

**ZONING ORDINANCE NO. 2015 - 30**

**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 located just West of 3721 W 450 North, Fairland. 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 Brandywine 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:

**Land rezoned from “A1,” Conservation Agricultural, to “RE” Residential**

**Estate:**


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

**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Provisions.** All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.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 14<sup>th</sup> day of September, 2015 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Kevin Nigh, President

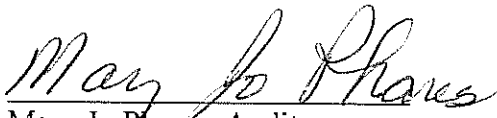


Don Parker, Member



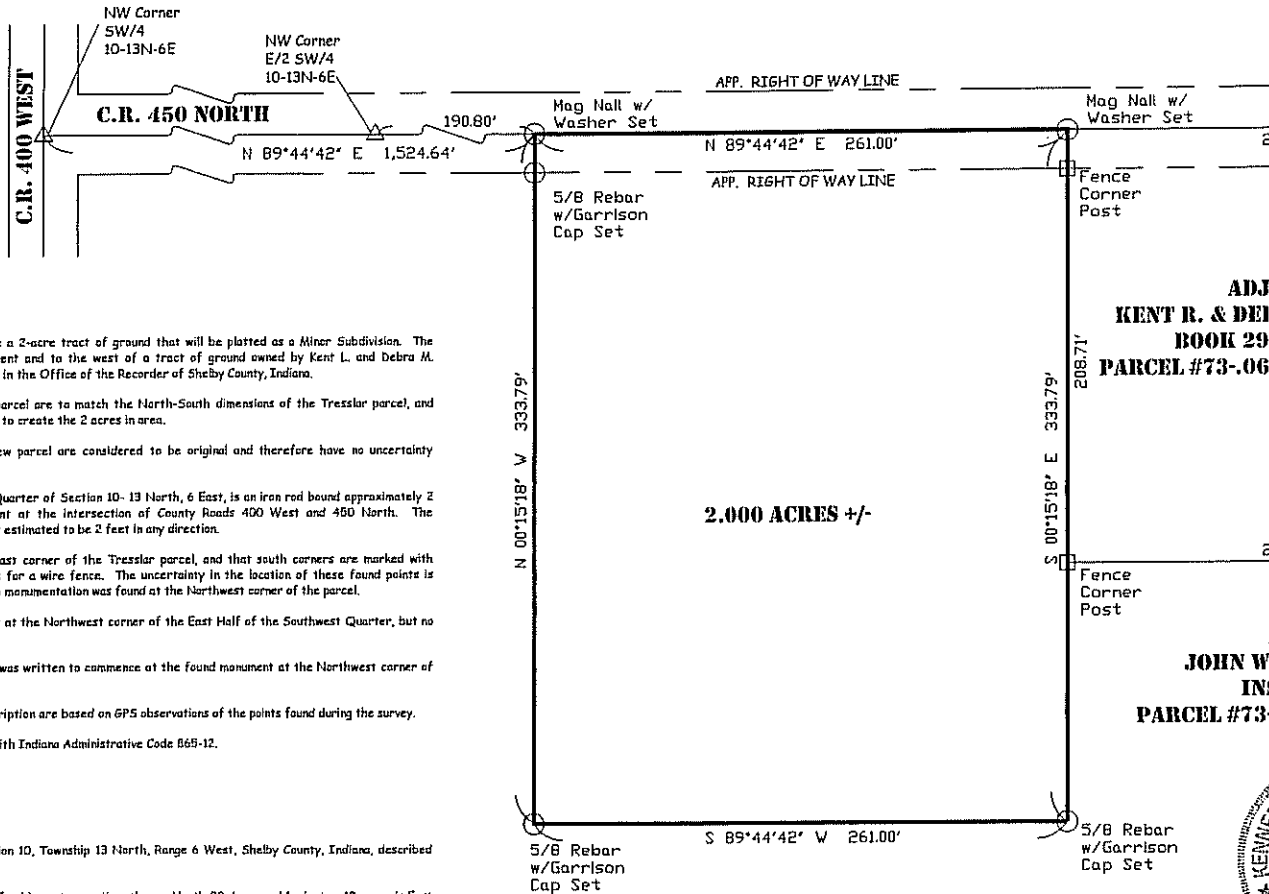
Chris Ross, Member

ATTEST:



Mary Jo Phares, Auditor  
Shelby County, Indiana

# PLAT OF SURVEY



This survey is an original survey to create a 2-acre tract of ground that will be platted as a Miner Subdivision. The intent is to make the new tract lie adjacent and to the west of a tract of ground owned by Kent L. and Debra M. Tresslar, described in Book 296, page 565, in the Office of the Recorder of Shelby County, Indiana.

The dimensions North-South of the new parcel are to match the North-South dimensions of the Tresslar parcel, and the width of the new parcel is to be enough to create the 2 acres in area.

The monuments that were set for the new parcel are considered to be original and therefore have no uncertainty associated with their location.

The Northwest corner of the Southwest Quarter of Section 10-13 North, 6 East, is an iron rod bound approximately 2 inches below the surface of the pavement at the intersection of County Roads 400 West and 480 North. The uncertainty in the location of this corner is estimated to be 2 feet in any direction.

A railroad spike was found at the Northeast corner of the Tresslar parcel, and that south corners are marked with rebars lying near wood fence corner posts for a wire fence. The uncertainty in the location of these found points is estimated to be 1 foot in any direction. No monumentation was found at the Northwest corner of the parcel.

The Tresslar parcel description commences at the Northwest corner of the East Half of the Southwest Quarter, but no evidence of this corner was found.

The description for the new 2-acre parcel was written to commence at the found monument at the Northwest corner of the Southwest Quarter.

Bearings shown on this plat and in the description are based on GPS observations of the points found during the survey.

This survey was conducted in accordance with Indiana Administrative Code 865-12.

## DESCRIPTION

A part of the Southwest Quarter of Section 10, Township 13 North, Range 6 West, Shelby County, Indiana, described as follows:

COMMENCING at the Northwest corner of said quarter section; thence North 89 degrees 44 minutes 42 seconds East 1,524.64 feet along the North line of said quarter section to a Mag Nail and the POINT OF BEGINNING of this description:

Thence continuing North 89 degrees 44 minutes 42 seconds East 261.00 feet along said north line to the Northwest corner of land granted to Kent L. and Debra M. Tresslar and described in Book 296, page 565, in the Office of the Recorder of Shelby County;

Thence South 00 degrees 15 minutes 18 seconds East 333.79 feet along the west line of said Tresslar land to the Southwest corner of said Tresslar land;

Thence South 89 degrees 44 minutes 42 seconds West 261.00 feet parallel with said North line to a 5/8 rebar with cap;

Thence North 00 degrees 15 minutes 18 seconds West 333.79 feet to the Point of Beginning, containing 2.000 acres, more or less.

APP. RIGHT OF WAY LINE

N 89°44'42" E 261.00'

APP. RIGHT OF WAY LINE

S 89°44'42" W 261.00'

N 00°15'18" W 333.79'

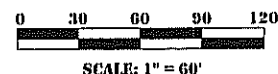
S 00°15'18" E 333.79'

2.000 ACRES +/-

ADJ  
KENT R. & DEB  
BOOK 29  
PARCEL #73-06

JOHN W  
IN!  
PARCEL #73-

ADJOINER:  
**JOHN W. & JOANNE R. COY**  
INST. #0204519  
PARCEL #73-06-10-400-005.000-004



RECORDED