

ORDINANCE NO.: 2-2025

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE TOWN OF MOORESVILLE,
INDIANA, REZONING THE SUBJECT PROPERTY
FROM GENERAL BUSINESS (B3) TO
PLANNED UNIT DEVELOPMENT-MIXED
USE (PUD-E)**

**To be known as the: Arvin M.
Hopkins Revocable Trust and
Mary L. Hopkins Revocable
Trust Rezoning**

WHEREAS, this rezoning was requested by Arvin M. Hopkins, Trustee of a Fifty (50) percent common interest in the Arvin M. Hopkins Revocable Trust dated December 21st, 2022 and Mary L. Hopkins, Trustee of a Fifty (50) percent common interest in the Mary L. Hopkins Revocable Trust dated December 21st, 2022 includes the consent of all owners of the subject property; and

WHEREAS, the Town of Mooresville Plan Commission, pursuant to Indianan Code 37-7-4 did, on February 13, 2025, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Town Council of Town of Mooresville; and

WHEREAS, the Mooresville Town Council, after diligent review of the matters pertaining to rezoning the above described land at a public meeting held on the 18th day of March, 2025 find that the requested zoning classification is appropriate.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Mooresville, Indiana as follows:

SECTION 1: Official Zoning Map

The zoning classification of the real estate as described in Exhibit 'A' which is within the zoning jurisdiction of Town of Mooresville, Indiana, shall be changed from General Business (B3) to Planned Unit Development – Mixed Use (PUD-E).

SECTION 2: Commitment(s)

There are no voluntary commitments to this rezoning.

SECTION 3: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

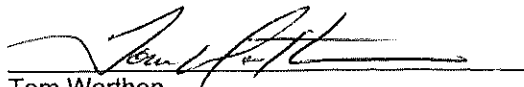
SECTION 4: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

That this rezoning, with commitments, shall be effective as of the execution of this Ordinance.

Dated: 3-18-2025



Tom Warthen,
President – Mooresville Town Council

Attest:



Dianna Wamsley, 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 required by law.



Ross Holloway

This instrument prepared by: Ross Holloway, Holloway Engineering, 100 Professional Ct., Mooresville, IN 46158.

Please original recorded document to: Town of Mooresville, 4 East Harrison St, Mooresville, IN 46158 and a copy of recorded document to: Holloway Engineering, PO Box 234, Mooresville, IN 46158

EXHIBIT 'A'

LEGAL DESCRIPTION

Parcel I:

A part of the North half of Section 31, Township 14 North, Range 2 East, located in Morgan County, Indiana, being more particularly described as follows:

Commencing at a brass plug in concrete marking the Northeast corner of the Northeast quarter of Section 31, Township 14 North, Range 2 East; thence South 87 degrees 39 minutes 30 seconds West (assumed bearing), 2204.76 feet along the North line of said North half; thence South 02 degrees 20 minutes 30 seconds East, 254.99 feet to a point of curvature of a curve to the left having a radius of 325.00 feet, a delta angle of 20 degrees 30 minutes 00 seconds and a chord bearing South 12 degrees 35 minutes 30 seconds East, 115.66 feet; thence along said curve 116.28 feet to its point of tangency; thence South 22 degrees 50 minutes 30 seconds East, 106.00 feet to the point of curvature of a curve to the right having a radius of 275.00 feet, a delta angle of 20 degrees 30 minutes 00 seconds and a chord bearing South 12 degrees 35 minutes 30 seconds East, 97.87 feet; thence along said curve 98.39 feet to its point of tangency, and a 5/8" rebar w/cap; thence South 02 degrees 20 minutes 30 seconds East, 25.64 feet to a 5/8" rebar w/cap and the POINT OF BEGINNING of the description; thence South 02 degrees 20 minutes 30 seconds East, 325.22 feet to a 5/8" rebar w/cap; thence South 87 degrees 49 minutes 53 seconds West, 776.56 feet to a 5/8" rebar w/cap and the Easterly right-of-way of State Highway 167; thence North 08 degrees 44 minutes 04 seconds East, 36.44 feet along said right-of-way to a 5/8" rebar w/cap; thence North 02 degrees 14 minutes 26 seconds East 65.24 feet along said right-of-way to a 5/8" rebar, with cap; North 09 degrees 12 minutes 48 seconds East 84.91 feet along said right-of-way to a 5/8" rebar, w/cap; thence North 87 degrees 39 minutes 30 seconds East, 719.81 feet parallel with the North line of said Northeast quarter to the POINT OF BEGINNING, containing 5.56 acres, more or less.

Parcel II

TOGETHER WITH AND SUBJECT TO a 50-foot access and utility easement being 25.00 foot on both sides of the following centerline and being part of the Northeast quarter of Section 31, Township 14 North, Range 2 East, located in Morgan County, Indiana, being more particularly described as follows:

Commencing at brass plug in concrete marking the Northeast corner of the Northeast quarter of Section 31, Township 14 North, Range 2 East; thence South 87 degrees 39 minutes 30 seconds West (assumed bearing) 2179.76 feet along the North line of said Northeast quarter; thence South 02 degrees 20 minutes 30 seconds East, 30.00 feet to the South right-of-way of Bridge Street and to the POINT OF BEGINNING of said centerline; thence South 02 degrees 20 minutes 30 seconds East, 224.99 feet to a point of curvature of a curve to the left having a radius of 200.00 feet, a delta angle of 21 degrees 00 minutes 00 seconds and a chord bearing South 12 degrees 50 minutes 30 seconds East, 72.89 feet thence along said curve 73.30 feet to its point of tangency; thence South 23 degrees 20 minutes 30 seconds East, 100.00 feet to the point of curvature of a curve to the right having a radius of 200.00 feet, a delta angle of 21 degrees 00 minutes 00 seconds and a chord bearing South 12 degrees 50 minutes 30 seconds East, 72.89 feet; thence along said curve 73.30 feet to its point of tangency; thence South 02

degrees 20 minutes 30 seconds East, 423.61 feet to the terminus of the said centerline.

SUBJECT TO a 12 foot water line easement being 6.00 feet on both sides of the following centerline and being part of the North half of Section 31, Township 14 North, Range 2 East, located in Morgan County, Indiana, being more particularly described as follows: Commencing at a brass plug in concrete marking the Northeast corner of the Northeast Quarter of Section 31, Township 14 North, Range 2 East, thence South 87 degrees 39 minutes 30 seconds West (assumed bearing) 2204.76 feet, along the North line of said North Half; thence South 02 degrees 20 minutes 30 seconds East 254.99 feet to a point of curvature of a curve to the left having a radius of 325.00 feet, a delta angle of 20 degrees 30 minute, 00 seconds and a chord bearing South 12 degrees 35 minutes-30 seconds East, 115.66 feet; thence along said curve 116.28 feet to its point of tangency; thence South 22 degrees 50 minutes 30 seconds East, 106.00 feet to the point of curvature of a curve to the right having a radius of 275.00 feet, a delta angle of 20 degrees 30 minutes 00, seconds and a chord bearing South 12 degrees 35 minutes 30 seconds East 97.87 feet; thence along said curve 98.39 feet to its point of tangency; thence South 02 degrees 20 minutes 30 seconds East, 344.86 feet to the POINT OF BEGINNING of said centerline; thence South 87 degrees 49 minutes 53 seconds West, 775.39 feet to the far East right of way of State Highway 167 and the terminus of said centerline.