

ORDINANCE 25-3040

AN ORDINANCE TO ANNEX TO THE CITY OF SHELBYVILLE, INDIANA, CERTAIN REAL ESTATE AND TO REPEAL ALL ORDINANCES IN CONFLICT THEREWITH, TO THE EXTENT OF SUCH CONFLICT ONLY

BE IT ORDAINED: By the Common Council of the City of Shelbyville, Indiana, as follows, to wit:
Section 1. That the following tracts of real estate in the County of Shelby, State of Indiana, more particularly described in Exhibit A and generally depicted in Exhibit B, each Exhibit attached hereto and incorporated herein (collectively, the “Real Estate”), be and are hereby annexed to the City of Shelbyville, Indiana and are further designated the following zoning district and classification under the Unified Development Ordinance of the City of Shelbyville:

IG - General Industrial
Section 2. The Real Estate annexed shall be assigned the following municipal legislative body district:
1st Ward

Section 3. Any Ordinance of the City of Shelbyville, Indiana which is in conflict with the terms and provisions of this Ordinance is hereby repealed to the extent of such conflict only and as to the fore described real estate only.
Section 4. Notwithstanding anything to the contrary contained in this Ordinance, if title to the Real Estate is not transferred from its current owners, Frank E. Poe and Penny L. Poe, husband and wife, and Beth C. Crouch (collectively, “Landowners”), to VTRE Development, LLC or an affiliated entity, successor, or assignee thereof (collectively, “Developer”), pursuant to certain real estate purchase and sale agreements by and between each Landowner and Developer (as may be amended from time to time), prior to the effective date of the annexation contemplated under this Ordinance, the annexation petition corresponding herewith shall be deemed withdrawn and this Ordinance will be null and void.
Pass by the Common Council of the City of Shelbyville, Indiana on first reading this 7th day of July, 2025.

VOTE: Ayes 6 Nays 0
PRESIDING OFFICER:
/s/ Scott Ferguson
Scott Ferguson, Mayor

ATTEST:
/s/ Scott Asher
Scott Asher, Clerk Treasurer

Passed by the Common Council of the City of Shelbyville, indiana on the second reading this 6th day of July, 2026.
VOTE: Ayes 6 Nays 0
PRESIDING OFFICER
/s/ Scott Ferguson
Scott Ferguson, Mayor

ATTEST:
/s/ Scott Asher
Scott Asher, Clerk Treasurer

MAYORAL APPROVAL:
/s/ Scott Ferguson
Scott Ferguson, Mayor

CERTIFICATION
The undersigned Clerk Treasurer does hereby certify that the above ordinance was presented to the Mayor, approved and signed by the Mayor on the date shown, and that said Mayor announced its approval to the Common Council this 6th day of July, 2026.
/s/ Scott Ferguson
Scott Ferguson, Mayor

Exhibit A: Legal Description
Parcel No. 73-06-25-400-008.000-001 (10.9 acres)

The Land referred to herein below is situated in the County of Shelby, State of Indiana, and is described as follows:
A PART OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 13 NORTH, RANGE 6 EAST, IN ADDISON TOWNSHIP, SHELBY COUNTY, INDIANA, BEING CREATED FROM A SURVEY (JOB #07-2021) BY JEFFERY POWELL AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF THE SAID QUARTER SECTION BEING MARKED BY A 5/8" REBAR PER THE SHELBY COUNTY TIES AND SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;THENCE SOUTH 89 DEGREES 59 MINUTES 23 SECONDS WEST ALONG THE SOUTH LINE OF THE SAID QUARTER SECTION A DISTANCE OF 686.18 FEET TO A MAG NAIL SET AT THE POINT OF INTERSECTION WITH THE PROJECTION OF AN EXISTING FENCE LINE RUNNING TO THE NORTH, BEING THE APPARENT LINE OF OCCUPATION, BEING HELD AND ACCEPTED AS THE BOUNDARY LINE BETWEEN A 79 ACRE TRACT TO THE WEST (TRACT #5 DESCRIBED IN INSTRUMENT 2012003995) AND THE SURVEYED 29 ACRE TRACT (DESCRIBED IN INSTRUMENT 2016003733);THENCE NORTH 00 DEGREES 41 MINUTES 47 SECONDS WEST APPROXIMATELY ALONG THE SAID FENCE LINE AND BEING ALONG THE LAST SAID LINE A DISTANCE OF 694.92 FEET TO A POWELL CAPPED REBAR;THENCE NORTH 89 DEGREES 59 MINUTES 23 SECONDS EAST PARALLEL TO THE SOUTH LINE OF THE SAID QUARTER SECTION A DISTANCE OF 680.39 FEET TO A POWELL CAPPED REBAR SET ON THE EAST LINE OF THE SAID QUARTER SECTION;THENCE SOUTH 01 DEGREES 10 MINUTES 13 SECONDS EAST ALONG THE EAST LINE OF THE SAID QUARTER SECTION A DISTANCE OF 695.01 FEET TO THE POINT OF BEGINNING, CONTAINING 10.900 ACRES MORE OR LESS.

Parcel No. 73-06-25-400-007.000-001 (21.14 acres)
The Land referred to herein below is situated in the County of Shelby, State of Indiana, and is described as follows:
A PART OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 13 NORTH, RANGE 6 EAST, IN ADDISON TOWNSHIP, SHELBY COUNTY, INDIANA, BEING CREATED FROM A SURVEY (JOB # 07-2021) BY JEFFERY POWELL AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:COMMENCING AT THE SOUTHEAST CORNER OF THE SAID QUARTER SECTION BEING MARKED BY A 5/8" REBAR PER THE SHELBY COUNTY TIES; THENCE NORTH 01 DEGREES 10 MINUTES 13 SECONDS WEST ALONG THE EAST LINE OF THE SAID QUARTER SECTION A DISTANCE OF 695.01 FEET TO A POWELL CAPPED REBAR, SAID POINT BEING THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;THENCE SOUTH 89 DEGREES 59 MINUTES 23 SECONDS WEST PARALLEL TO THE SOUTH LINE OF THE SAID QUARTER SECTION A DISTANCE OF 680.43 FEET TO A POWELL CAPPED REBAR SET ON AN EXISTING FENCE LINE RUNNING NORTH AND SOUTH, BEING THE APPARENT LINE OF OCCUPATION, BEING HELD AND ACCEPTED AS THE BOUNDARY LINE BETWEEN A 79 ACRE TRACT TO THE WEST (TRACT #5 DESCRIBED IN INSTRUMENT 2012003995) AND THE SURVEYED 29 ACRE TRACT (DESCRIBED IN INSTRUMENT 2016003733);THENCE NORTH 00 DEGREES 41 MINUTES 47 SECONDS WEST APPROXIMATELY ALONG THE SAID FENCE LINE AND BEING ALONG THE LAST SAID LINE A DISTANCE OF 1649.82 FEET TO A POWELL CAPPED REBAR SET ON THE APPARENT CENTERLINE OF THE INDIANAPOLIS AND CINCINNATI RAILROAD AS ESTABLISHED PER THE EXISTING RAILS AS OF FEBRUARY 8, 2021;THENCE SOUTH 49 DEGREES 45 MINUTES 10 SECONDS EAST ALONG THE CENTERLINE OF THE SAID RAILROAD A DISTANCE OF 888.96 FEET TO A POWELL CAPPED REBAR SET ON THE EAST LINE OF THE SAID QUARTER SECTION; THENCE SOUTH 01 DEGREES 10 MINUTES 13 SECONDS EAST ALONG THE EAST LINE OF THE SAID QUARTER SECTION A DISTANCE OF 1075.45 FEET TO THE POINT OF BEGINNING, CONTAINING 21.114 ACRES MORE OR LESS.

Parcel No. 73-07-30-300-002.000-001 (6.38 acres)
ALSO ALL THAT PART OF THE WEST HALF OF THE SOUTHWEST CORNER OF SECTION 30 IN TOWNSHIP 13 NORTH OF RANGE 7 EAST THAT LIES ON THE SOUTH SIDE OF THE INDIANAPOLIS AND CINCINNATI RAILROAD. EXCEPT THEREFROM: BEGINNING AT A POINT 165.00 FEET NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING) OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 13 NORTH, RANGE 7 EAST, IN ADDISON TOWNSHIP, SHELBY COUNTY, INDIANA;AND RUNNING THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 1087.70 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO A MASONRY NAIL; THENCE NORTH 00 DEGREES 40 MINUTES 55 SECONDS WEST 607.95 FEET ALONG A FENCE LINE TO AN IRON PIPE ON THE SOUTHWEST RIGHT-OF-WAY LINE OF THE CONRAIL RAILROAD;THENCE NORTH 49 DEGREES 10 MINUTES 20 SECONDS WEST 1101.25 FEET ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE TO ANOTHER IRON PIPE;THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 238.70 FEET TO AN IRON PIPE;THENCE SOUTH 00 DEGREES 21 MINUTES 55 SECONDS WEST 1328.00 FEET TO THE POINT OF BEGINNING, CONTAINING 25.97 ACRES, MORE OR LESS. ALSO EXCEPT THEREFROM:BEGINNING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 13 NORTH, RANGE 7 EAST AND RUNNING THENCE EAST 11.48 CHAINS TO A POINT IN THE CENTER OF THE CINCINNATI, INDIANAPOLIS, ST. LOUIS AND CHICAGO RAILWAY TRACK;THENCE NORTH 48 DEGREES WEST ALONG THE CENTER OF SAID RAILROAD TRACK 15.31 CHAINS TO THE WEST LINE OF SAID TRACT OF LAND;THENCE SOUTH 10.14 CHAINS TO THE PLACE OF BEGINNING, CONTAINING 5.75 ACRES, MORE OR LESS. ALSO SUBJECT TO A RIGHT OF WAY OF 49 ½ FEET IN WIDTH OFF OF THE ENTIRE NORTHEAST SIDE OF SAID REMAINING TRACT OF LAND HERETOFORE CONVEYED TO THE INDIANAPOLIS, SHELBYVILLE AND SOUTHEASTERN TRACTION COMPANY AND RECORDED IN DEED RECORD 108, PAGE 478 IN THE RECORDER'S OFFICE OF SHELBY COUNTY, INDIANA, CONTAINING IN THIS DESCRIPTION 6.38 ACRES, MORE OR LESS

Exhibit B: Property Map (showing land being petitioned for annexation)

