

ZONING ORDINANCE NO.

15-04

ZONING ORDINANCE AMENDMENT

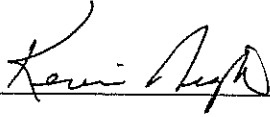
THIS IS AN ORDINANCE for the purpose of amending and changing the zoning ordinance of the County of Shelby as it relates to a certain tract of property known as 997 S 675 E, Waldron. Specifically amending the Shelby County, Indiana Zoning Ordinance adopted by the Board of Commissioners of Shelby County, Indiana on September 18, 2008, which became effective on October 18, 2008, including and incorporating therein Township Zoning Maps dated September 18, 2008 as amended, showing the boundary lines of certain Zoning Districts thereon.

BE IT ORDAINED by the Board of Commissioners of Shelby County Indiana, as follows:

Section 1: Purpose. The purpose of this Ordinance shall be to amend the Zoning Map of Liberty Township of the Shelby County Code and the zoning ordinances thereunder as it relates to the real estate specifically described in Section 2 of this Ordinance to change the designation of said real estate from being zoned A1-Conservation Agricultural to RE- Residential Estate (approximately 2.00 acres).

Section 2: Amendment. Shelby County, Indiana Zoning Ordinance adopted by the Board of Commissioners of Shelby County, Indiana on September 18, 2008, which became effective on October 18, 2008, including and incorporating therein Township Zoning Maps dated September 18, 2008, as amended, showing the boundary lines of certain Zoning Districts thereon, are hereby amended by adding the following subsection:

ADOPTED this 2nd day of February, 2015 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Kevin Nigh, President

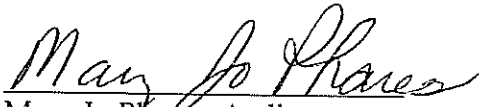


Don Parker, Member



Chris Ross, Member

ATTEST:



Mary Jo Phares, Auditor
Shelby County, Indiana

Kuhn Simple Subdivision Preliminary and Final Plat

Part of the West Half of the Northeast Quarter of Section 8, Township 12 North, Range 8 East, Union Township, Shelby County Indiana.

Client: Robert Kuhn, 317-402-7826
Site Address: 997 South, 675 East, Waldron, IN 46182

Found a concrete corner post 15.5'W & 2.3'N of the calculated split of the North line of the said NE¼.
S 89°46'19" E 240.00'

NE cor., W½, NE¼, 8-12-8
Set Powell capped rebar at the calculated split of the North line of the said NE¼.

NE cor., NE¼, 8-12-8
Found a County monument below the surface per the Shelby County ties.

NW cor., NE¼, 8-12-8
Found a Wooden corner post 0.8' E & 6.2' N of the calculated split of the North line of Section 8-12-8. The said post was held per this survey as the best evidence.

Surveyor Certification:
I, the undersigned, hereby certify that I am a Land Surveyor registered in compliance with the laws of the State of Indiana; and I do hereby further certify that I have surveyed the real estate described in the caption above and that I have subdivided the same into two tracts as shown on the heron drawn plat. This plat correctly represents said survey and subdivision in every detail. Monuments shown are in place as located.

Witness my hand this 22 day of January, 2015.

Jeffery P. Powell
Registered Land Surveyor
No. 2980024



Owners Certification:
I, BRADY J RIFE AS TRUSTEE OF THE KUHN CREDIT SHELTER EST UNDER THE LAST WILL AND TESTAMENT OF JACK L KUHN DATED DECEMBER 16, 2011 1/2 & KUHN, INEZ 1/2, per Instrument #2014002061, do hereby certify that I am the trustee of the property described in the above captioned and that as such trustee I have caused the said above described property to be surveyed and subdivided as shown on the here on drawn plat, as my free and voluntary act and deed.

Witness my hand this ___ day of ___, 2015.

BRADY J RIFE

Notary Certification
I, _____, a Notary Public in and for said County and State, do hereby certify that Terry B. Rex Kuhn & Benjamin Kuhn, Personally known to me to be the same people whose names are subscribed to the above certificate appeared before me this day in person and acknowledged that they signed the above certificate as their own free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal this ___ day of ___, 2015.

Notary Public

Plan Commission Approval:

Approved by the Shelby County Plan Commission in accordance with Subdivision Regulations.

