

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

January 20, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:12 P.M. Present were members: Vice-Chairperson Thomas L. Schuster, W. A. "Woody" Bailey, Louis R. Imhof, Jr., William K. Voyles, and Danny F. Yost. Also present were Sellersburg Deputy Building Commissioner Jerry Taylor and Secretary David L. Kinder.

Nancy J. Casteel was absent.

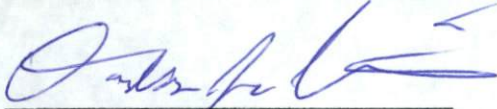
All members present took the Oath of Office from Clerk-Treasurer David L. Kinder.

Danny F. Yost makes a motion to approve the minutes of the December 16, 2002 meeting, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, and motion approved.

Danny F. Yost nominates Douglas J. Reiter for Chairman of the Sellersburg Plan Commission for the year 2003; 5-aye votes, 0-nay, Douglas J. Reiter is elected Chairman.

Louis R. Imhof, Jr. nominates Thomas L. Schuster for Vice-Chairman for the year 2003; 5-aye, 0-nay Thomas L. Schuster is elected Vice-Chairman.

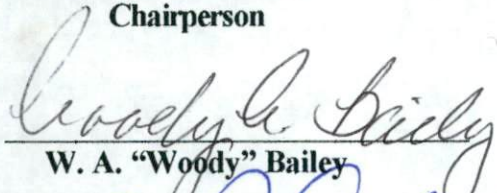
Louis R. Imhof, Jr. makes a motion to adjourn the meeting seconded by Thomas L. Schuster, 5-aye, 0-nay meeting adjourned at 6:20 P.M.



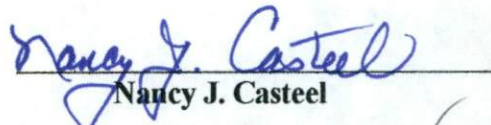
**Douglas J. Reiter
Chairperson**



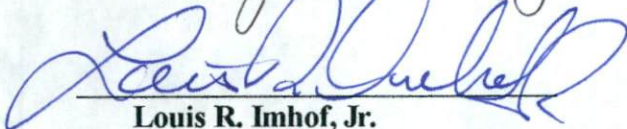
**Thomas L. Schuster
Vice-Chairperson**



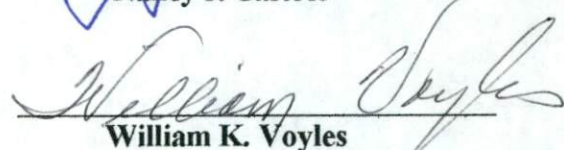
W. A. "Woody" Bailey



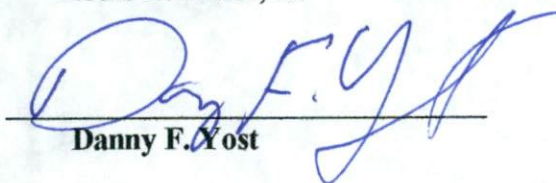
Nancy J. Casteel



Louis R. Imhof, Jr.



William K. Voyles



Danny F. Yost



David L. Kinder, Secretary

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

February 17, 2003

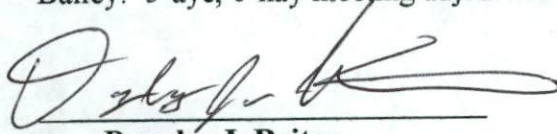
Chairperson Douglas J. Reiter called the meeting to order at 6:27 P.M. Present were Vice-Chairperson Thomas L. Schuster, Nancy J. Casteel, W. A. "Woody" Bailey, Louis R. Imhof, Jr., William K. Voyles, and Danny F. Yost, Sellersburg Building Commissioner Nathan R. Grimes, P.E. and Secretary David L. Kinder.

Building Commissioner Nathan Grimes introduces a letter from Deputy Building Commissioner Jerry Taylor to the Postmaster of Sellersburg concerning a newly constructed commercial building on North Indiana Avenue. One resident in the new building has an address of 491 N. Indiana Avenue; another resident is moving into the building and has an address of 489 N. Indiana Avenue and this will leave an address of 493 N. Indiana Avenue for a future tenant.

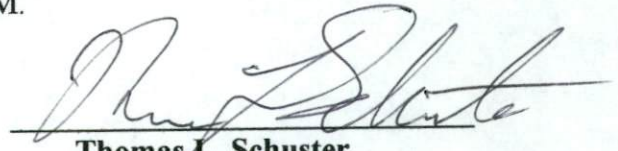
Motion by Danny F. Yost to approve the new addresses, seconded by W. A. "Woody" Bailey, 6-aye, 0-nay motion is approved.

Danny F. Yost makes a motion to approve the minutes of the January 13, 2003 meeting, seconded by W. A. "Woody" Bailey. 6-aye, 0-nay motion approved.

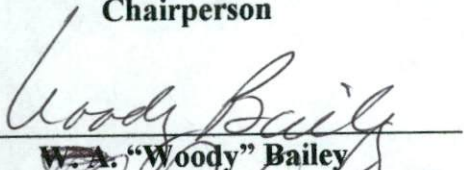
Louis R. Imhof, Jr. makes a motion to adjourn the meeting seconded by W. A. "Woody" Bailey. 5-aye, 0-nay meeting adjourned at 6:40 P.M.



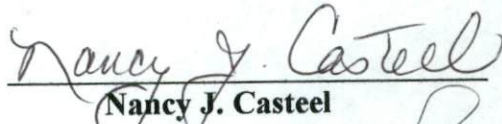
**Douglas J. Reiter
Chairperson**



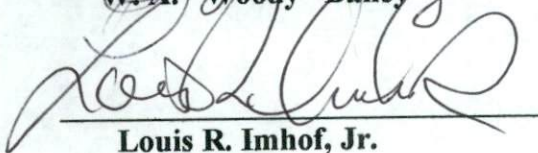
**Thomas L. Schuster
Vice-Chairperson**



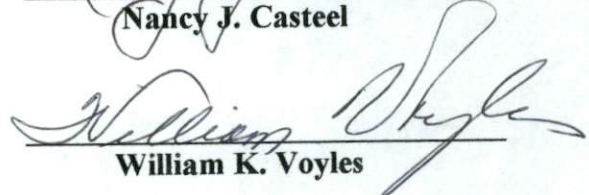
W.A. "Woody" Bailey



Nancy J. Casteel



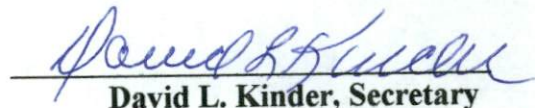
Louis R. Imhof, Jr.



William K. Voyles



Danny F. Yost



David L. Kinder, Secretary

Attachment: Letter of Jerry Taylor

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

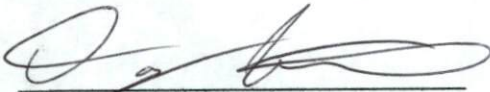
March 17, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:19 P.M. Present were Vice-Chairperson Thomas L. Schuster, Nancy J. Casteel, W. A. "Woody" Bailey, Louis R. Imhof, Jr., William K. Voyles, Sellersburg Building Commissioner Nathan R. Grimes, P.E. and Secretary David L. Kinder.


Danny F. Yost was absent.

Louis R. Imhof, Jr. makes a motion to approve the minutes of the February 17, 2003 meeting, seconded by W. A. "Woody" Bailey. 6-aye, 0-nay motion approved.

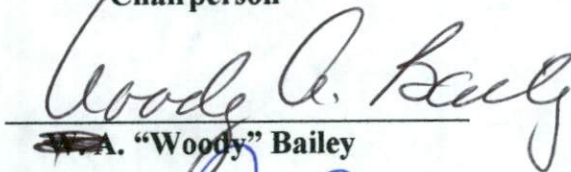
Louis R. Imhof, Jr. makes a motion to adjourn the meeting seconded by W. A. "Woody" Bailey. 5-aye, 0-nay meeting adjourned at 6:21 P.M.



**Douglas J. Reiter
Chairperson**

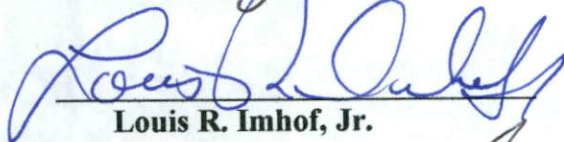


**Thomas L. Schuster
Vice-Chairperson**

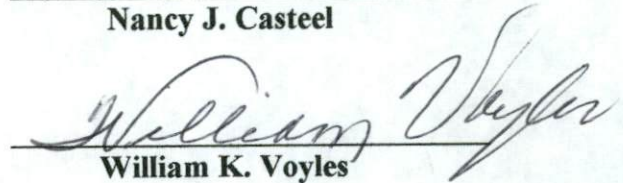


W. A. "Woody" Bailey

Nancy J. Casteel



Louis R. Imhof, Jr.



William K. Voyles



Danny F. Yost



David L. Kinder, Secretary

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

April 21, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:34 P.M. Present were Vice-Chairperson Thomas L. Schuster, W. A. "Woody" Bailey, Louis R. Imhof, Jr., William K. Voyles, Danny F. Yost, Nathan R. Grimes (Sellersburg Building Commissioner), P.E. and Secretary David L. Kinder.

Nancy J. Casteel is absent.

What we have before us is 807 South Indiana Avenue preliminary minor sub-division plot with Fred Everett, Jr.

Mr. Everett is asking the Board if I have the opportunity to sell my patio homes as individual units; I came to the Zoning Appeal Board and obtained variances and I came to this meeting (board) to apply for a small sub-division plan.

Nathan Grimes, (Building Commissioner) explains that for him to sell these homes he must have a small sub-division plan.

Louis R. Imhof, Jr. makes a motion to approve the preliminary small sub-division plot, seconded by W. A. "Woody" Bailey. 5-aye, 0-nay motion is approved.

Need a motion to approve a new address on West Utica Street; 210 West Utica Street, St. Paul's (Catholic) Church is going to build a parsonage. Louis R. Imhof, Jr. makes a motion to approve the 210 West Utica Street address, seconded by Danny F. Yost. 5-aye, 0-nay motion is approved.

W. A. "Woody" Bailey makes a motion to adjourn, seconded by Thomas Schuster. 5-aye, 0-nay motion approved and meeting adjourned at 6:42 P.M.

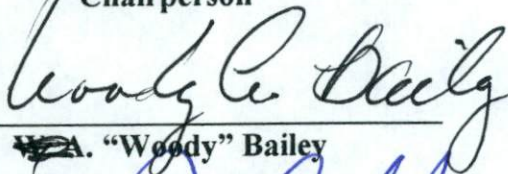
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**Plan Commission Meeting
April 21, 2003
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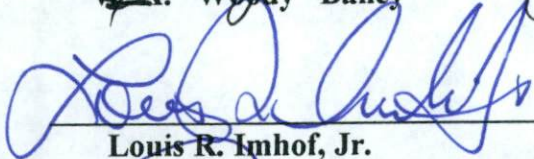
Louis R. Imhof, Jr. makes a motion to approve the minutes of the March 17, 2003 meeting, seconded by W. A. "Woody" Bailey. 6-aye, 0-nay motion approved.



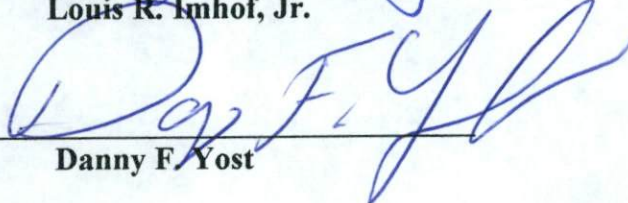
**Douglas J. Reiter
Chairperson**



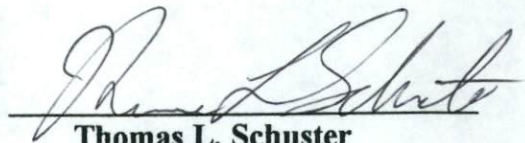
W.A. "Woody" Bailey



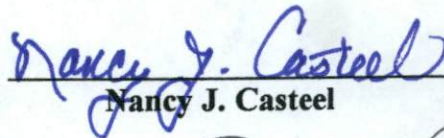
Louis R. Imhof, Jr.



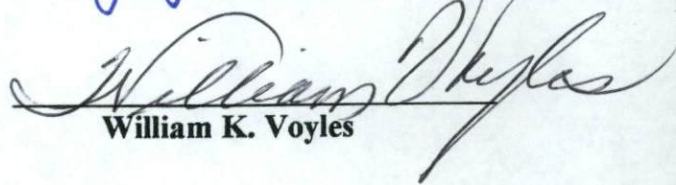
Danny F. Yost



**Thomas L. Schuster
Vice-Chairperson**

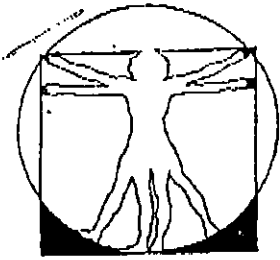


Nancy J. Casteel



William K. Voyles

David L. Kinder, Secretary



RENAISSANCE DESIGN BUILD, INC.

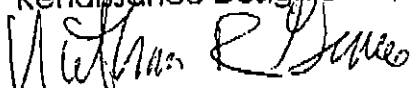
144 SOUTH NEW ALBANY STREET
SELLERSBURG, INDIANA 47172

VOICE & FAX 812-246-5897

SELLERSBURG PLAN COMMISSION AGENDA APRIL 21, 2003

1. Roll Call.
2. 807 S. Indiana Avenue Preliminary Minor Subdivision plat for Fred Everitt, Jr. (See Attachments)
3. Approve 210 W. Utica Street new address.
4. Approve minutes from previous meeting.

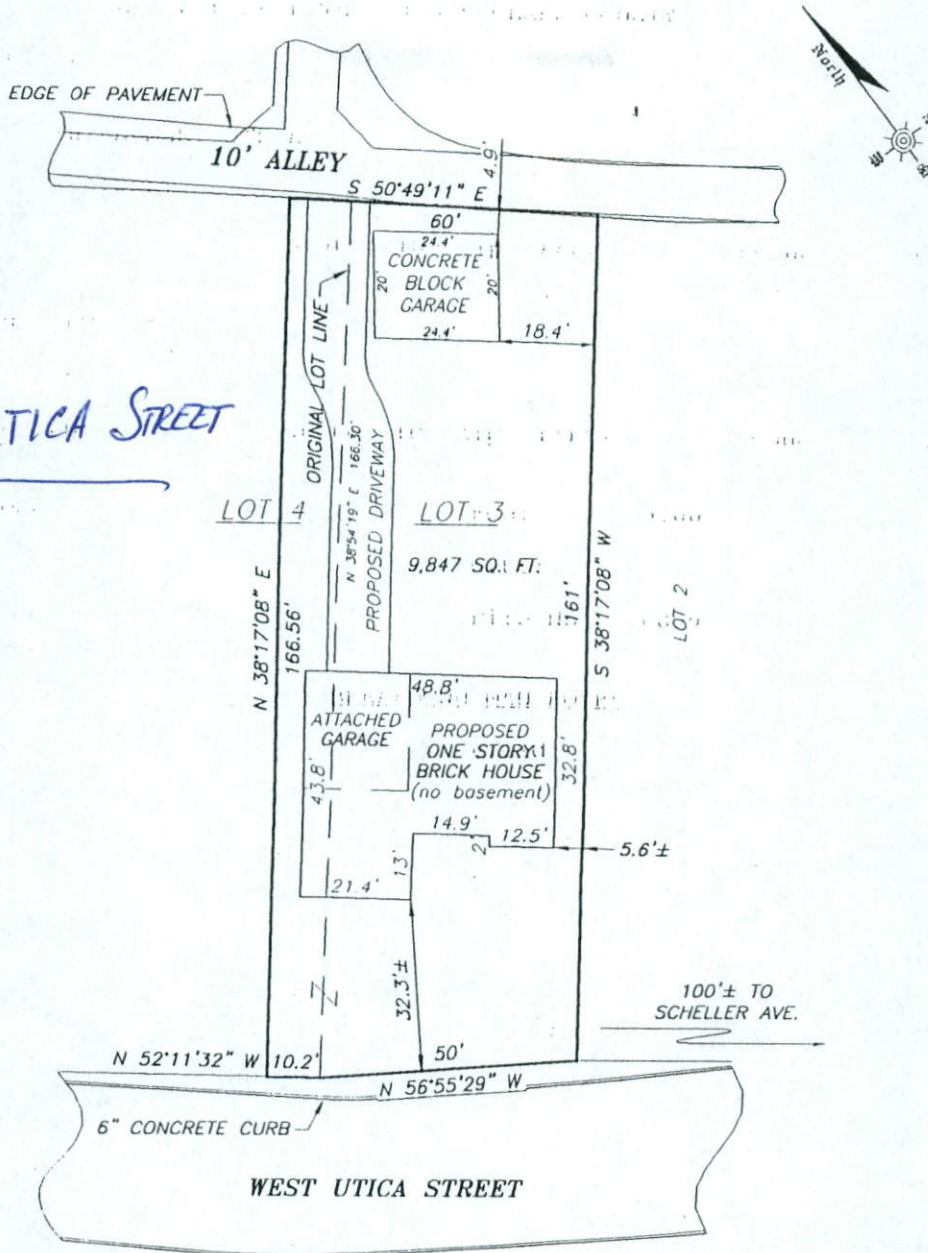
Respectfully Submitted,
Renaissance Design Build, Inc.


Nathan R. Grimes, P.E.

PROPOSED PLOT PLAN

This drawing has been prepared for purposes of obtaining a building permit, easements, or financing. It is proposed only. No boundary survey was done. **NO CORNER MARKERS WERE SET.** No data shown hereon should be used for establishing property lines or fence lines. Prepared for use by the designated parties and NO one else.

210 West Utica Street



PROPOSED PLOT PLAN OF LOT #3 AND PART OF LOT #4 IN SCHELLER PARK SUBDIVISION AS SHOWN IN PLAT BOOK 4, PAGE 70 OF THE CLARK COUNTY, INDIANA RECORDS AND BEING SITUATED ON WEST UTICA STREET, SELLSBURG.

THE PROPERTY SHOWN IS NOT LOCATED IN FLOOD ZONE A OR B ACCORDING TO FLOOD MAP NUMBER 180028 0001 B, DATED AUGUST 1, 1980.

NOTE: BUILDER RESPONSIBLE FOR VERIFICATION OF ALL ZONING REQUIREMENTS AND RESTRICTIVE COVENANTS INCLUDING SETBACKS PRIOR TO START OF CONSTRUCTION.

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Land Surveyors Inc., P.C. All rights reserved.

<p>BLANKENBEKER & SON LAND SURVEYORS INC., P.C. 422 MEIGS AVENUE P.O. BOX 157 JEFFERSONVILLE, INDIANA 47131-0157 TELEPHONE 812-282-4183 WWW.BLANKENBEKERANDSON.COM</p>		<p>FOR: STEVE THIENEMAN P.O. BOX 505 FLOYDS KNOBS, IN 47119</p>	
DRAWN BY: K.A.L	SCALE: 1" = 30 FEET	DATE: 12 SEPTEMBER 2002	JOB No. 16,899 FILE #J10039.DWG

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

May 19, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:29.M. Present were Vice-Chairperson Thomas L. Schuster, W. A. "Woody" Bailey, Nancy J. Casteel, Louis R. Imhof, Jr., William K. Voyles, Danny F. Yost, Nathan R. Grimes, PE (Sellersburg Building Commissioner and Secretary David L. Kinder.

Motion by W. A. "Woody" Bailey to approve the minutes of the April 21, 2003 meeting, seconded by William K. Voyles. 6-aye, 0-nay motion is approved.

Nathan Grimes advises that Jesse Belew has received a certificate of approval for construction in a flood way, I think they are just redoing the creek itself on the property.

Next on the agenda is rezoning at 130 South Fern by Neal Kamer from R-1 to R-3.

Neal Kamer presents plans for a four plex and the property is zoned R-1 and he would like to have it rezoned to R-3.

Neighbors, Paul Cravens, Joseph Gilezan, Kenneth Seig, Angie Hamilton and Dale Kraft are present and oppose the changing of the zoning.

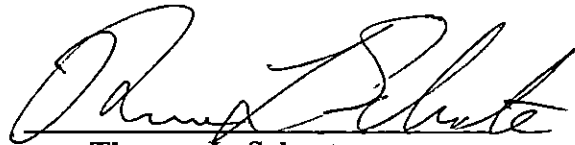
Chairperson Reiter polls the Plan Commission and all members are opposed to changing the zoning. Chairperson Reiter asks if anyone wants to make a motion to change the zoning. No comments from the Commission so it will remain R-1.

Chairperson Reiter advises Kamer that he can go before the Town Council, appeal the decision, and ask the Town Council to have the rezoning approved.

Motion by Louis R. Imhof, Jr. to adjourn the meeting, seconded by Thomas L. Schuster. 6-aye, 0-nay motion approved meeting adjourned at 6:54 P.M.

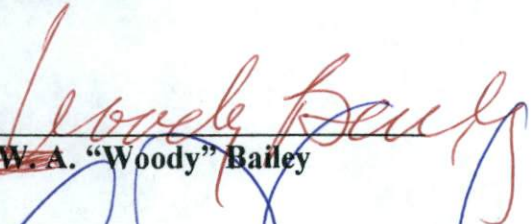


**Douglas J. Reiter
Chairperson**

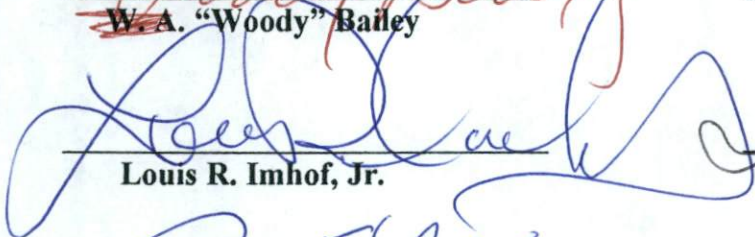


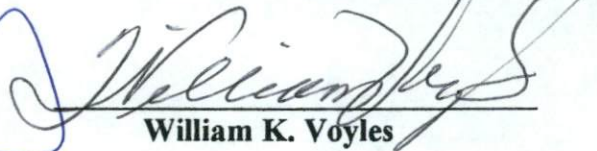
**Thomas L. Schuster
Vice-Chairperson**

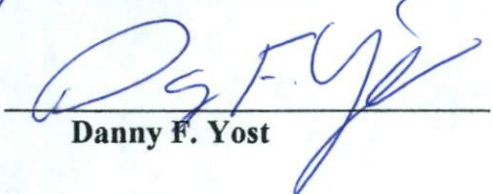
Sellersburg Plan Commision
May 19, 2003
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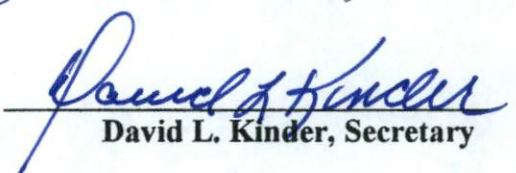

~~W.A.~~ "Woody" Bailey

Nancy J. Casteel


Louis R. Imhof, Jr.


William K. Voyles


Danny F. Yost


David L. Kinder, Secretary

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

June 16, 2003

Chairperson Douglas J. Reiter called the meeting to order at 7:03 P.M. Present were Vice-Chairperson Thomas L. Schuster, W. A. "Woody" Bailey, Louis R. Imhof, Jr., William K. Voyles, Danny F. Yost, Nathan R. Grimes, PE (Sellersburg Building Commissioner) and Secretary David L. Kinder.

Nancy J. Casteel was not present.

Virgil Bolly, Attorney-at-Law, (representing Celia Winters and Keven Staton), Preliminary Plan approval for Adams Creek sub-division. I mailed out fifty (50) notices to surrounding area, certified mail, we have eleven (11) that have receipts. Everyone adjoining the property has notices. Additionally we published a notice in the Evening News, ten days prior to the meeting, and I have notice to present to the Board. The next item we have is the actual preliminary drawings of Adams Creek. That sub-division there is two lots that face Poindexter Lane the rest of the lots are inside the sub-division. All the roads will be built to Town specifications. The lot sizes are designed to meet the requirements of the Town Zoning Ordinances; the drains that meet the Town Zoning Ordinances; they will have water, sewer and electric all consistent with the zoning ordinance and the houses that are built there must be built in accordance with your zoning, in terms of size, location and things of this nature.

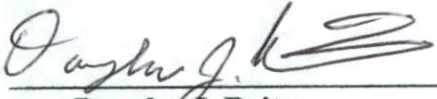
After discussion from the residents' present concerning drainage, the danger of the narrow road and what restrictions the sub-division will have and the increase of water flow to the creek within the sub-division William K. Voyles makes a motion to approve the preliminary plan, seconded by W. A. "Woody" Bailey. 5-aye, 0-nay, motion is approved.

Nathan Grimes states that a new address needs to be assigned to Pennington Hardwoods, located at 1015 Progress Way, Silver Creek Industrial Park. Danny F. Yost makes a motion to approve the address of 1015 Progress Way, seconded by Louis R. Imhof, Jr. 5-aye, 0-nay, motion is approved.


Louis R. Imhof, Jr. makes a motion to approve the minutes of the May 19, 2003 meeting, seconded by Thomas L. Schuster. 5-aye, 0-nay, motion is approved.

Sellersburg Plan Commission Meeting
June 16, 2003
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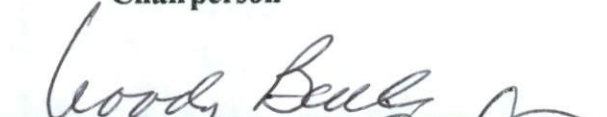
Louis R. Imhof, Jr. makes a motion to adjourn the meeting, seconded by Danny F. Yost.
5-aye, 0-nay, motion is approved and meeting adjourned at 7:45 P.M.



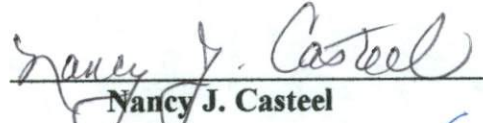
Douglas J. Reiter
Chairperson



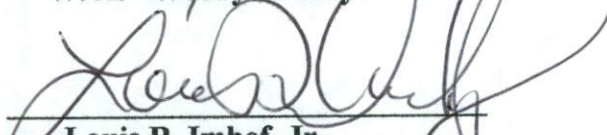
Thomas L. Schuster
Vice-Chairperson



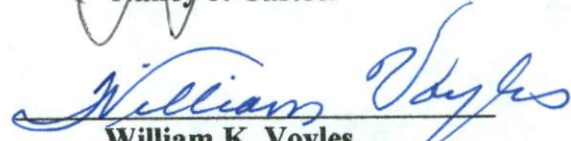
W.A. "Woody" Bailey



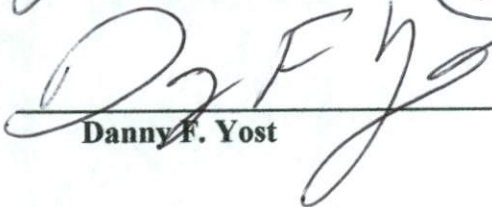
Nancy J. Casteel



Louis R. Imhof, Jr.



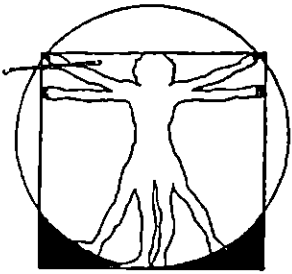
William K. Voyles



Danny F. Yost



David L. Kinder, Secretary



RENAISSANCE DESIGN BUILD, INC.

