



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

**SPECIAL ORDINANCE No. 19, 2022**

COMMON ADDRESS OF LOTS TO BE REZONED: See attached.

REZONE FROM: R-2 Two-Family Residence District

REZONE TO: C-2 Limited Community Commerce

PROPOSED USE: Parking lot areas to support the hospital facility and the other healthcare facilities located on Petitioner's campus.

NAME OF OWNER: Union Hospital, Inc.

ADDRESS OF OWNER: 1606 North 7th Street  
Terre Haute, Indiana 47804

PHONE NUMBER OF OWNER: (812) 238-7604

ATTORNEY REPRESENTING OWNER: B. Curtis Wilkinson

ADDRESS OF ATTORNEY: Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP  
333 Ohio Street  
Terre Haute, Indiana 47807

PHONE NUMBER OF ATTORNEY: (812) 232-4311

FOR INFORMATION, CONTACT: B. Curtis Wilkinson  
( ) Owner ( X ) Attorney

COUNCIL SPONSOR: Todd Nation

COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION



**COMMON ADDRESSES OF LOTS TO BE REZONED**

1. Parcel No. 84-06-16-254-015.000-002  
Address: 1808 North 5<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
2. Parcel No. 84-06-16-254-016.000-002  
Address: 1806 North 5<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
3. Parcel No. 84-06-16-254-017.000-002  
Address: 1804 North 5<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
4. Parcel No. 84-06-16-254-018.000-002  
Address: 1800 North 5<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
5. Parcel No. 84-06-16-254-007.000-002  
Address: 1606 North 7<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
6. Parcel No. 84-06-16-254-006.000-002  
Address: 1807 North 4<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
7. Parcel No. 84-06-16-254-005.000-002  
Address: 1811 North 4<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].

FILED

JUN 14 2022

CITY CLERK

SPECIAL ORDINANCE NO. 19, 2022

An Ordinance Amending Title III designed as "COMPREHENSIVE ZONING ORDINANCE FOR TERRE HAUTE, INDIANA" OF ORDINANCE NO. 1, 1967, AS AMENDED ENTITLED, "AN ORDINANCE ADOPTING A COMPREHENSIVE ZONING ORDINANCE FOR THE CITY OF TERRE HAUTE, INDIANA, IN ACCORDANCE WITH CHAPTER 174 OF THE ACTS OF THE INDIANA GENERAL ASSEMBLY, 1947, AS AMENDED, DESIGNATING THE SAME AS A PART OF THE MASTER PLAN FOR THE CITY OF TERRE HAUTE, INDIANA, PROVIDING PENALTIES FOR VIOLATION THEREOF AND DECLARING AN EMERGENCY" BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

**SECTION I.** That Title III, Comprehensive Zoning Ordinance of Ordinance No. 1, 1967 effective November 3, 1967, entitled:

An ordinance adopting a comprehensive zoning ordinance for the City of Terre Haute, Indiana, in accordance with Chapter 174 of the Acts of the Indiana General Assembly, 1947, as amended, designating the same as a part of the master plan for the City of Terre Haute, Indiana, providing penalties for violations thereof and declaring an emergency;"

and Chapter 1161 thereof, and the Zoning District Map, is hereby amended to read as follows:

"The property commonly known as 1808 North 5<sup>th</sup> Street, 84-06-16-254-015.000-002, more particularly described as follows, to-wit:

Lot Number Fifty-eight (58) in Peyton Park, a Subdivision of Lots Eight (8) and Eleven (11) in the Subdivision of School Section Sixteen (16), Township (12) North, Range Nine (9) West, in the City of Terre Haute, Indiana.

The property commonly known as 1806 North 5<sup>th</sup> Street, 84-06-16-254-016.000-002, more particularly described as follows, to-wit:

Lot Number 59 in Peyton Park, a subdivision of Lots 8 and 11 in the subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

The property commonly known as 1804 North 5<sup>th</sup> Street, 84-06-16-254-017.000-002, more particularly described as follows, to-wit:

30 feet off the South side of Lot Number Fifty-Nine (59) in Peyton park, a subdivision of Lots Eight (8) and Eleven (11) in the subdivision of School Section Sixteen (16), Township Twelve (12) North, Range Nine (9) West in the City of Terre Haute, Indiana.

The property commonly known as 1800 North 5<sup>th</sup> Street, 84-06-16-254-018.000-002, more particularly described as follows, to-wit:

Lot Number 60 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West.

The property commonly known as 1606 North 7<sup>th</sup> Street, 84-06-16-254-007.000-002, more particularly described as follows, to-wit:

Lot Number 61 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana

The property commonly known as 1807 North 4<sup>th</sup> Street, 84-06-16-254-006.000-002, more particularly described as follows, to-wit:

Lot Number 62 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana

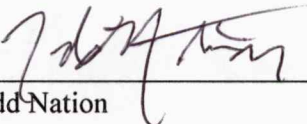
The property commonly known as 1811 North 4<sup>th</sup> Street, 84-06-16-254-005.000-002, more particularly described as follows, to-wit:

Lot Number 63 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana

be and the same is hereby established as a C-2 – Limited Community Commerce, 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, the Board of Zoning Appeals approval of special use for off-street parking, and its approval by the Mayor and publication as by law provided.

Presented by Council Member:

  
\_\_\_\_\_  
Todd Nation

Passed in open Council this 4<sup>th</sup> day of August, 2022.

Cheryl Loudermilk  
Cheryl Loudermilk, President

ATTEST:

Michelle L Edwards  
Michelle Edwards, City Clerk

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

Michelle L Edwards  
CITY CLERK Michelle Edwards

Approved by me, the Mayor of the City of Terre Haute, this 11<sup>th</sup> day of August, 2022.

Duke Bennett  
MAYOR Duke Bennett

ATTEST:

Michelle L Edwards  
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.

B. Curtis Wilkinson

B. Curtis Wilkinson

This instrument prepared by: B. Curtis Wilkinson, Attorney, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 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 PLAN COMMISSION OF  
VIGO COUNTY, INDIANA.

GENTLEPERSONS:

The undersigned, Union Hospital, Inc., by and through Jack M. Hill, Chief Administrative Officer, a duly authorized representative, respectfully submits this Petition to Rezone seven (7) parcels of real estate located in the block bounded by Buckeye Street to the North, 4<sup>th</sup> Street to the West, Maiden Lane to the South and 5<sup>th</sup> Street to the East, specifically requesting to rezone the following parcels of real estate in Terre Haute, Indiana, to a C-2 - Limited Community Commerce designation, more particularly described as follows and highlighted in yellow on the attached **Exhibit A**, to-wit:

1. Parcel No. 84-06-16-254-015.000-002  
Address: 1808 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number Fifty-eight (58) in Peyton Park, a Subdivision of Lots Eight (8) and Eleven (11) in the Subdivision of School Section Sixteen (16), Township (12) North, Range Nine (9) West, in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].
2. Parcel No. 84-06-16-254-016.000-002  
Address: 1806 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number 59 in Peyton Park, a subdivision of Lots 8 and 11 in the subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].
3. Parcel No. 84-06-16-254-017.000-002  
Address: 1804 North 5<sup>th</sup> Street  
Legal Description:  
30 feet off the South side of Lot Number Fifty-Nine (59) in Peyton park, a subdivision of Lots Eight (8) and Eleven (11) in the subdivision of School Section Sixteen (16), Township Twelve (12) North, Range Nine (9) West in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].

4. Parcel No. 84-06-16-254-018.000-002  
Address: 1800 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number 60 in Peyton Park, a subdivision of Lots 8 and 11  
in the Subdivision of School Section 16, Township 12 North,  
Range 9 West.  
[Property currently zoned R-2 – Two-Family Residence District].
5. Parcel No. 84-06-16-254-007.000-002  
Address: 1606 North 7<sup>th</sup> Street  
Legal Description:  
Lot Number 61 in Peyton Park, a subdivision of Lots 8 and 11  
in the Subdivision of School Section 16, Township 12 North,  
Range 9 West, in the City of Terre Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].
6. Parcel No. 84-06-16-254-006.000-002  
Address: 1807 North 4<sup>th</sup> Street  
Legal Description:  
Lot Number 62 in Peyton Park, a subdivision of Lots 8 and 11  
in the Subdivision of School Section 16, Township 12 North,  
Range 9 West, in the City of Terre Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].
7. Parcel No. 84-06-16-254-005.000-002  
Address: 1811 North 4<sup>th</sup> Street  
Legal Description:  
Lot Number 63 in Peyton Park, a subdivision of Lots 8 and 11  
in the Subdivision of School Section 16, Township 12 North,  
Range 9 West, in the City of Terre Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].

Your Petitioner is informed and believes that in accordance with Chapter 1161, Zoning District Maps, of Title 3 "Comprehensive Zoning Ordinance 1, 1967," as amended, the above described seven (7) parcels of real estate are now zoned as R-2 – Two-Family Residential District, of the City of Terre Haute, Indiana.

In the subject block area the Petitioner is the owner of twelve (12) parcels of real estate, with two (2) of the parcels of real estate zoned C-4 – Commercial Office District, which parcels of real estate are marked as **#1** and highlighted in blue on the attached **Exhibit A**. There are six (6) parcels of real estate which Petitioner does not own which parcels are highlighted in green on the attached **Exhibit A**.

Your Petitioner would respectfully show that the zoning of the above described real estate should be changed to represent the essential character of the locality in which it is situated (that is, fringe properties supporting commercial endeavors adjacent to the real estate North, South, East, and West) and to reflect the general usage of the property, and that the proposed change will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, nor will it impair an adequate supply of light and air to an adjacent property.

Your Petitioner would respectfully show that the aforementioned parcels of real estate are surrounded by property currently owned by Petitioner and/or other medical facilities and it is land that is part of Petitioner's medical campus. It is proposed that the seven (7) parcels of real estate highlighted in yellow and marked as **#2** on the attached **Exhibit A** will be used for parking lot areas to support the hospital facility and the other healthcare facilities located on Petitioner's campus, with the three (3) parcels of real estate highlighted in yellow and marked as **#2-A** on the attached **Exhibit A** already being used for parking. The contemplated use would apparently require C-2 zoning under Title Three of Comprehensive Zoning Ordinance for Terre Haute, Indiana, as Amended.

A change in the present zoning to C-2 – Limited Community Commerce would not alter the general characteristics of the area and would more appropriately reflect the nature of your Petitioner's anticipated use.

WHEREFORE, your Petitioner respectfully requests that the Area Plan Commission and the Common Council favorably consider the passage of a special ordinance amending the Comprehensive Zoning Ordinance of the City of Terre Haute, Indiana, being Title 3 of General Ordinance 1, 1967, and declaring the above described real estate to be a part of the Community Commerce Business District: C-2 – Limited Community Commerce, of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation, subject to all limitations imposed by deed or otherwise.



IN WITNESS WHEREOF, this Petition has been duly executed this 10<sup>th</sup> day of  
June, 2022.

  
\_\_\_\_\_  
Jack M. Hill, Chief Administrative Officer  
Union Hospital, Inc.

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.

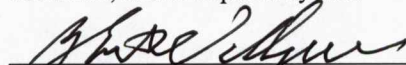
  
\_\_\_\_\_  
B. Curtis Wilkinson

EXHIBIT A





**AFFIDAVIT**

**OF**

**JACK M. HILL  
CHIEF ADMINISTRATIVE OFFICER  
OF UNION HOSPITAL, INC.**

COMES NOW Jack M. Hill, Chief Administrative Officer of Union Hospital, Inc., and affirms under penalties of law that:

1. Affiant is the Chief Administrative Officer of Union Hospital, Inc., and is duly authorized to represent and make this Affidavit for and on behalf of Union Hospital, Inc.

2. Union Hospital, Inc., is a nonprofit corporation lawfully organized and existing under the laws of the State of Indiana.

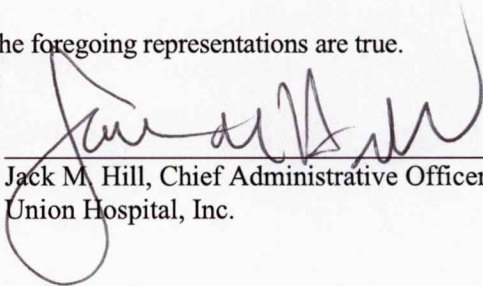
3. In Affiant's capacity as an officer of Union Hospital, Inc., he is in charge of and is familiar with the properties owned by Union Hospital. Affiant represents and warrants that Union Hospital, Inc., is or will be the owner of record of the following parcels of real estate:

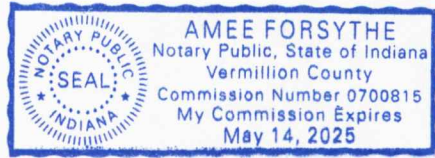
- (a) Parcel No. 84-06-16-254-015.000-002  
Address: 1808 North 5<sup>th</sup> Street  
Legal Description:  
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[Property currently zoned R-2 – Two-Family Residence District].
- (b) Parcel No. 84-06-16-254-016.000-002  
Address: 1806 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number 59 in Peyton Park, a subdivision of Lots 8 and 11 in the subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].
- (c) Parcel No. 84-06-16-254-017.000-002  
Address: 1804 North 5<sup>th</sup> Street  
Legal Description:  
30 feet off the South side of Lot Number Fifty-Nine (59) in Peyton park, a subdivision of Lots Eight (8) and Eleven (11) in the subdivision of School Section Sixteen (16), Township Twelve (12) North, Range Nine (9) West in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].

