

# CITY OF SHELBYVILLE

Adam M. Rude  
Director



Allan Henderson  
Deputy Director

## PLAN COMMISSION

**MEETING DATE: 6/12/2023**

Case Number & Name:	PC 2023-14: 837 & 875 Webster Street; Rezone			
Petitioner's Name:	TWG Development			
Owner's Name:	Chad Christian			
Petitioner's Representative:	Marisa Conaster			
Address of Property:	837- 875 Webster Street, Shelbyville, Indiana			
Subject Property Zoning Classification:	Current: IL – Light Industrial Proposed: BG – Business General			
Comprehensive Future Land use:	Commercial			
	North	East	South	West
Surrounding Properties' Zoning Classifications:	IL – Light Industrial	BG – Business General	IL – Light Industrial/ MP – Manufactured Home Park	IL – Light Industrial
Surrounding Properties' Comprehensive Future Land Use	Commercial	Commercial	Commercial	Commercial
History:	The property has a long history of industrial and commercial uses. The original industrial building is c. 1890 when it was used as a furniture manufacturer to eventually being used as a storage and moving company. Approximately 3-4 years ago the property was subject to arson and has sat vacant since.			
Vicinity Map:				
Action Requested:	A formal request to rezone from <i>IL – Light Industrial</i> to <i>BG – Business General</i> .			

1. The petition request is to rezone +/- 7 acres located at 837 and 875 Webster Street from IL – Light Industrial to BG – Business General. The neighborhood is currently a mix of single-family residential, a manufactured home park, business general and light industrial. McKay Road and Miller Avenue were a focus area of the 2019 Comprehensive Plan with the intent on returning the corridor into a major gateway into the City. As A follow up to a successful rezone, the petitioners are looking to construct apartments on the site.
2. The BG – Business General district is intended to provide an area for a variety of general commercial uses. Shelbyville should strive to use this district to provide a variety of goods and services that are accessible to the City’s neighborhoods and complimentary to its other types of business districts. The BG – Business General district also allows for RM – Multi-family Residential as a permitted use under residential.
3. The Unified Development Ordinance (Section 9.10 (K)) requires the Plan Commission pay reasonable regard to the following decision criteria:

**a. Relation to the Comprehensive Plan:**

The applicant provided the following response to the 1<sup>st</sup> decision criteria: *“The proposed use aligns with the future land use map as it identifies the site as commercial, surrounded by single- and multi-family residential. The Comprehensive Plan reported that the community wants to attract new housing opportunities that offer more choice for location, lifestyle, type, and price points. The proposed development does just that by providing attainable housing for individuals and families.”*

The planning staff has determined that the proposed zoning classification of BG – Business General is consistent with the City’s Comprehensive Plan as the future land use map identifies the area as commercial which is reflected in the following Objectives and Action Steps:

Built Environment:

Objective 2: Guide healthy development patterns using future land use mapping.

Action 2: Utilize the Future Land Use Map as a living, breathing document to guide future development decisions.

Action 3: Target mixed-use flexibility for gateway development.

Objective 3: Transform Shelbyville’s Current Housing Stock and Neighborhoods.

Objective 5: Promote Development and Redevelopment of Existing Sites and Buildings.

**b. Current Conditions:**

The applicant provided the following response to the 2<sup>nd</sup> decision criteria: *“The current site sits vacant with just a shed and blighted wooden skeleton of what looks to be the corner of a former building. The fencing around the property is worn and the property in its entirety is in need of reinvestment. The surrounding area has a lot to offer in terms of services, restaurants, schools, and shopping, but the site in its current state is underutilized.”*

The planning staff has determined the proposed zoning classification of BG – Business General is consistent with the current conditions of the surrounding neighborhood. The neighborhood

is currently comprised of a mix of uses – single family residential, business general, manufactured home park, and light industrial. The requested BG – Business General zoning is an appropriate zoning classification for the subject property to blend with the surrounding uses. The location off Miller Avenue is a great location to increase density to help with reinvestment along the corridor.

**c. Desired Use:**

The applicant provided the following response to the 3<sup>rd</sup> decision criteria: *“The BG district has many permitted uses and is intended to provide an area for a variety of commercial uses - including multi-family residential. This compliments the surrounding area as the neighboring properties to the east and south are comprised of single- and multi-family residential. Commercial and industrial uses are to the southwest and north. The proposed development will align with the surrounding area.”*

The planning staff has determined the proposed zoning classification of BG – Business General is consistent with the desired use of the subject parcel and surrounding area. The change in zoning will not alter the desired use in this part of the city, but instead enhance it and align with the Comprehensive Plan. The City’s Comprehensive Plan has identified this area for commercial growth. The proposed multi-family residential project will also have a positive impact on commercial growth as more residents in the area will create demand for more commercial services. The requested rezone is also consistent with residential growth within the surrounding neighborhood. After reviewing the City's Comprehensive Plan and considering the existing site constraints, the most desirable use would be achieved through this proposed rezone.

