

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 23, 2022

Common Address of lots to be rezoned:

602 S. 7th St., Terre Haute, IN

Rezone From: R-2 Two Family Residence District

Rezone To: R-3 General Residence District

Proposed Use: Bed and Breakfast

Name of Owner: Jgs, LLC

Address of Owner: C/O John Gedrick 914 S. Center St., Terre Haute, IN

Phone Number of Owner: c/o (812) 232-6003 Louis F. Britton

Attorney Representing Owner: Louis F. Britton

Address of Attorney: Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, Indiana 47807

Phone Number of Attorney: (812) 232-6003
for Information Contact: Owner Attorney

Council Sponsor: Todd Nation

FILED
AUG 03 2022
CITY CLERK

SPECIAL ORDINANCE NO. 23, 2022

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:

Parcel Numbers:

84-06-27-106-009.000-002

84-06-27-106-010.000-002

84-06-27-106-011.000-002

See Exhibit A for Legal Description

Commonly known as 602 S. 7th St., Terre Haute, Indiana, be and the same is hereby established as an R-3, General Residence District as designated in Division VIII, Section 180 of said Comprehensive Zoning Ordinance for Terre Haute and the same is hereby declared to be an R-3,

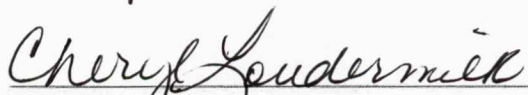
Commonly known as 602 S. 7th St., Terre Haute, Indiana, be and the same is hereby established as an R-3, General Residence District as designated in Division VIII, Section 180 of said Comprehensive Zoning Ordinance for Terre Haute and the same is hereby declared to be an R-3, General Residence District authorizing the use of said real estate as a bed and breakfast as well as the other uses permitted by such designation, together with all rights, privileges, and provisions 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 3. 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 approval of the Mayor and publication as required by law.

PRESENTED BY COUNCILPERSON:


Todd Nation

Passed in open Council this 8th day of September, 2022.


Cheryl Loudermilk, President

ATTEST: Michelle L Edwards, City Clerk
Michelle Edwards

Presented by me to the Mayor this 9th day of September, 2022.

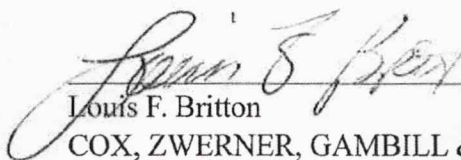
Michelle L Edwards
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 9th day of September, 2022.

Duke Bennett
Duke Bennett, Mayor
City of Terre Haute

ATTEST: Michelle L Edwards
Michelle Edwards, City Clerk

I have prepared the foregoing instrument 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.

A handwritten signature in cursive script, appearing to read "Louis F. Britton", is written over a horizontal line.

Louis F. Britton

COX, ZWERNER, GAMBILL & SULLIVAN, LLP

511 Wabash Avenue

Terre Haute, IN 47807

Phone: (812) 232-6003

EXHIBIT "A"

Thirty-seven and one half (37 ½) feet off the South side of Lot Number Six (6) in Jeffers Subdivision (of lot known as Thomas Parsons residence) said Jeffers subdivision recorded in Plat Record 2, page 42 of the Recorder's Office of Vigo County, Indiana.

Also

Commencing at the South West corner of Lot Number 17 in the Subdivision of Lot No. 5 in Charles Dewey's Subdivision of the Northwest Quarter of Section 27, Township 12 North, Range 9 West, in Terre Haute as made by Thomas Parsons on June 10, 1853 running thence North 90 feet; thence East 140 feet; thence South 90 feet; thence West 140 feet to the place of beginning.

Also

Lot 18 and 39 feet off the North side of Lot 19 in Thomas Parsons Subdivision of a part of Lot 5 in Charles Dewey's Subdivision of the Northwest Quarter of Section 27, Township 12 North, Range 9 West.

Property Address: 602 S. 7th Street, Terre Haute, IN

PETITION FOR REZONING OF REAL ESTATE

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

Gentlemen:

J.G.S., LLC, petitioner, is the owner of the following described real estate located in Vigo County, Indiana, to-wit:

Parcel Numbers:

84-06-27-106-009.000-002
84-06-27-106-010.000-002
84-06-27-106-011.000-002
See legal description attached as exhibit A

which real estate is commonly known as 602 S. 7th St. Terre Haute, Indiana.

The owner proposes to use the property as a bed and breakfast with 5 guest rooms one of which may serve as a residence/office for the manager. Site plans and proposed elevations are attached.

Petitioner is informed and believes that according to Chapter 10, Article 2, Division IV, Zoned Districts, Section 10.121 of the District Maps, "Comprehensive Zoning Ordinance for Terre Haute," and amendments thereto, the above described real estate is zoned as R-2 Two Family District of the City of Terre Haute, Indiana. Petitioner is further informed and believes that the operation of petitioner's proposed businesses would require said real estate to be rezoned

to the classification of R-3 Apartments District, under which classification Chapter 10, Article 2, Division VIII Residential Districts, Section 10.180(d), "Uses, Permitted -R-3 General Residence District" subsection 8 would authorize such use.