144 SOUTH NEW ALBANY STREET

SELLERSBURG, INDIANA 47172

VOICE & FAX 812-246-5897

SELLERSBURG PLAN COMMISSION

AGENDA

JUNE 16, 2003

1. Roll Call.
2. Preliminary plan approval for Adams Creek at 2116 Poindexter Lane. (See Attachments)
3. Assign address to 1015 Progress Way for Pennington Hardware.
4. Approve minutes from previous meeting.

Respectfully Submitted,
Renaissance Design Build, Inc.

A handwritten signature in black ink, appearing to read "Nathan R. Grimes".

Nathan R. Grimes, P.E.

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

July 21, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:25 P.M. Present were Vice-Chairperson Thomas L. Schuster, W. A. "Woody" Bailey, Nancy J. Casteel, Louis R. Imhof, Jr., William K. Voyles, Danny F. Yost, Nathan R. Grimes, PE (Sellersburg Building Commissioner) and Secretary David L. Kinder.

First on the agenda is the final plan approval for Adams Creek, 2116 Poindexter Lane.

VIRGIL BOLLY, Attorney-at-Law, representing developer for Adams Creek, presents the plan, signed by the surveyor Paul Moffet and everything is put together as required by the past meeting. On your approval, it needs to go to the Town Board for approval and at that time, we will have ready, for them, his letter of credit.

So I would like for you to go ahead and approve this subject to the letter of credit being presented to the Town Board for their approval.

William K. Voyles states he went over to the (proposed) sight of the sub-division and the entrance onto Poindexter does not go to the crest of the hill. He further questions the retention basins and would like them explained.

Gary Graf of 2013 Poindexter Lane is concerned about the entrance to the sub-division not being at the crest of the hill; headlights shining into his home when the sub-division is completed and persons exit the sub-division; the creek crossing and what the bridge construction will be and the creek running through the proposed sub-division, who maintains the creek.

Christopher Milano, 8520 Plum Valley Court, questions drainage from behind his home.

Jim Dreuter, 8518 Plum Valley Court, questions about drainage, also about outbuildings.

Does anyone have a motion to table or like to make a motion to approve the final plat. Louie R. Imhof, Jr. makes a motion to table until the next meeting until we get a little more information on the water of the Plum Run Area coming into this. I have a motion by Louie Imhof to table this until our next meeting to get more information of exactly what they are going to do with the drainage and all dimensions of how the flow is going to be, do I have a second? (Bailey) "I second", have a second by "Woody" all in favor signify by saying aye, all opposed, it will be tabled until the next meeting.

Sellersburg Plan Commission Meeting
July 21, 2003
Page 2 of 5 pages

CHARLES MURPHY, (Attorney- at- Law), I am here on behalf of the petitioner reference Hometown Plaza for change of address. The utilities are using one address, Post Office another address, fire department another. I am asking that the change of address from 7411 State Road 311, to 101 Hometown Plaza and each shop to have its' own address. The 7411 address was an old address for the home that once was on this property.

Chairman Reiter asks how many units are in the plaza? Reiter advises Mr. Murphy to come back with the units, how many you got and then we can look at it at that point, so we will just table it until our next meeting 18th of August.

Chairman Reiter asks for a motion to table that until the next meeting. Danny F. Yost makes motion to table Hometown Plaza address issue until the next meeting, have a motion on the table by Danny do I have a second, seconded by (Louis R. Imhof, Jr.), all in favor signify by saying aye, all opposed, aye's have it. Table until next meeting on August 18th.

KEITH AND DEBBY ELSWICK: asking for a zoning change from R-1 to R-3 at 1902 Payne-Koehler Road.

Chairman Reiter asks if he has a motion to take 1902 Payne-Koehler Road from an R-1 to an R-3 for multi family, Louis R. Imhof, Jr. states he will make that motion. Reiter states, "have a motion on the table from Louie Imhof, do I have a second, second by Bill, all in favor, signify by saying aye, all opposed, aye's have it. Now it has to go before the Town Council for final approval.

HIDDEN CREEK PATIO HOMES: Nathan Grimes states that Fred brought these by for the Hidden Creek Patio Homes there on 31, next to Kid Tech. These are the covenants he is needing approval on for him to get his final plat approved by the Board; I think this is the final issue.

Chairman Reiter states, "We are basically approving this to go in front of the Town Council for final approval with the plat with the restrictions for what they can build there. Do I have a motion on the table to approve the covenants and restrictions for Hidden Creek Patio Homes? (Louis Imhof) "I make a motion", have a motion on the table by Louis do I have a second, (Thomas Schuster) " I'll second", second by Tom all in favor signify by saying aye, all opposed, so be it."

A letter was sent to Mr. Clark Nickles to stop hauling fill dirt to Jim O'Neil Ford.
ROBERT LANUM, (Attorney-at-Law): I am representing Chris O'Neil in this matter. This was done in accordance with Ordinance 2000-019, which the Town of Sellersburg

Sellersburg Plan Commission Meeting
July 21, 2003
Page 3 of 5 pages

passed in the year 2000. The ordinance requires basically that the person doing the dumping must have a State permit, I would like to present this to the Board, this is a copy of the statute which defines what a landfill is, the Town is asking for somebody to get a landfill permit when clearly in the statute, in the State of Indiana, excludes the fill dirt which we are talking about. However, regardless of what the statute, we believe this overrides this particular Ordinance we will still ask that the Board to consider the approval of the dumping of this dirt that is being obtained from the Stout School excavation. The Town of Sellersburg has given a permit for the demolition of that school. The dirt that is being put on there is not contaminated, contaminated areas is put in the landfill other large pieces of concrete which is not being used on this land this is dirt that is being put on the land and then shale put on top of it for packing so that in the future it will be used for the automobile agency.

I have a letter from Mr. Nickles that the Department of Environmental Management has approved these particular products being put in there. We are asking approval of the Board to put this landfill in there.

Jeff Twitty, 330 South New Albany Street, asking if there is any other way for the trucks to enter this area rather than using this street?

Joe Davenport, 327 South New Albany Street, the trucks bringing in the dirt are speeding and the dust is filling our homes and vehicles.

Don Parsley, 345 South New Albany Street, the dirt being hauled in there is not all dirt there is plastic pipe, sewer pipe and plastic conduit. They are cutting across my driveway and they drop dirt and I can't get out of the driveway.

Terry Jellison, 558 Key Avenue, I live behind these people and some times I can't even see their houses because of the dust.

Robert Campbell, 325 South New Albany Street, there are speeding trucks and dust all over our property.

Chris O'Neil, IDEM has checked the dirt, they have hauled for four or five days and there will be another four or five days and it will be completed.

Chairman Reiter asks if anyone cares to make a motion, I have a motion on the table to let them start hauling the dirt back there by Louie, do I have a second, (Bailey) "I'll second", I have a second by "Woody", all in favor signify by saying aye, all opposed nay,

Sellersburg Plan Commission Meeting
July 21, 2003
Page 4 of 5 pages

I only hear two votes, lets do this again, all in favor signify by saying aye, all opposed, you gentlemen abstaining?

(Voyles) I'm really concerned; I would like to know how high your plans are to fill that field? Are there ditches running through your property, the water will go around your property? Reiter, "I have a motion on the table, I've got a second, signify by saying aye, ok I have four ayes right now, opposed, all are in favor. You can go ahead hauling the dirt back.

I appreciate you all coming out and voicing your concerns.

Next on the agenda is grandfathered zoning issues.

NATHAN GRIMES, (Building Commissioner): This came up last month by an appraiser and there is property in Town that are three rental units on a R-1 (zoned) property. According to "Perry" McCall (Town Attorney) and Virgil Bolly this property was a three rental unit when he bought it, and he bought it in '88 which is before our zoning map was made, which was in '93.

I understand there is other property this same way, there are several areas that are used as apartments and still zoned R-1. I would like to get your permission to go before the Town Council to look into this all over Town and present them a price to redo our zoning map.

Chairman Reiter asks, "I would entertain making a motion to, if anyone would like to make that motion to have him go up in front of the Council to ask permission to do so, anyone care to make that motion"? (Casteel) "I'll make that motion". "Have a motion on the table for Nathan to go in front of the Town Council to ask permission to investigate our zoning map to check for commercial zoning R-3, R-2 all the zoning that we got in the Town to make sure it is correct, do I have a second, (Bailey) "I'll second", seconded by "Woody" all in favor signify by saying aye, all opposed, aye's have it."

Something that got brought up at the zoning appeals that we can actually make a recommendation to do, is go to the Town Board and look at the height of the buildings. Basically the twenty-five foot height because we had no ladder truck here in the fire department now we have two ladder trucks. Thirty-five feet is the average of what the new homes that they are building. Maybe we can bring it up to the Town Council to change the ordinance from twenty-five foot height.

Sellersburg Plan Commission Meeting
July 21, 2003
Page 5 of 5 pages

Has everyone had a chance to read the minutes from the previous meeting? "Yes they did and I (Louis R. Imhof, Jr.) would like to make a motion to approve them", motion by Louie to approve them, so I have a second? Seconded by Bill, all in favor signify by saying aye, all opposed, aye's have it.

Anyone got any further or old business? Anyone care to make a motion to adjourn the meeting? Louis R. Imhof, Jr., I'll make a motion to adjourn the meeting, motion by Louie to adjourn the meeting, seconded by Daniel all in favor say aye, all opposed, aye's have it meeting adjourned at 8:17 P.M.

Douglas J. Reiter
Chairperson

Thomas L. Schuster
Vice-Chairperson

W. A. "Woody" Bailey

Nancy J. Casteel

Louis R. Imhof, Jr.

William K. Voyles

Danny F. Yost

David L. Kinder, Secretary

Attachments: Copy State Statute 13-11-2-116
Stop Order to Clark Nickles & Ordinance 2000-019
Notice Public Hearing – Hometown Plaza
Notice Public Hearing – Keith & Debby Elswick
Residential property card – Raymond E. Dismore
Covenants and Restrictions Hidden Creek Patio Homes

(1) A site that is devoted solely to receiving one (1) or more of the following:

- (A) Fill dirt.
- (B) Vegetative matter subject to disposal as a result of:
 - (i) landscaping;
 - (ii) yard maintenance;
 - (iii) land clearing; or
 - (iv) any combination of activities referred to in this clause.

(2) A facility receiving waste that is regulated under the following:

- (A) IC 13-22-1 through IC 13-22-8.
- (B) IC 13-22-13 through IC 13-22-14.

[P.L.1-1996, § 1; P.L.2-1998, § 46; P.L.133-1998, § 4.]

13-11-2-116. Landfill [as amended by P.L.30-1999]. — (a) "Landfill", for purposes of IC 13-20-2, means a solid waste disposal facility at which solid waste is deposited on or beneath the surface of the ground as an intended place of final location.

(b) "Landfill", for purposes of IC 13-11-2-114.2 and IC 13-20-11, means a facility operated under a permit issued under IC 13-15-3 or IC 13-7-10 (before its repeal) at which solid waste is disposed of by placement on or under the surface of the ground.

(c) "Landfill", for purposes of IC 13-11-2-82 and IC 13-21, means a solid waste management disposal facility at which solid waste is deposited on or in the ground as an intended place of final location. The term does not include the following:

(1) A site that is devoted solely to receiving one (1) or more of the following:

- (A) Fill dirt.
- (B) Vegetative matter subject to disposal as a result of:
 - (i) landscaping;
 - (ii) yard maintenance;
 - (iii) land clearing; or
 - (iv) any combination of activities referred to in this clause.

(2) A facility receiving waste that is regulated under the following:

- (A) IC 13-22-1 through IC 13-22-8.
- (B) IC 13-22-13 through IC 13-22-14.

[P.L.1-1996, § 1; P.L.2-1998, § 46; P.L.30-1999, § 2.]

Compiler's Notes. This section was amended by P.L.133-1998, which became law over the governor's veto, July 1, 1999, veto overridden January 21, 1999, and by P.L.30-1999, which did not refer to the amendment by P.L.133-1998. Because the amendments were not identical, this section is set out as amended by each act.

The 1999 amendment, by P.L.30-1999, inserted "IC 13-11-2-82 and" in subsection (c). The 1998 amendment, by P.L.133-1998, ef-

fective July 1, 1999, inserted "and IC 13-20-23" in subsection (b). The 1999 amendment, by P.L.30-1999, in subsection (b), as amended by P.L.133-1998, inserted "IC 13-11-2-114.2 and".

Effective Dates. P.L.133-1998, became law over the governor's veto on July 1, 1999. See IC 1-1-3.1-3(d). P.L.133-1998, § 4 provided an effective date of July 1, 1998. Veto overridden on January 21, 1999.

13-20-18,
 ers to the
 institute.
 ntroduced",
 resent in a
 materials in
 purposes of
 g powers of
 1996, § 1.]
 - Joint dis-
 trict", for
 district that
 or purposes of
 incorporation
 application op-
 1 which sludge,
 municipal, or
 or incorporation
 ndfill or an open
 purposes of IC
 ndfills.
 surface impound-
 . — (a) "Landfill",
 l facility at which
 the ground as an
 13-20-23, means a
 15-3 or IC 13-7-10
 oy placement on or
 3-21, means a solid
 deposited on or
 The term does not

Town of Sellersburg

316 EAST UTICA STREET
P.O. BOX 85
SELLERSBURG, INDIANA 47172
(812) 246-3821 FAX (812) 246-7040

July 16, 2003

Mr. Clark Nickles
Clark Nickles Excavating & Crane Rental
1501 Tunnel Mill Road
Charlestown, IN 47111

Re: Silver Creek Middle School

Dear Clark,

The purpose of this letter is to tell you to stop delivering fill material to the Chris O'Neal property on N. New Albany Street as of the date of this letter. Attached is a copy of Ordinance No. 2000-19 relating to this matter. Once the property owner has approval according to the Ordinance, then delivering fill material to the site can continue. Thanks for your cooperation regarding this matter.

Sincerely,
Sellersburg Building Commissioner


Nathan R. Grimes

Cc: Mr. Chris O'Neal

ORDINANCE NO. 2000- 19

ORDINANCE REGULATING THE DUMPING OF FILL
MATERIAL WITHIN THE TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town Council for the Town of Sellersburg has in place a solid waste dumping ordinance however, said ordinance does not address the dumping of fill material within the municipal limits of the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg desires to enact local legislation which will deal effectively with the current status of dumping fill material within the municipal limits of the Town of Sellersburg; and

WHEREAS, the Town Council for the Town of Sellersburg has determined that the herein ordinance is necessary for the efficient and effective administration of Town government; and

WHEREAS, the Town Council for the Town of Sellersburg has considered this ordinance in an open meeting at which the public were invited to attend and participate:

BE IT THEREFORE NOW ORDAINED by the Town Council for the Town of Sellersburg as follows:

1. There shall be no landfill dumping within the municipal limits of the Town of Sellersburg without a State permit approving said landfill dumping;
2. Upon the issuance of a landfill dumping permit by the State of Indiana, the following fill dumping regulations shall apply;
3. That the herein ordinance is enacted to define the dumping, the control of the dumping and disposal of fill material within the municipal limits of the Town of Sellersburg and to establish the penalties for violation of the herein ordinance as well as providing for the clean up for any violation thereof. For purposes of this ordinance, the following definitions shall apply unless the context clearly indicates it requires a different meaning.

DUMPING – The discarding of items of solid waste commonly known as gravel, soil, earthen material, rock, concrete (whether whole or crushed), asphalt (whether whole or crushed), any construction or demolition materials.

PERSON – Any person, corporation, organization, partnership, or other entity.

DISCARDING – The disposal of any solid waste material which is abandoned, recycled or inherently waste like and which is placed upon land in a manner that constitutes the disposal of the same or is used to produce products that are applied to or

placed on the land or are otherwise contained in products that are applied to or placed on the land in which cases the product itself remains a solid waste.

FILL – Gravel, soil, rock, concrete (whether whole or crushed), asphalt (whether whole or crushed), construction or demolition materials or any combination thereof. To add earth, soil, rock, etc., to a low land until a required level is reached. A piece of land artificially raised to a required level.

4. No person shall engage in the filling or dumping at any location within the municipal limits of the Town of Sellersburg unless such location shall be an approved landfill site.

5. The Town Council for the Town of Sellersburg desires to regulate within its Town limits the dumping of any fill dirt in all areas within the municipal limits of the Town and specifically requires that each person whether having obtained a State permit for said landfill dumping shall present to the Town of Sellersburg Planning and Zoning Commission a proposal and plan for dumping of any fill dirt or material within the municipal limits of the Town of Sellersburg and obtain the approval of the Planning and Zoning Commission prior to the initiation of any fill material dumping.

6. If the Town of Sellersburg Planning and Zoning Commission refuses to grant approval to the person desiring to dump fill dirt within the municipal limits of the Town of Sellersburg, said person shall be entitled to file an appeal with the Sellersburg Town Council for consideration. The decision of the Sellersburg Town Council shall be final.

7. Any person who does not obtain approval by the Town of Sellersburg Planning and Zoning Commission or the Town of Sellersburg Town Council after a denial of approval by the Town of Sellersburg Planning and Zoning Commission and thereafter dumps fill dirt or other fill material, shall be fined not more than \$1,000.00 per day not less than \$250.00 per day for the violation. In addition, this person may be required to remove fill dirt or fill material which has been placed or dumped without the approval of the Town of Sellersburg Planning and Zoning Commission or the Town of Sellersburg Town Council.

a.) In the event the Town of Sellersburg shall be required to pursue legal action to prevent or stop dumping of fill dirt or fill material, if the person is found to be in violation of the herein ordinance, said individual will be required to pay the Town of Sellersburg's legal costs and fees associated with the enforcement of the herein ordinance.

b.) If the Town of Sellersburg Planning and Zoning Commission or the Town of Sellersburg Town Council grants the authority to the person for the dumping of fill dirt within the municipal limits of the Town of Sellersburg, the person who dumps said fill dirt shall state the time period in which said fill dirt will be allowed to be dumped and the exact content of all fill material. In no event shall a person be authorized to dump fill

material within the municipal limits of the Town of Sellersburg for a period of more than three (3) months without obtaining an extension from the Town of Sellersburg Planning and Zoning Commission. If the Town of Sellersburg Planning and Zoning Commission refuses to grant the extension of time, the person shall be entitled to appeal their decision to the Sellersburg Town Council. The decision of the Town of Sellersburg Town Council shall be final.

8.) Anyone having knowledge of any dumping at any location throughout the Town of Sellersburg shall give such information to a law enforcement officer or the Town of Sellersburg Building Commissioner who shall investigate the site, along with the assistance of such other Town officials that are deemed necessary to determine from what source said fill material or fill dirt has originated, the manner of dumping, and whether the owner or person in possession of the property on which the fill dirt or fill material is located is aware and consented to said dumping.


9.) Upon determining the identity of any originating person of fill dirt or fill material, the dumping of same or the consenting or permitting of the dumping of same in any location within the Town of Sellersburg, the Town Attorney shall issue an order directed to the person so identified and to the owner of said real property on which the dumping has occurred, to remove and clean up said fill dirt or fill material within the time period of no less than thirty (30) days. Failure to comply with this order shall require the Town attorney to initiate the clean up and removal of said fill material as required and all costs and expenses associated with the removal and clean up of said fill dirt or fill material, including but not limited to all land fill fees of an approved landfill site, and all Town law enforcement officials' time incurred in the enforcement of the herein ordinance, shall be chargeable to the person, individual, corporation, organization, partnership or entity identified with said dumping location.

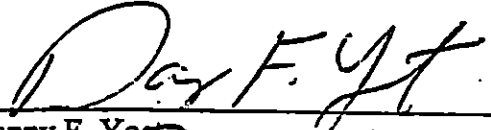
10. Any person identified as having violated the prohibited dumping provisions of the herein ordinance and who are owners of real property within the municipal limits of the Town shall have the cost of said clean up of the area billed to said property owner. If the property owner fails to pay the charges associated with the clean up within sixty (60) days from the date of mailing, then said costs shall be assessed and certified to the Clark County Auditor and Treasurer, said costs and assessment shall be placed on the tax roles of such property owner as an additional assessment for "dumping clean up" and shall be payable by such property owner in the same manner and subject to the same penalties as real property taxes. In the alternative, the Town Attorney shall be entitled to seek injunctive or other relief through the courts of Clark County, and obtain orders requiring individuals, corporations, partnerships, organizations, including non-profit organizations to clean up the dumping area and prohibiting further and future dumping in violation of this ordinance.

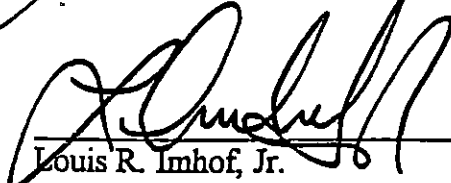
11. In the event that the area of dumping fill dirt or fill material is owned by more than one corporation, individual, or entity or there is information identifying more than one individual, person, corporation, or entity for the clean up of the whole dump

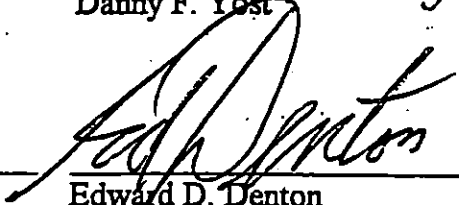
suite, all actions authorized under the herein ordinance shall be taken against any and all such violators regardless if other such individuals are located.

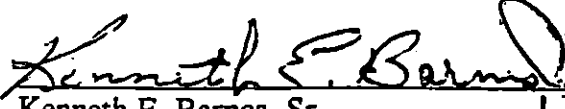
SO ORDAINED THIS 9th DAY OF October, 2000.

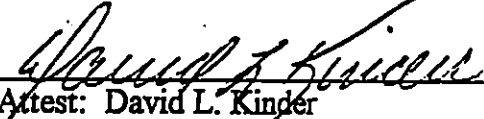

James H. Lamaster


Danny F. Yost


Louis R. Imhof, Jr.


Edward D. Denton


Kenneth E. Barnes, Sr.


Attest: David L. Kinder
Clark-Treasurer

- NOTICE OF PUBLIC HEARING -
Notice by the Sellersburg Plan Commission

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on July 21 at 6:00p in the Meeting Room of the Sellersburg Town Hall
(Date) (Time)

located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Joy Lambros to allow the following:
(Name of applicant)

CHANGE OF ADDRESS

(Brief description of request) (7411 SR #311)

On property commonly know as Hometown Plaza and also described by the following:
(Common address of property)

It is legally described as Part of Survey #88 in the Illinois Grant, Silver Creek Township, Sellersburg, Clark County, Indiana. It is identified as parcel numbers 09-04-3-0 in the Silver Creek Township Assessor's office. It is further described in as Instrument #2001102534 in the Clark County Recorder's Office. The subject comprises 2.45 acre.

A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172.

Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Sellersburg Plan Commission

PublicHearing

**- NOTICE OF PUBLIC HEARING -
Notice by the Sellersburg Plan Commission**

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on July 21, 2003 at 6:00 in the Meeting Room of the Sellersburg Town Hall
(Date) (Time)

located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Kathy & Debby Elswick to allow the following:
(Name of applicant)

Rezoning from R1 to R3 to allow construction of a play equipment building.

(Brief description of request)

On property commonly known as 1902 Payne Center Rd and also described by the following:
(Common address of property)

(INSERT LEGAL DESCRIPTION OF PROPERTY)

Gillencaster's Subdivision - grant 66
Parcel # 6 - 0.297 acres.

A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172.

Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Sellersburg Plan Commission

PublicHearing

Current plot plan
← 137' →

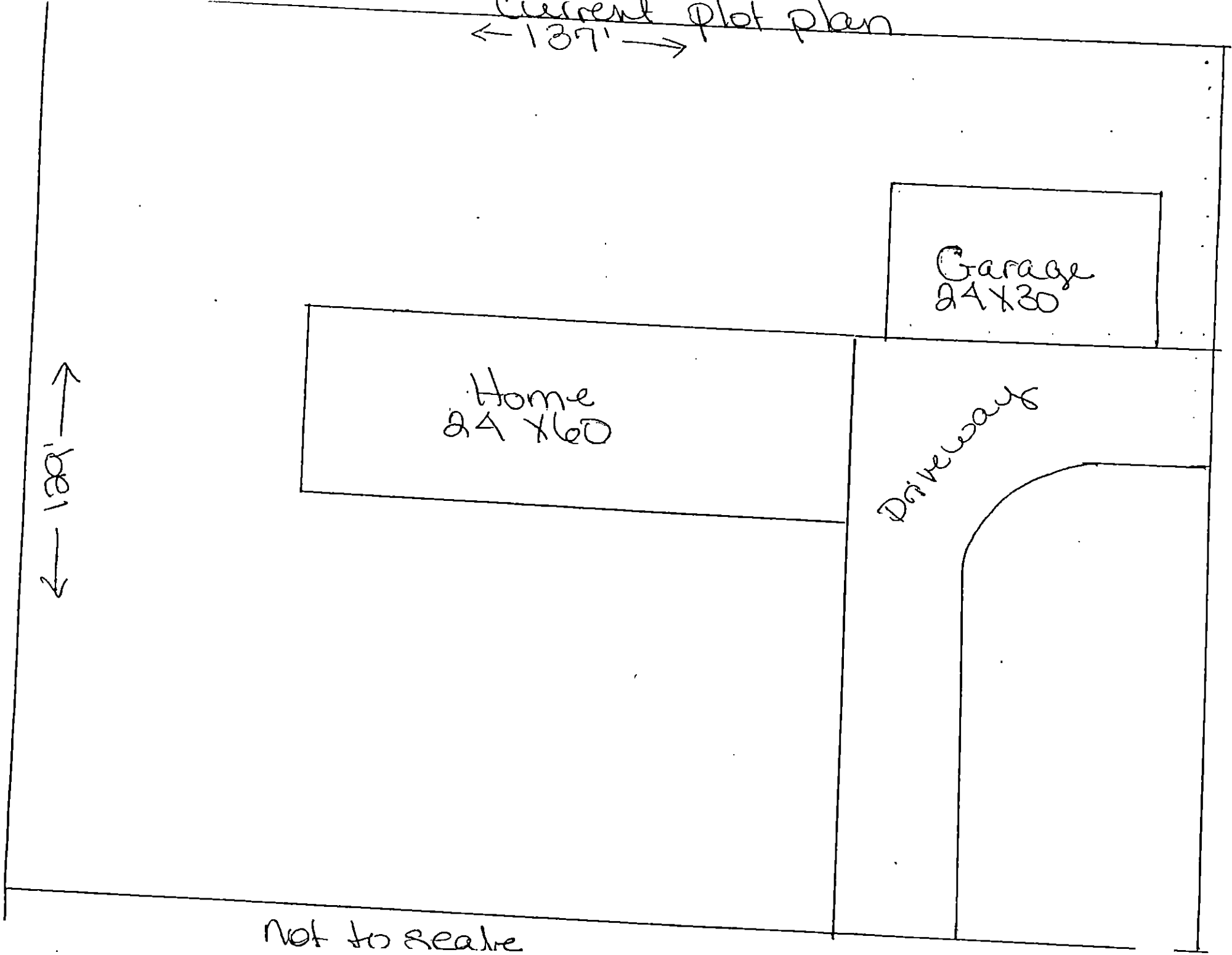
Garage
24 x 30

Home
24 x 60

Driveway

← 188' →

Not to scale

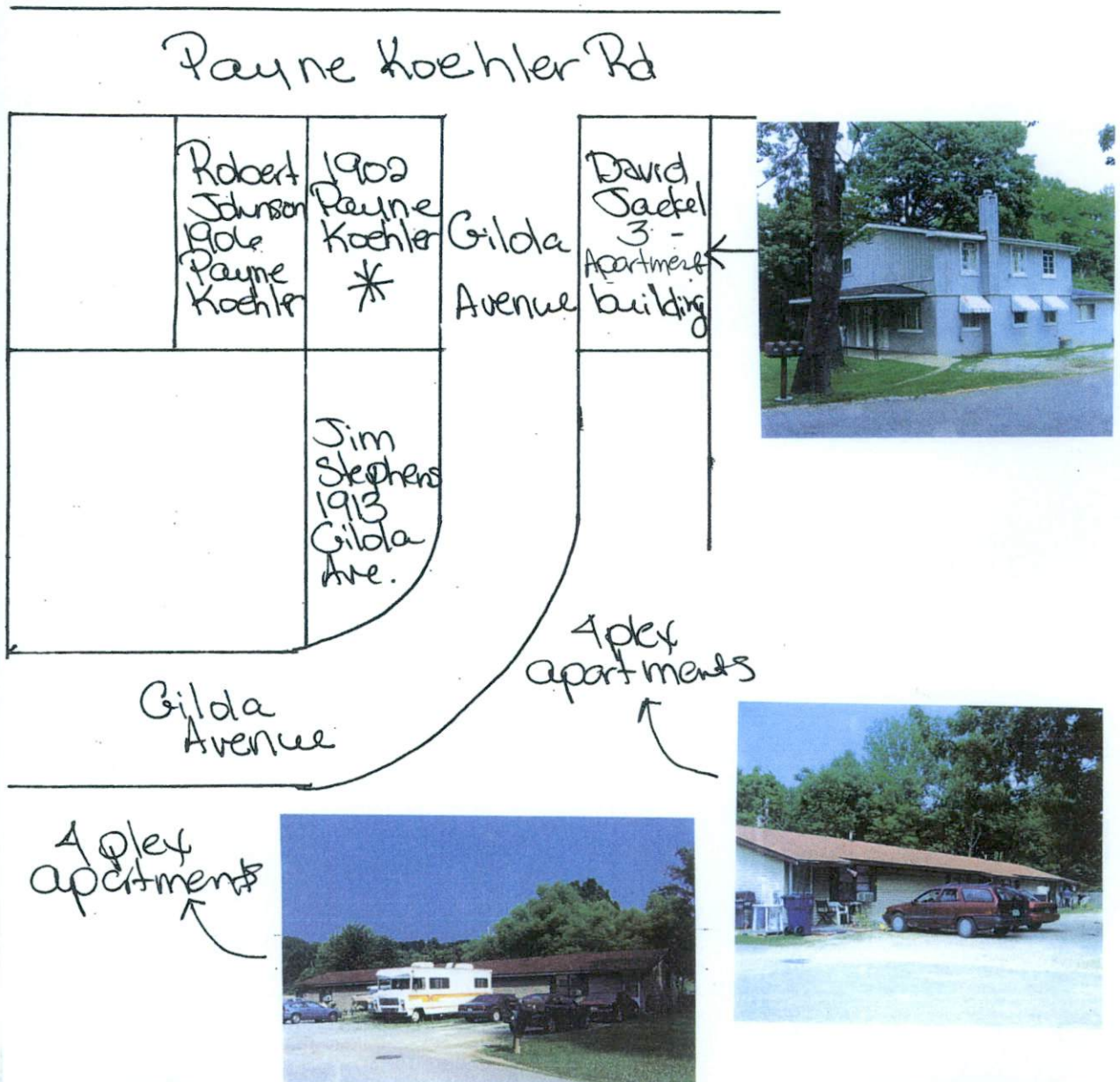


Keith & Debby Elswick
2401 Harry Hughes Road
Charlestown, IN 47111
Home: (812)256-5229
Keith Cell: (502)262-6364
Debby Cell: (502)905-9492

We would like to rezone the property located at 1902 Payne Koehler Road, Sellersburg from a R-1 zoning to a R-3 zoning. We are proposing to remove the existing home from this property and replace it with a 2 story 4-plex.
(2 apartments on the bottom and 2 on the second level)

As you can see from the site diagram below there are several apartments and 4-plexes in the area.

