



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

**SPECIAL ORDINANCE NO. #46**

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COMMON ADDRESS OF LOTS TO BE REZONED: 916 Kussner St Terre Haute, IN 47802

Parcel Number: 84-06-34-307-010.000-002

Current Zoning: R-1 Single-Family Residence District

Requested Zoning: R-3 General Residence District

Proposed Use: Same as current, residential. No building or construction required.

Name of Owner: Wires Only LLC – Ethan Whitaker, Member

Address of Owner: 3841 S Randolph St Indianapolis, IN 46227

Phone Number of Owner: 812-720-0123

Attorney Representing Owner (if any): \_\_\_\_\_

Address of Attorney: \_\_\_\_\_

Phone Number of Attorney: \_\_\_\_\_

For Information Contact: Ethan Whitaker 812-720-0123 OR Zach Hoereth 317-518-488

Council Sponsor: Curtis DeBaun

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

**FILED**

DEC 01 2021

**SPECIAL ORDINANCE FOR A REZONING**  
**SPECIAL ORDINANCE NO. 46, 20 21**

**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:

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

**(Lot Numbered One Hundred Twelve (112) in Stewart Place Subdivision, as per plat  
 thereof, recorded in Plat Book g, Page 25, being a Subdivision of Lots 1,2,3, 4, 5, 11, 13,  
 14 and a part of Lot 12 in William H. Stewart's Subdivision, as appears on the recorded  
 plat thereof, recorded in Plat Book 14, Page 27, in Vigo County, Indiana.)**

Commonly known as: **916 Kussner St, Terre Haute, Vigo County Indiana 47802**

Be and the same is hereby established as a **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, Curtis DeBaun (Curtis DeBaun)

Passed in Open Council this 10 day of February, 2022

ATTEST: Michelle L Edwards Cheryl Loudermilk  
 Michelle Edwards, City Clerk Cheryl Loudermilk -President

Presented by me to the Mayor of the City of Terre Haute this 11<sup>th</sup> day of February 2022

Michelle L Edwards  
 Michelle Edwards, City Clerk

Approved by me, the Mayor, this 11<sup>th</sup> day of FEBRUARY, 2022

ATTEST: Michelle L Edwards Duke A Bennett  
 Michelle Edwards, City Clerk Duke A. Bennett, Mayor

This instrument prepared by: (Ethan Whitaker, 3841 S Randolph St Indianapolis, IN 46227, 812-720-0123)

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.

DocuSigned by:  
Ethan Whitaker  
 Ethan Whitaker

11/30/2021

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, **Ethan Whitaker, member of, Wires Only LLC**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

**(Lot Numbered One Hundred Twelve (112) in Stewart Place Subdivision, as per plat thereof, recorded in Plat Book g, Page 25, being a Subdivision of Lots 1,2,3, 4, 5, 11, 13, 14 and a part of Lot 12 in William H. Stewart's Subdivision, as appears on the recorded plat thereof, recorded in Plat Book 14, Page 27, in Vigo County, Indiana.)**

Commonly known as: **916 Kussner St, 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-1 Single-Family Residence District**.


Your petitioner would respectfully state that the real estate is now a **residential dwelling**. Your petitioner intends to use the real estate as **three residential units**.

Your petitioner would request that the real estate described herein shall be zoned as a **R-3 General Residence District**. Your petitioner would allege that the **R-3 General Residence 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 **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 WITNES WHEREOF, This petition has been duly executed this 29 day of November, 2021.

BY:    
 DocuSigned by  
Ethan Whitaker  
CL/FACE/0917406  
**(Ethan Whitaker – Wires Only LLC)**

PETITIONER: **Ethan Whitaker, Member of Wires Only LLC, 3841 S Randolph St Indianapolis, In 46227**

This instrument was prepared by **Ethan Whitaker, 3841 S Randolph St Indianapolis, IN 46227, 812-720-0123**



**AFFIDAVIT OF:**

COMES NOW affiant Ethan Whitaker

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

at 916 Kussner St 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.

Ethan Whitaker  
[Wires Only LLC – Ethan Whitaker, Member]

SIGNATURE: [Signature]

SIGNATURE: \_\_\_\_\_

STATE OF INDIANA)  
SS: (COUNTY OF VIGO)



Personally appeared before me, a Notary Public in and for  
said County and State, Vigo, Indiana

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 29th day of November, 2021.