Petitioner submits that this petition for a rezoning should be granted for the following reasons:

A. That the proposed use would be beneficial to the local community and would generate employment and promote tourism for the community;

B. That said real estate is located near an area which is already zoned R-3;

C. That said real estate is located on 7th St. which provides access to residences, business and industry in the immediate area as well as in other parts of town;

D. That the use of said real estate as proposed will not significantly increase traffic or parking in the area, said real estate lends itself well to the proposed use; the proposed use does not alter the essential character of the locality and is not detrimental to public welfare or injurious to the property or improvements in the neighborhood;

E. Said rezoning will not increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the general area.

WHEREFORE, petitioner respectfully requests the Common Council to favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance for Terre Haute, and declare the above-described real estate to be a part of the "R-3 General Residence District " of the City of Terre Haute, Indiana, being entitled to the rights and benefits that may inure to said real estate and the owners thereof by virtue of said classification and the laws in such cases provided, subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, the petitioner, J.G.S., LLC, has duly executed this instrument
this 1st day of August, 2022.

J.G.S., LLC

By 
John Gedrick, Member

This instrument prepared by Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN,
LLP, 511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

AFFIDAVIT

COMES NOW Louis F. Britton and affirms under penalty of law that Jgs, LLC is the owner of record of the property located at 914 S. Center St., Terre Haute, IN Terre Haute, IN for which a rezoning is requested and attached hereto is a copy of Jgs, LLC's deed evidencing such ownership.

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

Louis F. Britton
Signature

Printed Name

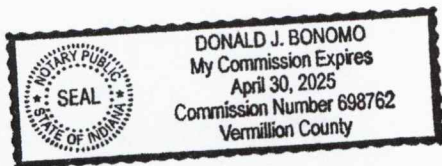
STATE OF INDIANA)

) SS:

COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for said County and State, Louis F. Britton, who acknowledges the execution of the above and foregoing Affidavit, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and Notarial Seal, this 3rd day of August, 2022.



