

ORDINANCE NO. 2024-15

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

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

WHEREAS, Petitioner Rod Stafford has requested to rezone three parcels containing approximately 150 acres known as Section 2 of The Oaks Subdivision; and

WHEREAS, Section 1 of The Oaks Subdivision is already zoned Residential 1 (R-1); and

WHEREAS, the Morgan County Plan Commission conducted a public hearing on September 9, 2024 for the proposed rezone of this property and has certified the proposal with a unanimous vote of 7-0 to forward a favorable recommendation to the Morgan County Commissioners for the R-1 zoning; and

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

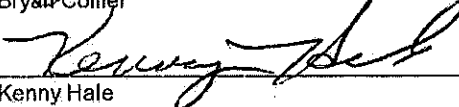
NOW THEREFORE BE IT ORDAINED BY THE MORGAN COUNTY COMMISSIONERS THAT: the real estate described in attached Exhibit A and shown on attached Exhibit B shall have the zoning classification of **Residential 1 (R-1)**.

This ordinance is hereby passed and adopted this 16th day of September 2024 and shall be effective as of the execution of this ordinance.

MORGAN COUNTY COMMISSIONERS


Don Adams


Bryan Collier


Kenny Hale

ATTEST:


Linda Pruitt, Morgan County Auditor

EXHIBIT A

The Oaks Section 2

PROPERTY DESCRIPTION PER SURVEY

PART OF SECTION 22, TOWNSHIP 12 NORTH, RANGE 1 EAST, OF THE 2ND PRINCIPLE MERIDIAN, WASHINGTON TOWNSHIP, MORGAN COUNTY, INDIANA, BEING DEPICTED ON STAFFORD/THE OAKS BOUNDARY SURVEY, RECORDED IN INSTRUMENT 202407148 IN THE OFFICE OF THE RECORDER OF MORGAN COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF THE SOUTHEAST QUARTER OF SECTION 22, T11N, R1E, BEING MARKED BY A STONE;
THENCE NORTH 88 DEGREES 45 MINUTES 13 SECONDS EAST, 1371.39 FEET TO THE EAST QUARTER CORNER OF SAID SECTION;
THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION, SOUTH 00 DEGREES 11 MINUTES 51 SECONDS WEST, 1721.64 FEET TO THE NORTHEAST CORNER OF THE NEU PROPERTY (INST. NO. 2020-3433" MARKED BY TO A 5/8 INCH REBAR WITH CAP STAMPED "HOLLOWAY S0530", HEREINAFTER CALLED A "HOLLOWAY REBAR";
THENCE ALONG THE NORTHERLY LINE OF SAID NEU, SOUTH 88 DEGREES 28 MINUTES 06 SECONDS WEST, 759.89 FEET TO A "HOLLOWAY REBAR" AT THE NORWESTERLY CORNER THEREOF;
THENCE ALONG THE WESTERLY LINE OF SAID NEU, SOUTH 00 DEGREES 11 MINUTES 34 SECONDS WEST, 270.04 FEET TO A "HOLLOWAY REBAR" AT THE CORNER OF SAID NEU;
THENCE ALONG THE NORTHERLY LINE OF SAID NEU, SOUTH 88 DEGREES 27 MINUTES 53 SECONDS WEST, 602.65 FEET TO A 1 INCH IRON PIPE AT THE CORNER OF SAID NEU;
THENCE ALONG THE WEST LINE OF SAID NEU, SOUTH 00 DEGREES 43 MINUTES 44 SECONDS WEST, 416.29 FEET TO A 1-1/4 INCH IRON PIPE AT THE CORNER OF SAID NEU
THENCE ALONG THE WEST LINE OF SAID NEU, SOUTH 00 DEGREES 26 MINUTES 05 SECONDS WEST, 266.32 FEET TO A 1 INCH IRON PIPE AT THE SOUTH QUARTER CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION;
THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION, SOUTH 87 DEGREES 41 MINUTES 55 SECONDS WEST, 1366.92 FEET TO A STONE AT THE SOUTH QUARTER CORNER OF SAID SECTION;
THENCE ALONG THE BOUNDARIES OF "THE OAKS, SECTION 1", RECORDED IN INSTRUMENT NO. 20119189 IN THE OFFICE OF SAID RECORDER FOR THE FOLLOWING TEN (10) COURSES;
(1) NORTH 09 DEGREES 05 MINUTES 23 SECONDS WEST, 332.04 FEET TO THE NORTHEAST CORNER OF LOT 16 IN SAID OAKS, MARKED BY A 5/8 INCH REBAR WITH CAP STAMPED "DSE LS9500007", HEREINAFTER CALLED A DSE REBAR;
(2) NORTH 13 DEGREES 38 MINUTES 10 SECONDS EAST, 424.97 FEET TO THE NORTHEAST CORNER OF SAID OAKS;
(3) WITH A CURVE TO THE LEFT AN ARC LENGTH OF 193.85 FEET (SAID CURVE HAVING A RADIUS OF 425.00 FEET, A CHORD BEARING OF NORTH 89 DEGREES 27 MINUTES 04 SECONDS WEST AND A CHORD LENGTH OF 192.17 FEET;
(4) SOUTH 77 DEGREES 28 MINUTES 56 SECONDS WEST, 164.81 FEET TO A 5/8 INCH REBAR AT THE SOUTHEAST CORNER OF LOT 21 IN SAID OAKS;