- (d) Parcel No. 84-06-16-254-018.000-002  
Address: 1800 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number 60 in Peyton Park, a subdivision of Lots 8  
and 11 in the Subdivision of School Section 16,  
Township 12 North, Range 9 West.  
[Property currently zoned R-2 – Two-Family Residence District].
- (e) Parcel No. 84-06-16-254-007.000-002  
Address: 1606 North 7<sup>th</sup> Street  
Legal Description:  
Lot Number 61 in Peyton Park, a subdivision of Lots 8  
and 11 in the Subdivision of School Section 16,  
Township 12 North, Range 9 West, in the City of Terre  
Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].
- (f) Parcel No. 84-06-16-254-006.000-002  
Address: 1807 North 4<sup>th</sup> Street  
Legal Description:  
Lot Number 62 in Peyton Park, a subdivision of Lots 8  
and 11 in the Subdivision of School Section 16,  
Township 12 North, Range 9 West, in the City of Terre  
Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].
- (g) Parcel No. 84-06-16-254-005.000-002  
Address: 1811 North 4<sup>th</sup> Street  
Legal Description:  
Lot Number 63 in Peyton Park, a subdivision of Lots 8  
and 11 in the Subdivision of School Section 16,  
Township 12 North, Range 9 West, in the City of Terre  
Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].

for which a rezoning is requested and attached hereto are the Warranty Deeds and Corporate Warranty Deeds evidencing such ownership.

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

  
\_\_\_\_\_  
Jack M. Hill, Chief Administrative Officer  
Union Hospital, Inc.



STATE OF INDIANA )  
SS: )  
COUNTY OF VIGO )

Personally appeared before me, a Notary Public in and for said County and State, Jack M. Hill, Chief Administrative Officer of Union Hospital, Inc., 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 10<sup>th</sup> day of June, 2022.

My Commission Expires:

5/14/2025

My County of Residence:

Vermillion

Amee Forsythe  
Notary Public

Printed: Amee Forsythe

CORPORATE WARRANTY DEED

96 02188

THIS INDENTURE WITNESSETH, THAT DYWYKI CORPORATION, an Indiana corporation, of Vigo County, in the State of Indiana ("Grantor") CONVEYS AND WARRANTS TO UNION HOSPITAL, INC., an Indiana nonprofit corporation, whose address is 1606 North Seventh Street, Terre Haute, Vigo County, State of Indiana, 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 located in Vigo County, in the State of Indiana:

Lot 19 in Dunigan's Subdivision of Lots 41-42 and 43 in Subdivision of Section 16, Township 12 North, Range 9 West, excepting 277 feet off West side of said Lot 41 and except 131 feet off of the South side of said Lot 43. In Terre Haute, Vigo County, Indiana.

AND

Lot Number Fifty-eight (58) in Peyton Park, a Subdivision of Lots Eight (8) and Eleven (11) in the Subdivision of School Section Sixteen (16), Township (12) North, Range Nine (9) West, in the City of Terre Haute, Indiana.

AND

Lot Number One (1) in Koch's Heirs Subdivision of part of Section 15, Township 12 North, Range 9 West as per recorded plat thereof recorded in Plat Record 3, Page 98 in the Vigo County Recorder's Office except that part of said Lot One (1) conveyed to the City of Terre Haute, Ind. on Jan. 7, 1897 as per Deed recorded in Deed Record 92, Page 449 in the Vigo County Recorder's Office. In continuation of the foregoing Abstract #14587.

AND

Lot Number 34 in Swafford Roberts and Gerstmeyer's Subdivision (continuation plat) of Lots 14 and 17 in the Subdivision of Section 16, Township 12 North, Range 9 West.

ALSO

60 feet off the West end of Lots 35 and 36, in Swafford, Roberts and Gerstmeyer's Addition to the City of Terre Haute, Indiana, said Addition being parts of Lots 14 and 17 in the Subdivision of Section 16, Township 12 North, Range 9 West, in Terre Haute, Indiana.

ALSO

Lots Thirty-five (35) and Thirty-six (36), except sixty (60) feet off the West ends thereof, in Swafford, Roberts and Gerstmeyer's Addition to the City of Terre Haute, Indiana, said Addition being parts of Lots 14 and 17 in the Subdivision of Section 16, Township 12 North, Range 9 West, in Terre Haute, Vigo County, Indiana.

DULY ENTERED  
FOR TAXATION

FEB 15 1996

Judith Anderson

AND

Lot 21 in Richard Dunnigan's Subdivision of Lots numbers 41 and 42 and part of Lot 43 in the Subdivision of Section 16, Township 12 North, Range 9 West, in Terre Haute, Vigo County, Indiana.

000544

AND

2

Lot Number Two (2) in W. W. Cliver's Subdivision of parts of Lots Number 5-6-7 and 8 in Spencers Subdivision of the North West quarter of Section 15, Township 12, North Range 9 West of the 2d Principal Meridian. Said Lot 2 lies within Lots 6-7 and 8 of said Spencers Subdivision and is 40 feet front by 142 feet deep.

AND

PART ONE

Commencing at a point 123 feet South of the North East corner of Lot 6 in Mary F. Langford's Subdivision of part of the South West 1/4 of Section 15, Township 12 North, Range 9 West running thence South Westerly along the Westerly line of Lafayette Avenue to the South East corner of Lot No. 10 of said Subdivision; thence North Westerly along the South line of said Lot 10, and to the East line of the alley as conveyed to the City of Terre Haute by Fred H. Haring and wife Johanna by deed dated April 23, 1909 and recorded in Deed Record 126, Page 270 of records of Recorders Office of Vigo County, Indiana, running thence North eastwardly along the East line of said alley to a point due West of the place of beginning thence East to the place of beginning.

PART TWO

Part of Lot Number Six (6) in Koch's Heirs Subdivision of Part of Section Fifteen (15), Township Twelve (12) North, of Range Nine (9) West, described as follows:

Beginning at the North East corner of said Lot Six (6) and thence in a Southwesterly direction along the Westerly line Lafayette Avenue to the Southeast corner of Lot Six (6), a distance of Ninety-one feet, thence in a Northeasterly direction a distance of Fifty-five (55) feet to the North line of said Lot Six (6), thence in a Southeasterly direction a distance of One Hundred and Ten (110) feet to the place of beginning.

AND

Lot Number 16 of Scott's Subdivision of Lots 3-4-5-10-11-12-13 & 14 of Koch's Subdivision of Lot No. 2 and part of Lot 3 of Spencer's Subdivision of the North West 1/4 of Section 15-12-9, Terre Haute, Ind.

Grantor herein certifies there is no Indiana Gross Income Tax due hereunder.

The undersigned persons executing this Corporate Warranty Deed on behalf of Grantor represent and certify that they are duly elected officers of DYWYKI Corporation and have been fully empowered, by proper Resolution of the Board of Directors of DYWYKI Corporation to



execute and deliver this Corporate Warranty Deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

000544

IN WITNESS WHEREOF, DYWYKI Corporation has caused this instrument to be executed by its President and attested by its Secretary this 14<sup>th</sup> day of February, 1996.

DYWYKI CORPORATION

By: Raymond H. Modesitt  
Raymond H. Modesitt, President

ATTEST:

Myrl O. Wilkinson  
Myrl O. Wilkinson, Secretary

STATE OF INDIANA     )  
                                  :SS  
COUNTY OF VIGO     )

Before me, a Notary Public in and for and a resident of said County and State, personally appeared Raymond H. Modesitt and Myrl O. Wilkinson, the President and Secretary, respectively, of DYWYKI Corporation, an Indiana Corporation, who acknowledged the execution of the above and foregoing Corporate Warranty Deed and who, being first duly sworn, upon their oath state that any representations contained therein are true.

WITNESS my hand and Notarial Seal this 14<sup>th</sup> day of February, 1996.

MY COMMISSION EXPIRES:

March 15 1997  
COUNTY OF RESIDENCE:  
Vigo

Nancy J. Sanguinetti  
NOTARY PUBLIC  
Nancy J. Sanguinetti  
(Printed)

THIS INSTRUMENT PREPARED BY:

Atty B. Curtis Wilkinson, #1246-84  
333 Ohio St., P.O. Box 800  
Terre Haute, IN 47808  
(812) 232-4311

MAIL TAX DUPLICATES TO:

Union Hospital, Inc.  
1606 North 7th Street  
Terre Haute, IN 47804

AT 3:00 O'CLOCK P.M.  
RECORD 441 PAGE 544

FEB 16 1996

Nancy Sanguinetti  
RECORDER VIGO COUNTY 1102

2021003196 CORP WD \$25.00  
03/04/2021 03:19:26P 2 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented



**CORPORATE WARRANTY DEED**

THIS INDENTURE WITNESSETH, THAT TURNIS, INC., an Indiana Corporation, organized and existing under the laws of the State of Indiana ("Grantor") CONVEYS AND WARRANTS TO UNION HOSPITAL, INC., an Indiana nonprofit corporation, whose address is 1606 North Seventh Street, Terre Haute, Vigo County, State of Indiana, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate located in Vigo County, in the State of Indiana:

Lot Number 59 in Peyton Park, a subdivision of Lots 8 and 11 in the subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

(Commonly known and referred to as 1806 North 5<sup>th</sup> Street, Terre Haute, Indiana).

As a further consideration of the payment of the above sum, the undersigned persons executing this Corporate Warranty Deed on behalf of Grantor represent and certify, for the purpose of including Grantee to accept this Corporate Warranty Deed, that they are duly elected officers of Grantor and have been fully empowered, by either Grantor's By-Laws or by proper resolution of the Board of Directors of Grantor, to execute, acknowledge and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein and conveyed hereby; that the real estate conveyed by this indenture is conveyed in Grantor's usual and regular course of business of Grantor; that this conveyance follows the complete fulfillment by Grantee of that certain written installment sale contract between the parties hereto; and all necessary corporate action for the making of such conveyance has been taken and done.

The undersigned certify that no corporate gross income tax is due and owing with respect to this conveyance.

IN WITNESS WHEREOF, Turnis, Inc. has caused this instrument to be executed by its PRESIDENT and attested by its SECRETARY this 1<sup>ST</sup> day of March, 2021.

TURNIS, INC.  
By: [Signature]  
Printed: Michael Thomas Ellis  
Title: PRESIDENT

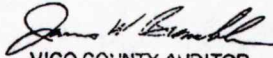
ATTEST:  
By: [Signature]  
Printed: KALEEL M. ELLIS JR  
Title: SECRETARY



DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

RAYMOND L. WATTS  
VIGO County Recorder IN  
IN 2006018625 WD  
09/14/2006 15:21:50 1 PGS  
Filing Fee: \$16.00

SEP 14 2006

  
VIGO COUNTY AUDITOR

**WARRANTY DEED**

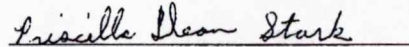
THIS INDENTURE WITNESSETH, THAT Priscilla Ilean Stark and James E. Stark, Jr., individually and as tenants in common, of Vigo County, in the State of Indiana ("Grantors") CONVEY AND WARRANT TO Union Hospital, Inc., an Indiana nonprofit corporation, whose address is 1606 North Seventh Street, Terre Haute, Vigo County, State of Indiana ("Grantee"), for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate located in Vigo County, in the State of Indiana:

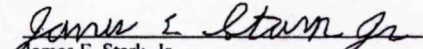
30 feet off the South side of Lot Number Fifty-Nine (59) in Peyton park, a subdivision of Lots Eight (8) and Eleven (11) in the subdivision of School Section Sixteen (16), Township Twelve (12) North, Range Nine (9) West in the City of Terre Haute, Indiana.

Also, Lot Number 60 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West.

(Commonly known as 1800 and 1804 North 5<sup>th</sup> Street, Terre Haute, Indiana).

IN WITNESS WHEREOF, Grantors have executed this Warranty Deed this 14<sup>th</sup> day of September, 2006.

  
Priscilla Ilean Stark

  
James E. Stark, Jr.


