

**SPECIAL ORDINANCE NO. 18, 2025**

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

=====  
Common Address of lots to be rezoned:

501 and 601 S. Fruitridge Ave., Terre Haute, IN 47802

Parcel No. 84-06-24-330-010.000-002

84-06-24-332-004.000-002

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Current Zoning: R-1 Single Family

Rezone To: R-3 Multifamily

Proposed Use: Apartments

Name of Owner: J & L Land Works LLC

Address of Owner: 3200 E. Haythorne Ave.  
Terre Haute, Indiana 47805

Phone Number of Owner c/o (812) 234-5463

Attorney Representing Owner: Darrell E. Felling II

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

For Information Contact: ☐ Owner ☒ Attorney

Council Sponsor: Anthony Dinkel

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

MAY 07 2025

**SPECIAL ORDINANCE NO. 18, 2025**

CITY CLERK

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

SECTION 1. 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:

Beginning at a point Five Hundred Seven (507) feet North of the center line of Ohio Boulevard as the same is now located and established, and Forty (40) feet West of the center line of Fruitridge Avenue, as the same is located and established by the center line of a brick pavement now constructed on said Fruitridge Avenue, and running thence North along a line parallel with the said center line of Fruitridge Avenue One Hundred Three (103) feet, being to the South property line of a proposed Street Sixty (60) feet in width to be designated and known as Warren Street; thence West along a line parallel with the center line of Ohio Boulevard and being the South property line of the proposed Warren Street, One Hundred Sixty-three (163) feet; thence South parallel with the center line of Fruitridge Avenue, One Hundred Three (103) feet; thence East One Hundred Sixty-three (163) feet to the place of beginning, being Lot Numbered Four (4) in an unrecorded plat of Deming Park Subdivision.

ALSO all of Lots 13 through 20 in Deming Park Subdivision, Section One, as per plat thereof, recorded in Plat Book 16, Page 36, Lot 1 A in Deming Park Subdivision Lot 1 A Commercial Lot, recorded in Plat Book 27, Page 65, both plats being recorded in the Office of the Recorder of Vigo County, Indiana, and a part of the Southwest Quarter of Section 24, Township 12 North, Range 9 West, in Vigo County, Indiana, being described as follows: Commencing at the northwest corner of said Southwest Quarter; thence South 00 degrees 01 minutes 58 seconds East along the west line thereof a distance of 825.15 feet to the southwest corner of Edgewood Grove, as per plat thereof recorded in Plat Book 10, Page 45, in said Recorder's Office, and the Point of Beginning; thence continuing South 00

degrees 01 minutes 58 seconds East along said line a distance of 554.29 feet to the northwest corner of a tract of land described in Deed Book 318, Page 462; thence North 89 degrees 47 minutes 08 seconds East along the north line of said tract a distance of 155.00 feet; thence South 00 degrees 01 minutes 58 seconds East parallel with the west line and along the east line of said tract a distance of 230.00 feet to the north line of Ohio Boulevard; thence North 89 degrees 47 minutes 08 seconds East along said line a distance of 2065.47 feet to the west line of McKinley Boulevard in said Deming Park Subdivision, Section One; thence

North 00 degrees 36 minutes 09 seconds East a distance of 488.36 feet along said west line a distance of 488.36 feet to a point on tangent curve to the left having a radius of 25.00 feet, said curve being subtended by a chord bearing North 47 degrees 16 minutes 07 seconds West; thence northwesterly along said curve an arc distance of 41.78 feet to the south line of Hudson Street, said point being on a curve to the left having a radius of 2272.74 feet, being subtended by a chord bearing South 84 degrees 11 minutes 29 seconds West a distance of

259.79 feet; thence westerly along said curve and south line an arc distance of 259.93 feet; thence South 81 degrees 20 minutes 40 seconds West continuing along said south line a distance of 63.16 feet to the west line of said plat, the following 3 courses being along said west line; (1) thence North 00 degrees 36 minutes 09 seconds East a distance of 29.62 feet; (2) thence North 89 degrees 45 minutes 11 seconds East a distance of 18.56 feet; (3) thence North 00 degrees 36 minutes 09 seconds East a distance of 30.45 feet to the north line of Hudson Street; thence North 80 degrees 45 minutes 11 seconds East along said north line a distance of 34.32 feet to a point on a tangent curve to the right having a radius of 2246.93 feet, subtended by a chord bearing North 83 degrees 54 minutes 23 seconds East a distance of 247.20 feet; thence easterly along said curve and north line a distance of 247.32 feet to a point on curve to the left having a radius of 25.92 feet, being subtended by a chord bearing North 42 degrees 47 minutes 57 seconds East a distance of 36.17 feet; thence easterly and northerly along said curve an arc distance of 40.04 feet to a point on the westerly line of McKinley Boulevard, being on a curve to the left having a radius of 300.00 feet, being subtended by a chord bearing North 36 degrees 55 minutes 04 seconds West a distance of 171.95 feet; thence northwesterly along said curve an arc distance of 174.40 feet to the south line of said Edgewood Grove; thence North 88 degrees 55 minutes 21 seconds West along said line a distance of 2098.19 feet to the Point of Beginning, containing 37.251 acres, more or less.

