



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

**SPECIAL ORDINANCE NO. 4, 2023**

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COMMON ADDRESS OF LOTS TO BE REZONED:

1. 430 N. 14 ½ St., Terre Haute, Indiana 47807
2. 410 N. 14 ½ St., Terre Haute, Indiana 47807
3. 406 N. 14 12/ St., Terre Haute, Indiana 47807
4. 1426 Liberty Ave., Terre Haute, Indiana 47807
5. 1420 Liberty Ave., Terre Haute, Indiana 47807
6. 1428 Liberty Ave., Terre Haute, Indiana 47807

Parcel Numbers:

1. 430 N. 14 ½ St., Terre Haute, Indiana 47807 - 84-06-22-252-009.000-002
2. 410 N. 14 ½ St., Terre Haute, Indiana 47807 - 84-06-22-252-010.000-002
3. 406 N. 14 12/ St., Terre Haute, Indiana 47807 - 84-06-22-252-011.000-002
4. 1426 Liberty Ave., Terre Haute, Indiana 47807 - 84-06-22-252-014.000-002
5. 1420 Liberty Ave., Terre Haute, Indiana 47807 – (1) 84-06-22-252-012.000-002  
and (2) 84-06-22-252-013.000-002
6. 1428 Liberty Ave., Terre Haute, Indiana 47807 - 84-06-22-252-015.000-002

Current Zoning: 430 N. 14 ½ St is zoned M-2. All other parcels zoned R-1.

Requested Zoning: M-1 Light Industry.

Proposed Use: The property is used as a food bank, called Catholic Charities, that collects, warehouses, and distributes food to those in need. Owner plans to construct a pole barn on southern parcels that will act as a necessary facility for purposes of distribution. No long term storage of food in the new structure is currently planned.

Name of Owner: Roman Catholic Archdiocese Of Indianapolis Properties Inc.

Address of Owner: PO Box 1410, Indianapolis, IN 46206

Phone Number of Owner: 317-460-2095

Attorney Representing Owner (if any): Paul Carroll and John Cross

Address of Attorney: 13 N. State St., Ste. 241, Greenfield, IN 46140

Phone Number of Attorney: 317-250-6581

For Information Contact: John Cross: 317-250-6581.

Council Sponsor: Councilman Neil Garrison

JAN 23 2023

CITY CLERK

**SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 4, 2023**

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

SECTION 1. BE IT ORDIANED BY THE COMMON COUNCIL of the City of Terre Haute, Vigo County, State of Indiana, that Chapter 10, Article 2 of the City Code of Terre Haute, designated as the "Comprehensive Zoning Ordinance for Terre Haute" and Division 4, Section 10.121 thereof, District Maps, be, and the same is hereby amended to include as follows:

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

Parcel 1: 430 N. 14 ½ St., Terre Haute, Indiana 47807

Lot 1, 2, 3, and 4 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

Lots 13, 14, 15, 16, 17, 18, and 19 in Biel and Frederick's Subdivision of Lots 11 and 29 and 33 to 39 inclusive, in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

That part of an alley vacated by Declaratory Resolution No. 1 of the Board of Public Works of the City of Terre Haute, Indiana, running North-South, North of Liberty Avenue in said City described as follows, to wit:

Beginning at a point 16 feet North of the South line of Lot 15 in Biel and Frederick's Subdivision and running thence North to the right of way of the Terre Haute and Indianapolis Railroad, thence in an Easterly direction between said railroad and North line of Lot 13 said subdivision to the west line of 14 ½ Street. Adopted March 15, 1911. Confirmed April 6, 1911.

ALSO,

All of North 14 ½ Street lying North of the North line of Spruce Street and South of the right of way of the Pennsylvania Railroad Company and all of an alley 15.5. feet wide lying adjacent and parallel to said railroad right of way and immediately North of Lot 12 in Biel and Frederick's Subdivision, vacated by order of the Vigo Circuit Court, entered December 16, 1960, in Cause Number 42252, appearing in Order Book 128, page 112 ½ of said court.

Parcel 2: 410 N. 14 ½ St., Terre Haute, Indiana 47807

Lot Number 20 in Biel and Fredrick's Subdivision of Lots No. 11 to 29 and 33 to 39 inclusive of Baiersdorf's Subdivision of Lots No. 11 and 18 of Chase's Subdivision of 100 acres off the North end of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, in Terre Haute, Indiana, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, records of Recorder's Office of Vigo County, Indiana.

## Special Ordinance 4, 2023

**Parcel 3: 406 N. 14 1/2 St., Terre Haute, Indiana 47807**

Lot Number 21 in Biel and Fredrick's Subdivision in the city of Terre Haute and the County of Vigo, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Except that part described as follows: Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

**Parcel 4: 1426 Liberty Ave., Terre Haute, Indiana 47807**

Commencing at the Southeast corner of Lot 21, thence North 4.5 feet, thence West 90.5 feet, thence South 4.5 feet, thence East 90.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

**Parcel 5: 1420 Liberty Ave., Terre Haute, Indiana 47807**  
**(Parcel ID 84-06-22-252-012.000-002)**

Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

**Parcel 6: 1420 Liberty Ave., Terre Haute, Indiana 47807 (South Parcel)**  
**(Parcel ID 84-06-22-252-013.000-002)**

Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

**Parcel 7: 1428 Liberty Ave., Terre Haute, Indiana 47807**

Lot Number 10 in Baiersdorf's Subdivision, as shown in the plat recorded July 13, 1877 at Plat Record 3, Page 93, in Vigo County, Indiana.

Except that part described as follows: Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Commonly known as:

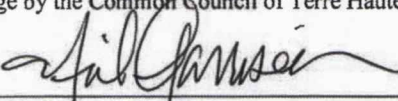
1. 430 N. 14 1/2 St., Terre Haute, Indiana 47807
2. 410 N. 14 1/2 St., Terre Haute, Indiana 47807


Special Ordinance 4, 2023


- 3. 406 N. 14 1/2 St., Terre Haute, Indiana 47807
- 4. 1426 Liberty Ave., Terre Haute, Indiana 47807
- 5. 1420 Liberty Ave., Terre Haute, Indiana 47807
- 6. 1428 Liberty Ave., Terre Haute, Indiana 47807


Be and the same is hereby established as a M-1 Light Industry District, together with all rights and privileges that may insure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise."

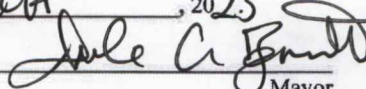
SECTION II, WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as required by law.

Presented by Council Member,   
**Councilman, Neil Garrison**

Passed in Open Council this 2nd day of March, 2023  
  
-President

ATTEST:   
Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 6th day of March, 2023  
  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 6th day of MARCH, 2023  
  
Mayor

ATTEST:   
Michelle Edwards, City Clerk

This instrument prepared by: Paul Carroll, 13 N. State St., Ste. 241, Greenfield, IN 46140. 317-460-2095

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. /s/ Paul J. Carroll

Special Ordinance 4, 2023

PETITION TO REZONE REAL PROPERTY

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

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY, INDIANA:

LADIES AND GENTLEMAN:

The undersigned, **Roman Catholic Archdiocese Of Indianapolis Properties Inc.**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Parcel 1: 430 N. 14 ½ St., Terre Haute, Indiana 47807

Lot 1, 2, 3, and 4 in Baidersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

Lots 13, 14, 15, 16, 17, 18, and 19 in Biel and Frederick's Subdivision of Lots 11 and 29 and 33 to 39 inclusive, in Baidersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

That part of an alley vacated by Declaratory Resolution No. 1 of the Board of Public Works of the City of Terre Haute, Indiana, running North-South, North of Liberty Avenue in said City described as follows, to wit:

Beginning at a point 16 feet North of the South line of Lot 15 in Biel and Frederick's Subdivision and running thence North to the right of way of the Terre Haute and Indianapolis Railroad, thence in an Easterly direction between said railroad and North line of Lot 13 said subdivision to the west line of 14 ½ Street. Adopted March 15, 1911. Confirmed April 6, 1911.

ALSO,

All of North 14 ½ Street lying North of the North line of Spruce Street and South of the right of way of the Pennsylvania Railroad Company and all of an alley 15.5 feet wide lying adjacent and parallel to said railroad right of way and immediately North of Lot 12 in Biel and Frederick's Subdivision, vacated by order of the Vigo Circuit Court, entered December 16, 1960, in Cause Number 42252, appearing in Order Book 128, page 112 ½ of said court.

Parcel 2: 410 N. 14 ½ St., Terre Haute, Indiana 47807

Lot Number 20 in Biel and Fredrick's Subdivision of Lots No. 11 to 29 and 33 to 39 inclusive of Baidersdorf's Subdivision of Lots No. 11 and 18 of Chase's Subdivision of 100 acres off the North end of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, in Terre Haute, Indiana, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, records of Recorder's Office of Vigo County, Indiana.

Parcel 3: 406 N. 14 12/ St., Terre Haute, Indiana 47807

## Special Ordinance 4, 2023

Lot Number 21 in Biel and Fredrick's Subdivision in the city of Terre Haute and the County of Vigo, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Except that part described as follows: Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Parcel 4: 1426 Liberty Ave., Terre Haute, Indiana 47807

Commencing at the Southeast corner of Lot 21, thence North 4.5 feet, thence West 90.5 feet, thence South 4.5 feet, thence East 90.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Parcel 5: 1420 Liberty Ave., Terre Haute, Indiana 47807  
(Parcel ID 84-06-22-252-012.000-002)

Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Parcel 6: 1420 Liberty Ave., Terre Haute, Indiana 47807 (South Parcel)  
(Parcel ID 84-06-22-252-013.000-002)

Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Parcel 7: 1428 Liberty Ave., Terre Haute, Indiana 47807

Lot Number 10 in Baiersdorf's Subdivision, as shown in the plat recorded July 13, 1877 at Plat Record 3, Page 93, in Vigo County, Indiana.