By: _____ Date _____
Plan Commission

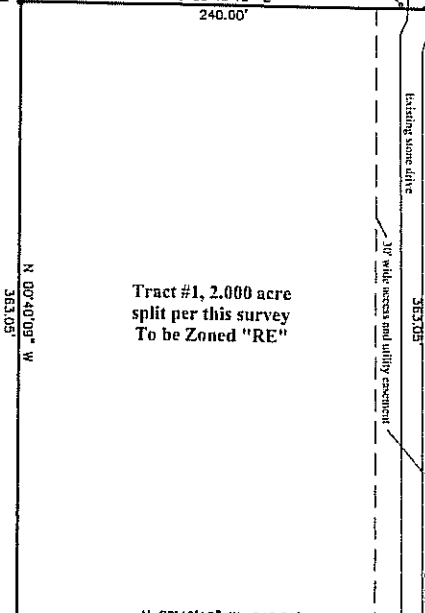
By: _____ Date _____
Plan Commission

"I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each social security number in this document, unless required by law."

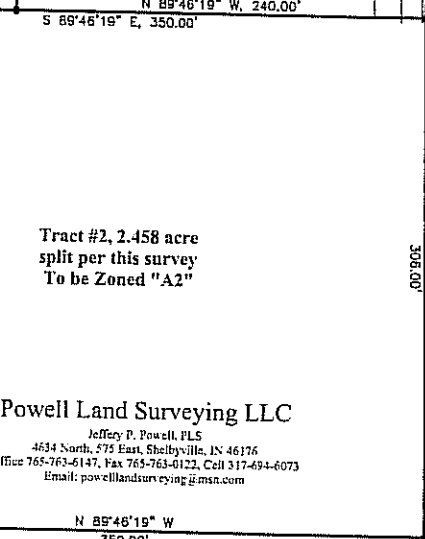
Jeffery P. Powell

RIFE, BRADY J AS TRUSTEE OF THE KUHN CREDIT SHELTER EST UNDER THE LAST WILL AND TESTAMENT OF JACK L KUHN DATED DECEMBER 16, 2011 1/2 & KUHN, INEZ 1/2, Instrument #2014002061
W½, NE¼, 80 acres & the NE¼, NW¼, 8-12-8 120 acres per the deed, including an undescribed 10 Acre Tract zoned "A2" & 110 acres zoned "A1"
W½, NE¼, 81.180 acres per this survey
Tract #1, 2.000 acre split per this survey
Tract #2, 2.458 acre split per this survey
W½, NE¼, 76.722 acre remainder per this survey

SW cor., NE¼, 8-12-8
Found & held a stone on the South side of a Lime stone post.



Tract #1, 2.000 acre split per this survey To be Zoned "RE"



Tract #2, 2.458 acre split per this survey To be Zoned "A2"

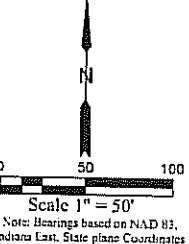
Powell Land Surveying LLC
Jeffery P. Powell, PLS
4634 North, 575 East, Shelbyville, IN 46176
Office 765-763-6147, Fax 765-763-0122, Cell 317-694-6073
Email: powellandsurveying@gmail.com

CR 100 South

N 89°46'19" W, 1320.73'
POB of Tract #1, 2.000 acre split per this survey.

BAKER, RALPH E TOD TO BAKER, EDWARD W
E2 NE 1/2 R 76.28A

POB of Tract #2, 2.458 acre split per this survey.



- Legend**
- Section Corner
 - Set 1/2" Capped Rebar
 - Set Mag Nail
 - Found Monument

SE cor., NE¼, 8-12-8
Found a County monument below the surface per the Shelby County ties.

Description for the parent tract of land owned by RIFE, BRADY J AS TRUSTEE OF THE KUHN CREDIT SHELTER EST UNDER THE LAST WILL AND TESTAMENT OF JACK L KUHN DATED DECEMBER 16, 2011 1/2 & KUHN, INEZ 1/2, described in Instrument #2014002061.

The West half of the Northeast Quarter of Section 8, Township 12 North, Range 8 East, Shelby County, Indiana, containing 80 Acres.

Description for Tract #1, being a 2.000 acre tract being split from a 80 acre tract of land owned by RIFE, BRADY J AS TRUSTEE OF THE KUHN CREDIT SHELTER EST UNDER THE LAST WILL AND TESTAMENT OF JACK L KUHN DATED DECEMBER 16, 2011 1/2 & KUHN, INEZ 1/2, described in Instrument #2014002061.

