

**SPECIAL ORDINANCE NO. 39, 2019**

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

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Common Address of lots to be rezoned:

2020 E. Voorhees Street, Terre Haute, IN 47802

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Rezoned From: R-1 Single Family Residence District

Rezoned To: R-2 Two Family Residential District

Proposed Use: Duplex

Name of Owners: Todd C. Noel

Address of Owners: 3637 Autumn Ridge Rd  
Terre Haute, IN 47802

Phone Number of Owners: 812-201-3302

Attorney Representing Owners: N/A

Address of Attorney:

For Information Contact:  Owner  Attorney

Council Sponsor: Amy Auler

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

FILED

OCT - 2 2019

**SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 39, 2019**

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 ORDANED 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:

Commencing at a point 17 feet east and 25 feet north of the southwest corner of the northwest quarter of Section 25, Township 12 North, Range 9 West; thence east and parallel to the south line of said northwest quarter a distance of 133 feet, thence northwardly and parallel to the west line of said northwest quarter a distance 171.75 feet; thence westwardly and parallel to the south line of said northwest quarter a distance of 133 feet; thence southwardly and parallel to the west line of said northwest quarter a distance of 171.75 feet to the place of beginning.

ALSO

All of their right, title and interest in the following described tract lying immediately East of the above described tract:  
Commencing at a point 306 feet east and 25 feet north of the southwest corner of the northwest quarter of Section 35, Township 12 North, Range 9 West; thence east and parallel to the south line of said Northwest quarter a distance of 25 feet; thence northwardly and parallel to the west line of said Northwest quarter a distance of 171.75 feet; thence westwardly and parallel to the south line of said Northwest quarter a distance of 25 feet; thence southwardly and parallel to the west line of said Northwest quarter a distance of 171.75 feet to the place of beginning.

ALSO

All of their right, title, and interest in the following described tract lying immediately West of the above described tract:  
Commencing at a point 173 feet East and 25 feet North of Southwest corner of the Northwest quarter of Section 35, Township 12, Range 9 West; thence west and parallel to the south line of said Northwest quarter a distance of 7 ½ feet to a point on east boundary line of land conveyed to Robert W. Axe and Margareta Axe, husband and wife, by deed dated November 1, 1961, and recorded in Deed Record 326, page 36, records of the Recorder of Vigo County, Indiana; thence northwardly and parallel to the West line of said Northwest quarter a distance of 171.75 feet; thence

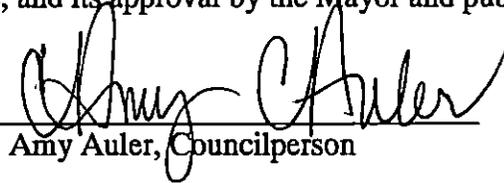
east and parallel to the south line of said Northwest quarter a distance of 7 ½ feet to the northwest corner of the tract of land first described in this deed; thence southwardly and parallel to the West line of said Northwest quarter a distance of 171.75 feet to the place of beginning.

Commonly known as: 2020 E. Voorhees St., Terre Haute, IN 47802.

Be and the same is hereby established as an R-2 Two Family Residential 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, Councilperson

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 of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_, 2019.

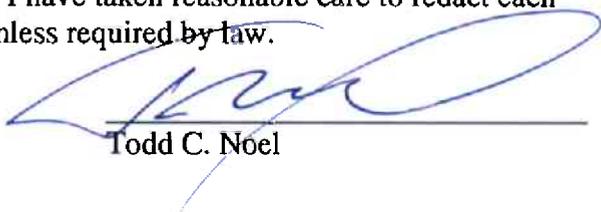
\_\_\_\_\_  
Duke A. Bennett, Mayor

ATTEST:

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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.

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Todd C. Noel

**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, Todd C. Noel, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Commencing at a point 17 feet east and 25 feet north of the southwest corner of the northwest quarter of Section 25, Township 12 North, Range 9 West; thence east and parallel to the south line of said northwest quarter a distance of 133 feet, thence northwardly and parallel to the west line of said northwest quarter a distance 171.75 feet; thence westwardly and parallel to the south line of said northwest quarter a distance of 133 feet; thence southwardly and parallel to the west line of said northwest quarter a distance of 171.75 feet to the place of beginning.

**ALSO**

All of their right, title and interest in the following described tract lying immediately East of the above described tract:

Commencing at a point 306 feet east and 25 feet north of the southwest corner of the northwest quarter of Section 35, Township 12 North, Range 9 West; thence east and parallel to the south line of said Northwest quarter a distance of 25 feet; thence northwardly and parallel to the west line of said Northwest quarter a distance of 171.75 feet; thence westwardly and parallel to the south line of said Northwest quarter a distance of 25 feet; thence southwardly and parallel to the west line of said Northwest quarter a distance of 171.75 feet to the place of beginning.

**ALSO**

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the Recorder of Vigo County, Indiana; thence northwardly and parallel to the West line of said Northwest quarter a distance of 171.75 feet; thence east and parallel to the south line of said Northwest quarter a distance of 7 ½ feet to the northwest corner of the tract of land first described in this deed; thence southwardly and parallel to the West line of said Northwest quarter a distance of 171.75 feet to the place of beginning.

