

FILED

JAN 03 2019

SPECIAL ORDINANCE NO. 1, 2019

CITY CLERK

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

BE IT ORDAINED 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 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:

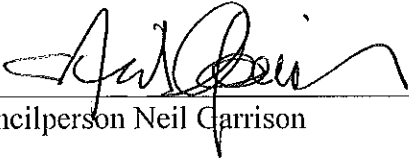
SEE EXHIBIT A.

SECTION 2. Be it further ordained that said portion of said alleyway 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.

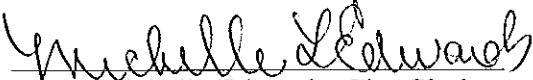
WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as by law provided.

Presented by



Councilperson Neil Garrison

Passed in open Council this 7TH day of MARCH, 2019.

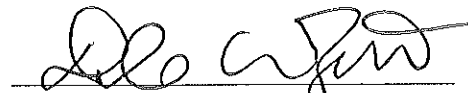

Martha Cross, City Council President

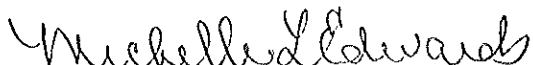

Attest Michelle Edwards, City Clerk

Presented by me to the Mayor this 11 day of MARCH, 2019.


Michelle Edwards, City Clerk

Approved by me, the Mayor, this 11th day of MARCH, 2019.


Duke Bennett, Mayor


Attest:: Michelle Edwards City Clerk

I have prepared the foregoing instrument and 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.

/s/ Louis F Britton

Louis F. Britton
COX, ZWERNER, GAMBILL & SULLIVAN, LLP
511 Wabash Avenue
Terre Haute, IN 47807
Phone: (812) 232-6003

EXHIBIT A

Alley to be Vacated

A part of Eshman and Ohm Subdivision being that part of the East / West alley between Lots 16 through 22 and Lots 23 through 29 also being in the Southeast Quarter of Section 15, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana described as follows:

Beginning at a point 4.5 feet East of the Southwest Corner of Lot 16 in said subdivision; thence South 00 degrees 01 minute 01 second West a distance of 12.00 feet to the North line of Lot 29 in said subdivision; thence North 89 degrees 35 minutes 17 seconds West along the North line of Lots 29 through 23 a distance of 247.44 feet to the Northwest Corner of Lot 23; thence North 00 degrees 00 minutes 25 seconds East along the East line of 14th Street a distance of 12.00 feet to the Southwest Corner of Lot 22 in said subdivision; thence South 89 degrees 35 minutes 17 seconds East along the South line of Lots 22 through 17 a distance of 242.95 feet to the Southeast Corner of Lot 17; thence South 89 degrees 35 minutes 17 seconds East along the South line of Lot 16 a distance of 4.50 feet to the **Point of Beginning** containing 2,969 square feet (0.07 acres) more or less.

PETITION FOR VACATION OF PUBLIC ALLEYWAY

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

Gentlepersons::

Petitioners, Catholic Archdiocese of Indianapolis Properties, Inc. and Wabash Valley Health Center, Inc., as the owners of lands abutting a certain alleyway platted in the City of Terre Haute, Indiana, respectfully petitions and requests the legislative body of the City of Terre Haute, Indiana, to vacate that portion of the public alleyway described below pursuant to the 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. Petitioner is the owner of the following described real estate located in Vigo County, State of Indiana:

Real estate is commonly known as: 1401, 1403, 1407, 1415, 1421, 1425, 1431, and 1435 1st Ave. and 1402, 1412, 1436, and 1440 Locust St., Terre Haute, IN and is generally shown in Exhibit A attached hereto and made a part hereof.

2. That the attached drawing (Exhibit B) discloses the portion of the alleyway which Petitioner seeks to have vacated.

3. That the portion of the alleyway to be vacated as set forth above may be more particularly described as follows, to-wit: **SEE EXHIBIT C**

Subject to all existing utility easements or rights of utilities in existing facilities.