Donald J. Bonomo
Notary Public

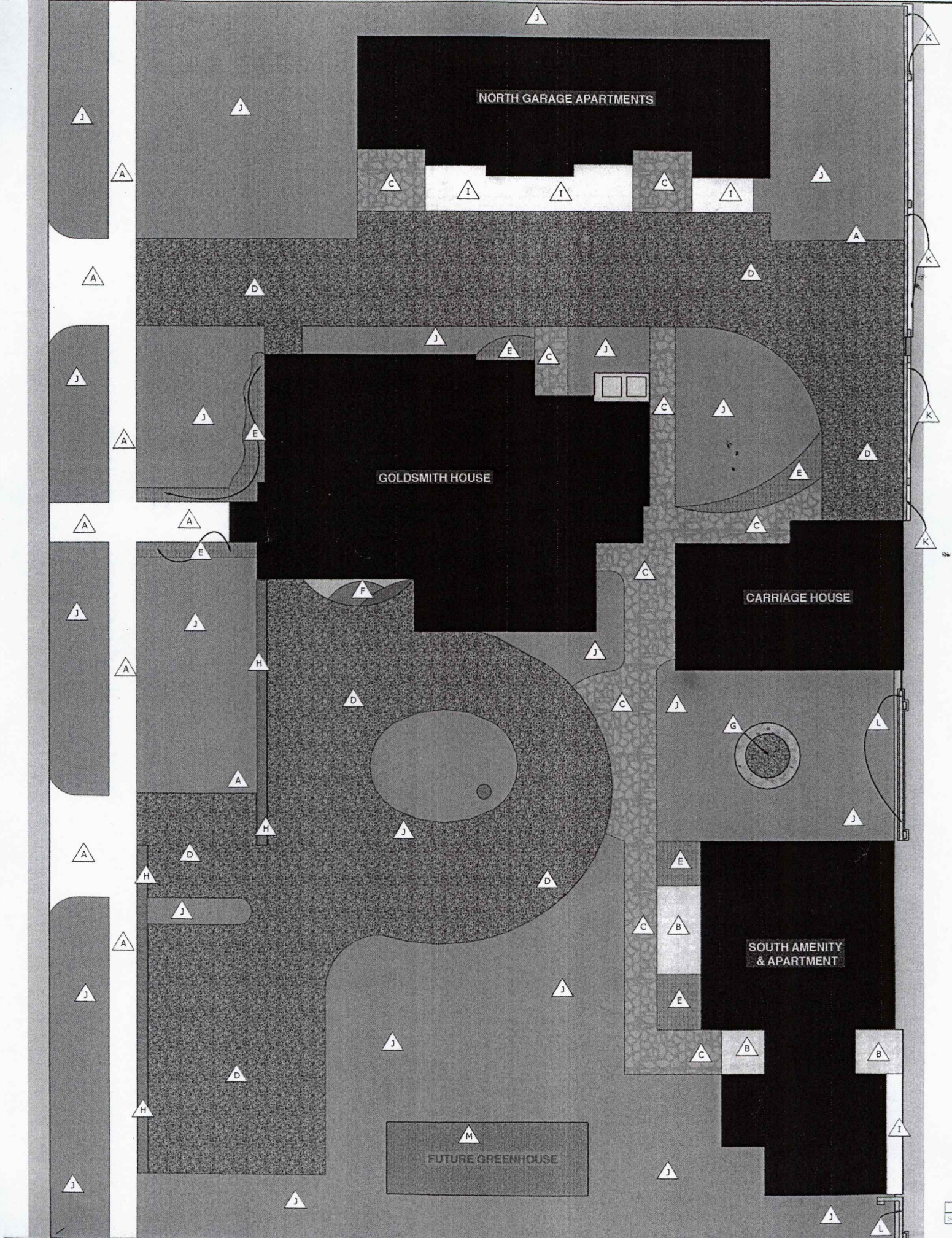
Donald J Bonomo
Printed Name

My Commission Expires:

My County of Residence:

SITE Plan





Site Plan

PARKING



NO WORK THIS AREA (TYP.)

NO WORK THIS AREA (TYP.)

NO WORK THIS AREA (TYP.)

A DEMOLITION SITE PHOTO

RED Design
Real Estate
Build

ping
Real Estate
Build

RED Design
Real Estate
Build

Drawn By: John G. Andres
 Copyright: RED Design Build
 7707 S SYCAMORE KNOLLS ST
 TERRE HAUTE, IN 47802

REDDB Project Number:
19-015-602-ES
 Last Revision Date:
May 16, 2019
May 16, 2019

Project Site: J.G.S., LLC - 602 S. 7th St., Terre Haute, IN 47807
 Project Title: GOLDSMITH EAST SIDE SITE

Typical Drawing Scale: 1/8" = 1'-0"
 Sheet Number: SD-1
 Not for Construction

SEP 22 2017

James W. Bramble
Prepared By:

VIGO COUNTY AUDITOR
Eric Dahlberg, Esq.
5501 LBJ Freeway
Suite 200
Dallas, TX 75240

2017009583 COR SPE WD \$25.00
09/22/2017 09:03:24A 6 PGS
Stacey Joy
VIGO County Recorder IN
Recorded as Presented



After Recording Return To:

JGS, LLC
c/o John Gedrick
100 Forest Glen Ct.
Terre Haute, IN 47802

_____[Space Above This Line For Recording Data]_____

Corporate Special Warranty Deed

This Deed, made effective this 21st day of September 2017,

BETWEEN Keystone Indiana, Inc., a Delaware corporation (hereinafter called the "Grantor"), and J.G.S., LLC, an Indiana limited liability company (hereinafter called the "Grantee").

WITNESSETH, that in consideration of Ten Dollars (\$10.00) and other valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantee and Grantee's heirs and assigns, the following described land, situate, lying and being in the County of Vigo and State of Indiana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
(hereinafter called the "Real Estate")

Being the same premises which Grantor obtained by deed dated March 12, 2012 and recorded on March 23, 2012 in the Office of the Recorder of Deeds in and for Vigo County, State of Indiana, in Instrument No. 2012004881.

Together with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever subject to covenants, easements and restriction of record and listed in the title commitment associated with his sale including but not limited to the permitted exceptions in Exhibit "B" and use restriction in Exhibit "C", subject to

any matters which a current survey may show, and subject to the real estate taxes due and payable in 2017 and subsequent real estate taxes.

Grantor, as its sole warranty herein, specially warrants to Grantee, its successors and assigns, that it will forever defend title to the Real Estate (subject to the matters to which this conveyance is hereinabove made subject) against those claims, and only those claims, of all persons whomsoever shall claim title to or assert claims affecting the title to the Real Estate, or any part thereof, under, by or through, or based upon the acts of the Grantor, but not otherwise.

The undersigned person executing this Deed on behalf of Grantor represents and warrants that: (a) he is fully empowered and duly authorized by all necessary action of the Grantor to execute and deliver this Deed; and (b) all corporate and other action of the Grantor necessary to execute and deliver this deed and convey the Real Estate to Grantee has been taken and done.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be duly executed, the day and year first above written.

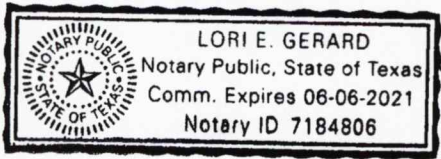
Keystone Indiana, Inc.,
a Delaware limited liability company

By: *[Signature]*
Michael L. Decell, Vice President

State of Texas)
County of Harris)

I, Lori E. Gerard, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that Michael L. Decell, as Vice President of Keystone Indiana, Inc., a Delaware corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged and he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal on this the 19th day of September 2017.



Lori E. Gerard
Notary Public

EXHIBIT "A"

Thirty-seven and one half (37 ½) feet off the South side of Lot Number Six (6) in Jeffers Subdivision (of lot known as Thomas Parsons residence) said Jeffers subdivision recorded in Plat Record 2, page 42 of the Recorder's Office of Vigo County, Indiana.

