

FILED
JAN 06 2012
CITY CLERK

SPECIAL ORDINANCE NO. 1, 2012

AN ORDINANCE VACATING PUBLIC ALLEYS 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 public alleys 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 Southwest corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute, Indiana in Section Twenty-Two (22), Township Twelve (12) North, Range Nine (9) West as the same appears on the recorded plat of said addition in Plat Record 1, Page 6 of the Records of the Recorder's Office of Vigo County, Indiana; thence North along the West line of Lots 151 and 150 in Chauncey Rose's Addition to the City of Terre Haute to the Northwest corner of Lot 150 in Chauncey Rose's Addition to the City of Terre Haute; thence West 20 feet more or less to the Northeast corner of Lot 125 in Chauncey Rose's Addition to the City of Terre Haute; thence South along the West line of Lots 125 and 124 in Chauncey Rose's Addition to the City of Terre Haute to the Southeast corner of Lot 124 in Chauncey Rose's Addition to the City of Terre Haute; thence East 20 feet more or less to the Southwest corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute, being the place of beginning.

ALSO


Beginning at the Southeast corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute in Section Twenty-Two (22), Township Twelve (12) North, Range Nine (9) West as appears on the recorded plat of said addition in Plat Record 1, Page 6 of the Records of the Recorder's Office of Vigo County, Indiana; thence West along the South line of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute to the Southwest corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute; thence continuing West 20 foot more or less to the Southeast corner of Lot 124 in Chauncey Rose's Addition to the City of Terre Haute; thence continuing West along the South line of Lot 124 in Chauncey Rose's Addition to the City of Terre Haute to the Southwest corner of Lot 124 in Chauncey Rose's Addition to the City of Terre Haute; thence South 30 feet more or less to the Northwest corner of Lot 88 in Chauncey Rose's Addition to the City of Terre Haute; thence East along the North line of Lots 88, 87, 86, 85, 84, 83, 82, 81, 80, 79, 78, and 77 in Chauncey Rose's Addition to the City of Terre Haute to the Northeast corner of Lot 77 in Chauncey Rose's Addition to the City of Terre Haute;

thence North 30 feet more or less to the Southeast corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute, being the place of beginning.

SECTION 2. Be it further ordained that said public alleys in the City of Terre Haute, Indiana, above described, be and the same are 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 publication as by law provided.

Presented by Council Member, 
John Mulligan, Councilman

Passed in open Council this ____ day of _____, 2012.

Don Morris, President

ATTEST:

Charles P. Hanley, City Clerk

Presented by me to the Mayor of the City of Terre Haute, this ____ day of _____, 2012.

Charles P. Hanley, City Clerk

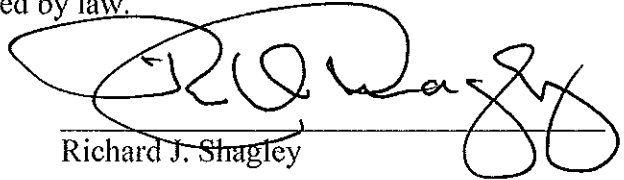
Approved by me, the Mayor of the City of Terre Haute, this ____ day of _____, 2012.

Duke A. Bennett, Mayor

ATTEST:

Charles P. Hanley, 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

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

PETITION FOR VACATION OF PUBLIC ALLEYS

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

GENTLEMEN:

Hulman & Company a/k/a Hulman and Company and Jack R. Snyder, as Successor Co-Trustee(s) of the Grace Hulman Real Estate Trust dated May 2, 1958, as amended and Jack R. Snyder, as Successor Co-Trustee(s) of the Anton Hulman Jr. Trust dated July 1, 1967, as amended (Fee in Tract II only), the owners of land abutting certain Public Alleys platted, which are located in Terre Haute, Indiana and respectfully petition and request the legislative body of the City of Terre Haute, Indiana to vacate the Public Alleys 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. Hulman & Company a/k/a Hulman and Company and Jack R. Snyder, as Successor Co-Trustee(s) of the Grace Hulman Real Estate Trust dated May 2, 1958, as amended and Jack R. Snyder, as Successor Co-Trustee(s) of the Anton Hulman Jr. Trust dated July 1, 1967, as amended (Tract II only), the Petitioners herein, are the owners of the following described real estate located in Vigo County, State of Indiana:

Lot Number Seventy-seven (77) in Chauncey Rose's Addition to the City, of Terre Haute in Section Twenty-two (22), Township Twelve (12) North, Range Nine (9) West, as the same appears on the recorded plat of said Addition in Plat Record 1, Page 6, of the records of the Recorder's Office of Vigo County, Indiana.

Tract II – Lot Number Seventy-eight (78) in Chauncey Rose's Addition to the City of Terre Haute in Section Twenty-two (22), Township Twelve (12) North, Range Nine (9) West, as the same appears on the recorded plat of said Addition in Plat Record 1, Page 6 of the records of the Recorder's Office of Vigo County, Indiana.

Lot Numbers Seventy-nine (79) and Eighty (80) in Chauncey Rose's Addition to the City of Terre Haute, being a part of the West Half (1/2) of Section Twenty-two (22), Township Twelve (12) North, Range Nine (9) West.

Lot Number Eighty-one (81) and 18 feet and 9 inches off the East side of Lot Number Eighty-Two (82), all in Chauncey Rose's Addition to the City of Terre Haute, being a subdivision of all that part of the Southwest Quarter of Section 22, Township 12 North, Range 9 West, lying West of the Wabash and Erie Canal, and South of Chestnut Street, situated in Vigo County, Indiana.

ALSO

Lot Number Eighty-two (82) in Chauncey Rose's Addition to the City of Terre Haute, being a subdivision of all that part of the Southwest Quarter of Section 22, Township 12 North, Range 9 West, excepting 18 feet and 9 inches off the East side of Lot Number Eighty-two (82).

Lots Numbers Eighty-three (83) and Eighty-four (84) in Chauncey Rose's Addition to the City of Terre Haute, being a subdivision of all that part of the Southwest Quarter of Section 22, Township 12 North, Range 9 West.

Lot Number Eighty-five (85) in Chauncey Rose's Addition to the City of Terre Haute, being a subdivision of all that part of the Southwest Quarter of Section 22, Township 12 North, Range 9 West.

Lots Numbers Eighty-six (86), Eighty-seven (87) and Eighty-eight (88), in Chauncey Rose's Addition of part of the West Half (1/2) of Section Twenty-two (22), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof, in Plat Record 1, Page 6, records of the Recorder's Office of Vigo County, Indiana.

Lots Numbers One Hundred Twenty-four (124) and One Hundred Twenty-five (125) in Chauncey Rose's Addition to the Town, now City, of Terre Haute, Indiana, as said Lots are shown on the corrected plat of a part of said Chauncey Rose's Addition recorded in Plat Book 1, Page 195 of the records in the Office of the Recorder of Vigo County, Indiana.

Lots Numbers One Hundred Fifty (150) and One Hundred Fifty-One (151) in Chauncey Rose's Addition to the Town, now City, of Terre Haute, Indiana, as said Lots are shown on the corrected plat of a part of said Chauncey Rose's Addition recorded in Plat Book 1, Page 195 of the records in the Office of the Recorder of Vigo County, Indiana.

Commonly known as the East-West alley and North-South alley in the City block bounded by Wabash and Cherry Streets and Eighth and Ninth Streets, Terre Haute, IN.

2. That a copy of Site Plan of said Public Alleys which run along Owners' properties is attached hereto, made a part hereof and is marked as Exhibit A.

3. That the Public Alleys to be vacated as set forth above may be more particularly described as follows, to-wit:

Beginning at the Southwest corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute, Indiana in Section Twenty-Two (22), Township Twelve (12) North, Range Nine (9) West as the same appears on the recorded plat of said addition in Plat Record 1, Page 6 of the Records of the Recorder's Office of Vigo County, Indiana; thence North along the West line of Lots 151 and 150 in Chauncey Rose's Addition to the City of Terre Haute to the Northwest corner of Lot 150 in Chauncey Rose's Addition to the City of Terre Haute; thence West 20 feet more or less to the Northeast corner of Lot 125 in Chauncey Rose's Addition to the City of Terre Haute; thence South along the West line of Lots 125 and 124 in Chauncey Rose's Addition to the City of Terre Haute to the Southeast corner of Lot 124 in Chauncey Rose's Addition to the City of Terre Haute; thence East 20 feet more or less to the Southwest corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute, being the place of beginning.

ALSO

Beginning at the Southeast corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute in Section Twenty-Two (22), Township Twelve (12) North, Range Nine (9) West as appears on the recorded plat of said addition in Plat Record 1, Page 6 of the Records of the Recorder's Office of Vigo County, Indiana; thence West along the South line of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute to the Southwest corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute; thence continuing West 20 foot more or less to the Southeast corner of Lot 124 in Chauncey Rose's Addition to the City of Terre Haute; thence continuing West along the South line of Lot 124 in Chauncey Rose's Addition to the City of Terre Haute to the Southwest corner of Lot 124 in Chauncey Rose's Addition to the City of Terre Haute; thence South 30 feet more or less to the Northwest corner of Lot 88 in Chauncey Rose's Addition to the City of Terre Haute; thence East along the North line of Lots 88, 87, 86, 85, 84, 83, 82, 81, 80, 79, 78, and 77 in Chauncey Rose's Addition to the City of Terre Haute to the Northeast corner of Lot 77 in Chauncey Rose's Addition to the City of Terre Haute; thence North 30 feet more or less to the Southeast corner of Lot 151 in Chauncey Rose's Addition to the City of Terre Haute, being the place of beginning.

4. Petitioners believe that no landowner adjoining and abutting the Public Alleys to be vacated would be adversely affected by the vacation of said Public Alleys, since the real estate is presently being utilized by the Petitioners, and the Petitioners are the owners of all of the real estate abutting the Public Alleys.

5. Petitioners propose the vacation of the Public Alleys in order to allow more efficient and effective use of Petitioners' real estate. That Petitioners have assumed control of the East-West alley by making structural changes thereto and of the North-Side alley by making

improvements thereon.

6. The proposed vacation would not hinder the use of a public way by the neighborhood in which said Public Alleys are located or to which they are contiguous since the Petitioners are the owner of the lands abutting said Public Alleys; as set forth above, the proposed vacation of said Public Alleys 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 Alleys above proposed to be vacated are the Petitioners.

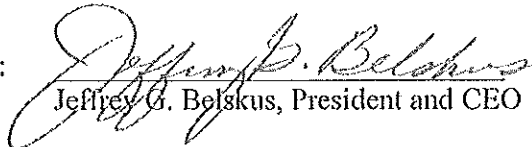
WHEREAS, Petitioners respectfully request and petition the Common Council of the City of Terre Haute, Indiana, after hearing on this Petition in accordance with law to:

- a) Adopt an Ordinance vacating that the Public Alleys 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.

PETITIONERS

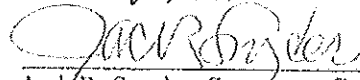
**Hulman & Company
a/k/a Hulman and Company**

By:


Jeffrey G. Bolskus, President and CEO

Anton Hulman Jr. Real Estate Trust
u/d/o July 1, 1967

By:



Jack R. Snyder, Successor Co-Trustee

Grace Hulman Real Estate Trust
u/d/o May 2, 1958

By:

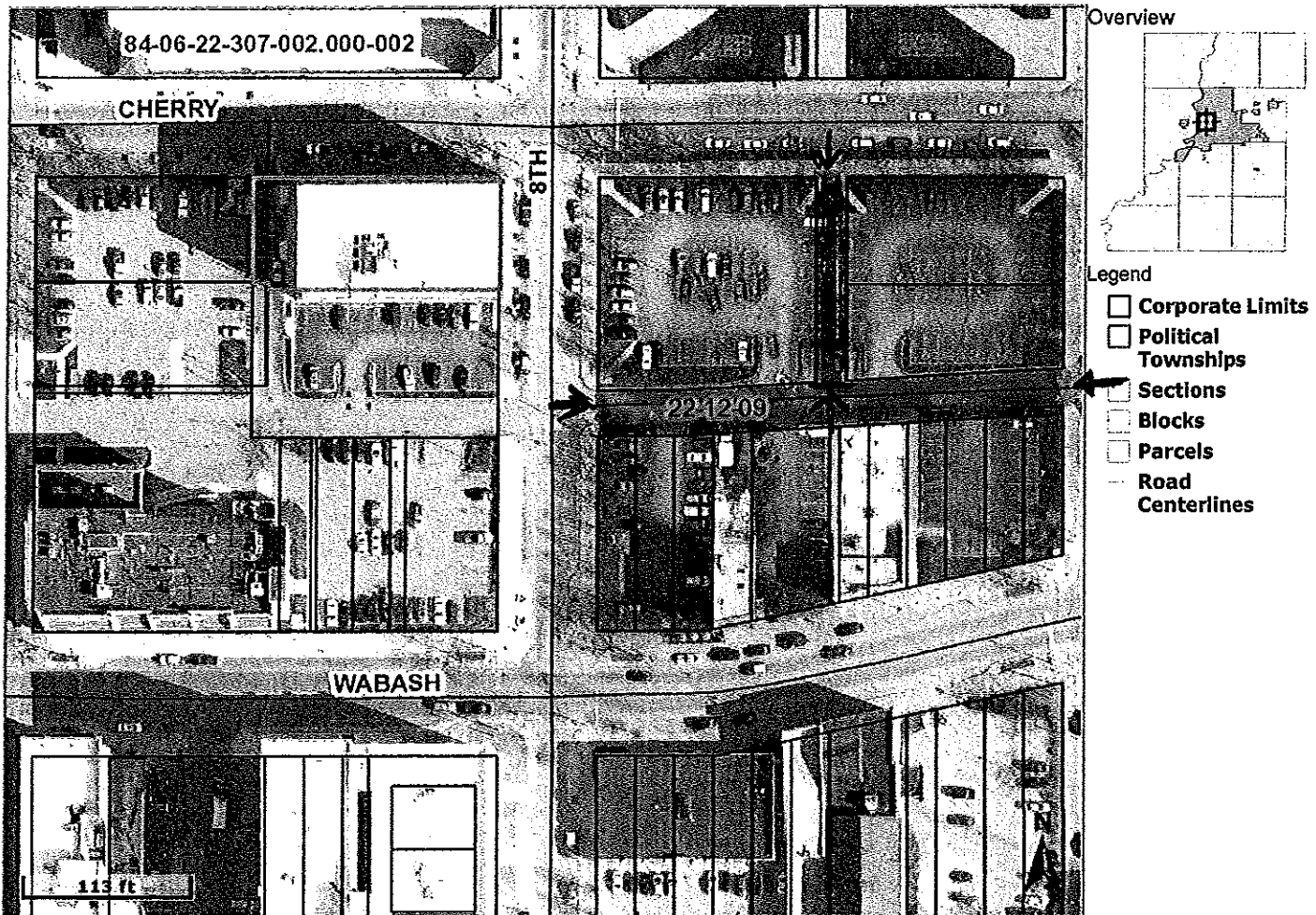


Jack R. Snyder, Successor Co-Trustee

Petitioners' Addresses: Hulman & Company, 900 Wabash Avenue, Terre Haute, Indiana 47807; Jack R. Snyder, Successor Co-Trustee of the Anton Hulman Jr. Real Estate Trust u/d/o July 1, 1967 and Grace Hulman Real Estate Trust u/d/o May 2, 1958, c/o Indianapolis Motor Speedway, 4790 W. 16th Street, Indianapolis, IN 46222.

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

Date Created: 11/17/2011



Parcel ID	84-06-22-309-005.000-002	Alternate ID	118-06-22-309-005	Owner Address	HULMAN & COMPANY
Sec/Twp/Rng	n/a	Class	Com Office O/T 47 elevator		P O BOX 150
Property Address	26 N 8TH ST TERRE HAUTE	Acreage	n/a		TERRE HAUTE, IN 47808-0150
District	002 HARRISON				
Brief Tax Description	ROSES ADD 4.95' N-123 PRT VAC ALLEY ADJ TO LOTS REF2006003748 94-97 408/311 (TIF) 22-12-9 LOTS 122 & 123 (Note: Not to be used on legal documents)				S.O 1, 2012

Last Data Upload: 11/17/2011 12:56:17 AM

Receipt

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

Date: Jan 6, 2017

Name: Wright, Shagley + Sowers

Reason: Vacating on Alley - Hulman Plaza \$5⁰⁰

TERRE HAUTE, IN
PAID

Cash: _____

Check: \$5⁰⁰ CK# 59653

Credit: _____

Total: \$5⁰⁰

JAN 06 2017

CONTROLLER

Received By: M. Aowell DE