

FCO 2020-3

**Floyd County Board of Commissioners  
Ordinance Amending FCO-2006-6 Zoning Map**

Whereas, the Floyd County Board of Commissioners met on March 3, 2020, on this matter pursuant to IC 36-7-4-600 series,

Whereas, The Board of Commissioners received a favorable recommendation to amend the Floyd County Zoning Map from the Floyd County Plan Commission by a vote of 7-1;

NOW, THEREFORE,

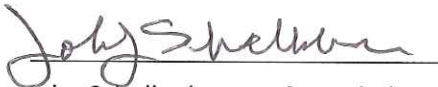
BE IT ORDAINED that Floyd County Board of Commissioners hereby amends the Floyd County Zoning Map for the property described in Exhibit A from Rural Residential (RR) to Residential Suburban (RS). With the following written commitments described in Exhibit B.

SO ORDAINED this 3 Day of March, 2020.

BOARD OF COMMISSIONERS,  
County of Floyd



Shawn Carruthers, President

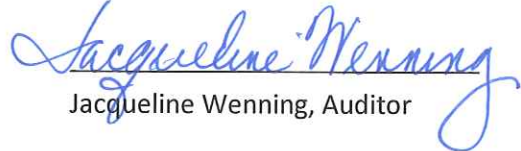


John Schellenberger, Commissioner



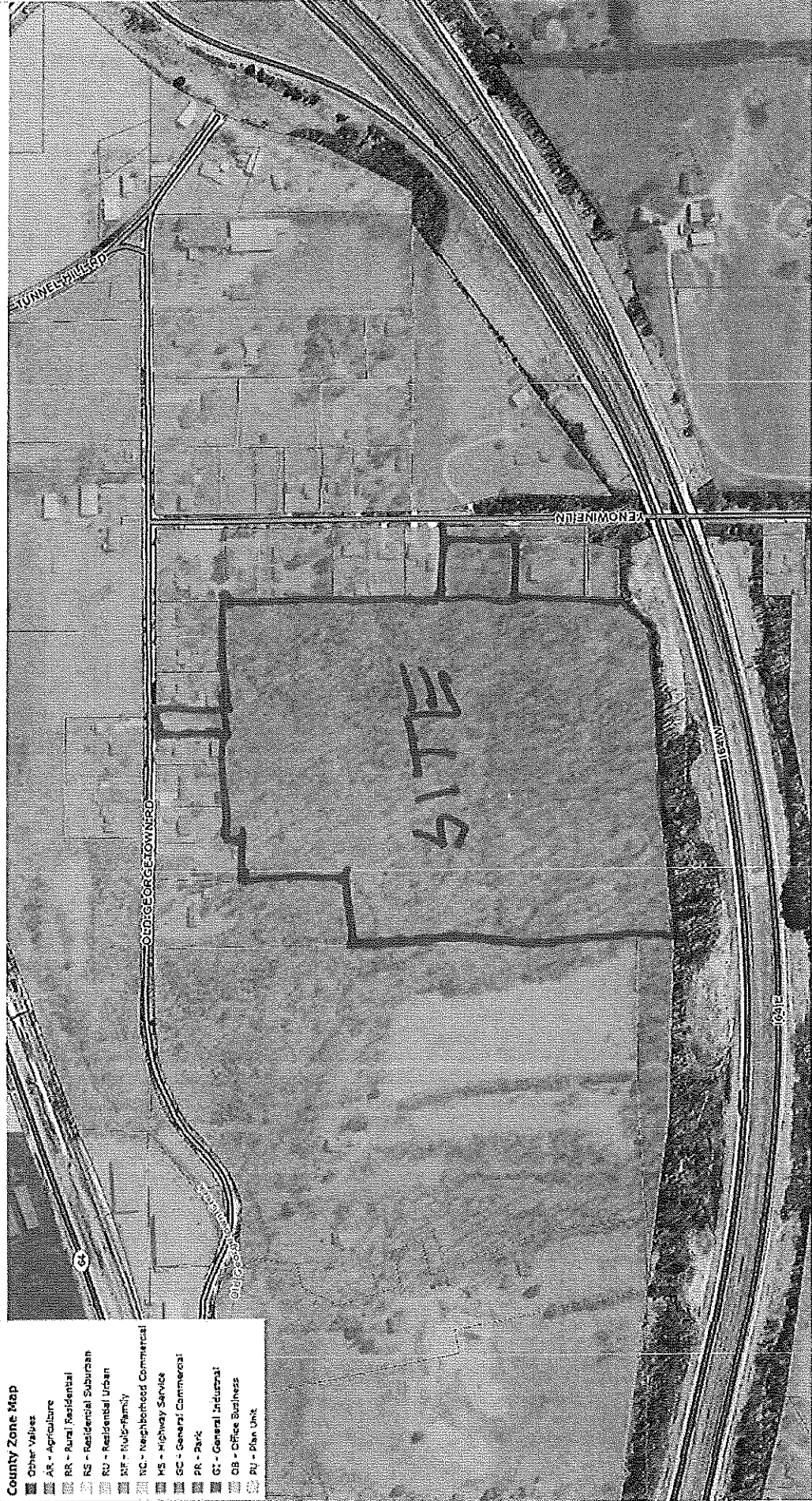
Tim Kamer, Commissioner

Attest:



Jacqueline Wenning, Auditor

Zoning Map



County Zone Map

[Symbol]	Other Values
[Symbol]	AR - Agriculture
[Symbol]	BR - Rural Residential
[Symbol]	RS - Residential Suburban
[Symbol]	RD - Residential Urban
[Symbol]	RFB - RFB-Family
[Symbol]	NC - Neighborhood Commercial
[Symbol]	HS - Highway Service
[Symbol]	GC - General Commercial
[Symbol]	PR - Park
[Symbol]	CI - General Industrial
[Symbol]	CB - Office Business
[Symbol]	RI - Public Use

Exhibit A

FLOYD COUNTY  
ASSESSOR

Apr/22/2019

Duly Entered For Taxation  
Subject To Final Acceptance  
For Transfer

Apr 22 2019 - JM

*BRB*

AUDITOR FLOYD CO. IND.

E-RECORDED  
201905767  
FLOYD CO. IN RECORDER  
TODD N. SCANNELL  
04/22/2019 01:39 PM  
201905767 Pages: 12  
Transaction # 1000000

NEW  
(A)

PARCEL NO. 22-02-00-200-083.000-002 (24.758 Ac)  
ALT. PARCEL NO. 002-06100-14

PARCEL NO. 22-02-00-200-004.000-002 (Prt L9, 10, P 676)  
ALT. PARCEL NO. 002-03400-06

201905767  
NOTES OF  
COMPARISONS  
TO 25/4081  
or other  
deeds

PERSONAL REPRESENTATIVE'S DEED

Douglas A. Harritt, as Personal Representative of the unsupervised estate of Mary Catherine Harritt, a/k/a Mary C. Harritt, said estate pending in the Floyd County, Indiana Circuit Court under Case No. 22C01-1901-EU-000018, by virtue of the power given a personal representative under Indiana law, and Gary C. Longest, hereby

CONVEY

unto HSW Investors LLC, and Indiana limited liability company, whose present mailing address and mailing address for tax purposes is 3705 Dove Circle, New Albany, IN 47150, for valuable consideration, all the decedent's right, title and interest in and to the following described real estate, located in Floyd County, State of Indiana:

2041,88' BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP (2) SOUTH, RANGE 5 EAST, RUNNING THENCE SOUTH WITH THE SAID SECTION LINE 123 1/4 POLES TO A CORNER STAKE JOINING SHERLEY'S LAND; THENCE WEST 32 POLES TO A CORNER STAKE; THENCE SOUTH 40 POLES TO A CORNER STAKE IN THE SOUTHERN BOUNDARY LINE OF SAID QUARTER SECTION; THENCE WEST WITH SAID LINE 24 1/4 POLES TO A CORNER STAKE IN SAID LINE; THENCE NORTH PARALLEL WITH THE SAID SECTION LINE 163 1/4 POLES TO A CORNER STAKE IN THE TOWNSHIP LINE; THENCE EAST 56 1/4 POLES TO THE PLACE OF BEGINNING; CONTAINING 50 ACRES, MORE OR LESS.

1313,40' LOT NO. 1 PLAT 229. BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 4 1/2 DEG. WEST 19 CHAINS AND 90 LINKS TO A STAKE SOUTHEAST CORNER OF DOWER; THENCE SOUTH 85 DEG. WEST 2 CHAINS AND 93 LINKS TO A STAKE; THENCE SOUTH 4 1/2 DEG. EAST 19 CHAINS AND 90 LINKS

528.00' (A) LONGEST 25/4081  
660.00' (HARRITT 173/455)  
408,38'  
2701,88'  
936,38'  
204832 = 186.78 PLAT  
193,38'  
1313,40'

186,78' — LINKS TO A STAKE; THENCE NORTH 85 DEG. EAST 2 CHAINS  
AND 83 LINKS TO THE PLACE OF BEGINNING, CONTAINING 5  
58/100 ACRES.

ALSO, BEGINNING AT THE NORTHEAST CORNER OF LOT NO.  
1, ✓

1386.00' — PLAT NO. 229, THENCE WEST 12 RODS AND 3 LINKS TO A 199,28'  
STONE; THENCE NORTH 84 RODS TO A STONE; THENCE EAST  
218.46' — 1386.00' 13 RODS AND 6 LINKS TO A STONE; THENCE SOUTH 84 RODS  
TO THE PLACE OF BEGINNING, CONTAINING 6 66/100 ACRES,  
BEING IN THE NORTHEAST QUARTER OF SECTION 2,  
TOWNSHIP 3 SOUTH, RANGE 5 EAST.