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Property Address: 602 S. 7th Street, Terre Haute, IN

Receipt

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

Date: 08/03/2022
Name: John Gedrick
Reason: Reasoning - notice of filing \$25
Reasoning - petition \$20
/ \$45

Cash: _____
Check: #72256
Credit: _____
Total: 45

TERRE HAUTE, INC.
AUG - 3 2022
PAID
CONTROLLER

Received By: G. Smith



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: September 8, 2022

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER 23-22

CERTIFICATION DATE: September 7, 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. 23-22. This Ordinance is a rezoning of 602 S. 7th Street. The Petitioner, Jgs, LLC petitions the Plan Commission to rezone said bed and breakfast from zoning classification R-2 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. 23-22 at a public meeting and hearing held Wednesday, September 7, 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. 23-22 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 23-22 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. 23-22 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1) Site plan approval, including number and square footage of apartments, and parking, by City Engineering 2) Any required variances approved by the Terre Haute Board of Zoning Appeals

Handwritten signature of Fred L. Wilson.

Fred L. Wilson, President

Handwritten signature of Jared Bayler.

Jared Bayler, Executive Director

Received this 8th day of September, 2022

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #23-22
Date: September 2022

Doc: # 60
Page 1 of 4

APPLICATION INFORMATION

Property Owner: Jgs, LLC.

Proposed Use: Bed & Breakfast

Proposed Zoning: R-3 General Residence District

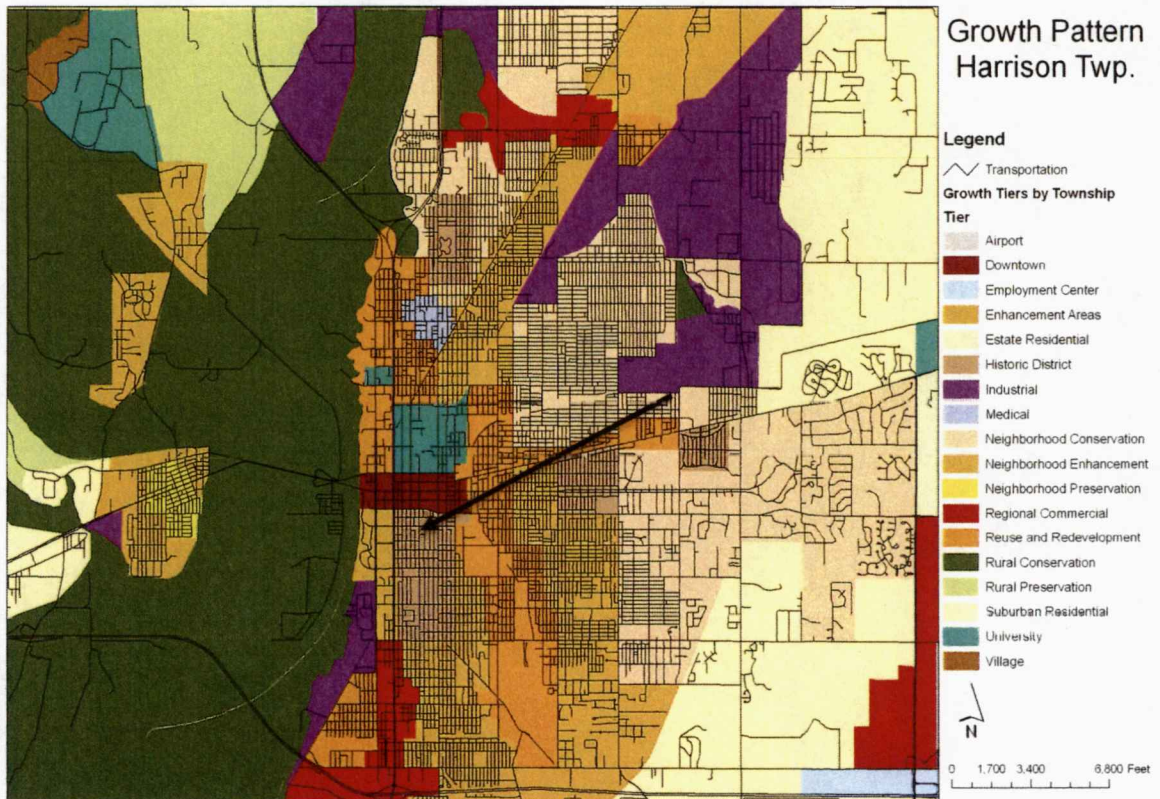
Current Zoning: R-2, Two Family Residence District

Representative: Louis Britton

Location: 602 S. 7th Street, Terre Haute, IN / Approximately 387.5 Ft. South of Oak Street located on the east side of S. 7th.

Parcel #s: 84-06-27-106-009-000.002/010/011- Jeffers Sub& Parson Sub Lots 5, 6, 17, 18 &19.

