

FILED

MAR 01 2012

SPECIAL ORDINANCE NO. 12--2012

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

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

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

An alley situated in A.S. Gehman's Subdivision of 7 acres in the Northwest Quarter (N.W. ¼) of Section Twenty-three (23), Township Twelve (12) North, Range Nine (9) West, Second Principal Meridian (2nd P.M.), Harrison Township, Vigo County, Indiana. A.S. Gehman's Subdivision being found in Plat Book 1, Page 319 in the records of the Office of the Recorder of Vigo County, Indiana. Being more particularly described as follows, to-wit:

Beginning at the Southwest corner of Lot Three (3) in the aforementioned, "A.S. Gehman's Subdivision". Thence Easterly along the South line of Lots Three (3) through Eleven (11) in said subdivision, Four Hundred Ninety-eight (498) feet, more or less, to the Southeast corner of said Lot Eleven (11); thence South along the West line of Twenty-fourth (24th) Street (shown as 22nd Street on the original plat) Fifteen (15) feet to the Northeast corner of Lot Sixteen (16) in said subdivision; thence Westerly along the North line of Lots Sixteen (16) through Twenty-four (24) in said subdivision, Four Hundred Ninety-eight (498) feet, more or less, to the Northwest corner of said Lot twenty-four (24); thence North along the East line of Twenty-third (23rd) Street (shown as 21st Street on the original plat), Fifteen (15) feet to the point of beginning. Containing 0.17 acres, more or less.

Commonly bound by 23rd and 24th Streets and Locust and Elm Streets.

SECTION II. Be it further ordained that said portions of said alley in the City of Terre Haute, Indiana, above described, be and the same are vacated and will revert to the abutting property owners, subject to the conditions of and all rights for public utilities.

SECTION III. 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.

Presented by Council Member, NORMAN LOUDERMILK



Passed in open Council this 19th day of April 2012

City Council President—DON MORRIS

Don Morris

Attest: CITY CLERK—CHARLES P. HANLEY

Charles Hanley

Presented by me to the Mayor of the City of Terre Haute, this 20th day of April 2012.

CITY CLERK—CHARLES P. HANLEY

Charles Hanley

Approved by me, the Mayor of City of Terre Haute, this 20th day of APRIL, 2012

MAYOR—DUKE A. BENNETT

Duke A. Bennett

ATTEST: CITY CLERK—CHARLES P. HANLEY

Charles Hanley

This instrument prepared by Merrill Weir, Jr. of Christ Temple Church, Inc. , 2311 Locust Street, Terre Haute, Indiana 47807.

MERRILL W WEIR, JR.

Merrill W Weir Jr

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.

Merrill W Weir Jr

Merrill W Weir, Jr.

PETITION FOR VACATION OF PUBLIC ALLEY

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

Christ Temple Church, Inc. Petitioners herein, petitions and requests the Legislative body of the City of Terre Haute, Indiana to vacate that portion of the public alley described below pursuant to the various provisions of 1.C. 36-7-3-12, and in support of this Petition, would show to the Common Council of said City as follow:

1. That Christ Temple Church, Petitioners herein, is the owner of the following described real estate located in Vigo County, State of Indiana:

In Gehman's Subdivision, parcel numbers as follows:

84-06-23-126-001.000-002 Gehman's Sub Lot 3, 23-12-9
84-06-23-126-002.000-002 Gehman's Sub 30.9' west side Lot 4, 23-12-9
84-06-23-126-003.000-002 Gehman's Sub 22' 5" east side Lot 4, 23-12-9
84-06-23-126-004.000-002 Gehman's Sub Lot 5, 23-12-9
84-06-23-126-006.000-002 Gehman's Sub Lot 6, 23-12-9
84-06-23-126-007.000-002 Gehman's Sub West ½-8 Lots 7-8, 23-12-9
84-06-23-126-008.000-002 Gehman's Sub East ½-8 13.4' N-9 Lot BLK 9,
23-12-9
84-06-23-126-009.000-002 Gehman's Sub 40' East Side Lot 9, 23-12-9

