

SPECIAL ORDINANCE NO. 18, 2024

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

=====

Common Addresses of lots to be rezoned:

2333 S. Fruitridge Avenue, Terre Haute, Indiana 47803
Parcel No. 84-06-25-376-019.000-002

Rezoned From: R-1 Planned Development

Rezoned To: C-6 Strip Business

Proposed Use: Laundry Delivery Service and General Commercial

Name of Owners: M and B Solutions, LLC

Address of Owners: PO BOX 3594, Terre Haute, IN 47803

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 47807

For Information Contact: Owner Attorney

Council Sponsor: Amanda Thompson

=====

COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

FILED

AUG 08 2024

CITY CLERK

**SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 18, 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 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 the Southeast Quarter of the Southwest Quarter of Section Twenty-Five (25), Township Twelve (12) North, Range Nine (9) West described as follows:

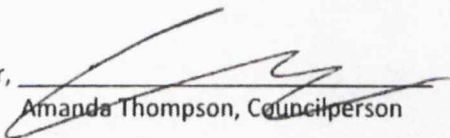
Commencing at the Southeast corner of the Southwest Quarter of Section 25, Township 12 North, Range 9 West, and thence North 160 feet, thence West 150 feet; thence North 236 feet; thence West 114 feet; thence South 396 feet; and thence East 264 feet to the point of beginning.

Commonly known as: 2333 S. Fruitridge Ave., Terre Haute, Indiana 47803

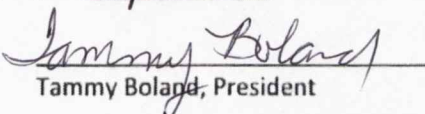
Parcel No. 84-06-25-376-019.000-002

Be and the same is hereby established as a C-6 Strip Business, 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."

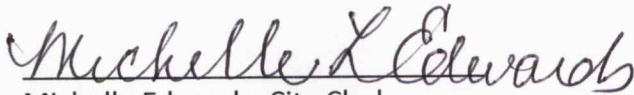
SECTION II. WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as required by law.

Presented by Council Member, 
Amanda Thompson, Councilperson

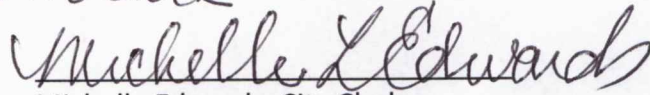
Passed in open Council this 5 day of September, 2024.


Tammy Boland, President

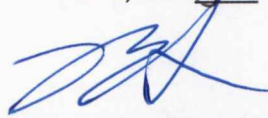
ATTEST:


Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 5th day of September 2024. @ 7:23pm o'clock


Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 5th day of September 2024.

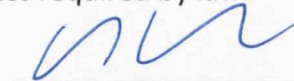


Brandon Sakbun, Mayor

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 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, Matt Mershon, member of M and B Solutions, LLC, 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 the Southeast Quarter of the Southwest Quarter of Section Twenty-Five (25), Township Twelve (12) North, Range Nine (9) West described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Section 25, Township 12 North, Range 9 West, and thence North 160 feet, thence West 150 feet; thence North 236 feet; thence West 114 feet; thence South 396 feet; and thence East 264 feet to the point of beginning.

Commonly known as: 2333 S. Fruitridge Ave., Terre Haute, Indiana 47803

Parcel No. 84-06-25-376-019.000-002

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-1 Planned Development.

Your Petitioner intends to use this real estate for a laundry delivery service and other allowed commercial uses. Your Petitioner would request that the real estate described herein shall be zoned as a C-6 Strip Business.

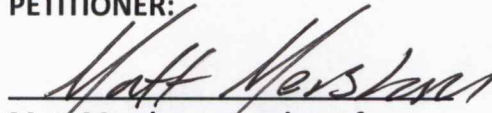
Your Petitioner would allege that the C-6 Strip Business would not alter the general characteristics of this neighborhood since the neighborhood is a mixed-use neighborhood and that this location has been used for various commercial uses for over 50 years.

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 C-6 Strip Business of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owner 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 7 day of August, 2024.

PETITIONER:



Matt Mershon, member of
M and B Solutions, LLC

This instrument 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. 18, 2024



2333 S. Fruitridge Avenue, Terre Haute, Indiana 47803

Parcel No. 84-06-25-376-019.000-002

R-1 Planned Development
to
C-6 Strip Business

Planned use: Laundry Delivery Service and General Commercial

STATE OF INDIANA) SS:
COUNTY OF VIGO)

AFFIDAVIT

Comes now, Matt Mershon, member of M and B Solutions, LLC, being duly sworn upon his oath, depose and say:

1. That M and B Solutions, LLC, 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 the Southeast Quarter of the Southwest Quarter of Section Twenty-Five (25), Township Twelve (12) North, Range Nine (9) West described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Section 25, Township 12 North, Range 9 West, and thence North 160 feet, thence West 150 feet; thence North 236 feet; thence West 114 feet; thence South 396 feet; and thence East 264 feet to the point of beginning.