Service Area: The City of Terre Haute



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #23-22

Doc: # 60

Date: September 2022

Page 2 of 4

Historic Districts

Historic Districts are locations within the community that are important because of historic events, their architectural or cultural significance, or a connection to the lives of the people who lived there that should be protected and enhanced as an amenity to region. There are two types of historic districts:

- National Register Historic Districts. The National Register is a nation-wide list of buildings or areas certified by the Secretary of Interior as important architecturally, historically or culturally. Individual buildings and those in a district are eligible for Federal and Indiana tax credits for rehabilitation and tax reductions for easement donation. Listing a building on the National Register does not trigger local review of changes to the building unless the project is federally funded.
- Local Historic Districts. Local Historic Districts can be created by local ordinance, and are regulated by a historic district design standards in that ordinance. These standards vary from district to district and are developed by the neighborhood. “Certified” local historic districts have been determined to qualify for the National Register. These districts enjoy the same tax credit benefits as National Register districts.

Specific items to be utilized in identifying historic districts include:

- Buildings and structures within the district generally must be 50 years old.
- Many demolitions or new buildings have not altered it historic appearance.
- District resources should be similar in style, massing, detailing and/or date of construction.
- The buildings in the district must retail their original architectural character.
- The area must have clear and precise defined boundaries.

Dev. Priority: Medium intensity residential

ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-2PD
 East – R-2
 South – R-2
 West – R-3

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

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #23-22

Doc: # 60

Date: September 2022

Page 3 of 4

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.

FINDINGS and RECOMMENDATION

Staff Findings:

The petitioner is requesting to rezone the property to R-3 General Residence District for the purpose of a Bed and Breakfast with five guest rooms, one of which may serve as a residence/office for the manager.

Bed and Breakfast isn't a listed use by right in any category. Rather, listed in the R-3 is "Apartment Hotels" (§10-180)(d.) (2) or "Lodging Houses and Tourist Homes" (§10-180)(d.) (8). Both of which parallel the intended use.

The site plan also shows "North Garage Apartments" and "South Amenity and Apartment." The site plan does not show how many apartments, or the square footage of each dwelling unit. It would need to be determined whether or not the apartments meet the requirements or a variance would need to be granted. This also applies to minimum lot size, which depends on the number of dwelling units.

Parking must be hard surfaced (Sec. 10-137)(d)(4) and the parking lot must be illuminated (Sec. 10-137)(d)(10). The site plan does not show the number of parking spaces, so it is unclear if it meets requirements.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #23-22

Doc: # 60

Date: September 2022

Page 4 of 4

The property spans several lots. The lots may need to be combined.

In their recommendation (attached), City Engineering states that “a bed and breakfast would not significantly alter the neighborhood characteristic since the capacity is set to 5 rooms. The property has existing off-street parking which will not restrict parking along 7th St. The rezoning of the property would not create an unjust burden to surrounding properties.”

Recommendation: Staff offers a favorable with the following conditions:

1. Site plan approval, including number and square footage of apartments, and parking, by City Engineering.
2. Any required variances approved by the Terre Haute Board of Zoning Appeals

 **Beacon**TM Vigo County, IN / City of Terre Haute

Docket #60 SO #23-22

602 S. 7th St.



APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

Docket #60

SPECIAL ORDINANCE NO. 23, 2022

Common Address of lots to be rezoned:

602 S. 7th St., Terre Haute, IN

Rezone From: R-2 Two Family Residence District

Rezone To: R-3 General Residence District

Proposed Use: Bed and Breakfast

Name of Owner: Jgs, LLC

Address of Owner: C/O John Gedrick 914 S. Center St., Terre Haute, IN

Phone Number of Owner: c/o (812) 232-6003 Louis F. Britton

Attorney Representing Owner: Louis F. Britton

Address of Attorney: Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, Indiana 47807

Phone Number of Attorney: (812) 232-6003

for Information Contact: Owner Attorney

Council Sponsor: Todd Nation

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PRESENTED BY COUNCILPERSON:



Todd Nation

Passed in open Council this _____ day of _____, 2022.

Cheryl Loudermilk, President

ATTEST: _____, City Clerk
Michelle Edwards

Presented by me to the Mayor this _____ day of _____, 2022.

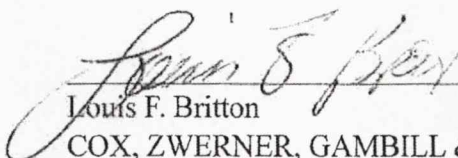
Michelle Edwards, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2022.

Duke Bennett, Mayor
City of Terre Haute

ATTEST: _____
Michelle Edwards, City Clerk

I have prepared the foregoing instrument 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.



Louis F. Britton

COX, ZWERNER, GAMBILL & SULLIVAN, LLP

511 Wabash Avenue

Terre Haute, IN 47807

Phone: (812) 232-6003

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

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A. That the proposed use would be beneficial to the local community and would generate employment and promote tourism for the community;

B. That said real estate is located near an area which is already zoned R-3;

C. That said real estate is located on 7th St. which provides access to residences, business and industry in the immediate area as well as in other parts of town;

D. That the use of said real estate as proposed will not significantly increase traffic or parking in the area, said real estate lends itself well to the proposed use; the proposed use does not alter the essential character of the locality and is not detrimental to public welfare or injurious to the property or improvements in the neighborhood;

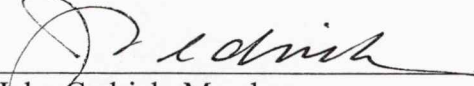
E. Said rezoning will not increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the general area.