Except that part described as follows: Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

### Commonly known as:

1. 430 N. 14 ½ St., Terre Haute, Indiana 47807
2. 410 N. 14 ½ St., Terre Haute, Indiana 47807
3. 406 N. 14 12/ St., Terre Haute, Indiana 47807
4. 1426 Liberty Ave., Terre Haute, Indiana 47807
5. 1420 Liberty Ave., Terre Haute, Indiana 47807
6. 1428 Liberty Ave., Terre Haute, Indiana 47807

Special Ordinance 4, 2023

Your petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as **430 N. 14 ½ St is zoned M-2 Heavy Industry. All other parcels zoned R-1 Single Family.**

Your petitioner would respectfully state that the real estate is now used as a food bank, called Catholic Charities, that collects, warehouses, and distributes food to those in need. Owner plans to construct a pole barn on southern parcels that will act as a necessary facility for purposes of distribution. No long term storage of food in the new structure is currently planned.

Your petitioner would request that the real estate described herein shall be zoned as a M-1 Light Industry. Your petitioner would allege that the Light Industry would not alter the general characteristics of this neighborhood.

Your petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the M-1 Light Industry of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNES WHEREOF, This petition has been duly executed this 19 day of January, 2023.

BY:   
**John Cross, Attorney for the Owner**

PETITIONER: Roman Catholic Archdiocese Of Indianapolis Properties Inc., PO Box 1410, Indianapolis, IN 46206

This instrument was prepared by: John Cross, Wooton Hoy, LLC, 13 N. State St., Ste. 241, Greenfield, IN 46140

**AFFIDAVIT OF:**

COMES NOW affiant Roman Catholic Archdiocese of Indianapolis Properties Inc.

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

1. 430 N. 14 ½ St., Terre Haute, Indiana 47807
2. 410 N. 14 ½ St., Terre Haute, Indiana 47807
3. 406 N. 14 12/ St., Terre Haute, Indiana 47807
4. 1426 Liberty Ave., Terre Haute, Indiana 47807
5. 1420 Liberty Ave., Terre Haute, Indiana 47807
6. 1428 Liberty Ave., Terre Haute, Indiana 47807

for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.

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

Roman Catholic Archdiocese Of Indianapolis Properties Inc.



By: Erich Bangert

STATE OF INDIANA)  
SS: (COUNTY OF VIGO)

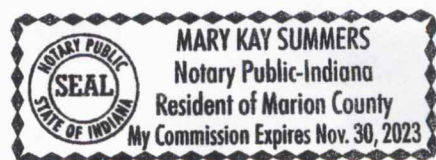
Personally appeared before me, a Notary Public in and for said County and State, Erich Bangert, authorized signor of ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC. who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 20 day of December 2022.

Notary Public: Mary Kay Summers  
Mary Kay Summers  
[Typed name]

My Commission Expires: Nov 30, 2023

My County Of Residence: marion





DEC 07 2020

  
VIGO COUNTY CLERK



## CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, That Mental Health America of West Central Indiana, Inc., a corporation organized and existing under the laws of the State of Indiana, (hereinafter called GRANTOR), for and in consideration of the payment to it of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby CONVEYS AND WARRANTS to Roman Catholic Archdiocese of Indianapolis Properties, Inc., a corporation organized and existing under the laws of the State of Indiana, hereinafter referred to as Grantee, the following described real estate in Vigo County, Indiana, to-wit:

Lot Number 20 in Biel and Fredrick's Subdivision of Lots No. 11 to 29 and 33 to 39 inclusive of Baidersdorf's Subdivision of Lots No. 11 and 18 of Chase's Subdivision of 100 acres off the North end of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, in Terre Haute, Indiana, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, records of Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-22-252-010.000-002

Subject to any rights-of-way, easements, leases, restrictions, reservations, covenants, rights of persons in possession, outstanding mineral interests, land use restrictions imposed by governmental authorities, and all other matters of record, if any there be.

Subject to real estate taxes prorated to the date hereof.

As a further consideration of the payment of the above sum, the persons executing this deed on behalf of Grantor represent and certify, for the purpose of inducing Grantee(s) to accept this Warranty Deed, that they are the duly elected officers of Grantor and have been fully empowered by the By-Laws of Grantor and proper resolution of the Board of Directors of Grantor to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate conveyed by this instrument and that all necessary action for the making of such conveyance has been taken; that the real estate conveyed by this instrument is conveyed in the usual and regular course of business as such term is defined in the Indiana Business Corporation Law, as amended.

IN WITNESS WHEREOF, Mental Health America of West Central Indiana, Inc. has caused this deed to be executed in its name and on its behalf by its duly authorized officers, this 4<sup>th</sup> day of December, 2020.

Mental Health America of West Central Indiana, Inc.

By 

Myra Wilkey, Executive Director

(Printed Name and Title)



Myra Wilkey and \_\_\_\_\_ as the  
Executive Director and \_\_\_\_\_ of Mental Health America  
of West Central Indiana, Inc., to be the individual(s) described herein and who executed the  
foregoing instrument; that said WITNESS was present and saw said  
Myra Wilkey and \_\_\_\_\_ execute the same; that said  
WITNESS at the same time subscribed his/her name as a witness thereto; and that WITNESS  
will not receive any interest in or proceeds from the property that is the subject of the transaction.

WITNESS my hand and Notarial Seal.

My Commission Expires:

Kathleen G Cox  
Notary Public



Kathleen G Cox  
Typewritten or printed name of notary

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.

Kathleen G Cox  
Signature

Kathleen G Cox  
Printed Name

This instrument was prepared by Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807. The deed was prepared at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance concerning the property to be conveyed and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument.

GRANTEE'S ADDRESS: 1400 N Meridian St Indianapolis IN 46202

MAIL TAX STATEMENTS TO: 1400 N Meridian St, PO Box 1410 Indianapolis, IN 46202

DEC 09 2016

*Janet M. Allsup*  
VIGO COUNTY AUDITOR

2016012613 WD \$22.00  
12/09/2016 02:55:47P 3 PGS  
NANCY S. ALLSUP  
VIGO County Recorder IN  
Recorded as Presented



**WARRANTY DEED**

**THIS INDENTURE WITNESSETH, that YANKEE STEEL, INC. ("Grantor"), CONVEYS AND WARRANTS to ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC., for the sum of ONE DOLLAR (\$1.00), and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Vigo County, Indiana, commonly known as 430 North 14 ½ Street, 431 North 14<sup>th</sup> Street, and 423 North 14<sup>th</sup> Street, Terre Haute, Indiana 47807, and more particularly described as:**

Lot 1, 2, 3, and 4 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

Lots 13, 14, 15, 16, 17, 18, and 19 in Biel and Frederick's Subdivision of Lots 11 and 29 and 33 to 39 inclusive, in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

That part of an alley vacated by Declaratory Resolution No. 1 of the Board of Public Works of the City of Terre Haute, Indiana, running North-South, North of Liberty Avenue in said City described as follows, to-wit: Beginning at a point 16 feet North of the South line of Lot 15 in Biel and Frederick's Subdivision and running thence North to the right of way of the Terre Haute and Indianapolis Railroad, thence in an Easterly direction between said railroad and North line of Lot 13 said subdivision to the west line of 14 ½ Street. Adopted March 15, 1911. Confirmed April 6, 1911.

ALSO

All of North 14 ½ Street lying North of the North line of Spruce Street and South of the right of way of the Pennsylvania Railroad Company and all of an alley 15.5 feet wide lying adjacent and parallel to said railroad right



Send tax statements and return recording to:

Roman Catholic Archdiocese of Indianapolis Properties, Inc.

ATTN: Erich Bangert

1400 N. Meridian Street

Indianapolis, Indiana 46202

*THIS INSTRUMENT PREPARED BY: Paul Carroll, Mercer Belanger, One Indiana Square, Suite 1500, Indianapolis, Indiana 46204*

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: *Paul Carroll, Mercer Belanger, One Indiana Square, Suite 1500, Indianapolis, Indiana 46204*

DEC 08 2020

  
VIGO COUNTY AUDITOR

2020016062 WD \$25.00  
12/08/2020 09:20:26A 5 PGS  
Stacey Todd  
VIGO County Recorder IN  
Recorded as Presented



## WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Robert Chumley, of Vigo County, State of Indiana, and Brittney Bracken fka Brittney Chumley aka Brittany Chumley, of Tangipahoa County, State of Louisiana, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONVEY and WARRANT Roman Catholic Archdiocese of Indianapolis Properties, Inc., a corporation organized and existing under the laws of the State of Indiana, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

Tract 1 - Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredricks Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Tract 2 - Lot Number 21 in Biel and Fredricks Subdivision in the city of Terre Haute and the County of Vigo, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Except that part described as follows: Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredricks Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, in Vigo County, Indiana.

ALSO

Lot Number 10 in Baiersdorf's Subdivision, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in Vigo County, Indiana.

Except that part described as follows: Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Tract 3 - Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Tract 4 - Lot Number 8 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off the North end of the East Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93 in the City of Terre Haute, in Vigo County and the State of Indiana.

Tract 5 - Lot Number 9 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off the North end of the East Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93 in the City of Terre Haute, in Vigo County and the State of Indiana.

All records of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-22-252-012.000-002, 84-06-22-252-011.000-002, 84-06-22-252-014.000-002, 84-06-22-252-015.000-002, 84-06-22-252-013.000-002, 84-06-22-252-007.000-002 & 84-06-22-252-008.000-002

Subject to any grants, easements, leases, rights-of-way, covenants, or restrictions of record which might affect the title to the subject real estate.

Subject to taxes prorated to the date hereof.

Grantors further warrant and represent that Brittney Bracken fka Brittney Chumley is one and the same as Brittany Chumley, Grantee in those deeds dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005647, dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005648, dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005649, dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005650, and dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005651, all records of Recorder's Office of Vigo County, Indiana, wherein her name was incorrectly spelled "Brittany". She has since intermarried with Kean Bracken and is now known as Brittney Bracken

IN WITNESS WHEREOF the above referred to Robert Chumley and Brittney Bracken fka Brittney Chumley aka Brittany Chumley have hereunto set their hands and seals, this 3rd day of December, 2020.

[Remainder of Page Left Blank]  
[Notary Acknowledgment Follows]



Robert Chumley (SEAL)  
Robert Chumley

Executed in my Presence:

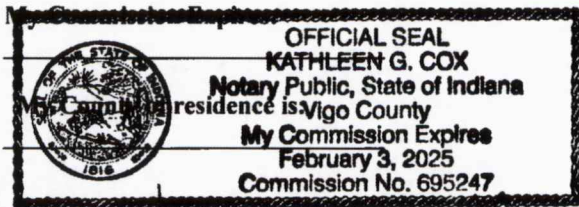
Laura A. Haddix  
Signature

Laura A. Haddix  
Printed Name

STATE OF Indiana, Vigo COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 7<sup>th</sup> day of December, 2020, personally appeared Robert Chumley and acknowledged the execution of the annexed Deed to be his voluntary act and deed.

