ZIONSVILLE TOWN COUNCIL
MEETING AGENDA
FOR
MONDAY, JUNE 1, 2020 AT 7:00 PM
ELECTRONIC MEETING
1100 West Oak Street

1. OPENING

   A. CALL MEETING TO ORDER

   B. PLEDGE OF ALLEGIANCE

2. APPROVAL OF THE MEMORANDUM OF THE MAY 18, 2020 REGULAR MEETING (Copy Posted)

3. REQUEST TO SPEAK

4. OLD BUSINESS

5. NEW BUSINESS

   A. CONSIDERATION OF AN ORDINANCE TO AMEND THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA ZONING MAP, PLAN COMMISSION PETITION NO. 2020-15-7

      Documents:

      2020-15-Z ORDINANCE (5-28-2020) (FINAL).PDF

   B. CONSIDERATION OF AN ORDINANCE VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY WITHIN THE ZIONSVILLE CORPORATE BOUNDARIES (FIRST READING)

      Documents:

      ALLEY VACATION - EXHIBIT A.PDF
      ALLEY VACATION - NOTICE OF PUBLIC HEARING - PUBLISHED COPY.PDF
      ALLEY VACATION - PETITION AND SUPPORTING EXHIBITS.PDF
      ALLEY VACATION - TOWN COUNCIL ORDINANCE (FINAL).PDF

6. OTHER MATTERS

7. APPROVAL OF CLAIMS

8. ADJOURN

The next regular Town Council meeting is scheduled for Monday, June 15, 2020 at 7:30 a.m. Determination of the need for an electronic meeting will be evaluated prior to the meeting and final notice will be posted in compliance with the Indiana Open Door Law. 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. If an electronic meeting format is selected, members of the public shall have the right to attend Town Council Public Meetings via the following forms of electronic communication. A zoom link will be provided in the meeting notice.

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

AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA

AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT

Plan Commission Petition No. 2020-15-Z

WHEREAS, Ind. Code § 36-7-4 *et seq*., empowers the Town of Zionsville Advisory Plan Commission, Boone County, Indiana, to hold public hearings and make recommendations to the Town Council of the Town of Zionsville, Boone County, Indiana, concerning ordinances for the zoning and districting of all lands within the incorporated areas of the Town of Zionsville, Boone County, Indiana; and,

WHEREAS, in accordance with Ind. Code § 36-7-4-600 *et seq*., the Town of Zionsville Advisory Plan Commission, Boone County, Indiana conducted a public hearing on May 18, 2020 to consider a proposal to amend the Zoning Ordinance for the Town of Zionsville, Boone County, Indiana, (the "Ordinance"); filed as petition 2020-15-Z; and,

WHEREAS, the Town of Zionsville Advisory Plan Commission certified the proposal to amend the Ordinance to the Town Council of the Town of Zionsville, Boone County, Indiana, with a favorable recommendation on May 18, 2020 (Exhibit 1); and,

WHEREAS, the Town Council of the Town of Zionsville, Boone County, Indiana, considered the Proposal to amend the Ordinance at its regular meeting on June 1, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA, IN ACCORDANCE WITH Ind. Code § 36 7-4-600 *et seq*., AND ALL ACTS AMENDATORY AND SUPPLEMENTAL THERETO, AS FOLLOWS:

Section 1. **Official Zone Map Amendment**: The Official Zone Map of the Town of Zionsville Zoning Ordinance is hereby amended to rezone the Property located in the Town of Zionsville, illustrated and listed on Exhibit B to the attached Certification, from its (PUD) Urban Planned Unit Development Zoning District to the (PUD) Urban Planned Unit Development Zoning District.

Such Property shall be subject to the conditions and restrictions adopted and imposed by the Zionsville Plan Commission, if any.

The Director of Finance and Records and Staff are directed to comply with Section 194.182 of the Zoning Ordinance by taking all actions required thereby to implement this Zone Map Amendment.

Section 2. **Savings Clause**: If any title, section, subsection, phrase, clause, sentence, or word of this Ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

Section 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.

Section 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.

Section 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.

Section 6. **Duration and Effective Date**: The provisions of this Ordinance shall become and remain in full force and effect upon adoption and publication according to Indiana Law and until its repeal by ordinance.

Introduced and filed on the 1st day of June, 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.

DULY PASSED AND ADOPTED this____ day of _____ 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		
Alexander Choi, Member		
Joe Culp, Member		
Brad Burk, Member		
Craig Melton, Member		
Jason Plunket, Member		

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

ATTEST:_____
Amelia Lacy, Director, Department of
Finance and Records

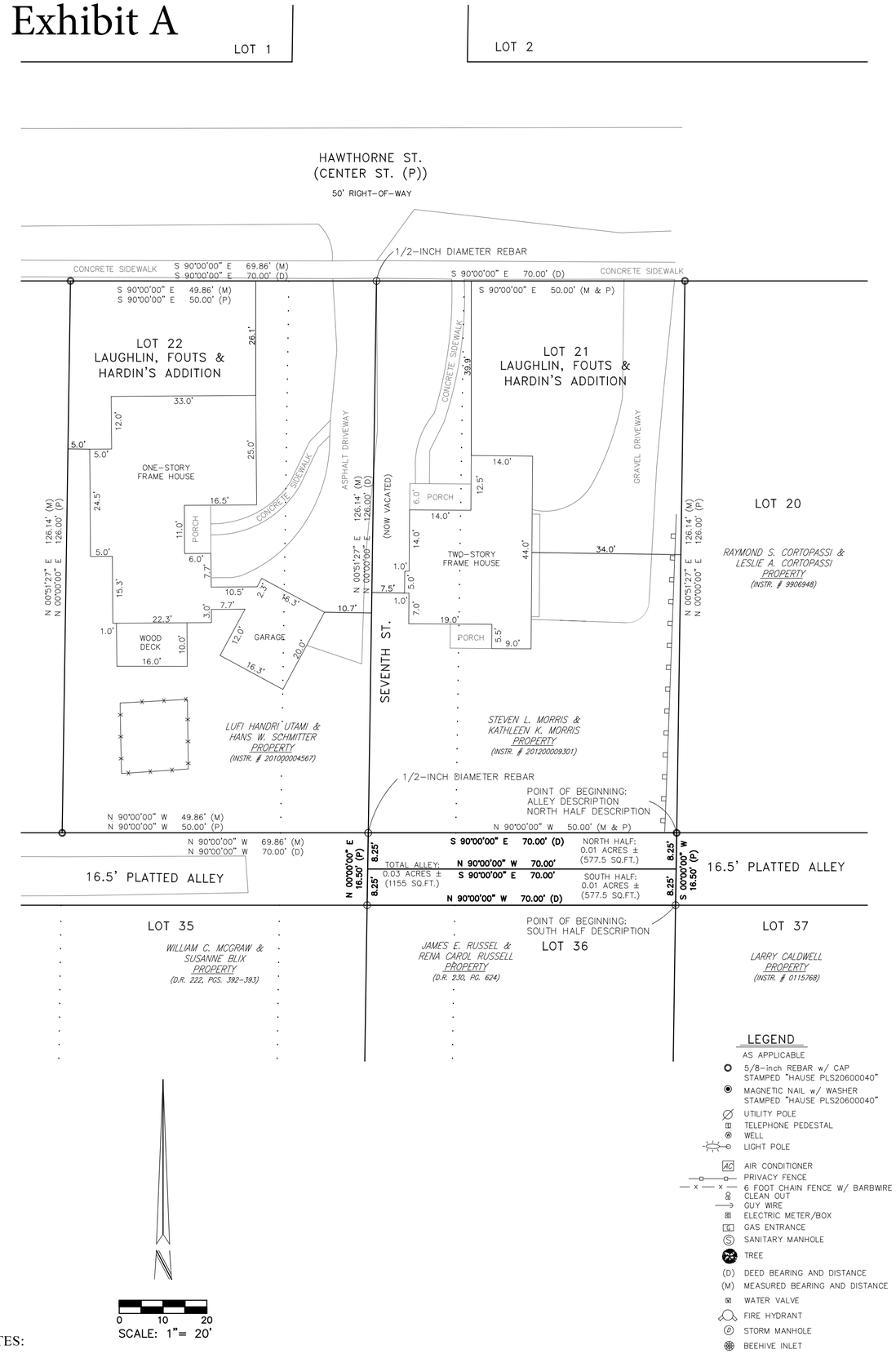
MAYOR'S
APPROVAL

_____ _____
Emily Styron, Mayor DATE

MAYOR'S
VETO

_____ _____
Emily Styron, Mayor DATE

Exhibit A



NOTES:

1.) All physical improvements hereon are shown as they were located in the field on July 25, 2012.