(5) NORTH 12 DEGREES 31 MINUTES 04 SECONDS WEST, 340.81 FEET TO THE NORTHEAST CORNER OF SAID LOT, MARKED BY A 5/8 INCH REBAR WITH CAP STAMPED "MDG FIRM #0136", HEREINAFTER CALLED AN MDG REBAR;

(6) SOUTH 72 DEGREES 50 MINUTES 11 SECONDS WEST, 240.80 FEET TO THE NORTHWEST CORNER OF LOT 22 IN SAID OAKS;

(7) SOUTH 54 DEGREES 10 MINUTES 41 SECONDS WEST, 117.05 FEET TO AN MDG REBAR AT THE NORTHWEST CORNER OF LOT 23 IN SAID OAKS;

(8) NORTH 41 DEGREES 08 MINUTES 42 SECONDS WEST, 244.61 FEET TO AN MDG REBAR AT THE NORTHERLY RIGHT OF WAY CORNER OF LINCOLN TRAIL;

(9) ALONG SAID RIGHT OF WAY, SOUTH 48 DEGREES 51 MINUTES 18 SECONDS WEST, 10.65 FEET TO AN MDG REBAR AT THE EASTERLY CORNER OF LOT 27 IN SAID OAKS;

(10) THENCE NORTH 41 DEGREES 08 MINUTES 42 SECONDS WEST, 181.45 FEET TO THE CENTERLINE OF LINCOLN HILL ROAD;

THENCE ALONG THE CENTERLINE OF SAID ROAD FOR THE FOLLOWING SEVEN (7) COURSES;

(1) NORTH 48 DEGREES 51 MINUTES 18 SECONDS EAST, 290.52 FEET;

(2) WITH A CURVE TO THE RIGHT AN ARC LENGTH OF 141.37 FEET, SAID CURVE HAVING A RADIUS OF 225.00 FEET, A CHORD BEARING OF NORTH 66 DEGREES 51 MINUTES 15 SECONDS EAST AND A CHORD LENGTH OF 139.05 FEET;

(3) NORTH 84 DEGREES 51 MINUTES 13 SECONDS EAST, 64.96 FEET;

(4) WITH A CURVE TURNING TO THE LEFT AN ARC LENGTH OF 131.01 FEET, SAID CURVE HAVING A RADIUS OF 114.97 FEET, A CHORD BEARING OF NORTH 52 DEGREES 12 MINUTES 28 SECONDS EAST AND A CHORD LENGTH OF 124.04 FEET;

(5) NORTH 17 DEGREES 11 MINUTES 24 SECONDS EAST, 58.62 FEET;

(6) NORTH 07 DEGREES 50 MINUTES 11 SECONDS EAST, 555.18 FEET;

(7) NORTH 04 DEGREES 11 MINUTES 45 SECONDS EAST, 151.47 FEET TO THE SOUTHWEST CORNER OF THE HACKER PROPERTY AS DESCRIBED IN INSTRUMENT NO. 2008-6502;

THENCE ALONG THE SOUTH LINE OF SAID HACKER, NORTH 88 DEGREES 03 MINUTES 50 SECONDS EAST, 1750.13 FEET TO AN MDG REBAR AT THE SOUTHEASTERLY CORNER OF SAID HACKER;

THENCE ALONG THE EAST LINE OF SAID HACKER, NORTH 00 DEGREES 08 MINUTES 19 SECONDS EAST, 377.98 FEET THE POINT OF BEGINNING, CONTAINING 150.564 ACRES

EXHIBIT B
The Oaks Section 2

