



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

**SPECIAL ORDINANCE NO. 42**

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COMMON ADDRESS OF LOTS TO BE REZONED: 2420 5<sup>th</sup> Avenue Terre Haute Indiana 47807

Current Zoning: R-1, Single-Family Residence District

Requested Zoning: R-3, General Residence District

Proposed Use: A lodge for the AMVETS Post 222 .

Name of Owner: AMVETS Post 222

Address of Owner: 2420 5<sup>th</sup> Avenue Terre Haute Indiana 47807

Phone Number of Owner: 917-5373

For Information Contact: Clifford Stephens (812-241-9034)

Council Sponsor: Norm Loudermilk

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

FILED  
2011 JUN 03 09:07  
CITY CLERK

**SPECIAL ORDINANCE FOR A REZONING**  
**SPECIAL ORDINANCE NO. 42, 2011**

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:

**Lots 111, 112, 113, 114, 115, 116, and 40 feet off West side of lot 117 in Patrick's Subdivision,  
as shown by recorded plat thereof, recorded June 6, 1872, in Plat Record, Page 6 records of  
the Recorder's Office of Vigo County, Indiana**

Commonly known as: **2420 5<sup>th</sup> Avenue, Terre Haute, Vigo County Indiana 47807**

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, \_\_\_\_\_  
**Councilman Norm Loudermilk**

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

\_\_\_\_\_  
John Mullican -President

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

Charles P. Hanley, City Clerk

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

\_\_\_\_\_  
Charles P. Hanley, City Clerk

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

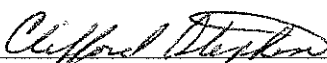
\_\_\_\_\_  
Duke Bennett, Mayor

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

Charles P. Hanley, City Clerk

This instrument prepared by: Clifford Stephens, 2236 Lafayette Avenue, Terre Haute, IN 47805  
812-241-9034.

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.

  
Clifford Stephens

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, **AMVETS POST 222**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

**Lots 111, 112, 113, 114, 115, 116, and 40 feet off West side of lot 117 in Patrick's Subdivision, as shown by recorded plat thereof, recorded June 6, 1872, in Plat Record, Page 6 records of the Recorder's Office of Vigo County, Indiana**

Commonly known as: **2420 5<sup>th</sup> Avenue, Terre Haute, Indiana 47807.**

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 being used as a **legal non-conforming lodge for AMVETS POST 222.** Your petitioner intends to use the real estate as a **lodge for the AMVETS POST 222 as permitted within the R-3, General Residence District.**

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 **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 City of 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 SEPTEMBER 2011.

BY:   
Clifford Stephens, ADJ

PETITIONER: AMVETS 2420 E 5<sup>th</sup> Avenue, Terre Haute, Indiana 47807

This instrument was prepared by Clifford Stephens, 2236 Lafayette Avenue, Terre Haute, IN 47805  
812-241-9034.

**AFFIDAVIT OF:**

COMES NOW affiant AMUETS Post 222

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

at 2420 5<sup>TH</sup> AVE, TERRE HAUTE, IN 47803

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.

SIGNATURE: Clifford Stephens

SIGNATURE: CLIFFORD STEPHENS

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 29 day of Sept., 2011.

Notary Public:

Jickie L. French  
[Typed name] Jickie L. French

My Commission Expires: 2-17-2017

My County Of Residence: Vigo

DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

2007018713 CORP WD \$20.0  
12/27/2007 10:33:43A 3 PGS  
RAYMOND L. WATTS  
VIGO County Recorder IN  
Recorded as Presented

Parcel No's.: 84-06-14-335-007.000-002, 84-06-14-335-008.000-002,  
DEC 27 2007 84-06-14-335-014.000-002, 84-06-14-335-009.000-002,  
84-06-14-335-015.000-002