"GRANTORS"

STATE OF INDIANA     )  
                                      :SS  
COUNTY OF VIGO     )

Before me, the undersigned, a Notary Public in and for said County and State this 14<sup>th</sup> day of September, 2006, personally appeared Priscilla Ilean Stark and James E. Stark, Jr., individually and as tenants in common, and acknowledged the execution of the above Warranty Deed.

Witness my hand and notarial seal.



  
Valori J. Berrisford, Notary Public

Resident of Vigo County, Indiana.

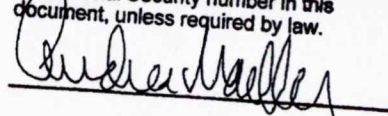
**THIS INSTRUMENT PREPARED BY:**

Atty B. Curtis Wilkinson  
333 Ohio St., P.O. Box 800  
Terre Haute, IN 47808

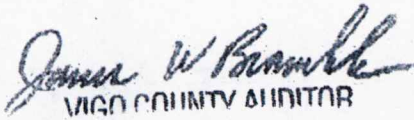
**MAIL TAX DUPLICATES TO:**

Union Hospital, Inc.  
ATTN: ACCOUNTING  
1606 North 7th Street  
Terre Haute, IN 47804  
Sequencing Code 968

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.



DEC 15 2020

  
VIGO COUNTY AUDITOR



### LIMITED WARRANTY DEED

THIS INDENTURE WITNESSETH, that **ASSOCIATED PHYSICIANS & SURGEONS CLINIC LLC, II**, an Indiana limited liability company ("**AP&S II**"), ("**Grantor**"), having an address of 221 S. 6<sup>th</sup> Street, Terre Haute, IN 47807, **BARGAINS, SELLS, CONVEYS,** and **SPECIALLY WARRANTS** to **UNION HOSPITAL, INC.**, an Indiana nonprofit corporation, ("**Grantee**"), having an address of 1606 N. 7<sup>th</sup> Street, Terre Haute, IN 47807, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, that certain real estate generally located in Terre Haute, Vigo County, Indiana, and being more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "**Real Estate**").

This conveyance is subject to:

- (A) any and all rights-of-way, liens, claims, commitments, covenants, agreements, encumbrances, and other matters of record,
- (B) applicable local, state and federal laws, ordinances and regulations, including, but not limited to, building restrictions and zoning laws,
- (C) the lien for non-delinquent real estate taxes and assessments,
- (D) all matters that would be disclosed by an accurate survey of the Real Estate,
- (E) all matters created, permitted or suffered by Grantee, and
- (F) Permitted Exceptions as shown on **Exhibit B** attached hereto and incorporated herein by this reference

Grantor warrants to Grantee and Grantee's successors and assigns that: (i) the Real Estate is free of any encumbrance made by Grantor except as set forth above, (ii) Grantor is lawfully seized of the Real Estate, and (iii) Grantor guarantees the quiet possession of and will forever defend title to the Real Estate against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

The undersigned person executing this Limited Warranty Deed on behalf of Grantor represents and certifies that such person has been fully empowered, by proper resolution of Grantor, to execute and deliver this Limited Warranty Deed; that Grantor has full organizational capacity to convey the Real Estate; and that all necessary action for the making of such conveyance has been taken and done.

[Separate signature page follows.]

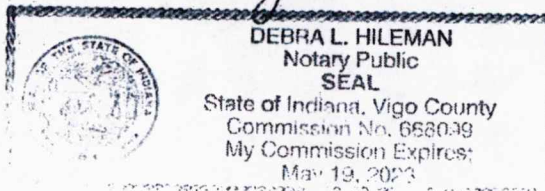


**PROOF**

Before me, a Notary Public in and for said County and State, this 15<sup>th</sup> day of December, 2020, personally appeared the above named WITNESS to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows Jeffrey A. Jungers, M.D., to be the individual described in and who executed the foregoing instrument; that said WITNESS was present and saw said Jeffrey A. Jungers, M.D., execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.

Debra L. Hileman  
Notary Public  
Commission No. 668099  
Printed: Debra L. Hileman  
County of Residence: Vigo

MY COMMISSION EXPIRES:  
05-19-2023



This Deed was prepared by CRAIG M. McKEE, Attorney at Law, 333 Ohio Street, Terre Haute, IN 47807, (812)232-4311 at the specific request of GRANTOR based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The preparer assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided, the parties hereto signifying their assent to this disclaimer by GRANTOR'S execution and GRANTEE'S acceptance and recordation of the instrument.

Mail tax duplicates to:

Union Hospital, Inc  
Attn: ACCOUNTING  
1606 N. 7<sup>th</sup> Street  
Terre Haute, IN 47804  
Sequencing Code 968

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.

Craig M. McKee

**EXHIBIT A**  
(Consisting of 4 pages)

**Legal Description of Property**

**TRACT 2A:**

A part of the Southeast Quarter of Section Nine (9), Township Eleven (11) North, Range Nine (9) West in Honey Creek Township, Vigo County, Indiana, bounded and described as follows: Beginning at a ½ inch iron pin which point is 524.02 feet South 00 degrees 27 minutes 00 seconds East and 60.75 feet South 89 degrees 12 minutes 40 seconds West of the Northeast Corner of the Southeast Quarter of Section Nine (9), Township Eleven (11) North, Range Nine (9) West, thence South 89 degrees 12 minutes 40 seconds West, 250.00 feet to a ½ inch iron pin; thence South 00 degrees 27 minutes 00 seconds East, 166.00 feet to a ½ inch iron pin; thence North 89 degrees 12 minutes 40 seconds East, 250.00 feet to a ½ inch iron pin; thence North 00 degrees 27 minutes 00 seconds West, 166.00 feet to the point of beginning.

(Commonly known as 4601 South 7th Street, Terre Haute, IN 47802.)

Parcel No.: 84-09-09-427-004.000-004

**TRACT 3A:**

Part of Out Lot Number Fifty-five (55) of the Original Out Lots of the Town, now City, of Terre Haute, described as follows, to-wit: Beginning at the Northwest corner of said Out-Lot Number Fifty-five (55); running thence East One Hundred Forty-two (142) feet to the West line of an alley running North and South through said Out Lot; thence South along said alley Forty (40) feet; thence West One Hundred Forty-two (142) feet to a point due South of the place of beginning, and thence North to the place of beginning.

Also, Beginning Forty (40) feet South of the North West corner of Out Lot Number Fifty-five (55) as the same is designated on the recorded plat of the Town (now City) of Terre Haute, Indiana, thence East 142 feet more or less to an alley, thence South along the West line of said alley 32 feet, thence West 142 feet more or less to the East line of Sixth Street, in said City, thence North along the East line of said street 32 feet to the place of beginning. Section 21, Township 12, North of Range 9 West of the 2d Principal Meridian.

(Commonly known as 601 Poplar Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-483-001.000-002

Parcel No.: 84-06-21-483-002.000-002

**TRACT 5A:**

Part of Out Lot Number Thirty-six (36) of the Original Out Lots of the Town now City of Terre Haute, described as follows: Commencing at a point on the west line of Sixth Street 120 feet South of the Northeast corner of said Out Lot running thence South 40 feet; thence West 142 feet more or less to the East line of an alley running North and South through said Out Lot, thence North 40 feet; thence East 142 feet more or less to the place of beginning.

(Commonly known as 315 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-28-226-003.000-002



TRACT 8A:

Lot Numbers 48, 49, 50, 51, 52, 53, 54, 55, 56 and 57 in the Continuation Plat of Swafford, Roberts and Gerstmeyer's Addition to the City of Terre Haute, Indiana as per plat thereof recorded August 13, 1881 in Plat Record 3, Page 117, records of the Recorder's Office of Vigo County, Indiana.

(Commonly known as 1739 North 4th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-258-001.000-002

TRACT 9A:

35 feet of even width off the north side of Inlot Number 1 of the original Town, now City, of Terre Haute.

(Commonly known as 327 South 5th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-28-207-004.000-002

Tract 10A:

39 feet 7 inches off the South side of In Lot Number 1 of the Original In Lots of the Town now City of Terre Haute.

(Commonly known as 331 South 5th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-28-207-004.000-002

Tract 11A:

In Lots 2, 3 and 4 of the Original In Lots of the Town, now City of Terre Haute, Indiana.

(Commonly known as 311 South 5th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-28-207-003.000-002

Tract 12A:

Lots 5, 6, 7, 8, 49, 50 and 9 feet and 2 inches off the North side of Lot 51 of the Original In Lots of the Town (now City) of Terre Haute, Indiana. Together with those portions of the vacated alley lying adjacent to the above described lots.

(Commonly known as 214 South 4th Street, Terre Haute, IN 47807 and f/k/a 422 Poplar Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-462-001.000-002

TRACT 13A:

In Lot Numbered 61 of the original Town now the City of Terre Haute, Indiana.

(Commonly known as 209 South 4th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-461-013.000-002

TRACT 14A:

Seventy (70) feet off the North end of the East half (1/2) of Out Lot Thirty-six (36), of the original Out Lots of the Town, now City, of Terre Haute.

(Commonly known as 221 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-482-002.000-002

TRACT 15A:

Out Lot Number Thirty-seven (37) of the Original Out Lots of the Town, now City of Terre Haute, Indiana.

(Commonly known as 221 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-480-001.000-002

TRACT 16A:

In Lots 4 of the Original In Lots of the Town, now City of Terre Haute, Indiana.

(Commonly known as 301 South 4th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-464-002.000-002

TRACT 17A:

Lot Number 61 in Peyton Park, a Subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

(Commonly known as 1606 North 7th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-254-007.000-002

TRACT 18A:

Lot Number 62 in Peyton Park, a Subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

(Commonly known as 1807 North 4th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-254-006.000-002

TRACT 19A:

Lot Number 63 in Peyton Park a Subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

(Commonly known as 1811 North 4th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-254-005.000-002

TRACT 20A:

Beginning Seventy-two (72) feet South of the North West corner of Out Lot Number Fifty-five (55) in Terre Haute – running East from said point One Hundred Forty-one and 2/12 feet – thence South Forty-three (43) feet – thence West One Hundred Forty-one and 2/12 feet to Sixth (6th) Street – thence North Forty-three (43) feet to the place of beginning.

(Commonly known as 308 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-483-003.000-002

TRACT 21A:

Commencing at a point 70 feet South of the North East corner of Out Lot 36 of the Original Out Lots of the Town, now City, of Terre Haute running thence West 142 feet more or less to an alley; thence South along said alley 50 feet; thence East 142 feet more or less to Sixth Street; thence North 50 feet to the place of beginning.

(Commonly known as 309 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-482-003.000-002

**All Improvements on the following land owned by Union Hospital, Inc.:**

TRACT 4A

Lot Numbers 58, 59 60, 61, 62, 86, 87, 88, 89, 90, 91, 92, 93, 94 and 95 in the Continuation Plat of Swafford, Roberts and Gerstmeyer's Addition to the City of Terre Haute, Indiana as per plat thereof recorded August 13, 1881 in Plat Record 3, Page 117, records of the Recorder's Office of Vigo County, Indiana.

(Commonly known as 1725 and 1732 North 5th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-280-017.000-002

Parcel No.: 84-06-16-280-013.000-002

Parcel No.: 84-06-16-280-014.000-002

Parcel No.: 84-06-16-280-012.000-002

Parcel No.: 84-06-16-280-016.000-002

Parcel No.: 84-06-16-280-008.000-002

Parcel No.: 84-06-16-280-007.000-002

Parcel No.: 84-06-16-280-006.000-002

Parcel No.: 84-06-16-280-001.000-002

Parcel No.: 84-06-16-280-002.000-002

Parcel No.: 84-06-16-280-005.000-002

Parcel No.: 84-06-16-280-015.000-002

**EXHIBIT B**  
(Consisting of 4 pages)

**Permitted Exceptions**

Matters shown on Schedule B-2 of the Chicago Title Insurance Company Commitment No. 20200024, as follows:

**TRACT 2A:**

18. Covenants, conditions and restrictions contained in Declaration of Covenants Governing the Springhill Junction Development, dated January 17, 1987 and recorded January 20, 1987 in Misc. Record 193, Page 346, as amended by Supplemental Declaration of Covenants dated February 14, 1987 and recorded February 26, 1987 in Misc. Record 193, Page 470, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
19. Communications transmission line easement in favor of American Telephone and Telegraph of Indiana, dated September 8, 1941 and recorded January 27, 1942 in Deed Record 223, Page 491, as assigned to ATT Communications of Indiana, Inc., by Release and Assignment Record 25, Page 676.
20. Order establishing Honey Creek-Vigo Conservancy District, filed March 7, 1990 and recorded July 6, 1990 in Misc. Record 199, Page 301.

