

**SPECIAL ORDINANCE NO. 12, 2025**

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

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Common Address of lots to be rezoned:  
1011 Maple Ave., Terre Haute, IN 47804  
Parcel # : 84-06-15-104-003.000-002

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Rezoned From: R-2 Two Family Residence District

Rezoned To: R-3 General Residence District

Proposed Use: 3 Unit Triplex

Name of Owners: Christopher Dailey and Kathleen M. Dailey

Address of Owners: 111 Woodridge  
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 47808

For Information Contact:  Owner  Attorney

Council Sponsor: Jim Chalos

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COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 12, 2025

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:

Lot Number Fifteen (15) in Indiana Lammert's Subdivision of part of Lots 12-13 and 14 of Spencer's Subdivision of the Northwest Quarter of Section 15, Township 12 North, Range 9 West, in Vigo County, Indiana.

Parcel No.: 84-06-15-104-003.000-002  
Commonly Known as 1011 Maple Ave., Terre Haute, IN 47804

Be and the same is hereby established as an R-3 General 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, \_\_\_\_\_  
Jim Chalos, Councilperson

Passed in open Council this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Todd Nation, President

ATTEST:

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

Presented by me, to the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_, 2025.

At \_\_\_\_\_ o'clock

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

Approved by me, the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
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 GENTLEMEN:

The undersigned, Christopher Dailey, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lot Number Fifteen (15) in Indiana Lammert's Subdivision of part of Lots 12-13 and 14 of Spencer's Subdivision of the Northwest Quarter of Section 15, Township 12 North, Range 9 West, in Vigo County, Indiana.

Parcel No.: 84-06-15-104-003.000-002  
Commonly Known as 1011 Maple Ave., Terre Haute, IN 47804

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 continue to use this property in its current set up which is a 3 unit apartment house. Your Petitioner would request that the real estate described herein shall be zoned as an R-3 General Residence District.

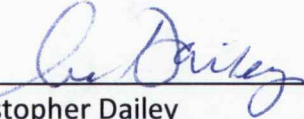
Your Petitioner would allege that the Neighborhood Commerce District would not alter the general characteristics of this neighborhood since the neighborhood is primarily residential in nature.

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-3 General 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.

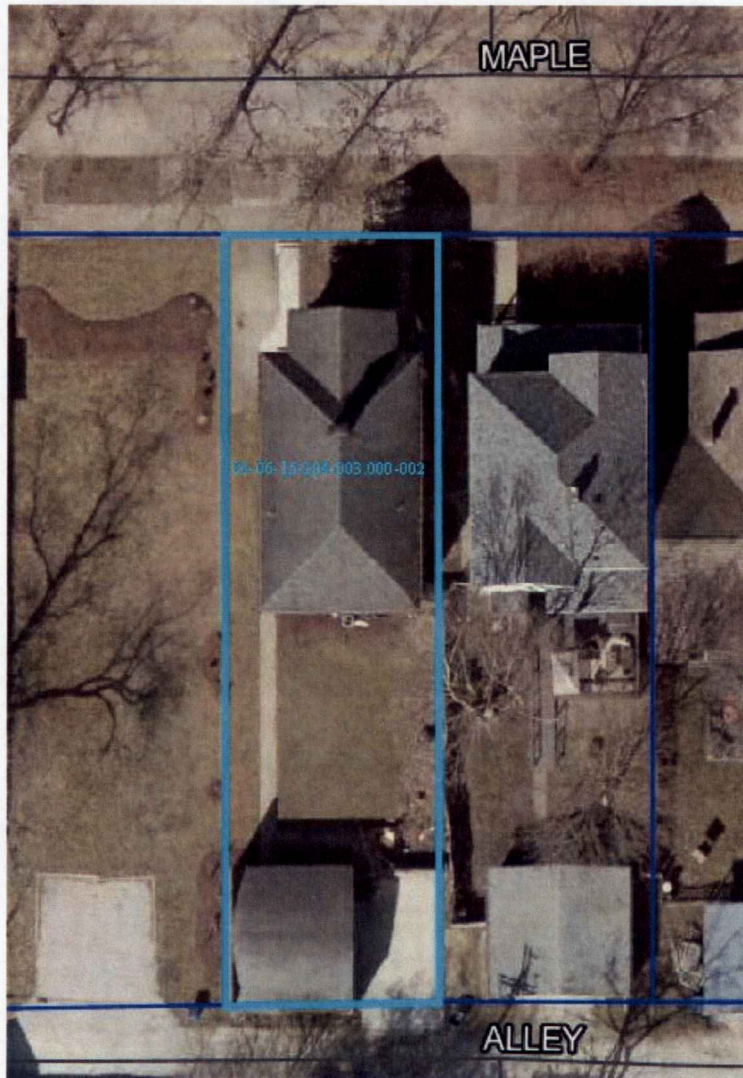
IN WITNESS WHEREOF, This petition has been duly executed this 5<sup>th</sup> day of March, 2025.

