

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 24 -2014

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

*[See attached text of Ordinance]*

ACTION TAKEN BY BOARD OF COMMISSIONERS  
OF CLARK COUNTY, INDIANA

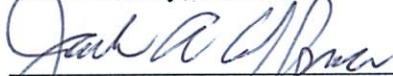
This matter having come before the Board of Commissioners of Clark County, Indiana (County Commissioners) on August 28, 2014 the petition of Nancy Kemp, asking that the property known by 5506 Highway 362 to be rezoned from B-3 General Business to A-1 Agricultural Zone in Nabb, Indiana; and the Plan Commission 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 described as 5506 Highway 362, Nabb, Indiana should be reclassified on the zoning maps from B-3 General Business to A-1 Agricultural Zone.

The real estate described at 5506 Highway 362, Nabb, Indiana SHOULD NOT be reclassified on the zoning maps.

Dated this 28<sup>th</sup> day of August, 2014.

Board of Commissioners of  
Clark County, Indiana



Jack Coffman, President

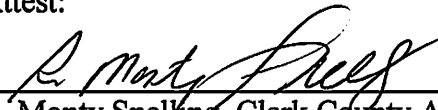


John Perkins, Commissioner



Rick Stephenson, Commissioner

Attest:

  
\_\_\_\_\_  
R. Monty Snelling, Clark County Auditor

**BY THE CLARK COUNTY  
PLAN COMMISSION**

**RESOLUTION 8-2014**

**WHEREAS**, the Clark County Plan Commission met on August 13th, 2014 and heard the petition of Nancy Kemp, asking that the property known by 5506 Highway 362, Nabb, Indiana to be rezoned from B-3 General Business to A-1 Agricultural Zone.

**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, 5506 Highway 362, Nabb, Indiana 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 as 5506 Highway 362, Nabb, Indiana should be rezoned from B-3 General Business to A-1 Agricultural Zone.

The real estate described as 5506 Highway 362, Nabb, Indiana should NOT be rezoned from B-3 General Business to A-1 Agricultural Zone.

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 14<sup>th</sup> day of August.

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on August 13th, 2014.

ATTEST:

  
\_\_\_\_\_  
Secretary or Executive Director

WARRANTY DEED

THIS INDENTURE WITNESSETH THAT CLIFTON A. ALLEN OF CLARK COUNTY, IN THE STATE OF INDIANA, CONVEY AND WARRANT TO MARVIN E. KEMP AND NANCY C. KEMP, HUSBAND AND WIFE OF CLARK COUNTY, IN THE STATE OF INDIANA, FOR AND IN CONSIDERATION OF THE SUM OF ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN CLARK COUNTY, IN THE STATE OF INDIANA, AS FOLLOWS, TO-WIT:

A PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 9 EAST, WASHINGTON TOWNSHIP, CLARK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 21, (SAID POINT BEING IN THE CENTER OF STATE ROAD #362) AND RUNNING THENCE NORTH 89 DEG. 09 MIN. EAST (HIGHWAY PLAN BEARING) WITH THE CENTERLINE OF S.R. #362 A DISTANCE OF 1317.70 FEET TO A POINT; THENCE RUNNING AT A RIGHT ANGLE TO SAID CENTERLINE SOUTH 00 DEG. 51 MIN. EAST A DISTANCE OF 35.00 FEET TO A RIGHT-OF-WAY MARKER; THE TRUE PLACE OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE RUNNING NORTH 89 DEG. 09 MIN. EAST WITH SAID 35 FOOT RIGHT-OF-WAY LINE A DISTANCE OF 256.00 FEET TO AN IRON PIN; THENCE RUNNING SOUTH 00 DEG. 27 MIN. EAST A DISTANCE OF 256.00 FEET TO AN IRON PIN; THENCE RUNNING SOUTH 89 DEG. 09 MIN. WEST A DISTANCE OF 256.00 FEET TO AN IRON PIN; THENCE RUNNING NORTH 00 DEG. 27 MIN. WEST A DISTANCE OF 256.00 FEET TO THE TRUE PLACE OF BEGINNING, CONTAINING IN ALL 1.50 ACRES, BUT SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

THE GRANTEE HEREIN AGREES AND ASSUMES TO PAY THE 1985 REAL ESTATE TAXES DUE AND PAYABLE IN 1986 BEGINNING WITH THE SPRING INSTALLMENT.

