4-1-14

ORDINANCE NO. R- 2015-18 TAX CODE(S) 82-07-18-017-174.017-027

AN ORDINANCE TO REZONE CERTAIN REAL ESTATE IN THE CITY OF EVANSVILLE, STATE OF INDIANA, MORE COMMONLY KNOWN AS 6635 OLD BOONVILLE HIGHWAY
(Here insert common address)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF EVANSVILLE, INDIANA, AS FOLLOWS, TO WIT:

Section 1: That Ordinance no. G-82-51, being the Municipal Code of the City of Evansville, Indiana, 1982, and more particularly Title XV, Chapter 153, by making certain changes in Atlas 1, which is made part of said section with respect to the following described real estate located in the City of Evansville, Vanderburgh County, State of Indiana:
SEE ATTACHED DESCRIPTION

by changing the zoning classification of the above-described real estate from R-1 R-3 to R-3, and said real estate is hereby so rezoned and reclassified.

Section 2. The Director of the Area Plan Commission of Evansville and Vanderburgh County is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on said Atlas 1 as set out in Section 1 of this Ordinance, and to make notation in ink thereon of reference to the number of this ordinance and the date of final publication of the amendatory ordinance after its passage and approval; however, failing to do so shall not invalidate this Ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Common Council, its approval by the Mayor, and its publication as required by law, which publication is now ordered.

Passed by the Common Council of Evansville, Indiana, on this __ day of _____, 20_____ .

ATTEST: _____
President

_____
City Clerk

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, to the Mayor of said city, the _____ day of _____, 20 _____.

_____
City Clerk

Having examined the foregoing Ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said Ordinance, and return same to the City Clerk this ___ day of _____ , 20 _____, at __ o'clock _____.

_____
Mayor of the City of Evansville, Indiana

THIS INSTRUMENT PREPARED BY: CASH WAGGONER & ASSOCIATES, PC
SCOTT BUEDEL

FILED
MAY 12 2015
Laura Windnest
CITY CLERK

Rezoning Description
(Area to be Rezoned from R-1 & R-3 to R-3)

Part of the Southwest Quarter of the Northwest Quarter of Fractional Section 18, Township 6 South, Range 9 West in Vanderburgh County, Indiana and being more particularly described as follows:

Commencing at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 18; thence along the south line of said Quarter Quarter Section, South 89 degrees 22 minutes 01 second East 831.98 feet to the southwest corner of a tract of land conveyed to Darol L. and Layne T. and Jerol W. Watson in Deed Drawer 4, card 5276 in the Office of the Recorder of Vanderburgh County, Indiana and being the point of beginning; thence along the west line of said Watson tract, North 01 degree 14 minutes 29 seconds East 1329.03 feet to a point on the south side of a tract of land conveyed to the Board of Commissioners of Vanderburgh County, Indiana in Document 2003R00056468 in the Office of said Recorder; thence along the south side of said Commissioners tract, North 87 degrees 57 minutes 47 seconds East 27.84 feet to the beginning of a curve to the left having a central angle of 07 degrees 53 minutes 33 seconds, a radius of 457.60 feet and a chord dimension of North 83 degrees 55 minutes 04 seconds East 62.98 feet; thence along the south side of said Commissioners tract and along the arc of said curve 63.03 feet to the south side of a 16.5-foot exception described in said Watson deed; thence along the south side of said exception and along the north line of said Watson tract, North 89 degrees 54 minutes 32 seconds East 132.82 feet; thence continue along the south side of said exception and along the north line of said Watson tract, North 89 degrees 38 minutes 09 seconds East 204.33 feet; thence along the east line of said Watson tract, South 01 degree 25 minutes 45 seconds West 1342.98 feet to the southeast corner thereof and being a point on the south line of Southwest Quarter of the Northwest Quarter of said Section 18; thence along the south line of said Quarter Quarter Section, North 89 degrees 22 minutes 01 second West 422.92 feet to the point of beginning and containing a gross area of 13.062 Acres, more or less.

Subject to a 60-foot Access and Utility Easement for Arbors Drive recorded in Document 2003R00056469 in the office of said Recorder.

Also, subject to all other easements, rights-of-ways, and restrictions of record.