Notary Public:  
Stephanie Stephens  
[Typed name] Stephanie Stephens

My Commission Expires: 1/24/25

My County Of Residence: Vigo



2020015952 DEED \$25.00  
12/04/2020 10:22:19AM 4 PGS  
Stacey M. Todd  
Vigo County Recorder IN  
Recorded as Presented



**LIMITED LIABILITY PARTNERSHIP WARRANTY DEED**

THIS INDENTURE WITNESSETH, That **CHERRY WALKUP, LLP** (Grantor) CONVEYS AND WARRANTS to **WIRES ONLY LLC** (Grantee), for the sum of Ten and No/100---Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Vigo County, in the State of Indiana:

Lot Numbered One Hundred Twelve (112) in Stewart Place Subdivision, as per plat thereof, recorded in Plat Book 9, Page 25, being a Subdivision of Lots 1, 2, 3, 4, 5, 11, 13, 14 and a part of Lot 12 in William H. Stewart's Subdivision, as appears on the recorded plat thereof, recorded in Plat Book 14, Page 27, in Vigo County, Indiana.

Grantor further certifies that there is no Gross Income Tax due the State of Indiana currently in respect to this conveyance.

Subject to current real estate property taxes and assessments not delinquent and subject to real estate property taxes and assessments payable thereafter.

Taxing Unit: Harrison Township.  
Tax Identification No.: 118-06-34-307-010 / 84-06-34-307-010.000-002.

Subject to easements, restrictions, covenants, rights-of-way, and agreements of record.

The address of such real estate is commonly known as 916 Kussner Street, Terre Haute, Indiana 47802.

The undersigned person(s) executing this deed on behalf of Grantor represent(s) and certifies/certify that she/he/they is/are (a) duly elected officer(s) of Grantor and/or has/have been fully empowered, by proper entity resolution of Grantor, to execute and deliver this Deed; that Grantor has full entity capacity to convey the real estate described herein; and that all necessary entity action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has executed this Deed this 1st day of December, 2020.

Signature page to follow next

[the remainder of this page intentionally left blank]

**GRANTOR:**  
**CHERRY WALKUP, LLP**

By Paula E. Walkup Partner  
Signature Title

By X  
Signature Title

By X  
Signature Title

By X  
Signature Title

**EXECUTED AND DELIVERED in my presence:**

Stacey Lynn  
Witness Signature

Stacey Lynn  
Witness Printed Name

STATE OF INDIANA )  
COUNTY OF Johnson ) SS:

Before me, a Notary Public in and for said County and State, personally appeared Paula E. Walkup, as Partner, and X, as X, respectively, of and

for and on behalf of **CHERRY WALKUP, LLP**, who acknowledged the execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 1st day of December, 2020.

My Commission Expires:

9/21/2023

Signature

Matt J Smith

Printed

Matt J Smith

Notary Public

Residing in Johnson County, State of Indiana.



STATE OF INDIANA )

COUNTY OF )

Johnson

) SS:

Before me, a Notary Public in and for said County and State, personally appeared Stacey Lyon [Witness's Name], being known or proved to me to be the person whose name is subscribed as a witness to the foregoing instrument, who, being duly sworn by me, deposes and says that the foregoing instrument was executed and delivered by Paula E Walkup, as Partner, and X, as X, respectively, of and for and on behalf of **CHERRY WALKUP, LLP**, in the above-named subscribing witness's presence, and that the above-named subscribing witness is not a party to the transaction



described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

Witness my hand and Notarial Seal this 1st day of December, 2020.

My Commission Expires:

9/21/2023

Signature

Matt J. Smith

Printed

Matt J. Smith

Notary Public

Residing in Johnson County, State of Indiana.