**d. Property Values:**

The applicant provided the following response to the 4<sup>th</sup> decision criteria: *“The proposed development will have a positive impact on property values. This development is currently assuming approximately \$30,000,000 in total development costs and will provide a great asset to these underutilized parcels. A study by Stanford reported that surrounding property values increase an average of 6.5% when a development utilizing this program is constructed in similar areas.”*

The planning staff has determined the proposed zoning classification of BG – Business General should not have an adverse impact on surrounding property values or property values in general throughout the City. The property has sat vacant for the last 3-4 years. Returning the property to productive use will return the property to the tax rolls and be the highest and best use of the property. This will have the effect of stabilizing property values in the area as improvements are made to the property.

**e. Responsible Growth:**

The applicant provided the following response to the 5<sup>th</sup> decision criteria: *“TWG Development prides itself on creating high-quality, safe, and attainable housing. We are committed to seeing this development through a successful development and will maintain ownership for a minimum of 15 years. We will undergo all 3rd party reports to ensure feasibility and do our due diligence to create a development of the highest quality.”*

The planning staff has determined the proposed zoning classification of BG – Business General allows for responsible growth and development in the area. Part of the access roads and all utilities are all in place to service the proposed multi-family development. A second proposed entrance from Hale Road is being discussed and will be required if the unit count is more than 49 units or the subject building is more than 3-stories tall. Higher density projects and infill projects are more sustainable ways to develop because they use the land more efficiently and require little to no improvements to the public infrastructure when compared to new development on a vacant site that might require extensions of infrastructure and utilities. There is no additional public infrastructure required to support the change in zoning classification or the properties in the area.

**STAFF RECOMMENDATION: Favorable recommendation on the proposed rezoning from IL – Light Industrial to BG – Business General.**



## Rezone (Zoning Map Amendment): PC 2023-14: 837 & 875 Webster Street; Rezone

### FINDINGS OF FACT BY THE SHELBYVILLE PLAN COMMISSION

#### Staff Prepared

#### Motion:

(I) would like to make a motion to forward a favorable recommendation for the rezone petition presented before this body, rezoning from IL – Light Industrial to BG – Business General, pursuant to the planning staff's report and Findings of Fact.

1. ☐ The Plan Commission has paid reasonable regard to and finds that the proposed rezone is consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.  
  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **is not** consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.
2. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is complimentary to the current conditions and the character of current structures and uses in this zoning district.  
  
☐ The Plan Commission has paid reasonable regard to and finds that the proposed rezone **is not** complimentary to the current conditions and the character of current structures and uses in this zoning district.
3. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone will allow for the most desirable use of the subject land, pursuant to the planning staff's report.  
  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **will not** allow for the most desirable use of the subject land, pursuant to the planning staff's report.
4. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone will not have an adverse negative effect on the conservation of property values throughout the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.  
  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **will** have an adverse negative effect on the conservation of property values throughout the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.
5. ☐ The Plan Commission has paid reasonable regard to and finds that the proposed rezone is a responsible growth and development strategy for the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.  
  
☐ The Plan Commission has paid reasonable regard to and finds that the proposed rezone is not a responsible growth and development strategy for the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.

Shelbyville Plan Commission

By: \_\_\_\_\_  
Chairperson/Presiding Officer

Attest: \_\_\_\_\_  
Adam M. Rude, Secretary



## REZONING APPLICATION

Shelbyville Planning & Building Department  
44 West Washington Street  
Shelbyville, IN 46176  
P: 317.392.5102

### For Office Use Only:

Case #: PC 2023 - 14

Hearing Date: 06-12-23

Fees Paid: \$ 580.00

Final Decision:

Approved

Denied

1.

#### Applicant

Name: TWG Development, LLC

Address: 1301 W Washington St, Ste 100  
Indianapolis, IN 46202

Phone Number: (317) 656-1056

Fax Number: n/a

Email: mconatser@twgdev.com

#### Property Owners Information (if different than Applicant)

Name: Christian Investments, LLC - Chad Christian

Address: 318 E Broadway St, Shelbyville, IN 46176

Phone Number: (317) 398-7203

Fax Number: n/a

Email: chad@christianllc.net

2.

#### Applicant's Attorney/Representative

Name: Dustin Detzler

Address: 1301 E Washington St, Ste 100  
Indianapolis, IN 46202

Phone Number: (317) 264-1833

Fax Number: n/a

Email: ddetzler@twgdev.com

#### Project Engineer

Name: TBD

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

#### 3. Project Information:

General Location of Property (and address is applicable): 837 & 875 Webster St., Shelbyville, IN 46176

Current Zoning: Industrial Light

Existing Use of Property: Vacant; damaged structures

Proposed Zoning: Business General

Proposed Use: Multifamily housing

#### 4. Attachments

- ☐ Affidavit and Consent of Property Owner (if applicable)
- ☐ Proof of Ownership (copy of deed, recent property card)
- ☒ Letter of Intent
- ☒ Site Plan

- ☒ Vicinity Map
- ☒ Application Fee
- ☐ Legal Description
- ☒ Findings of Fact

The undersigned states the above information is true and correct as s/he is informed and believes.

