

FILED

FEB 01 2017

CITY CLERK

SPECIAL ORDINANCE NO. 8, 2017

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

BE IT ORDERED by the Common Council of the City of Terre Haute, Indiana.

SECTION 1. Pursuant to the provisions of I.C. 36-7-3-12, It Is desired and deemed necessary to vacate a portion of a public street 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:

Part of section 9, Township 12 North 9 West, Harrison Township, Vigo County, Indiana, described as follows:

Part of Carl Avenue (also referred to as an alley) as shown on the plat of Ouabasche Acres First Addition, as found in Plat Book 17, Page 47, and Ratteree's Collett Park Addition as found in Plat Book 11, Page 52 all records of the Vigo County Recorder's Office, described as follows:

Beginning at the Southeast corner of Lot 1, Block 2 in said Ouabasche Acres First Addition; thence South 16 feet more or less to the Northeast corner of Lot 23 in said Ratteree's Collett Park Addition; thence West 142 feet along the North line of said Lot 23, to the Northwest corner thereof; thence North 16 feet more or less to the South line of the aforesaid Lot 1; thence East 142 feet along the South line of said Lot 1 to the place of beginning, containing 2556 square feet, more or less.


Commonly located near 2800 North 6 ½ Street, Terre Haute, Indiana 47804.

SECTION 2. Be It further ordained that said portion of said street 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.

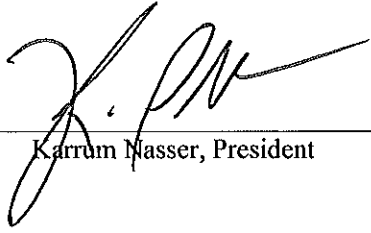
SECTION 3. Be it further ordained that the City Clerk be, and he is hereby directed to furnish a copy of this Ordinance to the Recorder of Vigo County, Indiana, for recording, and to the Auditor of Vigo County, Indiana.

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 Council Member:

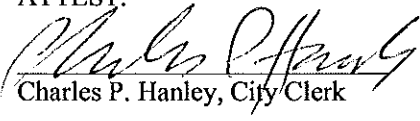

Neil Garrison

Passed in open Council this 9th day of March, 2017.

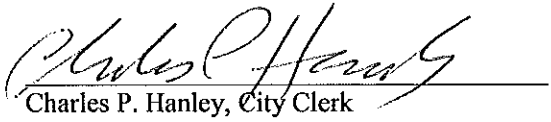


Karrum Nasser, President

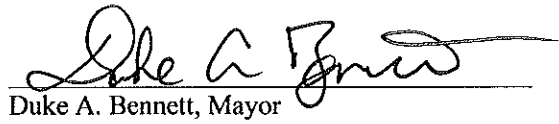
1.
ATTEST:


Charles P. Hanley, City Clerk

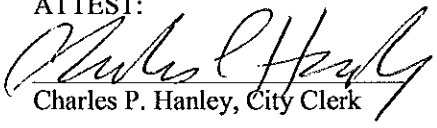
Presented by me to the Mayor of the City of Terre Haute, this 10th day of March, 2017.


Charles P. Hanley, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 10th day of MARCH, 2017.


Duke A. Bennett, Mayor

ATTEST:


Charles P. Hanley, City Clerk

This instrument prepared by Nancy Haddix, 2800 North 6 ½ Street, Terre Haute, Indiana 47804.

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.


Nancy Haddix

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

COUNCILPERSONS;

Nancy Jo Haddix, petitioner, and Kathy L Flowers, petitioners, and respectfully petitions and requests the legislative body of the City of Terre Haute, Indiana to vacate that portion of a Public Street described below pursuant to the various provisions of I.C. 36-7-3-12, and In support of this Petition would show to the Common Council of said City as follows;

1. Nancy Jo Haddix, petitioner, is the owner of the following described real estate located in Vigo County, State of Indiana;

Lot Number one (1) in Block Number Two (2) in Ouabasche Acres First Addition,
Being a Subdivision of the following described real estate in Vigo County, Indiana
To-wit:

Commencing 442 feet North of the Southeast Corner of the Northeast Quarter of
Of Section 9, Township 12 North Range 9 West; thence West 762.5 feet North
441.44 feet; thence East 762.5feet to the East line of Section 9; thence South 441
Feet to the place of beginning.

Commonly known as 2800 North 6 ½ Street, Terre Haute, Indiana 47804.

2. Kathy L Flowers, petitioner, is the owner of the following described real estate located in Vigo County, State of Indiana:

Lots Number 23 and 24 in Ratteree's Collett Park Addition in the South One-half
Of the Northeast Quarter (NE1/4) of Section 9, Township 12 North Range 9 West.

3. That the attached copy of a portion of the plat of the said Public Street, which Petitioners seek to have vacated and said street runs between Petitioners' property, is made a part hereof and marked as Exhibit "A". Petitioners are the owners of all of the property abutting the property to be vacated.