ALSO, all of Lots 5 through 12 in Deming Park Subdivision, Section One, as per plat thereof, recorded in Plat Book 16, Page 36, in Vigo County, Indiana, containing 3.48 acres, more or less

Commonly known as 501 and 601 S. Fruitridge Avenue, Terre Haute, IN 47803

PARCEL# 84-06-24-330-010.000-002

PARCEL# 84-06-24-332-004.000-002

be and the same is, hereby established as R-3 Multifamily, together with all rights and privileges 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 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 by law provided.

Introduced by Council Member,

Anthony Dinkel, Councilperson

Passed in open Council this \_\_\_\_ day of \_\_\_\_\_, 2025.

Todd Nation, President

ATTEST:

Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_, 2025,  
at \_\_\_\_:\_\_\_\_.m.

Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_, 2025.

Brandon Sakbun, Mayor

ATTEST:

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.



Darrell E. Felling II

This instrument prepared by Darrell E. Felling II, Lind & Felling Law Offices, 400 Ohio Street, Terre Haute, Indiana 47807.

## **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 PLANNING COMMISSION OF VIGO COUNTY, INDIANA.

LADIES and GENTLEMEN:

The undersigned, J & L Land Works LLC, respectfully submits this Petition to Rezone the following described real estate in the City of Terre Haute, Vigo County, State of Indiana, to-wit:

Beginning at a point Five Hundred Seven (507) feet North of the center line of Ohio Boulevard as the same is now located and established, and Forty (40) feet West of the center line of Fruitridge Avenue, as the same is located and established by the center line of a brick pavement now constructed on said Fruitridge Avenue, and running thence North along a line parallel with the said center line of Fruitridge Avenue One Hundred Three (103) feet, being to the South property line of a proposed Street Sixty (60) feet in width to be designated and known as Warren Street; thence West along a line parallel with the center line of Ohio Boulevard and being the South property line of the proposed Warren Street, One Hundred Sixty-three (163) feet; thence South parallel with the center line of Fruitridge Avenue, One Hundred Three (103) feet; thence East One Hundred Sixty-three (163) feet to the place of beginning, being Lot Numbered Four (4) in an unrecorded plat of Deming Park Subdivision.

ALSO all of Lots 13 through 20 in Deming Park Subdivision, Section One, as per plat thereof, recorded in Plat Book 16, Page 36, Lot 1 A in Deming Park Subdivision Lot 1 A Commercial Lot, recorded in Plat Book 27, Page 65, both plats being recorded in the Office of the Recorder of Vigo County, Indiana, and a part of the Southwest Quarter of Section 24, Township 12 North, Range 9 West, in Vigo County, Indiana, being described as follows: Commencing at the northwest corner of said Southwest Quarter; thence South 00 degrees 01 minutes 58 seconds East along the west line thereof a distance of 825.15 feet to the southwest corner of Edgewood Grove, as per plat thereof recorded in Plat Book 10, Page 45, in said Recorder's Office, and the Point of Beginning; thence continuing South 00

degrees 01 minutes 58 seconds East along said line a distance of 554.29 feet to the northwest corner of a tract of land described in Deed Book 318, Page 462; thence North 89 degrees 47 minutes 08 seconds East along the north line of said tract a distance of 155.00 feet; thence South 00 degrees 01 minutes 58 seconds East parallel with the west line and along the east line of said tract a distance of 230.00 feet to the north line of Ohio Boulevard; thence North 89 degrees 47 minutes 08 seconds East along said line a distance of 2065.47 feet to the west line of McKinley Boulevard in said Deming Park Subdivision, Section One; thence

