



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 6

COMMON ADDRESS OF LOTS TO BE REZONED:

101 Hulman Street, 1710 and 1712 South 1st Street, Terre Haute, IN 47802

Current Zoning: R-2 Two Family Residential District

Requested Zoning: C-3 Regional Commerce District

Proposed Use: Wholesale and Retail Sales of Automotive Parts and Specialty Paints

Name of Owner: Rumagon Enterprises Inc

Address of Owner: 1164 S. Ravine Street, Terre Haute, IN 47802

Phone Number of Owner: 812-299-3551

Attorney Representing Owner (if any): n/a

Address of Attorney: n/a

Phone Number of Attorney: n/a

For Information Contact: _____

Council Sponsor: _____

***COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION**

FILED

MAR 6 2013

SPECIAL ORDINANCE NO. 6, 2013

CITY CLERK

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled "An Ordinance Adopting And Enacting A Code Of Ordinances For The City Of Terre Haute, Indiana; Establishing The Same; Providing For the Repeal Of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such code Of Ordinances; Providing A Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations".

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

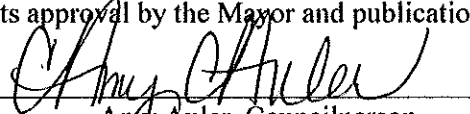
SECTION I. That Chapter 10, of the Terre Haute City Code, known and referred to as "The Comprehensive Zoning Ordinance for Terre Haute" of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-121, thereof, District Maps, is hereby amended to read as follows:

See attached Warranty Deed - Exhibit A
Commonly known as 101 Hulman Street, 1710 and 1712 South 1st Street, Terre Haute, IN 47802.

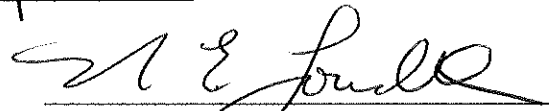
be and the same is, hereby established as a C-3 Regional Commerce District, together with all rights and privileges that may inure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

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 the City of Terre Haute, and its approval by the Mayor and publications as by law provided.

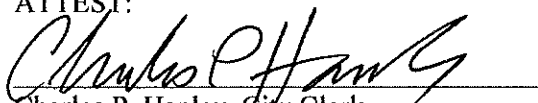
Presented by Council Member,


Amy Auler, Councilperson

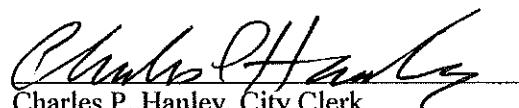
Passed in open Council this 18th day of April, 2013.


Norm Loudermilk, President

ATTEST:


Charles P. Hanley, City Clerk

Presented to me the Mayor of the City of Terre Haute, this 19th day of April, 2013.


Charles P. Hanley, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 19th day of APRIL, 2013.


Duke A. Bennett, Mayor

ATTEST:

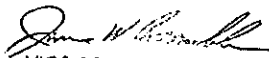

Charles P. Hanley, City Clerk

This instrument prepared by Ron Maxwell, 1000 So. 3rd Street, Terre Haute, IN 47802

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.


Ron Maxwell

JAN 28 2005


VIGO COUNTY RECORDER

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Robert M. Johnson and Connie L. Johnson 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, Convey and Warrant unto Rumagon Enterprises, Inc., of VIGO County, State of INDIANA, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

Lots 1, 2, and 3 in Herman Hulman's Addition of 21 2/10 acres lying in the Northeast Quarter of Section 33, Township 12 North, Range 9 West, as per plat recorded in Plat Record 5 Page 65 Of the records in the Recorder's Office of Vigo County, Indiana.

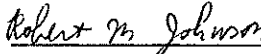
ALSO

Lot Number 4 in Herman Hulman's Addition of 21 2/10 acres lying in the Northeast Quarter of Section 33, Township 12 North, Range 9 West, adjoining the City of Terre Haute, 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 Robert M. Johnson and Connie L. Johnson have hereunto set their hand and seal, this 26th day of JANUARY, 2005.

 (SEAL)
Robert M. Johnson

 (SEAL)
Connie L. Johnson

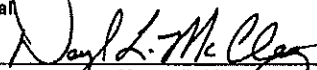
STATE OF INDIANA, VIGO COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 26th day of JANUARY, 2005, personally appeared Robert M. Johnson and Connie L. Johnson and acknowledged the execution of the aforesaid Deed to be their voluntary act and deed.

WITNESS my hand and Notarial Seal

My Commission Expires: 08-02-07

My County of residence is: VIGO


Notary Public
Daryl L. McCleary
Typewritten or printed name of notary

THIS INSTRUMENT WAS PREPARED BY: Ronald E. Jumps, Ronald E. Jumps, Attorney, Cox, Zwemer, 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: Rumagon Enterprises, Inc. 1164 S. Ravine St.
Terre Haute, IN 47802

\\Lawfirm\user\Walters\SHELLE\Real Estate\Hendrich\LTIC\RumagonEnterprises, Inc
1/5/2005
smw

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, **Rumagon Enterprises Inc**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

See attached Warranty Deed - Exhibit A

Commonly known as: **101 Hulman Street, 1710 and 1712 South 1st Street, Terre Haute, Indiana 47802.**

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 Residential District.

Your petitioner would respectfully state that the real estate is now vacant lots. Your petitioner intends to use the real estate to Wholesale and Retail Sales of Automotive Parts and Specialty Paints.

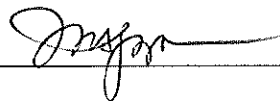
Your petitioner would request that the real estate described herein shall be zoned as a Regional Commerce District (C-3). Your petitioner would allege that the Regional Commerce District would not alter the general characteristics of this neighborhood.

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 the Terre Haute, Indiana," and declaring the above-described real estate to be part of the **Regional Commerce 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 day of March, 2013.

BY: Maria M Gonzales



Rumagon Enterprises Inc

PETITIONER: Rumagon Enterprises Inc, 1164 S. Ravine Street, Terre Haute, IN 47802.

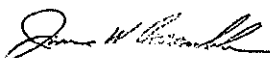
This instrument was prepared by **Ron Maxwell, 1000 So.3rd Street, Terre Haute, IN 47802. Telephone No. (812) 235-4433.**

EXHIBIT A

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

RAYMOND WATTS
VIGO County Recorder IN
IN 2005001290 WD
01/28/2005 15:38:08 1 PGS
Filing Fee: \$14.00

JAN 28 2005


VIGO COUNTY AUDITOR

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Robert M. Johnson and Connie L. Johnson 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, Convey and Warrant unto Rumagon Enterprises, Inc., of VIGO County, State of INDIANA, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

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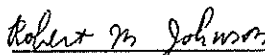
ALSO

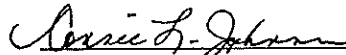
Lot Number 4 in Herman Hulman's Addition of 21 2/10 acres lying in the Northeast Quarter of Section 33, Township 12 North, Range 9 West, adjoining the City of Terre Haute, Indiana.

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 Robert M. Johnson and Connie L. Johnson have hereunto set their hand and seal, this 20th day of JANUARY, 2005.

