

FILED

MAY 07 2025

CITY CLERK

SPECIAL ORDINANCE NO. 16, 2025

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.

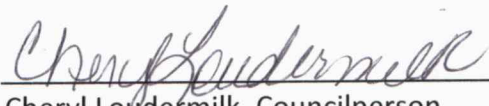
SECTION 1. Pursuant to the provisions of I.C. 36-7-3-12, it is desired and deemed necessary to vacate a portion of a public way located in the City of Terre Haute, Vigo County, Indiana, which is now laid out and existing in the City of Terre Haute, Indiana, and described as follows:

Beginning in the South East corner of lot 732 in the plat of blocks 19, 20, 21 and 22 of First Addition to Vandalia Park in the Southeast Quarter (SE $\frac{1}{4}$) of Section 11, Township 12 North, Range 9 West, as shown in the plat recorded October 8, 1915 at Plat Record 11, Page 47, records of the Recorder's Office of Vigo County, Indiana; then east to the South West corner of Lot 744; then north along the west boundary lines of Lots 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, and 755 to the North West corner of Lot 755; then West to the North East corner of Lot 743; then South along the east boundary of Lot 743, 742, 741, 740, 739, 738, 737, 736, 735, 734, 733 and 732 to the place of beginning.

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 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, 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, 
Cheryl Loudermilk, Councilperson

Passed in open Council this ____ day of _____, 2025.

Todd Nation, President

ATTEST:

Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this ____ day of _____, 2025.

Michelle Edwards, City Clerk

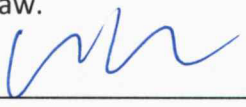
Approved by me, the Mayor of the City of Terre Haute, this ____ day of _____, 2025.

Brandon Sakbun, 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.


Richard J. Shagley II

This instrument was prepared by Richard J. Shagley II, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana 47807.

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, Jim Wallace, Member of Wallace Building Contractors, Inc. 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 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. The undersigned, Jim Wallace, Member of Wallace Building Contractors, Inc., is the owner of the following described real estate located in Vigo County, State of Indiana:

Lots numbered 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754 and 755 in the plat of blocks 19, 20, 21 and 22 of First Addition to Vandalia Park in the Southeast Quarter (SE ¼) of Section 11, Township 12 North, Range 9 West, as shown in the plat recorded October 8, 1915 at Plat Record 11, Page 47, records of the Recorder's Office of Vigo County, Indiana.

Parcel # 84-06-11-401-003.000-002

Commonly known as 2611 N. 25th Street, Terre Haute, Indiana 47804

2. That a copy of a map that shows the alley 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 Alley to be vacated as set forth above may be more particularly described as follows, to-wit:

Beginning in the South East corner of lot 732 in the plat of blocks 19, 20, 21 and 22 of First Addition to Vandalia Park in the Southeast Quarter (SE ¼) of Section 11, Township 12 North, Range 9 West, as shown in the plat recorded October 8, 1915 at Plat Record 11, Page 47, records of the Recorder's Office of Vigo County, Indiana; then east to the South West corner of Lot 744; then north along the west boundary lines of Lots 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, and 755 to the North West

corner of Lot 755; then West to the North East corner of Lot 743; then South along the east boundary of Lot 743, 742, 741, 740, 739, 738, 737, 736, 735, 734, 733 and 732 to the place of beginning.

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. Petitioners propose 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 Petitioners are the owners of the lands abutting said portion of said 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 that portion of the Public Way above proposed to be vacated are the following:

Wallace Building Contractors, Inc.
1605 N. 30th St.
Terre Haute, IN 47804

That notice of said vacation has been sent by USPS Certified Mail to the above property owners.

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:

Wallace Building Contractors, Inc.

