

ORDINANCE NO. 2022-11

**AN ORDINANCE AMENDING THE GENERAL ZONING ORDINANCE AND
ACCOMPANYING MAP THERETO KNOWN AS THE GENEVA INDIANA ZONING
ORDINANCE BY CHANGING THE CLASSIFICATION OF
THE ZONE DISTRICT FOR A PARCEL OF LAND**

Whereas Adams County Memorial Hospital, being all of the property owners of the parcel of land, as hereafter described, have signed a petition initiating a proposal to change the Town of Geneva Zoning Map incorporated by reference into the Town of Geneva Zoning Ordinance by changing the classification ; and

Whereas, the proposal was prepared consistent with the requirements of I.C. 36-7-4-601; and

Whereas, the Town of Geneva Plan Commission and the Common Council of the Town of Geneva have paid reasonable regard to the comprehensive plan, current conditions and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction and responsible growth and development; and

Whereas, the Town of Geneva Plan Commission held a public hearing, giving notice of the hearing by publication under I.C. 5-3-1, which notice and hearing complied with the terms and provisions of I.C. 36-7-4-604; and

Whereas, on September 13, 2020, the Town of Geneva Plan Commission certified the proposal to the Town of Geneva Common Council with a favorable recommendation with in accordance with I.C. 36-7-4-605; and

Whereas the Common Council of the Town of Geneva, in accordance with I.C. 36-7-4-608, and at the first regular meeting of the legislative body after the proposal is certified under section I.C. 36-7-4-605 (or at a subsequent meeting within a ninety (90) day period), the Common Council may adopt or reject the proposal and the legislative body has given notice under I.C. 5-

14-1.5-5 of its intention to consider the proposal at this meeting of the Common Council.

NOW THEREFORE, The Common Council of the Town of Geneva hereby ordains and enacts:

SECTION I

The Geneva Indiana Zoning Ordinance, as amended and restated, and accompanying map thereto, is hereby amended insofar as the same relates to the following described parcel of land by changing the classification of the zone from a R-1 zone (Single Family Residential Zone) to an B-1 zone (Neighborhood Business Zone) classification:

Part of the Southeast Quarter of Section 20, Township 25 North, Range 14 East of the Second Principal Meridian, Wabash Township in Adams County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number 20300059 of Miller Land Surveying, Inc., Survey No. 19105321, dated November 27, 2019 and being more particularly described as follows:

Commencing at a railroad spike marking the Northeast corner of said Southeast Quarter; thence South 88 degrees 12 minutes 02 seconds West (Indiana East SPC, 1983 bearing and basis of bearings to follow), a distance of 195.64 feet along the North line of said Southeast Quarter and within the right-of-way of County Road 950 South to the West right-of-way line of U.S. Highway Number 27, said point being the POINT OF BEGINNING of the herein described tract; thence South 04 degrees 39 minutes 03 seconds West, a distance of 357.23 feet along said West right-of-way line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap on the North line of an existing 0.66 acre tract described in Document Number 2016001179 in the Office of the Recorder of Adams County, Indiana; thence South 88 degrees 12 minutes 02 seconds West, a distance of 233.00 feet (Deed) along said North line also being parallel with the North line of said Southeast Quarter to a 5/8" steel rebar with a "Miller Firm #0095" identification cap on the North line of an existing 0.84 acre tract described in said Document Number 2016001179; thence South 83 degrees 32 minutes 44 seconds West, a distance of 357.00 feet (Deed) along said North line to the shoreline of Lake of the Woods; thence North 33 degrees 29 minutes 38 seconds West, a distance of 74.43 feet along said shoreline; thence North 01 degrees 01 minutes 15 seconds East, a distance of 321.00 feet to a Dura Nail with a "Miller Firm #0095" identification ring on the North line of said Southeast Quarter; thence North 88 degrees 12 minutes 02 seconds East, a distance of 652.26 feet along said North line and within the right-of-

way of County Road 950 South to the Point of Beginning. Containing 5.338 acres, more or less. Subject to the right-of-way of County Road 950 South, and subject to easements of record.

Survey Job #19105321
Date: November 27, 2019
Miller Land Surveying, Inc.

SECTION II

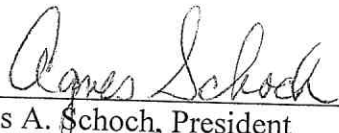
This Ordinance shall be in full force and effect from and after its passage and due publication.

SECTION III

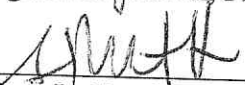
The Town of Geneva Plan Director is authorized and directed to update the zone map that is kept available under I.C. 36-7-4-610 and shall keep a copy of this Amendatory Ordinance available at its office for public inspection.

Duly passed, adopted and resolved by the Common Council of the Town of Geneva, State of Indiana, on October 11, 2022.

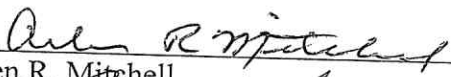
COMMON COUNCIL OF THE TOWN OF GENEVA



Agnes A. Schoch, President



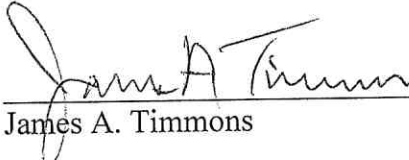
Gary L. Hendershot



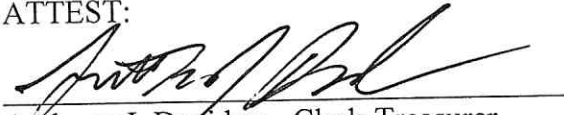
Arlen R. Mitchell



Marvin R. Schwartz


James A. Timmons

ATTEST:


Anthony J. Davidson, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless otherwise required by law. DAVID N. BAUMGARTNER

PREPARED IN THE LAW OFFICES OF

BAUMGARTNER
ATTORNEYS PC

BY DAVID N. BAUMGARTNER

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