Commonly known as: 2020 E. Voorhees St., Terre Haute, IN 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-1 Single Family Residence District.

Your Petitioner intends to build a duplex. Your Petitioner would request that the real estate described herein shall be zoned as an R-2 Two Family Residential District.

Your Petitioner would allege that the Neighborhood Commerce District would not alter the general characteristics of this neighborhood since the neighborhood is in a mixed use 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 Terre Haute, Indiana," and declaring the above-described real estate to be part of the an R-2 Two Family Residential 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 2 day of OCTOBER, 2019.

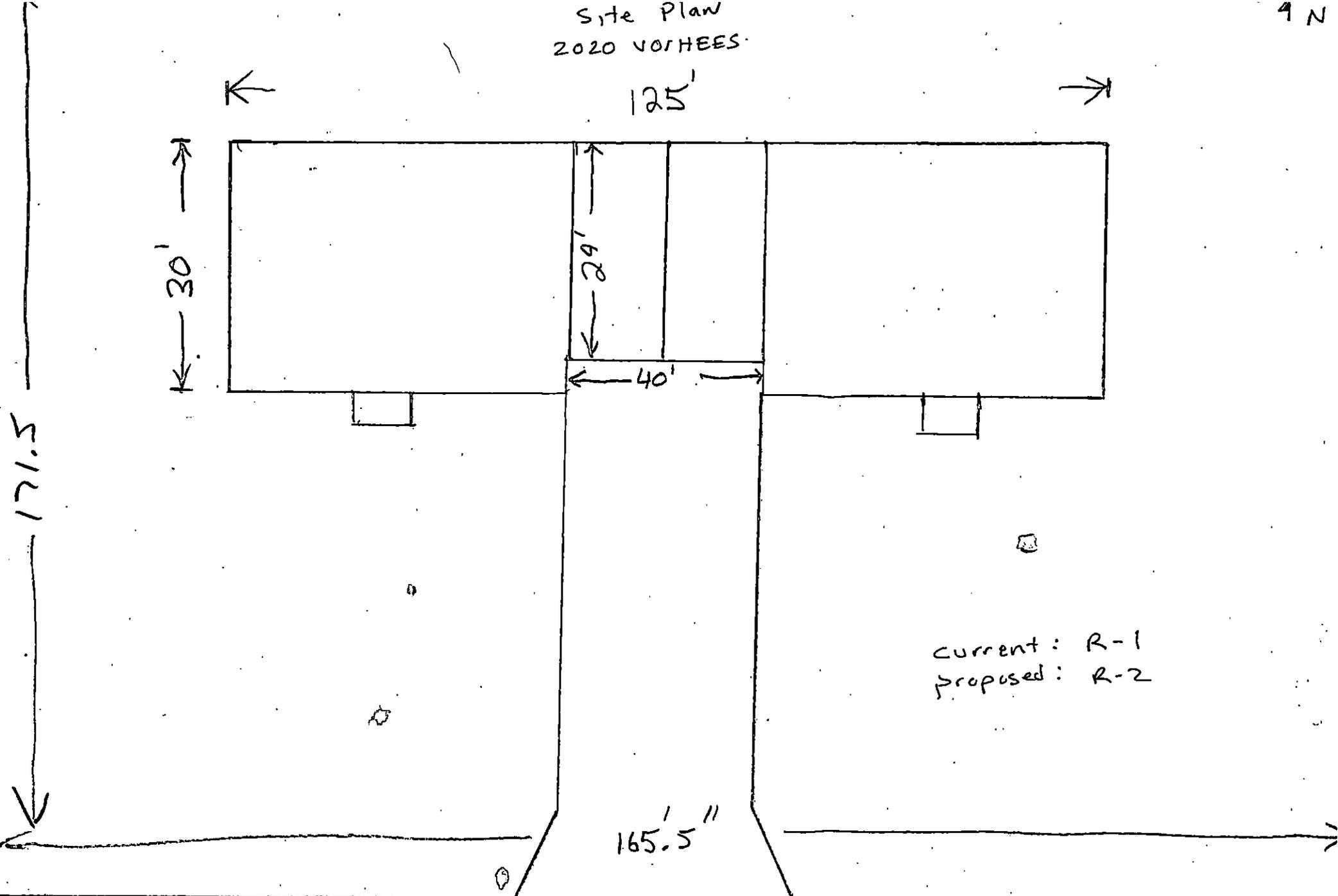
**PETITIONER:**

By: 

Todd C. Noel

Site Plan  
2020 VORHEES

4 N



Vorhees ST.

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF VIGO         )

**AFFIDAVIT**

Comes now, Todd C. Noel, being duly sworn upon his oath, deposes and says:

1. That Todd C. Noel 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:

Commencing at a point 17 feet east and 25 feet north of the southwest corner of the northwest quarter of Section 25, Township 12 North, Range 9 West; thence east and parallel to the south line of said northwest quarter a distance of 133 feet, thence northwardly and parallel to the west line of said northwest quarter a distance 171.75 feet; thence westwardly and parallel to the south line of said northwest quarter a distance of 133 feet; thence southwardly and parallel to the west line of said northwest quarter a distance of 171.75 feet to the place of beginning.