EXCEPTING THEREFROM 9.176 ACRES CONVEYED TO ✓  
ERNEST H. HOWELL AND MARY E. HOWELL, HUSBAND AND  
WIFE TO FRED M. NANCE AND EARNESTINE NANCE,  
HUSBAND AND WIFE BY DEED DATED OCTOBER 21, 1949,  
AND RECORDED IN DEED RECORD 128, PAGE 347, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS: BEING A PART OF  
THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF  
SECTION NO. 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST AND THE  
SOUTH 660 FEET OF LOT NO. ONE, PLAT NO. 229 OF THE  
FLOYD COUNTY, INDIANA RECORD OF PLATS, CONTAINING  
9.176 ACRES AND MORE FULLY DESCRIBED AS FOLLOWS, TO-  
WIT: COMMENCING AT THE SOUTHEAST CORNER OF THE  
NORTHEAST QUARTER OF SAID SECTION NO. 2, THENCE  
WEST ALONG THE SOUTH LINE OF SAID NORTHEAST  
QUARTER 528.0 FEET TO A POINT WHICH IS THE SOUTHWEST  
CORNER OF AN 8.00 ACRE TRACT OF LAND OWNED BY  
OSCAR PASCHKE AND WHICH IS THE TRUE PLACE OF  
BEGINNING OF LAND TO BE HEREIN DESCRIBED; THENCE  
CONTINUING WEST ALONG THE SOUTH LINE OF SAID  
NORTHEAST QUARTER OF SAID SECTION NO. 2, 595.16 FEET  
TO A POINT AT THE SOUTHWEST CORNER OF LOT NO. 1, PLAT  
NO. 229; THENCE NORTH ALONG THE WEST LINE OF SAID LOT  
NO. 1, 660 FEET TO A POINT; THENCE EAST PARALLEL TO THE  
SOUTHERLY LINE OF SAID NORTHEAST QUARTER SECTION  
595.16 FEET TO A POINT ON THE EAST LINE OF SAID SECTION  
NO. 2; THENCE SOUTH ALONG THE WEST LINE OF PASCHKE'S  
LAND 660 FEET TO THE PLACE OF BEGINNING, CONTAINING  
9.176 ACRES OF LAND.

EXC. 1

Exc. 2

FURTHER EXCEPTING THEREFROM: 5.824 ACRE  
 CONVEYED BY ERNEST H. HOWELL AND MARY E. HOWELL,  
 HUSBAND AND WIFE, TO FRED M. NANCE AND EARNESTINE  
 NANCE, HUSBAND AND WIFE, BY DEED DATED OCTOBER 21,  
 1949, AND RECORDED IN DEED RECORD 128, PAGE 404, OF THE  
 FLOYD COUNTY, INDIANA RECORDS, MORE PARTICULARLY  
 DESCRIBED AS FOLLOWS: BEING A PART OF THE EAST ONE-  
 HALF OF THE NORTHEAST QUARTER OF SECTION NO. 2,  
 TOWNSHIP 3 SOUTH, RANGE 5 EAST, CONTAINING 5.824  
 ACRES AND MORE FULLY DESCRIBED AS FOLLOWS, TO-WIT:  
 COMMENCING AT THE SOUTHEAST CORNER OF THE  
 NORTHEAST QUARTER OF SAID SECTION NO. 2, THENCE  
 WEST ALONG THE SOUTH LINE OF SAID NORTHEAST  
 QUARTER 1123.16 FEET TO A POINT WHICH IS THE  
 SOUTHWEST CORNER OF LOT NO. ONE, PLAT NO. 229;  
 THENCE NORTH ALONG THE WEST LINE OF SAID LOT NO. 1,  
 660 FEET TO A POINT WHICH IS THE TRUE PLACE OF  
BEGINNING; THENCE EAST 1123.16 FEET TO A POINT ON THE  
EAST LINE OF SAID SECTION NO. 2; THENCE NORTH ALONG  
SAID EAST LINE 232.02 FEET; THENCE WEST 1123.16 FEET TO A  
 POINT ON THE WEST LINE; THENCE SOUTH 232.02 FEET TO  
 THE PLACE OF BEGINNING AND CONTAINING 5.824 ACRES OF  
 LAND.

~~Exc. 3~~

FURTHER EXCEPTING THEREFROM THE ABOVE 66/100  
 ACRE CONVEYED BY JAMES G. EGLEN AND WIFE TO CLEM  
 JONES AND WIFE BY DEED RECORDED IN DEED BOOK 136,  
 PAGE 141, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 A PART OF THE NORTHEAST QUARTER OF SECTION 2,  
 TOWNSHIP 3 SOUTH, RANGE 5 EAST, BEGINNING AT THE  
 NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID  
 SECTION 2; THENCE WEST ON THE NORTH SECTION LINE 520  
 FEET; THENCE SOUTH 20 FEET TO AN IRON PIN, THE  
 NORTHWEST CORNER OF LOT NO. 21, PLAT 676 OF FLOYD  
 COUNTY RECORDS, STATE OF INDIANA, THE TRUE PLACE OF  
 BEGINNING THE TRACT TO BE HEREIN DESCRIBED; THENCE  
 SOUTH ALONG THE WEST LINE OF LOT NO. 21 TO THE  
 SOUTHWEST CORNER OF SAID LOT NO. 21, 192 FEET; THENCE  
 WEST PARALLEL WITH THE NORTH SECTION LINE 150 FEET;  
 THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID  
 LOT NO. 21, 192 FEET; THENCE EAST 150 FEET TO PLACE OF  
 BEGINNING, CONTAINING 0.66 ACRE, MORE OR LESS.