2.) This is NOT a Survey, It is an EXHIBIT showing the location of a proposed Alley Vacation.

PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Southeast described corner of the Morris Parcel recorded in Instrument Number 201200009301, said Recorder's Office and the Southeast corner of said Lot 21; thence South 00 degrees 00 minutes 00 seconds West 16.50 feet to the Northeast described corner of the Russel Parcel recorded in Deed Record 230, Page 624, said Recorder's Office and the Northeast corner of said Lot 36; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the Northern described line of said Russell Parcel to the Northwest corner thereof and the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 16.50 feet along the center of said vacated Seventh Street to the Southwest described corner of said Morris Parcel; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the Southern described line of said Morris Parcel to the Point of Beginning.

Containing 0.03 acres (1155 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

NORTH HALF OF THE PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Southeast described corner of the Morris Parcel recorded in Instrument Number 201200009301, said Recorder's Office and the Southeast corner of said Lot 21; thence South 00 degrees 00 minutes 00 seconds West 8.25 feet along the Southern extension of the East line of said Lot 21 to the center of said East-West Alley; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the center of said East-West Alley to the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 8.25 feet along the center of said vacated Seventh Street to the Southwest described corner of said Morris Parcel; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the Southern described line of said Morris Parcel to the Point of Beginning.

Containing 0.01 acres (577.5 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

SOUTH HALF OF THE PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Northeast described corner of the Russell Parcel recorded in Deed Record 230, Page 624, said Recorder's Office and the Northeast corner of said Lot 36; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the Northern described line of said Russell Parcel to the Northwest corner thereof and the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 8.25 feet along the center of said vacated Seventh Street to the center of said East-West Alley; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the center of said East-West Alley to the Northern extension of the East line of said Lot 36; thence South 00 degrees 00 minutes 00 seconds West 8.25 feet to the Point of Beginning.

Containing 0.01 acres (577.5 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

105 N. MERIDIAN ST.
LEBANON, IN 46052
PHONE: (765) 482-5141
INFO@HAUSESURVEYINGANDENGINEERING.COM

A SERVICE DISABLED VETERAN OWNED SMALL BUSINESS

HAUSE SURVEYING & ENGINEERING

JONATHAN E. HAUSE REGISTERED No. 20600040 STATE OF INDIANA LAND SURVEYOR

DRAWN BY: JEH	CHECKED BY: JEH	DATE: 04/01/2020	SCALE: 1" = 20'

No.	Date	Revisions

ALLEY VACATION EXHIBIT

STEVE MORRIS

LOT 21, LAUGHLIN, FOUTS & HARDIN'S ADD., TOWN OF ZIONSVILLE, BOONE CO., IN

SHEET NO. 1 OF-1-SHEETS

PROJECT NO. 20D183

Hoosiers see impact of COVID-19 as state continues to reopen

VICTORIA RATLIFF
THESTATEHOUSEFILE.COM

INDIANAPOLIS – COVID-19 continues to take a toll in lives and jobs as Indiana slowly reopens to business and prepares for the June 2 primary.

The state saw 614 new cases of COVID-19 Friday, bringing the total to 26,655. There were an additional 42 deaths with 1,550 statewide.

Of these numbers, African Americans account for nearly 15% of all positive cases, and nearly 16% of all deaths, although they only make up 9.8% of Indiana's population.

That is why the Indiana Black Legislative Caucus petitioned Gov. Eric Holcomb to create the COVID-19 Health Disparities Task Force that will focus on some of the issues affecting the health of African-Americans, Latinos and other minorities.

Dr. Kristina Box, the state's health commissioner said the state is working to ensure minority populations have access to COVID-19 testing and health care and keep these populations represented in the state's studies and reports.

Photos by Janet Williams I TheStatehouseFile.com

Fred Payne, commissioner of the Department of Workforce Development, discussed weekly unemployment numbers, which are lower than previous weeks but still near historic highs.

"But it's particularly evident when you look at something like a pandemic, with COVID-19, and the importance of how we make sure we not only do everything from our testing being targeted, to those more disparate populations and making sure that that testing is accessible, easily for those individuals," Box said. "But connecting them to health care and making sure that were messaging that and communicating that in a way that that really resounds with these specific populations."

Indiana Secretary of State Connie Lawson said Friday that her office has acquires masks, gloves and sanitizing gel for those who work at the polls on election day.

Box said the state over sampled minority populations during the study in partnership with the IU Fairbanks School of Public Heath to ensure an accurate representation of these minority groups.

"This task force is a step in the right direction to aid our state's black and brown communities," Sen. Jean Breaux, D-Indianapolis, said in a news release announcing that she would be a member of the task force.

"We know that Indiana has consistently seen poorer health outcomes for African Americans compared to white residents," she also said. "We also clearly see that COVID-19 continues to disproportionately affect these same communities.

A swift response is needed before this pandemic turns even deadlier for poor and minority Hoosiers."

Some of the other members include Rep. Robin Shackleford, D-Indianapolis, who also serves as chair of the IBLC; Dr. Janet Seabrook, CEO of Community HealthNet, Inc.; Lisa L. Welch, director of Indiana Native American Indian Affairs Commission; and Dr. Kristen Dauss, chief medical officer of the state Department of Correction.

The task force's first meeting is set for 11 a.m. Monday with the goal of delivering recommendations by the end of June.

Indiana is still seeing record high numbers of Hoosiers applying for unemployment benefits, but the overall rate is going down.

Fred Payne, commissioner of the Department of Workforce Development, said that the state received 30,691 claims the week ending May 9.

In May alone, the state has paid out more than 900,000 unemployment claims.

BOONE COUNTY
public notices

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

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

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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 at IndianaPublicNotices.com.

IndianaPublicNotices.com.

ADVERTISEMENT FOR BIDS

Sealed proposals for Williams Street Storm Sewer Project will be received by the City of Lebanon, Indiana (the "Owner"), by and through the Board of Public Works and Safety, at the Office of the Clerk-Treasurer, 401 S. Meridian Street, Lebanon, Indiana, 46074 until 3:00 pm, local time, on June 8, 2020. Bids will be publicly opened and read aloud at the Board of Works Meeting which begins at 5:30 pm. Any bids received later than the above time and date will be returned unopened. No conditional bids will be considered.

DESCRIPTION OF WORK:
Installation of new storm sewer outfall into Prairie Creek.

