

2006 SEP 18 PM 3:39

**ZONING COMMITMENT LETTER 2006 081908**  
Town of Merrillville, IN

MICHAEL J. BROWN  
RECORDER

**Applicant:** Lamar Advertising  
**Project:** Electronic Digital Display/Modification of the Existing Lamar Billboard  
**Location:** 93<sup>rd</sup> Street & Taft Avenue, Merrillville, IN

**Legal Description:** Lot 2 of Arbor Subdivision, an addition to Merrillville, as shown in Plat Book 83, Page 5, in Lake County, Indiana

**Key/Dup. #** 10-704-2  
Ross Township, Lake County, Indiana  
**Date:** June 26, 2006

WHEREAS, Lamar Advertising is requesting approval to modify the existing billboard site located at the northeast corner of 93<sup>rd</sup> and Taft Avenue, replacing the existing 14' X 48' bulletin/tri-wave with a back to back 14' X 48' Electronic Digital Display and;

WHEREAS, an Electronic Digital Display is defined as a series of static images using LED technology. Nothing in this approval shall constitute approval to permit Full Motion Video and/or Animation;

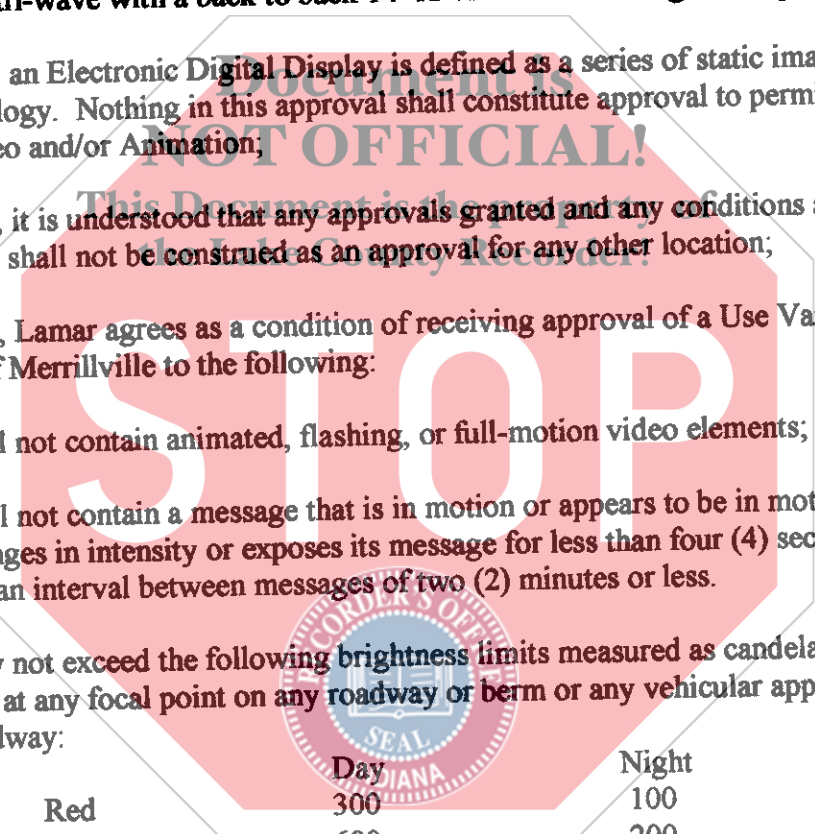
WHEREAS, it is understood that any approvals granted and any conditions applied to this location shall not be construed as an approval for any other location;

WHEREAS, Lamar agrees as a condition of receiving approval of a Use Variance from the Town of Merrillville to the following:

1. Shall not contain animated, flashing, or full-motion video elements;
2. Shall not contain a message that is in motion or appears to be in motion or that changes in intensity or exposes its message for less than four (4) seconds or that has an interval between messages of two (2) minutes or less.
3. May not exceed the following brightness limits measured as candelas per square feet at any focal point on any roadway or berm or any vehicular approach to any roadway:

	Day	Night
Red	300	100
Green	600	200
Amber	450	150
Blue	800	350
All color	650	250

4. Shall be equipped with a mechanism to control brightness through the means of an automatic dimming device or a scheduled dimming program;
5. Lamar agrees to restore the Electronic Digital Display back to its original condition, a 14' X 48' Bulletin (SF)/Tri-wave (NF), if the structure is ever sold to an independent third party purchaser. If Lamar should sell this location, upon the execution of the closing documents, thereby transferring ownership, the purchaser shall provide to the Town of Merrillville, within 30 days of closing, a written consent, which shall not be unreasonably withheld, requesting approval to retain the Electronic Digital Display. If the Town of Merrillville provides written proof of their desire to restore this location to its original condition, Lamar shall have a maximum of One (1) year to file all necessary applications requesting approval of a Use Variance, as stated by Ordinance approved by the Town of Merrillville referenced as Zoning Pamphlet Supplement No. 18. No other Ordinances preceding this date shall apply.



**FILED**

SEP 18 2006

PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

9/18/2006

018602

CS  
14.00  
D.D.M.

EXECUTED BY LESSEE IN THE PRESENCE OF:

William Woodbury  
Jim W. Hall

THE LAMAR COMPANIES

[Signature]  
OFFICER'S SIGNATURE  
JOHN TERPSTRA VP/GM  
OFFICER'S PRINTED NAME & TITLE

ACKNOWLEDGEMENT

STATE OF INDIANA

COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of September 20 06 by John Terpstra who is personally known to me or who has produced \_\_\_\_\_ as identification.

Witness my hand and official seal, this 18<sup>th</sup> day of September A.D., 20 06.

Virginia S. Winston  
Notary Public

My Commission Expires: 7/26/07

Document is NOT ORIGINAL  
VIRGINIA S. WINSTON  
NOTARY PUBLIC, STATE OF INDIANA  
RESIDENT OF LAKE COUNTY  
MY COMMISSION EXP. JULY 26, 2007

This Document is the property of the Lake County Recorder!

"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."  
PREPARED BY: [Signature]