WITNESS my hand and Notarial Seal.

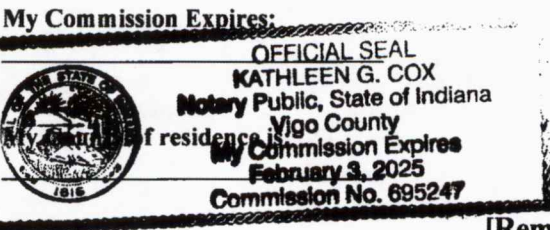


Kathleen G Cox  
Notary Public  
Kathleen G Cox  
Typewritten or printed name of notary

STATE OF Indiana, Vigo COUNTY, SS:

Before me, a Notary Public in and for said County and State, on December 7, 2020, personally appeared the above named WITNESS to the foregoing instrument, who, being duly sworn by me, did depose and say that he/she knows Robert Chumley to be the individual(s) described herein and who executed the foregoing instrument; that said WITNESS was present and saw Robert Chumley execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto; and that the above-named subscribing witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

WITNESS my hand and Notarial Seal.



Kathleen G Cox  
Notary Public  
Kathleen G Cox  
Typewritten or printed name of notary

[Remainder of Page Left Blank]

Brittney Bracken fka Brittney Chumley aka Brittany Chumley (SEAL)

Brittney Bracken fka Brittney Chumley aka  
Brittany Chumley

Executed in my Presence:

[Signature]  
Signature

JEANNEN G. WHITTINGTON  
Printed Name

STATE OF Louisiana, Tangipahoa COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 3rd day of December, 2020, personally appeared Brittney Bracken fka Brittney Chumley aka Brittany Chumley and acknowledged the execution of the annexed Deed to be her voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires:  
For Life

[Signature]  
Notary Public

Ja'Juan Allen  
Notary Public  
Notary ID No. 128631  
Louisiana-At-Large

My County of residence is:  
Tangipahoa

Ja'Juan Allen  
Typewritten or printed name of notary

STATE OF Louisiana, Tangipahoa COUNTY, SS:

Before me, a Notary Public in and for said County and State, on 3rd day December 2020, personally appeared the above named WITNESS to the foregoing instrument, who, being duly sworn by me, did depose and say that he/she knows Brittney Bracken fka Brittney Chumley aka Brittany Chumley to be the individual(s) described herein and who executed the foregoing instrument; that said WITNESS was present and saw Brittney Bracken fka Brittney Chumley aka Brittany Chumley execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto; and that the above-named subscribing witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

WITNESS my hand and Notarial Seal.

My Commission Expires:  
For Life

[Signature]  
Notary Public

My County of residence is:  
Tangipahoa

Ja'Juan Allen  
Typewritten or printed name of notary

[Remainder of Page Left Blank]

Ja'Juan Allen  
Notary Public  
Notary ID No. 128631  
Louisiana-At-Large



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.

Kathleen G Cox

Signature

Kathleen G Cox

Printed Name

**THIS INSTRUMENT WAS PREPARED BY:** Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807, at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument.

GRANTEE ADDRESS: PO Box 1410, Indianapolis, IN 46202

MAIL TAX STATEMENTS TO: Same

# TERRE HAUTE CATHOLIC CHARITIES FOOD PANTRY DELIVERY EQUIPMENT STORAGE BUILDING NOVEMBER 2022



TERRE HAUTE CATHOLIC CHARITIES  
FOOD PANTRY DELIVERY EQUIPMENT STORAGE BUILDING

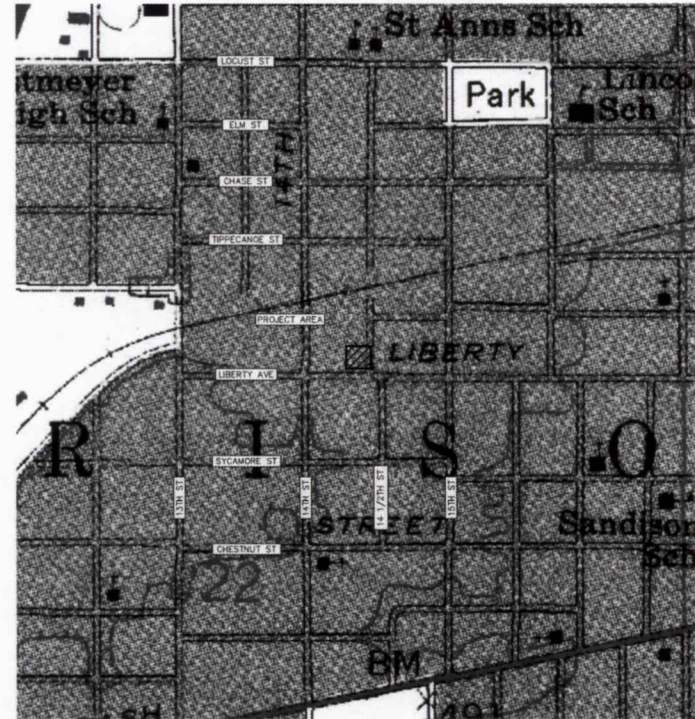
NOVEMBER 2022  
Job # 2022-265

Set #  
1

406 N 14 1/2 STREET  
TERRE HAUTE, IN 47802



Area Location Map



Site Location Map: Terre Haute, Indiana  
SCALE: 1" = 300'



INDIANAPOLIS - TERRE HAUTE  
LAFAYETTE - NEW ALBANY - MUNCIE  
www.hwcengineering.com

*Eric M. Smith*  
ERIC M. SMITH, P.E.

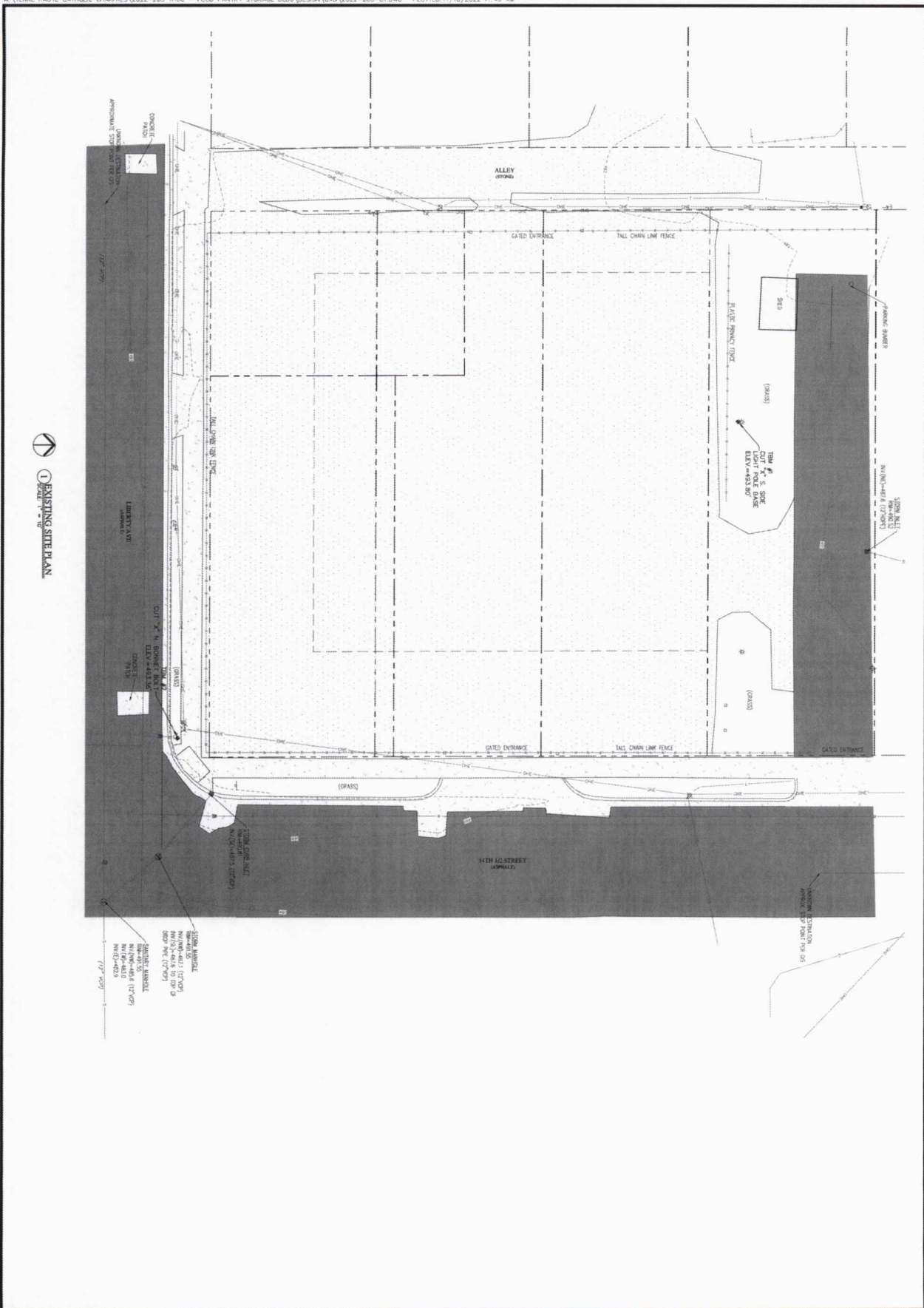


NO. PE19800369

NOVEMBER 16, 2022  
DATE

W:\TERRE HAUTE CATHOLIC CHARITIES\2022-265 THCC - FOOD PANTRY STORAGE BUILDING\DWG\2022-265-G.DWG - PLOTTED: 11/16/2022 11:48 AM





EXISTING SITE PLAN

Special Ordinance 4, 2023

**C1**

EXISTING SITE PLAN

2022

DESIGN BY: *E. M. Spink*  
 CHECKED BY: *E. M. Spink*  
 SCALE: AS SHOWN  
 DATE: NOVEMBER 16, 2022  
 JOB NUMBER: 2022-265

