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2010061964 ORDINANCE \$20.00 11/22/2010 11:19:45A 4 PGS Jennifer J Hayden HAMILTON County Recorder IN Recorded as Presented

# **ORDINANCE NO. 41-10-10**

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE AND ORDINANCE NO. 56-9-04, A PART OF THE COMPREHENSIVE DEVELOPMENT PLAN OF THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

Docket Cross-Reference No's: 2005-18864 and 2004-51408; Instrument No. 200400072270

An ordinance to amend the Unified Development Ordinance and Ordinance No. 56-9-04 for the City of Noblesville, Hamilton County, Indiana, enacted by the City of Noblesville under authority of Chapter 174 of the Acts of the General Assembly 1947, as amended.

WHEREAS, the Plan Commission of the City of Noblesville has conducted a public hearing on Application #10N-15-1408 as required by law concerning an application for adoption of a Amended Preliminary Development Plan for the Noblesville Schools; and

WHEREAS, the Plan Commission at their October 18, 2010 meeting has sent its favorable recommendation to the Noblesville Common Council in the manner by a vote of 10 ayes and 1 nay; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, that the Unified Development Ordinance and Ordinance No. 56-9-04 are hereby amended as follows:

Section 1. That the subject real estate located at 19900 Hague Road and described in attached "Exhibit A", all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana, is currently zoned "Il/GUO" Industrial/Government Use Overlay.

Section 2. That said Real Estate is developed as an intermediate school and grounds activities as displayed on the Amended Preliminary Development Plan as attached per "Exhibit B". All variations as previously adopted as a part of Ordinance No. 56-9-04 remain intact. This Planned Development Ordinance exhibits the permitted variations from the development standards, specifications, guidelines, and requirements contained in the Unified Development Ordinance and supercedes the development standards, specifications, guidelines, and/or requirements of the Unified Development Ordinance of the City of Noblesville, Indiana provided however, that unless a development standard, specification, guideline, and/or requirement contained in the Unified Development Ordinance is varied, altered, or modified by this ordinance and/or exhibits, then such development standard, specification, guideline, and/or requirement as specified in the Unified Development Ordinance shall apply.

Section 3. The adoption of all Exhibits are dated September 15, 2010.

Section 4. That 'Exhibit B' does not indicate any outdoor lighting for the outdoor recreational activity area and therefore shall not be lighted. The Outdoor Recreational Activity Area shall include, but not be limited to, the ball fields, track and field area, bleachers, concession building, and similar uses. Any modification to include outdoor lighting of the Outdoor Recreational Activity Area shall require the filing of an amendment to the adopted Ordinance including all public hearings.

<u>Section 4.</u> This Ordinance shall be in full force and effect from and upon its adoption 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 <u>911</u> day of <u>Mouenless</u>, 2010.

# COMMON COUNCIL CITY OF NORLESVILLE

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Congression De Marian Suc Rowland	
APPROVED and signed by the Mayor of the	City of Noblesville Hamilton County
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Iohn D	itslear, Mayor
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ATTEST:	Noblesville
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To the second	
Janet Jaros, Clerk-Treasurer	
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EXHIBITS ARE ON FILE AND MAY BE VIEWED IN CLERK-TREASURER S OFFICE.  I affirm, under the penalties for perjury, that I have taken reasonable care to re	

#### DESCRIPTION OF REAL ESTATE:

A PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE EAST ON AND ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER 709.5 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF AFORESAID SOUTHWEST QUARTER 627 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER 709.5 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH ON AND ALONG SAID WEST LINE 627 FEET TO THE PLACE OF BEGINNING.

## **ALSO**

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST OUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 4 EAST.

## ALSO:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 4 EAST,

EXCEPTING THERE FROM THE FOLLOWING DESCRIBED REAL ESTATE TO-WIT: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE EAST ON AND ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER 709.5 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF AFORESAID SOUTHWEST QUARTER 627 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER 709.5 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH ON AND ALONG THE SAID WEST LINE 627 FEET TO THE PLACE OF BEGINNING.





