

FCR 2008 - XIV

Floyd County Board of Commissioners
Resolution Pertaining to Establishment of Planned Unit Development
(PUD- Knob Hill)

Whereas, the Floyd County Board of Commissioners met on August 5, 2008, in this matter pursuant to IC 36-7-4-1500; and

Whereas, the Board received from the Floyd County Plan Commission an favorable recommendation (7-0-1) of the proposed Planned Unit Development known as Knob Hill. The zoning classification has amended as follows:

1. The following parcel described as follows: Legal Description Exhibit A and B, see attached be changed from Residential Suburban to Planned Unit Development PD-RS-02 to permit a unified residential development on a 76.0 acre +/- in accordance with Exhibit C proposed Plan Unit Development Detail Plan, attached, and
2. The land use for this PD-RS-02 shall be limited to a unified residential development as described in the Proposed Plan Unit Development District.
 - i. The Planned Unit Development District PD-RS-02 shall be developed in conformance with the PUD plan, said plan presented and received a favorable recommendation at the Floyd County Plan Commission meeting on July 21, 2008, which was given a favorable recommendation.

3. The applicant has provided written commitments as part of the proposed development and those commitments will be recorded in the Floyd County Recorder's Office and listed as Exhibit D.

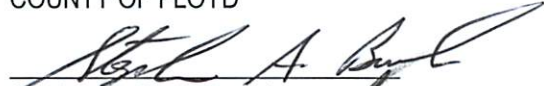
Whereas, the Plan Commission held a public hearing on the matter on July 21, 2008, and heard from both proponents and opponents of the proposed Plan Unit Development to the zoning ordinance and zoning map.

NOW, THEREFORE,

BE IT RESOLVED that Floyd County Zoning Ordinance and Map is amended as indicated on the attached exhibits items.

SO RESOLVED this 5th day of AUGUST 2008.

BOARD OF COMMISSIONERS
COUNTY OF FLOYD


Stephen A. Bush, President


Mark Seabrook, Commissioner


Charles Freiberger, Commissioner

ATTEST:

Teresa Plaiss, County Auditor

Exhibit A
Map Exhibit



Exhibit B
Legal Description

Exhibit A

TRACT I

A PART OF THE SOUTHWEST QUARTER OF SECTION 35 AND A PART OF THE NORTHWEST QUARTER OF SECTION 35 OF TOWNSHIP 2 SOUTH, RANGE 5 EAST AND ALSO BEING A PART OF DEED RECORD 139 PAGE 381 OF SAID COUNTY RECORD AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT A SPIKE LOCATED AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 35; THENCE SOUTH (BASIS OF BEARING) ALONG THE EAST LINE OF THE SOUTHWEST QUARTER AND BEING THE CENTERLINE OF OAKES ROAD 1035.06 FEET TO AN IRON PIN FOUND; THENCE SOUTH 89 DEG. 42' 17" WEST ALONG THE NORTH LINE OF DEED DRAWER 15, INSTRUMENT 4257 A DISTANCE OF 177.17 FEET TO AN IRON PIN; THENCE SOUTH 0 DEG. 15' 42" WEST ALONG THE WEST LINE OF DEED DRAWER 15, INSTRUMENT 4257 A DISTANCE OF 20.3 FEET TO AN IRON PIN FOUND BEING THE TRUE POINT OF BEGINNING OF THIS TRACT.

THENCE CONTINUING SOUTH 0 DEG. 15' 42" WEST ALONG THE WEST LINES OF DEED DRAWER 15, INSTRUMENT 4257; DEED DRAWER 14, INSTRUMENT 9870; AND DEED DRAWER 13, INSTRUMENT 4942; A DISTANCE OF 634.6 FEET TO AN AXLE FOUND; THENCE SOUTH 89 DEG. 47' 35" WEST ALONG THE NORTH LINES OF DEED DRAWER 15, INSTRUMENT 4163; DEED DRAWER 12, INSTRUMENT 6909 AND DEED DRAWER 5, INSTRUMENT 8874 A DISTANCE OF 671.4 FEET TO A TWO INCH IRON PIPE FOUND; THENCE SOUTH 1 DEG. 03' 53" WEST ALONG THE WEST LINE OF DEED DRAWER 5, INSTRUMENT 8874 AND DEED DRAWER 5, INSTRUMENT 8875 A DISTANCE OF 715.0 FEET TO A TWO INCH IRON PIPE FOUND ON THE NORTH RIGHT-OF-WAY LINE OF S.R. 64; THENCE NORTH 64 DEG. 31' 08" WEST ALONG SAID RIGHT-OF-WAY LINE 433.33 FEET TO A CONCRETE RIGHT-OF-WAY MARKER; THENCE NORTH 66 DEG. 00' 18" WEST ALONG SAID RIGHT-OF-WAY 469.33 FEET TO AN IRON PIN SET ON THE LINE DIVIDING DEED RECORD 139, PAGE 381 AND DEED RECORD 199, PAGE 248; THENCE NORTH 0 DEG. 30' 41" EAST ALONG THE LINE