 (SEAL)
Robert M. Johnson

 (SEAL)
Connie L. Johnson

STATE OF INDIANA, VIGO COUNTY, SS:

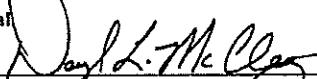
Before me, the undersigned, a Notary Public in and for said county and state, this 20th day of JANUARY, 2005, personally appeared Robert M. Johnson and Connie L. Johnson and acknowledged the execution of the above Deed to be their voluntary act and deed.

WITNESS my hand and Notarial Seal

My Commission Expires:

My County of residence is:

VIGO

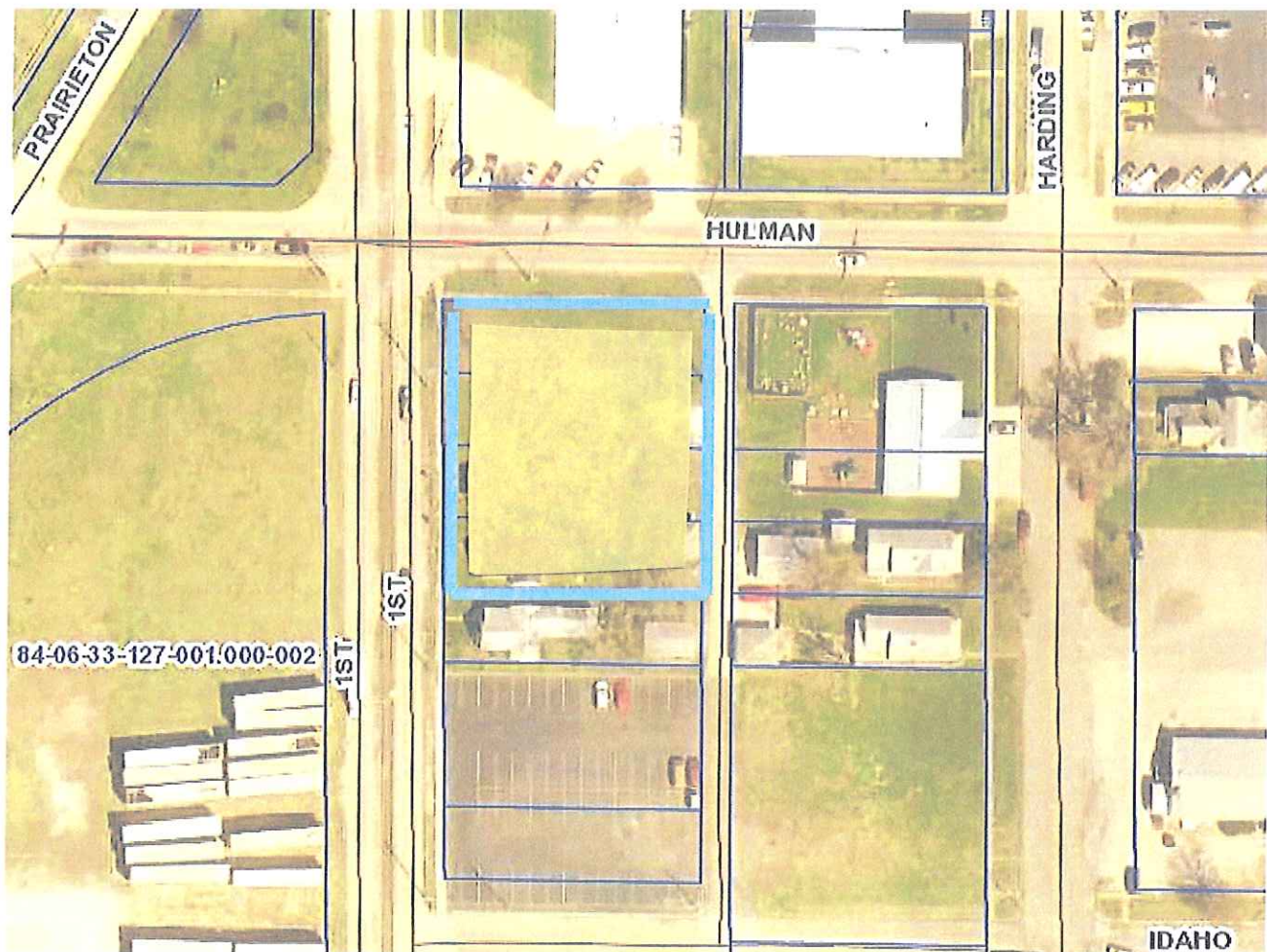

Notary Public
DARYL L. MC HENRY
Typewritten or printed name of notary

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: Rumagon Enterprises, Inc. 1164 S. Ravine St.
Terre Haute, IN 47802

\\Lawfirm\user\Walters\SHELLE\Real Estate\Hendrich\LTIC\RumagonEnterprises,Inc
1/5/2005
smw

