



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 37, 2019

COMMON ADDRESS OF LOTS TO BE REZONED:

Immediately West of 4675 Margaret Avenue, Terre Haute, IN 47803

Current Zoning: O-1 Agriculture
Parcel No. 84-10-06-100-003.000-023

Requested Zoning: C-2 Community Commerce District

Proposed Use: Medical Clinic

Name of Owner: **Patricia R. Newby and Robert E. Newby, wife and husband**

Address of Owner: 1520 S 25TH ST TERRE HAUTE, IN 47803

Phone Number of Owner: 812-232-2000, Tom Newlin, Owner's counsel

Attorney Representing Proposed Purchaser on Owner's behalf: Jeffrey A. Lind

Address of Attorney: 400 Ohio Street, Terre Haute, IN 47807

Phone Number of Attorney: 812-234-5463

For Information Contact: Jeffrey A. Lind, 400 Ohio Street, Terre Haute, IN 47807, 812-234-5463

Council Sponsor: Amy Auler

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

FILED

SEP 26 2019

CITY CLERK

**SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 37, 2019**

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

SECTION 1. BE IT ORDAINED 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:

"That the following described real estate situated in the City of Terre Haute, County of Vigo, State of
Indiana, to-wit:

The East half (E ½) of Seventy-two and 17/100 (72.17) acres in the northwest quarter (NW ¼) of Section Six
(6), Township Eleven (11) North, Range Eight (8) West, such 72.17 acres being all of the said northwest
quarter of said section except Forty-five and 17/100 (45.17) acres off the south side thereof and also except
Twenty-eight (28) acres off the east side of that portion of said quarter section remaining after said 45.17 acres
taken off said south side thereof.

Except that part conveyed to S.J. Groves & Sons Company as shown by Warranty Deed recorded September 2,
1965 at Deed Record 337 Page 453, and more particularly described as follows:
Beginning at a point eight hundred forty and five-tenths (840.5) feet East and seventeen hundred sixty-eight
and eight-tenths (1768.8) feet South of the Northwest corner of said Section Six (6); thence North five hundred
nineteen and three-tenths (519.3) feet more or less to the South right of way line of Interstate Highway
Number Seventy (70) as now located; thence East along said South right of way line eight hundred forty-two
(842) feet; thence South five hundred seventeen and eight-tenths (517.8) feet more or less; thence West eight
hundred forty and five-tenths (840.5) feet to the place of beginning, and containing ten (10) acres, more or less.

Also except that portion platted as Tribune Subdivision, as shown by the recorded plat thereof, recorded
November 26, 1996 at Plat Record 30, page 93, records of the Recorder's Office of Vigo County, Indiana.

Also except that part conveyed to the City of Terre Haute, for the use and benefit of the Board of Public
Works, as shown by Warranty Deed recorded February 18, 2014 at Instrument Number 2014001257, records
of the Recorder's Office of Vigo County, Indiana.

Subject to Right of Way Grant to the State of Indiana as shown by instrument recorded July 10, 1964 at Deed
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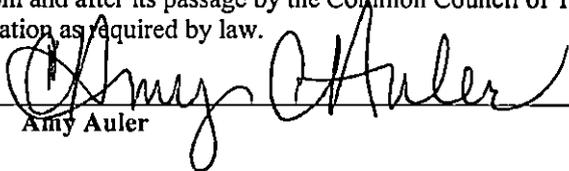
[Lot 1 in Tierra Alta LLC. Subdivision, pending recordation]

Commonly known as: **Immediately West of 4675 Margaret Avenue, Terre Haute, IN 47803, currently
unimproved agricultural**

Be and the same is hereby established as a **C-2 Community Commerce 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, _____


Amy Auler

Passed in Open Council this 7TH day of NOVEMBER, 2019.

ATTEST: Michelle Edwards
Michelle Edwards, City Clerk

Martha Crossen
Martha Crossen-President

Presented by me to the Mayor of the City of Terre Haute this 15TH day of NOVEMBER 2019.

Michelle Edwards
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 15TH day of NOVEMBER, 2019.