**TRACT 3A:** None.

**TRACT 4A:**

30. Special Ordinance 25, 2001, dated July 17, 2001 and recorded July 18, 2001 in Misc. Record 200113924, rezoning the property to C-3 Regional Commerce District.
31. Easement for electric transmission line in favor of Public Service Company of Indiana, Inc., dated June 9, 1952 and recorded July 30, 1952 in Deed Record 272, Page 351. (Lots 90 & 91)
32. Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the land taken or used for road purposes on the east ends of the lots taken for Sixth Street as disclosed in Warranty Deed dated February 7, 1948 and recorded June 2, 1949 in Deed Record 257, Page 55. (Lots 88 & 89)
33. The plat of Swafford, Roberts and Gerstmeyers Subdivision as per plat thereof, recorded September 30, 1880 in Plat Record 3, Page 107, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

34. The continuation plat of Swafford, Roberts and Gerstmeyer Addition to the City of Terre Haute, Indiana, as per plat thereof, recorded August 13, 1881 in Plat Record 3, Page 117, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
35. Lease commencing December 1, 2001, dated April 17, 2002, by and between Union Hospital, Inc., as Lessor, and Associated Physicians and Surgeons Clinic LLC, II, as Lessee, a Memorandum of Lease of which was dated April 26, 2002 and recorded April 29, 2002 as Instrument No. 200211542.
36. All matters shown on Survey of Lots 48 through 67, dated September 22, 1989 and recorded June 29, 1990 in Misc. Record 199, Page 259.
37. Estoppel Certificate (Ground Lease) between Associated Physicians & Surgeons LLC II and Old National Bank and Union Hospital, Inc. d/b/a Union Hospital Health Group, dated July 25, 2003 and recorded August 1, 2003 as Instrument Number 200322268.
38. Estoppel Certificate (Building Lease) between Associated Physicians & Surgeons LLC II and Old National Bank and Union Hospital, Inc. d/b/a Union Hospital Health group, dated July 25, 2003 and recorded August 1, 2003 as Instrument Number 200322269.
39. Estoppel Certificate between Associated Physicians & Surgeons LLC II and Old National Bank and AP&S LLC, dated July 25, 2003 and recorded August 1, 2003 as Instrument Number 200322270.

**TRACT 5A:**

43. Special Ordinance No. 9, 1989, recorded April 20, 1989 in Misc. Record 197, Page 406, whereby the insured real estate is established as a Commercial District, C-1, Neighborhood Commerce.

**TRACT 8A:**

82. The plat of Swafford, Roberts and Gerstmeyers Subdivision as per plat thereof, recorded September 30, 1880 in Plat Record 3, Page 107, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
83. The continuation plat of Swafford, Roberts and Gerstmeyer Addition to the City of Terre Haute, Indiana, as per plat thereof, recorded August 13, 1881 in Plat Record 3, Page 117, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
84. Covenants, conditions and restrictions contained in Quit Claim Deed dated October 12, 1982 and recorded November 1, 1982 in Deed Record 391, Page 720, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted

by applicable law; said Deed's legal description corrected by Deed dated March 15, 1983 and recorded May 18, 1983 at Deed Record 393, Page 344.

85. Special Ordinance No. 67, 1989, dated October 13, 1989 and recorded October 18, 1989 in Misc. Record 198, Page 181, establishing the insured real estate as a Commercial District: C-2 Limited Community Commerce.

**TRACT 9A:** None.

**TRACT 10A:** None.

**TRACT 11A:** None.

**TRACT 12A:** None.

95. License and Easement Agreement between Associated Physicians & Surgeons Clinic, Inc. and the Indiana-American Water Company, Inc., dated January 12, 1993 and recorded January 14, 1993 in Misc. Record 203, Page 748.
96. Deed of Easement from Associated Physicians & Surgeons Clinic, Inc. and the Indiana-American Water Company, Inc., dated June 17, 1991 and recorded August 28, 1991 in Deed Record 428, Page 821.
97. Rights of public utilities to the continued use of all existing facilities, if any as disclosed in Special Ordinance No. 28, 1991, vacating the North-South alley running through the center of Block bounded by Poplar Street (south) and Walnut Street (north), recorded August 14, 1991 in Misc. Record 200, Page 937. (Affects that part of the vacated alley described therein.)

**TRACT 13A:** None.

**TRACT 14A:** None.

**TRACT 15A:** None.

105. Building set-back line contained in Warranty Deed dated July 18, 1974 and recorded in Deed Record 367, Page 465.

**TRACT 16A:** None.

**TRACT 17A:** None.

**TRACT 18A:** None.

**TRACT 19A:**

121. Matters contained in the Plat of Peyton Park Subdivision, recorded January 5, 1906 in Plat Book 9, Page 26.

**TRACT 20A:** None.

**TRACT 21A:**

126. Special Ordinance No. 9, 1989, recorded April 20, 1989 in Misc. Record 197, Page 406, whereby the insured real estate is established as a Commercial District, C-1, Neighborhood Commerce.

[End of Exhibit B.]

**Receipt**

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

Date: 6/14/22  
Name: Union Hospital  
Reason: reasoning - notice of filing \$25  
reasoning - petition - \$20  
\$45

TERRE HAUTE, IN  
PAID  
JUN 14 2022  
CONTROLLER

Cash: \_\_\_\_\_  
Check: \$45 - # 0105238  
Credit: \_\_\_\_\_  
Total: \$45

Received By: [Signature]



**TERRE HAUTE**  
A LEVEL ABOVE

# 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: August 4, 2022

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER 19-22

CERTIFICATION DATE: August 3, 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. 19-22. This Ordinance is a rezoning of seven lots: 1800, 1804, 1806, 1808 N. 5<sup>th</sup> street, 1807 and 1811 N. 4<sup>th</sup> street, and 1606 N. 7<sup>th</sup> street. The Petitioner, Union Hospital, Inc. petitions the Plan Commission to rezone said parking lot area to support the hospital facility and the other healthcare facilities located on the petitioners campus from zoning classification R-2 to C-2 Limited Community Commerce.

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. 19-22 at a public meeting and hearing held Wednesday, August 3, 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. 19-22 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 19-22 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. 19-22 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1) Approval of Special Use and variances by Terre Haute City BZA  
2) Site plan approval by City Engineering.

Handwritten signature of Fred L. Wilson in black ink.

Fred L. Wilson, President

Handwritten signature of Jared Bayler in black ink.

Jared Bayler, Executive Director

Received this 4th day of August, 2022



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 19-22

Doc: # 52

Date: August 2022

Page 1 of 4

**APPLICATION INFORMATION**

Property Owner: Union Hospital, Inc.

Representative: B. Curtis Wilkinson

Proposed Use: Parking lot areas to support the hospital facility and the other healthcare facilities located on the petitioners campus

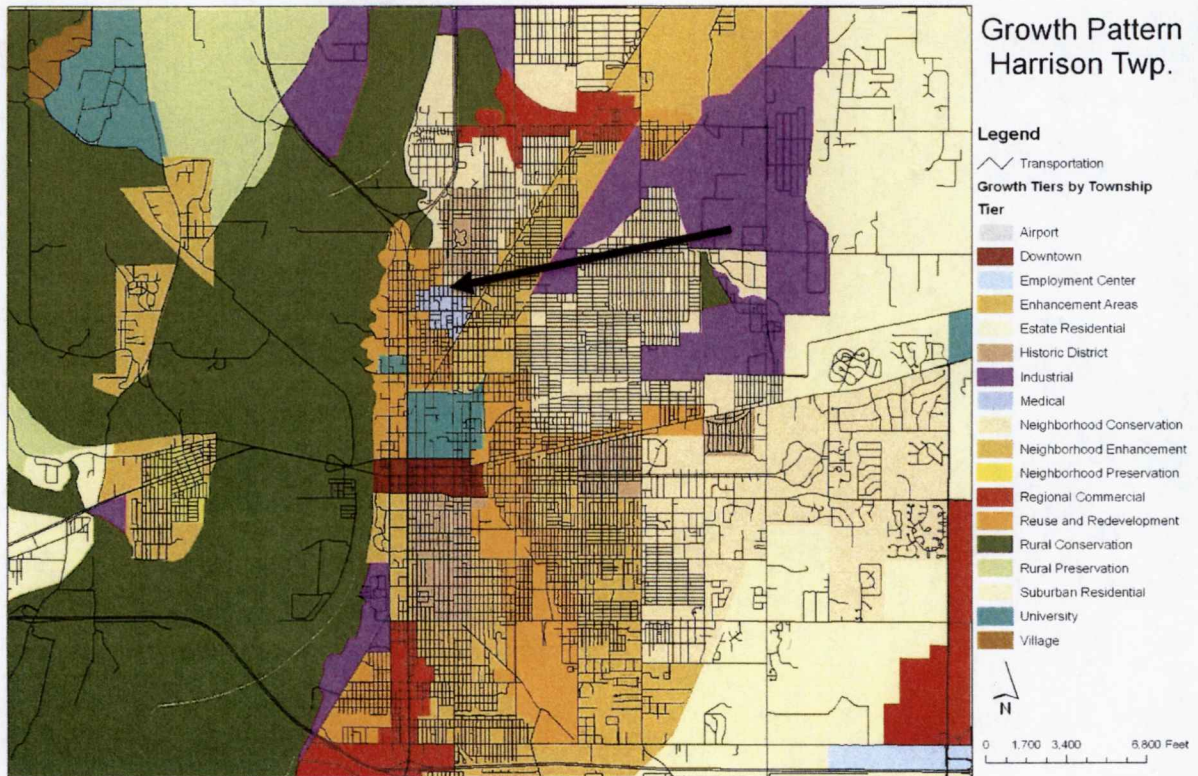
Proposed Zoning: C-2 Limited Community Commerce

Current Zoning: R-2 Two Family District

Common Address: (7) lots: 1808, 1806, 1804 & 1800 N. 5<sup>th</sup> Street. 1807 & 1811 N. 4<sup>th</sup> Street. 1606 N. 7<sup>th</sup> Street.  
Parcel's 84-06-16-254-005.000-002/006/007/015/016/017/018

**COMPREHENSIVE PLAN GUIDANCE**

Service Area: The City of Terre Haute



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 19-22

Doc: # 52

Date: August 2022

Page 2 of 4

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Medical/Hospital Areas

The land within these areas is intended for uses that have a large concentration of existing medical activities. In addition to the hospitals, various clinics and offices of medical practitioners, support activities such as hospital equipment, medical supplies, pharmacies, medical and dental laboratories are appropriate for these areas. Ancillary retail activities for hospital visitors or employees may be appropriate – florists, limited restaurants, lodging facilities, insurance services, banking services, etc. It should be recognized Terre Haute’s hospitals are regional health care providers servicing a large number of counties in West Central Indiana and East Central Illinois. Evidence suggests that the hospitals will continue future growth at least in a regional context.

Three future planning principles need to be followed as future development projects emerge in these areas:

- The size of the district(s) and the spillover effects of traffic and medical activities into adjacent residential neighborhoods should be contained and limited. This should be accomplished in a manner that does not inhibit future medical growth or development opportunities but at the same time does not cause displacement or conversion of residential uses for medical activities.
- The district should be planned as a whole with clear and controlled access, direction signage, controlled drive cuts, cooperative district wide parking, and careful planning of the spatial interrelationships between various land uses and activities. Along the edges of the district(s) special attention should be devoted to buffering, perhaps through landscaping, to clearly separate and distinguish the hospital/medical area from the adjacent residential areas. Within the hospital/medical district landscaping, streetscape details and pedestrian amenities should be enhanced and coordinated.

Available Services: Area is well served by utilities.

Street Access: N. 4<sup>th</sup> & N. 5<sup>th</sup> Street, Terre Haute

**ZONING COMPATIBILITY**

Sur. Zones and Uses:  
**North** – R-2  
**East** – R-3  
**South** – C-2, C-3  
**West** – C-4

**ZONING REGULATIONS**

C-2 Purpose: The Community Commerce Zone is designed for the residents of the nearby community consisting of more than one (1) of the neighborhoods in that section of the city, so as to permit a wider variety of both business uses and services. It is designed

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STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 19-22

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not for an abutting neighborhood, but for a relatively larger consumer population for both daily and occasional shopping. The development is characterized by a lack of “comparison shopping” and is limited to providing only one (1) store for each type of business.

C-2 Uses:

Amusement establishments, bowling alleys, pool halls, swimming pools, dance halls, and skating rinks, Any use permitted in the C-1 Zone except as otherwise provided in this Chapter, Antique shops, Art galleries, but not including auction rooms, Banks and financial institutions, Bicycle sales, rental, and repair stores, Blue-printing and photostating establishments, Books and stationery stores, Camera and photographic supply stores, Candy and ice cream stores, Leather goods and luggage stores, Loan offices, Locksmith shops, Medical and dental clinics, Meeting halls, Millinery shops, Municipal or privately-owned recreation buildings or community-center, Musical instrument sales and repair, Newspaper distributors for home delivery and retail sale, Office supply stores, Offices, business and professional, Optometrists, Paint and wallpaper stores, Restaurants. Liquor may be served if incidental to the serving of food as the principal activity. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07), Live entertainment. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07)

C-2 Standards:

Minimum Lot Size: 3,300 Sq. Ft.

