

STATE OF INDIANA)
) SS:
 JEFFERSON COUNTY)

IN THE JEFFERSON CIRCUIT ~~SUPERIOR~~ COURT
MADISON, IN 47250

Jefferson County Plan Commission,

FILED

SUMMONS

JUN 12 2007

Sherry J. Chapo,

VS

K. Smith
CLERK JEFFERSON CIRCUIT COURT

39C01-0706-PL- 304

CAUSE NO.

— Defendant(s)

THE STATE OF INDIANA TO DEFENDANT:

(Name) Sherry J. Chapo

(Address) 10214 West Deputy Pike, Deputy, IN 47230

You are hereby notified that you have been sued in the Jefferson Circuit / ~~Superior~~ Court by the person(s) named as plaintiff(s)

The nature of the suit against you is stated in the complaint which is attached to this summons. It also states the relief sought or the demand made against you by the plaintiff(s).

An answer or other appropriate response in writing to the complaint must be filed either by you or your attorney within twenty (20) days commencing the day after you receive this summons (or twenty-three (23) days if this summons was received by mail) or a judgement by default may be rendered against you for the relief demanded by plaintiff(s) in the complaint.

If you have a claim for relief against the plaintiff(s) arising from the same transaction or occurrence, you must assert it in your written answer.

DATED: 6-12-07

K. Smith
Clerk, Jefferson Circuit Court

(The following manner of service of Summons is hereby designated)

XXX Registered or certified mail.

_____ Service on individual(s) at above address.

_____ Service at place of employment, to-wit: _____

_____ Service on agent. (Specify) _____

_____ Other Service. (Specify) _____

Kristen Vandewater
Attorney for Jefferson County Plan Commission

Attorney for plaintiff(s)
Kemper and Vandewater
218 East Second Street, Madison, IN 47250
Address

(812) 265-3311
Telephone

Pink—Defendant's Copy

Blue—Return Copy

Yellow—Plaintiff's Copy

STATE OF INDIANA)
)
COUNTY OF JEFFERSON)

IN THE JEFFERSON CIRCUIT COURT
2007 TERM
CAUSE NO. 39C01-0706-PL-304

JEFFERSON COUNTY PLAN COMMISSION,)
Plaintiff)
Vs.)
SHERRY J. CHAPO AND JESSE A. CHAPO,)
Defendants.)

FILED
JUN 12 2007
D. Smith
CLERK JEFFERSON CIRCUIT COURT

APPEARANCE
Initiating Party

1. Name of initiating party: Jefferson County Plan Commission.
2. Address of pro se responding party: N/A
3. Attorney information (as applicable for service of process):

Name: Kristen Vandewater
Attorney No.: 23782-39
Address: 218 East Second Street
Madison, Indiana 47250
Telephone: (812) 265-3311
Fax: (812) 265-5748
4. Will Accept FAX Service: Yes.
5. Additional information required by state or local rule: N/A
6. (Optional) Additional information to supplement the appearance form submitted by the initiating party: N/A

Kristen Vandewater

Kristen Vandewater

STATE OF INDIANA)
)
COUNTY OF JEFFERSON)

IN THE JEFFERSON CIRCUIT COURT
2007 TERM
CAUSE NO. 39C01-0706-PL-304

JEFFERSON COUNTY PLAN COMMISSION,)
 Plaintiff)
Vs.)
SHERRY J. CHAPO AND JESSE A. CHAPO,)
 Defendants.)

FILED

JUN 12 2007

Kristen Vandewater
CLERK JEFFERSON CIRCUIT COURT

VERIFIED COMPLAINT FOR PERMANENT INJUNCTION AND PENALTIES

Comes now the Jefferson County Plan Commission, by its attorney, Kristen Vandewater, and pursuant to Jefferson County Zoning Ordinance Section 11.50(C), files its Verified Complaint for Permanent Injunction and Penalties. In support of said Complaint, plaintiff states as follows:

1. That defendants are the owners of a residential building located at 10214 West Deputy Pike Road, Deputy, IN 47230.
2. That said building is situated in Jefferson County, Indiana.
3. That the Jefferson County Zoning Ordinance Section 11.10 (A) provides that "It shall be unlawful to construct, make additions to, demolish, or repair a structure without first filing with the Zoning Enforcement Officer and/or the Secretary of the Plan Commission an application in writing and obtaining a formal improvement location/building permit."
4. Further Section 11.10 (D) provides, inter alia, that "a septic permit approval issued by the Jefferson County Health Department or connection to a municipal sewer system is required" prior to the issuance of a building permit.
5. That defendants have built a residential dwelling on the property situate at 10214 West Deputy Pike Road, Deputy, IN 47230 without obtaining a building permit in violation of the Jefferson County Zoning Ordinance.
6. That defendants have been given written notice of the violation and has been ordered to take action to correct the violation. A copy of said Notice is attached hereto and labeled "Exhibit A".
7. That defendants have failed to comply with the orders of the Zoning Enforcement Officer and have continued with the building and completion of the building

located at 10214 West Deputy Pike Road, Deputy, IN 47230 in violation of the Jefferson County Zoning Ordinance.

WHEREFORE. Plaintiff respectfully requests the issuance of a permanent injunction prohibiting defendants from further using, occupying or permitting the use or occupancy of the building located at 10214 West Deputy Pike Road, Deputy, IN 47230 or from further creating, erecting, changing, converting, altering or enlarging said structure until defendants have fully complied with the Jefferson County Zoning Ordinance. Plaintiff further requests a judgment for penalties against the defendants and in favor of Plaintiff, in the amount of \$2,500 for each day defendants persist in their violation of the Jefferson County Zoning Ordinance, and for all further relief as this honorable Court deems proper.

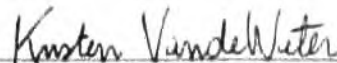


STEVE WILSON, Zoning Enforcement Officer

SUBSCRIBED and SWORN to before me, the undersigned, a Notary Public in and for said County and State, this 15 day of May, 2007.

My Commission expires:

4-1-12



Kristen Vandewater, Notary Public
County of Residence: Jefferson

Attorney for Respondent:
Kristen Vandewater, #23782-39
Barlow Law Office
201 E. Main Street
Madison, IN 47250
Telephone: (812) 273-4440

copy

JEFFERSON COUNTY PLAN COMMISSION
ROOM 204
JEFFERSON COUNTY COURTHOUSE
MADISON, INDIANA 47250
(812) 265-8925

NOTICE OF ZONING VIOLATION

Sherry J. and Jessie A. Chapo
10214 W Deputy Pike Rd
Deputy, IN 47230

Monday, August 09, 2004

LOCATION OF VIOLATION

Parcel Number: 004 00370 02

Map Number: 39-06-13-000-001.002-004

Address: none issued; property is at the southwest corner of the intersection of Deputy Pike Rd and Spry Rd

Investigation by this office has determined that you are in **violation** of the **Jefferson County Zoning Ordinance, Section XXV, stating in part that "No building, or additions to buildings...shall be erected...without first obtaining a zoning permit from the County Building Inspector."**

The violation noted is as follows: *A residence has been constructed on the property. No zoning permit has been issued for this property.*

The following actions should be taken within thirty (30) days of receipt of this notice: *Make application for a zoning permit for the residence.* A copy of the "Requirements for Building Permits" handout is enclosed.

Penalties of \$500 per day are provided for in Section XXVII of the Jefferson County Zoning Ordinance and may be applicable as of that date.

"Exhibit A"

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
 - 2. Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

SHERY J. ADD JESSIE A. CHAIR
10214 W TERTU RKE RD.
TERTU, IN 47230

4a. Article Number

20993400009 1807977

4b. Service Type

- Registered
- Express Mail
- Return Receipt for Merchandise
- Certified
- Insured
- COD

7. Date of Delivery

8-10-04

5. Received By: (Print Name)

SHERY CHAIR

6. Signature: (Addressable Agent)

X *[Signature]*

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

102595-97-B 0179

Domestic Return Receipt