

ORDINANCE NO.: 3-2025

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

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

WHEREAS, this rezoning was requested by Arvin M. Hopkins and Mary L. Hopkins 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 of 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 Planned Unit Development – Commercial (PUD-C) 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All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.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.

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MOORESVILLE


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

DESCRIPTION OF TOWN CENTER III AMENDED LOT TWO (EXCEPT LOT 2A AND ROADWAYS PREVIOUSLY DEDICATED TO THE TOWN OF MOORESVILLE)

Lot 2B, Lot 2C, Lot 2D, Lot 2E, Lot 2F, Lot 2G and all of the roadways, not heretofore dedicated to the Town of Mooresville, all in Town Center III, Amended Lot 2, Planned Unit Development – Commercial, as per plat thereof recorded as Instrument Number 201411631, in the Office of the Recorder of Morgan County, Indiana, more particularly described as follows:

Commencing at a brass tablet in concrete monument which, per county records, marks the northeast corner of the above captioned North Half; thence South 87 degrees 09 minutes 40 seconds West (assumed bearing of the north line of the above captioned North Half), with said north line and in Bridge Street, 1332.74 feet; thence South no degrees 16 minutes 26 seconds West, 30.46 feet to an iron pin with cap engraved Holloway – S0530" which marks the northeast corner of the above captioned Lot 2D and the **POINT OF BEGINNING** of the subdivision herein described; thence continuing South no degrees 16 minutes 26 seconds West, with the east line of the aforesaid Town Center III, a distance of 876.46 feet to an iron pin with cap engraved "Holloway – S0530" which marks the southeast corner of said subdivision; thence South 87 degrees 49 minutes 53 seconds West, with the south line of Town Center III, a distance of 704.73 feet to an iron pin with cap engraved "Holloway – S0530" which marks the southwest corner of the above captioned Lot 2G; thence North 02 degrees 20 minutes 30 seconds West, with the west line of Lot 2G, a distance of 230.38 feet to an iron pin with cap engraved "Holloway – S0530"; thence with the north line of Lot 2G, also being the south line of a roadway known as Hopkins' Trail West, along a curve, concave to the southeast, having a radius of 40.00 feet, a central angle of 90 degrees no minutes no seconds, a chord bearing North 42 degrees 39 minutes 30 seconds East, 56.57 feet, an arc distance of 62.83 feet to an iron pin with cap engraved "Holloway – S0530"; thence North 87 degrees 39 minutes 30 seconds East, with the south line of said roadway, 302.12 feet; thence with the south line of said roadway along a curve, concave to the northwest, having a radius of 150.00 feet, a central angle of 45 degrees no minutes no seconds, a chord bearing North 65 degrees 09 minutes 30 seconds East, 114.81 feet, an arc distance of 117.81 feet to a point on the eastern terminus of that part of the roadway heretofore dedicated to the Town of Mooresville; thence North 47 degrees 20 minutes 30 seconds West, with the eastern terminus of said dedicated roadway, 50.00 feet to a point on the north right-of-way line of said roadway and a point on a non-tangent curve, whose radius point bears North 47 degrees 20 minutes 30 seconds West, 100.00 feet; thence along said non tangent curve through a central angle of 45 degrees no minutes no seconds, a chord bearing South 65 degrees 09 minutes 30 seconds West, 76.54 feet, an arc distance of 78.54 feet; thence South 87 degrees 39 minutes 30 seconds West, with said north right-of-way line, a distance of 134.24 feet to an iron pin with cap engraved "Holloway – S0530" which marks the southwest corner of the above captioned Lot 2B; thence North 02 degrees 20 minutes 30 seconds West, with the west line of Lot 2B and Lot 2C, a distance of 565.04 feet to an iron pin with cap engraved "Holloway – S0530" on the south right-of-way line of Bridge Street; thence North 87 degrees 39 minutes 30 seconds East, with the south right-of-way line of Bridge Street, 536.84 feet to the Point of Beginning.

Containing 11.397 acres, more or less, and subject to any rights-of-way, easements or restrictions of record or observable.