15000048  
 ENGINEER  
 STATE OF INDIANA  
 LICENSE NO. 127079  
 EXPIRES 12/31/2024

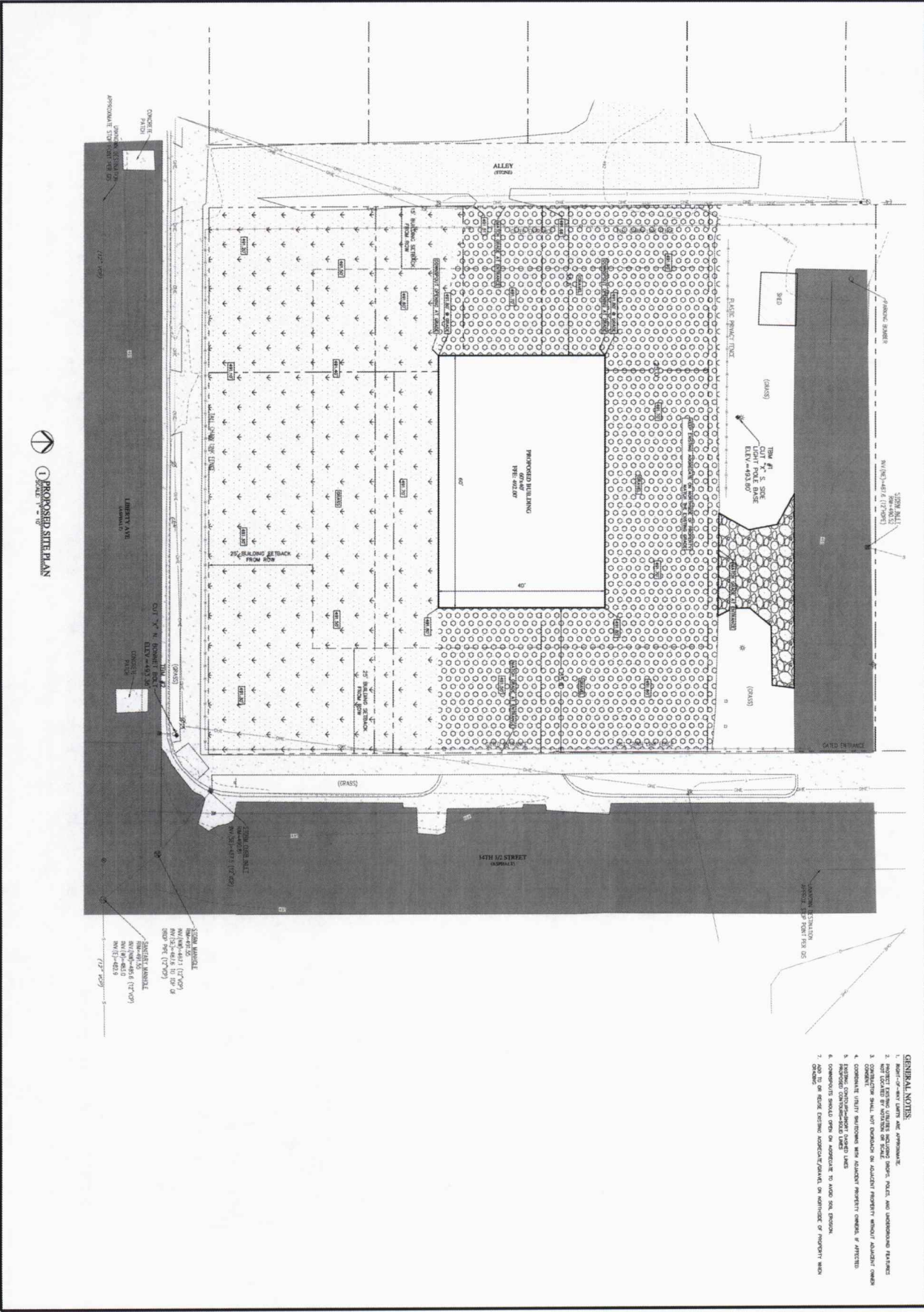
TERRE HAUTE CATHOLIC CHARITIES  
 FOOD PANTRY DELIVERY EQUIPMENT STORAGE BUILDING

---

EXISTING SITE PLAN

**HMC**  
 ENGINEERING  
 1411 W. STATE ST.  
 TERRE HAUTE, IN 47787  
 WWW.HMCENGINEERING.COM

DATE	DESCRIPTION	BY



PROPOSED SITE PLAN

Special Ordinance 4, 2023

- GENERAL NOTES:**
1. SHOWN AS-CONSTRUCTED UNLESS OTHERWISE NOTED.
  2. EXISTING UTILITIES SHOWN AS NOTED.
  3. EXISTING UTILITIES SHOWN AS NOTED.
  4. COMMENTS: VERIFY EXISTING UTILITIES WITH ADJACENT PROPERTY OWNERS, IF APPLICABLE.
  5. EXISTING UTILITIES SHOWN AS NOTED.
  6. COMMENTS: VERIFY EXISTING UTILITIES WITH ADJACENT PROPERTY OWNERS, IF APPLICABLE.
  7. ALL TO BE DONE ACCORDING TO LOCAL OR STATE CODES.

**TERRE HAUTE CATHOLIC CHARITIES  
FOOD PANTRY DELIVERY EQUIPMENT STORAGE BUILDING**

**PROPOSED SITE PLAN**

**HWC  
ENGINEERING**

PROPOSED SITE PLAN

DATE: 11/16/2022  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 11/16/2022  
JOB NUMBER: 2022-265

**REVISIONS**

NO.	DATE	DESCRIPTION

DATE: 11/16/2022  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 11/16/2022  
JOB NUMBER: 2022-265

DATE: 11/16/2022  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 11/16/2022  
JOB NUMBER: 2022-265

DATE: 11/16/2022  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 11/16/2022  
JOB NUMBER: 2022-265

DATE: 11/16/2022  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 11/16/2022  
JOB NUMBER: 2022-265

DATE: 11/16/2022  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 11/16/2022  
JOB NUMBER: 2022-265

Receipt

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

Date: 1/26/23

Name: Wooton Hoy LLC

Reason: Rezoning-notice of filing \$25-  
Rezoning-petition \$20/  
\$45

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

Check: # 2361

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

Total: 45-

Received By: Emm Wtz

TERRE HAUTE, IN  
PAID  
JAN 26 2023  
CONTROLLER





# 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: March 2, 2023

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER 4-23

CERTIFICATION DATE: March 1, 2023

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. 4-23. This Ordinance is a rezoning of 430 N. 14 ½ Street, 410 N. 14 ½ St., 406 N. 14 12/ St., 4. 1426 Liberty Ave., 1420 Liberty Ave., 1428 Liberty Ave., Terre Haute, IN 47807. Parcel numbers 84-06-22-252-009.000-002:010:011:012:014. The Petitioner, Roman Catholic Archdiocese of Indianapolis petitions the Plan Commission to rezone said Catholic Charities Food Banks; new pole barn facility for purposes of distribution; no long-term storage of food in the new pole barn is currently planned, from zoning classification M-2 and R-3 to M-1 Light Industrial District.

The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 4-23 at a public meeting and hearing held Wednesday, March 1, 2023. 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. 4-23 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 4-23 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. 4-23 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1) Site plan approval by City Engineering



Handwritten signature of Fred L. Wilson.

Fred L. Wilson, President

Handwritten signature of Jared Bayler.

Jared Bayler, Executive Director

Received this 2nd day of March, 2023

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: S.O. #4-23

Doc: # 14

Date: March 2023

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**APPLICATION INFORMATION**

Property Owner: Roman Catholic Archdiocese of Indianapolis

Representative: Paul Carroll & John Cross, Attorney's

Proposed Use: Catholic Charities Food Banks; New pole barn facility for purposes of distribution. No long term storage of food in the new pole barn is currently planned.

Proposed Zoning: M-1, Light Industrial District

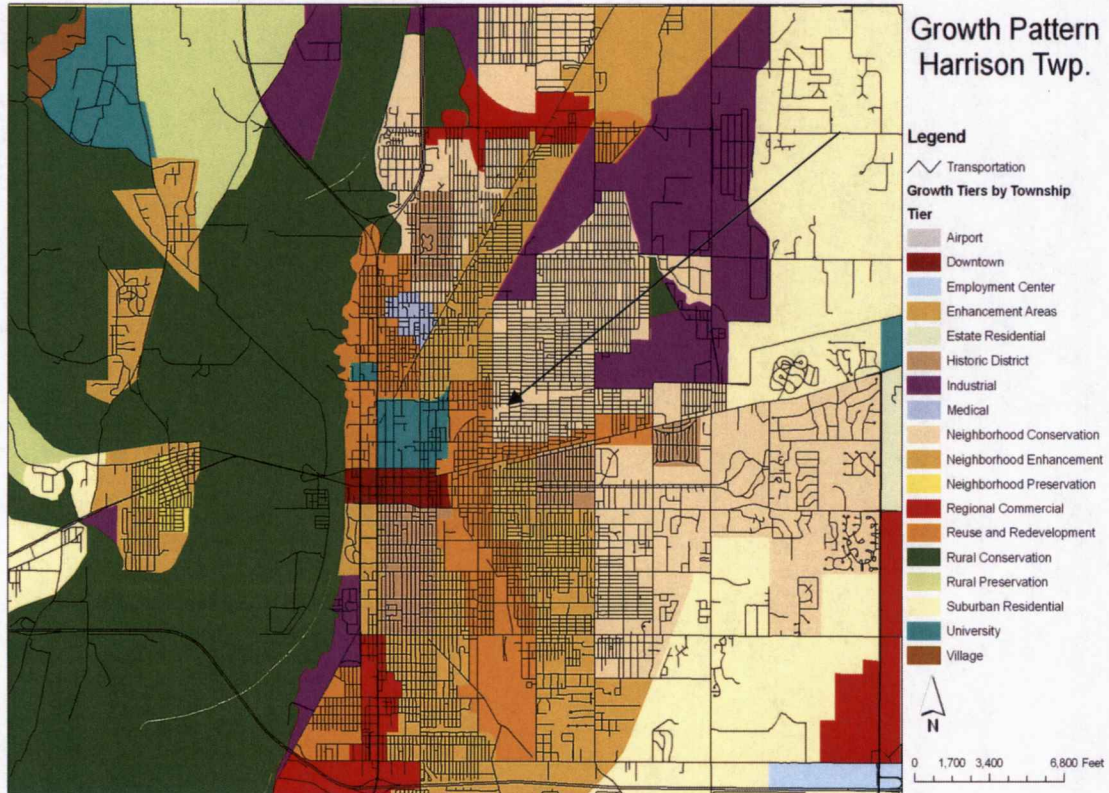
Current Zoning: M-2, Heavy Industry District & R-3, Multi Family Residence District

Location: The property is located on the corner of Liberty Avenue on N. 14 ½ St. Biel & Fredricks Sub Lots 10, 20, 21

Common Address: 430 N. 14 ½ Street, Terre Haute, IN 47807 - 410 N. 14 ½ St., 406 N. 14 12/ St., 4. 1426 Liberty Ave., 1420 Liberty Ave., 1428 Liberty Ave., 84-06-22-252-009.000-002:010:011:012:014.