ATTEST: Michelle Edwards
Michelle Edwards, City Clerk

Duke Bennett
Duke Bennett, Mayor

This instrument prepared by, and 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:

Jeffrey A. Lind
Jeffrey A. Lind

400 Ohio Street, Terre Haute, IN 47807, 812-234-5463.

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, **Patricia R. Newby and Robert E. Newby, wife and husband**, respectfully submit this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

The East half (E ½) of Seventy-two and 17/100 (72.17) acres in the northwest quarter (NW ¼) of Section Six (6), Township Eleven (11) North, Range Eight (8) West, such 72.17 acres being all of the said northwest quarter of said section except Forty-five and 17/100 (45.17) acres off the south side thereof and also except Twenty-eight (28) acres off the east side of that portion of said quarter section remaining after said 45.17 acres taken off said south side thereof.

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[Lot 1 in Tierra Alta LLC. Subdivision, pending recordation]

Commonly known as: Immediately West of 4675 Margaret Avenue, Terre Haute, IN 47803, currently unimproved agricultural

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 **O-1 Agricultural**.

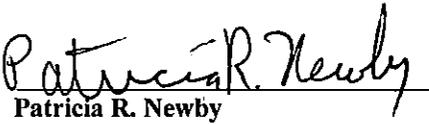
Your petitioner would respectfully state that the real estate is now farmed as agricultural.

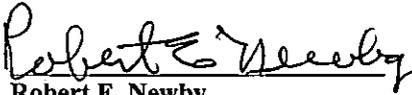
Your petitioner would request that the real estate described herein shall be zoned as a **C-2 Community Commerce District**. Your petitioner would allege that the **C-2 Community Commerce District** would not alter the general characteristics of this neighborhood.

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 **C-2 Community 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 WITNES WHEREOF, This petition has been duly executed this 23rd day of September, 2019.


Patricia R. Newby

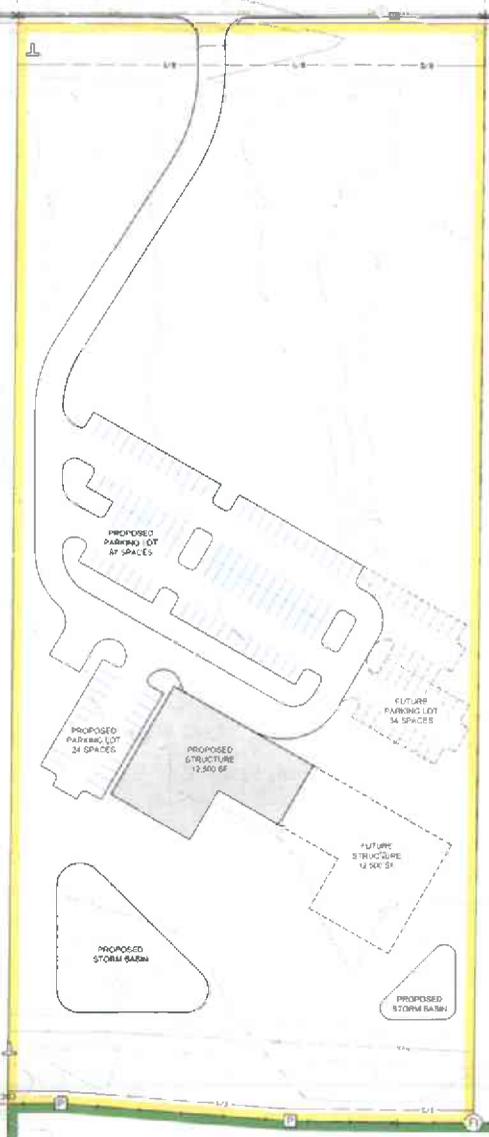

Robert E. Newby

**PETITIONERS: Patricia R. Newby and Robert E. Newby, wife and husband, 1520 S 25TH ST
TERRE HAUTE, IN 47803**

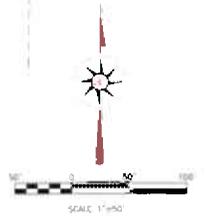
This instrument was prepared by Jeffrey A. Lind, 400 Ohio Street, Terre Haute, IN 47807, 812-234-5463.