Applicant: [Signature] Date: 5/24/23

State of Indiana  
County of Marion SS:

Subscribed and sworn to before me this 24 day of May, 2023

[Signature]  
Notary Public Printed



Nicole Lee Kline, Notary Public  
Hendricks County, State of Indiana  
My Commission Expires  
January 25, 2026

My Commission Expires: \_\_\_\_\_

**AFFIDAVIT & CONSENT OF PROPERTY OWNER**  
**APPLICATION TO THE SHELBYVILLE PLAN COMMISSION**

STATE OF Indiana  
COUNTY OF Shelby ) SS:

I, Chad Christian, AFTER BEING DULY SWORN, DEPOSE AND SAY THE  
(Name of property owner)  
FOLLOWING:

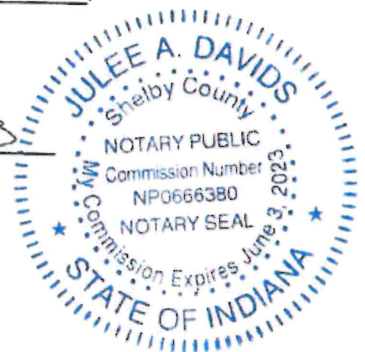
1. That I am the owner of real estate located at 837 & 875 Webster Street, Shelbyville, IN;  
(Address of subject property)
2. That I have read and examined the Application made to the Shelbyville Plan Commission by:  
TWG Development, LLC  
(Name of applicant)
3. That I have no objections to, and consent to the request(s) described in the Application made to the Shelbyville Plan Commission.

Chad Christian  
Owner's Name (Please Print)  
[Signature]  
Owner's Signature

Subscribed and sworn to before me this 24<sup>th</sup> day of May, 2023

Julee A. Davids, Julee A. Davids  
Notary Public Printed

Residing in Shelby County My Commission expires 6/3/2023





## ZONING MAP AMENDMENT ("REZONING") FINDINGS OF FACT

Petitioner's Name: TWG Development, LLC

Location: 837 & 875 Webster St., Shelbyville, IN

Variance for: \_\_\_\_\_

The Shelbyville Board of Zoning Appeals must determine that the following criteria have been met in order to approve an application for a Development Standard Variance. Using the lines provided, please explain how your request meets each of these criteria.

1. **Comprehensive Plan:** The Comprehensive Plan and any other applicable adopted planning studies or reports.

The proposed use aligns with the future land use map as it identifies the site as commercial, surrounded by single- and multi-family residential. The Comprehensive Plan reported that the community wants to attract new housing opportunities that offer more choice for location, lifestyle, type, and price points. The proposed development does just that by providing attainable housing for individuals and families.

2. **Current Conditions:** The current conditions and the character of current structures and uses in each district.

The current site sits vacant with just a shed and blighted wooden skeleton of what looks to be the corner of a former building. The fencing around the property is worn and the property in its entirety is in need of reinvestment. The surrounding area has a lot to offer in terms of services, restaurants, schools, and shopping, but the site in its current state is underutilized.

3. **Desired Use:** The most desirable use for which the land in each district is adapted.

The BG district has many permitted uses and is intended to provide an area for a variety of commercial uses - including multi-family residential. The compliments the surrounding area as the neighboring properties to the east and south are comprised of single- and multi-family residential. Commercial and industrial uses are to the southwest and north. The proposed development will align with the surrounding area.

4. **Property Values:** The conservation of property values throughout the City of Shelbyville's planning jurisdiction.

The proposed development will have a positive impact on property values. This development is currently assuming approximately \$30,000,000 in total development costs and will provide a great asset to these underutilized parcels. A study by Stanford reported that surrounding property values increase an average of 6.5% when a development utilizing this program is constructed in similar areas.

5. **Responsible Growth:** Responsible Growth and Development.

TWG Development prides itself on creating high-quality, safe, and attainable housing. We are committed to seeing this development through a successful like and will maintain ownership for a minimum of 15 years. We will undergo all 3rd party reports to ensure feasibility and do our due diligence to create a development of the highest quality.





# TWG

DEVELOPMENT | MANAGEMENT | CONSTRUCTION

1301 E WASHINGTON STREET, SUITE 100, INDIANAPOLIS, IN 46202 | 317.264.1833 | TWGDEV.COM

24 May 2023

**TO:** Plan Commission – City of Shelbyville

**RE: Rezone Application – Letter of Intent – Eight37 Lofts**  
837-875 Webster Street  
Shelbyville, IN 46176

To whom it may concern –

Thank you for your consideration of our application for a rezone of property located at 837 and 875 Webster Street. We respectfully request a rezone from the current zoning district, Industrial Light, to Business General. This proposed change would allow us to develop a 138-unit multifamily housing community on the approximately 7-acre site. The proposed development, Eight37 Lofts, will be a workforce housing community which will be submitted to Indiana Housing and Community Development Authority's (IHCA) Rental Housing Tax Credit (RHTC) program this summer. For reference, this program is what Birge & Held used for their adaptive reuse of the former Coca-Cola plant.