A part of the West Half of the Northeast Quarter of Section 8, Township 12 North, Range 8 East, Union Township, Shelby County Indiana, being more particularly described as follows:
Beginning at the Northeast corner of the of the said half-quarter section, said point being a Powell capped rebar, said point also being the point of beginning of the tract herein described; thence South 00 degrees 40 minutes 09 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the East line of the said half-quarter section a distance of 363.05 feet to a Powell capped rebar; thence North 89 degrees 46 minutes 19 seconds West, parallel to the North line of the said half-quarter section a distance of 240.00 feet to a Powell capped rebar; thence North 00 degrees 40 minutes 09 seconds West, parallel to the North line of the said half-quarter section a distance of 363.05 feet to a Powell capped rebar, set on the set line; thence South 89 degrees 46 minutes 19 seconds East, along the said line a distance of 240.00 feet to the point of beginning, containing 2.000 acres more or less and being subject to any and all easements, right of ways and restrictions.

BEING SUBJECT TO A 30' wide access and utility easement, with the East line of the said easement being described as follows:
Beginning at the Northeast corner of the of the said half-quarter section, said point being a Powell capped rebar, said point also being the point of beginning of the East line of the easement herein described; thence South 00 degrees 40 minutes 09 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the East line of the said half-quarter section a distance of 363.05 feet to a Powell capped rebar at the terminus of the east line of the said easement.

Description for Tract #2, being a 2.458 acre tract being split from a 80 acre tract of land owned by RIFE, BRADY J AS TRUSTEE OF THE KUHN CREDIT SHELTER EST UNDER THE LAST WILL AND TESTAMENT OF JACK L KUHN DATED DECEMBER 16, 2011 1/2 & KUHN, INEZ 1/2, described in Instrument #2014002061.

A part of the West Half of the Northeast Quarter of Section 8, Township 12 North, Range 8 East, Union Township, Shelby County Indiana, being more particularly described as follows:
Commencing at the Northeast corner of the of the said half-quarter section, said point being a Powell capped rebar, thence South 00 degrees 40 minutes 09 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the East line of the said half-quarter section a distance of 363.05 feet to a Powell capped rebar, said point also being the point of beginning of the tract herein described; thence South 00 degrees 40 minutes 09 seconds East, along the East line of the said half-quarter section a distance of 306.00 feet to a Powell capped rebar; thence North 89 degrees 46 minutes 19 seconds West, parallel to the North line of the

said half-quarter section a distance of 350.00 feet to a Powell capped rebar; thence North 00 degrees 40 minutes 09 seconds West, parallel to the East line of the said half-quarter section a distance of 306.00 feet to a Powell capped rebar; thence South 89 degrees 46 minutes 19 seconds East, parallel to the North line of the said half-quarter section a distance of 350.00 feet to the point of beginning, containing 2.458 acres more or less and being subject to any and all easements, right of ways and restrictions.

ALSO WITH A 30' wide access and utility easement, with the East line of the said easement being described as follows:
Beginning at the Northeast corner of the of the said half-quarter section, said point being a Powell capped rebar, said point also being the point of beginning of the East line of the easement herein described; thence South 00 degrees 40 minutes 09 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the East line of the said half-quarter section a distance of 363.05 feet to a Powell capped rebar at the terminus of the east line of the said easement.

Surveyor's Report:
This report is in accordance with Title 865, Article 1.1, Chapter 12, Sections 1 through 34, of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of Availability and condition of the reference monuments, Occupation or possession lines, Clarity or ambiguity of the record description used and/or adjoining's description. This survey falls within the classification of a Suburban survey and therefore has a Relative position accuracy of 0.13 feet plus 100 parts per million.

Purpose of the survey:
The purpose of this survey is to split of a 2.000 acre tract including the existing homestead and a 2.458 acre tract including the existing barn lot from the West half of the Northeast Quarter of Section 8, Township 12 North, Range 8 East, per the owner's instructions. The field work was performed on October 16, 2014 and other dates.

Availability and condition of the reference monuments:
The Northeast, Southeast corners of the Northeast quarter of Section 8, Township 12 North, Range 8 East were found per the county ties. A stone was found at the Southwest corner and a Wooded corner post was found at the Northwest corner, no old corner records were found, therefore the corner post was held as the best evidence. The monuments shown as set monuments per this survey are for the new tracts. The uncertainty associated with the said corners are represented on the heron drawn survey plat and within this report by Record vs Measured vs Calculated.

Occupation or possession lines:
No occupation was found or located per this survey, the new boundary line was established per the owners instruction. The found occupation lines per this survey are as noted on the survey plat.

Clarity or ambiguity of the record description used and/or adjoining's descriptions:
No ambiguities were found within the record document used per this survey.

Relative position accuracy of Measurements:
This survey falls within the classification of a Rural survey and therefore has a Relative position accuracy of 0.13 feet plus 100 parts per million plus the above stated uncertainties.