4. No landowner adjoining and abutting the alleyway to be vacated would be adversely affected by the vacation of said alleyway;

5. Attached as Exhibit D is a list of the persons owning property adjacent to the alley according to the County website and the mailing address for each property owner, according to the County website.

6. The proposed vacation would not hinder the use of a public way by the neighborhood in which said portion of the alleyway is located or to which they are contiguous. All other landowners in the area have and will continue to have direct access to public ways; and as set

forth above, the proposed vacation of said portion of said alleyway 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.

7. Petitioner proposes to dedicate a new public alley as shown in Exhibit B. All other landowners in the area have and will continue to have direct access to public ways; and as set forth above, the proposed vacation of said portion of said alleyway 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.

WHEREFORE, 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 alleyway 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 paragraph 10-125 of the City's Zoning Ordinance;
- c) For all other proper relief in the premises.

Respectfully submitted,

Catholic Archdiocese of Indianapolis Properties, Inc.

By: _____
(Signature)

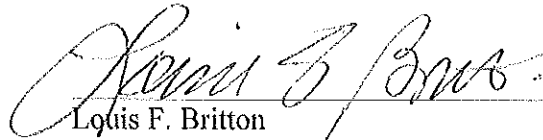
(Printed Name and Title)

Wabash Valley Health Center, Inc.

By: Charles Welker
(Signature)

Charles Welker - CEO
(Printed Name and Title)

I have prepared the foregoing instrument and 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.

A handwritten signature in cursive script, appearing to read "Louis F. Britton", written over a horizontal line.

Louis F. Britton
COX, ZWERNER, GAMBILL & SULLIVAN, LLP
511 Wabash Avenue
Terre Haute, IN 47807
Phone: (812) 232-6003

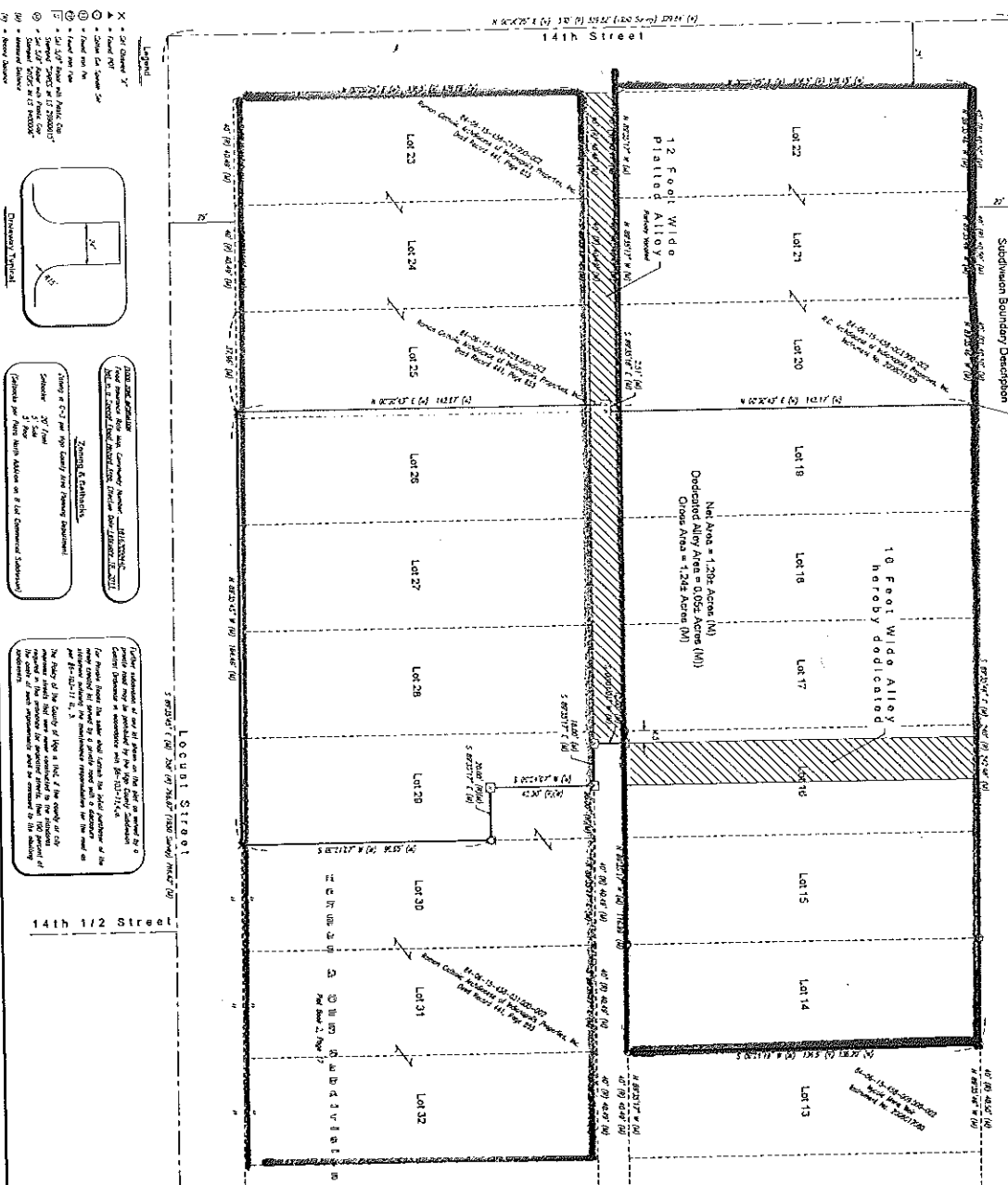
EXHIBIT A
PETITION OF CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC. AND
WABASH VALLEY HEALTH CENTER, INC. FOR VACATION OF PUBLIC ALLEYWAY

