



## ADVISORY PLAN COMMISSION STAFF REPORT

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Application No:	2024-PC-22
Meeting Date:	April 23, 2024
Subject:	Zoning Map Amendment (Rezone)
Summary:	Rezone of approximately 16.49 acres of property located at the intersection of Anthony Drive and Kam Drive, Pittsboro, IN 46167. The rezone is from Highway Business (HB) to Flex Industrial (FI). The applicant intends to attract motor sports uses and other similar uses that are currently existing on the site.
Petitioner:	Dan Keers
Location:	401 West Kam Drive, 301 W Kam, 201 W Kam, 101 W Kam, and 103 E Kam
Parcel Size:	Approximately 16.49 acres
Existing Zoning:	HB Highway Business
Recommendation:	Approval with conditions
Prepared By:	Cynthia Bowen <a href="mailto:cbowen@reasite.com">cbowen@reasite.com</a> 317-263-0127

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## Procedure

Proposed zoning map amendments (rezones) are considered by the Plan Commission and ultimately approved or rejected by the Town Council. Before making a recommendation to the Town Council, the Plan Commission must hold a publicly advertised hearing. The public hearing is advertised in The Republican one time, at least 10 days before the hearing. Public notice must also be sent to surrounding property owners to a depth of 660 feet or two ownerships, whichever is less. After the Plan Commission conducts the hearing and makes a recommendation, the proposed zoning map amendment is placed on the agenda for the next Town Council meeting. If the Town Council approves the proposal, it immediately becomes effective. If the Town Council rejects the proposal, the proposal cannot be reconsidered within a period of one year from the date of such disapproval, unless the Commission finds that there is a substantial change in the petition or circumstances affecting the petition.

Indiana Code 36-7-4-603 requires that in the consideration of zoning map amendments, reasonable regard shall be paid to:

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time by the Town Council;
2. Whether the proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property;
3. Whether the proposed amendment is the most desirable use for which the land in the subject property is adapted;
4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and
5. Whether the proposed amendment reflects responsible standards for development and growth.

## Background

In March of 2024, the Plan Commission recommended to the Town Council the creation of a new Flex Industrial (FI) to create a more flexible industrial zoning district to promote more creative mix of industrial, office, commercial, and residential uses. The Council approved that ordinance at their April 2, 2024 meeting, and it was effective immediately.

Ark Park LLC filed for the application for a rezone on April 1, 2024. A technical advisory committee meeting is not held for the Zoning Map Amendment petition but will be held as part of the Site Development Plan Approval that will be necessary before any construction activity can commence.

A notice was placed in the Republic on April 4, 2024. A certificate of mailing was sent to property owners on April 5, 2024.

It is noted that several sites are already built out and are included in this rezone.

## Correspondence

As of writing this report, staff hasn't received any comments from the public.

## Standards for Evaluating Zoning Amendments

1. The proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time by the Town Council:

The current comprehensive plan, adopted in 2021, recommends "office and industrial flex" development for the subject property. The comprehensive plan update describes office and industrial flex development as:

The Office & Industrial Flex district is intended to provide for a range of office, research and development, light industry, and small-scale warehousing uses that will create employment centers for Pittsboro. These areas could include a combination of both high intensity users with multi-story buildings on large parcels and groups of smaller structures in a campus setting. All operations shall be completely contained within enclosed structures. This district is intended to function as a "gateway" land use, with easy access and high visibility from primary transportation routes. Many light industrial operations resemble office buildings from the exterior and as such are compatible in flex areas. The district can also be used as a transitional use or buffer between heavy industrial or outdoor commercial development and lower intensity residential or commercial land uses. Some commercial support uses may be included as a secondary element.

This rezone puts the project more in line with the comprehensive plan and the highway business did.

2. The proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property:

Current surrounding conditions and character are defined by single family detached homes across Waters Way to the east, and agriculture use to the north, and south. The property is currently developed with three general flex office buildings on the site and a gas station is located to the west of the site. The proposed flex industrial classification will allow the similar type of uses that Highway Business offered, but also allow residential uses. The addition of residential uses will allow the petitioner to add additional uses to the mix on the site that are more compatible and could create a buffer to the neighboring single-family homes from the more intense commercial and office development.

