

**ORDINANCE NO. 2023 - 10**

**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 at 8297 S 750 E, Saint Paul, Nobel Township. 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 Nobel 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) and A2 (Agricultural) to RE (Residential Estate) (4.2-acres). A petition was filed by Scott T Sumerford on behalf of Mark Adams on February 23, 2023 under Case No. RZ 23-08, to amend the zoning map of Shelby County, Indiana to change the zoning of said real estate.

**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 sub-section:

**Land rezoned from "A1" Conservation Agricultural & "A2," Agricultural, to "RE"**

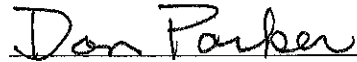
**Residential Estate:**

The parcel of land and real estate located in Nobel Township, Shelby County, Indiana and particularly described by the attached legal description Exhibit "A" and shown on the attached map, Exhibit "B", being formerly zoned and shown on the Nobel Township Zoning District Map as lying in an "A1" Conservation Agricultural and "A2" Agricultural District is hereby rezoned to "RE" Residential Estate.

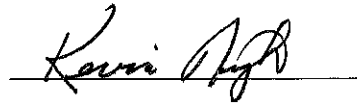
**Section 3: Effective Date.** This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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Provisions.** All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

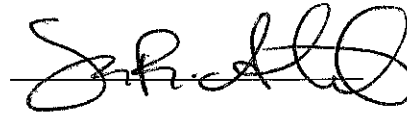
ADOPTED this 10<sup>th</sup> day of April, 2023 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Don Parker, President



Kevin Nigh, Member



Jason Abel, Member

ATTEST:



Amy Glackman  
Shelby County, Indiana

## EXHIBIT A

### LEGAL DESCRIPTION LOT 1

Part of the northwest quarter of Section Sixteen (16), Township Eleven (11) North, Range Eight (8) East, Noble Township, Shelby County, Indiana, being part of the ABC Adams, LLC property as described in Instrument No. 2017002790, recorded May 25, 2017 in the Office of the Shelby County Recorder, and also being part of survey Job #11N8E16-23-008 by Scott T. Sumerford, RLS#29800017, certified March 28, 2023 and being more particularly described as follows:

Commencing at the northeast corner of the northwest quarter of said section 16-11-8, said point being marked by a railroad spike over a stone; thence along the east line of said quarter section, South  $00^{\circ}08'51''$  West (basis of bearings being Indiana State Plane East Zone) 1204.91 feet to a magnail and washer stamped "S. Sumerford 9800017" at the point of beginning of the herein described tract;

Thence continuing along said east line, South  $00^{\circ}08'51''$  West 209.93 feet to a magnail and washer stamped "S. Sumerford 9800017"; thence North  $89^{\circ}56'12''$  West 415.00 feet to a capped rebar stamped "S. Sumerford 29800017"; thence parallel with the east line of said quarter, North  $00^{\circ}08'51''$  East 209.93 feet to a capped rebar stamped "S. Sumerford 29800017"; thence South  $89^{\circ}56'12''$  East 415.00 feet to the point of beginning, containing 2.000 acres.

Subject to all easements, restrictions and right-of-ways of record.

### LEGAL DESCRIPTION LOT 2

Part of the northwest quarter of Section Sixteen (16), Township Eleven (11) North, Range Eight (8) East, Noble Township, Shelby County, Indiana, being part of the ABC Adams, LLC property as described in Instrument No. 2017002790, recorded May 25, 2017 in the Office of the Shelby County Recorder, and also being part of survey Job #11N8E16-23-008 by Scott T. Sumerford, RLS#29800017, certified March 28, 2023 and being more particularly described as follows:

Commencing at the northeast corner of the northwest quarter of said section 16-11-8, said point being marked by a railroad spike over a stone; thence along the east line of said quarter section, South  $00^{\circ}08'51''$  West (basis of bearings being Indiana State Plane East Zone) 1414.84 feet to a magnail and washer stamped "S. Sumerford 9800017" at the point of beginning of the herein described tract;

Thence continuing along said east line, South  $00^{\circ}08'51''$  West 230.93 feet to a magnail and washer stamped "S. Sumerford 9800017"; thence North  $89^{\circ}56'12''$  West 415.00 feet to a capped rebar stamped "S. Sumerford 29800017"; thence parallel with the east line of said quarter, North  $00^{\circ}08'51''$  East 230.93 feet to a capped rebar stamped "S. Sumerford 29800017"; thence South  $89^{\circ}56'12''$  East 415.00 feet to the point of beginning, containing 2.200 acres.

Subject to all easements, restrictions and right-of-ways of record.

**EXHIBIT B**