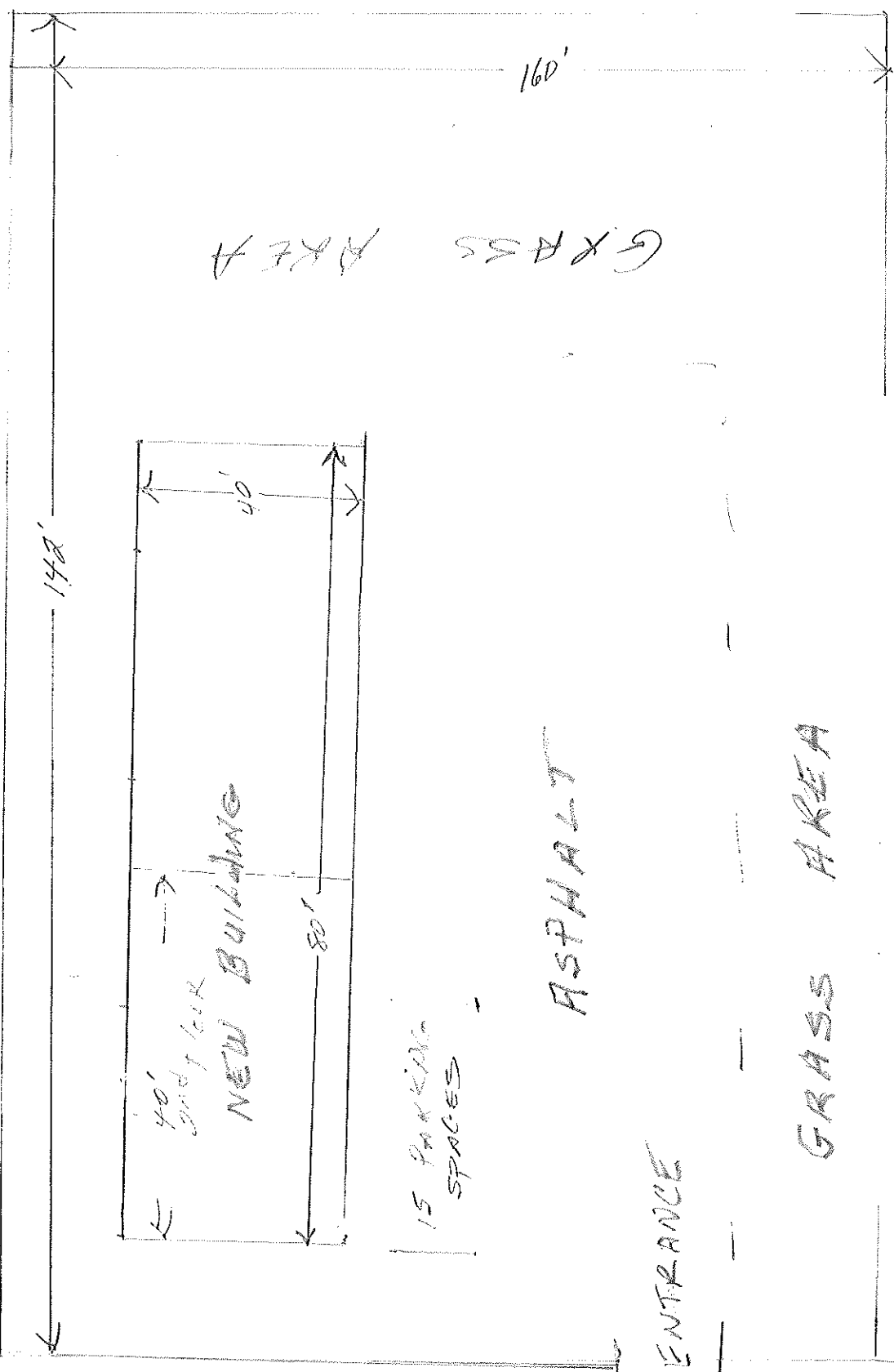
SITE PLAN



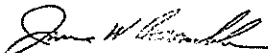
101 Hulman Street, 1710 and 1712 So. 1st Street
Terre Haute, IN 47802

NOT TO SCALE
DIMENSIONS ARE APPROXIMATE

1ST STREET



JAN 28 2005


VIGO COUNTY RECORDER

WARRANTY DEED

THIS INDENTURE WITNESSETH; THAT Robert M. Johnson and Connie L. Johnson 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, Convey and Warrant unto Rumagon Enterprises, Inc., of VIGO County, State of INDIANA, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

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Robert M. Johnson (SEAL) Connie L. Johnson (SEAL)
Robert M. Johnson Connie L. Johnson

STATE OF INDIANA, VIGO COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 20th day of JANUARY, 2005, personally appeared Robert M. Johnson and Connie L. Johnson and acknowledged the execution of the above Deed to be their voluntary act and deed.

WITNESS my hand and Notarial Seal

My Commission Expires: 08-06-07

My County of residence is: VIGO

Daryl L. McHenry
Notary Public

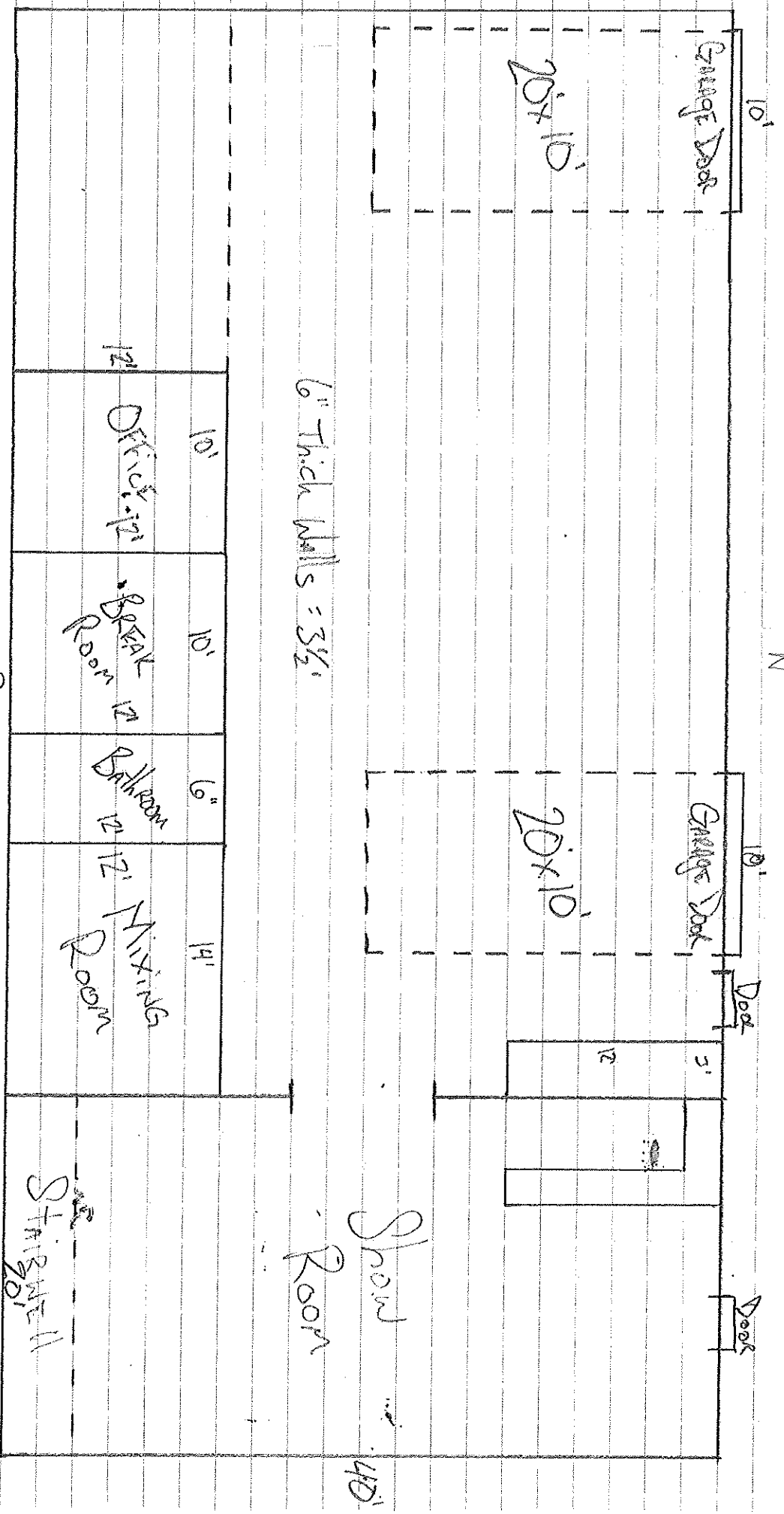
Typewritten or printed name of notary

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\\Lawfirm\user\Walters\SHELLE\Real Estate\Hendrich\LTIC\RumagonEnterprises, Inc
1/5/2005

smw



$$\square = 2\text{ft}$$

Upstairs

40'

8' Furnace
6' Water Heater

8' Bathroom

40'

Stairwell



AFFIDAVIT OF:

COMES NOW affiant Rumagon Enterprises Inc

and affirms under penalty of law that affiant is the owner of record of the property located

at 101 Hulman Street, 1710 and 1712 South 1st Street, Terre Haute, IN 47802

for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.

