

FILED

AUG 25 2023

CITY CLERK

**Special Ordinance No. 33, 2023**

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 a 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 northeast corner of Lot 174 in Highland Place (commonly known as 1601 Lafayette Avenue), thence east approximately sixteen (16) feet to the northwest corner of Lot 118 in Highland Place (Commonly known as 1630 Elizabeth Avenue) thence south approximately four hundred (400) feet to the southwest corner of Lot 127 in Highland Place (Commonly known as 2900 North 17<sup>th</sup> Street) thence west approximately sixteen (16) feet to the southeast corner of Lot 181 in Highland Place (Commonly known as 2901 North 16<sup>th</sup> Street) thence north approximately four hundred (400) feet to the point of beginning.

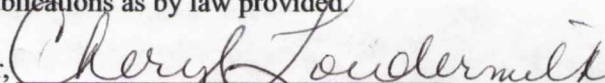
Commonly bound by Elizabeth Street to the north, 17<sup>th</sup> Street to the east, Carl Avenue to the south, and 16<sup>th</sup> Street and Lafayette Avenue to the west

**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 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 publications as by law provided.

Presented by Council Member,

  
Cheryl Loudermilk

Passed in open Council this 5<sup>th</sup> day of October, 2023

  
Curtis DeBaun IV, President

ATTEST: Michelle L. Edwards  
Michelle L. Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute, this 11<sup>th</sup> day of October 2023.

Michelle L. Edwards  
Michelle L. Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 11<sup>th</sup> day of October 2023.

Duke A. Bennett  
Duke A. Bennett, Mayor

ATTEST: Michelle L. Edwards  
Michelle L. Edwards, City Clerk

This instrument prepared by Jerry Hoopingarner 2026 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.

Jerry Hoopingarner Jr.  
Jerry Hoopingarner Jr.

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

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

CITY OFFICIALS:

Jerry Hoopingarner Jr and Tammy Hoopingarner, Indiana are the owners of land abutting a certain Public Alley which is located in Terre Haute, Indiana, and respectfully petitions and requests the legislative body of the City of Terre Haute, Indiana to vacate that portion of a 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:

1. Jerry Hoopingarner Jr and Tammy Hoopingarner., the petitioners, are owners of the following parcels of real estate located in Vigo County, State of Indiana:

<b><u>Real Estate Owner</u></b>	<b><u>Parcel Numbers</u></b>
Jerry Hoopingarner Jr and Tammy Hoopingarner 1601 Lafayette Avenue	84-06-10-282-001.000-0002
Jerry Hoopingarner Jr and Tammy Hoopingarner 1601 Lafayette Avenue	84-06-10-282-002.000-0002
Jerry Hoopingarner Jr and Tammy Hoopingarner 1630 Elizabeth Avenue	84-06-10-282-008.000-0002

2. Callie Myers, Rosetta <sup>JEAN</sup> Le Fee Coker and Patricia Buddle., the petitioners, are owners of the following parcels of real estate located in Vigo County, State of Indiana:

<b><u>Real Estate Owner</u></b>	<b><u>Parcel Numbers</u></b>
Callie Myers, Rosetta <sup>JEAN</sup> Le Fee Coker and Patricia Buddle 2916 th 17 <sup>th</sup> Street	84-06-10-282-009.000-0002

3. Rosetta Coker and Terry Coker., the petitioners, are owners of the following parcels of real estate located in Vigo County, State of Indiana:

<b><u>Real Estate Owner</u></b>	<b><u>Parcel Numbers</u></b>
Rosetta Coker and Terry Coker 2910 North 17 <sup>th</sup> Street	84-06-10-282-010.000-0002
Rosetta Coker and Terry Coker 2910 North 17 <sup>th</sup> Street	84-06-10-282-011.000-0002
Rosetta Coker and Terry Coker 2811 North 16 <sup>th</sup> Street	84-06-10-282-003.000-0002
Rosetta Coker and Terry Coker	84-06-10-282-004.000-0002



2811 North 16<sup>th</sup> Street

4. G X Thompson and Beverly Thompson, the petitioners, are owners of the following parcels of real estate located in Vigo County, State of Indiana:

<u>Real Estate Owner</u>	<u>Parcel Numbers</u>
G X Thompson and Beverly Thompson 2809 North 16 <sup>th</sup> Street	84-06-10-282-006.000-002
G X Thompson and Beverly Thompson 2801 North 16 <sup>th</sup> Street	84-06-10-282-007.000-002
G X Thompson and Beverly Thompson 2904 North 17 <sup>th</sup> Street	84-06-10-282-012.000-002
G X Thompson and Beverly Thompson 2900 North 17 <sup>th</sup> Street	84-06-10-282-013.000-002