3. The proposed amendment is the most desirable use for which the land in the subject property is adapted because:

Adjacent residential uses, industrial development occurring to the north of I-74, existing development on the site support continued office and industrial flex development on the site. Additionally, the limited parcel size and adjacent legal drain make a traditional single-family subdivision highly unlikely. The continued development of this site will continue to add to the Town's tax base.

4. The proposed amendment will not have an adverse effect on the value of properties throughout the jurisdiction because:

The potential future use and intensity of these parcels is compatible with the surrounding character within the Town and should serve to buffer and mitigate incompatibility between northern industrial and nearby residential properties.

Additionally, every property owner should be given this chance to realize the highest and best use of their property, if compatible with surrounding uses. With the opportunity of this new Flex Industrial zoning, and the combination of uses permitted under this district, will allow the property owner to become more successful in their vision.

5. The proposed amendment reflects responsible standards for development and growth:

The new Flex Industrial District provide new district bulk standards and uses that would offer greater computability, flexibility, and consistency with what the Town desires and what is consistent with what the property owner is trying to do with the property. These standards will

allow the property owner to maximize the development area and develop higher quality development due to the changes in the district standards.

## Attachments

1. Application
2. Context Map

## Recommendation

Staff recommends that the Plan Commission forward a favorable recommendation to the Town Council for the rezone of approximately 16.48 from the HB Highway Business District to FI Flex Industrial District with the following conditions:

1. The owner shall apply for and receive site development plan approval before applying for a building permit(s) per Town of Pittsboro Unified Development Ordinance Section 11.11.

## Motions

1. Motion to forward a favorable recommendation to the Pittsboro Town Council for the proposed rezone of approximately 16.48 acres from the HB Highway Business District to FI Flex Industrial District.
2. Motion to forward an unfavorable recommendation to the Pittsboro Town Council for the proposed rezone of approximately 16.48 acres from the HB Highway Business District to FI Flex Industrial District.
3. Motion to continue Application 2024-PC-21 to the May 28, 2020 Advisory Plan Commission Meeting.

# TOWN OF PITTSBORO

Town of Pittsboro, Indiana Advisory Plan Commission

**PLAN COMMISSION FORM**

PERMIT# G-20M-087

DATE: March 29, 2024

Name of Petitioner: ARK Park, LLC c/o Dan Keers  
Address: 1300 E. US Highway 136, Pittsboro, IN 46167  
Phone Number: 317-796-7171  
Email: dkeers@keers.biz

Which form are you using?

Site Plan \_\_\_\_\_  
Plot Plan \_\_\_\_\_  
Primary Plat \_\_\_\_\_  
Secondary Plat \_\_\_\_\_  
Rezoning X \_\_\_\_\_  
Subdivision \_\_\_\_\_  
BZA \_\_\_\_\_  
Other \_\_\_\_\_

PLEASE EMAIL FORM TO: [inspections@townofpittsboro.org](mailto:inspections@townofpittsboro.org) or  
drop it off at 33 East Main Street, Pittsboro

ADMINISTRATIVE FEE: Will vary depending on the process/form.



RECEIPT INFORMATION: Cash \_\_\_\_\_ Check # \_\_\_\_\_ Pay Gov: \_\_\_\_\_  
Date \_\_\_\_\_

Pittsboro Plan Commission

**ZONING AMENDMENT**

**1. Applicant(s)**

Check One: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Other: _____		
Name: ARK Park, LLC C/O Dan Keers		
Address: 1300 E. US Highway 136, Pittsboro 46167		
Phone: 317-796-7171	Fax:	Email: dkeers@keers.biz

**2. Property Owner(s)**

If Applicant is not the Owner, attach completed Attachment A: Affidavit of Ownership

<input checked="" type="checkbox"/> Check if owner and applicant are same party.		
Name:		
Address:		
Phone:	Fax:	Email:

### 3. Applicant's Contact Person, Attorney, and/or Project Engineer/Surveyor (if any)

Any persons identified within this section are authorized to act on behalf of the petitioner.