EXCEPTS "I"

BUT THEN  
CONVEYED TO  
NEED  
DB 136/141  
to compare

HSW INV,  
BY INST 2019 05768

FURTHER EXCEPTING THEREFROM: THE ABOVE 10.5  
ACRES MADE INTO PLAT NO. 676, AND ADDING TO THE  
ABOVE REAL ESTATE LOT NOS. NINE (9) AND TEN (10) OF  
 THE FLOYD COUNTY, INDIANA RECORDS, MORE

PARTICULARLY DESCRIBED AS FOLLOWS: / A PART OF THE  
NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 3 SOUTH,  
RANGE 5 EAST, FLOYD COUNTY, INDIANA, DESCRIBED AS  
FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE  
NORTHEAST QUARTER OF SAID SECTION 2; THENCE SOUTH  
ON THE SECTION LINE \_\_\_\_\_ FEET TO A POINT;  
THENCE WEST 220 FEET TO AN IRON PIN; THENCE NORTH  
PARALLEL WITH THE EAST SECTION LINE 1595 FEET TO AN  
IRON PIN; THENCE WEST PARALLEL WITH THE NORTH  
SECTION LINE 300 FEET; THENCE NORTH PARALLEL WITH  
THE EAST SECTION LINE 212 FEET TO THE NORTH LINE OF  
SAID SECTION; THENCE EAST \_\_\_\_\_ FEET TO THE  
PLACE OF BEGINNING. CONTAINING 10.5 ACRES MORE OR  
LESS. /

PLAT  
676.  
description

FURTHER EXCEPTING THEREFROM: THE 0.564 ACRE TRACT  
CONVEYED TO CLYN A. LONGEST AND ELNORA W. LONGEST,  
HUSBAND AND WIFE, RECORDED IN DEED BOOK 175, PAGE  
134, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING  
AN 0.564 OF AN ACRE PART OF THE NORTHEAST QUARTER OF  
THE NORTHEAST QUARTER OF SECTION NO. 2, TOWNSHIP 3  
SOUTH, RANGE 5 EAST, AND BEING A PART OF THE LANDS  
HERETOFORE CONVEYED TO ALLEN H. HARRIT ET AL BY  
DEED RECORDED IN DEED RECORD 173, PAGE 435, SITUATED  
IN GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA AND  
MORE FULLY DESCRIBED AS FOLLOWS, TO-WIT:  
COMMENCING AT THE NORTHEAST CORNER OF THE  
NORTHEAST QUARTER OF SECTION NO. 2, TOWNSHIP 3  
SOUTH, RANGE 5 EAST, AT THE INTERSECTION OF THE OLD  
GEORGETOWN ROAD WITH THE YENOWINE ROAD, THENCE  
WEST ALONG THE NORTH LINE OF SAID SECTION NO. 2 AND  
IN THE CENTER OF THE ORIGINAL RIGHT OF WAY OF THE  
OLD GEORGETOWN ROAD A DISTANCE OF 897.50 FEET TO A  
POINT IN SAID OLD GEORGETOWN ROAD, WHICH IS THE  
TRUE PLACE OF BEGINNING OF LAND TO BE HEREIN  
DESCRIBED; THENCE AT RIGHT ANGLES SOUTH 20.00 FEET  
TO A ONE-HALF INCH IRON PIPE ON THE SOUTH LINE OF SAID  
OLD GEORGETOWN ROAD, THENCE CONTINUING SOUTH AT  
RIGHT ANGLES TO THE NORTH LINE OF SECTION NO. 2, A  
DISTANCE OF 238.77 FEET TO A ONE HALF INCH IRON PIPE;  
THENCE AT RIGHT ANGLES WEST 95.00 FEET TO A ONE HALF  
INCH IRON PIPE; THENCE AT RIGHT ANGLES NORTH 238.77  
FEET TO A ONE HALF INCH IRON PIPE ON THE SOUTH LINE OF  
SAID OLD GEORGETOWN ROAD, THENCE CONTINUING

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NORTH 20.00 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION AND ON THE CENTER LINE OF THE ORIGINAL RIGHT OF WAY OF SAID OLD GEORGETOWN ROAD; THENCE AT RIGHT ANGLES EAST ALONG THE NORTH LINE OF SAID SECTION NO. 2 AND THE ORIGINAL CENTER LINE OF SAID OLD GEORGETOWN ROAD RIGHT OF WAY, 95.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.564 OF AN ACRE OF LAND.

