

Town of Sellersburg

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

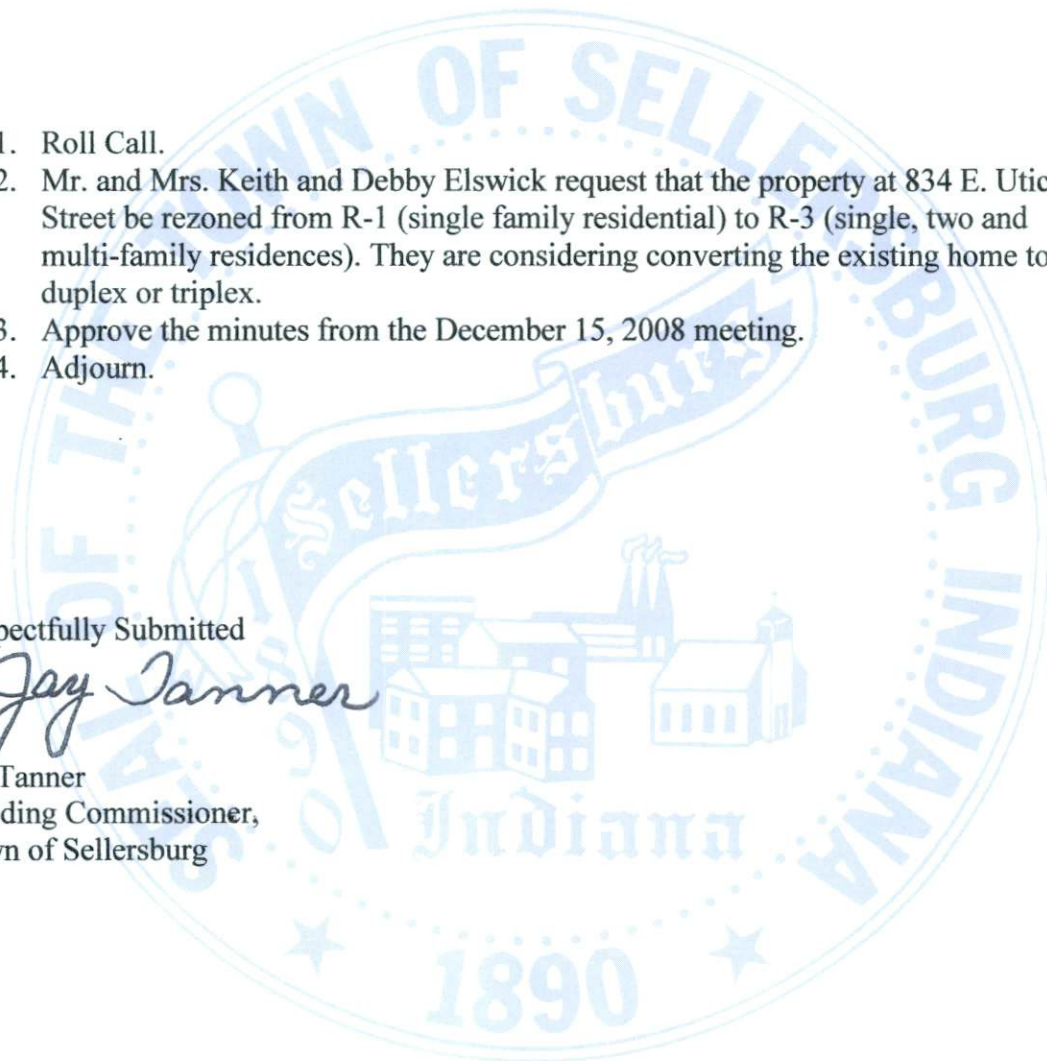
SELLERSBURG PLAN COMMISSION
AGENDA
January 19, 2009

1. Roll Call.
2. Mr. and Mrs. Keith and Debby Elswick request that the property at 834 E. Utica Street be rezoned from R-1 (single family residential) to R-3 (single, two and multi-family residences). They are considering converting the existing home to a duplex or triplex.
3. Approve the minutes from the December 15, 2008 meeting.
4. Adjourn.

Respectfully Submitted

Jay Tanner

Jay Tanner
Building Commissioner,
Town of Sellersburg



SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)
January 19, 2009

The Sellersburg Planning and Zoning Board met January 19, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:07 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member James H. LaMaster, Member Michael N. Lockhart, Member Thomas M. McEwen, Building Commissioner Jonas "Jay" Tanner and David L. Kinder, Secretary.

Members William K. Voyles and Kenneth J. Alexander were absent.


THOMAS M. McEWEN makes a motion to table the request from Keith and Debby Elswick to rezone the property at 834 East Utica Street until the February 16, 2009 meeting, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

JAMES H. LaMASTER nominates Randall W. Mobley for President of the Plan Commission for 2009, seconded by Thomas M. McEwen. 5-aye, 0-nay, motion approved.

JAMES H. LaMASTER nominates Francis A. Conroy for Vice-President of the Plan Commission for 2009, seconded by Randall W. Mobley. 5-aye, 0-nay, motion approved.

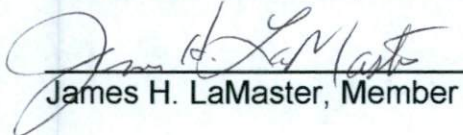
FRANCIS A. CONROY makes a motion to approve the minutes, as written, for the December 15, 2008 meeting, seconded by James H. LaMaster. 5-aye, 0-nay, motion approved.

JAMES H. LaMASTER makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved and meeting adjourned at 6:19 P.M.



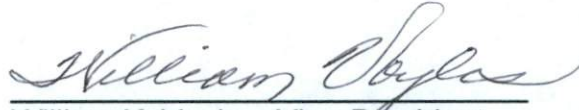
Randall W. Mobley, President

Kenneth J. Alexander, Member

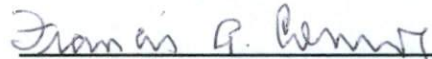


James H. LaMaster, Member


Thomas M. McEwen, Member



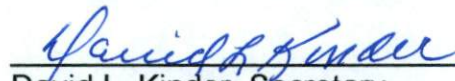
William K. Voyles, Vice-President



Francis A. Conroy, Member



Michael N. Lockhart, Member



David L. Kinder, Secretary

Town of Sellersburg

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

SELLERSBURG PLAN COMMISSION

AGENDA

February 16, 2009

1. Roll Call.
2. Mr. and Mrs. Keith and Debby Elswick request that the property at 834 E. Utica Street be rezoned from R-1 (single family residential) to R-3 (single, two and multi-family residences). They are considering converting the existing home to a duplex or triplex.
3. Approve the minutes from the January 19, 2009 meeting.
4. Adjourn.

Respectfully Submitted

Jay Tanner

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)
February 16, 2009

The Sellersburg Planning and Zoning Board met February 16, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:03 P.M.

Members present were, President Randall W. Mobley, Vice President William K. Voyles, Member Kenneth J. Alexander, Member Francis A. Conroy, Member James H. LaMaster, Member Michael N. Lockhart, Building Commissioner Jonas "Jay" Tanner and David L. Kinder, Secretary.

Members Thomas M. McEwen was absent.

DEBBY ELSWICK requested that the property at 834 East Utica Street be rezoned from R-1 (single family residential) to R-3 (single, two and multi-family residences; converting the existing home to a duplex or triplex.

MRS ELSWICK provided Proof of Publication of the Public Hearing and Certified Mail Receipts from neighbors about the notice of public hearing regarding the zoning change.

DELORIS SNYDER, 865 East Utica speaks in concern to the parking in the rear of the residence and on the side of the residence that there is not enough room for four vehicles. She also questions if an additional building could be attached to the existing residence.

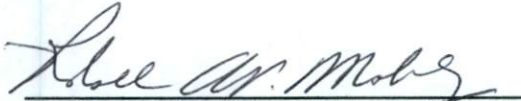
KENNETH J. ALEXANDER recommends that the zoning be R-2 so that it would limit what could be done with the residence.

JIMMY MITCHELL, a neighbor asks if the zoning change is to R-3 or R-2?

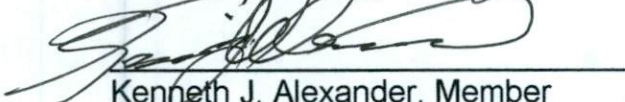
MICHAEL N. LOCKHART makes a motion to table this request and have the applicant present plans for parking and an opinion from the Town attorney concerning waiver of the re-advertising for a public hearing since it will be from R-1 to R-2 instead of R-3 as originally advertised and the width of the entrance and exit for parking, seconded by William K. Voyles. 6-aye, 0-nay, the motion is approved.

WILLIAM K. VOYLES makes a motion to approve the minutes, as written, for the January 19, 2009 meeting, seconded by Francis A. Conroy. 5-aye, 1 abstains, the motion is approved.

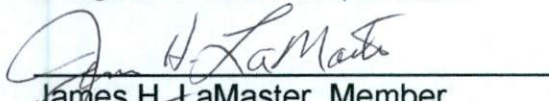
WILLIAM K. VOYLES makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 6-aye, 0—nay, motion is approved.