## FINDINGS and RECOMMENDATION

### Staff Findings:

Union Hospital is requesting to rezone 7 lots to be used as off-site parking. A Special Use in a C-2 zoning is required to be approved by the City Board of Zoning Appeals for off-site parking not on the same zoning lot as the principal use (Section 10-137(c)(3)). According to Pictometry on Beacon, the parking lot at 4<sup>th</sup> and Maiden has existed since at least 2008. They wish to mirror that parking lot on the other side.

In a C-2 District, any area abutting a Residential District is required to be buffered by an open space or off-street parking or off-street parking area with a minimum 50' width measured at right angles to the residential property line (Section 10-207(e)(1)(A)). The proposed off-street parking meets the buffering requirements, but

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any future structures will need to comply. All parking is required to be hard-surfaced and illuminated and screening to residential is required.

There is a pre-existing parking lot on the 3 lots along N 4<sup>th</sup> St. The parking lot does not meet the requirement for the minimum distance from a street intersection for non-residential driveways (Section 10-137(e)). The petitioners have requested 15' from the required 50' distance of the entrance from the intersection for both 4<sup>th</sup> and Maiden and 5<sup>th</sup> and Maiden.

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

1. Approval of Special Use and variances by Terre Haute City BZA
2. Site plan approval by City Engineering

Docket #52 SO #19-22





APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

**SPECIAL ORDINANCE No. 19, 2022**

COMMON ADDRESS OF LOTS TO BE REZONED: See attached.

REZONE FROM: R-2 Two-Family Residence District

REZONE TO: C-2 Limited Community Commerce

PROPOSED USE: Parking lot areas to support the hospital facility and the other healthcare facilities located on Petitioner's campus.

NAME OF OWNER: Union Hospital, Inc.

ADDRESS OF OWNER: 1606 North 7th Street  
Terre Haute, Indiana 47804

PHONE NUMBER OF OWNER: (812) 238-7604

ATTORNEY REPRESENTING OWNER: B. Curtis Wilkinson

ADDRESS OF ATTORNEY: Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP  
333 Ohio Street  
Terre Haute, Indiana 47807

PHONE NUMBER OF ATTORNEY: (812) 232-4311

FOR INFORMATION, CONTACT: B. Curtis Wilkinson  
 Owner  Attorney

COUNCIL SPONSOR: Todd Nation

COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION



**COMMON ADDRESSES OF LOTS TO BE REZONED**

1. Parcel No. 84-06-16-254-015.000-002  
Address: 1808 North 5<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
2. Parcel No. 84-06-16-254-016.000-002  
Address: 1806 North 5<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
3. Parcel No. 84-06-16-254-017.000-002  
Address: 1804 North 5<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
4. Parcel No. 84-06-16-254-018.000-002  
Address: 1800 North 5<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
5. Parcel No. 84-06-16-254-007.000-002  
Address: 1606 North 7<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
6. Parcel No. 84-06-16-254-006.000-002  
Address: 1807 North 4<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].
7. Parcel No. 84-06-16-254-005.000-002  
Address: 1811 North 4<sup>th</sup> Street  
[Property currently zoned R-2 – Two-Family Residence District].

FILED

JUN 14 2022

CITY CLERK

SPECIAL ORDINANCE NO. 19, 2022

An Ordinance Amending Title III designed as "COMPREHENSIVE ZONING ORDINANCE FOR TERRE HAUTE, INDIANA" OF ORDINANCE NO. 1, 1967, AS AMENDED ENTITLED, "AN ORDINANCE ADOPTING A COMPREHENSIVE ZONING ORDINANCE FOR THE CITY OF TERRE HAUTE, INDIANA, IN ACCORDANCE WITH CHAPTER 174 OF THE ACTS OF THE INDIANA GENERAL ASSEMBLY, 1947, AS AMENDED, DESIGNATING THE SAME AS A PART OF THE MASTER PLAN FOR THE CITY OF TERRE HAUTE, INDIANA, PROVIDING PENALTIES FOR VIOLATION THEREOF AND DECLARING AN EMERGENCY" BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

**SECTION I.** That Title III, Comprehensive Zoning Ordinance of Ordinance No. 1, 1967 effective November 3, 1967, entitled:

An ordinance adopting a comprehensive zoning ordinance for the City of Terre Haute, Indiana, in accordance with Chapter 174 of the Acts of the Indiana General Assembly, 1947, as amended, designating the same as a part of the master plan for the City of Terre Haute, Indiana, providing penalties for violations thereof and declaring an emergency;"

and Chapter 1161 thereof, and the Zoning District Map, is hereby amended to read as follows:

"The property commonly known as 1808 North 5<sup>th</sup> Street, 84-06-16-254-015.000-002, more particularly described as follows, to-wit:

Lot Number Fifty-eight (58) in Peyton Park, a Subdivision of Lots Eight (8) and Eleven (11) in the Subdivision of School Section Sixteen (16), Township (12) North, Range Nine (9) West, in the City of Terre Haute, Indiana.

The property commonly known as 1806 North 5<sup>th</sup> Street, 84-06-16-254-016.000-002, more particularly described as follows, to-wit:

Lot Number 59 in Peyton Park, a subdivision of Lots 8 and 11 in the subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

The property commonly known as 1804 North 5<sup>th</sup> Street, 84-06-16-254-017.000-002, more particularly described as follows, to-wit:

30 feet off the South side of Lot Number Fifty-Nine (59) in Peyton park, a subdivision of Lots Eight (8) and Eleven (11) in the subdivision of School Section Sixteen (16), Township Twelve (12) North, Range Nine (9) West in the City of Terre Haute, Indiana.



The property commonly known as 1800 North 5<sup>th</sup> Street, 84-06-16-254-018.000-002, more particularly described as follows, to-wit:

Lot Number 60 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West.

The property commonly known as 1606 North 7<sup>th</sup> Street, 84-06-16-254-007.000-002, more particularly described as follows, to-wit:

Lot Number 61 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana

The property commonly known as 1807 North 4<sup>th</sup> Street, 84-06-16-254-006.000-002, more particularly described as follows, to-wit:

Lot Number 62 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana

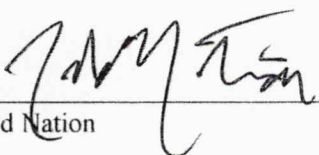
The property commonly known as 1811 North 4<sup>th</sup> Street, 84-06-16-254-005.000-002, more particularly described as follows, to-wit:

Lot Number 63 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana

be and the same is hereby established as a C-2 – Limited Community Commerce, 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, the Board of Zoning Appeals approval of special use for off-street parking, and its approval by the Mayor and publication as by law provided.

Presented by Council Member:

  
\_\_\_\_\_  
Todd Nation

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
O. Earl Elliott, President

ATTEST:

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

Presented by me to the Mayor of the City of Terre Haute this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
CITY CLERK Michelle Edwards

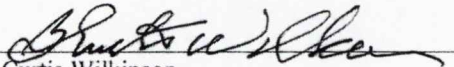
Approved by me, the Mayor of the City of Terre Haute, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR Duke Bennett

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.

  
\_\_\_\_\_  
B. Curtis Wilkinson

This instrument prepared by: B. Curtis Wilkinson, Attorney, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 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 PLAN COMMISSION OF  
VIGO COUNTY, INDIANA.

GENTLEPERSONS:

The undersigned, Union Hospital, Inc., by and through Jack M. Hill, Chief Administrative Officer, a duly authorized representative, respectfully submits this Petition to Rezone seven (7) parcels of real estate located in the block bounded by Buckeye Street to the North, 4<sup>th</sup> Street to the West, Maiden Lane to the South and 5<sup>th</sup> Street to the East, specifically requesting to rezone the following parcels of real estate in Terre Haute, Indiana, to a C-2 - Limited Community Commerce designation, more particularly described as follows and highlighted in yellow on the attached **Exhibit A**, to-wit:

1. Parcel No. 84-06-16-254-015.000-002  
Address: 1808 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number Fifty-eight (58) in Peyton Park, a Subdivision of Lots Eight (8) and Eleven (11) in the Subdivision of School Section Sixteen (16), Township (12) North, Range Nine (9) West, in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].
2. Parcel No. 84-06-16-254-016.000-002  
Address: 1806 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number 59 in Peyton Park, a subdivision of Lots 8 and 11 in the subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].
3. Parcel No. 84-06-16-254-017.000-002  
Address: 1804 North 5<sup>th</sup> Street  
Legal Description:  
30 feet off the South side of Lot Number Fifty-Nine (59) in Peyton park, a subdivision of Lots Eight (8) and Eleven (11) in the subdivision of School Section Sixteen (16), Township Twelve (12) North, Range Nine (9) West in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].

4. Parcel No. 84-06-16-254-018.000-002  
Address: 1800 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number 60 in Peyton Park, a subdivision of Lots 8 and 11  
in the Subdivision of School Section 16, Township 12 North,  
Range 9 West.  
[Property currently zoned R-2 – Two-Family Residence District].
5. Parcel No. 84-06-16-254-007.000-002  
Address: 1606 North 7<sup>th</sup> Street  
Legal Description:  
Lot Number 61 in Peyton Park, a subdivision of Lots 8 and 11  
in the Subdivision of School Section 16, Township 12 North,  
Range 9 West, in the City of Terre Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].
6. Parcel No. 84-06-16-254-006.000-002  
Address: 1807 North 4<sup>th</sup> Street  
Legal Description:  
Lot Number 62 in Peyton Park, a subdivision of Lots 8 and 11  
in the Subdivision of School Section 16, Township 12 North,  
Range 9 West, in the City of Terre Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].
7. Parcel No. 84-06-16-254-005.000-002  
Address: 1811 North 4<sup>th</sup> Street  
Legal Description:  
Lot Number 63 in Peyton Park, a subdivision of Lots 8 and 11  
in the Subdivision of School Section 16, Township 12 North,  
Range 9 West, in the City of Terre Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].

Your Petitioner is informed and believes that in accordance with Chapter 1161, Zoning District Maps, of Title 3 "Comprehensive Zoning Ordinance 1, 1967," as amended, the above described seven (7) parcels of real estate are now zoned as R-2 – Two-Family Residential District, of the City of Terre Haute, Indiana.

In the subject block area the Petitioner is the owner of twelve (12) parcels of real estate, with two (2) of the parcels of real estate zoned C-4 – Commercial Office District, which parcels of real estate are marked as **#1** and highlighted in blue on the attached **Exhibit A**. There are six (6) parcels of real estate which Petitioner does not own which parcels are highlighted in green on the attached **Exhibit A**.

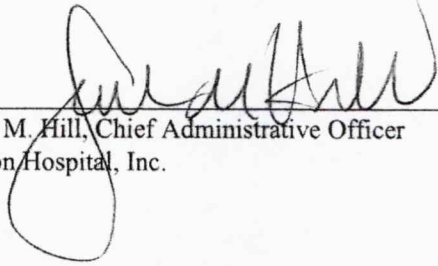
Your Petitioner would respectfully show that the zoning of the above described real estate should be changed to represent the essential character of the locality in which it is situated (that is, fringe properties supporting commercial endeavors adjacent to the real estate North, South, East, and West) and to reflect the general usage of the property, and that the proposed change will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, nor will it impair an adequate supply of light and air to an adjacent property.

Your Petitioner would respectfully show that the aforementioned parcels of real estate are surrounded by property currently owned by Petitioner and/or other medical facilities and it is land that is part of Petitioner's medical campus. It is proposed that the seven (7) parcels of real estate highlighted in yellow and marked as #2 on the attached Exhibit A will be used for parking lot areas to support the hospital facility and the other healthcare facilities located on Petitioner's campus, with the three (3) parcels of real estate highlighted in yellow and marked as #2-A on the attached Exhibit A already being used for parking. The contemplated use would apparently require C-2 zoning under Title Three of Comprehensive Zoning Ordinance for Terre Haute, Indiana, as Amended.

A change in the present zoning to C-2 – Limited Community Commerce would not alter the general characteristics of the area and would more appropriately reflect the nature of your Petitioner's anticipated use.

WHEREFORE, your Petitioner respectfully requests that the Area Plan Commission and the Common Council favorably consider the passage of a special ordinance amending the Comprehensive Zoning Ordinance of the City of Terre Haute, Indiana, being Title 3 of General Ordinance 1, 1967, and declaring the above described real estate to be a part of the Community Commerce Business District: C-2 – Limited Community Commerce, of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation, subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, this Petition has been duly executed this 10<sup>th</sup> day of  
June, 2022.