BID DOCUMENTS: Plans and Contract Documents are available for examination on or after **May 18, 2020** in the following office:

Office of the City Engineer, Second Floor, 401 S. Meridian Street, Lebanon, Indiana, 46074. Please contact Kevin Krulik, (765) 482-8845, kkrulik@lebanon.in.gov to schedule an appointment due to COVID 19 restrictions. Plans are available for digital download through the ePlanroom at the following location: https://reprographix.com/

Bids shall be properly and completely executed on Bid Forms contained in the Contract Documents. Each Bid shall be accompanied by a completely filled out Form No. 96 and acceptable bid security. Any Bid not accompanied by the aforementioned required items shall be deemed to be a non-responsive Bid by the Owner.

No bidder may withdraw their proposal within a period of sixty (60) days following the date set for receiving bids. The Owner reserves the right to retain the three lowest bid proposals for a period of not more than ninety (90) days, and

continued next column

Public Notices

said proposal shall remain in full force and effect during said time. The Owner further reserves the right to waive informalities and to award the contract to the lowest and most responsible bidder or bidders, all to the advantage of the Owner, or to reject all bids.

BID SECURITY: Each bid shall be accompanied by an acceptable certified check made payable to the Owner or an acceptable bid bond in the amount equal to 5 percent of the total bid price executed by an incorporated surety company in good standing and qualified to do business in the State of Indiana and whose name appears of the current Treasury Department Circular 570.

BONDS: The Contractors to whom work is awarded shall be required to furnish a Performance Bond and a Payment Bond, each in the amount of one hundred percent (100%) of the contract price, and they shall be acceptable to the Owner.

QUALIFICATION OF BIDDERS: Bidder and Bidder's Sub-Contractors performing work type, must be on the most current Indiana Department of Transportation Pre-Qualified Contractors list at the date of the Bid Opening for the types of work involved with this project, including, but not limited to storm sewer and structures and incidental restoration.

Please direct all questions regarding this project, in writing, to Kevin Krulik, City of Lebanon, Indiana, Department of Engineering, 401 S. Meridian Street, Lebanon, IN 46052, (765) 482-8845, kkrulik@lebanon.in.gov.

TLR-267 5/19, 30 hspaxlp

Alcohol & Tobacco Commission
LEGAL NOTICE OF PUBLIC HEARING

The Alcohol Beverage Board of Boone County, Indiana will hold a public hearing at 9:30 am on June 03, 2020 virtually through Microsoft Teams, to investigate the propriety of holding an alcoholic beverage permit by the applicants listed below. Information on accessing the virtual meeting can be found at https://www.in.gov/atc/2855.htm.

DL0626026 Beer & Wine Dealer Grocery Store RENEWAL SPEEDWAY LLC 1390 W OAK Zionsville IN D/B/A SPEEDWAY #1316 DAVID BALL 5560 ENON XENIA PIKE Fairborn, Secretary Timothy Griffith 754 East Schantz Dayton, President

RR0633271 Beer Wine & Liquor Restaurant (210 1) RENEWAL FLAMME BURGER ANSON LLC 6850 60 WHITESTOWN PKWY Zionsville IN D/B/A THAI CORNER RESTAURANT & BAR

RR0636502 Beer & Wine Retailer Restaurant TRANSFER THAI CORNER CORP 6850 60 WHITESTOWN PKWY Zionsville IN D/B/A THE THAI CORNER Lalada Meesub 18 HIDDEN BAY DRIVE, APT E Greenwood, Secretary KANLAYA BROWNING 1 DEERFIELD CIRCLE Carmel, President

RR0636503 Beer Wine & Liquor Restaurant (210 1) TRANSFER THAI CORNER CORP 6850 60 WHITESTOWN PKWY Zionsville IN D/B/A THE THAI CORNER Lalada Meesub 18 HIDDEN BAY DRIVE, APT E Greenwood, Secretary KANLAYA BROWNING 1 DEERFIELD CIRCLE Carmel, President

TLR-266 5/19 hspaxlp 1642168

Boone County Emergency Management Advisory Board and Boone County Local Emergency Planning Committee (LEPC) meeting scheduled for May 19, 2020 has been rescheduled for June 23, 2020. The meetings will be held in the basement meeting room of the Boone County Jail. The EMA meeting will start at 8:00 am with the LEPC meeting starting immediately after.

TLR-272 5/19 hspaxlp 1642250

Public Notices

Notice of Filing of Substantial Amendment to 2019 Action Plan for Housing and Community Development
AVISO DE REGISTRO DEL INFORME 2019 ACTION PLAN AMENDMENT

Para ver una versión en español de este anuncio de Aviso de Registro del Informe **2019 ACTION PLAN for Housing and Community Development** visite el sitio web https://www.in.gov/ihcda/4048.htm. Para traducciones al español de los documentos mencionados en este anuncio, escribir al E-mail sspergel@ihcda.in.gov o elhilton@ihcda.n.gov o https://www.in.gov/ihcda/4048.htm

NOTICE OF FILING OF Substantial Amendment to 2019 Action Plan for Housing and Community Development

Notice is hereby given that the Indiana Housing and Community Development Authority (IHCDA) plans to amend its 2019 Action Plan for Housing and to respond to community needs associated with the COVID-19 pandemic.

This document concerns programs that are funded through the U.S. Department of Housing & Urban Development under Title I of the Housing & Community Development Act of 1974 as amended. The amendment establishes spending priorities for approximately $18 million in housing funds related to the CARES Act and amends the Method of Distribution for the HOME Investment Partnerships Program Grant (HOME).

The amendment affects the Emergency Solutions Grant (ESG), Housing Opportunities for Persons with Aids (HOPWA), and HOME Programs.

The Indiana Housing and Community Development Authority (IHCDA) will have the 2019 Action Plan available for public inspection online at: https://www.in.gov/ihcda/4048.htm between May 15 through May 22, 2020.

A public hearing will be held to discuss the draft 2019 Action Plan amendment on May 20, 2020 at 10 a.m. EST. This hearing will be held virtually and can be accessed by registering here: https://attendee.gotowebinar.com/register/2783459172530844428.

After registering, you will receive a confirmation email containing information about joining the webinar.

Information regarding the 2019 Action Plan can be obtained by emailing: Indiana Housing and Community Development Authority, c/o 2019 Substantial Amendment to either sspergel@ihcda.in.gov or elhilton@ihcda.in.gov.

TLR-265 5/19 hspaxlp 1641829

NOTICE OF INTENT

Innovative Engineering & Consulting, Inc (3961 Perry Boulevard, Whitestown, IN 46075) is submitting an NOI (Rule 5) letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirements under 327 IAC 15-5 to discharge storm water from construction activities for the following project: C SL Plasma Expansion, NE Corner of Perry Boulevard and St. Rt. 267 in Whitestown, IN. Run-off from the project site will discharge to Whitelick Creek. Questions or comments should be directed to Jerry Kittle at the above mentioned Innovative Engineering & Consulting, Inc.

TLR-269 5/19 hspaxlp 1642243

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IndianaPublicNotices.com.

Public Notices

NOTICE OF INTENT

Innovative Engineering & Consulting, Inc (3961 Perry Boulevard, Whitestown, IN 46075) is submitting an NOI (Rule 5) letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirements under 327 IAC 15-5 to discharge storm water from construction activities for the following project: Whitestown Crossing Block D, 4000 S. Indianapolis Rd, Whitestown, IN. Run-off from the project site will discharge to Whitelick Creek. Questions or comments should be directed to Jerry Kittle at the above mentioned Innovative Engineering & Consulting, Inc.