SUBJECT HOWEVER TO THE SOUTH 20 FEET OF THE RIGHT OF WAY OF THE OLD GEORGETOWN ROAD ACROSS THE NORTH 20.00 FEET OF THE HEREBIN ABOVE DESCRIBED 0.564 OF AN ACRE PARCEL OF LAND.

FURTHER EXCEPTING THEREFROM: THE 1.97 ACRE TRACT CONVEYED TO LARRY A. FUNK AND JANIE R. FUNK, HUSBAND AND WIFE, BY DEED RECORDED IN DEED BOOK 187, PAGE 515, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING A 1.97 OF AN ACRE PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION NO. 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST AND BEING A PART OF THE LANDS HERETOFORE CONVEYED TO ALLEN H. HARRIT, ET. AL. BY DEED RECORDED IN DEED RECORD 173, PAGE 435, SITUATED IN GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA AND MORE FULLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION NO. 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST, AT THE INTERSECTION OF THE OLD GEORGETOWN ROAD WITH THE YENOWINE ROAD; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION NO. 2 AND IN THE CENTER OF THE ORIGINAL RIGHT OF WAY OF THE OLD GEORGETOWN ROAD, A DISTANCE OF 992.50 FEET TO A POINT IN SAID OLD GEORGETOWN ROAD, WHICH IS THE TRUE PLACE OF BEGINNING OF LAND TO BE HEREIN DESCRIBED; THENCE AT RIGHT ANGLES SOUTH 20.00 FEET TO A ONE HALF INCH IRON PIPE ON THE SOUTH LINE OF SAID OLD GEORGETOWN ROAD; THENCE CONTINUING SOUTH AT RIGHT ANGLES TO THE NORTH LINE OF SECTION NO. 2 A DISTANCE OF 508.77 FEET TO A POINT; THENCE AT RIGHT ANGLES WEST 162.37 FEET, MORE OR LESS TO THE WESTERN LINE OF THE TRACT CONVEYED TO ALLEN H. HARRITT, ET AL. IN DEED RECORD 173, PAGE 435 OF THE FLOYD COUNTY, INDIANA RECORDS; THENCE NORTH WITH SAID WESTERN LINE 508.77 FEET, MORE OR LESS TO A POINT IN THE

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SOUTHERN LINE OF THE OLD GEORGETOWN ROAD; THENCE CONTINUING NORTH 20.00 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION AND IN THE CENTER LINE OF SAID OLD GEORGETOWN ROAD; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION NO. 2 AND THE CENTER LINE OF SAID OLD GEORGETOWN ROAD 162.37 FEET MORE OR LESS, TO THE PLACE OF BEGINNING, CONTAINING 1.97 ACRES, MORE OR LESS.

SUBJECT HOWEVER TO THE SOUTH 20 FEET OF THE RIGHT OF WAY OF THE OLD GEORGETOWN ROAD ACROSS THE NORTH 20.00 FEET OF THE HEREIN ABOVE DESCRIBED 1.970 OF AN ACRE PARCEL OF LAND.

FURTHER EXCEPTING THEREFROM: SO MUCH OF THE ABOVE DESCRIBED REAL ESTATE CONVEYED BY ALLEN H. HARRITT, MARY C. HARRITT, HUSBAND AND WIFE, AND CLYN A. LONGEST AND ELNORA W. LONGEST, HUSBAND AND WIFE IN THAT CERTAIN DEED RECORDED DEED BOOK 191, PAGE 545, MORE PARTICULARLY DESCRIBED AS FOLLOWS: A PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST, AND A PART OF LOT 1 OF PLAT 229, OF THE FLOYD COUNTY, INDIANA RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE OWNERS' LAND 1,123.16 FEET WEST (ALONG THE SOUTH LINE OF SAID QUARTER SECTION) AND 892.02 FEET NORTH (ALONG THE WEST LINE OF LOT 1 OF SAID PLAT 229) (DISTANCE AND BEARING DEDUCED FROM DESCRIPTION IN EXISTING DEEDS) FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION; (1) THENCE NORTHERLY (THIS AND ALL SUBSEQUENT BEARINGS IN THIS DESCRIPTION BEING BASED ON THE SAME SYSTEM) 332.94 FEET ALONG THE WEST LINE OF LOT 1 OF SAID PLAT 229; (2) THENCE NORTHEASTERLY 331.83 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 3,589.72 FEET (TO) AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 83 DEG. 23' 27" EAST AND A LENGTH OF 331.72 FEET; THENCE NORTH 87 DEG. 41' 21" EAST 483.85 FEET; (4) THENCE NORTH 42 DEG. 37' 20" EAST 152.58 FEET TO THE NORTHWEST CORNER OF LOT 5 OF PLAT 676,

NOW  
STATE OF IN  
191/545



OF THE FLOYD COUNTY, INDIANA RECORDS; (5) THENCE SOUTHERLY 500.00 FEET ALONG THE WEST LINE OF LOTS 5, 4, 3, 2, AND 1 TO THE SOUTHWEST CORNER OF LOT 1 OF SAID PLAT 676; (6) THENCE WESTERLY 903.16 FEET ALONG A SOUTH LINE OF THE OWNERS' LAND TO THE POINT OF BEGINNING AND CONTAINING 7.850 ACRES, MORE OR LESS.

