

ZONING ORDINANCE NO. 2010-11

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 11280 N Division Road, Fountaintown. 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 Moral 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 A2-Agricultural to R1-Single Family Residential (approximately 1.529 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 “A2,” Agricultural, to “R1” Single Family Residential:

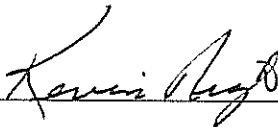
The following parcel of land and real estate located in Moral Township, Shelby County, Indiana and particularly described herein being formerly zoned and shown on the Moral Township Zoning District Map and lying in an “A2” Agricultural district is hereby rezoned to “R1” Single Family Residential:

See attached legal description of subject rezone tract.

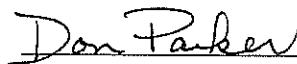
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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 3 ayes and 0
nays of members of the Board of Commissioners of Shelby County, Indiana.



Kevin Nigh, President

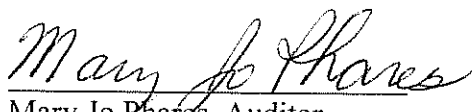


Don Parker, Member



Chris Ross, Member

ATTEST:



Mary Jo Phares, Auditor
Shelby County, Indiana



SURVEYOR'S REPORT

I, the undersigned Registered Land Surveyor, hereby certify that I have conducted an original survey under my direct supervision, for the purpose of staking a new parcel of land out of a larger 18 acre tract of land. To the best of my professional knowledge, information and belief, this drawing is an accurate representation of the survey of the real estate described herein.

The 865, Article 1, Chapter 12, Sections 1 through 30 of the Administrative Code requires that observations and opinions regarding uncertainties in these observations are as follows:

MEASUREMENTS (Relative Fractional Accuracy)
The Relative Fractional Accuracy of the lines and corners established by this survey is within the requirements for a Rural Survey as described in IAC 1-12-7 (d)(3), which is 1/256 feet per 1200 feet.

REFERENCE MONUMENTS
A rebar was found marking the southwest corner of Section 5 per reference ties found in the Office of the Shelby County Surveyor.

A railroad spike was found marking the Southwest corner of the Northwest Quarter of Section 5. Although this is not a full section corner, or Quarter corner, the point tied to this survey, and the Northerly adjoining tracts are defined from this corner.

No marker was found at the Northwest corner of Section 5. However, a railroad spike was found marking the Northwest corner of a 2 acre tract of land owned by E. Vernon at 11397 N. Division Road, 754 West 1/4 of the Southwest Quarter of Section 5. I used this railroad spike for alignment of the West line of the Southwest Quarter of Section 5.

A stone was found marking the Northeast corner of the Southwest Quarter of Section 5 per reference ties found in the Office of the Shelby County Surveyor. This stone should be reestablished a side center and may not necessarily be in the position of the true center of Section 5.

As from this is corner was found in State Road 9 marking the Southeast corner of the Southwest Quarter of Section 5 per reference ties found in the Office of the Shelby County Surveyor.

LINE OF OCCUPATION
A front yard fence exists near the North line of this surveyed tract and extends from 0.8 of a foot to 2.1 feet North of the dead line as shown on this plat of survey.

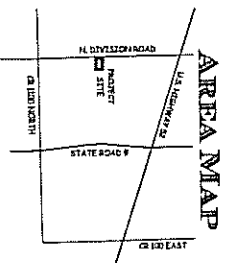
The South line of the new tract was established along or near an existing edge of agricultural row crops.

RAILROAD OCCUPANCY
This North line of the present tract is simple defined as running East, with no further qualifying calls. The Northerly adjoining tract actually gave a bearing for this line relative to the bearing of the Section line. Therefore, I chose to accept the relative bearing of the adjoining tract.

OTHER NOTES:
No title insurance policy was provided for use with this survey. It is possible that additional requirements or rights of way may exist, and are not necessarily shown on this plat of survey.

OWNERS CERTIFICATION:
We, Randy A. Pratt and Rebecca L. Pratt, do hereby certify that we are the owners of the property described in the above caption and that as such owners we have executed the said herein described property to be surveyed and subdivided as shown on the herein drawn plat, as our own free and voluntary act and deed.