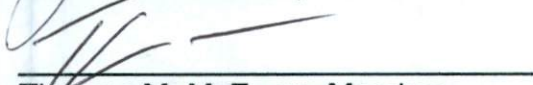
Randall W. Mobley, President



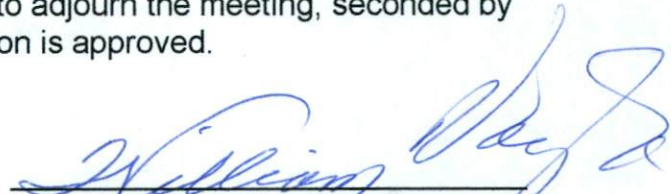
Kenneth J. Alexander, Member



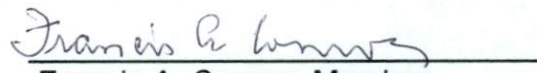
James H. LaMaster, Member



Thomas M. McEwen, Member



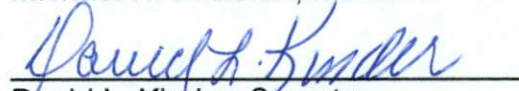
William K. Voyles, Vice-President



Francis A. Conroy, Member



Michael N. Lockhart, Member



David L. Kinder, Secretary

**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 February 16th at 6:00 in the Meeting room of the Sellersburg Town Hall located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by **Keith & Debby Elswick** to allow the following: Request Zoning Change from R1 to R3. On property commonly known as 834 E. Utica St. Sellersburg, IN 47172 and also described as follows: EXHIBIT A A PART OF SURVEY NO. 110 OF THE ILLINOIS GRANT, CLARK COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A STONE MARKED J., THE EAST CORNER OF SURVEY NO. 110 (INCORRECTLY REFERRED TO IN A PREVIOUS CONVEYANCE AS SURVEY NO. 100); THENCE NORTH 40 DEGREES 00 MINUTES WEST, WITH THE LINE DIVIDING SURVEYS NOS. 110 AND 111, 501.1 FEET TO AN IRON PIPE IN THE SOUTHWEST LINE OF UTICA STREET, THE TRUE PLACE OF BEGINNING; THENCE SOUTH 50 DEGREES 53.5 MINUTES WEST, ALONG A FENCE LINE 233 FEET TO AN IRON PIPE IN THE EAST RIGHT-OF-WAY LINE OF THE PENN CENTRAL RAILROAD, THENCE NORTH 12 DEGREES 37.7 MINUTES WEST, ALONG SAID RIGHT-OF-WAY LINE, 104.19 FEET TO A POINT OVER A CONCRETE STORM SEWER PIPE, THENCE NORTH 52 DEGREES 50.0 MINUTES EAST, 185.3 FEET TO A RAILROAD SPIKE IN THE LINE DIVIDING SURVEYS NOS. 110 AND 111, PASSING AN IRON PIPE AT 5.0 FEET, THENCE SOUTH 40 DEGREES 00 MINUTES EAST, WITH THE LINE DIVIDING SURVEYS NOS. 110 AND 111, 87.0 FEET TO THE TRUE PLACE OF BEGINNING. CONTAINING 0.434 ACRES. THE ACREAGE IN THE LEGAL DESCRIPTION OF THE SUBJECT REAL ESTATE

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

**Melissa Tolnay On oath says that she is the
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 #()
time(s) to-wit: In issue of said The Evening News
dated: January 30, 2009.**

(X) Melissa Tolnay

**STATE OF INDIANA
COUNTY OF CLARK**

subscribed and sworn to before me this
13TH day of February, 2009.

(X) Joann Galligan
JOANN GALLIGAN

**Notary Public, Clark County, Indiana
(My Commission Expires August 27, 2014.)**

Publication

Fee \$ 152.11

06519895

Keith & Debby Elswick
5215 Charlestown Road New Albany, IN 47150

Douglas & Sandra Broady
828 E. Utica Street
Sellersburg, IN 47172

This letter is to advise you of our intent to request rezoning from R1 to R3 for the property known as 834 E. Utica Street, Sellersburg, IN 47172. Please find attached the Notice of Public hearing and the legal description. The hearing date is February 16, 2009 at 6:00 PM in the meeting room of the Sellersburg Town Hall.

If you have any questions, please feel free to contact me at the following numbers:

Office-812.944.5620

Cell-502.643.8055

Regards,

Debby Elswick

Keith & Debby Elswick
5215 Charlestown Road New Albany, IN 47150

Trustees FAM Lodge
835 E. Utica Street
Sellersburg, IN 47172

This letter is to advise you of our intent to request rezoning from R1 to R3 for the property known as 834 E. Utica Street, Sellersburg, IN 47172. Please find attached the Notice of Public hearing and the legal description. The hearing date is February 16, 2009 at 6:00 PM in the meeting room of the Sellersburg Town Hall.

If you have any questions, please feel free to contact me at the following numbers:

Office-812.944.5620

Cell-502.643.8055

Regards,

Debby Elswick

Keith & Debby Elswick
5215 Charlestown Road New Albany, IN 47150

James & Mary Yost
846 E. Utica Street
Sellersburg, IN 47172

This letter is to advise you of our intent to request rezoning from R1 to R3 for the property known as 834 E. Utica Street, Sellersburg, IN 47172. Please find attached the Notice of Public hearing and the legal description. The hearing date is February 16, 2009 at 6:00 PM in the meeting room of the Sellersburg Town Hall.

If you have any questions, please feel free to contact me at the following numbers:

Office-812.944.5620

Cell-502.643.8055

Regards,

Debby Elswick

Keith & Debby Elswick
5215 Charlestown Road New Albany, IN 47150

CSX Tax Department
Attention: Mark Gallagher
500 Water Street (C910)
Jacksonville, FL 32202

This letter is to advise you of our intent to request rezoning from R1 to R3 for the property known as 834 E. Utica Street, Sellersburg, IN 47172. Please find attached the Notice of Public hearing and the legal description. The hearing date is February 16, 2009 at 6:00 PM in the meeting room of the Sellersburg Town Hall.

If you have any questions, please feel free to contact me at the following numbers:

Office-812.944.5620
Cell-502.643.8055

Regards,

Debby Elswick

SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)
March 16, 2009

The Sellersburg Planning and Zoning Board met March 16, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:14 P.M.

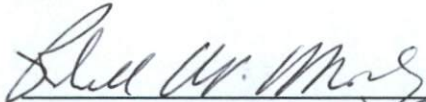
Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member James H. LaMaster, Member Michael N. Lockhart, Member Thomas M. McEwen, Member William K. Voyles, Member Kenneth J. Alexander, Building Commissioner Jonas "Jay" Tanner and Michelle D. Eve, Secretary.

DEBBY ELSWICK requests that the property at 834 East Utica Street be re-zoned from R-1 to R-2.

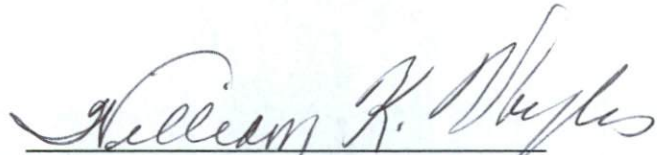
WILLIAM K. VOYLES makes a motion to approve the re-zoning of 834 East Utica Street from R-1 to R-2., seconded by James H. LaMaster. 7-aye, 1-nay by Kenneth J. Alexander. Motion approved.

JAMES H. LAMASTER makes a motion to approve the minutes, as written, for the February 16, 2009 meeting, seconded by William K. Voyles. 7-aye, 0-nay, motion approved.

WILLIAM K. VOYLES makes a motion to adjourn the meeting, seconded by James H. LaMaster. 7-aye, 0-nay, motion approved and meeting adjourned at 6:32 P.M.

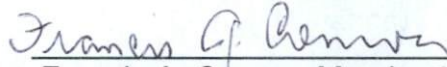


Randall W. Mobley, President

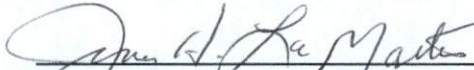


William K. Voyles, Vice-President

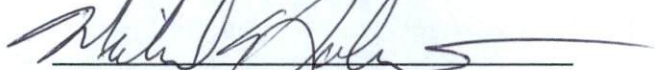
Kenneth J. Alexander, Member




Francis A. Conroy, Member



James H. LaMaster, Member



Michael N. Lockhart, Member



Thomas M. McEwen, Member

David L. Kinder, Secretary

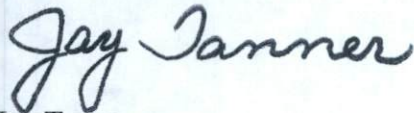
SELLERSBURG PLAN COMMISSION

AGENDA

April 20, 2009

1. Roll Call.
2. No items for review this month
3. Approve the minutes from the March 16, 2009 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in black ink that reads "Jay Tanner". The signature is written in a cursive style with a large, stylized "J" and "T".

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)
April 20, 2009

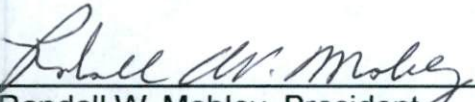
The Sellersburg Planning and Zoning Board met April 20, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:21 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member James H. LaMaster, Member Michael N. Lockhart, Member Thomas M. McEwen, Member William K. Voyles, Building Commissioner Jonas "Jay" Tanner and David L. Kinder, Secretary.

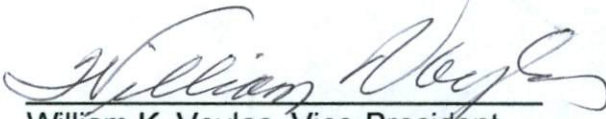
Member Kenneth J. Alexander was absent.

There being no business before the Commission **JAMES H. LaMASTER** makes a motion to approve the minutes of the March 16, 2009 meeting, seconded by Thomas M. McEwen. 6-aye, 0-nay, motion is approved.

FRANCIS A. CONROY makes a motion to adjourn the meeting, seconded by James H. LaMaster. 6-aye, 0-nay motion is approved and meeting adjourned at 6:22 P.M.

