

ORDINANCE NO. 2023-7

AN ORDINANCE REZONING LAND WITHIN
THE JURISDICTION OF MORGAN COUNTY, INDIANA

WHEREAS, the Morgan County Commissioners have adopted a Unified Development Ordinance (UDO) for the County that includes a map showing the zoning classifications assigned to land within the County's jurisdiction; and

WHEREAS, a petition has been filed by Doug Molin on behalf Molin Enterprises, LLC requesting the County to rezone certain real estate located in part of Section 14, Township 12 North, Range 1 East, Morgan County, Indiana. This real estate is fully described in the attached legal description Exhibit A and illustrated in attached Exhibit B; and

WHEREAS, the petitioners requested approximately 21.6 acres to be rezoned from Residential 1 (R-1) to Residential 2 (R-2); and

WHEREAS, the Morgan County Plan Commission conducted a public hearing on March 13, 2023 for the petitioner's proposed zone classification and the Plan Commission has certified the proposal with a 9-0 vote for a **favorable recommendation** to the Morgan County Commissioners; and

WHEREAS, the Morgan County Commissioners have reviewed and considered the Plan Commission's recommendation.

NOW THEREFORE BE IT ORDAINED BY THE MORGAN COUNTY COMMISSIONERS THAT: the real estate described in the attached legal description shall have the zoning classification of **Residential 2 (R-2)**.

This ordinance is hereby passed and adopted this 20th day of March 2023 and shall be effective as of the execution of this ordinance.

MORGAN COUNTY COMMISSIONERS

Bryan Collier

Don Adams

Kenny Hale

ATTEST:

Linda Pruitt, Morgan County Auditor

EXHIBIT A

PARCEL I:

Part of Section 14, Township 12 North, Range 1 East, Morgan County, State of Indiana described as follows, to-wit: Commencing at the Southeast corner of Lot #302, Foxcliff Estates Subdivision as shown on the plat thereof recorded in Deed Record 213, Page 89 in the Office of the Recorder of Morgan County, Indiana; thence over and along the South line of the aforesaid Lot #302, 86.83 feet; thence South 25 degrees 30 minutes West 305 feet to a point in the centerline of Maple Turn Road; thence East over and along said centerline 2,303.71 feet to a point at the intersection of the West right-of-way line of Foxcliff Boulevard if extended and Maple Turn Road; thence North 2 degrees 7 minutes West 667.07 feet to a point 150 feet West of the Mid-quarter post of said Section 14; thence North 15 degrees 0 minutes West 345 feet; thence North 2 degrees 24 minutes 30 seconds West 130 feet; thence North 10 degrees 18 minutes 30 seconds East 128 feet; thence North 49 degrees 56 minutes West 256.43 feet; thence Westerly to an iron pipe at the Southwest corner of Lot #258 in Foxcliff Estates Section 9 as recorded in Deed Record 210 Page 598 of the Morgan County Recorder's Office; thence North 46 degrees 42 minutes West 480 feet; thence North 77 degrees 28 minutes West 120 feet; thence South 80 degrees 2 minutes West 137.66 feet; thence South 64 degrees 48 minutes West 183.43 feet; thence North 25 degrees 12 minutes West 200 feet; thence South 64 degrees 48 minutes West 314.57 feet; thence South 25 degrees 12 minutes East 200 feet; thence South 64 degrees 48 minutes West 254 feet; thence South 34 degrees 45 minutes West 75.94 feet; thence South 33 degrees, 36 minutes West 100 feet; thence South 7 degrees 54 minutes East 472.53 feet; thence South 1 degree 46 minutes West 476.29 feet, to the Point of Beginning, Containing 71.00 acres, more or less.

EXCEPT a parcel of land being a part of the West Half of Section 14, Township 12 North, Range 1 East, Second Principal Meridian, Morgan County, Indiana; and being more particularly described as follows:

BEGINNING at the most Northerly corner of Lot #342 of Foxcliff Estates Subdivision, Section XI (as per plat thereof recorded in Deed Record 213, Page 88) as marked by a rebar found this survey; thence along the Northeasterly right-of-way line of Durham Drive North 64 degrees, 37 minutes East (assumed bearing) 314.39 feet (measured) to the most Westerly corner of Lot #343 of said Subdivision as marked by a rebar found this survey; then South 25 degrees 08 minutes East 199.98 feet (measured) to the most Southerly corner of said Lot #343 as marked by a rebar found this survey; thence South 64 degrees 41 minutes West 314.16 feet to the most Easterly corner of said Lot #342 as marked by a 4 inch Wood Post set this survey; thence North 25 degrees 12 minutes West 199.63 feet (measured)] to the most Northerly corner of said Lot #342 and the PLACE OF BEGINNING, containing 1.44 acres, more or less.

Containing after said exception, per the Auditor's Records 69.56 acres, more or less.