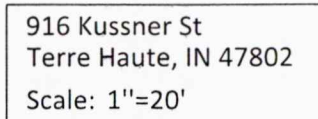
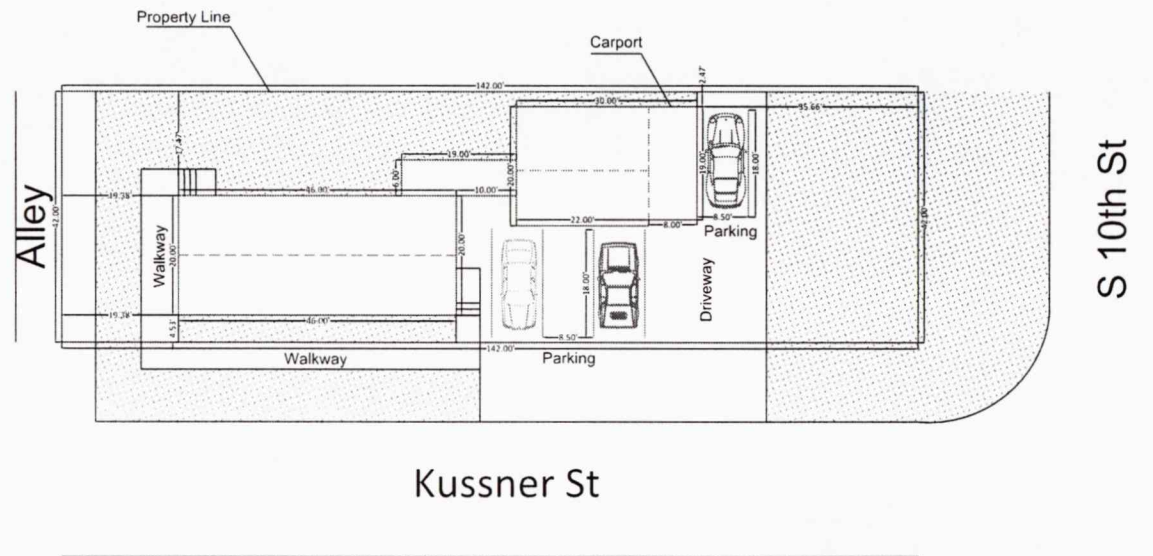
Grantee's Post Office mailing address is 3841 S. Randolph Street, Indianapolis, Indiana 46227.

Send tax bills to Grantee at the address of 3841 S. Randolph Street, Indianapolis, Indiana 46227.

Prepared from Investors Title Service, Inc. File No.: 20-075211.

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Name: Jeffrey R. Slaughter, Attorney at Law, Declarant.

This instrument was prepared by **JEFFREY R. SLAUGHTER**, Attorney at Law #362-49, 8310 Allison Pointe Boulevard, Suite 204, Indianapolis, Indiana 46250 / Telephone 317-579-0816.



RECEIPT

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

Date: 12-1-21

Name: Wires Only LLC - Char Whitaker

Reason: Removing Notice of Filing \$25.00  
Removing - petition \$20.00  
\$45.00

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

Check: 45.00 CK# 2762

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

TOTAL: 45.00

TERRE HAUTE, IN

**PAID**

DEC 01 2021

CONTROLLER

Received By: [Signature]





# 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: February 10, 2022

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER 46-21

CERTIFICATION DATE: February 9, 2022

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. 46-21. This Ordinance is a rezoning of 916 Kussner Street. The Petitioner, Wires Only LLC, petitions the Plan Commission to rezone said current use of 3 residential units from zoning classification R-1 to R-3, General Residence District.

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. 46-21 at a public meeting and hearing held Wednesday, February 9, 2022. 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. 46-21 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 46-21 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. 46-21 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1.) Approval of (or waiver from) a storm water drainage plan from City Engineering.

A handwritten signature in black ink, appearing to read "Fred L. Wilson".

Fred L. Wilson, President

A handwritten signature in black ink, appearing to read "Jared Bayler".