  
\_\_\_\_\_  
Jack M. Hill, Chief Administrative Officer  
Union Hospital, Inc.

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.

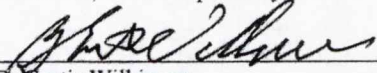
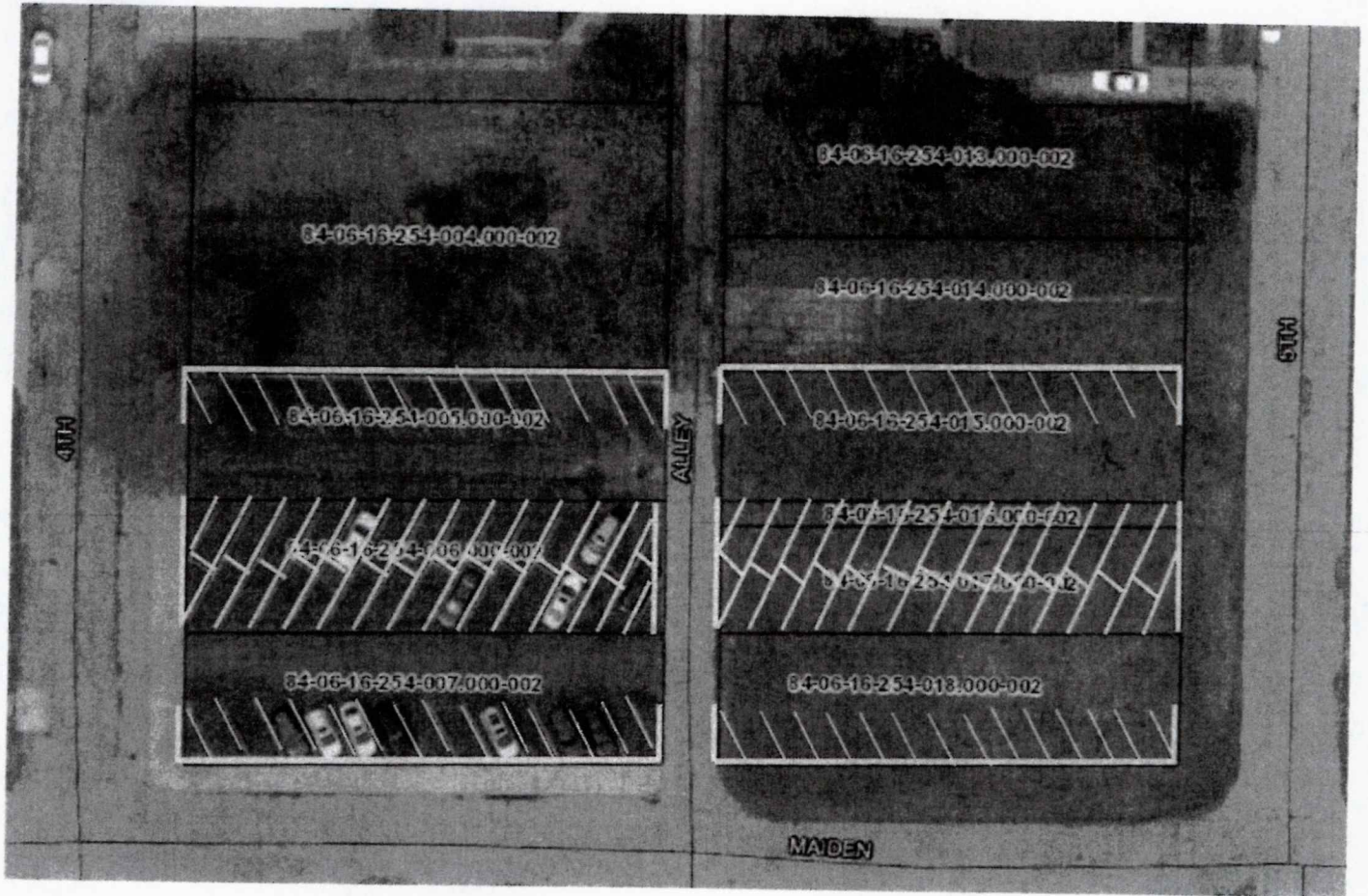
  
\_\_\_\_\_  
B. Curtis Wilkinson

EXHIBIT A





84-06-16-254-004.000-002

84-06-16-254-013.000-002

84-06-16-254-014.000-002

84-06-16-254-005.000-002

84-06-16-254-015.000-002

84-06-16-254-006.000-007

84-06-16-254-016.000-002

84-06-16-254-017.000-002

84-06-16-254-007.000-002

84-06-16-254-018.000-002

4TH

ALLEY

5TH

MAIDEN



**AFFIDAVIT**  
**OF**  
**JACK M. HILL**  
**CHIEF ADMINISTRATIVE OFFICER**  
**OF UNION HOSPITAL, INC.**

COMES NOW Jack M. Hill, Chief Administrative Officer of Union Hospital, Inc., and affirms under penalties of law that:

1. Affiant is the Chief Administrative Officer of Union Hospital, Inc., and is duly authorized to represent and make this Affidavit for and on behalf of Union Hospital, Inc.

2. Union Hospital, Inc., is a nonprofit corporation lawfully organized and existing under the laws of the State of Indiana.

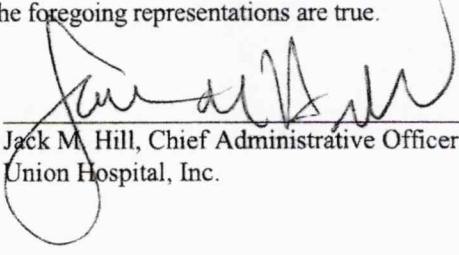
3. In Affiant's capacity as an officer of Union Hospital, Inc., he is in charge of and is familiar with the properties owned by Union Hospital. Affiant represents and warrants that Union Hospital, Inc., is or will be the owner of record of the following parcels of real estate:

- (a) Parcel No. 84-06-16-254-015.000-002  
Address: 1808 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number Fifty-eight (58) in Peyton Park, a Subdivision of Lots Eight (8) and Eleven (11) in the Subdivision of School Section Sixteen (16), Township (12) North, Range Nine (9) West, in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].
- (b) Parcel No. 84-06-16-254-016.000-002  
Address: 1806 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number 59 in Peyton Park, a subdivision of Lots 8 and 11 in the subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].
- (c) Parcel No. 84-06-16-254-017.000-002  
Address: 1804 North 5<sup>th</sup> Street  
Legal Description:  
30 feet off the South side of Lot Number Fifty-Nine (59) in Peyton park, a subdivision of Lots Eight (8) and Eleven (11) in the subdivision of School Section Sixteen (16), Township Twelve (12) North, Range Nine (9) West in the City of Terre Haute, Indiana.  
[Property currently zoned R-2 – Two-Family Residence District].

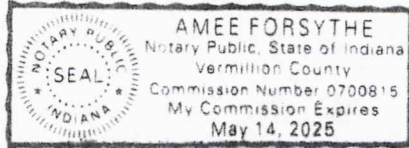
- (d) Parcel No. 84-06-16-254-018.000-002  
Address: 1800 North 5<sup>th</sup> Street  
Legal Description:  
Lot Number 60 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West.  
[Property currently zoned R-2 – Two-Family Residence District].
- (e) Parcel No. 84-06-16-254-007.000-002  
Address: 1606 North 7<sup>th</sup> Street  
Legal Description:  
Lot Number 61 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].
- (f) Parcel No. 84-06-16-254-006.000-002  
Address: 1807 North 4<sup>th</sup> Street  
Legal Description:  
Lot Number 62 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].
- (g) Parcel No. 84-06-16-254-005.000-002  
Address: 1811 North 4<sup>th</sup> Street  
Legal Description:  
Lot Number 63 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana  
[Property currently zoned R-2 – Two-Family Residence District].

for which a rezoning is requested and attached hereto are the Warranty Deeds and Corporate Warranty Deeds evidencing such ownership.

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

  
\_\_\_\_\_  
Jack M. Hill, Chief Administrative Officer  
Union Hospital, Inc.

STATE OF INDIANA )  
 )  
 ) SS:  
 )  
COUNTY OF VIGO )



Personally appeared before me, a Notary Public in and for said County and State, Jack M. Hill, Chief Administrative Officer of Union Hospital, Inc., 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 10<sup>th</sup> day of JUNE, 2022.

My Commission Expires:

5/14/2025

My County of Residence:

Vermillion

Amee Forsythe  
Notary Public

Printed: Amee Forsythe

CORPORATE WARRANTY DEED

96 02188

THIS INDENTURE WITNESSETH, THAT DYWYKI CORPORATION, an Indiana corporation, of Vigo County, in the State of Indiana ("Grantor") CONVEYS AND WARRANTS TO UNION HOSPITAL, INC., an Indiana nonprofit corporation, whose address is 1606 North Seventh Street, Terre Haute, Vigo County, State of Indiana, 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 located in Vigo County, in the State of Indiana:

Lot 19 in Dunigan's Subdivision of Lots 41-42 and 43 in Subdivision of Section 16, Township 12 North, Range 9 West, excepting 277 feet off West side of said Lot 41 and except 131 feet off of the South side of said Lot 43. In Terre Haute, Vigo County, Indiana.

AND

Lot Number Fifty-eight (58) in Peyton Park, a Subdivision of Lots Eight (8) and Eleven (11) in the Subdivision of School Section Sixteen (16), Township (12) North, Range Nine (9) West, in the City of Terre Haute, Indiana.

AND

Lot Number One (1) in Koch's Heirs Subdivision of part of Section 15, Township 12 North, Range 9 West as per recorded plat thereof recorded in Plat Record 3, Page 98 in the Vigo County Recorder's Office except that part of said Lot One (1) conveyed to the City of Terre Haute, Ind. on Jan. 7, 1897 as per Deed recorded in Deed Record 92, Page 449 in the Vigo County Recorder's Office. In continuation of the foregoing Abstract #14587.

AND

Lot Number 34 in Swafford Roberts and Gerstmeyer's Subdivision (continuation plat) of Lots 14 and 17 in the Subdivision of Section 16, Township 12 North, Range 9 West.

ALSO

60 feet off the West end of Lots 35 and 36, in Swafford, Roberts and Gerstmeyer's Addition to the City of Terre Haute, Indiana, said Addition being parts of Lots 14 and 17 in the Subdivision of Section 16, Township 12 North, Range 9 West, in Terre Haute, Indiana.

ALSO

Lots Thirty-five (35) and Thirty-six (36), except sixty (60) feet off the West ends thereof, in Swafford, Roberts and Gerstmeyer's Addition to the City of Terre Haute, Indiana, said Addition being parts of Lots 14 and 17 in the Subdivision of Section 16, Township 12 North, Range 9 West, in Terre Haute, Vigo County, Indiana.

DULY ENTERED  
FOR TAXATION

FEB 15 1996

Judith Suder

AND

Lot 21 in Richard Dunnigan's Subdivision of Lots numbers 41 and 42 and part of Lot 43 in the Subdivision of Section 16, Township 12 North, Range 9 West, in Terre Haute, Vigo County, Indiana.

000544

AND

2

Lot Number Two (2) in W. W. Cliver's Subdivision of parts of Lots Number 5-6-7 and 8 in Spencers Subdivision of the North West quarter of Section 15, Township 12, North Range 9 West of the 2d Principal Meridian. Said Lot 2 lies within Lots 6-7 and 8 of said Spencers Subdivision and is 40 feet front by 142 feet deep.

AND

PART ONE

Commencing at a point 123 feet South of the North East corner of Lot 6 in Mary F. Langford's Subdivision of part of the South West 1/4 of Section 15, Township 12 North, Range 9 West running thence South Westerly along the Westerly line of Lafayette Avenue to the South East corner of Lot No. 10 of said Subdivision; thence North Westerly along the South line of said Lot 10, and to the East line of the alley as conveyed to the City of Terre Haute by Fred H. Haring and wife Johanna by deed dated April 23, 1909 and recorded in Deed Record 126, Page 270 of records of Recorders Office of Vigo County, Indiana, running thence North eastwardly along the East line of said alley to a point due West of the place of beginning thence East to the place of beginning.

PART TWO

Part of Lot Number Six (6) in Koch's Heirs Subdivision of Part of Section Fifteen (15), Township Twelve (12) North, of Range Nine (9) West, described as follows:

Beginning at the North East corner of said Lot Six (6) and thence in a Southwesterly direction along the Westerly line Lafayette Avenue to the Southeast corner of Lot Six (6), a distance of Ninety-one feet, thence in a Northeasterly direction a distance of Fifty-five (55) feet to the North line of said Lot Six (6), thence in a Southeasterly direction a distance of One Hundred and Ten (110) feet to the place of beginning.