Eight37 Lofts will feature a mix of one-, two-, and three-bedroom apartment units targeting Shelbyville's workforce earning between 50-60% of the area's median income, which for Shelby County in 2023 is \$33,850-\$62,700. The site will also include amenities such as on-site property management and maintenance staff, a community room with activities, greenspace for residents to enjoy, and much more. If granted this rezone, our design team will ensure space is created to enhance the property and include many great amenities for residents to enjoy.

TWG is currently under a purchase agreement for the site at 837-875 Webster Street. If granted the rezone, our team will work with the property owner to the west of the site to gain an access point on Hale Road. However, since we do not currently have an agreement in place for that land or easement, we did not want to include it in our current site plan. Once we receive our RHTC award in November, our design team and I will work with the City of Shelbyville to ensure we are designing a development satisfactory to the City's standards and create an apartment community that residents are proud to call home.

Following the tragic fire in 2019 that severely damaged the building that once stood on the site, the property has sat vacant. We believe that our investment in Eight37 Lofts will be an asset to the community and could spark additional reinvestment in the surrounding area. If you have any questions or comments, please do not hesitate to reach out. We appreciate your time and assistance during this process and look forward to having the opportunity to provide new housing stock to the City of Shelbyville.

Best,

*Marisa Conatser*

Marisa Conatser  
Development Director  
TWG Development, LLC

calcmaps.com

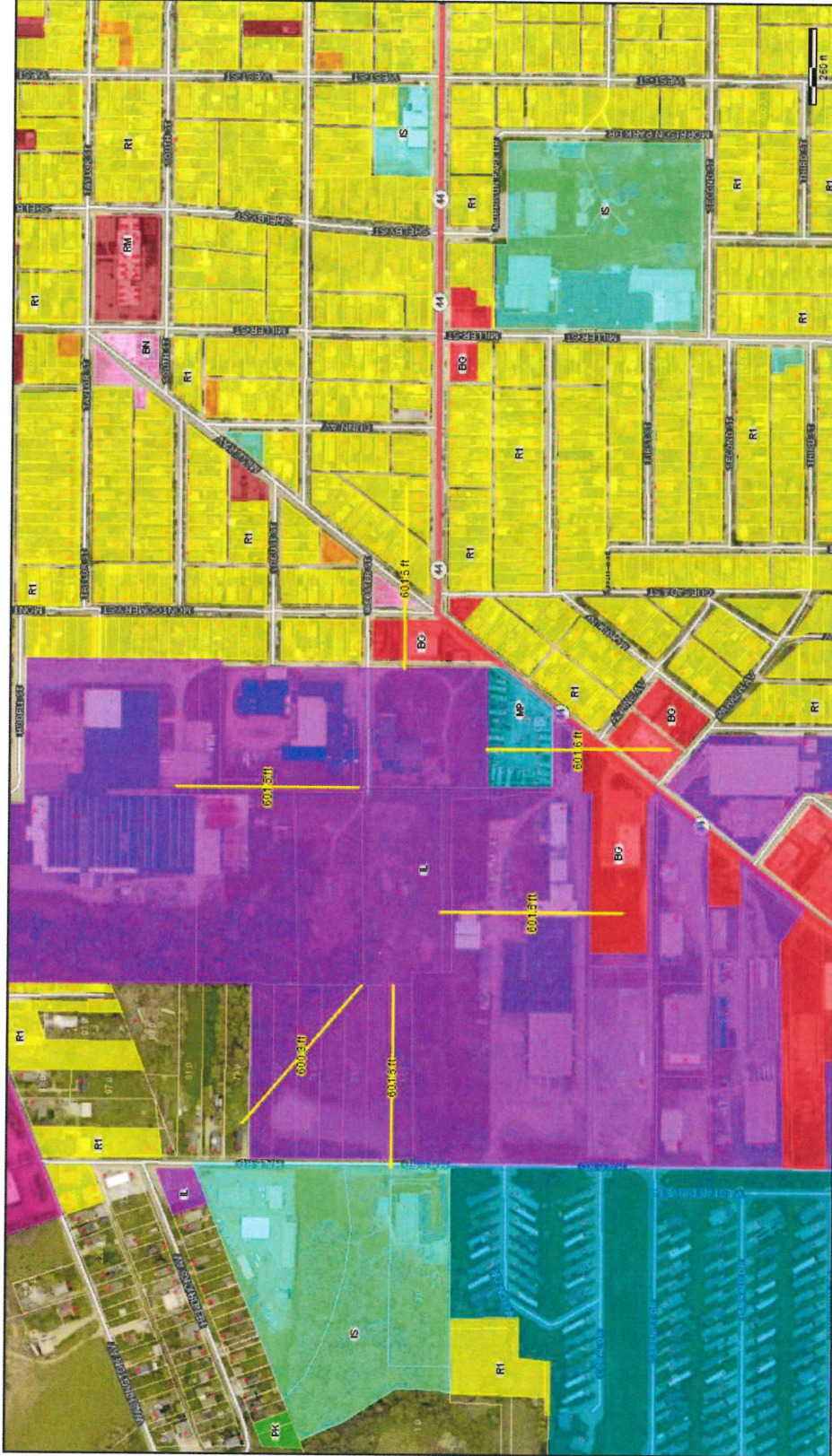
Radius: 184.30 m | 0.18 km | 0.11 mi | 605 ft | 201.6 yd | 0.10 nm