Jared Bayler, Executive Director

Received this 10th day of February, 2022

## STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #46-21

Doc: # 4

Date: January 2022

Page 1 of 4

### APPLICATION INFORMATION

Property Owner: Wires Only LLC. – Ethan Whitaker, Member

Representative: Richard Shagley II

Proposed Use: Current use of 3 residential units

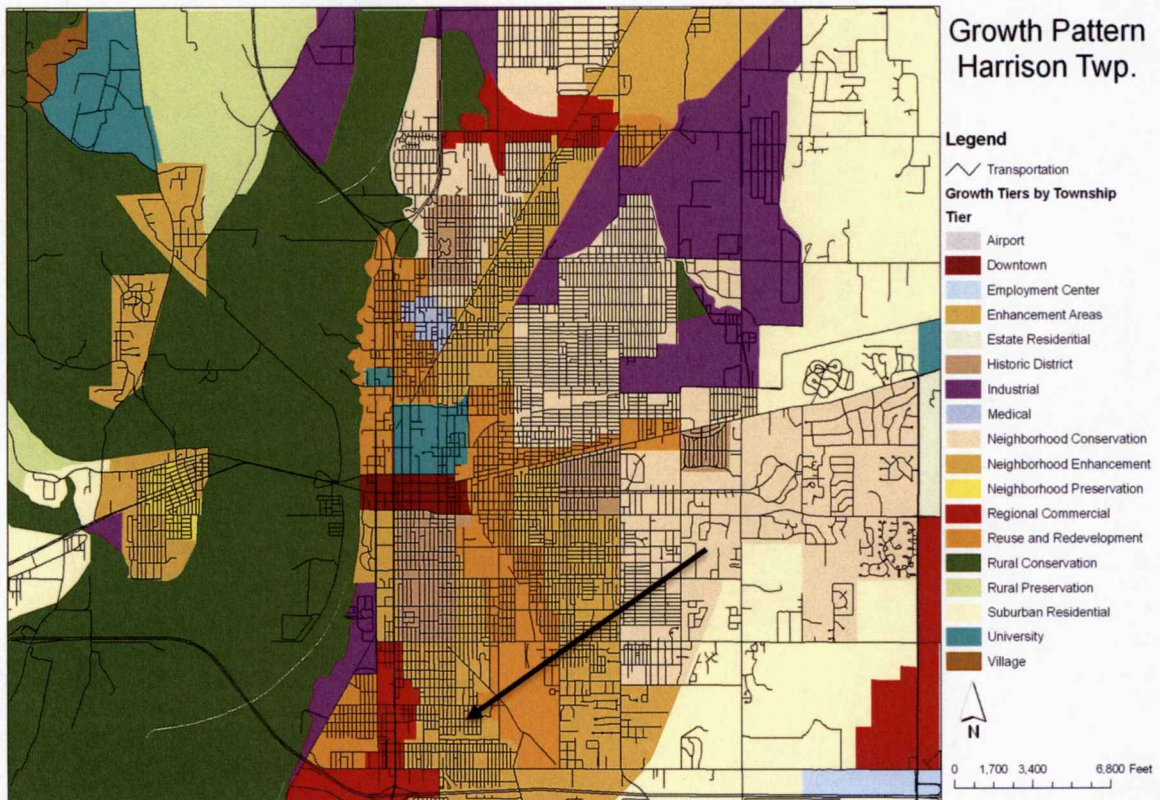
Proposed Zoning: R-3 General Residence District

Current Zoning: R-1, Single Family Residence District

Common Address: 916 Kussner St, Terre Haute  
84-06-34-307-010.000-002

### COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute





### Neighborhood Enhancement Areas

Areas that qualify as Neighborhood Enhancement, represent residential areas with aging housing stock, older industrial areas that are in need of reinvestment, and neighborhood commercial nodes that need assistance in meeting modern development standards. These areas are primarily located within the Terre Haute, West Terre Haute, Seelyville, and Riley.

In regards to residential neighborhoods that are in need of rehabilitation, they should receive priority efforts with respect to public improvements such as drainage, sidewalks, street, curb and gutter repair and replacement, and landscaping in the public rights-of-way. Where appropriate, new residential infill projects should be considered a high priority for undeveloped parcels. Over time incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.

Over time, it is reasonable to expect some displacement of existing industrial facilities, either because of functional and competitive obsolescence of facilities themselves or because corporate restructuring. As facilities are displaced, facility reuse plans or site redevelopment plans should be prepared. In some cases, industrial reuse or redevelopment may not be appropriate, for example in older core of the City of Terre Haute.

Neighborhood commercial areas are small scale, retail activity clusters or planned centers that serve limited market areas – typically 4,000 to 10,000 people. They provide shopping opportunities for those most frequently purchased goods and services. Neighborhood commercial areas should be distributed throughout the community in relationship to the distribution of households. Each neighborhood commercial center should be a master planned commercial development that is contained within a defined tract or land area. Auto ingress and egress must be controlled. Most importantly, these areas should relate to surrounding residential neighborhoods but not adversely impact the livability of those neighborhoods through traffic, lighting, noise, litter, or other impacts. They will require strong buffering and landscape regulations, as well as being architecturally harmonized and able to blend with their neighborhood context.