DIVIDIK SAID DEED RECORDS A DISTANCE OF 2020.0 FEET TO AN IRON PIN ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 69 DEG. 28' 17" WEST, ALONG SAID NORTH LINE AND ALSO BEING THE SOUTH LINE OF LOT ONE PLAT 305 A DISTANCE OF 992.15 FEET TO A FENCE POST FOUND AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 0 DEG. 56' 15" WEST ALONG THE WEST LINE OF SECTION 35 A DISTANCE OF 202.62 FEET TO AN IRON PIN SET; THENCE NORTH 85 DEG. 30' 10" EAST ALONG THE NORTH LINE OF LOT ONE OF PLAT 305 A DISTANCE OF 1644.73 FEET TO AN IRON PIN SET; THENCE SOUTH 0 DEG. 06' 03" WEST THROUGH THE LANDS OF DEED RECORD 139 PAGE 381 A DISTANCE OF 373.52 FEET TO AN IRON PIN SET ON THE NORTH LINE OF MISC. DRAWER 12, INSTRUMENT 1538; THENCE SOUTH 68 DEG. 08' 53" WEST ALONG SAID NORTH LINE 502.91 FEET TO AN IRON PIN FOUND; THENCE SOUTH 0 DEG. 06' 09" WEST ALONG THE WEST LINE OF SAID MISC. DRAWER 12, INSTRUMENT 1538 A DISTANCE OF 699.59 FEET TO AN IRON PIN FOUND; THENCE NORTH 89 DEG. 35' 51" EAST ALONG THE SOUTH LINE OF SAID MISC. DRAWER 12, INSTRUMENT 1538 A DISTANCE OF 1301.53 FEET TO THE POINT OF BEGINNING, CONTAINING 7.6505 ACRES IN THE NORTHWEST QUARTER OF SECTION 35 AND 38.9446 ACRES IN THE SOUTHWEST QUARTER OF SECTION 35, MORE OR LESS. SUBJECT TO THE RIGHT OF WAY OF OAKES ROAD.

TRACT II

PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 5 EAST, IN GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION, THENCE WITH THE EAST LINE OF SAID SOUTHWEST QUARTER AND A COUNTY ROAD SOUTH, BASIS OF BEARINGS THIS DESCRIPTION, 1524.91 FEET TO A P.K. NAIL IN A COUNTY ROAD, THIS BEING THE POINT OF BEGINNING, THENCE CONTINUING WITH SAID EAST LINE AND SAID COUNTY ROAD SOUTH 167.14 FEET TO A P.K. NAIL IN SAID ROAD, THENCE LEAVING SAID ROAD WAY SOUTH 89 DEG. 22' 54" WEST 180.12 FEET TO AN AXLE FOUND, THENCE NORTH 0 DEG. 15' 42" EAST 167.15 FEET TO AN IRON PIN, THENCE NORTH 89 DEG. 22' 54" EAST 179.36 FEET, TO THE POINT OF BEGINNING, CONTAINING 0.690 ACRES, MORE OR LESS.

TRACT III

A PART OF THE SOUTHWEST QUARTER OF SECTION #35, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A SPIKE IN THE CENTERLINE OF OAKS ROAD AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION #35, THENCE SOUTH 88 DEG. 41' 17" WEST, A DISTANCE OF 603.69 FEET TO AN IRON PIN, THENCE SOUTH 68 DEG. 08' 09" WEST, A DISTANCE OF 507.50 FEET TO A 5/8" REBAR THE TRUE POINT OF BEGINNING, THENCE SOUTH 68 DEG. 08' 09" WEST, A DISTANCE OF 113.76 FEET TO A 5/8" REBAR; THENCE SOUTH 00 DEG. 10' 54" WEST, A DISTANCE OF 398.65 FEET TO A 5/8" REBAR, THENCE SOUTH 00 DEG. 10' 54" WEST, A DISTANCE OF 418.25 FEET TO A 5/8" REBAR, THENCE NORTH 89 DEG. 46' 58"

EAST, A DISTANCE OF 350.21 FEET TO A WOOD POST, THENCE NORTH 39 DEG. 55' 25" WEST, A DISTANCE OF 462.35 FEET TO A 30" TREE, THENCE NORTH 00 DEG. 10' 54" EAST, A DISTANCE OF 452.08 FEET TO A 5/8" REBAR, THENCE NORTH 46 DEG. 04' 35" EAST, A DISTANCE OF 73.92 FEET TO A TRUE POINT OF BEGINNING, CONTAINING 2.229 ACRES.