Circle Area: 106713.23 m<sup>2</sup> | 0.11 km<sup>2</sup> | 0.04 mi<sup>2</sup> | 1148652 ft<sup>2</sup>

Lat,Lon: 39.51791,-85.78999







Type notes here

Printed  
05/24/2023

The purpose of this map is to display the geographic location of a variety of data sources frequently updated from local government and other agencies. Neither WTH Technology nor the agencies providing this data make any warranty concerning its accuracy or merchantability. And no part of it should be used as a legal description or document.

ENTER FOR TAXATION

Aug 04, 2021

  
SHELBY COUNTY AUDITOR

2021005759 TRUST DE \$25.00  
8/4/2021 12:49:06 PM 2 PGS  
Tawnya J Williams  
SHELBY County Recorder IN  
Recorded as Presented



File No.: 2102059

## TRUSTEE'S DEED

THIS INDENTURE WITNESSETH, That **The Joint Revocable Trust Agreement of Clarence Woodall and Patricia Woodall** (Grantor), of Shelby County, in the State of Indiana, **CONVEY AND WARRANT(S)** to **Christian Investments LLC** (Grantee) a limited liability company organized and existing under the laws of the State of Indiana, for the sum of Ten and 00/100 Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Shelby County, in the State of Indiana (hereinafter called the "Real Estate"):

Beginning at a point in the center of Webster Street, if extended, where the same intersects the west line of Alley No. 5 in the John C. DePrez Addition to the City of Shelbyville, Indiana; thence south on and along the west line of said Alley 407.25 feet; thence westerly and on a deflection angle to the right of 89 degrees and 17 minutes 389.11 feet to the center of a railroad switch track; thence northerly and on a deflection angle to the right of 90 degrees and 43 minutes with the center of said track 412.00 feet to the center of Webster Street; if extended; thence east on and along last said center line 389.35 feet more or less, except therefrom a strip of land 20 feet in width off of the entire south side thereof.

**Subject** to any and all easements, highways, rights-of-way, covenants, conditions, restrictions and other matters of record, all current, non-delinquent real estate taxes and assessments and all matters that would be disclosed by an accurate survey or physical inspection of said real estate.

The Address of such real estate is 837 Webster St., Shelbyville, IN 46176  
commonly known as: Parcel No.: 73-11-06-300-015.000-002

Pursuant to the terms of the Trust Agreement, the Grantors represent and warrant that they are the Trustees of the Trust; that as Trustees, they have the power to sell, transfer and convey real property without petition to or approval from any court; that the Trust has not been amended, modified or revoked since its execution and restatement; that the Real Estate has not been withdrawn from the operation of the Trust Agreement; and that the Trust is in full force and effect of the date hereof. The execution and delivery of this Trustee's Deed by the Grantors and its acceptance by the Grantees completely fulfills and finally terminates the Trust insofar as it relates to the Real Estate.

Tax bills should be sent to Grantee at such address unless otherwise indicated below.

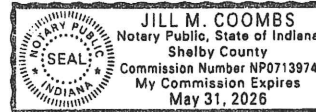
SALES DISCLOSURE  
APPROVED  
SHELBY CO. ASSESSOR



IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 2nd day of August, 2021.

THE JOINT REVOCABLE TRUST AGREEMENT OF  
CLARENCE WOODALL AND PATRICIA WOODALL

Patricia Woodall Trustee  
Patricia Woodall, Trustee



State of Indiana )

County of Shelby )

SS:

ACKNOWLEDGMENT

) # Patricia Woodall as Trustee of

Before me, a Notary Public in and for said County and State, personally appeared Patricia Woodall The Joint Revocable Trust Agreement of Clarence Woodall and Patricia Woodall, who acknowledged execution of the foregoing Warranty Deed.

Witness my hand and Notarial Seal this 2nd day of August, 2021.

My Commission Expires: 5/31/2026  
Resident of \_\_\_\_\_

Signature  
Printed

Jill M Coombs / Jill M Coombs  
Notary Public  
Shelby

This instrument was prepared by Dean Lopez, Attorney at Law, 9225 Priority Way West Drive, Suite 110, Indianapolis, IN 46240.