Tierra Alta LLC. Subdivision

Section 6 Township 11 North, Range 8 West of the Second Principal Meridian,
Riley Township, City of Terre Haute, Vigo County, Indiana



**PRELIMINARY
NOT FOR
CONSTRUCTION
9/19/2019**



East Margaret Avenue

PROJECT: Tierra Alta LLC. PROJECT LOCATION: Riley Township, Vigo County, Indiana

PRELIMINARY SITE PLAN

DESIGNED BY	DATE	REVISIONS
DRAWN BY	DATE	REVISIONS
CHECKED BY	DATE	REVISIONS
APPROVED BY	DATE	REVISIONS
SCALE	DRAWING NUMBER	SHEET NUMBER

DO NOT SCALE FROM SHEET C1.0



The presence of underground utilities at other locations may be indicated on other sheets of this plan. It is the responsibility of the contractor to locate all utilities before excavation. The contractor shall be responsible for obtaining all necessary permits and for the safety of all workers and the public. The contractor shall be responsible for the protection of all existing utilities and structures. The contractor shall be responsible for the removal of all debris and materials from the site. The contractor shall be responsible for the restoration of the site to its original condition. The contractor shall be responsible for the payment of all taxes and fees. The contractor shall be responsible for the completion of all work within the specified time frame. The contractor shall be responsible for the maintenance of all records and documents. The contractor shall be responsible for the compliance with all applicable laws and regulations. The contractor shall be responsible for the safety of all workers and the public. The contractor shall be responsible for the protection of all existing utilities and structures. The contractor shall be responsible for the removal of all debris and materials from the site. The contractor shall be responsible for the restoration of the site to its original condition. The contractor shall be responsible for the payment of all taxes and fees. The contractor shall be responsible for the completion of all work within the specified time frame. The contractor shall be responsible for the maintenance of all records and documents. The contractor shall be responsible for the compliance with all applicable laws and regulations.

SCALE: 1"=50'

AFFIDAVIT OF Patricia R. Newby and Robert E. Newby, wife and husband

COMES NOW affiants **Patricia R. Newby and Robert E. Newby** and affirm under penalty of law that affiants are the owners of record of the property located **Immediately West of 4675 Margaret Avenue, Terre Haute, IN 47803** for which a rezoning is requested and hereto copies of the deeds are attached evidencing such ownership.

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

Patricia R. Newby
Patricia R. Newby

Robert E. Newby
Robert E. Newby

STATE OF Indiana)
COUNTY OF Vigo) SS:

Personally appeared before me, a Notary Public in and for said County and State, **Patricia R. Newby**, who acknowledges the execution of the above and foregoing, after being duly sworn upon her oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 3rd day of October, 2019.

Notary Public: Julia Ann Davis
Julia Ann Davis Printed name

My Commission Expires: 7-31-2023
My Commission #: 670900

My County Of Residence: Clay

STATE OF Indiana)
COUNTY OF Vigo) SS:

Personally appeared before me, a Notary Public in and for said County and State, **Robert E. Newby**, 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 3rd day of October, 2019.

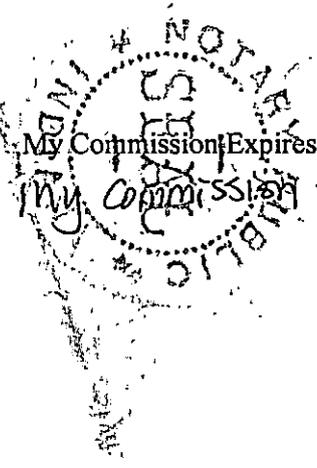
Notary Public: Julia Ann Davis
Julia Ann Davis

Printed name

My Commission Expires: 7-31-2023

My County Of Residence: Clay

My Commission # : 670900



93-101 2007

278

Duly entered for taxation this 29 day of Feb 19 88

Received for record this 29 day of Feb 19 88 at 12:00

Quit Claim Deed

Auditor No 1
Wm Paul Houston

Book M. and recorded in Book No 413 Page 218
J. J. Anderson

Auditor: Vigo County THIS INDENTURE WITNESSETH:

Recorder: Vigo County

That Patricia R. Newby

of Vigo County, in the State of Indiana

RELEASE AND QUIT CLAIM to Patricia R. Newby and Robert E. Newby wife and husband

of Vigo County, in the State of Indiana

for and in consideration of the sum of \$1000.00 Consideration Dollars the receipt whereof is hereby acknowledged the following described Real Estate in Vigo County in the State of Indiana, to-wit:

That part of the following described tract lying north of the north right-of-way of Highway I-70: The East half of 72 17/100 acres more or less in the Northwest corner of the Northwest Quarter of Section 6 Township 11 north, Range 8 west being all that part of 99 17/100 acres off the Northside of the Northwest quarter of Section 6, Township 11 north, Range 8 west, except 28 acres off the East end of said 99 17/100 acres

IN WITNESS WHEREOF, The said Patricia R. Newby

has hereunto set her hand and seal, this 29 day of February 19 88
Patricia R. Newby (Seal)
Patricia R. Newby (Seal)

STATE OF INDIANA, Vigo COUNTY, ss:

Before me, the undersigned, a Notary Public, in and for said County and State, this 29 day of February 19 88, personally appeared the within named Patricia R. Newby

Grantor

In the above, on Oath, and acknowledged the execution of the same to be her voluntary act and deed.
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.
Commission expires 10/13/ 91
Colleen A. Wolford
Colleen A. Wolford Notary Public
Resident: Vigo Co.

This instrument prepared by Patricia R. Newby

Receipt

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

Date: September 26th 2019

Name: Robert & Patricia Newby

Reason: Rezoning - Notice of filing \$ 25.00

Rezoning - Petition \$ 20.00
45.00

Cash: _____

Check: \$45.00 CK-5033

Credit: _____

Total: \$45.00

TERRE HAUTE, IN
PAID

SEP 28 2019

CONTROLLER

Received By: G. Ellis/DP



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: November 7, 2019

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER 37-19,

CERTIFICATION DATE: November 6, 2019

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. 37-19. This Ordinance is a rezoning of the property located immediately West of 4675 E. Margaret Drive, Terre Haute, IN. The Petitioner, Patricia & Robert Newby, petitions the Plan Commission to rezone said real estate from zoning classification O-1 to C-2, Community Commerce District to sell the property for development of a Medical Clinic. 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. 37-19 at a public meeting and hearing held Wednesday, November 6, 2019. 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. 37-19 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 37-19 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. 37-19 was
FAVORABLE WITH THE FOLLOWING CONDITIONS:

1. Approval of the major subdivision.
2. Approval of a site plan by City Engineering.



Handwritten signature of Fred L. Wilson.

Fred L. Wilson, President

Handwritten signature of Jared Bayler.

