

FILED

JUN 11 2021

SPECIAL ORDINANCE NO. 20, 2021

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

CITY CLERK

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 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:

Bounded on the **north** by the south right-of-way line of Oak Street;

Bounded by the **east** by Lot No. 12 in Joab's Subdivision of Lot Number Six in Preston's Subdivision of the East half of the Northeast Quarter of Section 27, Township 12 North of Range 9 West;

Bounded by the **west** on Lots 2, 3 and 4 in J.A. Wilson's Subdivision of Lots Nos. 12, 13 and 14 in M.M. Joab's Subdivision of Lot No. 6 of N. Preston's Subdivision of the East half of the North East quarter of Section 27, Township 12 North of Range 9 West;

Bounded on the **south** by the north right-of-way line of an alley that runs east and west between 15th Street and 17th Street.

Section 2. Be it further ordained that alleyway in the City of Terre Haute, Indiana above-described, be and the same is hereby vacated and will revert to the property owner on which the alleyway is located subject to the continuation of any and all existing easements for public utilities.

Section 3. Be it further ordained that the City Clerk be, and 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 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 required by law.

Presented by Council Member, Martha Crossen
Martha Crossen

Passed in Open Council this 8 day of July, 2021.
O. Earl Elliott
O. Earl Elliott-President

ATTEST: Michelle L Edwards

Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 8th day of

July 2021.

Michelle L Edwards
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 8th day of July, 2021.

Duke Bennett
Duke Bennett, Mayor

ATTEST: Michelle L Edwards
Michelle Edwards, City Clerk

This document prepared by:

David P. Friedrich, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, 333 Ohio Street,
Terre Haute, IN 47807

I affirm, under the penalties
for perjury, that I have taken
responsible care to redact
each social security number
in this document, unless required
by law.

David P. Friedrich
David P. Friedrich

PETITION FOR VACATION OF PUBLIC ALLEYS

To: The President and Members of The Common Council of the City of Terre Haute, Indiana

Ladies and Gentlemen:

The undersigned Petitioner, Reach Services, Inc, as the sole owner of the real estate, seeks to vacate a certain alleyway platted in Terre Haute, Indiana, and respectfully submits this Petition and requests the legislative body of the City of Terre Haute, Indiana to vacate the public alleyway described below pursuant to the provisions of I.C. 36-7-3-12, and in support of this Petition states:

1. Petitioner, Reach Services, Inc. is the sole owner of the following described real estate located in Vigo County, Indiana:

Lots Two (2) and Three (3) in J.A. Wilson's Subdivision of Lots Nos. 12, 13 and 14 in M.M. Joab's Subdivision of Lot No. 6 of N. Preston's Subdivision of the East half of the North East quarter of Section 27, Township 12 North of Range 9 West;

ALSO

Forty (40) feet off the East side of Lot Number Twelve (12) in Joab's Subdivision of Lot Number Six (6) in Preston's Subdivision of the East half of the Northeast Quarter of Section 27, Township 12 North of Range 9 West.

ALSO

Lot Number 4 in J.A. Wilson's Subdivision of Lots 12, 13 and 14 in Joabs Subdivision Lot No. 6 in Preston's Subdivision, of the East half of the North East quarter of Section 27, Township 12 North, Range 9 West of the 2nd Principal Meridian, Vigo County, Indiana

Parcel Nos. 84-06-27-230-001.000-002 and 84-06-27-230-002.000-002

The real estate is the business address for Pathways Day Center and is commonly known as:

504 and 508 South 15th Street, Terre Haute, Indiana

The real estate is generally bounded as follows: On the south by 1510 Wilson Street, and on the north by 1512 Oak Street.

Attached is a copy of a portion of a plat showing the properties and the public alleyway which Petitioner seeks to have vacated (the alleyway proposed to be vacated is highlighted in yellow).

2. The portion of the public alleyway to be vacated is described as follows:

Bounded on the **north** by the south right-of-way line of Oak Street;

Bounded by the **east** by Lot No. 12 in Joab's Subdivision of Lot Number Six in Preston's Subdivision of the East half of the Northeast Quarter of Section 27, Township 12 North of Range 9 West;

Bounded by the **west** on Lots 2, 3 and 4 in J.A. Wilson's Subdivision of Lots Nos. 12, 13 and 14 in M.M. Joab's Subdivision of Lot No. 6 of N. Preston's Subdivision of the East half of the North East quarter of Section 27, Township 12 North of Range 9 West;

Bounded on the **south** by the north right-of-way line of an alley that runs east and west between 15th Street and 17th Street.

3. No landowner adjoining and abutting the alleyway to be vacated would be adversely affected by the vacation of the alleyway. Petitioner is the sole owner of property on which the alley to be vacated is located. Property owners that abut the alley to the south can drive on an alley behind the real estate to 15th and 17th Streets and north to Oak Street. The vacation of the alleyway would also not adversely affect the flow of traffic in the neighborhood.
4. The alleyway to be vacated has not been utilized as an alley since the property has been used as a youth intervention center, daycare center or since the Petitioner has owned the real estate on South 15th Street.
5. Petitioner proposes the vacation of the alleyway in order to facilitate the remodeling and operation of the Pathways Day Center.
6. The proposed vacation would not hinder the use of a public way by the neighborhood in which the alleyway is located or to which they are contiguous since the Petitioner is the sole owner of land on which the alleyway is located and all other landowners in the area or those which abut the alleyway in question will have and will continue to have direct access to public ways.
7. The proposed vacation of the alleyway would not make access to any land by any person by means of public way difficult or inconvenient, nor would the vacation hinder any member of the public's access to a private or public building.
8. The names and addresses of all owners that abut the alleyways proposed to be vacated are as follows:


Vernal L. Poindexter, 1510 Wilson St, Terre Haute, IN 47807

Jonah, Inc., 1512 Oak Street, Terre Haute, IN 47804
c/o Cletus Malone, 2405 7th Avenue, Terre Haute, IN 47804

THEREFORE, Petitioner, Reach Services, Inc., respectfully requests the Common Council of the City of Terre Haute, Indiana after a hearing on this petition in accordance with the law to:

- (a) Adopt an ordinance vacating 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 cause the Recorder to release the ordinance to the Vigo County Area Planning Department for distribution in accordance with paragraph 1125.06 of the City's zoning Ordinance; and
- (c) For all other proper relief in the premises.

Respectfully submitted,

By: 
Rebecca S. Thompson, Executive Director
Reach Services, Inc.

This document prepared by:

David P. Friedrich, #15164-84
Wilkinson, Goeller, Modesitt,
Wilkinson & Drummy
333 Ohio Street
Terre Haute, IN 47807

Special Ordinance No. 20, 2021

SITE PLAN

504 and 508 S. 15th Street
Terre Haute, IN 47807

Current Zoning: R-3 Plan Development
Proposed Use: Day Center for Homeless

The alley is highlighted in yellow



Receipt

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

Date: 6-11-21

Name: Ranch Services

Reason: Vacating Alley \$5.00

Cash: _____

Check: 5.00 # 103710

Credit: _____

Total: 5.00

Received By: [Signature]

COMMUNAL
JUN 11 2021
CITY OF TERRE HAUTE

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

FILED

JUN 15 2021

CITY CLERK

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

Special Ordinance 20, 2021

June 14, 2021

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 June 30, 2021.

No Problems Noted

Problems as noted below

Josey Daugherty
(Signature)

Josey Daugherty
(Printed name)

Staff Engineer
(Title)

6.15.2021
(Date)

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

FILED

JUN 15 2021

CITY CLERK

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

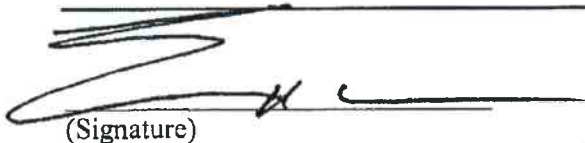
Special Ordinance 20, 2021

June 14, 2021

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No Problems Noted

Problems as noted below


(Signature)

James R. MEEKS
(Printed name)

Commissioner of Streets
(Title)

06/15/2021
(Date)

FILED

JUN 16 2021

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 20, 2021

June 14, 2021

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 June 30, 2021.

X No Problems Noted

_____ Problems as noted below


(Signature)

SHAWN KEEN
(Printed name)

CHIEF OF POLICE
(Title)

6-16-21
(Date)

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

FILED

JUN 17 2021

CITY CLERK

To: Building Inspector, City of Terre Haute

Special Ordinance 20, 2021

June 14, 2021

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 June 30, 2021.

Daniel Bell
(Signature)

Lead Inspector
(Title)

Daniel Bell
(Printed name)

6-20-21
(Date Posted)