WHEREFORE, petitioner respectfully requests the Common Council to favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance for Terre Haute, and declare the above-described real estate to be a part of the "R-3 General Residence District " of the City of Terre Haute, Indiana, being entitled to the rights and benefits that may inure to said real estate and the owners thereof by virtue of said classification and the laws in such cases provided, subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, the petitioner, J.G.S., LLC, has duly executed this instrument
this 1st day of August, 2022.

J.G.S., LLC

By


John Gedrick, Member

This instrument prepared by Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN,
LLP, 511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

SITE Plan



NORTH GARAGE APARTMENTS

GOLDSMITH HOUSE

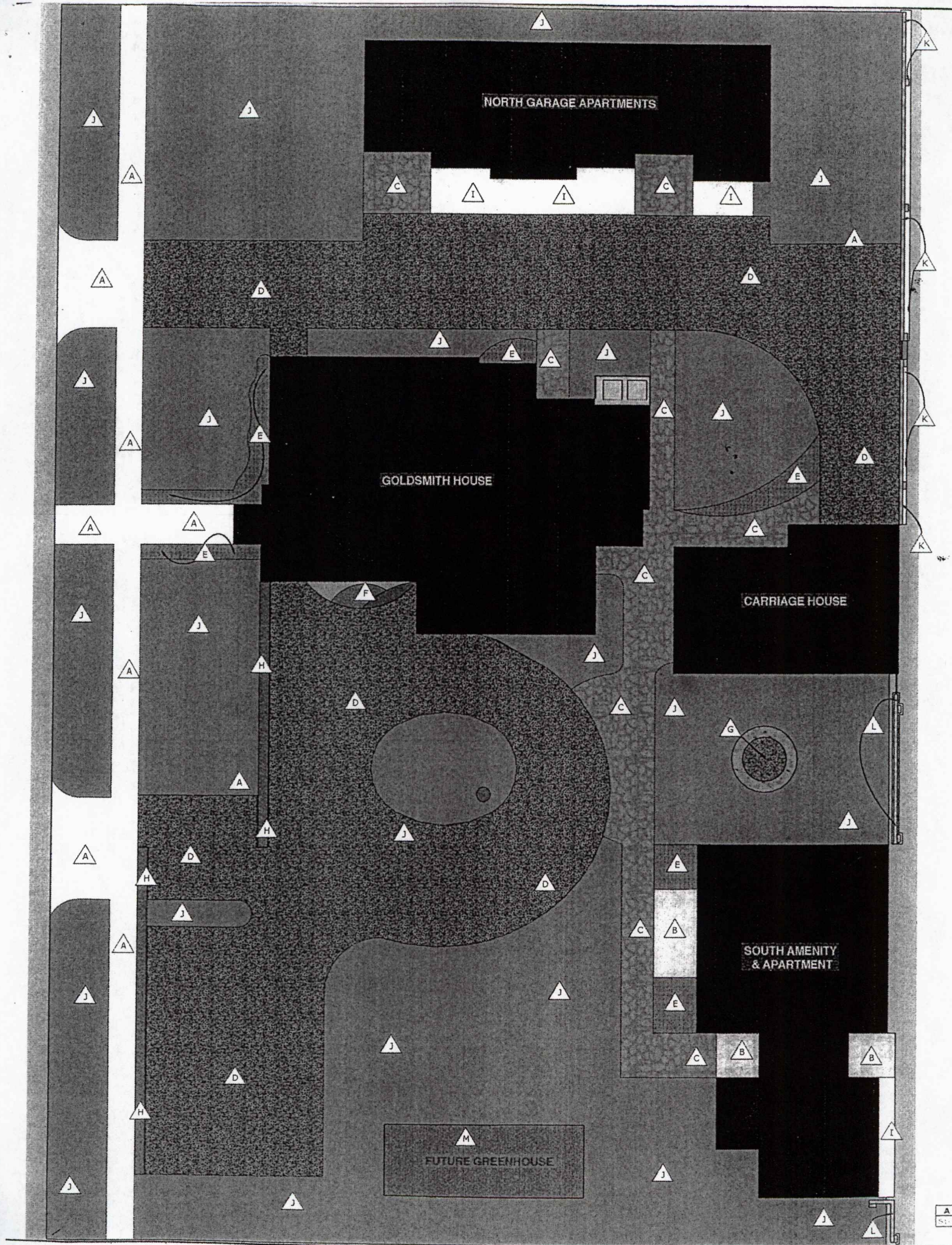
CARRIAGE HOUSE

SOUTH AMENITY & APARTMENT

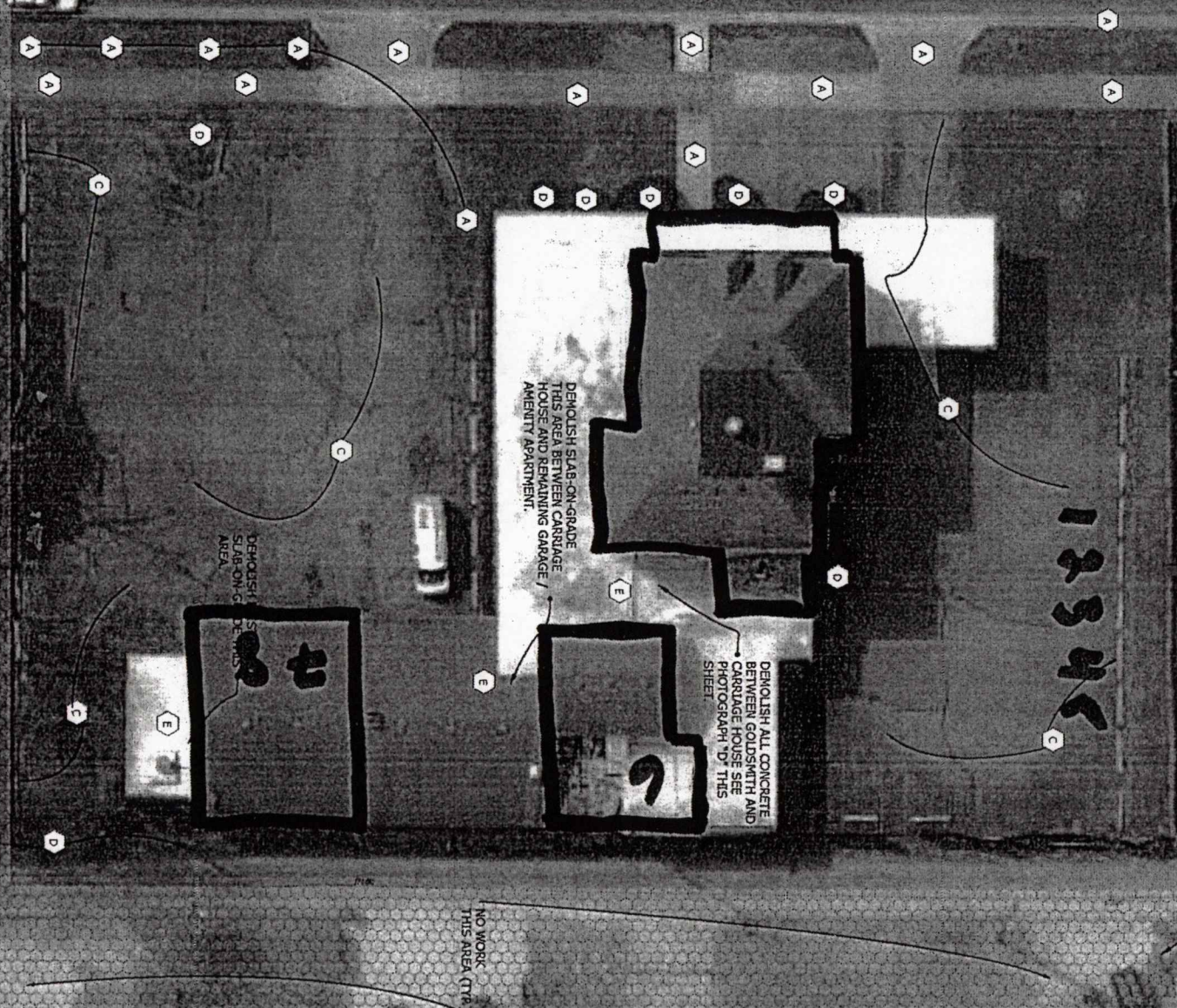
FUTURE GREENHOUSE

S + 31

A
S11



DRAWING