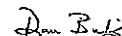
PARCEL II:

Part of Section 14, Township 12 North, Range 1 East, Morgan County, Indiana, described as follows, to-wit:

Commencing at a point 86.83 feet West of the Southeast corner of Lot # 302 in Foxcliff Estates, Section XI, as shown on the plat thereof at Deed Record 213, page 89, in the Office of the Recorder of Morgan County; thence South 25 degrees 30 minutes West 305 feet to a point in the centerline of Mapleturn Road; thence West over and along said centerline to the West line of Section 14; thence North along said West line 275 feet; thence North 89 degrees 22 minutes East 303.35 feet to the PLACE OF BEGINNING, containing 1.71 acres, more or less.

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

DEC 27, 2021



MORGAN COUNTY AUDITOR

LEGAL DESCRIPTION FOR FOXCLIFF GOLF COURSE REZONING

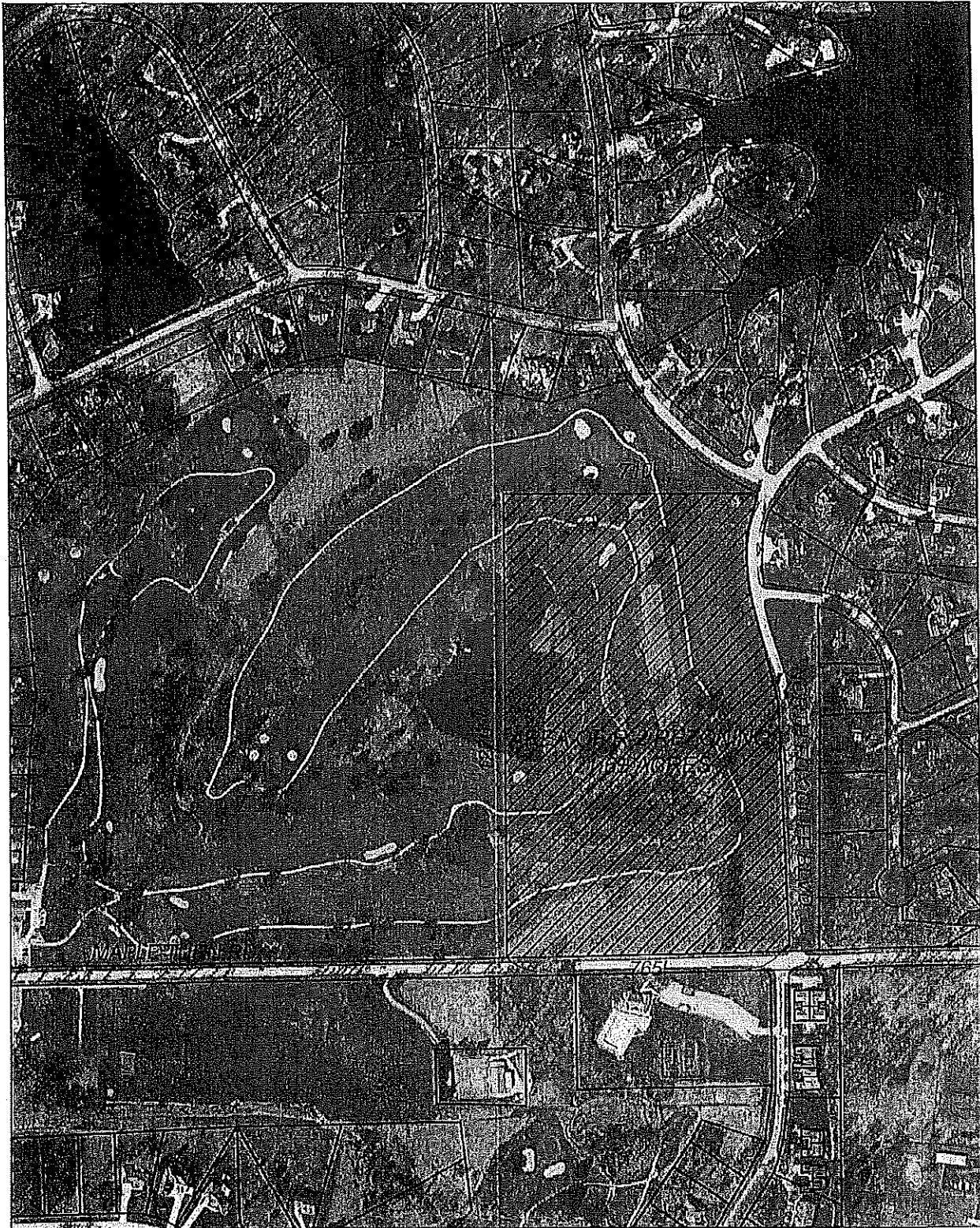
Part of Section 14, Township 12 North Range 1 East, Washington Township, Morgan County, Indiana,

Described as follows;

The southeastern 21.6 acres more or less, portion of parcel Number 55-09-14-100-001.000-020, in the name of Molin Enterprises LLC.

Bound by East Maple Turn Lane to the South and North Foxcliff Blvd to the East, as shown on Exhibit B.

(This description is intended for change of zoning and should not be used for transfer of land)



SCALE: 1" = 400'

REF. #22-186

FOXCLIFF GOLF CLUB
1970 MAPLE TURN ROAD
MARTINSVILLE, INDIANA

EXHIBIT B
REZONING PETITION
MORGAN COUNTY