82-07-18-017-174.002-027
Allen L. & Pamela R. Mosbey
8111 Gardner Road
Chandler, IN 47610
R-1

Northeast Corner
W. 1/2, S.W. 1/4, N.W. 1/4
Section 18, T 6 S, R 9 W

82-07-18-017-174.012-027
George B. & Mary Wunderlich
6701 Old Boonville Highway
Evansville, IN 47715
Document 2000R00015085
R-1

132.82'
N 89°54'32" E

204.81'
N 89°38'09" E
16.5' Exception

OLD BOONVILLE HIGHWAY

N 89°38'09" E
204.33'

S 89°38'09" W 831.77'

Northeast Corner
S.W. 1/4, N.W. 1/4
Section 18, T 6 S, R 9 W
Calculated location from
East Pointe Business Park

C-1

N 87°57'47" E 27.84'

Shaded Area conveyed to
Board of Commissioner's
of Vanderburgh County
in Doc. 2003R00056468

82-07-18-017-174.019-027
Crosspointe Trinity Church, Trust
4321 Vogel Road
Evansville, IN 47715
Document 2014R00012797
R-1

ARBORS DRIVE
60' Access and Utility Easement
per Document 2003R00056469

82-07-18-017-174.015-027
Arbors at Eastland, LP
3900 Edison Lakes Parkway, Suite 201
Mishawaka, IN 46546
Document 2003R00056454
R-3

Curve Table

NUMBER	C-1
DELTA ANGLE	07°53'33"
CHORD DIRECTION	N 83°55'04" E
TANGENT	31.57
RADIUS	457.60
ARC LENGTH	63.03
CHORD LENGTH	62.98

N 01°14'29" E 1329.03'

82-07-18-017-174.017-027
Darol L. & Layne T. & Jerol W. Watson
755 S. Decker Road
Boonville, IN 47601
Deed Drawer 4, card 5276

Area to be
Rezoned from
R-1 & R-3 to R-3
13.062 Acres

S 01°25'45" W 1342.98'

SCOTT D. BUEDEL
REGISTERED
LS29900031
STATE OF
INDIANA
LAND SURVEYOR

82-07-18-017-174.011-027
Crosspointe Trinity Church, Trust
4321 Vogel Road
Evansville, IN 47715
Document 2014R00012797
R-1

N

0 150 300
LINEAR SCALE 1"= 150'

P.O.C.
Southwest Corner
S.W. 1/4, N.W. 1/4
Section 18, T 6 S, R 9 W

S 89°22'01" E 831.98'

P.O.B.

N 89°22'01" W 422.92'

S 89°22'01" E 368.52'
390.84'

Lot 7
82-07-18-011-245.006-027
Peyronnin Investments, Inc.
1901 N. Kentucky Avenue
Evansville, IN 47711
M-1

Lot 8
82-07-18-011-245.007-027
Peyronnin Investments, Inc.
1901 N. Kentucky Avenue
Evansville, IN 47711
M-1

Lot 9
82-07-18-011-246.001-027
Deep Hole Partnership
P.O. Box 3317
Evansville, IN 47732
M-1

Lot 10
82-07-18-011-246.002-027
Deep Hole Partnership
P.O. Box 3317
Evansville, IN 47732
M-1

Lot 24
Burkhardt Center, Phase II
Plat Book R, page 167
82-07-18-011-246.002-027
Deep Hole Partnership
P.O. Box 3317
Evansville, IN 47732
M-1

