

FILED

JAN 16 2024

CITY CLERK

Special Ordinance No. 4, 2024

AN ORDINANCE VACATING A PORTION OF 28th STREET, 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 of the provisions of I.C. 36-7-3-12, it is desired and deemed necessary to vacate a portion of a public street, commonly known as 28th 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:

Beginning at the northeast corner of Lot 68 in Commercial Club Place No. 2 (commonly known as 2736 Ft. Harrison Road), thence east to the northwest corner of Lot 49 in Commercial Club Place No. 2 (commonly known as Parcel 84-06-02-455-004.000-002), thence south approximately 140 feet to the southwest corner of Lot 49 in Commercial Club Place No. 2 (commonly known as Parcel 84-06-02-455-004.000-002), thence west to the southeast corner of Lot 68 in Commercial Club Place No. 2 (commonly known as 2736 Ft. Harrison Road), thence north approximately 140 feet to the point of beginning.

Commonly located at 2736 Ft. Harrison Road, Terre Haute, Indiana 47804

SECTION 2. Be it further ordained that said portion of said 28th 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 publications as by law provided.

Presented by Council Member, Cheryl Loudermilk
Cheryl Loudermilk

Passed in open Council this 13th day of February, 2024

Tammy Boland
Tammy Boland, President

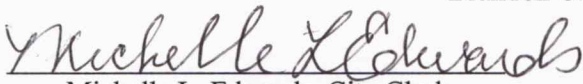
ATTEST: Michelle L. Edwards
Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 2 day of February, 2024
at 2:47pm o'clock


Michelle L. Edwards, City Clerk

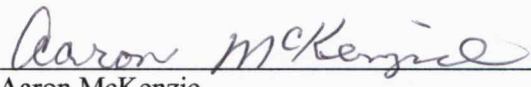
Approved by me, the Mayor of the City of Terre Haute, this 2nd day of February 2024.


Brandon C. Sakbun, Mayor

ATTEST: 
Michelle L. Edwards, City Clerk

This instrument prepared by Aaron McKenzie, 2736 Ft. Harrison Road, 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.


Aaron McKenzie

PETITION FOR VACATION OF PORTION OF 28TH STREET, A PUBLIC STREET

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

CITY OFFICIALS:

Aaron McKenzie and Georgia A. McKenzie, Indiana are the owners of land abutting 28th Street, a Public Street, 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 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. Aaron McKenzie and Georgie A. McKenzie, 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>
Aaron McKenzie and Georgia A. McKenzie 2736 Ft. Harrison Road	84-06-02-454-005.000-002
Aaron McKenzie and Georgia A. McKenzie	84-06-02-455-004.000-002

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

Beginning at the northeast corner of Lot 68 in Commercial Club Place No. 2 (commonly known as 2736 Ft. Harrison Road), thence east to the northwest corner of Lot 49 in Commercial Club Place No. 2 (commonly known as Parcel 84-06-02-455-004.000-002), thence south approximately 140 feet to the southwest corner of Lot 49 in Commercial Club Place No. 2 (commonly known as Parcel 84-06-02-455-004.000-002), thence west to the southeast corner of Lot 68 in Commercial Club Place No. 2 (commonly known as 2736 Ft. Harrison Road), thence north approximately 140 feet to the point of beginning.

Commonly located at 2736 Ft. Harrison Road, Terre Haute, Indiana 47804


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

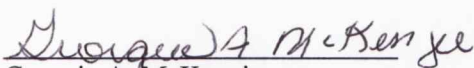
WHEREAS, Petitioner respectfully requests and petitions the Common Council of the City of Terre Haute, Indiana, after hearing on this Petition in accordance with law to:

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

PETITIONER:

Aaron McKenzie and Georgia A. McKenzie
2736 Ft. Harrison Road
Terre Haute, IN 47804

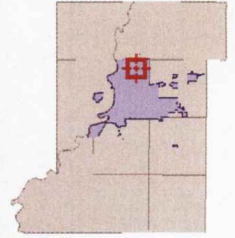
By 
Aaron McKenzie


Georgia A. McKenzie

This instrument prepared by Aaron McKenzie 2736 Ft. Harrison Road, Terre Haute, Indiana 47804



