

**SPECIAL ORDINANCE NO. 14, 2024**

**APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE**

=====  
Common Address of lots to be rezoned:

1200 S. 16<sup>th</sup> Street, Terre Haute, IN 47802  
Parcel # 84-06-27-431-001.000-002

1134 S. 16<sup>th</sup> Street, Terre Haute, IN 47802  
Parcel # 84-06-27-430-007.000-002

1118 S. 16<sup>th</sup> Street, Terre Haute, IN 47802  
Parcel # 84-06-27-430-005.000-002

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Rezoned From: R-2 Two Family Residence District

Rezoned To: R-1 Single Family Residence District

Proposed Use: Single Family Homes

Name of Owners: Wallace Building Contractors, Inc.

Address of Owners: 1605 N. 30<sup>th</sup> Street  
Terre Haute, IN 47804

Phone Number of Owners: c/o Richard J. Shagley II  
812-232-3388

Attorney Representing Owners: Richard J. Shagley II

Address of Attorney: Wright, Shagley & Lowery, P.C.  
PO Box 9849, Terre Haute, IN 47808

For Information Contact:  Owner  Attorney

Council Sponsor: Anthony Dinkel

=====  
COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

FILED

MAR 06 2024

**SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 14, 2024**

**CITY CLERK**

An Ordinance Amending Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute Indiana."

SECTION I. BE IT ORDIANED BY THE COMMON COUNCIL of the City of Terre Haute, Vigo County, State of Indiana, that Chapter 10, Article 2 of the City Code of Terre Haute, designated as the "Comprehensive Zoning Ordinance for Terre Haute" and Division 4, Section 10.121 thereof, District Maps, be, and the same is hereby amended to include as follows:

Part of Lot Three (3), in Dean's Subdivision of the North half of the East Half and part of the West half of the North Half of the Southeast Quarter of Section Twenty-seven (27), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof, Dated August 7, 1854 at Plat Record 1, Page 26, records of the Recorder's Office of Vigo County, Indiana; said part of Lot 3 more particularly described as follows:

Beginning at a point in the East line of 16th Street as now located and established in the City of Terre Haute, Seventy-five (75) feet North of the South line of said Lot Three (3); thence North along the East line of said 16th Street, Seventy (70) feet; thence East One Hundred thirty (130) feet; thence South Seventy (70) feet; thence West One Hundred thirty (130) feet to the place of beginning.

Commonly known as 1118 South 16th Street  
Parcel #84-06-27-430-005.000-002

Part of Lot Number 3 in Dean's Subdivision of the North ½ of the East ½ and part of the West ½ of the North ½ of the South East Quarter of Section 27, Township 12 North of Range 9 West: Commencing at a point 25 feet East of the Southwest corner of said Lot 3, thence East 130 feet, thence North 40 feet, thence West 130 feet; thence South 40 feet to the place of beginning.

Also Part of Lot 3 in Dean's Subdivision of the North half of the East half of the Southeast Quarter of Section 27, Township 12 North of Range 9 West, described as follows: Beginning at a point in the East line of 16th Street, as now located and established in the City of Terre Haute, 40 feet North of the South Line of Said Lot 3, thence North along the East line of said 16th Street 35 feet; thence East 130 feet; thence South 35 feet; thence West 130 feet to the place of beginning.

Commonly known as 1134 South 16th Street  
Parcel #84-06-27-430-007.000-002

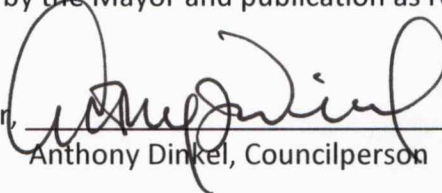
Lots 1, 2, 3, 4, 5, 6 and 7 in Condit's 3rd Subdivision of Lot Number 8 in Algy Dean's 1st Subdivision of the East half and part of the West half of the North half of the Southeast Quarter of Section 27, Township 12 North, Range 9 West of the 2nd Principal Meridian, as shown in the recorded plat thereof, recorded September 25, 1891 at Plat Record 5, Page 67, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 1200 South 16th Street  
Parcel #84-06-27-431-001.000-002

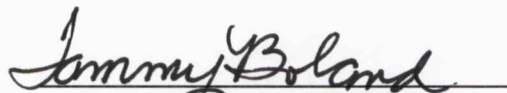
Be and the same is hereby established as an R-1 Single Family Residence District, together with all rights and privileges that may insure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise."

SECTION II. 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 required by law.


Presented by Council Member,

  
Anthony Dinkel, Councilperson

Passed in open Council this 11<sup>th</sup> day of April, 2024.

  
Tammy Boland, President


ATTEST:

  
Michelle Edwards, City Clerk


Presented by me, to the Mayor of the City of Terre Haute, this 11<sup>th</sup> day of April, 2024.  
at 8:53pm o'clock.

  
Michelle Edwards, City Clerk

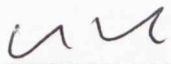
Approved by me, the Mayor of the City of Terre Haute, this 11<sup>th</sup> day of April, 2024.

  
\_\_\_\_\_  
Brandon Sakbun, Mayor

ATTEST:

  
\_\_\_\_\_  
Michelle Edwards, 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 II

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



**PETITION TO REZONE REAL PROPERTY**

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

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY,  
INDIANA:

LADIES AND GENTLEMAN:

The undersigned, Jim Wallace, President of Wallace Building Contractors, Inc., respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Part of Lot Three (3), in Dean's Subdivision of the North half of the East Half and part of the West half of the North Half of the Southeast Quarter of Section Twenty-seven (27), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof, Dated August 7, 1854 at Plat Record 1, Page 26, records of the Recorder's Office of Vigo County, Indiana; said part of Lot 3 more particularly described as follows:

Beginning at a point in the East line of 16th Street as now located and established in the City of Terre Haute, Seventy-five (75) feet North of the South line of said Lot Three (3); thence North along the East line of said 16th Street, Seventy (70) feet; thence East One Hundred thirty (130) feet; thence South Seventy (70) feet; thence West One Hundred thirty (130) feet to the place of beginning.

Commonly known as 1118 South 16th Street  
Parcel #84-06-27-430-005.000-002

Part of Lot Number 3 in Dean's Subdivision of the North ½ of the East ½ and part of the West ½ of the North ½ of the South East Quarter of Section 27, Township 12 North of Range 9 West: Commencing at a point 25 feet East of the Southwest corner of said Lot 3, thence East 130 feet, thence North 40 feet, thence West 130 feet; thence South 40 feet to the place of beginning.