TLR-270 5/19 hspaxlp 1642244

NOTICE OF INTENT

Innovative Engineering & Consulting, Inc (3961 Perry Boulevard, Whitestown, IN 46075) is submitting an NOI (Rule 5) letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirements under 327 IAC 15-5 to discharge storm water from construction activities for the following project: Tractor Supply, 4000 S. Indianapolis Rd, Whitestown, IN. Run-off from the project site will discharge to Whitelick Creek. Questions or comments should be directed to Jerry Kittle at the above mentioned Innovative Engineering & Consulting, Inc.

TLR-271 5/19 hspaxlp 1642245

Take Notice. It's your right to know...and it's the law.

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For full public notice listings go to IndianaPublicNotices.com.

NOTICE OF PUBLIC HEARING BY THE TOWN OF ZIONSVILLE BOARD OF ZONING APPEALS

Notice is hereby given of a Public Hearing to be held by the Town of Zionsville Board of Zoning Appeals on Wednesday, June 3, 2020, at 6:30 p.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 to consider the following Petition:

2020-11-DVS, Shawn Greve requests a Development Standards Variance to provide for or permit:

Petition for Development Standards Variance in order to provide for the addition of an outdoor living space to a Single-Family Home which:

1) Deviates from the required side & aggregate yard setbacks and

2) Exceeds the required lot coverage of 35%, to 38%

in the Urban Residential Village Zoning District (R-V).

The property involved is more commonly known as: 596 Starkey Rd, Zionsville In 46077 and is legally described as:

LOT NUMBER 2 IN SIXTH AND SYCAMORE ESTATES, AS PER PLAT THEREOF RECORDED JULY 15, 2016 AS INSTRUMENT NUMBER 201600006569 AND IN PLAT BOOK 24, PAGE 44 BEING A REPLAT OF LOTS NUMBERED 59, 60 AND 61 IN LAUGHLIN, FOUTS AND HARDEN'S ADDITION TO THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA AS PER PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 1 AND 2 ALL IN THE OFFICE OF THE RECORDER OF BOONE COUNTY,

continued next column

Public Notices

INDIANA. EXCEPT 44 FEET OF UNIFORM WIDTH OFF OF THE ENTIRE EAST SIDE OF SAID LOT 59.

A copy of the Petition for Development Standards Variance, 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 of the Petition that are filed with the Secretary of the Town of Zionsville Board of Zoning Appeals prior to the Public Hearing will be considered. The Public Hearing is open to the public.

Oral comments to the Petition for Development Standards Variance will be heard at the Public Hearing. The Public Hearing may be continued from time to time as may be found necessary.

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 Board of Zoning Appeals Public Meetings via a form(s) of electronic communication IF indicated in the Agenda (as amended from time to time) associated with the Board of Zoning Appeals 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.

Chairman: John Wolff
Secretary: Wayne DeLong
TLR-268 5/19 hspaxlp 1642236

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 June 1, 2020, at 7:00 p.m. in the Zionsville Town Hall, 1100 West Oak Street, Zionsville, Indiana 46077 to consider the Vacation of a portion of an East/West Alley located between Hawthorne Street and Sycamore Street, west of Sixth Street. The portion of the Alley to be vacated is bordered on the north by property addressed as 713 West Hawthorne Street, and is bordered on the south by property addressed as 640 West Sycamore Street. The area to be Vacated measures 70.00 lineal feet and is 16.50 feet in width. This Vacation would allow for the ownership of the Vacated area to be transferred equally to the ownerships of the aforementioned addresses. Easements would be established in favor of utilities currently utilizing the right of way in the event the Alley is approved to be Vacated.

The property involved is legally described as:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Southeast described corner of the Morris Parcel recorded in Instrument Number 201200009301, said Recorder's Office and the Southeast corner of said Lot 21; thence South 00 degrees 00 minutes 00 seconds West 16.50 feet to the Northeast described corner of the Russel Parcel recorded in Deed Record 230, Page 624, said Recorder's Office and the Northeast corner of said Lot 36; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the Northern described line of said Russell Parcel to the Northwest corner thereof and the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 16.50 feet along the center of said vacated Seventh Street to the Southwest described corner of said Morris Parcel; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the Southern described line of said Morris Parcel to the Point of Beginning.

Containing 0.03 acres (1155 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

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-274 5/19 hspaxlp 1642332

Public Notices

NOTICE TO BIDDERS

Notice is hereby given that the Jamestown Town Council of the Town of Jamestown, Indiana (hereinafter referred to as "Owner") will receive sealed bids beginning on the first day of publication of this notice and continuing day-to-day until May 27, 2020, for the sale of the following surplus item:

- 2010, 60 inch, Dixie Chopper. It has 1261 hours on it. To be sold in an "as-is" condition.

Bids may be forwarded individually by registered mail or delivered to Jamestown Town Hall and dropped in the drop box to the left of the door, Attn: Town Council President, PO Box 165, Jamestown IN 46147 prior to 12:00 p.m. May 27, 2020. Bids received after the 12:00 p.m. deadline will not be considered and will be returned to the bidder unopened.

All bids will be considered by the Owner at a public meeting held at the Jamestown Town Hall located at 421 East Main Street, Jamestown IN 46147 and opened and read aloud at a Town Council meeting at 7:00 p.m. (local time) on May 27, 2020.

Bidders should contact Catrina Cook, Clerk/Treasurer, at (765) 676-6331 to arrange an inspection of the equipment.

Each bid must be enclosed in a sealed envelope bearing the name and address of the bidder and the bid opening date. The bid documents to be submitted by each bidder shall consist of the name and address of bidder and bid amount.

The Town of Jamestown Town Council reserves the right to ask for clarification for any bid submitted. The Jamestown Town Council reserves the right to reject any and all bids.

TLR-258 5/12, 19 hspaxlp

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Auctions

****OVER****
500,000
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WILL SEE YOUR AD WITH ONE OF OUR HOOSIER BUYS. CALL FOR DETAILS AT HOOSIER BUY CLASSIFIEDS. 1-888-663-1063.

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ADDITIONAL REAL ESTATE Auctions can also be found in the Real Estate for Sale section under Real Estate Auctions.

jobs

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NEW STARTING BASE Pay - .50 cpm w/ option to make .60 cpm for Class A CDL Flatbed Drivers, Excellent Benefits, Home Weekends, Call 800-648-9915 or www.boydandsons.com

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Misc Merchandise

HIGH-SPEED INTERNET. WE instantly compare speed, pricing, availability to find the best service for your needs. Starting at $39.99/month! Quickly compare offers from top providers. Call 1-844-961-0666.

homes

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NICE 2 & 3 BR, 2 BA w/shed & deck in Thorntown (765) 746-6869 LOOK

NEED EXTRA CASH? SELL SOMETHING! CALL HOOSIER BUY CLASSIFIEDS AT 1-888-663-1063

Business & Service Directory $1.64 per day $49.32 for 30 days contract required

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CALL HOOSIER BUY CLASSIFIEDS TO PLACE YOUR AD TODAY! 1-888-663-1063.

CONCRETE – PURSEL CONCRETE Driveways, sidewalks, patio's-stamped. Call Sam 765-894-6446

Construction/Remodel

ELECTRIC – SMITH ELECTRIC Residential Wiring. Main services. Call 765-436-2679 or 317-441-3879

Landscape

MCCLOSKEY'S LAWN & Landscape, mowing, mulching bulk delivery, residential & commercial. Insurance & Senior Discounts 765-891-0886.