Additional policies for Neighborhood Enhancement Areas should include:

- Encourage infill development that is compatible with the land use mix and intensity of existing development.
- Support preservation and rehabilitation of historic properties.
- Incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.
- Identify areas that need sub-area plans and prioritize the development of those plans by area.
- Allow for a range of housing densities based on the zoning ordinance.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #46-21

Doc: # 4

Date: January 2022

Page 3 of 4

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Available Services: Area is well served by utilities.

Soil Limitations: unknown

Street Access: Kussner Street & S. 10<sup>th</sup> Street

Dev. Priority: High intensity residential

## ZONING COMPATIBILITY

Sur. Zones and Uses:     **North** – R-1  
                                  **East** – R-1& R-2  
                                  **South** – R-1  
                                  **West** – R-1

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## ZONING REGULATIONS

R-3 Purpose:           The General Residence District

R-3 Uses:           Any use permitted in the R-1 and R-2 Districts, Apartment Hotels. Colleges and universities, but not business colleges or trade schools, Fraternal, philanthropic and charitable use or institutions, provided that not more than twenty-five percent (25%) of the gross floor area or four thousand (4,000) square feet shall be used as office space. Hospitals, sanitariums, and convalescent homes, Institutions for the aged and for children, Lodging Houses and Tourist Homes, Nursery Schools, Boarding, Private Clubs or Lodges - not operated for profit, provided that not more than twenty percent (20%) of the gross floor area or two thousand (2,000) square feet, whichever is greater, shall be used as office space, Apartment House.

R-3 Standards:     Minimum Lot Size: F.A.R. 0.7 or 70%  
                          A minimum Floor Area 512 Sq. Ft., and a minimum Lot Area 1000 Sq. Ft.

### Parking Requirements

1.5 parking spaces per 1 bedroom unit.

2.0 parking spaces per 2 bedroom unit.

3.0 parking spaces per 3 bedroom unit.

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## **FINDINGS and RECOMMENDATION**

**Staff Findings:** The petitioner is requesting to rezone the property to R-3, General Residence District, for three existing units on the property. The petitioner states on the application that no further construction will occur.

Since the petitioner states that S 10<sup>th</sup> St is the front of the property, it appears they meet setbacks. The unit facing S 10<sup>th</sup> Street will need a 10<sup>th</sup> Street address rather than Kussner.

The listed Floor Area Ratio for the area is 0.5, which does not allow for R-3 density. The petitioner has stated that the dwelling units are 460 square feet each, which does not meet the minimum floor area/dwelling unit. Both will need variances.

The three units are each one-bedroom which would require a total of five parking spaces (Table 8). Parking is required to be hard-surfaced (Sec.10-137(d)(4)) and would need a storm water drainage plan to be approved. As the site plan shows parking, the vehicles would be have to back out onto Kussner St, which would also require a variance (Sec. 10-137(e)).

The variances listed above as well as a variance for non-hard surfaced parking were approved by the Board of Zoning Appeals on Wednesday February 2, 2022.

**Recommendation:** Staff offers a favorable with the following conditions:

1. Approval of (or a waiver from) a storm water drainage plan from City Engineering.





# Beacon<sup>TM</sup> Vigo County, IN / City of Terre Haute

Docket #4 SO #46-21

916 Kussner St







APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. #46

COMMON ADDRESS OF LOTS TO BE REZONED: 916 Kussner St Terre Haute, IN 47802

Parcel Number: 84-06-34-307-010.000-002

Current Zoning: R-1 Single-Family Residence District

Requested Zoning: R-3 General Residence District

Proposed Use: Same as current, residential. No building or construction required.