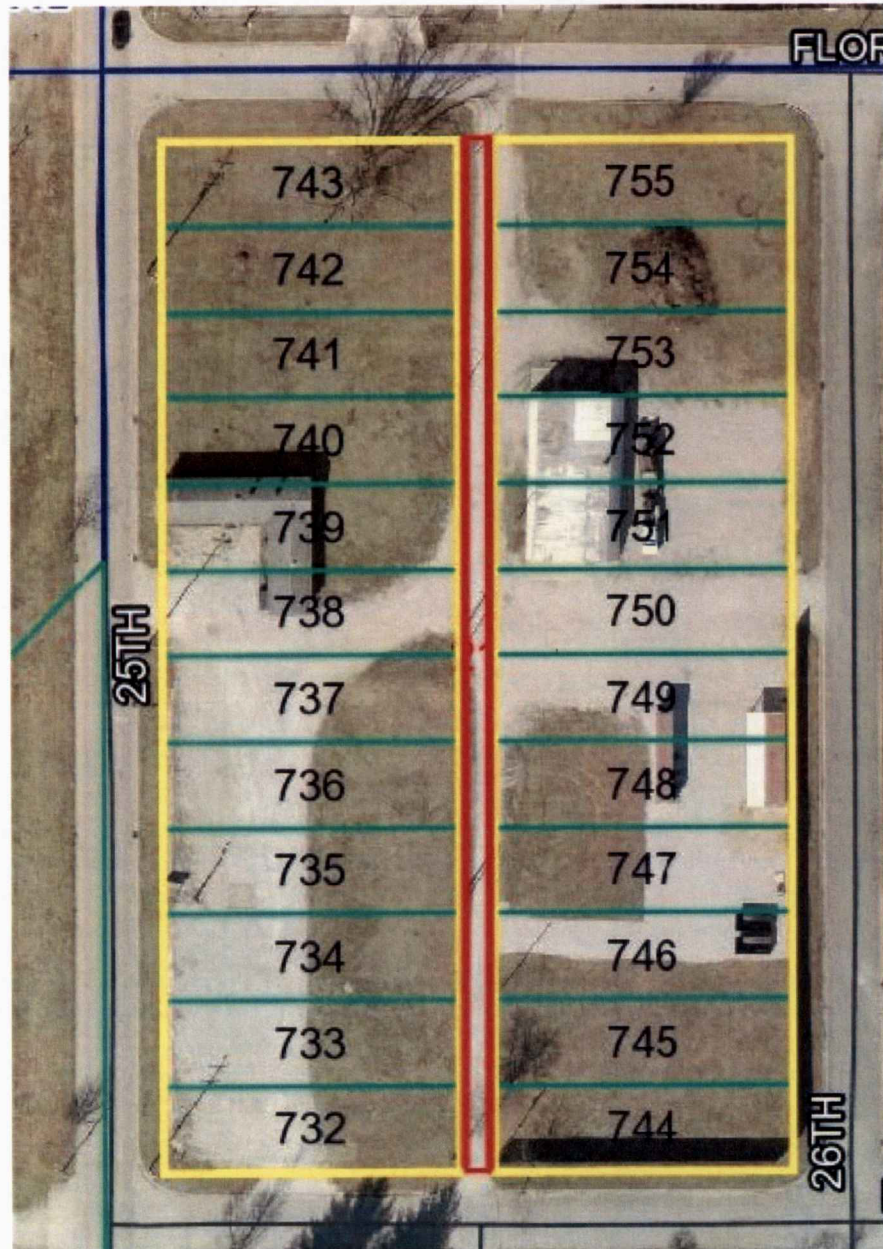
A handwritten signature in dark ink, appearing to read "Jim Wallace", is written over a horizontal line.

Jim Wallace, Member of Wallace
Building Contractors, Inc.

Petitioner's Address: 1605 N. 30th St., Terre Haute IN 47804.

This instrument prepared by Richard J. Shagley, II, of Wright, Shagley & Lowery, P.C., 500 Ohio Street, Terre Haute, Indiana 47807, at the specific request of Petitioner based solely on information supplied by one or more of the parties to this Petition and without examination of title and abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided, the parties hereto signifying their consent to this disclaimer by Petitioners' execution of the instrument.

SITE PLAN
SPECIAL ORDINANCE NO. 16, 2025



Location: 2611 N. 25th Street, Terre Haute, Indiana 47804
Parcel No. 84-06-11-401-003.000-002



TERRE HAUTE, IN
PAID

MAY 07 2025

Receipt of Payment

CONTROLLER

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

Date 5/1/25

Name Wallace Building Contractors

Reason Vacate Alley

Cash

Check \$5.⁰⁰

Ck # 075005

Credit

Total \$5.⁰⁰

Received By

Elmer A. Thome