

ZONING ORDINANCE NO.

2016-12

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 6714 S 200 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 Noble 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 A2 - Agricultural (approximately 10.00 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:

Land rezoned from “A1,” Conservation Agricultural, to “A2” Agricultural:

The following parcel of land and real estate located in Noble Township, Shelby County, Indiana and particularly described herein being formerly zoned and shown on the Noble Township Zoning District Map and lying in an “A1” Agricultural district is hereby rezoned to “A2” Agricultural:

See attached legal description of subject rezone tract.

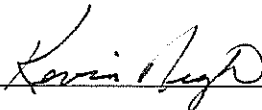
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

Section 4: Repealable Provisions. All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

ADOPTED this _____ day of July, 2016 by a vote of 2 ayes and 0

nays of members of the Board of Commissioners of Shelby County, Indiana.

1 abstention



Kevin Nigh, President

Don Parker, Member



Chris Ross, Member

ATTEST:



Mary Jo Phares, Auditor
Shelby County, Indiana

Description of the 72.91 acre tract owned by D. Joel & Heather R. Parker, described in Instrument #2015007047. Parcel #73-15-03-300-001.000-014.

Beginning at the northwest corner of the south quarter of the northwest quarter of Section 3, Township 11 north, Range 7 east, and running thence east 26.64 chains; thence south 55.81 chains to the south line of said section; thence west 27.22 chains to the southwest corner of said section; and thence north to the place of beginning, containing 150.20 acres, more or less; EXCEPTING THEREFROM the following described tracts, to-wit: Beginning at the southwest corner of said section 3 in township and range aforesaid and running thence east 27.22 chains; thence north 59 rods to a point 108.27 rods east of the west line of said section; thence west to the west line of said section; thence south 59 rods to the place of beginning, containing 40 acres, more or less, and ALSO, beginning at the northwest corner of the southwest quarter of the northwest quarter of section 3, in township 11 north, range 7 east and running thence east 26.64 chains; thence south 14 chains; thence west 26.64 chains, more or less, to the west line of said section; thence north 14 chains to the place of beginning, containing 37.29 acres, more or less, and containing in the real estate herein described, less said exceptions 72.91 acres, more or less.

Description for Tract #1 being a 5.001 acre split from the lands described in Instrument #2015007047.

A part of the Southwest Quarter of Section 3, Township 11 North, Range 7 East, Noble Township, Shelby County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of said quarter section, said point being a railroad spike, thence North 00 degrees 30 minutes 38 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates), along the West line of said quarter section a distance of 979.11 feet to a mag nail with a Powell washer, said point being the point of beginning of the tract herein described; thence continuing North 00 degrees 30 minutes 38 seconds East, along the said line a distance of 475.97 feet to a mag nail with a Powell washer set in the bridge approximately at the centerline of the creek; the next 8 calls being along the approximate centerline of said creek, thence North 42 degrees 07 minutes 10 seconds East a distance of 57.44 feet; thence North 58 degrees 20 minutes 03 seconds East a distance of 73.06 feet; thence North 66 degrees 12 minutes 38 seconds East a distance of 128.54 feet; thence South 66 degrees 48 minutes 48 seconds East a distance of 35.18 feet; thence South 17 degrees 31 minutes 36 seconds East a distance of 71.17 feet; thence South 49 degrees 08 minutes 11 seconds East a distance of 60.76 feet; thence South 79 degrees 24 minutes 57 seconds East a distance of 43.00 feet; thence South 55 degrees 27 minutes 38 seconds East a distance of 53.97 feet; thence South 00 degrees 30 minutes 38 seconds West a distance of 452.42 feet to a Powell capped rebar; thence North 89 degrees 29 minutes 22 seconds West a distance of 405.00 feet to the point of beginning, containing 5.001 acres more or less and being subject to any and all easements, right of ways and restrictions.

Description for Tract #2 being a 5.001 acre split from the lands described in Instrument #2015007047.

A part of the Southwest Quarter of Section 3, Township 11 North, Range 7 East, Noble Township, Shelby County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of said quarter section, said point being a railroad spike, thence South 88 degrees 41 minutes 32 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates), along the South line of said quarter section a distance of 1796.52 feet to a mag nail with a Powell washer set at the Southeast corner of a 40 acre tract described in Instrument #2015007047; thence North 00 degrees 00 minutes 24 seconds East, along the East line of the aforesaid 40 acre tract and continuing along the East line of a 72.91 acre tract also described in said instrument a distance of 1219.83 feet to a Powell capped rebar, said point being the point of beginning of the tract herein described; thence North 70 degrees 57 minutes 30 seconds West a distance of 569.02 feet to a Powell capped rebar; thence North 00 degrees 00 minutes 24 seconds East a distance of 175.00 feet to a Powell capped rebar; thence North 62 degrees 58 minutes 41 seconds East a distance of 603.86 feet to a Powell capped rebar set on the East line of the said 72.91 acre tract; thence South 00 degrees 00 minutes 24 seconds West, along said line a distance of 635.00 feet to the point of beginning, containing 5.001 acres more or less and being subject to any and all easements, right of ways and restrictions.

ALSO being with a 50 foot wide access and utility easement, with the centerline of said easement being described as follows: Commencing at the Southwest corner of said quarter section, said point being a railroad spike, thence North 00 degrees 30 minutes 38 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates), along the West line of said quarter section a distance of 1626.91 feet to the point of beginning of the easement herein described; thence North 89 degrees 15 minutes 05 seconds East a distance of 320.01 feet; thence South 40 degrees 48 minutes 16 seconds East a distance of 185.94 feet; thence South 70 degrees 51 minutes 52 seconds East a distance of 91.35 feet; thence North 81 degrees 34 minutes 20 seconds East a distance of 723.85 feet to the point of terminus of the said easement, said point being a point on the West line of the afore described 5.001 acre tract.