Name of Owner: Wires Only LLC -- Ethan Whitaker, Member

Address of Owner: 3841 S Randolph St Indianapolis, IN 46227

Phone Number of Owner: 812-720-0123

Attorney Representing Owner (if any): \_\_\_\_\_

Address of Attorney: \_\_\_\_\_

Phone Number of Attorney: \_\_\_\_\_

For Information Contact: Ethan Whitaker 812-720-0123 OR Zach Hoereth 317-518-488

Council Sponsor: Curtis DeBaun

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

**FILED**

DEC 01 2021

SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 46, 20 21**CITY CLERK**

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Commonly known as: 916 Kussner St, Terre Haute, Vigo County Indiana 47802

Be and the same is hereby established as a R-3 General Residence District together with all rights and  
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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, \_\_\_\_\_  
(Curtis DeBaun)

Passed in Open Council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
-President

ATTEST: \_\_\_\_\_

Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

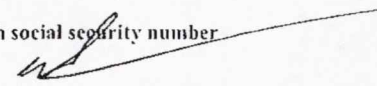
Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

ATTEST: \_\_\_\_\_  
Michelle Edwards, City Clerk

This instrument prepared by: (Ethan Whitaker, 3841 S Randolph St Indianapolis, IN 46227, 812-720-0123)

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.

  
Ethan Whitaker

Ethan Whitaker

11/30/2021

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:

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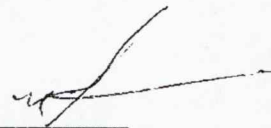
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IN WITNES WHEREOF, This petition has been duly executed this 29 day of November, 20 21.

BY:   
DocuSign  
Ethan Whitaker  
CONFIDENTIAL  
(Ethan Whitaker – Wires Only LLC)

PETITIONER: Ethan Whitaker, Member of Wires Only LLC, 3841 S Randolph St Indianapolis, IN 46227

This instrument was prepared by Ethan Whitaker, 3841 S Randolph St Indianapolis, IN 46227, 812-720-0123



**AFFIDAVIT OF:**

COMES NOW affiant Ethan Whitaker

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

at 916 Kussner St 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.

Ethan Whitaker  
[Wires Only LLC - Ethan Whitaker, Member]

SIGNATURE: [Signature]

SIGNATURE: \_\_\_\_\_

STATE OF INDIANA)  
SS: (COUNTY OF VIGO)



Personally appeared before me, a Notary Public in and for  
said County and State, Vigo, Indiana

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 29th day of November, 2021

Notary Public:  
[Signature]  
[Typed name] Stephanie Stephens

My Commission Expires: 1/24/25

My County Of Residence: Vigo

2020015952 DEED \$25.00  
12/04/2020 10:22:19AM 4 PGS  
Stacey M. Todd  
Vigo County Recorder IN  
Recorded as Presented



**LIMITED LIABILITY PARTNERSHIP WARRANTY DEED**

THIS INDENTURE WITNESSETH, That **CHERRY WALKUP, LLP** (Grantor) CONVEYS AND WARRANTS to **WIRES ONLY LLC** (Grantee), for the sum of Ten and No/100---Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Vigo County, in the State of Indiana:

Lot Numbered One Hundred Twelve (112) in Stewart Place Subdivision, as per plat thereof, recorded in Plat Book 9, Page 25, being a Subdivision of Lots 1, 2, 3, 4, 5, 11, 13, 14 and a part of Lot 12 in William H. Stewart's Subdivision, as appears on the recorded plat thereof, recorded in Plat Book 14, Page 27, in Vigo County, Indiana.

Grantor further certifies that there is no Gross Income Tax due the State of Indiana currently in respect to this conveyance.

Subject to current real estate property taxes and assessments not delinquent and subject to real estate property taxes and assessments payable thereafter.

Taxing Unit: Harrison Township.  
Tax Identification No.: 118-06-34-307-010 / 84-06-34-307-010.000-002.

Subject to easements, restrictions, covenants, rights-of-way, and agreements of record.

The address of such real estate is commonly known as 916 Kussner Street, Terre Haute, Indiana 47802.

The undersigned person(s) executing this deed on behalf of Grantor represent(s) and certifies/certify that she/he/they is/are (a) duly elected officer(s) of Grantor and/or has/have been fully empowered, by proper entity resolution of Grantor, to execute and deliver this Deed; that Grantor has full entity capacity to convey the real estate described herein; and that all necessary entity action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has executed this Deed this 1st day of December, 2020.

