

2009066149 ORDINANCE \$27.00
11/17/2009 11:35:13A 7 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NO. 47-10-09

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE NO. 62-12-95, ZONE MAP, AND THE CORPORATE CAMPUS LAND USE AND SUBDISTRICTS MAP AND ALL AMENDMENTS THERETO, A PART OF THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

Document Cross-Reference Numbers 2007-53646 and 2007-14543

An Ordinance to amend the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana, enacted by the City of Noblesville under the authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended, and

WHEREAS, the Plan Commission of the City of Noblesville at their October 19, 2009 meeting conducted a public hearing on Application No. 09N-15-1097 as required by law concerning the change of zoning and the adoption of a preliminary development plan and has sent a favorable recommendation for adoption of said amendments with a vote of 9 ayes and zero nays and 1 abstention to the Common Council.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Zoning Map, are hereby amended as follows:

SECTION 1. That the zone map is hereby amended to change the zoning on parcels legally described in "Exhibit A" from "R2" Low to Moderate Density Single-Family

Residential to “R2/GUO” Low to Moderate Density Single-Family Residential/Government Use Overlay district and known as the Eastside Park planned development.

SECTION 2. That the Government Use Overlay shall include the following variations regarding the Preliminary Development Plan (Exhibit B):

1. The allowance of overflow parking in the Grassland area of the adopted master plan. The proposed overflow parking area shall remain grassland and not require the pavement and curb standards as per the Unified Development Ordinance.
2. The softball complex shall be permitted to have lighted fields without the benefit of another public hearing.

SECTION 3. This ordinance and its Exhibits (collectively, the “Preliminary Development Plan”) permit variations from the development standards, specifications, guidelines and/or requirements (collectively, the “Standards”) contained in the City’s Unified Development Ordinance. The adopted preliminary development plan supersedes the Standards in the City’s Unified Development Ordinance, for this specific use and Real Estate, to the extent the preliminary development plan varies, alters, or modifies the Standards in the City’s Unified Development Ordinance. The Standards in the approved Unified Development Ordinance, however, shall apply to the extent that the preliminary development plan does not vary, alter, or modify them.

SECTION 4. This Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.


SECTION 5. Upon motion duly made and seconded; this Ordinance was fully passed by

the members of the Common Council this 10th day of November, 2009.

COMMON COUNCIL

AYE

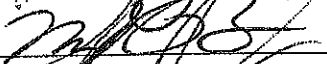
NAY



Dale Snelling



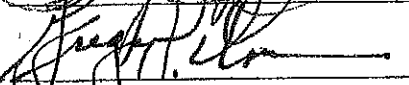
Brian Ayer



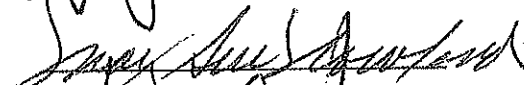
Mark Boice



Roy Johnson



Gregory P. O'Connor



Mary Sue Rowland



Stephen C. Wood

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana,

this 10th day of November, 2008.



John Ditslear, Mayor
City of Noblesville, Indiana

ATTEST:



Janet S. Jaros, 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.

Joyceann Yelton

Printed Name of Declarant

Prepared by: Joyceann Yelton, Senior Planner, City of Noblesville, 16 South 10th Street, Noblesville, IN 46060 (317) 776-6325

Exhibits are on file and may be viewed in the City of Noblesville
Clerk-Treasurer's Office.

Exhibit A

OVERALL LAND DESCRIPTION

Parcel I

The Southwest Quarter of the Southwest Quarter of Section 2; a part of the North half of Section 10 and a part of the West half of the Northwest Quarter of Section 11, all in Township 18 North, Range 5 East, of the Second Principal Meridian, in Hamilton County, Indiana, more particularly described as follows:

Commencing at a Harrison monument marking the Northeast corner of the Northwest Quarter of said Section 10; thence South 89 degrees 00 minutes 35 seconds West (bearings based on NAD83 State Plane Coordinates – East Zone) along the North line of the said Northwest Quarter Section 200.63 feet to the Point of Beginning, which is the Northwest corner of a tract of land described in a Warranty Deed recorded as Instrument #9248304 in the Office of the Recorder of Hamilton County, Indiana (the next two courses are along the boundary of said tract); 1) thence South 00 degrees 58 minutes 48 seconds East 237.05 feet; 2) thence South 89 degrees 13 minutes 01 seconds East 197.23 feet to the East line of the Northwest Quarter of said Section 10 (the East line of said Northwest Quarter being on the line between the North and the South Quarter corners of said Section); thence South 00 degrees 09 minutes 27 seconds East along the said East line 136.61 feet to a Northwest corner of a 95.23 acre tract of land described in a Warranty Deed recorded as Instrument #200100055017 in the said Recorder's Office (the next five courses are along the boundary of said 95.23 acre tract); 1) thence South 88 degrees 23 minutes 01 seconds East 636.82 feet; 2) thence North 00 degrees 10 minutes 27 seconds West parallel with the East line of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 10 a distance of 408.43 feet to the North line of the said Northeast Quarter Section; 3) thence North 89 degrees 02 minutes 21 seconds East along the said North line 25.02 feet to the Northeast corner of the West Half of the Northwest Quarter of the said Northeast Quarter Section; 4) thence South 00 degrees 10 minutes 27 seconds East along the East line of the said West Half 1330.46 feet to the Southeast corner of the West Half of the Northwest Quarter of the said Northeast Quarter Section; 5) thence North 89 degrees 05 minutes 02 seconds East along the South line of the East Half of the Northwest Quarter of the said Northeast Quarter Section 661.86 feet to the Southeast corner of the Northwest Quarter of the said Northeast Quarter Section; thence North 00 degrees 11 minutes 27 seconds West along the East line of the said Quarter-Quarter Section 1330.97 feet to the Northeast corner of the said Quarter-Quarter Section; thence North 89 degrees 02 minutes 21 seconds East along the North line of the Northeast Quarter of the said Northeast Quarter Section 1322.96 feet to a 5/8" rebar (down 3") marking the Northeast corner of the said Northeast Quarter Section, also being the Southwest corner of the Southwest Quarter of said Section 2; thence North 00 degrees 03 minutes 32 seconds West along the West line of the Southwest Quarter of the said Southwest Quarter Section 1336.80 feet to the Northwest corner of the said Quarter-Quarter Section; thence South 89 degrees 59 minutes 39 seconds East along the North line of the said Quarter-Quarter Section 1301.28 feet to the Northeast corner of the said Quarter-Quarter Section; thence South 00 degrees 12 minutes 48 seconds East along the East of the said Quarter-Quarter Section 1336.80 feet to the Southeast corner of the said Quarter-Quarter Section, also being the Northeast corner of the West Half of the Northwest Quarter of said Section 11; thence North 89 degrees 59 minutes 40 seconds West along the North line of the West Half of the said Northwest Quarter Section 283.66 feet to a point which lies South 89 degrees 59 minutes 40 seconds East 1021.22 feet from the Northwest corner of the West Half of the said Northwest Quarter Section, said point being the Northwest corner of a 1.26 acre tract of land described in Instrument #9128123 in the said Recorder's Office (the next two courses are along the boundary of said 1.26 acre tract); 1) thence South 03 degrees 28 minutes 12 seconds East 199.71 feet; 2) thence North 89 degrees 25 minutes 44 seconds East 272.46 feet to the East line of the West Half of the said Northwest Quarter Section; thence South 00 degrees 15 minutes 12 seconds East along the said East line 804.68 feet to the South line of thirty (30) acres off the North end of the West Half of the said Northwest Quarter Section; thence North 89 degrees 59 minutes 40 seconds West along the said South line 1305.39 feet to the West line of the Northwest Quarter of said Section 11, also being the East line of

the Northeast Quarter of said Section 10; thence South 00 degrees 13 minutes 28 seconds East along the said East line 1662.70 feet to a 1/2" aluminum pipe (down 5") marking the Southeast corner of the said Northeast Quarter Section; thence South 89 degrees 07 minutes 42 seconds West along the South line of the said Northeast Quarter Section (the South line of said Northeast Quarter being on the line between the East and the West Quarter corners of said Section 10) 2648.97 feet to the center of said Section; thence continuing South 89 degrees 07 minutes 42 seconds West along the South line of the Southeast Quarter of the Northwest Quarter of said Section 10 a distance of 1321.34 feet to the Southwest corner of the said Quarter-Quarter Section; thence North 00 degrees 13 minutes 55 seconds West along the West line of the said Quarter-Quarter Section 1328.55 feet to the Northwest corner of the said Quarter-Quarter Section; thence North 89 degrees 04 minutes 08 seconds East along the North line of the said Quarter-Quarter Section 1142.14 feet; thence North 00 degrees 08 minutes 09 seconds East 744.80 feet; thence South 89 degrees 17 minutes 45 seconds West 98.71 feet; thence North 00 degrees 08 minutes 09 seconds East 584.58 feet to the North line of the Northwest Quarter of said Section 10; thence North 89 degrees 00 minutes 35 seconds East along the said North line 72.24 feet to the point of beginning, containing 250.521 acres, more or less.

The above-described real estate has been described in instruments of record as:

Thirty (30) acres off the whole North end of the West Half of the Northwest Quarter of Section 11, Township 18 North, Range 5 East.