5. That the portion of the Alley to be vacated as set forth may be more particularly described as follows, to-wit:

Beginning at the northeast corner of Lot 174 in Highland Place (commonly known as 1601 Lafayette Avenue), thence east approximately sixteen (16) feet to the northwest corner of Lot 118 in Highland Place (Commonly known as 1630 Elizabeth Avenue) thence south approximately four hundred (400) feet to the southwest corner of Lot 127 in Highland Place (Commonly known as 2900 North 17<sup>th</sup> Street) thence west approximately sixteen (16) feet to the southeast corner of Lot 181 in Highland Place (Commonly known as 2901 North 16<sup>th</sup> Street) thence north approximately four hundred (400) feet to the point of beginning.

Commonly bound by Elizabeth Street to the north, 17<sup>th</sup> Street to the east, Carl Avenue to the south, and 16<sup>th</sup> Street and Lafayette Avenue to the west

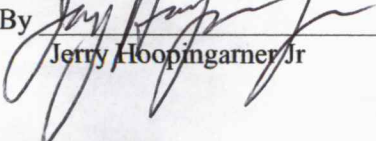
6. No landowner adjoining and abutting the Public Alley to be vacated would be adversely affected by the vacation of said Public Alley. Listed landowners of affected property are the owners of all property adjoining and abutting the Public Alley to be vacated.
7. Petitioners propose the vacation of the Public Alley in order to provide safety to access all properties listed above and to provide for future improvements to listed properties.
8. Vacating the Public Alley will not interfere in any way with fire protection or police protection for property located within the City of Terre Haute, Indiana.
9. The name and address of the owners of land that abuts to that portion of the Public Alley above proposed is to be vacated is the Petitioner herein.

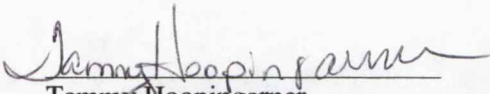
WHEREAS, Petitioner respectfully requests and petitions the Common Council of the City of Terre Haute, Indiana, after hearing on this Petition in accordance with law to:

- a.) Adopt an Ordinance vacating that portion of the Public 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 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:

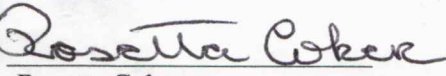
Jerry Hoopingarner Jr and Tammy Hoopingarner  
 2026 North 6 1/2 Street  
 Terre Haute, IN 47804


By   
 Jerry Hoopingarner Jr

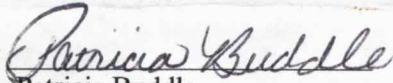
  
 Tammy Hoopingarner

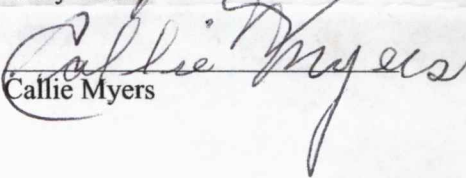
PETITIONER:

Rosetta Coker, Terry Coker, Patricia Buddle, and Callie Myers  
 2916 North 17th Street  
 Terre Haute, IN 47804

By   
 Rosetta Coker

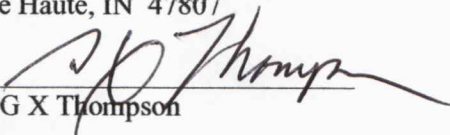
  
 Terry Coker

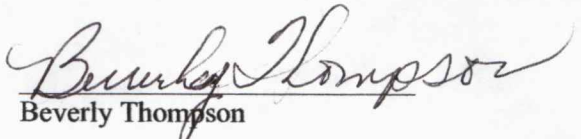
By   
 Patricia Buddle

  
 Callie Myers

PETITIONER:

G X Thompson and Beverly Thompson  
 1348 Ohio Street  
 Terre Haute, IN 47807

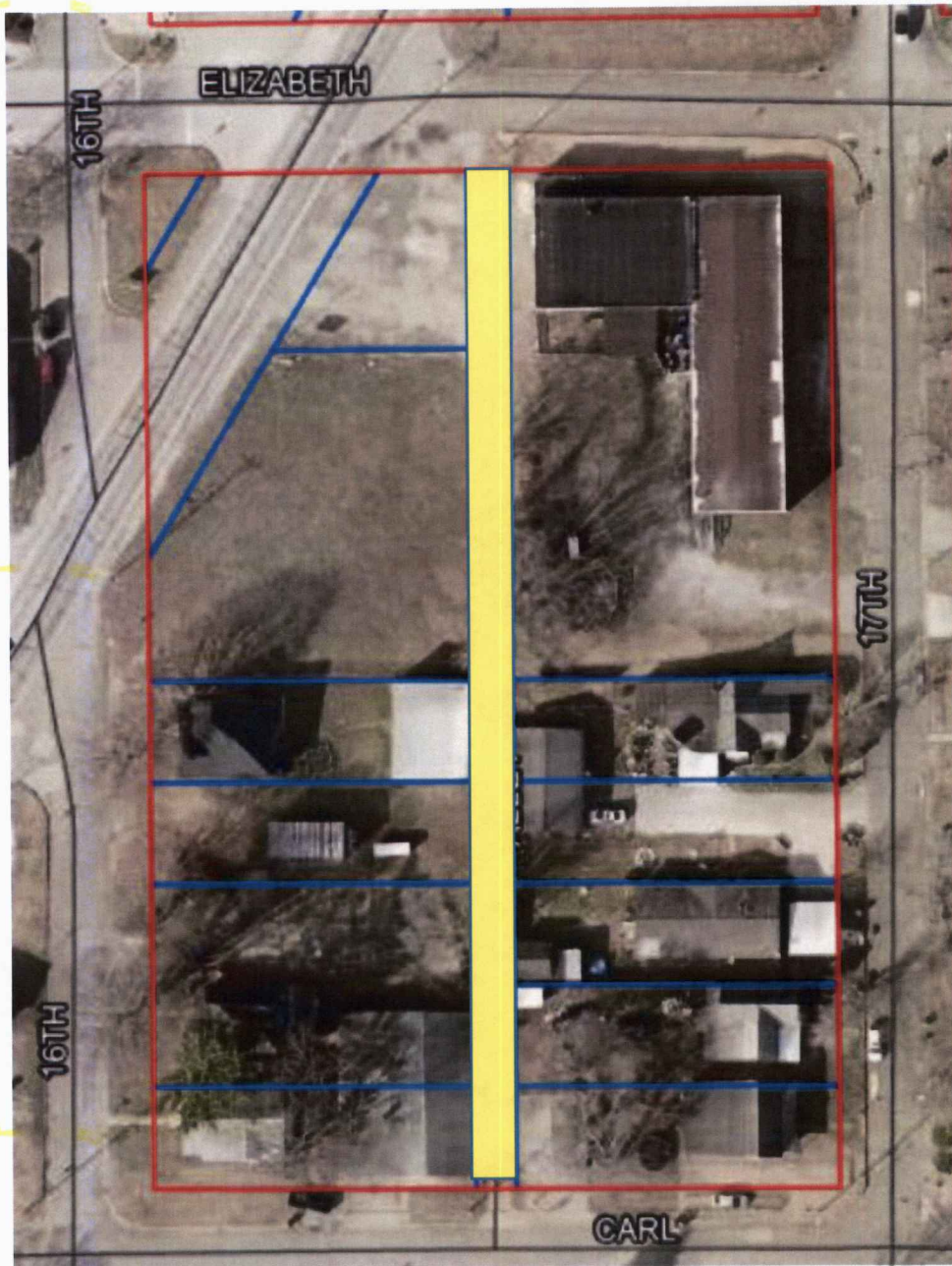
By   
 G X Thompson

  
 Beverly Thompson

This instrument prepared by Jerry Hoopingarner 2026 North 6 1/2 Street, Terre Haute, Indiana 47804



# SITE PLAN





# Receipt of Payment

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

Date

08/27/23

Name

Jerry Hoopingarner, Jr.

Reason

Vacating an alley

Cash

\$5-

Check

Ck #

Credit

Total

\$5-

Received By

Gunn Wtz

TERRE HAUTE, IN.  
PAID  
AUG 25 2023  
CONTROLLER









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

**FILED  
AUG 29 2023  
CITY CLERK**

---

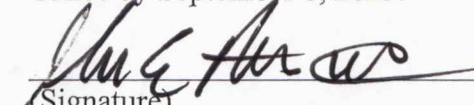
To: **Building Inspector, City of Terre Haute**

Special Ordinance 33, 2023

---

August 28, 2023

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 September 8, 2023.

  
(Signature)

**John E Akers III**  
(Printed name)

**Building Inspector**  
(Title)

**8/29/23**  
(Date Posted)