AND

Lot Number 16 of Scott's Subdivision of Lots 3-4-5-10-11-12-13 & 14 of Koch's Subdivision of Lot No. 2 and part of Lot 3 of Spencer's Subdivision of the North West 1/4 of Section 15-12-9, Terre Haute, Ind.

Grantor herein certifies there is no Indiana Gross Income Tax due hereunder.

The undersigned persons executing this Corporate Warranty Deed on behalf of Grantor represent and certify that they are duly elected officers of DYWYKI Corporation and have been fully empowered, by proper Resolution of the Board of Directors of DYWYKI Corporation to

execute and deliver this Corporate Warranty Deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

000544

IN WITNESS WHEREOF, DYWYKI Corporation has caused this instrument to be <sup>3</sup> executed by its President and attested by its Secretary this 14<sup>th</sup> day of February, 1996.

DYWYKI CORPORATION

By: Raymond H. Modesitt  
Raymond H. Modesitt, President

ATTEST:

Myrl O. Wilkinson  
Myrl O. Wilkinson, Secretary

STATE OF INDIANA     )  
                                      :SS  
COUNTY OF VIGO     )

Before me, a Notary Public in and for and a resident of said County and State, personally appeared Raymond H. Modesitt and Myrl O. Wilkinson, the President and Secretary, respectively, of DYWYKI Corporation, an Indiana Corporation, who acknowledged the execution of the above and foregoing Corporate Warranty Deed and who, being first duly sworn, upon their oath state that any representations contained therein are true.

WITNESS my hand and Notarial Seal this 14<sup>th</sup> day of February, 1996.

MY COMMISSION EXPIRES:

March 15 1997  
COUNTY OF RESIDENCE:  
Vigo

Valeri J. Sanguenetti  
NOTARY PUBLIC  
Valeri J. Sanguenetti  
(Printed)

THIS INSTRUMENT PREPARED BY:

Atty B. Curtis Wilkinson, #1246-84  
333 Ohio St., P.O. Box 800  
Terre Haute, IN 47808  
(812) 232-4311

MAIL TAX DUPLICATES TO:

Union Hospital, Inc.  
1606 North 7th Street  
Terre Haute, IN 47804

AT 3:00 O'CLOCK PM  
RECORD 441 PAGE 544

FEB 16 1996

Nancy Berndt  
RECORDER VIGO COUNTY 1102

2021003196 CORP WD \$25.00  
03/04/2021 03:19:26P 2 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented



**CORPORATE WARRANTY DEED**

THIS INDENTURE WITNESSETH, THAT TURNIS, INC., an Indiana Corporation, organized and existing under the laws of the State of Indiana ("Grantor") CONVEYS AND WARRANTS TO UNION HOSPITAL, INC., an Indiana nonprofit corporation, whose address is 1606 North Seventh Street, Terre Haute, Vigo County, State of Indiana, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate located in Vigo County, in the State of Indiana:

Lot Number 59 in Peyton Park, a subdivision of Lots 8 and 11 in the subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

(Commonly known and referred to as 1806 North 5<sup>th</sup> Street, Terre Haute, Indiana).

As a further consideration of the payment of the above sum, the undersigned persons executing this Corporate Warranty Deed on behalf of Grantor represent and certify, for the purpose of including Grantee to accept this Corporate Warranty Deed, that they are duly elected officers of Grantor and have been fully empowered, by either Grantor's By-Laws or by proper resolution of the Board of Directors of Grantor, to execute, acknowledge and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein and conveyed hereby; that the real estate conveyed by this indenture is conveyed in Grantor's usual and regular course of business of Grantor; that this conveyance follows the complete fulfillment by Grantee of that certain written installment sale contract between the parties hereto; and all necessary corporate action for the making of such conveyance has been taken and done.

The undersigned certify that no corporate gross income tax is due and owing with respect to this conveyance.

IN WITNESS WHEREOF, Turnis, Inc. has caused this instrument to be executed by its PRESIDENT and attested by its SECRETARY this 1<sup>ST</sup> day of March, 2021.

TURNIS, INC.

By: 

Printed: Michael Thomas Ellis

Title: PRESIDENT

ATTEST:

By: 

Printed: KALEB M. ELLIS III

Title: SECRETARY

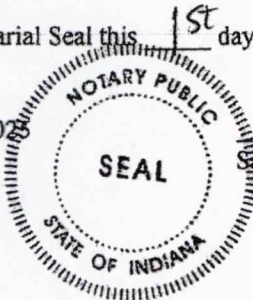
STATE OF INDIANA )  
 ) SS:  
COUNTY OF VIGO )

Before me, a Notary Public in and for and a resident of said County and State, personally appeared Michael Ellis and Kateel Ellis, the President and Secretary respectively of Turnis, Inc., who acknowledged the execution of the above and foregoing Corporate Warranty Deed and who, being first duly sworn, upon their oaths state that any representations contained therein are true.

Witness my hand and Notarial Seal this 1<sup>st</sup> day of March, 2021.

My Commission Expires: 02/19/2023

My County of Residence: Clay



Sara Brown  
Sara Brown

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.

B. Curtis Wilkinson  
B. Curtis Wilkinson

This instrument prepared by: B. Curtis Wilkinson, Attorney at Law  
Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP  
333 Ohio Street, Terre Haute, IN 47807

Mail tax statements to: Union Hospital, Inc. ATTN: ACCOUNTING  
1606 North 7<sup>th</sup> Street, Terre Haute, IN 47804  
Sequencing Code 968

Property Address: 1806 North 5<sup>th</sup> Street, Terre Haute, IN 47804

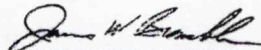
Parcel No.: 84-06-16-254-016.000-002



DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

RAYMOND L. WATTS  
VIGO County Recorder IN  
IN 2006018825 WD  
09/14/2006 15:21:50 1 PGS  
Filing Fee: \$18.00

SEP 14 2006

  
VIGO COUNTY AUDITOR

**WARRANTY DEED**

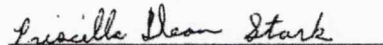
THIS INDENTURE WITNESSETH, THAT Priscilla Ilean Stark and James E. Stark, Jr., individually and as tenants in common, of Vigo County, in the State of Indiana ("Grantors") CONVEY AND WARRANT TO Union Hospital, Inc., an Indiana nonprofit corporation, whose address is 1606 North Seventh Street, Terre Haute, Vigo County, State of Indiana ("Grantee"), for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate located in Vigo County, in the State of Indiana:

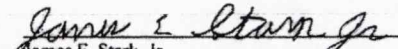
30 feet off the South side of Lot Number Fifty-Nine (59) in Peyton park, a subdivision of Lots Eight (8) and Eleven (11) in the subdivision of School Section Sixteen (16), Township Twelve (12) North, Range Nine (9) West in the City of Terre Haute, Indiana.

Also, Lot Number 60 in Peyton Park, a subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West.

(Commonly known as 1800 and 1804 North 5<sup>th</sup> Street, Terre Haute, Indiana).

IN WITNESS WHEREOF, Grantors have executed this Warranty Deed this 14<sup>th</sup> day of September, 2006.

  
Priscilla Ilean Stark

  
James E. Stark, Jr.

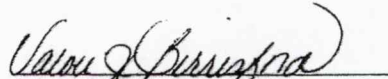
"GRANTORS"

STATE OF INDIANA        )  
                                  ):SS  
COUNTY OF VIGO        )

Before me, the undersigned, a Notary Public in and for said County and State this 14<sup>th</sup> day of September, 2006, personally appeared Priscilla Ilean Stark and James E. Stark, Jr., individually and as tenants in common, and acknowledged the execution of the above Warranty Deed.

Witness my hand and notarial seal.



  
Valori J. Berrisford, Notary Public

Resident of Vigo County, Indiana.

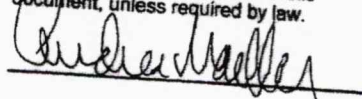
**THIS INSTRUMENT PREPARED BY:**

Atty B. Curtis Wilkinson  
333 Ohio St., P.O. Box 800  
Terre Haute, IN 47808

**MAIL TAX DUPLICATES TO:**

Union Hospital, Inc.  
ATTN: ACCOUNTING  
1606 North 7th Street  
Terre Haute, IN 47804  
Sequencing Code 968

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.



ENTERED FOR REVISION  
Subject to final acceptance for Transfer

DEC 15 2020

*James W. Beardslee*  
VIGO COUNTY AUDITOR

2020016351 WD \$25.00  
12/15/2020 09:31:50A 10 PGS  
Stacey Todd  
VIGO County Recorder IN  
Recorded as Presented



### LIMITED WARRANTY DEED

THIS INDENTURE WITNESSETH, that **ASSOCIATED PHYSICIANS & SURGEONS CLINIC LLC, II**, an Indiana limited liability company ("**AP&S II**"), ("**Grantor**"), having an address of 221 S. 6<sup>th</sup> Street, Terre Haute, IN 47807, **BARGAINS, SELLS, CONVEYS**, and **SPECIALLY WARRANTS** to **UNION HOSPITAL, INC.**, an Indiana nonprofit corporation, ("**Grantee**"), having an address of 1606 N. 7<sup>th</sup> Street, Terre Haute, IN 47807, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, that certain real estate generally located in Terre Haute, Vigo County, Indiana, and being more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "**Real Estate**").

This conveyance is subject to:

- (A) any and all rights-of-way, liens, claims, commitments, covenants, agreements, encumbrances, and other matters of record,
- (B) applicable local, state and federal laws, ordinances and regulations, including, but not limited to, building restrictions and zoning laws,
- (C) the lien for non-delinquent real estate taxes and assessments,
- (D) all matters that would be disclosed by an accurate survey of the Real Estate,
- (E) all matters created, permitted or suffered by Grantee, and
- (F) Permitted Exceptions as shown on **Exhibit B** attached hereto and incorporated herein by this reference

Grantor warrants to Grantee and Grantee's successors and assigns that: (i) the Real Estate is free of any encumbrance made by Grantor except as set forth above, (ii) Grantor is lawfully seized of the Real Estate, and (iii) Grantor guarantees the quiet possession of and will forever defend title to the Real Estate against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

The undersigned person executing this Limited Warranty Deed on behalf of Grantor represents and certifies that such person has been fully empowered, by proper resolution of Grantor, to execute and deliver this Limited Warranty Deed; that Grantor has full organizational capacity to convey the Real Estate; and that all necessary action for the making of such conveyance has been taken and done.

[Separate signature page follows.]



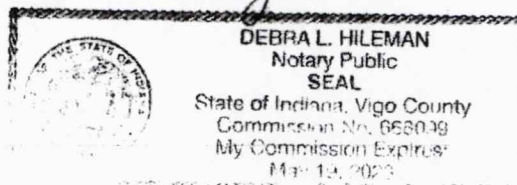
**PROOF**

Before me, a Notary Public in and for said County and State, this 15<sup>th</sup> day of December, 2020, personally appeared the above named WITNESS to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows Jeffrey A. Jungers, M.D., to be the individual described in and who executed the foregoing instrument; that said WITNESS was present and saw said Jeffrey A. Jungers, M.D., execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.

Debra L. Hileman  
Notary Public  
Commission No. 668099  
Printed: Debra L. Hileman  
County of Residence: Vigo

MY COMMISSION EXPIRES:

05-19-2023



This Deed was prepared by CRAIG M. McKEE, Attorney at Law, 333 Ohio Street, Terre Haute, IN 47807, (812)232-4311 at the specific request of GRANTOR based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The preparer assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided, the parties hereto signifying their assent to this disclaimer by GRANTOR'S execution and GRANTEE'S acceptance and recordation of the instrument.

Mail tax duplicates to:

Union Hospital, Inc  
Attn: ACCOUNTING  
1606 N. 7<sup>th</sup> Street  
Terre Haute, IN 47804  
Sequencing Code 968

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.

Craig M. McKee

**EXHIBIT A**  
(Consisting of 4 pages)

**Legal Description of Property**

**TRACT 2A:**

A part of the Southeast Quarter of Section Nine (9), Township Eleven (11) North, Range Nine (9) West in Honey Creek Township, Vigo County, Indiana, bounded and described as follows: Beginning at a ½ inch iron pin which point is 524.02 feet South 00 degrees 27 minutes 00 seconds East and 60.75 feet South 89 degrees 12 minutes 40 seconds West of the Northeast Corner of the Southeast Quarter of Section Nine (9), Township Eleven (11) North, Range Nine (9) West, thence South 89 degrees 12 minutes 40 seconds West, 250.00 feet to a ½ inch iron pin; thence South 00 degrees 27 minutes 00 seconds East, 166.00 feet to a ½ inch iron pin; thence North 89 degrees 12 minutes 40 seconds East, 250.00 feet to a ½ inch iron pin; thence North 00 degrees 27 minutes 00 seconds West, 166.00 feet to the point of beginning.