Check One: <input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Agent <input type="checkbox"/> Engineer <input type="checkbox"/> Surveyor <input type="checkbox"/> Other: _____		
Name: Michael J. Andreoli, Attorney At Law		
Address: 1393 W Oak Street, Zionsville, In 46077		
Phone: 317-873-6266	Fax: 317-873-6384	Email: mandreoli@datlaw.com

Check One: <input type="checkbox"/> Attorney <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Engineer <input type="checkbox"/> Surveyor <input type="checkbox"/> Other: _____		
Name: Dale Kruse		
Address: 7384 Business Center Drive, Avon, IN 46123		
Phone: 317-272-5508	Fax:	Email: dkruse@kurseconsulting.com

#### 4. Site Information

If only part of a parcel is requested for the Zoning Amendment, then write "PART" after the Tax Parcel Identification Number(s).

Tax Parcel Identification Number(s): 32-03-36-210-007.000-019; 32-03-36-210-002.000-019; 32-03-36-210-009-000-019; 32-03-36-210-010.000-019; 20-2-31-71E-100-004.000-019
Address: (Number and Street): 401 West Kam Drive to 101 West Kam Drive + 103 E. Kam Drive
Address: (City, Zip Code, State): Pittsboro, IN 46167
If no address, please provide a general street location from the closest street intersection:

Current Use of Property: <input type="checkbox"/> Agriculture <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Other: _____	
Current Zoning District: HB	Comprehensive Plan Designation: Medium Density Residential
Project Area (acres): 16.48	Overlay District (if applicable):



## 5. Descriptions of Proposed Use

Briefly describe type of use(s): The existing uses would continue. Commercial, office, and flex warehouse uses on the site.			
Is road serving paved?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Other: _____
Number of Entrances / Exits?	Entrances <u>1</u>	Exits <u>1</u>	
Will site have sewer and water utilities?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Other: _____
Hours of Operation (if other than residential): 8am to 5pm			
Briefly describe area traffic impact, if any: A previous limited traffic study has been submitted per an earlier application and, given the size of the project, limited impact on the road system will be anticipated.			
Types of vehicles utilizing site: Primarily passenger vehicles and light trucks will access the site.			
Is property annexed into Town: yes			
How Many Lots: 5			

## 6. Standards for Evaluating Zoning Amendments

1. The proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as adopted and amended from time to time by the Town Council because...

The proposed use is consistent with the commercial, flex industrial that the town has identified for this area. The applicant will continue to develop the flex commercial buildings that he currently has on the site.

3. The proposed amendment is the most desirable use for which the land in the subject property is adapted because...

The amendment opens up additional uses for the applicant and this new district will truly allow planned development to occur.

4. The proposed amendment will not have an adverse effect on the value of properties throughout the jurisdiction because...

Currently, the development plan has been developed site by site and portions of the site rezoned as they are developed because the Town didn't have the exact zoning necessary for the entire vision to be realized. Now with the Flex Industrial district, the combinations of uses permitted under this district will allow us to have all the uses we need to make our development successful.

5. The proposed amendment reflects responsible standards for development and growth because...

The new flex industrial district provides both new bulk standards and uses for light and flex industrial development that would offer more compatibility, flexibility, and consistency with the vision and direction of development for the site.

The undersigned states the above information is true and correct as (s)he is informed and believes.

Signature(s) of Applicant(s):

[Handwritten Signature]

Date:

4-1-24

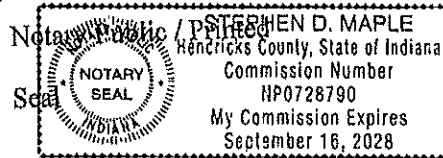
**Notary Statement**

Sworn to and subscribed before me the

1<sup>st</sup> day of April, 2024

Notary Public in and for the State of Indiana.

[Handwritten Signature]



My Commission expires: 9/16/25

Stephen D. Maple

For Office Use Only		
Date Filed:	Public Notice:	Newspaper Ad:
Date of PC Hearing:		
Decision of PC	<input type="checkbox"/> Unfavorable	<input type="checkbox"/> Favorable
Conditions:		<input type="checkbox"/> Favorable with Conditions

# Attachment A: Affidavit of Ownership

Town of Pittsboro, Indiana

If the owner(s) of the subject property are giving authorization for someone else to apply for the petition, this Attachment is to be completed and submitted at the time of application.

