ZIONSVILLE
FOR ALL THE RIGHT REASONS

ZIONSVILLE TOWN COUNCIL
MEETING AGENDA
FOR

THIS PUBLIC MEETING WILL BE CONDUCTED PURSUANT TO GOVERNOR ERIC J. HOLCOMB'S EXECUTIVE ORDERS 20-02, 20-04 AND 20-08 AND GOVERNOR HOLCOMB'S EXERCISE OF HIS POWERS UNDER INDIANA'S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, *et seq.* ADDITIONAL INFORMATION REGARDING THE MEETING IS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.

ANNEX TO PUBLIC NOTICE FOR THE SEPTEMBER 21, 2020

REGULAR MEETING OF THE ZIONSVILLE TOWN COUNCIL

In his Executive Orders 20-02, 20-04 AND 20-08 (collectively, the "**Executive Orders**"), Governor Eric J. Holcomb has ordered all political subdivisions of the State of Indiana to limit public gatherings and to implement the Centers for Disease Control and Prevention's and the Indiana State Department of Health's recommended virus mitigation strategies. The Executive Orders suspend certain requirements for Essential Governmental Functions that facilitate Essential Infrastructure with respect to public meetings and open door laws, including suspending physical participation requirements by members of public agency governing bodies and permitting public attendance through electronic means of communications. As a political subdivision of the State of Indiana, the Zionsville Town Council must comply with the Executive Orders throughout the duration of the COVID-19 Public Health Emergency. According, all public meetings of the Town Council shall be conducted in the following manner until the end of the COVID-19 Public Health Emergency:

1. Members of the public shall have the right to attend Town Council Public Meetings via the following forms of electronic communication:

   Please click the link below to join the webinar:

   https://us02web.zoom.us/j/977619752

   Or iPhone one-tap :

   US: +13126266799,,977619752# or +16465588656,,977619752#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782

Webinar ID: 977 619 752

International numbers available: https://us02web.zoom.us/u/kbqhA58UC

ZIONSVILLE TOWN COUNCIL

MEETING AGENDA

FOR

MONDAY, SEPTEMBER 21, 2020 AT 7:30 A.M.

ELECTRONIC MEETING

1. OPENING
   A. Call Meeting To Order
   B. Pledge Of Allegiance
   C. Attendance
2. APPROVAL OF THE MEMORANDUM OF THE SEPTEMBER 8, 2020 REGULAR MEETING (Copy Posted)

   Documents:

   SEPTEMBER 8 2020 TOWN COUNCIL MEETING MEMORANDA.PDF
3. REQUEST TO SPEAK
4. OLD BUSINESS
   A. CONSIDERATION OF AN ORDINANCE ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC WORKS AND DIVISION SUPERVISORS (FIRST READING) Ordinance 2020-09

      Documents:

      ORDINANCE 2020-09 - ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND CREATING POSITIONS OF DIRECTOR OF PUBLIC WORKS AND DIVISION SUPERVISORS.PDF
5. NEW BUSINESS
   A. BUDGET INTRODUCTION
   B. CONSIDERATION OF AN ORDINANCE VACATING A PORTION OF A PUBLIC RIGHT-

OF-WAY (TOWN OF HAMILTON – HOLLIDAY FARMS - HENKE) (PUBLIC HEARING) Ordinance 2020-10

Documents:

ORDINANCE 2020-10 - VACATING PORTIONS OF THE PUBLIC RIGHTS-OF-WAY WITHIN THE ZIONSVILLE COPORATE BOUNDARIES (FINAL).PDF
EXHIBIT A ORDINANCE 2020-10 HENKE - ORIGINAL PLAT - TOWN OF HAMILTON (CLARKSTOWN) - VACATION AREA OUTLINED.PDF
HENKE - TOWN OF HAMILTON VACATION - STAFF MEMO WITH EXHIBITS FOR 2020-09-21 TOWN COUNCIL MEETING.PDF
HENKE TOWN COUNCIL VACATION PETITION - CORRECTED.PDF
ORDINACE 2020-10 FINDINGS OF FACT.PDF
TOWN COUNCIL - VACATION OF TOWN OF HAMILTON - LEGAL NOTICE - PUBLISHED COPY.PDF
TOWN COUNCIL - VACATION OF TOWN OF HAMILTON - LEGAL NOTICE FOR PUBLICATION.PDF

C. CONSIDERATION OF AN ORDINANCE VACATING A DRAINAGE EASEMENT (TOWRISS) (PUBLIC HEARING) Ordinance 2020-11

Documents:

ORDINANCE 2020-11 VACATING TWO DRAINAGE EASEMENTS, CLASSIFIED AS A PUBLIC WAY, WITHIN THE ZIONSVILLE CORPORATE BOUNDARIES.PDF
EXHIBIT A - ORDINANCE 2020-11.PDF
TOWN COUNCIL - VACATION OF TOWRISS DRAINAGE EASEMENTS - LEGAL NOTICE FOR PUBLICATION - PUBLISHED COPY.PDF
TOWN COUNCIL - VACATION OF TOWRISS DRAINAGE EASEMENTS - LEGAL NOTICE FOR PUBLICATION.PDF
TOWRISS - FINDINGS OF FACT FOR TOWN COUNCIL - DRAINAGE EASEMENT VACATION.PDF
TOWRISS DRAINAGE EASEMENT VACATION - STAFF MEMO WITH EXHIBITS FOR 2020-09-21 TOWN COUNCIL MEETING.PDF
TOWRISS PETITION TO TOWN COUNCIL.PDF
TOWRISS - ORIGINAL RECORDED PLAT WITH PROPOSED VACATIONS NOTED.PDF

D. CONSIDERATION OF AN ORDINANCE REESTABLISHING THE SAFETY BOARD FOR FIRE DEPARTMENT MATTERS Ordinance 2020-12

Documents:

ORDINANCE 2020-12 REESTABLISHING THE SAFETY BOARD FOR FIRE DEPARTMENT MATTERS(FINAL.1).PDF

E. CONSIDERATION OF AN ORDINANCE REESTABLISHING THE BOARD OF METROPOLITAN POLICE COMMISSIONERS AS THE SAFETY BOARD FOR POLICE MATTERS Ordinance 2020-13

Documents:

ORDINANCE 2020-13 - REESTABLISHING THE BOARD OF METROPOLITAN POLICE COMMISSIONERS AS THE SAFETY BOARD FOR POLICE MATTERS.PDF

6. OTHER MATTERS

7. APPROVAL OF CLAIMS

8. ADJOURN The Next Regular Town Council Meeting Is Scheduled For Monday, October 5, 2020 At 7:00 P.m. Determination Of The Need For A Solely Electronic Meeting Will Be Evaluated Prior To The Meeting And Final Notice Will Be Posted In Compliance With The Indiana Open Door Law.

ZIONSVILLE TOWN COUNCIL
MEETING MEMORANDA
FOR
TUESDAY, SEPTEMBER 8, 2020 AT 7:00 P.M.
ELECTRONIC MEETING

This meeting was conducted pursuant to Governor Eric J. Holcomb's Executive Orders 20-02, 20-04 and 20-08 and Governor Holcomb's Exercise of his powers under Indiana's Emergency Management and Disaster Law, Ind. Code 10-14-3, *et seq.*
Additional information about this meeting was provided in the annex published with the Agenda.

1. OPENING
   A. Call meeting to order
      President Garrett called the meeting to order at 7:00 p.m.
   B. Pledge of Allegiance
   C. Attendance
      Municipal Relations Coordinator Amy Lacy took Council attendance.
      Council Members Present: Josh Garrett, President; Bryan Traylor, Vice-President; Brad Burk, Alex Choi, Joe Culp, Craig Melton and Jason Plunkett

Also Present: Emily Styron, Mayor; Julie Johns-Cole, Deputy Mayor; Heather Willey, Town Council Attorney; Amy Lacy, Municipal Relations Coordinator and Town Department Staff.

2. APPROVAL OF THE MEMORANDUM OF THE AUGUST 17, 2020 REGULAR MEETING (copy posted)
   COUNCIL ACTION: President Garrett moved to approve the Memoranda of the August 17, 2020 Regular Town Council Meeting.
   Councilor Plunkett seconded the motion.
   Ms. Lacy took a roll call vote:

ROLL CALL VOTE:	
PRESIDENT GARRETT	**Yea**
VICE-PRESIDENT TRAYLOR	**Yea**
COUNCILOR BURK	**Yea**
COUNCILOR CHOI	**Yea**
COUNCILOR CULP	**Yea**
COUNCILOR MELTON	**Yea**
COUNCILOR PLUNKETT	**Yea**

   The Memoranda of the August 17, 2020 meeting was approved by a vote of seven in favor, zero opposed. (7/0)

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3. APPROVAL OF THE MEMORANDA OF THE AUGUST 24, 2020 EXECUTIVE SESSION MEETING (copy posted)

COUNCIL ACTION: Councilor Choi moved to approve the Memoranda of the August 24, 2020 Executive Session Town Council Meeting.
Councilor Plunkett seconded the motion.
Ms. Lacy took a roll call vote:

ROLL CALL VOTE:

PRESIDENT GARRETT	**Yea**
VICE-PRESIDENT TRAYLOR	**Yea**
COUNCILOR BURK	**Yea**
COUNCILOR CHOI	**Yea**
COUNCILOR CULP	**Yea**
COUNCILOR MELTON	**Yea**
COUNCILOR PLUNKETT	**Yea**

The Memoranda of the August 24, 2020 Executive Session Meeting was approved by a vote of seven in favor, zero opposed. (7/0)

4. REQUEST TO SPEAK

Zionsville resident Craig Triscari spoke in opposition to the approved VanTrust project, stating that VanTrust had failed to run eight-inch water line into Saratoga Springs as promised and was still in violation of the commitment letter to the Town. Mr. Triscari said that the company was also in violation of an agreement pertaining to tree sizes along the berm, stating they failed to comply with a commitment to an eight feet height of the evergreen trees. Citing the tax abatement application on the current agenda for MWI Animal Health, he expressed disagreement with the abatement and what he said was a loss of revenue on it and previous abatement agreements. He urged the Council to correct what he referred as tax giveaways. He also again expressed displeasure at what he felt to be the absence of services or funding provided by the Town of Zionsville in Perry Township and the rural community. Referring to a letter he received from Mayor Styron, he thanked her for reaching out to address the issues plaguing the community but declined her invitation of discussion in the park and asked what would be done to make a damaged community whole again and what would be done to follow the comprehensive plan. Mr. Triscari also said that homeowners should request a reduction in property tax due to what he felt were the lack of services, lack of adherence to the comprehensive plan by the Town of Zionsville and what he felt to be reckless development in the area. He concluded by again referring to VanTrust's failure to run eight-inch water lines in Saratoga Springs.

5. OLD BUSINESS

There was no old business to discuss.

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6. NEW BUSINESS

A. ORDER OF DEMOLITION FOR ALL STRUCTURES/ CONTINUOUS ORDER OF ENFORCEMENT - 4075 SOUTH 875 EAST **(PUBLIC HEARING**)

Director of Planning and Economic Development Wayne DeLong presented the Order of Demolition/Continuous Order of Enforcement explaining that the matter of the demolition of 4075 South 875 East property had come before them previously this year but that it was coming back to them for the creation of the Continuous Order. He explained that the Continuous Order was necessary for the Town to facilitate the recoup of costs associated with the demolition from the owners of the property. He noted that this was a Public Hearing and that Notice had been provided and certified mailings were sent to the property owners. Director DeLong answered questions from the Council.

With Proof of Publication noted and displayed on his screen, President Garrett opened the Public Hearing.

With no public comment, President Garrett closed the Public Hearing and called for any further questions from Council.

Director DeLong answered further questions from the Council.

COUNCIL ACTION: Vice-President Traylor moved to approve the Order of Demolition/Continuous Order of Enforcement. Councilor Burk seconded the motion.
Ms. Lacy took a roll call vote:

ROLL CALL VOTE:

PRESIDENT GARRETT	**Yea**
VICE-PRESIDENT TRAYLOR	**Yea**
COUNCILOR BURK	**Yea**
COUNCILOR CHOI	**Yea**
COUNCILOR CULP	**Yea**
COUNCILOR MELTON	**Yea**
COUNCILOR PLUNKET	**Yea**

The Order of Demolition/Continuous Order of Enforcement was approved by a vote of seven in favor, zero opposed. (7/0)

REQUEST TO SPEAK (Continued)

At this point in the meeting, after having noted that he had seen her hand raised belatedly during the Request to Speak agenda item, President Garrett took this opportunity to allow Zionsville Chamber of Commerce Executive Director Allyson Gutwein to speak.

Ms. Gutwein expressed her appreciation for the support of the Town Council and the Town, stating that the working relationship allowed this year's events like Night on the Bricks and the Rainbow Hope Tree. She discussed the Keep the Lights On campaign, which generated income for local businesses in a time when it is most needed. Ms. Gutwein went on to say that on behalf of local small business Chamber members, the Chamber contacted local, state and federal officials for direction and assistance with grants available due to the COVID-19 crisis. She said that because of a matching grant from the Zionsville Chamber of Commerce Board, including Councilor Choi, member businesses were able to make videos to assist with marketing and the Chamber was able to award grants to the Boys and Girls Club and the Watch Us Farm organization as well.

She announced that the Zionsville Chamber of Commerce was the recipient of the ICEA Excellence in Communication award and that the Chamber has launched a new one-stop shop

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website, shop@zionsvillechamber.com, to generate increased virtual traffic and business and visibility for local shops.

She explained why increased marketing and visibility and events like Brick Street Market and Christmas in the Village are even more necessary now due to the potentially devastating financial effects of the pandemic.

Ms. Gutwein concluded by emphasizing how critical continued partnership with the Town Council and the Town is to allow local business to stay supported, viable and visible during this challenging time.

B. AN ORDINANCE ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC WORKS AND DIVISION SUPERVISORS **(FIRST READING)**
Ordinance 2020-09
Deputy Mayor Julie Johns-Cole began the presentation by sharing the Power Point presentation on her screen.

Mayor Emily Styron introduced Ordinance 2020-09 and the concept of the proposed Department of Public Works (DPW). She explained that the proposed DPW would blend services provided by the Street, Stormwater and Wastewater Departments, as well as add a new Engineering Division. Mayor Styron went on to emphasize that the Department of Public Works would enable staff to build internal efficiencies, reduce reliance on contracted services and increase the capacity to problem solve larger infrastructure issues before they become service provision problems. She stated that Street and Stormwater Superintendent Lance Lantz would head up the department.

Superintendent Lantz continued the presentation, first noting that passage of this Ordinance would not immediately place individuals in new positions but would create the framework to allow the Mayor to do so. He went on to explain that this type of restructuring had been contemplated before and specific language was incorporated into the Reorganization 2.0 Resolution 2014-11 to allow the Town Council, upon recommendation from the Mayor, to eliminate Town departments, combine Town departments and create new Town departments. He stated that the intent at that time was to eventually go to a cohesive DPW and said it was common practice in most cities.

Superintendent Lance gave some background and an overview of the proposed DPW, emphasizing that the Town could save money as it grows by consolidating and building talent in-house rather than outsourcing.

He went on to identify six (6) Town areas servicing the core infrastructure needs: Streets, Stormwater, Wastewater, Facilities Management, Right of Way Management and Environmental Stewardship. Before presenting the proposed DPW structure, he explained that the Department would serve as the face of all those core areas.

Superintendent Lantz detailed the structure on the organizational chart, explaining that the existing departments would become divisions and those heading up those divisions would become Division Supervisors rather than Department Heads.

He highlighted the addition of an Engineering Division to the structure of the DPW. Stressing the importance and added value the new division would bring, he emphasized the benefits of an in-house engineering staff, citing cost savings, improved efficiency, improved response times, increased capacities, and improved overall customer service.

Superintendent Lantz said that added staffing would be subject to funding approval by Town Council, but that he was hopeful that this structure could be achieved quickly. He concluded by expressing his enthusiasm for the proposed creation of the DPW and the opportunity to create a legacy of what he believed to be orchestrated, purposeful and efficient governance for the Town.

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Superintendent Lantz and CFO Tammy Havard answered questions from the Council. Discussion followed.

President Garrett said that he felt that, with all the questions remaining and with the upcoming Budget Workshop still to provide more information pertaining to the DPW, the consideration of Ordinance 2020-09 should be continued to the September 21, 2020 meeting.

Superintendent Lantz clarified that this vote would just be to introduce the Ordinance and not to approve it. He said it might be advisable to vote on the introduction at the current meeting. Attorney Heather Willey recommended that Council wait for the next meeting to do so, as the follow up questions and information might result in revisions to the Ordinance in its current form.

When asked by Councilor Choi if there were an urgency in having the first reading approved today, Mayor Styron said they wanted to make sure that every Council member had all their questions answered and all of the data in front of them to in order to make an informed vote and would not object to deferring the vote until the next meeting.

COUNCIL ACTION: President Garrett moved to continue consideration of Ordinance 2020-09. Councilor Plunkett seconded the motion.
Ms. Lacy took a roll call vote:

ROLL CALL VOTE:	
PRESIDENT GARRETT	**Yea**
VICE-PRESIDENT TRAYLOR	**Yea**
COUNCILOR BURK	**Yea**
COUNCILOR CHOI	**Yea**
COUNCILOR CULP	**Yea**
COUNCILOR MELTON	**Yea**
COUNCILOR PLUNKET	**Yea**

Continuance of Ordinance 2020-09 was approved by a vote of seven in favor, zero opposed. (7/0)
No further action was taken at this meeting.

C. A RESOLUTION DECLARING AN ECONOMIC DEVELOPMENT AREA AND APPROVING AN APPLICATION FOR PERSONAL PROPERTY TAX ABATEMENT (MWI ANIMAL HEALTH)

Resolution 2020-12

Director of Operations for MWI Animal Health Tom Wakefield presented Resolution 2020-12, explaining that the company has been located in Whitestown in a 70,000 square foot building for approximately ten years. Due to the tremendous growth of the company, he said they are planning to locate what will be a building two times that size in Zionsville. He stated that this would be an initial $6m capital investment which would move 175 jobs to Zionsville with fifty of them being new over the next eight to ten years with an average wage of $18.00 per hour.
Mr. Wakefield answered questions from the Council.

In response to a question from Councilor Plunkett regarding the different structure of the tax abatement schedule, President Garrett clarified that this was a personal property abatement rather than the standard property tax abatements considered on other projects in the past.

Councilor Choi commented that these kind of tax abatements are meant to make Zionsville competitive, to attract businesses to the Town and are not a “tax giveaway”. Leslie Wagner of Ginovus stated that without the support of the tax abatement by the Council and the Town, this project may not have happened.

COUNCIL ACTION: President Garrett moved to approve Resolution 2020-12. Councilor Plunkett seconded the motion.

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Ms. Lacy took a roll call vote:

ROLL CALL VOTE:	
PRESIDENT GARRETT	**Yea**
VICE-PRESIDENT TRAYLOR	**Yea**
COUNCILOR BURK	**Yea**
COUNCILOR CHOI	**Yea**
COUNCILOR CULP	**Yea**
COUNCILOR MELTON	**Yea**
COUNCILOR PLUNKET	**Yea**

Resolution 2020-12 was approved by a vote of seven in favor, zero opposed. (7/0)

7. APPROVAL OF CLAIMS

President Garrett reminded Councilors that a revised Claims register had been sent which included a payment to the Zionsville Chamber of Commerce for reimbursement for expenses associated to the Night on the Bricks events. Vice President Traylor confirmed these were additional expenses not anticipated before the pandemic.

CFO Tammy Havard answered Councilor Plunkett's questions regarding funds for COVID related items and responded to his observance that, at the current rate of spending, legal fees would be overspent by October.

COUNCIL ACTION: President Garrett moved to approve claims as presented. Councilor Burk seconded the motion.

Director Lacy took a roll call vote:

ROLL CALL VOTE:	
PRESIDENT GARRETT	**Yea**
VICE-PRESIDENT TRAYLOR	**Yea**
COUNCILOR BURK	**Yea**
COUNCILOR CHOI	**Yea**
COUNCILOR CULP	**Yea**
COUNCILOR MELTON	**Yea**
COUNCILOR PLUNKETT	**Yea**

Claims were approved by a vote of seven in favor, zero opposed. (7-0)

8. ADJOURN

COUNCIL ACTION: Councilor Choi moved to adjourn the meeting. Vice-President Traylor seconded the motion.

Director Lacy took a roll call vote:

ROLL CALL VOTE:	
PRESIDENT GARRETT	**Yea**
VICE-PRESIDENT TRAYLOR	**Yea**
COUNCILOR BURK	**Yea**
COUNCILOR CHOI	**Yea**
COUNCILOR CULP	**Yea**
COUNCILOR MELTON	**Yea**
COUNCILOR PLUNKETT	**Yea**

The motion was approved by a vote of seven in favor, zero opposed. (7-0)

The next regular Town Council meeting is scheduled for Monday, September 21, 2020 at 7:30 a.m. This will be an electronic meeting. Notice will be posted in compliance with the Indiana Open Door Law.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator- Town of Zionsville

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ORDINANCE 2020- 09____
OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA

AN ORDINACE ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC WORKS AND DIVISION SUPERVISORS

WHEREAS, the Town of Zionsville ("Town") currently has separate departments which provide support and services to the Town residents and businesses relating to street and road maintenance and improvements, wastewater and stormwater services, and facilities management; and

WHEREAS, pursuant to Town Resolution 2014-11, commongly referred to as Reorganization 2.0, Section ZR2A23, the Zionsville Town Council ("Town Council") may, upon recommendation from the Mayor, eliminate Town departments, combine Town departments and create new Town departments; and

WHEREAS, pursuant to Town Resolution 2014-11, Section ZR2A22, the Mayor shall appoint the head of each department of the Town; and

WHEREAS, pursuant to Town Resolution 2014-11, Section ZR2A24, the Mayor must have the approval of a majority of the Town Council before the Mayor may discharge a department head; and

WHEREAS, in order to promote internal and external project coordination, operational efficiencies and best utilize the Town's resources of employees, equipment and materials, the Mayor and the Town Council have determined it to be in the best interest of the Town that the currently existing Street, Stormwater, and Wastewater departments be combined into a single new Department of Public Works along with new divisions of Facilities Management, Environmental Stewardship, and Engineering; and

WHEREAS, such a consolidation will provide the most wholistic, efficient and effective way to manage and deliver services to the Town's residents and businesses and will provide economic benefit to the Town by reducing the need to outsource services related to public works and therefore reduce expenses; and

WHEREAS, a new position of Director of Public Works shall be created to manage the new Department of Public Works and such Director shall serve under the jurisdiction of the Mayor, pursuant to Town of Zionsville Resolution 2014-11, Reorganization 2.0 Section ZR2A23; and

WHEREAS, the Director of Public Works shall be a Department Head as that term is referred to in Resolution 2014-11 and specifically ZR2A24; and

WHEREAS, the Department of Public Works shall encompass services currently provided by the Town relating to public works and shall be divided into six (6) divisions including a Wastewater Division, Facilities Management Division, Environmental Stewardship Division, Street Division, Stormwater Management Division and Engineering Division; and

WHEREAS, each Division within the Department of Public Works shall be managed by a Division Supervisor, who shall each serve under the jurisdiction of the Mayor, although the day-to-day operations of each Division Supervisor will be supervised and managed by the Director of Public Works; and

WHEREAS, this Ordinance organizes the Wastewater Department as the Wastewater Division of the Department of Public Works; and

WHEREAS, the Superintendent of the Wastewater Department shall remain a Department Head as that term is referenced in the Town Resolution 2014-11 and specifically, Section ZR2A22, ZR2A23, and ZR2A24; and

WHEREAS, pursuant to the Town Resolution 2014-11, Section ZR2A24, the Mayor must have the approval of a majority of the Town Council before discharging a Department Head including the Division Supervisor for the Wastewater Division of the Department of Public Works; and

WHEREAS, the Director of Public Works may also serve as a Division Supervisor of any Division where the Mayor and the Director deem appropriate; and

WHEREAS, any and all new positions created under this Ordinance shall be incorporated into a future Town of Zionsville Salary Ordinance, subject to approval of the Town Council, to reflect the creation of the positions of Director of Department of Public Works and Division Supervisors and the correlating salary amendments.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Boone County:

Section One. Creation of Department of Public Works. There is hereby created in the Town a Department of Public Works.

Section Two. Director of Public Works. The Department of Public Works shall be managed by a Director of Public Works and such position of Director of Public Works is hereby created.

Section Three. Divisions of the Department of Public Works. The Department of Public Works shall encompass the following Divisions which are hereby created:

1. Wastewater Division
2. Facilities Management Division
3. Environmental Stewardship Division
4. Street Division

5. Stormwater Management Division
6. Engineering Division

Section Four. Division Supervisors. Each Division within the Department of Public Works shall be managed by a Division Supervisor and such Division Supervisor positions are hereby created. The Director of Public Works may serve as Division Supervisor of any Division within the Department of Public Works where deemed by the Mayor and Director to be appropriate. Each Division Supervisor serves under the jurisdiction of the Mayor, although the day-to-day operations of each Division Supervisor will be supervised and managed by the Director of Public Works. The Division Supervisor of the Wastewater Division shall be a Department Head as that term is used in Resolution 2014-11 and specifically Section ZR2A22, ZR2A23 and ZR2A24.

Section Five. Repeal of Conflicting Ordinances. The provisions of all other Town Ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section Six. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section Seven. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

Section Eight. Duration and Effective Date. The provisions of this Ordinance shall become and remain in full force and effect following the date of its passage and adoption and upon its signature by the Mayor in the manner prescribed by Indiana Code § 36-5-2-10(a) and until its repeal by ordinance.

Introduced and filed on the ____ day of September, 2020. A motion to consider on First Reading was sustained by a vote of ____ in favor and ___ opposed, pursuant to Ind. Code § 36-5-2-9.8.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

DULY PASSED AND ADOPTED this _____ day of September, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA

	YEA Signature	**NAY** Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2020, at _____ ____. m.

ATTEST: _____
Amelia Anne Lacy,
Municipal Relations Coordinator

MAYOR'S APPROVAL

Emily Styron, Mayor ____ Date:

MAYOR'S VETO

Emily Styron, Mayor Date:

ORDINANCE NO. 2020-__10____
OF THE TOWN OF ZIONSVILLE, INDIANA

AN ORDINANCE VACATING PORTIONS OF PUBLIC RIGHTS-OF-WAY WITHIN THE ZIONSVILLE CORPORATE BOUNDARIES PURSUANT TO INDIANA CODE §36-7-3-12

WHEREAS, Indiana Code § 36-7-3-12 provides for the process by which public ways may be vacated; and,

WHEREAS, on August 18, 2020, Henke Development Group, LLC ("Petitioner"), petitioned the Town of Zionsville ("Town") to vacate a portions of public rights-of-way (streets and alleys) located within a portion of the platted Town of Hamilton (formerly Clarkstown) pursuant to Indiana Code § 36-7-3-12; and,

WHEREAS, the Town caused to be published notice of the petition and the time and place of the public hearing in the September 10, 2020 issue of the Lebanon Reporter, a copy of which proof of publication was submitted to the Town Council of Zionsville, Indiana ("Town Council") and the Petitioner notified by certified mail each owner of land abutting the portions of the public alley right-of-way proposed to be vacated; and,

WHEREAS, on September 21, 2020, the Town Council held a public hearing on the petition to vacate the portion of the right-of-way, with proper notice under Indiana Law to all interested and potentially aggrieved parties; and,

WHEREAS, no potentially aggrieved individual has objected under the statutory grounds provided under Indiana Code § 36-7-3-13; and,

WHEREAS, the Town Council, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be served is such as to warrant vacation of the portion of the public alley right-of-way described herein.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Indiana, that:

Section 1: Description of the Rights-of-way. The Rights-of-way legally described within the area legally described below and schematically illustrated on Exhibit A attached hereto, under the terms set forth herein, is hereby vacated;

Part of the Plat of Clarkstown (now Hamilton) recorded in Deed Record 3, Page 364 and re-recorded in Plat Book 1, Page 41 in the Office of the Recorder of Boone County, Indiana and being a part of the Northwest and Southwest Quarters of Section 25, Township 18 North, Range 2 East more particularly described as follows:

Beginning at the Southeast corner of Lot 8 in Block 2 of said Plat; thence along the southern boundary of Lot 8 and Lot 7 of said Block 2 South 69 degrees 12 minutes 03 seconds West 264.00 feet to the Southwest corner of said Lot 7; thence along the western boundary of Blocks 2, 14, and 15 of said Plat North 20 degrees 47 minutes 57 seconds West 750.00 feet to the Northwest corner of Lot 2 in said Block 15; thence along the northern boundary of Lot 2 and Lot 1 of said block 15 North 69 degrees 12 minutes 03 seconds East 264.00 feet to the Northeast corner of said Lot 1; thence along the eastern boundary of said Blocks 15, 14, and 2 South 20 degrees 47 minutes 57 seconds East 750.00 feet to the Point of Beginning containing 4.545 acres, more or less. (See survey attached as Exhibit A.)

Section 2: Utilities. The Town retains the right to maintain, operate, repair and replace, by itself or by any licensee or holder of a franchise from the Town, any poles, wires, pipes, conduits, sewer mains, water mains, or any other facility or equipment for the maintenance or operations of any utility now located in the portion of the public alley rights-of-way vacated by this Ordinance.

Section 3: Costs. Petitioner for this public street and alley right-of-way vacation shall, within 90 days after the passage of this Ordinance, pay to the Town of Zionsville the amount necessary to defray all costs of removing any items from the Rights-of-way, including paving and curb returns abutting the vacated Rights-of-way, if any.

Section 4: Recording. The Director of Finance and Records of the Town of Zionsville, Indiana shall provide a copy of this Ordinance to the Boone County Recorder for recording and shall file the same with the Boone County Auditor.

Section 5: Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope of intent of the clause to which the appertain.

Section 6: Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions herein, if any, are of no further force or effect and are hereby repealed.

Section 7: Severability. If any part of the Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 8: Duration and Effective Date. The provisions of this Ordinance shall become and remains in full force and effect upon passage and until its repeal by ordinance.

Introduced and filed on the ____ day of September, 2020. A motion to consider on First Reading was sustained by a vote of ____ in favor and ___ opposed, pursuant to Ind. Code § 36-5-2-9.8.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

DULY PASSED AND ADOPTED this _____ day of September, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,

BOONE COUNTY, INDIANA

	YEA Signature	**NAY** Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2020, at _____ ____ m.

