

**ORDINANCE NO. 2020-10  
TOWN OF NASHVILLE INDIANA**



This ordinance amends the zoning maps of the Town of Nashville, Indiana.

**WHEREAS**, Kimberly Harper (owner by contract with Mark Three Hawks) has petitioned the Town of Nashville, Indiana ("Town") for the rezoning of certain lands owned by them in Brown County commonly known as 241 Heimburger Lane, 245, 247, 251, 255, 259 and the lot between 245 and 247 Old State Road 46, in Washington Township in the Town of Nashville;

**WHEREAS**, said petition has been assigned Petition Number 20-RZ-02 by the Brown County Area Plan Commission;

**WHEREAS**, the Brown County Area Plan Commission conducted a public hearing on the proposed rezoning and certified its recommendation thereon to the Town;

**WHEREAS**, the Council of the Town find that the approval of the proposed rezoning would promote the purposes of the Comprehensive Plan and the Town of Nashville Zoning Ordinance and have given due consideration to, *inter alia*, the Comprehensive Plan, the current conditions and the character of current structures and uses in each district; the most desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible development and growth.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Town as follows:

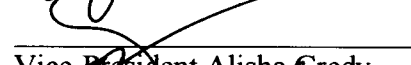
Section 1. Petition Number 20-RZ-02 is hereby APPROVED. The property subject to that Petition more particularly described in "Exhibit A" affixed hereto is hereby rezoned to Business One (B1) Zoning under the Town of Nashville Zoning Ordinance.

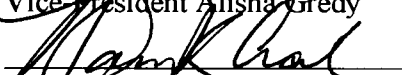
Section 2. Should any portion of this Ordinance be declared or determined illegal, unenforceable or invalid by a court of competent jurisdiction, then such illegal, unenforceable, or invalid provision(s) shall be severed from the remaining legal, valid and enforceable portions hereof, which shall continue to be in full force and effect.

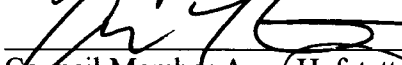
This Ordinance shall become effective upon passage and recording as required by law.

**PASSED AND ADOPTED** by the Nashville Town Council this 15<sup>th</sup> day of October, 2020.

  
\_\_\_\_\_  
President Jane Gore       yea      nay      abstain

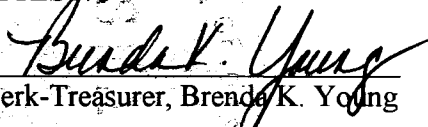
  
\_\_\_\_\_  
Vice President Alisha Gredy       yea      nay      abstain

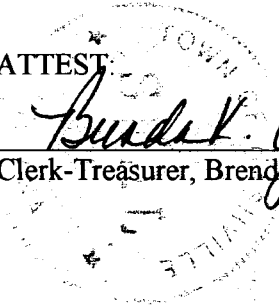
  
\_\_\_\_\_  
Council Member Nancy Crocker       yea      nay      abstain

  
\_\_\_\_\_  
Council Member Anna Hofstetter       yea      nay      abstain

  
\_\_\_\_\_  
Council Member Dave Rudd       yea      nay      abstain

ATTEST:

  
\_\_\_\_\_  
Clerk-Treasurer, Brenda K. Young



**ORDINANCE NO. 2020-10**

**EXHIBIT A**

The Real Estate is located at 245 Old SR 46, Nashville, Indiana, being more particularly described as follows:

Part of the Southwest quarter of the Northeast quarter of Section 19, Township 9 North, Range 3 East, Washington Township, Brown County, Indiana, described as follows:  
Beginning in the center of a branch North 01 degree 07 minutes West 463.6 feet,  
North 89 degrees 50 minutes East 10.0 feet, and  
North 83 degrees 14 minutes East 65.9 feet from an iron pipe found marking the Southwest corner of said Southwest quarter of the Northeast quarter;  
thence North 05 degrees 08 minutes East 208.5 feet to a road nail set in the center of Old State Road No. 46;  
thence Southeasterly with the center of Old State Road No. 46, 189.6 feet to a road nail set;  
thence South 08 degrees 06 minutes West 147.0 feet to a rebar set in the center of a branch;  
thence with the center of said branch South 89 degrees 26 minutes West 88.5 feet and South 77 degrees 52 minutes West 96.3 feet to the beginning, containing 0.73 acre, more or less.

Part of the SW 1/4 of the NE 1/4 of Section 19, Township 9 North, Range 3 East, Washington Township, Brown County, Indiana, described as follows: Beginning at a rebar set in the West line of the SW 1/4 of the NE 1/4 of said Section 19 N01-07 W 375.5 feet from an iron pipe found marking the SW corner of said SW 1/4 NE 1/4; thence N01-07W with said West line 87.5 feet to a rebar set in a branch; thence with the center of said branch N83-42E 75.9 feet, N77-52E96.3 feet and N89-26E 38.5 feet to a rebar set; thence S08-06W 26.6 feet to a rebar set; thence S42-14W 137.1 feet to a rebar set; thence N85-30W 160.9 feet to the beginning, containing 0.53 acres more or less.