TRACT IV

A PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 5 EAST AND BEING A PART OF DEED RECORD 139 PAGE 381 AND ALSO BEING A PART OF THE CONTRACT AS RECORDED IN MISC. DRAWER 12, INSTRUMENT 1538 AS RECORDED IN THE FLOYD COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT A SPIKE AT THE CENTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 5 EAST; THENCE SOUTH (BASIS OF BEARING) ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1035.06 FEET TO AN IRON PIN FOUND; THENCE SOUTH 88 DEG. 42' 17" WEST ALONG THE NORTH LINE OF DEED DRAWER 15, INSTRUMENT 4257 A DISTANCE OF 177.17 FEET TO AN IRON PIN FOUND; THENCE SOUTH 0 DEG. 15' 42" WEST ALONG THE WEST LINE OF SAID DEED RECORD 20.0 FEET TO AN IRON PIN FOUND; THENCE SOUTH 89 DEG. 35' 51" WEST THROUGH THE LANDS OF DEED RECORD 139 PAGE 381 AND BEING THE SOUTH LINE OF MISC. DRAWER 12, INSTRUMENT 1538 A DISTANCE OF 1001.63 FEET TO AN IRON PIN SET, BEING THE TRUE PLACE OF BEGINNING.

THENCE CONTINUING SOUTH 89 DEG. 35' 51" WEST ALONG THE SOUTH LINE OF SAID MISC. DRAWER 12, INSTRUMENT 1538 A DISTANCE OF 300.0 FEET TO AN IRON PIN FOUND; THENCE NORTH 0 DEG. 05' 09" EAST ALONG THE WEST LINE OF SAID MISC. RECORD A DISTANCE OF 699.59 FEET TO AN IRON PIN FOUND; THENCE NORTH 68 DEG. 08' 53" EAST ALONG THE NORTH LINE OF SAID MISC. RECORD A DISTANCE OF 323.4 FEET TO AN IRON PIN SET; THENCE SOUTH 0 DEG. 05' 09" WEST THROUGH THE LANDS OF SAID MISC. RECORD 819.53 FEET TO THE POINT OF BEGINNING. CONTAINING 5.2368 ACRES, MORE OR LESS.

GRANTORS (WATSONS) AND THEIR SUCCESSORS IN TITLE HEREIN RETAIN THE RIGHT TO USE THE DRY POND AREA FOR ADDITIONAL LAGOON PONDS, FOR ADDITIONAL SEWAGE LAGOONS, IF THE SAME BECOMES NECESSARY IN THE FOLLOWING DESCRIBED REAL ESTATE.

A PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 5 EAST, AND BEING A PART OF DEED RECORD 139 PAGE 381 AND ALSO BEING A PART OF THE CONTRACT AS RECORDED IN MISC. DRAWER 12, INSTRUMENT 1538 AS RECORDED IN THE FLOYD COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT A SPIKE AT THE CENTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 5 EAST; THENCE SOUTH (BASIS OF BEARING) ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1035.6 FEET TO AN IRON PIN FOUND; THENCE SOUTH 88 DEG. 42' 17" WEST ALONG THE NORTH LINE OF DEED DRAWER 15, INSTRUMENT 4257 A DISTANCE OF 177.17 FEET TO AN IRON PIN FOUND; THENCE SOUTH 0 DEG. 15' 42" WEST ALONG THE WEST LINE OF SAID DEED RECORD 20.0 FEET TO AN IRON PIN FOUND; THENCE SOUTH 89 DEG. 35' 51" WEST THROUGH THE LANDS OF DEED RECORD 139 PAGE 381 AND BEING THE SOUTH LINE OF MISC. DRAWER 12, INSTRUMENT 1538 A DISTANCE OF

1304.51 FEET TO AN IRON PIN; THENCE NORTH 0 DEG. 05' 09"
EAST ALONG THE WEST LINE OF SAID MISC. RECORD A DISTANCE
OF 560.26 FEET TO A POINT, BEING THE TRUE POINT OF
BEGINNING OF THIS TRACT; THENCE CONTINUING NORTH 0 DEG.
05' 09" EAST ALONG SAID LINE 141.0 FEET TO AN IRON PIN
FOUND; THENCE NORTH 68 DEG. 08' 53" EAST ALONG THE NORTH
LINE OF SAID MISC. RECORD A DISTANCE OF 323.4 FEET TO AN
IRON PIN FOUND; THENCE SOUTH 0 DEG. 05' 09" WEST THROUGH
THE LANDS OF SAID MISC. RECORD A DISTANCE OF 200.0 FEET
TO A POINT; THENCE SOUTH 78 DEG. 26' 54" WEST THROUGH
SAID LANDS 306.29 FEET TO THE POINT OF BEGINNING,
CONTAINING 1.1742 ACRES, MORE OR LESS.

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