North 00 degrees 36 minutes 09 seconds East a distance of 488.36 feet along said west line a distance of 488.36 feet to a point on tangent curve to the left having a radius of 25.00 feet, said curve being subtended by a chord bearing North 47 degrees 16 minutes 07 seconds West; thence northwesterly along said

curve an arc distance of 41.78 feet to the south line of Hudson Street, said point being on a curve to the left having a radius of 2272.74 feet, being subtended by a chord bearing South 84 degrees 11 minutes 29 seconds West a distance of 259.79 feet; thence westerly along said curve and south line an arc distance of 259.93 feet; thence South 81 degrees 20 minutes 40 seconds West continuing along said south line a distance of 63.16 feet to the west line of said plat, the following 3 courses being along said west line; (1) thence North 00 degrees 36 minutes 09 seconds East a distance of 29.62 feet; (2) thence North 89 degrees 45 minutes 11 seconds East a distance of 18.56 feet; (3) thence North 00 degrees 36 minutes 09 seconds East a distance of 30.45 feet to the north line of Hudson Street; thence North 80 degrees 45 minutes 11 seconds East along said north line a distance of 34.32 feet to a point on a tangent curve to the right having a radius of 2246.93 feet, subtended by a chord bearing North 83 degrees 54 minutes 23 seconds East a distance of 247.20 feet; thence easterly along said curve and north line a distance of 247.32 feet to a point on curve to the left having a radius of 25.92 feet, being subtended by a chord bearing North 42 degrees 47 minutes 57 seconds East a distance of 36.17 feet; thence easterly and northerly along said curve an arc distance of 40.04 feet to a point on the westerly line of McKinley Boulevard, being on a curve to the left having a radius of 300.00 feet, being subtended by a chord bearing North 36 degrees 55 minutes 04 seconds West a distance of 171.95 feet; thence northwesterly along said curve an arc distance of 174.40 feet to the south line of said Edgewood Grove; thence North 88 degrees 55 minutes 21 seconds West along said line a distance of 2098.19 feet to the Point of Beginning, containing 37.251 acres, more or less.

ALSO, all of Lots 5 through 12 in Deming Park Subdivision, Section One, as per plat thereof, recorded in Plat Book 16, Page 36, in Vigo County, Indiana, containing 3.48 acres, more or less

Commonly known as 501 and 601 S. Fruitridge Avenue, Terre Haute, IN 47803

PARCEL# 84-06-24-330-010.000-002

PARCEL# 84-06-24-332-004.000-002

The Petitioner is informed and believes that in accordance with Chapter 10, known and referred to as The Comprehensive Zoning Ordinance for Terre Haute, as amended, the above described real estate is now zoned as R-1 Single Family.

Your Petitioner would respectfully state that the real estate is now being used as agricultural land with a single family home. Your Petitioner intends to use the real estate to develop apartments and associated amenities.

Your Petitioner would request that the real estate described herein shall be zoned as a R-3 Multifamily. Your Petitioner would allege that the R-3 Multifamily zoning classification 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.

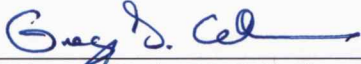
WHEREFORE, your Petitioner respectfully requests that the Area Planning Commission and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the District Maps of Chapter 10, of the Terre

Haute City Code entitled The Comprehensive Zoning Ordinance for Terre Haute, Section 10-121 District Maps and declaring the above-described real estate to be part of the C-3 Regional Commerce District of the City of Terre Haute, Indiana, and is entitled to the rights and benefits that may accrue to the real estate and the owner thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, the undersigned Petitioner has caused this Petition to Rezone Real Property to be executed, this 1<sup>st</sup> day of May 2025.