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. Jill M. Coombs

Return to: Security Title Services, 3147 W. Smith Valley Road, Ste F, Greenwood, IN 46142

Send tax statements to: 318 E Broadway St. Shelbyville, IN 46176

Grantee's mailing address: Same

ENTER FOR TAXATION

MAR 23 2016

*Mary Jo Phares*  
SHELBY COUNTY AUDITOR

2016001283 CORP WD \$20.00  
03/23/2016 01:26:14P 3 PGS  
Tawnya J Williams  
SHELBY County Recorder IN  
Recorded as Presented



**Corporate Warranty Deed**

This Indenture Witnesseth, that Ashcraft Warehousing, Inc., an Indiana corporation, a corporation organized under the laws of the State of Indiana ("Grantor"), by Carolyn Ashcraft, its Vice President, CONVEY(S) AND WARRANT(S) to **Progress Parkway, LLC** ("Grantee") of Shelby County, in the State of Indiana, for the sum of One and no/100 Dollars (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following real estate in Shelby County, State of Indiana, commonly known as 875 Webster Street, Shelbyville, Indiana, and more particularly described on the attached "EXHIBIT A."

Subject to taxes for 2015 payable 2016, now a lien, not yet due and payable.

Subject to taxes for 2016 payable 2017, now a lien, not yet due and payable.

Subject to covenants, agreements, easements, restrictions and all rights of way of record.

Grantor is a corporation that was administratively dissolved on April 20, 1992; however, the person(s) executing this affidavit and the deed on behalf of Grantor are duly elected officers or authorized representative of Grantor and have been fully empowered by proper resolution of the Board of Directors of Grantor to execute and deliver this deed pursuant to the winding up of Grantor's assets, affairs, and liabilities; furthermore, that Grantor has full corporate and legal capacity to convey the real estate described herein pursuant to Indiana Code Sec. 23-1-46-2, and all necessary corporate action for the making of such conveyance has been taken and done.

SALES DISCLOSURE  
APPROVED  
SHELBY CO. ASSESSOR

## EXHIBIT A

### Tract 1

A part of the Southwest Quarter and a part of the Southeast Quarter of Section 6, Township 12 North, Range 7 East, of the 2nd Principal Meridian described as follows:

Beginning at a point that is 1852 feet North of the South line of said Section and 632.5 feet West of the East line of said Southwest Quarter Section and running North 418.55 feet to a point in the center line of Webster Street, if extended, said Webster Street being a street in the City of Shelbyville, Indiana; thence East on and along said centerline of said street, if extended, 640.20 feet to the centerline of a railroad switch track; thence South with the centerline of said railroad switch track 412.00 feet; thence on a deflection angle to the right of 89 degrees and 17 minutes 644.90 feet to the Place of Beginning, containing 6.1164 acres, more or less.

### EXCEPT THEREFROM THE FOLLOWING:

A part of the Southwest Quarter of Section 6, Township 12 North, Range 7 East, of the 2nd Principal Meridian described as follows:

Beginning at a point that is 1852 feet North of the South line of said Section and 632.5 feet West of the East line of said Southwest Quarter Section; thence North 254.90 feet; thence East 36.20 feet parallel to the South line of said Section; thence South 118.90 feet parallel to the first line of this description; thence East 571.80 feet parallel to the South line of said Section, to a point that is 35 feet West of the centerline of the main Lateral North-South railroad tracks of the Pennsylvania Railroad; thence South 136.00 feet, parallel to the centerline of said railroad tracks; thence West 609.90 feet to the Place of Beginning, containing 2.00 acres more or less.

### Tract 2

Easement on, over and across the following tract: Beginning at the Southeast corner of the first above described tract and running East 30 feet; thence North 411.65 feet to the center of Webster Street, if extended; thence West on and along the center of said street 30 feet to the centerline of a railroad switch track; thence South on and along the centerline of said railroad switch track 412.00 feet to the Place of Beginning.

SHIRLEY J. HAMILTON  
SHELBYVILLE, INDIANA  
COUNTY CLERK  
ATTEST: J. L. HAMILTON

In Witness Whereof, Grantor has caused this deed to be executed this 18<sup>TH</sup> day of March, 2016.

Ashcraft Warehousing, Inc.

BY: Carolyn Ashcraft  
Carolyn Ashcraft, Vice-President

STATE OF INDIANA )

COUNTY OF Shelby )

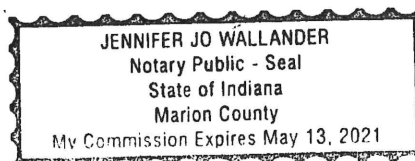
Before me, a Notary Public in and for said County and State, personally appeared Ashcraft Warehousing, Inc. by Carolyn Ashcraft, its Vice President, who acknowledged the execution of the foregoing Corporate Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 18<sup>TH</sup> day of March, 2016.