ATTEST: _____

Amelia Anne Lacy,

Municipal Relations Coordinator

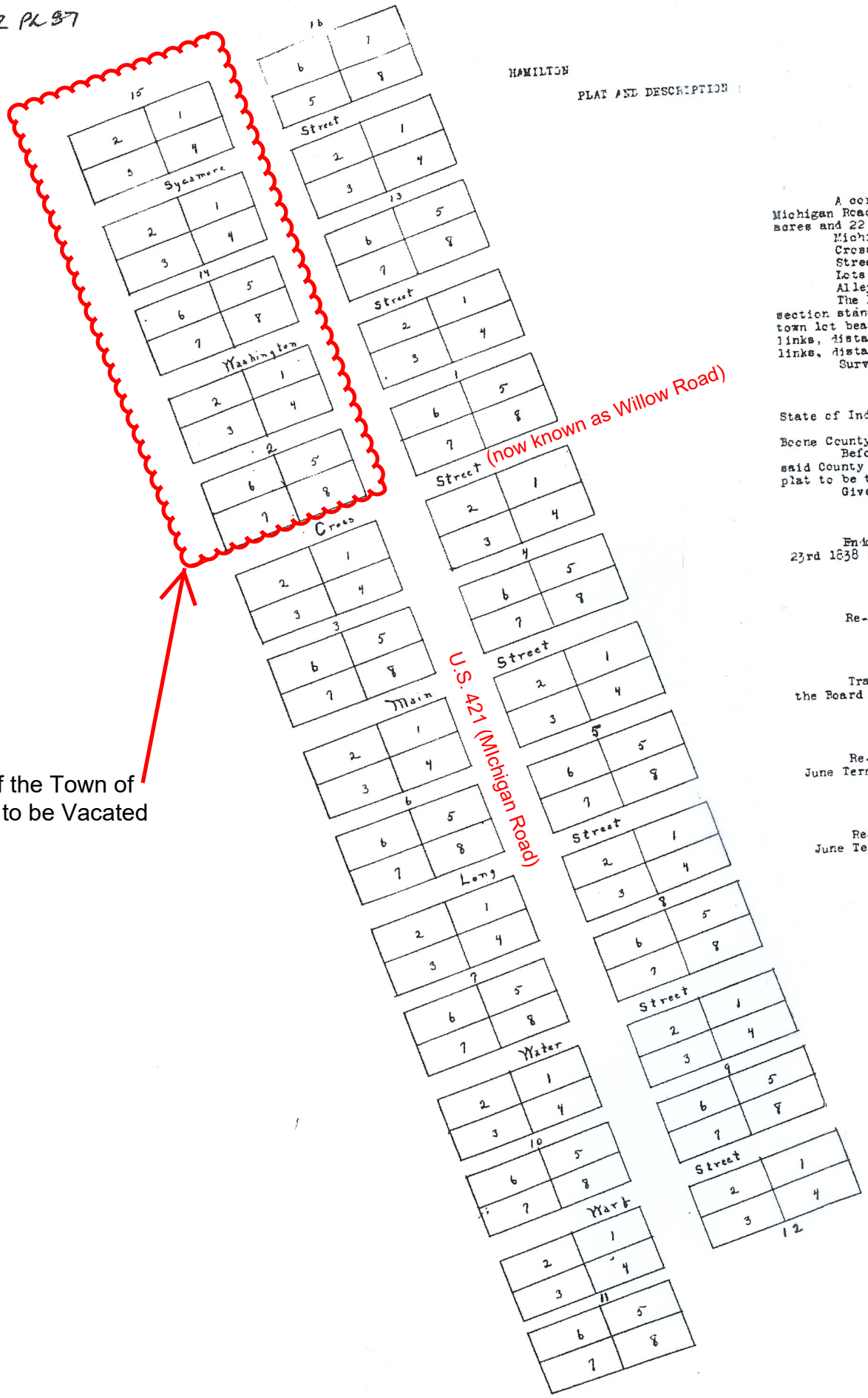
MAYOR'S APPROVAL

Emily Styron, Mayor ____ Date:

MAYOR'S VETO

Emily Styron, Mayor Date:

PB2 Pg 37



Portion of the Town of Hamilton to be Vacated

HAMILTON

PLAT AND DESCRIPTION

A correct plat of Hamilton (formerly Clarkstown) lying on the Michigan Road in S. 25, T. 18 N. R. 2 East, containing an area of 32 acres and 22 poles.

Michigan Street 97 feet.
Cross Street 49½ feet the other
Streets are 33 feet.
Lots 66 by 132 feet.
Alleys 12 feet.

The N.E. corner of the west ½ of the S.W. quarter of said section stands in lot No. 6, Block No. 2. The S.E. corner of said town lot bears from corner of land above mentioned N. 77° E. 107 links, distant, and the S.W. corner of said lot bears S. 64° W. 95 links, distant.

Surveyed by me March 31st, 1837.

J. E. Hacker,
Co. Surveyer.

State of Indiana }
}Set:
Boone County

Before me, Thomas Thompson a Justice of the Peace in and for said County Jacob Hoover and Benjamin Cox acknowledged the within town plat to be their voluntary act for the purposes therein mentioned.

Given under my hand and seal this 27th day of November 1837.

Thomas Thompson (Seal)

Endorsed: Rec'd for record Feb. 13th, 1838 and recorded Feb. 23rd 1838 in Deed Book 3 page 364.

James McCann,
R.B.C.

Re-recorded Sept. 8, 1857

Thomas P. Miller,
Recorder B. Co.

Transcribed and hereon recorded March 29th, 1867 by order of the Board of Commissioners of said County at their March Term 1867.

John Thomas,
R.B. C.

Re-recorded by order of the Board of Commissioners at their June Term 1892.

John S. Masters,
R. B. C.

Re-recorded by order of the Board of County Commissioners at their June Term 1938.

Nora West
R. B. C.

N

Exhibit 4

ZIONSVILLE
FOR ALL THE RIGHT REASONS

MEMORANDUM

TO: Town of Zionsville Town Council

FROM: Wayne DeLong, AICP, CPM, Director of Planning and Economic Development

RE: Vacation Request of public rights-of-way (streets and alleys) located within a portion of the platted Town of Hamilton (formerly Clarkstown).

History

The Petition for Vacation was submitted by Henke Development Group, LLC ("Petitioner"). The Petitioner is the developer of Holliday Farms and a portion of Section 4 of Holliday Farms overlaps a portion of the platted Town of Hamilton (formerly Clarkston). The original Plat the Town of Hamilton (formerly Clarkstown), establishing the lots, public streets, and public alleys, was recorded on February 23, 1838 (see Exhibit 2). The only remaining portion of the recorded Town of Hamilton is the area included in this Vacation request.

Analysis of Current Request

The request to vacate portions of public rights-of-way (streets and alleys) located within a portion of the platted Town of Hamilton (formerly Clarkstown). According to Indiana State Law, the authority to Vacate a Public Way is delegated to the Town Council. A related Vacation Petition to remove the remaining lots and any Covenants, Conditions, and Restrictions from the recorded Plat has been filed and is scheduled to be heard by the Plan Commission at their meeting on September 21, 2020. State Law gives the authority for the vacation of platted items to the Plan Commission.

The public ways to be vacated do not affect any property which will not be incorporated into the development of Holliday Farms (see Exhibit 3). The submitted Vacation Petition and supporting documentation was distributed to the Town's departments and members of the Technical Advisory Committee (including utility providers) for their review and comment. No concerns or objections were expressed by any department.

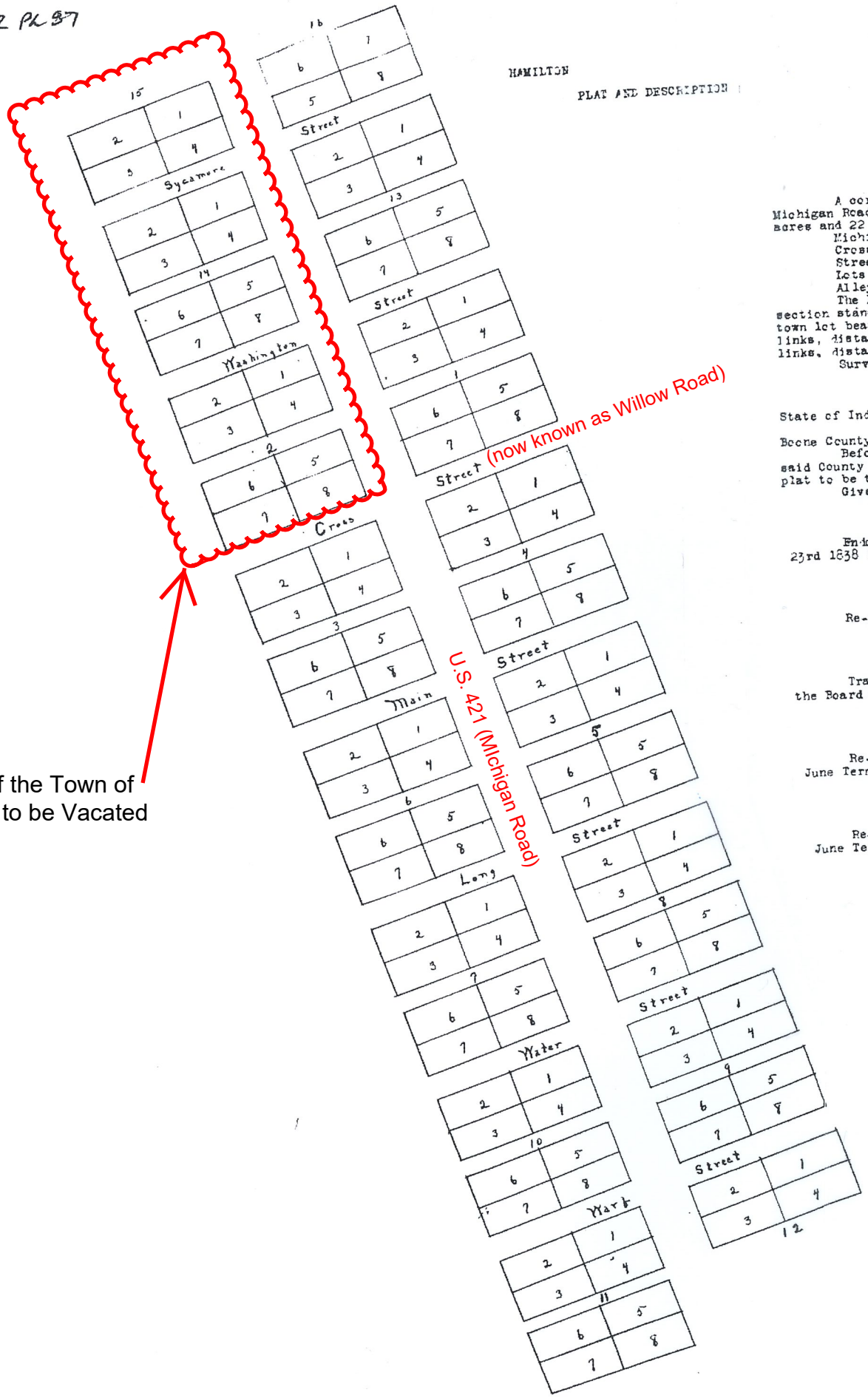
Staff is in support of the Vacation Petition to vacate public rights-of-way (streets and alleys) located within a portion of the platted Town of Hamilton (formerly Clarkstown.

If there are any questions as to the content, please do not hesitate to contact our office.

Respectfully submitted,

Wayne DeLong, AICP, CPM

PBZ PL 37



HAMILTON

PLAT AND DESCRIPTION

A correct plat of Hamilton (formerly Clarkstown) lying on the Michigan Road in S. 25, T. 18 N. R. 2 East, containing an area of 32 acres and 22 poles.

Michigan Street 97 feet.
Cross Street 49½ feet the other
Streets are 33 feet.
Lots 66 by 132 feet.
Alleys 12 feet.

The N.E. corner of the west ½ of the S.W. quarter of said section stands in Lot No. 6, Block No. 2. The S.E. corner of said town lot bears from corner of land above mentioned N. 77° E. 107 links, distant, and the S.W. corner of said lot bears S. 64° W. 95 links, distant.

Surveyed by me March 31st, 1837.

J. E. Hacker,
Co. Surveyer.

State of Indiana)
)Sct:
Boone County

Before me, Thomas Thompson a Justice of the Peace in and for said County Jacob Hoover and Benjamin Cox acknowledged the within town plat to be their voluntary act for the purposes therein mentioned.

Given under my hand and seal this 27th day of November 1837.

Thomas Thompson (Seal)

Endorsed: Rec'd for record Feb. 13th, 1838 and recorded Feb. 23rd 1838 in Deed Book 3 page 364.

James McCann,
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R. B. C.

Re-recorded by order of the Board of County Commissioners at their June Term 1938.

Nora West
R. B. C.

N

Exhibit 2

N W E S

0 300 600

1" – 300ft

Exhibit 3

ZIONSVILLE
FOR ALL THE RIGHT REASONS

Town of Zionsville
Petition for a Vacation of a Public Way by the Town Council

Public Way consisting of Street Right-of-way, Alley Right-of-way, and Easements.

Application Packet
And
General Instructions

Office Use Only
Petition No.: _____
Hearing Date: _____
Recommendation: _____

Town of Zionsville

Petition for Town Council Approval

1. VACATION INFORMATION:

General location and description of area to be Vacated:

Northwest corner of US 421 and Willow Road (southeast portion of Holliday Farms Section 4)

Reasons for and circumstances prompting the request:

Looking for a replat in order to develop ground per the Holliday Farms PUD

2. PETITIONER / PROPERTY OWNER

Name: Henke Development Group, LLC

Address: 1415 E. 196th Street, Westfield, IN 46074

Phone: 317-517-1945 E-Mail: phil.sundling@henkedevelopment.com

3. PETITIONER'S ATTORNEY / CONTACT PERSON AND PROJECT ENGINEER:

Attorney / Contact Person:

Name: Phil Sundling

Address: 1415 E. 196th Street, Westfield, IN 46074

Phone: 317-517-1945

E-Mail: phil.sundling@henkedevelopment.com

Engineer who prepared the Legal Description and Drawing Exhibit:

Name: Paul Klodzen (Cripe)

Address: 3939 Priority Way South Drive, Suite 200
Indianapolis, IN 46240

Phone: 317-706-6467

E-Mail: pklodzen@cripe.biz

4. Recorded Plat and/or Name of Right-of-Way affected by the Vacation:

Town of Hamilton Plat

5. Request for the Vacation of (check all that apply):

By the Town Council:

☒ Public Street Right-of-way
☒ Public Alley Right-of-way
☐ Easement

6. Required Attachments for all Vacation Petitions:

☒ Survey and Legal description of area to be Vacated
☒ Proof of Ownership (copy of deed) from all Petitioners
☒ List of Property Owners*
N/A ☒ Owner Consent Form(s) from all Adjoining Property Owners who are not co-Petitioners
☒ Findings of Fact
☐ Statement of Commitments (if proposed)

** = If the request is for the Vacation of a Public Street, Public Alley, or recorded Easement, a list of all property owners which abut the area(s) to be Vacated, including their names, contact information, and a Consent Form from each abutting owner must be provided at the time of application.*

The undersigned, having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes. Further, the applicant understands that this project may be assigned Engineering review fees, which are payable upon invoicing.

Signature of Owner or Attorney for Owner: _____

Date: 8-20-20

State of Indiana)
County of Boone) **SS:**

Subscribed and sworn to before me this 20th day of August, 20 20.

_____ / Douglas Fleenor
Notary Public Signature Notary Public Printed

DOUGLAS LEE FLEENOR NOTARY PUBLIC SEAL STATE OF INDIANA

My Commission expires: 4-8-2023 My Commission No.: 4-8-2023

My county of residence is Boone County.

PROCEDURES AND REQUIREMENTS:

1. A complete Vacation Petition ("Petition") must be submitted by **3:00 PM** a minimum of **31 days** prior to the hearing before the Town Council. Should a Petition require approvals from both the Town Council and the Plan Commission, those Vacation items applicable to the Town Council's approval must be heard first. Those Vacation items applicable to the Plan Commission's approval would be heard following the Town Council's hearing.

2. **Only complete Petitions will be placed on the agenda for the Town Council meeting.** If a Petition is incomplete 31 days prior to the next Town Council meeting, the Petition will not be placed on an agenda until the Petitioner submits a complete Petition.

3. **Fifteen (15) sets** of the following information must be submitted, with the notarized Petition, for internal staff review (an electronic copy of all submitted documents is also required):

   ☐ Legal description and a drawing of the area to be Vacated.

   ☐ If the area to be Vacated is within a recorded and platted subdivision, a copy of the recorded Plat must be provided with the area to be Vacated clearly identified.

   ☐ Proof of Ownership from all Petitioners (copy of deed)

   ☐ Owner's Consent from Adjoining Property Owner (if not signing as a co-Petitioner)

   ☐ Statement of Commitments (if proposed)

PUBLIC HEARING NOTIFICATION:

Notice of Public Hearing for a Vacation is to be completed as set forth in the Zoning Ordinance and Rules of Procedure for the Plan Commission. Should a Petition require approvals from both the Town Council and the Plan Commission, a separate Notice of Public Hearing is required for each of the Public Hearings. The procedures relating to notification of public hearings that are contained in this Packet are provided for convenience purposes only.

1. Notice: Upon receipt of a complete Petition, the Town will generate the Notice of Public Hearing for the requested Vacation and provide it to the Petitioner for their use.

2. Notice by Publication: The Town shall submit the Notice of Public Hearing to the Lebanon Reporter to be published at least 10 days prior to the respective Public Hearing.

3. Notice by Mailing: The **Petitioner** is to send the approved Notice of Public Hearing to each Interested Party via certified mail with return receipt requested at least ten (10) days prior to the Public Hearing. Generally, all owners of adjoining parcels to a depth of one (1) ownership surrounding the perimeter of the area described in the Petition, and any owners of property within the area included in the Petition who are not Petitioners are to be notified. Please review the Rules of Procedure of the Plan Commission to ensure proper notification is given. The names and addresses of Interested Parties should be obtained from the Boone County Auditor's Office.

4. Affidavit of Notice: At least three (3) days prior to the Public Hearing, an Affidavit of Notice of Public Hearing must be completed and submitted to the Secretary of the Plan Commission. Copies of all "Receipt for Certified Mail" (white slips) shall be filed with the Affidavit of Notice of Public Hearing. The originals of the "Domestic Return Receipts" (green cards) shall be filed with the Secretary upon the later of: the public hearing or receipt by the Petitioner.

PETITION REVIEW PROCEDURES

1. Upon the completed filing of a Vacation Petition, the materials will be distributed to the members of the Zionsville Technical Advisory Committee ("TAC") to evaluate the technical aspects of the project and completeness of the petition. Petitioner/Applicant may need to address comments from the TAC review.

2. Once the Petition is complete, it will be placed on the next available Town Council agenda. The petitioner shall be responsible for sending the Legal Notice to all Interested Parties.

3. The Petition and all supporting documentation will be forwarded to the Town Council members. *Please supply fifteen (15) packets of the supporting documentation for this distribution.*

4. The Secretary, members of the Town Council staff, or advisors to the Town may submit a written report, stating any facts concerning the physical characteristics of the area involved in the Petition, together with a recital of surrounding land use and public facilities available to service the area, or other pertinent facts. A copy of such statement shall be made available to the Petitioner and all remonstrators of record, if any.

5. The Town Council typically meets on the First Monday of the month at 7:00 p.m. and the Third Monday of the month at 7:30 a.m. Meetings are typically held in the Town Hall located at 1100 West Oak Street, Zionsville, Indiana 46077. Please refer to the Town's website to confirm filing deadlines and hearing dates.

6. The Petitioner or remonstrators may request continuation of the Public Hearing at or one week prior to the Town Council and/or Plan Commission meeting.

7. The Petitioner, Petitioner's attorney, or someone authorized by the Petitioner must be present at the Public Hearing(s) to make a presentation of the Petition to the Town Council.

8. At the Public Hearing, the Town Council may continue the Public Hearing or make a determination on the requested Vacation Petition.

OWNER'S CONSENT
(Adjoining Property Owner)

The undersigned, Elizabeth K. Garfield, being the owner of the property commonly known as Holliday Farms | Town of Hamilton, is aware of the Vacation Petition filed by Holliday Farms and consents to the Vacation of the Town of Hamilton Plat _____ related to the aforementioned property.

The Club at Holliday Farms, LLP
(Company name)

By: _____
(Authorized signature)

Elizabeth K. H. Garfield
(printed name)

partner
(Title)

or -

_____
(Owner signature)

_____
(printed Owner name)

_____
(Owner signature)

_____
(printed Owner name)

State of Indiana)
County of Boone) **SS:**

Subscribed and sworn to before me this 20th day of August, 2020.

_____ / Douglas Fleenor
Notary Public Signature / Notary Public Printed

My commission expires 4-8-2023

My county of residence is Boone County.

My Commission No. is _____

P:\PLAN COMMISSION - 2020

OWNER'S AUTHORIZATION

The undersigned, Mary Holliday Rogers, being the owner of the property commonly known as The Club at Holliday Farms - Section 4, hereby authorize(s) _____ Cripe, Chris Wiseman to file a Petition for (zone map change / variance / special exception / subdivision plat approval / other) for the aforementioned property.

_____
(company name)

By: _____
(authorized signature)

_____
(printed name)

_____
(title)

Mary Holliday Rogers
(owner signature)

- or -

Mary Holliday Rogers
(print owner name)

State of Indiana)
County of Marion) SS:

Subscribed and sworn to before me this day of August 13, 2020.

Erica L. Bailey / Erica L. Bailey
Notary Public Signature / Notary Public Printed

My commission expires _____

My county of residence is _____ County.

My Commission No. is _____

Erica L. Bailey
Notary Public
SEAL
Hancock County, State of Indiana
Commission Expires: November 15, 2025
Commission Number 705598

TOWN OF ZIONSVILLE TOWN COUNCIL
BOONE COUNTY, INDIANA

FINDINGS OF FACT

The Zionsville Town Council, after a Public Hearing held on September 21st, 20 20,
has determined that the proposed Vacation of the Town of Hamilton (formerly Clarkstown)

is / is not in the Public Interest because:

The original Town of Hamilton plat included multiple direct access points to US 421 which presumably would not be desired from the Town nor INDOT.
Additionally, This entire southeast corner can be developed in a safer, masterplanned and more cohesive way in accordance with the Holliday Farms PUD.

DECISION

IT IS THEREFORE the decision of this body that this VACATION PETITION is APPROVED, subject to any Conditions stated in the minutes (which Conditions are incorporated herein by reference and made a part of this decision).

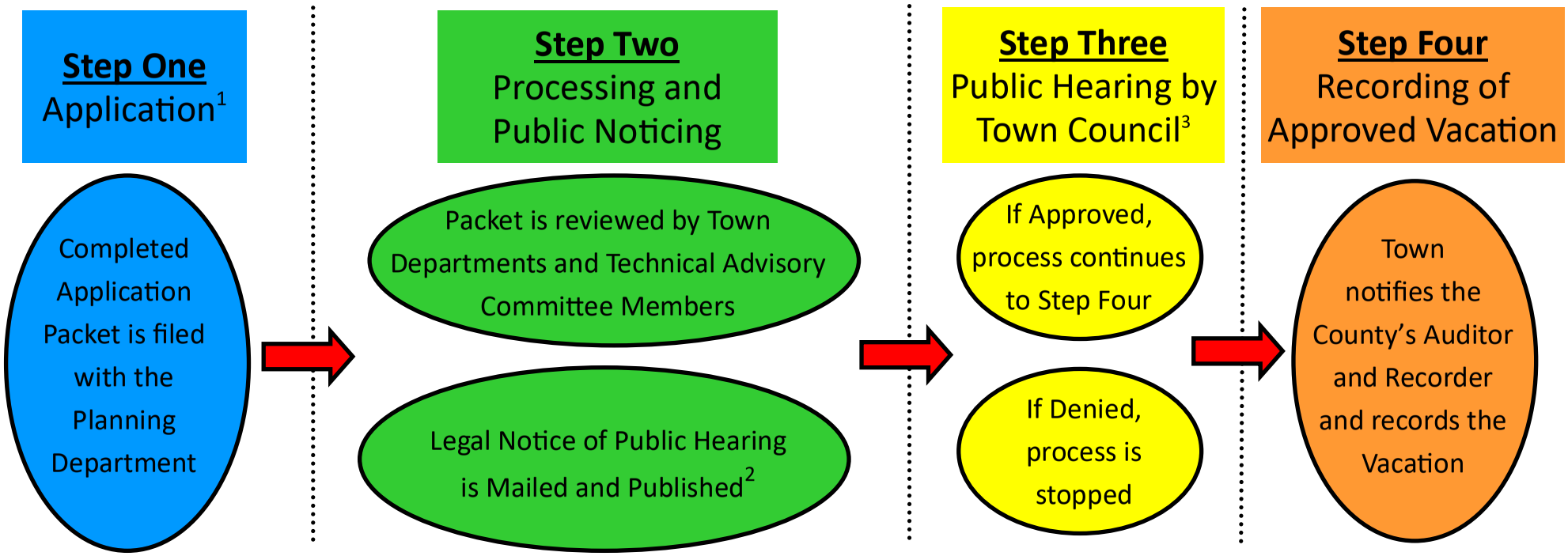
ZIONSVILLE TOWN COUNCIL

The Vacation was APPROVED / DENIED on the __ day of _____, 20_____, subject to any conditions agreed to at the public hearing.

President, _____

Process for the Vacation of a Public Right-of-Way by the Town Council*

(* = An additional public hearing with the Plan Commission may also be required in certain circumstances.)



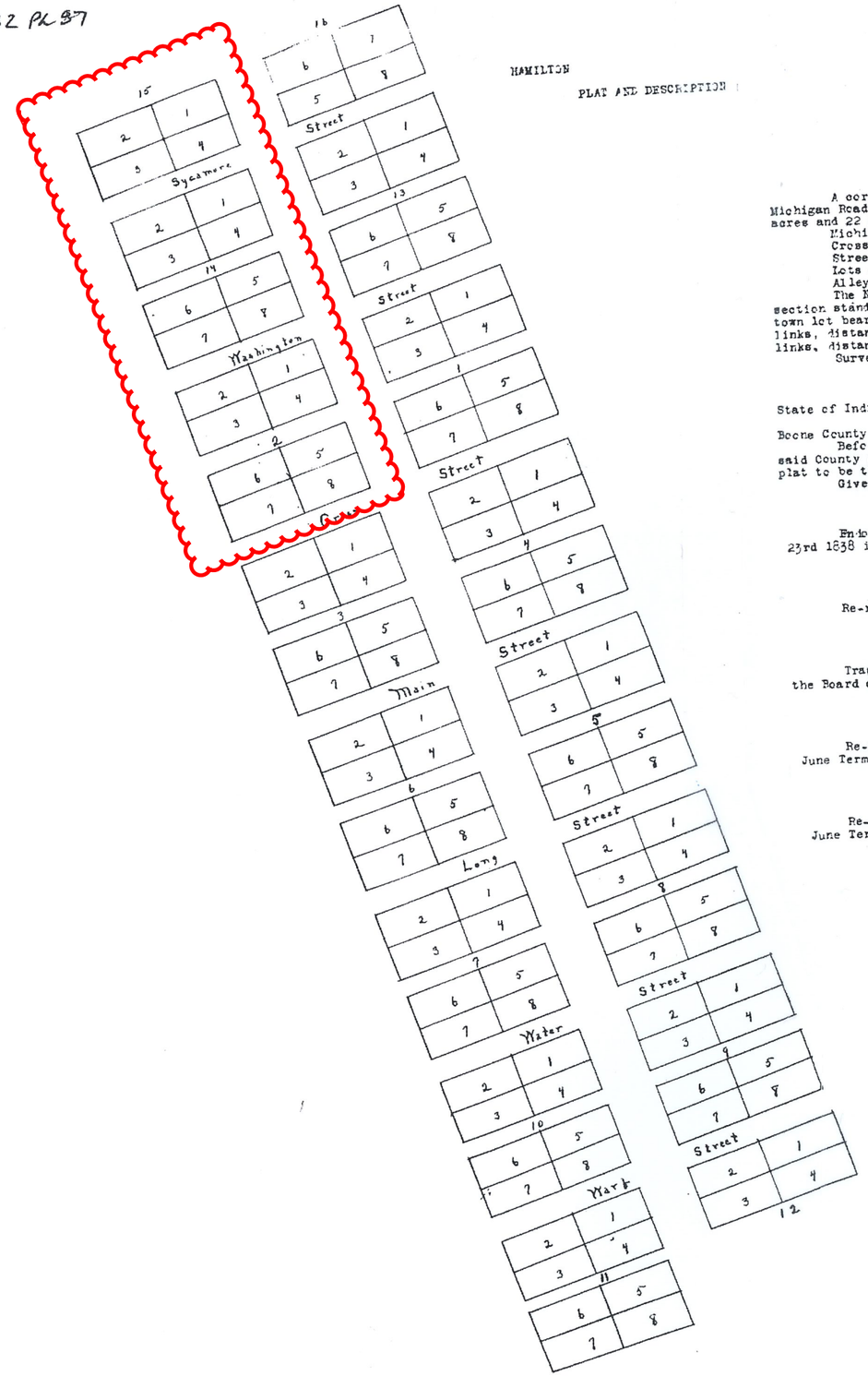
Footnotes:

1. Applicant must be the property owner of a parcel abutting the area requested to be Vacated, and all other property owners abutting the area must provide written consent of the Vacation.
2. Legal Notice of Public Hearing is prepared by Town Staff and provided to Applicant for Certified Mailing to adjoining land owners. This mailing must be completed at least ten (10) days prior to the date of the Public Hearing. Timely publication of the Legal Notice is the responsibility of the Town of Zionsville.
3. Public Hearing is to be held within thirty (30) days after a completed Application is provided by the Applicant.

Part of the Plat of Clarkstown (now Hamilton) recorded in Deed Record 3, Page 364 and re-recorded in Plat Book 1, Page 41 in the Office of the Recorder of Boone County, Indiana and being a part of the Northwest and Southwest Quarters of Section 25, Township 18 North, Range 2 East more particularly described as follows:

Beginning at the Southeast corner of Lot 8 in Block 2 of said Plat; thence along the southern boundary of Lot 8 and Lot 7 of said Block 2 South 69 degrees 12 minutes 03 seconds West 264.00 feet to the Southwest corner of said Lot 7; thence along the western boundary of Blocks 2, 14, and 15 of said Plat North 20 degrees 47 minutes 57 seconds West 750.00 feet to the Northwest corner of Lot 2 in said Block 15; thence along the northern boundary of Lot 2 and Lot 1 of said block 15 North 69 degrees 12 minutes 03 seconds East 264.00 feet to the Northeast corner of said Lot 1; thence along the eastern boundary of said Blocks 15, 14, and 2 South 20 degrees 47 minutes 57 seconds East 750.00 feet to the Point of Beginning containing 4.545 acres, more or less.