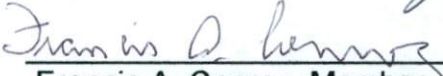


Randall W. Mobley, President

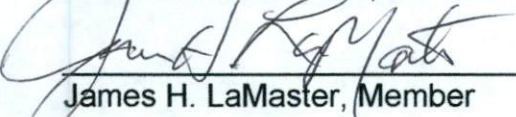


William K. Voyles, Vice-President

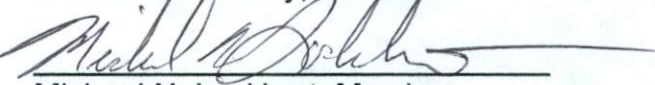
Kenneth J. Alexander, Member



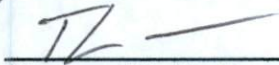
Francis A. Conroy, Member




James H. LaMaster, Member



Michael N. Lockhart, Member

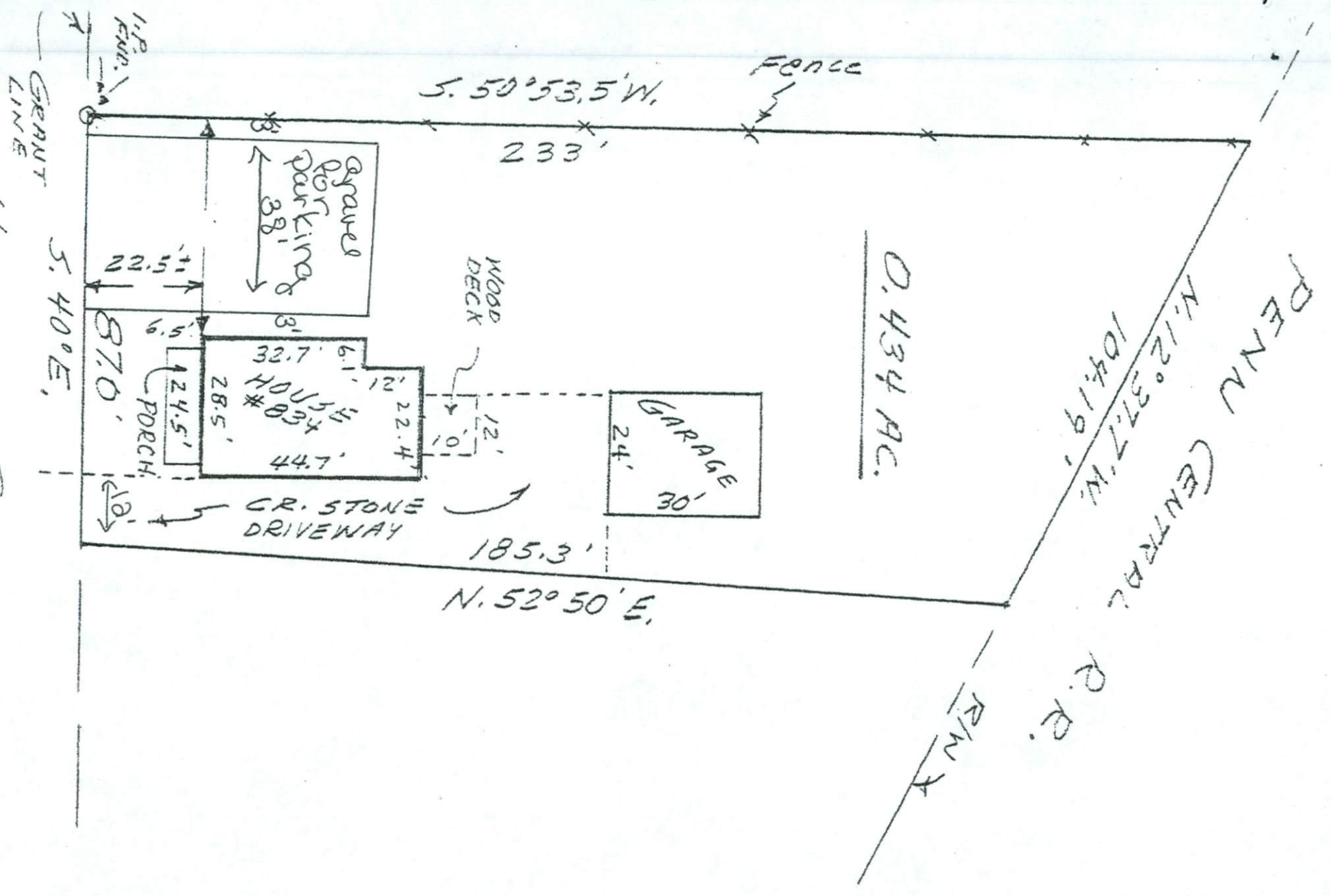


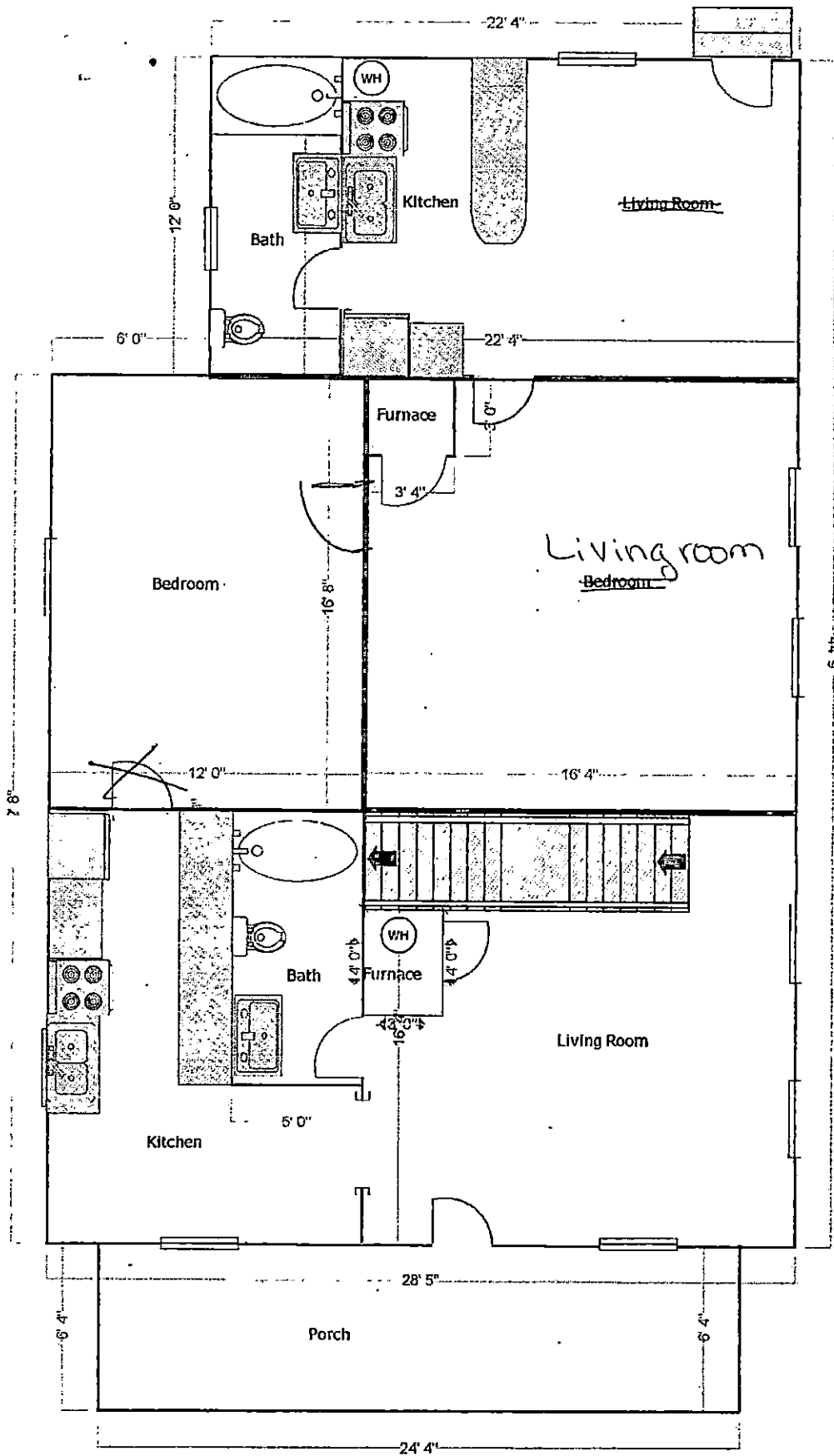
Thomas M. McEwen, Member



David L. Kinder, Secretary

834 EAST UTICA STREET





The back apartment will be a
1 bedroom efficiency with
aprox. 550 Sq. Ft.

+ 200

750 Sq. Ft.

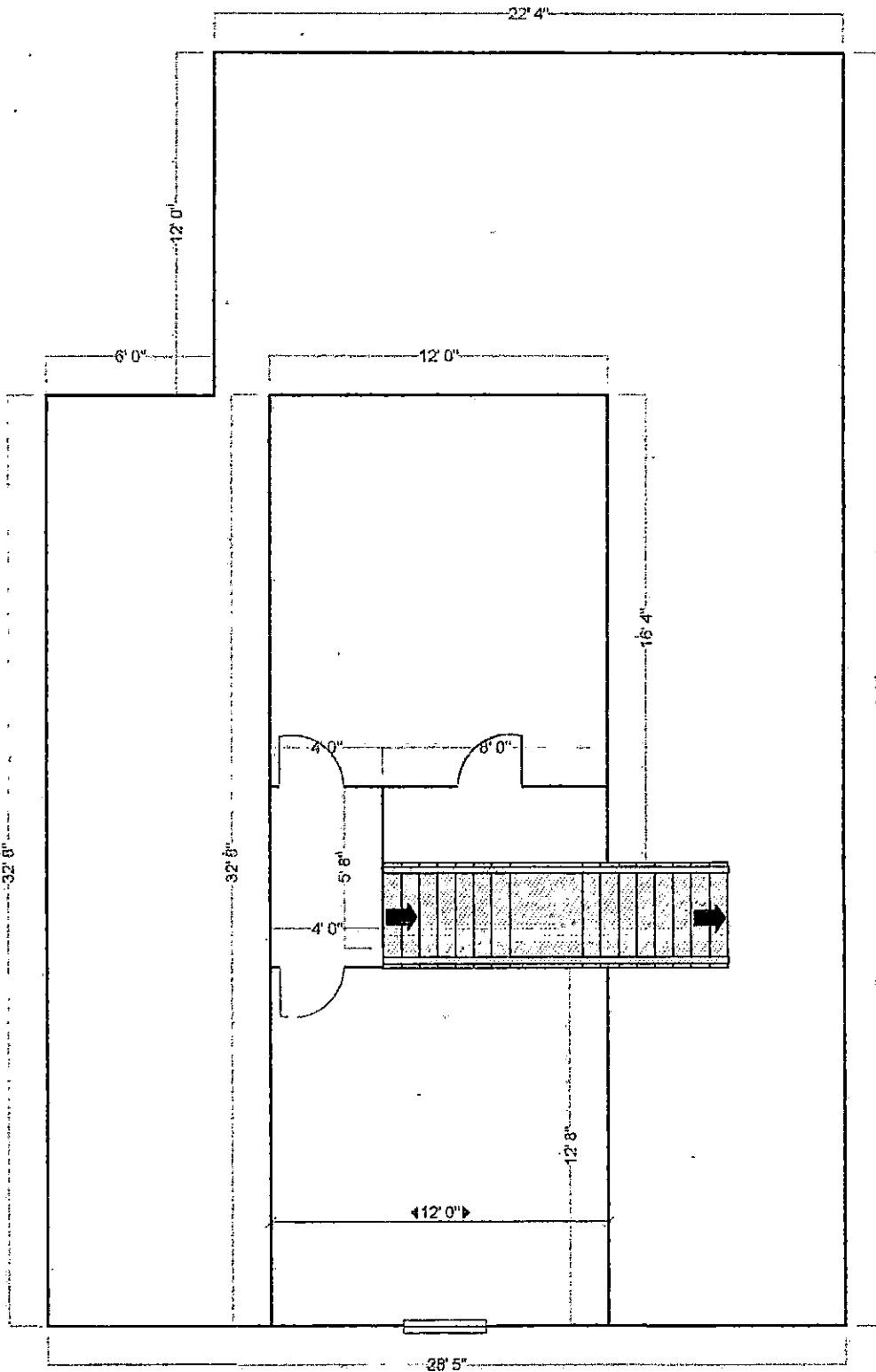
The front apartment will have
2 bedrooms with aprox. 1025
Sq. Ft.

- 200

825 Sq. Ft.

Main Floor Plan
834 E. Utica Street, Sellersburg, IN .
Keith & Debby Elswick

(Aprox. 1200 Sq. Ft.)



Second Floor Plan
 834 E. Utica Street, Sellersburg, IN
 Keith & Debby Elswick

(Aprox. 375 Sq. Ft.)

SELLERSBURG PLAN COMMISSION

AGENDA

May 18, 2009

1. Roll Call.
2. There are no items for review this month.
3. Approve the minutes from the April 20, 2009 meeting.
4. Adjourn.

Respectfully Submitted

Jay Tanner

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)

May 18, 2009

The minutes as written and not verbatim from the meeting.

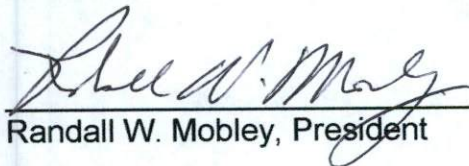
The Sellersburg Planning and Zoning Board met May 18, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:12 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member James H. LaMaster, Member Michael N. Lockhart, Member Thomas M. McEwen, Member William K. Voyles, Building Commissioner Jonas "Jay" Tanner and David L. Kinder, Secretary.

Member Kenneth J. Alexander was absent.

There being no business before the Commission **JAMES H. LaMASTER** makes a motion to approve the minutes of the April 20, 2009 meeting, seconded by Francis A. Conroy. 6-aye, 0-nay, motion is approved.

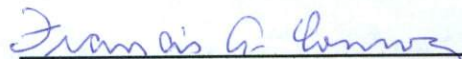
WILLIAM K. VOYLES makes a motion to adjourn the meeting, seconded by Michael N. Lockhart. 6-aye, 0-nay motion is approved and meeting adjourned at 6:13 P.M.



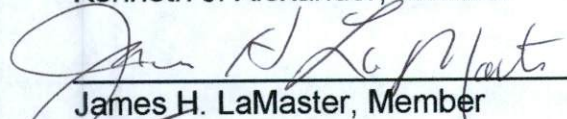
Randall W. Mobley, President

William K. Voyles, Vice-President

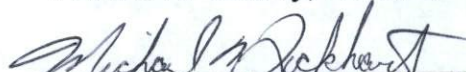
Kenneth J. Alexander, Member



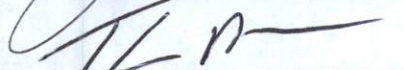
Francis A. Conroy, Member



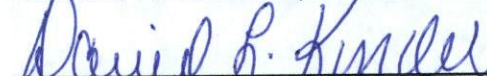
James H. LaMaster, Member



Michael N. Lockhart, Member



Thomas M. McEwen, Member



David L. Kinder, Secretary

SELLERSBURG PLAN COMMISSION

AGENDA

June 15, 2009

1. Roll Call.
2. There are no items for review this month.
3. Approve the minutes from the May 18, 2009 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in cursive script that reads "Jay Tanner". The signature is written in black ink and is positioned above the printed name and title.

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)

June 15, 2009

The minutes as written and not verbatim from the meeting.

The Sellersburg Planning and Zoning Board met June 15, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:38 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member James H. LaMaster, Member Michael N. Lockhart, Member Thomas M. McEwen, Building Commissioner Jonas "Jay" Tanner and David L. Kinder, Secretary.

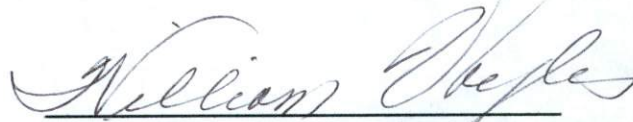
Member William K. Voyles and Member Kenneth J. Alexander were absent.

There being no business before the Commission **JAMES H. LaMASTER** makes a motion to approve the minutes of the April 20, 2009 meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion is approved.

FRANCIS A. CONROY makes a motion to adjourn the meeting, seconded by James H. LaMaster. 5-aye, 0-nay motion is approved and meeting adjourned at 6:39 P.M.




Randall W. Mobley, President

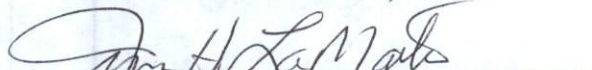


William K. Voyles, Vice-President

Kenneth J. Alexander, Member



Francis A. Conroy, Member




James H. LaMaster, Member



Michael N. Lockhart, Member

Thomas M. McEwen, Member



David L. Kinder, Secretary

SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)

July 20, 2009

The minutes as written and not verbatim from the meeting.

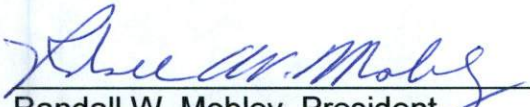
The Sellersburg Planning and Zoning Board met July 20, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:57 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member James H. LaMaster, Member Michael N. Lockhart, Member William K. Voyles, Building Commissioner Jonas "Jay" Tanner and David L. Kinder, Secretary.

Member Thomas M. McEwen and Member Kenneth J. Alexander were absent.

There being no business before the Commission **JAMES H. LaMASTER** makes a motion to approve the minutes of the June 15, 2009 meeting, seconded by William K. Voyles. 5-aye, 0-nay, motion is approved.

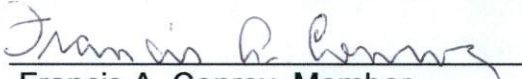
JAMES H. LaMASTER makes a motion to adjourn the meeting, seconded by William K. Voyles. 5-aye, 0-nay motion is approved and meeting adjourned at 6:58 P.M.



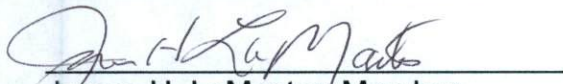
Randall W. Mobley, President

William K. Voyles, Vice-President

Kenneth J. Alexander, Member



Francis A. Conroy, Member



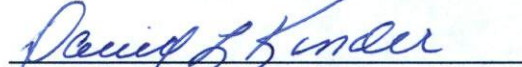
James H. LaMaster, Member



Michael N. Lockhart, Member



Thomas M. McEwen, Member



David L. Kinder, Secretary

SELLERSBURG PLAN COMMISSION

AGENDA

July 20, 2009

1. Roll Call.
2. No items for review this month.
3. Approve the minutes from the June 15, 2009 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in black ink that reads "Jay Tanner". The signature is written in a cursive, flowing style.

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)

August 17, 2009

The minutes as written and not verbatim from the meeting.


The Sellersburg Planning and Zoning Board met August 17, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:20 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member Thomas M. McEwen, Member James H. LaMaster, Member Michael N. Lockhart, , Building Commissioner Jonas "Jay" Tanner and Michelle D. Eve, Secretary.


Member Kenneth J. Alexander and Member William K. Voyles were absent.

There being no business before the Commission **FRANCIS A. CONROY** makes a motion to approve the minutes of the July 20, 2009 meeting, seconded by Thomas M. McEwen. 5-aye, 0-nay, motion is approved.

JAMES H. LaMASTER makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 5-aye, 0-nay motion is approved and meeting adjourned at 6:36 P.M.



Randall W. Mobley, President



William K. Voyles, Vice-President



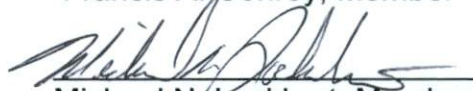
Kenneth J. Alexander, Member



Francis A. Conroy, Member



James H. LaMaster, Member



Michael N. Lockhart, Member



Thomas M. McEwen, Member



Michelle D. Eve, Secretary

Sellersburg Building Commissioner

103 South New Albany Street

PO Box 175

Sellersburg, IN 47172

Phone (502) 817-3041

e-mail jtanner@sellersburg.org

SELLERSBURG PLAN COMMISSION

AGENDA

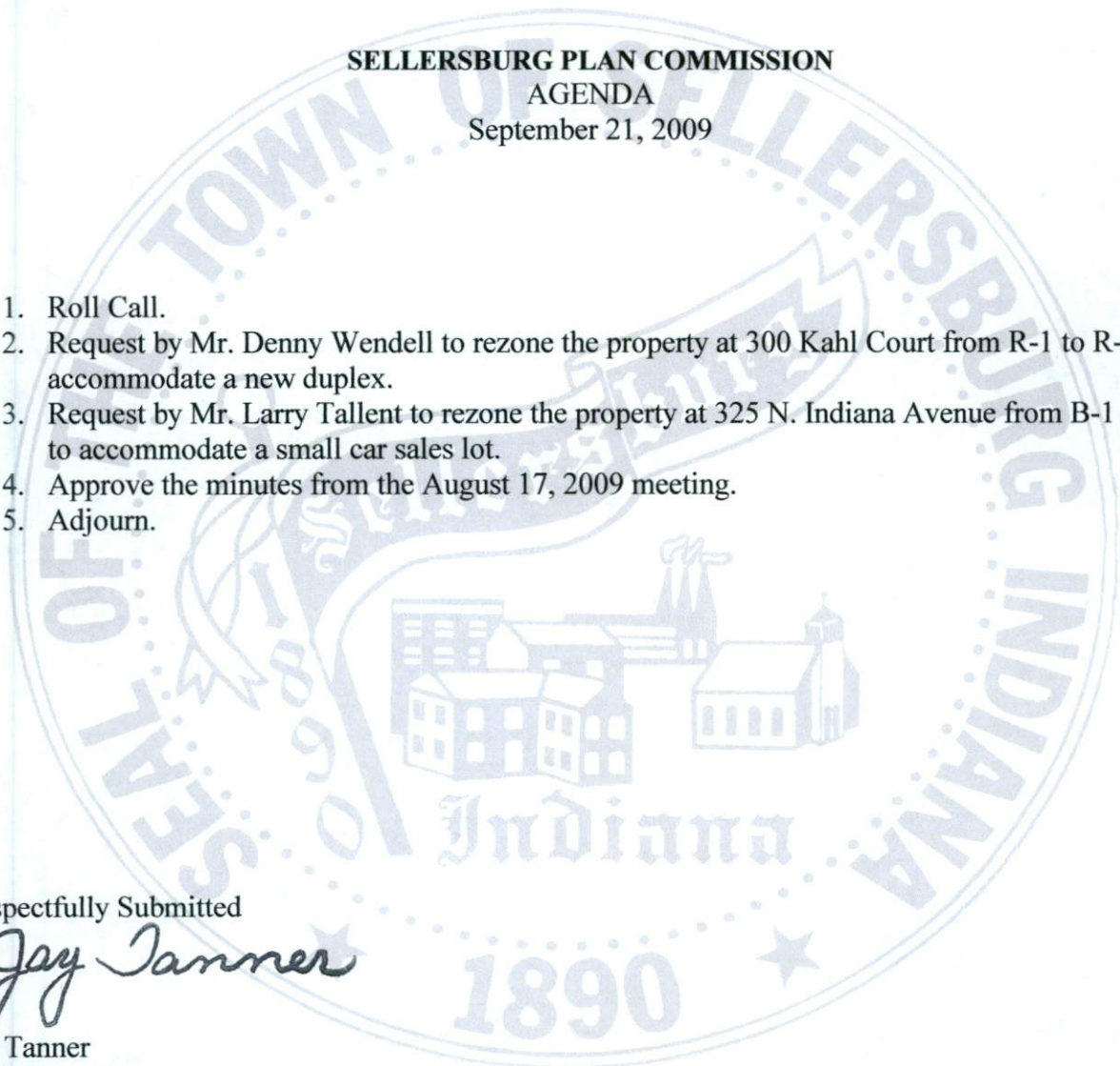
September 21, 2009

1. Roll Call.
2. Request by Mr. Denny Wendell to rezone the property at 300 Kahl Court from R-1 to R-2 to accommodate a new duplex.
3. Request by Mr. Larry Tallent to rezone the property at 325 N. Indiana Avenue from B-1 to B-3 to accommodate a small car sales lot.
4. Approve the minutes from the August 17, 2009 meeting.
5. Adjourn.

Respectfully Submitted



Jay Tanner
Building Commissioner,
Town of Sellersburg



SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)

September 21, 2009

The minutes as written are not verbatim from the meeting.

The Sellersburg Planning and Zoning Board met September 21, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:17 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member Thomas M. McEwen, Member James H. LaMaster, Member Michael N. Lockhart, Member William K. Voyles, Member Kenneth J. Alexander Building Commissioner Jonas "Jay" Tanner and Michelle D. Eve, Secretary.

LARRY TALLENT: Requests that his property located at 325 N. Indiana Avenue be re-zoned from B1 to B3.

MICHAEL N. LOCKHART makes a motion to deny the re-zoning of 325 N. Indiana Avenue from B1 to B3, seconded by Francis A. Conroy. 7-aye, 0-nay motion is approved to deny the re-zoning.

JAMES H. LaMASTER makes a motion to approve the minutes of the August 17, 2009 meeting, seconded by Thomas M. McEwen. 7-aye, 0-nay motion is approved.

JAMES H. LaMASTER makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 7-aye, 0-nay motion is approved and meeting adjourned at 6:54 P.M.



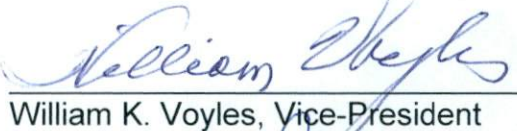
Randall W. Mobley, President

Kenneth J. Alexander, Member

James H. LaMaster, Member



Thomas M. McEwen, Member



William K. Voyles, Vice-President



Francis A. Conroy, Member



Michael N. Lockhart, Member



Michelle D. Eve, Secretary

SELLERSBURG PLAN COMMISSION

AGENDA

October 19, 2009

1. Roll Call.
2. Request by Mr. Denny Wendell to rezone the property at 300 Kahl Court from R-1 to R-2 to accommodate a new duplex. (Tabled from the September 21, 2009 meeting)
3. Approve the minutes from the September 21, 2009 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in cursive script that reads "Jay Tanner".

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)

October 19, 2009

The minutes as written are not verbatim from the meeting.

The Sellersburg Planning and Zoning Board met October 19, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:09 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member Thomas M. McEwen, Member Michael N. Lockhart, Member William K. Voyles, Member Kenneth J. Alexander Building Commissioner Jonas "Jay" Tanner and David L. Kinder, Secretary.

Member James H. LaMaster was absent.

Mr. Denny Wendell, requesting a rezoning from R-1 to R-2 at 300 Kahl Court did not bring the published notice about the rezoning.

THOMAS M. McEWEN makes a motion to table Mr. Wendell's request until the next meeting, November 16th seconded by Francis A. Conroy. 6-aye, 0-nay, motion is approved.

THOMAS M. McEWEN makes a motion to approve the minutes of the September 21, 2009 meeting as written, seconded by Francis A. Conroy. 6-aye, 0-nay, motion approved.

Kenneth A. Alexander then led discussion about the comprehensive plan for the Town. At the next meeting. pages 23 through 26, will be discussed by the Commission.

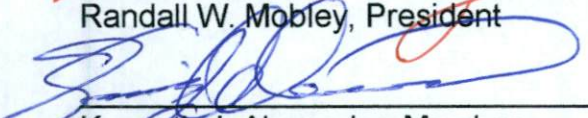
Sellersburg Plan Commission
October 19, 2009
Page 2 of 2 pages

Commission agrees to contact Corradino group, who originally wrote the Comprehensive Plan, to come to a workshop and explain what is needed to re-write the plan.

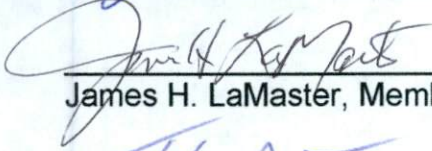
MICHAEL N. LOCKHART makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 6-aye, 0-nay, motion approved and meeting adjourned at 6:49 P.M.



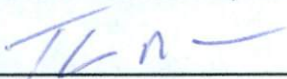
Randall W. Mobley, President



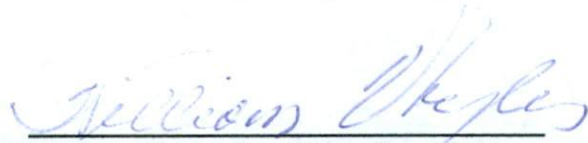
Kenneth J. Alexander, Member



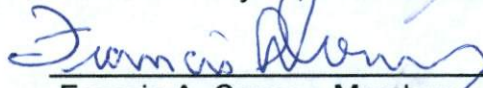
James H. LaMaster, Member



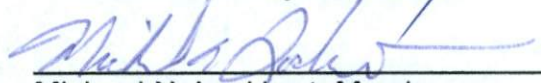
Thomas M. McEwen, Member



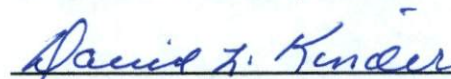
William K. Voyles, Vice-President



Francis A. Conroy, Member



Michael N. Lockhart, Member



David L. Kinder, Secretary

Sellersburg Building Commissioner

103 South New Albany Street

PO Box 175

Sellersburg, IN 47172

Phone (502) 817-3041

e-mail jtanner@sellersburg.org

SELLERSBURG PLAN COMMISSION

REVISED AGENDA

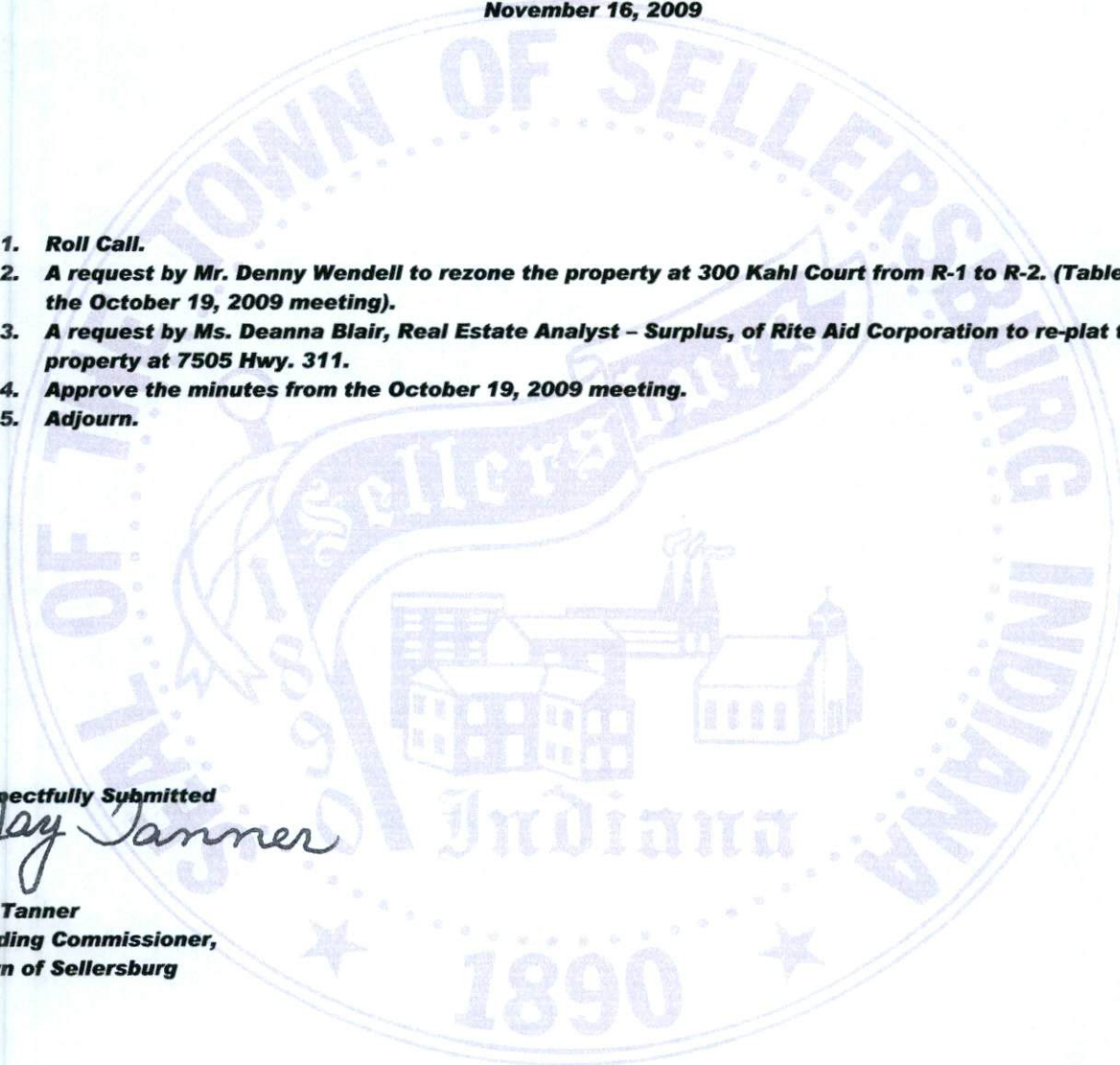
November 16, 2009

1. **Roll Call.**
2. **A request by Mr. Denny Wendell to rezone the property at 300 Kahl Court from R-1 to R-2. (Tabled from the October 19, 2009 meeting).**
3. **A request by Ms. Deanna Blair, Real Estate Analyst – Surplus, of Rite Aid Corporation to re-plat the property at 7505 Hwy. 311.**
4. **Approve the minutes from the October 19, 2009 meeting.**
5. **Adjourn.**

Respectfully Submitted

Jay Tanner

Jay Tanner
Building Commissioner,
Town of Sellersburg



SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)

November 16, 2009

The minutes as written are not verbatim from the meeting.

The Sellersburg Planning and Zoning Board met November 16, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:17 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member Thomas M. McEwen, Member James H. LaMaster Member, Michael N. Lockhart, Member William K. Voyles, Member Kenneth J. Alexander Building Commissioner Jonas "Jay" Tanner and David L. Kinder, Secretary.

Mr. Denny Wendell, requesting a rezoning from R-1 to R-2 at 300 Kahl Court that was tabled from the October 19, 2009 meeting. Mrs. Arlene Wendell is present for Denny Wendell.

Mrs. Wendell furnishes the Commission with proof of publication and two certified mail receipts; 297 Kahl Court and 310 Kahl Court.

ROY MISSI, 310 Kahl Court, speaks in opposition to the rezoning because of additional cars in the area.

After discussion about the request for one lot, 300 Kahl Court being rezoned from R-1 to R-2 one lot would not be large enough and there is no mention about the second lot being rezoned at this time.

MICHAEL N. LOCKHART makes a motion that this request be tabled until the December 21, 2009 meeting and that the Building Commissioner gets with the Wendell's' and tell them everything they need for the Commission to consider their request, seconded by Thomas M McEwen. 7-aye, 0-nay, motion is approved.

DEANNA BLAIR, Real Estate Analyst –Surplus, of Rite Aid Corporation requests to re-plat the property at 7505 State Road 311.

ROBERT "Bob" ISGRIGG, land surveyor, is representing Ms. Blair and Rite Aid. Mr. Isgrigg presents Commission with Revised As-Built Boundary Survey with outline of re-plat area.

MICHAEL N. LOCKHART makes a motion to approve the re-platting of the area, seconded by Francis A. Conroy. 7-aye, 0-nay, motion approved.

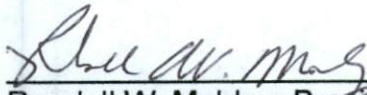
Sellersburg Plan Commission

November 16, 2009

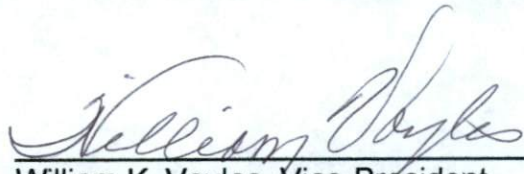
Page 2 of 2 pages

JAMES H. LaMASTER makes a motion to approve the minutes, as written, of the October 19, 2009 meeting, seconded by William K. Voyles. 7-aye, 0-nay, motion is approved.

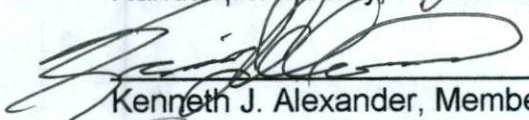
FRANCIS A. CONROY makes a motion to adjourn the meeting, seconded by James H. LaMaster. 7-aye, 0-nay, motion is approved and meeting is adjourned at 6:56 P.M.



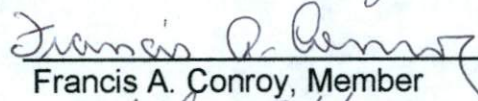
Randall W. Mopley, President



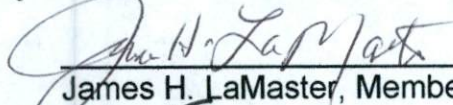
William K. Voyles, Vice-President



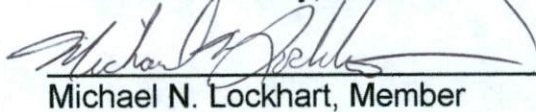
Kenneth J. Alexander, Member



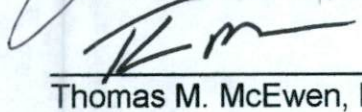
Francis A. Conroy, Member



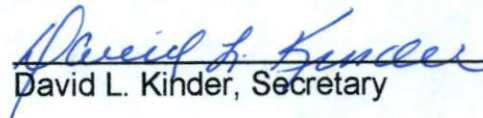
James H. LaMaster, Member



Michael N. Lockhart, Member



Thomas M. McEwen, Member



David L. Kinder, Secretary

**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 November 16, 2009 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 Deanna Blair, Real Estate Analyst - Surplus, of Rite Aid Corporation to allow the following: For the approval of Minor Plat #4654, consisting of subdividing the 13.531-Acre parcel convey to Rite Aid of Indiana, Inc., Deed Drawer 30, Instrument #16823 & Deed Drawer 30, Instrument 16824 into two tax parcels. With the existing store being a 3.363-Acre parcel and the remainder of the existing 10.168-Acre vacant ground being a second parcel. On the property commonly know as 7505 Highway 311, Sellersburg, IN 47172 and also described by the following: Deed Drawer 30, Instrument #16823 A part of Survey #88 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 deg. 01' 00" E a distance of 2965.34 feet along the Survey line to a Point; THE TRUE PLACE OF BEGINNING, Thence S 39 deg. 05' 50" E a distance of 1.26 feet to a 8"x8" Stone, Thence N 49 deg. 00' 00" E a distance of 1855.05 feet to a point on a right-of-way fence, Thence N. 00 deg. 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 deg. 27' 07" E a distance of 12.70 feet to a right-of-way fence post, Thence N 50 deg. 05' 53" W a distance of 210.00 feet to a right-of-way fence post, Thence N 55 deg. 53' 15" W a distance of 46.40 feet to a right-of-way fence post, Thence S 44 deg. 22' 23" W a distance of 35.06 feet to a 5/8" Rebar, Thence N 48 deg. 15' 30" W a distance of 33.26 feet to a 5/8" Rebar, Thence S 48 deg. 18' 00" W a distance of 1791.72 feet to a 5/8" Re-

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

**Melissa Tolnay On oath says that she is the
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 #()
time(s) to-wit: In issue of said The Evening News
dated: October 23, 2009.**

(X) Melissa Tolnay

**STATE OF INDIANA
COUNTY OF CLARK**

subscribed and sworn to before me this
23rd day of October, 2009.

(X) Joann Galligan
JOANN GALLIGAN

**Notary Public, Clark County, Indiana
(My Commission Expires August 27, 2014.)**

Publication

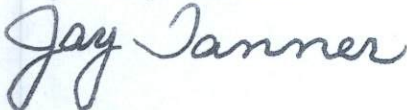
Fee \$ 118.06

065 22161

SELLERSBURG PLAN COMMISSION
AGENDA
December 21, 2009

1. Roll Call.
2. A request by Mr. Denny Wendell to re-zone the property described as tract "B" on Kahl Court from R-1 to R-2 to accommodate a duplex.
3. Approve the minutes from the November 16, 2009 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in cursive script that reads "Jay Tanner".

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG PLAN COMMISSION
(A.K.A. Sellersburg Planning and Zoning Board)

December 21, 2009

The minutes as written are not verbatim from the meeting.

The Sellersburg Planning and Zoning Board met December 21, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Randall W. Mobley at 6:17 P.M.

Members present were, President Randall W. Mobley, Member Francis A. Conroy, Member Thomas M. McEwen, Member James H. LaMaster Member, Michael N. Lockhart, Member William K. Voyles, Member Kenneth J. Alexander Building Commissioner Jonas "Jay" Tanner and David L. Kinder, Secretary.

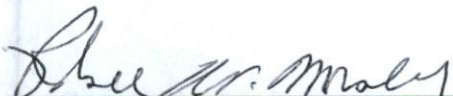
A request from Mr. Denny Wendell, to re-zone the property described as tract "B" on Kahl Court from IR-1 to R-2 to accommodate a duplex.

Mr. Wendell was not present at the meeting.