Wabash Valley Health Center Subdivision

A Part of the Southeast Quarter of Section 15, Township 12 North, Range 9 West of the
Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana

Point of Beginning of Subdivision Boundary Description

1761 1/2 1/2 U.O.



Subdivision Boundary Description

WABASH VALLEY HEALTH CENTER SUBDIVISION (SECTION 15)

A part of Section 15, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana, is divided into 20 lots, 10 blocks, 2 public alleys, 1 block of 1/2 lot, 1/2 lot, and 1/2 lot. The total area is 1761 1/2 acres, U.O.

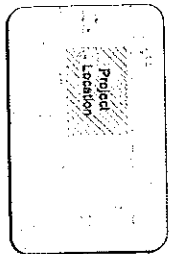
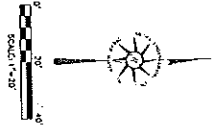
The lots are numbered as follows: Lot 13, Lot 14, Lot 15, Lot 16, Lot 17, Lot 18, Lot 19, Lot 20, Lot 21, Lot 22, Lot 23, Lot 24, Lot 25, Lot 26, Lot 27, Lot 28, Lot 29, Lot 30, Lot 31, and Lot 32.

The public alleys are: 12 Foot Wide Platted Alley (Lot 23) and 10 Foot Wide Alley heretofore dedicated (Lot 18).

The block of 1/2 lot is: Block 1 (Lots 13 and 14).

The 1/2 lot is: Lot 15.

The 1/2 lot is: Lot 16.