PB2 Pl 87



HAMILTON

PLAT AND DESCRIPTION

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Michigan Street 97 feet.
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Alleys 12 feet.

The N.W. corner of the west ½ of the S.W. quarter of said section stands in lot No. 6, Block No. 2. The S.E. corner of said town lot bears from corner of land above mentioned N. 77° E. 107 links, distant, and the S.W. corner of said lot bears S. 64° W. 95 links, distant.

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Co. Surveyer.

State of Indiana }
}Sct:
Boone County

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John S. Masters,
R. B. C.

Re-recorded by order of the Board of County Commissioners at their June Term 1938.

Noa West
R. B. C.

TOWN OF ZIONSVILLE TOWN COUNCIL
BOONE COUNTY, INDIANA

FINDINGS OF FACT

The Zionsville Town Council, after a Public Hearing held on September 21st, 20 20, has determined that the proposed Vacation of the Town of Hamilton (formerly Clarkstown)

is / **is not** in the Public Interest because:

The original Town of Hamilton plat included multiple direct access points to US 421 which presumably would not be desired from the Town nor INDOT. Additionally, This entire southeast corner can be developed in a safer, masterplanned and more cohesive way in accordance with the Holliday Farms PUD.

DECISION

IT IS THEREFORE the decision of this body that this VACATION PETITION is APPROVED, subject to any Conditions stated in the minutes (which Conditions are incorporated herein by reference and made a part of this decision).

ZIONSVILLE TOWN COUNCIL

The Vacation was APPROVED / DENIED on the __ day of _____, 20_____, subject to any conditions agreed to at the public hearing.

President, _____

Public Notices

Indiana newspapers and the Hoosier State Press Association provide an online clearinghouse of thousands of public notices. If you missed it in print or want to find a notice statewide, look online here IndianaPublicNotices.com.

NOTICE OF PUBLIC HEARING BY THE TOWN OF ZIONSVILLE PLAN COMMISSION

Notice is hereby given of a Public Hearing to be held by the Zionsville Plan Commission on September 21, 2020, at 7:00 p.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 to consider the Vacation Petition, Docket #2020-36-VAC, of all platted lots, all private easements, and all Covenants, Conditions, or Restrictions within or applicable to a portion of the platted Town of Hamilton (formerly Clarkstown), Boone County, Indiana, to allow for said area to be incorporated into Section 4 of The Club at Holliday Farms without previously recorded encumbrances.

The property involved is generally located on the northwest corner of the intersection of U.S 421 (Michigan Road) and Willow Road, Zionsville, Indiana, and more commonly known as: 3900 S. U.S. 421 (12 lots bearing the same address) and 4480 Willow Road (8 lots bearing the same address); and is legally described as:

Part of the Plat of Clarkstown (now Hamilton) recorded in Deed Record 3, Page 364 and re-recorded in Plat Book 1, Page 41 in the Office of the Recorder of Boone County, Indiana and being a part of the Northwest and Southwest Quarters of Section 25, Township 18 North, Range 2 East more particularly described as follows:

Beginning at the Southeast corner of Lot 8 in Block 2 of said Plat; thence along the southern boundary of Lot 8 and Lot 7 of said Block 2 South 69 degrees 12 minutes 03 seconds West 264.00 feet to the Southwest corner of said Lot 7; thence along the western boundary of Blocks 2, 14, and 15 of said Plat North 20 degrees 47 minutes 57 seconds West 750.00 feet to the Northwest corner of Lot 2 in said Block 15; thence along the northern boundary of Lot 2 and Lot 1 of said block 15 North 69 degrees 12 minutes 03 seconds East 264.00 feet to the Northeast corner of said Lot 1; thence along the eastern boundary of said Blocks 15, 14, and 2 South 20 degrees 47 minutes 57 seconds East 750.00 feet to the Point of Beginning containing 4.545 acres, more or less.

A copy of the Vacation Petition, and all plans pertaining thereto are on file and may be examined prior to the Public Hearing at Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 or at: http://www.zionsville-in.gov/231/Planning-Economic-Development. Written comments in support of or in opposition to the Petition are filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Vacation Petition will be heard at the Public Hearing. The Public Hearing may be continued from time to time as may be found necessary.

Further, and if supported by Executive Order and/or the Laws of the State of Indiana, members of the public will be afforded the opportunity to attend the Plan Commission Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Plan Commission Meeting.

Additionally, upon request, the Town of Zionsville will provide auxiliary aids and services in association with meetings and hearings occurring in-person. Please provide advance notification to Wayne DeLong, at wdelong@zionsville-in.gov or 317-873-5108, to ensure the proper accommodations are made prior to the meeting.

Dave Franz (President)
Wayne DeLong, AICP, CPM
(Secretary)
TLR-553 9/10 hspaxlp 1664270

For full public notice listings go to IndianaPublicNotices.com.

For full public notice listings go to IndianaPublicNotices.com.

IndianaPublicNotices.com.

NOTICE OF PUBLIC HEARING BY THE TOWN COUNCIL OF ZIONSVILLE, INDIANA

Notice is hereby given of a Public Hearing to be held by the Zionsville Town Council on September 21, 2020, at 7:30 a.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 to consider the Vacation of all public streets and alleys within a portion of the platted Town of Hamilton (formerly Clarkstown), Boone County, Indiana, to allow for said area to be incorporated into Section 4 of The Club at Holliday Farms without previously recorded encumbrances. A related Petition to Vacate all platted lots within this same portion of the platted Town of Hamilton (formerly Clarkstown) is scheduled to be heard by the Zionsville Plan Commission on September 21, 2020, at 7:00 p.m.

The property involved is generally located on the northwest corner of the intersection of U.S 421 (Michigan Road) and Willow Road, Zionsville, Indiana, and more commonly known as: 3900 S. U.S. 421 (12 lots bearing the same address) and 4480 Willow Road (8 lots bearing the same address); and the portion of the platted Town of Hamilton (formerly Clarkstown) involved in this Vacation is legally described as:

Part of the Plat of Clarkstown (now Hamilton) recorded in Deed Record 3, Page 364 and re-recorded in Plat Book 1, Page 41 in the Office of the Recorder of Boone County, Indiana and being a part of the Northwest and Southwest Quarters of Section 25, Township 18 North, Range 2 East more particularly described as follows:

Beginning at the Southeast corner of Lot 8 in Block 2 of said Plat; thence along the southern boundary of Lot 8 and Lot 7 of said Block 2 South 69 degrees 12 minutes 03 seconds West 264.00 feet to the Southwest corner of said Lot 7; thence along the western boundary of Blocks 2, 14, and 15 of said Plat North 20 degrees 47 minutes 57 seconds West 750.00 feet to the Northwest corner of Lot 2 in said Block 15; thence along the northern boundary of Lot 2 and Lot 1 of said block 15 North 69 degrees 12 minutes 03 seconds East 264.00 feet to the Northeast corner of said Lot 1; thence along the eastern boundary of said Blocks 15, 14, and 2 South 20 degrees 47 minutes 57 seconds East 750.00 feet to the Point of Beginning containing 4.545 acres, more or less.

A copy of the Petition for Vacation, and all filed documents pertaining thereto are on file and may be examined prior to the Public Hearing at Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana, or at https://www.zionsville-in.gov/548/Public-Notices. Written comments in support of or in opposition to the Petition for Vacation are filed with the Department of Planning & Economic Development (rkilmer@zionsville-in.gov or 317-690-6539). The Public Hearing is open to the public. Oral comments to the Petition for Vacation will be heard at the Public Hearing.

Further and as supported by Executive Order and/or the Laws of the State of Indiana, members of the Public will be afforded the opportunity to attend the Town Council Public Meeting via a form(s) of electronic communication as indicated in the Agenda (as amended from time to time) associated with the Town Council Meeting.

If a member of the public needs technical assistance in logging into the web event as indicated on the Agenda, please contact Joe Rust at jrust@zionsville-in.gov or 317-727-2647.

Josh Garrett
Town Council President
Amelia Anne Lacy
Director of Finance & Records
TLR-555 9/10 hspaxlp 1664314

Good news....public notice information is easily accessible to you in print and online.

If you missed it in print or want to find a notice statewide, look online at IndianaPublicNotices.com.

NOTICE OF PUBLIC HEARING BY THE TOWN OF ZIONSVILLE PLAN COMMISSION

Notice is hereby given of a Public Hearing to be held by the Town of Zionsville Plan Commission On Monday, September 21, 2020 at 7:00 p.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 to consider the following:

Docket Number 2020-37-DP: PLAN COMMISSION APPROVAL for a Development Plan to allow for: the installation of fencing for a dog park, additional surface parking space, and additional public amenities.

The property involved commonly known as: 4050 S. County Road 875 East, is currently zoned to the R-1 zoning district, and is legally described as:

Part of the Northeast Quarter of Section 28, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, more fully described as follows:

Commencing at the Northwest corner of the Northeast Quarter of said Section 28; thence along the approximate center line of County Road 400 South and the Section line, North 88°39'35" East (assumed bearing) 940.34 feet to the Point of Beginning; thence continue along the approximate center line of County Road 400 South and the Section line, North 88°39'35" East 405.03 feet; thence along the approximate center line of County Road 875 East and the Quarter Quarter Section line, South 00°39'05" East 1213.07 feet; thence along the center line of the former Cleveland, Cincinnati, Chicago & St. Louis Railway, North 64°27'54" West 706.93 feet; thence along part of an East described line of the Wabash Valley Power Association, Inc. property as described in Deed Record 217, Pages 135-151, Boone County Recorder's Office, North 00°17'55" West 494.87 feet; thence along the South described line of the Mark E. Goodwin and Diana L. Goodwin property recorded as instrument #0503068, North 88°39'35" East 231.13 feet; thence along the East described line of said Goodwin Property, North 01°20'18" West 398.62 feet to the Point of Beginning, containing 13.201 Acres, more or less, subject to the right of way for County Road 400 South on and along the North boundary and subject to the right of way for County Road 875 East on and along the East boundary.

A copy of the Petition for Development Plan Approval, and all plans pertaining thereto are on file and may be examined prior to the Public Hearing at Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 or at: http://www.zionsville-in.gov/231/Planning-Economic-Development. Written comments in support of or in opposition to the Petition filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Petition will be heard at the Public Hearing. The Public Hearing may be continued from time to time as may be found necessary.

Further, and if supported by Executive Order and/or the Laws of the State of Indiana, members of the public will be afforded the opportunity to attend the Plan Commission Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Plan Commission Meeting.

Additionally, upon request, the Town of Zionsville will provide auxiliary aids and services in association with meetings and hearings occurring in-person. Please provide advance notification to Wayne DeLong, at wdelong@zionsville-in.gov or 317-873-5108, to ensure the proper accommodations are made prior to the meeting.

Dave Franz (President)
Wayne DeLong (Secretary)
TLR-550 9/10 hspaxlp 1664152

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community

Auctions

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Lebanon, IN 46052

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Help Wanted

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2014, 2016, 2022 Yosemite Dr.
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Crown Point, Indiana
Saturday 9-5, Sunday 9-3
Collectors & Buyers ready w/cash. All State & Federal Laws Apply. Admission $5.
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GUN & KNIFE SHOW
~ KOKOMO, INDIANA ~
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Kokomo Event Center
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Kokomo, Indiana
Saturday 9-5, Sunday 9-3
Collectors & Buyers ready w/cash. All State & Federal Laws Apply. Admission $5.
FREE PARKING
765-993-8942
BUY ➠ SELL ➠ TRADE

GUN AND KNIFE Show! September 12 and 13. Lake County 4H Fairgrounds. Crown Point, Indiana. Saturday 9 – 5, Sunday 9 – 3. For more information call 765-993-8942. Admission $5.

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Auctions

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We will be selling the following list of personnel property located From Sheridan, In. go W. on S.R. 47, to the Boone Hamilton Co. line Rd. , then N. 2 ½ mi.to 261 St., then E. app. ½ mi. The auction will be held app. ¼ mi. W. of 3855 W. 261 St. on the N. side of the road. Watch for auction sign's.
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NOTICE OF PUBLIC HEARING
BY THE TOWN COUNCIL OF ZIONSVILLE, INDIANA

Notice is hereby given of a Public Hearing to be held by the Zionsville Town Council on September 21, 2020, at 7:30 a.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 to consider the Vacation of all public streets and alleys within a portion of the platted Town of Hamilton (formerly Clarkstown), Boone County, Indiana, to allow for said area to be incorporated into Section 4 of The Club at Holliday Farms without previously recorded encumbrances. A related Petition to Vacate all platted lots within this same portion of the platted Town of Hamilton (formerly Clarkstown) is scheduled to be heard by the Zionsville Plan Commission on September 21, 2020, at 7:00 p.m.

The property involved is generally located on the northwest corner of the intersection of U.S 421 (Michigan Road) and Willow Road, Zionsville, Indiana, and more commonly known as: 3900 S. U.S. 421 (12 lots bearing the same address) and 4480 Willow Road (8 lots bearing the same address); and the portion of the platted Town of Hamilton (formerly Clarkstown) involved in this Vacation is legally described as:

Part of the Plat of Clarkstown (now Hamilton) recorded in Deed Record 3, Page 364 and re-recorded in Plat Book 1, Page 41 in the Office of the Recorder of Boone County, Indiana and being a part of the Northwest and Southwest Quarters of Section 25, Township 18 North, Range 2 East more particularly described as follows:

Beginning at the Southeast corner of Lot 8 in Block 2 of said Plat; thence along the southern boundary of Lot 8 and Lot 7 of said Block 2 South 69 degrees 12 minutes 03 seconds West 264.00 feet to the Southwest corner of said Lot 7; thence along the western boundary of Blocks 2, 14, and 15 of said Plat North 20 degrees 47 minutes 57 seconds West 750.00 feet to the Northwest corner of Lot 2 in said Block 15; thence along the northern boundary of Lot 2 and Lot 1 of said block 15 North 69 degrees 12 minutes 03 seconds East 264.00 feet to the Northeast corner of said Lot 1; thence along the eastern boundary of said Blocks 15, 14, and 2 South 20 degrees 47 minutes 57 seconds East 750.00 feet to the Point of Beginning containing 4.545 acres, more or less.

A copy of the Petition for Vacation, and all filed documents pertaining thereto are on file and may be examined prior to the Public Hearing at Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana, or at https://www.zionsville-in.gov/548/Public-Notices. Written comments in support of or in opposition to the Petition for Vacation are filed with the Department of Planning & Economic Development (rkilmer@zionsville-in.gov or 317-690-6539). The Public Hearing is open to the public. Oral comments to the Petition for Vacation will be heard at the Public Hearing.

Further and as supported by Executive Order and/or the Laws of the State of Indiana, members of the Public will be afforded the opportunity to attend the Town Council Public Meeting via a form(s) of electronic communication as indicated in the Agenda (as amended from time to time) associated with the Town Council Meeting.

If a member of the public needs technical assistance in logging into the web event as indicated on the Agenda, please contact Joe Rust at jrust@zionsville-in.gov or 317-727-2647.

Josh Garrett
Town Council President

Amelia Anne Lacy
Director of Finance & Records

ORDINANCE NO. 2020-__11____
OF THE TOWN OF ZIONSVILLE, INDIANA

AN ORDINANCE VACATING TWO DRAINAGE EASEMENTS, CLASSIFIED AS A PUBLIC WAY, WITHIN THE ZIONSVILLE CORPORATE BOUNDARIES PURSUANT TO INDIANA CODE §36-7-3-12

WHEREAS, Indiana Code § 36-7-3-12 provides for the process by which public ways may be vacated; and,

WHEREAS, on August 18, 2020, Daniel Towriss ("Petitioner"), petitioned the Town of Zionsville ("Town") to vacate two 7.5 feet wide drainage easements located on each side of the shared lot line between Lots 19 & 20 in Lost Run Farm Subdivision pursuant to Indiana Code § 36-7-3-12; and,

WHEREAS, the Town caused to be published notice of the petition and the time and place of the public hearing in the September 10, 2020, issue of the Lebanon Reporter, a copy of which proof of publication was submitted to the Town Council of Zionsville, Indiana ("Town Council") and the Petitioner notified by certified mail each owner of land abutting the portions of the public alley right-of-way proposed to be vacated; and,

WHEREAS, on September 21, 2020, the Town Council held a public hearing on the petition to vacate said drainage easements, with proper notice under Indiana Law to all interested and potentially aggrieved parties; and,

WHEREAS, no potentially aggrieved individual has objected under the statutory grounds provided under Indiana Code § 36-7-3-13; and,

WHEREAS, the Town Council, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be served is such as to warrant vacation of the portion of the public alley right-of-way described herein.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Indiana, that:

Section 1: Description of the Drainage Easements. The two 7.5 feet wide drainage easements legally described herein and schematically illustrated on Exhibit A attached hereto, under the terms set forth herein, is hereby vacated;

Drainage Easements, each being 7.5 feet in width, laying on each side of the shared Lot Line between Lots 19 and 20 in Lost Run Farm, a subdivision in the Town of Zionsville, Boone County, Indiana, as per plat thereof recorded on July 26, 2004, in Plat Book 15, Page 8, as Instrument No. 0409452 and Certificate of Correction

recorded November 23, 2004, as Instrument No. 0414448, in the Office of the Recorder of Boone County, Indiana (See survey attached as Exhibit A.)

Section 2: Utilities. The Town retains the right to maintain, operate, repair and replace, by itself or by any licensee or holder of a franchise from the Town, any poles, wires, pipes, conduits, sewer mains, water mains, or any other facility or equipment for the maintenance or operations of any utility now located in the portion of the public alley right-of-way vacated by this Ordinance.

Section 3: Costs. Petitioner for this drainage easement vacation shall, within 90 days after the passage of this Ordinance, pay to the Town of Zionsville the amount necessary to defray all costs of removing any items from the drainage easements, if any.

Section 4: Recording. The Director of Finance and Records of the Town of Zionsville, Indiana shall provide a copy of this Ordinance to the Boone County Recorder for recording and shall file the same with the Boone County Auditor.

Section 5: Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope of intent of the clause to which the appertain.

Section 6: Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions herein, if any, are of no further force or effect and are hereby repealed.

Section 7: Severability. If any part of the Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 8: Duration and Effective Date. The provisions of this Ordinance shall become and remains in full force and effect upon passage and until its repeal by ordinance.

Introduced and filed on the ____ day of September, 2020. A motion to consider on First Reading was sustained by a vote of ____ in favor and ___ opposed, pursuant to Ind. Code § 36-5-2-9.8.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

DULY PASSED AND ADOPTED this _____ day of September, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,

BOONE COUNTY, INDIANA

	YEA Signature	**NAY** Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2020, at _____ ____ m.

ATTEST: _____

Amelia Anne Lacy,

Municipal Relations Coordinator

MAYOR'S APPROVAL

Emily Styron, Mayor Date:

MAYOR'S VETO

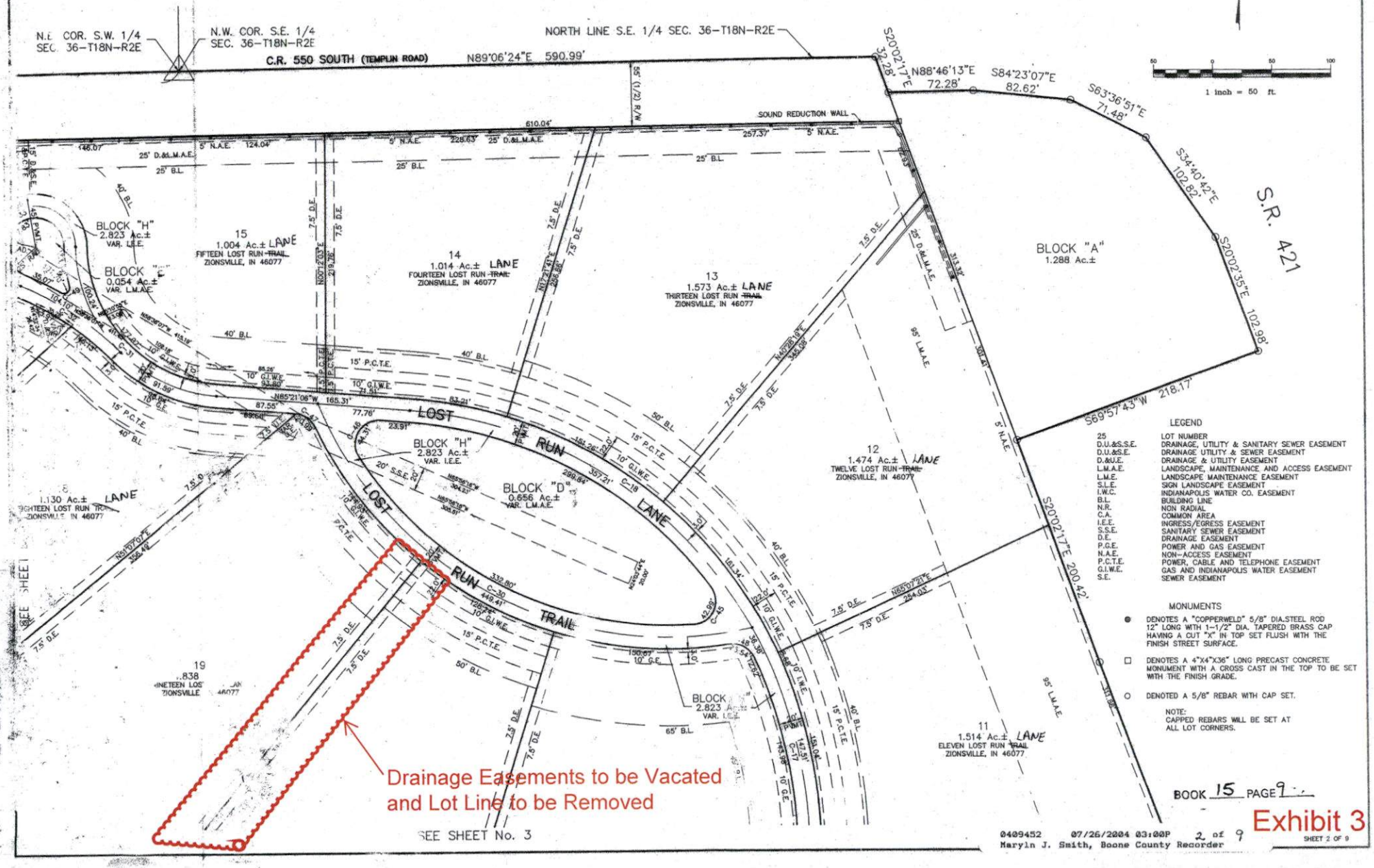
Emily Styron, Mayor Date:

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
FAX: (317)-849-5942

Developed by:
HIGH GROVE DEVELOPMENT, INC.
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290

LOST RUN FARM

SECONDARY PLAT



LEGEND

25	LOT NUMBER
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
L.M.A.E.	LANDSCAPE, MAINTENANCE AND ACCESS EASEMENT
L.M.E.	LANDSCAPE MAINTENANCE EASEMENT
S.L.E.	SIGN LANDSCAPE EASEMENT
I.W.C.	INDIANAPOLIS WATER CO. EASEMENT
B.L.	BUILDING LINE
N.R.	NON RADIAL
C.A.	COMMON AREA
I.E.E.	INGRESS/EGRESS EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
P.G.E.	POWER AND GAS EASEMENT
N.A.E.	NON-ACCESS EASEMENT
P.C.T.E.	POWER, CABLE AND TELEPHONE EASEMENT
G.I.W.E.	GAS AND INDIANAPOLIS WATER EASEMENT
S.E.	SEWER EASEMENT

MONUMENTS

● DENOTES A "COPPERWELD" 5/8" DIA.STEEL ROD 12" LONG WITH 1-1/2" DIA. TAPERED BRASS CAP HAVING A CUT "X" IN TOP SET FLUSH WITH THE FINISH STREET SURFACE.

□ DENOTES A 4"X4"X36" LONG PRECAST CONCRETE MONUMENT WITH A CROSS CAST IN THE TOP TO BE SET WITH THE FINISH GRADE.

○ DENOTED A 5/8" REBAR WITH CAP SET.

NOTE:
CAPPED REBARS WILL BE SET AT ALL LOT CORNERS.

BOOK 15 PAGE 9

Exhibit 3

LOST RUN FARM

SECONDARY PLAT

Drainage Easements to be Vacated & Lot Line to be Removed

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
FAX: (317)-849-5942

Developed by:
HIGH GROVE DEVELOPMENT, INC.
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290

1 inch = 50 ft.

LEGEND

25	LOT NUMBER
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
L.M.A.E.	LANDSCAPE, MAINTENANCE AND ACCESS EASEMENT
L.M.E.	LANDSCAPE MAINTENANCE EASEMENT
S.L.E.	SIGN LANDSCAPE EASEMENT
I.W.C.	INDIANAPOLIS WATER CO. EASEMENT
B.L.	BUILDING LINE
N.R.	NON RADIAL
C.A.	COMMON AREA
I.E.E.	INGRESS/EGRESS EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
P.G.E.	POWER AND GAS EASEMENT
N.A.E.	NON-ACCESS EASEMENT
P.C.T.E.	POWER, CABLE AND TELEPHONE EASEMENT
G.I.W.E.	GAS AND INDIANAPOLIS WATER EASEMENT
S.E.	SEWER EASEMENT

MONUMENTS

● DENOTES A "COPPERWELD" 5/8" DIA. STEEL ROD 12" LONG WITH 1-1/2" DIA. TAPERED BRASS CAP HAVING A CUT "X" IN TOP SET FLUSH WITH THE FINISH STREET SURFACE.

□ DENOTES A 4"X4"X36" LONG PRECAST CONCRETE MONUMENT WITH A CROSS CAST IN THE TOP TO BE SET WITH THE FINISH GRADE.

○ DENOTED A 5/8" REBAR WITH CAP SET.

NOTE:
CAPPED REBARS WILL BE SET AT ALL LOT CORNERS.

BOOK 15 PAGE 12

Exhibit 3

S:\K201551\dwg\B001-Plat.dwg, Sheet 5, 7/22/2004 4:53:13 PM, bhuff, 1:1

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
FAX: (317)-849-5942

Developed by:
HIGH GROVE DEVELOPMENT, INC.
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290

LOST RUN FARM

I, the undersigned Registered Land Surveyor hereby certify that the included plat correctly represents a subdivision as a part of the Southwest and Southeast Quarter of Section 36, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter Section; thence North 89 degrees 01 minutes 28 seconds East (assumed bearing) along the North line of said Quarter Section 1,524.56 feet to the POINT OF BEGINNING of this description; thence continuing North 89 degrees 01 minutes 28 seconds East along said North line 1,138.84 feet to the Northeast corner of said Southwest Quarter, said point also being the Northwest corner of the said Southeast Quarter Section; thence North 89 degrees 06 minutes 24 seconds East along the North line of the said Southeast Quarter Section 590.99 feet; thence South 20 degrees 02 minutes 17 seconds East 32.28 feet; thence North 88 degrees 46 minutes 13 seconds East 72.28 feet; thence South 84 degrees 23 minutes 07 seconds East 82.62 feet; thence South 63 degrees 38 minutes 51 seconds East 71.48 feet; thence South 34 degrees 40 minutes 42 seconds East 102.82 feet; thence South 20 degrees 02 minutes 35 seconds East 102.98 feet; thence South 69 degrees 57 minutes 43 seconds West 218.17 feet; thence South 20 degrees 02 minutes 17 seconds East 200.42 feet; thence South 20 degrees 21 minutes 17 seconds East 437.59 feet; thence South 21 degrees 11 minutes 07 seconds East 667.79 feet; thence South 89 degrees 37 minutes 19 seconds West 1,162.24 feet to a point on the West line of said Southeast Quarter, said point also being on the East line of Raintree Place, Section Two B recorded in Plat Book Six, Page Three, in the Office of the Recorder of Boone County, Indiana, the following two (2) courses on and along the northern boundary of said Raintree Place Section 2B; (1) North 00 degrees 20 minutes 46 seconds West along the West line of said Quarter Section, 221.94 feet to the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; (2) South 89 degrees 09 minutes 31 seconds West along the North line of the Southeast Quarter of the Southwest Quarter of said Section 36, 1,325.54 feet to the Northwest corner of the Southeast Quarter of the Southwest Quarter; thence South 00 degrees 36 minutes 44 seconds East along the West line of the Southeast Quarter of said Southwest Quarter Section 767.82 feet; thence North 89 degrees 34 minutes 25 seconds West 514.33 feet to a point on the thread-line of Little Eagle Creek, the following Sixteen (16) calls being on said thread-line; (1) North 05 degrees 22 minutes 21 seconds West 249.25 feet; (2) North 08 degrees 07 minutes 53 seconds East 221.53 feet; (3) North 12 degrees 51 minutes 18 seconds West 120.46 feet; (4) North 00 degrees 04 minutes 56 seconds East 50.76 feet; (5) North 49 degrees 34 minutes 43 seconds East 34.68 feet; (6) South 70 degrees 34 minutes 33 seconds East 31.21 feet; (7) South 50 degrees 16 minutes 46 seconds East 60.11 feet; (8) South 68 degrees 07 minutes 10 seconds East 57.66 feet; (9) North 50 degrees 31 minutes 49 seconds East 61.84 feet; (10) North 20 degrees 35 minutes 49 seconds East 124.34 feet; (11) North 49 degrees 19 minutes 55 seconds East 137.08 feet; (12) North 67 degrees 27 minutes 30 seconds East 71.75 feet; (13) North 32 degrees 07 minutes 45 seconds East 143.60 feet; (14) North 10 degrees 15 minutes 40 seconds West 118.21 feet; (15) North 17 degrees 57 minutes 58 seconds West 157.04 feet; (16) North 00 degrees 08 minutes 50 seconds West 69.50 feet; thence North 90 degrees 00 minutes 00 seconds East 40.07 feet; thence North 11 degrees 08 minutes 40 seconds East 294.89 feet; thence North 28 degrees 15 minutes 27 seconds East 274.05 feet to the said thread-line of Little eagle Creek, the following Two (2) calls being on said thread-line; (1) North 34 degrees 01 minutes 12 seconds East 65.09 feet; (2) North 05 degrees 03 minutes 41 seconds East 185.28 feet to the place of beginning, containing 80.917 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

This subdivision consists of 21 lots numbered 1-21 (both inclusive), 4 Common Areas labled C.A.#1-4, and 8 Blocks labeled "Block A-H" (both inclusive). The size of lots and width of streets are shown in feet and decimal parts thereof.