EXCEPT:

A part of the West Half of the Northwest Quarter of Section 11, Township 18 North, Range 5 East located in Wayne Township, Hamilton County, Indiana being described as follows:

Beginning at a point on the North line of the West Half of the Northwest Quarter of Section 11, Township 18 North, Range 5 East, said point being South 89 degrees 52 minutes 32 seconds East 1021.22 feet from the Northwest corner (iron rod) of the West Half of said Northwest Quarter; thence South 89 degrees 52 minutes 32 seconds East 283.57 feet to the Northeast corner of the West Half of said Northwest Quarter; thence South 00 degrees 09 minutes 22 seconds East 196.60 feet on and along the East line of the West Half of said Northwest Quarter; thence South 89 degrees 31 minutes 34 seconds West 272.46 feet; thence North 03 degrees 20 minutes 40 seconds West 199.81 feet to the Point of Beginning. Containing 1.26 acres, more or less.

ALSO, the Southwest Quarter of the Southwest Quarter of Section 2, Township 18 North, Range 5 East, in Hamilton County, Indiana.

ALSO, the East Half of the Northeast Quarter of Section 10, Township 18 North, Range 5 East, containing 80 acres, in Hamilton County, Indiana.

ALSO:

A part of the Northwest Quarter and the Northeast Quarter of Section 10, Township 18 North, Range 5 East, located in Wayne Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of Section 10, Township 18 North, Range 5 East; thence South 89 degrees 58 minutes 00 seconds East (assumed bearing) 636.46 feet (193.995 meters) on and along the North line of the Northeast Quarter of Section 10, Township 18 North, Range 5 East to the place of beginning of this description; thence South 89 degrees 58 minutes 00 seconds East 25.00 feet (7.621 meters) on and along the North line of said Northeast Quarter to the Northeast corner of the West Half of the Northwest Quarter of said Northeast Quarter, thence South 00 degrees 49 minutes 04

seconds West 1330.40 feet (405.507 meters) to the Southeast corner of the West Half of the Northwest Quarter of said Northeast Quarter; thence South 89 degrees 55 minutes 28 seconds East 661.87 feet (201.739 meters) to the Northeast corner of the Southwest Quarter of said Northeast Quarter; thence South 00 degrees 47 minutes 58 seconds West 1330.88 feet (405.652 meters) to the Southeast corner of the Southwest Quarter of said Northeast Quarter; thence North 89 degrees 52 minutes 57 seconds West 1324.61 feet (403.742 meters) to the center of Section 10, Township 18 North, Range 5 East; thence North 89 degrees 52 minutes 57 seconds West 1321.28 feet (402.725 meters) to the Southwest corner of the Southeast Quarter of the Northwest Quarter of Section 10, Township 18 North, Range 5 East; thence North 00 degrees 45 minutes 29 seconds East 1328.54 feet (404.939 meters) to the Northeast corner of the Southeast Quarter of said Northwest Quarter; thence South 89 degrees 56 minutes 29 seconds East 1323.10 feet (403.285 meters) to the Northeast corner of the Southeast Quarter of said Northwest Quarter; thence North 00 degrees 50 minutes 09 seconds East 950.10 feet (289.591 meters) on and along the West line of said Northeast Quarter; thence South 87 degrees 23 minutes 30 seconds East 636.84 feet (194.108 meters); thence North 00 degrees 49 minutes 04 seconds East 408.43 feet (124.489 meters) to the place of beginning. Containing 95.23 acres, more or less (38.538 hectares).

Also:

Begin at the Northeast corner of the Northwest Quarter of Section 10, Township 18 North, Range 5 East; run thence South 1329.0 feet along the East line of said Northwest Quarter; thence North 89 degrees 42 minutes 47 seconds West 389.5 feet; thence North 1327.17 feet to the North line of said Northwest Quarter; thence East 382.8 feet to the place of beginning.

Formerly described as:

A part of the Northwest Quarter of Section 10, Township 18 North, Range 5 East bounded as follows: Begin at the Northeast corner of said Northwest Quarter; run thence South on the East line of said quarter section 1329.0 feet; thence West 389.5 feet; thence North 1327.0 feet to a point on the North line of said quarter section, said point being 2267.0 feet East of the Northwest corner of said quarter section; thence East on the North line of said quarter section 393.0 feet to the place of beginning.

