

FILED

JUN 21 2019

CITY CLERK

SPECIAL ORDINANCE 18, 2019
SPECIAL ORDINANCE FOR VACATING A PUBLIC ALLEY

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

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

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

Beginning at the South East of corner of Parcel 84-06-2-1479-018.000-002 thence 142 feet North thence 12 feet to the North Corner of Parcel 84-0602-1479-019.000-002 thence 142 feet South to the South West corner and 12 feet to the point of the beginning

Commonly bound by 658 and 666 Walnut Street, Terre Haute, Indiana, 47807

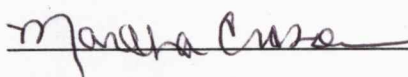
SECTION 2. Be it further ordained that said portion of said alley in the City of Terre Haute Indiana, above described, be and the same is vacated and will revert to the abutting properties, subject to the continuation of any and all existing easement rights for public utilities.

SECTION 3. Be it further ordained that the City Clerk be, and she 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.

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.

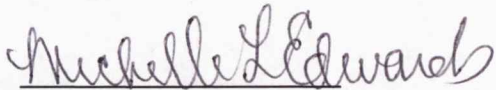
Presented by,  _____, George Azar, Councilman-At- Large,

Passed in Open Council - 14th Day Of JULY, 2019

 _____

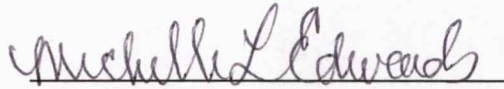
Martha Crossen, Council President

ATTEST:



Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute, this 12TH day of JULY, 2019.



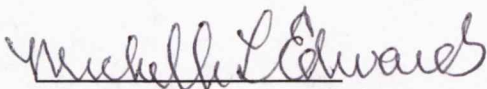
Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 12TH day of JULY 2019



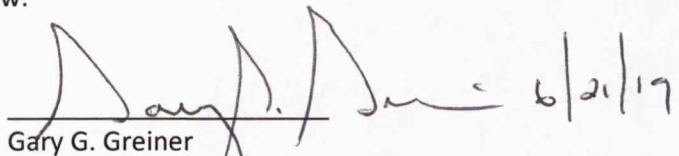
Duke Bennett, Mayor of the City of Terre Haute

ATTEST:



Michelle Edwards, 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.

 6/21/19

Gary G. Greiner

This instrument prepared by Gary G. Greiner, 49 Bogart Drive, Terre Haute, Indiana, 47803

PETITION TO VACATE A PUBLIC ALLEY

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

LADIES AND GENTLEMEN:

The Undersigned, Gary G. Greiner, is the owner of land abutting a certain Public Alley planned, which is located in Terre Haute, Indiana and respectfully petition and request the legislative body of the City of Terre Haute, Indiana to vacate the portion of the Public Alley 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:

PARCEL I

1. The undersigned, Gary G. Greiner, is the owner of the following described real estate located in Vigo County, State of Indiana:

Beginning at a point in the South line of Ohio Street in said City 236 5 ½ feet West of the North East corner of said out Lot 52, and running thence South to the North line of Walnut Street; thence West one half the distance to the South West corner of said Out Lot 52; thence North to the South lone of Ohio Street; thence East to the place of beginning, Except 140 feet of the North end thereof. Also except that part conveyed to Terre Haute Engraving Company Inc., by instrument dated January 24, 1986 and recorded January 28, 1986 in Deed Record 404, Page 83. Also Subject to an easement for ingress over, across, and along an existing alley 16 feet of even width off the North side of land shown in Deed Record 404, Page 83. Also Subject to an Agreement concerning Common Sewer as shown in Miscellaneous Record 192, Page 53. Except beginning at the Southeast corner of the property recorded in Instrument Number 2010006392 said point beginning on the North right of west line of Walnut Street and 379.66 feet West of the center line of 7th Street; thence North 89 degrees 58 minutes 02 seconds West along said North line a distance of 40.00 feet; thence North 00 degrees 07 minutes 35 seconds West parallel with the East line of said recorded property a distance of 109.05; then North 89 degrees 54 minutes 38 seconds East a distance of 40.00 feet to the East line of said recorded property; thence South 00 degrees 07 minutes 35 seconds East along said East line a distance of 109.18 feet to the point of Beginning containing 0.10 acres (4,365 square feet), more or less and all situated in Harrison Township, Vigo county, Indiana.