Overview



Legend

-  Corporate Limits
-  Political Townships
-  Sections
-  Blocks
-  Parcels
-  Road Centerlines
-  2022 Sales



Portion of street to be vacated

Parcel ID	84-06-02-454-005.000-002	Alternate ID	84-06-02-454-005.000-002	Owner Address	McKenzie Georgia A & Aaron J
Sec/Twp/Rng	02	Class	Res 1 fam dwelling platted lot		2736 Fort Harrison Rd
Property Address	2736 FT HARRISON RD	Acreage	n/a		Terre Haute, IN 47804
	TERRE HAUTE				
Neighborhood	118504 - HARRISON				
District	002 HARRISON				
Brief Tax Description	COMMERCIAL CLUB #2 (2736 FORT HARRISON) 2006013222 D-443/598 2-12-9 LOTS 68-69 <i>(Note: Not to be used on legal documents)</i>				

Date created: 1/16/2024
Last Data Uploaded: 1/16/2024 6:12:19 PM

Developed by  **Schneider**
GEOSPATIAL

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal.

My Commission Expires:

05/20/2025

Dorothy R Clawson
Notary Public
Resident of Warren County, Ohio

I affirm under the penalties for perjury, that I have taken reasonable care to redact Social Security numbers in this document, unless required by law.



Mail to: Aaron J. McKenzie & Georgia A. McKenzie
2736 Fort Harrison Rd
Terre Haute, IN 47804

THIS INSTRUMENT PREPARED BY: Timothy R. Hayes, Attorney at Law, 118 North 3rd Street,
Terre Haute, Indiana 47807.

Neice, Jessica

From: Edwards, Michelle
Sent: Tuesday, January 16, 2024 7:28 PM
To: Neice, Jessica
Subject: Rescan so 4
Attachments: so 4 site plan 2.pdf

He forgot to include the site plan

Please print the attachment to this email and place prior to the receipt
Rescan (delete the original scan) and let me know when done. I need to update the website as well

Then make 10 copies for meeting of everything (two sided is fine for copies but not original)

The portion of street to be vacated has a red x over it. Let me know if it doesn't come through okay.

Thanks!

Michelle L. Edwards
City Clerk
City of Terre Haute
17 Harding Avenue
Room 102 City Hall
Terre Haute, IN 47807
812-244-2103 (Office)
812-244-2105 (Fax)
Michelle.Edwards@TerreHaute.IN.Gov



Receipt of Payment

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

Date 1-16-24
Name Aaron McKenzie
Reason Vacate an Alley -\$5.00

Cash \$5.00

Check _____ Ck # _____

Credit _____

Total \$5.00

Received By Eric J. Thome

TERRE HAUTE, IN
PAID
JAN 16 2024
CONTROLLER

**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 4, 2024

January 16, 2024

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 January 26, 2024.

X No Problems Noted

_____ Problems as noted below

Josey Daugherty
(Signature)

Assistant City Engineer
(Title)

Josey Daugherty
(Printed name)

1-17-24
(Date)

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

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

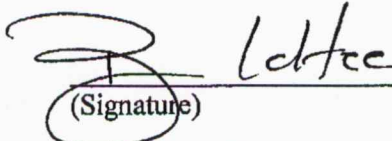
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No Problems Noted

Problems as noted below


(Signature)
BRIAN COTTER
(Printed name)

Street Commissioner
(Title)
1.22.2024
(Date)

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

To: **TERRE HAUTE CITY POLICE DEPARTMENT**

Special Ordinance 4, 2024

January 16, 2024

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 January 26, 2024

No Problems Noted

Problems as noted below



(Signature)

Kevin Barrett

(Printed name)

COP

(Title)

01/29/2024

(Date)

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

To: **TERRE HAUTE FIRE DEPARTMENT**


Special Ordinance 4, 2024

January 16, 2024

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 January 26, 2024

No Problems Noted

Problems as noted below


(Signature)

Derrick C Scott
(Printed name)

Fire Chief
(Title)

01/22/24
(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 4, 2024

January 16, 2024

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 January 26, 2024.



(Signature)

John Akers

(Printed name)

Building Inspector

(Title)

1/19/24

(Date Posted)