

ORDINANCE NO. 23-5-04

A TEXT AMENDMENT TO ORDINANCE No. 50-11-02

17.00  
1.00  
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This Ordinance No. 23-5-04 is the first amendment (the "First Amendment") to Ordinance No. 50-11-02 (the "Original PD") amending the Unified Development Ordinance of the City of Noblesville, Hamilton County, Indiana, enacted by the City of Noblesville under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended.

WHEREAS, on the 17th day of May, 2004, the Plan Commission of the City of Noblesville (the "Commission") conducted a public hearing as required by law in regard to application #04N-15-0505 for this First Amendment filed by C.P. Morgan Communities, L.P. (hereafter, "C.P. Morgan") for the real estate defined as Residential Parcel One and Residential Parcel Two in the Original PD.

WHEREAS, the Commission has sent to the Common Council of the City of Noblesville, Indiana (the "Common Council") its favorable recommendation adopted on the 17<sup>th</sup> day of May, 2004.

WHEREAS, on the terms and conditions of this First Amendment which follow, the text of the Original PD is amended.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the text of the Original PD, is hereby amended as follows:

SECTION 3. The following shall be added to the end of Section 3. RESIDENTIAL PARCEL ONE of the Original PD:

200400043948  
Filed for Record in  
HAMILTON COUNTY, INDIANA  
JENNIFER J HAYDEN  
06-24-2004 At 03:04 pm.  
ORDINANCE 17.00

“O. All temporary sales trailers shall be removed once the last lot within Residential Parcel One, excluding common areas, has been transferred from C.P. Morgan, its successors and assigns, to a third party intending to occupy a residence existing or to be constructed on such lot.”

SECTION 4. The following shall be added to the end of Section 4. RESIDENTIAL PARCEL TWO of the Original PD:

“L. All temporary sales trailers shall be removed once the last lot within Residential Parcel Two, excluding common areas, has been transferred from C.P. Morgan, its successors and assigns, to a third party intending to occupy a residence existing or to be constructed on such lot.”

Upon motion duly made and seconded, this First Amendment was fully passed by the members of the Common Council this 15th day of June, 2004.

COMMON COUNCIL, CITY OF NOBLESVILLE

BY: AYE

NAY

Laurie Hurst

Laurie Hurst

Alan Hinds

Alan Hinds

Brian Ayer

Brian Ayer

Mary Sue Rowland

Mary Sue Rowland

Kathie Stretch

Kathie Stretch

Dale Snelling

Dale Snelling

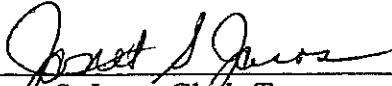
Terry Busby

Terry Busby

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 15th day of June, 2004.

John Ditslear  
John Ditslear, Mayor,  
City of Noblesville, Indiana

ATTEST:

  
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Janet S. Jaros, Clerk-Treasurer  
City of Noblesville, Indiana

This Ordinance prepared by: Charles D. Frankenger, Attorney at Law, NELSON & FRANKENBERGER, 3021 East 98<sup>th</sup> Street, Suite 220, Indianapolis, IN 46280.