I (WE), Ark Park LLC (Name(s) of owner(s) of subject property), do hereby certify that I (We) am (are) the owner(s) of the property legally described as 32-03-36-210-007.000-019; 32-03-36-210-002.000-019; 32-03-36-210-009-000-019; 32-03-36-210-010.000-019; 20-2-31-71E-100-004.000-019 (Hendricks County Parcel Identification Number), and hereby certify that I (We) have given authorization to Dan Keers (Name of Petitioner/Representative), to apply for the rezone (application type) for My (Our) property.

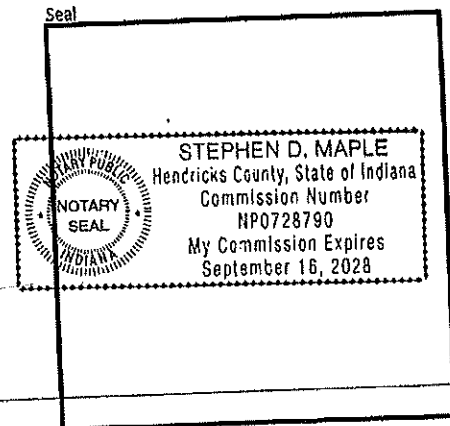
Name of Owner(s):	Parcel Identification Number	Signature:	Date:
Ark Park, LLC	32-03-36-210-007.000-019		3/29/2024
Ark Park, LLC	32-03-36-210-002.000-019		3/29/2024
Ark Park LLC	32-03-36-210-009-000-019		3/29/2024
Ark Park LLC	32-03-36-210-010.000-019		3/29/2024
Ark Park LLC	20-2-31-71E-100-004.000-019		3/29/2024

## NOTARY STATEMENT

Sworn to and subscribed before me the  
14 day of April, 2024  
 Notary Public in and for the State of Indiana  
Stephen D. Maple  
 Notary Public / Printed

My Commission expires: 9/16/2028

*[Handwritten Signature]*







20-1-36-71W-200-005

20-1-36-71W-210-005

20-1-36-71W-210-004

20-1-36-71W-210-003

20-4-36-71W-200-005

20-1-36-71W-210-002

20-1-36-71W-210-100

ANTHONY DR

ANTHONY DR

ANTHONY DR

WESTKAM DR

20-1-36-71W-210-006

20-1-36-71W-210-007

20-1-36-71W-210-008

20-1-36-71W-200-011

20-1-31-71E-10-001

20-2-31-71E-100-004

20-2-31-71



## Legal description of Real Estate

A part of the northeast quarter of Section 36 and a part of the southeast quarter of Section 25, all in Township 17 North, Range 1 West, and also a part of the northwest quarter of Section 31, Township 17 North, Range 1 East of the Second Principal Meridian in Hendricks County, Indiana, described as follows:

Commencing at the southwest corner of the southeast quarter of the northeast quarter of said Section 36; thence North 00 degrees 52 minutes 57 seconds West 315.78 feet along the west line thereof to a Mag nail with "LS29800001" tag marking the northwest corner of land described in a deed to the Town of Pittsboro recorded as Instrument number 200400004832 in the Office of the Recorder of Hendricks County, Indiana, said corner being the Point of Beginning of this description, the following ten (10) courses being along the north lines of said land; (1) thence North 81 degrees 47 minutes 00 seconds East 90.97 feet to a rebar; (2) thence North 74 degrees 27 minutes 36 seconds East 177.26 feet to a rebar; (3) thence North 53 degrees 34 minutes 10 seconds East 136.18 feet to a rebar; (4) thence South 89 degrees 12 minutes 27 seconds East 34.47 feet to a rebar; (5) thence South 77 degrees 54 minutes 58 seconds East 218.86 feet to a rebar; (6) thence North 76 degrees 03 minutes 08 seconds East 45.88 feet to a rebar; (7) thence North 77 degrees 27 minutes 42 seconds East 119.16 feet to a rebar; (8) thence North 78 degrees 51 minutes 00 seconds East 108.54 feet to a rebar; (9) thence North 77 degrees 42 minutes 04 seconds East 218.48 feet to a rebar; (10) thence North 76 degrees 04 minutes 39 seconds East 218.59 feet to a rebar on the east line of the northeast quarter of said Section 36; thence North 00 degrees 59 minutes 39 seconds West 608.87 feet along said east line to the northwest corner of 34 acres off of the south end of the west half of the northwest quarter of Section 31, Township 17 North, Range 1 East, and being on a south line of land described in a deed to Ark Park, LLC recorded in Instrument #200500001248 in said Recorder's Office; thence North 88 degrees 37 minutes 45 seconds East 1300.12 feet along the south line of said land to the east line of the west half of the northwest quarter of said Section 31; thence North 01 degrees 11 minutes 52 seconds West along said east line 874.45 feet to a south line of land described in said deed to Ark Park, LLC; thence North 88 degrees 57 minutes 47 seconds East 931.75 feet along said south line to the east line of said deed; thence North 01 degrees 08 minutes 08 seconds West 660.00 feet along said east line to the north line of the northwest quarter of said Section 31; thence South 88 degrees 57 minutes 47 seconds West 2227.72 feet along said north line to the northwest corner of said northwest quarter; thence North 01 degrees 44 minutes 03 seconds West 10.66 feet along the east line of said Section 25 to the limited access right-of-way of Interstate 74 per project plans I-05-2(4) and I-74-1(4) dated 1959, the following seven (7) courses being along said limited access right-of-way; (1) thence South 88 degrees 05 minutes 00 seconds West 317.78 feet; (2) thence South 82 degrees 21 minutes 15 seconds West 192.74 feet; (3) thence South 69 degrees 09 minutes 54 seconds West 97.83 feet; (4) thence South 82 degrees 47 minutes 40 seconds West 97.83 feet; (5) thence South 69 degrees 47 minutes 13 seconds West 540.32 feet; (6) thence South 44 degrees 57 minutes 33 seconds West 60.97 feet; (7) thence South 02 degrees 25 minutes 23 seconds West 530.85 feet to a point on the east right-of-way of County Road 275 East as described in Volume 51, pages 1857 through 1859 in said Recorder's Office; thence South 00 degrees 49 minutes 00 seconds East 561.01 feet along said east line; thence South 89 degrees 09 minutes 45 seconds West 27.43 feet to a Harrison cast iron monument marking the northwest corner of the southeast quarter of the northeast quarter of

aforesaid Section 36; thence South 00 degrees 52 minutes 57 seconds East 1008.57 feet along the east line of said northeast quarter to the Point of Beginning, containing 124.78 acres, more or less

