



**FILED**

**ORDINANCE NO. 2017-09  
TOWN OF NASHVILLE**

SEP 29 2017

**AN ORDINANCE CONCERNING THE ANNEXATION  
OF ADJACENT AND CONTIGUOUS TERRITORY  
LOCATED AT 418 OLD STATE ROAD 46**

*Brenda Woods*  
CLERK BROWN CIRCUIT COURT

**WHEREAS:** The property is known as 418 Old State Road 46, Nashville Indiana, 47448 and is designated in the records of the Assessor of Brown County as Parcel #07-07-17-300-123.000-004 containing 231.27 acres. The full and complete legal descriptions of the properties annexed are attached hereto and made a part of this Ordinance as Exhibits "A."

**WHEREAS:** The annexed properties are adjacent to and contiguous with the TOWN OF NASHVILLE, and;

**WHEREAS:** All of the owners of the annexed properties have filed with the Town their PETITIONS FOR ANNEXATION INTO THE TOWN OF NASHVILLE, INDIANA pursuant to Indiana Code 36-4-3-5.1, and;

**WHEREAS:** Most of the annexed properties are currently zoned "R1" under the Brown County Zoning Ordinance, and the Town district most similar to said zone is District "R1", however since the introduction of this annexation ordinance, the Brown County Zoning Ordinance has been amended by Brown County Ordinance 9-6-2017-0025 to zone the portion of the property described in Exhibit "B" hereto as "General Business." The Town district most similar to the County's "General Business" is District "B3", and;

**WHEREAS:** The Town Council has secured and reviewed an Annexation Fiscal Plan dated September 1, 2017 prepared by Umbaugh and Associates, and has adopted said fiscal plan by Resolution 2017-06.

**WHEREAS:** The Town has published notice of a Public Hearing, and held a Public Hearing as required by law;

**IT IS HEREBY ORDAINED AS FOLLOWS:**

1. The properties known as 418 Old state Road 46, Parcel #07-07-17-300-123.000-004, containing 231.27 acres, and more particularly described in Exhibits "A" is hereby annexed to and made a part of THE TOWN OF NASHVILLE, INDIANA.
2. THE TOWN OF NASHVILLE will furnish the above described properties with governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the Town which are similar in topography, land use and population density to the annexed area.

**DULY ENTERED  
FOR TAXATION**

**FILED** Governmental and proprietary services will be provided to the above described property in a manner consistent with the fiscal plan adopted by RESOLUTION NUMBER 2017 - 06  
SEP 29 2017

**ASSESSOR  
BROWN CO.**

*Boeth Mulvey*  
AUDITOR OF BROWN COUNTY

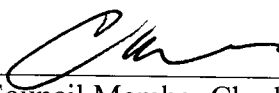
## ORDINANCE NO. 2017-09

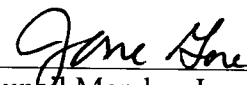
4. Said property shall be zoned Town Use District R1, with the exception of the portion of the property described in Exhibit "B" which shall be zoned Town Use District "B3".
5. Said property shall be part of Town Council District Number 2.

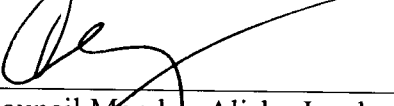
**EFFECTIVE DATE:** This ordinance shall take effect January 3, 2018 and upon publication as required by law.

**PASSED AND ORDAINED THIS** 21st **DAY OF** SEPTEMBER, 2017.

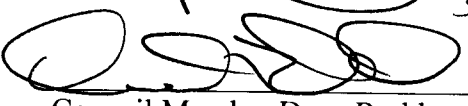
Approved as to form:  
James T. Roberts  
Attorney for the  
Town of Nashville

  
\_\_\_\_\_  
Council Member Charles B. King    ☒ yea    ☐ nay    ☐ abstain

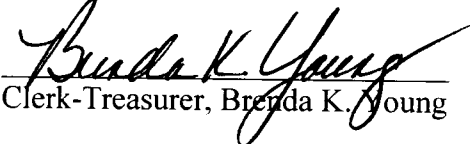
  
\_\_\_\_\_  
Council Member Jane Gore    ☒ yea    ☐ nay    ☐ abstain

  
\_\_\_\_\_  
Council Member Alisha Jacoba    ☒ yea    ☐ nay    ☐ abstain

  
\_\_\_\_\_  
Council Member Arthur Omberg    ☒ yea    ☐ nay    ☐ abstain

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

ATTEST:

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

# ORDINANCE NO. 2017-09

## EXHIBIT A

### PARCEL NO. 1:

A part of the Southwest quarter of Section 17, a part of the Northeast quarter of Section 19 and a part of the Northwest quarter of Section 20, all in Township 9 North, Range 3 East, Brown County, Indiana, bounded and described as follows:

Beginning at a stone marking the Northwest corner of the Northwest quarter of the Southwest quarter of said Section 17;  
thence with the North line of said quarter quarter section South 88 degrees 16 minutes 08 seconds East for 1349.31 feet and to a stone marking the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 17;  
thence with North line of said quarter quarter section South 88 degrees 52 minutes 36 seconds East for 1380.79 feet and a stone marking the Northeast corner of the Northeast quarter of the Southwest quarter of said Section 17;  
thence with the East line of said quarter quarter section South 00 degrees 07 minutes 02 seconds West for 1362.46 feet and to a stone marking the Northeast corner of the Southeast quarter of the Southwest quarter of said Section 17;  
thence with the East line of said quarter quarter section South 00 degrees 54 minutes 36 seconds West for 1344.01 feet and to a stone marking the Northeast corner of the Northeast quarter of the Northwest quarter of said Section 20;  
thence with the East line of said quarter quarter section South 00 degrees 08 minutes 34 seconds West for 229.36 feet and to a stone marking the Northeast corner of Mail Pouch Hill Subdivision; thence with the North line of said Subdivision, North 88 degrees 28 minutes 37 seconds West for 1345 feet and to a 5/8 inch iron pin marking the Northwest corner of said Subdivision;  
thence North 00 degrees 26 minutes 07 seconds East for 229.62 feet and to a stone marking the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 17;  
thence with the South line of said quarter quarter section North 88 degrees 57 minutes 14 seconds West for 456.54 feet and to a 5/8 inch iron pin;  
thence leaving said South quarter quarter section line North 44 degrees 12 minutes 14 seconds West for 64.50 feet and to a 5/8 inch iron pin;  
thence South 87 degrees 55 minutes 09 seconds West for 141.55 feet and to a 5/8 inch iron pin;  
thence South 42 degrees 07 minutes 46 seconds West 50.00 feet and to a 5/8 inch iron pin marking the Northeast corner of the West half of the Northwest quarter of the Northwest quarter of said Section 20 and the Northeast corner of Hoosier Highlands Subdivision;  
thence with the Northwest line of said Subdivision the following 10 courses:  
South 51 degrees 29 minutes 58 seconds West for 259.82 feet and to a 1 inch iron pipe;  
thence South 00 degrees 23 minutes 35 seconds West for 170.94 feet and to a 5/8 inch iron pin;  
thence South 88 degrees 14 minutes 27 seconds West for 170.39 feet and to a 1 inch iron pipe, passing a 1 inch iron pipe at 40.58 feet;  
thence South 54 degrees 26 minutes 44 seconds West for 221.85 feet and to a 1 inch iron pipe;  
thence South 22 degrees 01 minute 14 seconds West for 119.54 feet and to a 1 inch iron pipe;  
thence South 12 degrees 27 minutes 48 seconds West for 220.18 feet and to a 1 inch iron pipe;  
thence South 68 degrees 44 minutes 01 second West for 161.23 feet and to a 1 inch iron pipe;  
thence South 70 degrees 33 minutes 18 seconds West for 132.55 feet to a 1 inch iron pipe;  
thence North 86 degrees 56 minutes 42 seconds West for 149.80 feet and to a 5/8 inch iron pin;

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### EXHIBIT A

thence South 00 degrees 24 minutes 46 seconds West for 475.40 feet and to a 5/8 inch iron pin on the North right-of-way of Old State Road 46, passing a 1 inch iron pipe at 458.90 feet;  
thence with said North right-of-way the following six courses:  
South 61 degrees 44 minutes 28 seconds West for 54.24 feet;  
thence South 50 degrees 45 minutes 08 seconds West for 1189.34 feet;  
thence South 60 degrees 22 minutes 31 seconds West for 103.48 feet;  
thence South 72 degrees 45 minutes 31 seconds West for 128.68 feet;  
thence South 89 degrees 04 minutes 16 seconds West for 86.46 feet;  
thence North 78 degrees 07 minutes 23 seconds West for 91.94 feet and to a 5/8 inch iron pin;  
thence leaving said North right-of-way North 24 degrees 54 minutes 13 seconds East for 966.33 feet and to a stone marking the Southwest corner of the Northeast quarter of the Northeast quarter of said Section 19;  
thence with the East line of said quarter quarter section North 00 degrees 12 minutes 28 seconds East for 1358.54 feet and to a stone marking the Northwest corner of said quarter quarter section;  
thence with the North line of said quarter quarter section South 89 degrees 34 minutes 24 seconds East for 1345.75 feet and to a stone marking the Southwest corner of the Southwest quarter of said Section 17;  
thence with the West line of said quarter section North 00 degrees 10 minutes 08 seconds West for 2713.44 feet and the point of beginning, passing a 5/8 inch iron pin marking the Southwest corner of the Northwest quarter of the Southwest quarter of said Section 17 at 1356.72 feet, containing 168.51 acres, more or less, in Section 17; 50.38 acres, more or less, in Section 19; and 12.38 acres, more or less, in Section 20; being 231.27 acres in total, more or less.