1436 Locust Street

MYERS
ENGINEERING, INC.
1436 Locust Street
Terre Haute, IN 47787

PROJECT NO.	2009-0118
DATE	10/12/09
DRAWN BY	[Signature]
CHECKED BY	[Signature]
SCALE	AS SHOWN

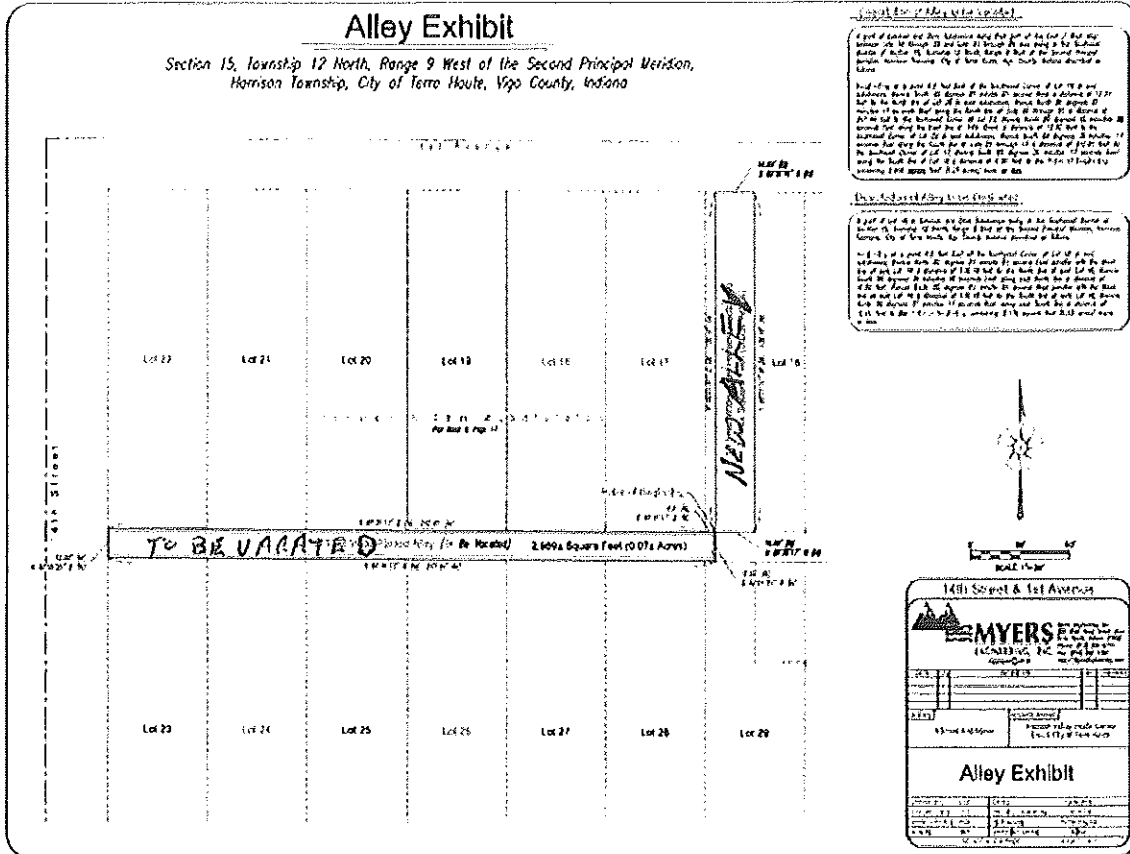
Plat of Subdivision

State of Indiana, County of Vigo, Harrison Township, City of Terre Haute, Section 15, Township 12 North, Range 9 West of the Second Principal Meridian.

Preliminary

PETITION OF CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC. AND
 WABASH VALLEY HEALTH CENTER, INC. FOR VACATION OF PUBLIC ALLEYWAY

EXHIBIT B



Alley to be Dedicated

A part of Lot 16 in Eshman and Ohm Subdivision being in the Southeast Quarter of Section 15, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana described as follows:

Beginning at a point 4.5 feet East of the Southwest Corner of Lot 16 in said subdivision; thence North 00 degrees 01 minute 01 second East parallel with the West line of said Lot 16 a distance of 136.18 feet to the North line of said Lot 16; thence South 89 degrees 35 minutes 46 seconds East along said North line a distance of 16.00 feet; thence South 00 degrees 01 minute 01 second West parallel with the West line of said Lot 16 a distance of 136.18 feet to the South line of said Lot 16; thence North 89 degrees 35 minutes 17 seconds West along said South line a distance of 16.00 feet to the **Point of Beginning** containing 2,179 square feet (0.05 acres) more or less.