Also Part of Lot 3 in Dean's Subdivision of the North half of the East half of the Southeast Quarter of Section 27, Township 12 North of Range 9 West, described as follows: Beginning at a point in the East line of 16th Street, as now located and established in the City of Terre Haute, 40 feet

North of the South Line of Said Lot 3, thence North along the East line of said 16th Street 35 feet; thence East 130 feet; thence South 35 feet; thence West 130 feet to the place of beginning.

Commonly known as 1134 South 16th Street  
Parcel #84-06-27-430-007.000-002

Lots 1, 2, 3, 4, 5, 6 and 7 in Condit's 3rd Subdivision of Lot Number 8 in Algy Dean's 1st Subdivision of the East half and part of the West half of the North half of the Southeast Quarter of Section 27, Township 12 North, Range 9 West of the 2nd Principal Meridian, as shown in the recorded plat thereof, recorded September 25, 1891 at Plat Record 5, Page 67, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 1200 South 16th Street  
Parcel #84-06-27-431-001.000-002

Your Petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as R-2 Two Family Residence District.

Your Petitioner intends to build 6 single family homes for individual sale. Your Petitioner would request that the real estate described herein shall be zoned as an R-1 Single Family Residence District.

Your Petitioner would allege that the Single Family Residence District would not alter the general characteristics of this neighborhood since the neighborhood is primarily residential in nature.

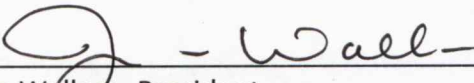
Your Petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

WHEREFORE, your Petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," and declaring the above-described real estate to be part of the R-1 Single Family Residence District of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, This petition has been duly executed this \_\_\_ day of March, 2024.

**PETITIONER:**

Wallace Building Contractors Inc.

By:   
Jim Wallace, President

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



SITE PLAN  
SPECIAL ORDINANCE NO. 14, 2024



1200 S. 16<sup>th</sup> Street, Terre Haute, IN 47802 - Parcel No. 84-06-27-431-001.000-002  
1134 S. 16<sup>th</sup> Street, Terre Haute, IN 47802 - Parcel No. 84-06-27-430-007.000-002  
1118 S. 16<sup>th</sup> Street, Terre Haute, IN 47802 - Parcel No. 84-06-27-430-005.000-002

R-2 Two Family Residence District to R-1 Single Family Residence District

Proposed Use: Single Family Homes



STATE OF INDIANA    )  
                                  ) SS:  
COUNTY OF VIGO    )

**AFFIDAVIT**

Comes now, Jim Wallace, President of Wallace Building Contractors, Inc., being duly sworn upon his oath, deposes and says:

1. That Wallace Building Contractors, Inc. is the owner of record, of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Part of Lot Three (3), in Dean's Subdivision of the North half of the East Half and part of the West half of the North Half of the Southeast Quarter of Section Twenty-seven (27), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof, Dated August 7, 1854 at Plat Record 1, Page 26, records of the Recorder's Office of Vigo County, Indiana; said part of Lot 3 more particularly described as follows:

Beginning at a point in the East line of 16th Street as now located and established in the City of Terre Haute, Seventy-five (75) feet North of the South line of said Lot Three (3); thence North along the East line of said 16th Street, Seventy (70) feet; thence East One Hundred thirty (130) feet; thence South Seventy (70) feet; thence West One Hundred thirty (130) feet to the place of beginning.

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Commonly known as 1134 South 16th Street

Parcel #84-06-27-430-007.000-002

Lots 1, 2, 3, 4, 5, 6 and 7 in Condit's 3rd Subdivision of Lot Number 8 in Algy Dean's 1st Subdivision of the East half and part of the West half of the North half of the Southeast Quarter of Section 27, Township 12 North, Range 9 West of the 2nd Principal Meridian, as shown in the recorded plat thereof, recorded September 25, 1891 at Plat Record 5, Page 67, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 1200 South 16th Street  
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2. That a copy of the Deeds, recorded in the records of the Recorder's Office of Vigo County, Indiana, is attached hereto and made a part hereof and marked as Exhibit A.

3. That Affiant makes this Affidavit for the sole purpose of affirming that Wallace Building Contractors, Inc. is the owner of record of the above-described real estate for which a proposed change to the zoning map of the City of Terre Haute, Indiana, has been filed and to induce the Common Council of the City of Terre Haute, Indiana, to accept the Petition to Rezone Real Property as filed by Jim Wallace, President of Wallace Building Contractors, Inc.

5. Further, Affiant saith not.

Dated at Terre Haute, Indiana this 5th day of March, 2024.

**WALLACE BUILDING CONTRACTORS, INC.**

By: [Signature]  
Jim Wallace, President

STATE OF INDIANA )  
 ) SS:  
COUNTY OF VIGO )

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 5th day of March, 2024.



[Signature]  
Marcia N. Childs, Notary Public  
My Commission expires: 02-26-2028  
My County of Residence: Parke

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



QUIT CLAIM DEED

THIS INDENTURE WITNESSETH:



**CITY OF TERRE HAUTE, INDIANA, BY AND THROUGH ITS DEPARTMENT OF REDEVELOPMENT**, of Vigo County, State of Indiana, as Grantor, **RELEASES AND QUIT CLAIMS to WALLACE BUILDING CONTRACTORS, INC.**, of Vigo County, as Grantees, for and in consideration of the sum of one dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate in Vigo County, in the State of Indiana, to wit:

Part of Lot Three (3), in Dean's Subdivision of the North half of the East Half and part of the West half of the North Half of the Southeast Quarter of Section Twenty-seven (27), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof, dated August 7, 1854 at Plat Record 1, Page 26, records of the Recorder's Office of Vigo County, Indiana; said part of Lot 3 more particularly described as follows:

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Commonly known as 1118 South 16th Street.

Parcel #84-06-27-430-005.000-002

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

All property taxes, liens, and assessments shall be paid before the date causing the payment to be delinquent.

The property must be maintained in compliance with any city ordinance concerning trash, weeds, or junk cars after 60 days from the date of this deed.

The property may not be used for the purposes of raising, breeding, or otherwise maintaining livestock, horses, poultry, swine, nor for the use of a kennel.

Approval of an occupancy permit or completion of the agreed construction must be done within one (1) year from the date of this deed.

IN WITNESS WHEREOF, the City of Terre Haute by and through its Department of Redevelopment, of Vigo County, State of Indiana, has caused this Deed to be executed this 20th day of NOVEMBER, 2023.

City of Terre Haute for the use and benefit of its Department of Redevelopment

By: [Signature]  
David I. Heath, President ENTERED FOR RECORDED  
subject to final acceptance for Transfer

ATTEST:  
By: [Signature]  
Troy Helman, Secretary

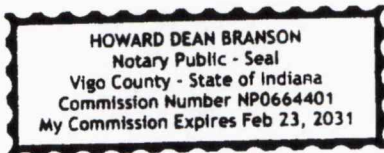
DEC 21 2023

[Signature]  
VIGO COUNTY AUDITOR

STATE OF INDIANA     )  
  ) SS:  
COUNTY OF VIGO     )

Before me the undersigned, a Notary Public, in and for said County and State, this 20th day of NOVEMBER, 2023, personally appeared the within David I. Heath and Troy Helman, the President and Secretary respectively, of the City of Terre Haute for the use and benefit of its Department of Redevelopment, Grantor in the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



Howard Dean Branson  
Notary Public

My Commission Expires: \_\_\_\_\_

County of Residence: VIGO

We affirm, under the penalties for perjury, that we have taken reasonable care to redact each Social Security number in this document, unless required by law.

David I. Heath  
David I. Heath, President

Troy Helman  
Troy Helman, Secretary

Grantee's name and address: Wallace Building Contractors, Inc., 1605 North 30th Street, Terre Haute, IN 47804.



1134 S. 16<sup>th</sup>

2023013477 QD \$25.00  
12/21/2023 01:25:47P 2 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented

**QUIT CLAIM DEED**

THIS INDENTURE WITNESSETH:



**CITY OF TERRE HAUTE, INDIANA, BY AND THROUGH ITS DEPARTMENT OF REDEVELOPMENT**, of Vigo County, State of Indiana, as Grantor, **RELEASES AND QUIT CLAIMS** to **WALLACE BUILDING CONTRACTORS, INC.**, of Vigo County, as Grantees, for and in consideration of the sum of one dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate in Vigo County, in the State of Indiana, to wit:

Part of Lot Number 3 in Dean's Subdivision of the North 1/2 of the East 1/2 and part of the West 1/2 of the North 1/2 of the South East Quarter of Section 27, Township 12 North of Range 9 West: Commencing at a point 25 feet East of the Southwest corner of said Lot 3, thence East 130 feet, thence North 40 feet, thence West 130 feet; thence South 40 feet to the place of beginning.

Also Part of Lot 3 in Dean's Subdivision of the North half of the East half of the Southeast Quarter of Section 27, Township 12 North of Range 9 West, described as follows: Beginning at a point in the East line of 16th Street, as now located and established in the City of Terre Haute, 40 feet North of the South Line of Said Lot 3, thence North along the East line of said 16th Street 35 feet; thence East 130 feet; thence South 35 feet; thence West 130 feet to the place of beginning.

Commonly known as 1134 South 16th Street.

Parcel #84-06-27-430-007.000-002

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

All property taxes, liens, and assessments shall be paid before the date causing the payment to be delinquent.

The property must be maintained in compliance with any city ordinance concerning trash, weeds, or junk cars after 60 days from the date of this deed.

The property may not be used for the purposes of raising, breeding, or otherwise maintaining livestock, horses, poultry, swine, nor for the use of a kennel.

Approval of an occupancy permit or completion of the agreed construction must be done within one (1) year from the date of this deed.

IN WITNESS WHEREOF, the City of Terre Haute by and through its Department of Redevelopment, of Vigo County, State of Indiana, has caused this Deed to be executed this 20th day of NOVEMBER, 2023

**City of Terre Haute for the use and benefit of its Department of Redevelopment**

By: [Signature]  
David I. Heath, President

ATTEST:

By: [Signature]  
Troy Helman, Secretary



ENTERED FOR TAXATION  
subject to final acceptance for Transic:

2023010541 WD \$25.00  
09/26/2023 08:57:01A 1 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented

SEP 26 2023

*Jane W Bramble*  
VIGO COUNTY RECORDER

**WARRANTY DEED**

INDIANA THIS INDENTURE WITNESSETH, THAT Lynn B. Hazledine, of Vigo County, State of INDIANA, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONVEYS and WARRANTS unto Wallace Building Contractors, Inc., a corporation organized and existing under the laws of the State of INDIANA, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

Lots 1, 2, 3, 4, 5, 6 and 7 in Condit's 3rd Subdivision of Lot Number 8 in Algy Dean's 1st Subdivision of the East half and part of the West half of the North half of the Southeast Quarter of Section 27, Township 12 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian, as shown in the recorded plat thereof, recorded September 25, 1891 at Plat Record 5, Page 67, records of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-27-431-001.000-002

Subject to any grants, easements, leases, rights-of-way, covenants, or restrictions of record which might affect the title to the subject real estate.

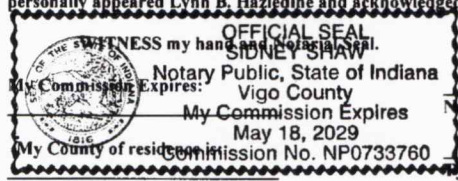
Subject to real estate taxes prorated to the date hereof.

22<sup>nd</sup> IN WITNESS WHEREOF the above referred to Lynn B. Hazledine has hereunto set her hand and seal, this day of September, 2023.

*Lynn B. Hazledine* (SEAL)  
Lynn B. Hazledine

STATE OF Indiana, Vigo COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 22<sup>nd</sup> day of September, 2023, personally appeared Lynn B. Hazledine and acknowledged the execution of the annexed Deed to be her voluntary act and deed.



Sidney Shaw  
Notary Public  
Sidney Shaw  
My handwritten or printed name of notary

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.

Sidney Shaw  
Signature  
Sidney Shaw  
Printed Name

**THIS INSTRUMENT WAS PREPARED BY:** Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807, at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument.

GRANTEE ADDRESS: 1605 N 30<sup>TH</sup> ST. TERRE HAUTE, IN 47804  
MAIL TAX STATEMENTS TO: 1605 N 30<sup>TH</sup> ST. TERRE HAUTE, IN 47804





TERRE HAUTE, IN

**PAID**

MAR 06 2024

CONTROLLER

### Receipt of Payment

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

Date 3/6/24  
Name Wallace Building Contractors  
Reason City Rezoning -\$45.00

---

---

Cash \_\_\_\_\_

Check \$45.00 ck # 074177

Credit \_\_\_\_\_

Total \$45.00

Received By EV / D. Thome





# Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807  
Telephone: (812) 462-3354 Fax: (812) 234-3248



Terre Haute • West Terre Haute • Riley • Seelyville

DATE: April 4, 2024

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER 14-24

CERTIFICATION DATE: April 3, 2024

TO: The Honorable Common Council of the City of Terre Haute

Dear Members,

The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 14-24. This Ordinance is a rezoning of property located at 1118, 1134, and 1200 S. 16<sup>th</sup> Street, Terre Haute, IN. Parcel numbers 84-06-27-430-005.000-002, 84-06-27-430-007.000-002, and 84-06-27-431-001.000-002. The Petitioner, Wallace Building Contractors, Inc., petitions the Plan Commission to rezone said single family homes from zoning classification R-2 to R-1 Single Family Residence District.

The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 14-24 at a public meeting and hearing held Wednesday, April 3, 2024. Remonstrators were not present. At this meeting, a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on Special Ordinance No. 14-24 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 14-24 as required by IC 36-7-4-401(a)(7) and IC 36-7-4-605(c).

Therefore, Area Plan Commission's certified recommendation on Special Ordinance No. 14-24 was FAVORABLE with the following conditions: 1) Site plan approval by the Department of Engineering  
2) Subdivision of necessary lots



Handwritten signature of Fred L. Wilson.

Fred L. Wilson, President

Handwritten signature of Sydney Shahar.

Sydney Shahar, Assistant Director

Received this 4th day of April, 2024

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 14-24

Doc: # 24

Date: April 2024

Page 1 of 4

**APPLICATION INFORMATION**

Property Owner: Wallace Building Contractors, Inc.

Proposed Use: Single Family Home

Proposed Zoning: R-1, Single Family Residence District

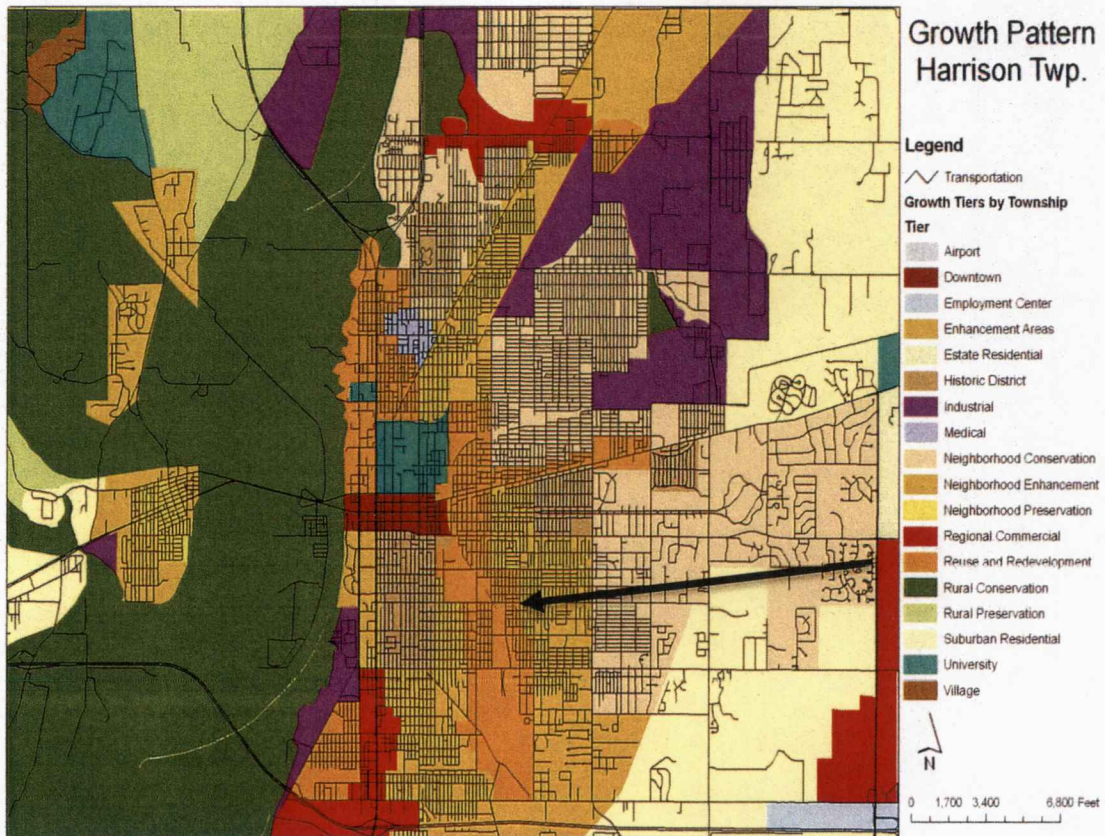
Current Zoning: R-2, Two Family Residence District

Location: The Lots are located on the east side of S. 16<sup>th</sup> Street between Cruft Street and Franklin Street.

Common Address: 1118, 1134 & 1200 S. 16<sup>th</sup> Street, Terre Haute- 84-06-27-431-001.000-002/84-06-27-430-007.000-002/005

**COMPREHENSIVE PLAN GUIDANCE**

Service Area: The City of Terre Haute





### **Reuse and Redevelopment Areas**

These are areas that offer potential future reuse and redevelopment potential. These areas are a result of underutilization of land relative to potential development. Brownfield and blighted categorization establishes the need to apply policies established for these areas.

Additional policies for Reuse and Redevelopment Areas include:

- Incentives to be provided to support redevelopment.
- Density bonuses may be appropriate to support redevelopment
- Sponsor the development of redevelopment plans
- All policies from Neighborhood Enhancement Areas

Dev. Priority: Low to high intensity residential area with appropriate buffering.

Area should be well served with utilities.

### **ZONING COMPATIBILITY**

Sur. Zones and Uses: **North** – R-2  
**East** – R-2  
**South** – R-2  
**West** – R-2

---

### **ZONING REGULATIONS**

#### **Uses, Permitted - R-1 Single-Family Residence District.**

- (1) One-family detached dwellings.
- (2) Cemeteries, including crematories and mausoleums in conjunction therewith if not located within four hundred feet (400') of any other property in a Residence District.
- (3) Churches, Rectories, and Parish Houses.
- (4) Convents and Monasteries.
- (5) Gardening, including nurseries, provided that no offensive odors or dust are created.
- (6) Golf Courses, but not including commercially-operated driving ranges or miniature golf courses, provided that no clubhouse shall be located within three hundred feet (300') of any other property in a Residence District.
- (7) Libraries, Public. (Ord. No. 1, 1967, § 1131.01 a. - b., 7-6-67)

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 14-24

Doc: # 24

Date: April 2024

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(8) Child Care.

(9) Home Occupations. (Gen. Ord. No. 17, 2000, 9-14-00)

(A) Unlicensed Child Care.

An individual, or other entity, may provide child care in their residence for less than twenty-four (24) continuous hours to five (5) or fewer children at any time excluding relatives of the individual.

(B) Licensed Child Care

An individual, or other entity, who is licensed by the Vigo County Department of Public Welfare and the State Department of Public Welfare may provide child care services for children under the age of fourteen (14). The caregiver may not exceed ten (10) children, including their own children, at any one time.

(C) Licensed or unlicensed child care centers shall not be permitted in residential districts that do not comply to Subsections (a) and (b) above.

(10) Parks and Playgrounds, publicly owned and operated.

(11) Schools, elementary and high, non-boarding and including playgrounds and athletic field's incidental thereto.

(12) Signs, as regulated by Sec. 10-141 and Table 5.

(13) Temporary buildings and trailers for construction purposes, for a period not to exceed the lawful duration of such construction.

(14) Accessory uses.

(15) A private outdoor swimming pool, fully enclosed by a barrier fence five feet (5') high or an equivalent barrier.

(16) Residential Facility for the Developmentally Disabled. (Gen. Ord. No. 19, 1997, 2-12-98)

(17) Residential Facility for the Mentally Ill. (Gen. Ord. No. 19, 1997, 2-12-98)

## **FINDINGS and RECOMMENDATION**

Staff Findings: The petitioner is requesting to rezone several lots to R-1 Single Family Residence District to build six single-family homes. Technically, single-family homes can be built in R-2 Two-Family Residence District and the properties do not need to be rezoned.

There are seven lots included in the parcel identified as 1200 S 6<sup>th</sup> St. There will need to be a subdivision to create four lots for the single family homes. The



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 14-24

Doc: # 24

Date: April 2024

Page 4 of 4

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Department of Engineering has stated (see memo) that the intended use would not alter the neighborhood's characteristic or create any significant problem for the surrounding area. The Department of Engineering provided a favorable recommendation.

Recommendation: Staff offers a favorable recommendation with the following conditions:

- 1) Site plan approval by the Department of Engineering
- 2) Subdivision of necessary lots



CITY OF  
TERRE HAUTE  
ENGINEERING  
DEPARTMENT

City Hall  
17 Harding Avenue, Room 200  
Terre Haute, IN 47807  
Phone: 812.244.4903  
[www.terrehaute.in.gov](http://www.terrehaute.in.gov)

MARCUS MAURER, P.E.  
CITY ENGINEER

## MEMORANDUM

TO: Sydney Shahar  
Vigo County Area Planning Department

FROM: Josey Daugherty  
Assistant City Engineer

DATE: March 15, 2024

RE: **Special Ordinance No. 14-2024**

As requested by Area Planning, the Department of Engineering has reviewed the request by Wallace Building Contractors, Inc. for the following:

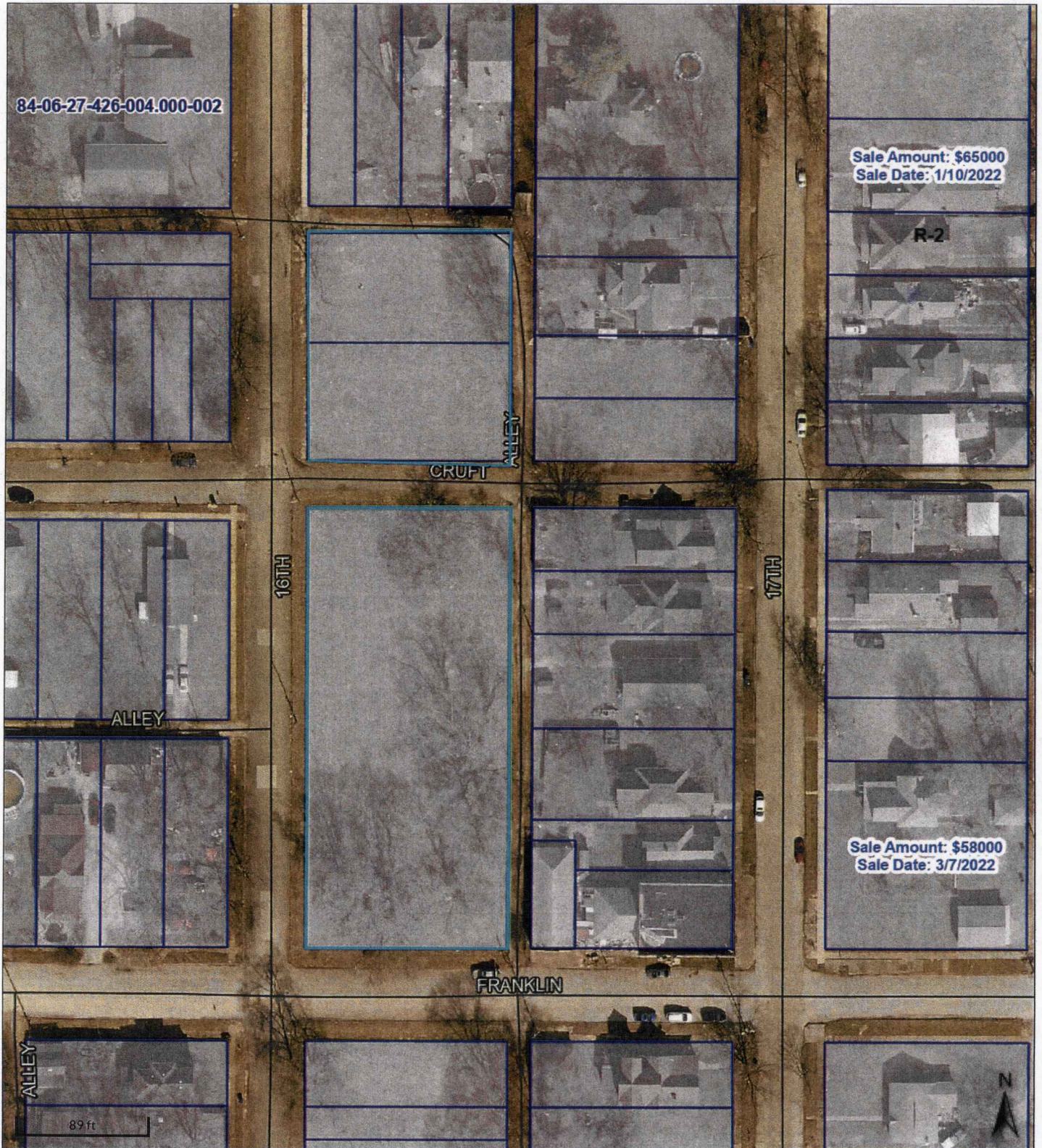
- Rezoning of 1200 S. 16<sup>th</sup> Street, 1134 S. 16<sup>th</sup> Street and 1118 S. 16<sup>th</sup> Street from R-2 Two-Family Residence District to R-1 Single-Family Residence District.

The property is currently a vacant lot. The parcels surrounding this property are all zoned R-2. The intended use of the property is to subdivide and build single-family homes. Current City Code allows R-1 Single Family in the R-2 Two-Family District. The intended use would not alter the neighborhood's characteristic or create any significant problems for the surrounding area.

While the proposed rezone from R-2 to R-1 is not required for the construction of single-family homes, the Department of Engineering offers a positive recommendation for this rezoning.



Docket #24 SO #14-24  
1118, 1134, 1200 S. 16th Street





Docket # 24

SPECIAL ORDINANCE NO. 14, 2024

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

=====  
Common Address of lots to be rezoned:

1200 S. 16<sup>th</sup> Street, Terre Haute, IN 47802  
Parcel # 84-06-27-431-001.000-002

1134 S. 16<sup>th</sup> Street, Terre Haute, IN 47802  
Parcel # 84-06-27-430-007.000-002

1118 S. 16<sup>th</sup> Street, Terre Haute, IN 47802  
Parcel # 84-06-27-430-005.000-002

---

Rezoned From: R-2 Two Family Residence District

Rezoned To: R-1 Single Family Residence District

Proposed Use: Single Family Homes

Name of Owners: Wallace Building Contractors, Inc.

Address of Owners: 1605 N. 30<sup>th</sup> Street  
Terre Haute, IN 47804

Phone Number of Owners: c/o Richard J. Shagley II  
812-232-3388

Attorney Representing Owners: Richard J. Shagley II

Address of Attorney: Wright, Shagley & Lowery, P.C.  
PO Box 9849, Terre Haute, IN 47808

For Information Contact:  Owner  Attorney

Council Sponsor: Anthony Dinkel

=====  
COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

**SPECIAL ORDINANCE FOR A REZONING**  
**SPECIAL ORDINANCE NO. 14, 2024**

An Ordinance Amending Chapter 10, Article 2 of the Municipal Code designated as  
"Comprehensive Zoning Ordinance for Terre Haute Indiana."

SECTION I. BE IT ORDANED BY THE COMMON COUNCIL of the City of Terre Haute, Vigo County, State of Indiana, that Chapter 10, Article 2 of the City Code of Terre Haute, designated as the "Comprehensive Zoning Ordinance for Terre Haute" and Division 4, Section 10.121 thereof, District Maps, be, and the same is hereby amended to include as follows:

Part of Lot Three (3), in Dean's Subdivision of the North half of the East Half and part of the West half of the North Half of the Southeast Quarter of Section Twenty-seven (27), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof, Dated August 7, 1854 at Plat Record 1, Page 26, records of the Recorder's Office of Vigo County, Indiana; said part of Lot 3 more particularly described as follows:

Beginning at a point in the East line of 16th Street as now located and established in the City of Terre Haute, Seventy-five (75) feet North of the South line of said Lot Three (3); thence North along the East line of said 16th Street, Seventy (70) feet; thence East One Hundred thirty (130) feet; thence South Seventy (70) feet; thence West One Hundred thirty (130) feet to the place of beginning.

Commonly known as 1118 South 16th Street  
Parcel #84-06-27-430-005.000-002

Part of Lot Number 3 in Dean's Subdivision of the North ½ of the East ½ and part of the West ½ of the North ½ of the South East Quarter of Section 27, Township 12 North of Range 9 West: Commencing at a point 25 feet East of the Southwest corner of said Lot 3, thence East 130 feet, thence North 40 feet, thence West 130 feet; thence South 40 feet to the place of beginning.

Also Part of Lot 3 in Dean's Subdivision of the North half of the East half of the Southeast Quarter of Section 27, Township 12 North of Range 9 West, described as follows: Beginning at a point in the East line of 16th Street, as now located and established in the City of Terre Haute, 40 feet North of the South Line of Said Lot 3, thence North along the East line of said 16th Street 35 feet; thence East 130 feet; thence South 35 feet; thence West 130 feet to the place of beginning.

Commonly known as 1134 South 16th Street  
Parcel #84-06-27-430-007.000-002

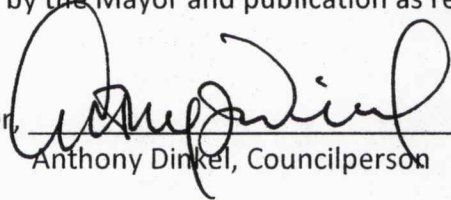
Lots 1, 2, 3, 4, 5, 6 and 7 in Condit's 3rd Subdivision of Lot Number 8 in Algy Dean's 1st Subdivision of the East half and part of the West half of the North half of the Southeast Quarter of Section 27, Township 12 North, Range 9 West of the 2nd Principal Meridian, as shown in the recorded plat thereof, recorded September 25, 1891 at Plat Record 5, Page 67, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 1200 South 16th Street  
Parcel #84-06-27-431-001.000-002

Be and the same is hereby established as an R-1 Single Family Residence District, together with all rights and privileges that may insure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise."

SECTION II. 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 required by law.

Presented by Council Member,

  
Anthony Dinkel, Councilperson

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Tammy Boland, President

ATTEST:

\_\_\_\_\_  
Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Michelle Edwards, City Clerk



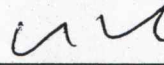
Approved by me, the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Brandon Sakbun, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Edwards, 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 II

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

**PETITION TO REZONE REAL PROPERTY**

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

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY,  
INDIANA:

LADIES AND GENTLEMAN:

The undersigned, Jim Wallace, President of Wallace Building Contractors, Inc., respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Part of Lot Three (3), in Dean's Subdivision of the North half of the East Half and part of the West half of the North Half of the Southeast Quarter of Section Twenty-seven (27), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof, Dated August 7, 1854 at Plat Record 1, Page 26, records of the Recorder's Office of Vigo County, Indiana; said part of Lot 3 more particularly described as follows:

Beginning at a point in the East line of 16th Street as now located and established in the City of Terre Haute, Seventy-five (75) feet North of the South line of said Lot Three (3); thence North along the East line of said 16th Street, Seventy (70) feet; thence East One Hundred thirty (130) feet; thence South Seventy (70) feet; thence West One Hundred thirty (130) feet to the place of beginning.

Commonly known as 1118 South 16th Street  
Parcel #84-06-27-430-005.000-002

Part of Lot Number 3 in Dean's Subdivision of the North ½ of the East ½ and part of the West ½ of the North ½ of the South East Quarter of Section 27, Township 12 North of Range 9 West: Commencing at a point 25 feet East of the Southwest corner of said Lot 3, thence East 130 feet, thence North 40 feet, thence West 130 feet; thence South 40 feet to the place of beginning.

Also Part of Lot 3 in Dean's Subdivision of the North half of the East half of the Southeast Quarter of Section 27, Township 12 North of Range 9 West, described as follows: Beginning at a point in the East line of 16th Street, as now located and established in the City of Terre Haute, 40 feet

North of the South Line of Said Lot 3, thence North along the East line of said 16th Street 35 feet; thence East 130 feet; thence South 35 feet; thence West 130 feet to the place of beginning.

Commonly known as 1134 South 16th Street  
Parcel #84-06-27-430-007.000-002

Lots 1, 2, 3, 4, 5, 6 and 7 in Condit's 3rd Subdivision of Lot Number 8 in Algy Dean's 1st Subdivision of the East half and part of the West half of the North half of the Southeast Quarter of Section 27, Township 12 North, Range 9 West of the 2nd Principal Meridian, as shown in the recorded plat thereof, recorded September 25, 1891 at Plat Record 5, Page 67, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 1200 South 16th Street  
Parcel #84-06-27-431-001.000-002

Your Petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as R-2 Two Family Residence District.

Your Petitioner intends to build 6 single family homes for individual sale. Your Petitioner would request that the real estate described herein shall be zoned as an R-1 Single Family Residence District.

Your Petitioner would allege that the Single Family Residence District would not alter the general characteristics of this neighborhood since the neighborhood is primarily residential in nature.

Your Petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

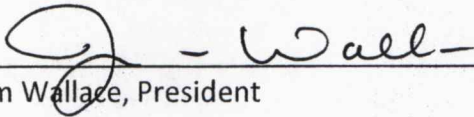
WHEREFORE, your Petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," and declaring the above-described real estate to be part of the R-1 Single Family Residence District of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, This petition has been duly executed this \_\_\_ day of March, 2024.



**PETITIONER:**

Wallace Building Contractors Inc.

By:   
Jim Wallace, President

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

SITE PLAN  
SPECIAL ORDINANCE NO. 14, 2024



1200 S. 16<sup>th</sup> Street, Terre Haute, IN 47802 - Parcel No. 84-06-27-431-001.000-002  
1134 S. 16<sup>th</sup> Street, Terre Haute, IN 47802 - Parcel No. 84-06-27-430-007.000-002  
1118 S. 16<sup>th</sup> Street, Terre Haute, IN 47802 - Parcel No. 84-06-27-430-005.000-002

R-2 Two Family Residence District to R-1 Single Family Residence District

Proposed Use: Single Family Homes

STATE OF INDIANA    )  
                                  ) SS:  
COUNTY OF VIGO    )

**AFFIDAVIT**

Comes now, Jim Wallace, President of Wallace Building Contractors, Inc., being duly sworn upon his oath, deposes and says:

1. That Wallace Building Contractors, Inc. is the owner of record, of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Part of Lot Three (3), in Dean's Subdivision of the North half of the East Half and part of the West half of the North Half of the Southeast Quarter of Section Twenty-seven (27), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof, Dated August 7, 1854 at Plat Record 1, Page 26, records of the Recorder's Office of Vigo County, Indiana; said part of Lot 3 more particularly described as follows:

Beginning at a point in the East line of 16th Street as now located and established in the City of Terre Haute, Seventy-five (75) feet North of the South line of said Lot Three (3); thence North along the East line of said 16th Street, Seventy (70) feet; thence East One Hundred thirty (130) feet; thence South Seventy (70) feet; thence West One Hundred thirty (130) feet to the place of beginning.

Commonly known as 1118 South 16th Street  
Parcel #84-06-27-430-005.000-002

Part of Lot Number 3 in Dean's Subdivision of the North ½ of the East ½ and part of the West ½ of the North ½ of the South East Quarter of Section 27, Township 12 North of Range 9 West: Commencing at a point 25 feet East of the Southwest corner of said Lot 3, thence East 130 feet, thence North 40 feet, thence West 130 feet; thence South 40 feet to the place of beginning.

Also Part of Lot 3 in Dean's Subdivision of the North half of the East half of the Southeast Quarter of Section 27, Township 12 North of Range 9 West, described as follows: Beginning at a point in the East line of 16th Street, as now located and established in the City of Terre Haute, 40 feet North of the South Line of Said Lot 3, thence North along the East line of said 16th Street 35 feet; thence East 130 feet; thence South 35 feet; thence West 130 feet to the place of beginning.

Commonly known as 1134 South 16th Street





QUIT CLAIM DEED

THIS INDENTURE WITNESSETH:



**CITY OF TERRE HAUTE, INDIANA, BY AND THROUGH ITS DEPARTMENT OF REDEVELOPMENT**, of Vigo County, State of Indiana, as Grantor, **RELEASES AND QUIT CLAIMS** to **WALLACE BUILDING CONTRACTORS, INC.**, of Vigo County, as Grantees, for and in consideration of the sum of one dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate in Vigo County, in the State of Indiana, to wit:

Part of Lot Three (3), in Dean's Subdivision of the North half of the East Half and part of the West half of the North Half of the Southeast Quarter of Section Twenty-seven (27), Township Twelve (12) North, Range Nine (9) West, as shown by the recorded plat thereof; dated August 7, 1854 at Plat Record 1, Page 26, records of the Recorder's Office of Vigo County, Indiana; said part of Lot 3 more particularly described as follows:

Beginning at a point in the East line of 16th Street as now located and established in the City of Terre Haute, Seventy-five (75) feet North of the South line of said Lot Three (3); thence North along the East line of said 16th Street, Seventy (70) feet; thence East One Hundred thirty (130) feet; thence South Seventy (70) feet; thence West One Hundred thirty (130) feet to the place of beginning.

Commonly known as 1118 South 16th Street.

Parcel #84-06-27-430-005.000-002

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

All property taxes, liens, and assessments shall be paid before the date causing the payment to be delinquent.

The property must be maintained in compliance with any city ordinance concerning trash, weeds, or junk cars after 60 days from the date of this deed.

The property may not be used for the purposes of raising, breeding, or otherwise maintaining livestock, horses, poultry, swine, nor for the use of a kennel.

Approval of an occupancy permit or completion of the agreed construction must be done within one (1) year from the date of this deed.

IN WITNESS WHEREOF, the City of Terre Haute by and through its Department of Redevelopment, of Vigo County, State of Indiana, has caused this Deed to be executed this 20th day of NOVEMBER, 2023.

City of Terre Haute for the use and benefit of its Department of Redevelopment

By: [Signature]  
David I. Heath, President  
ENTERED FOR REVISION  
subject to final acceptance for Transfe

ATTEST:  
By: [Signature]  
Troy Helman, Secretary

DEC 21 2023

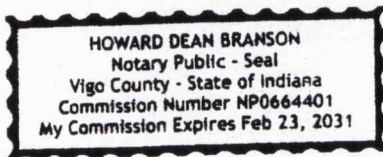
[Signature]  
VIGO COUNTY AUDITOR



STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF VIGO        )

Before me the undersigned, a Notary Public, in and for said County and State, this 20th day of NOVEMBER, 2023, personally appeared the within David I. Heath and Troy Helman, the President and Secretary respectively, of the City of Terre Haute for the use and benefit of its Department of Redevelopment, Grantor in the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



Howard Dean Branson  
, Notary Public

My Commission Expires: \_\_\_\_\_

County of Residence: VIGO

We affirm, under the penalties for perjury, that we have taken reasonable care to redact each Social Security number in this document, unless required by law.

David I. Heath  
David I. Heath, President

Troy Helman  
Troy Helman, Secretary

Grantee's name and address: Wallace Building Contractors, Inc., 1605 North 30th Street, Terre Haute, IN 47804.



**QUIT CLAIM DEED**

THIS INDENTURE WITNESSETH:



**CITY OF TERRE HAUTE, INDIANA, BY AND THROUGH ITS DEPARTMENT OF REDEVELOPMENT**, of Vigo County, State of Indiana, as Grantor, **RELEASES AND QUIT CLAIMS** to **WALLACE BUILDING CONTRACTORS, INC.**, of Vigo County, as Grantees, for and in consideration of the sum of one dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate in Vigo County, in the State of Indiana, to wit:

Part of Lot Number 3 in Dean's Subdivision of the North 1/2 of the East 1/2 and part of the West 1/2 of the North 1/2 of the South East Quarter of Section 27, Township 12 North of Range 9 West: Commencing at a point 25 feet East of the Southwest corner of said Lot 3, thence East 130 feet, thence North 40 feet, thence West 130 feet; thence South 40 feet to the place of beginning.

Also Part of Lot 3 in Dean's Subdivision of the North half of the East half of the Southeast Quarter of Section 27, Township 12 North of Range 9 West, described as follows: Beginning at a point in the East line of 16th Street, as now located and established in the City of Terre Haute, 40 feet North of the South Line of Said Lot 3, thence North along the East line of said 16th Street 35 feet; thence East 130 feet; thence South 35 feet; thence West 130 feet to the place of beginning.

Commonly known as 1134 South 16th Street.

Parcel #84-06-27-430-007.000-002

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

All property taxes, liens, and assessments shall be paid before the date causing the payment to be delinquent.

The property must be maintained in compliance with any city ordinance concerning trash, weeds, or junk cars after 60 days from the date of this deed.

The property may not be used for the purposes of raising, breeding, or otherwise maintaining livestock, horses, poultry, swine, nor for the use of a kennel.

Approval of an occupancy permit or completion of the agreed construction must be done within one (1) year from the date of this deed.

IN WITNESS WHEREOF, the City of Terre Haute by and through its Department of Redevelopment, of Vigo County, State of Indiana, has caused this Deed to be executed this 20th day of NOVEMBER, 2023

**City of Terre Haute for the use and benefit of its Department of Redevelopment**

By: David I. Heath  
David I. Heath, President

ATTEST:

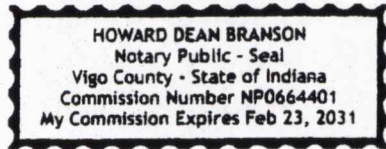
By:

Troy Helman  
Troy Helman, Secretary

STATE OF INDIANA )  
 ) SS:  
COUNTY OF VIGO )

Before me the undersigned, a Notary Public, in and for said County and State, this 20th day of NOVEMBER, 2023, personally appeared the within David I. Heath and Troy Helman, the President and Secretary respectively, of the City of Terre Haute for the use and benefit of its Department of Redevelopment, Grantor in the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



Howard Dean Branson  
, Notary Public

My Commission Expires: \_\_\_\_\_

County of Residence: VIGO

We affirm, under the penalties for perjury, that we have taken reasonable care to redact each Social Security number in this document, unless required by law.

David I. Heath  
David I. Heath, President

Troy Helman  
Troy Helman, Secretary

Grantee's name and address: Wallace Building Contractors, Inc., 1605 North 30th Street, Terre Haute, IN 47804.

ENTERED FOR TAXATION  
subject to final acceptance for Transfe

DEC 21 2023

James W Bramble  
VIGO COUNTY AUDITOR



SEP 26 2023

*James W Bramble*  
VIGO COUNTY AUDITOR

**WARRANTY DEED**

INDIANA THIS INDENTURE WITNESSETH, THAT Lynn B. Hazledine, of Vigo County, State of INDIANA, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONVEYS and WARRANTS unto Wallace Building Contractors, Inc., a corporation organized and existing under the laws of the State of INDIANA, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

Lots 1, 2, 3, 4, 5, 6 and 7 in Condit's 3rd Subdivision of Lot Number 8 in Algy Dean's 1st Subdivision of the East half and part of the West half of the North half of the Southeast Quarter of Section 27, Township 12 North, Range 9 West of the 2<sup>nd</sup> Principal Meridian, as shown in the recorded plat thereof, recorded September 25, 1891 at Plat Record 5, Page 67, records of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-27-431-001.000-002

Subject to any grants, easements, leases, rights-of-way, covenants, or restrictions of record which might affect the title to the subject real estate.

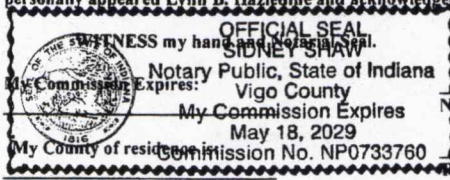
Subject to real estate taxes prorated to the date hereof.

IN WITNESS WHEREOF the above referred to Lynn B. Hazledine has hereunto set her hand and seal, this 22<sup>nd</sup> day of September, 2023.

*Lynn B. Hazledine* (SEAL)  
Lynn B. Hazledine

STATE OF Indiana Vigo COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 22<sup>nd</sup> day of September, 2023, personally appeared Lynn B. Hazledine and acknowledged the execution of the annexed Deed to be her voluntary act and deed.



*Sidney Shaw*  
*Sidney Shaw*  
Notary Public  
Typewritten or printed name of notary

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.

Signature *Sidney Shaw*  
Printed Name Sidney Shaw

THIS INSTRUMENT WAS PREPARED BY: Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807, at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument.

GRANTEE ADDRESS: 1605 N 30<sup>TH</sup> ST. TERRE HAUTE, IN 47804  
MAIL TAX STATEMENTS TO: 1605 N 30<sup>TH</sup> ST. TERRE HAUTE, IN 47804