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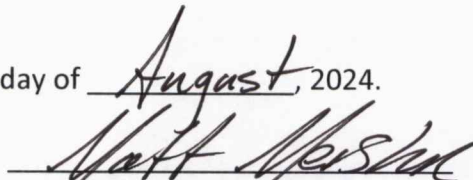
Parcel No. 84-06-25-376-019.000-002

2. That a copy of the Deed, 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 M and B Solutions, LLC, 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 Matt Mershon, member of M and B Solutions, LLC.

4. Further, Affiant saith not.

Dated at Terre Haute, Indiana this 7 day of August, 2024.


Matt Mershon, member of
M and B Solutions, LLC

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 7th day of August, 2024.

Julie R. Baysinger
Julie R. Baysinger Notary Public



My Commission expires: 9-24-2028

My County of Residence: Vermillion

This instrument 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.

DEC 28 2023

James W Brantle
VIGO COUNTY AUDITOR



WARRANTY DEED

THIS INDENTURE WITNESSETH, that James L. Tanner and Martha L. Tanner, husband and wife, Grantor, of Vigo County, in the State of Indiana, CONVEYS AND WARRANTS to M and B Solutions, LLC, Grantee, an Indiana limited liability company, for the sum of Ten & 00/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Vigo County, State of Indiana:

Part of the Southeast Quarter of the Southwest Quarter of Section Twenty-Five (25), Township Twelve (12) North, Range Nine (9) West described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Section 25, Township 12 North, Range 9 West, and thence North 160 feet; thence West 150 feet; thence North 236 feet; thence West 114 feet; thence South 396 feet; and thence East 264 feet to the point of beginning.

Subject to the general real estate taxes prorated to the date of this indenture and all subsequent real estate tax.

Subject to all covenants, conditions, restrictions, easements, leases, encumbrances, and all other matters of record.

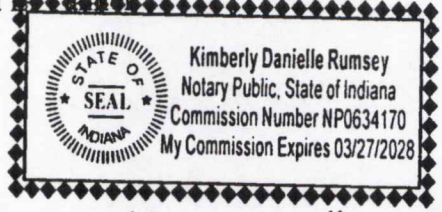
GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS AS TO THE PHYSICAL CONDITION OF THE PROPERTY OR IMPROVEMENTS. GRANTEE EXPRESSLY AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS" AND "WITH ALL FAULTS."

IN WITNESS WHEREOF, Grantor(s) has/have executed/delivered this deed this 23 day of December, 2023.

James L. Tanner
James L. Tanner

Martha L. Tanner
Martha L. Tanner

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)



Before me, a Notary Public in and for said County and State, personally appeared James L. Tanner and Martha L. Tanner, who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 23 day of December, 2023.

Kimberly Danielle Rumsey
Notary Public

Kimberly Danielle Rumsey
Printed Name

My Commission Expires: 03-27-28 My County of Residence: Vigo

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/ Brittany E. Bennett

This instrument prepared by: Brittany E. Bennett, Esq.
4322 Berrymore Court, Terre Haute, Indiana 47803

Mail tax statements to Grantee: Post Office Box 3594, Terre Haute, Indiana 47803

Property address: 2333 and 2303 South Fruitridge Avenue, Terre Haute,
Indiana 47803

TERRE HAUTE, IN

PAID

AUG 08 2024



CONTROLLER
Receipt of Payment

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

Date 8/8/24

Name M and B Solutions

Reason Rezoning

2333 S. Fruitridge Ave

Cash _____

Check _____ Ck # _____

Credit \$45.00

Total \$45.00

Received By Emalie K / J. Thomas



Area Planning Department For Vigo County

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

TERRE HAUTE
A LEVEL ABOVE

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: September 5, 2024

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER 18-24

CERTIFICATION DATE: September 4, 2024

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

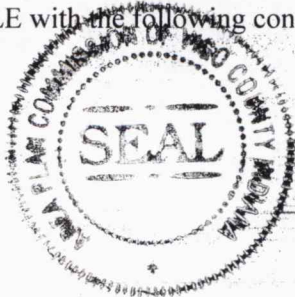
Dear Members,

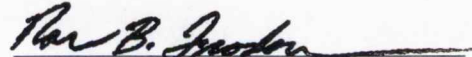
The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 18-24. This Ordinance is a rezoning of property located at 2333 S. Fruitridge Ave., Terre Haute, IN. Parcel number 84-06-25-376-019.000-002. The Petitioner, M & B Solutions LLC, petitions the Plan Commission to rezone said laundry delivery service and general commercial from zoning classification R-1 PD to C-6 Strip Business District.

