

ORDINANCE NO. 2019-13

**AN ORDINANCE TO AMEND THE HUNTINGTON COUNTY
OFFICIAL ZONING MAP**

WHEREAS, the Andrews Plan Commission considered Docket APC-19-001, an application filed by Mitchell and JoEllen Garrison to amend the Official Zoning Map as to certain real estate from A (Agricultural) to GB (General Business), specifically on property containing 3.97-acres located within parcel #35-04-15-400-018.304-002 located at 8004 W. Old Wabash Road, Andrews, Indiana; and,

WHEREAS, the Andrews Plan Commission, by a vote of 6 to 0, issued a favorable recommendation to application APC-19-001 at a public hearing duly held on August 14, 2019. Official certification of the Plan Commission proceedings is attached and is incorporated hereto as Exhibit A, and a map and legal description of the affected property is attached and is incorporated hereto as Exhibit B; and,

WHEREAS, the Board of Commissioners now determines that this proposed rezoning of real estate is consistent with the Comprehensive Plan and gives reasonable regard to current conditions and uses in the areas sought to be rezoned as well as adjoining districts. This rezoning of real estate to GB (General Business) achieves the most desirable use of the property involved and encourages responsible development and growth. The proposed zoning will conserve and enhance property values throughout the area.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Huntington County, Indiana, that the Official Zoning Map of Huntington County be and is hereby amended to rezone the above described real estate from A (Agricultural) to GB (General Business).

[SIGNATURE BLOCK ON NEXT PAGE]

Approved by the Board of County Commissioners of Huntington, Indiana, this
3rd day of September, 2019.

Absent as
(Larry Buzzard) President

Tom Wall as
(Tom Wall) Member

Rob Miller as
(Rob Miller) Member

Board of County Commissioners
Huntington County
Huntington, Indiana

ATTEST:

Jill M. Landrum
Jill Landrum
Huntington County Auditor

Exhibit "A"

Andrews Plan Commission Certification

On August 14, 2019, the Town of Andrews Plan Commission, by a 6-0 vote, certified a favorable recommendation on application APC-19-001: A Reclassification of Zoning from A (Agricultural) to GB (General Business).

A handwritten signature in black ink, reading "Kim Hostetler". The signature is written in a cursive style with a horizontal line underneath the name.

Kim Hostetler, Secretary
Andrews Plan Commission

LEGAL DESCRIPTION: PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 28 NORTH, RANGE 8 EAST, DALLAS TOWNSHIP, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTHWEST CORNER OF THE EAST HALF OF SAID SOUTHEAST QUARTER: THENCE NORTH 88 DEGREES 33 MINUTES 27 SECONDS EAST (NORTH 01 DEGREES 05 MINUTES 30 SECONDS WEST DEED BEARING DEED RECORD 264, PAGE 48 TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER AND THE BASIS FOR THESE BEARINGS), 18.82 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO A 5/8" REBAR STAKE ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 24 AS DESCRIBED IN DEED RECORD 264, PAGE 48, WHICH SHALL BE THE PLACE OF BEGINNING; THENCE ALONG SAID SOUTHERLY AND WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: THENCE 331.27 FEET ALONG A CURVE TO THE LEFT, WHOSE RADIUS IS 8744.37 FEET AND FALLS NORTHWESTERLY, WHOSE CHORD IS 331.24 FEET AND BEARS NORTH 53 DEGREES 15 MINUTES 54 SECONDS EAST TO A 5/8" REBAR STAKE AT THE P.T. OF SAID CURVE; THENCE NORTH 55 DEGREES 04 MINUTES 47 SECONDS EAST, 395.27 FEET TO A 5/8" REBAR STAKE; THENCE NORTH 52 DEGREES 10 MINUTES 46 SECONDS EAST, 500.00 FEET TO A 5/8" REBAR STAKE; THENCE SOUTH 76 DEGREES 55 MINUTES 51 SECONDS EAST, 94.68 FEET TO A 5/8" REBAR STAKE; THENCE SOUTHEASTERLY 139.53 FEET ALONG A CURVE TO THE RIGHT, WHOSE RADIUS IS 1065.92 FEET AND FALLS SOUTHWESTERLY, WHOSE CHORD IS 139.43 FEET AND BEARS SOUTH 29 DEGREES 27 MINUTES 33 SECONDS EAST TO A 5/8" REBAR STAKE; THENCE SOUTH 18 DEGREES 17 MINUTES 08 SECONDS WEST, 29.10 FEET TO A 5/8" REBAR STAKE ON THE NORTHERLY RIGHT-OF-WAY LINE OF OLD U.S. HIGHWAY No. 24; THENCE SOUTH 11 DEGREES 45 MINUTES 25 SECONDS EAST, 30.94 FEET TO A MAG NAIL ON THE CENTERLINE OF SAID OLD U.S. HIGHWAY No. 24; THENCE SOUTH 64 DEGREES 15 MINUTES 30 SECONDS WEST, 1217.94 FEET ALONG SAID CENTERLINE TO THE PLACE OF BEGINNING. CONTAINING 3.97 ACRES MORE OR LESS.

