

FILED
DEC 26 2013
CITY CLERK

SPECIAL ORDINANCE NO. 1, 2014

AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET LOCATED IN THE CITY OF TERRE HAUTE, VIGO COUNTY, INDIANA STATE UNIVERSITY

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

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

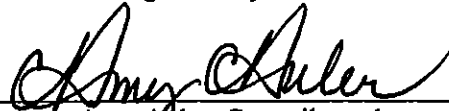
That portion of Spang Street as set out in the Plat of Stewart Place Subdivision as recorded the 4th day of September, 1906 in Plat Record 9 page 25 in the Office of the Recorder of Vigo County, Indiana, bounded on the West by 9th Street and on the East by 10th Street, bounded on the North by Parcel #84-06-34-311-003.000-002 and on the South by Parcel's numbered 84-06-34-313-004.000-002 and 84-06-34-313-001.000-002. Said plat indicates that Spang Street is 25 feet to the centerline of the street.

Commonly Located By: 2630 S. 9th Street.

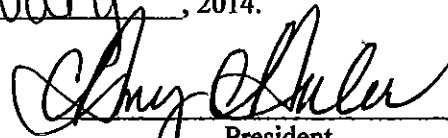
SECTION II. Be it further ordained that said portion of said street in the City of Terre Haute, Indiana, above described, be and the same is vacated and will revert to the abutting properties, subject to the continuation of any and all existing rights for public utilities.

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 Councilmember:


Amy Ahler, Councilmember

Passed in Open Council this 13 day of February, 2014.


Amy Ahler, President


Common Council of Terre Haute, Indiana.


ATTEST: Charles P. Hanley, City Clerk

Presented by me to the Mayor this 14th day of February, 2014.


Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 14th day of FEBRUARY, 2014.


Duke A. Bennett, Mayor, City of Terre Haute


ATTEST: Charles P. Hanley, City Clerk

This instrument prepared by: Travis Behem 5883 South Lockett Place, Terre Haute, IN 47802

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.


Travis Behem

PETITION FOR VACATION OF PORTION OF A PUBLIC STREET

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

CITY OFFICIALS:

Travis Behem of Terre Haute, Indiana is the owner of land abutting a certain Public Street, Spang 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. Travis Behem, the petitioner, is the owner of the following parcels of real estate located in Vigo County, State of Indiana:

PARCELS:

84-06-34-311-003.000-002

2. Rick Lasure is owner of the following parcels of real estate located in Vigo County, State of Indiana:

PARCELS:

84-06-34-313-004.000-002

The Indiana Rail Road Company is owner of the following parcels of real estate located in Vigo County, State of Indiana:

PARCELS:

84-06-34-313-001.000-002

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

That portion of Spang Street as set out in the Plat of Stewart Place Subdivision as recorded the 4th day of September, 1906 in Plat Record 9 page 25 in the Office of the Recorder of Vigo County, Indiana, bounded on the West by 9th Street and on the East by 10th Street, bounded on the North by Parcel #84-06-34-311-003.000-002 and on the South by Parcel's numbered 84-06-34-313-004.000-002 and 84-06-34-313-001.000-002. Said plat indicates that Spang Street is 25 feet to the centerline of the street.

Commonly Located By 2630 South Ninth Street.


4. 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 the affected properties are the owners of all property adjoining and abutting the Public Street to be vacated.

5. Petitioners propose the vacation of the Public Street in order to utilize this section of Spang Street for development of a home. This section of Spang Street is currently overgrown with trees and shrubs, as well as containing trash and debris. This section of Spang Street is not paved, or useable by vehicles. Vacating this section would ensure there are no set-back issues with the development of the property for a home. The vacant lot adjacent to this area of Spang Street would be for the development of a new single family modular home.
6. 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.

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.

IN WITNESS WHEREOF, This petition has been duly executed this _____ day of _____, 20____.