EXCEPT:

Part of the Northwest Quarter of Section 10, Township 18 North, Range 5 East in Hamilton County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of Section 10, Township 18 North, Range 5 East; thence North 90 degrees 00 minutes 00 seconds West (assumed bearing) on and along the North line thereof 382.80 feet to the Northwest corner of real estate described by a Quitclaim Deed recorded in Deed Record 243, page 60 in the Office of the Hamilton County Recorder which is 2267.00 feet North 90 degrees 00 minutes 00 seconds East of the Northwest corner of said Northwest Quarter; thence South 01 degrees 10 minutes 25 seconds West on and along the West line of said real estate 1118.46 feet to the Beginning Point of this Tract; thence South 89 degrees 42 minutes 47 seconds East 208.71 feet; thence South 01 degrees 10 minutes 25 seconds West parallel with the West line of the real estate aforesaid 208.71 feet to the South line of said real estate; thence North 89 degrees 24 (should be 42) minutes 47 seconds West on and along said South line 208.71 feet to the Southwest corner of said real estate; thence 01 degrees 10 minutes 25 seconds East on and along the West line thereof 208.71 feet to the Beginning Point; containing 1.00 acre, more or less.

ALSO EXCEPT: a strip of ground twenty (20) feet in width by parallel lines extending along the West line of real estate described by a Quitclaim Deed recorded in Deed Record 243, page 60 in the Hamilton County Recorder's Office from the North line of the Northwest Quarter of Section 10, Township 18

North, Range 5 East to the North line of the above described one acre tract to be used as an easement for ingress and egress.

ALSO EXCEPT:

A part of the Northwest Quarter of Section 10, Township 18 North, Range 5 East located in Wayne Township, Hamilton County, Indiana being describes as follows:

Commencing at the Northeast corner of the Northwest Quarter of Section 10, Township 18 North, Range 5 East; thence North 90 degrees 00 minutes 00 seconds West (assumed bearing) 317.80 feet along the North line of said Northwest Quarter to the Point of Beginning of this description; thence North 90 degrees 00 minutes 00 seconds West 45.00 feet along the North line of said Northwest Quarter; thence South 01 degrees 07 minutes 34 seconds West 1118.56 feet to a point on the North line of a 1.00 acre tract of real estate described in Instrument #9728555; thence South 89 degrees 42 minutes 50 seconds East 188.71 feet along the North line of said 1.00 acre tract; thence North 01 degrees 07 minutes 34 seconds East 230.86 feet; thence North 89 degrees 42 minutes 50 seconds West 143.71 feet, more or less, to a point that bears South 01 degrees 07 minutes 34 seconds West from the Point of Beginning; thence North 01 degrees 07 minutes 34 seconds East 887.93 feet to the Point of Beginning. Containing 1.92 acres, more or less.

ALSO EXCEPT:

A part of the Northwest Quarter of Section 10, Township 18 North, Range 5 East located in Wayne Township, Hamilton County, Indiana being describes as follows:

Commencing at the Northeast corner of the Northwest Quarter of Section 10, Township 18 North, Range 5 East; thence North 90 degrees 00 minutes 00 seconds West (assumed bearing) 272.80 feet along the North line of said Northwest Quarter to the Point of Beginning of this description; thence North 90 degrees 00 minutes 00 seconds West 45.00 feet along the North line of said Northwest Quarter; thence South 01 degrees 07 minutes 34 seconds West 887.93 feet; thence South 89 degrees 42 minutes 50 seconds East 143.71 feet; thence North 01 degrees 07 minutes 34 seconds East 303.57 feet; thence North 89 degrees 42 minutes 50 seconds West 98.71 feet, more or less, to a point that bears South 01 degrees 07 minutes 34 seconds West from the Point of Beginning; thence North 01 degrees 07 minutes 34 seconds East 584.59 feet to the Point of Beginning. Containing 1.60 acres, more or less.

Parcel II

Part of the Northeast Quarter of Section 10, Township 18 North, Range 5 East, of the Second Principal Meridian, located in Wayne Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at a Harrison monument marking the Northwest corner of the said Northeast Quarter Section; thence North 89 degrees 02 minutes 21 seconds East (bearings based on NAD83 State Plane Coordinates – East Zone) along the North line of the said Northeast Quarter 392.35 feet to a Mag nail with shiner stamped “P. I. CRIPE”; thence South 00 degrees 09 minutes 27 seconds East parallel with the West line of the said Northeast Quarter 397.54 feet to a 5/8” dia. rebar with a yellow plastic cap stamped “P. I. CRIPE, INC.”, (hereinafter referred to as a “rebar”) on the South line of a 5.76 acre tract of land described in a Warranty Deed recorded as Instrument #9104289 in the Office of the Recorder of Hamilton County, Indiana; thence North 88 degrees 23 minutes 01 seconds West along the said South line 394.50 feet to the Southwest corner of said tract marked by a “rebar” which lies on the West line of the said Northeast Quarter; thence North 00 degrees 09 minutes 27 seconds West along the said West line 379.79 feet to the Point of Beginning, containing 3.518 acres, more or less.



City of Noblesville
09N-15-1097

CEDAR CREST

EVERWOOD

BLACKBIRD

166TH

BODEN

Site