INTERCHANGE ROAD NORTH

PROJECT NO.:	15-2106
DRAWN BY:	BUEDEL
FILENAME:	2106-REZONING
SCALE:	1" = 150'
DATE:	4/8/2015

CLIENT: HESTIA DEVELOPMENT, LLC

SHEET TITLE: REZONING EXHIBIT
PART OF THE SW1/4, NW1/4
SECTION 18, T6S, R9W
OLD BOONVILLE HIGHWAY
EVANSVILLE, IN 47715

CASH WAGGNER & ASSOCIATES
CONSULTING ENGINEERS • LAND SURVEYORS
WWW.CASHWAGGNER.COM

414 CITADEL CIRCLE
SUITE B
EVANSVILLE, IN 47715
PH: 812.401-5561
FAX: 812.401-5563

4-1-14

VERIFIED PETITION FOR REZONING

2015 - 21 -PC ORDINANCE NO. R- 2015-18

COUNCIL DISTRICT: WARD 1 - DANIEL McGINN

PETITIONER HESTIA DEVELOPMENT, LLC PHONE 812-459-3444

ADDRESS 3548 ARBOR POINTE DR., NEWBURGH ZIP CODE 47630

OWNER OF RECORD DAROL L. WATSON PHONE 812-477-1723

ADDRESS 3623 Pebble Place, Evv E, IN ZIP CODE 47725

1. Petition is hereby made for the amendment of the "Zoning Maps" of the Area Plan Commission of Evansville and Vanderburgh County, pursuant to the Indiana Code and the Municipal Code of Evansville.
2. Premises affected are on the SOUTH side of OLD BOONVILLE HIGHWAY a distance of 830 feet EAST (N.S.E.W.) of the corner formed by the intersection of N. BURKHARDT and OLD BOONVILLE HIGHWAY
   Registered Neighborhood Association (if applicable) NONE

LEGAL DESCRIPTION:
SUBDIVISION NA BLOCK NA LOT NO. NA
(where applicable - if not in a subdivision, insert legal here or attach to ordinance) SEE ATTACHED

3. The commonly known address is 6635 OLD BOONVILLE HIGHWAY
4. The real estate is located in the Zone District designated as R-1 AND R-3
5. The requested change is to (Zone District) R-3
6. Present existing land use is VACANT
7. The proposed land use is CONDOMINIUMS WITH CLUBHOUSE
8. Utilities provided: (check all that apply)
   City Water ✓ Electric ✓ Gas ✓ Storm Sewer ✓
   Sewer: Private ____ Public ✓ Septic ____
9. All attachments are adopted by reference.
10. The owner, or attorney for the owner, hereby certifies that the owner of record shown above owns 50% or more of the area of the above described real estate. I affirm under the penalties for perjury that the foregoing representations are true.

(REQUIRED) Signatures:

DATE 5-11-15 (when signed) PETITIONER [signature] Mng Mbr.
PRINTED NAME BRIAN MURPHY

DATE 5/8/2015 (when signed) OWNER OF RECORD Darol L Watson
PRINTED NAME DAROL L. WATSON

REPRESENTATIVE FOR PETITIONER (Optional)
NAME CASH WAGGNER & ASSOCIATES, PC
ADDRESS/ZIP 414 CITADEL CIRCLE, SUITE B 47715
PHONE 812-401-5561

FILED
MAY 12 2015
[signature]
CITY CLERK

4-1-14

VERIFIED PETITION FOR REZONING

_____-PC ORDINANCE NO. R-_____

COUNCIL DISTRICT: WARD 1 - DANIEL McGINN

PETITIONER HESTIA DEVELOPMENT, LLC PHONE 812-459-3444

ADDRESS 3548 ARBOR Pointe DRIVE, NEWBURGH ZIP CODE 47630

OWNER OF RECORD JEROL W. WATSON PHONE 812-897-2126

ADDRESS 755 S. DECKER RD., BOONVILLE, IN ZIP CODE 47601

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Registered Neighborhood Association (if applicable) NONE

LEGAL DESCRIPTION:
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City Water ✓ Electric ✓ Gas ✓ Storm Sewer ✓
Sewer: Private _____ Public ✓ Septic _____
9. All attachments are adopted by reference.
10. The owner, or attorney for the owner, hereby certifies that the owner of record shown above owns 50% or more of the area of the above described real estate. I affirm under the penalties for perjury that the foregoing representations are true.

(REQUIRED) Signatures:

DATE _____ PETITIONER _____
(when signed) PRINTED NAME _____

DATE May 12, 2015 OWNER OF RECORD Jerol W Watson
(when signed) PRINTED NAME JEROL W. WATSON

REPRESENTATIVE FOR PETITIONER (Optional)
NAME CASH WAGGONER & ASSOCIATES, PC
ADDRESS/ZIP 414 CITADEL CIRCLE, SUITE B 47715
PHONE 812-401-5561

Rezoning Description
(Area to be Rezoned from R-1 & R-3 to R-3)

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Also, subject to all other easements, rights-of-ways, and restrictions of record.

ALEX LN
COUNTRY LN
SQUIRE LN
MIMOSA DR
R-1
OLD BOONVILLE HWY
C-4
REZONE R-1 & R-3 TO R-3
ARBORS DR
ARBORS DR
ARBORS CT
STERLING DR
R-3
W BURKHARDT RD
CO-2
M-2
N 169
N 169
INTERCHANGE RD N
M-1
M-3
WEDEKING AVE
INTERCHANGE RD S
E MORGAN AVE
N CROSS POINTE BLVD
LOGAN DR