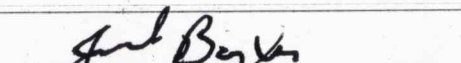
The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 18-24 at a public meeting and hearing held Wednesday, September 4, 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. 18-24 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 18-24 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. 18-24 was FAVORABLE with the following condition: 1) Site plan approval with parking by the Department of Engineering




Norm Froderman, APC Secretary


Jared Bayler, Executive Director

Received this 5th day of September, 2024

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #18-24
Date: September 2024

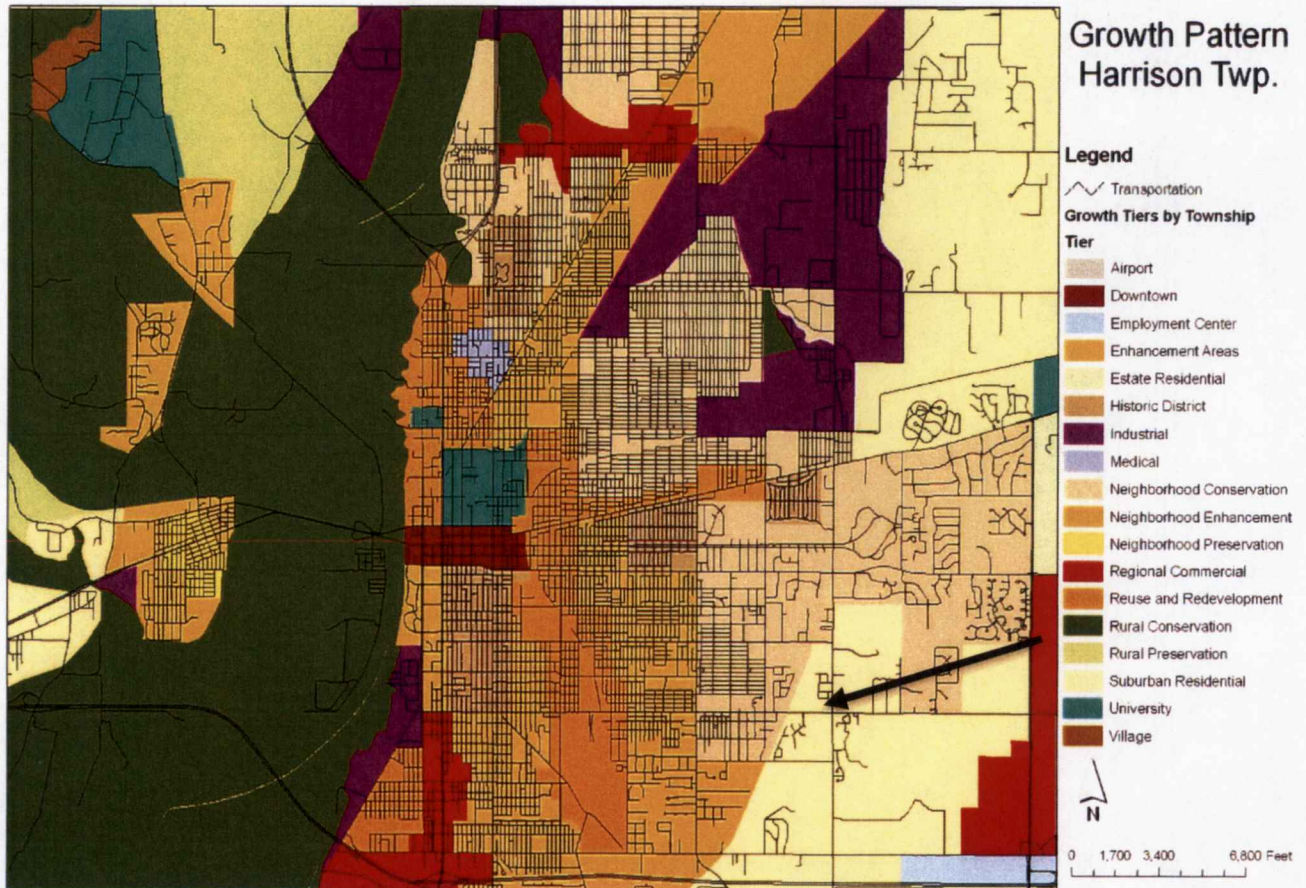
Doc: # 64
Page 1 of 4

APPLICATION INFORMATION

Owners: M & B Solutions, LLC
Representative: Richard J. Shagley II
Proposed Zoning: C-6, Strip Business District
Current Zoning: R-1, Planned Development
Proposed Use: Laundry Delivery Service & General Commercial
Common Address: 2333 S. Fruitridge Ave, Terre Haute: Parcel# 84-06-25-376-019.000-002
Location: Located on the NW corner of S. Fruitridge Ave & Hulman St.

