

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 12 -201~~5~~

AN ORDINANCE APPROVING AN AMENDMENT TO THE CLARK COUNTY ZONING MAP ON RECOMMENDATION BY THE CLARK COUNTY PLAN COMMISSION

WHEREAS, this Board of Commissioners of Clark County, Indiana (this "Board"), is the executive body of Clark County government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

WHEREAS, this Board is also the legislative body of Clark County government pursuant to the provisions of Ind. Code 36-1-2-9; and,

WHEREAS, the Clark County Plan Commission has advisory authority regarding zoning pursuant to Ind. Code 36-7-4, *et al*; and,

WHEREAS, the Clark County Plan Commission has passed Resolutions 2-2015, (see Resolution 2-2015 attached hereto as Exhibit "A") to reclassify the property subject to that Resolution.

NOW, THEREFORE, BE IT ORDAINED by this Board of Clark County Commissioners as follows:

1. That the Clark County Plan Commission Resolution 2-2015, as attached hereto, is approved.
2. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

So Ordained this 26th day of March, 2015.

Members voting "NO":



Jack Coffman, Commissioner

Rick Stephenson, Commissioner

John Perkins, Commissioner

Members voting "YES":



Jack Coffman, Commissioner



Rick Stephenson, Commissioner



John Perkins, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor

BY THE CLARK COUNTY
PLAN COMMISSION

RESOLUTION ~~2~~-2015

WHEREAS, the Clark County Plan Commission met on January 14th, 2015 and heard the Petition of Christopher Campbell, asking that the property known by its street address as 118 S. Poplar St., New Washington, Indiana be reclassified from B-3 General Business to R-1 Single-Family Residential at 118 S. Poplar St., New Washington, Indiana.

WHEREAS, the Plan Commission heard the presentation of the Petitioner(s) and the objections, comments, remonstrations and other relevant information presented by those in attendance at the hearing, if any;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission as follows:

1. The petition to rezone the real estate described in Exhibit A was heard after notice to interested persons was properly given in accordance with the ordinance and Indiana law; and
2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting.
3. The Plan Commission recommends to the Board of Commissioners of Clark County as follows:

(Check One)

The real estate described at 118 S. Poplar St., New Washington, Indiana should be reclassified from B-3 General Business to R-1 Single-Family Residential.

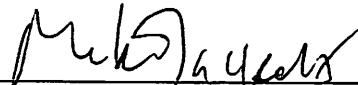
The real estate described at 118 S. Poplar St., New Washington, Indiana should NOT be reclassified from _____ to _____.

The Plan Commission was unable to reach consensus as required by law, and therefore sends the rezoning petition to the Clark County Commissioners WITHOUT RECOMMENDATION.

Dated this 24th day of February.

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on January 14th, 2015.

ATTEST:



Secretary or Executive Director

ACTION TAKEN BY BOARD OF COMMISSIONERS
OF CLARK COUNTY, INDIANA

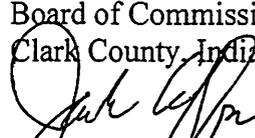
This matter having come before the Board of Commissioners of Clark County, Indiana (County Commissioners) on _____ the petition of Dennis Windell to reclassify the real estate at 118 S. Poplar St., New Washington, Indiana from B-3 General Business to R-1 Single-Family Residential; and the Plan Commission has adopted the forgoing resolution in which it makes its recommendations to the County Commissioners and the County Commissioners having read the recommendation, having reviewed all available evidence, having considered the county's comprehensive plan, having balanced the competing interests of those in the area affected, if any, now, therefore, determines as follows:

_____ The real estate at 118 S. Poplar St., New Washington, Indiana should be reclassified on the zoning maps from B-3 General Business to R-1 Single-Family Residential.

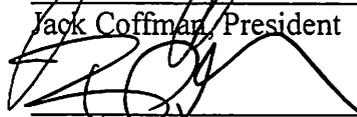
_____ The real estate at 118 S. Poplar St., New Washington, Indiana SHOULD NOT be reclassified on the zoning maps.

Dated this 26 day of February, 2015.

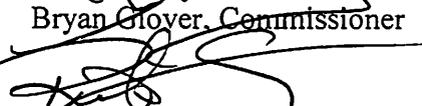
Board of Commissioners of
Clark County, Indiana



Jack Coffman, President

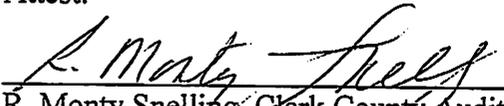


Bryan Glover, Commissioner



Rick Stephenson, Commissioner

Attest:



R. Monty Snelling, Clark County Auditor

CLARK COUNTY PLAN COMMISSION

Name Campbell, Chris Petition No. 2014-19-PC

The Clark County Plan Commission does hereby recommend approval, denial or no recommendation of said petition on this 14th day of January, 2015, by a 5-0 vote.