(Commonly known as 4601 South 7th Street, Terre Haute, IN 47802.)

Parcel No.: 84-09-09-427-004.000-004

**TRACT 3A:**

Part of Out Lot Number Fifty-five (55) of the Original Out Lots of the Town, now City, of Terre Haute, described as follows, to-wit: Beginning at the Northwest corner of said Out-Lot Number Fifty-five (55); running thence East One Hundred Forty-two (142) feet to the West line of an alley running North and South through said Out Lot; thence South along said alley Forty (40) feet; thence West One Hundred Forty-two (142) feet to a point due South of the place of beginning, and thence North to the place of beginning.

Also, Beginning Forty (40) feet South of the North West corner of Out Lot Number Fifty-five (55) as the same is designated on the recorded plat of the Town (now City) of Terre Haute, Indiana, thence East 142 feet more or less to an alley, thence South along the West line of said alley 32 feet, thence West 142 feet more or less to the East line of Sixth Street, in said City, thence North along the East line of said street 32 feet to the place of beginning. Section 21, Township 12, North of Range 9 West of the 2d Principal Meridian.

(Commonly known as 601 Poplar Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-483-001.000-002

Parcel No.: 84-06-21-483-002.000-002

**TRACT 5A:**

Part of Out Lot Number Thirty-six (36) of the Original Out Lots of the Town now City of Terre Haute, described as follows: Commencing at a point on the west line of Sixth Street 120 feet South of the Northeast corner of said Out Lot running thence South 40 feet; thence West 142 feet more or less to the East line of an alley running North and South through said Out Lot, thence North 40 feet; thence East 142 feet more or less to the place of beginning.

(Commonly known as 315 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-28-226-003.000-002

TRACT 8A:

Lot Numbers 48, 49, 50, 51, 52, 53, 54, 55, 56 and 57 in the Continuation Plat of Swafford, Roberts and Gerstmeier's Addition to the City of Terre Haute, Indiana as per plat thereof recorded August 13, 1881 in Plat Record 3, Page 117, records of the Recorder's Office of Vigo County, Indiana.

(Commonly known as 1739 North 4th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-258-001.000-002

TRACT 9A:

35 feet of even width off the north side of Inlot Number 1 of the original Town, now City, of Terre Haute.

(Commonly known as 327 South 5th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-28-207-004.000-002

Tract 10A:

39 feet 7 inches off the South side of In Lot Number 1 of the Original In Lots of the Town now City of Terre Haute.

(Commonly known as 331 South 5th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-28-207-004.000-002

Tract 11A:

In Lots 2, 3 and 4 of the Original In Lots of the Town, now City of Terre Haute, Indiana.

(Commonly known as 311 South 5th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-28-207-003.000-002

Tract 12A:

Lots 5, 6, 7, 8, 49, 50 and 9 feet and 2 inches off the North side of Lot 51 of the Original In Lots of the Town (now City) of Terre Haute, Indiana. Together with those portions of the vacated alley lying adjacent to the above described lots.

(Commonly known as 214 South 4th Street, Terre Haute, IN 47807 and f/k/a 422 Poplar Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-462-001.000-002

TRACT 13A:

In Lot Numbered 61 of the original Town now the City of Terre Haute, Indiana.

(Commonly known as 209 South 4th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-461-013.000-002

TRACT 14A:

Seventy (70) feet off the North end of the East half (1/2) of Out Lot Thirty-six (36), of the original Out Lots of the Town, now City, of Terre Haute.

(Commonly known as 221 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-482-002.000-002

TRACT 15A:

Out Lot Number Thirty-seven (37) of the Original Out Lots of the Town, now City of Terre Haute, Indiana.

(Commonly known as 221 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-480-001.000-002

TRACT 16A:

In Lots 4 of the Original In Lots of the Town, now City of Terre Haute, Indiana.

(Commonly known as 301 South 4th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-464-002.000-002

TRACT 17A:

Lot Number 61 in Peyton Park, a Subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

(Commonly known as 1606 North 7th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-254-007.000-002

TRACT 18A:

Lot Number 62 in Peyton Park, a Subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

(Commonly known as 1807 North 4th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-254-006.000-002

TRACT 19A:

Lot Number 63 in Peyton Park a Subdivision of Lots 8 and 11 in the Subdivision of School Section 16, Township 12 North, Range 9 West, in the City of Terre Haute, Indiana.

(Commonly known as 1811 North 4th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-254-005.000-002

TRACT 20A:

Beginning Seventy-two (72) feet South of the North West corner of Out Lot Number Fifty-five (55) in Terre Haute – running East from said point One Hundred Forty-one and 2/12 feet – thence South Forty-three (43) feet – thence West One Hundred Forty-one and 2/12 feet to Sixth (6th) Street – thence North Forty-three (43) feet to the place of beginning.

(Commonly known as 308 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-483-003.000-002

TRACT 21A:

Commencing at a point 70 feet South of the North East corner of Out Lot 36 of the Original Out Lots of the Town, now City, of Terre Haute running thence West 142 feet more or less to an alley; thence South along said alley 50 feet; thence East 142 feet more or less to Sixth Street; thence North 50 feet to the place of beginning.

(Commonly known as 309 South 6th Street, Terre Haute, IN 47807.)

Parcel No.: 84-06-21-482-003.000-002

**All Improvements on the following land owned by Union Hospital, Inc.:**

TRACT 4A

Lot Numbers 58, 59 60, 61, 62, 86, 87, 88, 89, 90, 91, 92, 93, 94 and 95 in the Continuation Plat of Swafford, Roberts and Gerstmeyer's Addition to the City of Terre Haute, Indiana as per plat thereof recorded August 13, 1881 in Plat Record 3, Page 117, records of the Recorder's Office of Vigo County, Indiana.

(Commonly known as 1725 and 1732 North 5th Street, Terre Haute, IN 47804.)

Parcel No.: 84-06-16-280-017.000-002

Parcel No.: 84-06-16-280-013.000-002

Parcel No.: 84-06-16-280-014.000-002

Parcel No.: 84-06-16-280-012.000-002

Parcel No.: 84-06-16-280-016.000-002

Parcel No.: 84-06-16-280-008.000-002

Parcel No.: 84-06-16-280-007.000-002

Parcel No.: 84-06-16-280-006.000-002

Parcel No.: 84-06-16-280-001.000-002

Parcel No.: 84-06-16-280-002.000-002

Parcel No.: 84-06-16-280-005.000-002

Parcel No.: 84-06-16-280-015.000-002



**EXHIBIT B**  
(Consisting of 4 pages)

**Permitted Exceptions**

Matters shown on Schedule B-2 of the Chicago Title Insurance Company Commitment No. 20200024, as follows:

**TRACT 2A:**

18. Covenants, conditions and restrictions contained in Declaration of Covenants Governing the Springhill Junction Development, dated January 17, 1987 and recorded January 20, 1987 in Misc. Record 193, Page 346, as amended by Supplemental Declaration of Covenants dated February 14, 1987 and recorded February 26, 1987 in Misc. Record 193, Page 470, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
19. Communications transmission line easement in favor of American Telephone and Telegraph of Indiana, dated September 8, 1941 and recorded January 27, 1942 in Deed Record 223, Page 491, as assigned to ATT Communications of Indiana, Inc., by Release and Assignment Record 25, Page 676.
20. Order establishing Honey Creek-Vigo Conservancy District, filed March 7, 1990 and recorded July 6, 1990 in Misc. Record 199, Page 301.

**TRACT 3A:** None.

**TRACT 4A:**

30. Special Ordinance 25, 2001, dated July 17, 2001 and recorded July 18, 2001 in Misc. Record 200113924, rezoning the property to C-3 Regional Commerce District.
31. Easement for electric transmission line in favor of Public Service Company of Indiana, Inc., dated June 9, 1952 and recorded July 30, 1952 in Deed Record 272, Page 351. (Lots 90 & 91)
32. Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the land taken or used for road purposes on the east ends of the lots taken for Sixth Street as disclosed in Warranty Deed dated February 7, 1948 and recorded June 2, 1949 in Deed Record 257, Page 55. (Lots 88 & 89)
33. The plat of Swafford, Roberts and Gerstmeyers Subdivision as per plat thereof, recorded September 30, 1880 in Plat Record 3, Page 107, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

34. The continuation plat of Swafford, Roberts and Gerstmeyer Addition to the City of Terre Haute, Indiana, as per plat thereof, recorded August 13, 1881 in Plat Record 3, Page 117, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
35. Lease commencing December 1, 2001, dated April 17, 2002, by and between Union Hospital, Inc., as Lessor, and Associated Physicians and Surgeons Clinic LLC, II, as Lessee, a Memorandum of Lease of which was dated April 26, 2002 and recorded April 29, 2002 as Instrument No. 200211542.
36. All matters shown on Survey of Lots 48 through 67, dated September 22, 1989 and recorded June 29, 1990 in Misc. Record 199, Page 259.
37. Estoppel Certificate (Ground Lease) between Associated Physicians & Surgeons LLC II and Old National Bank and Union Hospital, Inc. d/b/a Union Hospital Health Group, dated July 25, 2003 and recorded August 1, 2003 as Instrument Number 200322268.
38. Estoppel Certificate (Building Lease) between Associated Physicians & Surgeons LLC II and Old National Bank and Union Hospital, Inc. d/b/a Union Hospital Health group, dated July 25, 2003 and recorded August 1, 2003 as Instrument Number 200322269.
39. Estoppel Certificate between Associated Physicians & Surgeons LLC II and Old National Bank and AP&S LLC, dated July 25, 2003 and recorded August 1, 2003 as Instrument Number 200322270.

**TRACT 5A:**

43. Special Ordinance No. 9, 1989, recorded April 20, 1989 in Misc. Record 197, Page 406, whereby the insured real estate is established as a Commercial District, C-1, Neighborhood Commerce.

**TRACT 8A:**

82. The plat of Swafford, Roberts and Gerstmeyers Subdivision as per plat thereof, recorded September 30, 1880 in Plat Record 3, Page 107, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
83. The continuation plat of Swafford, Roberts and Gerstmeyer Addition to the City of Terre Haute, Indiana, as per plat thereof, recorded August 13, 1881 in Plat Record 3, Page 117, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
84. Covenants, conditions and restrictions contained in Quit Claim Deed dated October 12, 1982 and recorded November 1, 1982 in Deed Record 391, Page 720, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted

by applicable law; said Deed's legal description corrected by Deed dated March 15, 1983 and recorded May 18, 1983 at Deed Record 393, Page 344.

85. Special Ordinance No. 67, 1989, dated October 13, 1989 and recorded October 18, 1989 in Misc. Record 198, Page 181, establishing the insured real estate as a Commercial District: C-2 Limited Community Commerce.

**TRACT 9A:** None.

**TRACT 10A:** None.

**TRACT 11A:** None.

**TRACT 12A:** None.

95. License and Easement Agreement between Associated Physicians & Surgeons Clinic, Inc. and the Indiana-American Water Company, Inc., dated January 12, 1993 and recorded January 14, 1993 in Misc. Record 203, Page 748.
96. Deed of Easement from Associated Physicians & Surgeons Clinic, Inc. and the Indiana-American Water Company, Inc., dated June 17, 1991 and recorded August 28, 1991 in Deed Record 428, Page 821.
97. Rights of public utilities to the continued use of all existing facilities, if any as disclosed in Special Ordinance No. 28, 1991, vacating the North-South alley running through the center of Block bounded by Poplar Street (south) and Walnut Street (north), recorded August 14, 1991 in Misc. Record 200, Page 937. (Affects that part of the vacated alley described therein.)

**TRACT 13A:** None.

**TRACT 14A:** None.

**TRACT 15A:** None.

105. Building set-back line contained in Warranty Deed dated July 18, 1974 and recorded in Deed Record 367, Page 465.

**TRACT 16A:** None.

**TRACT 17A:** None.

**TRACT 18A:** None.

**TRACT 19A:**

121. Matters contained in the Plat of Peyton Park Subdivision, recorded January 5, 1906 in Plat Book 9, Page 26.

**TRACT 20A:** None.

**TRACT 21A:**

126. Special Ordinance No. 9, 1989, recorded April 20, 1989 in Misc. Record 197, Page 406, whereby the insured real estate is established as a Commercial District, C-1, Neighborhood Commerce.

[End of Exhibit B.]

Receipt

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

Date: 6/14/22  
Name: Union Hospital  
Reason: rezoneing - notice of filing \$25  
rezoneing - petition - \$20  
\$45

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

Check: \$45 - # 0105238

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

Total: \$45

TERRE HAUTE, IN  
PAID  
JUN 14 2022  
CONTROLLER

Received By: G. W. K.