I affirm under penalty for perjury, that the foregoing representations are true.

Rumagon Enterprises Inc

SIGNATURE: 

SIGNATURE: _____

STATE OF INDIANA)

SS: (COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for

said County and State, Maria Gonzales

who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 5th day of March, 20013.

Notary Public: Tammy K Jones

TAMMY K. JONES
[Typed name]

My Commission Expires: 1-16-16

My County Of Residence: Vigo



Receipt

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

Date: March 6, 2013

Name: W. Payne Properties LLC

Reason: _____

Property Rezoning

Cash: _____

Check: \$4500 ck# 1007

Credit: _____

Total: \$4500

TERRE HAUTE, IN
PAID
MAR 6 2013
CONTROLLER

Received By: Sat J Ellis



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 11, 2013

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #6-13

CERTIFICATION DATE: April 10, 2013

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

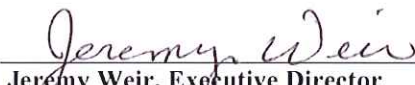
Dear Members,

The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 6-13. This Ordinance is a rezoning of the property located at 101 Hulman and 1710, 1712 South 1st Street. The Petitioner, Rumagon Enterprises, Inc., Petitions the Plan Commission to rezone said real estate from zoning classification R-2 to C-3, Regional Commerce District, for wholesale and retail sales of automobile parts and specialty paints. 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. 6-13 at a public meeting and hearing held Wednesday, April 10, 2013. Remonstrators WERE 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. 6-13 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 6-13 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. 6-13, was FAVORABLE.


Fred L. Wilson, President


Jeremy Weir, Executive Director

Received this 11th day of April, 2013

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #6-13

Doc: # 23

Date: April 10th, 2013

Page 1 of 5

APPLICATION INFORMATION

Petitioner: Rumagon Enterprises

Property Owner: Same as Above

Representative: Bill Payne

Proposed Use: Whole and Retail sales of Automotive Parts and Specialty Paints

Proposed Zoning: C-3, Regional Commerce District

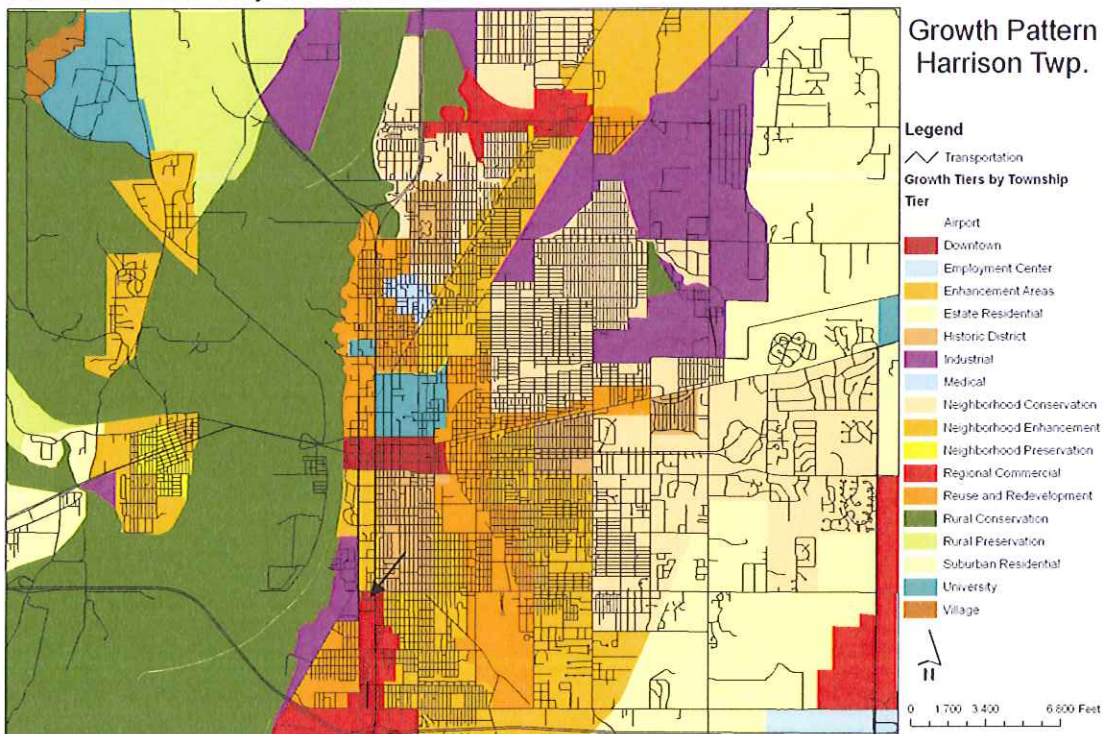
Current Zoning: R-2, Two-Family Residence District

Location: The property is on the southwest corner of 1st Street and Hulman Street

Common Address: 101 Hulman Street and 1710, 1712 South 1st Street, Terre Haute, IN 47802

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #6-13

Doc: # 23

Date: April 10th, 2013

Page 2 of 5

Recommended Use: Regional Commercial

- Spatial containment of commercial activities to existing commercially zoned sites; maintain and reinforce the drawing power of major retail centers including anchor department and discount stores.
- Reduce future traffic congestion and more closely tie existing retail centers with transit operations; expand the opportunities for pedestrian linkage between and among major existing activity centers.
- Increase the Identity of the district as a whole, with improved coordination in urban design elements including directional signage, common landscape elements such as lighting or street furniture; develop a common approach to business signage.
- Encourage reinvestment in and continual upgrading of existing retail space; encourage the intensification of activities for retail comparative shopping purposes. Ancillary activities such as fast-food restaurants or quick stop establishments do not add to the regional character of activity centers. Emphasis should increasingly be upon multiple-trip purpose activities with regional significance.
- Ensure that future retail commercial development in the area does not detract from the viability of residential Neighborhoods in the vicinity.

Available Services: Area is well served by utilities.

Soil Limitations: Not studied.

Street Access: Site access as proposed will be from a local alleyway

Dev. Priority: The petitioned property has a high priority for new development.

ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – M-1, Light Industrial District

East – R-2, Two-Family Residence District

South – R-2, Two-Family Residence District

West – M-2, Heavy Industrial District

*2nd street is a local alleyway
Hulman is a secondary
Arterial
Roadway*

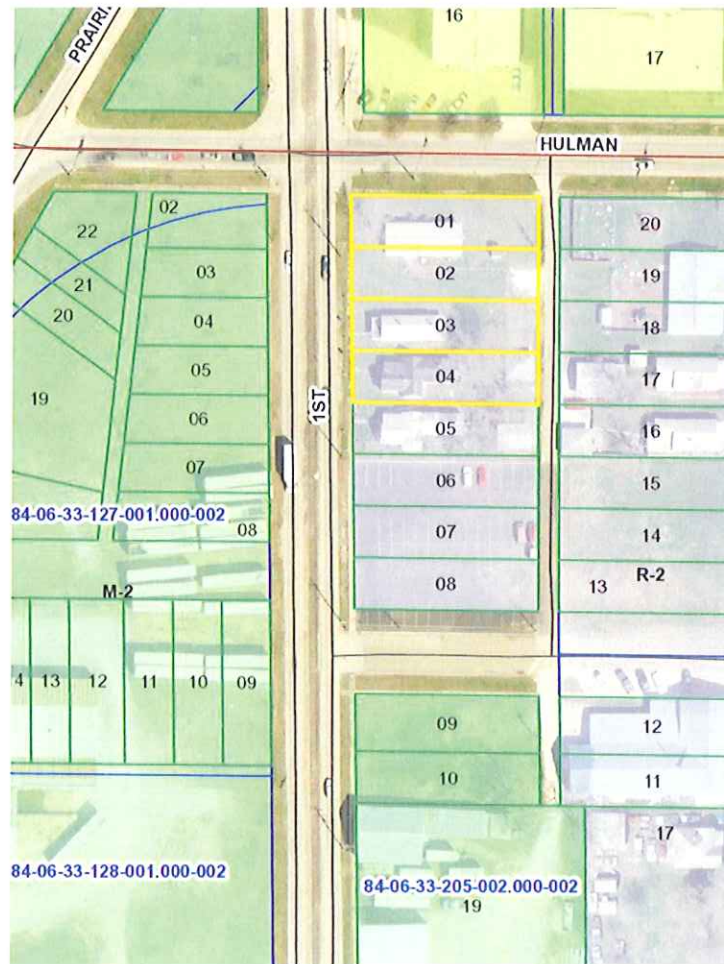
STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #6-13

Doc: # 23

Date: April 10th, 2013

Page 3 of 5



Character of Area: There is a mix of residential, commercial, and industrial uses within area. A railroad spur front the property. Industrial uses consist of distribution warehousing and Chemgen Corp, Moore-Langen Printing Company. ↑
mo

Contig. Uses & Zones: The contiguous to the East is R-2, with uses that are permitted; North M-1, Moore-Langen Printing Company; West M-2 Heavy Industrial with uses that permitted; South R-2, with residential uses that are permitted.

ZONING REGULATIONS

C-3 Purpose: The Regional Commerce Zone is designated for all residents in the region of Terre Haute, Indiana, and is not a limited community commerce area (or shopping center); consequently, it shall permit a wide variety of business, commerce, and services with some degree of limited warehousing for those establishments allowed in area. It shall be a major shopping center, definitely limited specific locations and characterized by large establishments generating large volumes of vehicular traffic. The development is characterized by its provision of some degree of comparison-shopping and a complete lack of any attempt to draw pedestrian traffic.

C-3 Uses: Any use permitted in C-1, and C-2, Pet shops, Live professional entertainment and dancing, Schools, Auction rooms, Recreation establishments, Automobile sales and service (minor and major repairs) Farm equipment sales and service.

C-3 Standards: Floor Area Ratio of 2.0; street setback of 55 feet from centerline; rear setback 11' from the rear property line; Interior 5' from the interior lot line, and Meet the minimum parking requirement per table 4. Office-Site Parking facilities are required a Special Use by the City of Terre Haute Board of Zoning Appeals. Off-street parking areas for more than ten (10) vehicles, and off-street loading areas, shall be effectively screened on each side, which adjoins or faces residential or institutional premises situated in any R-District. All parking lots shall be illuminated. Such lighting shall be composed of light posts, which are compatible with the architecture of the building and are wired internally and underground. All commercial and public lots shall have an average intensity of not more than one (1) to four (4) during the period of use.

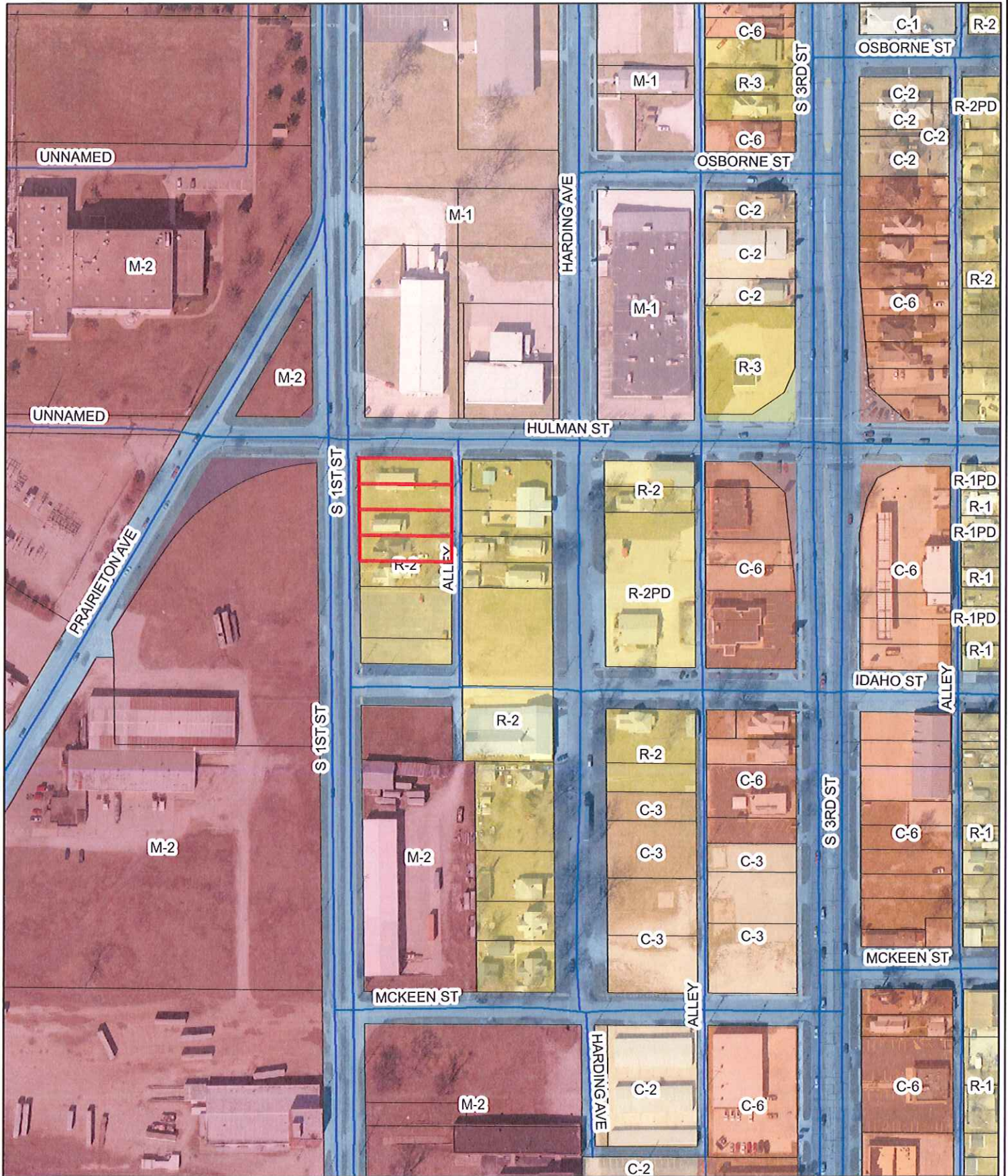
Illumination of an off-street parking area shall be arranged so as to reflect direct rays of light into adjacent residential districts and streets. In no case shall such lighting causing more than three (3) footcandles of light to fall on adjacent properties as measured horizontally at the lot line.