ALSO

All of their right, title and interest in the following described tract lying immediately East of the above described tract:  
Commencing at a point 306 feet east and 25 feet north of the southwest corner of the northwest quarter of Section 35, Township 12 North, Range 9 West; thence east and parallel to the south line of said Northwest quarter a distance of 25 feet; thence northwardly and parallel to the west line of said Northwest quarter a distance of 171.75 feet; thence westwardly and parallel to the south line of said Northwest quarter a distance of 25 feet; thence southwardly and parallel to the west line of said Northwest quarter a distance of 171.75 feet to the place of beginning.

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Commencing at a point 173 feet East and 25 feet North of Southwest corner of the Northwest quarter of Section 35, Township 12, Range 9 West; thence west and parallel to the south line of said Northwest quarter a distance of 7 ½ feet to a point on east boundary line of land conveyed to Robert W. Axe and Margareta Axe, husband and wife, by deed dated November 1, 1961, and recorded in Deed Record 326, page 36, records of the Recorder of Vigo County, Indiana; thence northwardly and parallel to



ENTERED FOR TAXATION  
Subject to final acceptance for Transfer:

2019009837 WD \$25.00  
09/17/2019 02:29:48P 2 PGS  
Stacey Todd  
VIGO County Recorder IN  
Recorded as Presented  


SEP 17 2019

  
VIGO COUNTY AUDITOR

## WARRANTY DEED

THIS INDENTURE WITNESSETH that Terry Ralph Tevlin, "Grantor" of the State of Indiana, CONVEYS, GRANTS, AND WARRANTS to Todd C. Noel, "Grantee" of the State of Indiana, for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described real estate in Vigo County in the State of Indiana, to-wit:

Commencing at a point 173 feet east and 25 feet north of the southwest corner of the northwest quarter of Section 35, Township 12 North, Range 9 west; thence east and parallel to the south line of said northwest quarter a distance of 133 feet, thence northwardly and parallel to the west line of said northwest quarter a distance of 171.75 feet; thence westwardly and parallel to the south line of said northwest quarter a distance of 133 feet; thence southwardly and parallel to the west line of said northwest quarter a distance of 171.75 feet to the place of beginning.

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ALSO

All of their right, title, and interest in the following described tract lying immediately West of the above described tract:

Commencing at a point 173 feet East and 25 feet North of the Southwest corner of the Northwest quarter of Section 35, Township 12 North, Range 9 West; thence west and parallel to the south line of said Northwest quarter a distance of 7 1/2 feet to a point on east boundary line of land conveyed to Robert E. Axe and Margareta Axe, husband and wife, by deed dated November 1, 1961, and recorded in Deed Record 326, page 36, records of the Recorder of Vigo County, Indiana; thence northwardly and parallel to the West line of said Northwest quarter a distance of 171.75 feet; thence east and parallel to the south line of said Northwest quarter a distance of 7 1/2 feet to the northwest corner of the tract of land first described in this deed; thence southwardly and parallel to the West line of said Northwest quarter a distance of 171.75 feet to the place of beginning.

This conveyance is subject to rights acquired by the Kentucky Natural Gas Company as set forth in agreement recorded in Miscellaneous Record 62, page 478, and

Also subject to right of way granted to Terre Haute Gas Corporation as shown in Deed Record 340, page 784.

Commonly known as: 2020 E. Voorhees St., Terre Haute, IN 47802

Subject to any and all covenants, conditions, restrictions, ordinances, by-laws, easements, leases and other matters of record affecting title to the subject real estate, as well as rights of way for drainage tiles, ditches, feeders and laterals, if any.

Taxes shall be prorated to the date of this deed.

DATED this 16 day of September, 2019.

Terry Ralph Tevlin  
Terry Ralph Tevlin

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF VIGO     )

Before me, the undersigned, a Notary Public in and for said County and State, this 16 day of September, 2019, personally appeared Terry Ralph Tevlin, and acknowledged the execution of the foregoing deed.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:  
8-3-26

Amber S. Stark  
Notary Public  
Printed: Amber S. Stark  
Residing in Vigo County

Mail Tax Statements To Grantee at: 3637 Autumn Ridge Rd. Terre Haute, IN 47802

Mail Deed To: Integrity Title Services, 1532 Wabash Ave., Terre Haute, IN 47807

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.

Amber S. Stark

This instrument was prepared by: John Gurchiek of GURCHIEK LAW, INC., P.O. Box 6327, Fishers, IN 46038, at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of this instrument.  
CMT: 19 0950

**Receipt**

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

Date: 10/2/2019

Name: Todd Noel

Reason: Re-zoning- Notice of filing 25  
Re zoning - petition 20

\$ 45

TERRE HAUTE, IN  
PAID

Cash: \_\_\_\_\_

Check: 45<sup>00</sup> - # 009981

Credit: \_\_\_\_\_

Total: 45<sup>00</sup>

OCT 02 2019

**CONTROLLER**

Received By: J. Ellis / H/P