Witness my hand this _____ day of _____ 2016.
Randy A. Pratt
Rebecca L. Pratt

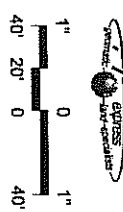
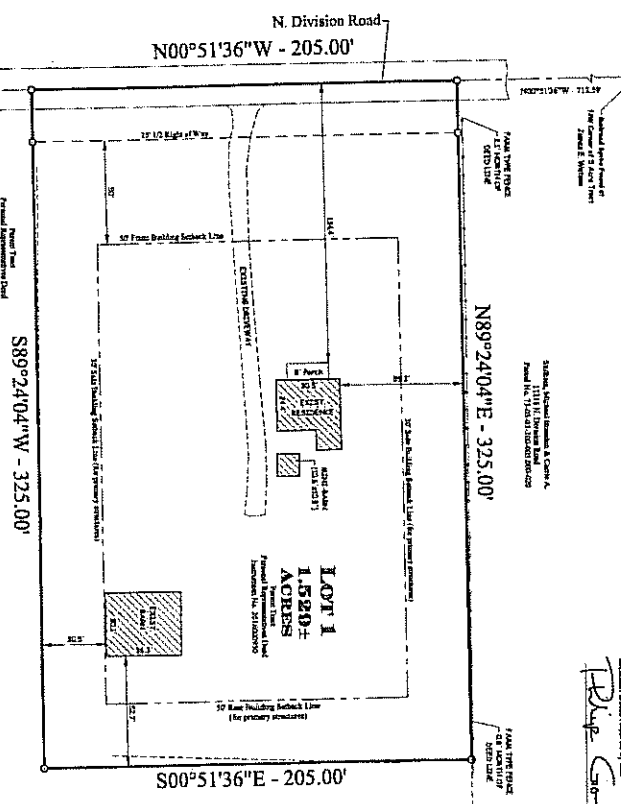


PLAN COMMISSION APPROVAL:
Approved by the Shelby County Plan Commission in accordance with Subdivision regulations.
By: _____ Date: _____
By: _____ Date: _____
Plan Commission

Part NW 1/4 of the SW 1/4 Section 5, T14N, R7E Van Buren Township Shelby County, Indiana

BOUNDARY SURVEY

11850 N. DIVISION ROAD
FOUNTAINVIEW, IN 46180



The document prepared by this firm has been prepared in accordance with the standards of the International Board of Standards and Practices for Certified Professional Surveyors (IBPS) and the standards of the National Society of Professional Surveyors (NSPS). The accuracy of the survey is guaranteed by the signature of the surveyor.

Don't expect a better set
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Scale: 1" = 60'
Date: 03/12/2016
Project #: 03-16-1317
N. Division Road
Map No. 17-03-03-00-00-00



Let One: A part of the Northwest Quarter of the Southwest Quarter of Section 5, Township 14 North, Range 7 East in Van Buren Township, Shelby County, Indiana, said part being more particularly described as follows:
Commencing at a rebar found marking the Southwest corner of said Section 5; thence North 00 degrees 51 minutes 38 seconds West along the West line of said Southwest Quarter Section 135831 East to a railroad spike corner of the Southwest Quarter Section 5; thence North 00 degrees 51 minutes 38 seconds West along the West line of said Quarter Quarter Section 379.76 feet to a mark spike marking the POINT OF BEGINNING of this subdivision; thence containing North 00 degrees 51 minutes 18 seconds West along said West line 205.00 feet to the Northwest corner of an 18 acre tract of land per Instrument Number 2016090950 in the Office of the Recorder of Shelby County, Indiana; thence North 89 degrees 24 minutes 04 seconds East along the North line of said 18 acre tract 325.00 feet to a railroad spike (corner); thence South 80 degrees 31 minutes 20.00 seconds East 578 feet to the West line (Asym); thence South 89 degrees 24 minutes 04 seconds West 325.00 feet to the Point of Beginning, containing 1.529 acres, more or less, Subject, however, to all legal highways, rights of way, easements and restrictions of record.

SURVEYOR CERTIFICATE
I, Phillip D. Goidig, 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 established the same true One (1) acre Lot as shown on the herein drawn plat. This plat (correctly) represents said lot very and subdivisions in every detail. Measurements shown are in place as received.
Witness my hand this 12th day of March, 2016
Phillip D. Goidig
Registered Land Surveyor, 153590600



Shelby County, Indiana
Map No. 17-03-03-00-00-00