I, the undersigned, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana and that the within plat represents a subdivision of the lands surveyed within the cross referenced survey plat, and that to the best of my knowledge and belief there has been no change from the matters of the survey revealed by the cross-reference survey on any lines that are common with the new subdivision.

Witness my signature this 22ND day of JULY, 2004.

S/42015/legal/summe south
November 25, 2002
(R) KRG (F) GDK
Revised: January 31, 2003
Revised: June 2, 2003
BAH(R) EEF(F)
Revised: June 17, 2004
BAH(R) BMK(F)
Revised: July 15, 2004
BAH(R) EEF(F)

Dennis D. Olmstead
Registered Land Surveyor
No. 900012 1

DENNIS D. OLMSTEAD REGISTERED No. 900012 STATE OF INDIANA LAND SURVEYOR

PLAN COMMISSION APPROVAL

The Building Commissioner of the Town of Zionsville has reviewed this Plat for technical conformity with the standards fixed in the Zionsville Zoning Ordinance and the Zionsville Subdivision Control Ordinance and hereby certifies that this Plat meets all of the minimum requirements of the applicable ordinances and requirements of the Town of Zionsville, Boone County, Indiana.

By: [signature]
Printed: LANA FUNKHOUSER

Date: 7/26/04

We, the undersigned, do hereby certify that under authority provided by the Indiana Planning Law, IC 36-7-4, et. seq., enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto, the Plat depicted herein is the Plat which was given approval by the Town of Zionsville Plan Commission at a meeting held on the 21st day of April 2003

Witness by signature this 26 day of July 2004

TOWN OF ZIONSVILLE PLAN COMMISSION

Signature [signature]
Printed LANA FUNKHOUSER
Title President

Signature [signature]
Printed TERRY J JONES
Title Secretary

SURVEYOR CERTIFICATION

I, Dennis D. Olmstead, hereby certify that:

The within Plat is a representation of the lands surveyed, subdivided and platted under my direct supervision and control and that it is true and correct to the best of my knowledge and belief;

This Subdivision consists of 21 lots, numbered 1 through 21, together with Common Areas, Streets, and Easements as shown on the within Plat;

The size of the Lots, Common Areas and Widths of Streets and Easementare shown in figures denoting feet and decimal parts thereof;

All monuments shown on the within Plat actually exist and their location, size, type and material are accurately shown;

The boundary survey of this plat is in conformity with 865 IAC 1-12; and,

The within Plat complies with the provisions of the Town of Zionsville Subdivision Control Ordinance.

Witness by signature this 22ND day of JULY, 2004

Dennis D. Olmstead
Registered Land Surveyor
No. 900012

DENNIS D. OLMSTEAD REGISTERED No. 900012 STATE OF INDIANA LAND SURVEYOR

DULY ENTERED FOR TAXATION
7-26-04
Gretchen Smith
SUBJECT TO FINAL ACCEPTANCE
AUDITOR. BOONE COUNTY

BOOK 15 PAGE 16

0409452 07/26/2004 03:00P 9 of 9
Maryln J. Smith, Boone County Recorder

DEDICATION STATEMENT

We Highgrove Development, Inc. and Lost Run Farms, LLC (jointly and severally, the "Declarant"), do hereby certify that we are the Owner(s) of the real estate property located in the Town of Zionsville, Boone County, Indiana, according to deed recorded in Book ____ Page ____, of the official records of the Recorder of Boone County Indiana, and further described as follows:

Now therefore know all persons by these presents that we do hereby lay off, plat and subdivide said Real Estate in accordance with the within Plat.

This Subdivision shall be known as Lost Run Farm, an addition to the Town of Zionsville, Boone County, Indiana.

All streets, alleys, ways and public open spaces shown on the within Plat, other than Templin Road, are designated as private on the plat and as approved by the Plan Commission shall be privately owned, operated and maintained.

Front building setback lines are hereby established as shown on the within Plat, between which lines and street right-of-way lines no building or structure (except for parking areas, driveways and interior access drives) shall be erected or maintained.

All storm water drainage, water and sanitary sewer easements shown on this Plat are hereby dedicated to the Town of Zionsville exclusively for, and limited to, storm water, drainage, water and sanitary sewer purposes, save and except for those storm water drainage, water, and sanitary sewer easements specifically identified as private on the plat and approved by the Plan Commission to be privately owned operated and maintained. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities. The easement areas of such Lot shall be continuously maintained as a yard area by the Owner of the Lot, except for those improvements which are the responsibility of a public authority or utility company to maintain.

Any dedication of easements to the Town of Zionsville shall be limited to the purposes set forth by specific notation on the Plat or by separate instrument, including the Declaration of Covenants and Restrictions of Lost Run Farm. The plat legend for the location of private easements and dedicated easements merely show the location of the areas for such private easements and dedicated easements on the Plat. Such areas are reserved for the use of the Declarant and for private utilities, public, quasi-public and governmental agencies as set forth in the Declaration of Covenants and Restrictions for Lost Run Farm and this Plat. Any dedication of easements shall be subject to all easements granted by the Declarant or the subsequent developer of Lost Run Farm, including, without limitation, the common service easement and restrictions to be recorded by Declarant or its assigns. In addition, any communication and common services permitted by Declarant or its assigns shall not be allowed to be installed in, over or under the dedicated easements without the prior written consent of the Declarant, or its designees, successors or assigns, which may be granted in their sole and complete discretion.

Within drainage easements, no structure, planting or other material shall be placed or permitted to remain which may change the direction of flood or drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. The drainage easement of each Lot and all improvements in the drainage easement, including slope and drainage pattern, shall be continuously maintained as a yard area by the Owner of the Lot, except for those improvements which are the responsibility of a public authority or utility to maintain.

1-1
Town of Zionsville
The first five (5) feet of any utility easement which is located along a street right-of-way shall be reserved for use as a Town of Zionsville utility easement exclusively for sewer and water purposes, and shall be used for the installation and maintenance of fire hydrants, meter pits, and similar appurtenances approved by the Town Engineer. Any utility that has obtained an easement from Declarant or its assigns shall have the right to cross the first five (5) feet of said utility easement at or near perpendicular; provided, however, such right to cross utility easements shall be subject to all easements granted by the Declarant or its successors and assigns, including, without limitation, the common services easements and restrictions to be entered into and recorded by Declarant or its assigns. No other utilities or appurtenances thereto shall be installed within the first five (5) feet of said utility easement without the written approval of the Town Engineer and Declarant or its successors or assigns.

Title to the foregoing real estate is subject to a certain Declaration of Covenants, Conditions and Restrictions of Lost Run Farm dated July [illegible], 2004 as Instrument Number [illegible] in the Office of the Recorder of Boone County, Indiana, as the same may be amended or supplemented. Such Declaration and the covenants and restrictions set forth therein run with the land described herein and are incorporated herein by reference. Each Owner of the Site depicted on this Plat shall take title to such site subject to the terms and conditions of such Declaration.

In *Witness whereof*, Declarant has executed this instrument this 23rd day of July, 2004.

HIGHGROVE DEVELOPMENT, INC.

By: [signature]
Printed: Richard D. Summe
Title: President

By: [signature]
Printed: R. Michael Henderson
Title: Secretary Treasurer

LOST RUN FARMS, LLC

By: [signature]
Printed: Richard D. Summe
Title: Member

By: [signature]
Printed: R. Michael Henderson
Title: Member

We hereby lay off and plat this subdivision, which shall be known and designated as Lost Run Farm in the Town of Zionsville, Boone County, Indiana.

This plat is subject to the declaration of covenants, conditions and restrictions of Lost Run Farm recorded as Instrument No. 0409453 and any amendments thereto.

In Testimony whereof, witness the signatures of Owner and Declarant this 23rd day of July, 2004.

Owner/Developer
High Grove Development, Inc.

Richard D. Summe, President

R. Michael Henderson, Secretary Treasurer

State of Indiana)
) SS
County of Marion)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard D. Summe, President, R. Michael Henderson, Secretary Treasurer of High Grove Development, Inc., and acknowledged the execution of this Instrument as his voluntary act and deed and affixed his signature thereto.

Witness my signature and seal this 23rd day of July, 2004.

Notary Public: [signature]
Print Name: Charlene S. Lee

County of Residence: Hendricks
My commission expires: July 18, 2006
FORMS/OWNSIGN

Exhibit 3

SHEET 9 OF 9

S:\42015S1\dwg\B001-Plat.dwg, Sheet 9, 7/22/2004 4:02:53 PM, bhuff, 1:1

Downtown Attica returns to 'most endangered' Indiana Landmarks list

NICK HEDRICK
HSPA NEWS SERVICE

ATTICA – A statewide preservation group is calling attention once again to the heart of Fountain County's largest city.

For the second straight year, downtown Attica has been featured on Indiana Landmarks' "10 Most Endangered List" of historic places on the verge of being lost without an action plan to save them.

The downtown historic district "remains in need of investment and a plan to protect declining landmarks," according to a post on the group's website. The group called for a preservation ordinance and a local historic designation to boost efforts in revitalizing the area.

At the center of the call to action is the long-vacant Hotel Attica, which partially collapsed in a 2012 windstorm. The hotel, where Hollywood celebrities booked rooms on brief stopovers, later became a restaurant and has sat crumbling since the storm.

The owner is now donating the building and selling the land to Attica Main Street. The organization doesn't have the money for renovations and plans are being set to find a permanent owner.

Submitted photo

Downtown Attica, for the second straight year, was featured in Indiana Landmarks' "10 Most Endangered" list of historic properties. Local efforts are underway to revitalize the area.

"We're just hoping to attract someone who sees that it's not a lost cause because there's still hope for it, and I'm hoping that someone will ... see that hope and save it," Main Street president Lexxi Haddock said.

A contest for an upcoming HGTV town makeover series gave new energy to local revitalization efforts, she added.

Attica was one of more than 2,600 small towns in the running for the cable network's "Home Town Takeover." An Alabama town won the competition, but everyone from high school students to nursing home residents sent in videos supporting Attica.

"To see this thing that you drive down to get to Pizza King is something that everyone was quietly wanting to hold on to," Haddock said, "but with that campaign of trying to attract HGTV, it brought everyone out into the public and saying, 'Yes, this is something that I find really important. I want to make sure that it's here so that my kids and grandkids have the same memories.'"

Main Street is distributing state grant funds to local businesses recovering from the COVID-19 shutdown. The city placed a 1% tax on local food and beverage sales to generate more funding for revitalizing downtown.

Younger people are opening businesses downtown, including a pet grooming shop and a real estate office. The children of the owner of a furniture and carpeting store are attracting customers with new window displays. Challenges remain with addressing buildings deemed unsafe by the city. A business fair is in the works.

"Our biggest hurdle to start with [was] just trying to get people to understand, like, what we have in our own backyards and kind of change the attitude, and I think we finally accomplished that, thankfully," said Haddock, who joined Main Street three years ago.

"So we actually have people that are seeing what we have in our town and talking about the good of it and not just the bad of it."

Nick Hedrick writes for th (Crawfordsville) Journal Review.

BBB warns of e-skimming scam

For years, scammers have used a small device on ATMs, gas pumps, and other terminals, to harvest credit card information. As technology has improved, this form of "skimming" has become less effective. However, scammers aren't deterred. Now, they use a technique called "e-skimming" to steal credit card data from online shoppers instead.

HOW THE SCAM WORKS

You are shopping online on a reputable website. You put an item in your cart and proceed to check out. You enter your credit or debit card number and your billing address to make your purchase. Everything seems totally normal.

But what you can't see is that cybercriminals have hacked into the company's server and planted malware on the site. This harvests your personal information, including your credit or debit card numbers, as soon as you make a purchase.

You won't be aware your information was stolen until the company discovers the breach and alerts its customers. In other cases, you'll only find out after scammers use your credit card and fraudulent purchases appear on your statement.

HOW TO PROTECT YOURSELF

Keep a close eye on your statements. Check your bank and credit card statements regularly to confirm all charges. If you notice any suspicious activity, call your bank or credit card company immediately to report it.

Use the customer service number found on the back of your card or on your monthly statement to make sure you are speaking with the real company.

Make online purchases with a credit card. Use your credit card instead of your debit card to make online purchases. It is much easier to dispute charges made with your credit card, plus getting money returned to your debit card can take time.

Consider using a virtual credit card. Some credit card companies and banks offer virtual cards to their clients. These provide a unique credit card number to use when shopping online that links to your normal account. If any unusual transactions are made or the number is compromised, other charges are immediately declined.

BOONE COUNTY
public notices

Make sure you're in the know when it comes to your community, city, county, schools and more.

Public Notices

When governments want to change **zoning rules**, the law often requires them to inform you by placing notice advertisements – also called legals – in your newspaper.

Indiana newspapers and the Hoosier State Press Association provide an online clearinghouse of thousands of public notices. If you missed it in print or want to find a notice statewide, look online here IndianaPublicNotices.com.

Bailey
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 Boone County, Indiana, in Cause No. 06D01-1803-MF-000369 wherein New Residential Mortgage, LLC was Cross-Claim/Counterclaim/ Third Party Plaintiff, and Thomas J. Bailey and Elyse B. Bailey, et al. were Cross-Claim 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 1st day of October, 2020, at the hour of 10:00 AM or as soon thereafter as is possible, at 1905 Indianapolis Avenue, Lebanon, IN 46052, the fee simple of the whole body of Real Estate in Boone County, Indiana.

Lot 465 in Saddletree at Royal Run, a subdivision in Eagle Township, Boone County, Indiana, as per plat thereof recorded as Instrument No. 9808357, in Plat Book 10, pages 12-15, in the Office of the Recorder of Boone County, Indiana.

More commonly known as:
6272 Saddletree Dr,
Zionsville, IN 46077
Parcel No.:
06-04-06-000-001.315-005

Together with rents, issues, income, and profits thereof, said sale will be made without relief from valuation or appraisement laws.

Sheriff of Boone County
Eagle Township
6272 Saddletree Dr,
Zionsville, IN 46077

The Sheriff's Department does not warrant the accuracy of the street addressed published herein

David M. Johnson
30354-45
Doyle & Foutty, P.C.
41 E Washington Street
Suite 400
Indianapolis, IN 46204
NOTICE
DOYLE & FOUTTY, P.C. IS A DEBT COLLECTOR
TLR-498 8/27, 9/3, 9/10 hspaxlp

CITY OF LEBANON COMMON COUNCIL
NOTICE OF PUBLIC MEETING WORKING SESSION

The Lebanon Common Council will meet as follows:
DATE: SEPTEMBER 15,16, 2020
TIME: 5:00 8:00 p.m.
LOCATION: Lebanon Municipal Building
401 S. Meridian Street
Room 204
Lebanon, Boone County, Indiana
TLR-563 9/10 hspaxlp 1664710

Francis
STATE OF INDIANA
SS: COUNTY OF BOONE
IN THE BOONE CIRCUIT COURT
CAUSE NUMBER:
06C01-2007-JC-000310
IN THE MATTER OF:
IF - DOB 3/31/2014
A CHILD ALLEGED TO BE
A CHILD IN NEED OF SERVICES
AND
WILLIAM FRANCIS
(BIOLOGICAL FATHER)
SUMMONS FOR SERVICE BY PUBLICATION & NOTICE OF CHILD IN NEED OF SERVICES HEARING

TO: William Francis
Whereabouts unknown

NOTICE IS HEREBY GIVEN to the above noted parent whose whereabouts are unknown, that the Indiana Department of Child Services has filed its Verified Petition Alleging the child to be in Need of Services, in accordance with I.C. 31-34-9-3, and that an adjudication hearing has been scheduled with the Court.

YOU ARE HEREBY COMMANDED to appear before the Judge of the Boone Circuit Court, 310 Courthouse Square, Lebanon, IN 46052 - 765-482-0530 for a(n) Fact Finding Hearing on 9/25/2020 at 1:00 PM, Initial Hearing on 10/26/2020 at 8:00 AM, Dispositional Hearing on 10/26/2020 at 8:00 AM and Fact Finding Hearing on 10/26/2020 at 8:00 AM. At said hearing, the Court will consider the Petition and evidence thereon and will render its

continued next column

Public Notices

decision as to whether the above named minor child is child in need of services and shall enter adjudication accordingly. Your failure to appear after lawful notice will be deemed as your default and waiver to be present at said hearing.

UPON ENTRY OF SAID ADJUDICATION, A DISPOSITIONAL HEARING will be held in which the Court will consider (1) Alternatives for the care, treatment, or rehabilitation for the child; (2) The necessity, nature, and extent of your participation in the program of care, treatment, or rehabilitation for the child; and (3) Your financial responsibility for any services provided for the parent, guardian or custodian of the child including child support.

YOU MUST RESPOND by appearing in person or by an attorney within thirty (30) days after the last publication of this notice, and in the event you fail to do so, an adjudication on said petition, judgment by default may be entered against you, or the court may proceed in your absence, without further notice.

JESSICA J. FOUTS
Clerk
9/4/2020
Zahra Ayoubi, #34351-29
Attorney, Indiana Department of Child Services
Department of Child Services
1614 North Lebanon St.
Lebanon, IN 46052
FAX: 317 232-1803
Office: 765 482-3023
TLR-559 9/10, 17, 24 hspaxlp

NOTICE OF PUBLIC HEARING BY THE TOWN OF ZIONSVILLE PLAN COMMISSION

Notice is hereby given of a Public Hearing to be held by the Town of Zionsville Plan Commission on Monday, September 21, 2020 at 7:00 p.m. in the Zionsville Town Hall, 1100 West Oak Street Zionsville, Indiana 46077 to consider the following Petition:

Petition number: 2020-31-RP Daniel Towriss by Roger L. Burrus, Attorney, requests Plan Commission approval for a re-plat of Lots 19 and 20 into new Lot 20R and to vacate the 7.5' drainage easements on each side of the common lot line.

The properties involved are more commonly known as 19 Lost Run Lane and 20 Lost Run Lane, Zionsville, IN 46077, and are legally described as:

LOT NUMBER 19 IN LOST RUN FARM, A SUBDIVISION OF EAGLE TOWNSHIP, BOONE COUNTY, INDIANA, AS PER PLAT THEREOF RECORDED ON JULY 26, 2004 IN PLAT BOOK 15, PAGE 8, AS INSTRUMENT NO. 0409452 AND CERTIFICATE OF CORRECTION RECORDED NOVEMBER 23, 2004 AS INSTRUMENT NO. 0414448, IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA, and LOT NUMBER 20 IN LOST RUN FARM, A SUBDIVISION IN EAGLE TOWNSHIP, BOONE COUNTY, INDIANA, AS PER PLAT THEREOF RECORDED JULY 26, 2004 IN PLAT BOOK 15, PAGES 8-16 AS INSTRUMENT NO. 0409452, IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA.

A copy of the Petition, and all plans pertaining thereto are on file and may be examined prior to the Public Hearing at Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 or at: http://www.zionsville-in.gov/231/Planning-Economic-Development. Written comments in support of or in opposition to the Petition which are filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Petition will be heard at the Public Hearing. The Public Hearing may be continued from time to time as may be found necessary.

Further, and if supported by Executive Order and/or the Laws of the State of Indiana, members of the public will be afforded the opportunity to attend the Plan Commission Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Plan Commission Meeting. Additionally, upon request, the Town of Zionsville will provide auxiliary aids and services in association with meetings and hearings occurring in-person. Please provide advance notification to Wayne DeLong, at wdelong@zionsville-in.gov or 317-873-5108, to ensure the proper accommodations are made prior to the meeting.

Dave Franz (President)
Wayne DeLong, AICP, CPM
(Secretary)
TLR-552 9/10 hspaxlp 1664188

Public Notices

Property Taxes rising? It's your right to know...and it's the law.

Indiana newspapers are the trusted source that your government uses to inform you about decisions that affect your life.

Public notice advertisements – also called legals – provide information about taxes, zoning, new business and other areas your government is involved in.

The good news is that this information is easily accessible to you in print and online.

If you missed it in print or want to find a notice statewide, look online at IndianaPublicNotices.com.

IndianaPublicNotices.com.

NOTICE OF PUBLIC HEARING BY THE TOWN COUNCIL OF ZIONSVILLE, INDIANA

Notice is hereby given of a Public Hearing to be held by the Zionsville Town Council on September 21, 2020, at 7:30 a.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 to consider the Vacation of 7.5' wide drainage easements which exist on each side of the shared lot line between Lots 19 and 20 in Lost Run Farm Subdivision to allow for the two lots to be combined into a single lot. A related Petition to Replat the two lots into a single lot is scheduled to be heard by the Zionsville Plan Commission on September 21, 2020, at 7:00 p.m.

The properties involved are owned by Daniel Towriss and are commonly known as 19 Lost Run Lane and 20 Lost Run Lane, Zionsville, Indiana, and are legally described as:

Lots numbered 19 and 20 in Lost Run Farm, a subdivision in the Town of Zionsville, Boone County, Indiana, as per plat thereof recorded on July 26, 2004, in Plat Book 15, page 8, as Instrument No. 040952 and Certificate of Correction recorded November 23, 2004, as Instrument No. 0414448, in the Office of the Recorder of Boone County, Indiana.

A copy of the Petition for Vacation, and all filed documents pertaining thereto are on file and may be examined prior to the Public Hearing at Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana, or at https://www.zionsville-

continued next column

Public Notices

in.gov/548/Public-Notices. Written comments in support of or in opposition to the Petition for Vacation are filed with the Department of Planning & Economic Development (rkilmer@zionsville-in.gov or 317-690-6539). The Public Hearing is open to the public. Oral comments to the Petition for Vacation will be heard at the Public Hearing.

Further and as supported by Executive Order and/or the Laws of the State of Indiana, members of the Public will be afforded the opportunity to attend the Town Council Public Meeting via a form(s) of electronic communication as indicated in the Agenda (as amended from time to time) associated with the Town Council Meeting.

If a member of the public needs technical assistance in logging into the web event as indicated on the Agenda, please contact Joe Rust at jrust@zionsville-in.gov or 317-727-2647.

Josh Garrett
Town Council President
Amelia Anne Lacy
Director of Finance & Records
TLR-556 9/10 hspaxlp 1664389

Akers
06D01-2009-EU-000107
Sarah J. Randall, #26898-29
CHURCH CHURCH HITTLE + ANTRIM
Two North Ninth Street
Noblesville, IN 46060
(317)773-2190;
FAX (317) 773-5320
NOTICE OF ADMINISTRATION

In the Superior Court of Boone County, Indiana.

Notice is hereby given that Anthony Eugene Akers and Marshall Kendall Akers were on September 3, 2020, appointed Co-Personal Representatives of the Estate of MARGARET K. AKERS, deceased, who died September 7, 2014.

All persons who have claims against this Estate, whether or not now due, must file the claim in the office of the Clerk of this Court Within three (3) months from the date of the first publication of this Notice, or within nine (9) months after the decedent's death, whichever is earlier, or the claims will be forever barred.

Dated at Lebanon, Indiana on September 3, 2020.
/s/ Jessica Fouts
Clerk of the Superior Court of Boone County, Indiana
TLR-558 9/10, 17 hspaxlp

Public Notices

Shoaf
STATE OF INDIANA
SS: COUNTY OF BOONE
IN THE BOONE CIRCUIT COURT
CAUSE NO 06C01-2008-MI-1015
IN THE MATTER OF AN APPLICATION FOR AN ORDER TO BMV TO ISSUE A REPLACEMENT CERTIFICATE OF TITLE
Edgar V. Cooney, Deceased
Mary Beth Shoaf,
Personal Representative,
Petitioner
PETITION TO ISSUE A REPLACEMENT CERTIFICATE OF TITLE

1. The above-named Petitioner Edgar V. Cooney, Deceased, Mary Beth Shoaf, P.R., has filed a verified petition for an order to the Indiana Bureau of Motor Vehicles to issue a Replacement Certificate of Title.

2. The allegations and statements of fact set forth in the petition are true and accurate.

3. The Petitioner is the legal owner of an automobile described and identified as follows:
1931 Ford A-Vick
VIN 190A14513

4. The Petitioner acquired legal title to the automobile on or about 5/10/2007.

5. The original Certificate of Title issued to the Petitioner has been destroyed and no duplicate Certificate of Title exists.

6. I know of no reason why a Replacement Certificate of Title should not be issued to me as the owner of said vehicle.

I AFFIRM THE FOREGOING UNDER PENALTIES OF PERJURY.

Date: 8/24/2020
Edgar V. Cooney, Deceased
/s/ Mary Beth Shoaf,
Personal Representative
4043 W 550 S.
Jamestown, IN 46147
DOB 4/25/19xx
Telephone # 765-676-xxxx
Driver's License #: xxxx-xx-xxxx

This Petition is assigned for hearing on Ocober 26, 2020 at 8:15 a.m.

TLR-518 9/3, 10, 17 hspaxlp

Indiana newspapers and the Hoosier State Press Association provide an online clearinghouse of thousands of public notices. If you missed it in print or want to find a notice statewide, look online here IndianaPublicNotices.com.

For full public notice listings go to IndianaPublicNotices.com.

Public Notices

Wright
NOTICE OF ADMINISTRATION
IN THE SUPERIOR COURT OF BOONE COUNTY, INDIANA
IN THE MATTER OF THE ESTATE OF
FANNIE BELL WRIGHT,
deceased
ESTATE NO.
06D01-2008-EU-000103

Notice is hereby given that Emsley Wright II was on the 27th day of August, 2020, appointed personal representative of the Estate of Fannie Bell Wright, deceased, who died on the 2nd day of August, 2020.

All persons having claims against said estate, whether or not now due, must file the claim in the Office of the Clerk of this Court within three (3) months from the date of the first publication of this notice, or within nine (9) months after the decedent's death, whichever is earlier, or the claims will be forever barred.

Dated at Lebanon, Indiana, this 28th day of August, 2020.
/s/ Jessica Fouts
Clerk of the Superior Court I
For Boone County, Indiana
Attorney for the Estate:
Roger L. Burrus, #3986-06
BURRUS & SEASE LLP
410 W. Oak Street
Zionsville, IN 46077
(317) 873-2150
TLR-531 9/3, 10 hspaxlp 1662800

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For full public notice listings go to IndianaPublicNotices.com.