Jared Bayler, Executive Director

Received this 7th day of November, 2019

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 37-19
Date: November 2019

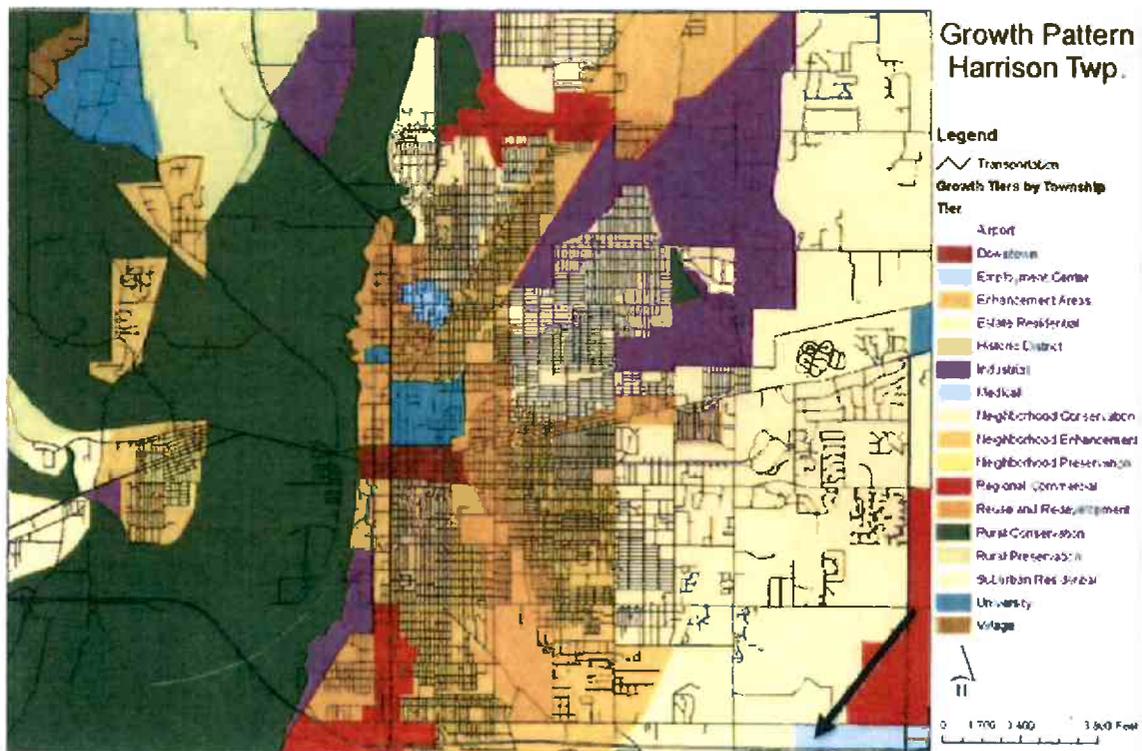
Doc: # 66
Page 1 of 3

APPLICATION INFORMATION

Property Owner: Patricia & Robert Newby, Wife & Husband
Representative: Jeffrey Lind
Proposed Use: Medical Clinic
Proposed Zoning: C-2, Community Commerce District
Current Zoning: O-1, Agricultural District
Location: The property is immediately west of 4675 E. Margaret Drive
Parcel #: 84-10-06-100-003.000-023

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute/Terre Haute Riley



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 37-19
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Doc: # 66
Page 2 of 3

Employment Centers

These areas are to be developed as high intensity, mixed-use, planned corporate business parks. Employment Centers may include a wide diversity of use activities including research and development, office buildings, corporate headquarters or corporate “campus” facilities, office/distribution facilities – so called “flex space” and institutional uses. In addition to these primary uses, complementary, secondary or ancillary activities should be encouraged on a limited basis. These may include day care centers. Business support services like print services or computer service bureaus, and limited retail commercial activities such as restaurants, designed to use by employees and open space recreational amenities. Employment Centers should be developed under a master development plan which provide landscape, lighting, architectural controls, internal vehicular and pedestrian circulation plans, controlled access parking and loading facilities, common area lighting and standardized signage. Additionally, these areas should offer the protection of performance standards with respect to noise, vibration and environmental quality

Available Services: Area is well served by utilities.

Street Access: E. Margaret Drive

ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – O-1
East – C-3
South – 1-70 Corridor
West – O-1

ZONING REGULATIONS

C-2 Purpose: The Community Commerce Zone is designed for the residents of the nearby community consisting of more than one (1) of the neighborhoods in that section of the city, so as to permit a wider variety of both business uses and services. It is designed not for an abutting neighborhood, but for a relatively larger consumer population for both daily and occasional shopping. The development is characterized by a lack of “comparison shopping” and is limited to providing only one (1) store for each type of business.

C-2 Uses: Amusement establishments, bowling alleys, pool halls, swimming pools, dance halls, and skating rinks, Any use permitted in the C-1 Zone except as otherwise provided in this Chapter, Antique shops, Art galleries, but not including auction rooms, Banks and financial institutions, Bicycle sales, rental, and repair stores, Blue-printing and photostatting

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 37-19
Date: November 2019

Doc: # 66
Page 3 of 3

establishments, Books and stationery stores, Camera and photographic supply stores, Candy and ice cream stores, Leather goods and luggage stores, Loan offices, Locksmith shops, Medical and dental clinics, Meeting halls, Millinery shops, Municipal or privately-owned recreation buildings or community-center, Musical instrument sales and repair, Newspaper distributors for home delivery and retail sale, Office supply stores, Offices, business and professional, Optometrists, Paint and wallpaper stores, 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), Live entertainment. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07)

C-2 Standards: Minimum Lot Size: 3,300 Sq. Ft.

FINDINGS and RECOMMENDATION

Staff Findings: The petitioner has requested rezoning to allow the development of a medical clinic.