FINDINGS and RECOMMENDATION

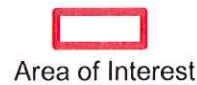
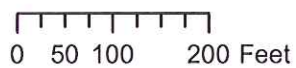
Staff Findings: The petitioned property is located within an area identified by the Thrive 2025 Comprehensive Plan for Regional Commerce. The surrounding intensive industrial uses create a situation that would make any reuse of the petitioned property to be anything but residential.

Recommendation: Favorable Recommendation.

101 Hulman Street, 1701 and 1712 South 1st Street Docket #23, S.O. #6-13 From R-2 to C-3



Parcel: 84-06-33-201-001.000-002
 84-06-33-201-002.000-002
 84-06-33-201-003.000-002
 84-06-33-201-004.000-002



Prepared by the Vigo County
Department of Area Planning

100' 10' - 1100'

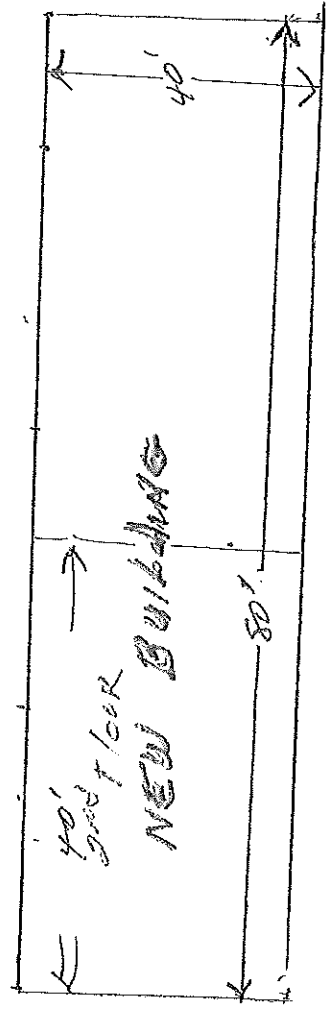
DIMENSIONS ARE APPROXIMATE

1ST STREET

160'

GRASS AREA

19 1/2'