NOTICE OF PUBLIC HEARING BY THE TOWN OF ZIONSVILLE PLAN COMMISSION

Notice is hereby given of a Public Hearing to be held by the Town of Zionsville Plan Commission On, Monday, September 21 at 7:00 p.m. in the Zionsville Town Hall, 1100 West Oak Street Zionsville, Indiana 46077 to consider the following:

PLAN COMMISSION APPROVAL for Docket Numbers: 2020-33-PP and 2020-347-DP, Primary Plat and Development Plan to allow for: **Request for approval of Primary Plat and Development Plan for 75 lots on 35.988 acres in the Holliday Farms PUD for Section 4 of the development. Request includes waivers for Path and Trail Pavement Standards (16.08); Design Speed Standards (16.03); Maximum Vertical Grade Standards (16.03); Street Blade Standards (13.16); Typical Residential Cross Section (16.03).**

The properties involved are more commonly known as:

3900 S US 421 is currently zoned Holliday Farms PUD zoning district, and is legally described as:

The Club at Holliday Farms - Section Four, dated: 8/25/2020

This description originated as part of an Original Survey the Takedown Survey for The Club at Holliday Farms Section 4 performed by Cripe, and certified by Claude M. Quillen, L.S. #20200002 under Project Number 170447-39000, being a part of the Northeast Quarter of Section 26, and part of the Northwest Quarter and the Southwest Quarter of Section 25, Township 18 North, Range 2 East, in Eagle Township, Boone County, Indiana more particularly described as follows:

Beginning at the Southeast corner of the Northeast Quarter of said Section 26, thence South 88 degrees 24 minutes 16 seconds West (assumed bearing) along the South line of said Northeast Quarter 180.89 feet to a southeast corner of the 29.174 Acre parcel as described in the Original Survey (Takedown Survey for Holliday Section Three) performed by Cripe, and certified by Claude M. Quillen, L.S. #20200002, on the survey dated June 20, 2020, under Project Number 170477-39000 (should be 170447-39000) and a point in Cox Creek, the next (9) nine courses are along Cox Creek; (1) thence North 30 degrees 44 minutes 57 seconds East 172.33 feet along the Southeast line of said 29.174 Acre parcel; (2) thence North 64 degrees 18 minutes 01 seconds East 38.83 feet;(3) thence North 77 degrees 32 minutes 50 seconds East 33.81 feet; (4) thence South 73 degrees 55 minutes 50 seconds East 21.42 feet; (5) thence North 31 degrees 53 minutes 01 seconds East 57.16 feet; (6) thence North 03 degrees 27 minutes 42 seconds East 65.35 feet; (7) thence South 83 degrees 19 minutes 55 seconds East 29.61 feet; (8) thence North 68 degrees 37 minutes 52 seconds East 109.59 feet; (9) thence North 00 degrees 00 minutes 00 seconds West 13.94 feet; thence North 90 degrees 00 minutes 00 seconds East 230.12 feet; thence North 51 degrees 43 minutes 50 seconds East 67.29 feet; thence North 84 degrees 19 minutes 26 seconds East 311.78 feet; thence South 72 degrees 30 minutes 10 seconds East 118.98 feet; thence North 59 degrees 24 minutes 08 seconds East 53.78 feet; thence North 15 degrees 17 minutes 51 seconds East 198.15 feet; thence North 02 degrees 24 minutes 32 seconds West 63.66 feet; thence North 22 degrees 10 minutes 16 seconds West 68.74 feet; thence North 31 degrees 42 minutes 02 seconds West 74.36 feet; thence North 36 degrees 22 minutes 09 seconds West 80.00 feet; thence North 41 degrees 31 minutes 46 seconds West 74.27 feet; thence North 47 degrees 29 minutes 29 seconds West 82.23 feet; thence North 56 degrees 10 minutes 59 seconds West 85.11 feet; thence North 64 degrees 58 minutes 02 seconds West 81.64 feet; thence North 70 degrees 38 minutes 02 seconds West 78.83 feet; thence North 47 degrees 34 minutes 19 seconds West 128.68 feet; thence North 15 degrees 39 minutes 59 seconds West 289.37 feet; thence North 18 degrees 24 minutes 41 seconds West 124.49 feet to the center of Cox Creek, the next (16) sixteen courses are along the center of Cox Creek: (1) thence North 82 degrees 52 minutes 43 seconds West 47.78 feet; (2) thence North 49 degrees 21 minutes 20 seconds West 128.69 feet; (3) thence North 48 degrees 42 minutes 11 seconds East 43.51 feet; (4) thence North 20 degrees 03 minutes 05 seconds East 57.60 feet; (5) thence North 38 degrees 42 minutes 19 seconds West 27.81 feet; (6) thence South 82 degrees 16 minutes 59 seconds West 37.87 feet; (7) thence North 63 degrees 21 minutes 10 seconds West 43.01 feet; (8) thence North 11 degrees 02 minutes 27 seconds West 21.55 feet; (9) thence North 32 degrees 59 minutes 10 seconds East 17.69 feet; (10) thence North 64 degrees 46 minutes 58 seconds East 40.69 feet; (11) thence North 89 degrees 27 minutes 24 seconds East 37.65 feet; (12) thence South 67 degrees 50 minutes 44 seconds East 18.51 feet; (13) thence North 65 degrees 09 minutes 40 seconds East 33.36 feet; (14) thence North 04 degrees 51 minutes 14 seconds West 22.35 feet; (15) thence North 55 degrees 51 minutes 38 seconds West 51.12 feet; (16) thence North 13 degrees 30 minutes 22 seconds West 26.88 feet to the Southeast corner of (Lot A38) The Club at Holliday Farms, Section 1 as recorded in Instrument Number 2019-005103 [Plat Book 27, Pages 15 to 26] in the Office of the Recorder of Boone County, Indiana, the next (31) thirty-one courses are along the southeasterly lines of said Section 1 subdivision [the next (28) twenty-eight courses are along the center of Cox Creek]: (1) thence North 31 degrees 17 minutes 29 seconds East 19.37 feet; (2) thence North 09 degrees 14 minutes 47 seconds East 18.25 feet; (3) thence North 01 degrees 30 minutes 33 seconds East 19.38 feet; (4) thence North 28 degrees 02 minutes 22 seconds West 10.87 feet; (5) thence North 59 degrees 46 minutes 05 seconds West 9.18 feet; (6) thence South 57 degrees 58 minutes 03 seconds West 23.81 feet; (7) thence South 71 degrees 48 minutes 03 seconds West 6.98 feet; (8) thence North 56 degrees 30 minutes 50 seconds West 12.68 feet; (9) thence North 36 degrees 32 minutes 20 seconds West 12.89 feet; (10) thence North 18 degrees 15 minutes 11 seconds West 23.63 feet; (11) thence North 01 degrees 28 minutes 03 seconds East 9.84 feet; (12) thence North 28 degrees 32 minutes 05 seconds East 9.91 feet; (13) thence North 51 degrees 32 minutes 33 seconds East 12.71 feet; (14) thence North 56 degrees 06 minutes 45 seconds East 31.38 feet; (15) thence North 61 degrees 13 minutes 15 seconds East 10.35 feet; (16) thence South 80 degrees 12 minutes 38 seconds East 18.30 feet; (17) thence South 66 degrees 19 minutes 53 seconds East 16.69 feet; (18) thence South 59 degrees 19 minutes 54 seconds East 21.53 feet; (19) thence North 84 degrees 54 minutes 57 seconds East 18.70 feet; (20) thence North 55 degrees 07 minutes 36 seconds East 18.51 feet; (21) thence North 43 degrees 51 minutes 32 seconds East 13.84 feet; (22) thence North 22 degrees 51 minutes 01 seconds East 10.52 feet;(23) thence North 09 degrees 21 minutes 42 seconds West 10.52 feet; (24) thence North 49 degrees 19 minutes 38 seconds West 14.24 feet; (25) thence North 63 degrees 26 minutes 22 seconds West 14.28 feet; (26) thence North 39 degrees 02 minutes 16 seconds West 15.90 feet; (27) thence North 02 degrees 44 minutes 39 seconds East 12.51 feet; (28) thence North 17 degrees 11 minutes 07 seconds East 2.55 feet to the southerly Right-of-way of Holliday Farms Boulevard; (29) thence South 75 degrees 07 minutes 51 seconds East 313.59 feet along said right-of-way to a point on a curve to the left having a radius of 115.00 feet, the radius point of which bears North 14 degrees 52 minutes 09 seconds East; (30) thence southwesterly along said curve, an arc distance of 71.79 feet to a point which bears South 20 degrees 53 minutes 57 seconds East from said radius point; (31) thence North 69 degrees 06 minutes 03 seconds East 133.14 feet along the southerly right-of-way line of said street to the southwesterly right-of-way line of U.S. Highway #421 (a.k.a. Michigan Road); thence South 20 degrees 47 minutes 57 seconds East 549.98 feet along said right-of-way line; thence North 69 degrees 12 minutes 03 seconds East 70.00 feet to the centerline as established by Indiana State Highway Commission (I.S.H.C.) plans for Project Number 221 Section A, dated September 23, 1930; thence South 20 degrees 47 minutes 57 seconds East 862.74 feet along said centerline; thence South 69 degrees 12 minutes 03 seconds West 48.50 feet to the Northeast corner of Lot 1, Block 15 on the record plat of Hamilton (formerly Clarkstown) recorded in Deed Record 3, Page 364 and Rerecorded in Plat Book 1, Page 41 in said Recorder's Office; thence South 20 degrees 47 minutes 57 seconds East along the Easterly line of said plat 750.00 feet to the southeasterly corner of Lot 8, Block 2 in said subdivision; thence South 69 degrees 12 minutes 03 seconds West 264.00 feet along the southeasterly line of said Block 2; thence South 20 degrees 47 minutes 57 seconds East 1.17 feet to the northeasterly corner of a 0.98 acre parcel owned by the Town of Zionsville per Instrument Number 2007-001110 as recorded in said Recorder's Office, the next (4) four courses are along the boundary of said 0.98 acre+/- parcel: (1) thence South 66 degrees 05 minutes 14 seconds West 113.74 feet; (2) thence South 48 degrees 38 minutes 36 seconds West 52.41 feet; (3) thence South 23 degrees 42 minutes 36 seconds East 12.54 feet; (4) thence North 66 degrees 17 minutes 24 seconds East 162.22 feet to the East line of the 1.12 acre Tract, the next (3) three courses are along the boundary of said 1.12 acre Tract; (1) thence South 20 degrees 47 minutes 57 seconds East 7.07 feet; (2) thence North 67 degrees 34 minutes 54 seconds East 276.67 feet; (3) thence North 00 degrees 16 minutes 41 seconds East 222.70 feet to the South line of the Northwest Quarter of said Section 26; thence South 88 degrees 01 minutes 46 seconds West 1063.00 feet along said South line to the point of beginning, containing 35.988 acres more or less.

A copy of the Petition, and all plans pertaining thereto are on file and may be examined prior to the Public Hearing at Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 or at: http://www.zionsville-in.gov/231/Planning-Economic-Development. Written comments in support of or in opposition to the Petition are filed with the Secretary of the Town of Zionsville Plan Commission prior to the Public Hearing will be considered. The Public Hearing is open to the public. Oral comments to the Petition will be heard at the Public Hearing. The Public Hearing may be continued from time to time as may be found necessary.

Further, and if supported by Executive Order and/or the Laws of the State of Indiana, members of the public will be afforded the opportunity to attend the Plan Commission Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Plan Commission Meeting.

Additionally, upon request, the Town of Zionsville will provide auxiliary aids and services in association with meetings and hearings occurring in-person. Please provide advance notification to Wayne DeLong, at wdelong@zionsville-in.gov or 317-873-5108, to ensure the proper accommodations are made prior to the meeting.

Dave Franz (President)
Wayne DeLong, AICP, CPM
(Secretary)
TLR-554 9/10 hspaxlp 1664273

NOTICE OF PUBLIC HEARING
BY THE TOWN COUNCIL OF ZIONSVILLE, INDIANA

Notice is hereby given of a Public Hearing to be held by the Zionsville Town Council on September 21, 2020, at 7:30 a.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 to consider the Vacation of 7.5' wide drainage easements which exist on each side of the shared lot line between Lots 19 and 20 in Lost Run Farm Subdivision to allow for the two lots to be combined into a single lot. A related Petition to Replat the two lots into a single lot is scheduled to be heard by the Zionsville Plan Commission on September 21, 2020, at 7:00 p.m.

The properties involved are owned by Daniel Towriss and are commonly known as 19 Lost Run Lane and 20 Lost Run Lane, Zionsville, Indiana, and are legally described as:

Lots numbered 19 and 20 in Lost Run Farm, a subdivision in the Town of Zionsville, Boone County, Indiana, as per plat thereof recorded on July 26, 2004, in Plat Book 15, page 8, as Instrument No. 040952 and Certificate of Correction recorded November 23, 2004, as Instrument No. 0414448, in the Office of the Recorder of Boone County, Indiana.

A copy of the Petition for Vacation, and all filed documents pertaining thereto are on file and may be examined prior to the Public Hearing at Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana, or at https://www.zionsville-in.gov/548/Public-Notices. Written comments in support of or in opposition to the Petition for Vacation are filed with the Department of Planning & Economic Development (rkilmer@zionsville-in.gov or 317-690-6539). The Public Hearing is open to the public. Oral comments to the Petition for Vacation will be heard at the Public Hearing.

Further and as supported by Executive Order and/or the Laws of the State of Indiana, members of the Public will be afforded the opportunity to attend the Town Council Public Meeting via a form(s) of electronic communication as indicated in the Agenda (as amended from time to time) associated with the Town Council Meeting.

If a member of the public needs technical assistance in logging into the web event as indicated on the Agenda, please contact Joe Rust at jrust@zionsville-in.gov or 317-727-2647.

Josh Garrett
Town Council President

Amelia Anne Lacy
Director of Finance & Records

TOWN OF ZIONSVILLE TOWN COUNCIL
BOONE COUNTY, INDIANA

FINDINGS OF FACT

Petition by Daniel Towriss for Vacation of Drainage Easements

The Zionsville Town Council, after a Public Hearing held on September 21, 2020, has determined that the proposed Vacation of:

The 7.5' wide drainage easements which exist on each side of the shared lot line between Lots 19 and 20 in Lost Run Farm Subdivision,

is / ~~is not~~ in the public interest because:

1. The drainage easements are not needed for drainage of the subject lots or any other property.

2. Petitioner owns both lots and there is no impact on any other owner.

3. Vacating the drainage easements will allow for the owner to construct additional improvements and landscaping on the property.

DECISION

IT IS THEREFORE the decision of this body that this VACATION PETITION is APPROVED, subject to any Conditions stated in the minutes (which Conditions are incorporated herein by reference and made a part of this decision).

ZIONSVILLE TOWN COUNCIL

The vacation of drainage easements was **APPROVED/DENIED** on the _____ day of _____, 2020, subject to any conditions agreed to at the public hearing.

_____ _____

President, _____

_____ _____

_____ _____

_____ _____

ZIONSVILLE
FOR ALL THE RIGHT REASONS

MEMORANDUM

TO: Town of Zionsville Town Council

FROM: Wayne DeLong, AICP, CPM, Director of Planning and Economic Development

RE: Vacation Request of two 7.5 feet wide drainage easements located on each side of the shared lot line between Lots 19 & 20 in Lost Run Farm Subdivision.

History

The Petition for Vacation was submitted by Daniel Towriss ("Petitioner"). The Petitioner owns both parcels, Lots 19 & 20, and seeks to combine them into a single lot (see Exhibit 2). Petitioner's primary residence is located on Lot 19. The Secondary Plat for Lost Run Farm Subdivision, establishing the subject lots and drainage easements, was recorded on July 26, 2004 (see Exhibit 3).

Analysis of Current Request

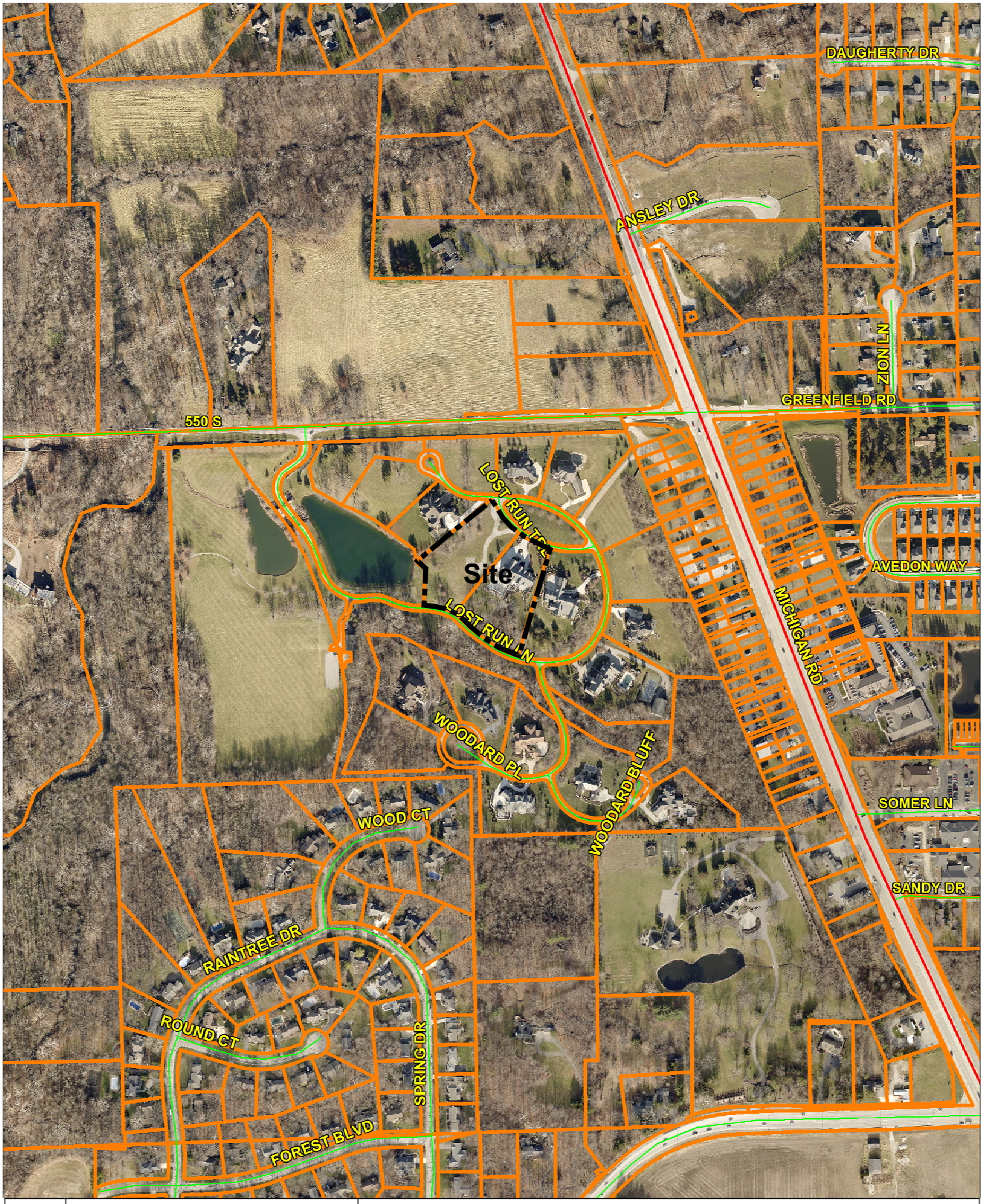
The request is to vacate two 7.5 feet wide drainage easements located on each side of the shared lot line between Lots 19 & 20 in Lost Run Farm Subdivision. According to Indiana State Law, these drainage easements are considered "Public Ways" and the authority to Vacate a Public Way is delegated to the Town Council. A related Re-plat Petition to remove the existing lot line between Lots 19 & 20 has been filed and is scheduled to be heard by the Plan Commission at their meeting on September 21, 2020. State Law gives the authority for this re-platting to the Plan Commission.

The two drainage easements to be vacated do not include any physical infrastructure and were intended to provide routing of surface drainage for Lots 19 & 20. The submitted Vacation Petition and supporting documentation was distributed to the Town's departments and members of the Technical Advisory Committee (including utility providers) for their review and comment. no concerns or objections were expressed by any department.

Staff is in support of the Vacation Petition to vacate two 7.5 feet wide drainage easements located on each side of the shared lot line between Lots 19 & 20 in Lost Run Farm Subdivision.

If there are any questions as to the content, please do not hesitate to contact our office.

Respectfully submitted,
Wayne DeLong, AICP, CPM



N W E S

0 455 910

1" – 455ft

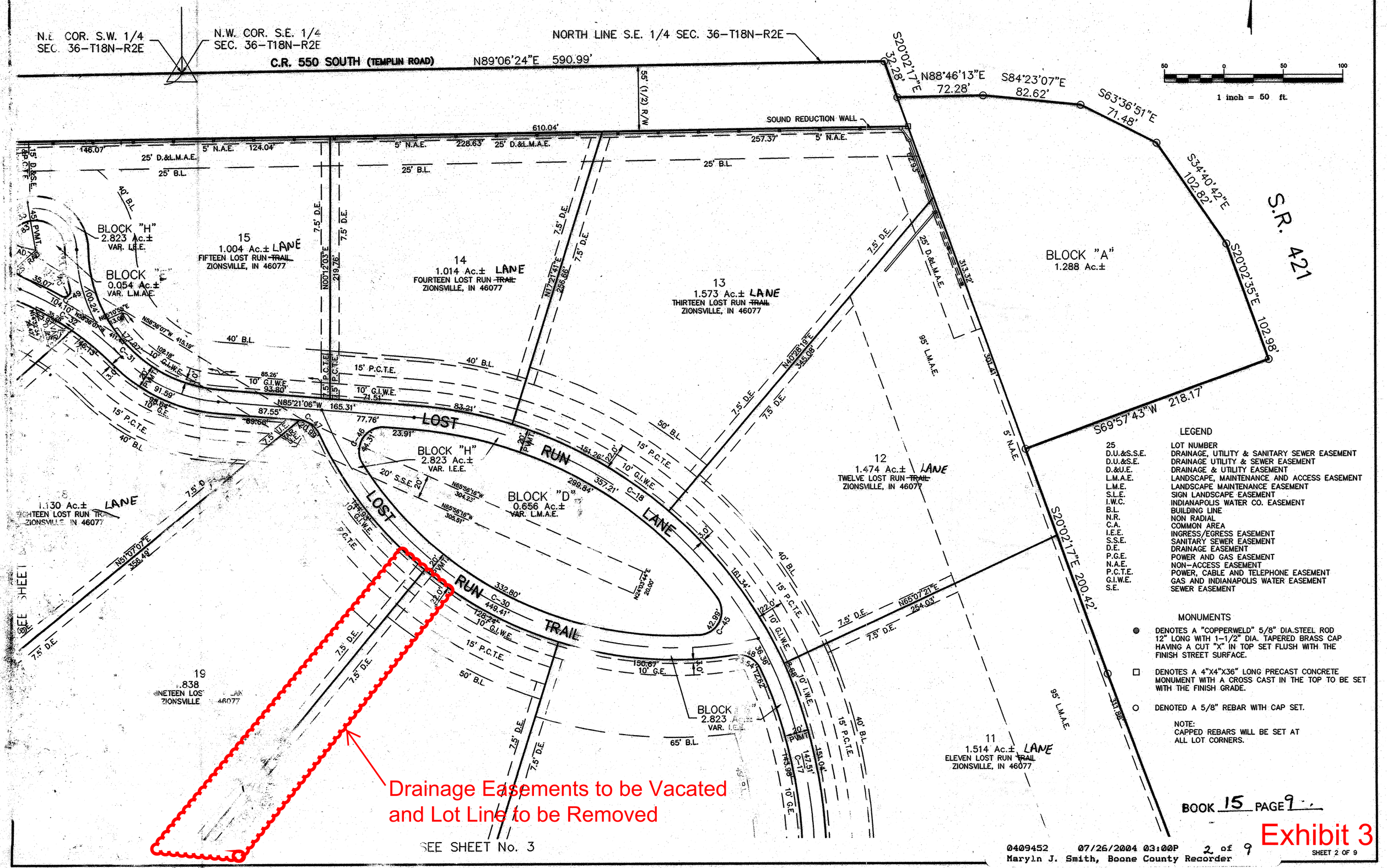
2020-31-RP: Location Map - Exhibit 2

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
FAX: (317)-849-5942

Developed by:
HIGH GROVE DEVELOPMENT, INC.
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290

LOST RUN FARM

SECONDARY PLAT



LEGEND

25	LOT NUMBER
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
L.M.A.E.	LANDSCAPE, MAINTENANCE AND ACCESS EASEMENT
L.M.E.	LANDSCAPE MAINTENANCE EASEMENT
S.L.E.	SIGN LANDSCAPE EASEMENT
I.W.C.	INDIANAPOLIS WATER CO. EASEMENT
B.L.	BUILDING LINE
N.R.	NON RADIAL
C.A.	COMMON AREA
I.E.E.	INGRESS/EGRESS EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
P.G.E.	POWER AND GAS EASEMENT
N.A.E.	NON-ACCESS EASEMENT
P.C.T.E.	POWER, CABLE AND TELEPHONE EASEMENT
G.I.W.E.	GAS AND INDIANAPOLIS WATER EASEMENT
S.E.	SEWER EASEMENT

MONUMENTS

● DENOTES A "COPPERWELD" 5/8" DIA.STEEL ROD 12" LONG WITH 1-1/2" DIA. TAPERED BRASS CAP HAVING A CUT "X" IN TOP SET FLUSH WITH THE FINISH STREET SURFACE.

□ DENOTES A 4"X4"X36" LONG PRECAST CONCRETE MONUMENT WITH A CROSS CAST IN THE TOP TO BE SET WITH THE FINISH GRADE.

○ DENOTED A 5/8" REBAR WITH CAP SET.

NOTE:
CAPPED REBARS WILL BE SET AT ALL LOT CORNERS.

BOOK 15 PAGE 9

Exhibit 3

LOST RUN FARM

SECONDARY PLAT

Drainage Easements to be Vacated & Lot Line to be Removed

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
FAX: (317)-849-5942

Developed by:
HIGH GROVE DEVELOPMENT, INC.
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290

50 0 50 100

1 inch = 50 ft.

LEGEND

25	LOT NUMBER
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
L.M.A.E.	LANDSCAPE, MAINTENANCE AND ACCESS EASEMENT
L.M.E.	LANDSCAPE MAINTENANCE EASEMENT
S.L.E.	SIGN LANDSCAPE EASEMENT
I.W.C.	INDIANAPOLIS WATER CO. EASEMENT
B.L.	BUILDING LINE
N.R.	NON RADIAL
C.A.	COMMON AREA
I.E.E.	INGRESS/EGRESS EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
P.G.E.	POWER AND GAS EASEMENT
N.A.E.	NON-ACCESS EASEMENT
P.C.T.E.	POWER, CABLE AND TELEPHONE EASEMENT
G.I.W.E.	GAS AND INDIANAPOLIS WATER EASEMENT
S.E.	SEWER EASEMENT

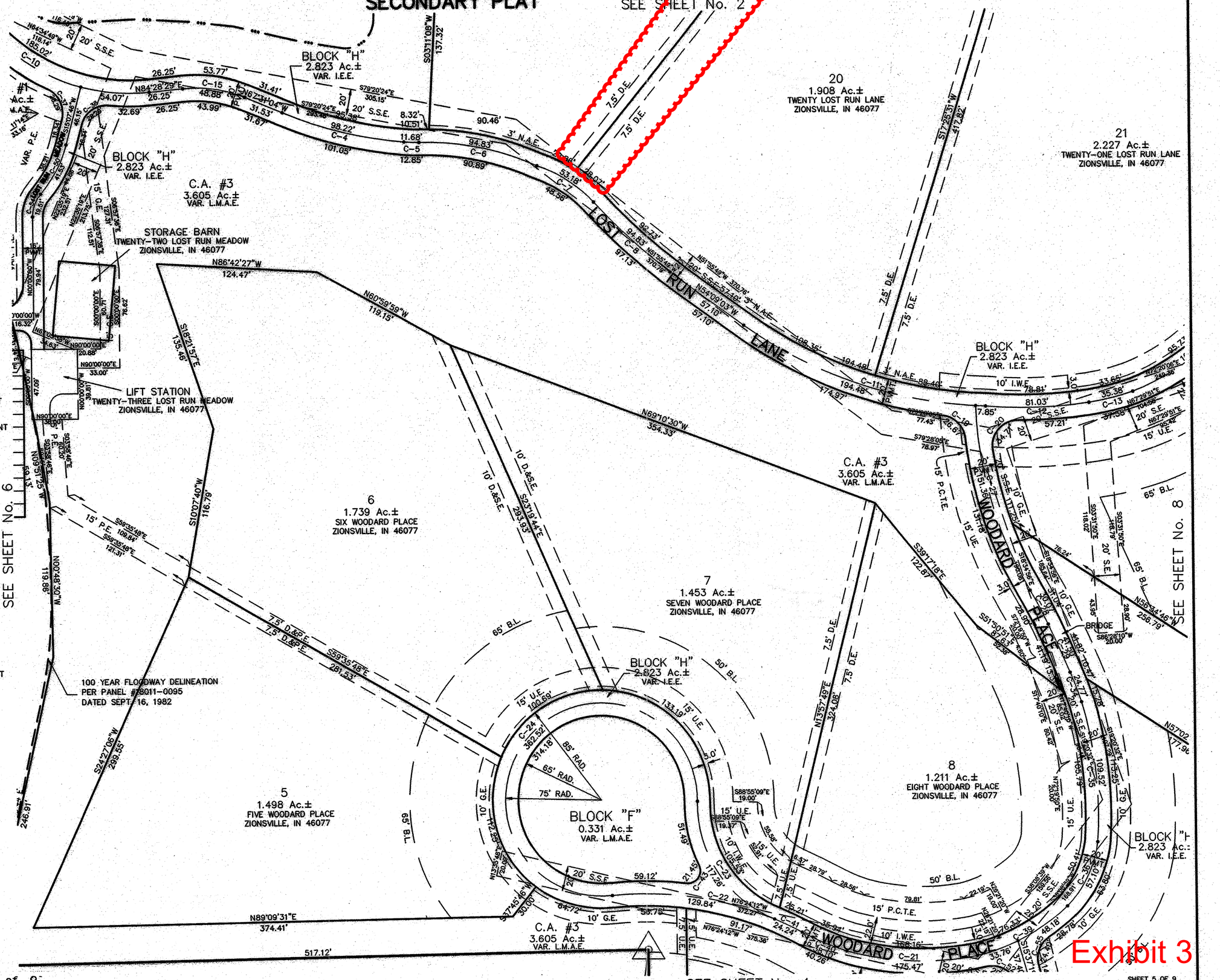
MONUMENTS

● DENOTES A "COPPERWELD" 5/8" DIA.STEEL ROD 12" LONG WITH 1-1/2" DIA. TAPERED BRASS CAP HAVING A CUT "X" IN TOP SET FLUSH WITH THE FINISH STREET SURFACE.

□ DENOTES A 4"X4"X36" LONG PRECAST CONCRETE MONUMENT WITH A CROSS CAST IN THE TOP TO BE SET WITH THE FINISH GRADE.

○ DENOTED A 5/8" REBAR WITH CAP SET.

NOTE:
CAPPED REBARS WILL BE SET AT ALL LOT CORNERS.



BOOK 15 PAGE 12

Exhibit 3

S:\42015S1\dwg\B001-Plat.dwg, Sheet 5, 7/22/2004 4:53:13 PM, bhuff, 1:1

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
FAX: (317)-849-5942

Developed by:
HIGH GROVE DEVELOPMENT, INC.
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290

LOST RUN FARM

I, the undersigned Registered Land Surveyor hereby certify that the included plat correctly represents a subdivision as a part of the Southwest and Southeast Quarter of Section 36, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter Section; thence North 89 degrees 01 minutes 28 seconds East (assumed bearing) along the North line of said Quarter Section 1,524.56 feet to the POINT OF BEGINNING of this description; thence continuing North 89 degrees 01 minutes 28 seconds East along said North line 1,138.84 feet to the Northeast corner of said Southwest Quarter, said point also being the Northwest corner of the said Southeast Quarter Section; thence North 89 degrees 06 minutes 24 seconds East along the North line of the said Southeast Quarter Section 590.99 feet; thence South 20 degrees 02 minutes 17 seconds East 32.28 feet; thence North 88 degrees 46 minutes 13 seconds East 72.28 feet; thence South 84 degrees 23 minutes 07 seconds East 82.62 feet; thence South 63 degrees 36 minutes 51 seconds East 71.48 feet; thence South 34 degrees 40 minutes 42 seconds East 102.82 feet; thence South 20 degrees 02 minutes 35 seconds East 102.98 feet; thence South 69 degrees 57 minutes 43 seconds West 218.17 feet; thence South 20 degrees 02 minutes 17 seconds East 200.42 feet; thence South 20 degrees 21 minutes 17 seconds East 437.59 feet; thence South 21 degrees 11 minutes 07 seconds East 667.79 feet; thence South 89 degrees 37 minutes 19 seconds West 1,162.24 feet to a point on the West line of said Southeast Quarter, said point also being on the East line of Raintree Place, Section Two B recorded in Plat Book Six, Page Three, in the Office of the Recorder of Boone County, Indiana, the following two (2) courses on and along the northern boundary of said Raintree Place Section 2B; (1) North 00 degrees 20 minutes 46 seconds West along the West line of said Quarter Section, 221.94 feet to the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; (2) South 89 degrees 09 minutes 31 seconds West along the North line of the Southeast Quarter of the Southwest Quarter of said Section 36, 1,325.54 feet to the Northwest corner of the Southeast Quarter of the Southwest Quarter; thence South 00 degrees 36 minutes 44 seconds East along the West line of the Southeast Quarter of said Southwest Quarter Section 767.82 feet; thence North 89 degrees 34 minutes 25 seconds West 514.33 feet to a point on the thread-line of Little Eagle Creek, the following Sixteen (16) calls being on said thread-line; (1) North 05 degrees 22 minutes 21 seconds West 249.25 feet; (2) North 08 degrees 07 minutes 53 seconds East 221.53 feet; (3) North 12 degrees 51 minutes 18 seconds West 120.46 feet; (4) North 00 degrees 04 minutes 56 seconds East 50.76 feet; (5) North 49 degrees 34 minutes 43 seconds East 34.68 feet; (6) South 70 degrees 34 minutes 33 seconds East 31.21 feet; (7) South 50 degrees 16 minutes 46 seconds East 60.11 feet; (8) South 68 degrees 07 minutes 10 seconds East 57.66 feet; (9) North 50 degrees 31 minutes 49 seconds East 61.84 feet; (10) North 20 degrees 35 minutes 49 seconds East 124.34 feet; (11) North 49 degrees 19 minutes 55 seconds East 137.08 feet; (12) North 67 degrees 27 minutes 30 seconds East 71.75 feet; (13) North 32 degrees 07 minutes 45 seconds East 143.60 feet; (14) North 10 degrees 15 minutes 40 seconds West 118.21 feet; (15) North 17 degrees 57 minutes 58 seconds West 157.04 feet; (16) North 00 degrees 08 minutes 50 seconds West 69.50 feet; thence North 90 degrees 00 minutes 00 seconds East 40.07 feet; thence North 11 degrees 08 minutes 40 seconds East 294.89 feet; thence North 28 degrees 15 minutes 27 seconds East 274.05 feet to the said thread-line of Little eagle Creek, the following Two (2) calls being on said thread-line; (1) North 34 degrees 01 minutes 12 seconds East 65.09 feet; (2) North 05 degrees 03 minutes 41 seconds East 185.28 feet to the place of beginning, containing 80.917 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

This subdivision consists of 21 lots numbered 1-21 (both inclusive), 4 Common Areas labeled C.A.#1-4, and 8 Blocks labeled "Block A-H" (both inclusive). The size of lots and width of streets are shown in feet and decimal parts thereof.