**COMPREHENSIVE PLAN GUIDANCE**

Service Area: The City of Terre Haute



### Neighborhood Conservation

These areas encompass neighborhoods with established and stable residential environments. The vast majority of these areas are fully developed (or expected to be in a relatively short timeframe). Fundamental directives urged for these areas encourage the maintenance of the residential desirability and stability. Where new infill development is proposed, it should be entirely consistent and compatible with pre-existing developments. However, special public attention may, in some cases, be required to assure that drainage, sidewalk improvements, and linkages to pedestrian and bicycle trails are made. Many of these neighborhoods may be excellent candidates for special assessment districts for neighborhood improvements and amenities.

In addition, these areas encompass existing retail activity nodes located throughout the community. In general, these commercial areas have evolved in an unplanned, largely uncoordinated manner along frontage of primary arterials. Within these commercial bands, a great variety of activities exist which target different markets. Some activities are oriented toward “drive-by” markets, fast food restaurants, convenience stores, gasoline stations, drive-in banking facilities, for example. Other activities are special-purpose, oriented to single trips rather than comparative multi-purpose shopping. These single purpose stores serve a market larger than a single neighborhood. Sales and service of automobiles, trucks, boats, recreational vehicles and related activities are special purpose region-serving activities. They require large site with good visibility. Finally, commercial areas include a range of neighborhood level retail activities including grocery stores, pharmacies, personal services such as hair styling, and other frequently purchased goods and services.

Additional policies for Neighborhood Conservation areas should include:

- Allow for a range of housing densities based on the zoning ordinance.
- Allow for a mix of uses, focusing on neighborhood and community serving commercial nodes.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.
- Reuse of commercial oriented structure should be limited to retail activities that contribute to the diversity and variety of retail uses in a commercial node.
- With respect to existing commercial “strips” – i.e. narrow bands of commercial uses occupying major roadway frontage, the limitation of additional or new commercial uses is strongly advised.
- Geographic expansion of this commercial “strips” should be limited to the provision of additional space to ensure the compatibility with adjacent uses, not an intensification of use.
- Improved landscaping, improved pedestrian amenities, and increased attention to lighting, signage, and impacts upon nearby residential areas is advised in the review of development petitions.

Dev. Priority: Medium intensity residential

## ZONING COMPATIBILITY

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

Character of Area: The area has a mix of uses: Residential, manufacturing and commercial  
The Heritage Trail is within 250 ft. of the lots.

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## ZONING REGULATIONS

All uses in the M-1 (Light Industrial) District and the M-2 (Heavy Industrial) District shall conform to the standards of performance described within this Section below and shall be so constructed, maintained, and operated so as not to be injurious or offensive to the occupants of adjacent premises by reason of the omission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, fire, and explosive hazard or glare.

It is the purpose of this classification to provide for complete separation of residential and commercial areas from industrial areas for the mutual protection of both industry and residential and commercial uses. It is recognized that to provide for industrial growth, a reasonable excess of quality land must be held in exclusive reserve for industrial expansion. In the granting of special uses permits, this goal must be paramount in the consideration and special uses not clearly of a manufacturing or industrial nature must be incidental to an established industrial facility.

It is the purpose of this classification to provide for complete separation of residential and commercial areas, from industrial areas for the mutual protection of both industrial and residential, and commercial uses. It is recognized that for industrial growth, a reasonable excess of quality land must be held in exclusive reserve for industrial expansion. In the granting of special uses, this goal must be paramount in the consideration thereof and special uses not clearly of manufacturing or industrial nature must be incidental to an established industrial facility.

The Light Industrial zone classification provides for additional sites in a more densely developed area. It provides for those industries which are more compatible with densely developed, contiguous, residential and commercial uses and which can readily meet the industrial performance standards as contained in Sec. 10-143.

Uses, Permitted - M-1 Light Industry District.

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STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: S.O. #4-23

Doc: # 14

Date: March 2023

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The following uses are permitted, provided that all business, servicing, or processing shall take place within completely enclosed buildings, unless otherwise indicated hereinafter and except for establishments of the “drive-in” type offering goods or services directly to customers waiting in parked motor vehicles and off-street loading and parking as regulated in Sec. 10-137. Any production, processing, cleaning, servicing, testing, repair, or storage of material, goods, or products which shall conform with the performance standards set forth in Sec. 10-143 (except such uses as are specifically excluded), and which shall not be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust, or other particulate matter, toxic and noxious materials, odors, fire or explosive hazards, glare or heat. Within three hundred feet (300’) of a Residence District, all storage except of motor vehicles, shall be within completely enclosed buildings or may be located out-of-doors if it is effectively screened by a solid wall or fence (including solid entrance and exit gates) as specified in Sec. 10-172 e. for junkyards.

The following is a list of approved uses of an M-1 zoning: Automobile laundries.

(3) Building materials sales, (4) Contractor or construction office, shops, and yards; such as: (A) Building. (B) Cement. (C) Electrical. (D) Heating, ventilating and air conditioning. (E) Roofing. (F) Masonry. (G) painting. (H) Plumbing. (I) Refrigeration. (5) Fuel and ice sales, if located in completely enclosed buildings. (6) Garages and parking lots, for motor vehicles. (7) Public utility and public service uses, including: (A) Bus terminals, bus garages, bus lots. (B) Electric sub-stations. (C) Fire stations. (D) Gas utility service sub-stations. (E) Police stations. (F) Railroad passenger stations. (G) Railroad rights-of-way. (H) Telephone exchanges, microwave relay towers, and water filtration plants. (I) Water filtration plants. (J) Water pumping stations. (K) Sewage or storm water pumping stations. (8) Signs as regulated in Sec. 10-141. (9) Trade schools. (10) Accessory uses.

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## FINDINGS and RECOMMENDATION

Staff Findings: The property at 430 N 14 ½ St. was rezoned from R-3 to M-2, Heavy Industrial District, in 2017, for the purpose of “Catholic Charities Food Bank’s Parking and Deliveries” (SO #32-17).

The petitioner is requesting to rezone this plus the other listed properties to M-1 (Light Industry District) to continue the use and build a proposed 60’x40’ pole barn on the southern parcels that will act as a “necessary facility for purposes of distribution”. The petitioner states that no long-term storage of food in the new structure is currently planned.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: S.O. #4-23

Doc: # 14

Date: March 2023

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The expansion of Industrial into residential has to be planned carefully. Separation of heavy industrial from residential and commercial uses is called for and is outlined in The City Code.

Within 300' of a Residence District all storage, except of motor vehicles, shall be within completely enclosed buildings or may be located out of doors if it is effectively screened by a solid wall or fence (10-225(c)(1)).

Per City Engineering, this specific use is not defined by the code, so the M-1 classification is appropriate given the lack of guidance.

The site plan, including parking, potential screening to residential, and stormwater drainage will need to be approved by City Engineering.

Recommendation: Staff offers a Favorable Recommendation for the rezoning:

1. Site plan approval by City Engineering

Docket #14 SO #4-23

14 1/2 St. and Libery Ave.





APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 4, 2023

Docket #14

COMMON ADDRESS OF LOTS TO BE REZONED:

1. 430 N. 14 ½ St., Terre Haute, Indiana 47807
2. 410 N. 14 ½ St., Terre Haute, Indiana 47807
3. 406 N. 14 12/ St., Terre Haute, Indiana 47807
4. 1426 Liberty Ave., Terre Haute, Indiana 47807
5. 1420 Liberty Ave., Terre Haute, Indiana 47807
6. 1428 Liberty Ave., Terre Haute, Indiana 47807

Parcel Numbers:

1. 430 N. 14 ½ St., Terre Haute, Indiana 47807 - 84-06-22-252-009.000-002
2. 410 N. 14 ½ St., Terre Haute, Indiana 47807 - 84-06-22-252-010.000-002
3. 406 N. 14 12/ St., Terre Haute, Indiana 47807 - 84-06-22-252-011.000-002
4. 1426 Liberty Ave., Terre Haute, Indiana 47807 - 84-06-22-252-014.000-002
5. 1420 Liberty Ave., Terre Haute, Indiana 47807 – (1) 84-06-22-252-012.000-002  
and (2) 84-06-22-252-013.000-002
6. 1428 Liberty Ave., Terre Haute, Indiana 47807 - 84-06-22-252-015.000-002

Current Zoning: 430 N. 14 ½ St is zoned M-2. All other parcels zoned R-3 General Residence

District.

Requested Zoning: M-1 Light Industry.

Proposed Use: The property is used as a food bank, called Catholic Charities, that collects, warehouses, and distributes food to those in need. Owner plans to construct a pole barn on southern parcels that will act as a necessary facility for purposes of distribution. No long term storage of food in the new structure is currently planned.

Name of Owner: Roman Catholic Archdiocese Of Indianapolis Properties Inc.

Address of Owner: PO Box 1410, Indianapolis, IN 46206

Phone Number of Owner: 317-460-2095

Attorney Representing Owner (if any): Paul Carroll and John Cross

Address of Attorney: 13 N. State St., Ste. 241, Greenfield, IN 46140

Phone Number of Attorney: 317-250-6581

For Information Contact: John Cross: 317-250-6581.