The Friendly Village of Indian Oaks



Keith & Debby Elswick
2401 Harry Hughes Road
Charlestown, IN 47111
Home: (812)256-5229
Keith Cell: (502)262-6364
Debby Cell: (502)905-9492

Notices were mailed to the following adjoining property owners:

The Friendly Village of Indian Oaks
7236 Declaration Drive
Sellersburg, IN 47172

Robert Johnson
1906 Payne Koehler Road
Sellersburg, IN 47172

Jim Stephens
1913 Gilola Avenue
Sellersburg, IN 47172

David Jackel
P.O. Box 456
Goshen, KY 40026

Property at 1902 'Yvonne Koehler' Rd, Sellersburg.



Proposed plan
← 137' →

4 unit - 2 story
apartment
building
approx 82 x 66

← 129' →

Possible
Storage units
24 x 30

Driveway

Blacktop
for parking

not to scale

759: 3562 0008 0000 0860 0002 7002

CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47173

Postage	\$ 40.37 \$2.30	0730 04	Postmark Here
Certified Fee	\$1.75		
Return Receipt Fee (Endorsement Required)	\$0.00	07/09/2003	
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 44.42		

Sent To
The Friendly Villages of Indian
Street, Apt. No.,
or PO Box No. 7236 Declaration Dr Oaks
City, State, ZIP+ Sellersburg, IN 47173
PS Form 3800, April 2002 See Reverse for Instructions

7619 3562 0000 0860 0002 7002

CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47173

Postage	\$ 40.37 \$2.30	0730 04	Postmark Here
Certified Fee	\$1.75		
Return Receipt Fee (Endorsement Required)	\$0.00	07/09/2003	
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 44.42		

Sent To
Jim Stephens
Street, Apt. No.,
or PO Box No. 1913 Gilda Avenue
City, State, ZIP+ Sellersburg, IN 47173
PS Form 3800, April 2002 See Reverse for Instructions

7621 3562 0008 0000 0860 0002 7002

CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47173

Postage	\$ 40.37 \$2.30	0730 04	Postmark Here
Certified Fee	\$1.75		
Return Receipt Fee (Endorsement Required)	\$0.00	07/09/2003	
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 44.42		

Sent To
David Jacket
Street, Apt. No.,
or PO Box No. P.O. Box 456
City, State, ZIP+ Goshen, IN 46040
PS Form 3800, April 2002 See Reverse for Instructions

7621 3562 0000 0860 0002 7002

CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47173

Postage	\$ 40.37 \$2.30	0730 04	Postmark Here
Certified Fee	\$1.75		
Return Receipt Fee (Endorsement Required)	\$0.00	07/09/2003	
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 44.42		

Sent To
Robert Johnson
Street, Apt. No.,
or PO Box No. 906 Payne Koehler Rd
City, State, ZIP+ Sellersburg, IN 47173
PS Form 3800, April 2002 See Reverse for Instructions

17-00011-050-0
 County CLARK COUNTY
 User Key
 District Town of Sellersburg
 Township Town of Sellersburg
 Corporation Not Entered
 Neighborhood
 Section and Plat 110-11
 Assessor's Parcel Number 036.010
 Property Class 510 Single family Dwelling Owner occupied
 Homestead

Ownership
 DISMORE, RAYMOND E
Address
 205 POPP AVE.
 SELLERSBURG IN 47172 0000
Legal Description
 DOLD-POPP ADD. LOT 9 BLK 3

Transfer of Ownership		Card No. PO1	02	17-00011-050-0	
Date	Convey Nbr	TranType			

Property Location
 205 POPP AVENUE
 SELLERSBURG
 Acquired By NLOCKARD Feb 10 1996 12:59:54 pm
Topography Pub. Utilities Street or Rd. Neighborhood
 Level Water
 High Well Paved Improving
 Low Sewer Unpaved Static
 Rolling Septic Proposed Declining
 Swampy Gas Sidewalk Other
 P. Swampy Electricity Alley Blighted
 Wooded All

VALUATION RECORD									
Assessment Year	1989	1995	01-02	---	---	---	---	---	---
Reason for Change	Miscellaneous	General Revaluation	F11						
True Tax Value	Land	2,900	3,900						
	Structures	24,000	28,900						
	Total	26,900	32,800						
Assessed Value	Land	970	1,300	3400					
	Structures	8,000	9,630	31100					
	Total	8,970	10,930	35000					

- Property Classes**
- 300 GENERAL
 - 301 VACANT LAND
 - 302 FOOD & DRINK
 - 303 FOUNDRIES & HEAVY MFG
 - 304 LIGHT MFG. & ASSEMBLY
 - 305 INDUSTRIAL WAREHOUSES
 - 306 INDUSTRIAL TRUCK TERMINALS
 - 307 SMALL SHOPS
 - 308 MINES & QUARRIES
 - 309 DRIVEN ELEVATORS
 - 310 OTHER INDUSTRIAL STRUCTURES
 - 400 COMMERCIAL
 - 401 VACANT LAND
 - 402 1-2 FAMILY APPTS
 - 403 3-4 FAMILY APPTS
 - 404 5 OR MORE FAMILYS
 - 405 MOTELS OR TOURIST CAVES
 - 406 HOTELS
 - 407 RESID. HOMES & HOSPITALS
 - 408 MOBIL HOME PARKS
 - 409 COMMERCIAL CAMP GROUNDS
 - 410 OTHER COMMERCIAL HOUSING
 - 411 SMALL DET. RETAIL BLDG
 - 412 DISCOUNT & DEPT. STORES
 - 413 FULL LINE DEPT. STORES
 - 414 NEED-BOWSHOP CENTER
 - 415 COMB. SHOP. CENTER
 - 416 REGIONAL SHOP. CENTER
 - 417 OTHER RETAIL STRUCTURES
 - 418 RESTAURANT, CAFE AND/OR BAR
 - 419 DRIVE-IN RESTAURANT
 - 420 OTHER FOOD SERVICE STRUCT.
 - 421 24 HOURS CLEAN FLINT OR LAUNDRY
 - 422 FUNERAL HOMES
 - 423 MEDICAL CLINICS OR OFFICES
 - 424 FULL SERVICE BANKS
 - 425 BANKS AND LOANS
 - 426 OFFICE BLDG - 1 OR 2 STORY
 - 427 OFFICE BLDG - 3 OR 4 STORY
 - 428 OFFICE BLDG W/ ELEVATOR
 - 429 AUTO SERVICE STATION
 - 430 CAR WASHES
 - 431 AUTO BIKES & SERVICE
 - 432 COMMERCIAL GARAGE
 - 433 PARKING LOT OR STRUCTURE
 - 434 THEATERS
 - 435 DRIVE-IN THEATERS
 - 436 GOLF RANGE OR LINK COURSE
 - 437 GOLF COURSE
 - 438 BOWLING ALLEYS
 - 439 LODGE HALLS OR GAMING PARCS
 - 440 COMMERCIAL WAREHOUSES
 - 441 COMMERCIAL TRUCK TERMINALS
 - 442 MARINE SERVICE FACILITIES
 - 443 MARINAS (SMALL BOATS)
 - 444 OTHER COMMERCIAL STRUCTURES
 - 500 RESIDENTIAL
 - 501 VACANT LAND
 - 502 ONE-FAMILY DWELLING
 - 503 TWO-FAMILY DWELLING
 - 504 THREE-FAMILY DWELLING
 - 505 HOUSE TRAILER (MOBILE HOME)
 - 506 CONDOMINIUM UNIT
 - 507 PLATTED LAND
 - 508 UNPLATTED 1/4 ACRES
 - 509 UNPLATTED 1/2-1/3 ACRES
 - 510 UNPLATTED 2/3-2/4 ACRES
 - 511 UNPLATTED 3/4-3/8 ACRES
 - 512 UNPLATTED 1/2-1/4
 - 513 OTHER RESIDENTIAL STRUCT.

PLOT PLAN

P01

P02

Yard Structures (see Reverse side for more information)

Value

LAND DATA AND COMPUTATIONS											
Land Type	Actual Front.	Effect. Front.	Effect. Depth	Depth Factor	Set Back	Base Rate	Adjusted Rate	Extended Values	Influence Factor	True Tax Value	
F	25	25	140	0.97	0	80.00	78.00	1,950	0%	1,950	
F	25	25	140	0.97	0	80.00	78.00	1,950	0%	1,950	
				Sq. Ft.							
				Acreage							
Total Acreage				0.161	Total True Tax Land Value				3,900		
Memorandum								Land Type		Influence Factor	
01-02 F11 added EFP to the rd base-buret in 1950 (See P02) 6-01 T								R Front Lot		1 Topography	
								1 Primary Ind/Comm. Site		2 Under Improved	
2 Secondary Ind/Comm. Site		3 Excess Frontage									
3 Undeveloped		4 Shape or Size									
4 Tillable		5 Misimprovement									
5 Non-tillable		6 Restrictions									
6 Woodland		0 Other									
7 Other Farmland											
71 Farm Building											
72 Water											
8 Ag Support											
81 Legal Drain											
82 Public Road											
9 Homestead											

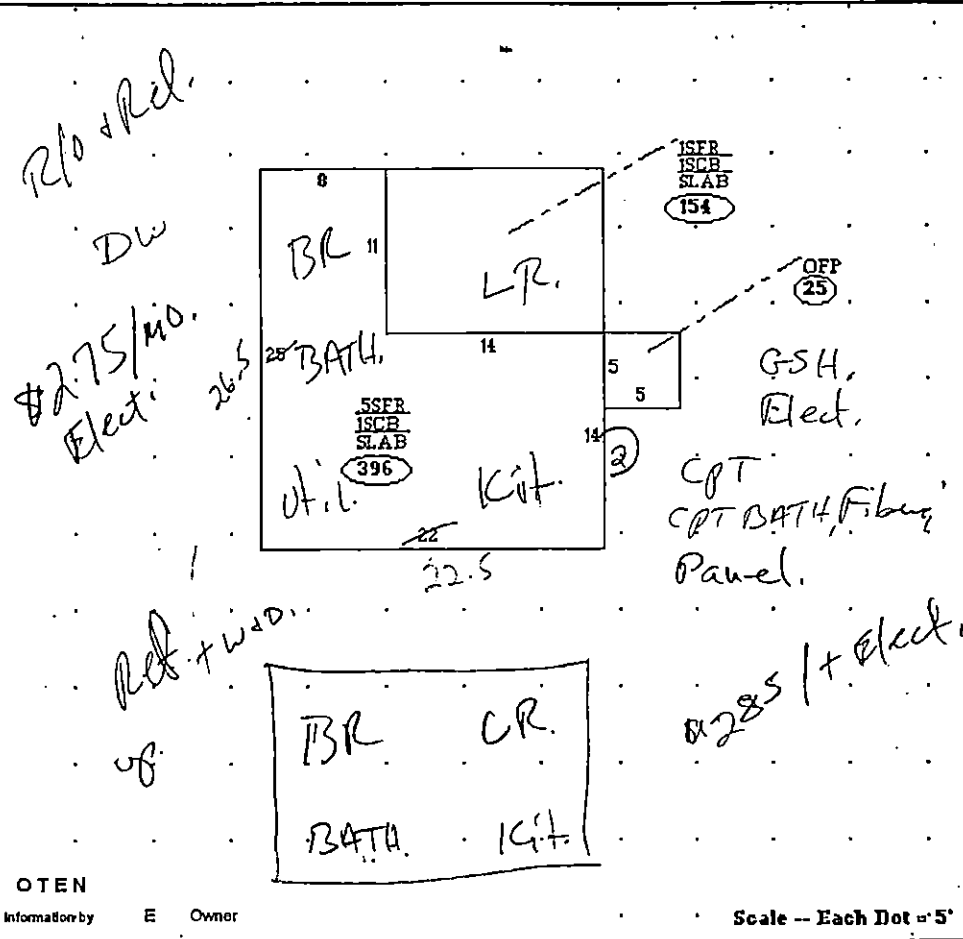
Occupancy	Story Height	Attic	Barr	Crawl
1 <input checked="" type="checkbox"/> Single Family		0 <input checked="" type="checkbox"/> None	0 <input checked="" type="checkbox"/> None	<input checked="" type="checkbox"/> 0
2 <input type="checkbox"/> Duplex	1.50	1 <input type="checkbox"/> Unfinished	1 <input type="checkbox"/> 1/4	<input type="checkbox"/> 1
3 <input type="checkbox"/> Triplex	<input type="checkbox"/> 2 Bi-Level	2 <input type="checkbox"/> 1/2 Finished	2 <input type="checkbox"/> 1/2	<input type="checkbox"/> 2
4 <input type="checkbox"/> 4-6 Family	<input type="checkbox"/> 3 Tri-Level	3 <input type="checkbox"/> 3/4 Finished	3 <input type="checkbox"/> 3/4	<input type="checkbox"/> 3
5 <input type="checkbox"/> Mobile Home		4 <input type="checkbox"/> Finished	4 <input type="checkbox"/> Full	<input type="checkbox"/> 4
6 <input type="checkbox"/> Row-Type				

Construction	Base Area	Height	Finished Living Area	Value
1 Frames	4	550	1,00	396
2 Stucco	1	396	1.50	396
3 Tile	1	154	2.00	154
4 Concrete Block				
5 Metal				
6 Concrete			Attic	
7 Brick			Basement	
8 Stone			Crawl	
9 Frame w/ Masonry				

Roofing	TOTAL BASE	Value
Asphalt Shingles <input checked="" type="checkbox"/>	550	34,200
State or Tile <input type="checkbox"/>		
Metal <input type="checkbox"/>		
Floors		
Earth <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Slab <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		
Sub & Joists <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>		
Wood <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Parquet <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Tile <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>		
Carpet <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Unfinished <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Interior Finish		
Plaster or Dry Wall <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		
Paneling <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Fiberboard <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Unfinished <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Accommodations		
Total Num. of Rooms	5	
Bedrooms	2	
Family Room		
Formal Dining Room		
Commercial		
Rec. Room	None	
Fireplace	Stack	
Heat Pump		
Central Air Conditioning		
Central Warm Air <input checked="" type="checkbox"/>		
Hot Wat. or Steam <input type="checkbox"/>		
Heat Pump <input type="checkbox"/>		
No Heating Gravity/Wall Space <input type="checkbox"/>		
Central Air Cond. <input type="checkbox"/>		
Plumbing		
Full Baths	2	6
Half Baths	0	0
Kitchen Sink	1	1
Water Heater	1	1
Extra Fixtures	0	0
No Plumbing		

Garages	Value
154 Integral	-1,300
Attached Garage	(+)
Attached Carport	(+)
Basement	(+)
Exterior Features	600
Grade & Design Factor (D-1)	0.70
Reproduction Cost	24,430

REMODELING & MODERNIZATION			
	Amount	Date	
Exterior			
Interior			
Kitchen			
Bath Facilities			
Plumbing System			
Heating System			
Electrical System			
Extensions			
Total			



Structure Features	
Major Items	Applicability
C Concrete Floor	BARN
D Dirt Floor	T/S/A/P/E/D/Q
E Electric Lights	CONFINEMENT
G Grade	T/P/E/C/A
H Heating	Stotted Floors
I Insulation	Pla
L Loft	CORN CRIBS
P Plumbing	T
Q Living Quarters	Frame/Wire
S Stalls	Free-Stand/Drive-Thru
T. Type of Construction	No Roof Floor
	GRAINARIES
	Storage Bins
	Pole Type
	GRAIN BINS-STEEL
	Diameter & Height
	or Bushel Capacity
	QUONSET BUILDING
	E/W Floor:
	Asphalt/Concrete
	SLURRY TANKS
	In-ground/
	Above ground
	Round/Rectangle
	Plank Cover
	No Cover
	SILO
	Concrete:
	Stave/Rainfd
	Masonry:
	Tile/Conc. Bk/Brick
	Steel:
	Unlined/Glass lined
	No Roof
	TRENCH & BUNKER SILOS
	Depth
	Width
	Filter
	Heater
	Non-rectangular
	Shape
	Concrete Apron
	Enclosure Type
	TENNIS COURT
	Clay/Sod/Asphalt
	UTILITY SHED
	T&G.

SUMMARY OF STRUCTURES

ID	USE	STY HT.	CNST. TYPE	GRD	YEAR CNST.	YEAR RMOD.	COND.	NEIGH.	BASE RATE	FEATURES	ADJ. RATE	SIZE or AREA	REPRODUC. COST	PHYS. DEPR.	REMAINDER VALUE	OBS. DEP.	TRUE TAX VALUE
P02	DWELLING	1.50	4	D-1	1950		P	AV	2200		2200	8 X 14	24,430	65	8,550		8,600
02	EFP	1	1	C	00		AV	AV									2200

Data Collector/Date	BB	Apr-23-1994	Appraiser/Date	SH	Jan-23-1995	Last Entry	NLOCKA	Jan-01-1988	Supplemental Card Improvement Value		Total True Improvement Value	24,430
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10800

Occupancy	Story Height	Attic	Berm	Crawl
1 <input checked="" type="checkbox"/> Single Family	1.00	0 <input checked="" type="checkbox"/> None	0 <input checked="" type="checkbox"/> None	0 <input type="checkbox"/> 0
2 <input type="checkbox"/> Duplex		1 <input type="checkbox"/> Unfinished	1 <input type="checkbox"/> 1/4	1 <input type="checkbox"/> 1
3 <input type="checkbox"/> Triplex	<input type="checkbox"/> 2 B-Level	2 <input type="checkbox"/> 1/2 Finished	2 <input type="checkbox"/> 1/2	2 <input type="checkbox"/> 2
4 <input type="checkbox"/> 4-6 Family	<input type="checkbox"/> 3 Td-Level	3 <input type="checkbox"/> 3/4 Finished	3 <input type="checkbox"/> 3/4	3 <input type="checkbox"/> 3
5 <input type="checkbox"/> Mobile Home		4 <input type="checkbox"/> Finished	4 <input type="checkbox"/> Full	4 <input checked="" type="checkbox"/> 4
6 <input type="checkbox"/> Row-Type				

Construction	BASE AREA	Floor	FINISHED LIVING AREA	Value
1 Frame	1,064	1.00	1,064	32,700
2 Stucco				
3 Tile				
4 Concrete Block		Attic		
5 Metal		Basement		
6 Concrete				
7 Brick				
8 Stone				
9 Frame w/ Masonry	1,064	Crawl		3,600

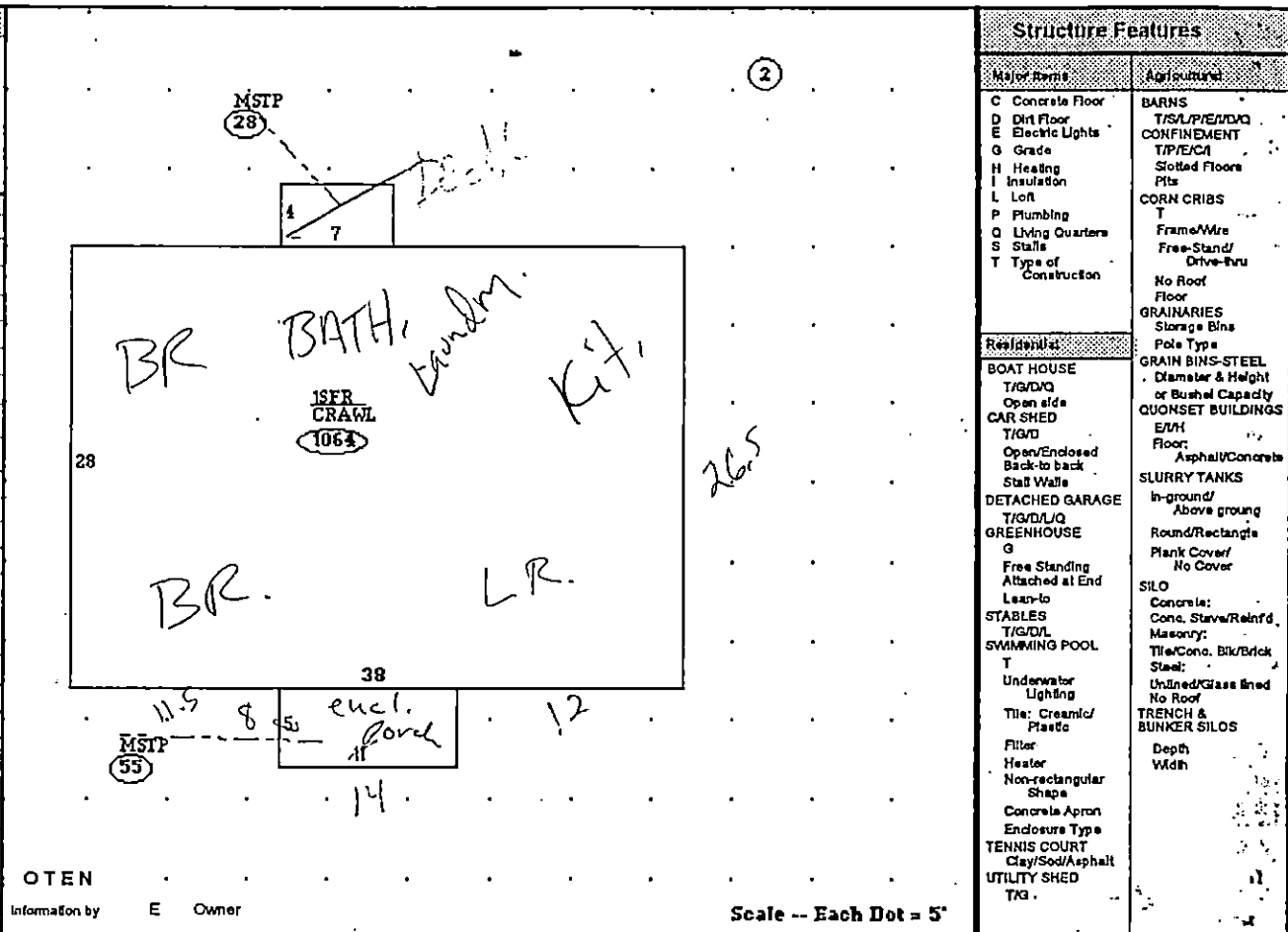
Roofing	TOTAL BASE	Value
Asphalt Shingles <input checked="" type="checkbox"/>	1,064	36,200
Slate or Tile <input type="checkbox"/>		
Metal <input type="checkbox"/>		
Floors		
Earth <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Slab <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Sub & Joists <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Wood <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Parquet <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Tile <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Carpet <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		

Interior Finish	Value
Plaster or Dry Wall <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1,200
Paneling <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Fiberboard <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Unfinished <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Plumbing TF: 5-5 = 0 x 600	0
No Plumbing	
SUB-TOTAL, ONE UNIT 37,400	
SUB-TOTAL, UNITS	

Accommodations	Value
Total Num. of Rooms 4	
Bedrooms 2	
Family Room	
Formal Dining Room	
Commercial	
Rec. Room Type None	
Area	
Fireplace Stacks	
Reproduction Cost	1,400
SUB-TOTAL 38,800	
Grade & Design Factor (D) 0.80	
Reproduction Cost 31,040	

Heating & Air Conditioning	Value
Central Warm Air <input checked="" type="checkbox"/>	
Hot Water or Steam <input type="checkbox"/>	
Heat Pump <input type="checkbox"/>	
Other Heating (radiant/Wall/Space) <input type="checkbox"/>	
Central Air Cond. <input checked="" type="checkbox"/>	

Remodeling & Modernization	Amount	Date
Exterior		
Interior		
Kitchen		
Bath Facilities		
Plumbing System		
Heating System		
Electrical System		
Extensions		
Total	5	



Structure Features	
Major Items	Agriculture
C Concrete Floor	BARN
D Dirt Floor	T/S/L/P/E/A/D/Q
E Electric Lights	CONFINEMENT
G Grade	T/P/E/C/I
H Heating	Stotted Floors
I Insulation	Pts
L Loft	CORN CRIBS
P Plumbing	T
Q Living Quarters	Frame/Wire
S Stalls	Free-Stand/
T Type of Construction	Drive-Thru
	No Roof Floor
	GRAINARIES
	Storage Bins
Residential	Pole Type
BOAT HOUSE	GRAIN BINS-STEEL
T/G/D/Q	Diameter & Height
Open side	or Bushel Capacity
CAR SHED	QUONSET BUILDINGS
T/G/D	E/W/H
Open/Enclosed	Floor:
Back-to-back	Asphalt/Concrete
Stall Walls	SLURRY TANKS
DETACHED GARAGE	In-ground/
T/G/D/L/Q	Above ground
GREENHOUSE	Round/Rectangle
G	Plank Cover/
Free Standing	No Cover
Attached at End	SILO
Lean-to	Concrete:
STABLES	Conc. Slabs/Reinf.
T/G/D/L	Masonry:
SWIMMING POOL	Tile/Conc. Blk/Brick
T	Steel:
Underwater	Unlined/Glass lined
Lighting	No Roof
Tile: Cream/	TRENCH &
Plastic	BUNKER SILOS
Filter	Depth
Heater	Width
Non-rectangular	
Shape	
Concrete Apron	
Enclosure Type	
TENNIS COURT	
Clay/Sod/Asphalt	
UTILITY SHED	
T&G	

SUMMARY OF STRUCTURES																				
ID	USE	STY HT.	CNST. TYPE	GRD	YEAR CNST.	YEAR RMOD.	COND.	NEIGH.	BASE RATE	FEATURES	ADJ. RATE	SIZE or AREA	REPRODUC. COST	PHYS. DEPR.	REMAINDER VALUE	OBS. DEP.	TRUE TAX VALUE			
P01	DWELLING	01.0	1	D	1985		AV	AV					31,040	35	20,180		20,200			
02	UTLSHED	1.0	1	D	1985		SV					0 SF					100			
Data Collector/Date BB Ap 4													Appraiser/Date SH Jan-23-1995			Last Entry NLOCKA Jan-01-1998			Supplemental Card Improvement Value 20,300	
Total													Total True Improv		26,900					

I the undersigned FRED EVERT JR. owner of the real estate shown and described herein, do hereby certify that I have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

The subdivision shall be known and designated as MOON CREEK PATIO HOMES in addition to the Town of Sellersburg, Indiana.