SUBJECT TO: THE RIGHT-OF-WAY OF COUNTY ROAD 300 NORTH, OLD U.S. HIGHWAY No. 24 AND RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

ALL AS SHOWN BY STOODY ASSOCIATES, PROFESSIONAL LAND SURVEYORS, ON PLAT OF SURVEY NUMBER W-12886.

SURVEY REPORT

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12, SEC. 1-29 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

- a) VARIANCES IN THE REFERENCE MONUMENTS: SEE LEGEND.
- b) DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS: SEE SURVEY PLAT.
- c) INCONSISTENCIES IN LINES OF OCCUPATION: SEE SURVEY PLAT. UP TO 22.4 FEET

THE ACCEPTABLE RELATIVE POSITIONAL ACCURACIES OF THE CORNERS OF THE DESCRIBED REAL ESTATE IS WITHIN THE SPECIFICATIONS FOR A (RURAL SURVEY 0.26 FEET) AS DEFINED BY TITLE 865.

THIS IS AN ORIGINAL SURVEY OUT OF DEED RECORD 264 PAGE 48. THE COUNTY WITNESSED SECTION CORNER AT THE SOUTH QUARTER CORNER AND A 10" WOOD POST AT THE CENTER OF THE SECTION WERE USED TO ESTABLISH THE SOUTH LINE OF THE SOUTHEAST QUARTER AND THE EAST LINE OF THE WEST HALF OF SAID QUARTER BASED ON A SURVEY BY RANDY MILLER RECORDED IN DOCUMENT NUMBER 2006001941. THE RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 24 WAS ESTABLISHED BY DEED CALLS AS DESCRIBED IN DEED RECORD 264, PAGE 48 AND SAID MILLER SURVEY AND STATE HIGHWAY PLANS, PROJ. MAF-146-0(9) DATED MAY 20, 1992. THE EXISTING RIGHT-OF-WAY FENCE GENERALLY FOLLOWS THE DEED LINE EXCEPT AT THE NORTHEAST CORNER OF THIS TRACT WHERE IT FALLS UP TO 22.4 FEET SOUTH OF THE DEED CORNER.

NOTE: THIS SURVEY IS VALID WITH ORIGINAL SEAL, SIGNATURE AND PAYMENT OF INVOICE. THE INFORMATION ON THE ATTACHED DRAWING IS INTENDED FOR THIS TRANSACTION ONLY AS DATED BELOW AND IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OF SUBSEQUENT OWNERS. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTATION BY THE LAND SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE LAND SURVEYOR. I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW, JOEL A. HOEHN.

NO TITLE COMMITMENT WAS PROVIDED AT TIME OF SURVEY. A TITLE SEARCH COULD REVEAL DOCUMENTS THAT MAY AFFECT SUBJECT REAL ESTATE.

THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, WITH STOODY ASSOCIATES, 121 EAST MARKET STREET, BLUFFTON, INDIANA, HEREBY CERTIFIES THAT THIS PLAT OF SURVEY WAS MADE UNDER THEIR SUPERVISION AS SHOWN AND WAS COMPLETED ON JUNE 15, 2007, FIELD AND JULY 2, 2007, OFFICE.