NO WORK THIS AREA (TTR)

DEMOLISH SLAB-ON-GRADE HOUSE

DEMOLISH SLAB-ON-GRADE HOUSE AND REMAINING GARAGE / AMENITY APARTMENT

DEMOLISH ALL CONCRETE BETWEEN GOLDSMITH AND CARRIDGE HOUSE SEE PHOTOGRAPH 'D' THIS SHEET

NO WORK THIS AREA (TTR)

NO WORK THIS AREA (TTR)

1 2 3 4 5

A DEMOLITION SITE PHOTO

Project Site: J.G.S., LLC - 602 S. 7th St., Terre Haute, IN 47807

Project Title: GOLDSMITH EAST SIDE SITE

Typical Drawing Scale Unit: 1/8" = 1'-0"

REDDB Project Number: 19-015-602_ES

Last Revision Date: May 16, 2019
May 16, 2019

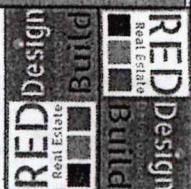
Drawn By: John G. Andres

Copyright: RED Design Build
7707 S SYCAMORE KNOLLS ST
TERRE HAUTE, IN 47802

SD-1

Sheet Number:

Not for Construction



AFFIDAVIT

COMES NOW Louis F. Britton and affirms under penalty of law that Jgs, LLC is the owner of record of the property located at 914 S. Center St., Terre Haute, IN Terre Haute, IN for which a rezoning is requested and attached hereto is a copy of Jgs, LLC's deed evidencing such ownership.