PETITION OF CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC. AND
WABASH VALLEY HEALTH CENTER, INC. FOR VACATION OF PUBLIC ALLEYWAY

EXHIBIT C

Alley to be Vacated

A part of Eshman and Ohm Subdivision being that part of the East / West alley between Lots 16 through 22 and Lots 23 through 29 also being in the Southeast Quarter of Section 15, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terre Haute, Vigo County, Indiana described as follows:

Beginning at a point 4.5 feet East of the Southwest Corner of Lot 16 in said subdivision; thence South 00 degrees 01 minute 01 second West a distance of 12.00 feet to the North line of Lot 29 in said subdivision; thence North 89 degrees 35 minutes 17 seconds West along the North line of Lots 29 through 23 a distance of 247.44 feet to the Northwest Corner of Lot 23; thence North 00 degrees 00 minutes 25 seconds East along the East line of 14th Street a distance of 12.00 feet to the Southwest Corner of Lot 22 in said subdivision; thence South 89 degrees 35 minutes 17 seconds East along the South line of Lots 22 through 17 a distance of 242.95 feet to the Southeast Corner of Lot 17; thence South 89 degrees 35 minutes 17 seconds East along the South line of Lot 16 a distance of 4.50 feet to the **Point of Beginning** containing 2,969 square feet (0.07 acres) more or less.

Subject to all existing easements for public utilities

PETITION OF CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC. AND
WABASH VALLEY HEALTH CENTER, INC. FOR VACATION OF PUBLIC ALLEYWAY

EXHIBIT D

- 1) 1437 1st Ave
Deeded Owner
Weir Nycole Marie
1446 Locust St.
Terre Haute, IN 47807
- 2) 1449 1st Ave
Deeded Owner
Smith Plen Jesse
1240 Hulman St
Terre Haute, IN 47802
- 3) 1453 1st Ave.
Deeded Owner
Citi Mortgage Inc
ATTN Tax Department
P.O. Box 1800
Farmington Hill, MI 48333
- 4) 1455 1st Ave
Deeded Owner
McCloud Ronald & Mary
1455 1st Ave
Terre Haute, IN 47807

- 5) 1459 1st Ave
Deeded Owner
Day Roy J & Marsha L
1459 1st Ave.
Terre Haute, IN 47807
- 6) 1465 1st Ave.
Deeded Owner
Tyler Cheryl B Clayton
1465 1st Ave
Terre Haute, IN 47807
- 7) 1469 1st Ave
Deeded Owner
Elisman Jeanene C & Norman B Elder
2201 S. 7th Street
Terre Haute, IN 47802
- 8) 926 N. 15th