FURTHER EXCEPTING: A PART OF LOTS 9 AND 10 IN PLAT NO. 676 OF THE FLOYD COUNTY, INDIANA RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 10; THENCE SOUTHERLY 200.00 FEET ALONG THE EAST LINE OF SAID LOTS 9 AND 10 TO THE SOUTHEAST CORNER OF SAID LOT 9; THENCE WESTERLY 45.00 FEET ALONG THE SOUTH LINE OF SAID LOT 9 ; THENCE NORTH 0 DEG. 09'

51" WEST 200.00 FEET TO THE NORTH LINE OF SAID LOT 10; THENCE EASTERLY 45.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING AND CONTAINING 9,000 SQUARE FEET, MORE OR LESS.

FURTHER EXCEPTING THEREFROM: ALSO, A PART OF LOT 1 IN PLAT 676 OF THE FLOYD COUNTY, INDIANA RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTHERLY 100.00 FEET ALONG THE EAST LINE OF SAID LOT TO THE SOUTHEAST CORNER OF SAID LOT; THENCE WESTERLY 50.33 FEET ALONG THE SOUTH LINE OF SAID LOT; THENCE NORTH 2 DEG. 50' 21" WEST 100.11 FEET TO THE NORTH LINE OF SAID LOT; THENCE EASTERLY 55.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING AND CONTAINING 5,266 SQUARE FEET, MORE OR LESS.

TOGETHER WITH THE PERMANENT EXINGUISHMENT OF ALL RIGHTS AND EASEMENTS OF INGRESS AND EGRESS TO, FROM, AND ACROSS THE LIMITED ACCESS FACILITY (TO BE KNOWN AS I-64 AND AS PROJECT I-64-3 (32) 103) TO AND FROM THE OWNERS' ABUTTING LANDS ALONG THE LINES DESCRIBED AS FOLLOWS: LINE 1: COURSES (2), (3), AND (4) DESCRIBED ABOVE IN THE DESCRIPTION OF THE 7.850 ACRES

PARCEL. LINE 2: THE WEST LINE AND NORTH LINE OF LOT 1 OF SAID PLAT 676. THIS RESTRICTION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING ON ALL SUCCESSORS IN TITLE TO THE SAID ABUTTING LANDS.

ALSO, AN EASEMENT IN AND TO THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT: A PART OF LOT 1 IN PLAT 676 OF THE FLOYD COUNTY, INDIANA RECORDS, DESCRIBED AS FOLLOWS: BEGINNING ON THE SOUTH LINE OF SAID LOT 50.33 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID LOT; THENCE WESTERLY 60.23 FEET ALONG THE SOUTH LINE OF SAID LOT; THENCE NORTH 0 DEG. 43' 35" EAST 36.00 FEET; THENCE NORTH 89 DEG. 50' 09" EAST 57.99 FEET; THENCE SOUTH 2 DEG. 50' 21" EAST 36.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,128 SQUARE FEET, MORE OR LESS, FOR THE PURPOSE OF CONSTRUCTING A DRIVEWAY FOR SERVICE TO THE GRANTORS' PRIVATE PROPERTY, WHICH EASEMENT WILL REVERT TO THE GRANTORS UPON THE COMPLETION OF THE ABOVE DESIGNATED PROJECT.

FURTHER EXCEPTING THEREFROM: THE 0.411 ACRE TRACT CONVEYED TO EARL W. STATON AND ELLA STATON, HUSBAND AND WIFE, BY DEED RECORDED IN DEED BOOK 194, PAGE 568, AND MORE FULLY DESCRIBED AS FOLLOWS: BEING AN 0.411 OF AN ACRE PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION NO. 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST AND BEING A PART OF THE LAND HERETOFORE CONVEYED TO ALLEN H. HARRITT, ET AL, BY DEED RECORDED IN DEED RECORD 173, PAGE 435, SITUATED IN GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA AND MORE FULLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION NO. 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST AT THE INTERSECTION OF THE OLD

SEE F  
HEDGESPETH  
(UPDATED DESC.)  
2002/6/39

GEORGETOWN ROAD WITH THE YENOWINE ROAD; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION NO. 2 AND IN THE CENTER OF THE ORIGINAL RIGHT OF WAY OF THE OLD GEORGETOWN ROAD A DISTANCE OF 897.50 FEET TO A POINT IN SAID OLD GEORGETOWN ROAD, WHICH IS THE TRUE PLACE OF BEGINNING OF LAND TO BE HEREIN DESCRIBED; THENCE AT RIGHT ANGLES SOUTH 20.00 FEET TO A ONE HALF INCH IRON PIPE ON THE SOUTH LINE OF SAID OLD GEORGETOWN ROAD; THENCE CONTINUING SOUTH AT RIGHT ANGLES TO THE NORTH LINE OF SECTION NO. 2, A DISTANCE OF 180 FEET TO A POINT; THENCE AT RIGHT ANGLES EAST 100 FEET TO A POINT; THENCE AT RIGHT ANGLES NORTH 180 FEET TO A POINT ON THE SOUTH LINE OF SAID OLD GEORGETOWN ROAD; THENCE CONTINUING NORTH 20.00 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION AND ON THE CENTER LINE OF THE ORIGINAL RIGHT-OF-WAY OF SAID OLD GEORGETOWN ROAD; THENCE AT RIGHT ANGLES WEST ALONG THE NORTH LINE OF SAID SECTION NO. 2 AND THE ORIGINAL CENTER LINE OF SAID OLD GEORGETOWN ROAD RIGHT-OF-WAY, 100 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.411 OF AN ACRE, MORE OR LESS.