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

Louis F. Britton
Signature

Printed Name

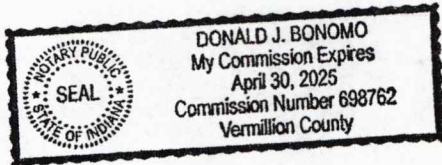
STATE OF INDIANA)

) SS:

COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for said County and State, Louis F. Britton, who acknowledges the execution of the above and foregoing Affidavit, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and Notarial Seal, this 3rd day of August, 2022.



Donald J. Bonomo
Notary Public

Donald J Bonomo
Printed Name


My Commission Expires:

My County of Residence:

ENTERED FOR TAXATION
Subject to final acceptance for Transfer

SEP 22 2017

Eric Dahlberg
Prepared By:
VIGO COUNTY AUDITOR
Eric Dahlberg, Esq.
5501 LBJ Freeway
Suite 200
Dallas, TX 75240

2017009583 COR SPE WD \$25.00
09/22/2017 09:03:24A 6 PGS
Stacey Joy
VIGO County Recorder IN
Recorded as Presented


After Recording Return To:

JGS, LLC
c/o John Gedrick
100 Forest Glen Ct.
Terre Haute, IN 47802

_____[Space Above This Line For Recording Data]_____

Corporate Special Warranty Deed

This Deed, made effective this 21st day of September 2017,

BETWEEN Keystone Indiana, Inc., a Delaware corporation (hereinafter called the "Grantor"), and J.G.S., LLC, an Indiana limited liability company (hereinafter called the "Grantee").

WITNESSETH, that in consideration of Ten Dollars (\$10.00) and other valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantee and Grantee's heirs and assigns, the following described land, situate, lying and being in the County of Vigo and State of Indiana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
(hereinafter called the "Real Estate")

Being the same premises which Grantor obtained by deed dated March 12, 2012 and recorded on March 23, 2012 in the Office of the Recorder of Deeds in and for Vigo County, State of Indiana, in Instrument No. 2012004881.

Together with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever subject to covenants, easements and restriction of record and listed in the title commitment associated with his sale including but not limited to the permitted exceptions in Exhibit "B" and use restriction in Exhibit "C", subject to

any matters which a current survey may show, and subject to the real estate taxes due and payable in 2017 and subsequent real estate taxes.

Grantor, as its sole warranty herein, specially warrants to Grantee, its successors and assigns, that it will forever defend title to the Real Estate (subject to the matters to which this conveyance is hereinabove made subject) against those claims, and only those claims, of all persons whomsoever shall claim title to or assert claims affecting the title to the Real Estate, or any part thereof, under, by or through, or based upon the acts of the Grantor, but not otherwise.

The undersigned person executing this Deed on behalf of Grantor represents and warrants that: (a) he is fully empowered and duly authorized by all necessary action of the Grantor to execute and deliver this Deed; and (b) all corporate and other action of the Grantor necessary to execute and deliver this deed and convey the Real Estate to Grantee has been taken and done.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be duly executed, the day and year first above written.

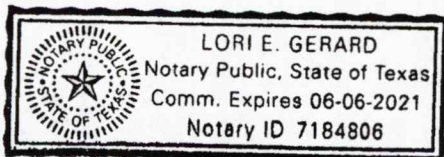
Keystone Indiana, Inc.,
a Delaware limited liability company

By: *[Signature]*
Michael L. Decell, Vice President

State of Texas)
County of Harris)

I, Lori E. Gerard, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that Michael L. Decell, as Vice President of Keystone Indiana, Inc., a Delaware corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged and he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal on this the 19th day of September 2017.



Lori E. Gerard
Notary Public

EXHIBIT "A"

Thirty-seven and one half (37 ½) feet off the South side of Lot Number Six (6) in Jeffers Subdivision (of lot known as Thomas Parsons residence) said Jeffers subdivision recorded in Plat Record 2, page 42 of the Recorder's Office of Vigo County, Indiana.

Also

Commencing at the South West corner of Lot Number 17 in the Subdivision of Lot No. 5 in Charles Dewey's Subdivision of the Northwest Quarter of Section 27, Township 12 North, Range 9 West, in Terre Haute as made by Thomas Parsons on June 10, 1853 running thence North 90 feet; thence East 140 feet; thence South 90 feet; thence West 140 feet to the place of beginning.

Also

Lot 18 and 39 feet off the North side of Lot 19 in Thomas Parsons Subdivision of a part of Lot 5 in Charles Dewey's Subdivision of the Northwest Quarter of Section 27, Township 12 North, Range 9 West.

Property Address: 602 S. 7th Street, Terre Haute, IN