COMPREHENSIVE PLAN GUIDANCE

Service Area: Harrison Township



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #18-24
Date: September 2024

Doc: # 64
Page 2 of 4

Suburban Residential

These are largely undeveloped areas lying within the boundaries of existing and planned urban services. Current residential densities range from building on lots of ½ acre to 2 acres in size, this should be used as a minimum density. Over time, densities should be encouraged to increase moderately to allow average densities of three to three and one-half (3 to 3.5) households per acre. In the case of all residential densities, densities are stated as an average for the entire area in a given land use categories.

Promotion of monotonous suburban tract housing is not the intent of this growth pattern, although this may be an undesirable consequence. To avoid this outcome, careful consideration of alternative site development schemes should be undertaken by planning, engineering, development and real estate professionals for each new residential tract.

Increasing residential densities within this growth pattern offers four distinct advantages over typical low-density development.

- Optimization of the relationship between public infrastructure capacity and average development densities.
- Reduction in the need for infrastructure extensions and expansions, thereby saving public capital cost.
- Provides pedestrian scale residential neighborhoods, which will blend with existing Terre Haute neighborhoods that were developed at five to seven (5 to 7) units per acre and at the same time provide enhanced opportunities for non-motorized travel.
- Minimize land consumption and limit land disturbance.

Not every new subdivision will provide developed densities approaching four (4) units per acre. Yet, as cluster housing, patio homes, variations of zero-lot line housing and integrated neighborhoods of town houses, garden apartments, and single family dwelling units become more common and more fashionable, average densities will increase. Traditionally, allowable densities controlled mix and pattern of suburban residential development. Density, per se, is increasingly viewed by development professionals as only one of many variables that must be considered in making site development decisions. The infrastructure capacity relative to undeveloped areas and special environmental conditions of a specific development site, as well as, the site plan itself and its impact on surrounding property should primarily control the developed density. This should especially be the case as development moves beyond minimum residential densities. In all cases, density and the arrangement of uses on a developed site should be sensitive to surrounding development patterns, making land use transitions within the new development and utilizing natural features as transitions or buffers.

Policies for Suburban Residential areas should include:

- Houses on lots ranging from one-half to two acres depending on wastewater treatment needs.
- The extent of non-residential uses should be limited to parks, churches, and schools.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #18-24

Doc: # 64

Date: September 2024

Page 3 of 4

- Residential subdivision lots should not have frontage on county roads, rather they should be required to build local level public streets to provide access from the county road to the lots.
- Medium range plans for expanding needed infrastructure should be developed, considering projected demand and funding.

Available Services: The area is well served by utilities.

Dev. Priority: Low-intensity residential

ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-1PD, R-1

East – R-1

South – R-3

West – R-1

Character of Area: The petitioned property is located in a mix use of Residential zoning categories.

ZONING REGULATIONS

C-6 Uses:

Uses permitted in C-6, Strip Business District are; Same as for C-1 Zone as provided in Sec. 10-207 c. (1); Banks, Barber shops; Camera and photographic supply stores; Candy and ice cream stores; Drug stores; Dry cleaning stores; Gift shops; Grocery stores, meat markets, bakeries, delicatessens, and food stores; Ice storage for retail; Municipal or privately owned recreation buildings or community centers; Post offices; Restaurants. Liquor may be served if incidental to the serving of food as the principal activity (Gen. Ord. No. 2, 2007, As Amended, 2-8-07); Service stations; Soda fountains; Sporting goods stores; Tobacco shops; Motel and as accessory uses: dining facilities with or without a bar serving alcoholic beverages, or swimming pool; Automobile sales and service (major and minor repairs); Signs as regulated by Sec. 10-141; Landscape, nurseries, garden supply, and seed stores; Business and professional offices.

Building line setbacks are 5 ft. on the east 11ft from the center of the alley on the north (§10-136, e.) and 40ft from the center of the road on the west and south (Table 1). 5ft of the setback on the west and south must be utilized as a visual barrier.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #18-24

Doc: # 64

Date: September 2024

Page 4 of 4

FINDINGS and RECOMMENDATION

Staff Findings: The petitioners are requesting to rezone to C-6 for a Laundry Delivery Service & General Commercial. The property was previously R-1 Planned Development for a “plumbing, heating, and air conditioning business”.

The Department of Engineering and Building Inspection will need to determine if variances are needed. The drive appears to be within 50 feet of the intersection of Hulman Street and South Fruitridge Avenue. Since it is unknown what kind of “general commercial” is intended, there may need to be additional hard-surfaced parking.

In their recommendation, the Department of Engineering states that they do not expect the business to be detrimental to the public welfare, property, or other improvements in the neighborhood and offer a positive recommendation with the condition that future development follows Terre Haute’s building, development, and parking standards.