Council Sponsor: Councilman Neil Garrison



JAN 23 2023

CITY CLERK

SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 4, 2023

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

SECTION 1. BE IT ORDIANED BY THE COMMON COUNCIL of the City of Terre Haute, Vigo County, State of Indiana, that Chapter 10, Article 2 of the City Code of Terre Haute, designated as the "Comprehensive Zoning Ordinance for Terre Haute" and Division 4, Section 10.121 thereof, District Maps, be, and the same is hereby amended to include as follows:

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

Parcel 1: 430 N. 14 1/2 St., Terre Haute, Indiana 47807

Lot 1, 2, 3, and 4 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

Lots 13, 14, 15, 16, 17, 18, and 19 in Biel and Frederick's Subdivision of Lots 11 and 29 and 33 to 39 inclusive, in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

That part of an alley vacated by Declaratory Resolution No. 1 of the Board of Public Works of the City of Terre Haute, Indiana, running North-South, North of Liberty Avenue in said City described as follows, to wit:

Beginning at a point 16 feet North of the South line of Lot 15 in Biel and Frederick's Subdivision and running thence North to the right of way of the Terre Haute and Indianapolis Railroad, thence in an Easterly direction between said railroad and North line of Lot 13 said subdivision to the west line of 14 1/2 Street. Adopted March 15, 1911. Confirmed April 6, 1911.

ALSO,

All of North 14 1/2 Street lying North of the North line of Spruce Street and South of the right of way of the Pennsylvania Railroad Company and all of an alley 15.5 feet wide lying adjacent and parallel to said railroad right of way and immediately North of Lot 12 in Biel and Frederick's Subdivision, vacated by order of the Vigo Circuit Court, entered December 16, 1960, in Cause Number 42252, appearing in Order Book 128, page 112 1/2 of said court.

Parcel 2: 410 N. 14 1/2 St., Terre Haute, Indiana 47807

Lot Number 20 in Biel and Fredrick's Subdivision of Lots No. 11 to 29 and 33 to 39 inclusive of Baiersdorf's Subdivision of Lots No. 11 and 18 of Chase's Subdivision of 100 acres off the North end of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, in Terre Haute, Indiana, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, records of Recorder's Office of Vigo County, Indiana.

Special Ordinance 4, 2023

Parcel 3: 406 N. 14 1/2 St., Terre Haute, Indiana 47807

Lot Number 21 in Biel and Fredrick's Subdivision in the city of Terre Haute and the County of Vigo, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Except that part described as follows: Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Parcel 4: 1426 Liberty Ave., Terre Haute, Indiana 47807

Commencing at the Southeast corner of Lot 21, thence North 4.5 feet, thence West 90.5 feet, thence South 4.5 feet, thence East 90.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Parcel 5: 1420 Liberty Ave., Terre Haute, Indiana 47807  
(Parcel ID 84-06-22-252-012.000-002)

Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Parcel 6: 1420 Liberty Ave., Terre Haute, Indiana 47807 (South Parcel)  
(Parcel ID 84-06-22-252-013.000-002)

Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Parcel 7: 1428 Liberty Ave., Terre Haute, Indiana 47807

Lot Number 10 in Baiersdorf's Subdivision, as shown in the plat recorded July 13, 1877 at Plat Record 3, Page 93, in Vigo County, Indiana.

Except that part described as follows: Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Commonly known as:

1. 430 N. 14 1/2 St., Terre Haute, Indiana 47807
2. 410 N. 14 1/2 St., Terre Haute, Indiana 47807

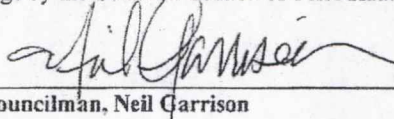
Special Ordinance 4, 2023

- 3. 406 N. 14 12/ St., Terre Haute, Indiana 47807
- 4. 1426 Liberty Ave., Terre Haute, Indiana 47807
- 5. 1420 Liberty Ave., Terre Haute, Indiana 47807
- 6. 1428 Liberty Ave., Terre Haute, Indiana 47807

Be and the same is hereby established as a M-1 Light Industry District, together with all rights and privileges that may insure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.”

SECTION II, WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publication as required by law.

Presented by Council Member,



Councilman, Neil Garrison

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

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

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

Michelle Edwards, City Clerk

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

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

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

\_\_\_\_\_  
, Mayor

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

Michelle Edwards, City Clerk

This instrument prepared by: Paul Carroll, 13 N. State St., Ste. 241, Greenfield, IN 46140. 317-460-2095.

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. /s/ Paul J. Carroll

PETITION TO REZONE REAL PROPERTY

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

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY, INDIANA:

LADIES AND GENTLEMAN:

The undersigned, **Roman Catholic Archdiocese Of Indianapolis Properties Inc.**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Parcel 1: 430 N. 14 ½ St., Terre Haute, Indiana 47807

Lot 1, 2, 3, and 4 in Baidersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

Lots 13, 14, 15, 16, 17, 18, and 19 in Biel and Frederick's Subdivision of Lots 11 and 29 and 33 to 39 inclusive, in Baidersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

That part of an alley vacated by Declaratory Resolution No. 1 of the Board of Public Works of the City of Terre Haute, Indiana, running North-South, North of Liberty Avenue in said City described as follows, to wit:

Beginning at a point 16 feet North of the South line of Lot 15 in Biel and Frederick's Subdivision and running thence North to the right of way of the Terre Haute and Indianapolis Railroad, thence in an Easterly direction between said railroad and North line of Lot 13 said subdivision to the west line of 14 ½ Street. Adopted March 15, 1911. Confirmed April 6, 1911.

ALSO,

All of North 14 ½ Street lying North of the North line of Spruce Street and South of the right of way of the Pennsylvania Railroad Company and all of an alley 15.5 feet wide lying adjacent and parallel to said railroad right of way and immediately North of Lot 12 in Biel and Frederick's Subdivision, vacated by order of the Vigo Circuit Court, entered December 16, 1960, in Cause Number 42252, appearing in Order Book 128, page 112 ½ of said court.

Parcel 2: 410 N. 14 ½ St., Terre Haute, Indiana 47807

Lot Number 20 in Biel and Fredrick's Subdivision of Lots No. 11 to 29 and 33 to 39 inclusive of Baidersdorf's Subdivision of Lots No. 11 and 18 of Chase's Subdivision of 100 acres off the North end of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, in Terre Haute, Indiana, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, records of Recorder's Office of Vigo County, Indiana.

Parcel 3: 406 N. 14 12/ St., Terre Haute, Indiana 47807

Special Ordinance 4, 2023

Lot Number 21 in Biel and Fredrick's Subdivision in the city of Terre Haute and the County of Vigo, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Except that part described as follows: Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Parcel 4: 1426 Liberty Ave., Terre Haute, Indiana 47807

Commencing at the Southeast corner of Lot 21, thence North 4.5 feet, thence West 90.5 feet, thence South 4.5 feet, thence East 90.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Parcel 5: 1420 Liberty Ave., Terre Haute, Indiana 47807  
(Parcel ID 84-06-22-252-012.000-002)

Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredrick's Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Parcel 6: 1420 Liberty Ave., Terre Haute, Indiana 47807 (South Parcel)  
(Parcel ID 84-06-22-252-013.000-002)

Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Parcel 7: 1428 Liberty Ave., Terre Haute, Indiana 47807

Lot Number 10 in Baiersdorf's Subdivision, as shown in the plat recorded July 13, 1877 at Plat Record 3, Page 93, in Vigo County, Indiana.

Except that part described as follows: Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Commonly known as:

1. 430 N. 14 ½ St., Terre Haute, Indiana 47807
2. 410 N. 14 ½ St., Terre Haute, Indiana 47807
3. 406 N. 14 12/ St., Terre Haute, Indiana 47807
4. 1426 Liberty Ave., Terre Haute, Indiana 47807
5. 1420 Liberty Ave., Terre Haute, Indiana 47807
6. 1428 Liberty Ave., Terre Haute, Indiana 47807

Special Ordinance 4, 2023

Your petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as **430 N. 14 ½ St is zoned M-2 Heavy Industry. All other parcels zoned R3 General Residence District.**

Your petitioner would respectfully state that the real estate is now used as a food bank, called Catholic Charities, that collects, warehouses, and distributes food to those in need. Owner plans to construct a pole barn on southern parcels that will act as a necessary facility for purposes of distribution. No long term storage of food in the new structure is currently planned.

Your petitioner would request that the real estate described herein shall be zoned as a M-1 Light Industry. Your petitioner would allege that the Light Industry would not alter the general characteristics of this neighborhood.

Your petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the M-1 Light Industry of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNES WHEREOF, This petition has been duly executed this 19 day of January, 2023.

BY:   
John Cross, Attorney for the Owner

PETITIONER: Roman Catholic Archdiocese Of Indianapolis Properties Inc., PO Box 1410,  
Indianapolis, IN 46206

This instrument was prepared by: John Cross, Wooton Hoy, LLC, 13 N. State St., Ste. 241, Greenfield, IN 46140

**AFFIDAVIT OF:**

COMES NOW affiant Roman Catholic Archdiocese of Indianapolis Properties Inc.

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

1. 430 N. 14 ½ St., Terre Haute, Indiana 47807
2. 410 N. 14 ½ St., Terre Haute, Indiana 47807
3. 406 N. 14 12/ St., Terre Haute, Indiana 47807
4. 1426 Liberty Ave., Terre Haute, Indiana 47807
5. 1420 Liberty Ave., Terre Haute, Indiana 47807
6. 1428 Liberty Ave., Terre Haute, Indiana 47807

for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.

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

Roman Catholic Archdiocese Of Indianapolis Properties Inc.



By: Erich Bangert

STATE OF INDIANA)  
SS: (COUNTY OF VIGO)

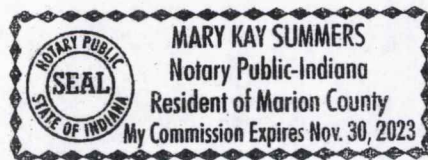
Personally appeared before me, a Notary Public in and for said County and State, Erich Bangert, authorized signor of ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC. who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 20 day of December 2022.

