

**ORDINANCE NO. 2018-02**  
**TOWN OF NASHVILLE INDIANA**

2018000443 ORDI \$0.00  
02/20/2018 10:15:41A 2 PGS  
Judy Swift-Powdrill  
Brown County Recorder IN  
Recorded as Presented

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

**WHEREAS**, Trish Dishman on behalf of Voland-Hammond Property, LLC has petitioned the Town of Nashville, Indiana ("Town") for the rezoning of approximately 23.019 acres of certain lands owned by them in Brown County located adjacent to 2450 State Road 46 East in Washington Township, Nashville, IN 47448;

**WHEREAS**, said petition has been assigned Petition Number 18-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 that the property be rezoned to Business Two (B2);


**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.

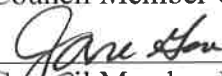
**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Town as follows:


Section 1. Petition Number 18-RZ-02 is hereby APPROVED. The property subject to that Petition more particularly described in "Exhibit A" affixed hereto is hereby rezoned to Business Two (B2) Zoning under the Town of Nashville Zoning Ordinance.

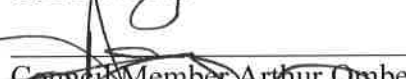
Section 2. Should any portion of this Ordinance be declared or determined illegal, unenforceable or invalid by a court of competent jurisdiction, then such illegal, unenforceable, or invalid provision(s) shall be severed from the remaining legal, valid and enforceable portions hereof, which shall continue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

**PASSED AND ADOPTED** by the Nashville Town Council this 15th day of FEBRUARY 2018.

  
\_\_\_\_\_  
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. 2018-02

## EXHIBIT A

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EXHIBIT "A"

## PARCEL NO. 1:

Part of the Northeast quarter of Section 28, Township 9 North, Range 3 East, Brown County, Indiana, and more particularly described as follows:

Beginning on the North line of said Northeast quarter at a 5/8 inch rebar with cap set South 88 degrees 38 minutes 29 seconds East 1100.96 feet from an axle found at the Northwest corner of said Northeast quarter;  
 thence continuing South 88 degrees 38 minutes 29 seconds East 1237.35 feet to the centerline of Salt Creek;  
 thence along said centerline the following bearings and distances:  
 South 39 degrees 21 minutes 23 seconds West 295.88 feet;  
 thence South 24 degrees 13 minutes 15 seconds West 158.22 feet;  
 thence South 09 degrees 52 minutes 09 seconds West 349.02 feet;  
 thence South 38 degrees 17 minutes 57 seconds West 903.02 feet to the Northerly right of way of State Road 46;  
 thence along said right of way the following bearings and distances:  
 North 59 degrees 03 minutes 45 seconds West 40.00 feet to a rebar found;  
 thence North 59 degrees 10 minutes 30 seconds West 640.04 feet;  
 thence North 55 degrees 39 minutes 16 seconds West 1067.83 feet to a 5/8 inch rebar with cap set on the West line of said Northeast quarter;  
 thence along said West line North 00 degrees 00 minutes 04 seconds East 376.04 feet to a spike found in the centerline of Old State Road 46;  
 thence along said centerline South 53 degrees 57 minutes 34 seconds East 328.15 feet to a spike found;  
 thence continuing South 53 degrees 57 minutes 34 seconds East 39.31 feet to a spike set;  
 thence South 24 degrees 21 minutes 40 seconds West 147.90 feet to a 5/8 inch rebar with cap set;  
 thence South 54 degrees 51 minutes 45 seconds East 53.87 feet to a 5/8 inch rebar with cap set;  
 thence South 89 degrees 43 minutes 33 seconds East 102.70 feet to a 5/8 inch rebar with cap set;  
 thence South 53 degrees 57 minutes 35 seconds East 58.26 feet to a 5/8 inch rebar with cap set;  
 thence South 86 degrees 00 minutes 06 seconds East 42.99 feet;  
 thence South 52 degrees 58 minutes 46 seconds East 120.02 feet to a 5/8 inch rebar with cap set;  
 thence North 37 degrees 19 minutes 10 seconds East 54.68 feet to a spike set in the aforementioned centerline of Old State Road 46;  
 thence along said centerline South 52 degrees 40 minutes 50 seconds East 173.94 feet to a spike set;  
 thence North 37 degrees 19 minutes 10 seconds East 328.61 feet to a 5/8 inch rebar with cap set;  
 thence North 53 degrees 00 minutes 01 second West 132.06 feet to a 5/8 inch rebar with cap set;  
 thence North 38 degrees 01 minute 34 seconds East 432.93 feet to the point of beginning,  
 including the portion of Old State Road 46 lying within said real estate but vacated by the Board of Commissioners of Brown County by Ordinance #94-828 dated February 7, 1994 and recorded in Deed Record No. 159, page 279 in the office of the Recorder of Brown County, Indiana,  
 containing 38.86 acres, more or less.