Recommendation: Staff offers a Favorable Recommendation with the following conditions:

1. Site plan approval with parking by the Department of Engineering



**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

MARCUS MAURER, P.E.
CITY ENGINEER

MEMORANDUM

TO: Sydney Shahar
Vigo County Area Planning Department

FROM: Marcus Maurer
City Engineer

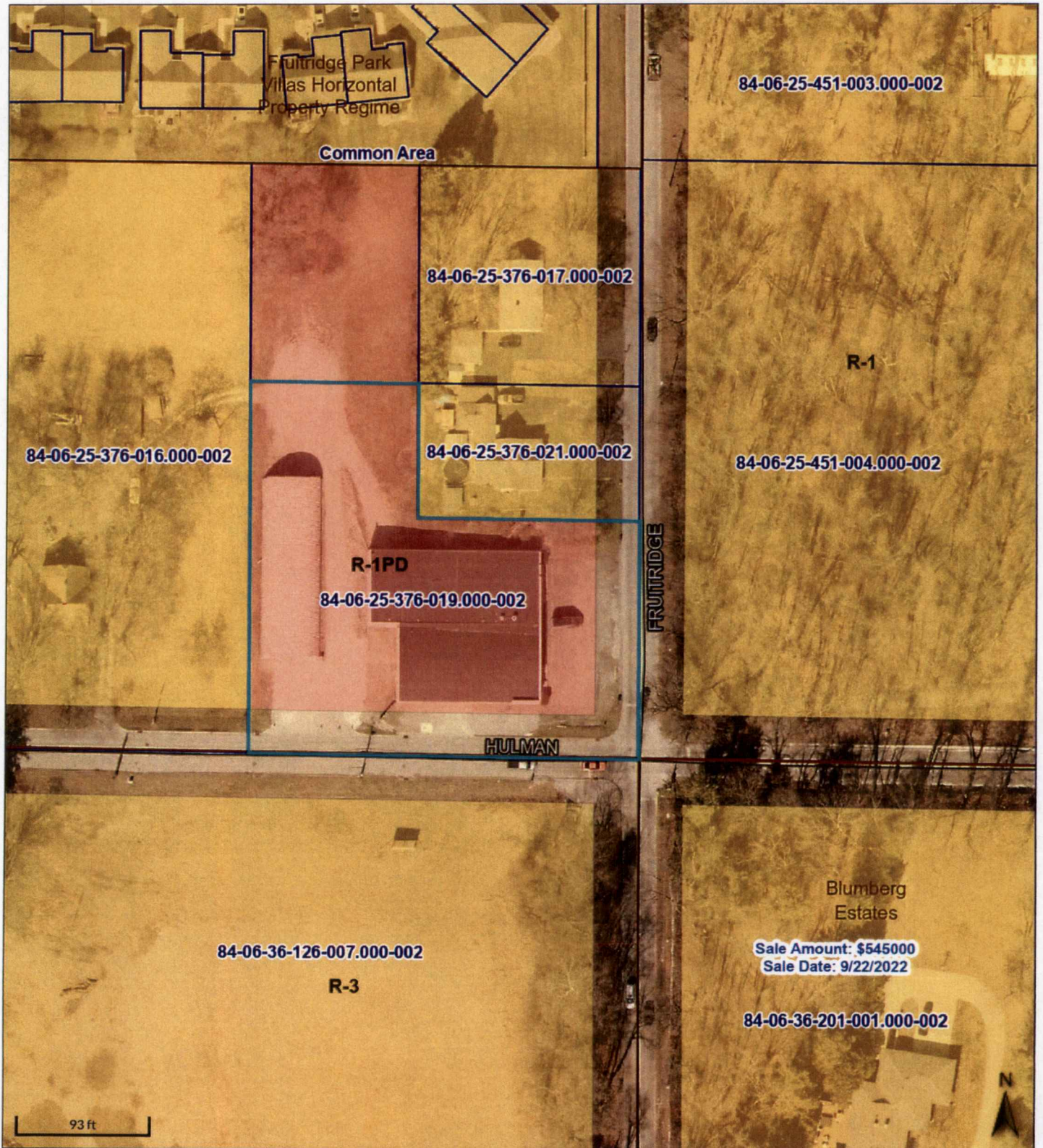
DATE: August 21, 2024

RE: **Special Ordinance No. 18, 2024**

The Terre Haute Department of Engineering has reviewed the request to rezone the property at 2333 S. Fruitridge Avenue. from R-1 PD to C-6 Strip Business for the development of a laundry delivery service and a general commercial space. The Department does not expect detrimental to the public welfare, property, or other improvements in the neighborhood. The Department of Engineering offers a positive recommendation with the condition that future development follows Terre Haute's building, development, and parking standards.