Notary Public: Mary Kay Summers  
Mary Kay Summers  
[Typed name]

My Commission Expires: Nov 30, 2023

My County Of Residence: Marion



DEC 07 2020



*James W. Bessette*  
VIGO COUNTY AUDITOR

### CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, That Mental Health America of West Central Indiana, Inc., a corporation organized and existing under the laws of the State of Indiana, (hereinafter called GRANTOR), for and in consideration of the payment to it of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby CONVEYS AND WARRANTS to Roman Catholic Archdiocese of Indianapolis Properties, Inc., a corporation organized and existing under the laws of the State of Indiana, hereinafter referred to as Grantee, the following described real estate in Vigo County, Indiana, to-wit:

Lot Number 20 in Biel and Fredrick's Subdivision of Lots No. 11 to 29 and 33 to 39 inclusive of Baiersdorf's Subdivision of Lots No. 11 and 18 of Chase's Subdivision of 100 acres off the North end of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, in Terre Haute, Indiana, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, records of Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-22-252-010.000-002

Subject to any rights-of-way, easements, leases, restrictions, reservations, covenants, rights of persons in possession, outstanding mineral interests, land use restrictions imposed by governmental authorities, and all other matters of record, if any there be.

Subject to real estate taxes prorated to the date hereof.

As a further consideration of the payment of the above sum, the persons executing this deed on behalf of Grantor represent and certify, for the purpose of inducing Grantee(s) to accept this Warranty Deed, that they are the duly elected officers of Grantor and have been fully empowered by the By-Laws of Grantor and proper resolution of the Board of Directors of Grantor to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate conveyed by this instrument and that all necessary action for the making of such conveyance has been taken; that the real estate conveyed by this instrument is conveyed in the usual and regular course of business as such term is defined in the Indiana Business Corporation Law, as amended.

IN WITNESS WHEREOF, Mental Health America of West Central Indiana, Inc. has caused this deed to be executed in its name and on its behalf by its duly authorized officers, this 4<sup>th</sup> day of December, 2020.

Mental Health America of West Central Indiana, Inc.

By *Myra Wilkey*  
Myra Wilkey, Executive Director  
(Printed Name and Title)

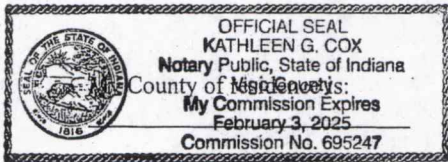




Myra Wilkey and \_\_\_\_\_ as the  
Executive Director and \_\_\_\_\_ of Mental Health America  
of West Central Indiana, Inc., to be the individual(s) described herein and who executed the  
foregoing instrument; that said WITNESS was present and saw said  
Myra Wilkey and \_\_\_\_\_ execute the same; that said  
WITNESS at the same time subscribed his/her name as a witness thereto; and that WITNESS  
will not receive any interest in or proceeds from the property that is the subject of the transaction.

WITNESS my hand and Notarial Seal.

My Commission Expires:



Kathleen G Cox  
Notary Public

Kathleen G Cox  
Typewritten or printed name of notary

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.

Kathleen G Cox  
Signature  
Kathleen G Cox  
Printed Name

This instrument was prepared by Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807. The deed was prepared at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance concerning the property to be conveyed and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument.

GRANTEE'S ADDRESS: 1400 N Meridian St Indianapolis IN 46202

MAIL TAX STATEMENTS TO: 1400 N Meridian St, PO Box 1410 Indianapolis, IN 46202

DEC 09 2016

*Terry M. Roberts*  
VIGO COUNTY AUDITOR

2016012613 WD \$22.00  
12/09/2016 02:55:47P 3 PGS  
NANCY S. ALLSUP  
VIGO County Recorder IN  
Recorded as Presented



**WARRANTY DEED**

**THIS INDENTURE WITNESSETH**, that **YANKEE STEEL, INC.** ("Grantor"), CONVEYS AND WARRANTS to **ROMAN CATHOLIC ARCHDIOCESE OF INDIANAPOLIS PROPERTIES, INC.**, for the sum of ONE DOLLAR (\$1.00), and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Vigo County, Indiana, commonly known as 430 North 14 ½ Street, 431 North 14<sup>th</sup> Street, and 423 North 14<sup>th</sup> Street, Terre Haute, Indiana 47807, and more particularly described as:

Lot 1, 2, 3, and 4 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

Lots 13, 14, 15, 16, 17, 18, and 19 in Biel and Frederick's Subdivision of Lots 11 and 29 and 33 to 39 inclusive, in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off North side of Northeast Quarter of Section 22, Township 12 North, Range 9 West.

ALSO,

That part of an alley vacated by Declaratory Resolution No. 1 of the Board of Public Works of the City of Terre Haute, Indiana, running North-South, North of Liberty Avenue in said City described as follows, to-wit:  
Beginning at a point 16 feet North of the South line of Lot 15 in Biel and Frederick's Subdivision and running thence North to the right of way of the Terre Haute and Indianapolis Railroad, thence in an Easterly direction between said railroad and North line of Lot 13 said subdivision to the west line of 14 ½ Street. Adopted March 15, 1911. Confirmed April 6, 1911.

ALSO

All of North 14 ½ Street lying North of the North line of Spruce Street and South of the right of way of the Pennsylvania Railroad Company and all of an alley 15.5 feet wide lying adjacent and parallel to said railroad right



Send tax statements and return recording to:  
Roman Catholic Archdiocese of Indianapolis Properties, Inc.  
ATTN: Erich Bangert  
1400 N. Meridian Street  
Indianapolis, Indiana 46202

*THIS INSTRUMENT PREPARED BY: Paul Carroll, Mercer Belanger, One Indiana Square, Suite 1500, Indianapolis, Indiana 46204*

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: *Paul Carroll, Mercer Belanger, One Indiana Square, Suite 1500, Indianapolis, Indiana 46204*

DEC 08 2020

  
VIGO COUNTY AUDITOR

2020016062 WD \$25.00  
12/08/2020 09:20:26A 5 PGS  
Stacey Todd  
VIGO County Recorder IN  
Recorded as Presented



### WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Robert Chumley, of Vigo County, State of Indiana, and Brittney Bracken fka Brittney Chumley aka Brittany Chumley, of Tangipahoa County, State of Louisiana, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONVEY and WARRANT Roman Catholic Archdiocese of Indianapolis Properties, Inc., a corporation organized and existing under the laws of the State of Indiana, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

Tract 1 - Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredricks Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Tract 2 - Lot Number 21 in Biel and Fredricks Subdivision in the city of Terre Haute and the County of Vigo, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, Vigo County, Indiana.

Except that part described as follows: Commencing at the Southwest corner of Lot 21, thence North 21 feet, thence East 39.5 feet, thence South 21 feet, thence West 39.5 feet to the point of beginning in Biel and Fredricks Subdivision of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded August 16, 1888 at Plat Record 4, page 60, in Vigo County, Indiana.

ALSO

Lot Number 10 in Baiersdorf's Subdivision, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in Vigo County, Indiana.

Except that part described as follows: Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Tract 3 - Thirty-nine and One half feet off the West end of Lot 10 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of One Hundred acres off the North side of the Northeast Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93, in the city of Terre Haute, and the County of Vigo in Indiana.

Tract 4 - Lot Number 8 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off the North end of the East Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93 in the City of Terre Haute, in Vigo County and the State of Indiana.

Tract 5 - Lot Number 9 in Baiersdorf's Subdivision of Lots 11 and 18 in Chases Subdivision of 100 acres off the North end of the East Quarter of Section 22, Township 12 North, Range 9 West, as shown in the plat recorded July 13, 1877 at Plat Record 3, page 93 in the City of Terre Haute, in Vigo County and the State of Indiana.

All records of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-22-252-012.000-002, 84-06-22-252-011.000-002, 84-06-22-252-014.000-002, 84-06-22-252-015.000-002, 84-06-22-252-013.000-002, 84-06-22-252-007.000-002 & 84-06-22-252-008.000-002

Subject to any grants, easements, leases, rights-of-way, covenants, or restrictions of record which might affect the title to the subject real estate.

Subject to taxes prorated to the date hereof.

Grantors further warrant and represent that Brittney Bracken fka Brittney Chumley is one and the same as Brittany Chumley, Grantee in those deeds dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005647, dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005648, dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005649, dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005650, and dated August 25, 2011 and recorded June 5, 2015 at Instrument Number 2015005651, all records of Recorder's Office of Vigo County, Indiana, wherein her name was incorrectly spelled "Brittany". She has since intermarried with Kean Bracken and is now known as Brittney Bracken

IN WITNESS WHEREOF the above referred to Robert Chumley and Brittney Bracken fka Brittney Chumley aka Brittany Chumley have hereunto set their hands and seals, this 3rd day of December, 2020.

[Remainder of Page Left Blank]  
[Notary Acknowledgment Follows]

Robert Chumley (SEAL)  
Robert Chumley

Executed in my Presence:

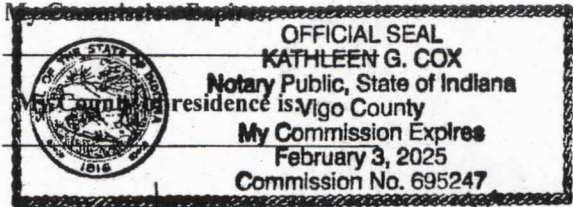
Laura A. Haddix  
Signature

Laura A. Haddix  
Printed Name

STATE OF Indiana, Vigo COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 4<sup>th</sup> day of December, 2020, personally appeared Robert Chumley and acknowledged the execution of the annexed Deed to be his voluntary act and deed.

WITNESS my hand and Notarial Seal.

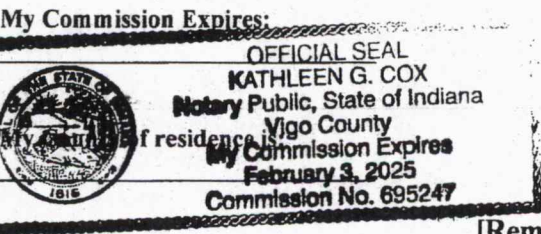


Kathleen G Cox  
Notary Public  
Kathleen G Cox  
Typewritten or printed name of notary

STATE OF Indiana, Vigo COUNTY, SS:

Before me, a Notary Public in and for said County and State, on December 7, 2020, personally appeared the above named WITNESS to the foregoing instrument, who, being duly sworn by me, did depose and say that he/she knows Robert Chumley to be the individual(s) described herein and who executed the foregoing instrument; that said WITNESS was present and saw Robert Chumley execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto; and that the above-named subscribing witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

WITNESS my hand and Notarial Seal.



