



2013R-001778
YVONNE HUGHES
WARRICK COUNTY RECORDER
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PAGES: 8

WARRICK COUNTY COMMISSIONS ORDINANCE # 2013-02
PLAN COMMISSION DOCKET # PC-R-1301

AN ORDINANCE TO AMEND THE WARRICK COUNTY, INDIANA
COMPREHENSIVE ZONING ORDINANCE BY REZONING CERTAIN
REAL ESTATE IN WARRICK COUNTY, INDIANA

**BE IT ORDAINED BY THE COUNTY COMMISSIONERS
OF WARRICK COUNTY, INDIANA**

Section 1. That the Warrick County, Indiana Comprehensive Zoning Ordinance and the Warrick County Zoning District Maps dated February 1, 2005, and made a part of said Ordinance, be and the same are hereby amended as follows:

That the boundaries of the C-1 Neighborhood Commercial, as shown on said Warrick County Zoning District Maps, be amended as to the following described real estate:

Lot 1:

All of Lot 2 and 3 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being part of the South Half of the Southeast Quarter of the Southeast Quarter of Section 14, Township 6 South, Range 9 West in Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Southeast Quarter of Section 14, Township 6 South, Range 9 West; thence along the south line of said Quarter Quarter Section, South 89 degrees 55 minutes 34 seconds West 547.49 feet; thence North 00 degrees 04 minutes 26 seconds West 35.00 feet to a corner of said Lot 3 and being the point of beginning; thence South 89 degrees 55 minutes 34 seconds West 413.12 feet to the southwest corner of said Lot 2; thence along the west line of said Lot 2, North 09 degrees 00 minutes 04 seconds East 280.43 feet to the northwest corner thereof and being the beginning of a curve to the left having a central angle of 21 degrees 22 minutes 00 seconds, a radius of 230.00 feet and a chord dimension of South 70 degrees 47 minutes 20 seconds East 85.28 feet; thence along the arc of said curve 85.77 feet; thence South 81 degrees 28 minutes 20 seconds East 99.93 feet to the beginning of a curve to the right having a central angle of 19 degrees 08 minutes 25 seconds, a radius of 170.00 feet and a chord dimension of South 71 degrees 54 minutes 07 seconds East 56.53 feet; thence along the arc of said curve 56.79 feet; thence South 62 degrees 19 minutes 55 seconds East 130.66 feet to the beginning of a curve to the left having a central angle of 12 degrees 22 minutes 14 seconds, a radius of 230.00 feet and a chord dimension of South 68 degrees 31 minutes 02 seconds East 49.56 feet; thence along the arc of said curve 49.66 feet to the beginning of a curve to the right having a central angle of 82 degrees 26 minutes 31 seconds, a radius of 40.00 feet and a chord

dimension of South 33 degrees 28 minutes 54 seconds East 52.72 feet; thence along the arc of said curve 57.56 feet to the beginning of a curve to the left having a central angle of 03 degrees 25 minutes 34 seconds, a radius of 790.00 feet and a chord dimension of South 06 degrees 01 minute 35 seconds West 47.23 feet; thence along the arc of said curve 47.24 feet to the beginning of a curve to the right having a central angle of 85 degrees 36 minutes 46 seconds, a radius of 50.00 feet and a chord dimension of South 47 degrees 07 minutes 11 seconds West 67.95 feet; thence along the arc of said curve 74.71 feet to the point of beginning and containing 2.159 acres, more or less.

Lot 2:

All of Lot 4, 5, 6, 7 and 8 and part of Lot 9 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being part of the South Half of the Southeast Quarter of the Southeast Quarter of Section 14, Township 6 South, Range 9 West in Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Southeast Quarter of Section 14, Township 6 South, Range 9 West; thence along the east line of the South Half of the Southeast Quarter of the Southeast Quarter of said Section 14, North 00 degrees 08 minutes 08 seconds West 35.00 feet to the southeast corner of said Lot 4 and being the point of beginning; thence South 89 degrees 55 minutes 34 seconds West 366.78 feet to the beginning of a curve to the right having a central angle of 95 degrees 35 minutes 13 seconds, a radius of 50.00 feet and a chord dimension of North 42 degrees 16 minutes 49 seconds West 74.07 feet; thence along the arc of said curve 83.42 feet to the beginning of a curve to the right having a central angle of 05 degrees 08 minutes 05 seconds, a radius of 710.00 feet and a chord dimension of North 08 degrees 04 minutes 50 seconds East 63.61 feet; thence along the arc of said curve 63.63 feet to the beginning of a curve to the left having a central angle of 99 degrees 16 minutes 06 seconds, a radius of 60.00 feet and a chord dimension of North 38 degrees 59 minutes 11 seconds West 91.43 feet; thence along the arc of said curve 103.95 feet to the beginning of a curve to the right having a central angle of 26 degrees 17 minutes 19 seconds, a radius of 170.00 feet and a chord dimension of North 75 degrees 28 minutes 35 seconds West 77.32 feet; thence along the arc of said curve 78.00 feet; thence North 62 degrees 19 minutes 55 seconds West 130.66 feet to the beginning of a curve to the left having a central angle of 19 degrees 08 minutes 25 seconds, a radius of 230.00 feet and a chord dimension of North 71 degrees 54 minutes 07 seconds West 76.48 feet; thence along the arc of said curve 76.83 feet; thence North 81 degrees 28 minutes 20 seconds West 99.93 feet to the beginning of a curve to the right having a central angle of 28 degrees 47 minutes 57 seconds, a radius of 170.00 feet and a chord dimension of North 67 degrees 04 minutes 21 seconds West 84.55 feet; thence along the arc of said curve 85.45 feet; thence North 47 degrees 01 minute 11 seconds West 101.51 feet; thence North 52 degrees 40 minutes 23 seconds West 90.66 feet; thence North 19 degrees 12 minutes 17 seconds West 41.36 feet to the southeast corner of a tract of land conveyed to the State of Indiana in Deed Document 2008R-006575 in the office of said Recorder; thence along the east side of said State tract, North 36 degrees 46 minutes 23 seconds East 121.88 feet; thence continue along the east side of said State tract, North 28 degrees 44 minutes 12 seconds East 33.23 feet to a point on the north line of

said Lot 9 in Paradise Park; thence along the north line of Paradise Park, North 89 degrees 51 minutes 17 seconds East 939.67 feet to the northeast corner of Lot 6 in said subdivision; thence South 15 degrees 46 minutes 43 seconds East 129.80 feet to the northeast corner of said Lot 5 in Paradise Park; thence along the east line of Paradise Park, South 00 degrees 08 minutes 08 seconds East 507.42 feet to the point of beginning and containing 10.808 acres, more or less.

Subject to all easements and rights-of-ways of record.

which real estate is now zoned and classified as part of the C-1 District, as shown on the aforementioned Warrick County Zoning District Maps, so that said above described real estate shall be and the same is hereby rezoned and reclassified from said C-1 District to said PUD/C-1 District.

Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Commissions of the County of Warrick, State of Indiana.

Don Williams
President

Maclin Wersheit
Member

Paul A. Paul
Member

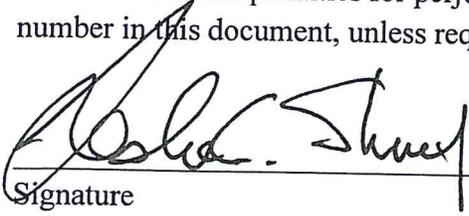
BOARD OF COMMISSIONERS
WARRICK COUNTY, INDIANA

ATTEST:

JBDugan
County Auditor

2/11/13
Date Approved

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.


Signature

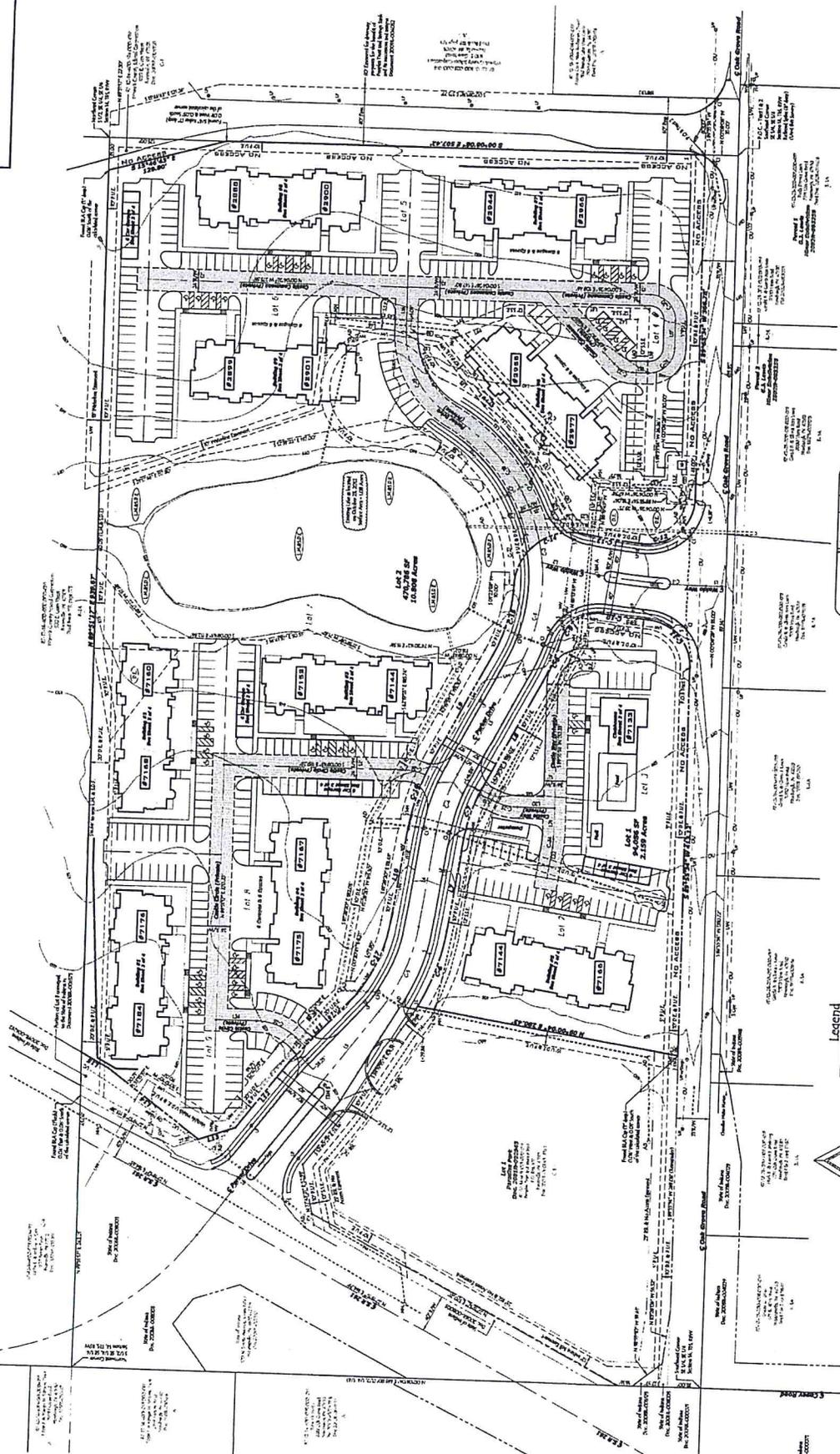
Leslie C. Shively
Printed Name

This documents prepared by Leslie C. Shively, Shively and Associates, PC, 414 Citadel Circle, Suite C, Evansville, Indiana 47715.

Castle Commons, PUD

A plat of Lots in Paradise Park, recorded in Document 2001R-002045 in the office of the Recorder of Warrick County, Indiana, in the Southeast Quarter of the Southeast Quarter of Section 14, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana.

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JAN 11 200
WARRICK COUNTY, INDIANA

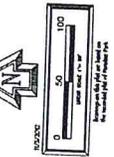


BENCHMARKS
 TEMA - MACTRI set at the corner west of the station in 1945 (W-1945)
 TEMA - MACTRI set at the corner west of the station in 1945 (W-1945)
 TEMA - MACTRI set at the corner west of the station in 1945 (W-1945)
 Elevation - 452.27 (NAVD 1988)

SITE DATA
 21.05 Acres (Total Area)
 10,500 Acres (Average Size of Lots)
 10,500 Acres (Average Size of Lots)

Legend

- Lot
- Proposed Building
- Proposed Driveway
- Proposed Sidewalk
- Proposed Parking
- Proposed Utility
- Proposed Easement
- Proposed Access
- Proposed No Access
- Proposed No Driveway
- Proposed No Sidewalk
- Proposed No Parking
- Proposed No Utility
- Proposed No Easement
- Proposed No Access



CORNER REFERENCE
 SECTION 14, T-6 S, R-9 W

CASH WAGNER & ASSOCIATES, PC
 CONSULTING ENGINEERS - LAND SURVEYORS
 WWW.CASHWAGNER.COM

414 OFFICE, CHICAGO
 EVANSHVILLE, IN 47710
 PH: 812.401.5551

333 THIRD AVENUE
 JAMES, IN 47133
 PH: 812.634.4015

PETITION FOR CHANGE OF THE ZONING ORDINANCE MAPS

PC- R-13-01

Petitioner: K&E Multifamily, LLC, J.R. Kendall, Managing Member

Address: 8910 Purdue Road, Suite 730, Indianapolis, IN 46268

Email Address: jrkendall@kendallpropertygroup.com

Owner of Record: People's Trust and Savings Bank of Boonville, Warrick County, Indiana
Steve Bennett, CEO

Address: P.O. Box 307, Boonville, Indiana 47601

1. Petition is hereby made for the change of "Zoning Maps" of the County of Warrick (X), (Check One), State of Indiana, under the authority vested in the Warrick County Area Plan Commission by Chapter 138, Article V, Section 51 and of the 1957 Act of the General Assembly, as amended, State of Indiana.

2. The property is located on Lots 2 through 9 in Paradise Park Subdivision which lies north on Oak Grove Road and east on State Road 261. The property is located east of the intersection formed by S.R. 261 and Parker Drive, Ohio Township.

Subdivision or Legal Description: Lots 2-9 in Paradise Park Subdivision as recorded in the Office of the Recorder of Warrick County, Indiana. (See Exhibit "A" – Rezoning Description.)

3. Located in Zone District Designated as: (Circle one or show one.)

County: F.P., CON., A., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-2A, R-2B, R-3, R-O, R-MH, C-1, C-2 C-3, C-4, W-R, W-1, M-1, M-2, M-3, PUD.

4. Requested change to: (Circle one or Show one.)

County: F.P., CON., A., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-2A, R-2B, R-3, R-O, R-MH, C-1, C-2, C-3, C-4, W-R, W-1 M-1, M-2, M-3, PUD.

5. Existing Land Use: Vacant commercial lots

(a.) Conforming: Yes

(b.) Pre-Existing ~ Non-Conforming: No

(c.) Conditional Use: No

6. Proposed Land Use: 208 unit multifamily apartment complex

Certificate: - Owner hereby certifies Peoples Trust & Savings Bank of Boonville, Indiana
that he/she owns 50% or more of Lots 2 - 9 in Paradise Park Subdivision as described in Exhibit "A"
the land above described. Owner: Peoples Trust & Savings Bank of Boonville, Indiana

Represented By: Steve M. Bennett
STEVE M. BENNETT
C.O.O.

Certificate: - Owner hereby certifies
that he/she owns 50% or more of
the land above described.

Petitioner: Leslie C. Shively (ATTORNEY)
K&E Multifamily, LLC

Owner: JR Kendall

Date: 12/12/12

Represented By: Leslie C. Shively
Shively & Associates, P.C.
414 Citadel Circle, Suite C
P.O. Box 5717
Evansville, Indiana 47716-5717
Telephone: 812-867-1351

*** NOTICE OF PUBLIC HEARING ***

Date: 12-12-12 PC-R- 13-01

Applicant: K&E Multifamily, LLC

By: J.R. Kendall

Address: 8910 Purdue Road, Suite 730
Indianapolis, IN 46268

Owner of Record: Peoples Trust & Savings Banks of Boonville IN

By: Steve Bennett, CEO

Address: P.O. Box 307
Boonville, IN 47601

Re: Petition neighborhood: To rezone 2.159 acres and 10.80 acres from C-1 commercial to PUC/C-1 zoning.

Dear Sir or Madam:

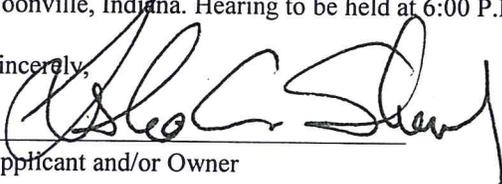
This letter will serve notice to you of a scheduled hearing/s of a petition for rezoning

which has been filed with the Warrick County Area Plan Commission.

PREMISES AFFECTED: The property is located on Lots 2 through 9 in Paradise Park Subdivision which lies north on Oak Grove Road and east on State Road 261. The property is located on the east of the intersection formed by S.R. 261 and Parker Drive, Ohio Township.

AREA PLAN COMMISSION hearing to be held in the Commissioners Meeting Room, Third Floor, Courthouse, Boonville, Indiana. Hearing to be held at 6:00 P.M. on Monday, January 14, 2013.

Sincerely,



Applicant and/or Owner

Castle Crossing – Adjoiner's List – November 20, 2012

87-12-14-400-050.000-019
Warrick County School Corp.
P.O. Box 809
Boonville, IN 47601

87-12-13-100-025.000-019
Warrick County School Corp.
100 East Gum Street
Boonville, IN 47601

87-12-14-400-194.000-019
Warrick County School Corp.
300 East Gum Street
P.O. Box 809
Boonville, IN 47601

87-12-13-300-046.000-019
Nancy Carol Akin Buchanan (Trustee) Trust
1162 Brandy Lake View Circle
Winter Garden, FL 34787

87-12-23-202-001.000-019
Paula Dianne Lewis
7011 Oak Grove Road
Newburgh, IN 47630

87-12-23-202-002.000-019
87-12-23-200-015.000-019
87-12-23-200-082.000-019
87-12-23-200-013.000-019
87-12-23-200-012.000-019
Gerald R. & Gloria Jean Lewis
7000 Vann Road
Newburgh, IN 47630

87-12-23-200-009.000-019
Mark R. & Karen S. Mehling
7211 Oak Grove Road
Newburgh, IN 47630

87-12-23-200-008.000-019
Ginger G. Gilles
675 East 80th Street
Indianapolis, IN 46240

87-12-23-200-045.000-019
Elberfeld JH Castle School Building Corporation
P.O. Box 809
Boonville, IN 47601

87-12-14-400-070.000-019
Betty O. Smith
6811 Oak Grove Road
Newburgh, IN 47630

87-12-14-400-069.000-019
87-12-14-400-068.000-019
Edgar J. & Margie M. Schauss – Co-trustees with life
estate, Edgar J. Schauss and Margie M. Schauss Trust
2899 Fuquay Road
Newburgh, IN 47630

87-12-14-400-053.000-019
Kathy L. & Jeffrey A. Cain
1620 Reiter Drive
Evansville, IN 47712

State of Indiana
100 N. Senate Avenue, Room N642
Indianapolis, IN 46204-2219

Centerline Line Table

NUMBER	DIRECTION	DISTANCE
L1	N 00°04'26" W	20.74'
L2	N 11°14'10" E	27.71'
L3	N 62°19'55" W	130.66'
L4	N 81°28'20" W	99.93'
L5	N 52°40'23" W	101.02'
L6	N 52°40'23" W	175.00'

Centerline Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-1	11°18'36"	N 05°34'52" E	74.27	750.00	148.05	147.81
C-2	06°30'53"	N 80°43'17" E	11.38	200.00	22.74	22.73
C-3	33°41'21"	N 79°10'36" W	60.55	200.00	117.60	115.91
C-4	19°08'25"	N 71°54'07" W	33.72	200.00	66.81	66.50
C-5	28°47'57"	N 67°04'21" W	51.35	200.00	100.53	99.47

Lot 1 Line Table

NUMBER	DIRECTION	DISTANCE
L7	S 81°28'20" E	99.93'
L8	S 62°19'55" E	130.66'

Lot 1 Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-6	21°22'00"	S 70°47'20" E	43.39	230.00	85.77	85.28
C-7	19°08'25"	S 71°54'07" E	28.66	170.00	56.79	56.53
C-8	12°22'14"	S 68°31'02" E	24.93	230.00	49.66	49.56
C-9	82°26'31"	S 33°28'54" E	35.04	40.00	57.56	52.72
C-10	03°25'34"	S 06°01'35" W	23.63	790.00	47.24	47.23
C-11	85°36'46"	S 47°07'11" W	46.31	50.00	74.71	67.95

Lot :

NUMBER	DIR
L9	N 62°
L10	N 81°
L11	N 47°
L12	N 52°
L13	N 19°
L14	N 36°
L15	N 28°

NUMBER	DELTA
C-12	95°35'
C-13	05°0'
C-14	99°16'
C-15	26°17'
C-16	19°08'
C-17	28°47'

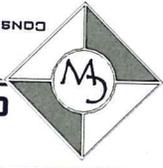


**SHEET
2 OF 2**

PROJECT No.:	12-1324	PROJECT	GAS
DRAWN BY:	BUEDEL	CLIENT	KENDAL
FILENAME:	REZONE PARADISE PARK	SHEET TITLE	REZ P, NEWBU
SCALE:	1" = 100'		
DATE:	11/29/2012		

PROJECT NO.: 12-1324
 DRAWN BY: BUDEL
 FILENAME: ZONING AND USE MAP.DWG
 SCALE: 1" = 300'
 DATE: 11/29/2012

PROJECT: CASTLE CROSSING
 CLIENT: KENDALL PROPERTY GROUP
 SHEET TITLE: LOCATION AND USE OF BUILDINGS AND LOCATION OF DRIVES WITHIN 500' OF AREA TO BE REZONED



CASH WAGNER & ASSOCIATES, PC
 CONSULTING ENGINEERS • LAND SURVEYORS
 WWW.CASHWAGNER.COM
 414 CITADEL CIRCLE
 SUITE B
 EVANSVILLE, IN 47715
 PH: 812.401-5561
 FAX: 812.401-5563