#### PARCEL NO. 2:

ALSO, a Non-Exclusive, Perpetual ingress/egress easement over Highland Drive in Hoosier Highlands Subdivision, the plat of which is recorded in Miscellaneous Record No. 7, page 164, and now found in Plat Cabinet No. 1, Sleeve 265A, in the office of the Recorder of Brown County, Indiana.

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## EXHIBIT B

### BIG WOODS – HARD TRUTH HILLS

#### 26.886 ACRE DESCRIPTION:

PART OF THE EAST HALF OF THE NORTHEAST QUARTER AND PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, BROWN COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 34 MINUTES 24 SECONDS EAST ON AND ALONG THE NORTH LINE OF SAID EAST HALF, NORTHEAST QUARTER 482.56 FEET; THENCE SOUTH 12 DEGREES 02 MINUTES 04 SECONDS WEST 156.19 FEET; THENCE SOUTH 81 DEGREES 34 MINUTES 32 SECONDS EAST 383.01 FEET; THENCE SOUTH 23 DEGREES 07 MINUTES 08 SECONDS WEST 1290.34 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 13 SECONDS WEST 482.81 FEET TO THE NORTH RIGHT OF WAY OF STATE ROAD NUMBER 46; THENCE THE FOLLOWING FIVE (5) COURSES ARE WITH THE NORTH RIGHT OF WAY OF SAID STATE ROAD NUMBER 46: SOUTH 50 DEGREES 45 MINUTES 08 SECONDS WEST 445.00 FEET, SOUTH 60 DEGREES 22 MINUTES 31 SECONDS WEST 103.48 FEET, SOUTH 72 DEGREES 45 MINUTES 31 SECONDS WEST 128.68 FEET, SOUTH 89 DEGREES 04 MINUTES 16 SECONDS WEST 86.46 FEET AND NORTH 78 DEGREES 07 MINUTES 23 SECONDS WEST 91.94 FEET; THENCE LEAVING THE NORTH RIGHT OF WAY OF SAID STATE ROAD NUMBER 46 NORTH 24 DEGREES 54 MINUTES 13 SECONDS EAST 966.66 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 00 DEGREES 12 MINUTES 28 SECONDS EAST 1358.54 FEET TO THE BEGINNING, CONTAINING 26.886 ACRES MORE OR LESS.

SUBJECT TO AND THE RIGHT OF A FIFTY (50) FOOT WIDE PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, ROADWAY AND UTILITIES LOCATED IN PART OF THE EAST HALF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN AND PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN ALL IN WASHINGTON TOWNSHIP, BROWN COUNTY, INDIANA THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 89 DEGREES 34 MINUTES 24 SECONDS EAST ON AND ALONG THE NORTH LINE OF SAID EAST HALF, NORTHEAST QUARTER 482.56 FEET; THENCE NORTH 12 DEGREES 02 MINUTES 04 SECONDS EAST 50.00 FEET TO THE BEGINNING FOR THE FIFTY (50) FOOT WIDE EASEMENT HEREIN DESCRIBED: THENCE SOUTH 12 DEGREES 02 MINUTES 04 SECONDS WEST 212.26 FEET; THENCE SOUTH 57 DEGREES 00 MINUTES 48 SECONDS WEST 241.23 FEET; THENCE SOUTH 56 DEGREES 28 MINUTES 31 SECONDS WEST 138.18 FEET; THENCE SOUTH 45 DEGREES 57 MINUTES 24 SECONDS WEST 102.04 FEET; THENCE SOUTH 25 DEGREES 42 MINUTES 09 SECONDS WEST 67.91 FEET; THENCE SOUTH 02 DEGREES 48 MINUTES 44 SECONDS EAST 393.88 FEET; THENCE SOUTH 06 DEGREES 27 MINUTES 27 SECONDS WEST 228.57 FEET; THENCE SOUTH 02 DEGREES 47 MINUTES 58 SECONDS EAST 190.47 FEET; THENCE SOUTH 01 DEGREES 48 MINUTES 30 SECONDS EAST 134.83 FEET; THENCE SOUTH 03 DEGREES 21 MINUTES 14 SECONDS WEST 143.90 FEET; THENCE SOUTH 18 DEGREES 23 MINUTES 24 SECONDS WEST 55.75 FEET; THENCE SOUTH 41 DEGREES 45 MINUTES 55 SECONDS WEST 111.68 FEET; THENCE SOUTH 29 DEGREES 37 MINUTES 24 SECONDS WEST 60.86 FEET; THENCE SOUTH 06 DEGREES 14 MINUTES 54 SECONDS WEST 231.74 FEET; THENCE SOUTH 06