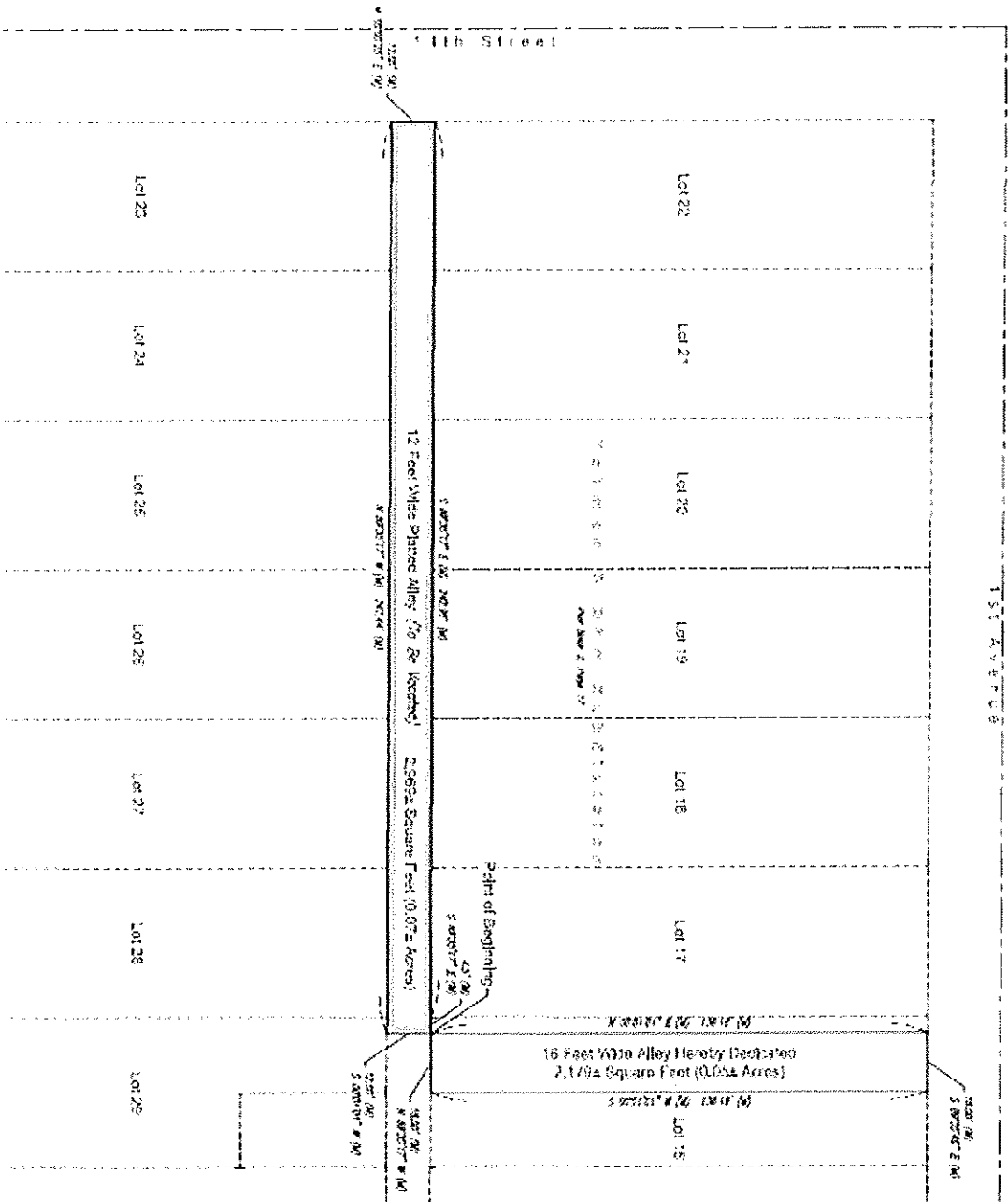
Deeded Owner
Housing Authority of Terre Haute
2001 N. 19th St.
Terre Haute, IN 47804

- 9) 1446 Locust St.
Deeded Owner
Reeley Michael & Linda
1446 Locust St.
Terre Haute, IN 47807
- 10) 1450 Locust St.
Deeded Owner
Noble Indiana Investments LLC
105 Canterbury #1216 LN
Bolingbrook, IL 60440
- 11) 1454 Locust St.
Deeded Owner
Jb Merchants LLC
7832 Mary Frances LN
North Richlands Hills, TX 76180
- 12) 1458 Locust St.
Deeded Owner
Martinez Jose Gonzalez
1458 Locust St.
Terre Haute, IN 47807
- 13) 1462 Locust St.
Deeded Owner
Martinez Jose Gonzalez
1458 Locust St.
Terre Haute, IN 47807
- 14) 1468 Locust Ave
Deeded Owner
Crouse Marlin K
3450 Wabash Ave. Apt. 2
Terre Haute, IN 47803
- 15) 1470 Locust Ave.
Deeded Owner
Angfoxx LLC
P.O. Box 11494
Terre Haute, IN 47801
- 16) 1472 Locust Ave.
Deeded Owner
Angfoxx LLC
P.O. Box 11494
Terre Haute, IN 47801