I, the undersigned, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana and that the within plat represents a subdivision of the lands surveyed within the cross referenced survey plat, and that to the best of my knowledge and belief there has been no change from the matters of the survey revealed by the cross-reference survey on any lines that are common with the new subdivision.

Witness my signature this 22ND day of JULY, 2004.

S/42015/legal/summe south
November 25, 2002
(R) KRG (F) GDK
Revised: January 31, 2003
Revised: June 2, 2003
BAH(R) EEF(F)
Revised: June 17, 2004
BAH(R) BMK(F)
Revised: July 15, 2004
BAH(R) EEF(F)

Dennis D. Olmstead
Registered Land Surveyor
No. 900012

DENNIS D. OLMSTEAD REGISTERED No. 900012 STATE OF INDIANA LAND SURVEYOR

PLAN COMMISSION APPROVAL

The Building Commissioner of the Town of Zionsville has reviewed this Plat for technical conformity with the standards fixed in the Zionsville Zoning Ordinance and the Zionsville Subdivision Control Ordinance and hereby certifies that this Plat meets all of the minimum requirements of the applicable ordinances and requirements of the Town of Zionsville, Boone County, Indiana.

By: Lana Funkhouser
Printed: LANA FUNKHOUSER

Date: 7/26/04

We, the undersigned, do hereby certify that under authority provided by the Indiana Planning Law, IC 36-7-4, et. seq., enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto, the Plat depicted herein is the Plat which was given approval by the Town of Zionsville Plan Commission at a meeting held on the 21st day of April, 2004.

Witness by signature this 26 day of July, 2004

TOWN OF ZIONSVILLE PLAN COMMISSION

Signature: Lana Funkhouser
Printed: LANA FUNKHOUSER
Title: President

Signature: [illegible]
Printed: TERRY J. JONES
Title: Secretary

SURVEYOR CERTIFICATION

I, Dennis D. Olmstead, hereby certify that:

The within Plat is a representation of the lands surveyed, subdivided and platted under my direct supervision and control and that it is true and correct to the best of my knowledge and belief;

This Subdivision consists of 21 lots, numbered 1 through 21, together with Common Areas, Streets, and Easements as shown on the within Plat;

The size of the Lots, Common Areas and Widths of Streets and Easementare shown in figures denoting feet and decimal parts thereof;

All monuments shown on the within Plat actually exist and their location, size, type and material are accurately shown;

The boundary survey of this plat is in conformity with 865 IAC 1-12; and,

The within Plat complies with the provisions of the Town of Zionsville Subdivision Control Ordinance.

Witness by signature this 22ND day of JULY, 2004

Dennis D. Olmstead
Registered Land Surveyor
No. 900012

DENNIS D. OLMSTEAD REGISTERED No. 900012 STATE OF INDIANA LAND SURVEYOR

DULY ENTERED FOR TAXATION
7-26-04
Gretchen Smith
SUBJECT TO FINAL ACCEPTANCE
AUDITOR, BOONE COUNTY

BOOK 15 PAGE 16

0409452 07/26/2004 03:00P 9 of 9
Maryln J. Smith, Boone County Recorder

DEDICATION STATEMENT

We Highgrove Development, Inc. and Lost Run Farms, LLC (jointly and severally, the "Declarant"), do hereby certify that we are the Owner(s) of the real estate property located in the Town of Zionsville, Boone County, Indiana, according to deed recorded in Book ____ Page ____, of the official records of the Recorder of Boone County Indiana, and further described as follows:

Now therefore know all persons by these presents that we do hereby lay off, plat and subdivide said Real Estate in accordance with the within Plat.

This Subdivision shall be known as Lost Run Farm, an addition to the Town of Zionsville, Boone County, Indiana.

All streets, alleys, ways and public open spaces shown on the within Plat, other than Templin Road, are designated as private on the plat and as approved by the Plan Commission shall be privately owned, operated and maintained.

Front building setback lines are hereby established as shown on the within Plat, between which lines and street right-of-way lines no building or structure (except for parking areas, driveways and interior access drives) shall be erected or maintained.

All storm water drainage, water and sanitary sewer easements shown on this Plat are hereby dedicated to the Town of Zionsville exclusively for, and limited to, storm water, drainage, water and sanitary sewer purposes, save and except for those storm water drainage, water, and sanitary sewer easements specifically identified as private on the plat and approved by the Plan Commission to be privately owned operated and maintained. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities. The easement areas of such Lot shall be continuously maintained as a yard area by the Owner of the Lot, except for those improvements which are the responsibility of a public authority or utility company to maintain.

Any dedication of easements to the Town of Zionsville shall be limited to the purposes set forth by specific notation on the Plat or by separate instrument, including the Declaration of Covenants and Restrictions of Lost Run Farm. The plat legend for the location of private easements and dedicated easements merely show the location of the areas for such private easements and dedicated easements on the Plat. Such areas are reserved for the use of the Declarant and for private utilities, public, quasi-public and governmental agencies as set forth in the Declaration of Covenants and Restrictions for Lost Run Farm and this Plat. Any dedication of easements shall be subject to all easements granted by the Declarant or the subsequent developer of Lost Run Farm, including, without limitation, the common service easement and restrictions to be recorded by Declarant or its assigns. In addition, any communication and common services permitted by Declarant or its assigns shall not be allowed to be installed in, over or under the dedicated easements without the prior written consent of the Declarant, or its designees, successors or assigns, which may be granted in their sole and complete discretion.

Within drainage easements, no structure, planting or other material shall be placed or permitted to remain which may change the direction of flood or drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. The drainage easement of each Lot and all improvements in the drainage easement, including slope and drainage pattern, shall be continuously maintained as a yard area by the Owner of the Lot, except for those improvements which are the responsibility of a public authority or utility to maintain.

1-1
Town of Zionsville
The first five (5) feet of any utility easement which is located along a street right-of-way shall be reserved for use as a Town of Zionsville utility easement exclusively for sewer and water purposes, and shall be used for the installation and maintenance of fire hydrants, meter pits, and similar appurtenances approved by the Town Engineer. Any utility that has obtained an easement from Declarant or its assigns shall have the right to cross the first five (5) feet of said utility easement at or near perpendicular; provided, however, such right to cross utility easements shall be subject to all easements granted by the Declarant or its successors and assigns, including, without limitation, the common services easements and restrictions to be entered into and recorded by Declarant or its assigns. No other utilities or appurtenances thereto shall be installed within the first five (5) feet of said utility easement without the written approval of the Town Engineer and Declarant or its successors or assigns.

Title to the foregoing real estate is subject to a certain Declaration of Covenants, Conditions and Restrictions of Lost Run Farm dated July 23, 2004 as Instrument Number 0409453, in the Office of the Recorder of Boone County, Indiana, as the same may be amended or supplemented. Such Declaration and the covenants and restrictions set forth therein run with the land described herein and are incorporated herein by reference. Each Owner of the Site depicted on this Plat shall take title to such site subject to the terms and conditions of such Declaration.

In *Witness whereof*, Declarant has executed this instrument this 23rd day of July, 2004.

HIGHGROVE DEVELOPMENT, INC.

By: Richard D. Summe
Printed: Richard D. Summe
Title: President

By: R. Michael Henderson
Printed: R. Michael Henderson
Title: Secretary Treasurer

LOST RUN FARMS, LLC

By: Richard D. Summe
Printed: Richard D. Summe
Title: Member

By: R. Michael Henderson
Printed: R. Michael Henderson
Title: Member

IND501 DRW 686866v1

We hereby lay off and plat this subdivision, which shall be known and designated as Lost Run Farm in the Town of Zionsville, Boone County, Indiana.

This plat is subject to the declaration of covenants, conditions and restrictions of Lost Run Farm recorded as Instrument No. 0409453 and any amendments thereto.

In Testimony whereof, witness the signatures of Owner and Declarant this 23rd day of July, 2004.

Owner/Developer
High Grove Development, Inc.

Richard D. Summe, President

R. Michael Henderson, Secretary Treasurer

State of Indiana)
) SS
County of Marion)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard D. Summe, President, R. Michael Henderson, Secretary Treasurer of High Grove Development, Inc., and acknowledged the execution of this Instrument as his voluntary act and deed and affixed his signature thereto.

Witness my signature and seal this 23rd day of July, 2004.

Notary Public: Charlene S. Lee
Print Name: Charlene S. Lee

County of Residence: Hendricks
My commission expires: July 18, 2006

FORMS/OWNSIGN

Exhibit 3

S:\42015S1\dwg\B001-Plat.dwg, Sheet 9, 7/22/2004 4:02:53 PM, bhuff, 1:1

STATE OF INDIANA	)	BEFORE THE TOWN COUNCIL
	) SS:	OF THE TOWN OF ZIONSVILLE,
COUNTY OF BOONE	)	INDIANA

PETITION FOR VACATION OF DRAINAGE EASEMENT

Daniel Towriss ("Petitioner"), by counsel, Roger L. Burrus, for his Petition for Vacation of Drainage Easement, states as follows:

1. Petitioner is the owner of two (2) adjoining parcels of real estate commonly known as 19 Lost Run Lane and 20 Lost Run Lane, Zionsville, Boone County, Indiana, the legal description of which is:

> Lots numbered 19 and 20 in Lost Run Farm, a subdivision in the Town of Zionsville, Boone County, Indiana, as per plat thereof recorded on July 26, 2004, in Plat Book 15, page 8, as Instrument No. 0409452 and Certificate of Correction recorded November 23, 2004 as Instrument No. 0414448, in the Office of the Recorder of Boone County, Indiana.

2. Petitioner's residence is on Lot 20. Lot 19 is currently unimproved except for a stone aggregate driveway. Petitioner plans to construct and install landscaping including plantings and pathways and other amenities on Lot 19, extending across the common boundary line. Petitioner is also filing a petition with the Zionsville Plan Commission to re-plat Lots 19 and 20 into combined lot "20-R."

3. Pursuant to the Plat for Lost Run Farm, there exists, on both sides of the common boundary line between Lots 19 and Lot 20, platted but unused drainage easements, 7.5' in width on each side of the common boundary line (the "Drainage Easements).

4. Under Indiana Code 36-7-3 et. seq., and IC 6-7-4-711, the Plan Commission has exclusive jurisdiction of the vacation of all or parts of a plat, but the Town Council has jurisdiction and authority over vacation of a public way or place or platted easements. See IC 36-7-3-12, IC 36-7-3-16(a), and Section 5.2 of the Zionsville Subdivision Control Ordinance.

5. The streets in Lost Run Farm subdivision are privately owned and maintained; therefore, the Drainage Easements are not needed for street or other common area drainage.

6. Lot 19 adjoins a retention pond for the Lost Run Farm subdivision, which serves as an outlet for surface water drainage from both Lots 19 and 20. Petitioner is not materially changing the surface water drainage of such lots.

7. Petitioner's counsel has discussed this petition with the management company for the Lost Run Farm Homeowners Association, which indicated they would have no objection to the re-plat or the vacation of the Drainage Easements so long as Petitioner continues to pay lot dues

and assessments for two (2) lots.

8. There are no other property owners abutting the Drainage Easements are there are private roadways at both ends of such easements.

9. To Petitioner's knowledge, the Drainage Easements contain no other easements or municipal utilities. If any public utility is occupying and using all or part of the Drainage Easements, Indiana Code Section 36-7-3-16 provides for the continued use thereof.

10. The Subdivision Control Ordinance requires disposition of this petition prior to the Plan Commission's consideration of the petition to re-plat Lots 19 and 20.

11. Vacation of the Drainage Easements will be of benefit to the Town and Petitioner in that Petitioner will be able to construct additional improvements on his property, adding to the assessed valuation, without any impact on the drainage of such lots.

WHEREFORE, the Petitioner respectfully requests that the Town Council for the Town of Zionsville vacate the Drainage Easements in accordance with Indiana Code Section 36-7-3-12, and for all other proper relief.

Respectfully submitted,

BURRUS & SEASE LLP

By _____
Roger L. Burrus
Attorney for Petitioner

BURRUS & SEASE LLP
410 W. Oak Street
Zionsville, IN 46077
(317) 873-2150
rburrus@burrusandsease.com

LOTS 19 AND 20 IN LOST RUN FARM
EXHIBIT

STOEPPELWERTH & ASSOCIATES, INC
THIS INSTRUMENT PREPARED BY
DENNIS D. OLMSTEAD
7965 E. 106TH STREET
FISHERS, INDIANA 46038
PHONE. (317) 849-5935

THIS INSTRUMENT PREPARED FOR.
DANIEL TOWRISS
20 LOST RUN LANE
ZIONSVILLE, IN 46077
CONTACT: ROGER L. BURRUS, ATTORNEY
317-873-2150
rburrus@burrusandassoc.com

GRAPHIC SCALE

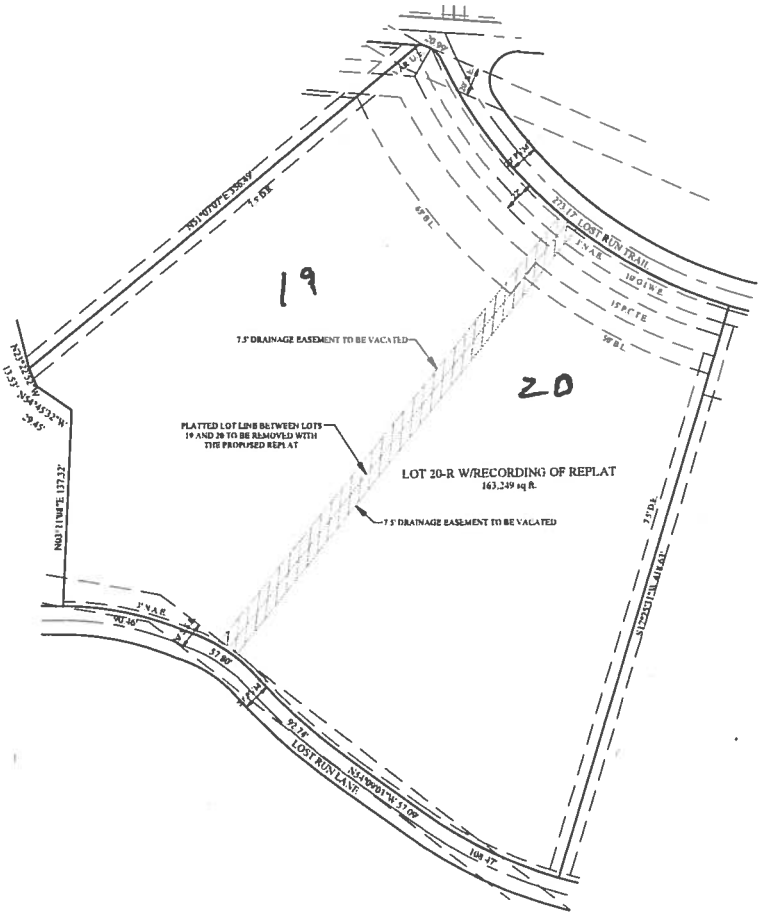
60' 0 30' 60'

(IN FEET)
1" = 60 FT

LEGEND

N.A.E.	NON-ACCESS EASEMENT
B.L.	BUILDING LINE
P.C.T.E.	POWER, CABLE AND TELEPHONE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
G.I.W.E.	GAS AND INDIANAPOLIS WATER EASEMENT
VAR. U.E.	VARIABLE UTILITY EASEMENT

VICINTY MAP
NOT TO SCALE



JOB NO 89954
SHEET 1

LRF 19 20

03/30/2018

Legal Descriptions of Lots 19 and 20 in Lost Run Farm

Lot 19, Parcel 0191825019, Address 19 Lost Run Lane, Zionsville

LOT NUMBER 19 IN LOST RUN FARM, A SUBDIVISION OF EAGLE TOWNSHIP, BOONE COUNTY, INDIANA, AS PER PLAT THEREOF RECORDED ON JULY 26, 2004 IN PLAT BOOK 15, PAGE 8, AS INSTRUMENT NO. 0409452 AND CERTIFICATE OF CORRECTION RECORDED NOVEMBER 23, 2004 AS INSTRUMENT NO. 0414448, IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA.

Lot 20, Parcel 0191825020, Address 20 Lost Run Lane, Zionsville

LOT NUMBER 20 IN LOST RUN FARM, A SUBDIVISION IN EAGLE TOWNSHIP, BOONE COUNTY, INDIANA, AS PER PLAT THEREOF RECORDED JULY 26, 2004 IN PLAT BOOK 15, PAGES 8-16 AS INSTRUMENT NO. 0409452, IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA.

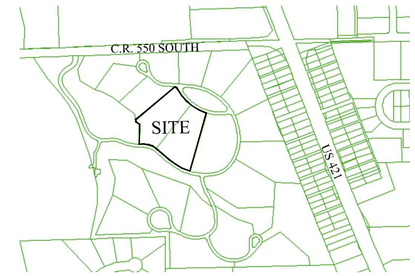
PHONE: (317) 523-6116

STOEPPELWERTH & ASSOCIATES, INC.
THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
7965 E. 106TH STREET
FISHERS, INDIANA 46038
PHONE: (317) 849-5935

THIS INSTRUMENT PREPARED FOR:
DANIEL TOWRISS
20 LOST RUN LANE
ZIONSVILLE, IN 46077
CONTACT: ROGER L. BURRUS, ATTORNEY
317-873-2150
rburrus@burrusandease.com

REPLAT OF LOTS 19 AND 20
LOST RUN FARM

(PREVIOUSLY RECORDED AS INSTRUMENT #0409452, BOOK #15, PAGES #8-16,
IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA)



VICINTY MAP
NOT TO SCALE

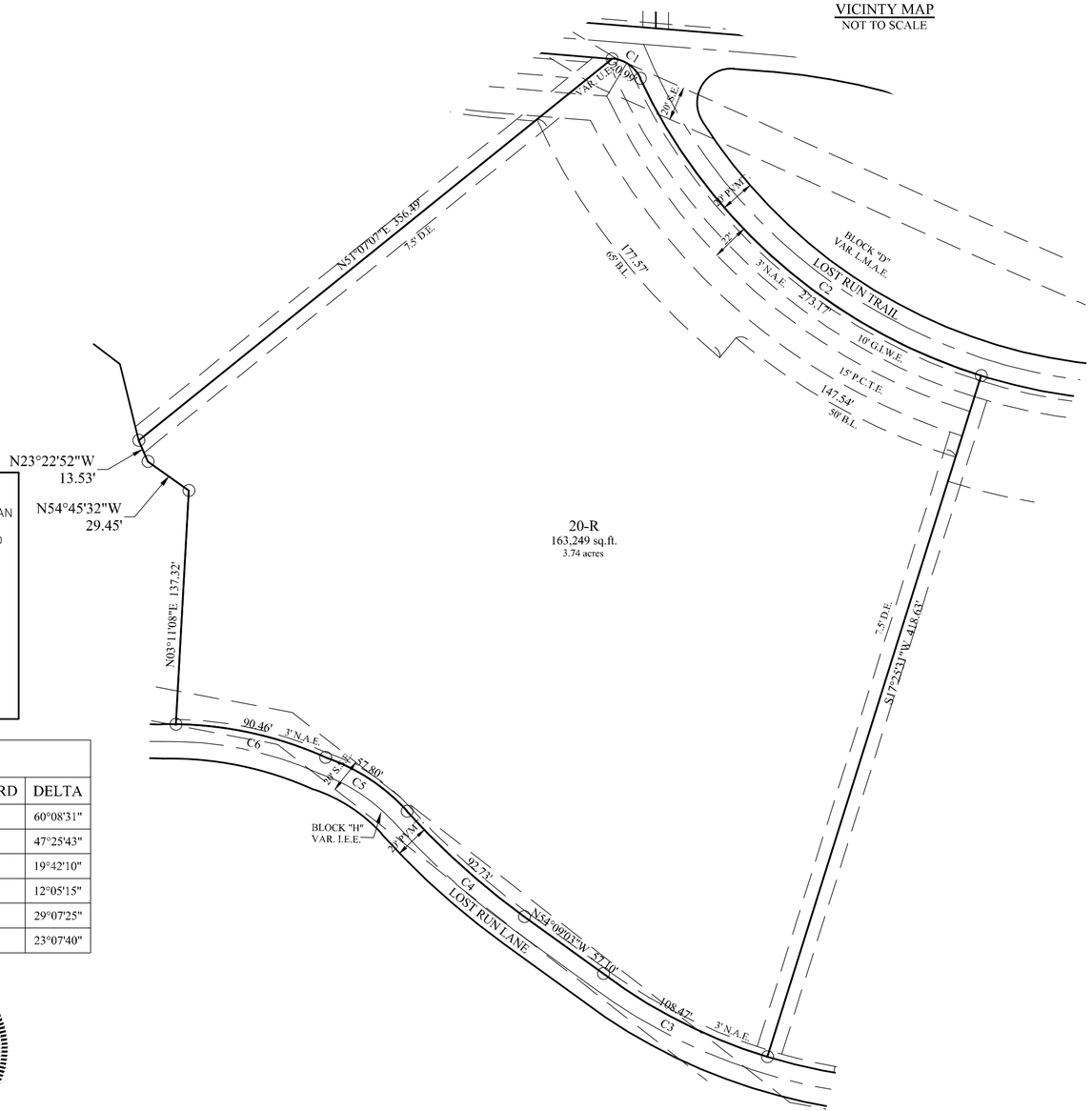
GRAPHIC SCALE

60' 0 30' 60'

(IN FEET)
1" = 60 FT

LEGEND

N.A.E.	NON-ACCESS EASEMENT
B.L.	BUILDING LINE
P.C.T.E.	POWER, CABLE AND TELEPHONE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
G.I.W.E.	GAS AND INDIANAPOLIS WATER EASEMENT
VAR. U.E.	VARIABLE UTILITY EASEMENT
VAR. I.E.E.	VARIABLE INGRESS/EGRESS EASEMENT



SUBDIVISION MONUMENTATION

PER INDIANA ADMINISTRATIVE CODE (IAC), TITLE 865 IAC 1-12-18, AN AFFIDAVIT, CROSS-REFERENCED TO THIS PLAT, WILL BE RECORDED AFTER THE SUBDIVISION MONUMENTATION HAS BEEN COMPLETED AND MAY BE DELAYED FOR UP TO TWO YEARS FROM THE DATE OF RECORDATION OF THIS PLAT.

MONUMENTS SET OR TO BE SET INCLUDE SUBDIVISION PERIMETER CORNERS, CENTERLINE INTERSECTIONS, CENTERLINE POINTS OF CURVATURE, CENTERLINE POINTS OF TANGENCY AND INTERIOR LOT/PARCEL CORNERS (INCLUDING BEGINNING AND ENDS OF CURVES AND THE INTERSECTION OF LOT/PARCEL LINES).

○ DENOTES A 5/8"DIAMETER X 30"LONG REINFORCING BAR (REBAR) WITH CAP STAMPED "S&A FIRM #0008"SET FLUSH WITH THE FINISH GRADE

CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD	DELTA
C1	20.99'	20.00'	11.58'	S55°17'06"E	20.04'	60°08'31"
C2	273.17'	330.00'	144.96'	S48°55'58"E	265.44'	47°25'43"
C3	108.47'	315.44'	54.78'	N63°08'38"W	107.94'	19°42'10"
C4	92.73'	439.56'	46.54'	N48°06'25"W	92.56'	12°05'15"
C5	57.80'	113.71'	29.54'	N56°37'30"W	57.18'	29°07'25"
C6	90.46'	224.11'	45.86'	N77°29'45"W	89.85'	23°07'40"

DENNIS D. OLMSTEAD
REGISTERED
No. 900012
STATE OF INDIANA
LAND SURVEYOR

Dennis D. Olmstead
Registered Land Surveyor
No. 900012

JOB NO. 89954
SHEET 1 OF 2

STOEPPELWERTH & ASSOCIATES, INC.
THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
7965 E. 106TH STREET
FISHERS, INDIANA 46038
PHONE: (317) 849-5935

THIS INSTRUMENT PREPARED FOR:
DANIEL TOWRISS
20 LOST RUN LANE
ZIONSVILLE, IN 46077
CONTACT: ROGER L. BURRUS, ATTORNEY
317-873-2150
rburrus@burrusandease.com

REPLAT OF LOTS 19 AND 20
LOST RUN FARM

(PREVIOUSLY RECORDED AS INSTRUMENT #0409452, BOOK #15, PAGES #8-16,
IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA)

DEDICATION CERTIFICATE

I, the undersigned, Daniel Towriss, owner of the Real Estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby plat and subdivide, said Real Estate in accordance with the within Plat.

This subdivision shall be known and designated as the Re-plat of Lots 19 and 20 in Lost Run Farm. The purpose of this re-plat is to combine Lots 19 and 20 to form Lot 20-R.

Front building setback lines are hereby established as shown on the within Plat, between which lines and street right-of-way lines no building or structure (except for parking areas, driveways and interior access drives) shall be erected or maintained.

All storm water drainage, water and sanitary sewer easements shown on this Plat are hereby dedicated to the Town of Zionsville, save and except for those storm water, drainage, water and sanitary sewer easements specifically identified as private on the plat and approved by the Plan Commission to be privately owned, operated and maintained. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities. The easement areas of each Lot shall be continuously maintained as a yard area by the Owner of the Lot, except for those improvements which are the responsibility of a public authority or utility company to maintain.

The first five (5) feet of any utility easement which is located along a street right-of-way shall be reserved for use as a Town of Zionsville utility easement for sewer and water, shall be used for the installation and maintenance of fire hydrants, meter pits, and similiar appurtenances approved by the Town Engineer. All other utility companies shall have the right to cross the first five (5) feet of said utility easement at or near perpendicular. No other utilities or appurtenances thereto shall be installed within the first five (5) feet of said utility easement without the written approval of the Town Engineer.

Title to the foregoing real estate is subject to a certain Declaration of Covenants and Restrictions of Lost Run Farm, recorded on July 26, 2004, in the Office of the Recorder for Boone County, Indiana, as Instrument #0409453. The original Declaration has been subsequently amended on a number of occasions and ultimately replaced with the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions for Lost Run Farm, recorded on July 12, 2018, in the Office of the Recorder for Boone County, Indiana, as Instrument #2018006153. Such Declaration and the Covenants and Restrictions set forth therein run with the land described herein and are incorporated herein by reference. Each owner of a Lot and/or Common Areas depicted on this plat shall take title to such lot subject to the terms and conditions of such declaration.

Witness our Hands and Seals this _____ day of_____ , 2020

Owner: Lot 20R
Daniel Towriss
20 Lost Run Lane
Zionsville, IN 46077

_____
Daniel Towriss
Owner

State of Indiana)
) SS
County of_____)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Daniel Towriss, owner of Lot 20R in Lost Run Farm and acknowledged the execution of the foregoing instrument as their voluntary act and deed, for the purposes herein expressed.

Witness my signature and seal this _____day of _____,2020.

County of Residence: _____ _____
Notary Public

My Commission Expires:_____ _____
Printed Name

PLAN COMMISSION APPROVAL

The Town Engineer and Building Commissioner of the Town of Zionsville have reviewed this Plat for technical conformity with the standards fixed in the Zionsville Zoning Ordinance and the Zionsville Subdivision Control Ordinance and hereby certifies that this Plat meets all of the minimum requirements of the applicable ordinances and requirements of the Town of Zionsville, Boone County, Indiana.

By: _____ By: _____

Printed:_____ Printed:_____
Building Commissioner
Town of Zionsville,
Boone County, Indiana

Town of Engineer
Town of Zionsville,
Boone County, Indiana

Date:_____ Date:_____

We, the undersigned, do hereby certify that under authority provided by the Indiana Planning Law, IC 36-7-4, et. seq., enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto, the Plat depicted herein is the Plat which was given approval by the Town of Zionsville Plan Commission at a meeting held on the _____ day of _____, _____

Witness by signature this _____ day of _____, 2020.

TOWN OF ZIONSVILLE PLAN COMMISSION

Signature_____ Signature_____

Printed_____ Printed_____

Title: President Title: Secretary

I, the undersigned, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana and that the within plat correctly represents a replat of a previously platted subdivision as cross-referenced herein. To the best of my knowledge and belief, the within Plat complies with the provisions of the Town of Zionsville Subdivision Control Ordinance.

Witness my signature this _____ day of _____, 2020.