Once again we see commercial development pushing west along E. Margaret Dr. This area is identified by the comprehensive plan as an employment center. As such any proposed project that will create employment should be supported.

A subdivision of the property accompanies this rezone petition.

The site plan appears to meet code however review of a detailed plan must be approved by City Engineering.

Recommendation: Favorable recommendation with the following conditions:

1. Approval of the major subdivision
2. Approval of a site plan by City Engineering.



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

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Phone Number of Owner: 812-232-2000, Tom Newlin, Owner's counsel

Attorney Representing Proposed Purchaser on Owner's behalf: Jeffrey A. Lind

Address of Attorney: 400 Ohio Street, Terre Haute, IN 47807

Phone Number of Attorney: 812-234-5463

For Information Contact: Jeffrey A. Lind, 400 Ohio Street, Terre Haute, IN 47807, 812-234-5463

Council Sponsor: Amy Auler

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

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"Comprehensive Zoning Ordinance for Terre Haute Indiana."

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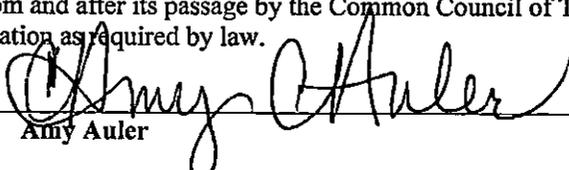
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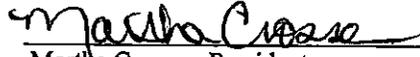
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Presented by Council Member,


Amy Auler

Passed in Open Council this _____ day of _____, 2019.



Martha Crossen-President

ATTEST: _____

Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this _____ day of _____ 2019.

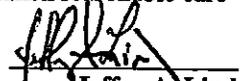
Michelle Edwards, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2019.

Duke Bennett, Mayor

ATTEST: _____
Michelle Edwards, City Clerk

This instrument prepared by, and 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:



Jeffrey A. Lind

400 Ohio Street, Terre Haute, IN 47807, 812-234-5463.

PETITION TO REZONE REAL PROPERTY

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

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LADIES AND GENTLEMAN:

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The East half (E ½) of Seventy-two and 17/100 (72.17) acres in the northwest quarter (NW ¼) of Section Six (6), Township Eleven (11) North, Range Eight (8) West, such 72.17 acres being all of the said northwest quarter of said section except Forty-five and 17/100 (45.17) acres off the south side thereof and also except Twenty-eight (28) acres off the east side of that portion of said quarter section remaining after said 45.17 acres taken off said south side thereof.

Except that part conveyed to S.J. Groves & Sons Company as shown by Warranty Deed recorded September 2, 1965 at Deed Record 337 Page 453, and more particularly described as follows:
Beginning at a point eight hundred forty and five-tenths (840.5) feet East and seventeen hundred sixty-eight and eight-tenths (1768.8) feet South of the Northwest corner of said Section Six (6); thence North five hundred nineteen and three-tenths (519.3) feet more or less to the South right of way line of Interstate Highway Number Seventy (70) as now located; thence East along said South right of way line eight hundred forty-two (842) feet; thence South five hundred seventeen and eight-tenths (517.8) feet more or less; thence West eight hundred forty and five-tenths (840.5) feet to the place of beginning, and containing ten (10) acres, more or less.

Also except that portion platted as Tribune Subdivision, as shown by the recorded plat thereof, recorded November 26, 1996 at Plat Record 30, page 93, records of the Recorder's Office of Vigo County, Indiana.

Also except that part conveyed to the City of Terre Haute, for the use and benefit of the Board of Public Works, as shown by Warranty Deed recorded February 18, 2014 at Instrument Number 2014001257, records of the Recorder's Office of Vigo County, Indiana.

Subject to Right of Way Grant to the State of Indiana as shown by instrument recorded July 10, 1964 at Deed Record 334 Page 378, records of the Recorder's Office of Vigo County, Indiana.

[Lot 1 in Tierra Alta LLC. Subdivision, pending recordation]

Commonly known as: Immediately West of 4675 Margaret Avenue, Terre Haute, IN 47803, currently unimproved agricultural

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 **O-1 Agricultural**.

