095E 9101

Certified Mail Fee  
 \$ \_\_\_\_\_

Extra Services & Fees (check box, add fees as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage  
 \$ \_\_\_\_\_

Total Postage and Fees  
 \$ \_\_\_\_\_

Postmark  
 Here

Sent To *ISU*  
 Street and Apt. No., or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4® \_\_\_\_\_

PS Form 3800, April 2014 PSN 7530-02-000-9053 See Reverse for Instructions



U.S. Postal Service™  
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**OFFICIAL USE**

7016 3560 0000 1010 1245  
5421 DTOT 095E 9T02

Certified Mail Fee

\$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
Here

Postage

\$ \_\_\_\_\_

Total Postage and Fees

\$ \_\_\_\_\_

Sent To

Alan Maroska

Street and Apt. No., or PO Box No.

City, State, ZIP+4®