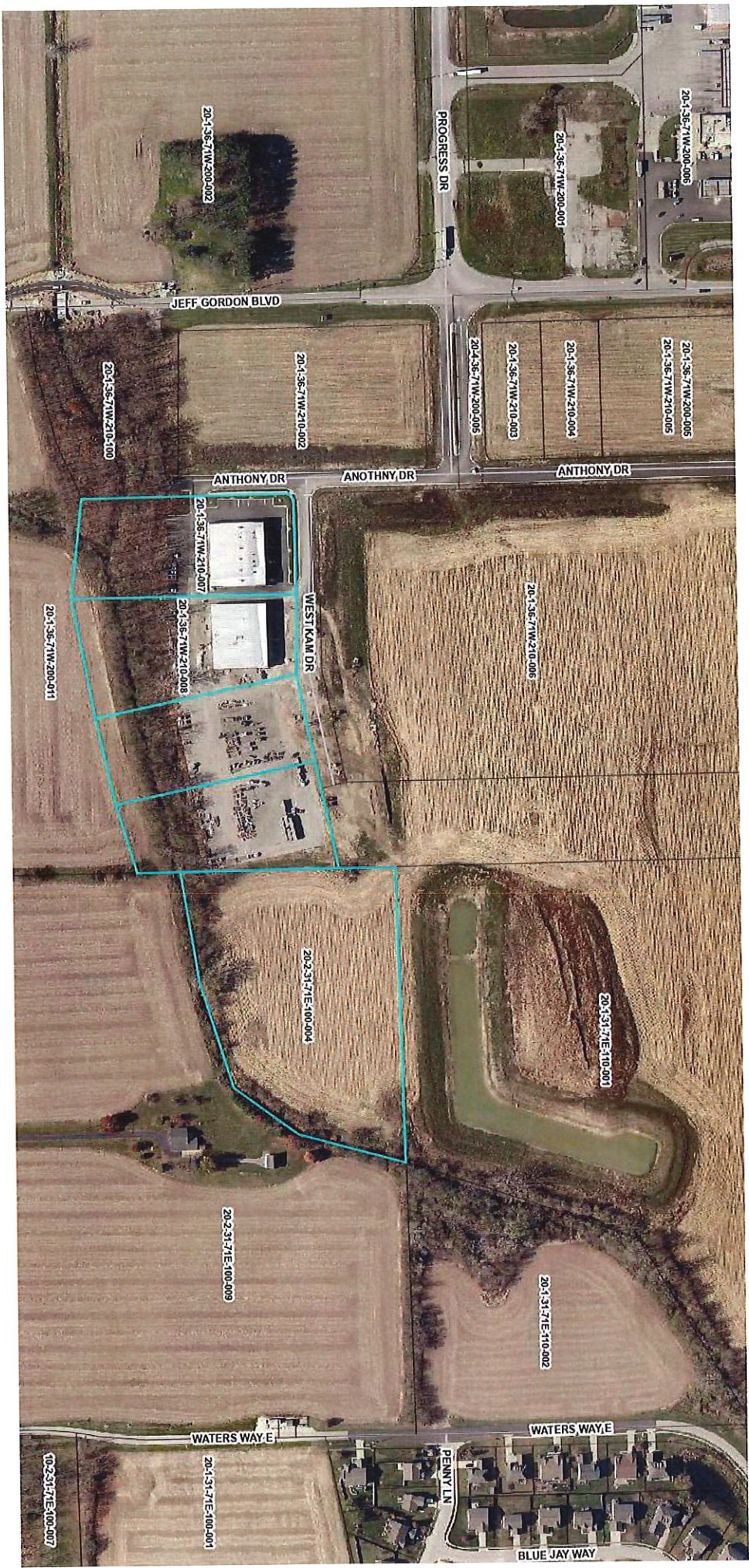
SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF

Parcel Number 32-02-31-100-002.000-018

PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 17 NORTH, RANGE 1 EAST OF THE SECOND PRINCIPAL MERIDIAN IN HENDRICKS COUNTY, INDIANA, ALSO BEING A PORTION OF LAND CONTAINED IN A SURVEY BY THE SCHNEIDER CORPORATION RECORDED AS INSTRUMENT NUMBER 201203913 IN THE OFFICE OF THE RECORDER OF HENDRICKS COUNTY, IN DIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE MARKING THE SOUTHEAST CORNER OF SAID WEST HALF; THENCE NORTH 01 DEGREE 11 MINUTES 52 SECONDS WEST (ASSUMED BEARING FROM SAID SURVEY), ALONG THE EAST LINE OF SAID WEST HALF, A DISTANCE OF 1,137.40 FEET TO A SOUTH LINE OF LAND CONTAINED IN SAID SURVEY; THENCE SOUTH 88 DEGREES 37 MINUTES 45 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 612.69 FEET TO THE APPROXIMATE CENTERLINE OF THE THOMPSON SHULTZ LEGAL DRAIN AND THE POINT OF BEGINNING, THE NEXT FOUR (4) CALLS BEING ALONG SAID CENTERLINE; THENCE (1) SOUTH 14 DEGREES 58 MINUTES 29 SECONDS WEST A DISTANCE OF 260.24 FEET; THENCE (2) SOUTH 35 DEGREES 49 MINUTES 41 SECONDS WEST A DISTANCE OF 187.19 FEET; THENCE (3) SOUTH 72 DEGREES 32 MINUTES 21 SECONDS WEST A DISTANCE OF 256.23 FEET; THENCE {4} SOUTH 80 DEGREES 33 MINUTES 31 SECONDS WEST A DISTANCE OF 260.74 FEET TO AN EAST LINE OF LAND CONTAINED IN SAID SURVEY; THENCE NORTH DO DEGREES 59 MINUTES 39 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 506.45 FEET TO A SOUTH LINE OF LAND CONTAINED IN SAID SURVEY; THENCE NORTH 88 DEGREES 37 MINUTES 45 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 687.43 FEET TO THE POINT OF BEGINNING. CONTAINING 6.38 ACRES, MORE OR LESS