Docket #64 SO #18-24

2333 S. Fruitridge Ave



Docket #64

SPECIAL ORDINANCE NO. 18, 2024

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

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Common Addresses of lots to be rezoned:

2333 S. Fruitridge Avenue, Terre Haute, Indiana 47803
Parcel No. 84-06-25-376-019.000-002

Rezoned From: R-1 Planned Development

Rezoned To: C-6 Strip Business

Proposed Use: Laundry Delivery Service and General Commercial

Name of Owners: M and B Solutions, LLC

Address of Owners: PO BOX 3594, Terre Haute, IN 47803

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 47807

For Information Contact: Owner Attorney

Council Sponsor: Amanda Thompson

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COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

FILED

AUG 08 2024

CITY CLERK

**SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 18, 2024**

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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:

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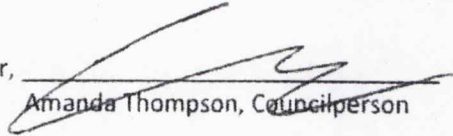
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SECTION II. WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as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

Presented by Council Member,


Amanda Thompson, Council person

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

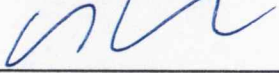
Approved by me, the Mayor of the City of Terre Haute, this ____ day of _____, 2024.

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 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, Matt Mershon, member of M and B Solutions, LLC, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

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Commencing at the Southeast corner of the Southwest Quarter of Section 25, Township 12 North, Range 9 West, and thence North 160 feet, thence West 150 feet; thence North 236 feet; thence West 114 feet; thence South 396 feet; and thence East 264 feet to the point of beginning.

Commonly known as: 2333 S. Fruitridge Ave., Terre Haute, Indiana 47803

Parcel No. 84-06-25-376-019.000-002

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-1 Planned Development.

Your Petitioner intends to use this real estate for a laundry delivery service and other allowed commercial uses. Your Petitioner would request that the real estate described herein shall be zoned as a C-6 Strip Business.

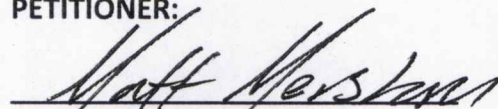
Your Petitioner would allege that the C-6 Strip Business would not alter the general characteristics of this neighborhood since the neighborhood is a mixed-use neighborhood and that this location has been used for various commercial uses for over 50 years.

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 C-6 Strip Business of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owner 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 7 day of August, 2024.

PETITIONER:


Matt Mershon, member of
M and B Solutions, LLC

This instrument 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. 18, 2024



2333 S. Fruitridge Avenue, Terre Haute, Indiana 47803

Parcel No. 84-06-25-376-019.000-002

R-1 Planned Development
to
C-6 Strip Business

Planned use: Laundry Delivery Service and General Commercial

STATE OF INDIANA) SS:
COUNTY OF VIGO)

AFFIDAVIT

Comes now, Matt Mershon, member of M and B Solutions, LLC, being duly sworn upon his oath, depose and say:

1. That M and B Solutions, LLC, 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 the Southeast Quarter of the Southwest Quarter of Section Twenty-Five (25), Township Twelve (12) North, Range Nine (9) West described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Section 25, Township 12 North, Range 9 West, and thence North 160 feet, thence West 150 feet; thence North 236 feet; thence West 114 feet; thence South 396 feet; and thence East 264 feet to the point of beginning.

Commonly known as: 2333 S. Fruitridge Ave., Terre Haute, Indiana 47803

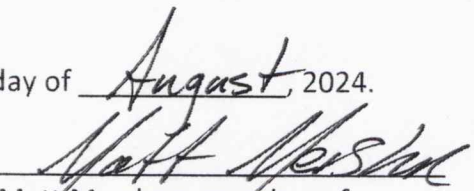
Parcel No. 84-06-25-376-019.000-002

2. That a copy of the Deed, 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 M and B Solutions, LLC, 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 Matt Mershon, member of M and B Solutions, LLC.

4. Further, Affiant saith not.

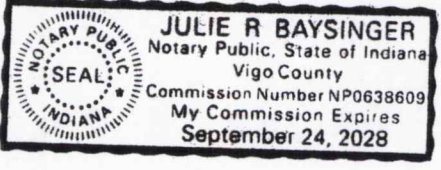
Dated at Terre Haute, Indiana this 7 day of August, 2024.


Matt Mershon, member of
M and B Solutions, LLC

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 7th day of August, 2024.

Julie R. Baysinger
Julie R. Baysinger, Notary Public



My Commission expires: 9-24-2028

My County of Residence: Vermillion

This instrument 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.

DEC 28 2023


VIGO COUNTY AUDITOR



WARRANTY DEED

THIS INDENTURE WITNESSETH, that James L. Tanner and Martha L. Tanner, husband and wife, Grantor, of Vigo County, in the State of Indiana, CONVEYS AND WARRANTS to M and B Solutions, LLC, Grantee, an Indiana limited liability company, for the sum of Ten & 00/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Vigo County, State of Indiana:

Part of the Southeast Quarter of the Southwest Quarter of Section Twenty-Five (25), Township Twelve (12) North, Range Nine (9) West described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Section 25, Township 12 North, Range 9 West, and thence North 160 feet; thence West 150 feet; thence North 236 feet; thence West 114 feet; thence South 396 feet; and thence East 264 feet to the point of beginning.