**PETITIONERS:**

By:   
Christopher Dailey

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. , 2025**



1011 Maple Avenue, Terre Haute, IN 47804  
Parcel No.: 84-06-15-104-003.000-002

From: R-2 Two Family Residence District

To: R-3 Multifamily Residential District

Proposed use: Continued use as a 3 Unit Triplex

STATE OF INDIANA ) SS:  
COUNTY OF VIGO )

**AFFIDAVIT**

Comes now, Christopher Dailey, being duly sworn upon his oath, deposes and says:

1. That Christopher Dailey and Kathleen M. Dailey are the owners of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Lot Number Fifteen (15) in Indiana Lammert's Subdivision of part of Lots 12-13 and 14 of Spencer's Subdivision of the Northwest Quarter of Section 15, Township 12 North, Range 9 West, in Vigo County, Indiana.

Parcel No.: 84-06-15-104-003.000-002  
Commonly Known as 1011 Maple Ave., Terre Haute, IN 47804

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 purpose of affirming that Christopher Dailey has the authority to petition for the proposed change to the zoning map of the City of Terre Haute, Indiana and to induce the Common Council of the City of Terre Haute, Indiana, to accept the Petition to Rezone Real Property as filed by Christopher Dailey.

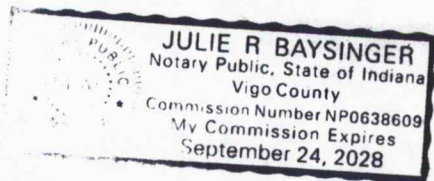
4. Further, Affiant saith not.

Dated at Terre Haute, Indiana this 5 day of March, 2025.

By: *Christopher Dailey*  
Christopher Dailey

STATE OF INDIANA ) SS:  
COUNTY OF VIGO )

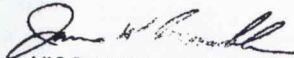
SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 5<sup>th</sup> day of March, 2025.



*Julie R. Baysinger*  
Julie R. Baysinger, Notary Public  
My Commission expires: 9-24-2028  
My County of Residence: Veumilion

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.

FEB 21 2006

  
VIGO COUNTY AUDITOR

**WARRANTY DEED**

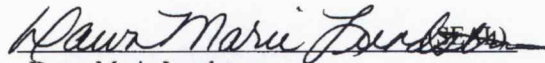
**THIS INDENTURE WITNESSETH, THAT** Dawn Marie Lundstrom, of Manatee County, State of Florida, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Conveys and warrants unto Christopher J. Dailey and Kathleen M. Dailey, husband and wife, of Vigo County, State of Indiana, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

- ✓ Lot Number Fifteen (15) in Indiana Lammert's Subdivision of part of Lots 12-13 and 14 of Spencer's Subdivision of the Northwest Quarter of Section 15, Township 12 North, Range 9 West, in Vigo County, Indiana.

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

Subject to taxes prorated to the date hereof.

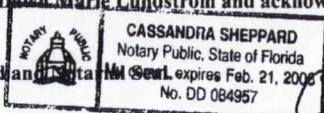
**IN WITNESS WHEREOF** the above referred to Dawn Marie Lundstrom has hereunto set her hand and seal, this      day of February, 2006.

  
Dawn Marie Lundstrom

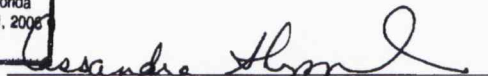
STATE OF Florida, Manatee COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 13 day of February, 2006, personally appeared Dawn Marie Lundstrom and acknowledged the execution of the annexed Deed to be her voluntary act and deed.

WITNESS my hand and seal:



My Commission Expires: 2-21-06  
My County of residence is: Manatee

  
Notary Public  
Cassandra Sheppard  
Typewritten or printed name of notary

**THIS INSTRUMENT WAS PREPARED BY:** Ronald E Jumps, Ronald E. Jumps, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807. Note: In preparing this instrument, preparer makes no warranties, expressed or implied, regarding the title conveyed by it.

MAIL TAX STATEMENTS TO: 533 Ohio Street, Terre Haute, IN 47808



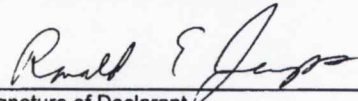
Declaration

This form is to be signed by the preparer of a document and recorded with each document in accordance with IC 36-2-7.5-5(a).

I, the undersigned preparer of the attached document, in accordance with IC 36-2-7.5, do hereby affirm under the penalties of perjury:

1. I have reviewed the attached document for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers;
2. I have redacted, to the extent permitted by law, each Social Security number in the attached document.

I, the undersigned, affirm under the penalties of perjury, that the foregoing declarations are true.

  
\_\_\_\_\_  
Signature of Declarant

Ronald E. Jumps  
\_\_\_\_\_  
Printed Name of Declarant



TERRE HAUTE, IN

**PAID**

MAR 05 2025

**Receipt of Payment**

CONTROLLER

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

Date 3/5/25  
Name Richard Shagley  
Reason Rezoning - 20  
Fee - 25

Cash \_\_\_\_\_  
Check \$45.00 Ck # 074894  
Credit \_\_\_\_\_  
Total \$45.00

Received By ER/ J Mome