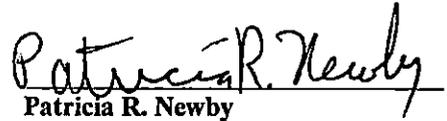
Your petitioner would respectfully state that the real estate is now farmed as agricultural.

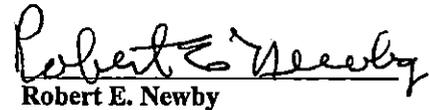
Your petitioner would request that the real estate described herein shall be zoned as a **C-2 Community Commerce District**. Your petitioner would allege that the **C-2 Community Commerce District** would not alter the general characteristics of this neighborhood.

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 C-2 Community 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 WITNES WHEREOF, This petition has been duly executed this 23rd day of September, 2019.


Patricia R. Newby


Robert E. Newby

**PETITIONERS: Patricia R. Newby and Robert E. Newby, wife and husband, 1520 S 25TH ST
TERRE HAUTE, IN 47803**

This instrument was prepared by Jeffrey A. Lind, 400 Ohio Street, Terre Haute, IN 47807, 812-234-5463.

AFFIDAVIT OF Patricia R. Newby and Robert E. Newby, wife and husband

COMES NOW affiants **Patricia R. Newby and Robert E. Newby** and affirm under penalty of law that affiants are the owners of record of the property located **Immediately West of 4675 Margaret Avenue, Terre Haute, IN 47803** for which a rezoning is requested and hereto copies of the deeds are attached evidencing such ownership.

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

Patricia R. Newby
Patricia R. Newby

Robert E. Newby
Robert E. Newby

STATE OF Indiana)
COUNTY OF Vigo) SS:

Personally appeared before me, a Notary Public in and for said County and State, **Patricia R. Newby**, who acknowledges the execution of the above and foregoing, after being duly sworn upon her oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 3rd day of October, 2019.

Notary Public: Judith Ann Davis
Judith Ann DAVIS

Printed name

My Commission Expires: 7-31-2023
My Commission #: 670900

My County Of Residence: Clay

STATE OF Indiana)
COUNTY OF Vigo) SS:

Personally appeared before me, a Notary Public in and for said County and State, **Robert E. Newby**, 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 3rd day of October, 2019.

Notary Public: Julia Ann Davis

Julia Ann Davis

Printed name

My Commission Expires: 7-31-2023

My County Of Residence: Clay

My Commission #: 670900



93-101 2007

278

Duly entered for taxation this

29

Received for record this

29

day of

Quit Claim Deed

February 10 1988

Auditor Paul Newton

Book 113 Page 218
Patricia R. Newby

Auditor Paul Newton County Vigo THIS INDENTURE WITNESSETH:

Recorder Patricia R. Newby County Vigo

That Patricia R. Newby

County, in the State of Indiana
RELEASE AND QUIT CLAIM to Patricia R. Newby and Robert C. Newby
wife and husband

of Vigo County, in the State of Indiana
for and in consideration of the sum of Consideration Dollars,
the receipt whereof is hereby acknowledged the following described Real Estate in Vigo
County in the State of Indiana, to-wit:

That part of the following described tract
lying north of the north right of way of
Highway I-70; The East half of 72 17/100 acres
more or less in the Northwest corner of the Northwest
Quarter of Section 6, Township 11 north, Range 8 west
being all that part of 99 17/100 acres off the
Northside of the Northwest quarter of Section 6,
Township 11 north, Range 8 west, except 28 acres
off the East end of said 99 17/100 acres

IN WITNESS WHEREOF, The said Patricia R. Newby

has hereunto set her hand and seal, this 29 day of February 19 88
Patricia R. Newby (Seal) _____ (Seal)
Patricia R. Newby (Seal) _____ (Seal)
_____ (Seal) _____ (Seal)

STATE OF INDIANA Vigo COUNTY, ss:
Before me, the undersigned, a Notary Public, in and for said County and State, this 29 day of
February 19 88 personally appeared the within named Patricia R. Newby
Newby Grantor

In the above mentioned and acknowledged the execution of the same to be her voluntary act and deed.
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.
Commission expires 10/13/91
Colleen A. Wolford Notary Public
Mall to Patricia R. Newby

This instrument prepared by Patricia R. Newby