*\*Signature Page to Follow\**

**PETITIONER:**



J & L Land Works LLC, by its managing member,  
Gregory Gibson

Lind & Felling  
400 Ohio Street  
Terre Haute, IN 47808  
Phone: (812) 232-3388

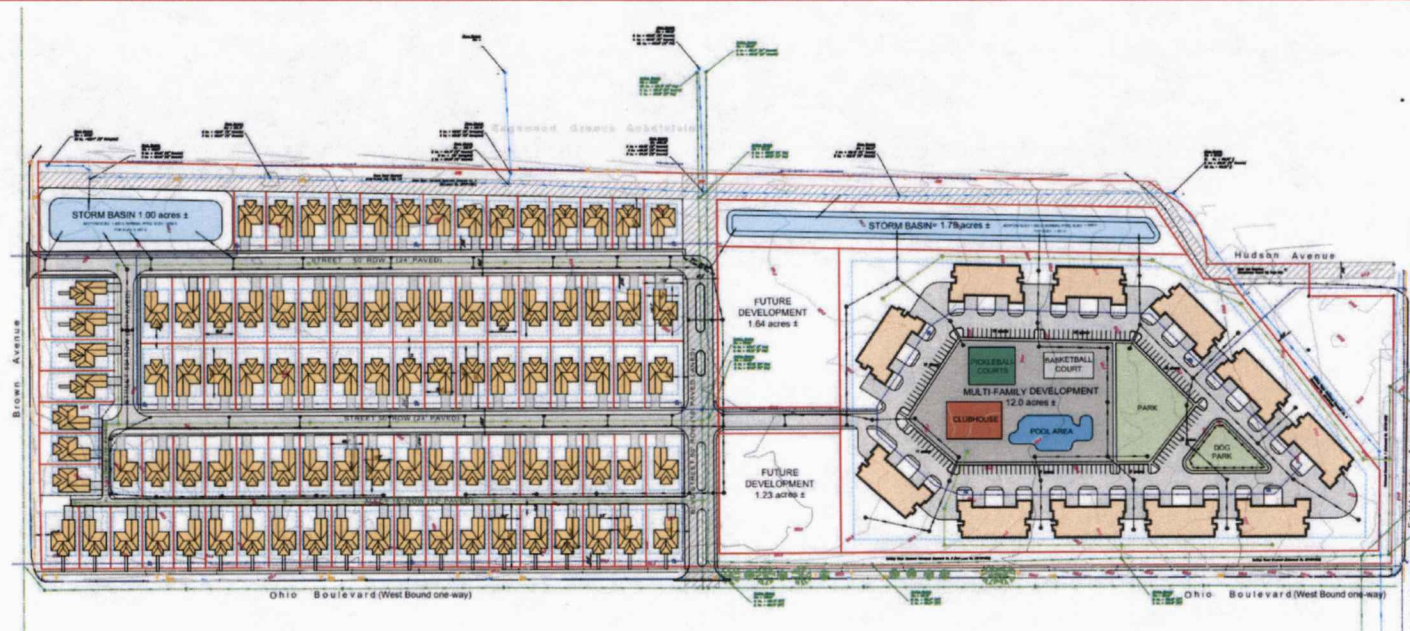
BY: 

Darrell E. Felling II #30608-84  
Attorney for Petitioner

The owner and mailing address:

J & L Land Works LLC  
3200 E. Haythorne Ave.  
Terre Haute, IN 47805

# OVERALL SITE PLAN



**BRICKYARD ESTATES**  
PROPOSED RESIDENTIAL 93 LOT SINGLE FAMILY HOMES  
TERRE HAUTE, VIGO COUNTY, INDIANA

**PADDOCK AT THE PARK**  
PROPOSED RESIDENTIAL 172 UNIT MULTI FAMILY DEVELOPMENT  
TERRE HAUTE, VIGO COUNTY, INDIANA

One Site, Two Housing Solutions

DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

OCT 12 2016

*Timothy M. Allsup*  
VIGO COUNTY AUDITOR

2016010389 SWD \$24.00  
10/12/2016 03:47:22P 5 PGS  
NANCY S. ALLSUP  
VIGO County Recorder IN  
Recorded as Presented



### SPECIAL WARRANTY DEED

**THIS INDENTURE WITNESSETH**, that Terre Haute Realty, LLC, an Indiana Limited Liability Company (hereinafter referred to as "GRANTOR"), for and in consideration of the payment to Grantor of Ten Dollars (\$10.00) and other good and value consideration, the receipt and sufficiency of which is hereby acknowledged, hereby **CONEYS, BARGAINS AND SELLS** unto J & L Land Works, LLC, an Indiana Limited Liability Company (hereinafter called "GRANTEE"), the following described Real Estate in Vigo County, Indiana, to-wit:

#### Tract VI

All of Lots 13 through 20 in Deming Park Subdivision, Section One, as per plat thereof, recorded in Plat Book 16, Page 36, Lot 1 A in Deming Park Subdivision Lot 1 A Commercial Lot, recorded in Plat Book 27, Page 65, both plats being recorded in the Office of the Recorder of Vigo County, Indiana, and a part of the Southwest Quarter of Section 24, Township 12 North, Range 9 West, in Vigo County, Indiana, being described as follows: Commencing at the northwest corner of said Southwest Quarter; thence South 00 degrees 01 minutes 58 seconds East along the west line thereof a distance of 825.15 feet to the southwest corner of Edgewood Grove, as per plat thereof recorded in Plat Book 10, Page 45, in said Recorder's Office, and the Point of Beginning; thence continuing South 00 degrees 01 minutes 58 seconds East along said line a distance of 554.29 feet to the northwest corner of a tract of land described in Deed Book 318, Page 462; thence North 89 degrees 47 minutes 08 seconds East along the north line of said tract a distance of 155.00 feet; thence South 00 degrees 01 minutes 58 seconds East parallel with the west line and along the east line of said tract a distance of 230.00 feet to the north line of Ohio Boulevard; thence North 89 degrees 47 minutes 08 seconds East along said line a distance of 2065.47 feet to the west line of McKinley Boulevard in said Deming Park Subdivision, Section One; thence North 00 degrees 36 minutes 09 seconds East a distance of 488.36 feet along said west line a distance of 488.36 feet to a point on tangent curve to the left having a radius of 25.00 feet, said curve being subtended by a chord bearing North 47 degrees 16 minutes 07 seconds West; thence northwesterly along said curve an arc distance of 41.78 feet to the south line of Hudson Street, said point being on a curve to the left having a radius of 2272.74 feet, being subtended by a chord bearing South 84 degrees 11 minutes 29 seconds West a distance of 259.79 feet; thence westerly along said curve and south line an arc distance of 259.93 feet;

thence South 81 degrees 20 minutes 40 seconds West continuing along said south line a distance of 63.16 feet to the west line of said plat, the following 3 courses being along said west line; (1) thence North 00 degrees 36 minutes 09 seconds East a distance of 29.62 feet; (2) thence North 89 degrees 45 minutes 11 seconds East a distance of 18.56 feet; (3) thence North 00 degrees 36 minutes 09 seconds East a distance of 30.45 feet to the north line of Hudson Street; thence North 80 degrees 45 minutes 11 seconds East along said north line a distance of 34.32 feet to a point on a tangent curve to the right having a radius of 2246.93 feet, subtended by a chord bearing North 83 degrees 54 minutes 23 seconds East a distance of 247.20 feet; thence easterly along said curve and north line a distance of 247.32 feet to a point on curve to the left having a radius of 25.92 feet, being subtended by a chord bearing North 42 degrees 47 minutes 57 seconds East a distance of 36.17 feet; thence easterly and northerly along said curve an arc distance of 40.04 feet to a point on the westerly line of McKinley Boulevard, being on a curve to the left having a radius of 300.00 feet, being subtended by a chord bearing North 36 degrees 55 minutes 04 seconds West a distance of 171.95 feet; thence northwesterly along said curve an arc distance of 174.40 feet to the south line of said Edgewood Grove; thence North 88 degrees 55 minutes 21 seconds West along said line a distance of 2098.19 feet to the Point of Beginning, containing 37.251 acres, more or less.

ALSO, all of Lots 5 through 12 in Deming Park Subdivision, Section One, as per plat thereof, recorded in Plat Book 16, Page 36, in Vigo County, Indiana, containing 3.48 acres, more or less.

Grantor, Terre Haute Realty, LLC, by its Vice President and Secretary, states under oath that there is no gross income tax due and owing in this conveyance.

Grantor covenants with the Grantee and its assigns that the above-described real estate is not subject to any encumbrances or conveyances made by Grantor or Grantor's immediate predecessor, Hulman & Company (except as noted above) and the Grantor will warrant and defend the same to the said Grantee and its assigns forever against the lawful claims and demands of all persons claiming by, through or under Grantor or Grantor's immediate predecessor, Hulman & Company (except as noted above), but against none other.

As a further consideration of the payment of the above sum, the person executing this deed on behalf of Terre Haute Realty, LLC represents and certifies, for the purpose of inducing

Grantee to accept this Special Warranty Deed, that she is the duly appointed Vice President of Grantor Terre Haute Realty, LLC and has been fully empowered by the Members of Terre Haute Realty, LLC to execute and deliver this deed; that Terre Haute Realty, LLC has full capacity to convey the real estate owned by it and that all necessary action for the making of such conveyance has been taken.