FURTHER EXCEPTING THEREFROM: THE 0.527 ACRE TRACT CONVEYED TO CLYN A. LONGEST AND ELNORA W. LONGEST, HUSBAND AND WIFE BY DEED RECORDED IN DEED BOOK 199, PAGE 287 AND MORE FULLY DESCRIBED AS FOLLOWS: BEING A 0.527 OF AN ACRE PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION NO. 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST AND BEING A PART OF THE LANDS HERETOFORE CONVEYED TO ALLEN H. HARRIT ET AL BY DEED RECORDED IN DEED RECORD 173, PAGE 435, SITUATED IN GEORGETOWN TOWNSHIP, A FLOYD COUNTY, INDIANA AND MORE FULLY DESCRIBED AS FOLLOWS, TO-WIT:  
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION NO. 2, TOWNSHIP 3

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QUICK  
790001831

SOUTH, RANGE 5 EAST, AT THE INTERSECTION OF THE OLD GEORGETOWN ROAD WITH YENOWINE ROAD; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION NO. 2 AND IN THE CENTER OF THE ORIGINAL RIGHT OF WAY OF THE OLD GEORGETOWN ROAD A DISTANCE OF 797.5 FEET TO A POINT IN SAID OLD GEORGETOWN ROAD, AT THE NORTHEAST CORNER OF EARL W. STATON AND ELLA STATON'S 0.411 ACRE TRACT (REFERENCE DEED RECORD 194 PAGE 568), WHICH IS THE TRUE PLACE OF BEGINNING OF LAND TO BE HEREIN DESCRIBED; THENCE AT RIGHT ANGLES SOUTH 20.00 FEET TO A ONE HALF INCH IRON PIPE ON THE SOUTH LINE OF SAID OLD GEORGETOWN ROAD; THENCE CONTINUING SOUTH AT RIGHT ANGLES TO THE NORTH LINE OF SECTION NO. 2, AND RUNNING WITH THE EAST LINE OF STATON'S 0.411 ACRE TRACT, 180.00 FEET TO A POINT; THENCE AT RIGHT ANGLES EAST, 127.5 FEET, MORE OR LESS, TO THE WESTERN LINE OF JESSIE M. CRANDALL'S 0.33 ACRE TRACT (REFERENCE DEED RECORD 177, PAGE 371); THENCE AT RIGHT ANGLES NORTH AND WITH THE WEST LINE OF JESSIE M. CRANDALLS' 0.33 ACRE TRACT, 180.0 FEET TO A POINT ON THE SOUTH LINE OF SAID OLD GEORGETOWN ROAD; THENCE CONTINUING NORTH 20.0 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION AND THE CENTER LINE OF THE ORIGINAL RIGHT-OF-WAY OF SAID OLD GEORGETOWN ROAD; THENCE AT RIGHT ANGLES WEST ALONG THE NORTH LINE OF SAID SECTION 2 AND ORIGINAL CENTER LINE OF THE OLD GEORGETOWN ROAD RIGHT-OF-WAY 127.5 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.  
SUBJECT TO THE SOUTH 20 FEET OF THE RIGHT-OF-WAY OF THE OLD GEORGETOWN ROAD OVER THE NORTH 20 FEET OF SAID 0.527 ACRE PARCEL OF LAND.

ALSO: SUBJECT TO A WATER LINE EASEMENT GRANTED TO FLOYD COUNTY, INDIANA, DATED NOVEMBER 9, 1949, AND RECORDED IN DEED RECORD 128, PAGE 453.

*DR 128/453  
contains  
description*

Subject to any and all easements and/or restrictions apparent or of public record that may apply to the above-described real estate.

TO HAVE AND TO HOLD the same unto the Grantee, its successors and/or assigns .

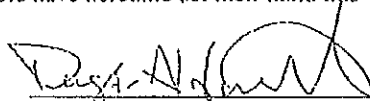
Taxes on the subject property having been pro-rated to date of closing, the Grantees, by the acceptance of this deed, assume and agree to pay the 2019 real estate taxes due and payable in 2020 and all subsequent taxes.

The undersigned, Douglas A. Harritt, hereby states that he has full power and authority to execute this Deed and convey good title to the above-described real estate by virtue of being the Personal Representative of the Estate of Mary Catherine Harritt as identified above.