MEMBER	APPROVED	DENIED	NO RECOMMENDATION	ABSTAIN
AB <u>Absent</u> Wally Estes	_____	_____	_____	_____
<u>John Uhl</u> John Uhl	_____✓_____	_____	_____	_____
<u>Martina Webster</u> Martina Webster	_____✓_____	_____	_____	_____
AB <u>Absent</u> Paul Coffman	_____	_____	_____	_____
<u>Absent</u> David Blankenbeker	_____	_____	_____	_____
<u>Jack Coffman</u> Jack Coffman	_____✓_____	_____	_____	_____
AB <u>Absent</u> Michael Killen	_____	_____	_____	_____
<u>Barbara Bratcher-Haas</u> Barbara Bratcher-Haas	_____✓_____	_____	_____	_____
<u>Rick Wardlaw</u> Rick Wardlaw	_____✓_____	_____	_____	_____

218-M.
Wilson & Semones LLC

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

MAY 07 2013

Richard P. Jones
CLARK COUNTY RECORDER
Filed for Record as Presented
I 201309470
C1 Date 05/07/2013
Page 1 of 2
Time 14:23:54
2P

SEND TAX BILLS TO:
208 East 3rd St.
New Washington, IN 47162

R. M. Smith
Auditor, Clark County

TAX KEY NO.12-00029-0270

EXHIBIT A

PERSONAL REPRESENTATIVE'S DEED

Ronald Bladen, as Personal Representative of the Estate of Belvia E. Layman, which estate is pending in Clark County Circuit Court No. 1 under Cause Number 10C01-1205-ES-28, by virtue of his power and authority granted to a personal representative under the Indiana Code who is proceeding under Supervised Administration, and hereby states that Joseph A. Layman and Belvia Layman were husband and wife when they acquired title, as tenants by the entirety, to the real estate described below situated in Clark County, Indiana by Warranty Deed dated November 19, 1902 and recorded November 23, 1992, in the office of the Recorder of Clark County, Indiana.

Ronald Bladen, as Personal Representative of the Estate of Belvia E. Layman further states that Joseph Layman predeceased Belvia E. Layman leaving Belvia E. Layman as surviving spouse. Joseph and Belvia Layman were never at any time divorced subsequent to their acquisition of the above described real estate as tenants by the entirety. Consequently, by operation of law, title to the below described real estate was vested in Belvia Layman upon the death of said Joseph Layman.

Ronald Bladen, as Personal Representative of the Estate of Belvia E. Layman, which estate is pending in Clark County Circuit Court No. 1 under Cause Number 10C01-1205-ES-28, by virtue of his power and authority granted to a personal representative under the Indiana Code who is proceeding under Supervised Administration, and hereby distributes one -half (1/2) interest of the value of the property to Ronald Bladen, of the County of Clark, State of Indiana, one sixth (1/6) interest to Donald Raymond Bruton, of the County of Johnson, State of Indiana, one sixth (1/6) interest to Teresa Ann Smith, of the County of Marion, State of Indiana, one sixth (1/6) interest to Gary Thomas Bruton, of the County of Morgan, State of Indiana, the following described real estate in Clark County, State of Indiana, more particularly described as follows, to-wit:

Lots Nos. 85 and 86 and the appurtenances thereto belonging, situated in the Town of New Washington, Indiana.

Being the same real estate conveyed to Joseph A. Layman and Belvia E. Layman by Warranty Deed dated November 23, 1992, and recorded in Deed Drawer 24.

Instrument No. 17472 in the Office of the Recorder of Clark County, Indiana.

subject to all legal highways, rights-of-way and easements, taxes for the year 2012 payable in May and November, and all taxes subsequent thereto.

IN WITNESS WHEREOF, said Ronald Bladen, as personal representative of the Estate of Belvia Elizabeth Layman, has hereunto set his hand and seal this 25 day of April, 2013.

Ronald Bladen
Ronald Bladen, as Personal Representative
of the Estate of Belvia Elizabeth Layman

STATE OF INDIANA)
) SS:
COUNTY OF CLARK)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ronald Bladen, as personal representative of the Estate of Belvia Elizabeth Layman, and acknowledged the execution of said deed to be his voluntary act and deed for the uses and purposes expressed therein.

WITNESS MY HAND AND SEAL this 25 day of April, 2013.



Carrie Knight
Notary Public
Printed Name: Carrie Knight
Residing in Clark County
My Commission Expires: 01/22/20

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Brittany M. Wilson
Brittany M. Wilson, Attorney at Law

prepared by: Brittany M. Wilson