FILED

APR 0 8 2010

CITY CLERK

RESOLUTION NO. 14, 2010

A RESOLUTION APPROVING THE ESTABLISHMENT OF A DWELLING UNIT IN A C-3 REGIONAL COMMERCE DISTRICT.

WHEREAS, the provisions of the Comprehensive Zoning Ordinance establish the permitted uses in a C-3 Regional Commerce District at *Terre Haute City Code* Sec. 10-207g.

WHEREAS, property owners desire to construct and establish a Holiday Inn Express on the real estate described in Exhibit A, attached hereto and incorporated herein. Such real estate is zoned C-3 Regional Commerce District.

WHEREAS, *Terre Haute City Code* Sec. 10-207g.(1)(A) prohibits dwelling units, lodging rooms, motels, and mobile home parks unless they are permitted by the Planning Commission and approved by the Common Council. Additionally, the Common Council of the City of Terre Haute may vary the requirements of such provisions to comply with the intent and purpose of the Comprehensive Zoning Ordinance.

WHEREAS, the Comprehensive Zoning Ordinance, as established at *Terre Haute City Code* Sec. 10-20, was created to (1) to promote public health, safety, morality, convenience and the general welfare; (2) to encourage the most appropriate use of land; (3) to conserve and stabilize the value of property; (4) to provide adequate open spaces for light and air; (5) to prevent excessive concentrations of population; and (6) to eliminate congestion on streets and highways.

WHEREAS, the Common Council determines that the establishment of the Holiday Inn Express on the real estate described herein is consistent with the intent and purposes set forth in the Comprehensive Zoning Ordinance.

THEREFORE, IT IS RESOLVED by the Common Council of the City of Terre Haute that upon receipt of a favorable recommendation from the Planning Commission, the dwelling unit described herein may be established in the C-3 Regional Commerce District.

Introduced by: _____ James Chalos, Councilman

Passed in open Council this _____ day of _____, 2010.

_____ Neil Garrison, President

ATTEST: _____ Charles P. Hanley, City Clerk

Presented by me to the Mayor this _____ day of _____, 2010.

_____ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2010.

_____ Duke A. Bennett, Mayor

ATTEST: _____ Charles P. Hanley, City Clerk

EXHIBIT A

The following described real estate in Vigo County, Indiana, to-wit:

Outlot #3 of the Sycamore Crossing Replat of Lot 3, more particularly described as follows:

Part of Lot No. 3 in Sycamore Crossings, being a replat of Lot 2 in Sycamore Crossings Two Lot Subdivision as shown in Plat Record 29, page 67, being a replat of Lot 1 and 2 in I-70 Business Park Subdivision, as shown in Plat Record 27 Page 42, being a Replat of Margaret Avenue Development Subdivision Phase I, as shown in Plat Record 27 Page 10 being a part of the Southeast Quarter of Section 31, Township 13 North, Range 8 West, as shown by Plat Record 31 Page 70 of the records of the Recorder's Office of Vigo County, Indiana, described as follows:

Commencing at the southeast corner of said quarter section; thence South 89 degrees 38 minutes 30 seconds West along the south line thereof 833.36 feet; thence North 00 degrees 04 minutes 43 seconds West 25.00 feet to the north right of way line of Margaret Avenue per said plat; thence North 89 degrees 38 minutes 30 seconds East along said north right of way line 221.93 feet to the POINT OF BEGINNING; thence continuing North 89 degrees 38 minutes 30 seconds East along said north right of way line 273.43 feet to the west line of the 40 feet ingress egress easement per said plat; thence North 00 degrees 04 minutes 43 seconds West along said west line 456.97 feet; thence South 89 degrees 38 minutes 30 seconds West 289.93 feet; thence South 00 degrees 04 minutes 43 seconds East 231.97 feet; thence North 89 degrees 38 minutes 30 seconds East 16.50; thence South 00 degrees 04 minutes 43 seconds East 225.00 feet to the POINT OF BEGINNING, containing 2.956 acres, more or less.