84-06-23-126-012.000-002 Gehman's Sub Lot 24, 23-12-9
84-06-23-126-013.000-002 Gehman's Sub Lot 23, 23-12-9
84-06-23-126-014.000-002 Gehman's Sub 14' 4"W-21 Lots 21/22, 23-12-
9
84-06-23-126-015.000-002 Gehman's Sub in L&M ex 14'4"W & 4'E
exc 4'E Lot 21, 23-12-9
84-06-23-126-016.000-002 Gehman's Sub 21'6"W Side Lot 20 & 4'E-21
Lots 20 and 21, 23-12-9
84-06-23-126-017.000-002 Gehman's Sub 23'10"E-20 & 9'8"W-19 Lots
19-20, 23-12-9
84-06-23-126-018.000-002 Gehman's Sub 35' mid prt Lot 19, 23-12-9
84-06-23-126-019.000-002 Gehman's Sub 26'4"W-18 & 8'8"E-19 Lots 18
and 19, 23-12-9
84-06-23-126-020.000-002 Gehman's Sub in L&M 27'E-18 Lots 16-18,
23-12-9

That the portion of the alley to be vacated as set forth may be more Particularly described as follows, to-wit:

An alley situated in A.S. Gehman's Subdivision of 7 acres in the Northwest Quarter (N.W. ¼) of Section Twenty-three (23), Township Twelve (12) North, Range Nine (9) West, Second Principal Meridian (2nd P.M.), Harrison Township, Vigo County, Indiana. A.S. Gehman's Subdivision being found in Plat Book 1, Page 319 in the records of the Office of the Recorder of Vigo County, Indiana. Being more particularly described as follows, to-wit:

Beginning at the Southwest corner of Lot Three (3) in the aforementioned, "A.S. Gehman's Subdivision". Thence Easterly along the South line of Lots Three (3) through Eleven (11) in said subdivision, Four Hundred Ninety-eight (498) feet, more or less, to the Southeast corner of said Lot Eleven (11); thence South along the West line of Twenty-fourth (24th) Street (shown as 22nd Street on the original plat) Fifteen (15) feet to the Northeast corner of Lot Sixteen (16) in said subdivision; thence Westerly along the North line of Lots Sixteen (16) through Twenty-four (24) in said subdivision, Four Hundred Ninety-eight (498) feet, more or less, to the Northwest corner of said Lot twenty-four (24); thence North along the East line of Twenty-third (23rd) Street (shown as 21st Street on the original plat), Fifteen (15) feet to the point of beginning. Containing 0.17 acres, more or less.

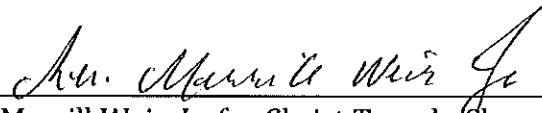
2. No landowner adjoining and abutting the alley to be vacated would be adversely affected by the vacation of said alley.
3. Petitioners proposes the vacation of the alley in order to allow more efficient and effective use of all the subject lots by Petitioners.
4. The proposed vacation would not hinder the use of a public way by the neighborhood in which said portion of the alley is located or to which they are contiguous and all other landowners in the area have and will continue to have direct access to public ways; as set forth above, the proposed vacation of said portion of said 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.
5. The names and address of all owners of land that abut that portion of the alley proposed to be vacated are:
 - a. Christ Temple Church
2311 Locust Street
Terre Haute, IN 47807
 - b. Bernard and Pauline Wallace
2339 Locust Street
Terre Haute, IN 47807

WHEREFORE, Petitioners 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 vacation that portion of the alley referred to and described above;
- 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.

DATE: February 29, 2012

PETITIONERS:


Merrill Weir, Jr. for Christ Temple Church, Inc.

This instrument prepared by Merrill Weir, Jr. of Christ Temple Church, Inc. 2311
Locust Street Terre Haute, Indiana 47807. Telephone Number 812-232-2298 or
812-208-3232.

Receipt

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

Date: March 1, 2012

Name: Christ Temple Church

Reason: Vacating An Alley

Cash: \$5.⁰⁰

Check: _____

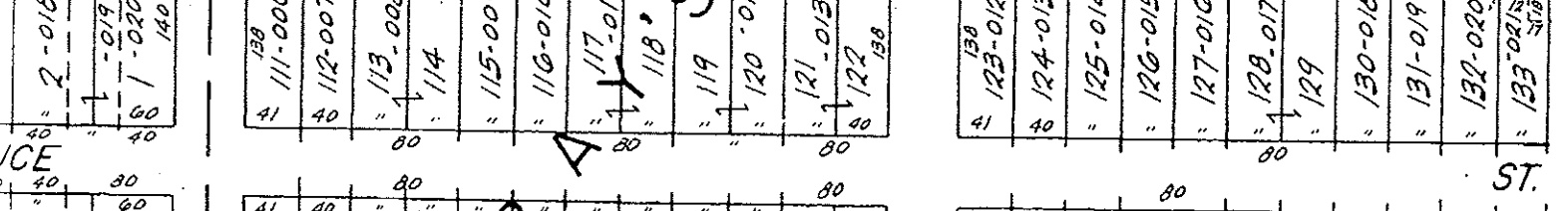
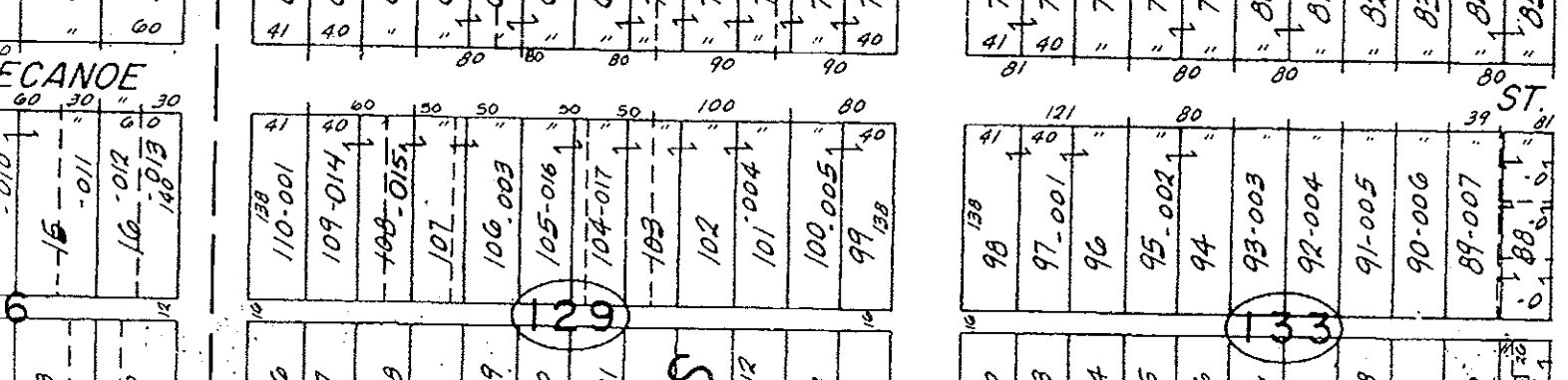
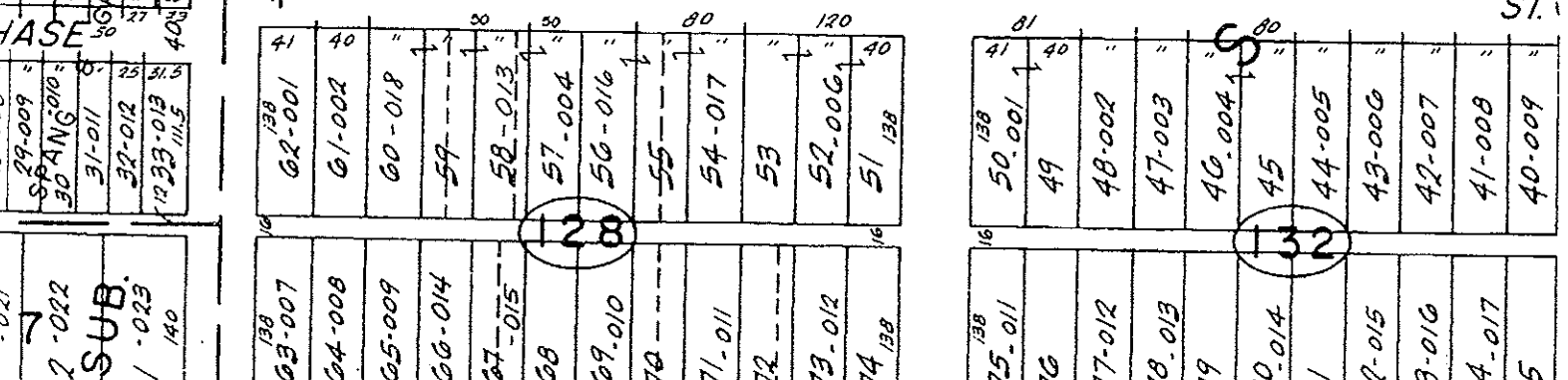
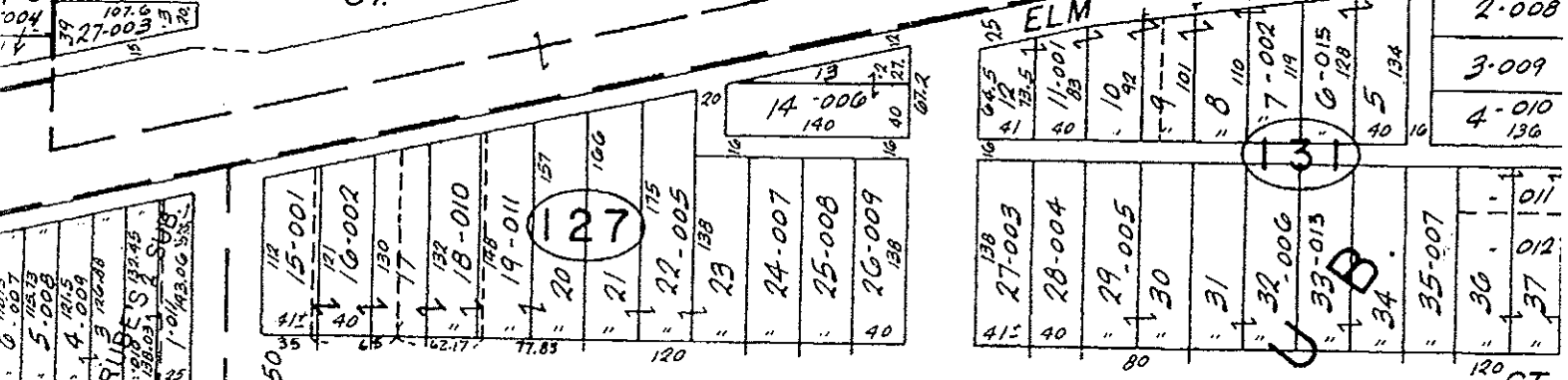
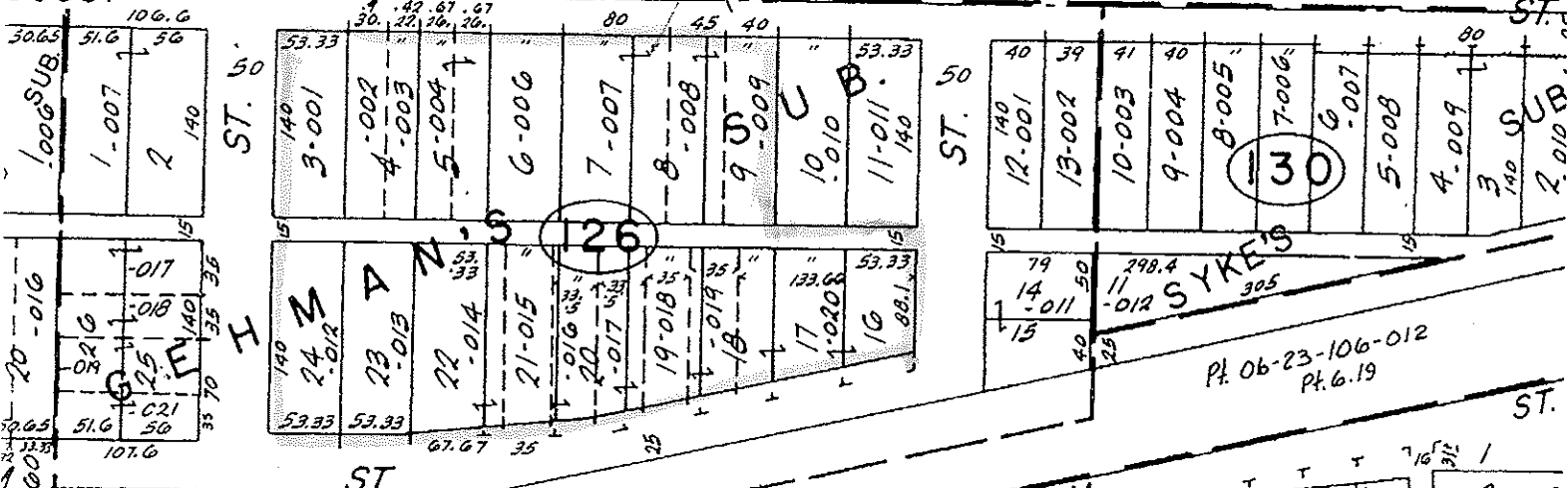
Credit: _____

Total: \$5.⁰⁰

Received By: Michelle K Warden

6-14F

OGUST



February 29, 2012

To Whom It May Concern:

Be it known that this letter is to certify that we, the property owners at 2339 Locust Street. support and do not protest the vacation of the alley in the City of Terre Haute, Indiana, commonly bordered by 23rd and 24th Streets and Locust and Elm Streets, as petitioned by Christ Temple Church, Inc.

Sincerely,



Bernard Wallace

- DECEASED -

Pauline Wallace

**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 12, 2012

March 13, 2012

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 April 5, 2012.

Daniel Bell
(Signature)

Daniel Bell
(Printed name)

Lead Building Inspector
(Title)

MAR 12 2012
(Date Posted)

**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 12, 2012

March 13, 2012

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 ordinance attached 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 April 5, 2012.

 No Problems Noted

 ✓ Problems as noted below

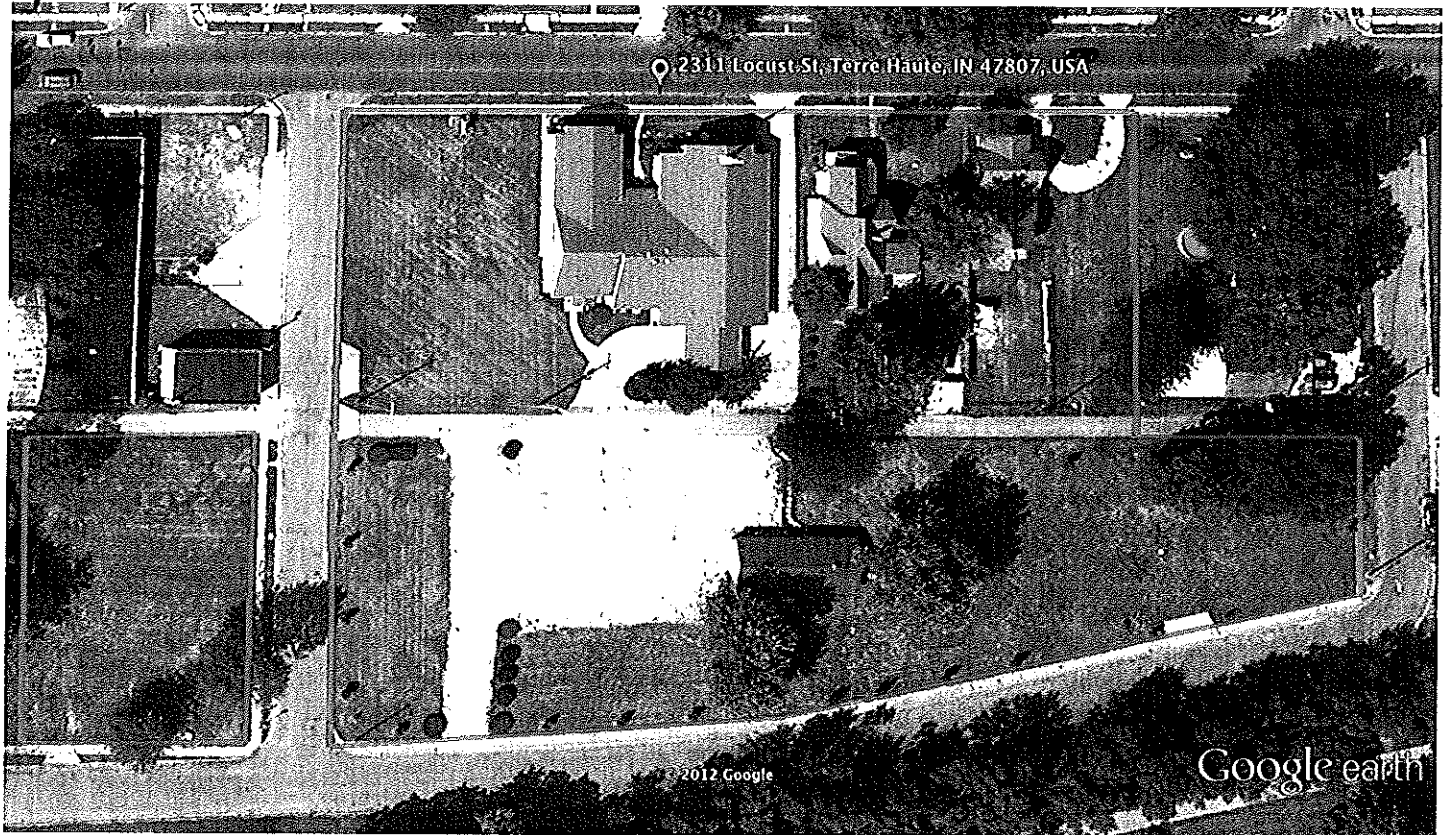
Sanitary Sewer Present in Alley

Josey Daugherty
(Signature)

Josey Daugherty
(Printed name)

Staff Engineer
(Title)

4-12-12
(Date)



Google earth