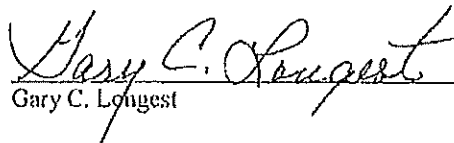
Allen H. Harritt and Mary C. Harritt, husband and wife obtained their interest in the above-described real estate by way of a Deed recorded on the 14th day of May, 1964, recorded in Deed Book 173, page 435; and they remained husband and wife until the death of Allen H. Harritt on May 20, 1983.

Gary C. Longest obtained his interest in the above described real estate in DD 25, Instr. # 4081.

IN WITNESS WHEREOF, the Grantors have hereunto set their hand this 18<sup>th</sup> day of April, 2019.



Estate of Mary Catherine Harritt, by Douglas A. Harritt,  
Personal Representative



Gary C. Longest

STATE OF INDIANA )  
  )SS  
COUNTY OF FLOYD )

Upon careful review, the Floyd County Plan Commission hereby makes a(n) **(FAVORABLE)** / UNFAVORABLE ) recommendation on the Petitioner's Zoning Amendment Application at the meeting held on the 16<sup>th</sup> day of December , 2019.

~~Staff Recommendation: Follow submitted voluntary written commitments.~~

A favorable recommendation is made based on the following written commitments:

1. Applicant will follow the revised proposed layout submitted 12/13/2019.
2. The development will consist of not more than 55 lots.
3. The developer will follow the Conservation Subdivision Standards of the Floyd County Subdivision Control Ordinance.
4. The development will be phased, with not more than 33 lots being developed until improvements on Old Georgetown Road has begun or until July 1, 2021.
5. The Applicant will abide by the Statement of Commitments submitted 12/13/2019.

6. Work with Floyd Co. Staff to improve the turning radius at the intersection of Yonowin Lane & Old Georgetown Rd.

Commission Members in Favor:

Sam B. Williams

Chris Anderson

Pat O'Connell

John B. Egan

John J. ...

Paul ...

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Commission Members Opposed:

Paul ...

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# FLOYD COUNTY PLAN COMMISSION

## ZONING MAP AMENDMENT BALLOT

Docket No. FC-10-19-29

Petitioner's Name: HSW Investors, LLC - Corey Hughes

**STATUTORY AUTHORITY:** Indiana Code § 36-7-4-608

**ORDINANCE AUTHORITY:** Floyd County Zoning Ordinance 2006

In reviewing the zoning amendment petition, the Plan Commission and County Commissioners shall pay reasonable regard to the following: (1) The Floyd County Comprehensive Plan and any other applicable, adopted planning studies or reports; (2) The current conditions and the character of current structures and uses in each district; (3) The most desirable use of which the land in each district is adapted; (4) The conservation of property values throughout Floyd County; and (5) Responsible growth and development.

### **DECISION:**

**After careful review, the Floyd County Plan Commission finds that:**

1. The re-zoning of the subject property ( IS /  IS NOT) consistent with the Floyd County Comprehensive Plan because: *the*

**Staff Opinion:** *Applicant has provided a conceptual layout depicting a conservation subdivision layout. The layout included ~~comes close to meeting~~ <sup>the</sup> conservation subdivision standards (open space needs to be at minimum 35%). Sanitary sewers and other utilities are also in close proximity to this development. Subject property is also in close proximity to several access points (two on SR 64 and south to Corydon Ridge Road and SR 62).*

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2. The re-zoning of the subject property ( IS /  IS NOT) consistent with the current conditions and the character of current structures and uses in the area because:

The proposed subdivision has residential development along two sides (Old Georgetown Road & Yenowine Lane) and currently zoned RR. The back end of the property adjoins Interstate I-64. A conservation subdivision will provide open space consistent with the current conditions.

The Floyd County Zoning Ordinance Section 4.16 states that the Planning Commission should strive to integrate this type of neighborhood with neighborhoods serving commercial facilities. With the development of the Innovation Park to the west and potential commercial development to the east in the Edwardsville Gateway district, this type of development is appropriate.

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3. The re-zoning of the subject property (IS / IS NOT) necessary for the most desirable use of the land because:

The development will be in support of the Innovation Park to the west and potential commercial development to the east in the Edwardsville Gateway district. The Floyd County Zoning Ordinance suggest this type of development be integrated into these types of surroundings.

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4. The re-zoning of the subject property (WILL NOT / WILL) be injurious to the value of other properties in the area because:

This area has potential to change significantly in the next few years, with the development of the Innovation Park to the west on Old Georgetown Road and the potential for development near the Tunnel Hill Road an SR64 intersection, which will increase demand for housing in the area and increase the value of the properties.

*Potentially*

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5. The re-zoning of the subject property (WILL / WILL NOT) support responsible growth and development in the area because:

The Applicant has demonstrated his awareness to the current limitations of the surrounding infrastructure by committing to withhold nearly half of the development until the County begins improvements to Old Georgetown Road or until July 1, 2021.

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