15 PARKING SPACES

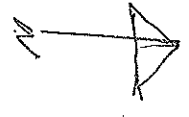
ASPHALT

ENTRANCE

GRASS AREA

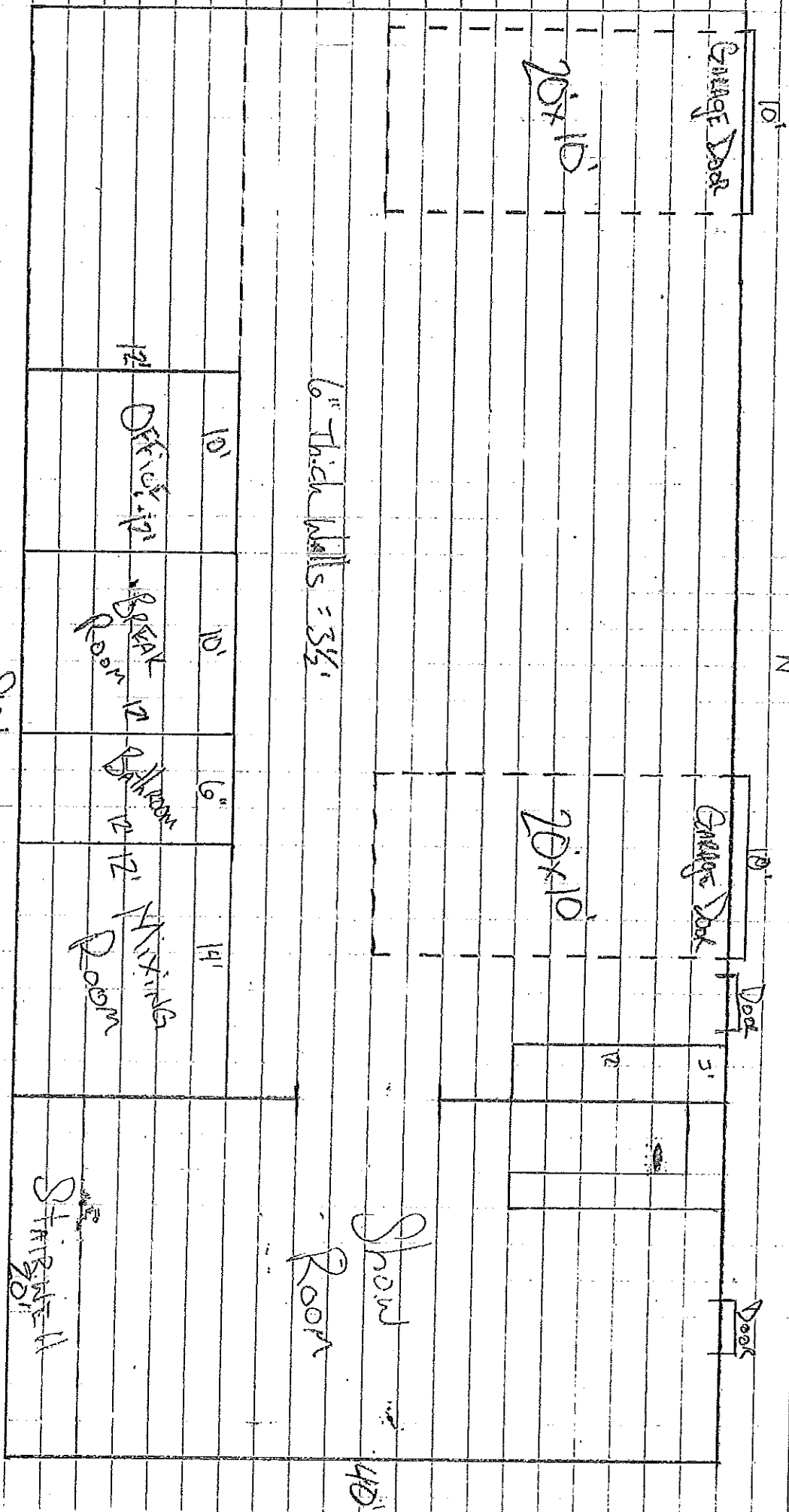
HILLMAN

ALLEY





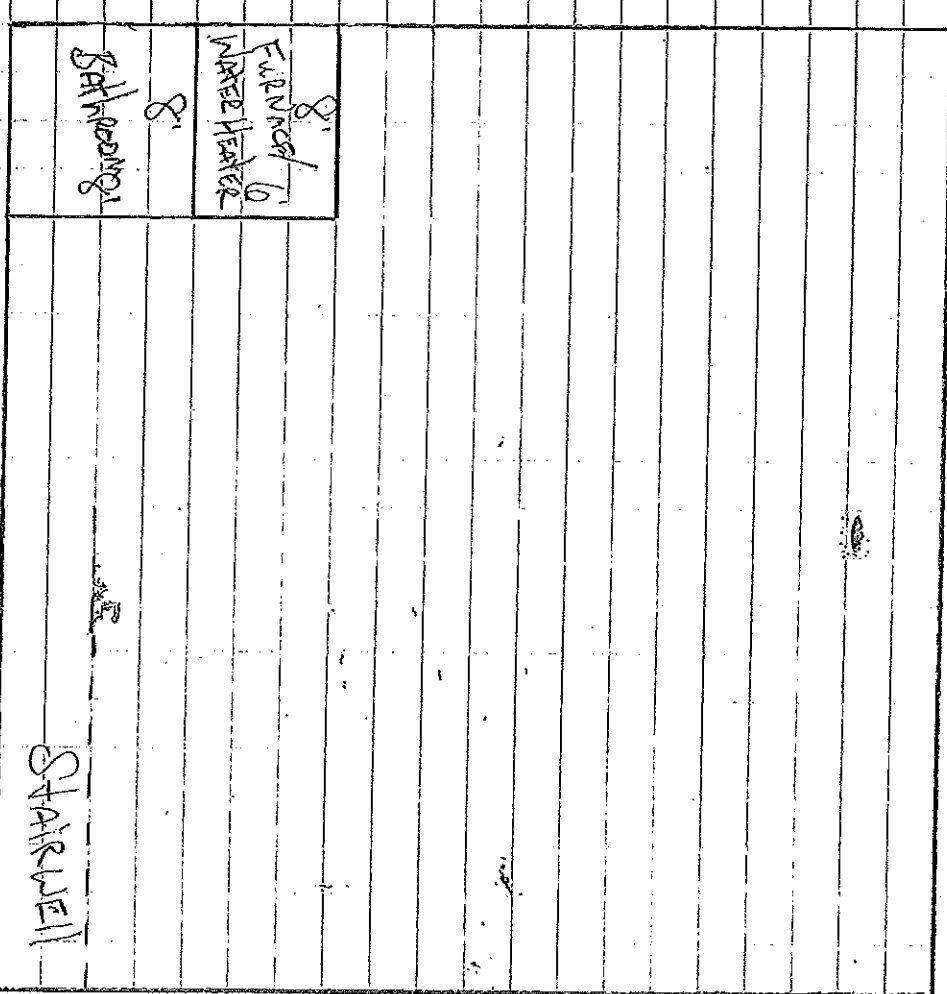
N



□ = 2 ft

UPSTAIRS

410'





APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 6

COMMON ADDRESS OF LOTS TO BE REZONED:

101 Hulman Street, 1710 and 1712 South 1st Street, Terre Haute, IN 47802

Current Zoning: R-2 Two Family Residential District

Requested Zoning: C-3 Regional Commerce District

Proposed Use: Wholesale and Retail Sales of Automotive Parts and Specialty Paints

Name of Owner: Rumagon Enterprises Inc

Address of Owner: 1164 S. Ravine Street, Terre Haute, IN 47802

Phone Number of Owner: 812-299-3551

Attorney Representing Owner (if any): n/a

Address of Attorney: n/a

Phone Number of Attorney: n/a

For Information Contact: _____

Council Sponsor: _____

***COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION**

FILED

MAR 6 2013

SPECIAL ORDINANCE NO. 6, 2013

CITY CLERK

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled "An Ordinance Adopting And Enacting A Code Of Ordinances For The City Of Terre Haute, Indiana; Establishing The Same; Providing For the Repeal Of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such code Of Ordinances; Providing A Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations".

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

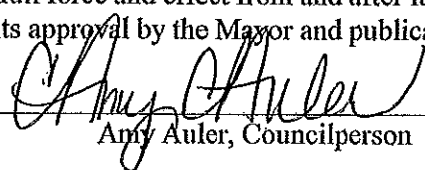
SECTION I. That Chapter 10, of the Terre Haute City Code, known and referred to as "The Comprehensive Zoning Ordinance for Terre Haute" of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-121, thereof, District Maps, is hereby amended to read as follows:

See attached Warranty Deed - Exhibit A
Commonly known as 101 Hulman Street, 1710 and 1712 South 1st Street, Terre Haute, IN 47802.

be and the same is, hereby established as a C-3 Regional Commerce District, together with all rights and privileges that may inure 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 the City of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member, _____


Amy Auler, Councilperson

Passed in open Council this _____ day of _____, 2013.

Norm Loudermilk, President

ATTEST:

Charles P. Hanley, City Clerk

Presented to me the Mayor of the City of Terre Haute, this _____ day of _____, 2013.

Charles P. Hanley, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this _____ day of _____, 2013.

Duke A. Bennett, Mayor

ATTEST:

Charles P. Hanley, City Clerk

This instrument prepared by Ron Maxwell, 1000 So. 3rd Street, Terre Haute, IN 47802

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.



Ron Maxwell

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, **Rumagon Enterprises Inc**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

See attached Warranty Deed - Exhibit A

Commonly known as: **101 Hulman Street, 1710 and 1712 South 1st Street, Terre Haute, Indiana 47802.**

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 Residential District.

Your petitioner would respectfully state that the real estate is now vacant lots. Your petitioner intends to use the real estate to Wholesale and Retail Sales of Automotive Parts and Specialty Paints.

Your petitioner would request that the real estate described herein shall be zoned as a Regional Commerce District (C-3). Your petitioner would allege that the Regional Commerce District would not alter the general characteristics of this neighborhood.

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 the Terre Haute, Indiana," and declaring the above-described real estate to be part of the **Regional Commerce 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 day of

March, 2013.

BY: Maria M Gonzales  Rumagon Enterprises Inc

PETITIONER: Rumagon Enterprises Inc, 1164 S. Ravine Street, Terre Haute, IN 47802.

This instrument was prepared by **Ron Maxwell, 1000 So.3rd Street, Terre Haute, IN 47802. Telephone No. (812) 235-4433.**

AFFIDAVIT OF:

COMES NOW affiant Rumagon Enterprises Inc

and affirms under penalty of law that affiant is the owner of record of the property located

at 101 Hulman Street, 1710 and 1712 South 1st Street, Terre Haute, IN 47802

for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.

I affirm under penalty for perjury, that the foregoing representations are true.

Rumagon Enterprises Inc

SIGNATURE: *[Signature]*

SIGNATURE: _____

STATE OF INDIANA)

SS: (COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for

said County and State, Maria Gonzales

who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 5th day of March, 20013.