Notwithstanding anything in this Special Warranty Deed to the contrary, Grantor expressly conveys with the Real Estate contemplated hereunder the mineral interests, including the Oil and Gas Interests on the following terms:

- a. Grantee shall have sole control over the surface of the Real Estate and any decision as to whether or not to allow access to the surface of the Real Estate for the extraction, removal or production of Oil and Gas shall be at the discretion of Grantee, provided Grantee shall not unreasonably withhold consent for access to the surface for non-invasive testing for the presence of Oil and Gas.
- b. Subject to item a. above, decisions to negotiate terms, execute, modify, terminate, extend, renew or grant or withhold consents relating to an existing or future Oil and Gas Lease or otherwise impact the Oil and Gas Interest during the Reservation Period shall be mutually determined by Grantee and Grantor, provided that the parties shall negotiate in good faith with the intention to maximize Revenues during the Reservation Period. In addition, neither party shall be entitled to withhold its assent to and execution of an Oil and Gas Lease that is on terms materially similar to the terms of any Oil and Gas Lease in existence at the Closing.
- c. Grantee shall have the sole obligation to pay real property taxes and assessments with respect to the Real Estate (including, without limitation, with respect to all Oil and Gas), provided, however, that Grantor and Grantee shall share equally in any taxes assessed against the Oil and Gas in a separate parcel created due to the existence of a Mineral Lease to the extent the lessee thereunder does not do so.
- d. In connection with its conveyance of the Oil and Gas Interests to Grantee, Grantor shall be entitled to fifty percent (50%) of all Revenues accruing or generated during the Reservation Period, which shall be remitted to Grantor by Grantee upon receipt.
- e. The term "Revenues" means any rent, royalty, bonus, payment or other consideration.

f. The term "Oil and Gas Interests" means the interest of a party in and to (i) all Oil and Gas and (ii) all Revenues related to the exploration, production or removal of Oil and Gas at, from or under the Real Estate.

g. The term "Oil and Gas Lease" means a lease or other agreement whereby the owner of the Oil and Gas Interests is entitled to receive Revenues in connection with the Oil and Gas or Oil and Gas Interests.

h. The term "Reservation Period" means the period from the date hereof to the later of:

(i) the twentieth (20<sup>th</sup>) anniversary of the date hereof; or

(ii) ten (10) years after Revenues have been generated from the Oil and Gas Interests on such tract where Oil and Gas Revenues have been generated upon such tract between the date hereof and the twentieth (20<sup>th</sup>) anniversary of the date hereof.

IN WITNESS WHEREOF, the said Grantor, Terre Haute Realty, LLC has caused this Special Warranty Deed to be executed on the 11 day of October, 2016.

**TERRE HAUTE REALTY, LLC**

By: Gretchen E. Snelling  
Gretchen E. Snelling, Vice President & Secretary

(Notary to Follow)

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

Before me, the undersigned, a Notary Public, in and for said County and State, this 11<sup>th</sup> day of October, 2016, personally appeared the within named, Gretchen E. Snelling, as Vice President and Secretary of Terre Haute Realty, LLC, an Indiana Limited Liability Company, Grantor in the above conveyance, 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.



Diane M. Farah  
Notary Public  
Printed: DIANE M. FARAH



My Commission Expires:  
Oct 5, 2023

My County of Residence:  
MARION

Mail to: J & L Land Works, LLC, c/o Gregory Gibson, 3200 E. Haythorne Ave., Terre Haute, IN 47805

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.

Richard J. Shagley  
Richard J. Shagley

This Instrument Prepared By: Richard J. Shagley, Wright Shagley & Lowery, P.C., 500 Ohio Street, PO Box 9849, Terre Haute, Indiana, 47807, (812) 232-3388.

Subject to final acceptance for Transfer

FEB 14 2024

*Diana Winsted-Smith*  
VIGO COUNTY RECORDER

2024001842 SWD \$25.00  
02/14/2024 08:47:32A 2 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented

### SPECIAL WARRANTY DEED

**THIS INDENTURE WITNESSETH**, That St. Mark United Church of Christ Inc. f/k/a St. Mark Evangelical and Reformed Church of Terre Haute, Indiana (hereinafter called GRANTOR), for and in consideration of the payment to Grantor of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby **CONVEYS, BARGAINS AND SELLS** unto J & L Land Works, LLC (hereinafter called GRANTEE), the following-described real estate in Vigo County, Indiana, to-wit:

Beginning at a point Five Hundred Seven (507) feet North of the center line of Ohio Boulevard as the same is now located and established, and Forty (40) feet West of the center line of Fruitridge Avenue, as the same is located and established by the center line of a brick pavement now constructed on said Fruitridge Avenue, and running thence North along a line parallel with the said center line of Fruitridge Avenue One Hundred Three (103) feet, being to the South property line of a proposed Street Sixty (60) feet in width to be designated and known as Warren Street; thence West along a line parallel with the center line of Ohio Boulevard and being the South property line of the proposed Warren Street, One Hundred Sixty-three (163) feet; thence South parallel with the center line of Fruitridge Avenue, One Hundred Three (103) feet; thence East One Hundred Sixty-three (163) feet to the place of beginning, being Lot Numbered Four (4) in an unrecorded plat of Deming Park Subdivision.

Commonly known as 501 S. Fruitridge Avenue, Terre Haute, IN 47803

Tax Identification No.: 84-06-24-332-004.000-002

SUBJECT to Indiana Real Property taxes, prorated to the date hereof.

Grantor does covenant with the Grantees and their assigns that the above-described real estate is not subject to any encumbrances made by Grantor (except as noted above) and that Grantor will warrant and defend the same to the said Grantee and his assigns forever against the lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

IN WITNESS WHEREOF, St. Mark United Church of Christ Inc. f/k/a St. Mark Evangelical and Reformed Church of Terre Haute, Indiana has caused its name to be signed by its duly authorized representative, this 9th day of February, 2024.

St. Mark United Church of Christ Inc. f/k/a St.  
Mark Evangelical and Reformed Church of Terre  
Haute, Indiana

By *Jeff Adams*  
Jeff Adams, Chairman of the  
Printed name and title Board of Trustees

STATE OF Indiana

COUNTY OF Vigo

Before me, the undersigned, a Notary Public in and for said County and State, this 9th day of February, 2024, personally appeared Jeff Adams known to me to be the same person whose name is subscribed to the foregoing instrument, being first duly sworn, said and acknowledged that he/she he signed and delivered said Deed as his/her own free and voluntary act and for and on behalf of St. Mark United Church of Christ Inc. f/k/a St. Mark Evangelical and Reformed Church of Terre Haute, Indiana for the use and purposes therein set forth.



Lori J. Nicolson  
Notary Public

Lori J. Nicolson  
Printed Name

My Commission Expires:

8-29-2030

My County of Residence:

Vigo

I affirm, under the penalties or perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Jeffry A. Lind

This instrument was prepared by Jeffry A. Lind, Lind & Felling, 400 Ohio Street, Terre Haute, IN 47807 (812) 234-5463.

The deed was prepared at the request of the parties or their authorized representative based solely on information supplied by one or more of the parties to this conveyance without examination of title or abstract of title.

Grantee's Address: 3200 E. Haythorne Ave. Terre Haute, IN 47805

Mail Tax Statements to: J & L Land Works, LLC, 3200 Haythorne Avenue, Terre Haute, IN 47805

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF VIGO        )

**AFFIDAVIT**

Comes now, J & L Land Works LLC, by its managing member, Gregory Gibson, being duly sworn upon his oath, deposes and says:

1. That J & L Land Works LLC is the fee simple owner of record of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Beginning at a point Five Hundred Seven (507) feet North of the center line of Ohio Boulevard as the same is now located and established, and Forty (40) feet West of the center line of Fruitridge Avenue, as the same is located and established by the center line of a brick pavement now constructed on said Fruitridge Avenue, and running thence North along a line parallel with the said center line of Fruitridge Avenue One Hundred Three (103) feet, being to the South property line of a proposed Street Sixty (60) feet in width to be designated and known as Warren Street; thence West along a line parallel with the center line of Ohio Boulevard and being the South property line of the proposed Warren Street, One Hundred Sixty-three (163) feet; thence South parallel with the center line of Fruitridge Avenue, One Hundred Three (103) feet; thence East One Hundred Sixty-three (163) feet to the place of beginning, being Lot Numbered Four (4) in an unrecorded plat of Deming Park Subdivision.

ALSO all of Lots 13 through 20 in Deming Park Subdivision, Section One, as per plat thereof, recorded in Plat Book 16, Page 36, Lot 1 A in Deming Park Subdivision Lot 1 A Commercial Lot, recorded in Plat Book 27, Page 65, both plats being recorded in the Office of the Recorder of Vigo County, Indiana, and a part of the Southwest Quarter of Section 24, Township 12 North, Range 9 West, in Vigo County, Indiana, being described as follows: Commencing at the northwest corner of said Southwest Quarter; thence South 00 degrees 01 minutes 58 seconds East along the west line thereof a distance of 825.15 feet to the southwest corner of Edgewood Grove, as per plat thereof recorded in Plat Book 10, Page 45, in said Recorder's Office, and the Point of Beginning; thence continuing South 00 degrees 01 minutes 58 seconds East along said line a distance of 554.29 feet to the northwest corner of a tract of land described in Deed Book 318, Page 462; thence North 89 degrees 47 minutes 08 seconds East along the north line of said tract a distance of 155.00 feet; thence South 00 degrees 01 minutes 58 seconds East parallel with the west line and along the east line of said tract a distance of 230.00 feet to the north line of Ohio Boulevard; thence North 89 degrees 47 minutes 08 seconds East along said line a distance of 2065.47 feet to the west line of McKinley Boulevard in said Deming Park Subdivision, Section One; thence North 00 degrees 36 minutes 09 seconds East a distance of 488.36 feet along said west line a distance of 488.36 feet to a point on tangent curve to the left having a radius of 25.00 feet, said curve being subtended by a chord bearing North 47 degrees 16 minutes 07 seconds West; thence northwesterly along said curve an arc distance of 41.78 feet to the south line of Hudson Street, said point being on a curve to the left having a radius of 2272.74 feet, being subtended by a chord bearing South 84 degrees 11 minutes 29 seconds West a distance of 259.79 feet; thence westerly

