

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA
ORDINANCE NO. 2022 – OR – 002

AN ORDINANCE CONSIDERING AN AMENDMENT TO THE ZONING MAPS OF THE TOWN OF SELLERSBURG, INDIANA.

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of a town; and,

WHEREAS, on the 18th day of January, 2022 the Plan Commission of the Town of Sellersburg, Indiana (the “Commission”) adopted *Resolution 2022-01 – A Zoning Map Amendment To The Town Of Sellersburg, Indiana* which more specifically certified the Commission’s favorable recommendation to rezone 1128 Bean Road Sellersburg, IN 47172 from B3 Highway Business to I2 Heavy Industrial. (*See Attached Exhibit A*); and,

WHEREAS, pursuant to Ind. Code § 36-7-4-608, this Council may adopt or reject the certification from the Commission.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the recommendation by the Commission to rezone 1128 Bean Road Sellersburg, IN 47172 from B3 Highway Business to I2 Heavy Industrial is hereby **Adopted** ~~Rejected~~ (circle one).

This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 14th day of February, 2022

“Aye”

“Nay”

Brad J. Amos
Brad Amos
Council President

Brad Amos
Council President

Absent
Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford
Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarnecki
Matthew Czarnecki
Council Member

Matthew Czarnecki
Council Member

Randall Mobley
Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller
Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 2/14/2022

MOTION: Czarnecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 2/14/2022

MOTION: Czarnecki

SECOND: Mobley

VOTE: 4 AYE 0 NAY 0 ABSTAIN

EXHIBIT A

TO THE SELLERSBURG TOWN COUNCIL
OF SELLESRBURG, INDIANA

RESOLUTION 2022-01
A ZONING MAP AMENDMENT
TO THE TOWN OF SELLERSBURG, INDIANA

Whereas, pursuant to IC 36-7-4-605 the Sellersburg Advisory Plan Commission shall certify a favorable recommendation, an unfavorable recommendation, or no recommendation to the legislative body on a proposed Zoning Map change to the Town of Sellersburg’s Zoning Map, and;

Whereas, the Town of Sellersburg’s Advisory Plan Commission in accordance with IC 36-7-4-604, a public hearing was held on January 18, 2022 on proposed Zoning Map Amendment (Exhibit A).

A Resolution to Amend the Town of Sellersburg Zoning Map to rezone 1128 Bean Road from B3 Highway Business to I2 Heavy Industrial district for the purpose of a trucking terminal located in Sellersburg, Indiana.

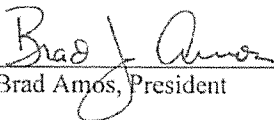
NOW THEREFORE BE IT RESOLVED by the Advisory Plan Commission of the Town of Sellersburg that the proposed Zoning Map amendment will be in keeping with the Comprehensive Plan of the Town of Sellersburg; rezoning is compatible with surrounding zoning, the rezoning is the most desirable use for the land, the rezoning conserves property values throughout the Town of Sellersburg and the rezoning is responsible development and growth for the Town of Sellersburg.

BE IT FURTHER RESOLVED that the Advisory Plan Commission of the Town of Sellersburg, gives a:

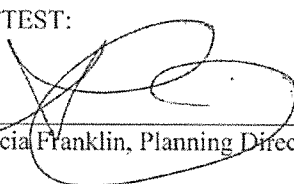
- Favorable recommendation;
- Unfavorable recommendation;
- No Recommendation;

the Town of Sellersburg Common Council for approval of the Resolution as presented.

BE IT HEREBY RESOLVED THIS 18th DAY OF JANUARY 2022 BY THE ADVISORY PLAN COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA.



Brad Amos, President

ATTEST:


Stacia Franklin, Planning Director

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE OF SELLERSBURG, INDIANA

NOTICE IS HEREBY GIVEN THAT THE Sellersburg Town Council, on the 14th day of February, 2022 at 6:00 p.m. in Town Council Chambers, 316 E. Utica Street, Sellersburg, Indiana, will hold a public hearing to consider and act upon a proposed Amendment to the Sellersburg Zoning Map Ordinance. The geographic areas to which the proposed ordinance applies is all incorporated areas of the Town of Sellersburg, Indiana.

The following is a summary of the proposed Amendment:

RESOLUTION NO. 2022-01 A Zoning Map Amendment TO ORDINANCE NO. 2021-OR-002

AN RESOLUTION AMENDING THE SELLERSBURG Zoning Map for Sellersburg, Indiana.

WHEREAS, the Sellersburg Advisory Plan Commission in accordance with IC 36-7-4-604, a public hearing was held on January 18, 2022, at 5:00 p.m., on the proposed Zoning Map amendment:

WHEREAS, the Sellersburg Town Council has received a favorable recommendation from the Plan Commission for the proposed Zoning Map amendment:

The following is a summary of the proposed Amendment to ORDINANCE NO. 2021-OR-002 and the Zoning Map therein:

1. Amend the zoning map from B3 Highway Business to I2 Heavy Industrial for the property commonly known as 1128 Bean Road, Sellersburg, Indiana, for the purpose of a trucking terminal.

Written objections or comments to the proposed Amendment may be filed with the Town Council before such hearing, will be heard at the specified time and place and will be considered. Oral comments concerning the proposal will also be heard. Said hearing may be continued from time to time as may be necessary. A copy of the proposed Amendment is available for public inspection during regular business hours in the Town Council Office, 316 E. Utica, Sellersburg, Indiana.

Michelle Medcalf
Town Council Secretary

TO THE SELLERSBURG PLAN COMMISSION
OF SELLESRBURG, INDIANA

RESOLUTION 2022-01
A ZONING MAP AMENDMENT
TO THE TOWN OF SELLERSBURG, INDIANA

Whereas, pursuant to IC 36-7-4-605 the Sellersburg Advisory Plan Commission shall certify a favorable recommendation, an unfavorable recommendation, or no recommendation to the legislative body on a proposed Zoning Map change to the Town of Sellersburg's Zoning Map, and;

Whereas, the Town of Sellersburg's Advisory Plan Commission in accordance with IC 36-7-4-604, a public hearing was held on January 18, 2022 on proposed Zoning Map Amendment (Exhibit A).

A Resolution to Amend the Town of Sellersburg Zoning Map to rezone 1128 Bean Road from B3 Highway Business to I2 Heavy Industrial district for the purpose of a trucking terminal located in Sellersburg, Indiana.

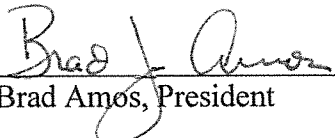
NOW THEREFORE BE IT RESOLVED by the Advisory Plan Commission of the Town of Sellersburg that the proposed Zoning Map amendment will be in keeping with the Comprehensive Plan of the Town of Sellersburg; rezoning is compatible with surrounding zoning, the rezoning is the most desirable use for the land, the rezoning conserves property values throughout the Town of Sellersburg and the rezoning is responsible development and growth for the Town of Sellersburg.

BE IT FURTHER RESOLVED that the Advisory Plan Commission of the Town of Sellersburg, gives a:

- Favorable recommendation;
 Unfavorable recommendation;
 No Recommendation;

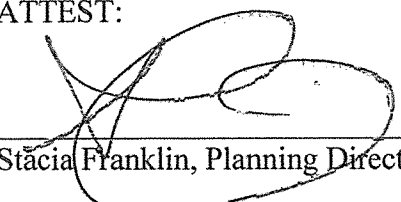
the Town of Sellersburg Common Council for approval of the Resolution as presented.

BE IT HEREBY RESOLVED THIS 18th DAY OF JANUARY 2022 BY THE ADVISORY PLAN COMMISSION OF THE TOWN OF SELLERSBURG, INDIANA.



Brad Amos, President

ATTEST:



Stacia Franklin, Planning Director

CERTIFICATION TO THE COUNCIL ON APPLICATION FOR REZONING

APPLICANT NAME: LaValley Realty, Inc. PETITION NO.: 2022-01-ZA-01

REAL ESTATE DESCRIPTION: DESCRIBED ON EXHIBIT "A" ATTACHED.


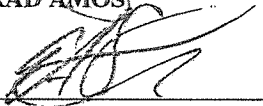

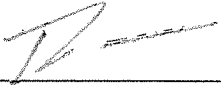
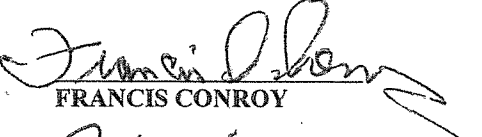
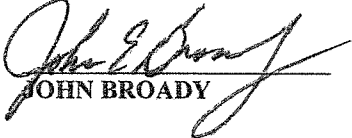
The Sellersburg Plan Commission certifies the above application for rezoning by the above-named applicant regarding the real estate described in Exhibit "A" attached was duly heard and decided.

The Sellersburg Plan Commission's recommendation on the petition to rezone the property from a B3 Highway Business zone to a I2 Heavy Industrial zone is:

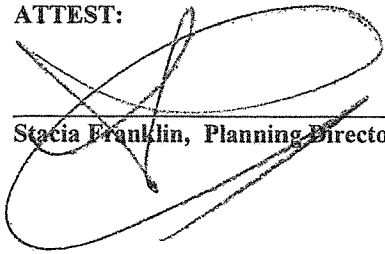
FAVORABLE UNFAVORABLE NO RECOMMENDATION

Recorded Commitment Required YES X NO (If YES, requirements attached.)

Sellersburg Plan Commission

<u>Member</u>	<u>Voting FOR</u>	<u>Voting AGAINST</u>	<u>Abstain</u>
 BRAD AMOS	✓		
 CHARLIE SMITH	✓		
 NANCY HUGHES	✓		
SCOTT MCVOY			
 THOMAS MCEWEN	✓		
 FRANCIS CONROY	✓		
 JOHN BROADY	✓		
ALTERNATE			
ALTERNATE			

ATTEST:


Stacia Franklin, Planning Director



SELLERSBURG PLAN COMMISSION

STAFF REPORT

REZONING REQUEST AND ZONING MAP AMENDMENT

DOCKET NUMBER:	2022-01-ZA-01
APPLICANT:	LaValley Realty Inc.
OWNER:	AVZ Properties LLC
LAND SURVEYOR:	N/A
LOCATION:	1128 Bean Rd.
LEGAL DESCRIPTION (summary)	GT 67, 7.272 acres
REQUEST:	Amend zoning map
CURRENT ZONING:	B3
CURRENT USE:	Vacant
REQUESTED REZONING:	I2
PROPOSED USE:	Trucking Terminal

Request:

The applicant is requesting an amendment to the Sellersburg Zoning maps for a 7.272 acre parcel of land located on Bean Road. The current zoning of the parcel is B3 and the applicant is requesting a change to I2 Heavy Industrial district for the purpose of operating a trucking terminal.

The Indiana Code (IC) 36-7-4-603 establishes criteria to which both the Plan Commission and Legislative Body (Town Council) must pay reasonable regard when considering a rezoning request. The Commission will need to determine if the applicant has satisfactorily addressed that criteria for a rezoning and zoning map change.

The Plan Commission does not approve a rezoning and zoning map change. The Plan Commission in accordance with IC 36-7-4-605 is to make a favorable recommendation, unfavorable recommendation, or no recommendation to the Legislative Body (Town Council). The Sellersburg Town Council in accordance with IC 36-7-4-607 may accept or reject the Plan Commission's recommendation.



SELLERSBURG PLAN COMMISSION

STAFF REPORT

REZONING REQUEST AND ZONING MAP AMENDMENT

1. Will the rezoning support the Sellersburg Comprehensive Plan and other applicable, adopted planning studies or reports?

The Sellersburg Comprehensive Plan does support the rezoning to an I2, per the Future Land Use map. While this property is determined to be General Commercial in the Future Land Use map, it is surrounded by the future land use designation of Industrial use.

2. Will the rezoning be compatible with surrounding current conditions and the character of current structures and uses?

The property is surrounded by I1 and B3 districts, but does have an R1 property which abuts the northside. That said, there is a large buffer zone, at least 300 feet, of forested area between the R1 property line and the building wherein business will be conducted.

3. Will the rezoning result in the property being used for the highest and best use for which land in each district is adapted?

The majority of the property is within the SHFA, namely fringe, which restricts some development and complicates all development on the property. The applicant understands this and intends to make no alterations to the structure that would require floodplain development permits. Also, the property is surrounded by commercial and industrial uses, which complement the Future Land Use for this area.

4. Will the rezoning affect property values throughout the Town's planning district?

The rezoning will not adversely affect property values within the planning district as it agrees with the Comprehensive Plan and is surrounded by like uses, as well as it is currently vacant and the building vacant, so reestablishing a business on the property would only add to its and surrounding property values.

5. Will the rezoning result in responsible growth and development?

The proposed zoning agrees with the Comprehensive Plan, in particular the desired future land use in this area.

PC FORM 1 | Application Form

For Office Use Only	
Petition # <u>0221-01-27-01</u>	Fee \$ <u>3460.00</u>
Filing Date <u>12/15/21</u>	
Hearing Date <u>01/17/2022</u>	
<input type="checkbox"/> Staff Review	<input type="checkbox"/> TRC Review <input type="checkbox"/> ARC Review
<input type="checkbox"/> Favorable	<input type="checkbox"/> Unfavorable <input type="checkbox"/> No Rec.
<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/ commitments/conditions
<input type="checkbox"/> Denied	

This application is being submitted for (check all that apply):

Minor Residential Subdivision Development Plan
 Primary Plat Zone Map Change
 Secondary Plat PUD District

Applicant Information			
Full Legal Name: <u>LaValley Realty, Inc.</u>			
Street Address: <u>5250 Lankershim Blvd Suite 500</u>			
City, State, Zip: <u>North Hollywood, CA 91601</u>			
Applicant, is (choose one): <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual(s) <input type="checkbox"/> Other (specify)			
Primary Contact Person	Name: <u>Sara M. Roche</u> <small>attorney for applicant</small>	Phone: <u>812-284-9499</u>	Email: <u>srocke@afpfirm.com</u>
Surveyor/Engineer	Name:	Phone:	Email:
Will the Project Use A Temporary Work Trailer: Yes No			

Property Owner Information			
Full Legal Name: <u>AVZ Properties LLC</u>			
Street Address: <u>6208 Glen Hill Road</u>			
City, State, Zip: <u>Louisville, Kentucky 40222</u>			
Phone: <u>502-418-1684</u>	Email: <u>ALZAL55@gmail.com</u>		
Property Owner is (choose one): Corporation <input checked="" type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual(s) <input type="checkbox"/> Other (specify)			

Property Information			
10-digit Parcel Number: <u>10-17-06-700-025.000-031 and 10-17-06-700-021.000-031</u>			
Property Address (Actual/approximate address or location from major streets): <u>1128 Bean Road, Sellersburg, Indiana 47172</u>			
County Road Serving Property:		Township:	
Subdivision Name (if applicable):		Lot Number(s) (if applicable):	
Total Acreage: <u>7.807</u>	Property Located in Floodway or Floodplain: Yes <input checked="" type="checkbox"/> No		
Development will be served by: Septic <input checked="" type="checkbox"/> Sewer (specify provider: <u>Currently inoperable</u>)			
Current Zoning of Subject Property: <u>B3</u>		Current Use of Subject Property: <u>Currently unused; previously industrial</u>	
Proposed Zoning: <u>I2</u>		Proposed Land Use: <u>Trucking terminal</u> manufacturing facility	

Consent of Property Owner(s) Complete if the applicant is different from the property owner			
I (we), <u>AVZ PROPERTIES, LLC</u> , after being first duly sworn, depose and say that I/we are the owner(s) of the real estate located the above address; that I/we have read and examined the Application, and are familiar with its contents; that I/we have no objection to and consent to such request as set forth in the application; and that such request being made by the applicant (<input checked="" type="checkbox"/> is) (<input type="checkbox"/> is not) a condition to the sale or lease of the above referenced property.		Property Owner(s): <u>Alexander Zalmonoff</u>	
		Printed Name(s): <u>ALEXANDER ZALMONOFF</u> <small>manager</small>	
		Date: <u>12/15/21</u>	
Notary Public's Name (printed):	<div style="border: 1px solid black; padding: 5px;"> NICHOLE GRISANTI Notary Public-State at Large KENTUCKY - Notary ID # <u>805325</u> My Commission Expires <u>7/22/22</u> </div>	Signature of Notary: <u>Nichole Grisanti</u>	
My Commission Expires:		Subscribed and sworn to before me this <u>15</u> day of	
State/County of Residence:		<u>December</u> , 20 <u>21</u>	

Notarization: The above information and statements, to the best of my knowledge and belief, are true and correct.			
Signature of Applicant: <u>Sara M Roche</u>		Date: <u>12/15/2021</u>	
Notary Public's Name (printed): <u>Angela M. Calvert</u>		Signature of Notary: <u>Angela M. Calvert</u>	
My Commission Expires: <u>August 2, 2029</u>		Subscribed and sworn to before me this <u>15th</u> day of	
State/County of Residence: <u>Clark County, Indiana</u>		<u>December</u> , 20 <u>21</u>	

**NARRATIVE REQUESTING A CHANGE TO THE
ZONING MAP OF THE TOWN OF SELLERSBURG, INDIANA**

LaValley Realty, Inc., a California corporation (the "Applicant"), is the contracted purchaser of the subject property, containing 7.807 acres, more or less, and having an address of 1128 Bean Road, Sellersburg, Indiana 47172) (the "Property"). The Property is located on Bean Road across from the Clark Regional Airport. The Property consists of two parcels, 10-17-06-700-025.000-031 (17-00036-059-0), consisting of 7.27 acres, more or less, and 10-17-06-700-021.000-031 (17-00036-062-0), consisting of 0.54 acres, more or less.

The Property is currently owned by AVZ Properties, LLC, a Kentucky limited liability company (the "Owner"). The Applicant and the Owner are parties to an unrecorded purchase contract dated September 22, 2021 (the "Purchase Contract"). The closing of the Purchase Contract is conditioned on the rezoning of the Property for the Applicant's intended use as a trucking terminal. The Application for Zone Map Change was filed with the Town of Sellersburg Planning Commission for purposes of changing the zoning classification of the Property from the Highway Business District (B3) to the Heavy Industrial District (I2) in order to allow the Applicant's intended use of the Property as a trucking terminal.

While the Property is currently unused by the Owner, the Property was previously used as an industrial manufacturing facility. The majority of the properties in this area along Bean Road are in either the Light Industrial District (I1) or the Heavy Industrial District (I2), including the parcel directly adjacent to the Property. The Property is currently in the Highway Business District (B3).

The Town of Sellersburg Unified Development Ordinance provides that the Heavy Industrial Zoning District (I2) is intended for industrial use that generates demands on the transportation system, such as the operation of a trucking terminal. The Applicant does not presently plan to construct any new structures on the Property, but rather intends to use the Property as a trucking terminal. The Applicant acknowledges that the Property is partially located in the AE Flood Fringe and that any improvements must be constructed in compliance with applicable flood regulations. The Applicant further acknowledges that the construction of any new structures or improvements may require development plan approval by the Plan Commission.

The Applicant is seeking rezoning to allow for uses that are compatible with existing uses along Bean Road for those neighboring properties located within industrial districts. The requested zoning classification, Heavy Industrial (I2), would enable the Applicant to use the Property for its intended trucking terminal.

Legal Description

Parcels Numbers 10-17-06-700-025.000-031 and 10-17-06-700-021.000-031

As part of Survey 67 of the Illinois Grant, Clark County, Indiana, and being the same tract conveyed by Elaine Pfister to Norman L. Koch and Elaine M. Koch as recorded in Deed Drawer 4, Instr. #8741, described as follows:

Beginning at an iron bolt set over an iron pin the common corner of Surveys 66 and 87 and on the line of Survey 67; thence north 50 deg. 00' east (original bearing) with the line of Greenwood Road, 958.98 feet to a railroad spike in the center of Bean Road, said spike being at the east corner of a 0.34 acre tract conveyed by Wilbur T. Pfister and Elaine Pfister to the Philadelphia and Baltimore and Washington Railroad Company and recorded in Deed Record 206, page 97, said spike also being the true place of beginning; thence continuing north 50 deg. 00' east with the center of said Bean Road, 914.0 feet to a railroad spike; thence north 40 deg. 00' west 519.35 feet to an iron pin, passing an iron pin at 20.0 feet; thence south 50 deg. 12' 13" west, 637.66 feet to an iron pin, the north corner of said 0.34 acre tract, said pin being 55.0 feet, measured at right angles, from the center of said railroad; thence south 12 deg. 05' 10" east with a line parallel to and 55.0 feet from the centerline of said railroad, 590.30 feet to the true place of beginning, containing 9.2738 acres, more or less.

The above has an incorporation of the Exception as follows:

A part of Survey 67 of the Illinois Grant, Clark County, Indiana, described as follows: Commencing at an iron bolt set over an iron pin the common corner of Surveys 66 and 87 and on the line of Survey 67 (the foregoing portion of this description beginning with the words "at an iron bolt" is quoted from Deed Drawer 23, Instrument 5492); thence North 54 degrees 43 minutes 19 seconds East 290.401 meters (952.76) (958.98 feet by Deed Drawer 23, Instrument 5492) to the southwest corner of the owner's land; thence North 7 degrees 41 minutes 11 seconds West 9.708 meters (31.85 feet) along the western line of the owner's land to the northwestern boundary of Bean Road and the point of beginning of this description: thence continuing North 7 degrees 41 minutes 11 seconds West 61.897 meters (203.07 feet) along said western line; thence South 47 degrees 16 minutes 42 seconds East 18.797 meters (61.67 feet); thence North 70 degrees 08 minutes 49 seconds East 27.303 meters (89.58 feet); thence South 68 degrees 31 minutes 17 seconds East 13.635 meters (44.73 feet); thence North 66 degrees 38 minutes 03 seconds East 35.078 meters (115.09 feet) thence North 53 degrees 37 minutes 17 seconds East 116.575 meters (382.46 feet); thence South 35 degrees 36 minutes 51 seconds East 11.982 meters (39.31 feet) to the northwestern boundary of said Bean Road; thence South 54 degrees 30 minutes 19 seconds West 217.319 meters (712.99 feet) along the boundary of said Bean Road to the point of beginning and containing 0.3765 hectares (0.930 acres), more or less.

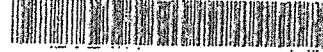
The remaining 8.272 acres of the subject property above are subject to all legal road and utility easements that may exist and sold as is.

M. Zubanoff

017-36-0590

017-36-0620

201500045 NO \$18.00
05/11/2015 03:49:05P 2 PGS
Zachary Payne
Clark County Recorder IN
Recorded as Presented



WARRANTY DEED

THIS INDENTURE WITNESSETH, that *Joseph J. Palazzolo aka A & J, Inc.* (an unregistered corporation), by *Joseph J. Palazzolo* as Owner/President, of the County of Clark, State of Indiana, for and in consideration of the sum of *One Dollar* (\$1.00) and other goods and valuable consideration, the receipt of which is herein acknowledged,

CONVEYES AND WARRANTS

unto *AVZ Properties, LLC.*, a Commonwealth of Kentucky Limited Liability Company, by *Alex Zubanoff* as President, of the County of Jefferson, Commonwealth of Kentucky, the following described real estate situated in the County of Clark, State of Indiana, to-wit:

As part of Survey 67 of the Illinois Grant, Clark County, Indiana, and being the same tract conveyed by Elaine Pfister to Norman L. Koch and Elaine M. Koch as recorded in Deed Drawer 4, Instr. #8741, described as follows:

Beginning at an iron bolt set over an iron pin the common corner of Surveys 66 and 87 and on the line of Survey 67; thence north 50 deg. 00' east (original bearing) with the line of Greenwood Road, 958.98 feet to a railroad spike in the center of Bean Road, said spike being at the east corner of a 0.34 acre tract conveyed by Wilbur T. Pfister and Elaine Pfister to the Philadelphia and Baltimore and Washington Railroad Company and recorded in Deed Record 206, page 97, said spike also being the true place of beginning; thence continuing north 50 deg. 00' east with the center of said Bean Road, 914.0 feet to a railroad spike; thence north 40 deg. 00' west 519.35 feet to an iron pin, passing an iron pin at 20.0 feet; thence south 50 deg. 12' 13" west, 637.66 feet to an iron pine, the north corner of said 0.34 acre tract, said pin being 55.0 feet, measured at right angles, from the center of said railroad; thence south 12 deg. 05' 10" east with a line parallel to and 55.0 feet from the centerline of said railroad, 590.30 feet to the true place of beginning, containing 9.2738 acres, more or less.

The above has an incorporation of the **Exception** as follows:

A part of Survey 67 of the Illinois Grant, Clark County, Indiana, described as follows: Commencing at an iron bolt set over an iron pin the common corner of Surveys 66 and 87 and on the line of Survey 67 (the foregoing portion of this description beginning with the words "at an iron bolt" is quoted from Deed Drawer 23, Instrument 5492); thence North 54 degrees 43 minutes 19 seconds East 290.401 meters (952.76) (958.98 feet by Deed Drawer 23, Instrument 5492) to the southwest corner of the owner's land; thence North 7 degrees 41 minutes 11 seconds West 9.708 meters (31.85 feet) along the western line of the owner's land to the northwestern boundary of Bean Road and the point of beginning of this description; thence continuing North 7 degrees 41 minutes 11 seconds West 61.897 meters (203.07 feet) along said western line; thence South 47 degrees 16 minutes 42 seconds East 18.797 meters (61.67 feet); thence North 70 degrees 08 minutes 49 seconds East 27.303 meters (89.58 feet); thence South 68 degrees 31 minutes 17 seconds East 13.635 meters (44.73 feet); thence North 66 degrees 38 minutes 03 seconds East 35.078 meters (115.09 feet) thence North 53 degrees 37 minutes 17 seconds East 116.375 meters (382.46 feet); thence South 35 degrees 36 minutes 51 seconds East 11.982 meters (39.31 feet) to the northwestern boundary of said Bean Road; thence South 54 degrees 30 minutes 19 seconds West 217.319 meters (712.99 feet) along the boundary of said Bean Road to the point of beginning and containing 0.3765 hectares (0.930 acres), more or less.

The remaining 8.272 acres of the subject property above are subject to all legal road and utility easements that may exist and sold as is.

Parcels Numbers: 10-17-06-700-025.000-031 and 10-17-06-700-021.000-031

The Grantee, through his acceptance of this Warranty Deed, assumes and agrees to pay all taxes now due and all subsequent taxes.

IN WITNESS WHEREOF, the Grantor has hereunto set their hands and seal this *11* day of *May*, *2015*.

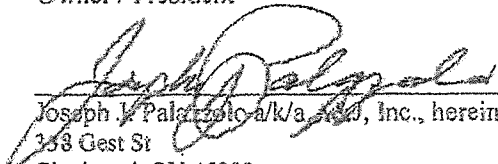
The Grantor certifies that no Indiana Gross Income Tax is due as a result of the transfer made by this conveyance.

FILED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

MAY 11 2015


R. [Signature]
Auditor, Clark County

Joseph J. Palazzolo a/k/a A&J, Inc. (an unregistered corporation)
Owner / President



Joseph J. Palazzolo a/k/a A&J, Inc., herein as Grantor
338 Gest St
Cincinnati, OH 45203

AVZ Properties, LLC. - Alex Zalmanoff / President
A Commonwealth of Kentucky Limited Liability Company



Alex Zalmanoff of AVZ Properties, LLC., herein as Grantee
3608 Wynbrooke Circle
Louisville, KY 40241
(502) 418-1684

STATE OF OHIO |
COUNTY OF HAMILTON | SS.

BEFORE ME, a Notary Public in and for said County and State on this 11th day of May, 2015, personally appeared *Joseph J. Palazzolo a/k/a A&J, Inc.* (an unregistered corporation) as Owner/President, and acknowledged the execution of the foregoing Warranty Deed, herein Grantor, and *Alex Zalmanoff* as President of AVZ Properties, LLC. a Commonwealth of Kentucky Limited Liability Company, and acknowledged the execution of the foregoing Warranty Deed, herein Grantee.


WITNESS my hand and notarial seal.

MY COMMISSION EXPIRES:

8/24/19




NOTARY PUBLIC

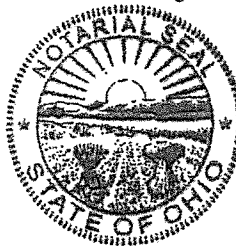


Printed Signature

This instrument was prepared by:
Alex Zalmanoff, *Pro se*



Alex Zalmanoff
3608 Wynbrooke Circle
Louisville, KY 40241
(502) 418-1684



Amy Painter
Notary Public, State of Ohio
My Commission Expires 08-24-2019

D
SL

Clark County, IN

1128 BEAN ROAD, SELLERSBURG, IN 47172
10-17-06-700-025.000-031



Parcel Information

Parcel Number: 10-17-06-700-025.000-031
Alt Parcel Number: 17-00036-059-0
Property Address: 1128 BEAN ROAD
SELLERSBURG, IN 47172
Neighborhood: sc com area 2 dist 031
Property Class: Other Commercial Structures
Owner Name: AVZ Properties LLC
Owner Address: 6208 Glen Hill Road
Louisville, KY 40222
Legal Description: GT 67, 7.272

Taxing District

Township: SILVER CREEK TOWNSHIP
Corporation: SILVER CREEK SCHOOLS

Land Description

<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
11	2.0	
13	5.272	

INDIANA MEDIA GROUP
PO BOX 607
GREENSBURG IN 47240-0607
(877) 253-7755
Fax (765) 648-4229

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS

Printed at 01/19/22 13:53 by jgall

Acct #: 177535

Ad #: 1755039

Status: New WHOLD WH

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO
THE ZONING ORDINANCE OF SELLERSBURG, INDIANA**

NOTICE IS HEREBY GIVEN THAT THE Sellersburg Town Council, on the 14th day of February, 2022 at 8:00 p.m. in Town Council Chambers, 316 E. Utica Street, Sellersburg, Indiana, will hold a public hearing to consider and act upon a proposed Amendment to the Sellersburg Zoning Map Ordinance. The geographic areas to which the proposed ordinance applies is all incorporated areas of the Town of Sellersburg, Indiana.

The following is a summary of the proposed Amendment:

**RESOLUTION NO. 2022-01
A Zoning Map Amendment
TO ORDINANCE NO. 2021-OR-002**

AN RESOLUTION AMENDING THE SELLERSBURG Zoning Map for Sellersburg, Indiana.

WHEREAS, the Sellersburg Advisory Plan Commission in accordance with IC 36-7-4-604, a public hearing was held on January 18, 2022, at 6:00 p.m., on the proposed Zoning Map amendment:

WHEREAS, the Sellersburg Town Council has received a favorable recommendation from the Plan Commission for the proposed Zoning Map amendment:

The following is a summary of the proposed Amendment to ORDINANCE NO. 2021-OR-002 and the Zoning Map therein:

1. Amend the zoning map from B3 Highway Business to I2 Heavy Industrial for the property commonly known as 1128 Bean Road, Sellersburg, Indiana, for the purpose of a trucking terminal.

Written objections or comments to the proposed Amendment may be filed with the Town Council before such hearing, will be heard at the specified time and place and will be considered. Oral comments concerning the proposal will also be heard. Said hearing may be continued from time to time as may be necessary. A copy of the proposed Amendment is available for public inspection during regular business hours in the Town Council Office, 316 E. Utica, Sellersburg, Indiana.

Michelle Medcalf
Town Council Secretary hspaxlp

INDIANA MEDIA GROUP
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GREENSBURG IN 47240-0607
(877)253-7755
Fax (765)648-4229

ORDER CONFIRMATION

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SELLERSBURG TOWN OF
ATTN: CLERK TREASURER
316 E UTICA ST.
SELLERSBURG IN 47172

Start: 01/22/2022 Stop: 01/22/2022
Times Ord: 1 Times Run: ***
LEG 2.00 X 45.00 Words: 292
Total LEG 90.00
Class: 105 PUBLIC NOTICES
Rate: LGOVT Cost: 47.43
Affidavits: 1

Contact:

Phone: (812)246-7049

Fax#:

Email:

Agency:

Ad Descrpt: NOTICE OF PUBLIC HEARING
Given by: *

P.O. #:

Created: jgall 01/19/22 13:49

Last Changed: jgall 01/19/22 13:53

PUB ZONE EDT TP RUN DATES
JEFF JEF 95 S 01/22
JNOL JEF 95 S 01/22

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)