20-1-36-71W-200-006

20-1-36-71W-200-007

20-1-36-71W-200-002

PROGRESS DR

JEFF GORDON BLVD

20-1-36-71W-200-005

20-1-36-71W-210-005

20-1-36-71W-210-004

20-1-36-71W-210-003

20-1-36-71W-200-006

20-1-36-71W-210-002

20-1-36-71W-210-100

ANTHONY DR

ANTHONY DR

ANTHONY DR

20-1-36-71W-210-007

WEST KAM DR

20-1-36-71W-210-008

20-1-36-71W-200-011

20-1-36-71W-210-006

20-1-31-71E-110-001

20-2-31-71E-100-004

20-2-31-71E-100-009

20-1-31-71E-110-002

WATERS WAY E

WATERS WAY E

PENNY LN

BLUE JAY WAY

20-1-31-71E-100-001

10-2-31-71E-100-007



**TOWN OF PITTSBORO - PUBLIC HEARING  
PETITION OF ARK PARK LLC**

(Governmental Unit)

Hendricks County, Indiana

To: Hendricks County Republican, Inc.  
6 East Main St., P.O. Box 149  
Danville, IN 46122  
Federal ID # 35-0376480

EMENT HERE

**PUBLISHER'S CLAIM**

**NOTICE OF PUBLIC HEARING  
TOWN OF PITTSBORO, HENDRICKS COUNTY, INDIANA  
ADVISORY PLAN COMMISSION**

Notice is hereby given that the Town of Pittsboro Advisory Plan Commission will hold a public hearing on April 23, 2024 at 6:00 p.m. for a zoning amendment. The meeting will be held at the Pittsboro Administration Building at 33 East Main Street, Pittsboro, Indiana 46157.

If you wish to listen/watch the Town of Pittsboro's Advisory Plan Commission meetings, you will need to use the website [www.townhallstreams.com](http://www.townhallstreams.com). On that page is a pull-down menu in which you will select Pittsboro, IN, and then go to the meeting you want to watch under upcoming events. If you have any problems with the program, please contact the Town of Pittsboro offices.

The petition, submitted by the Ark Park, LLC, Dan Keays (Petitioner & Owner), requests a rezone of approximately 16.48 acres of property located at the intersection of Jeff Gordon Boulevard and Kam Drive, (101 West Kam Drive to 401 West Kam Drive) Pittsboro, IN 46157. The rezone is from Highway Business (HB) to Flex Industrial (FI).

Information regarding this application can be viewed at the Pittsboro Administration Building on or before such hearing. Written objections or comments may be filed with the Secretary of the Commission in person or via email to [srmapple@townofpittsboro.org](mailto:srmapple@townofpittsboro.org) before such hearing and will be considered. Oral comments will be heard at the hearing at the above specified time and place. Said hearing may be continued from time to time as may be necessary.

The Town of Pittsboro will provide reasonable accommodations to people with disabilities. We invite any person with special needs to contact the Clerk-Treasurer's office at 317-892-3326 at least 72 hours before scheduled meetings to discuss any special accommodations that may be necessary.

Advisory Plan Commission  
of Pittsboro, Indiana

04-04-24-1T 1spaxlp

of which shall  
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26

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of in excess

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\$ 26.48

Size of type.....7...point.

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper .....1..... times. The dates of publication being as follows:

**APRIL 4, 2024**

Additionally, the statement checked below is true and correct:

- ..... Newspaper does not have a Web site.
- X. Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- ..... Newspaper has a Web site, but due to technical problem or error, public notice was posted on .....
- ..... Newspaper has a Web site but refuses to post the public notice.

Betty Bartley

Date **APRIL 4**, 2024

Title.....Editor.....