Kathleen G Cox  
Notary Public  
Kathleen G Cox  
Typewritten or printed name of notary

[Remainder of Page Left Blank]



Brittney Bracken fka Brittney Chumley aka Brittney Chumley (SEAL)

Brittney Bracken fka Brittney Chumley aka  
Brittany Chumley

Executed in my Presence:

*[Signature]*  
Signature

JEANNEN G. WHITTINGTON  
Printed Name

STATE OF Louisiana, Tangipahoa COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 3rd day of December, 2020, personally appeared Brittney Bracken fka Brittney Chumley aka Brittany Chumley and acknowledged the execution of the annexed Deed to be her voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires:  
For Life

*[Signature]*  
Notary Public

Ja'Juan Allen  
Notary Public  
Notary ID No. 128631  
Louisiana-At-Large

My County of residence is:  
Tangipahoa

Ja'Juan Allen  
Typewritten or printed name of notary

STATE OF Louisiana, Tangipahoa COUNTY, SS:

Before me, a Notary Public in and for said County and State, on 3rd day December 2020, personally appeared the above named WITNESS to the foregoing instrument, who, being duly sworn by me, did depose and say that he/she knows Brittney Bracken fka Brittney Chumley aka Brittany Chumley to be the individual(s) described herein and who executed the foregoing instrument; that said WITNESS was present and saw Brittney Bracken fka Brittney Chumley aka Brittany Chumley execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto; and that the above-named subscribing witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

WITNESS my hand and Notarial Seal.

My Commission Expires:  
For Life

*[Signature]*  
Notary Public

My County of residence is:  
Tangipahoa

Ja'Juan Allen  
Typewritten or printed name of notary

[Remainder of Page Left Blank]

Ja'Juan Allen  
Notary Public  
Notary ID No. 128631  
Louisiana-At-Large

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.

Kathleen G Cox

Signature

Kathleen G Cox

Printed Name

**THIS INSTRUMENT WAS PREPARED BY:** Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807, at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument.

GRANTEE ADDRESS: PO Box 1410, Indianapolis, IN 46202

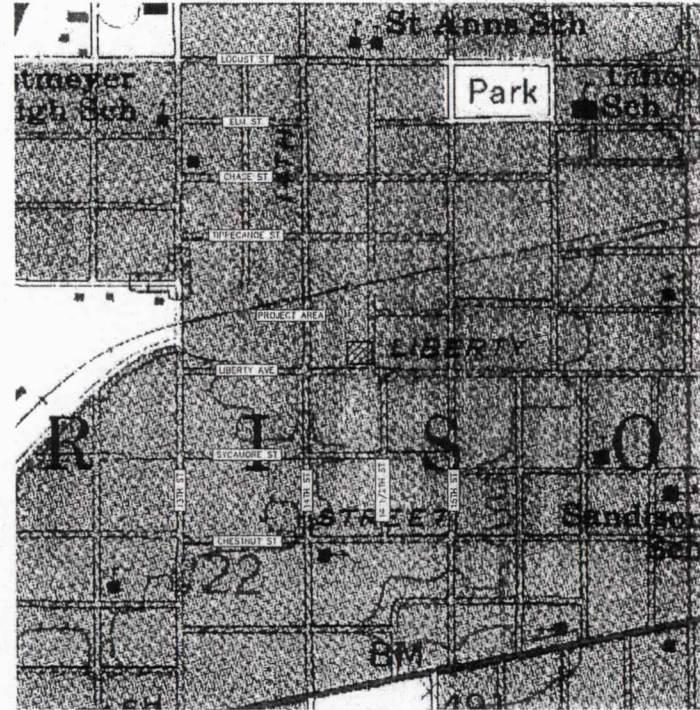
MAIL TAX STATEMENTS TO: Same

# TERRE HAUTE CATHOLIC CHARITIES FOOD PANTRY DELIVERY EQUIPMENT STORAGE BUILDING NOVEMBER 2022



Area Location Map

406 N 14 1/2 STREET  
TERRE HAUTE, IN 47802



Site Location Map: Terre Haute, Indiana  
SCALE: 1" = 300'

**HWC**  
**ENGINEERING**  
INDIANAPOLIS - TERRE HAUTE  
LAFAYETTE - NEW ALBANY - MUNCIE  
www.hwcengineering.com

*Eric M. Smith*  
ERIC M. SMITH, P.E.



NOVEMBER 16, 2022  
DATE



TERRE HAUTE CATHOLIC CHARITIES  
FOOD PANTRY DELIVERY EQUIPMENT STORAGE BUILDING

NOVEMBER 2022  
Job # 2022-265

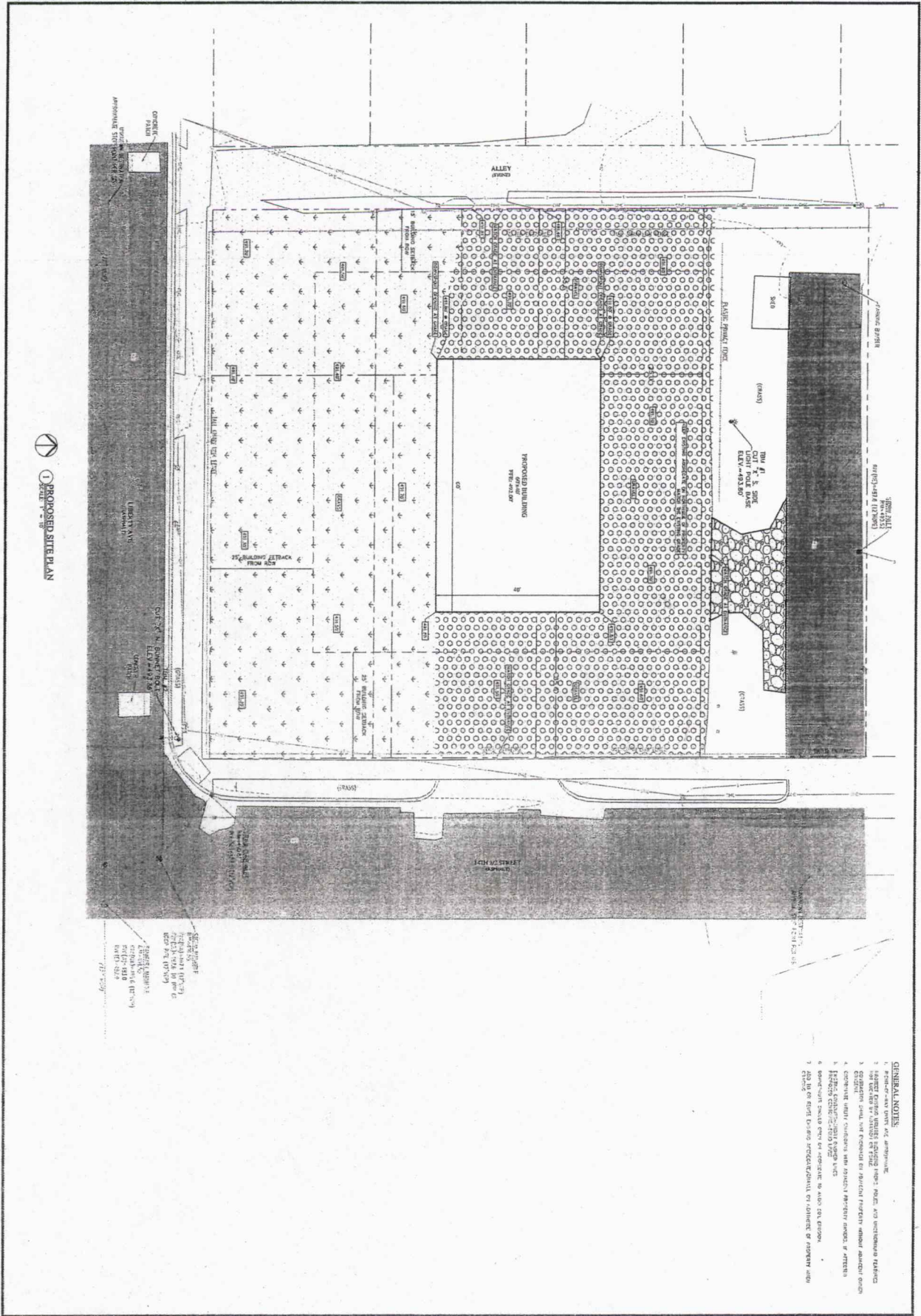
Set #  
1

W:\TERRE HAUTE CATHOLIC CHARITIES\2022-265-IRCC - FOOD PANTRY STORAGE BUILDING\CAD\2022-265-CDWG - PLOTTED:11/16/2022 11:18 AM





\\TERRE HAUTE CATHOLIC CHARITIES\2022-2023\HCC - FOOD PANTRY STORAGE BLDG\DESIGN\CAD\2023-2024\C2.DWG PLOTTED 11/16/2022 11:58 AM



PROPOSED SITE PLAN

- GENERAL NOTES**
1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.
  2. EXISTING CONDITIONS SHOWN ON THIS PLAN ARE FOR INFORMATION ONLY. THE DESIGNER HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE EXISTING CONDITIONS.
  3. EXISTING UTILITIES SHOWN ON THIS PLAN ARE FOR INFORMATION ONLY. THE DESIGNER HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE EXISTING UTILITIES.
  4. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF TERRE HAUTE ORDINANCES AND THE ILLINOIS CONSTRUCTION CODE.
  5. THE DESIGNER HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE EXISTING CONDITIONS.
  6. THE DESIGNER HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE EXISTING UTILITIES.
  7. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.

SEE GENERAL NOTES FOR DIMENSIONS AND NOTES. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.

**C2**  
 PROPOSED SITE PLAN  
 0-2022

DESIGNER:  
 DATE: 11/16/2022  
 SCALE: AS SHOWN

TERRE HAUTE CATHOLIC CHARITIES  
 FOOD PANTRY DELIVERY EQUIPMENT STORAGE BUILDING  
 PROPOSED SITE PLAN

**HMC**  
 ENGINEERING  
 1000 N. WASHINGTON ST.  
 TERRE HAUTE, IN 47787

NO.	REVISIONS	DATE

Receipt

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

Date: 1/26/23

Name: Wootton Hoy LLC

Reason: Rezoning - notice of filing \$25-

Rezoning - petition \$20/

\$45

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

Check: # 2361

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

Total: 45-

Received By: Emm Wt

TERRE HAUTE, IN  
PAID  
JAN 26 2023  
CONTROLLER