Signature page to follow next

[the remainder of this page intentionally left blank]

GRANTOR:  
CHERRY WALKUP, LLP

By Paula E. Walkup Partner  
Signature Title

By X  
Signature Title

By X  
Signature Title

By X  
Signature Title

EXECUTED AND DELIVERED in my presence:

Stacey Lynn  
Witness Signature

Stacey Lynn  
Witness Printed Name

STATE OF INDIANA )  
COUNTY OF Johnson ) SS:

Before me, a Notary Public in and for said County and State, personally appeared Paula E. Walkup, as Partner, and X, as X, respectively, of and



for and on behalf of CHERRY WALKUP, LLP, who acknowledged the execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 1st day of December, 2020.

My Commission Expires:

9/21/2023

Signature

Matt J Smith

Printed

Matt J Smith

Notary Public

Residing in Johnson County, State of Indiana.



STATE OF INDIANA )  
COUNTY OF Johnson ) SS:

Before me, a Notary Public in and for said County and State, personally appeared Stacey Lyon [Witness's Name], being known or proved to me to be the person whose name is subscribed as a witness to the foregoing instrument, who, being duly sworn by me, deposes and says that the foregoing instrument was executed and delivered by Paula E Walkup, as Partner, and X, as X, respectively, of and for and on behalf of CHERRY WALKUP, LLP, in the above-named subscribing witness's presence, and that the above-named subscribing witness is not a party to the transaction

described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

Witness my hand and Notarial Seal this 15<sup>th</sup> day of December, 2020.

My Commission Expires:

9/21/2023

Signature

Matt J. Smith

Printed

Matt J. Smith

Notary Public

Residing in Johnson County, State of Indiana.



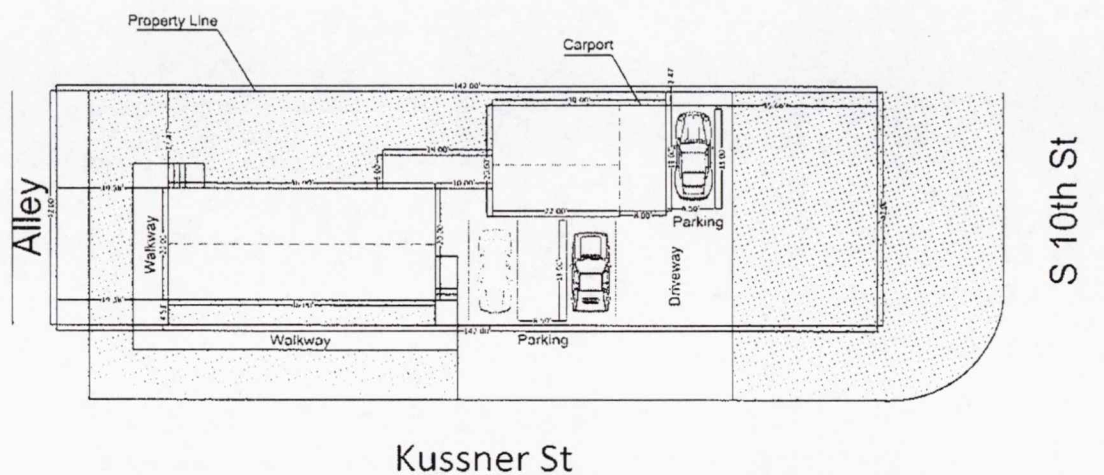
Grantee's Post Office mailing address is 3841 S. Randolph Street, Indianapolis, Indiana 46227.

Send tax bills to Grantee at the address of 3841 S. Randolph Street, Indianapolis, Indiana 46227.

Prepared from Investors Title Service, Inc. File No.: 20-075211.

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Name: Jeffrey R. Slaughter, Attorney at Law, Declarant.

This instrument was prepared by JEFFREY R. SLAUGHTER, Attorney at Law #362-49, 8310 Allison Pointe Boulevard, Suite 204, Indianapolis, Indiana 46250 / Telephone 317-579-0816.



916 Kussner St  
Terre Haute, IN 47802  
Scale: 1"=20'





RECEIPT

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

Date: 12-1-21  
Name: Wires Only LLC - other Whitaker  
Reason: Renewing Notice of Filing \$25.00  
Renewing - petition \$20.00  
\$45.00

Cash: \_\_\_\_\_  
Check: 45.00 CK # 2762  
Credit: \_\_\_\_\_  
TOTAL: 45.00

TERRE HAUTE, IN

PAID

DEC 01 2021

CONTROLLER

Received By: [Signature]