Notary Public: *Tammy K Jones*

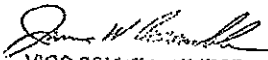
TAMMY K. JONES

[Typed name]

My Commission Expires: 1-16-16

My County Of Residence: Vigo

JAN 28 2005


VIGO COUNTY AUDITOR

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Robert M. Johnson and Connie L. Johnson 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, Convey and Warrant unto Rumagon Enterprises, Inc., of VIGO County, State of INDIANA, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

Lots 1, 2, and 3 in Herman Hulman's Addition of 21 2/10 acres lying in the Northeast Quarter of Section 33, Township 12 North, Range 9 West, as per plat recorded in Plat Record 5 Page 65 Of the records in the Recorder's Office of Vigo County, Indiana.

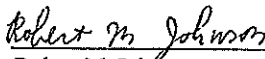
ALSO

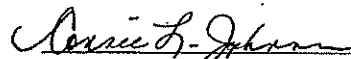
Lot Number 4 in Herman Hulman's Addition of 21 2/10 acres lying in the Northeast Quarter of Section 33, Township 12 North, Range 9 West, adjoining the City of Terre Haute, Indiana.

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 Robert M. Johnson and Connie L. Johnson have hereunto set their hand and seal, this 26th day of JANUARY, 2005.


Robert M. Johnson (SEAL)


Connie L. Johnson (SEAL)

STATE OF INDIANA, VIGO COUNTY, SS:

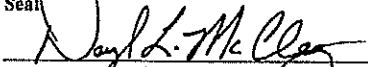
Before me, the undersigned, a Notary Public in and for said county and state, this 26th day of JANUARY, 2005, personally appeared Robert M. Johnson and Connie L. Johnson and acknowledged the execution of the above Deed to be their voluntary act and deed.

WITNESS my hand and Notarial Seal

My Commission Expires:

My County of residence is:

VIGO


Notary Public
Daryl L. McCleary
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.

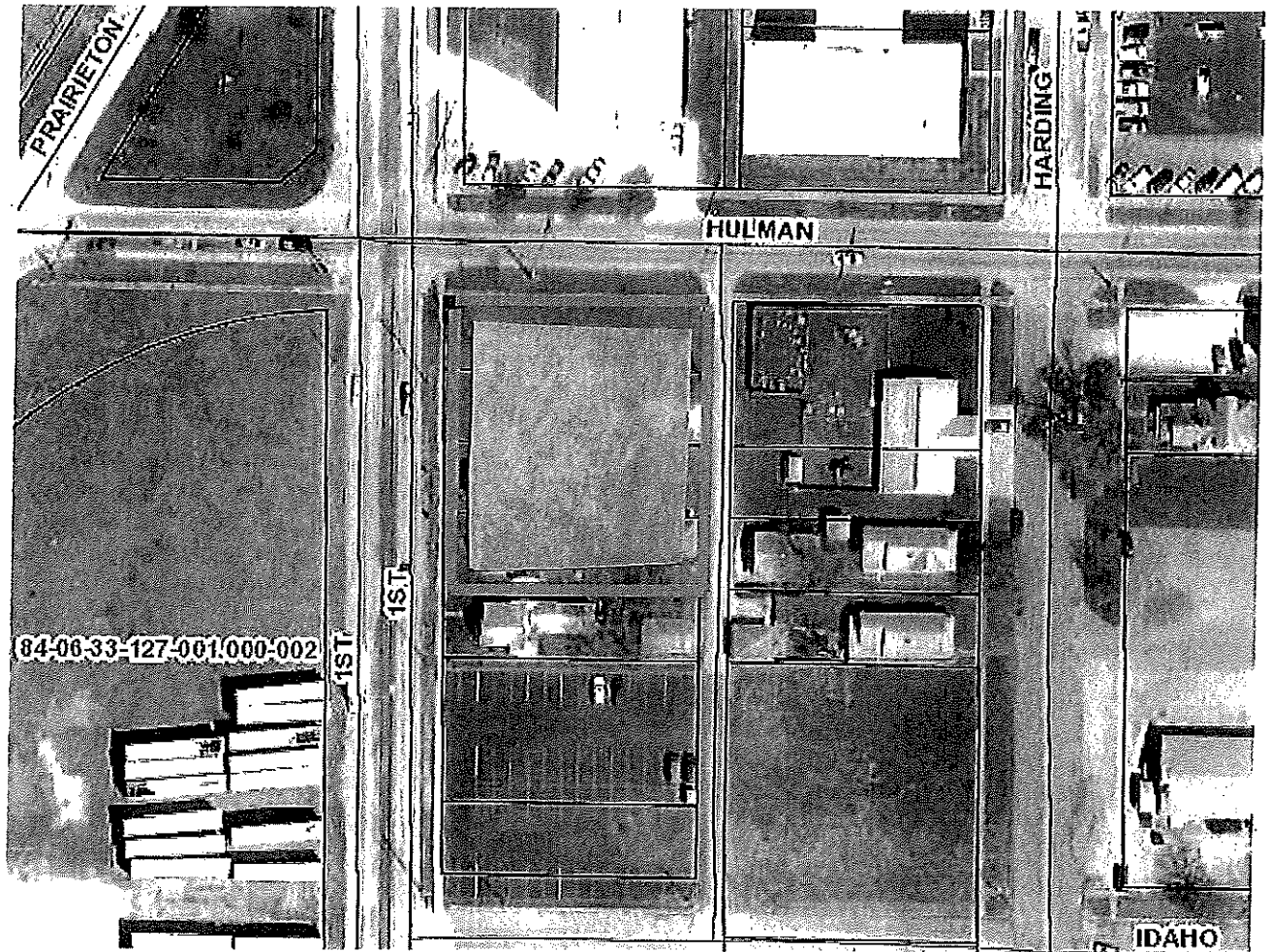
MAIL TAX STATEMENTS TO: Rumagon Enterprises, Inc. 1164 S. Ravine St.

\\Lawfirm\user\Walters\SHELLE\Real Estate\Hendrich\LTIC\RumagonEnterprises, Inc
1/5/2005

smw

Terre Haute, IN 47802

SITE PLAN



101 Hulman Street, 1710 and 1712 So. 1st Street
Terre Haute, IN 47802

Support Against Rezoning

Kristen Giffle	Jessie Renth
Jana Conley	Erin
Ernest Wycoff	Jodi Naperus
Peggy Wycoff	Yaine Sumell
Julianne Lee	Mary Ellen Williams
Ashley Famen	Amy Lambright
Jennifer Halbert	John Corn
Deanna Halbert	Sheryl J. J. J. J.
Johy Halbert	Allison Nelf
Sal Napper	Andrew Nelf
Des Lee Bell	Libby Edington
Robert Conley Jr.	Maggie Dowers
Amelia Greenman	Patrick Newnam
Lafayette Williams	Nandy Newnam
Samantha Chawalla	Samantha Chorus
Cassidy Berger	Off
Maurice J. J.	Annelle Metten
Arnold Zahner	Amber Unphett
Barbara Day	Tracy French
Deanna L. Day	Tracey Page
Barb J. J.	Brandon Page
Kathy Smith	Daisy Roberts
Edie Kippen	Vicky French
Alfred Kippen	Dale French

Roberta L. Pope
Mother R. Pope

Barbara Herman

Eddie Henderson.

Annalynn Rivera

Manuel Rivera

