

FILED

JUN 24<sup>1</sup> 2022

Special Ordinance NO. 20, 2022

CITY CLERK

AN ORDINANCE VACATING A PORTION OF A PUBLIC WAY 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 way 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:

That portion of 27<sup>th</sup> Street as Platted in L.A. Hirts 2<sup>nd</sup> Subdivision, Plat Book 15 Page 4, more particularly described as follows:

Beginning at the Southeast Corner of Lot 8, thence East along the North Right-of-Way line of Wilson Street 15.0', thence North 130.2', thence West to the Northeast corner of Lot 8, thence South 130.2' to the Point of Beginning.

Commonly located at 2642 Wilson Street, Terre Haute, Indiana, 47803.

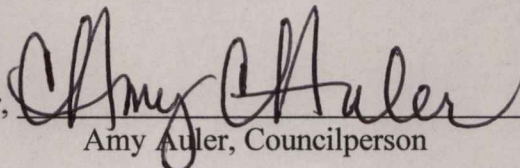
WITHDRAWN

SECTION 2. Be it further ordained that said portion of said public way in the City of Terre Haute, Indiana, above described, be and the same is vacated and will revert to Nathaniel G. Bashaw, 2642 Wilson Street, Terre Haute, Indiana, 47803, subject to the continuation of 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, 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,

  
Amy Auler, Councilperson

Passed in open council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Cheryl Loudermilk, President

ATTEST:

\_\_\_\_\_  
Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_,  
2022.

\_\_\_\_\_  
Michelle Edwards, City Clerk

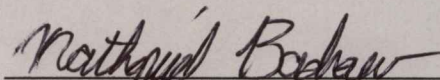
Approved by me, the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_,  
2022.

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

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.

  
\_\_\_\_\_  
Nathaniel G. Bashaw

This instrument was prepared by Nathaniel G. Bashaw, 2642 Wilson Street, Terre Haute,  
Indiana, 47803.

**PETITION FOR VACATION OF PORTION OF A PUBLIC WAY**

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

LADIES AND GENTLEMEN:

The undersigned, Nathaniel G. Bashaw is the owner of land abutting a certain Public Way platted, which is located in Terre Haute, Indiana and respectfully petition and request the legislative body of the City of Terre Haute, Indiana to vacate that portion of a Public Way 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. The undersigned, Nathaniel G. Bashaw is the owner of the following described real estate located in Vigo County, State of Indiana:

Lot Number Eight (8) and ten (10) feet oof the East side of Lot Seven (7) in L.A. Hirt's Second Subdivision, being a subdivision of part of Lot Number Seven (7) Vigo County Commissioners Subdivision of the Northeast quarter of Section Twenty-six (26), Township Twelve (12) North, Range Nine (9) West in Harrison Township Vigo County, Indiana.

Subject to All easements, covenants, conditions, and restrictions of record; All legal highways; Zoning, building and other laws, ordinances, and regulations; Rights of tenants in possession.

Parcel # 84-06-26-203-019.000-002

Commonly located at 2642 Wilson Street, Terre Haute, Indiana, 47803.

2. That a copy of a map that shows the public way which runs between the owners' property is attached hereto, made a part hereof and is marked as Exhibit A.
3. That the portion of the Public Way to be vacated as set forth above may be more particularly described as follows, to-wit:

That portion of 27<sup>th</sup> Street as Platted in L.A. Hirts 2<sup>nd</sup> Subdivision, Plat Book 15 Page 4, more particularly described as follows:

Beginning at the Southeast Corner of Lot 8, thence East along the North Right-of-Way line of Wilson Street 15.0', thence North 130.2', thence West to the Northeast corner of Lot 8, thence South 130.2' to the Point of Beginning.

Commonly located at 2642 Wilson Street, Terre Haute, Indiana, 47803.

4. Petitioner believes that no landowner adjoining and abutting the Public Way to be vacated would be adversely affected by the vacation of said Public Way, since the real estate is the said Public Way does not nor will not serve a functional purpose to the public.

5. Petitioner purpose the vacation of the Public Way 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 Way is located or to which they are contiguous since the petitioner is the owner of the lands abutting said portion of the Public Way; as set forth above, the proposed vacation of said portion of said Public Way 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.
7. The names and addresses of all owners of land that abuts the portion of the Public Way above proposed to be vacated are the following:

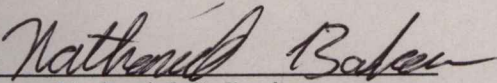
Wilma J. Gibson & Cindy L. Fields Jt/Rs  
2700 Wilson Street.  
Terre Haute, Indiana 47803

Nathaniel G. Bashaw  
2642 Wilson Street  
Terre Haute, Indiana 47803

WHEREAS, 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 Way 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.

PETITIONER:

  
Nathaniel G. Bashaw

Petitioner's Address: 2642 Wilson Street, Terre Haute, Indiana, 47803

This instrument was prepared by Nathaniel G. Bashaw, 2642 Wilson Street, Terre Haute, Indiana, 47803.

## «)Beacon | Vigo County, IN / City of Terre Haute



**Receipt**

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

Date: 6/24/22

Name: Nathaniel Roman

Reason: Vacating A.D. 2022

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Cash: 45-

Check: \_\_\_\_\_

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

Total: 45-

Received By: G. W. W. W.

TERRE HAUTE, IN.  
PAID  
JUN 24 2022  
CONTROLLER

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

**FILED**

**JUN 27 2022**

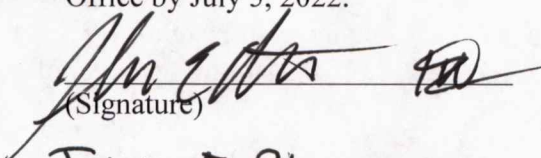
**CITY CLERK**

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

Special Ordinance 20, 2022

June 24, 2022

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 5, 2022.

  
(Signature)

JOHN E AKERS III  
(Printed name)

Building Inspector  
(Title)

6/27/22  
(Date Posted)

FILED

JUN 24<sup>1</sup> 2022

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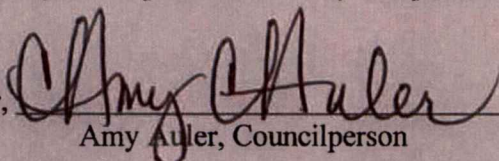
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Presented by Council Member,

  
Amy Auler, Councilperson

Passed in open council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Cheryl Loudermilk, President

FILED

JUL 06 2022

CITY CLERK

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

To: **TERRE HAUTE CITY POLICE DEPARTMENT**

Special Ordinance 20, 2022

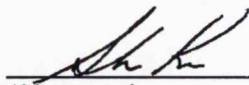
June 24, 2022

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 5, 2022.

☒ No Problems Noted

☐ Problems as noted below

GENERALLY, I WOULD NOT BE IN FAVOR OF  
CLOSING A STREET WITHOUT A COMPELLING NEED.  
HOWEVER, THE EARLIER VACATING OF THE 35'  
MAKES THIS A NOW-ISSUE FOR ME.

  
(Signature)

SHAWN Keen  
(Printed name)

CHIEF  
(Title)

7-6-22  
(Date)

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

**FILED**  
**JUN 27 2022**  
**CITY CLERK**

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

Special Ordinance 20, 2022

June 24, 2022

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 5, 2022.

☒ No Problems Noted ☐ Problems as noted below

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(Signature)

**ERNEST MEEKS**

(Printed name)

**Commissioner of Streets**

(Title)

**06/27/2022**

(Date)