4. That the portion of the Public Street to be vacated as set forth above may be more particularly described as follows, to-wit:

Part of section 9, Township 12 North 9 West, Harrison Township, Vigo County,
Indiana, described as follows:

Part of Carl Avenue (also referred to as an alley) as shown on the plat of Ouabasche Acres First Addition, as found in Plat Book 17, Page 47, and Ratteree's Collett Park Addition as found in Plat Book 11, Page 52 all records of the Vigo County Recorder's Office, described as follows:

Beginning at the Southeast corner of Lot 1, Block 2 in said Ouabasche Acres First Addition; thence South 16 feet more or less to the Northeast corner of Lot 23 in said Ratteree's Collett Park Addition; thence West 142 feet along the North line of said Lot 23, to the Northwest corner thereof; thence North 16 feet more or less to the South line of the aforesaid Lot 1; thence East 142 feet along the South line of said Lot 1 to the place of beginning, containing 2556 square feet, more or less.

said Lot 23, to the Northwest corner thereof; thence North 16 feet more or less to the South line of the aforesaid Lot 1; thence East 142 feet along the South line of said Lot 1 to the place of beginning, containing 2556 square feet, more or less.

5. Petitioners believe that no landowner adjoining and abutting the Public Street to be vacated would be adversely affected by the vacation of said Public Street. Petitioners are the owners of all property adjoining and abutting the Public Street to be vacated.

6. Petitioners propose the vacation of the Public Street in order to allow more efficient and effective use of all the subject lots by Petitioners. The said Public Street serves no functional purpose to the public, since this portion of the street has not been used by the public.

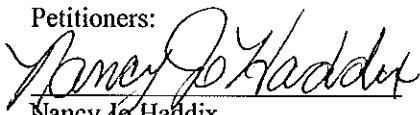
7. The proposed vacation would not hinder the use of a public way by the neighborhood in which said portion of the Public Street is located or to which they are contiguous since the Petitioners are the owners of all lands abutting said portion of said Public Street, and all other landowners in the area have and will continue to have direct access to public ways; as set forth above, the proposed vacation of said portion of said Public Street 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, nor will it interfere in any way with fire protection or police protection for property located within the City of Terre Haute, Indiana.

8. The name and address of the owners of land that abut that portion of the Public Street above proposed to be vacated are the Petitioners herein.

WHEREAS, Petitioners respectfully request and petition the Common Council of the City of Terre Haute, Indiana, after hearing on this Petition in accordance with law, to:

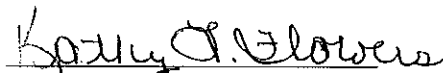
- a) Adopt an Ordinance vacating that portion of the Public Street referred to and described above, subject to existing easement rights for public utilities;
- b) Cause the Clerk of the City of Terre Haute to furnish copies of said Vacation Ordinance to the County Recorder of Vigo County for recording and to the county Auditor, and to thereupon cause the Recorder to release said Ordinance to the Vigo County Area Planning Department for distribution in accordance with the City's Zoning Ordinance and Subdivision Code.
- c) For all other proper relief in the premises.

Petitioners:



Nancy Jo Haddix
2800 N 6 ½ Street
Terre Haute, IN 47804

Dated: 1-27-2017



Kathy L. Flowers
2770 North 6 ½ Street
Terre Haute, IN 47804

Dated: 1-26-17

This instrument prepared by Nancy Jo Haddix, 2800 N 6 ½ Street, Terre Haute, Indiana 47804.

Lot 10 84-06-09-282-004.000-002
0.230 Ac.

Lot 03 0.230 Ac. 84-06-09-282-010.000-002

Lot 11 0.230 Ac.
84-06-09-282-005.000-002
Block 02

Lot 02 0.229 Ac. 84-06-09-282-011.000-002
Ouabasche Acres 1st Add

Lot 12 0.229 Ac.
84-06-09-282-006.000-002

Lot 01 0.255 Ac. 84-06-09-282-012.000-002

Block 01

N 6TH 1/2 ST

84-06-09-283-004.000-002
84-06-09-283-005.000-002

Lot 34

Lot 23

84-06-09-286-001.000-002
0.249 Ac.

0.276 Ac. 84-06-09-286-007.000-002

Lot 35

Lot 24

Lot 36

Lot 25 **Ratterree's Collett Park Add**

Lot 37
84-06-09-286-002.000-002
0.372 Ac.

Lot 26 0.374 Ac. 84-06-09-286-009.000-002

Lot 38

Lot 27

ALLEY

84-06-09-287-001.000-002

0.336 Ac. 84-06-09-287-002.000-002

**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 8, 2017

February 15, 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 February 27, 2017.

No Problems Noted Problems as noted below

IT APPEARS THAT THIS IS ALREADY VACATED.

Josey Daugherty
(Signature)

Staff Engineer
(Title)

Josey Daugherty
(Printed name)

3-2-17
(Date)

**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 8, 2017

February 15, 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 February 27, 2017.

No Problems Noted

Problems as noted below

Bradley S. Miller
(Signature)
BRADLEY S. MILLER
(Printed name)

TRANSPORTATION DIRECTOR
(Title)
2/17/17
(Date)

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

To: TERRE HAUTE FIRE DEPARTMENT

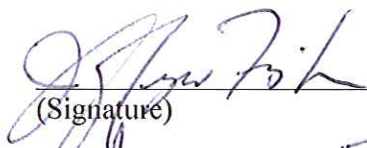
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No Problems Noted

Problems as noted below


(Signature)
JEFFERY W FISITOR
(Printed name)

FIRE CHIEF
(Title)
2/21/17
(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 8, 2017

February 15, 2017

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Daniel Bell
(Signature)

Daniel Bell
(Printed name)

Lead Inspector
(Title)

2-17-2017
(Date Posted)

Receipt

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

Date: 1/1/72

Name: Wm. Huddix

Reason: vacating portion of public street

Cash: 8.00

Check: _____

Credit: _____

Total: 8.00

Received By: L. Alston

TERRE HAUTE, IN
PAID
RECEIVED
CONTROLLER