Subject to the general real estate taxes prorated to the date of this indenture and all subsequent real estate tax.

Subject to all covenants, conditions, restrictions, easements, leases, encumbrances, and all other matters of record.

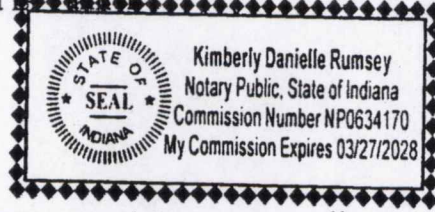
GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS AS TO THE PHYSICAL CONDITION OF THE PROPERTY OR IMPROVEMENTS. GRANTEE EXPRESSLY AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS" AND "WITH ALL FAULTS."

IN WITNESS WHEREOF, Grantor(s) has/have executed/delivered this deed this 23 day of December, 2023.

James L. Tanner
James L. Tanner

Martha L. Tanner
Martha L. Tanner

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)



Before me, a Notary Public in and for said County and State, personally appeared James L. Tanner and Martha L. Tanner, who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 23 day of December, 2023.

Kimberly Danielle Rumsey
Notary Public

Kimberly Danielle Rumsey
Printed Name

My Commission Expires: 03-27-28 My County of Residence: Vigo

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/ Brittany E. Bennett

This instrument prepared by: Brittany E. Bennett, Esq.
4322 Berrymore Court, Terre Haute, Indiana 47803

Mail tax statements to Grantee: Post Office Box 3594, Terre Haute, Indiana 47803

Property address: 2333 and 2303 South Fruitridge Avenue, Terre Haute, Indiana 47803