DENNIS D. OLMSTEAD
REGISTERED
No.
900012
STATE OF
INDIANA
LAND SURVEYOR

_____
Dennis D. Olmstead
Registered Land Surveyor
No. 900012

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

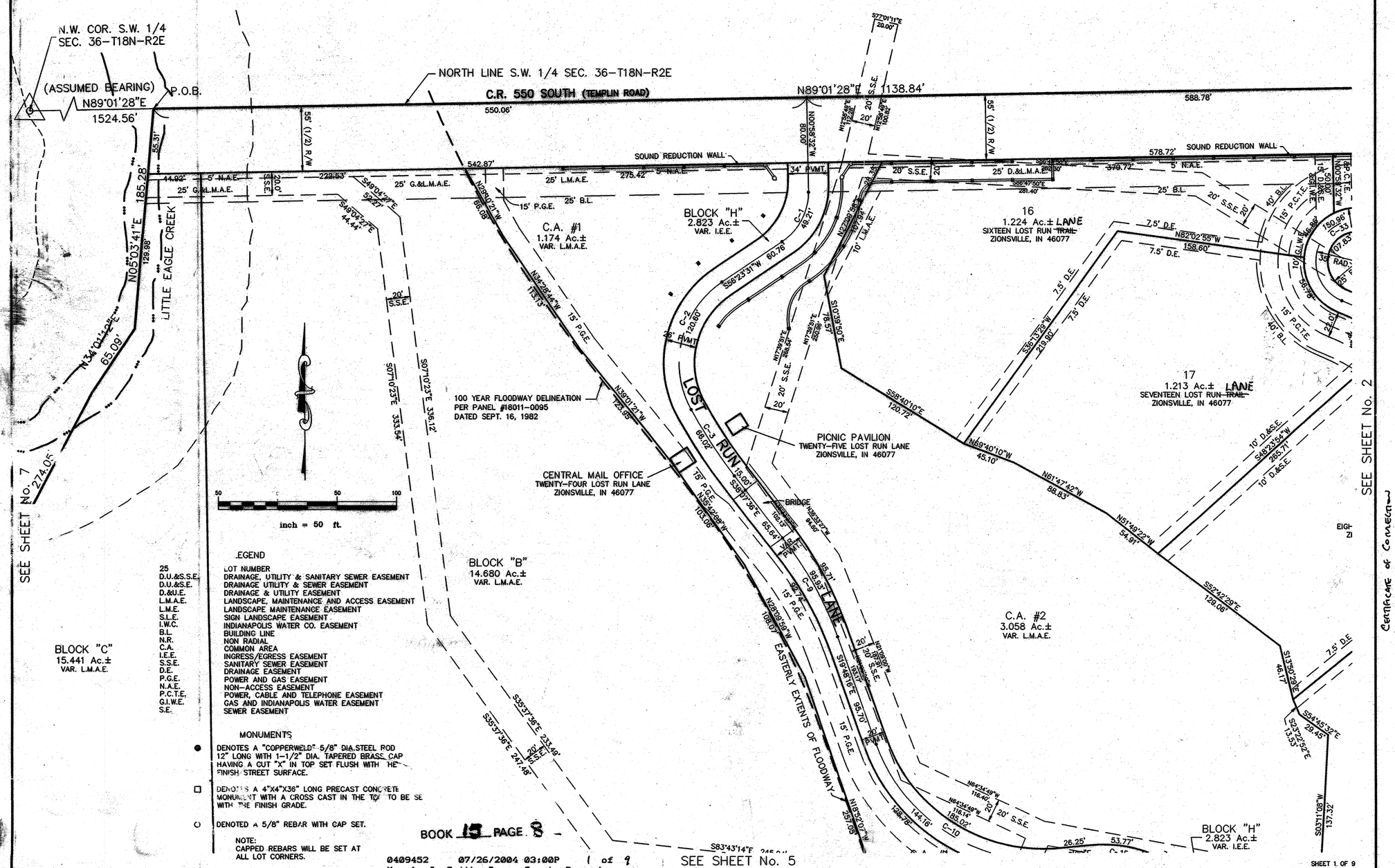
Dennis D. Olmstead, PLS

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
FAX: (317)-849-5942

Developed by:
HIGH GROVE DEVELOPMENT, INC.
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290

LOST RUN FARM

SECONDARY PLAT



LEGEND

25	LOT NUMBER
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
L.M.A.E.	LANDSCAPE, MAINTENANCE AND ACCESS EASEMENT
L.M.E.	LANDSCAPE MAINTENANCE EASEMENT
S.L.E.	SIGN LANDSCAPE EASEMENT
I.W.C.	INDIANAPOLIS WATER CO. EASEMENT
B.L.	BUILDING LINE
N.R.	NON RADIAL
C.A.	COMMON AREA
I.E.E.	INGRESS/EGRESS EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
P.G.E.	POWER AND GAS EASEMENT
N.A.E.	NON-ACCESS EASEMENT
P.C.T.E.	POWER, CABLE AND TELEPHONE EASEMENT
G.I.W.E.	GAS AND INDIANAPOLIS WATER EASEMENT
S.E.	SEWER EASEMENT

MONUMENTS

● DENOTES A "COPPERWELD" 5/8" DIA.STEEL ROD 12" LONG WITH 1-1/2" DIA. TAPERED BRASS CAP HAVING A CUT "X" IN TOP SET FLUSH WITH THE FINISH STREET SURFACE.

□ DENOTES A 4"X4"X36" LONG PRECAST CONCRETE MONUMENT WITH A CROSS CAST IN THE TOP TO BE SET WITH THE FINISH GRADE.

○ DENOTED A 5/8" REBAR WITH CAP SET.

NOTE:
CAPPED REBARS WILL BE SET AT ALL LOT CORNERS.

BOOK 13 PAGE 8

0409452 07/26/2004 03:00P 1 of 9
Maryln J. Smith, Boone County Recorder

SHEET 1 OF 9

Certificate of Correction
Inst. # 0414448

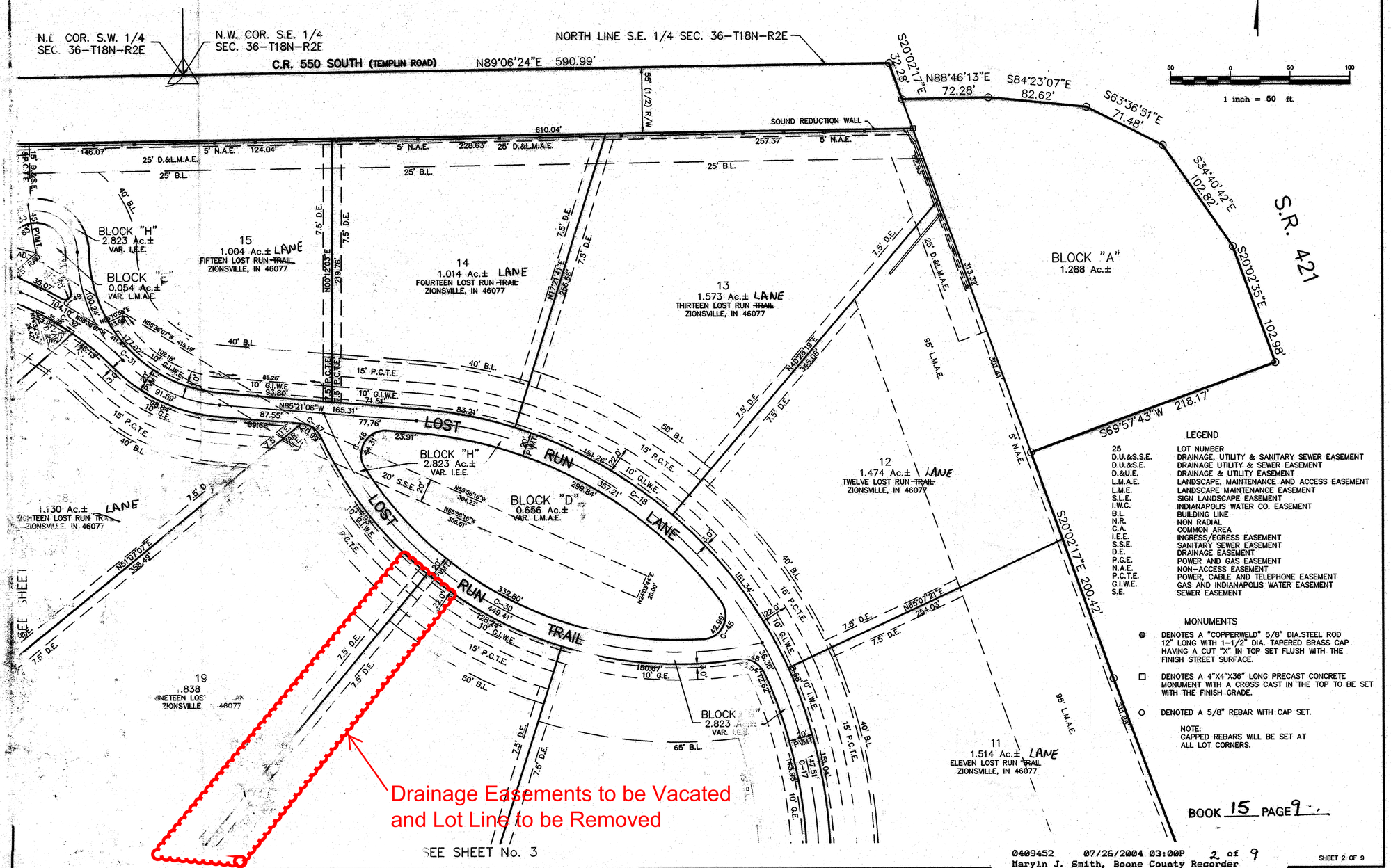
S:\42015S1\dwg\B001-Plat.dwg, Sheet 1, 7/22/2004 4:52:40 PM, bhuff, 1:1

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
FAX: (317)-849-5942

Developed by:
HIGH GROVE DEVELOPMENT, INC.
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290

LOST RUN FARM

SECONDARY PLAT



LEGEND

25	LOT NUMBER
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
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BOOK 15 PAGE 9

0409452 07/26/2004 03:00P 2 of 9
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LOST RUN FARM

SECONDARY PLAT

50 0 50 100

1 inch = 50 ft.

LEGEND

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D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
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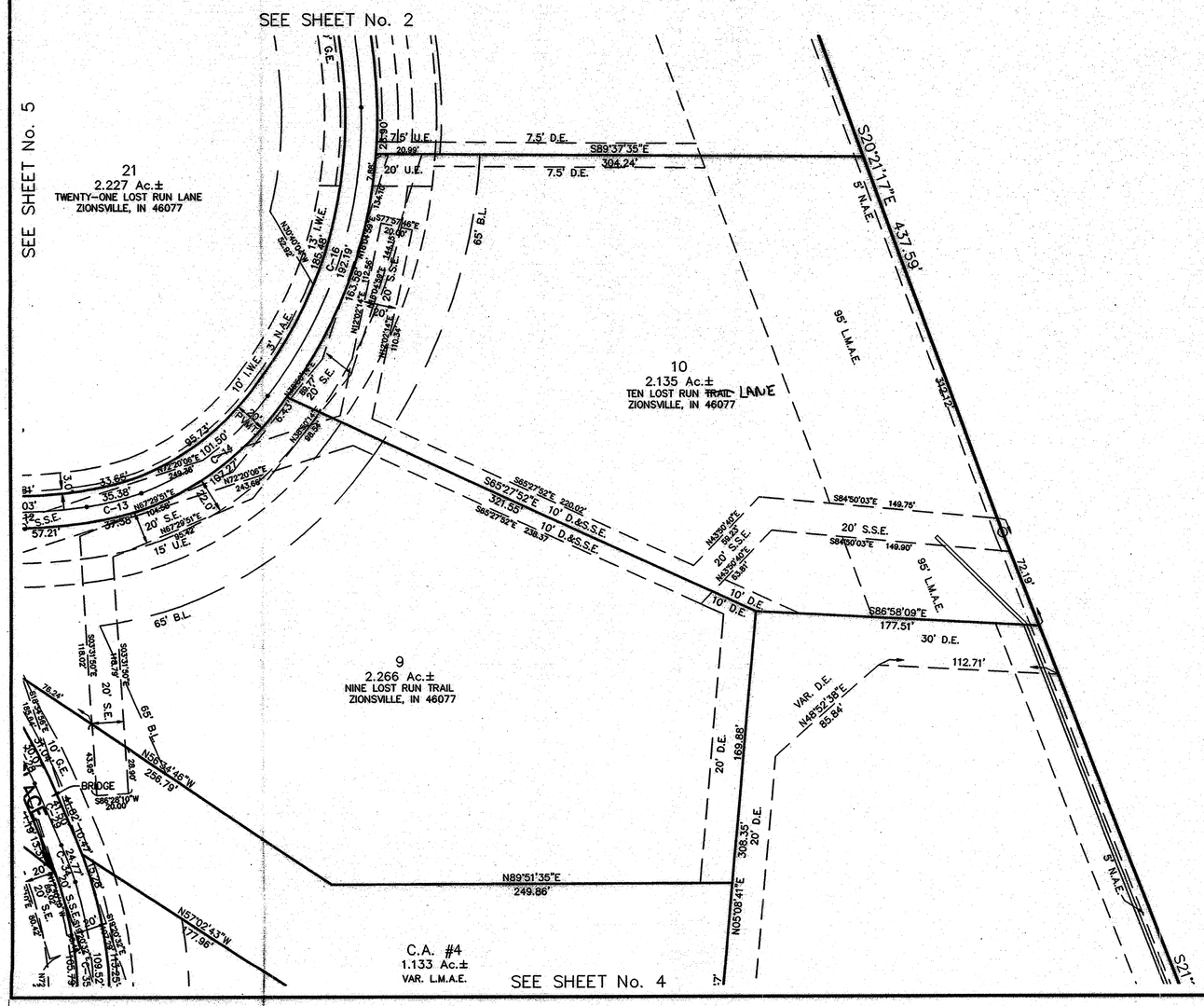

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING	DELTA
C-1	50.00'	49.21'	26.81'	47.25'	N28°11'46"E	56°23'31"
C-2	81.00'	120.60'	74.62'	109.77'	S13°44'18"W	85°18'26"
C-3	412.54'	66.02'	33.08'	65.95'	S33°29'59"E	9°10'08"
C-4	317.88'	98.22'	49.51'	97.83'	S76°10'44"E	17°42'15"
C-5	100.00'	11.68'	5.85'	11.68'	S87°50'23"E	6°41'38"
C-6	214.11'	94.83'	48.21'	94.06'	N78°29'53"W	25°22'37"
C-7	104.38'	53.18'	27.18'	52.61'	N56°44'54"W	29°11'25"
C-8	452.63'	94.83'	47.59'	94.66'	S48°06'29"E	12°00'15"
C-9	300.00'	95.93'	48.38'	95.53'	N28°57'56"W	18°19'19"
C-10	150.00'	198.24'	116.61'	184.12'	S57°39'54"E	75°43'15"
C-11	342.71'	202.33'	104.21'	199.41'	S71°09'32"E	33°49'36"
C-12	345.85'	81.03'	40.70'	80.85'	N88°26'44"E	13°25'27"
C-13	189.48'	35.38'	17.74'	35.33'	N76°15'38"E	10°41'52"
C-14	177.03'	101.50'	52.19'	100.12'	N52°58'33"E	32°51'05"
C-15	100.00'	48.88'	24.94'	48.40'	N81°31'18"W	28°00'27"
C-16	282.05'	192.19'	100.00'	188.50'	N18°08'43"E	39°02'31"
C-17	417.57'	147.51'	74.53'	146.74'	N11°59'49"W	20°14'24"
C-18	365.00'	393.57'	218.37'	374.78'	N54°27'40"W	61°46'51"
C-19	20.00'	26.67'	15.74'	24.74'	N44°28'00"W	76°25'03"
C-20	20.00'	34.71'	23.60'	30.52'	S41°11'48"W	99°26'57"
C-21	190.00'	175.47'	94.55'	169.30'	S87°00'24"E	52°54'50"
C-22	250.00'	154.08'	79.57'	151.65'	N78°12'21"W	35°18'44"
C-23	100.00'	117.26'	66.42'	110.66'	S32°30'42"E	67°11'06"
C-24	75.00'	362.52'	66.42'	99.45'	S42°36'34"W	276°56'34"
C-26	75.00'	86.48'	48.77'	81.77'	N31°51'13"E	66°03'56"
C-27	303.37'	151.36'	77.29'	149.79'	S15°57'41"E	28°35'08"
C-28	310.00'	30.07'	15.05'	30.06'	N27°28'31"W	5°33'27"
C-29	1373.96'	41.50'	20.75'	41.50'	N23°49'52"W	1°43'51"
C-30	320.00'	449.41'	270.74'	413.38'	S62°23'15"E	80°27'58"
C-31	130.00'	191.83'	118.18'	174.89'	S43°04'41"E	84°32'49"
C-32	260.00'	104.10'	52.76'	103.41'	N56°27'14"W	22°56'29"
C-33	35.00'	150.96'	52.76'	58.33'	S55°38'08"W	247°07'12"
C-34	309.92'	24.77'	12.39'	24.76'	N20°30'57"W	4°34'46"
C-35	307.45'	109.52'	55.35'	108.94'	N06°04'55"W	20°24'36"
C-36	92.40'	57.10'	29.49'	56.19'	N25°22'10"E	35°24'09"
C-37	20.00'	28.29'	17.10'	25.99'	N25°23'46"W	81°03'04"
C-38	20.00'	28.29'	17.10'	25.99'	S55°39'18"W	81°03'04"
C-39	151.45'	81.94'	42.00'	80.95'	N60°54'57"E	31°00'06"
C-40	190.00'	38.10'	19.11'	38.04'	S66°17'40"E	11°29'22"
C-41	250.00'	24.24'	12.13'	24.23'	N63°19'37"W	5°33'16"
C-42	175.00'	357.12'	285.15'	298.30'	S80°02'41"E	116°55'25"
C-43	10.00'	21.45'	18.38'	17.57'	N35°42'52"E	122°54'09"
C-44	10.00'	23.97'	25.60'	18.63'	S69°50'34"E	137°19'38"
C-45	20.00'	42.99'	36.95'	35.18'	N24°37'09"E	123°09'18"
C-46	20.00'	44.31'	40.06'	35.79'	S31°10'37"W	126°56'34"
C-47	20.00'	20.99'	11.58'	20.04'	N55°17'06"W	60°08'00"
C-48	20.00'	25.54'	14.85'	23.84'	N62°13'04"W	73°10'41"
C-49	5.00'	11.70'	11.79'	9.21'	N52°29'34"E	134°03'03"
C-50	100.00'	41.53'	21.07'	41.24'	N27°01'40"E	23°47'48"
C-51	213.51'	33.93'	17.00'	33.90'	S20°09'47"E	9°06'20"
C-52	20.00'	29.99'	18.63'	27.26'	N59°11'31"W	85°55'23"
C-53	18.00'	28.27'	18.00'	25.46'	S45°00'00"W	90°00'00"
C-54	28.00'	19.51'	10.17'	19.12'	S19°57'56"W	39°55'53"
C-55	20.00'	24.40'	13.98'	22.92'	S20°36'21"W	69°54'19"

BOOK 15 PAGE 10

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Maryln J. Smith, Boone County Recorder

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LOST RUN FARM

SECONDARY PLAT

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
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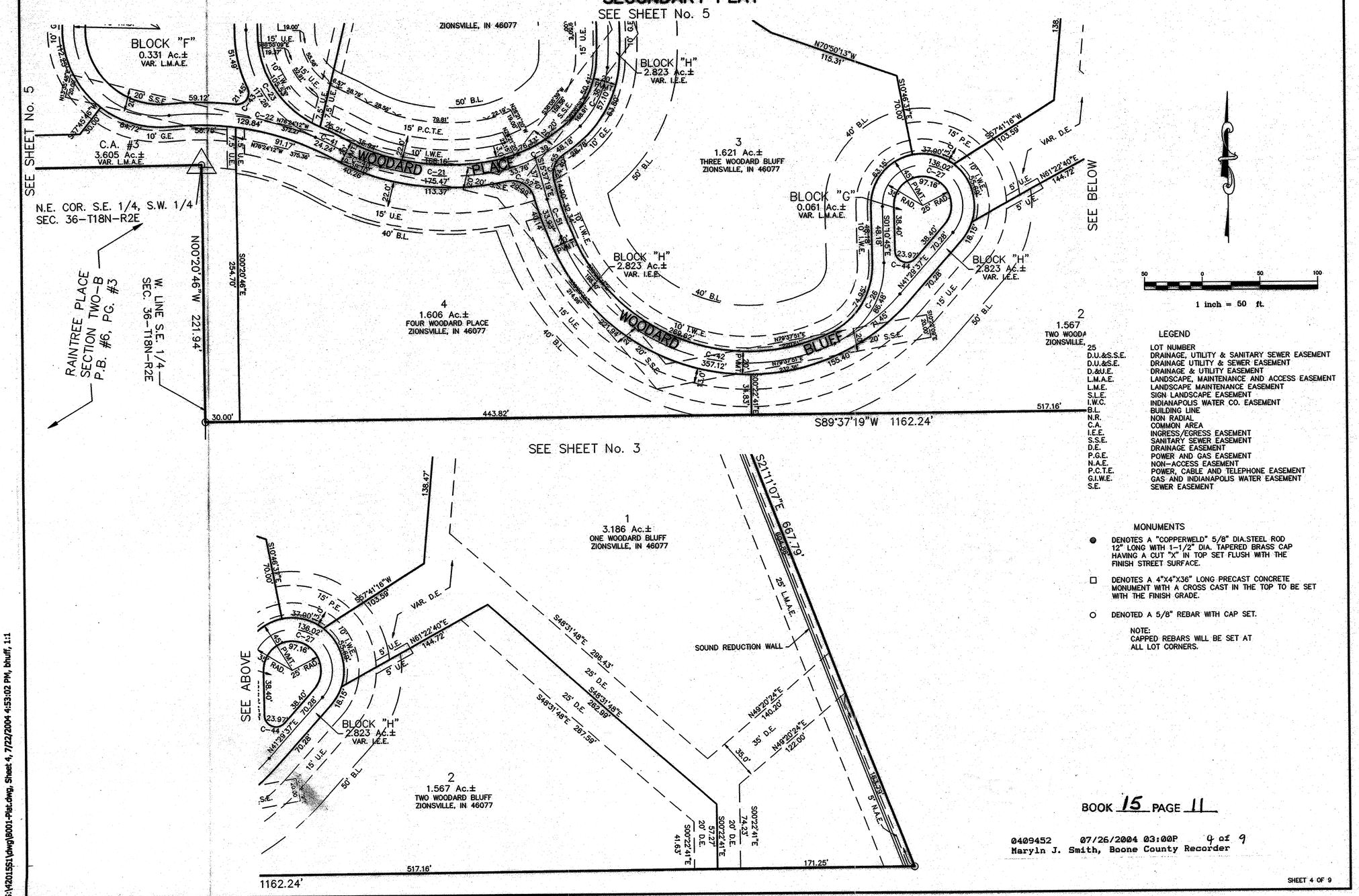

LEGEND

25	LOT NUMBER
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
L.M.A.E.	LANDSCAPE, MAINTENANCE AND ACCESS EASEMENT
L.M.E.	LANDSCAPE MAINTENANCE EASEMENT
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MONUMENTS

● DENOTES A "COPPERWELD" 5/8" DIA.STEEL ROD 12" LONG WITH 1-1/2" DIA. TAPERED BRASS CAP HAVING A CUT "X" IN TOP SET FLUSH WITH THE FINISH STREET SURFACE.

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BOOK 15 PAGE 11

0409452 07/26/2004 03:00P 9 of 9
Maryln J. Smith, Boone County Recorder

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LOST RUN FARM

SECONDARY PLAT

Drainage Easements to be Vacated & Lot Line to be Removed

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1 inch = 50 ft.

LEGEND

25	LOT NUMBER
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
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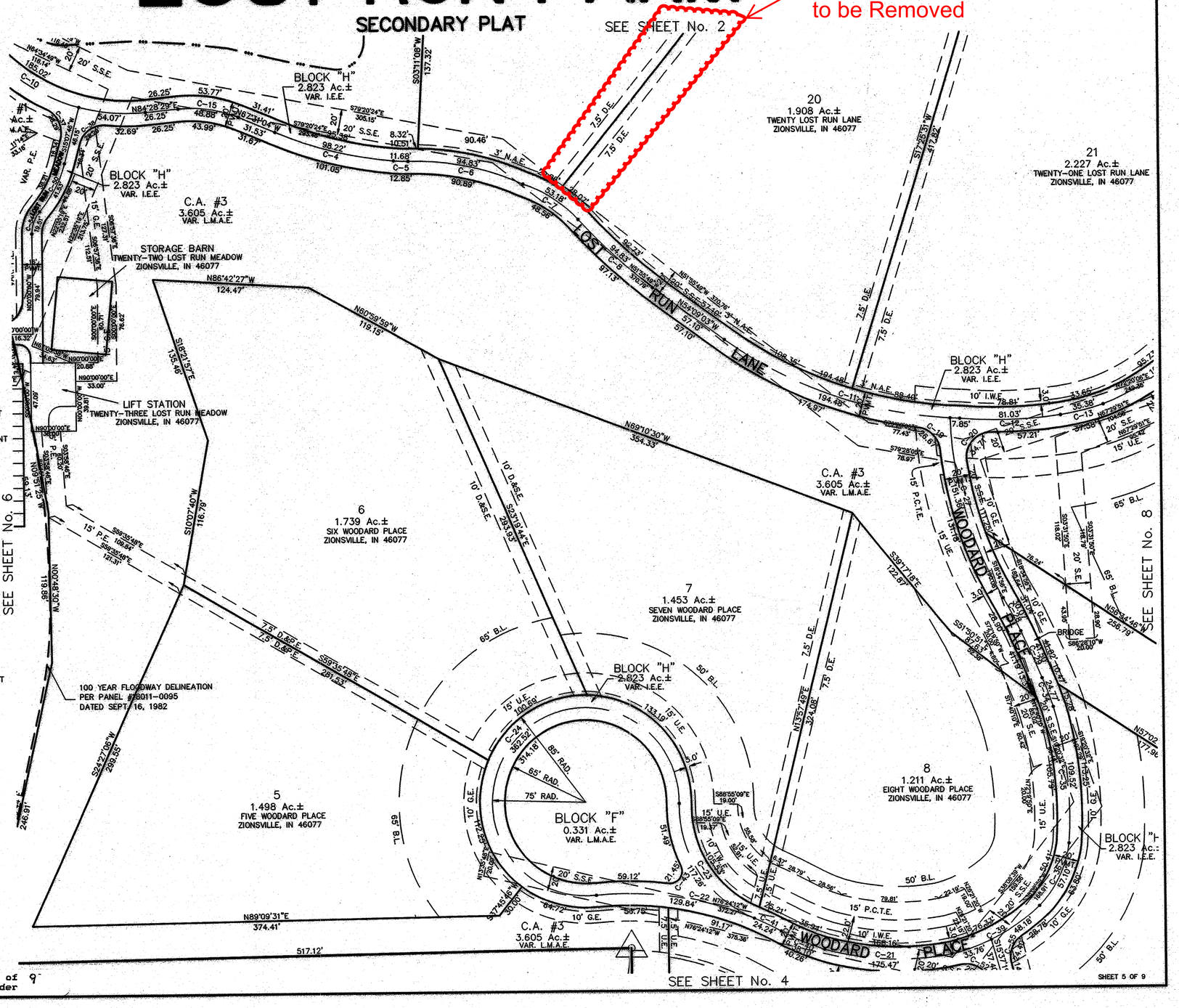

BOOK 15 PAGE 12

S:\42015S1\dwg\B001-Plat.dwg, Sheet 5, 7/22/2004 4:53:13 PM, bhuff, 1:1

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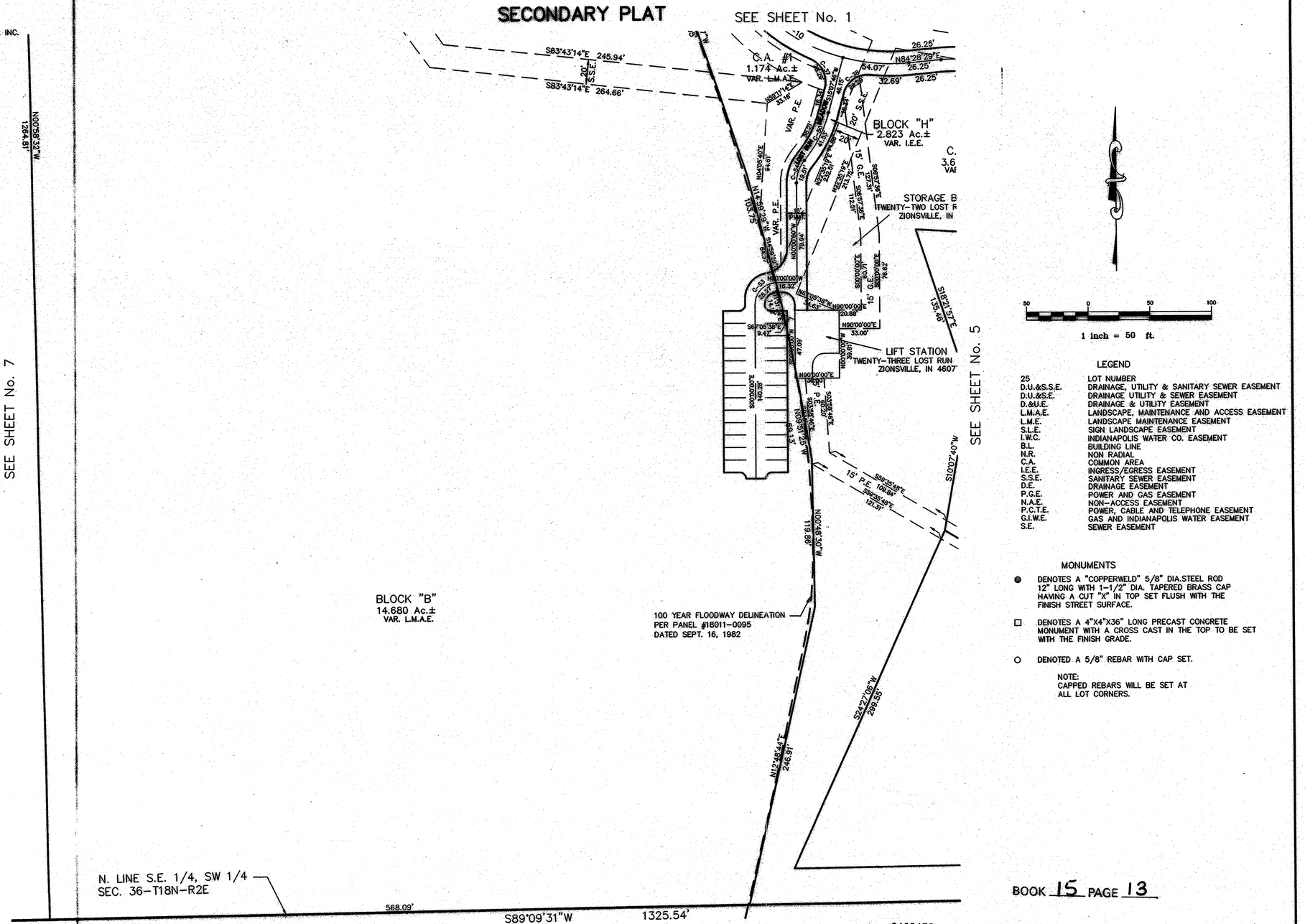
LOST RUN FARM