All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the streets there shall be erected or maintained no building or structure other than an open one-story porch.

There are areas of ground as shown on this plat and marked "Drainage and Public Utility Easement", reserved for use of public utilities for the installation of pipes, ditches, mains, poles, ducts, lines, and wires, subject at all times to the proper authorities and to the easement herein reserved and also ingress and egress to adjacent properties. No permanent or other structures are to be erected or maintained on said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of other lots in this subdivision.

Building Limits (by Resolution Authorizing Variance dated 4-21-03)

- Front Yard: 25'
- Side Yard: 0' (on one side only)
- Back Yard: 15' UNIT 1-4 30' UNITS 5-6

Minimum Floor Areas, Exclusive of 2-Car Garage

Patio Homes: 1250 sq. ft. minimum

No lot shall be used except for private single family residential purposes. No patio home structure shall be erected, placed or altered or permitted to remain on any lot except one single family dwelling designed for the occupancy of one family, (including any domestic servants living on the premises), not to exceed one (1) story in height and containing a private garage attached for the sole use of the owner and the occupants of the lot. Patio homes shall be built consistent with the Presentation to Sellersburg Board of Zoning Appeals.

It shall be the responsibility of each lot owner to keep all ditches and swales on the lot of said owner clean, mowed, cleared and unobstructed for the flow of water. The owner of said lot shall not deposit, throw or discard debris, grass clippings, leaves or any other such items in said ditches or swales which would impede the flow of water.

The foregoing covenants, (or restrictions), are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2025 (Twenty-five year period), at which time said covenants, (or restrictions), shall be automatically extended for successive periods of ten (10) years unless by vote of a majority of the then owners of the building sites covered by these covenants, or restrictions, it is agreed to change such covenants, or restrictions, in whole or in part. Invalidity of any one of the foregoing covenants, or restrictions, by judgment or court order shall in no way affect any of the other covenants, or restrictions, which shall remain in full force and effect. The right to enforce these provisions by injunctions, together with the right to cause the removal, by due process of law of any structure or part hereof erected or maintained in violation hereof, is hereby dedicated to the public and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Witness my Hand and Notarial Seal this _____ day of _____ 2001

HYPHEN CREEK PATIO HOMES
6/10/03

THERE WILL BE A 50⁰⁰ A MONTH MAINTAINANCE FEE TO MAINTAIN GRASS CUTTING AND ALL COMMON GROUNDS. THIS FEE COULD GO UP AS TIME GOES ON AND PRICES INCREASE.

NO OUTSIDE PETS WILL BE ALLOWED AND INSIDE PETS SHALL BE RESTRICTED TO NO MORE THAN TWO NOT WEIGHING MORE THAN 35 LBS.

AFTER ALL UNITS ARE OCCUPIED A HOMEOWNER ASSOCIATION SHALL BE FORMED TO TAKE OVER MAINTAINANCE FEES AND OTHER SUCH MATTERS.

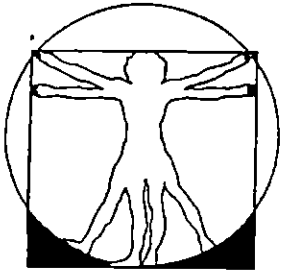
NO CARS SHALL BE PARKED ON ^(MAIN) DRIVEWAY AT ANYTIME.

NO FENCES SHALL BE CREATED ON SAID PROPERTY.

NO RECREATIONAL VEHICLES SHALL BE ALLOWED ON PROPERTY OR DRIVES.

ALL RESTRICTIONS CAN BE ADDED TO OR CHANGED BY HOMEOWNERS ASSOC.

By Majority Vote!



RENAISSANCE DESIGN BUILD, INC.

144 SOUTH NEW ALBANY STREET

SELLERSBURG, INDIANA 47172

VOICE & FAX 812-246-5897

SELLERSBURG PLAN COMMISSION AGENDA JULY 21, 2003

1. Roll Call.
2. Final plan approval for Adams Creek at 2116 Poindexter Lane.
(See Attachments)
3. Approve change of address for 7411 SR311. (See Attachments)
4. Keith & Debby Elswich requesting zone change from R-1 to R-3 at
1902 Payne-Koehler Road.(See Attachments)
5. Approval of covenants and restrictions for Hidden Creek Patio
Homes. (See Attachments)
6. Grandfathered Zoning Issues. (See Attachments)
7. Approve minutes from previous meeting.

Respectfully Submitted,
Renaissance Design Build, Inc.


Nathan R. Grimes, P.E.



STOCK YARDS BANK
AND TRUST COMPANY

August 18, 2003

Doug Reiter, President
Planning & Zoning Department
Town of Sellersburg
Sellersburg, IN 47172

RE: Adam's Creek Developments, L.L.C.
2116 Poindexter Ln.
Sellersburg, IN 47172
Letter of Credit #152600

To Whom It May Concern:

We hereby open our Irrevocable Letter of Credit in your favor available by your drafts drawn on Stock Yards Bank & Trust Company, at sight, for any sum(s) not exceeding in total ONE HUNDRED FIFTEEN THOUSAND SEVEN HUNDRED AND SEVENTY FIVE DOLLARS-----00/100 (\$115,775.00) for the account of ADAM'S CREEK DEVELOPMENTS, L.L.C.

The drafts must be accompanied by your signed statement certifying that funds advanced by you to ADAM'S CREEK DEVELOPMENTS, LLC have not been paid to you, that demand for payment has been made and the funds have not been forthcoming from ADAM'S CREEK DEVELOPMENTS, L.L.C. Each draft must bear on its face the clause, "Drawn under Letter of Credit No. 152600" dated August 18, 2003 of Stock Yards Bank & Trust Company, 1040 East Main Street, Louisville, Kentucky 40206.

Except so far as otherwise expressly stated herein, this Letter of Credit is subject to the "Uniform Customs and Practice for Documentary Credits (1993 Revision), the International Chamber of Commerce Publication No. 500."

We hereby agree with you that drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored if presented to the above-mentioned drawee bank on or before August 18, 2004.

Sincerely,

Joyce Brown
Vice President

JB/nes

RESTRICTIONS AND PROTECTIVE COVENANTS
FOR ADAMS' CREEK SUBDIVISION

The owners of Adams' Creek Developments L.L.C., the developer, being sole owner of all lots in Adams' Creek Subdivision, as the same appears of record in the Office of the Recorder of Clark County, Indiana, in Plat Book _____, Page _____, does hereby impose the following Restrictions and Protective Covenants upon each lot within the Plat of Adams' Creek Subdivision for the mutual benefit of all persons, firms and corporations who may now or hereafter have any vested interest, legal or equitable, in any lot within such development, to read as follows:

1. LAND USE. No lot shall be used except for residential purposes unless designated for other use on the plat. No residential lot shall have more than one (1) single-family residence erected thereon. No temporary, mobile or modular living facility shall be located and/or used as a temporary or permanent residence on any residential lot at any time.

2. ARCHITECTURAL CONTROL. The location of each dwelling shall comply with all specifications of the Town of Sellersburg and must be approved by the developer. All buildings shall receive signed approval by the developer prior to the beginning of their construction. Outbuildings must blend in aesthetically with the homes and be even with or behind the rear wall line of each house. (If ever a question arises as to the definition of "rear wall line," especially of corner lots, the developer reserves the right to define the term and establish the line(s).) Homes must have brick or stone of at least 60% total coverage.

3. DWELLING SIZE. No one-story dwelling shall be permitted with a living area of less than sixteen hundred (1600) square feet in the main structure exclusive of open porches, patios, balconies, carports, garages, and basements. No two-story dwelling shall be permitted with a living area of less than eighteen hundred (1800) square feet of which not less than one thousand (1000) square feet shall be on the first floor, exclusive of open porches, patios, balconies, carports, garages, and basements.

4. DRIVEWAYS. Driveways shall be of concrete construction only and completed in conjunction and contemporaneous with the construction of said dwelling. Driveways must be constructed by a professional concrete construction firm. Driveway installation and maintenance costs are the responsibility of the lot owner.

5. SIDEWALKS. Sidewalks shall be of concrete construction only and completed in conjunction and contemporaneous with the construction of said dwelling. Sidewalks must be constructed by a professional concrete construction firm. Sidewalk installation and maintenance costs are the responsibility of the lot owner. A constant width of four (4) feet shall be required across the entire front of each lot parallel to the street and/or following its curve and extending from one to the other side lot line so as to connect, in a straightforward manner and at a uniform elevation, with similar sidewalks in front of adjacent lots, whether or not those adjacent sidewalks are yet constructed. The measurement between the street-side of the sidewalk and the lot-side of the curbing shall be four (4) feet and this area shall be maintained as grass lawn. Sidewalks shall receive signed approval by the developer prior to the beginning of their construction.

6. PARKING. No boat, camping trailer, transport trailer, motor home, horse trailer, or the like shall be stored or parked in the driveway, or in the yard in front of the rear wall line of the house, or on the street in front of the lot. No disabled vehicles of any of the above or of any other kind shall be parked out-of-doors on the premises at any time. No overnight on-street parking will be permitted. The street shall not be used regularly and routinely as a parking space for the residents of the dwelling.

7. STREETS AND EASEMENTS. Streets and easements shall be laid out, built and maintained to meet the specifications of the Town of Sellersburg.

8. CONSTRUCTION PERIOD AND LANDSCAPING. Weather permitting, within six (6) months from the beginning of construction, said dwelling must be completed and the site finish graded and sodded or seeded. Landscaping for each house shall be completed no more than six (6) months after occupancy.

9. SUBDIVIDING LOTS. Further subdivision of any lot(s) by its owner(s) or any other parties shall not be permitted for any purpose.

10. LAND NEAR BOUNDARIES AND WATER COURSES. No building shall be situated upon nor shall any material or refuse be placed or stored upon any lot within five (5) feet of the property line or any drainage watercourse. Clean fill may be placed in said area provided that the natural watercourse is in no way blocked, obstructed or altered by such fill.

On each lot easements and right-of-ways are hereby expressly reserved for the erection, construction and/or maintenance of the following: sewer lines and drain lines; pipelines for supplying gas, water and heat; lines, poles, wires, cables, conduits and necessary attachments for telephone, cable television and electrical service and for other services; quasi-public purposes such as roads, streets and sidewalks. Such easements and right-of-ways shall be located upon the following strips of land: between the building setback line and property line along the front lot line of each lot; between the rear building line and the property line along the rear lot line of each lot; five (5) feet along each side lot line; and where indicated on the plat along the front lot line. Also, the developer reserves the right to suspend at a reasonable height over any lot, along lot lines, or roadways, wires from telephone or electrical power line poles and to trim or cut trees as necessary. The right is reserved to enter upon said easements or right-to-ways for any purpose for which said easements or right-of-ways are reserved, provided the premises are thereafter left in the same general condition as when entered upon.

Within these easements, no structure, planting, or other materials shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow of drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot except for those improvements for which a public authority or utility company is responsible.

11. WATER SUPPLY & TAP-IN. The public water system shall be the only means of water supply to each lot. The single, initial water main line shall be constructed by the developer, or his assigns, at no cost to the property owner. The lot owner shall pay for tap-in fees and costs for connection to this water line.

12. SEWAGE DISPOSAL & TAP-IN. The sewage disposal system shall be that of the Town of Sellersburg. The lot owner shall pay for tap-in fees and costs for connection to the sewer line.

13. GARBAGE AND REFUSE DISPOSAL. No lot shall be used or maintained as a dumping ground for rubbish, nor any garbage and/or rubbish shall be buried on any lot within the subdivision. Rubbish, garbage, and other waste shall be kept in sanitary containers concealed from the street until scheduled for removal from the premises by a garbage and rubbish removal service authorized by the Town of Sellersburg. All equipment for the storage or disposal of garbage and/or rubbish shall be kept in a clean and sanitary condition at all times. The burning of trash, leaves, or other refuse is prohibited.

14. VACANT LOTS. Owners of vacant lots shall be required to maintain those lots, at their own expense, in a clean and uncluttered condition. Weeds and grasses shall be cut as necessary to preserve a tidy appearance, and any newly fallen trees shall be promptly removed. When its owner fails to maintain a lot, the developer reserves the right to enter upon that lot and perform such work as necessary to bring the lot's condition into compliance with these standards. The lot's owner shall bear any costs incurred in the performance of such maintenance. Also, vacant lots shall not be used as storage space for mobile or immobile materials or vehicles of any type.

15. EROSION OF LOTS. In the event a lot owner fails to take steps to prevent erosion of the soil of or from his or her lot, the developer reserves the right to prevent such erosion and to subsequently collect the cost of such prevention from the owner. All swales for surface water drainage located along side and rear lot lines shall be preserved by the owner and not obstructed.

16. **SIGNS.** All signs must meet the specifications of the Town of Sellersburg. Commercial signs of all types are prohibited.

17. **MAIL BOXES.** Mailboxes must be constructed of brick or stone and situated at the street.

18. **NUISANCES.** No noxious or offensive trade or activity shall be carried out upon any lot, nor shall anything be done thereon which may be or become a nuisance or annoyance to the other residents of the neighborhood. Specifically prohibited is the keeping on any lot of any kind of livestock (i.e., poultry, hogs, goats, horses, etc.), exotic pet or an animal species commonly considered dangerous (as interpreted by the developer, such as pit bulls, Doberman pinchers, some snakes, etc.), and/or more than two (2) dogs and/or cats. When kept out of doors, dogs, cats or other animals must have a permanent pen or fenced area for living, and this abode must be located behind the rear wall line of the house. Whenever walking a pet in or through the subdivision, its handler must keep it restrained with a leash. Excessive noise nuisances will not be tolerated.

19. **FENCING, WALLS & HEDGES.** No fences or walls of any height, or continuous hedges exceeding three (3) feet in height, or the like shall be erected, planted or permitted anywhere between the house front setback line and the street or on the sides of the front or side yards between lots. No fence or wall shall be erected nearer the street than the rear wall line of the house.

20. **OIL AND MINING OPERATIONS.** No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any lot.

21. **RESERVATION BY DEVELOPER TO ALTER OR AMEND RESTRICTIONS AND PROTECTIVE COVENANTS.** The developer, his successors or assigns, reserves the right to alter or amend these restrictions and protective covenants during the development period of the subdivision. The development period shall be

from the date that these restrictions and protective covenants are executed to the date of sale and recording of deeds of 75% of the lots in Adams' Creek Subdivision.

IN WITNESS WHEREOF, these Restrictions and Protective Covenants have be signed on this 11th day of July, 2003.



Keven L. Staton

Director, Adams' Creek Developments L.L.C.

State of Indiana}

} SS

County of Clark}

Before me, the undersigned authority, on this day personally appeared Keven L. Staton, known to me to be the Director herein, and acknowledged to me that he signed the foregoing as his free act and deed

WITNESS MY HAND this 11 Day of July, 2003.



NOTARY PUBLIC:

My Commission Expires: 6/26/10

**BOARD OF COMMISSIONERS
OF CLARK COUNTY, INDIANA**

ROOM 306, CITY-COUNTY BUILDING
501 E. COURT AVENUE
JEFFERSONVILLE, INDIANA 47130
(812) 285-6275 (812) 285-6276
FAX (812) 285-6366
ClarkCoComms@aol.com

Raymond J. "Buddy" Parker
David A. Lewis
Vicky Kent Haire

R. Scott Lewis, County Attorney

August 19, 2003

Nathan Grimes
Renaissance Design Build, Inc.
144 South New Albany Street
Sellersburg, IN 47172

RE: Adam's Creek Subdivision

Dear Mr. Grimes:

This morning, August 19, 2003, at the request of Donnie Graf, I inspected the proposed entrance to Adam's Creek Subdivision along with Hyun Lee, the County Engineer. After viewing the sight distances from both the original proposed center line of the subdivision entrance and from the proposed center line which has shifted six feet from the original, it is apparent that there are blind spots in the dip in the county road as one exits the subdivision and looks to the right. Hyun Lee advised that you intend to cut back the bank along the county road to improve sight distances. If one positions a car outbound from the proposed subdivision it is apparent that cutting back the bank will not eliminate the blind spot. Consequently, I have instructed Hyun Lee that the county can not approve any subdivision entrance that is not located at the crest of the hill. As you know, there is a marking on Poindexter Lane in green paint showing the location of the hill's crest. For safety reasons, the county will not be able to approve an entrance or any road cut permits that do not give maximum sight distance views from the crest of the hill. I am writing this letter in hopes that the entrance can be relocated before money is spent on pavement that will later have to be moved.

I will be happy to meet with you at the site to review this matter if you would like.

Sincerely yours,



David A. Lewis, President
Board of Commissioners of
Clark County, Indiana

DAL:jlc

cc: Raymond J. "Buddy" Parker, Jr. Commissioner
Vicky Kent Haire, Commissioner
Hyun Lee, Clark County Engineer
Ramona Bagshaw, Clark County Planning and Zoning
Donnie Graf

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

August 18, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:15 P.M. Present were Vice-Chairperson Thomas L. Schuster, Nancy J. Casteel, Louis R. Imhof, Jr., William K. Voyles, Danny F. Yost, Nathan R. Grimes, PE (Sellersburg Building Commissioner) and Secretary David L. Kinder.

W. A. "Woody" Bailey, was absent.

Chuck Murphy, Attorney at Law, representing Home Town Plaza, and request for address changes for Home Town Plaza. He presents a letter from the Sellersburg Post Office approving the change of address from 7411 Highway 311 to 98 through 140 Hometown Plaza, Sellersburg, Indiana 47172.

Danny F. Yost makes a motion to change the addresses, as requested, seconded by Thomas L. Schuster; 5-aye, 0-nay, motion approved.

Final Plan Approval for Adams Creek, at 2116 Poindexter Lane. Virgil Bolly representing Adams Creek states that at the entrance the hill has been lowered, utility pole moved and fire hydrant moved.

The County has approved accelerate and decelerate lanes.

Nathan Grimes, Engineer for the project, states that the drainage structure for the bridge will be an 8 (eight) foot wide by 5 (five) foot tall reinforced concrete box culvert.


Drainage between the houses will be easements for the Town but will be maintained by the property owners.

Gary Graf, Don Graf and David Franke all spoke in objection to the roadway being unsafe at the entrance. Wes Porter spoke in favor of the entrance.

William K. Voyles makes a motion to approve the Final Plot Plan pending approval by Huynh Lee, Clark County road superintendent, of the entrance and John Toombs, Jacobi, Toombs and Lanz Engineers, approval of the retention basin, motion seconded by Nancy J. Casteel. 5-aye, 0-nay, motion approved.

Motion to approve the minutes of the July 21, 2003 meeting, seconded by Danny F. Yost, 5-aye, 0-nay, motion approved and meeting adjourned at 7:06 P.M.

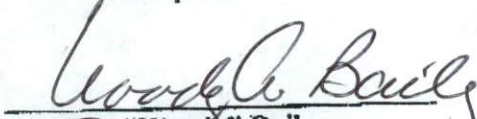
**Sellersburg Plan Commission Meeting
August 18, 2003
Page 2 of 2 pages**



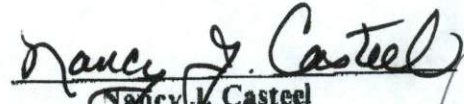
**Douglas J. Reiter
Chairperson**



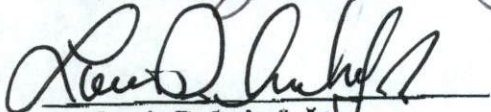
**Thomas L. Schuster
Vice-Chairperson**



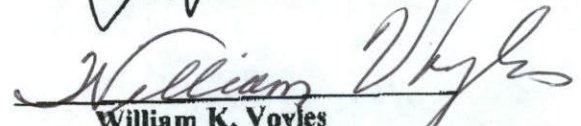
W.A. "Woody" Bailey



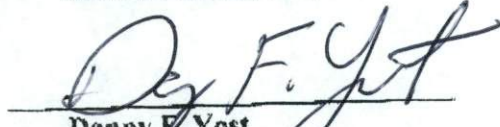
Nancy J. Casteel



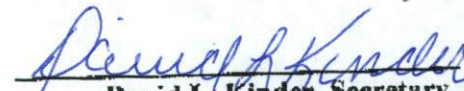
Louis R. Imhof, Jr.



William K. Voyles



Danny E. Yost

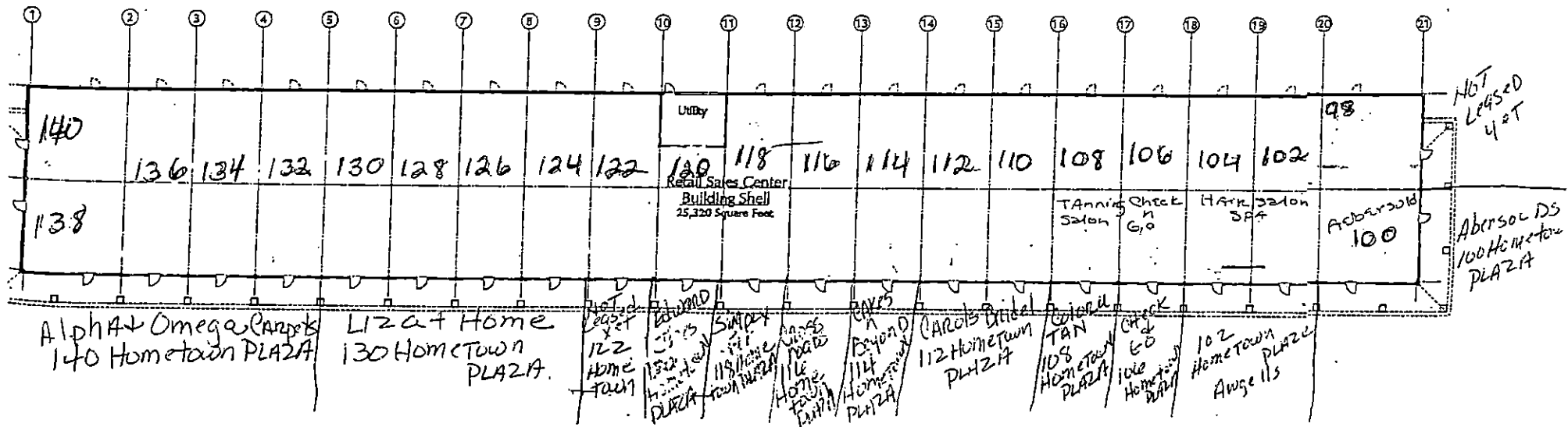


David L. Kinder, Secretary

Attachments: Hometown Plaza addresses design.
Letter from Sellersburg Post Office

Home town PLAZA

BACK



Gil Bratcher
Customer Services Supervisor
Sellersburg IN 47172-9998



August 13, 2003

To whom it may concern,

The United States Postal Service has reviewed the plans for the address change in Hometown Plaza. We find these proposed address changes acceptable.

If you have any question, feel free to contact me at the Sellersburg Post Office.

Thank You,

A handwritten signature in cursive script that reads "Gil Bratcher". The signature is written in black ink and is positioned above a horizontal line.

Gil Bratcher
Officer-In-Charge
Sellersburg In 47172-9998

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

September 15, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:10 P.M. Present were Vice-Chairperson Thomas L. Schuster, W. A. "Woody" Bailey, Nancy J. Casteel, Louis R. Imhof, Jr., William K. Voyles, Danny F. Yost, Nathan R. Grimes, PE (Sellersburg Building Commissioner) and Secretary David L. Kinder.

Louis R. Imhof, Jr. makes a motion to approve the minutes of the August 18, 2003 meeting seconded by William K. Voyles. 5-aye, 0-nay, motion approved.

Property at 7419 State Road 311 to be rezoned from R-1 to B-1 by Rite Aid. Steve Brushkin, of Buchar & Horn, Inc., engineers from Memphis, Tennessee and I am here to represent the Rite Aid Corporation.

This is a little under two-acre site and we would like to rezone it from R-1 to B-1.

Louis R. Imhof, Jr. makes a motion to approve the rezoning of the property at 7419 Highway 311 from R-1 to B-1, seconded by Danny F. Yost. 6-aye, 0-nay.

Steve Brushkin also request that the property at 8515 State Road 60 be rezoned from Agriculture to B-3. This is approximately eleven acres and it will be for commercial use later. (Rite Aid) wants to sell it, I (Brushkin) do not think they want to develop it.

Louis R. Imhof, Jr. makes a motion to that rezoning from agriculture to B-3 be denied, seconded by Thomas L. Schuster. 6-aye, 0-nay motion is approved.

Have a request from J. Franklin Dennis to rezone the property at 315 South New Albany, which he owns, be rezoned from R-1 to B-3 for a Craft shop and Cabinet shop.

William K. Voyles makes a motion to approve the rezoning of 315 South New Albany from R-1 to B-3, seconded by Danny F. Yost. 6-aye, 0-nay, motion is approved.

Have a request for the property at 821 South Indiana Avenue be rezoned from B-1 to B-3 by Robert Burton. I am leasing the front section of 821 South Indiana Avenue, I have an auto sales business and I want to move my business down here. I would like the property rezoned to B-3 so that I can do that.

**Sellersburg Plan Commission Meeting
September 15, 2003
Page 2 of 2 pages**

Larry Mulac, lives at 819 South Indiana Avenue, is opposed to this rezoning as the zoning goes with the property not with the owner. If it is rezoned to B-3, it opens this property to several businesses that could come later.

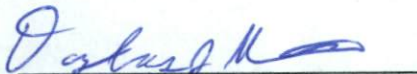
Chairperson Reiter states that he is going to table this request until the October meeting and the owner of the property must appear before the Commission, or you must have a notarized letter from the owner requesting to zoning change.