Tree Service

BART MCCOY'S TREE SERVICE: Tree removal & stump grinding. Insured. Free est. (765) 436-7778

CULLEY'S TREE SERVICE Free estimates and Insured. Dave Culley 765-535-8836

PETITION FOR VACATION OF ALLEY

713 WEST HAWTHORNE, ZIONSVILLE, INDIANA. 46077; AND

640 WEST SYCAMORE STREET, ZIONSVILLE, IN, 46077

STEVEN AND KATHLEEN MORRIS, AND JAMES AND RENA RUSSELL, the owners of the private properties described herein, hereby petition the Zionsville Town Council to vacate a certain alley, hereinafter described, which abuts the southern boundary of the property commonly known as 713 West Hawthorne, Zionsville, Indiana 46077 and the northern boundary commonly known as 640 West Sycamore, Zionsville, IN 46077. In support of this petition, we show the following:

a. The Alley which is herein requested to be vacated runs in a general east and west direction and is located immediately between Lots numbered 21 and 36, Laughlin, Fouts, and Hardin's Addition to the Town of Zionsville in Boone County, Indiana, as has been properly recorded in the Plat Book 3, page 1 in the Office of the Recorder of Boone County, Indiana, and the portion thereof that is herein requested to be vacated is more particularly described as follows:

PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Southeast described corner of the Morris Parcel recorded in Instrument Number 201200009301, said Recorder's Office and the Southeast corner of said Lot 21; thence South 00 degrees 00 minutes 00 seconds West 16.50 feet to the Northeast described corner of the Russel Parcel recorded in Deed Record 230, Page 624, said Recorder's Office and the Northeast corner of said Lot 36; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the Northern described line of said Russell Parcel to the Northwest corner thereof and the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 16.50 feet along the center of said vacated Seventh Street to the Southwest described corner of said Morris Parcel; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the Southern described line of said Morris Parcel to the Point of Beginning.

Containing 0.03 acres (1155 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

2. Steven and Kathleen Morris are the legal owners of the property known as 713 West Hawthorne, Zionsville, Boone County, Indiana, described herein as Lot No. 21 in Laughlin, Fouts, and Hardin's Addition to the Town of Zionsville in Boone County, Indiana as recorded in Plat Book 3, page 1 in the Office of the Recorder of Boone County, Indiana. The alley abuts the south property line of this real estate.

3. James and Rena Russell are the legal owners of the property known as 640 West Sycamore Street, Zionsville, Boone County, Indiana, described herein as Lot No. 36 in Laughlin, Fouts, and Hardin's Addition to the Town of Zionsville in Boone County, Indiana as recorded in Plat Book 3, page 1 in the Office of the Recorder of Boone County, Indiana. The alley abuts the north property line of this real estate.

4. Lot 21 (the Morris Lot), therefore, lies immediately to the north of Lot 36(the Russell Lot) and those two lots are separated only by the alley they both abut.

   Photographs showing East and West views of the pertinent parts of said alley are included for visual reference and the convenience of this Council:

   Attached hereto and made a part hereof by specific reference thereto are Exhibits marked "Exhibit 1," and "Exhibit 2," respectively.

   The portion of the alley that lies, therefore, between the Morris Lot and the Russell Lot and which Petitioners request to be vacated has not been utilized as either a private or a public alley since at least 1973 when the Russell's acquired said Lot 36. Photographs evidencing unutilized portion of the pertinent parts of said alley are included for visual reference and the convenience of this Council:

   The alley does contain utilities of record and Indiana Code Section 36-7-3-16 provides for the continued use thereof notwithstanding vacation of this alley.

   Attached hereto and made a part hereof by specific reference thereto are Exhibits marked "Exhibit 1," and "Exhibit 2," respectively.

5. Petitioners hereby propose to and request this Honorable Council to vacate said alley in pertinent part above described in conformity with applicable law, including ordinance of the ordinances of the Town of Zionsville, Indiana and divide the pertinent parts of the North portion and the South portion equally between Lots 21 and 36. A proposed legal description for each pertinent part would be as follows:

NORTH HALF OF THE PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Southeast described corner of the Morris Parcel recorded in Instrument Number 201200009301, said Recorder's Office and the Southeast corner of said Lot 21; thence South 00 degrees 00 minutes 00 seconds West 8.25 feet along the Southern extension of the East line of said Lot 21 to the center of said East-West Alley; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the center of said East-West Alley to the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 8.25 feet along the center of said vacated Seventh Street to the Southwest described corner of said Morris Parcel; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the Southern described line of said Morris Parcel to the Point of Beginning.

Containing 0.01 acres (577.5 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

SOUTH HALF OF THE PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Northeast described corner of the Russell Parcel recorded in Deed Record 230, Page 624, said Recorder's Office and the Northeast corner of said Lot 36; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the Northern described line of said Russell Parcel to the Northwest corner thereof and the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 8.25 feet along the center of said vacated Seventh Street to the center of said East-West Alley; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the center of said East-West Alley to the Northern extension of the East line of said Lot 36; thence South 00 degrees 00 minutes 00 seconds West 8.25 feet to the Point of Beginning.

Containing 0.01 acres (577.5 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

6. No other parties of interest have properties abutting the portion of said alley hereby requested to be vacated, nor do any gain entrance to their properties via the alley.

7. Vacation of the above noted section of alley which abuts Lots 21 and 36 will be of benefit of the Town in restoring such property to the tax rolls.

WHEREFORE, Petitioners respectfully request that the Town Council of Zionsville:

1) In accordance with the provisions of Indiana Law, the ordinance of the Town of Zionsville, and the provisions of Indiana Code 36-7-3-12, vacate by ordinance the above described alley;

2) Authorize and direct by ordinance the legal and appropriate Town officers to execute and deliver deeds properly describing the vacated alley as described above as follows:

    a. To Steven L. Morris and Kathleen K. Morris, 713 West Hawthorne Street Zionsville, IN 46077:

NORTH HALF OF THE PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Southeast described corner of the Morris Parcel recorded in Instrument Number 201200009301, said Recorder's Office and the Southeast corner of said Lot 21; thence South 00 degrees 00 minutes 00 seconds West 8.25 feet along the Southern extension of the East line of said Lot 21 to the center of said East-West Alley; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the center of said East-West Alley to the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 8.25 feet along the center of said vacated Seventh Street to the Southwest described corner of said Morris Parcel; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the Southern described line of said Morris Parcel to the Point of Beginning.

Containing 0.01 acres (577.5 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

b. To James E. Russell and Rena Carol Russell, 640 West Sycamore Street Zionsville, IN 46007:

SOUTH HALF OF THE PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Northeast described corner of the Russell Parcel recorded in Deed Record 230, Page 624, said Recorder's Office and the Northeast corner of said Lot 36; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the Northern described line of said Russell Parcel to the Northwest corner thereof and the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 8.25 feet along the center of said vacated Seventh Street to the center of said East-West Alley; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the center of said East-West Alley to the Northern extension of the East line of said Lot 36; thence South 00 degrees 00 minutes 00 seconds West 8.25 feet to the Point of Beginning.

Containing 0.01 acres (577.5 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

and delivered to them or to their respective nominated agent or agents,

all legal descriptions herein being shown by a certain survey, attached hereto, made an part hereof by specific reference thereto, and marked "Exhibit A".

PETITIONERS HAVE MADE THIS, THEIR PETITION, BY SIGNING IMMEDIATELY BELOW.

Petitioners:

4/6/20

Steven L. Morris

4/6/2020

Kathleen K. Morris

James E. Russell

James E. Russell

Rena Carol Russell

Rena Carol Russell

713 West Hawthorne

Zionsville, IN 46077

618-534-5445

retriev1@gmail.com

640 West Sycamore Street

Zionsville, IN 46077

317-374-7507

16.00
+1 NON
MERIDIAN

201200009301
Filed for Record in
BOONE COUNTY, INDIANA
MARY ALICE "SAM" BALDWIN, RECORDER
08-20-2012 At 09:44 am.
DEED 17.00

Tax ID No.
019-11500-00
06-04-02-000-007.052-006

WARRANTY DEED

12.27494 LB ①

Meridian
①

THIS INDENTURE WITNESSETH THAT

Daniel D. Clark and A. Gail Clark, Husband and Wife

CONVEY(S) AND WARRANT(S) TO

Steven L. Morris and Kathleen K. Morris, Husband and Wife, for Ten Dollars and other valuable consideration the receipt whereof is hereby acknowledged, the following described REAL ESTATE in Boone County, in the State of Indiana, to wit:

Lot Numbered Twenty-one (21) in Laughlin, Fouts and Harden's Addition to Zionsville, Boone County, Indiana as per plat thereof recorded in Plat Book 3, page 1 in the Office of the Recorder of Boone County, Indiana, together with half of the vacated alley ajacent to the West side of said lot.

Subject to Real Estate taxes now due and payable and thereafter.

Subject to covenants, restrictions and easements of record.

DULY ENTERED FOR TAXATION
8-20-12
Melody Pace
SUBJECT TO FINAL ACCEPTANCE
AUDITOR, BOONE COUNTY

IN WITNESS WHEREOF, the Grantor has executed this deed this 15 day of August, 2012.

Daniel D. Clark
Daniel D. Clark

A. Gail Clark
A. Gail Clark

State of INDIANA, County of BOONE ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Daniel D. Clark and A. Gail Clark, Husband and Wife who acknowledged the execution of the foregoing Deed and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS, my hand and Seal this 15 day of August, 2012.

My Commission Expires: _____

Dennis P. Patton
Signature of Notary Public

Printed Name of Notary Public

Notary Public County and State of Residence

NOTARY PUBLIC SEAL STATE OF INDIANA
DENNIS P. PATTON
Boone County
My Commission Expires
August 24, 2017

This instrument was prepared by:
Andrew R. Drake, Attorney-at-Law
11711 N. Pennsylvania St., Suite 110, Carmel, IN 46032

Property Address:
713 West Hawthorne Street, Zionsville, IN 46077

Grantee's Address and Mail Tax Statements To:

Property Address

File No.: 12-27494

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. ANDREW R. DRAKE (Type or Print Name)

50,

Mr James Russell
640 W. Sycamore
Zionsville IN 46077

WARRANTY DEED

THIS INDENTURE WITNESSETH, That James E. Russell

of Boone County, in the State of Indiana

Convey and Warrant to James E. Russell and Rena Carol Russell, husband and wife

of Boone County, in the State of Indiana for and in consideration

of To Transfer Title ---------- Dollars

the receipt whereof is hereby acknowledged, the following described Real Estate in Boone County

in the State of Indiana, to-wit:

Lot No. 36 in Laughlin, Fouts and Harden's Addition to Zionsville, Indiana.
Also, the east half of vacated Seventh Street vacated by Decree of the Boone Circuit Court on April 16, 1971 in Cause No. C71-64 and more particularly described as follows:
Beginning at the southeast corner of Lot No. 35 in Laughlin, Fouts and Harden's Addition to the Town of Zionsville, Boone County, Indiana, as per plat thereof recorded in Plat Record 3, Page 1 in the Office of the Recorder of Boone County, Indiana, thence north on and along the east line of said Lot No. 35 to the northeast corner of said Lot No. 35, thence east to the northwest corner of Lot No. 36 in said Laughlin, Fouts and Harden's Addition, thence south on and along the west property line of said Lot No. 36 to the southwest corner of said Lot No. 36, thence west on and along the north property line of Sycamore Street as presently laid out and existing in the Town of Zionsville to the place of beginning.

Subject to liens, restrictions, and easements of record.

Sign in BLACK INK for better Micro copies

IN WITNESS WHEREOF, the said grantor(s) James E. Russell

has hereunto affixed his name and seal, this 14th day of April 19 88

_____ (Seal) James E. Russell (Seal)

_____ (Seal) James E. Russell (Seal)

_____ (Seal) _____ (Seal)

_____ (Seal) _____ (Seal)

Notary Seal

STATE OF INDIANA, Boone County, ss: Corporate Seal

Before me, the undersigned, a Notary Public in and for said County and State, this 14th day of April, 19 88, personally appeared James E. Russell

and acknowledged the execution of the foregoing deed.

Bonita Jane Kincaid Notary Public

Bonita Jane Kincaid
My Commission expires Nov. 30, 1990
My County of Residence: Boone County

Auditor Stamp Please send tax statements to: 640 W. Sycamore St., Zionsville, IN 46077

Recorder Stamp

APR 13 8 56 AM '88

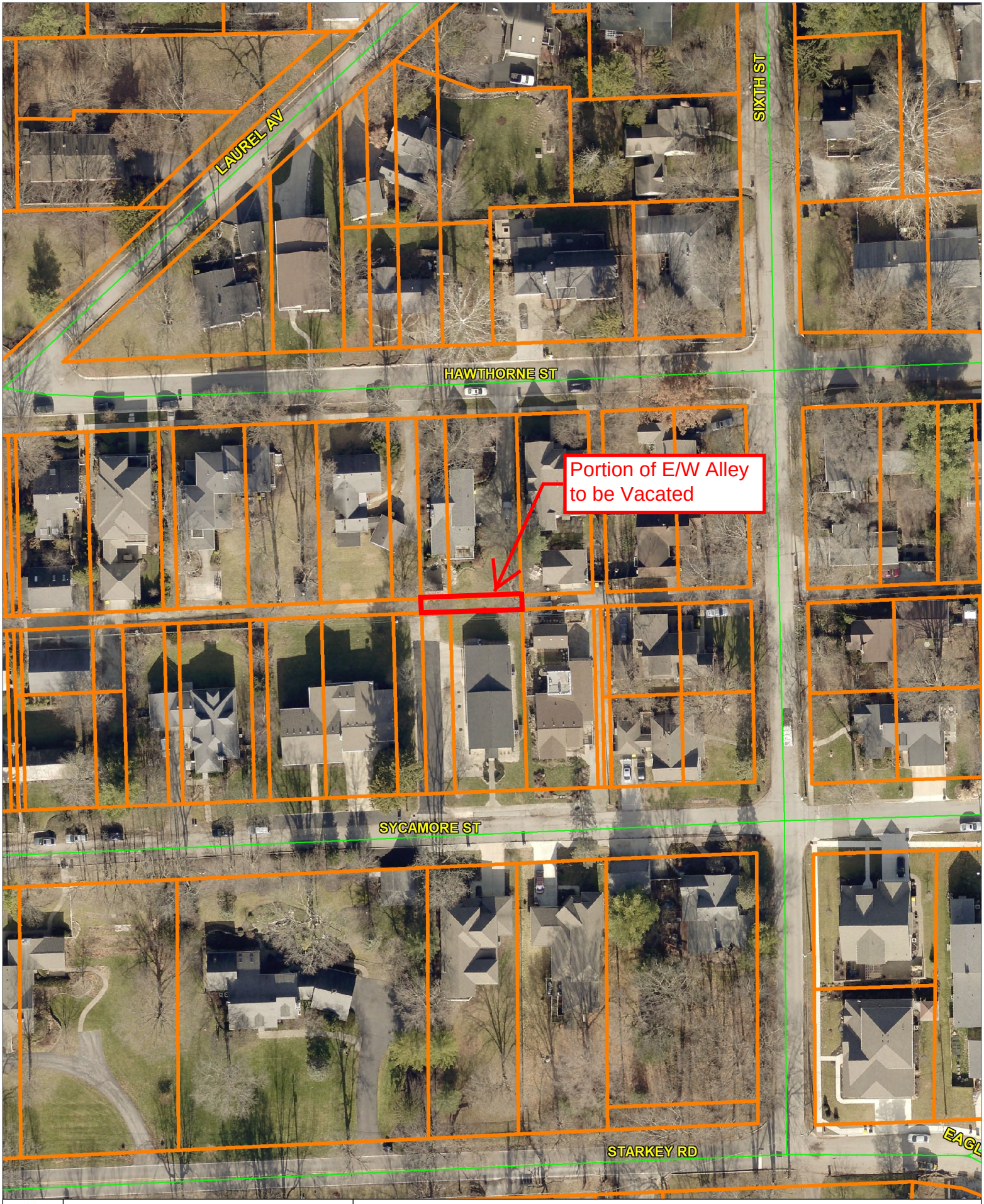
RECORDER BOONE COUNTY
LEBANON, INDIANA 46052
Deed BK 230 PG 624

DULY ENTERED FOR TAXATION
April 18, 1988
Teresa S. Brannon
AUDITOR BOONE COUNTY

624

Roger L. Burrus, Attorney, Zionsville, IN 46077

This Document Prepared by



N
W E
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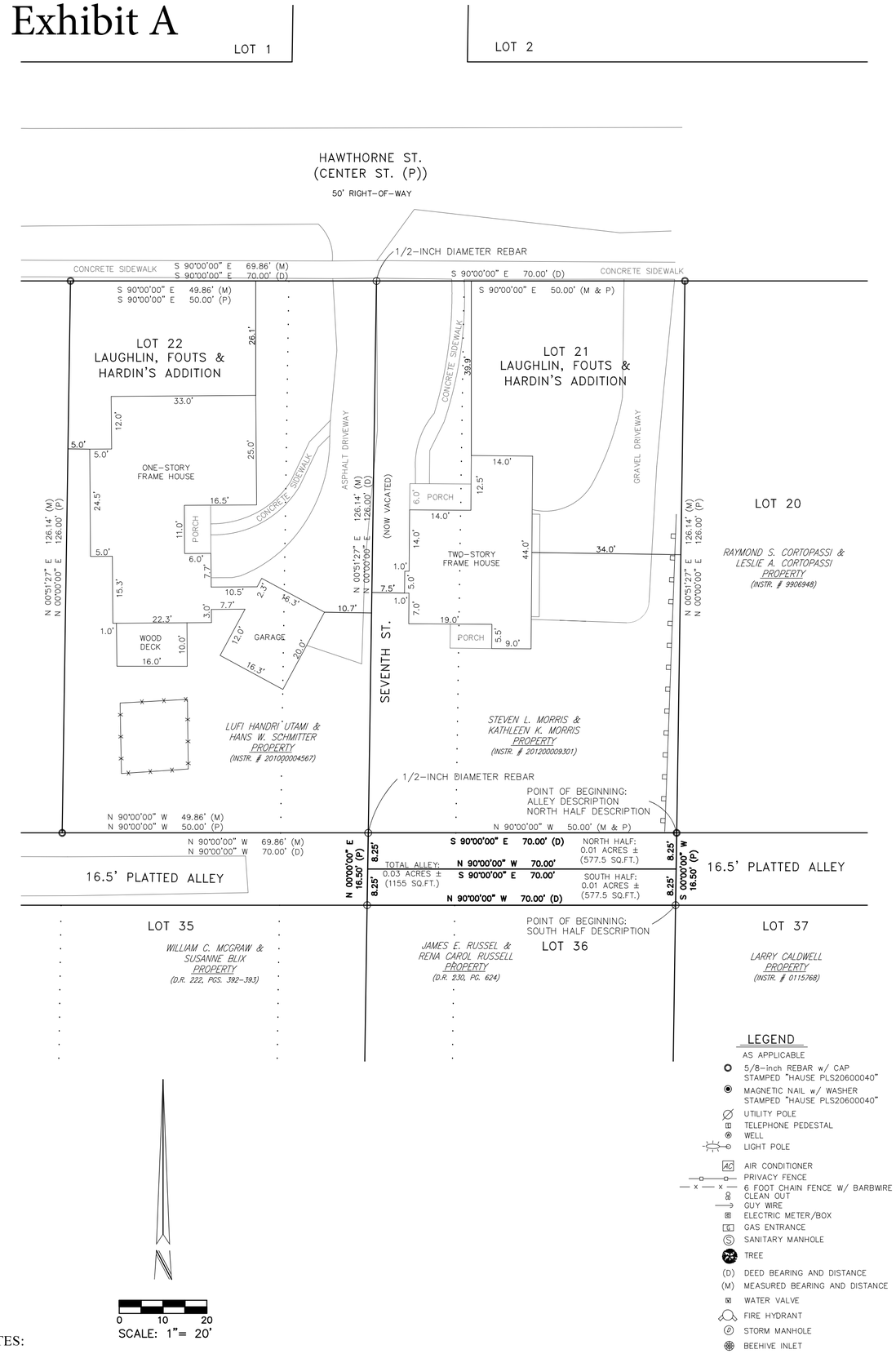
0 84 168

1" = 84ft

E/W Alley Vacation between Hawthorne & Sycamore

Exhibit A



NOTES:

1.) All physical improvements hereon are shown as they were located in the field on July 25, 2012.

2.) This is NOT a Survey, It is an EXHIBIT showing the location of a proposed Alley Vacation.

PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Southeast described corner of the Morris Parcel recorded in Instrument Number 201200009301, said Recorder's Office and the Southeast corner of said Lot 21; thence South 00 degrees 00 minutes 00 seconds West 16.50 feet to the Northeast described corner of the Russel Parcel recorded in Deed Record 230, Page 624, said Recorder's Office and the Northeast corner of said Lot 36; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the Northern described line of said Russell Parcel to the Northwest corner thereof and the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 16.50 feet along the center of said vacated Seventh Street to the Southwest described corner of said Morris Parcel; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the Southern described line of said Morris Parcel to the Point of Beginning.

Containing 0.03 acres (1155 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

NORTH HALF OF THE PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Southeast described corner of the Morris Parcel recorded in Instrument Number 201200009301, said Recorder's Office and the Southeast corner of said Lot 21; thence South 00 degrees 00 minutes 00 seconds West 8.25 feet along the Southern extension of the East line of said Lot 21 to the center of said East-West Alley; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the center of said East-West Alley to the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 8.25 feet along the center of said vacated Seventh Street to the Southwest described corner of said Morris Parcel; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the Southern described line of said Morris Parcel to the Point of Beginning.

Containing 0.01 acres (577.5 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

SOUTH HALF OF THE PROPOSED ALLEY VACATION LAND DESCRIPTION:

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Northeast described corner of the Russell Parcel recorded in Deed Record 230, Page 624, said Recorder's Office and the Northeast corner of said Lot 36; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the Northern described line of said Russell Parcel to the Northwest corner thereof and the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 8.25 feet along the center of said vacated Seventh Street to the center of said East-West Alley; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the center of said East-West Alley to the Northern extension of the East line of said Lot 36; thence South 00 degrees 00 minutes 00 seconds West 8.25 feet to the Point of Beginning.

Containing 0.01 acres (577.5 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record.

105 N. MERIDIAN ST.
LEBANON, IN 46052
PHONE: (765) 482-5141
INFO@HAUSESURVEYINGANDENGINEERING.COM

A SERVICE DISABLED VETERAN OWNED SMALL BUSINESS

HAUSE SURVEYING & ENGINEERING

JONATHAN E. HAUSE REGISTERED No. 20600040 STATE OF INDIANA LAND SURVEYOR

DRAWN BY: JEH	CHECKED BY: JEH	DATE: 04/01/2020	SCALE: 1" = 20'

No.	Date	Revisions

ALLEY VACATION EXHIBIT

STEVE MORRIS

LOT 21, LAUGHLIN, FOUTS & HARDIN'S ADD., TOWN OF ZIONSVILLE, BOONE CO., IN

SHEET NO. 1 OF-1-SHEETS

PROJECT NO. 20D183

Letter of Support

I/We support the Petition to Vacate filed with the Zionsville Town Council by Steven L. and Kathleen K. Morris and James E. and Rena C. Russell.

The Petition requests the Zionsville Town Council to vacate a certain alley, which abuts the southern boundary of the property commonly known as 713 West Hawthorne, Zionsville, Indiana 46077 and the northern boundary commonly known as 640 West Sycamore, Zionsville, IN 46077, and;

Authorize and direct by ordinance the legal and appropriate Town officers to execute and deliver deeds properly describing the vacated alley:

a. To Steven L. Morris and Kathleen K. Morris, 713 West Hawthorne Street Zionsville, IN 46077

b. To James E. Russell and Rena Carol Russell, 640 West Sycamore Street Zionsville, IN 46007

Ray Cortopassi Leslie Cortopassi 5-30-20

Signature (s) Date

Ray Cortopass, Leslie Cortopassi

Printed Name (s)

655 W. Hawthorne St. Zionsville, IN

Owner's/Signer's Address

Letter of Support

I/We support the Petition to Vacate filed with the Zionsville Town Council by Steven L. and Kathleen K. Morris and James E. and Rena C. Russell.

The Petition requests the Zionsville Town Council to vacate a certain alley, which abuts the southern boundary of the property commonly known as 713 West Hawthorne, Zionsville, Indiana 46077 and the northern boundary commonly known as 640 West Sycamore, Zionsville, IN 46077, and;

Authorize and direct by ordinance the legal and appropriate Town officers to execute and deliver deeds properly describing the vacated alley:

a. To Steven L. Morris and Kathleen K. Morris, 713 West Hawthorne Street Zionsville, IN 46077

b. To James E. Russell and Rena Carol Russell, 640 West Sycamore Street Zionsville, IN 46007

Myrene K. Brown

Signature (s)

5-1-2020

Date

MYRENE SHOVE

Printed Name (s)

620 W. Sycamore St, Zionsville IN

Owner's/Signer's Address

Letter of Support

I/We support the Petition to Vacate filed with the Zionsville Town Council by Steven L. and Kathleen K. Morris and James E. and Rena C. Russell.

The Petition requests the Zionsville Town Council to vacate a certain alley, which abuts the southern boundary of the property commonly known as 713 West Hawthorne, Zionsville, Indiana 46077 and the northern boundary commonly known as 640 West Sycamore, Zionsville, IN 46077, and;

Authorize and direct by ordinance the legal and appropriate Town officers to execute and deliver deeds properly describing the vacated alley:

a. To Steven L. Morris and Kathleen K. Morris, 713 West Hawthorne Street Zionsville, IN 46077

b. To James E. Russell and Rena Carol Russell, 640 West Sycamore Street Zionsville, IN 46007

William C McGraw

Signature (s)

30 April 2020

Date

William C. McGraw

Printed Name (s)

720 West Sycamore St

Owner's/Signer's Address

Letter of Support

I/We support the Petition to Vacate filed with the Zionsville Town Council by Steven L. and Kathleen K. Morris and James E. and Rena C. Russell.

The Petition requests the Zionsville Town Council to vacate a certain alley, which abuts the southern boundary of the property commonly known as 713 West Hawthorne, Zionsville, Indiana 46077 and the northern boundary commonly known as 640 West Sycamore, Zionsville, IN 46077, and;

Authorize and direct by ordinance the legal and appropriate Town officers to execute and deliver deeds properly describing the vacated alley:

a. To Steven L. Morris and Kathleen K. Morris, 713 West Hawthorne Street Zionsville, IN 46077

b. To James E. Russell and Rena Carol Russell, 640 West Sycamore Street Zionsville, IN 46007

Steve C Betz Sam Betz

Signature (s)

May 4, 2020

Date

Steve C Betz Sam Betz

Printed Name (s)

715 W. Hawthorne St.

Owner's/Signer's Address

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

AN ORDINANCE VACATING A PORTION OF A PUBLIC RIGHT-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 April 6, 2020, Steven and Kathleen Morris & James and Rena Russell (collectively "Petitioner"), petitioned the Town of Zionsville ("Town") to vacate a portion of a public right-of-way (an east-west platted alley) located between Hawthorne Street and Sycamore Street, west of Sixth Street 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 May 19, 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 June 1, 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 Right-of-way. The Right-of-way legally described herein and schematically illustrated on Exhibit A attached hereto, under the terms set forth herein, is hereby vacated;

A part of the East-West Alley laying between Lots 21 and 36 in Laughlin, Fouts and Hardin's Addition to the Town of Zionsville, as per plat thereof recorded in Plat Book 3, Page 1, in the Office of the Recorder of Boone County, Indiana, being more particularly described as follows:

Beginning at the Southeast described corner of the Morris Parcel recorded in Instrument Number 201200009301, said Recorder's Office and the Southeast corner of said Lot 21; thence South 00 degrees 00 minutes 00 seconds West 16.50 feet to the Northeast described corner of the Russel Parcel recorded in Deed Record 230, Page 624, said Recorder's Office and the Northeast corner of said Lot 36; thence North 90 degrees 00 minutes 00 seconds West 70.00 feet along the Northern described line of said Russell Parcel to the Northwest corner thereof and the center of vacated Seventh Street; thence North 00 degrees 00 minutes 00 seconds East 16.50 feet along the center of said vacated Seventh Street to the Southwest described corner of said Morris Parcel; thence South 90 degrees 00 minutes 00 seconds East 70.00 feet along the Southern described line of said Morris Parcel to the Point of Beginning.

Containing 0.03 acres (1155 square feet), more or less, and being subject to all Legal Highways, Rights-of-way and Easements of Record. (See survey attached as Exhibit A.)

Section 2: Ownership, Maintenance, Repair and Liability. The portion of the Alley to be vacated is bordered on the north by property addressed as 713 West Hawthorne Street ("Property Owner One"), and is bordered on the south by property addressed as 640 West Sycamore Street ("Property Owner Two") measuring 70.00 lineal feet and is 16.50 feet in width ("Vacated Area"). This vacation will transfer the ownership of the Vacated Area, including all ongoing maintenance, repair obligations and all liability, to be transferred equally to Property Owner One and Property Owner Two.

Section 3: 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 public 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 Right-of-way, including paving and curb returns abutting the vacated Right-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.

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

	YEA **Signature**	**NAY** **Signature**
Josh Garrett, President		
Brian Traylor, Vice-President		
Brad Burke, Member		
Alexander Choi, Member		
Joe Culp, Member		
Craig Melton, Member		
Jason Plunkett, Member		

I hereby certify that the foregoing Resolution was delivered to the Town of Zionsville Mayor Emily Styron on the _____day of _____2020, at_____ _____m.

ATTEST:_____
Amelia Lacy, Director, Department of
Finance and Records

MAYOR'S APPROVAL

_____ _____
Emily Styron, Mayor **DATE**

MAYOR'S
VETO

_____ _____
Emily Styron, Mayor **DATE**