along said curve and south line an arc distance of 259.93 feet; thence South 81 degrees 20 minutes 40 seconds West continuing along said south line a distance of 63.16 feet to the west line of said plat, the following 3 courses being along said west line; (1) thence North 00 degrees 36 minutes 09 seconds East a distance of 29.62 feet; (2) thence North 89 degrees 45 minutes 11 seconds East a distance of 18.56 feet; (3) thence North 00 degrees 36 minutes 09 seconds East a distance of 30.45 feet to the north line of Hudson Street; thence North 80 degrees 45 minutes 11 seconds East along said north line a distance of 34.32 feet to a point on a tangent curve to the right having a radius of 2246.93 feet, subtended by a chord bearing North 83 degrees 54 minutes 23 seconds East a distance of 247.20 feet; thence easterly along said curve and north line a distance of 247.32 feet to a point on curve to the left having a radius of 25.92 feet, being subtended by a chord bearing North 42 degrees 47 minutes 57 seconds East a distance of 36.17 feet; thence easterly and northerly along said curve an arc distance of 40.04 feet to a point on the westerly line of McKinley Boulevard, being on a curve to the left having a radius of 300.00 feet, being subtended by a chord bearing North 36 degrees 55 minutes 04 seconds West a distance of 171.95 feet; thence northwesterly along said curve an arc distance of 174.40 feet to the south line of said Edgewood Grove; thence North 88 degrees 55 minutes 21 seconds West along said line a distance of 2098.19 feet to the Point of Beginning, containing 37.251 acres, more or less.

ALSO, all of Lots 5 through 12 in Deming Park Subdivision, Section One, as per plat thereof, recorded in Plat Book 16, Page 36, in Vigo County, Indiana, containing 3.48 acres, more or less

Commonly known as 501 and 601 S. Fruitridge Avenue, Terre Haute, IN 47803

PARCEL# 84-06-24-330-010.000-002

PARCEL# 84-06-24-332-004.000-002

2. That copies of the Deed, recorded in the records of the Recorder's Office of Vigo County, Indiana, transferring fee simple title to J & L Land Works LLC is attached hereto and made a part hereof and marked as Exhibit A.

3. That Affiant makes this Affidavit for the sole purpose of affirming that J & L Land Works LLC is the owner of record of the above-described real estate for which a proposed change to the zoning map of the City of Terre Haute, Indiana, has been filed and to induce the Common Council of the City of Terre Haute, Indiana, to accept the Petition to Rezone Real Property as filed by J & L Land Works LLC.

4. Further, Affiant saith not.

Dated at Terre Haute, Indiana, this 6th day of May, 2025.

G. S. Gibson  
J & L Land Works LLC, by its managing member,  
Gregory Gibson

STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF VIGO       )

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, J & L Land Works LLC, by its managing member, Gregory Gibson appeared in person and executed said document, this 6th day of May 2025.

Molly Jane Meeks  
Molly Jane Meeks, Notary Public

My Commission expires:  
November 30, 2032

My County of Residence:  
Vigo



This instrument prepared by Darrell E. Felling II, Lind & Felling, 400 Ohio Street, Terre Haute, Indiana 47807.



## Receipt of Payment

TERRE HAUTE, IN  
**PAID**  
MAY 07 2025  
CONTROLLER

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

Date 5/7/25  
Name JPL Land work  
Reason Rezoning Notice of Filing \$25<sup>00</sup>  
Petition \$20<sup>00</sup>

Cash                     

Check \$45<sup>00</sup>

Ck # 6269

Credit                     

Total \$45<sup>00</sup>

Received By J. Thome/gw