SECONDARY PLAT



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BOOK 15 PAGE 13

0409452 07/26/2004 03:00P 6 of 9
Maryln J. Smith, Boone County Recorder

S:\42015S1\dwg\B001-Plat.dwg, Sheet 6, 7/22/2004 4:53:21 PM, bhuff, 1:1

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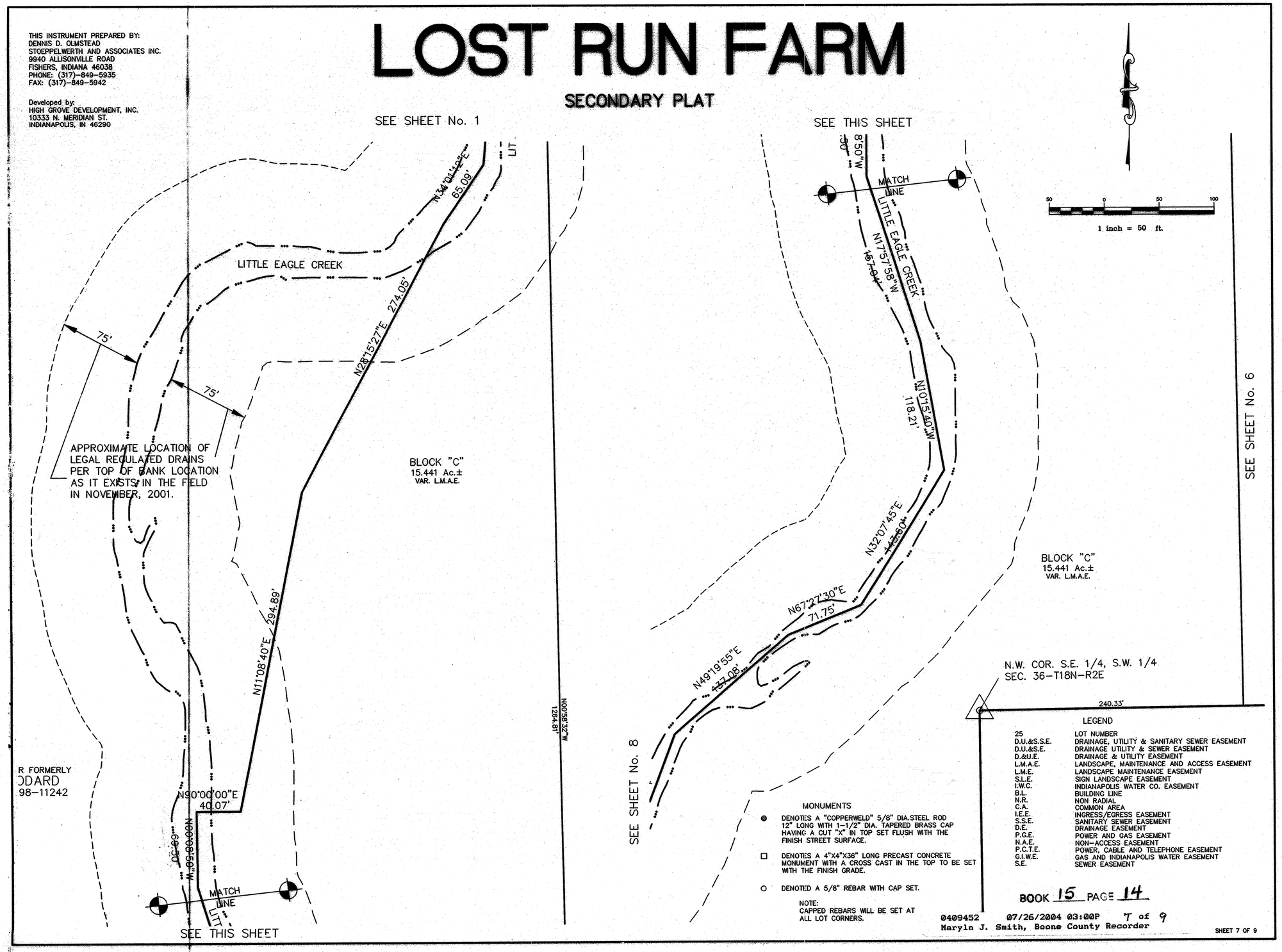
LOST RUN FARM

SECONDARY PLAT



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BOOK 15 PAGE 14

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Maryln J. Smith, Boone County Recorder

LOST RUN FARM

SECONDARY PLAT

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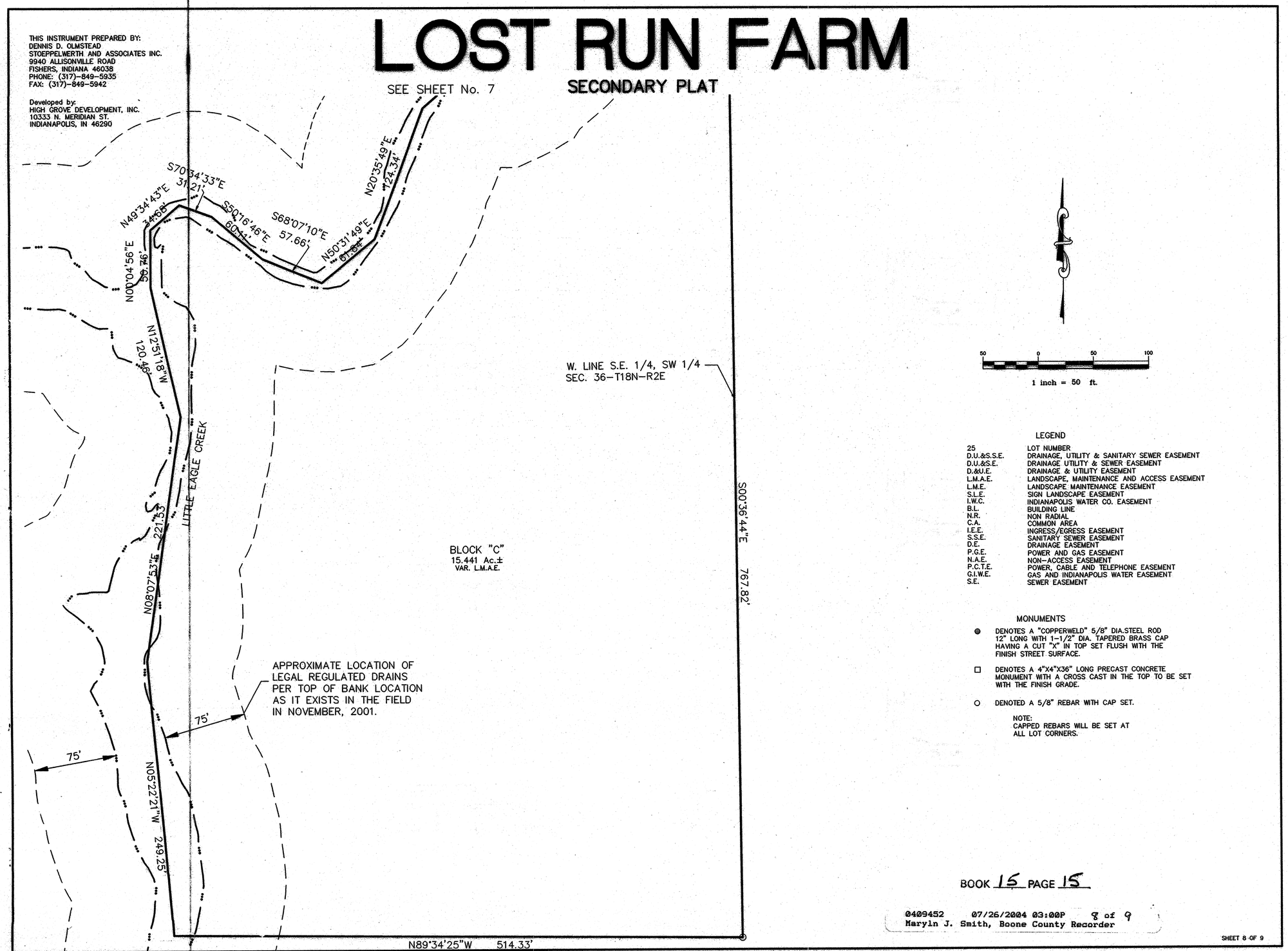
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290



LEGEND

25	LOT NUMBER
D.U.&S.S.E.	DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
D.U.&S.E.	DRAINAGE UTILITY & SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
L.M.A.E.	LANDSCAPE, MAINTENANCE AND ACCESS EASEMENT
L.M.E.	LANDSCAPE MAINTENANCE EASEMENT
S.L.E.	SIGN LANDSCAPE EASEMENT
I.W.C.	INDIANAPOLIS WATER CO. EASEMENT
B.L.	BUILDING LINE
N.R.	NON RADIAL
C.A.	COMMON AREA
I.E.E.	INGRESS/EGRESS EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
D.E.	DRAINAGE EASEMENT
P.G.E.	POWER AND GAS EASEMENT
N.A.E.	NON-ACCESS EASEMENT
P.C.T.E.	POWER, CABLE AND TELEPHONE EASEMENT
G.I.W.E.	GAS AND INDIANAPOLIS WATER EASEMENT
S.E.	SEWER EASEMENT

MONUMENTS

● DENOTES A "COPPERWELD" 5/8" DIA.STEEL ROD 12" LONG WITH 1-1/2" DIA. TAPERED BRASS CAP HAVING A CUT "X" IN TOP SET FLUSH WITH THE FINISH STREET SURFACE.

□ DENOTES A 4"X4"X36" LONG PRECAST CONCRETE MONUMENT WITH A CROSS CAST IN THE TOP TO BE SET WITH THE FINISH GRADE.

○ DENOTED A 5/8" REBAR WITH CAP SET.

NOTE:
CAPPED REBARS WILL BE SET AT
ALL LOT CORNERS.

BOOK 15 PAGE 15

0409452 07/26/2004 03:00P 8 of 9
Maryln J. Smith, Boone County Recorder

THIS INSTRUMENT PREPARED BY:
DENNIS D. OLMSTEAD
STOEPPELWERTH AND ASSOCIATES INC.
9940 ALLISONVILLE ROAD
FISHERS, INDIANA 46038
PHONE: (317)-849-5935
FAX: (317)-849-5942

Developed by:
HIGH GROVE DEVELOPMENT, INC.
10333 N. MERIDIAN ST.
INDIANAPOLIS, IN 46290

LOST RUN FARM

I, the undersigned Registered Land Surveyor hereby certify that the included plat correctly represents a subdivision as a part of the Southwest and Southeast Quarter of Section 36, Township 18 North, Range 2 East, Eagle Township, Boone County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter Section; thence North 89 degrees 01 minutes 28 seconds East (assumed bearing) along the North line of said Quarter Section 1,524.56 feet to the POINT OF BEGINNING of this description; thence continuing North 89 degrees 01 minutes 28 seconds East along said North line 1,138.84 feet to the Northeast corner of said Southwest Quarter, said point also being the Northwest corner of the said Southeast Quarter Section; thence North 89 degrees 06 minutes 24 seconds East along the North line of the said Southeast Quarter Section 590.99 feet; thence South 20 degrees 02 minutes 17 seconds East 32.28 feet; thence North 88 degrees 46 minutes 13 seconds East 72.28 feet; thence South 84 degrees 23 minutes 07 seconds East 82.62 feet; thence South 63 degrees 36 minutes 51 seconds East 71.48 feet; thence South 34 degrees 40 minutes 42 seconds East 102.82 feet; thence South 20 degrees 02 minutes 35 seconds East 102.98 feet; thence South 69 degrees 57 minutes 43 seconds West 218.17 feet; thence South 20 degrees 02 minutes 17 seconds East 200.42 feet; thence South 20 degrees 21 minutes 17 seconds East 437.59 feet; thence South 21 degrees 11 minutes 07 seconds East 667.79 feet; thence South 89 degrees 37 minutes 19 seconds West 1,162.24 feet to a point on the West line of said Southeast Quarter, said point also being on the East line of Raintree Place, Section Two B recorded in Plat Book Six, Page Three, in the Office of the Recorder of Boone County, Indiana, the following two (2) courses on and along the northern boundary of said Raintree Place Section 2B; (1) North 00 degrees 20 minutes 46 seconds West along the West line of said Quarter Section, 221.94 feet to the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 36; (2) South 89 degrees 09 minutes 31 seconds West along the North line of the Southeast Quarter of the Southwest Quarter of said Section 36, 1,325.54 feet to the Northwest corner of the Southeast Quarter of the Southwest Quarter; thence South 00 degrees 36 minutes 44 seconds East along the West line of the Southeast Quarter of said Southwest Quarter Section 767.82 feet; thence North 89 degrees 34 minutes 25 seconds West 514.33 feet to a point on the thread-line of Little Eagle Creek, the following Sixteen (16) calls being on said thread-line; (1) North 05 degrees 22 minutes 21 seconds West 249.25 feet; (2) North 08 degrees 07 minutes 53 seconds East 221.53 feet; (3) North 12 degrees 51 minutes 18 seconds West 120.46 feet; (4) North 00 degrees 04 minutes 56 seconds East 50.76 feet; (5) North 49 degrees 34 minutes 43 seconds East 34.68 feet; (6) South 70 degrees 34 minutes 33 seconds East 31.21 feet; (7) South 50 degrees 16 minutes 46 seconds East 60.11 feet; (8) South 68 degrees 07 minutes 10 seconds East 57.66 feet; (9) North 50 degrees 31 minutes 49 seconds East 61.84 feet; (10) North 20 degrees 35 minutes 49 seconds East 124.34 feet; (11) North 49 degrees 19 minutes 55 seconds East 137.08 feet; (12) North 67 degrees 27 minutes 30 seconds East 71.75 feet; (13) North 32 degrees 07 minutes 45 seconds East 143.60 feet; (14) North 10 degrees 15 minutes 40 seconds West 118.21 feet; (15) North 17 degrees 57 minutes 58 seconds West 157.04 feet; (16) North 00 degrees 08 minutes 50 seconds West 69.50 feet; thence North 90 degrees 00 minutes 00 seconds East 40.07 feet; thence North 11 degrees 08 minutes 40 seconds East 294.89 feet; thence North 25 degrees 15 minutes 27 seconds East 274.05 feet to the said thread-line of Little eagle Creek, the following Two (2) calls being on said thread-line; (1) North 34 degrees 01 minutes 12 seconds East 65.09 feet; (2) North 05 degrees 03 minutes 41 seconds East 185.28 feet to the place of beginning, containing 80.917 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

This subdivision consists of 21 lots numbered 1-21 (both inclusive), 4 Common Areas labeled C.A.#1-4, and 8 Blocks labeled "Block A-H" (both inclusive). The size of lots and width of streets are shown in feet and decimal parts thereof.

I, the undersigned, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana and that the within plat represents a subdivision of the lands surveyed within the cross referenced survey plat, and that to the best of my knowledge and belief there has been no change from the matters of the survey revealed by the cross-reference survey on any lines that are common with the new subdivision.

Witness my signature this 22ND day of JULY, 2004.

S/42015/legal/summe south
November 25, 2002
(R) KRG (F) GDK
Revised: January 31, 2003
Revised: June 2, 2003
BAH(R) EEF(F)
Revised: June 17, 2004
BAH(R) BMK(F)
Revised: July 15, 2004
BAH(R) EEF(F)

Dennis D. Olmstead
Registered Land Surveyor
No. 900012 1

DENNIS D. OLMSTEAD REGISTERED No. 900012 STATE OF INDIANA LAND SURVEYOR

PLAN COMMISSION APPROVAL

The Building Commissioner of the Town of Zionsville has reviewed this Plat for technical conformity with the standards fixed in the Zionsville Zoning Ordinance and the Zionsville Subdivision Control Ordinance and hereby certifies that this Plat meets all of the minimum requirements of the applicable ordinances and requirements of the Town of Zionsville, Boone County, Indiana.

By: Lana Funk Houser
Printed: LANA FUNK HOUSER

Date: 7/26/04

We, the undersigned, do hereby certify that under authority provided by the Indiana Planning Law, IC 36-7-4, et. seq., enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto, the Plat depicted herein is the Plat which was given approval by the Town of Zionsville Plan Commission at a meeting held on the 26 day of April 2004

Witness by signature this 26 day of June 2004

TOWN OF ZIONSVILLE PLAN COMMISSION

Signature Lana Funk Houser
Printed LANA FUNK HOUSER
Title President

Signature
Printed TERRY J. JONES
Title Secretary

SURVEYOR CERTIFICATION

I, Dennis D. Olmstead, hereby certify that:

The within Plat is a representation of the lands surveyed, subdivided and platted under my direct supervision and control and that it is true and correct to the best of my knowledge and belief;

This Subdivision consists of 21 lots, numbered 1 through 21, together with Common Areas, Streets, and Easements as shown on the within Plat;

The size of the Lots, Common Areas and Widths of Streets and Easementare shown in figures denoting feet and decimal parts thereof;

All monuments shown on the within Plat actually exist and their location, size, type and material are accurately shown;

The boundary survey of this plat is in conformity with 865 IAC 1-12; and,

The within Plat complies with the provisions of the Town of Zionsville Subdivision Control Ordinance.

Witness by signature this 22ND day of JULY, 2004

Dennis D. Olmstead
Registered Land Surveyor
No. 900012

DENNIS D. OLMSTEAD REGISTERED No. 900012 STATE OF INDIANA LAND SURVEYOR

DULY ENTERED FOR TAXATION
7-26-04
Gretchen Smith
SUBJECT TO FINAL ACCEPTANCE
AUDITOR, BOONE COUNTY

BOOK 15 PAGE 16

0409452 07/26/2004 03:00P 9 of 9
Maryln J. Smith, Boone County Recorder

DEDICATION STATEMENT

We Highgrove Development, Inc. and Lost Run Farms, LLC (jointly and severally, the "Declarant"), do hereby certify that we are the Owner(s) of the real estate property located in the Town of Zionsville, Boone County, Indiana, according to deed recorded in Book ____ Page ____, of the official records of the Recorder of Boone County Indiana, and further described as follows:

Now therefore know all persons by these presents that we do hereby lay off, plat and subdivide said Real Estate in accordance with the within Plat.

This Subdivision shall be known as Lost Run Farm, an addition to the Town of Zionsville, Boone County, Indiana.

All streets, alleys, ways and public open spaces shown on the within Plat, other than Templin Road, are designated as private on the plat and as approved by the Plan Commission shall be privately owned, operated and maintained.

Front building setback lines are hereby established as shown on the within Plat, between which lines and street right-of-way lines no building or structure (except for parking areas, driveways and interior access drives) shall be erected or maintained.

All storm water drainage, water and sanitary sewer easements shown on this Plat are hereby dedicated to the Town of Zionsville exclusively for, and limited to, storm water, drainage, water and sanitary sewer purposes, save and except for those storm water drainage, water, and sanitary sewer easements specifically identified as private on the plat and approved by the Plan Commission to be privately owned operated and maintained. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities. The easement areas of such Lot shall be continuously maintained as a yard area by the Owner of the Lot, except for those improvements which are the responsibility of a public authority or utility company to maintain.

Any dedication of easements to the Town of Zionsville shall be limited to the purposes set forth by specific notation on the Plat or by separate instrument, including the Declaration of Covenants and Restrictions of Lost Run Farm. The plat legend for the location of private easements and dedicated easements merely show the location of the areas for such private easements and dedicated easements on the Plat. Such areas are reserved for the use of the Declarant and for private utilities, public, quasi-public and governmental agencies as set forth in the Declaration of Covenants and Restrictions for Lost Run Farm and this Plat. Any dedication of easements shall be subject to all easements granted by the Declarant or the subsequent developer of Lost Run Farm, including, without limitation, the common service easement and restrictions to be recorded by Declarant or its assigns. In addition, any communication and common services permitted by Declarant or its assigns shall not be allowed to be installed in, over or under the dedicated easements without the prior written consent of the Declarant, or its designees, successors or assigns, which may be granted in their sole and complete discretion.

Within drainage easements, no structure, planting or other material shall be placed or permitted to remain which may change the direction of flood or drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. The drainage easement of each Lot and all improvements in the drainage easement, including slope and drainage pattern, shall be continuously maintained as a yard area by the Owner of the Lot, except for those improvements which are the responsibility of a public authority or utility to maintain.

1-1
Town of Zionsville
The first five (5) feet of any utility easement which is located along a street right-of-way shall be reserved for use as a Town of Zionsville utility easement exclusively for sewer and water purposes, and shall be used for the installation and maintenance of fire hydrants, meter pits, and similar appurtenances approved by the Town Engineer. Any utility that has obtained an easement from Declarant or its assigns shall have the right to cross the first five (5) feet of said utility easement at or near perpendicular; provided, however, such right to cross utility easements shall be subject to all easements granted by the Declarant or its successors and assigns, including, without limitation, the common services easements and restrictions to be entered into and recorded by Declarant or its assigns. No other utilities or appurtenances thereto shall be installed within the first five (5) feet of said utility easement without the written approval of the Town Engineer and Declarant or its successors or assigns.

Title to the foregoing real estate is subject to a certain Declaration of Covenants, Conditions and Restrictions of Lost Run Farm dated July 26, 2004 as Instrument Number 0409453, in the Office of the Recorder of Boone County, Indiana, as the same may be amended or supplemented. Such Declaration and the covenants and restrictions set forth therein run with the land described herein and are incorporated herein by reference. Each Owner of the Site depicted on this Plat shall take title to such site subject to the terms and conditions of such Declaration.

In *Witness whereof*, Declarant has executed this instrument this 23rd day of July, 2004.

HIGHGROVE DEVELOPMENT, INC.

By: Richard D. Summe
Printed: Richard D. Summe
Title: President

By: R. Michael Henderson
Printed: R. Michael Henderson
Title: Secretary Treasurer

LOST RUN FARMS, LLC

By: Richard D. Summe
Printed: Richard D. Summe
Title: Member

By: R. Michael Henderson
Printed: R. Michael Henderson
Title: Member

IND501 DRW 668666v1

We hereby lay off and plat this subdivision, which shall be known and designated as Lost Run Farm in the Town of Zionsville, Boone County, Indiana.

This plat is subject to the declaration of covenants, conditions and restrictions of Lost Run Farm recorded as Instrument No. 0409453 and any amendments thereto.

In Testimony whereof, witness the signatures of Owner and Declarant this 23rd day of July, 2004.

Owner/Developer
High Grove Development, Inc.

Richard D. Summe, President

R. Michael Henderson, Secretary Treasurer

State of Indiana)
) SS
County of Marion)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard D. Summe, President, R. Michael Henderson, Secretary Treasurer of High Grove Development, Inc., and acknowledged the execution of this Instrument as his voluntary act and deed and affixed his signature thereto.

Witness my signature and seal this 23rd day of July, 2004.

Notary Public: Charlene S. Lee
Print Name: Charlene S. Lee

County of Residence: Hendricks
My commission expires July 18, 2006

FORMS/OWNSIGN

S:\42015S1\dwg\B001-Plat.dwg, Sheet 9, 7/22/2004 4:02:53 PM, bhuff, 1:1

ORDINANCE 2020-_12_
OF THE TOWN OF ZIONSVILLE

AN ORDINANCE REESTABLISHING THE SAFETY BOARD FOR FIRE DEPARTMENT MATTERS

WHEREAS, Ind. Code § 36-8-3 *et seq*. confers upon the Town Council of the Town of Zionsville, Indiana (the "Town Council") the authority to establish a Safety Board ("Board"); and

WHEREAS, for many years the Town Council has appointed three (3) members of the Town Council to serve as the Safety Board for the Town for Fire Department matters; and

WHEREAS, in 2014, the Town Council adopted Resolution 2014-11, commonly referred to as Reorganization 2.0, to further reorganize the Town of Zionsville ("Town"); and

WHEREAS, the Town Council desires to reestablish the Board as part of an on-going process to update the Code of Ordinances and ensure compliance with Resolution 2014-11 and state law; and

WHEREAS, pursuant to Ind. Code 36-8-3 *et seq*. the Board will be considered the Safety Board of the Town for fire department purposes; and

WHEREAS, the current appointed members of the Board shall continue to serve their current terms unless otherwise removed pursuant to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY, by the Town Council of the Town of Zionsville, Boone County, that:

1. Establishment of Safety Board. The Council hereby establishes the Board, pursuant to Ind. Code § 36-8-3 *et seq*., with the powers and duties provided under state law.

    a. Number of Members. The Board shall consist of three (3) members.

    b. Term. The term of each Board member shall be one (1) year, expiring on December 31st of the member's appointment.

    c. Appointment to the Board. The Town Council shall appoint the members of the Board.

    d. Composition of Board. The Board shall be comprised of not more than three (3) members of the Town Council. Any Town Council member that serves on the Board shall vacate the member's position on the Board when the member is no longer a member of the Town Council.

2. Powers and Duties of Board.

   a. Pursuant to Reorganization 2014-11, ZR2A22, the Mayor shall appoint the Chief of the Fire Department. Further, as provided in Reorganization 2014-22, ZR2A23, the Chief of the Fire Department and the employees of the Zionsville Fire Department are under the jurisdiction of the Mayor. Notwithstanding, per Reorganization 2014-11, ZR2A24, the Mayor must have the approval of a majority of the Town Council before the Mayor may discharge the Chief of the Fire Department.

   b. The Board shall consistute the Safety Board of the Town for purposes of the suspension, demotion, or dismissal of any member of the Fire Department. Proceedings for the suspension, demotion, or dismissal of any member of the Fire Department shall be conducted in the manner prescribed by Ind. Code § 36-8-3-4. The disciplinary provisions of Ind. Code § 36-8-3-4.1 shall apply to the Safety Board and the Chief of the Fire Department.

   c. The Board may make general and special rules for the governing and discipline of the Zionsville Fire Department and may make special and general orders to the Zionsville Fire Department through the Chief of the Fire Department, who shall be executive head of the Zionsville Fire Department.

3. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

4. Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

5. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

6. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repeal by ordinance.

Introduced and filed on the ____ day of September, 2020. A motion to consider on First Reading was sustained by a vote of ____ in favor and ___ opposed, pursuant to Ind. Code § 36-5-2-9.8.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

DULY PASSED AND ADOPTED this ___ day of September, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,

BOONE COUNTY, INDIANA

	YEA Signature	**NAY** Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2020, at _____ ____. m.

ATTEST: _____
Amelia Anne Lacy,
Municipal Relations Coordinator

MAYOR'S APPROVAL

Emily Styron, Mayor ____ Date

MAYOR'S VETO

Emily Styron, Mayor Date:

ORDINANCE 2020- 13__
OF THE TOWN OF ZIONSVILLE

AN ORDINANCE REESTABLISHING THE BOARD OF METROPOLITAN POLICE COMMISSIONERS AS THE SAFETY BOARD FOR POLICE MATTERS

WHEREAS, Ind. Code § 36-8-9 *et seq*. confers upon the Town Council of the Town of Zionsville, Indiana (the "Town Council") the authority to establish a Board of Metropolitan Police Commissioners ("Board"); and

WHEREAS, in 2008 and pursuant to Ind Code § 36-8-9-2, the Town Council adopted Ordinance 2008-21 that abolished the office of Town Marshall and created the Board; and

WHEREAS, in 2014, the Town Council adopted Resolution 2014-11, commonly referred to as Reorganization 2.0, to further reorganize the Town of Zionsville ("Town"); and

WHEREAS, the Town Council desires to reestablish the Board as part of an on-going process to update the Code of Ordinances and ensure compliance with Resolution 2014-11 and state law; and

WHEREAS, pursuant to Ind. Code 36-8-3-4 the Board will be considered the Safety Board of the Town for police department purposes; and

WHEREAS, the current appointed members of the Board shall continue to serve their current terms unless otherwise removed pursuant to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY, by the Town Council of the Town of Zionsville, Boone County, that:

1. Establishment of Board of Metropolitan Police Commissioners. The Council hereby reestablishes the Board, pursuant to Ind. Code § 36-8-9 *et seq*., with the powers and duties provided under state law.

    a. Number of Members. The Board shall consist of five (5) members.

    b. Qualification of Members. Not more than three (3) Board members may be members of the same political party if indivdiuals who satisfy this requirement can be found to serve on the Board. The members must be residents of the Town

    b. Term. The term of each Board member shall be three (3) years, expiring on January 1 of the third year after the member's appointment. The Board members shall have staggered terms, with the term of not more than two (2) board members expiring each year.

c. Appointment to the Board. The Town Council shall appoint the members of the Board.

d. Composition of Board. The Board shall be comprised of not more than three (3) members of the Town Council and two (2) lay members. Any Town Council member that serves on the Board shall vacate the member's position on the board when the member is no longer a member of the Town Council. The Town Council shall not appoint a police officer employed by the Town to serve on the Board.

e. Oath and Bond of Members. A Board members shall take and subscribe an oath before the Boone County Circuit Court Clerk. This subsection does not apply to Board members who also serve as members of the Town Council.

f. Posting Bond. A Board member shall give bond in the penal sum of five thousand dollars ($5,000), payable to the state and conditioned upon the faithful and honest discharge of the member's duties. The bond must be approved by the Town Council. This subsection does not apply to Board members who also serve as members of the Town Council.

c. Removal. The Town Council may remove a Board member for any cause the Town Council considers sufficient.

2. Powers and Duties of Board.

a. Pursuant to Reorganization 2014-22, ZR2A11, the Mayor shall appoint the Chief of Police. Further, as provided in Reorganization 2014-22, ZR2A23, the Chief of Police and the employees of the Zionsville Police Department are under the jurisdiction of the Mayor. Notwithstanding, per Reorganization 2014-11, ZR2A24, the Mayor must have the approval of a majority of the Town Council before the Mayor may discharge the Chief of Police.

b. The Board shall consistute the Safety Board of the Town for purposes of the suspension, demotion, or dismissal of any member of the police department. Proceedings for the suspension, demotion, or dismissal of any member of the police department shall be conducted in the manner prescribed by Ind. Code § 36-8-3-4. The disciplinary provisions of Ind. Code § 36-8-3-4.1 shall apply to the Board and the Police Chief.

c. The Board may make general and special rules for the governing and discipline of the Zionsville Police Department and may make special and general orders to the Zionsville Police Department through the Zionsville Police Chief, who shall be executive head of the Zionsville Police Department.

3. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

4. Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

5. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.
6. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repeal by ordinance.

Introduced and filed on the ____ day of September, 2020. A motion to consider on First Reading was sustained by a vote of ____ in favor and ___ opposed, pursuant to Ind. Code § 36-5-2-9.8.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

DULY PASSED AND ADOPTED this ___ day of September, 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,

BOONE COUNTY, INDIANA

	YEA Signature	**NAY** Signature
Josh Garrett, President		
Bryan Traylor, Vice President		
Brad Burk, Member		
Alex Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

I hereby certify that the foregoing Resolution was delivered to Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2020, at _____ ____ m.

ATTEST: _____

Amelia Anne Lacy,
Municipal Relations Coordinator

MAYOR'S APPROVAL

Emily Styron, Mayor ____ Date

MAYOR'S VETO

Emily Styron, Mayor Date: