

**ORDINANCE NO. 2021- 10**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONROVIA, INDIANA TO AMEND THE ZONING DISTRICT CLASSIFICATION MAP FROM AG (Agriculture) to R2 (Residential).**

Whitney Estates, Section II, within PARCEL #55-04-13-400-001.003-016, located at 9407 N. Whitney Way, Monrovia, IN 46157, (S13 T13 R1W PT W SE) of Monroe Township, Morgan County, Indiana, , WHEREAS the Town Council of the Town of Monrovia has adopted a Zoning Ordinance for the Town;

WHEREAS a petition has been filed by Sherry L. Whitney to amend the zoning district classification map from AG (Agriculture) to R2 (Residential).

WHEREAS the Monrovia Advisory Plan Commission has conducted a public hearing on the proposed amendment to the Zoning Classification Map and has forwarded a favorable recommendation to the Monrovia Town Council; and

WHEREAS the Monrovia Town Council has reviewed and considered the Plan Commission's recommendation, and has considered how the adoption of the zoning map amendment would affect the health, safety, and convenience of the people of Monrovia, Indiana;


**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MONROVIA, INDIANA AS FOLLOWS:**

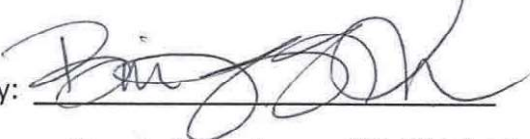
SECTION I: The zoning district classification amendment for Whitney Estates Section II, within Parcel #55-04-13-400-001.003-016, located at 9407 N. Whitney Way, Monrovia, IN 46157, (S13 T13 R1W PT W SE) from AG (Agriculture) to R2 (Residential), District for the petitioner Sherry L. Whitney (ZA 21-04) as per the attached legal description is hereby approved.

SECTION II: This ordinance shall be in full force and effect from and after its passage and approval and any publication required by law.

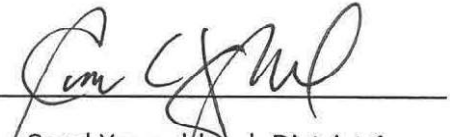
SECTION III: This ordinance is hereby passed and adopted at the meeting of the Town Council of the Town of Monrovia, Indiana this 26<sup>th</sup> day of October 2021.

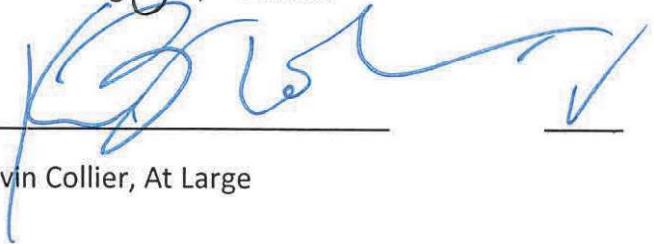
ORDINANCE NO. 2021- 10

By:       AYE       NO       ABSENT   
Philip L. Fowler, President, District 4


By:       AYE       NO       ABSENT   
Bonnie Silsby-Inman, VP, District 3

By:       AYE       NO       ABSENT   
Loren Moore, District 2

By:       AYE       NO       ABSENT   
Carol Youngblood, District 1

By:       AYE       NO       ABSENT   
Kevin Collier, At Large

I, Danny Chenault, Clerk Treasurer of the Town of Monrovia, do hereby certify that the above ordinance, proposed by Council Member Kevin Collier, seconded by Council Member Loren Moore of the Town of Monrovia at a regular special meeting thereof assembled this 26th day of October, 2021 by the preceding vote.

Attest:   
Danny Chenault, Clerk Treasurer

BRASS TABLET IN LIMESTONE MON.  
FOUND PREV. SURVEY. PER COUNTY  
RECORDS, NE COR., W 1/2, SE 1/4,  
SEC. 13, T 13N, R 1W.

### LEGAL DESCRIPTION OF WHITNEY ESTATES – SECTION II

Part of the West Half of the Southeast Quarter of Section 13, Township 13 North, Range 1 West, Morgan County, Indiana, described as follows:

Commencing at a 1-1/4 inch iron pin, found in place, which marks the northwest corner of the above captioned West Half of the Southeast Quarter; thence South no degrees 21 minutes 48 seconds East (bearing of the west line of the West Half of the Southeast Quarter, based upon Indiana State Plane, West Zone Coordinate System – NAD 1983), with said west line, 1205.09 feet to an iron pin with cap engraved "Holloway Engr. – Firm 46" and the POINT OF BEGINNING of the subdivision herein described; thence North 89 degrees 37 minutes 17 seconds East, 50.82 feet to an iron pin with cap engraved "Holloway Engr. – Firm 46" on the westerly line of an existing access and utility easement, also being a point on a non-tangent curve, concave to the northeast, whose radius point bears North 89 degrees 37 minutes 17 seconds East, 430.00 feet; thence along said non-tangent curve and with the westerly and southwesterly lines of said existing, platted access and utility easement, as per plat of Whitney Estates recorded in Deed Record 391 Page 49, through a central angle of 64 degrees 40 minutes 57 seconds, a long chord bearing South 41 degrees 36 minutes 01 seconds East, 460.07 feet, an arc distance of 485.44 feet to an iron pin with cap engraved "Holloway Engr. – Firm 46"; thence South 17 degrees 07 minutes 24 seconds East, 170.27 feet to an iron pin with cap engraved "Holloway Engr. – Firm 46"; thence South 36 degrees 43 minutes 55 seconds West, 202.02 feet to an iron pin with cap engraved "Holloway Engr. – Firm 46"; thence South 64 degrees 49 minutes 30 seconds West, 81.30 feet to an iron pin with cap engraved "Holloway Engr. – Firm 46"; thence South 60 degrees 14 minutes 24 seconds West, 244.16 feet to an iron pin with cap engraved "Holloway Engr. – Firm 46" on the west line of the West Half; thence North no degrees 21 minutes 48 seconds West, with said west line, 890.46 feet to the Point of Beginning.

Containing 4.461 acres, more or less, and subject to any easements, rights-of-way or restrictions of record or observable.

### DEDICATION OF WHITNEY ESTATES - SECTION II

The undersigned, Sherry L. Whitney, owner of the real estate shown and described hereon, hereby certifies that she has platted and subdivided the same, and does hereby plat and subdivide the same, into two (2) lots, to be known as WHITNEY ESTATES - SECTION II, and does now establish the following dedications, covenants and restrictions, to run with the land, and to be binding upon all future owners, their heirs and assigns, as follows:

- 1) The three access and utility easements shown hereon and identified as Access and Utility Easement Number One (1), Access and Utility Easement Number Two (2) and Access and Utility Easement Number Three (3), are hereby dedicated for the use and enjoyment of the owners of the lots created hereon. The roadways within the multiple easements are private, and shall be maintained as all-weather roadways, in accordance with sound engineering practices. The cost of maintenance for the roadways shall be shared on a "share and share alike" basis among all the owners of lots in Whitney