By 
Travis Behem

This instrument prepared by Travis Behem 5883 South Lockett Place, Terre Haute, IN 47802

Receipt

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

Date: Dec 26, 2013

Name: Travis Behem

Reason: Vacating an alley \$500

TERRE HAUTE, IN
PAID

DEC 26 2013

CONTROLLER

Cash: \$500

Check: _____

Credit: _____

Total: \$500

Received By: M. Dowell/SE

**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 1, 2014

January 17, 2014

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 31, 2014.

Daniel Bell
(Signature)

Daniel Bell
(Printed name)

Lead Inspector
(Title)

1-27-2014
(Date Posted)

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

To: **TERRE HAUTE FIRE DEPARTMENT**

Special Ordinance 1,2014

January 17, 2014

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 31, 2014.

No Problems Noted

Problems as noted below

J. W. Fisher
(Signature)
JEFFERY W. FISHER
(Printed name)

FIRE CHIEF
(Title)

(Date)

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

OK

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

Special Ordinance 1, 2014

January 17, 2014

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 31, 2014.

 No Problems Noted Problems as noted below

Bradley Miller

BRADLEY S. MILLER

(Printed name)

TRANSPORTATION DIRECTOR

1/28/14

(Date)

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

To: TERRE HAUTE CITY POLICE DEPARTMENT

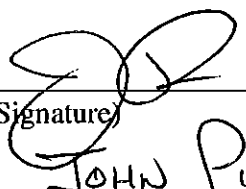
Special Ordinance 1, 2014

January 17, 2014

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 31, 2014.

No Problems Noted

Problems as noted below



(Signature)
JOHN PLASSE

(Printed name)

CHIEF OF POLICE

(Title)
1-27-14

(Date)

**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 1, 2014

January 17, 2014

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 31, 2014.

X No Problems Noted

_____ Problems as noted below

Marcus E. Maurer
(Signature)

Marcus E. Maurer
(Printed name)

Staff Engineer II
(Title)

1/31/2014
(Date)

Date Created: 12/23/2013



Overview



Legend

- Corporate Limits
- Political Townships
- Sections
- Blocks
- Lots
- Parcels
- Road Centerlines
- Trees

Parcel ID	84-06-34-311-003.000-002	Alternate ID	118-06-34-311-003	Owner Address	BEHEM TRAVIS 5883 S LUCKETT PL TERRE HAUTE, IN 47802
Sec/Twp/Rng	n/a	Class	Res 1 fam dwelling platted lot		
Property Address	2630 S 9TH ST TERRE HAUTE	Acreage	n/a		
District	002 HARRISON				
Brief Tax Description	STEWART PLACE SUB (2630 S 9TH) D-419/874 34-12-9 LOTS 119-122 (Note: Not to be used on legal documents)				

Last Data Upload: 12/21/2013 3:13:42 AM

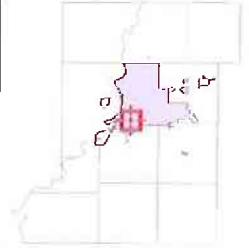


developed by
The Schneider Corporation
www.schneidercorp.com






Date Created: 12/18/2013



Overview



Legend

-  Corporate Limits
-  Political Townships
-  Sections
-  Parcels
-  Road Centerlines
-  Trees

Parcel ID	84-06-34-311-003.000-002	Alternate ID	118-06-34-311-003	Owner Address	BEHEM TRAVIS
Sec/Twp/Rng	n/a	Class	Res 1 fam dwelling platted lot		5883 S LUCKETT PL
Property Address	2630 S 9TH ST TERRE HAUTE	Acreage	n/a		TERRE HAUTE, IN 47802
District	002 HARRISON				
Brief Tax Description	STEWART PLACE SUB (2630 S 9TH) D-419/874 34-12-9 LOTS 119-122 <i>(Note: Not to be used on legal documents)</i>				

Last Data Upload: 12/17/2013 11:10:06 PM

Receipt

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

Date: Dec 26, 2013

Name: Travis Bohem

Reason: Vacating an alley \$500

TERRE HAUTE, IN
PAID

DEC 26 2013

CONTROLLER

Cash: \$500

Check: _____

Credit: _____

Total: \$500

Received By: M. Dowell/SE