After brief discussion **KENNETH J. ALEXANDER** makes a motion to deny the request, seconded by William K. Voyles. 7-aye, 0-nay, motion approved.

JAMES H. LaMASTER makes a motion to approve the minutes of the November 16, 2009 meeting as written, seconded by Francis A. Conroy. 7-aye, 0-nay, motion approved.

MICHAEL N. LOCKHART makes a motion to adjourn the meeting, seconded by Thomas M. McEwen. 7-aye, 0-nay, motion is approved and meeting is adjourned at 6:29 P.M.




Randall W. Mobley, President



William K. Voyles, Vice-President

Kenneth J. Alexander, Member



Francis A. Conroy, Member




James H. LaMaster, Member



Michael N. Lockhart, Member



Thomas M. McEwen, Member



David L. Kinder, Secretary

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 •

Keith + Debby Elsieck
5215 E Charlestown Rd
New Albany, IN 47150



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:

CSX Tax Dept
 Attn: Mark Gallagher
 500 Water St (C910)
 Jacksonville, FL
 32202

2. Article Number

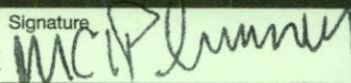
(Transfer from service label)

7008 1830 0004 4938 2683

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X



-
- Agent
-
-
- Addressee

B. Received by (Printed Name)

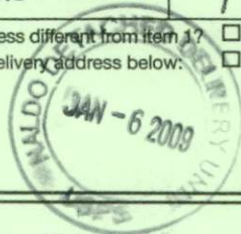
Mike Phinney

C. Date of Delivery

D. Is delivery address different from item 1?

If YES, enter delivery address below:

-
- Yes
-
-
- No



3. Service Type

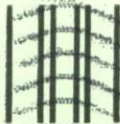
-
- Certified Mail
-
- Express Mail
-
-
- Registered
-
- Return Receipt for Merchandise
-
-
- Insured Mail
-
- C.O.D.

4. Restricted Delivery? (Extra Fee)

-
- Yes

JOHNSVILLE KY 402
UNITED STATES POSTAL SERVICE

03 FEB 2009 PM 4 L



First-Class Mail
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USPS
Permit No. G-10

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

Keith & Debby Elswick
5215 Charlestown Rd
New Albany, IN 47150



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, the front if space permits.

1. Article Addressed to:

James & Mary Yost
 846 E. Utica St.
 Sellersburg, IN
 47172

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Mary Yost

 Agent Addressee

B. Received by (Printed Name)

Mary Yost

C. Date of Delivery

2-3-09

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

Article Number

Transfer from service label)

7008 1830 0004 4938 2676

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 •

Keith + Debby Elswick
5215 Charlestown Rd
New Albany, IN 47150



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, on the front if space permits.

1. Article Addressed to:

Trustees FAM
Lodge
835 E. Utica St
Sellersburg, IN
47172

2. Article Number

(Transfer from service label)

7008 1830 0004 4938 2652

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Sharon Phillips Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

02-04-09

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

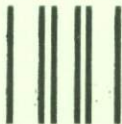
3. Service Type

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

4. Restricted Delivery? (Extra Fee)

 Yes

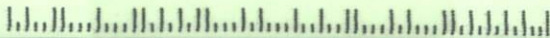
UNITED STATES POSTAL SERVICE



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

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

Keith & Debby Elswick
5215 Charlestown Rd
New Albany, IN 47150



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, on the front if space permits.

1. Article Addressed to:

Douglas + Sandra Brady
 828. E. Utica St.
 Sellersburg, IN
 47172

2. Article Number

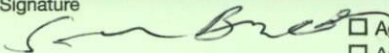
(Transfer from service label)

7008 1830 0004 4938 2669

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X


 Agent AddresseeB. Received by (*Printed Name*)

C. Date of Delivery

2-6-09

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

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

SELLERSBURG, IN 47172

OFFICIAL USE

Postage	\$ 00.42	0772
Certified Fee	\$2.70	02
Return Receipt Fee (Endorsement Required)	\$2.20	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 05.32	02/02/2009

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

Douglas + Sandra Broady
828 E. Utica St.
Sellersburg, IN 47172

7008 1830 0004 4000 0000 2669

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IMPORTANT: Save this receipt and present it when making an inquiry.

7008 1830 0004 4938 2652

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

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

SELLER'S RETURN TO USE

Postage

\$ 0.42

0772

Certified Fee

\$2.70

02

Return Receipt Fee
(Endorsement Required)

\$2.20

Postmark
Here

Restricted Delivery Fee
(Endorsement Required)

\$0.00

Total Postage & Fees

\$ 5.32

02/02/2009

Sent To

Muse of FAWood 09

Street, Apt. No.
or PO Box No.

235 E. Valencia St.

City, State, ZIP+4

Sellersburg, IN 47172

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
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- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

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

JACKSONVILLE FL 32202

OFFICIAL USE

Postage	\$	\$0.42	0772
Certified Fee		\$2.70	02
Return Receipt Fee (Endorsement Required)		\$2.20	Postmark Here
Restricted Delivery Fee (Endorsement Required)		\$0.00	
Total Postage & Fees	\$	\$5.32	02/02/2009

Sent To

CSX Tax Dept

Street, Apt. No.,
or PO Box No.

500. Water St (C910)

City, State, ZIP+4

Jacksonville, FL 32202

7008 1830 0004 4928 2683

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail[®] or Priority Mail[®].
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS[®] postmark on your Certified Mail receipt is required.
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U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

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SELLERSBURG IN 47172

OFFICIAL USE

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Certified Fee	\$2.70	02
Return Receipt Fee (Endorsement Required)	\$2.20	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.32	02/02/2009

Sent To

Street, Apt. No.,
or PO Box No.

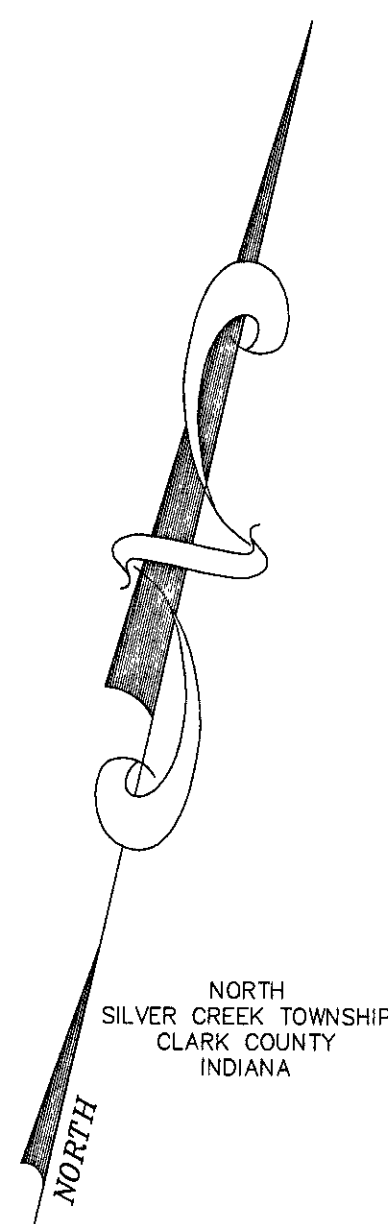
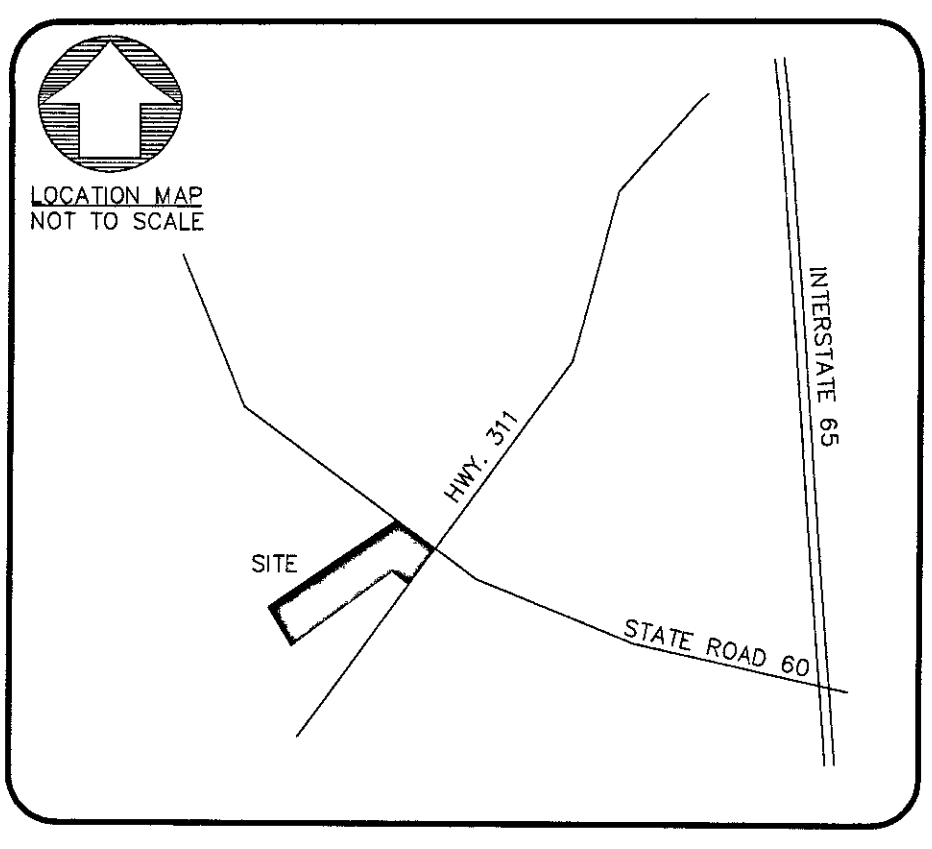
City, State, ZIP+4

James + Mary Yost

846 E. Utica St.

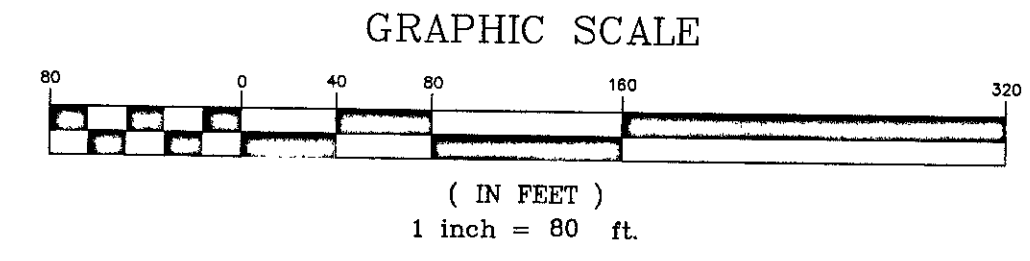
Sellersburg IN 47172

7008 1830 0004 4938 2676



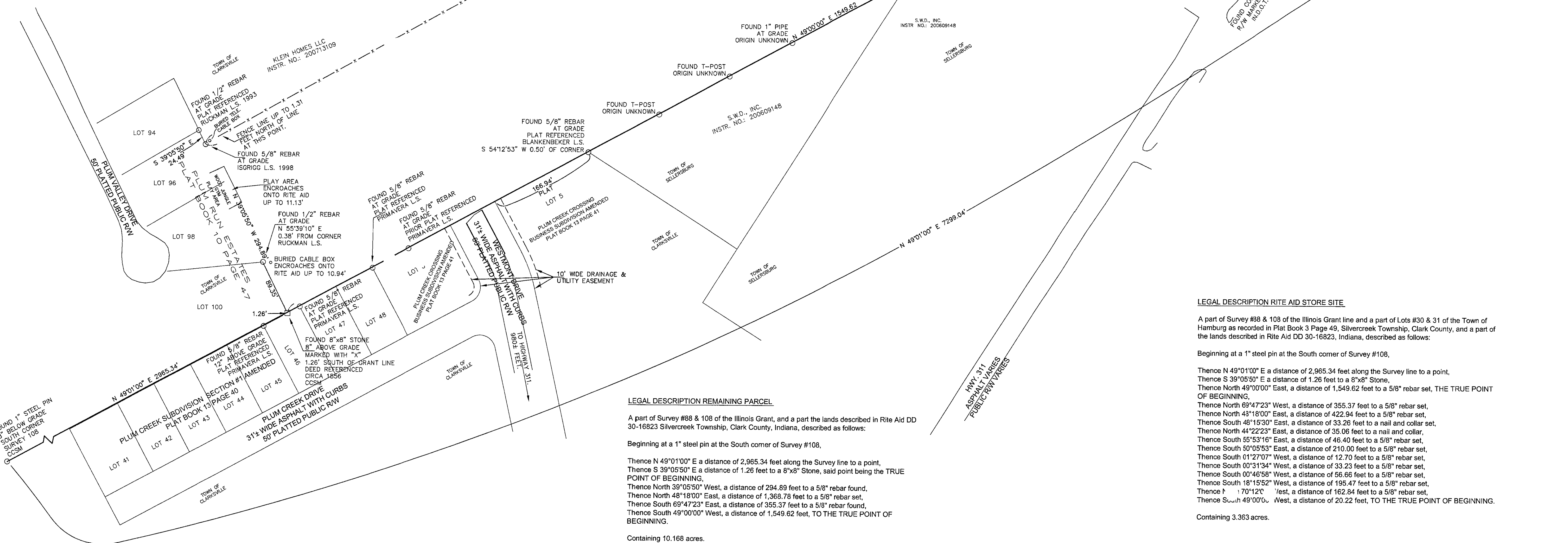
SURVEYORS REPORT

- This is a retracement survey of Johnson 24-18552 and Wells 21-12893 now conveyed to Rite-Aid DD 30-16823 with a consolidated description created by this surveyor and hereby updated to show an as-built condition and a subdivision into two parcels with proposed descriptions shown hereon. The Wells deed calls for a 13 acre parcel along the grant line and lots in the original Town of Hamburg. The deed has an error of closure of 0.17 feet. The stone called for at the South corner was found as shown on a Legal Survey by McDaniel County Surveyor 1856. The 13 acre parcel was set on this stone and the line to the east corner monument of Survey 108, as called for in the deed. This stone varies 1.26 feet off the original grant line between the County Surveyor referenced corners found in good condition. No uncertainty is identified with these corners.
- The Town of Hamburg is located adjacent to the 13 acre parcel by deed and in this survey. No original monumentation is found but this has little effect on this parcel due to the fact that Wells clearly owns the land between the 13 acre parcel and the State Road Right-of-Way selloff which is located from the Right-of-Way fence posts. The State Highway deed has significant gaps with the Grant line and Wells Northwest line although it specifically calls for Surveyor not being able to locate or approximating these lines.
- The SWD deed simply excepts the Wells description. The plat of Plum Run overlaps the Wells deed up to 0.53 feet due to the surveyor, Ruckman L.S., using a fence line of possession to establish the line. This line is also honored in this survey. All the Deeds adjoining Wells along the Grant line are consistent calling for the grant line.
- The Johnson deed describes a parcel between the grant line and S.R. 31W. It has a start distance which varies approximately 43 feet long from the North line of Survey 88. As established by a stone found on the line between Johnson and Pinkley, which is an obvious line of possession and has a State Road right-of-way monument at the South end as shown on the plat. The Pinkley deed is consistent with Johnson as is Knight, Casey, Vick and Schmitt.
- The Johnson deed has an error of closure of 24.45 feet which appears to be an error in the "196.3 foot more or less" call. A 1/2" iron pin found near Wells North corner is, I believe, a Ruckman L.S. monument for the adjoining development but is not mentioned in the deed or any plat of record. It varied 3.84 feet from Wells corner and 1.53 feet encroaching on Wells. There is however an old fence line along this line which encroaches up to 1.53 feet on Wells. The new Consolidated description resolved these issues with the prior deeds.
- The fence along the Northwest line varied off line up to 1.31 feet as shown. A play are encroaches into Rite Aid up to 11.13 feet as shown. These may create issues of adverse possession, use or acquiescence that you may wish to discuss with an attorney. This surveyor does not know the age and or origin of these.
- Topcon GTS 3D total station TU=0.0339 FT/1000 FT.
3. C' = 1" C survey 0.5 ft.
- Field Work: 3/2/98, September 2006, and 8/08/2008. Date of Court House Research: 8/08/2008.
- The Maximum RPA between any two points on this survey is 0.247 feet satisfying the Indiana Rule 12 requirements for an Urban Survey.
- It is my professional opinion that the uncertainty with the corners and lines of this survey, based upon weighted assessment of the evidence discussed and/or illustrated hereon, is 0.247 feet.
- This survey is performed without the benefit of review of a title search. Therefore this site may be subject to restrictions and or easements of record not shown. This site may also contain buried structures or utilities, which are not identifiable within the context of this survey, which may constitute easements or other liabilities.
- Bearings and distances are record and measured unless otherwise noted.



THIS SITE IS LOCATED IN A ZONE: C
FIRM MAP #: 180426 0125 C
FEB. 18, 1983

SYMBOL LEGEND	
	UTILITY POLE
	LIGHT POLE
	CATCH BASIN
	GAS VALVE
	SANITARY SEWER MAN HOLE
	GUY WIRE ANCHOR
	STORM SEWER MAN HOLE
	HANDICAP PARKING
	WATER VALVE
	FIRE HYDRANT



LEGAL DESCRIPTION RITE AID STORE SITE

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, and a part of the lands described in Rite Aid DD 30-16823, 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 2,965.34 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 North 49°00'00" East, a distance of 1,549.62 feet to a 5/8" rebar set, THE TRUE POINT OF BEGINNING,
 - Thence North 69°47'23" West, a distance of 355.37 feet to a 5/8" rebar set,
 - Thence North 43°18'00" East, a distance of 422.94 feet to a 5/8" rebar set,
 - Thence South 48°15'30" East, a distance of 33.26 feet to a nail and collar set,
 - Thence North 44°22'23" East, a distance of 35.06 feet to a nail and collar,
 - Thence South 55°53'16" East, a distance of 46.40 feet to a 5/8" rebar set,
 - Thence South 50°05'53" East, a distance of 210.00 feet to a 5/8" rebar set,
 - Thence South 01°27'07" West, a distance of 12.70 feet to a 5/8" rebar set,
 - Thence South 00°31'34" West, a distance of 33.23 feet to a 5/8" rebar set,
 - Thence South 00°46'58" West, a distance of 56.66 feet to a 5/8" rebar set,
 - Thence South 18°15'52" West, a distance of 195.47 feet to a 5/8" rebar set,
 - Thence S 70°12'00" West, a distance of 162.54 feet to a 5/8" rebar set,
 - Thence South 49°00'00" West, a distance of 20.22 feet, TO THE TRUE POINT OF BEGINNING.

Containing 3.363 acres.

LEGAL DESCRIPTION REMAINING PARCEL

A part of Survey #88 & 108 of the Illinois Grant, and a part the lands described in Rite Aid DD 30-16823 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 2,965.34 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, said point being the TRUE POINT OF BEGINNING,
 - Thence North 39°05'50" West, a distance of 294.89 feet to a 5/8" rebar found,
 - Thence North 48°18'00" East, a distance of 1,368.78 feet to a 5/8" rebar set,
 - Thence South 69°47'23" East, a distance of 355.37 feet to a 5/8" rebar found,
 - Thence South 49°00'00" West, a distance of 1,549.62 feet, TO THE TRUE POINT OF BEGINNING.

Containing 10.168 acres.

BOB ISGRIGG & ASSOCIATES
CIVIL ENGINEERS / LAND SURVEYORS
518 E. COURT AVENUE JEFFERSONVILLE, IN 47130
(812) 285-1011 Phone | (812) 285-1012 Fax
http://www.inkylandsurvey.com

REVISED AS-BUILT BOUNDARY SURVEY FOR: RITE AID (HAMBURG, INDIANA)

STATE OF INDIANA
CLARK COUNTY
SILVERCREEK TOWNSHIP
PLUM CREEK SUBDIVISION
SECTION #1
PLAT BOOK 13 PAGE 49
REQUIREMENTS OF TITLE 865 I.A.C. 1-12

BKN	3/22/2005
R.L.L.	1/15/2009
CHECKED BY	0501-30-5
SCALE	
DATE	
REVISION	
JOB NO.	