Signature: J. Wallander, Notary Public

Printed: \_\_\_\_\_

My Commission Expires:  
My County Of Residence is:  
16-0299




Prepared by and return deed to: Jennifer J. Wallander, Esq.  
Hamilton National Title LLC, 2154 Intelliplex Drive, Suite 101, Shelbyville, IN 46176

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, Jennifer J. Wallander.

Grantee mailing address and please send tax statements/notices to:  
3878 E. SR. 44, Shelbyville, IN 46176

**NO TRANSFER  
NECESSARY**

7-7-21

2021005068 MEMO CON \$25.00  
07/07/2021 01:00:35P 5 PGS  
Tawnya J Williams  
SHELBY County Recorder IN  
Recorded as Presented  


**MEMORANDUM OF CONTRACT**

**THIS MEMORANDUM OF CONTRACT**, made, entered into, and effective as of the 1st day of July, 2021, by and between, **PROGRESS PARKWAY, LLC**, an Indiana Limited Liability Company, of Shelby County, Indiana, (hereinafter called "Seller"), and **CHRISTIAN INVESTMENTS, LLC**, an Indiana Limited Liability Company, of Shelby County, Indiana, (hereinafter called "Buyer"), and the parties hereby agree as follows:

1. Seller hereby sells to Buyer, and Buyer hereby buys from Seller, the following described real estate including improvements thereon, in Shelby County, Indiana, to wit:

See attached Exhibit A

2. This Memorandum of Contract is subject to all of the terms and provisions of a certain Contract for Conditional Sale of Real Estate made, entered into, and effective between the parties as of the 1st day of July, 2021, all of the provisions of which are incorporated herein and made a part hereof with the same force and effect as if fully set forth herein.

3. The Unpaid Purchase Price shall be due and payable over twenty-four (24) months and end on or before July 1, 2023.

**SALES DISCLOSURE  
APPROVED  
SHELBY CO. ASSESSOR**

## **EXHIBIT A**

### **TRACT ONE**

A part of the Southwest Quarter and a part of the Southeast Quarter of Section 6, Township 12 North, Range 7 East, of the 2<sup>nd</sup> Principal Meridian described as follows:

Beginning at a point that is 1852 feet North of the South line of said Section and 632.5 feet West of the East line of said Southwest Quarter Section and running North 418.55 feet to a point in the center line of Webster Street, if extended, said Webster Street being a street in the City of Shelbyville, Indiana; thence East on and along said centerline of said street, if extended, 640.20 feet to the centerline of a railroad switch track; thence South with the centerline of said railroad switch track 412.00 feet; thence on a deflection angle to the right of 89 degrees and 17 minutes 644.90 feet to the Place of Beginning, containing 6.1164 acres, more or less.

EXCEPT THEREFROM THE FOLLOWING:

A part of the Southwest Quarter of Section 6, Township 12 North, Range 7 East, of the 2<sup>nd</sup> Principal Meridian described as follows:

Beginning at a point that is 1852 feet North of the South line of said Section and 632.5 feet West of the East line of said Southwest Quarter Section; thence North 254.90 feet; thence East 36.20 feet parallel to the South line of said Section; thence South 118.90 feet parallel to the first line of this description; thence East 571.80 feet parallel to the South line of said Section, to a point that is 35 feet West of the centerline of the main Lateral North-South railroad tracks of the Pennsylvania Railroad; thence South 136.00 feet, parallel to the centerline of said railroad tracks; thence West 609.90 feet to the Place of Beginning, containing 2.00 acres more or less.

### **TRACT TWO**

Easement on, over and across the following tract: Beginning at the Southeast corner of the first above described tract and running East 30 feet; thence North 411.65 feet to the center of Webster Street, if extended; thence West on and along the center of said street 30 feet to the centerline of a railroad switch track; thence South on and along the centerline of said railroad switch track 412.00 feet to the Place of Beginning

More commonly known as 875 Webster Street, Shelbyville, Indiana 46176.

[Parcel No. 73-11-06-300-014.000-002]

IN WITNESS WHEREOF, Buyer has executed this Memorandum of Contract as of the  
23 day of JUNE, 2021.

**"BUYER"**

Christian Investments, LLC



By: Chad E. Christian, Member

STATE OF INDIANA     )  
                                      ) SS:  
COUNTY OF SHELBY    )

Before me, a Notary Public in and for said County and State, personally appeared  
Christian Investments, LLC, by Chad E. Christian, Member, who acknowledged the execution of  
the above and foregoing instrument as and for his free and voluntary act and deed.

Witness my hand and Notarial Seal this 23<sup>rd</sup> day of JUNE, 2021.



Jason L. Karmire, Notary Public  
Resident of Shelby County, Indiana

IN WITNESS WHEREOF, Seller has executed this Memorandum of Contract as of the  
25 day of ~~May~~<sup>June</sup>, 2021.