  
VIGO COUNTY AUDITOR

**CORPORATE WARRANTY DEED**

The Grantor, CHURCH OF GOD OF PROPHECY, A 501(c)(3) CORPORATION, OF Wayne COUNTY MICHIGAN, for the sum of One Dollar (\$1.00) and other valuable consideration the receipt of which is hereby acknowledged, conveys and warrants to Grantee, AMVETS POST 222, A 501(c)(3) CORPORATION, OF VIGO COUNTY, INDIANA, the following described real estate situated in Vigo County, Indiana, in fee simple absolute:

PARCEL I

Lots 111 and 112 in Patrick's Subdivision, as shown by recorded plat thereof, recorded June 6, 1872, in Plat Record 2, Page 6, records of the Recorder's Office of Vigo County, Indiana.

PARCEL II

Lots 113 and 114 in Patrick's Subdivision, as shown by recorded plat thereof, recorded June 6, 1872, in Plat Record 2, Page 6, records of the Recorder's Office of Vigo County, Indiana.

PARCEL III

Lot 115 Patrick's Subdivision, as shown by the recorded Plat thereof recorded June 6, 1872, in Plat Record 2, Page 6, records of the Recorder's Office of Vigo County, Indiana.

PARCEL IV

Lots 116 and 10' off West side of Lot 117, in Patrick's Subdivision, as shown by the recorded Plat recorded June 6, 1872, in Plat Record 2, Page 6, records of the Recorder's Office of Vigo County, Indiana.

PARCEL V

40' East side of Lot 117, in Patrick's Subdivision, as shown by the recorded Plat thereof recorded June 6, 1872, in Plat Record 2, Page 6, records of the Recorder's Office of Vigo County, Indiana.

More commonly known as: 2420 5th Avenue, Terre Haute, Indiana 47807.

**HONEYCREEK TITLE**

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SUBJECT TO ANY CONDITIONS, RESTRICTIONS COVENANTS OR EASEMENTS OF RECORD.

THE WARRANTIES CONVEYED HEREIN ARE LIMITED TO THE ACTIONS OF THE GRANTOR ONLY.

THE UNDERSIGNED PERSON EXECUTING THIS DEED ON BEHALF OF GRANTOR REPRESENTS AND CERTIFIES THAT HE IS A DULY ELECTED OFFICER OF GRANTOR AND HAS BEEN FULLY EMPOWERED, BY PROPER MINUTES AND/OR RESOLUTIONS OF GRANTOR, TO EXECUTE AND DELIVER THIS DEED; THAT GRANTOR HAS FULL CAPACITY TO CONVEY THE REAL ESTATE DESCRIBED HEREIN; AND THAT ALL NECESSARY ACTION FOR THE MAKING OF SUCH CONVEYANCE HAS BEEN TAKEN AND DONE.

GRANTOR STATES THAT THERE ARE NO ADJUSTED GROSS INCOME TAXES DUE THE STATE OF INDIANA AT THIS TIME.

Dated: 12/20/2007

Church of God of Prophecy, Grantor

By: Bishop Jethro H. [Signature]  
Its duly appointed and empowered representative

STATE OF MICHIGAN )  
: SS  
COUNTY OF Wayne )

On this 20 day of December, 2007, before me, the undersigned, a Notary Public in and for said County and State, personally appeared [Signature] Jakacki, and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal.

My commission expires: 5/5/2011  
County of Residence is Wayne



MARIE ANN JAKACKI  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires May 5, 2011  
Acting in the County of Wayne