Chairperson Reiter reads a letter from David Lewis, President of the Clark County Commissioners, dated August 19, 2003, about the entrance to Adams Creek Property, stating the entrance must be moved to the crest of the hill.

A second letter, dated September 3, 2003, from Commissioner Lewis, confirming that the county has received your revised plans for Adams Creek Subdivision showing you have moved the entrance to the subdivision to the crest of the hill.

Also, have a letter from Jim LaMaster, Sellersburg Town Council member, stating the sewers, according to the engineer, have been approved for the subdivision.

Danny F. Yost makes a motion to adjourn the meeting, seconded by Louis R. Imhof, Jr. 6-aye, 0-nay motion approved and meeting adjourned 6:51 P.M.

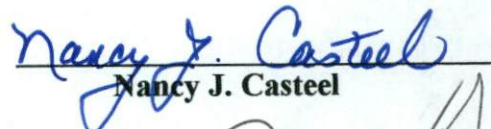


Douglas J. Reiter
Chairperson

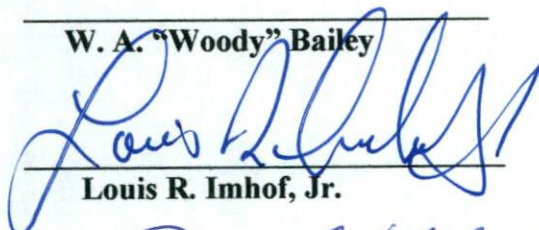


Thomas L. Schuster
Vice-Chairperson

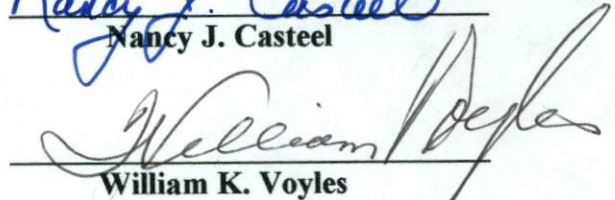
W. A. "Woody" Bailey



Nancy J. Casteel



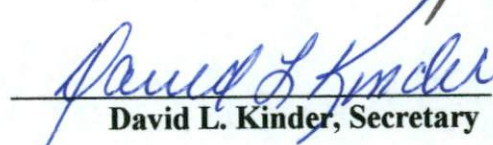
Louis R. Imhof, Jr.



William K. Voyles



Danny F. Yost



David L. Kinder, Secretary

ATTACHMENTS: Clark County Commissioners Letter 08-19-03
Clark County Commissioners Letter 09-03-03
Town of Sellersburg Letter 09-15-03

**BOARD OF COMMISSIONERS
OF CLARK COUNTY, INDIANA**

ROOM 306, CITY-COUNTY BUILDING
501 E. COURT AVENUE
JEFFERSONVILLE, INDIANA 47130
(812) 285-6275 (812) 285-6276
FAX (812) 285-6366
ClarkCoComms@aol.com

Raymond J. "Buddy" Parker
David A. Lewis
Vicky Kent Haire

R. Scott Lewis, County Attorney

August 19, 2003

Kevin Staton
24404 Mahan Road
Marysville, IN 47141

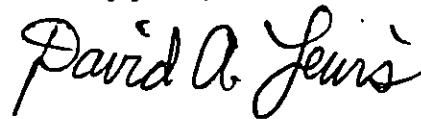
RE: Adam's Creek Subdivision

Dear Mr. Staton:

This morning, August 19, 2003, at the request of Donnie Graf, I inspected the proposed entrance to Adam's Creek Subdivision along with Hyun Lee, the County Engineer. After viewing the sight distances from both the original proposed center line of the subdivision entrance and from the proposed center line which has shifted six feet from the original, it is apparent that there are blind spots in the dip in the county road as one exits the subdivision and looks to the right. Hyun Lee advised that you intend to cut back the bank along the county road to improve sight distances. If one positions a car outbound from the proposed subdivision it is apparent that cutting back the bank will not eliminate the blind spot. Consequently, I have instructed Hyun Lee that the county can not approve any subdivision entrance that is not located at the crest of the hill. As you know, there is a marking on Poindexter Lane in green paint showing the location of the hill's crest. For safety reasons, the county will not be able to approve an entrance or any road cut permits that do not give maximum sight distance views from the crest of the hill. I am writing this letter in hopes that the entrance can be relocated before money is spent on pavement that will later have to be moved.

I will be happy to meet with you at the site to review this matter if you would like.

Sincerely yours,



David A. Lewis, President
Board of Commissioners of
Clark County, Indiana

DAL:jlc

cc: Raymond J. "Buddy" Parker, Jr. Commissioner
Vicky Kent Haire, Commissioner
Hyun Lee, Clark County Engineer
Ramona Bagshaw, Clark County Planning and Zoning
Donnie Graf

**BOARD OF COMMISSIONERS
OF CLARK COUNTY, INDIANA**

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Raymond J. "Buddy" Parker
David A. Lewis
Vicky Kent Haire

R. Scott Lewis, County Attorney

September 3, 2003

Nathan Grimes
Renaissance Design Building, Inc.
144 South New Albany Street
Sellersburg, IN 47172

SENT BY FAX TO 246-5897

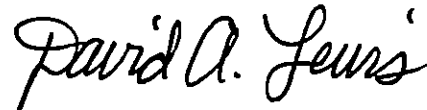
RE: Adam's Creek Subdivision

Dear Mr. Grimes:

May this letter confirm that the county has received your revised plans for Adam's Creek Subdivision in which you have moved the entrance to the subdivision 33.75 feet toward State Road 60. It is my understanding that you have relocated the entrance at the crest of the hill so as to provide maximum sight distances in both directions. If my understanding is correct, we wish to thank you for your cooperation. The county's concern was to make sure the subdivision entrance provided maximum sight distances.

May this letter serve as notice that the county appreciates your willingness to accommodate our concerns. Good luck with your development.

Sincerely yours,



David A. Lewis, President
Board of Commissioners of
Clark County, Indiana

DAL:jlc
cc: Hyun Lee, Clark County Engineer
Donnie Graf

TOWN OF SELLERSBURG

316 East Utica Street
Sellersburg, Indiana 47172

Town of Sellersburg, Indiana Wastewater Construction Permit No. 13

September 15, 2003

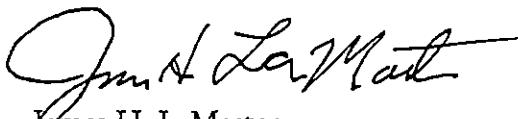
Adams Creek Development, LLC
24404 Mahan Road
Marysville, Indiana 47141

Re: Wastewater Permit No. 13 for
ADAMS CREEK SUBDIVISION
Sanitary Sewer Construction

Gentlemen:

As the Town Council Member of the Town of Sellersburg, Indiana who is responsible for sanitary sewers, I do hereby approve, by my signature below, upon recommendation of the reviewing engineer, the application of the above captioned project for the construction of sanitary sewers and their connection to the Sellersburg sewer system, subject to all of the attached conditions.

Sincerely,



James H. LaMaster
Sellersburg Town Council Member
for Sanitary Sewers

TOWN OF SELLERSBURG, INDIANA
SANITARY SEWER CONSTRUCTION PERMIT NO. 13
ADAMS CREEK SUBDIVISION
SANITARY SEWER CONSTRUCTION

- A. The application, plans and specifications, and supporting documents for the above-referenced project have been reviewed and processed in accordance with rule adopted under 327 IAC Article 3. Enclosed is the Construction Permit No. 13, which applies to the construction of the above-referenced proposed sanitary sewer system in Adam Creek Subdivision in Sellersburg, Indiana.
- B. Please review the enclosed permit carefully and become familiar with its terms and conditions. In addition, it is imperative that the applicant, consulting engineer, inspector, and contractor are aware of these terms, conditions, and reporting and testing requirements.
- C. Plans and specifications were prepared by Renaissance Design Build, Inc. certified by Mr. Nathan R. Grimes, P.E. and submitted for review.
- D. EXPIRATION: This permit and the authorization to initiate construction of this sanitary sewer system shall expire at midnight September 15, 2004. In order to receive authorization to begin construction beyond the date of expiration, the permittee shall submit such information and a request to the Town of Sellersburg at least sixty (60) days prior to the expiration date.
- E. Inspection of the new sewer during construction, ownership and maintenance after completion will be by the Town of Sellersburg. Wastewater treatment will be provided by the Town of Sellersburg Wastewater Treatment Plant.
- F. During the period beginning on the effective date of this permit and extending until the expiration date, the permittee is authorized to construct the above described sanitary sewer system. Such construction shall conform to all provisions of State Rule 327 IAC Article 3 and the following specific provisions:

PART I: SPECIFIC CONDITIONS AND LIMITATIONS TO THE
CONSTRUCTION PERMIT

Unless specific authorization is otherwise provided under the permit, the permittee shall comply with the following conditions:

- 1. All local permits and approvals shall be obtained before construction is begun on this project.
- 2. If pollution or nuisance conditions are created, immediate corrective action shall be taken by the permittee.

3. Sewer to water main separation distances must comply with Section 38 of the Recommended Standards for Wastewater Facilities, 1997 Edition.
4. The infiltration/exfiltration for the subject sewer system shall not exceed 200 gallons per inch of pipe diameter per mile of sewer in a 24-hour period.
5. The results of the infiltration/exfiltration test and/or force main leakage test on the completed sewer shall be submitted to the Town within three weeks of completion of construction.
6. If construction is located within a FLOODWAY, a permit may also be required from the Department of Natural Resources prior to the start of construction. It is the permittee's responsibility to coordinate with that agency and obtain any required approvals if applicable. Questions may be directed to the Permit Administration Section, Division of Water at (317) 233-5635.
7. Deflection tests must be performed on all flexible* pipe after the final backfill has been in place at least 30 days. No pipe shall exceed a vertical deflection of 5%. Deflection test results shall be submitted with the infiltration/exfiltration test results. (*The following are considered nonflexible pipes: vitrified clay pipe, concrete pipe, ductile iron pipe, cast iron pipe.)
8. Failure to submit test results to the Sellersburg Wastewater Department within the allotted time period or failure to meet guidelines as set forth in the above conditions could be subject to enforcement proceedings as provided by 327 IAC 3-5-3.

PART II: GENERAL CONDITIONS

1. No significant or material changes in the scope of the plans or construction of this project shall be made unless the following provisions are met:
 - a. Request for permit modification is made 60 days in advance of the proposed significant or material changes in the scope of the plans or construction;
 - b. Submission of a detailed statement of such proposed changes;
 - c. Submit revised plans and specifications including a revised design summary; and
 - d. Obtain a revised construction permit from the Town.

2. This permit may be modified, suspended, or revoked for cause including, but not limited to the following:
 - a. Violation of any term or conditions of this permit;
 - b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.
3. Nothing herein shall be construed as guaranteeing that the proposed water pollution treatment/control facility shall meet standards, limitation or requirements of the Town or any other agencies of the state or federal government, as the Town has no direct control over the actual construction and/or operation of the proposed project.

G. Any questions concerning this permit shall be addressed to John H. Toombs, Jr. at (812) 288-6646.

H. Special Conditions:

1. The Contractor shall notify John H. Toombs, Jr. at 288-6646 and Kevin Wright at 246-8066 when he intends to start construction.
2. All facilities constructed under this permit shall become the property of the Town of Sellersburg or the permit is invalid.
3. Obtain individual house Tap-In-Permits from the Town of Sellersburg.
4. Make payments to Sellersburg for each lot connected to the Sellersburg sewer system per the agreement with the Town.

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

October 20, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:36 P.M. Present were Vice-Chairperson Thomas L. Schuster, Nancy J. Casteel, Louis R. Imhof, Jr., William K. Voyles, Danny F. Yost, Nathan R. Grimes, PE (Sellersburg Building Commissioner) and Secretary David L. Kinder.

W. A. "Woody" Bailey is not present.

Have property to rezone from B-1 to B-3 at 821 South Indiana Avenue by Robert Burton.

Nathan Grimes (Building Commissioner) states this was before the Board at the last meeting but Mr. Burton had all the information in last time but he did not have a petition signed by the property owner himself. He (Burton) is leasing the property.

I consulted with the Town Attorney, William P. McCall, III, and he advised that all he (Burton) had to have was a petition signed by the owner and the owner did not have to appear. I have a signed petition by the property owner.

Larry Mulac: I live next door to this property at 819 South Indiana Avenue and my only concern is that if this is rezoned to B-3 then the property is always B-3, the zoning goes with the property not the property owner.

It is recommended that Mr. Burton come before the Zoning Appeals Board for a variance to the zoning for this business. Then if Mr. Burton ever leaves the business it will revert back to the B-1 zoning.

Chairperson Reiter asks if there is a motion to rezone the property, no motion is made.

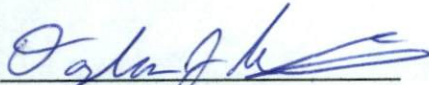
Nathan Grimes presents a petition to rezone property at 470 and 476 North Indiana Avenue to rezone the properties from B-1 to B-3. The property owners are not present.

Chairperson Reiter tables these requests until next meeting when the property owners can be present to answer any questions the Board may have reference the rezoning.

Louis R. Imhof, Jr. makes a motion to approve the minutes of the September 15, 2003 meeting, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved.

**Sellersburg Plan Commission Meeting
October 20, 2003
Page 2 of 2 Pages**

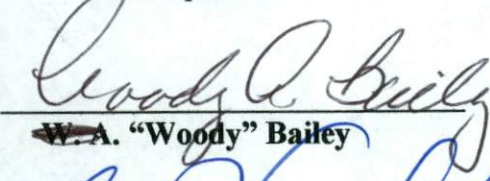
Louis R. Imhof, Jr. makes a motion to adjourn the meeting, seconded by Thomas L. Schuster. 5-aye, 0-nay, motion approved meeting adjourned at 6:59 P.M.



**Douglas J. Reiter
Chairperson**

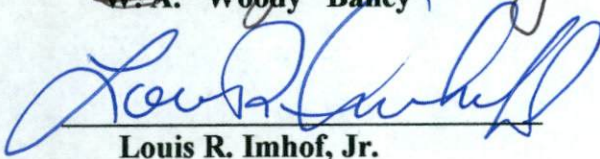


**Thomas L. Schuster
Vice-Chairperson**

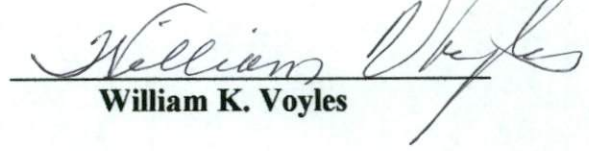


W.A. "Woody" Bailey

Nancy J. Casteel



Louis R. Imhof, Jr.

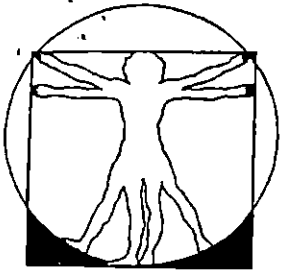


William K. Voyles



Danny F. Yost

David L. Kinder, Secretary



RENAISSANCE DESIGN BUILD, INC.

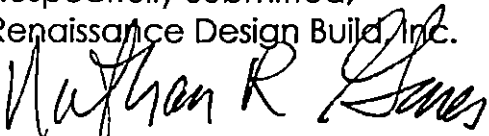
144 SOUTH NEW ALBANY STREET
SELLERSBURG, INDIANA 47172

VOICE & FAX 812-246-5897

SELLERSBURG PLAN COMMISSION AGENDA OCTOBER 20, 2003

1. Roll Call.
2. Property rezoned from B-1 to B-3 at 821 S. Indiana Avenue by Robert Burton.
3. Property rezoned from B-1 to B-3 at 470 N. Indiana Ave. by CHI Properties, LLC.
4. Property rezoned from B-1 to B-3 at 476 N. Indiana Ave. by CHI Properties, LLC.
5. Approve minutes from previous meeting.

Respectfully Submitted,
Renaissance Design Build, Inc.



Nathan R. Grimes, P.E.

SELLERSBURG PLANNING AND ZONING BOARD PETITION
(Application Form)

We, Billy G. Patton do hereby formally petition the Sellersburg
(Property Owners Name)

Planning and Zoning Board to Rezone to "B-3"
(Action Requested)

for the property located at 821 S INDIANA AV
Sellersburg IN

Petition to be presented to the Sellersburg Planning & Zoning Board for action on
10/20/03 at 6:00 PM.
(Meeting Date)

Billy G. Patton
Property Owner Signature

Property Owner Signature (If Applicable)

526 Draughtway Cir
Property Owner's Address

New Albany, Ind.
994 9110

Property Owner's Phone Number

OCT 15T - 03
Date

Donna J. Whitte
Notary
P.M. 3-1-09.
Clark
Ind..

**SELLERSBURG PLANNING AND ZONING BOARD PETITION
(Application Form)**

We, C.H.I. PROPERTIES, LLC do hereby formally petition the Sellersburg
(Property Owners Name)

Planning and Zoning Board to REZONE B1 to B3
(Action Requested)

for the property located at 470 N. INDIANA AVE.

Petition to be presented to the Sellersburg Planning & Zoning Board for action on

10/20/03 at 6:00 PM.
(Meeting Date)

[Signature]
Property Owner Signature

Property Owner Signature (If Applicable)

P.O. Box 123
Property Owner's Address

Sellersburg, INDIANA 47172

812-246-4848
Property Owner's Phone Number

10/7/03
Date

**SELLERSBURG PLANNING AND ZONING BOARD PETITION
(Application Form)**

We, C.H.I. PROPERTIES, LLC do hereby formally petition the Sellersburg
(Property Owners Name)

Planning and Zoning Board to REZONE B1 to B3
(Action Requested)

for the property located at 476 N. INDIANA AVE

Petition to be presented to the Sellersburg Planning & Zoning Board for action on

10/20/03 at 6:00 PM.
(Meeting Date)



Property Owner Signature

Property Owner Signature (If Applicable)

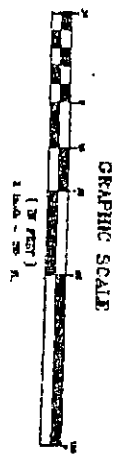
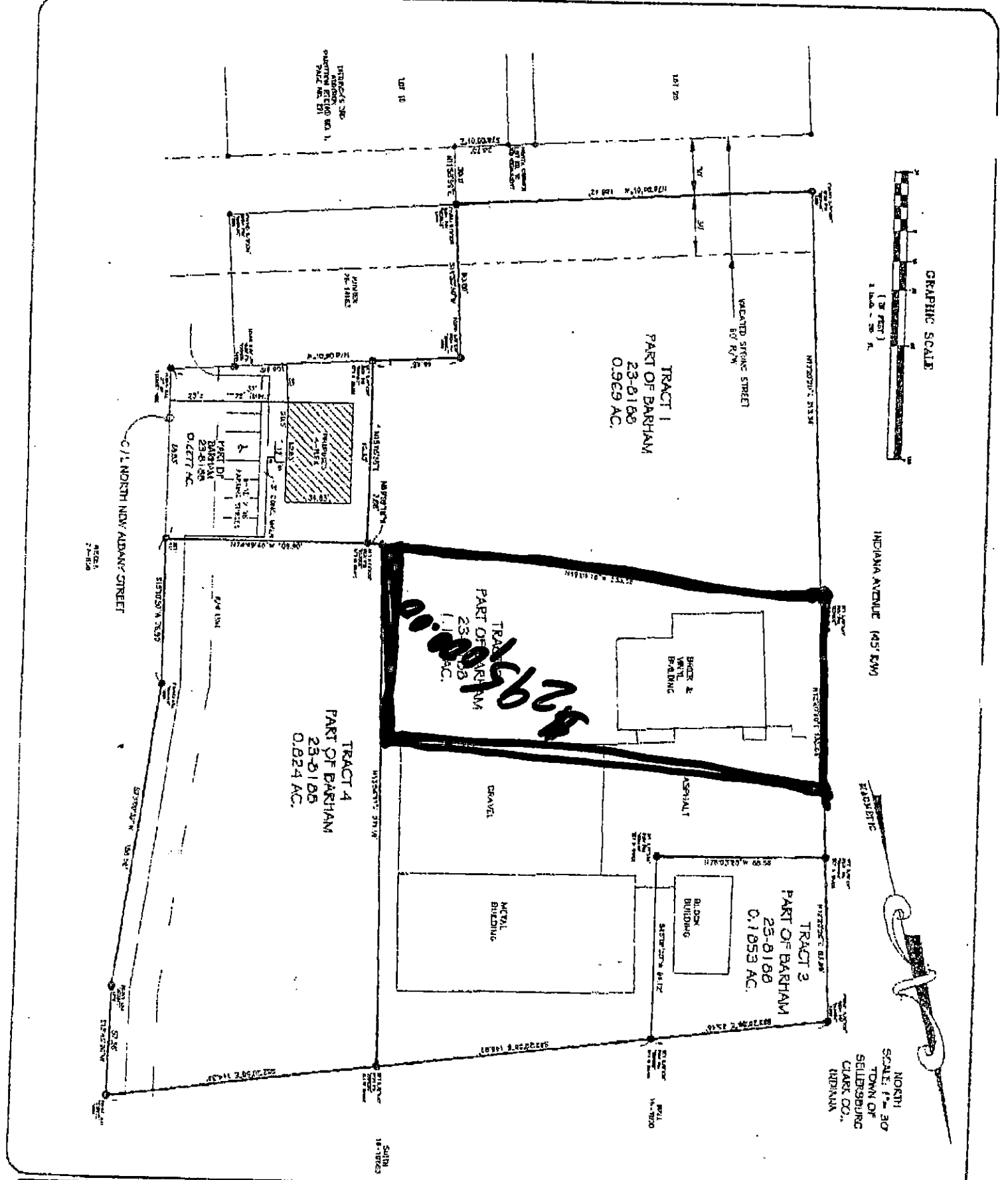
P.C. Box 1213

Property Owner's Address

Sellersburg, IN 47172

512 246-4848
Property Owner's Phone Number

10/7/03
Date



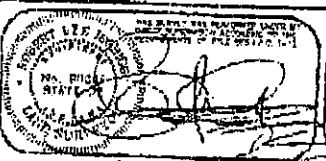
INDIANA AVENUE (45' E/W)

ASPHALT



NORTH
SCALE 1" = 30'
TOWN OF
SELESDUNG
CLARK CO.,
INDIANA

1 of 1
DRAWN BY: BCC
CHECKED BY: R.L.L.
SCALE: 1"=30'
DATE: 03/07/98
REVISED: 02/17/00
JOB NO.: BR800104



SITE PLAN
ORDERED BY:
JODY BARHAM

BOB ISGRIGG & ASSOCIATES
CIVIL ENGINEERS / LAND SURVEYORS
310 E. COURT AVENUE JEFFERSVILLE, IN 47130
(317) 285-1011 Phone | (317) 285-1012 Fax
<http://www.bobisgrigg.com/>

- NOTICE OF PUBLIC HEARING -
Notice by the Sellersburg Plan Commission

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on 10/20/03 at 6⁰⁰pm in the Meeting Room of the Sellersburg Town Hall
(Date) (Time)

located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by C.H.I. PROPERTIES, LLC to allow the following:
(Name of applicant)

REZONE Listed property From B1 to B3

(Brief description of request)

On property commonly know as 470 N. INDIANA AVE. and also described by the following:
(Common address of property)

(INSERT LEGAL DESCRIPTION OF PROPERTY)

SEE Attached

A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172.

Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Sellersburg Plan Commission

LEGAL DESCRIPTION

JODY BARHAM

TRACT 2

JOB #: B9600302

(470 N. INDIANA AVE.)

B

A part of Survey 111 of the Illinois Grant, Town of Sellersburg, Silver Creek Township, Clark County, Indiana, also being part of the lands described in Barham (DD 23-8188) described as follows:

Beginning at the North corner of Lot 10 of Diedrich's 3rd Addition to the Town of Sellersburg,

Thence S 78°06'01" E, a distance of 28.75 feet to a point,
Thence N 11°53'59" E, a distance of 30.00 feet to a 5/8" rebar,
Thence N 78°06'01" W, a distance of 188.42 feet to a 5/8" rebar,
Thence N 12°20'20" E, a distance of 213.34 feet along the East right of way line of Indiana Avenue to a 5/8" rebar, **THE TRUE POINT OF BEGINNING**,
Thence N 12°20'20" E, a distance of 133.06 feet along the East right of way line of Indiana Avenue to a 5/8" rebar,
Thence S 76°03'25" E, a distance of 88.56 feet to a 5/8" rebar,
Thence N 15°08'39" E, a distance of 94.12 feet to a 5/8" rebar,
Thence S 82°20'56" E, a distance of 290.38 feet to a mag nail in the centerline of North New Albany Street,
Thence S 15°46'26" W, a distance of 57.36 feet along the centerline of said road to a mag nail,
Thence S 23°09'32" W, a distance of 158.08 feet along the centerline of said road to a mag nail,
Thence S 15°10'20" W, a distance of 46.90 feet along the centerline of said road to a mag nail,
Thence N 74°49'40" W, a distance of 205.00 feet to a point

Thence S 15°10'20" W, a distance of 20.26 feet to a point,
Thence N 69°09'18" W, a distance of 142.94 feet to **THE TRUE POINT OF BEGINNING**.

Containing 1.825 acres. Subject to the right of way of North New Albany Street.

11-53-10
13

N. Indiana Ave.

(3)
JBS

APR 23 2003

Shirley Nolet 3P
CLARK COUNTY RECORDER
Clark County Recorder
I 200311753 Page 1 of 3
C1 Date 04/23/2003 Time 14:53:01

GENERAL WARRANTY DEED

SEND TAX INFORMATION TO:

C.H.I. Properties, LLC
140 HomeTown PLAZA
Sellersburg, IN 47172
Key No. 17-53-10

THIS INDENTURE WITNESSETH, that Joe M. Barham, Jr., (the "Grantor"), 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, do hereby

CONVEYS AND WARRANTS

with covenant of General Warranty, unto C.H.I. Properties, LLC, (the "Grantee"), in fee simple, the following described real property, together with all improvements, thereon and appurtenances thereunto belonging, and being more particularly described as follows (the "Property")

ATTACHED EXHIBIT A

Subject to any and all easements, restrictions and/or protective covenants of public record which may apply to the above property.

The Grantor covenants that he is lawfully seized of the estate hereby conveyed, have full right, power and authority to convey the same, and that said estate is free from all encumbrances except (i) property taxes and assessments not yet due and payable, which the Grantee assumes and agrees to pay, taxes having been prorated to date of closing, (ii) restrictions, stipulations and easements of record affecting the Property; and (iii) all governmental regulations affecting the Property.

IN TESTIMONY WHEREOF, witness the signature of the Grantor this 23 day of APRIL, 2003.

Joe M. Barham, Jr.
Joe M. Barham, Jr.