**"SELLER"**

Progress Parkway, LLC

  
By: Darrell Mollenkopf, Manager

  
By: David Hunt, Member

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF SHELBY    )

Before me, a Notary Public in and for said County and State, personally appeared Progress Parkway, LLC, by Darrell Mollenkopf, Manager, and David Hunt, Member, who acknowledged the execution of the above and foregoing instrument as and for their free and voluntary act and deed.

Witness my hand and Notarial Seal this 25 day of ~~May~~<sup>June</sup>, 2021.

My Commission Expires: 3/13/2024  
09/28/2021

  
N. Gregg Graham, Notary Public  
Resident of Shelby County, Indiana





Send tax statements to:  
318 East Broadway Street  
Shelbyville, Indiana 46176

Buyer's Address:  
318 East Broadway Street  
Shelbyville, Indiana 46176

*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. Jason L. Karmire*

This Instrument prepared by Jason L. Karmire, Attorney at Law, #27189-73  
51 West Mechanic Street, Shelbyville, Indiana 46176  
Telephone: 317-398-0909      Facsimile: 317-392-4842

# WEBSTER ST.

MAX LOT COVERAGE	
IMPERVIOUS	LOT SIZE
152,147 SF	308,404 SF
TOTAL	49%
ALLOWED	85%

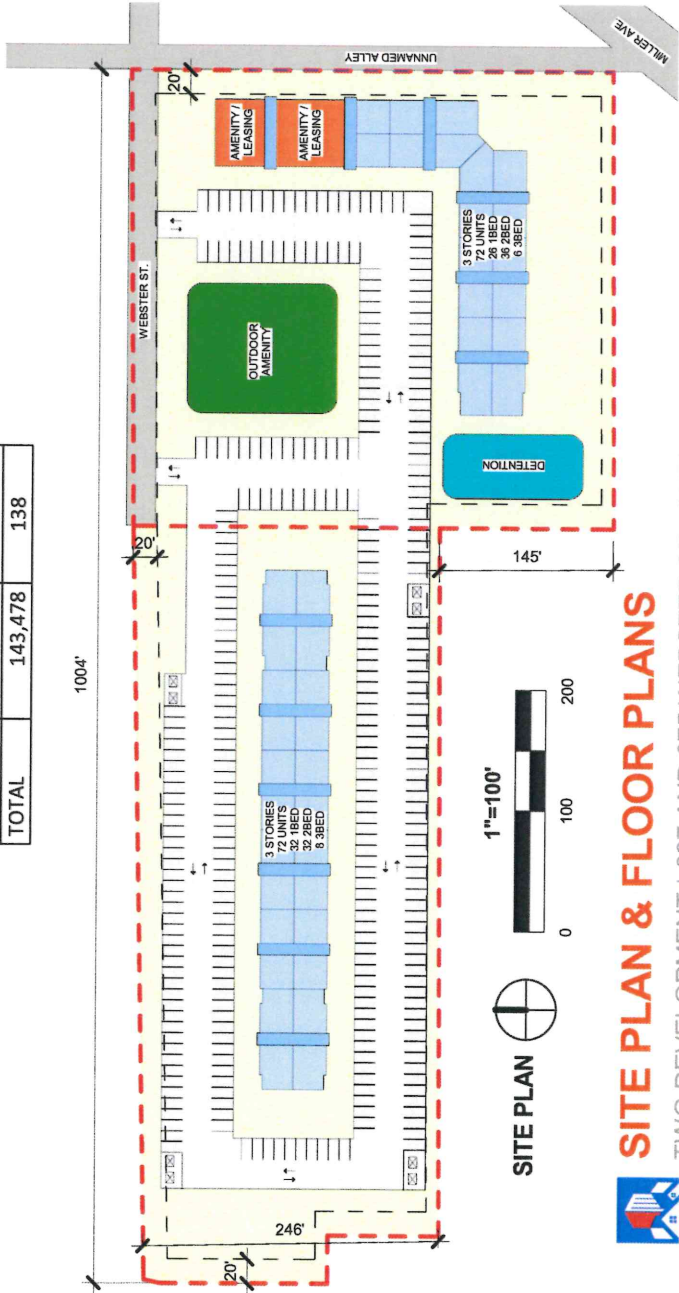
PARKING PROVIDED	
COUNT	311
LOSS (LANDSC.)	(31)
TOTAL	280

PARKING REQ'D.	
UNITS (2X / UNIT)	276

UNIT SIZE	
1BR	750 SF
2BR	950 SF
3BR	1130 SF

UNIT MATRIX	
1BR	56
2BR	68
3BR	14
TOTAL	138

FLOOR	GFA	APTS
1	47,826 SF	42
2	47,826 SF	48
3	47,826 SF	48
TOTAL	143,478	138



## SITE PLAN & FLOOR PLANS

TWG DEVELOPMENT | 837 AND 875 WEBSTER ST., SHELBYVILLE, IN