SITE PLAN: ALLEY VACATION SPECIAL ORDINANCE 1-2019

Alley Exhibit

Section 15, Township 12 North, Range 9 West of the Second Principal Meridian,
Harrison Township, City of Terra Haute, Vigo County, Indiana



Description of Alley to be Vacating

A part of Section 15 and City Ordinance being the part of the East 1/4 of the East 1/4 of Range 9 West of the Second Principal Meridian, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terra Haute, Vigo County, Indiana described as follows: ...

Description of Alley to be Dedicated

A part of Lot 15, a Block and City Ordinance being a part of the Subdivided Corner of Section 15, Township 12 North, Range 9 West of the Second Principal Meridian, Harrison Township, City of Terra Haute, Vigo County, Indiana described as follows: ...



14th Street & 1st Avenue

MYERS
ENGINEERING, INC.
2300 W. 15th Street, Terre Haute, IN 47787
317.332.2222
www.myersinc.com

Owner: Vigo County
Project: Alley Exhibit
Date: 10/11/2019

NO.	DATE	BY	DESCRIPTION
1	10/11/2019

Alley Exhibit

Receipt

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

Date: Jan. 3, 2019

Name: Wabash Valley Health Center

Reason: Vacating Alley - \$5⁰⁰

TERRE HAUTE, IN
PAID
CONTROLLER

Cash: _____

Check: \$5⁰⁰ ck 99302

Credit: _____

Total: \$5⁰⁰

Received By: S. Ellis / RB

FILED

JAN 16 2019

CITY CLERK

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, 2019

January 11, 2019

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 February 1, 2019.

No Problems Noted

Problems as noted below

Shawn Keen
(Signature)

City Clerk
(Title)

SHAWN KEEN
(Printed name)

1-16-19
(Date)

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

FILED

JAN 14 2019

To: **TERRE HAUTE FIRE DEPARTMENT**

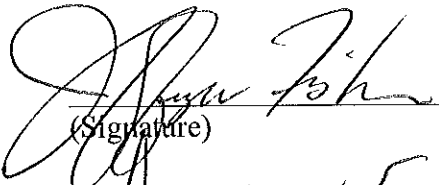
CITY CLERK

Special Ordinance 1, 2019

January 11, 2019

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 February 1, 2019.

No Problems Noted Problems as noted below



 (Signature)

JEFFERY W FISHER

 (Printed name)

 (Title) **FIRE CHIEF**

 (Date) **1-14-19**

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

**FILED
JAN 15 2019
CITY CLERK**

To: Building Inspector, City of Terre Haute

Special Ordinance 1, 2019

January 11, 2019

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 February 1, 2019.

Daniel Bell
(Signature)

1-15-2019
(Title)

Daniel Bell
(Printed name)

1-14-2019
(Date Posted)

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

FILED

JAN 14 2019

CITY CLERK

To: Street Department, City of Terre Haute


Special Ordinance 1, 2019

January 11, 2019

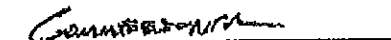
In accordance with General Ordinance 7, 1990, the City Clerk's Office must poll various departments in regard to the closing of a street or alley. Please review the attached ordinance and indicate any problems you see with the proposed closing. If there are any problems, please write in the space below. Return to the City Clerk's Office by February 1, 2019.

No Problems Noted

Problems as noted below


(Signature)

LANGSTON R. MEEKS


(Title)

01/14/2019

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

FILED
JAN 23 2019
CITY CLERK

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

Special Ordinance 1, 2019

January 11, 2019

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 February 1, 2019.

No Problems Noted

Problems as noted below

Josey Daugherty

(Signature)

Staff Engineer

(Title)

Josey Daugherty

(Printed name)

1-28-19

(Date)