STATE OF INDIANA)

)SS:

COUNTY OF Floyd)

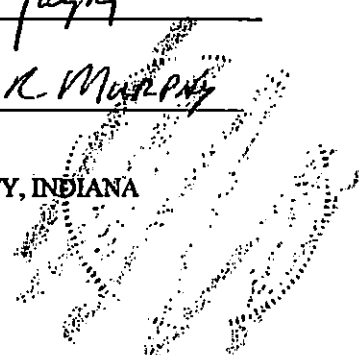
Subscribed and sworn before me by Joe M. Barham, Jr., who acknowledged execution of the foregoing instrument to be his voluntary act and deed this the 23rd day of April, 2003,

Charles R. Murphy
NOTARY PUBLIC

CHARLES R. MURPHY
PRINTED NAME

MY COMMISSION EXPIRES:
2/3/2007

RESIDENT OF FLOYD COUNTY, INDIANA



THIS INSTRUMENT PREPARED BY:
Charles R. Murphy,
117 E. Spring Street
Elsby Building, 5th Floor
New Albany, IN 47150
Jo53:barham.dee

**- NOTICE OF PUBLIC HEARING -
Notice by the Sellersburg Plan Commission**

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on
10/20/03 at 6⁰⁰PM in the Meeting Room of the Sellersburg Town Hall
(Date) (Time)

located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by
C.H.I. PROPERTIES LLC to allow the following:
(Name of applicant)

REZONE Listed Property From B1 to B3

(Brief description of request)

On property commonly know as 476 N. INDIANA AVE. and also described by the following:
(Common address of property)

(INSERT LEGAL DESCRIPTION OF PROPERTY)

SEE Attached

A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172.

Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Sellersburg Plan Commission

LEGAL DESCRIPTION
TRACT 3
JOB #9600104
0.1853 ACRES

A part of Survey No. 111 of the Illinois Grant, Town of Sellersburg, Clark County, Indiana and a part of the lands described in Barham 23-8188, described as follows:

Beginning at the North Corner of Lot No. 10 of Diedrich's 3rd Addition in the Town of Sellersburg, Clark County, Indiana.

Thence S 78°06'01" E a distance of 28.75 feet to a point;

Thence N 11°53'59" E a distance of 30.00 feet to a 5/8 in. rebar;

Thence N 78°06'01" W a distance of 188.42 feet to a 5/8 in. rebar;

Thence N 12°20'20" E a distance of 346.40 feet to a 5/8 in. rebar, passing a 5/8 in. rebar at 213.34 feet, to the TRUE POINT OF BEGINNING;

Thence N 12°20'20" E a distance of 83.89 feet to a 5/8 in. rebar;

Thence S 82°20'56" E a distance of 93.45 feet to a 5/8 in. rebar;

Thence S 15°08'39" W a distance of 94.12 feet to a 5/8 in. rebar;

Thence N 76°03'25" W a distance of 88.56 feet to the TRUE POINT OF BEGINNING;

Containing 0.1853 acres.

N. INDIANA AVE

A.

(3)
JBS

Shirley Nolet
CLARK COUNTY RECORDER
Clark County Recorder
I 200311752
C1 Date 04/23/2003
Page 1 of 3
Time 14:52:54
3P

APR 23 2003

GENERAL WARRANTY DEED

SEND TAX INFORMATION TO:

C.H.I. Properties, LLC
140 Hometown Plaza
Sellersburg, IN 47172
Key No. 17-53-11 and 17-53-12

THIS INDENTURE WITNESSETH, that Teresa G. Barham, acting by and through Joe M. Barham, Jr., her Attorney-in-fact, duly appointed and acting pursuant to a Power-of-Attorney dated April 21, 2003, and recorded in the Office of the Recorder of Clark County on April 23, 2003 as Instrument no. 200311751 (the "Grantor"), 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, do hereby

CONVEYS AND WARRANTS

with covenant of General Warranty, unto C.H.I. Properties, LLC, (the "Grantee"), in fee simple, the following described real property, together with all improvements, thereon and appurtenances thereunto belonging, and being more particularly described as follows (the "Property")

ATTACHED EXHIBIT A

Subject to any and all easements, restrictions and/or protective covenants of public record which may apply to the above property.

The Grantor covenants that he is lawfully seized of the estate hereby conveyed, have full right, power and authority to convey the same, and that said estate is free from all encumbrances except (i) property taxes and assessments not yet due and payable, which the Grantee assumes and agrees to pay, taxes having been prorated to date of closing, (ii) restrictions, stipulations and easements of record affecting the Property; and (iii) all governmental regulations affecting the Property.

IN TESTIMONY WHEREOF, witness the signature of the Grantor this 23rd day of APRIL, 2003.

Joe M. Barham
Joe M. Barham, Attorney-in-Fact for Teresa G. Barham

STATE OF INDIANA)

)SS:

COUNTY OF Floyd)

Subscribed and sworn before me by Joe M. Barham, Attorney-in-fact for Teresa G. Barham, who acknowledged execution of the foregoing instrument to be his voluntary act and deed this the 23rd day of April, 2003,

Charles R. Murphy
NOTARY PUBLIC

CHARLES R. MURPHY
PRINTED NAME

MY COMMISSION EXPIRES:
2/3/2007

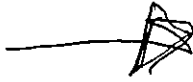
RESIDENT OF Floyd COUNTY, INDIANA

THIS INSTRUMENT PREPARED BY:
Charles R. Murphy,
117 E. Spring Street
Elsby Building, 5th Floor
New Albany, IN 47150
Jo53:barham.dee

Dambros

File
COPY

Signed RECEIPT
HAS NOT Returned
AS OF
9:30 AM ON
10-13-03



U.S. Postal Service™
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OFFICIAL

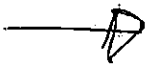
Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	4.42

Sent To: West Clark Community Schools of C
 Street, Apt. No.,
 or PO Box No. 601 Renz Ave
 City, State, ZIP+4 Sellersburg, IN 47172

Postmark Here
 OCT 07 2003
 47172

PS Form 3800, June 2002. See Reverse for Instructions

Signed RECEIPT
HAS NOT Returned
AS OF
9:30 AM ON
10-13-03



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Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	4.42

Sent To: Teresa Barham
 Street, Apt. No.,
 or PO Box No. 8506 Punta Lora
 City, State, ZIP+4 Pensacola, FL 32514

Postmark Here
 OCT 07 2003

PS Form 3800, June 2002. See Reverse for Instructions

THE OTHER SIX
MAILINGS HAVE BEEN
RECEIVED - SEE ATTACHED.

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

MELVIN WALL
P.O. Box 91
SELLERSBURG IN
47172

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Ruth E. Wall Agent Addressee

B. Received by (Printed Name) *10* C. Date of Delivery *10/9/03*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

Article Number (Transfer from service label) **7003 0500 0003 6328 2731**

Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

Sent To *Melvin wall*
 Street, Apt. No., or PO Box No. *P.O. Box 91*
 City, State, ZIP+4 *Sellersburg, IN 47172*

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

JM / MARTHA BUETER
475 N. INDIANA AVE
SELLERSBURG IN
47172

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 William & Martha Bueter Agent Addressee

B. Received by (Printed Name) *WILLIAM & MARTHA BUETER* C. Date of Delivery *10-8-03*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

Article Number (Transfer from service label) **7003 0500 0003 6328 2694**

Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

Sent To *William & Martha Bueter*
 Street, Apt. No., or PO Box No. *475 N Indiana Ave*
 City, State, ZIP+4 *Sellersburg, IN 47172*

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

BRADLEY / LISA WALKER
5306 GREENLEAF RD.
R 2
CHARLESTOWN IN
47111

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Bradley Walker Agent Addressee

B. Received by (Printed Name) *Bradley Walker* C. Date of Delivery *10-9-03*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

Article Number (Transfer from service label) **7003 0500 0003 6328 2700**

Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

Sent To *Bradley & Lisa Walker*
 Street, Apt. No., or PO Box No. *5306 Greenleaf Rd*
 City, State, ZIP+4 *Charlestown, IN 47111*

PS Form 3800, June 2002 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 4.42	

Sent To: American Legion
 Street, Apt. No., or PO Box No. 412 N. New Albany St
 City, State, ZIP+4 Sellersburg, IN 47172

PS Form 3811, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 AMERICAN LEGION
 WILBER M. Rudy Post
 412 N. NEW ALBANY ST.
 Sellersburg IN 47172

2. Article Number
 (Transfer from service label) 7003 0500 0003 6328 2742

PS Form 3811, August 2001 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X Steve Montgomery

B. Received by (Printed Name) STEVE MONTGOMERY

D. Is delivery address different from item 1? If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for M
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 4.42	

Sent To: Larry & Kimberley Nevins
 Street, Apt. No., or PO Box No. 447 New Albany St.
 City, State, ZIP+4 Sellersburg, IN 47172

PS Form 3811, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 LARRY/KIMBARLY NEVINS
 447 NEW ALBANY ST
 Sellersburg IN
 47172

2. Article Number
 (Transfer from service label) 7003 0500 0003 6328 2755

PS Form 3811, August 2001 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X LARRY NEVINS

B. Received by (Printed Name) LARRY NEVINS

D. Is delivery address different from item 1? If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for M
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 4.42	

Sent To: Timothy Massey
 Street, Apt. No., or PO Box No. 207 Janie Lane
 City, State, ZIP+4 New Albany, IN 47150

PS Form 3811, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 TIMOTHY MASSEY
 207 JANIE LANE
 NEW ALBANY IN
 47150

2. Article Number
 (Transfer from service label) 7003 0500 0003 6328 2724

PS Form 3811, August 2001 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X Timothy Massey

B. Received by (Printed Name) TIMOTHY MASSEY

D. Is delivery address different from item 1? If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for M
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Sunnyside Classifieds

Phone 949-6573

Legals

distance of 94.12 feet to a 5/8" rebar, Thence S 82°20'56" E, a distance of 290.38 feet to a mag nail in the centerline of North New Albany Street, Thence S 15°46'26" W, a distance of 57.36 feet along the centerline of said road to a mag nail, Thence S 23°09'32" W, a distance of 158.08 feet along the centerline of said road to a mag nail, Thence S 15°10'20" W, a distance of 46.90 feet along the centerline of said road to a mag nail, Thence N 74°49'40" W, a distance of 205.00 feet to a point, Thence S 15°10'20" W, a distance of 20.26 feet to a point, Thence N 69°09'18" W, a distance of 142.94 feet to the TRUE POINT OF BEGINNING. Containing 1.825 acres. Subject to the right of way of North New Albany Street. A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Ulica Street, Sellersburg, Indiana 47172. Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing, at the above address, or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary. Sellersburg Plan Commission

Properties, LLC to allow the following: Rezone listed property from B1 to B3. On property commonly known as 476 N. Indiana Ave., and also described by the following: A part of Survey No. 111 of the Illinois Grant, Town of Sellersburg, Clark County, Indiana and a part of the lands described in Barham 23-8188, described as follows: Beginning at the North Corner of Lot No. 10 of Diedrich's 3rd Addition in the Town of Sellersburg, Clark County, Indiana. Thence S 78°06'01" E a distance of 28.75 feet to a point; Thence 11°53'59" E a distance of 30.00 feet to a 5/8 in. rebar; Thence N 78°06'01" W a distance of 188.42 feet to a 5/8 in. rebar; Thence N 12°20'20" E a distance of 346.40 feet to a 5/8 in. rebar, passing a 5/8 in. rebar at 213.34 feet to the TRUE POINT OF BEGINNING; Thence N 12°20'20" E a distance of 83.89 feet to a 5/8 in. rebar; Thence S 82°20'56" E a distance of 93.45 feet to a 5/8 in. rebar; Thence S 15°08'39" W a distance of 94.12 feet to a 5/8 in. rebar; Thence N 76°03'25" W a distance of 88.56 feet to the TRUE POINT OF BEGINNING. Containing 0.1853 acres.

NOTICE OF SHERIFF'S SALE
By virtue of a certified copy of a decree to me directed from the Clerk of the Circuit Court of Clark County, Indiana, in Cause Number 10C01-0306-MF-3270, wherein Conesco Finance Servicing Corp. f/k/a Green Tree Servicing Corporation was Plaintiff, and David R. Carlisle and Kara S. Carlisle, were Defendants, requiring me to make the sum as provided for in said Decree with interest and costs, I will expose at public sale to the highest bidder, on the 30th day of October, 2003, at 10:00 a.m. of said day, located at the Clark County Sheriff's Department located at City-County Building, 501 E. Court Avenue, Jeffersonville, IN 47130, the fee simple of whole body of real estate in Clark County, Indiana, LOT NO. TWENTY-SEVEN (27), BORDEN RIDGE SUBDIVISION, SECTION #2, AS THE SAME APPEARS OF RECORD IN PLAT BOOK 11, PAGE 29 IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA. Commonly known as: 121 Brewer Drive, Borden, IN 47106; Together with rents, issues, income, and profits thereof, said sale will be made without relief from valuation or appraisal laws. Richard M. Malad, PLAINTIFF'S ATTORNEY; Michael L. Becher, SHERIFF OF CLARK COUNTY, INDIANA; PROPERTY STREET ADDRESS: 121 Brewer Drive, Borden, IN 47106. PLEASE SERVE VIA PERSONAL OR COPY: David R. Carlisle, Kara S. Carlisle, 121 Brewer Drive, Borden, IN 47106

NOTICE OF SHERIFF'S SALE
By virtue of a certified copy of a decree to me directed from the Clerk of Circuit Court of Clark County, Indiana, in Cause No. 10C01-0304-MF-223 wherein Deutsche Bank Trust Company Americas, f/k/a Bankers Trust Company, as Trustee was Plaintiff, and Becky Anderson, was Defendant, requiring me to make the sum as provided for in said Decree with interest and cost, I will expose at public sale to the highest bidder, on the 30th day of December, 2003, at the hour of 10:00 a.m., or as soon thereafter as is possible, at 501 E. Court Ave., Jeffersonville, IN 47130, the fee simple of the whole body of Real Estate in Clark County, Indiana. *LOT 31 IN BLOCK NO. 13 IN PLEASANT RIDGE, A SUBDIVISION OF A PART OF GRANT NO. 117 OF THE ILLINOIS GRANT IN CLARK COUNTY, INDIANA. THE PLAT OF SAID SUBDIVISION HAVING BEEN RECORDED ON THE 25TH DAY OF SEPTEMBER, 1953, IN BOOK 6 OF PLATS ON PAGES 154-158 (AS INSTRUMENT NO. 9203), IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA. More commonly known as: 117 Clark Road, Charlestown, IN 47111. Parcel No. 18-39-0330. Together with rents, issues, income, and profits thereof, said sale will be made without relief from valuation or appraisal laws. SUSAN M. WOOLLEY, Plaintiff Attorney, MICHAEL L. BECHER, Sheriff of Clark County, Charlestown City Township, 117 Clark Road, Charlestown, IN 47111 (Street Address). The Sheriff's Department does not warrant the accuracy of the street address published herein, SERVICE

person, 117 Clark Charlestown, IN Type of Service: Personal NOTICE: FEIWELL & NOY, P.C. IS A COLLECTOR. THIS ATTEMPT TO COLLECT DEBT, AND ANY INFORMATION OBTAINED BE USED FOR THAT POSE. Oct.9.
FCC/Wright, Janet Charles 2775-2219. THE OWNERS OF WITHIN DESCRIBED REAL ESTATE AND ALL INTERESTED PARTIES.
NOTICE OF SHERIFF'S SALE
By virtue of a certified copy of a decree to me directed from the Clerk of Circuit Court of Clark County, Indiana, in Cause No. 10C0212-MF-694 wherein manufacturers & Traders Company, One M & T Plaza, Buffalo, NY 12399, Trustee for Satisfaction Series 19 Agreement dated 3-19-93 was Plaintiff, and Janet Wright, Charles R. Wright, Equity Rewards Mortgage Inc. f/k/a Walsh Security Inc., Investalnd Corporation were Defendants, requiring me to make the sum as provided for in said Decree with interest and cost, I will expose at public sale to the highest bidder, on the day of December, 2003, at the hour of 10:00 a.m. or as soon thereafter as is possible at 501 E. Court Ave., Jeffersonville, IN 47130, the fee simple of whole body of Real Estate in Clark County, Indiana. *Lot Number Two Hundred Four (204) as shown on plat of the first addition Brighton, as such plat recorded in Clark County Indiana on October 2, 1993. More commonly known as 700 Brighton Avenue, Jeffersonville, IN 47130. Together with rents, issues, income, and profits thereof, said sale will be made out relief from valuation or appraisal laws. TARA L. WEISFELD, Plaintiff Attorney, MICHAEL L. BECHER, Sheriff of

Legals

Legals

Legals

Legals

CMO/ Drake James B. 2322-5014. TO THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE AND ALL INTERESTED PARTIES

NOTICE OF SHERIFF'S SALE

By virtue of a certified copy of a decree to me directed from the Clerk of Circuit Court of Clark County, Indiana, in Cause No. 10C01-0306-MF-379, wherein Chase Manhattan Mortgage Corporation was Plaintiff, and James B. Drake, Bank One, N.A., f/k/a Bank One, Kentucky, N.A. and GMAC Mortgage Corporation d/b/a Ditech.com were Defendants, requiring me to make the sum as provided for in said Decree with interest and cost, I will expose at public sale to the highest bidder, on the 30th day of October, 2003, at the hour of 10:00 a.m., or as soon as thereafter as is possible, at the Clark County Sheriff's Office, 501 E. Court Ave., Jeffersonville, IN, the fee simple of the whole body of Real Estate in Clark County, Indiana. Lot 22, Marquise Meadows Subdivision, as the same appears of record in Plat Book 11, page 23, in the office of the Recorder of Clark County, Indiana. More commonly known as: 920 Sierra Court,

Jeffersonville, IN 47130. Together with rents, issues, income, and profits thereof, said sale will be made without relief from valuation or appraisal laws. MICHAEL J. HELMAN, Plaintiff Attorney, ATTORNEY NO. 16060-84, Michael L. Becher, Sheriff of Clark County, Jefferson-City (Township) 2920 Sierra Court, Jeffersonville, IN 47130 (Street Address). The Sheriff's Department does not warrant the accuracy of the street address published herein. SERVICE DIRECTED TO: James B. Drake, 820 Sierra Court, Jeffersonville, IN 47130. TYPE OF SERVICE: Personal NOTICE: FEIWELL & HANNONY, P.C. IS A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. Sep25, Oct2,9

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Sellersburg Plan Commission Notice is hereby given that the Sellersburg Plan Commission will hold a Public Hearing on October 20th, 2003 at 3:00 p.m. in the Meeting Room of the Sellersburg Town Hall located at 316 East Ulica Street, Sellersburg, Indiana to consider a petition by CHI

ersburg Town Hall located at 316 East Ulica Street, Sellersburg, Indiana to consider a petition by C.H.I. Properties, LLC to allow the following: Rezone listed property from B1 to B3. On property commonly known as 470 N. Indiana Ave. and also described by the following: A part of Survey 111 of the Illinois Grant, Town of Sellersburg, Silver Creek Township, Clark County, Indiana, also being part of the lands described in Barham (DD 23-8188) described as follows: Beginning at the North corner of lot 10 of Diedrich's 3rd Addition to the Town of Sellersburg, Thence S 78°06'01"E, a distance of 28.75 feet to a point, Thence N 11°53'59"E, a distance of 30.00 feet to a 5/8" rebar, Thence N 78°06'01" W, a distance of 188.42 feet to a 5/8" rebar, Thence N 12°20'20" E, a distance of 213.34 feet along the East right of way line of Indiana Avenue to 5/8" rebar, THE TRUE POINT OF BEGINNING, Thence N 12°20'20" E, a distance of 133.06 feet along the East right of way line of Indiana Avenue to a 5/8" rebar, Thence S 76°03'25" E, a distance of 98.56 feet to a 5/8" rebar, Thence N 15°08'39" E, a

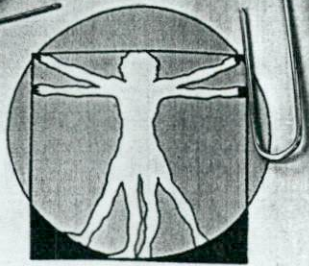
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Sellersburg Plan Commission will hold a Public Hearing on October 20th, 2003 at 6:00 p.m. in the Meeting Room of the Sellersburg Town Hall located at 316 East Ulica Street, Sellersburg, Indiana to consider a petition by CHI

We Accept



The policy for publication of a Legal notice in the Evening News and/or the Sunnyside Classifieds is as follows: Legal notices are due business days prior to first publication. Real estate notices are due business days prior to first publication. Other legal notices are due business days prior to first publication. All notices must be submitted to the Evening News, 221 Spring St., Jeffersonville, IN 47130, or the Albany Tribune, 3 Scribner Dr., Albany, IN 47150, above deadlines.



RENAISSANCE DESIGN BUILD, INC.

144 SOUTH NEW ALBANY STREET

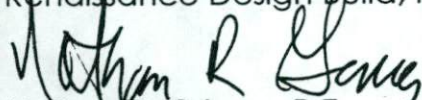
SELLERSBURG, INDIANA 47172

VOICE & FAX 812-246-5897

SELLERSBURG PLAN COMMISSION AGENDA NOVEMBER 17, 2003

1. Roll Call.
2. Property rezoned from B-1 to B-3 at 470 N. Indiana Ave. by CHI Properties, LLC.
3. Property rezoned from B-1 to B-3 at 476 N. Indiana Ave. by CHI Properties, LLC.
4. Property rezoned from A to B-1 at ⁷⁵⁰⁵7419 SR 311 by Rite Aid Corp. —
5. Assigning Adams' Creek Subdivision Addresses. —
6. Approve minutes from previous meeting.

Respectfully Submitted,
Renaissance Design Build, Inc.


Nathan R. Grimes, P.E.

**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

November 17, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:40 P.M. Present were Vice-Chairperson Thomas L. Schuster, W. A. "Woody" Bailey, Louis R. Imhof, Jr., William K. Voyles, Danny F. Yost, Nathan R. Grimes, PE (Sellersburg Building Commissioner) and Secretary David L. Kinder.

Nancy J. Casteel is not present.

First on the agenda is property rezoned from B-1 to B-3 at 470 North Indiana Avenue by CHI Properties LLC. Mr. (Dennis) Dambros is present. Nathan Grimes states, "This was the old Another Carpet Company lot, he had the drawings last time there is an old gas station building and that is being rezoned B-1 to B-3 for used car sales, he has a lessee for that, and the other one he was just trying to get the rest of the property which is the property that goes where Another Carpet Company building was and goes all the way, where the warehouse, all the way to New Albany Street, this is items two and three. So he is doing two different things."

Mr. Dambros states he has a lease ready to sign but has nothing signed until the zoning is approved. This is the property where the gas station is located.

Louis R. Imhof, Jr. makes a motion to rezone the property at 476 North Indiana Avenue from B-1 to B-3, seconded by W. A. "Woody" Bailey. 5-aye, 0-nay, motion approved.

Louis R. Imhof, Jr. makes a motion to deny the rezoning of the property from B-1 to B-3 at 470 North Indiana Avenue, seconded by W. A. "Woody" Bailey. 5-aye, 0-nay, motion approved.

Next on the agenda is the property to rezone from A to B-1 at 7419 State Road 311 by Rite Aid Corporation. Nathan Grimes states, "I am representing Rite Aid because that guy came in from Memphis, Tennessee last time and he wanted me to present it."

Two meetings ago Rite Aid they approved a sight at the corner, there at State Road 311 and State Road 60, you approved the actual building sight for Rite Aid, they now want to add additional property, down West on State Road 60, to add a detention basin to that variance. The Town requires the detention basin, so they need to add additional acreage to that. So they are rezoning to get that detention basin rezoned to B-1 like they have for the sight.

**Plan Commission Meeting
November 17, 2003
Page 2 of 2 pages**

Marjorie Vick addresses the Board reference the zoning of this property: The 7419 property was the home of Pinkley's, 7505 was the old Johnson place, the one that is torn down.

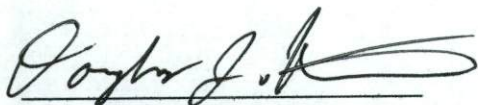
Bill Voyles makes a motion that the Rite Aid property at 7505 State Road 311 to be changed to B-1 to take in the detention basin, seconded by W. A. "Woody" Bailey. 5-aye, 0-nay, motion approved.

Next on the agenda is the assigning of addresses in Adams Creek Sub-division. Nathan states there are twenty-five (25) lots and the Post Office would like for you to start with a thousand. If you want me to I can assign them but I need approval of the Plan Commission to do that. The right side, if you are going back off of Poindexter are the even numbers and the left side is the odds. I would suggest that the first lot, lot 27, be 1000 and lot 1, which is the first lot on the left side would be 1001 and just number it like that, then lot 26 would be 1002, lot 2 would be 1003 this is Adams Creek Drive.


Louis R. Imhof, Jr. makes a motion that lot 27 is 1000 and lot 1 is 1001 in Adams Creek Sub-division, seconded by William A. Voyles. 5-aye, 0-nay, motion approved.

Danny F. Yost makes a motion to approve the minutes of the October 20, 2003 meeting, seconded by Thomas L. Schuster. 5-aye, 0-nay, motion approved.

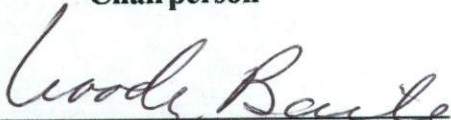
Louis R. Imhof, Jr. makes a motion to adjourn the meeting, seconded by Danny F. Yost. 5-aye, 0-nay, motion approved, meeting adjourned 7:16 P.M.



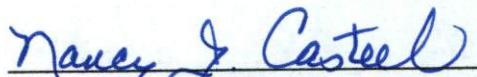
**Douglas J. Reiter
Chairperson**



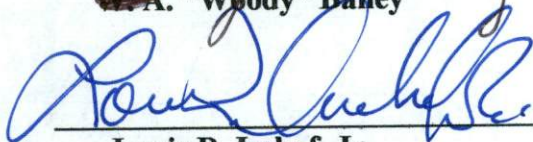
**Thomas L. Schuster
Vice-Chairperson**



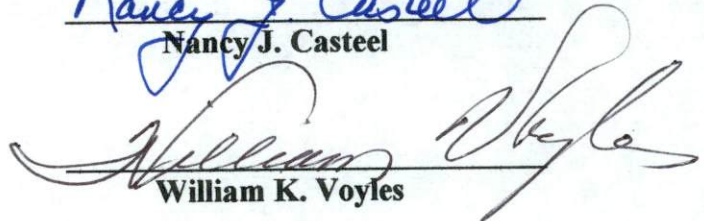
W.A. "Woody" Bailey



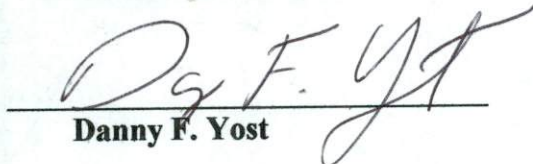
Nancy J. Casteel



Louis R. Imhof, Jr.



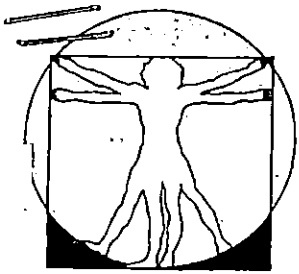
William K. Voyles



Danny F. Yost



David L. Kinder, Secretary



RENAISSANCE DESIGN BUILD, INC.

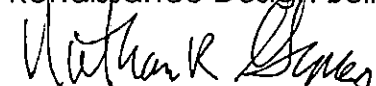
144 SOUTH NEW ALBANY STREET
SELLERSBURG, INDIANA 47172

VOICE & FAX 812-246-5897

SELLERSBURG PLAN COMMISSION AGENDA DECEMBER 15, 2003

1. Roll Call.
2. Property rezoned from R-1 to B-2 at 112 S. New Albany Street by Evelyn Huff.
3. Assigning Adams' Creek Subdivision Addresses.
4. Approve minutes from previous meeting.

Respectfully Submitted,
Renaissance Design Build, Inc.


Nathan R. Grimes, P.E.