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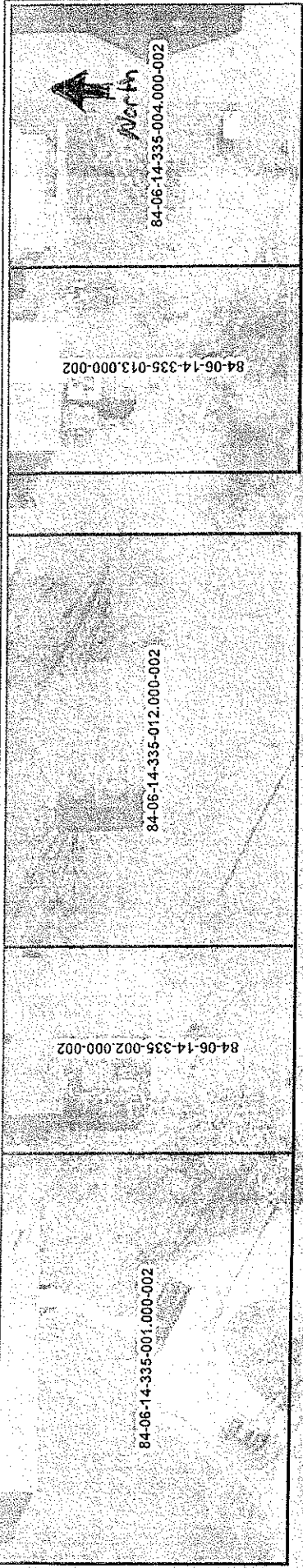
I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW. Attorney Todd A. Berry.

Send Tax Statements to Grantee at Grantee's Address:

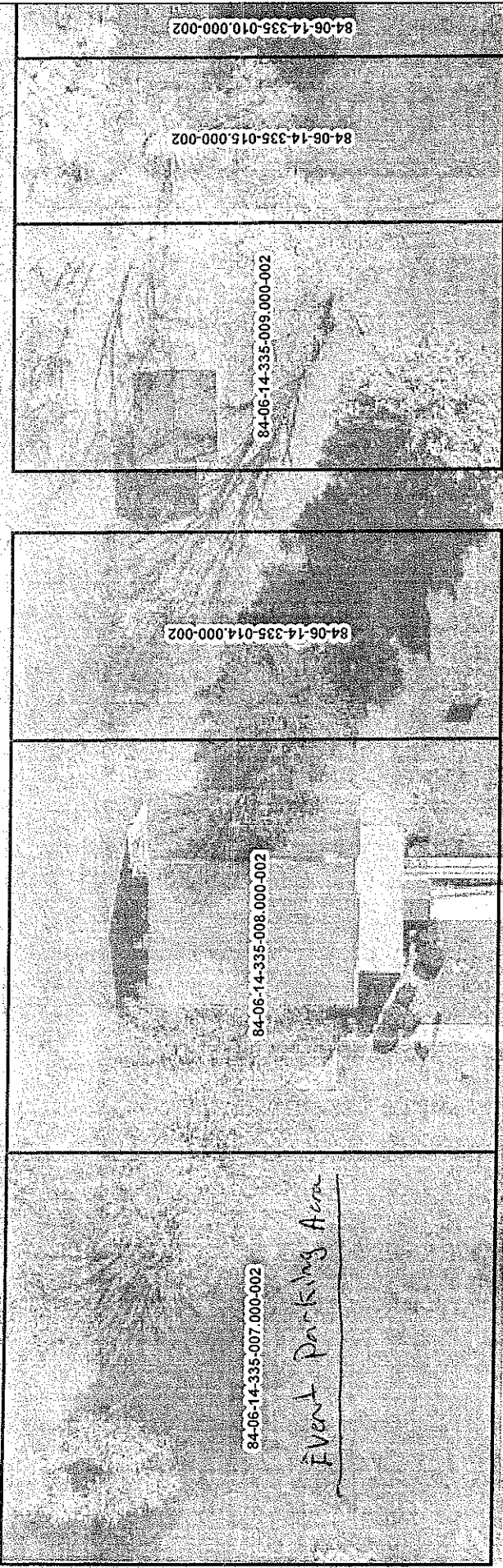
2420 5th Ave  
Terre Haute IN 47807

Return Deed to HONEYCREEK TITLE SERVICES

This instrument was prepared by Attorney Todd A. Berry, #24797-84, 401 East Ohio Street, Suite A4, Terre Haute, Indiana, 47807; (812) 238-0100.



ALLEY



5TH AVE