(Commonly known at 658 Walnut St. Terre Haute, Indiana 47807)

PARCEL II

Commencing at a point on the North line of Walnut Street 154 feet West of the West line of Seventh Street as now located and established; thence West on the North line of Walnut Street 54 $\frac{5}{12}$ feet to the East line of a public alley 12 feet wide running North and South through a part of said Out Lot; thence North along the East line of said alley 141.65 feet to a public alley 15 feet wide running East and West; thence East along the South line of said alley 54 and $\frac{5}{12}$ feet to a public alley 12 feet wide running North and South; thence South along the West line of said alley to the North line of Walnut Street, being the place of beginning.

(Commonly known as 666 Walnut St. Terre Haute, Indiana 47807)

2. That a copy of a map that shows the alley which runs the West side of 658 Walnut Street and the East side of 666 Walnut Street of the owners property is attached hereto, made a part hereof and is marked as Exhibit A.
3. That a portion of the Public Alley to be vacated as set forth above may be more particularly described as follows, to-wit:

Beginning at the South East of corner of Parcel 84-06-2-1479-018.000-002 thence 142 feet North thence 12 feet to the North Corner of Parcel 84-0602-1479-019.000-002 thence 142 feet South to the South West corner and 12 feet to the point of the beginning

Commonly bound by 658 and 666 Walnut Street, Terre Haute, Indiana, 47807

4. Petitioner believes that no landowner adjoining and abutting the Public Alley to be vacated would be adversely affected by the vacation of the said Public Alley, since the real estate is the said Public Alley does not nor will not serve a functional purpose to the public.
5. Petitioner proposes the vacation of the Public Alley in order to allow more efficient and effective use of Petitioner's real estate.
6. The proposed vacation would not hinder the use of a public way by the neighborhood in which said portion of the Public Alley is located or to which they are contiguous since the Petitioners are the owners of the lands abutting said portion of said Public Alley; as set forth above, the proposed vacation of said portion of said Public Alley 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.

WHEREAS, Petitioner respectfully requests and petitions the Common Council of the City of Terre Haute, Indiana, after hearing on the Petition in accordance with law to:

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

PETITIONER:

By:  6/21/19
Gary G. Greiner

Petitioner's Address: 49 Bogart Drive, Terre Haute, IN 47803

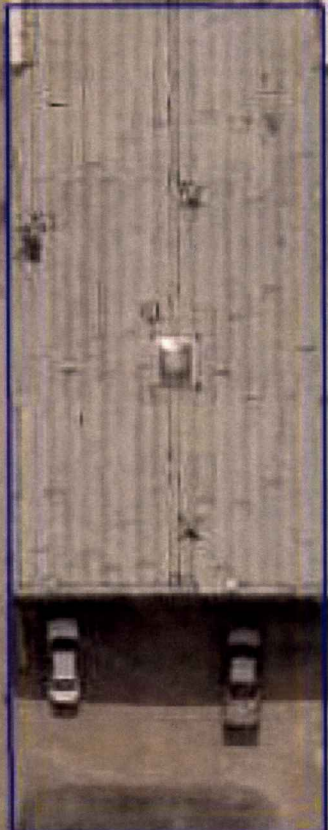
This instrument prepared by Gary G. Greiner, 49 Bogart Drive, Terre Haute, Indiana, 47803



WALNUT



84-06-21-479-0



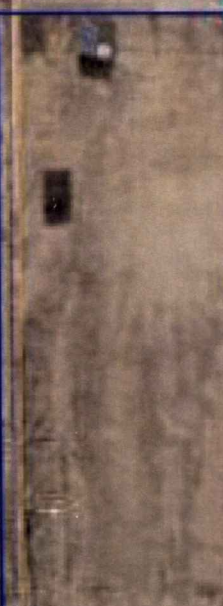
Common Ar



84-06-2



84-06-21-47



84-06-21-479-012,000-002

Receipt

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

Date: 6/21/19

Name: Gary Greiner

Reason: vacay ally

TERRE HAUTE, IN
PAID
JUN 21 2019
CONTROLLER

Cash: \$5⁰⁰

Check: _____

Credit: _____

Total: \$5⁰⁰

Received By: L. Ellis

FILED

JUN 25 2019

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 18, 2019

June 24, 2019

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 July 1, 2019.

No Problems Noted

Problems as noted below



(Signature)

Kenneth Meeks
(Printed name)

Commissioner of Streets
(Title)

06/25/2019
(Date)

FILED

JUN 26 2019

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 18, 2019

June 24, 2019

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 July 1, 2019.

David Bell

(Signature)

Daniel Bell

(Printed name)

Lead Building Inspector

(Title)

6-26-2019

(Date Posted)

FILED

JUL 02 2019

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 18, 2019

June 24, 2019

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 July 1, 2019.

No Problems Noted

Problems as noted below

Josey Daugherty
(Signature)

Staff Engineer
(Title)

Josey Daugherty
(Printed name)

7-1-19
(Date)