- NOTICE OF PUBLIC HEARING -
Notice by the Sellersburg Plan Commission

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on December 15 2003 at 6:00 pm in the Meeting Room of the Sellersburg Town Hall

(Date)

(Time)

located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by EVELYN HUFF to allow the following:

(Name of applicant)

REZONE Property From R1 to B2

(Brief description of request)

On property commonly know as 112 South NEW ALBANY ST. and also described by the following:
(Common address of property)

(INSERT LEGAL DESCRIPTION OF PROPERTY)

.25A 94, 7 x 115, .4 x 95, .5 x 115.5, being a part of
Lots Twenty-one (21) and Twenty-two (22) of the ORIGINAL
PLAT of SELLERSBURG INDIANA

A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172.

Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Sellersburg Plan Commission

PublicHearing

**Proof
Of
Publication**

NOTICE OF PUBLIC HEARING Notice by the Sellersburg Plan Commission Notice is hereby given that the Sellersburg Plan Commission will hold a Public hearing on December 15, 2003 at 6:00 p.m. in the Meeting Room of the Sellersburg Town Hall located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Evelyn Huff to allow the following: Rezoning, Property from R1 to B2 on property commonly known as 112 South New Albany St. and also described by the following: .25A 94, 7X115, .4X95, .5X115.5, being a part of lots twenty-one (21) and twenty-two (22) of the original plat of Sellersburg, Indiana. A copy of this petition; and, all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172. Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner, prior to the Public Hearing at the above address, or filed with the Plan Commission at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary. Sellersburg Plan Commission. Dec 4

**STATE OF INDIANA
COUNTY OF CLARK - SS**

Rebecca McDaniel On oath says that she is bookkeeper of the Evening News and in the employ of the publisher of

THE EVENING NEWS,

a daily newspaper of general circulation printed and published in the city of Jeffersonville, Clark County, State of Indiana, and further says that the annexed advertisement was published in said paper for # (1) time(s) to-wit: In issue of said Evening News dated: December 4, 2003

(X) Rebecca McDaniel

STATE OF INDIANA
COUNTY OF CLARK

Subscribed and sworn to before me this 4th day of December, 2003

(X) Jean Gibson
JEAN GIBSON
Notary Public, Clark County, Indiana

(My Commission Expires)
October 11, 2006

Publication
Fee \$ 36.128
06503187

- NOTICE OF PUBLIC HEARING -
Notice by the Sellersburg Plan Commission

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on November 17, 2003 at 6:00 pm in the Meeting Room of the Sellersburg Town Hall
(Date) (Time)

located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Rite-Aid Corp. to allow the following:
(Name of applicant)

Requesting zoning change from A to B1

(Brief description of request)

On property commonly know as 7419 SR311 (s w corner of SR311 & SR40 Intersection) and also described by the following:
(Common address of property)

(INSERT LEGAL DESCRIPTION OF PROPERTY)

See Attached Sheet

A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172.

Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Sellersburg Plan Commission

PublicHearing

PROPOSED RITE-AID PARCEL

A part of Survey #88 & 108 of the Illinois Grant line and a part of Lots #30 & 31 of the Town of Hamburg as recorded in Plat Book 3 Page 49, Silvercreek Township, Clark County, Indiana, described as follows:

Beginning at a 1" steel pin at the South corner of Survey #108,

Thence N 49°01'00" E a distance of 2965.34 feet along the Survey line to a point, Thence S 39°05'50" E a distance of 1.26 feet to a 8"x8" Stone, Thence N 49°00'00" E a distance of 1569.84 feet to a 5/8" rebar THE TRUE POINT OF BEGINNING, Thence S 70°12'00" E, a distance of 162.84 feet to a 5/8" rebar, Thence N 18°15'52" E, a distance of 195.47 feet to a right-of-way fence post, Thence N 00°46'57" E, a distance of 56.66 feet to a right-of-way fence post, Thence N 00°31'34" E a distance of 33.23 feet passing a right-of-way fence post at a distance of 0.96 feet to a right-of-way fence post, Thence N 01°27'07" E a distance of 12.70 feet to a right-of-way fence post, Thence N 50°05'53" W a distance of 210.00 feet to a right-of-way fence post, Thence N 55°53'16" W a distance of 46.40 feet to a right-of-way fence post, Thence S 44°22'23" W a distance of 35.06 feet to a 5/8" rebar, Thence N 48°15'30" W a distance of 33.26 feet to a 5/8" rebar, Thence S 48°18'00" W a distance of 190.55 feet to a point, Thence S 50°05'53" E a distance of 185.33 feet to a point, Thence S 18°15'52" W a distance of 125.46 feet to a 5/8" rebar, Thence S 70°12'00" E a distance of 76.94 feet to THE TRUE PLACE OF BEGINNING,

Containing 2.373 Acres.

**SELLERSBURG PLANNING AND ZONING BOARD PETITION
(Application Form)**

We, Rite-Aid Corp. do hereby formally petition the Sellersburg
(Property Owners Name)

Planning and Zoning Board to Change Zoning from A to B1
(Action Requested)

for the property located at 7419 S.R 311 (SW corner of SR311 &
SR40 Intersections)

Petition to be presented to the Sellersburg Planning & Zoning Board for action on

November 17, 2003 at 6:00 PM.
(Meeting Date)

[Signature] PA For PA.
Property Owner Signature

Property Owner Signature (If Applicable)

302 BRIDGEWOOD COURT
Property Owner's Address

CANNONSBURG PA 15317

724-746-0114
Property Owner's Phone Number

11/6/03
Date

**NOTICE OF
PUBLIC HEARING**

Notice by the Sellersburg Plan Commission
Notice is hereby given that the Sellersburg Plan Commission will hold a Public Hearing on November 17, 2003 at 6:00 p.m. in the Meeting Room of the Sellersburg Town Hall located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Rite-Aid Corp. to allow the following: Requesting zoning change from A' to B1. On property commonly known as 7419 SR 311 (SW corner of SR 311 & SR 60 intersection) and also described by the following: A part - Survey #88 & 108 of the Illinois Grant line and a part of Lots #30 & 31 of the Town of Hamburg as recorded in Plat Book 3 Page 49, Silvercreek Township, Clark County, Indiana, described as follows: Beginning at a 1" steel pin at the South corner of Survey #108, Thence N 49°01'00" E a distance of 2965.34 feet along the Survey line to a point, Thence S 39°05'50" E a distance of 1.26 feet to a 8"x8" Stone, Thence N 49°00'00" E a distance of 1569.84 feet to a 5/8" rebar THE TRUE POINT OF BEGINNING; Thence S 70°12'00" E a distance of 162.84 feet to a 5/8" rebar, Thence N 18°15'52" E a distance of 195.47 feet to a right-of-way fence post, Thence N 00°46'57" E a distance of 56.66 feet to a right-of-way fence post, Thence N 00°31'34" E a distance of 33.23 feet passing a right-of-way fence post at a distance of 0.96 feet to a right-of-way fence post, Thence N 01°27'07" E a distance of 12.70 feet to a right-of-way fence post, Thence N 50°05'53" W a distance of 210.00 feet to a right-of-way fence post, Thence N 55°53'16" W a distance of 46.40 feet to a right-of-way fence post, Thence S 44°22'23" W a distance of 35.06 feet to a 5/8" rebar, Thence N 48°15'30" W a distance of 33.26 feet to a rebar, Thence S 48°18'00" W a distance of 190.55 feet to a point, Thence S 50°05'53" E a distance of 185.33 feet to a point, Thence S 18°15'52" W a distance of 125.46 feet to a 5/8" rebar, Thence S 70°12'00" E a distance of 76.94 feet to THE TRUE PLACE OF BEGINNING; Containing 2.373

11/07/03

ide

or 944-648

Serving The

Legals

Acres. A copy of this petition, and all pertaining thereto, are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 East Utica Street, Sellersburg, Indiana 47172. Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary. Sellersburg Plan Commission
Nov. 7

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Charles Rogers
 7773 Hwy 311
 Sellersburg, IN 47172

2. Article Number
 (Transfer from service label) 7001 0360 0002 9746 6845

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Samantha Taylor* Agent Addressee
 B. Received by (Printed Name) C. Date of Delivery
 Samantha Taylor 11/7/03

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Hometown National Bank
 3131 Grant Line Rd.
 New Albany, IN 47150

2. Article Number
 (Transfer from service label) 7001 0360 0002 9746 6760

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *MA Baker* Agent Addressee
 B. Received by (Printed Name) C. Date of Delivery
 MA BAKER 11-7-03

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Heritage Properties
 733 Dreyer Lane
 Sellersburg, IN 47172

2. Article Number
 (Transfer from service label) 7001 0360 0002 9746 6821

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *James L. Brown* Agent Addressee
 B. Received by (Printed Name) C. Date of Delivery
 James L. Brown 11/7/03

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Dennis Knight
 12202 Covered Bridge Rd
 Sellersburg, IN 47172

2. Article Number
 (Transfer from service label) 7001 0360 0002 9746 6661

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Dennis E. Knight* Agent Addressee
 B. Received by (Printed Name) C. Date of Delivery
 DENNIS E. KNIGHT 11-7-03

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Phillip Morgan
8326 Plum Valley Dr.
Sellersburg, IN 47172

2. Article Number
(Transfer from service label)

7001 0360 0002 9746 6807

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Amy M. Morgan* Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

11-7-03

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Community Savings Bank FSB
202 E. Spring Street
New Albany, IN 47150
P.O. Box 939

2. Article Number
(Transfer from service label)

7001 0360 0002 9746 6838

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]* Agent
 Address

B. Received by (Printed Name)

C. Date of Delivery

TIM BOEHM 11-7-03

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paul Loy
8322 Plum Valley Dr.
Sellersburg, IN 47172

2. Article Number
(Transfer from service label)

7001 0360 0002 9746 6784

PS Form 3811, Au

001

Domestic Return Receipt

102595-02-M-1

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Paul Loy* Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

Paul Loy 11/7/03

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Margie E. Vick
11801 Treloar Rd.
Memphis, IN 47143

2. Article Number
(Transfer from service label)

7001 0360 0002 9746 6869

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Margie E. Vick* Agent
 Address

B. Received by (Printed Name)

C. Date of Delivery

11-7-03

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:-

Patrick Ernstberger
 8320 Plum Valley Dr.
 Sellersburg, IN 47172

2. Article Number

(Transfer from service label)

7001 0360 0002 9746 6777

COMPLETE THIS SECTION ON DELIVERY

A. Signature



-
- Agent
-
-
- Addressee

B. Received by (Printed Name)



C. Date of Delivery

11/7/03

- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

-
- Certified Mail
-
- Express Mail
-
-
- Registered
-
- Return Receipt for Merchandise
-
-
- Insured Mail
-
- C.O.D.

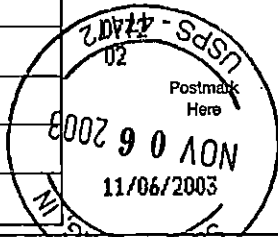
4. Restricted Delivery? (Extra Fee)

-
- Yes

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

LOUISVILLE KY 40213 OFFICIAL USE

Postage	\$ 00.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42

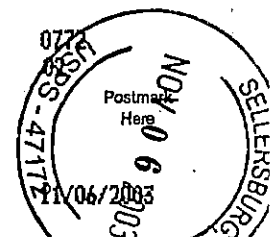


Sent To **CHI Properties, Inc.**
 Street, Apt. No.; or PO Box No. **3107 Chickadee Rd.**
 City, State, ZIP+4 **Louisville, KY 40213**
 PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47172 OFFICIAL USE

Postage	\$ 00.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42

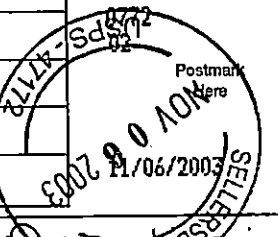


Sent To **James McCartney**
 Street, Apt. No.; or PO Box No. **8328 Plum Valley Dr.**
 City, State, ZIP+4 **Sellersburg, IN 47172**
 PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47172 OFFICIAL USE

Postage	\$ 00.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42

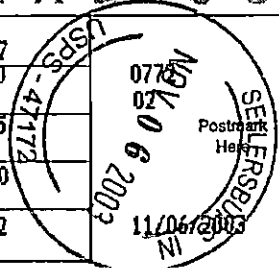


Sent To **Heritage Properties**
 Street, Apt. No.; or PO Box No. **733 Dreyer Lane**
 City, State, ZIP+4 **Sellersburg, IN 47172**
 PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

NEW ALBANY IN 47150 OFFICIAL USE

Postage	\$ 00.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42

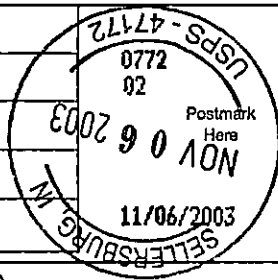


Sent To **Community Savings Bank FSB**
 Street, Apt. No.; or PO Box No. **200 E Spring St.**
 City, State, ZIP+4 **New Albany, IN 47150**
 PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47172 OFFICIAL USE

Postage	\$ 00.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42

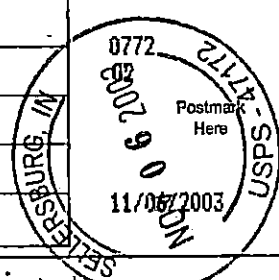


Sent To **Charles Rogers**
 Street, Apt. No.; or PO Box No. **7773 Hwy 311**
 City, State, ZIP+4 **Sellersburg, IN 47172**
 PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47172 OFFICIAL USE

Postage	\$ 00.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42

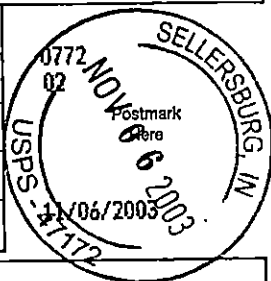


Sent To **Dennis Knight**
 Street, Apt. No.; or PO Box No. **12002 Covered Bridge Rd**
 City, State, ZIP+4 **Sellersburg, IN 47172**
 PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

MEMPHIS TN 47143 OFFICIAL USE

Postage	\$ 40.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42



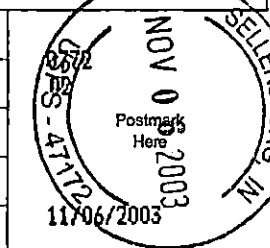
Sent To Margie Vick
 Street, Apt. No.; or PO Box No. 11801 Treloar Rd.
 City, State, ZIP+4 Memphis, TN 47143

PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47172 OFFICIAL USE

Postage	\$ 40.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42



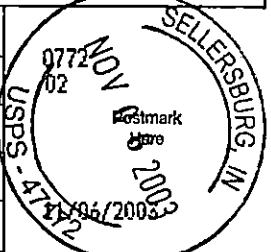
Sent To Phillip Morgan
 Street, Apt. No.; or PO Box No. 8326 Plum Valley Dr.
 City, State, ZIP+4 Sellersburg, IN 47172

PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47172 OFFICIAL USE

Postage	\$ 40.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42



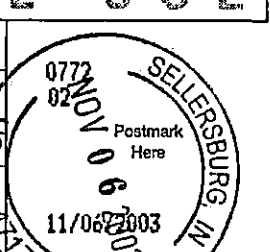
Sent To Paul Loy
 Street, Apt. No.; or PO Box No. 8322 Plum Valley Dr.
 City, State, ZIP+4 Sellersburg, IN 47172

PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47172 OFFICIAL USE

Postage	\$ 40.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42



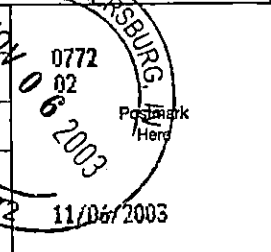
Sent To Patrick Ernstberger
 Street, Apt. No.; or PO Box No. 8350 Plum Valley Dr.
 City, State, ZIP+4 Sellersburg, IN 47172

PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

NEW ALBANY IN 47150 OFFICIAL USE

Postage	\$ 40.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42



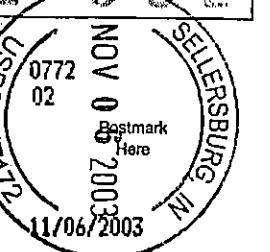
To Hometown National Bank
 Street, Apt. No.; or PO Box No. 3131 Grant Line Rd.
 City, State, ZIP+4 New Albany, IN 47150

PS Form 3800, January 2001 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

SELLERSBURG IN 47172 OFFICIAL USE

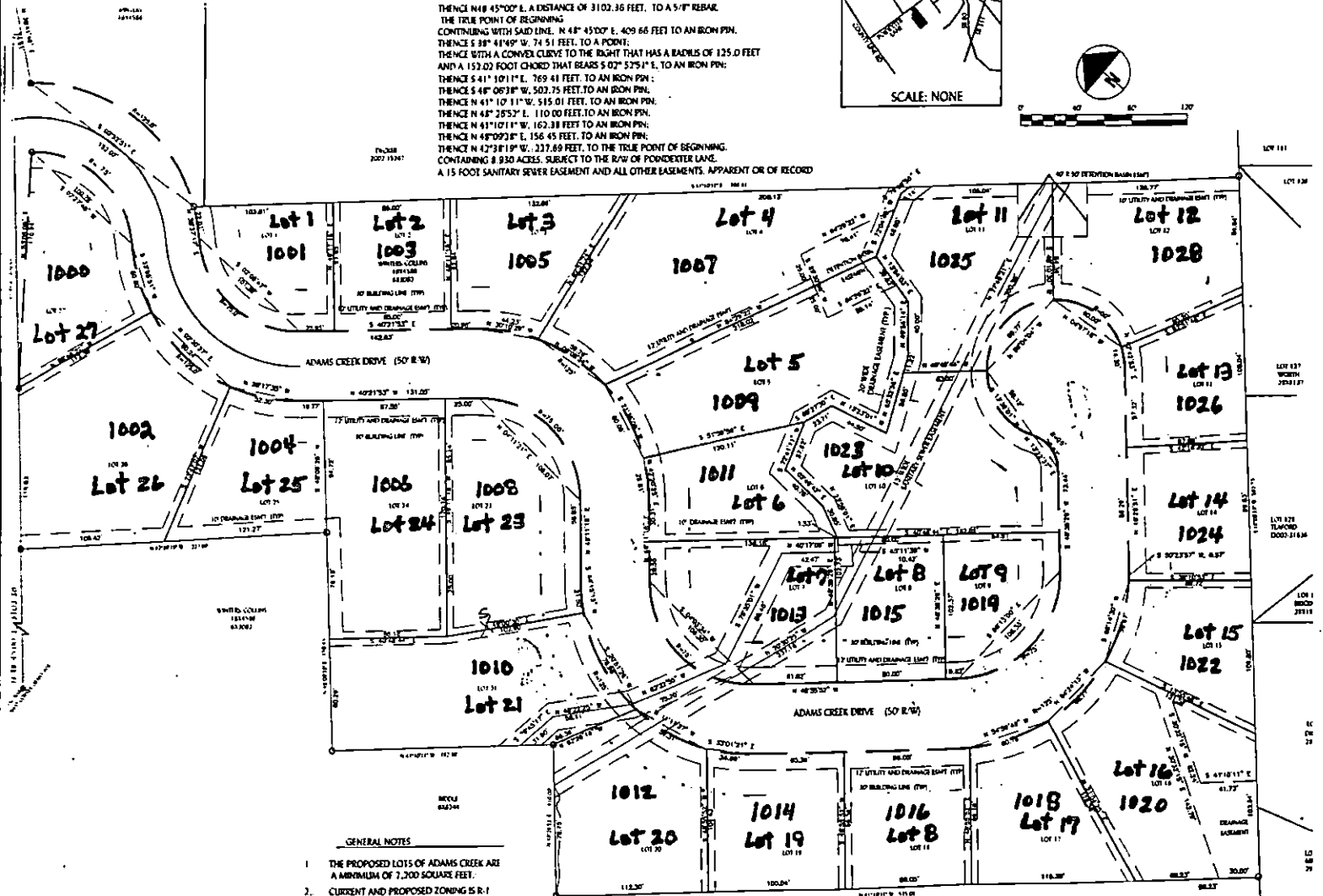
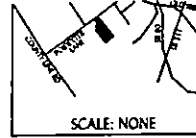
Postage	\$ 40.37
	\$2.30
Certified Fee	\$1.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 44.42



Sent To William Bauman
 Street, Apt. No.; or PO Box No. 8324 Plum Valley Dr.
 City, State, ZIP+4 Sellersburg, IN 47172

PS Form 3800, January 2001 See Reverse for Instructions

THENCE N48°45'00" E, A DISTANCE OF 3102.36 FEET, TO A 5/8" REBAR.
 THE TRUE POINT OF BEGINNING
 CONTINUING WITH SAID LINE, N 48° 45'00" E, 409.66 FEET TO AN IRON PIN.
 THENCE S 38° 41'45" W, 74.51 FEET, TO A POINT;
 THENCE WITH A CONVEX CURVE TO THE RIGHT THAT HAS A RADIUS OF 125.0 FEET
 AND A 152.02 FOOT CHORD THAT BEARS S 02° 57'51" E, TO AN IRON PIN;
 THENCE S 41° 10'11" E, 769.41 FEET, TO AN IRON PIN;
 THENCE S 48° 06'38" W, 502.75 FEET, TO AN IRON PIN;
 THENCE N 41° 10' 11" W, 515.01 FEET, TO AN IRON PIN.
 THENCE N 48° 28'52" E, 110.00 FEET, TO AN IRON PIN.
 THENCE N 41°10'11" W, 162.38 FEET, TO AN IRON PIN;
 THENCE N 48°06'38" E, 156.45 FEET, TO AN IRON PIN;
 THENCE N 42°38'19" W, 237.89 FEET, TO THE TRUE POINT OF BEGINNING,
 CONTAINING 8.930 ACRES, SUBJECT TO THE R/W OF PONDDEXTER LAKE,
 A 15 FOOT SANITARY SEWER EASEMENT AND ALL OTHER EASEMENTS, APPARENT OR OF RECORD



- GENERAL NOTES**
1. THE PROPOSED LOTS OF ADAMS CREEK ARE A MINIMUM OF 7,000 SQUARE FEET.
 2. CURRENT AND PROPOSED ZONING IS R-1

Adams' Creek Developments, LLC
24404 Mahan Road
Marysville, IN 47141
Telephone & Fax: 812-293-3476

Petition to Vacate Utility & Drainage Easements

Adams' Creek Developments, LLC, the property owners of Lots 7, 11, 12, 15, & 16 of Adams' Creek Subdivision located at 2116 Poindexter Road, formally petition the Sellersburg Town Council to vacate existing detention basin easement and drainage easements as shown on attached Exhibits "A" to "F".



Kevan Staton, Project Manager,
Adams' Creek Developments, LLC

EXHIBIT "A"

Vacation of detention basin easement:

A part of lots 11 & 12 of Adams' Creek Subdivision (Plat Book 13, Page 12) in Survey 108 of Illinois Grant, Town of Sellersburg, Silver Creek Township, Clark County, Indiana. Thence the following courses of the boundary of said vacated easements:

Beginning at the easterly corner of said lot 11 and the northerly corner of said lot 12;

Thence N 41° 10' 11" W, 25.00 feet more or less, with the northeasterly line of said lot 11;

Thence S 48° 10' 30" W, 40.00 feet more or less;

Thence S 41° 10' 11" E, 50.00 feet more or less;

Thence N 48° 10' 30" E, 40.00 feet more or less, to the northeasterly line of said lot 12;

Thence N 41° 10' 11" W, 25.00 more or less, with said northeasterly line of lot 12 to the true point of beginning and containing 2,000 square feet or 0.05 acres of land.

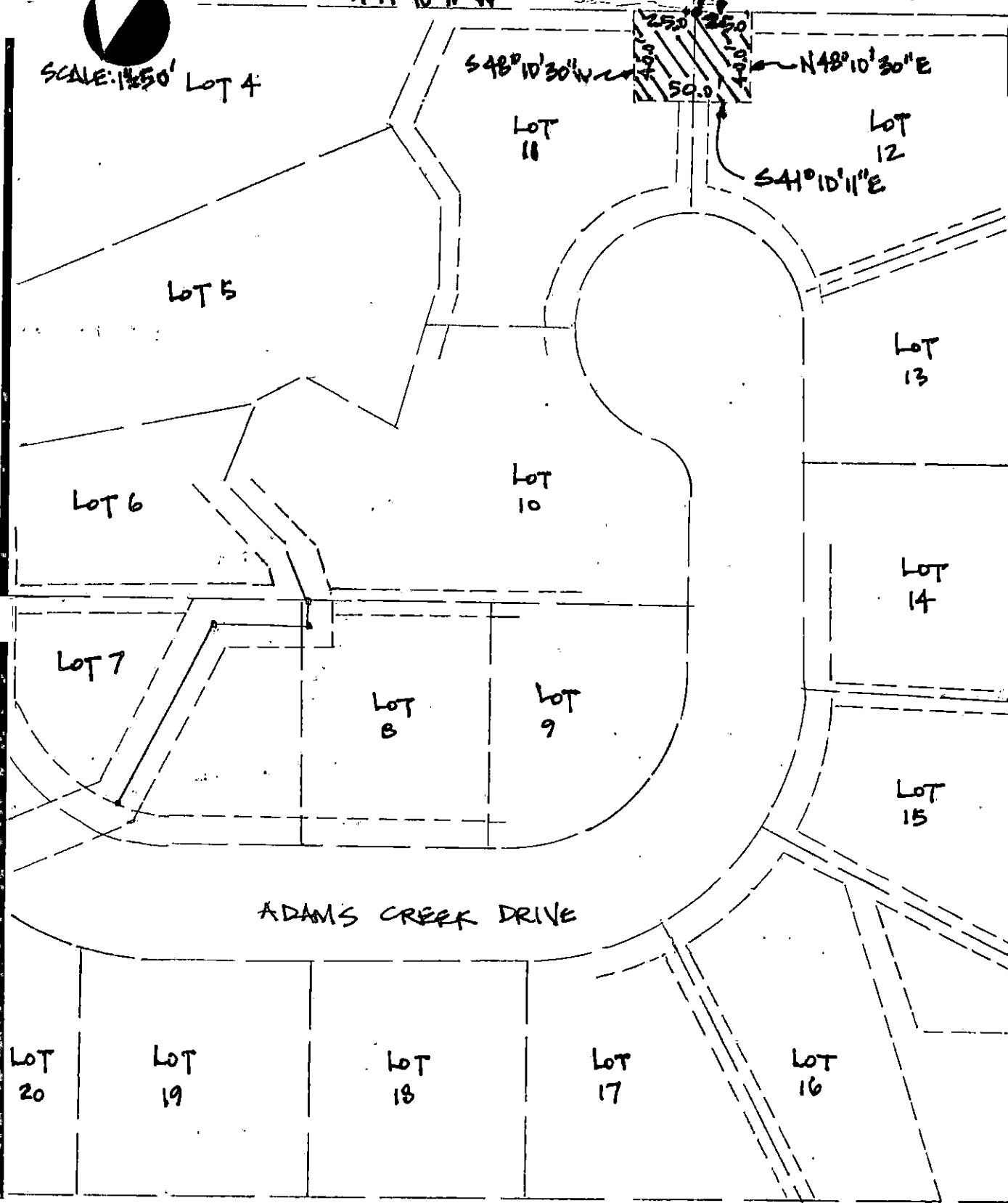
EXHIBIT "B"
N41° 10' 11" W

POB DETENTION BASIN EASEMENT



SCALE: 1"=50' LOT 4

S48° 10' 30" W
N48° 10' 30" E
S41° 10' 11" E



ADAMS CREEK DRIVE

Sheet 1
of 1

Project: ADAMS' CREEK SUBDIVISION
Subject: EXHIBIT "B" EASEMENT VACATION
Project No.: 2003-014A

Drawn: *A. Jones*
Checked: *W. Jones*
Date: 11/10/03
Revisions:



RENAISSANCE DESIGN BUILD, INC.
144 SOUTH NEW ALBANY STREET
SELLERSBURG, INDIANA 47172
VOICE & FAX 812-246-5897
ENGINEERING • DESIGN • GENERAL CONTRACTING
CONSTRUCTION MANAGEMENT • PLANNING

EXHIBIT "C"

Vacation of 10' drainage easements:

A part of lots 15 & 16 (Plat Book 13, Page 12) in Survey 108 of Illinois Grant, Town of Sellersburg, Silver Creek Township, Clark County, Indiana. Thence the following course of a strip of land 10 feet wide lying 5 feet wide on each side of a centerline of said vacated easement, described as follows:

Beginning at the easterly corner of said lot 16 and the southerly corner of said lot 15;

Thence N 13° 55' 48" W, 110.22 feet more or less, with the southwesterly line of said lot 15 and the northeasterly line of said lot 16;

Said easement contains 1,103.20 square feet or 0.03 acres of land.