Subject to all legal rights of way.

Property more commonly known as 241 Heimburger Lane, Nashville, Brown County, Indiana.

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Part of the SW 1/4 of the NE 1/4 of Section 19, Township 9 North, Range 3 East, Washington Township, Brown County, Indiana described as follows: Beginning at a rebar set N01-07W 278.0 feet, N89-50E 347.5 feet and N12-36E 158.6 feet from an iron pipe found marking the SW corner of said SW 1/4 of NE 1/4; thence N76-54W 135.0 feet to a rebar set; thence N08-86E 173.6 feet to a road nail set in the center of Old State Road No. 46; thence Southeasterly with the center of said Old State Road No. 46 148.6 feet to a road nail set; thence S12-36W 178.1 feet to the beginning, containing 0.57 acre more or less.

Subject to all legal rights of way.

Property more commonly known as 247 Old State Road 46, Nashville, Brown County, Indiana.

Part of the SW 1/4 of the NE 1/4 of Section 19, Township 9 North, Range 3 East, Washington Township, Brown County, Indiana described as follows: Beginning at a rebar set N01-07W 279.0 feet and N89-50E 347.5 feet from an iron pipe found marking the SW corner of said SW 1/4 NE 1/4; thence N12-36E 336.7 feet to a road nail set in the center of Old State Road No. 46; thence Southeasterly with the center of said Old State Road No. 46 186.6 feet to a road nail set; thence S08-43W 313.4 feet to a rebar set; thence S89-50W 130.9 feet to the beginning, containing 0.89 acres more or less.

Subject to all legal rights of way.

Property more commonly known as 251 Old State Road 46, Nashville, Brown County, Indiana.

Part of the SW 1/4 of the NE 1/4 of Section 19, Township 9 North, Range 3 East, Washington Township, Brown County, Indiana described as follows: Beginning at a rebar set N01-07W 278.0 feet and N89-50E 478.4 feet from an iron pipe found marking the SW corner of said SW 1/4 NE 1/4; thence N08-49E 313.4 feet to a road nail set in the center of Old State Road No. 46; thence Southeasterly with the center of said Old State Road No. 46, 102.8 feet to a road nail set; thence S13-13W 298.0 feet to a rebar set; thence S89-50W 80.4 feet to the beginning, containing 0.64 acre more or less.

Subject to legal rights of way.

Property more commonly known as 255 Old State Road 46, Nashville, Brown County, Indiana.

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Part of the SW 1/4 of the NE 1/4 of Section 19, Township 9 North, Range 3 East, Washington Township, Brown County, Indiana described as follows: Beginning at a rebar set N01-07W 278.0 feet and N89-50E 558.6 feet from an iron pipe found marking the SW corner of said SW 1/4 NE 1/4; thence N13-13E 298.0 feet to a road nail set in the center of Old State Road No. 46; thence Southeasterly with the center of said Old State Road No. 46 128.3 feet to a road nail set; thence S16-46W 266.6 feet to an iron pipe found; thence S89-50W 109.6 feet to the beginning, containing 0.74 acre more or less.

Subject to all legal rights of way.

Property more commonly known as 259 Old State Road 46, Nashville, Brown County, Indiana.

Part of the Southwest quarter of the Northeast quarter of Section 19, Township 9 North, Range 3 East of the Second Principal Meridian, Washington Township, Brown County, Indiana, in the Town of Nashville, described as follows:

Commencing at the Southwest corner of the Southwest quarter of the Northeast quarter of said Section 19;

thence North 01 degree 07 minutes 00 seconds West on and along the West line of said Southwest quarter of the Northeast quarter 278.00 feet;

thence North 89 degrees 50 minutes 00 seconds East 347.50 feet;

thence North 12 degrees 36 minutes 00 seconds 158.60 feet;

thence North 76 degrees 54 minutes 00 seconds West 100.00 feet to the place of beginning;

thence continuing North 76 degrees 54 minutes 00 seconds West 35.00 feet;

thence North 08 degrees 06 minutes 00 seconds East 26.60 feet;

thence South 89 degrees 26 minutes 00 seconds West 55.00 feet;

thence North 07 degrees 55 minutes 59 seconds East 159.53 feet to the center of Old State Road No. 46;

thence the following two (2) courses are with the center of said Old State Road No. 46:

South 77 degrees 28 minutes 49 seconds East 55.00 feet and

South 78 degrees 53 minutes 12 seconds East 35.00 feet;

thence leaving the center of said Old State Road No. 46, South 08 degrees 07 minutes 40 seconds West 174.81 feet to the beginning, containing 0.332 acre, more or less.