IN WITNESS WHEREOF, THE SAID GRANTOR HAS HEREUNTO SET HIS HAND AND SEAL THIS 5<sup>th</sup> DAY OF JUNE, 1985.

RECEIVED FOR RECORD

Clifton A. Allen JUN 5 12 04 PM '85  
CLIFTON A. ALLEN

RECORDED IN Deed ORA 17  
INSTR. NO. 5376  
CAROLYN P. KAROWSKY  
RECORDER OF CLARK CO.

STATE OF INDIANA ( )  
COUNTY OF CLARK ( ) SS:

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY THIS 5<sup>th</sup> DAY OF June, 1985 CAME CLIFTON A. ALLEN AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL.



Deborah Bower  
NOTARY PUBLIC  
PRINTED: Deborah Bower  
RESIDENT OF CLARK COUNTY, INDIANA

THIS INSTRUMENT PREPARED BY: BETTY HOGUE CARVER  
ATTORNEY AT LAW  
BANK BUILDING  
HENRYVILLE, INDIANA 47126  
PHONE: 812-294-1410

DULY ENTERED FOR TAXATION

JUN 05 1985

*Deborah Bower*  
Notary Public  
Clark County  
Indiana

R E S O L U T I O N    3/1988

BE IT RESOLVED,    that on the 24th day of November, 1987 that Marvin E. & Nancy C. Kemp, Route #1, Nabb, Indiana, filed a petition with the Clark County Plan Commission asking that the following described Real Estate be reclassified from R-2 Limited Multiple-Family Residence Zone to B-3 General Business Zone. The property being described as follows:

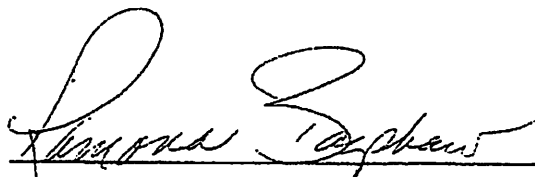
A part of the Northwest Quarter of Section 21, Township 2 North, Range 9 East, Washington Township, Clark County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Northwest quarter of Section 21, (said point being in the center of State Road #362) and running thence North 89 deg. 09 min. East (Highway Plan Bearing) with the centerline of S. R. #362 a distance of 1317.70 feet to a point; thence running at a right angle to said centerline South 00 deg. 51 min. East a distance of 35.00 feet to a right-of-way marker, THE TRUE PLACE OF BEGINNING of the tract herein described; thence running North 89 deg. 09 min. East with said 35 foot right-of-way line a distance of 256.00 feet to an iron pin; thence running South 00 deg. 27 min. East a distance of 256.00 feet to an iron pin; thence running South 89 deg. 09 min. West a distance of 256.00 feet to an iron pin; thence running North 00 deg. 27 min. West a distance of 256.00 feet to the TRUE PLACE OF BEGINNING, containing in all 1.50 acres, but subject to any and all easements of record.

It being shown to the Commission that said petition was set for hearing and notice by publication as required by the Ordinance

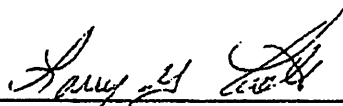
Dated this 15th day of January, 1988.

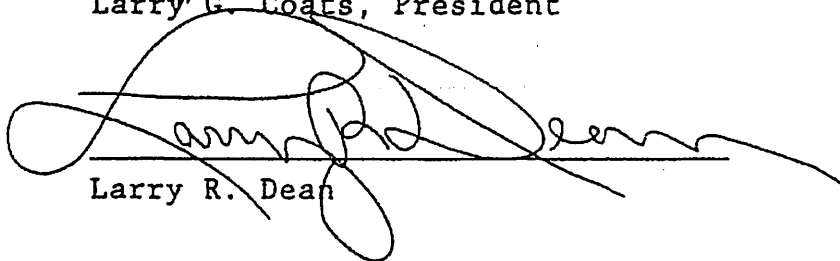
I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Planning Commission on January 13, 1988.

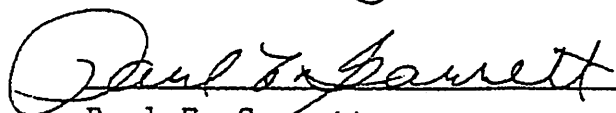
  
\_\_\_\_\_  
Ramona Bagshaw, Executive Director

Approved by the Board of County Commissioners of Clark County, Indiana this 14th day of January, 1988.

