

BY THE CLARK COUNTY  
PLAN COMMISSION

ORDINANCE NO. 3-2010

RESOLUTION 1-2010

WHEREAS, the Clark County Plan Commission (Plan Commission) met on January 13, 2010 and heard the petition of 403 Properties, LLC asking that the property known by its street address as 8122 Old Highway 60 be reclassified from A-1 Agricultural Zone to RP Patio Home Residential; and

WHEREAS, the real estate for which the rezoning is being requested is more particularly described in Exhibit A, attached herewith and made a part hereof; and

WHEREAS, the Plan Commission heard the presentation of the Petitioner(s) and the objections, comments, remonstrations and other relevant information presented by those in attendance at the hearing, if any; John Gannan, attorney, represented Mike & Melody McNames who were opposed, Sharon Kleehammer, Susan Waiz and Juanita Happel spoke in opposition.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission as follows:

1. The petition to rezone the real estate described in Exhibit A was heard after notice to interested persons was properly given in accordance with the ordinance and Indiana law; and
2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting.
3. The Plan Commission recommends to the Board of Commissioners of Clark County as follows:

(Check One)

The real estate described in Exhibit A should be reclassified from A-1 Agricultural Zone to RP Patio Home Residential.

\_\_\_\_\_ The real estate described in Exhibit A should NOT be reclassified from \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_ The Plan Commission was unable to reach consensus as required by law, and therefore sends the rezoning petition to the Clark County Commissioners WITHOUT RECOMMENDATION.

Dated this 14th day of January, 2010.

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on January 13, 2010.

ATTEST:

  
\_\_\_\_\_  
Secretary or Executive Director

## EXHIBIT A

Being a part of Survey No. 88 of the Illinois Grant to Clark County, Indiana and being further described as follows: Beginning at a magnetic aluminum monument on the north corner of Survey 88; thence South 34 deg. 17' 01" East along the line dividing Survey Nos. 88 and 89, 526 feet to a stone; thence continuing along said dividing line South 34 deg. 20' 33" East along said dividing line, 766 feet to a steel pin with cap; thence South 54 deg. 53' 18" West, 694.51 feet to an iron pipe, the true place of beginning; thence South 54 deg. 53' 16" West, 379.83 feet to an iron pipe; thence North 29 deg. 44' 57" West, 299.86 feet to a steel pin with cap; thence South 54 deg. 53' 39" West, 299.98 feet to an iron pipe; thence North 29 deg. 23' 22" West, 80.07 feet to an iron pipe; thence South 54 deg. 52' 07" West passing an iron pipe at 153.17 feet, a total distance of

178.52 feet to a MAG nail on the center line of Old Highway 60; thence North 29 deg. 45' 24" West along said center line, 160.10 feet to a MAG nail; thence North 54 deg. 53' 58" East passing an iron pipe at 25.11 feet, and passing an iron pipe at 478.01 feet, a total distance of 814.81 feet to a steel pin; thence South 34 deg. 19' 14" East, 537.48 feet to the true place of beginning, containing 6.717 acres.

Being and intending to be the same real estate conveyed to West Clark 2000 School Building Corporation, an Indiana corporation, by Deed dated December 27, 2007, recorded as Instrument No. 200724675.

**ACTION TAKEN BY BOARD OF COMMISSIONERS  
OF CLARK COUNTY, INDIANA**

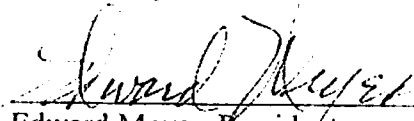
This matter having come before the Board of Commissioners of Clark County, Indiana (County Commissioners) on \_\_\_\_\_ on the petition of 403 Properties, LLC to reclassify the real estate described in Exhibit A from A-1 Agricultural Zone to RP Patio Homes Residential; and the Plan Commission has adopted the foregoing resolution in which it makes its recommendations to the County Commissioner and the County Commissioners having read the recommendation, having reviewed all available evidence, having considered the county's comprehensive plan, having balanced the competing interests of those in the area affected, if any, now, therefore, determines as follows:

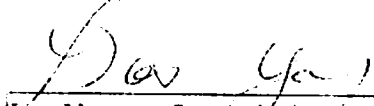
\_\_\_\_\_ The real estate described in Exhibit A should be reclassified on the zoning maps from \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_ The real estate described in Exhibit A SHOULD NOT be reclassified on the zoning maps.

Dated this 4th day of February, 2010.


Board of Commissioners of  
Clark County, Indiana

  
\_\_\_\_\_  
Edward Meyer, President

  
\_\_\_\_\_  
Les Young, Commissioner

\_\_\_\_\_  
Mike Moore, Commissioner

ATTEST:

  
\_\_\_\_\_  
Keith Groth, Clark County Auditor

Name 403 Properties, LLC

Petition No. 1-2010

The Clark County Plan Commission does hereby recommend approval, denial or no recommendation of said petition on this 13<sup>th</sup> day of January, 2010, by a 5-2 vote.

MEMBER	APPROVED	DENIED	NO	ABSTAIN
			RECOMMENDATION	

David Trotter \_\_\_\_\_

John Uhl  
 John Uhl \_\_\_\_\_ ✓ \_\_\_\_\_

Ashlea A. Meyer  
 Ashlea Meyer \_\_\_\_\_ ✓ \_\_\_\_\_

Paul E. Coffman  
 Paul Coffman \_\_\_\_\_ ✓ \_\_\_\_\_

Kevin Vissing  
 Jack Coffman, County Council \_\_\_\_\_ ✓ \_\_\_\_\_

Bob Isgrigg  
 Bob Isgrigg, Co. Surveyor \_\_\_\_\_ ✓ \_\_\_\_\_

Edward Meyer  
 Edward Meyer, Co. Commissioner \_\_\_\_\_ ✓ \_\_\_\_\_

Dave Porter  
 Dave Porter \_\_\_\_\_ ✓ \_\_\_\_\_

Rick Wardlaw  
 Rick Wardlaw \_\_\_\_\_ ✓ \_\_\_\_\_