Also a part of lot 16 of Adams Creek Subdivision (Plat Book 13, Page 12) in Survey 108 of Illinois Grant, Town of Sellersburg, Silver Creek Township, Clark County, Indiana. Thence the following courses of the boundary of said vacated easement:

Commencing at the easterly corner of said lot 16 and the southerly corner of said lot 15;

Thence S 48° 06' 38" W, 5.65 feet more or less, with the southerly line of said lot 16;

Thence N 13° 55' 48" W, 68.40 feet more or less, to the true place of beginning of said easement;

Thence S 30° 32' 15" W, 62.24 feet more or less;

Thence N 41° 10' 11" E, 10.53 feet more or less;

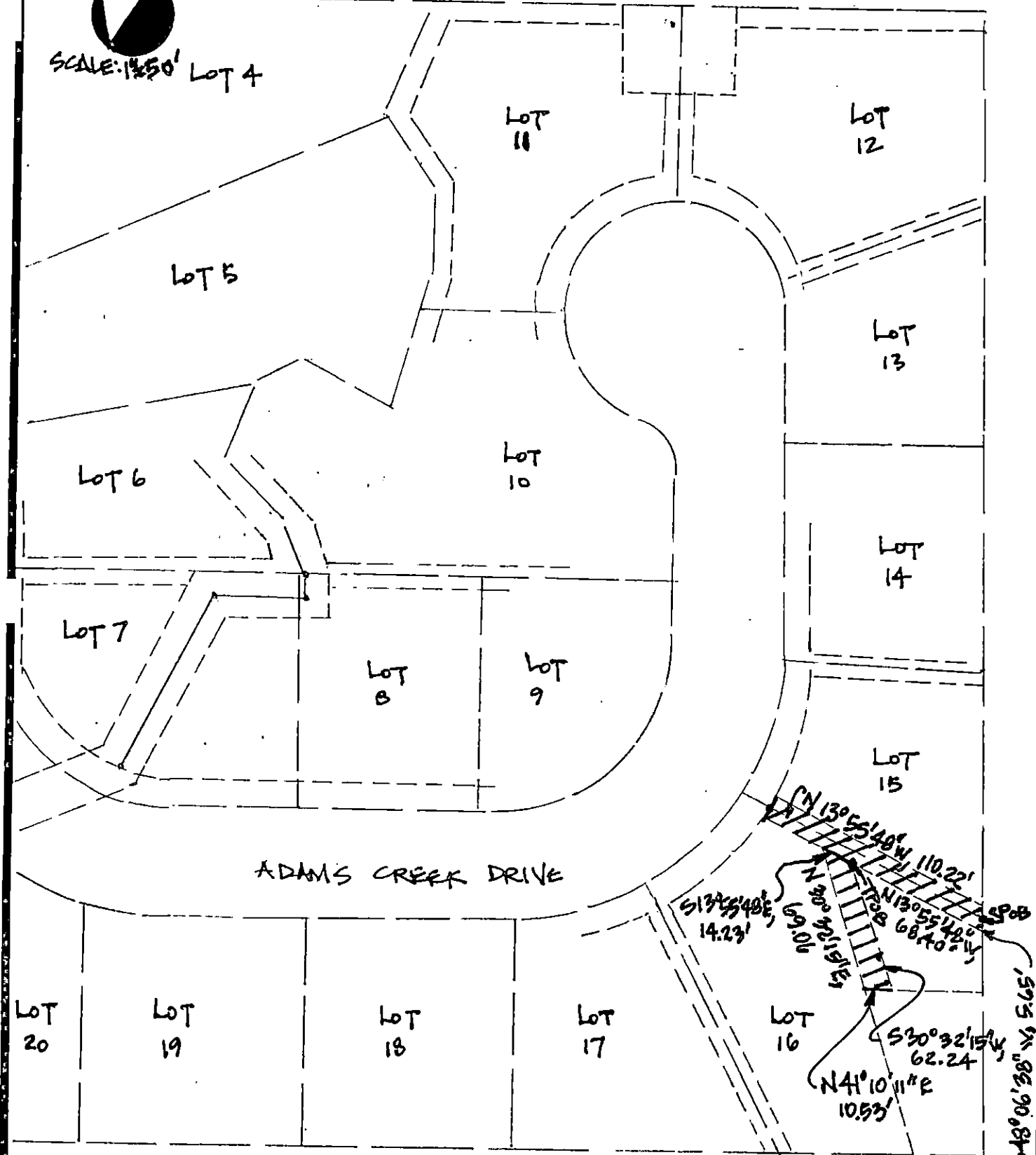
Thence N 30° 32' 15" E, 69.06 feet more or less;

Thence S 13° 55' 48" E, 14.23 feet more or less, to the true place of beginning and containing 656.50 square feet or 0.02 acres of land.

EXHIBIT "D"



SCALE: 1"=50' LOT 4



Sheet
of

Project: ADAMS' CREEK SUBDIVISION
 Subject: EXHIBIT "D" EASEMENT VACATION
 Project No.: 2003-014A

Drawn: *W. Jones*
 Checked: *W. Jones*
 Date: 11/10/03
 Revisions:



RENAISSANCE DESIGN BUILD, INC.
 144 SOUTH NEW ALBANY STREET
 SELLERSBURG, INDIANA 47172
 VOICE & FAX 812-246-5897
 ENGINEERING • DESIGN • GENERAL CONTRACTING
 CONSTRUCTION MANAGEMENT • PLANNING

EXHIBIT "E"

Vacation of 20' drainage easement:

A part of lots 7 & 8 of Adams Creek Subdivision (Plat Book 13, Page 12) in Survey 108 of Illinois Grant, Town of Sellersburg, Silver Creek Township, Clark County, Indiana. Thence the following course of a strip of land 20 feet wide, lying 10 feet wide on each side of a centerline of said vacated easement described as follows:

Beginning at the southerly corner of lot 6 and the westerly corner of lot 10;

Thence S 48° 38' 29" W, 10.00 feet more or less;

Thence N 40° 17' 08" W, 42.47 feet more or less;

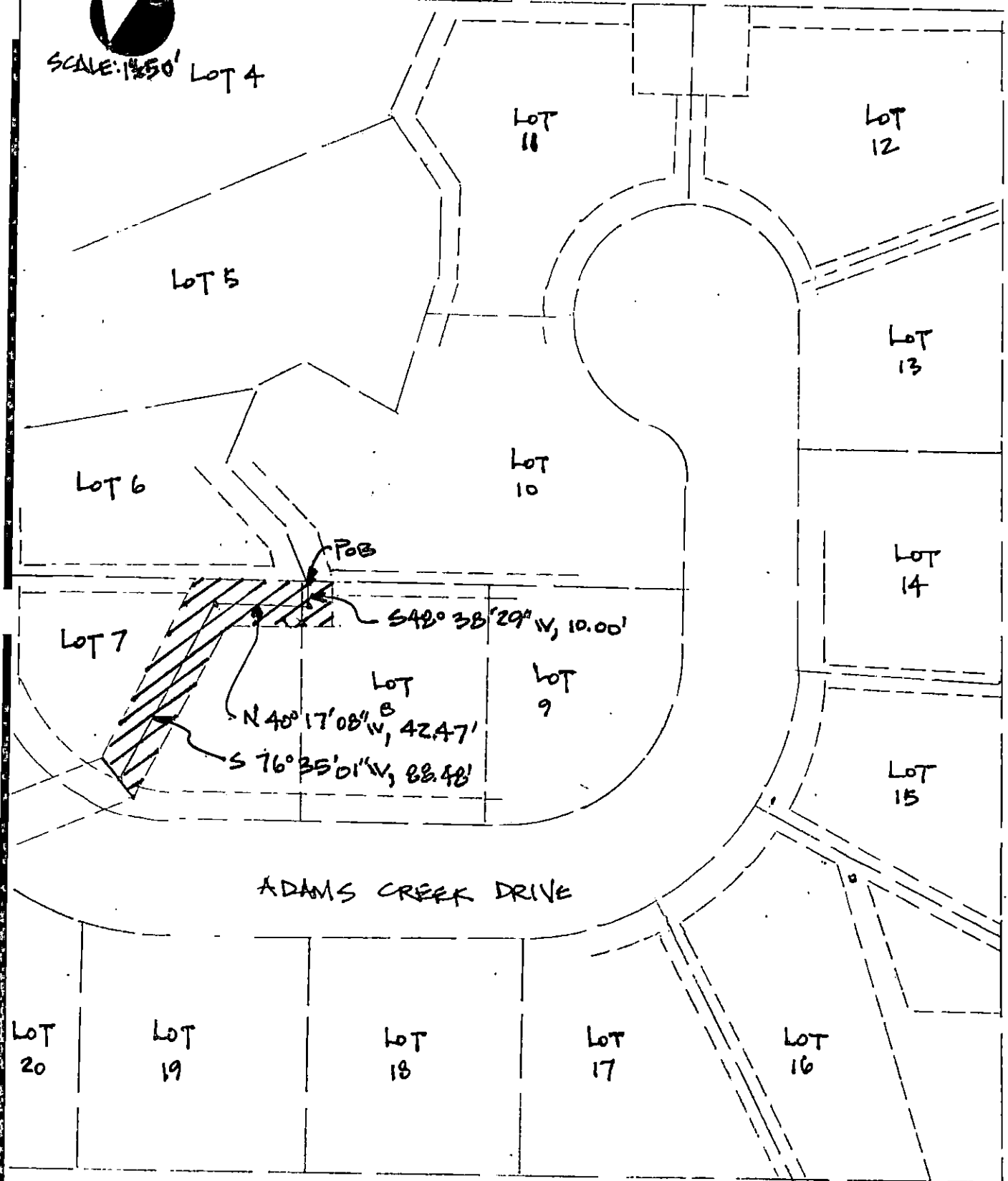
Thence S 76° 35' 01" W, 88.48 feet more or less;

Said easement contains 2,804.70 square feet or 0.06 acres of land.

EXHIBIT "F"



SCALE: 1"=50' LOT 4



Sheet

of

Project: ADAMS' CREEK SUBDIVISION
 Subject: EXHIBIT "F" EASEMENT VACATION
 Project No.: 2003-014 A

Drawn: *N. Jones*
 Checked: *W. Jones*
 Date: 11/10/03
 Revisions:



RENAISSANCE DESIGN BUILD, INC.
 144 SOUTH NEW ALBANY STREET
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**SELLERSBURG PLAN COMMISSION
(AKA SELLERSBURG PLANNING & ZONING COMMISSION)**

December 15, 2003

Chairperson Douglas J. Reiter called the meeting to order at 6:15 P.M. Present were Chairperson Douglas J. Reiter, Vice-Chairperson Thomas L. Schuster, W. A. "Woody" Bailey, Nancy J. Casteel, Louis R. Imhof, Jr., William K. Voyles, Danny F. Yost, Nathan R. Grimes, PE (Sellersburg Building Commissioner) and Secretary David L. Kinder.

First on the agenda is property to rezone from R-1 to B-2 at 112 South New Albany Street. Nathan Grimes states that he is representing Evelyn Huff, the property owner, who is out of Town.

Mrs. Huff has been living at this location but has now moved back to her home on Norman Drive and is going to sell the South New Albany Street property.

I have checked with Boyce Adams (former Building Commissioner) and he thought it was not an actual rezoning thing but a use exception that was given her to live at a B-2. I have no documentation to prove that but that is what he remembers.

Louis R. Imhof, Jr., makes a motion to rezone 112 South New Albany Street from R-1 to B-2, seconded by Thomas L. Schuster. 6-aye, 0-nay motion approved.

Nathan Grimes assigned Adams Creek Sub-division addresses and has a plat of the addresses.

Louis R. Imhof, Jr. makes a motion to approve the minutes of the November 17, 2003 meeting, seconded by Danny F. Yost. 6-aye, 0-nay, motion approved.

Louis R. Imhof, Jr. makes a motion to adjourn the meeting, seconded by W. A. "Woody" Bailey. 6-aye, 0-nay, motion approved, meeting adjourned 6:28 P.M.

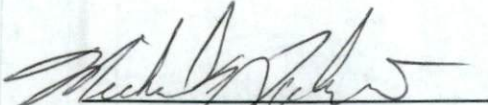
Have the attendance report for the year 2003, reference compensation, I have checked this and find that it is correct.

Checks will be prepared Wednesday, checks will be available at the Town Hall until noon Thursday, December 18 and after noon, and they will be mailed.

Sellersburg Plan Commission Meeting

December 15, 2003

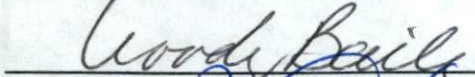
Page 2 of 2 pages



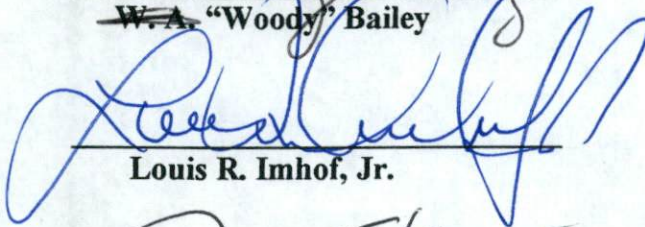
Douglas J. Reiter

Chairperson

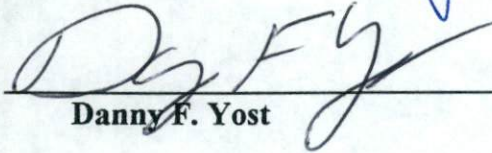
MICHAEL N LOCKHART



W.A. "Woody" Bailey



Louis R. Imhof, Jr.

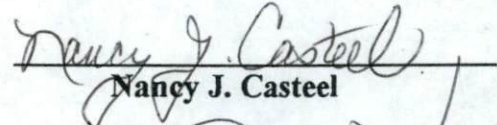


Danny F. Yost

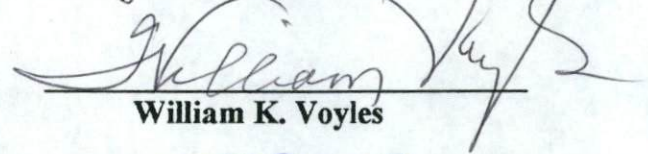


Thomas L. Schuster

Vice-Chairperson



Nancy J. Casteel



William K. Voyles



David L. Kinder, Secretary

KRISTY J. ALKINDER

Attachment: Adams Creek mailing addresses.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LENORA COONS
 8010 Hwy 311
 Sellersburg IN
 47172

2. Article Number

(Transfer from service label)

7005 1160 0002 7851 1057

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Lenora L. Coons* Agent
 Addressee

B. Received by (Printed Name)

Lenora Coons

C. Date of Delivery

*12/29/05*D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

Renaissance Design Build, Inc.
117 S Indiana Avenue
Sellersburg, IN 47172 RDBI@sbcglobal.net

531

0002



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:


First Baptist Church
of Sellersburg
1912 Hwy #311
Sellersburg IN
47172

2. Article Number

*(Transfer from service label)***COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X


 Agent AddresseeB. Received by (*Printed Name*)

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below:

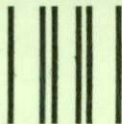
 No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.4. Restricted Delivery? (*Extra Fee*) Yes

7005 1160 0002 7851 1040

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Renaissance Design Build, Inc.
117 S Indiana Avenue
Sellersburg, IN 47172 RDBI@sbcglobal.net

C002



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

NOVA STAR
 P.O. Box 383
 Charlestown IN
 47111

2. Article Number

(Transfer from service label)

7005 1160 0002 7851 0906

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 Shelia Hardy
 Agent Addressee

B. Received by (Printed Name)

SHELIA HARDY

C. Date of Delivery

12-29-05

D. Is delivery address different from item 1?

 Yes

If YES, enter delivery address below:

 No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

UNITED STATES POSTAL SERVICE



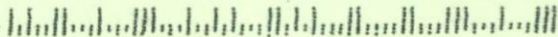
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Renaissance Design Build, Inc.
117 S Indiana Avenue
Sellersburg, IN 47172 RDBI@sbcglobal.net

1531

C002



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RIVER VALLEY
FINANCIAL BANK

S.R. # 311

SELLERSBURG IN 47172

2. Article Number

(Transfer from service label)

7005 1160 0002 7851 0920

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Monica Middleton

 Agent AddresseeB. Received by (*Printed Name*)

Monica Middleton

C. Date of Delivery

12/29/05

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below:

 No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.4. Restricted Delivery? (*Extra Fee*) Yes

UNITED STATES POSTAL SERVICE



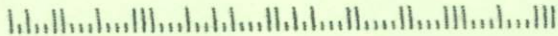
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Renaissance Design Build, Inc.
117 S Indiana Avenue
Sellersburg, IN 47172 RDBI@sbcglobal.net

531

0002



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
DO NOT WRITE OR PRINT ON THIS LABEL

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MAZIE HECKER
 8009 SR 311
 Sellersburg IN
 47172

2. Article Number
(Transfer from service label)

7005 1160 0002 7851 1064

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Mazie Hecker Addressee

B. Received by (Printed Name) C. Date of Delivery
Mazie Hecker *12/29/05*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE



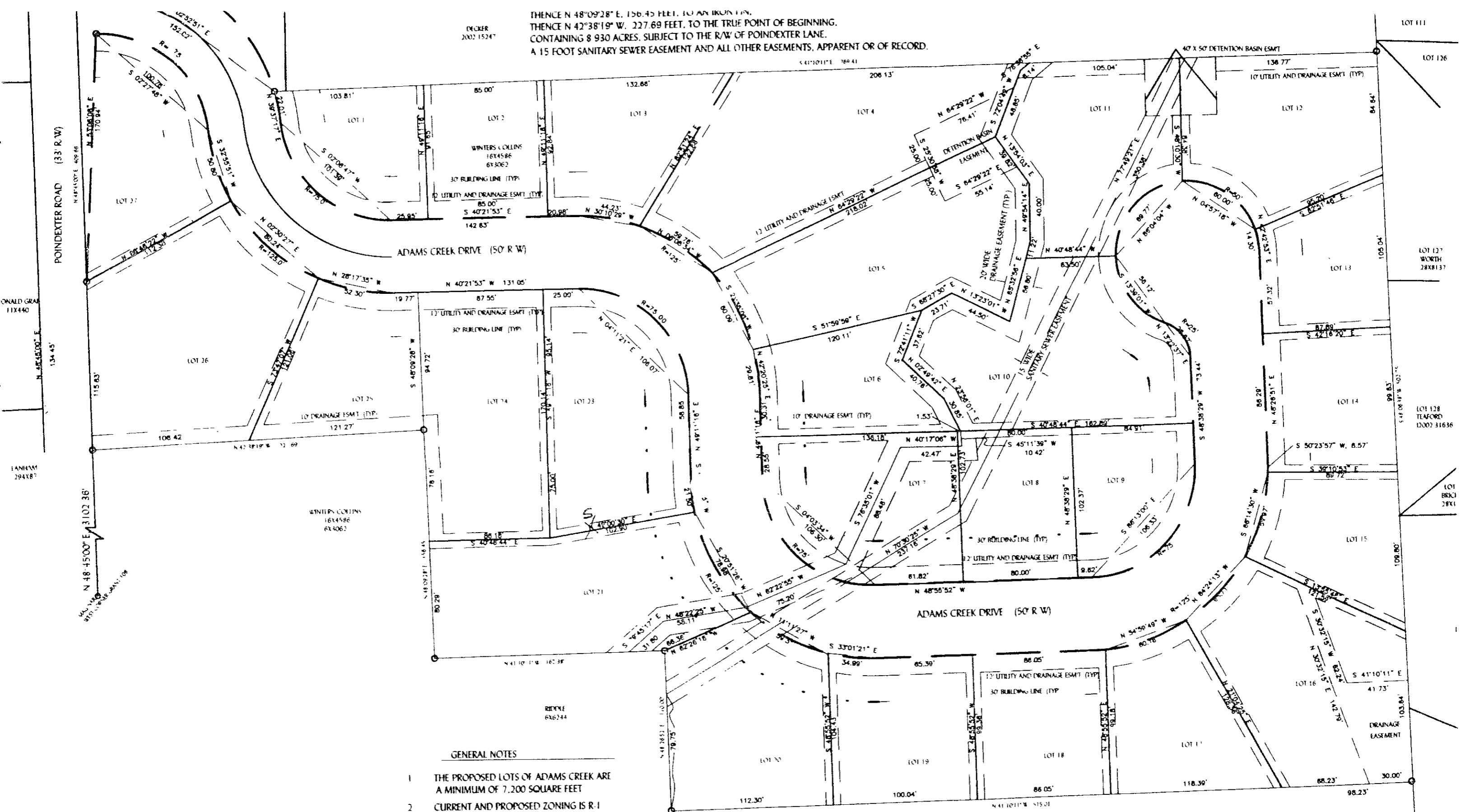
GREETING FROM
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Renaissance Design Build, Inc.
117 S Indiana Avenue
Sellersburg, IN 47172 RDBI@sbcglobal.net

531 0002 

THENCE N 48°09'28" E, 156.45 FEET, TO AN IRON PIN.
 THENCE N 42°38'19" W, 227.69 FEET, TO THE TRUE POINT OF BEGINNING.
 CONTAINING 8.930 ACRES, SUBJECT TO THE R/W OF POINTDEXTER LANE.
 A 15 FOOT SANITARY SEWER EASEMENT AND ALL OTHER EASEMENTS, APPARENT OR OF RECORD.

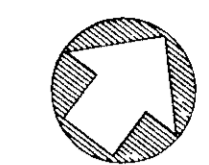


- GENERAL NOTES**
- 1 THE PROPOSED LOTS OF ADAMS CREEK ARE A MINIMUM OF 7,200 SQUARE FEET
 - 2 CURRENT AND PROPOSED ZONING IS R-1
 - 3 IRON PIN WITH CAP SET AT ALL PROPERTY AND LOT CORNERS UNLESS OTHERWISE NOTED
 - 4 LOT 22 WAS ELIMINATED AND COMBINED WITH LOT 23

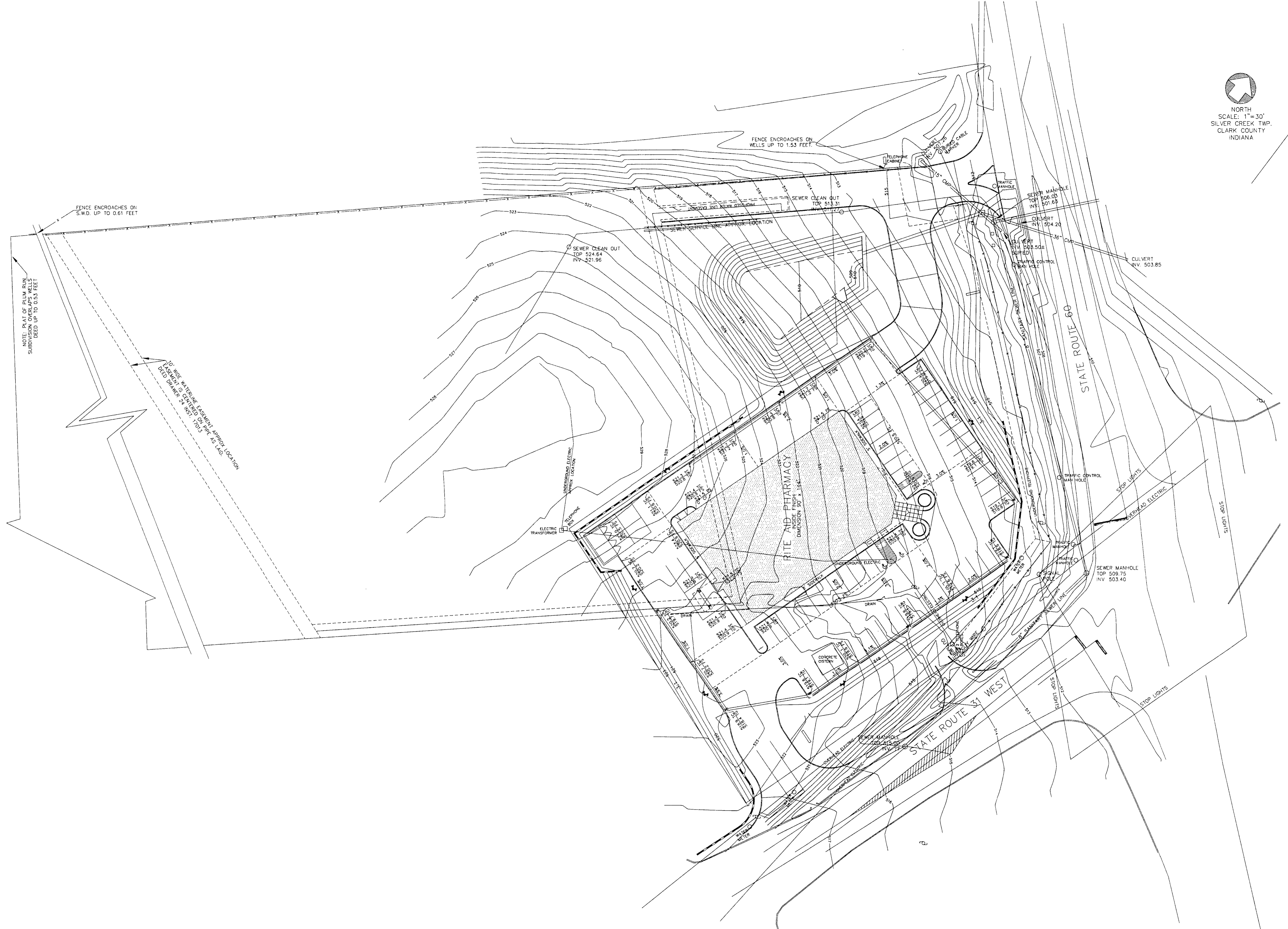
EXISTING IRON PIN

FENTRESS 2"X11.3"

LOT 111
 LOT 126
 LOT 127 WORTH 28X137
 LOT 128 TEAFORD 12007 31636
 LOT BRICK 28X1



NORTH
SCALE: 1"=30'
SILVER CREEK TWP.
CLARK COUNTY
INDIANA



FENCE ENROACHES ON S.W.D. UP TO 0.61 FEET

FENCE ENROACHES ON WELLS UP TO 1.53 FEET.

NOTE: PLAT OF PLUM RUN SUBDIVISION RECORDS WELLS BEED UP TO 0.54 FEET.

10' WIDE WIRELINE EASEMENT APPROX. LOCATION BEED DRAWER 24, INST. 1705

RITE AID PHARMACY
INSIDE FINISH
DIMENSION 30' X 114'

STATE ROUTE 60

STATE ROUTE 31 WEST

SEWER CLEAN OUT
TOP 524.64
INV. 521.96

SEWER MANHOLE
TOP 506.05
INV. 501.65

CULVERT
INV. 503.85

SEWER MANHOLE
TOP 509.75
INV. 503.40

ELECTRIC TRANSFORMER

SEWER MANHOLE
TOP 515.00
INV. 511.00

STOP LIGHTS