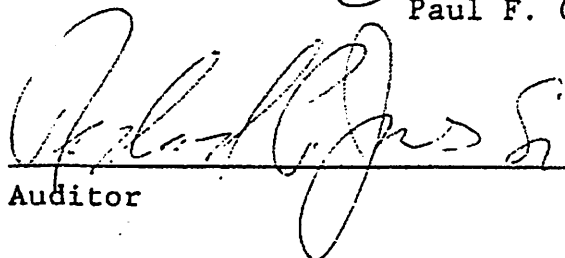
THE BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Larry G. Coats, President

  
\_\_\_\_\_  
Larry R. Dean

  
\_\_\_\_\_  
Paul F. Garrett

ATTEST:

  
\_\_\_\_\_  
Auditor



Key No.: 12-16-2

Tax Address:  
26211 HWY. 62  
NABB, IN 47147

WARRANTY DEED

THIS INDENTURE WITNESSETH, that CLIFTON A. ALLEN, of Clark County, Indiana, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged,

CONVEY AND WARRANT

to CLIFTON A. ALLEN, MABLE G. ALLEN, MARVIN E. KEMP and NANCY C. KEMP as joint tenants with right of survivorship, the real estate located at 26211 HWY 62, Nabb, Clark County, Indiana, said real estate being more fully described as follows, to-wit:

The East Half of the North Half of the Northwest Quarter of Section Twenty-one (21), Township Two (2) North of Range Nine (9) East, containing Forty (40) acres, more or less,

Excepting thereout Three (3) acres, more or less, conveyed by deeds dated May 20, 1950, June 15, 1953, and June 19, 1953, said deeds being of record in Deed Record No. 167, page 164, Deed Record No. 183, page 259, and Deed Record No. 183, page 340, respectively, all in the office of the recorder of Clark County, Indiana, and containing after said exceptions, Thirty-seven (37) acres, more or less.

Being the same real estate conveyed to the Grantor by deed dated November 14, 1959, and of record in Deed Record No. 225 at page 501 in the office of the Recorder of Clark County, Indiana.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal this 3 day of February 2000.

Clifton A. Allen  
CLIFTON A. ALLEN

DULY ENTERED FOR TAXATION  
SUBJECT TO FINAL SETTLEMENT  
FOR TRANSFER

FEB 04 2000

*Barbara Hoas*  
AUDITOR CLARK COUNTY

STATE OF INDIANA)  
                  ) SS:  
COUNTY OF CLARK )

Before me, the undersigned Notary Public in and for said County and State, personally appeared CLIFTON A. ALLEN, and acknowledged the execution of the foregoing WARRANTY DEED as his free and voluntary act.

3 IN WITNESS WHEREOF I have hereunto set my Notarial Seal this day of February 2000.

My Commission Expires:

Jan. 7, 2007

Sharon J. Green  
Sharon J. Green, Notary Public, a  
resident of Clark County, Indiana

THIS INSTRUMENT PREPARED BY:

SAMUEL T. GREEN, ISC # 7281-10  
ATTORNEY AT LAW  
3307 HOLMAN LANE  
JEFFERSONVILLE, IN 47130-8153  
(812) 284-9596

+ Name Kemp Petition No. 294-16-PC

The Clark County Plan Commission does hereby recommend approval, denial or no recommendation of said petition on this 13th day of August 13, 2014, by a 8-0 vote.

MEMBER	APPROVED	DENIED	NO RECOMMENDATION	ABSTAIN
<u>David Hynes</u> David Hynes	✓	_____	_____	_____
<u>Absent</u> John Uhl	_____	_____	_____	_____
<u>Martina Webster</u> Martina Webster	✓	_____	_____	_____
<u>Paul E. Coffman</u> Paul Coffman	✓	_____	_____	_____
<u>David Blankenbeker</u> David Blankenbeker	✓	_____	_____	_____
<u>Jack Coffman</u> Jack Coffman	✓	_____	_____	_____
<u>Michael Killen</u> Michael Killen	✓	_____	_____	_____
<u>Susan Popp</u> Susan Popp	✓	_____	_____	_____
<u>R. Wardlaw</u> Rick Wardlaw	✓	_____	_____	_____