Arrived

On your right: 2333 S Fruitridge Ave,

Rate your route



End Route

08/09/2024

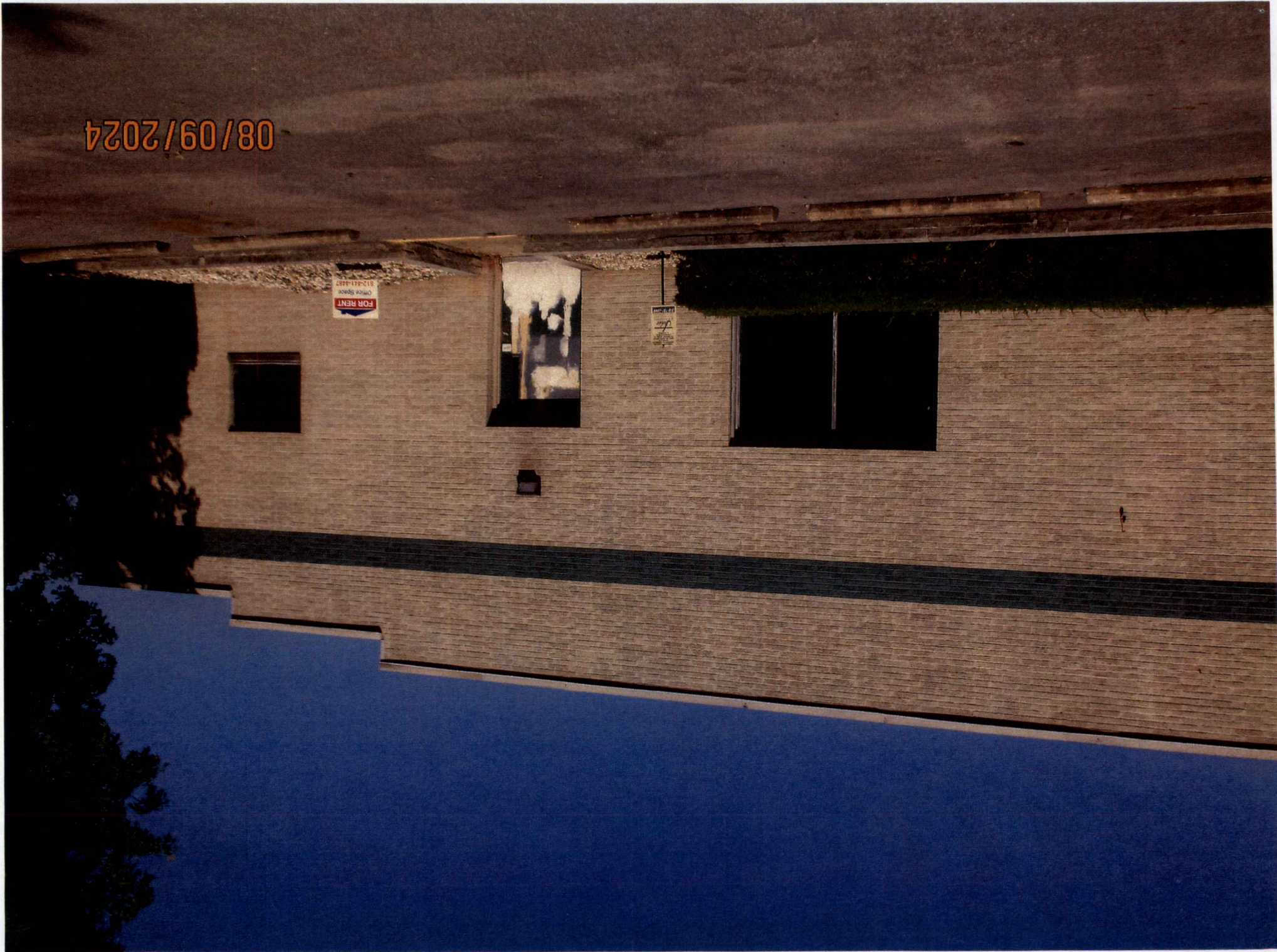
08/09/2024



08/09/2024

FOR RENT
813-441-4448
Office Space

RENTAL
Office Space





FOR RENT

Office Space

812-441-4487

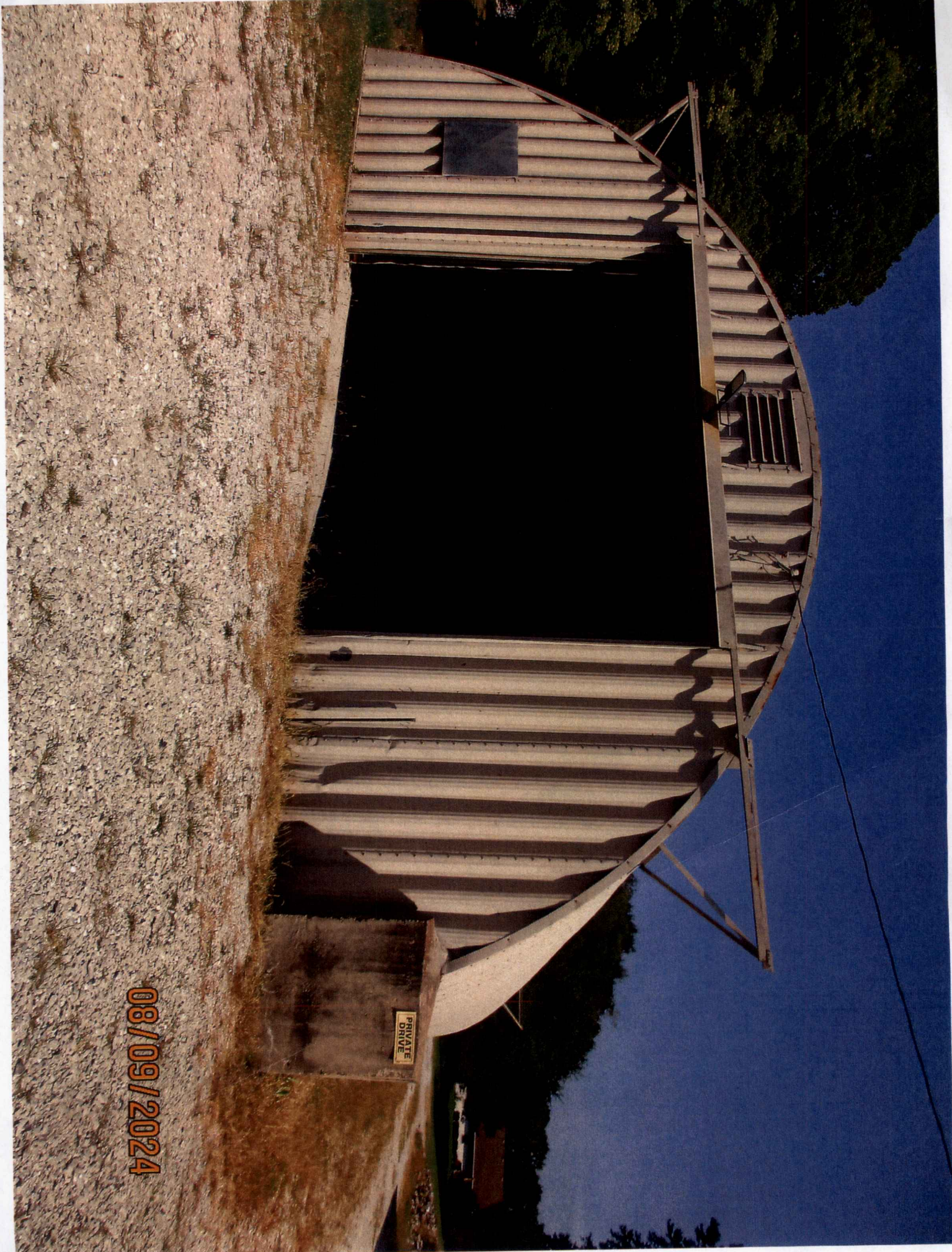
08/09/2024

LaundryOnUs.com

08/09/2024



08/09/2024



PRIVATE
DRIVE

08/09/2024