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Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NO. #25-4-07

Document Cross Reference No. 200600001758

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE, A
PART OF THE COMPREHENSIVE PLAN OF THE CITY OF NOBLESVILLE,
HAMILTON COUNTY, INDIANA**

This is an ordinance to amend the Pleasant Street Business Park PD Ordinance, No. 99-12-05 (the "PD Ordinance"), previously approved pursuant to the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the "City's Development Ordinance"), enacted by the City of Noblesville under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended.

WHEREAS, the Plan Commission of the City of Noblesville has conducted a public hearing on Application No. 07N-15-0259 as required by law in regard to the application filed by Pleasant Street Commercial Park, LLC, (the "Developer") to amend the PD Ordinance; and,

WHEREAS, the Plan Commission at its April 16, 2007 meeting sent a favorable recommendation to the Noblesville Common Council by a vote of ten (10) in favor and zero (0) opposed;

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

SECTION 1. Section 4(C)(1)(a) is replaced with the following text.

Appropriate building finish materials include: brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured), E.I.F.S. (Dryvit) wall systems (only if it is used at least eight feet (8') above grade), steel or aluminum curtain wall systems (if used for a maximum of fifty percent (50%) of the façade).

SECTION 2. All other provisions of the PD Ordinance shall remain in effect with the adoption of this ordinance.

SECTION 3. Upon motion duly made and seconded, this Ordinance was fully passed by

the members of the Common Council this 24th day of April, 2007.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

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NAY

<u>[Signature]</u>	Brian Ayer	_____
<u>[Signature]</u>	Terry Busby	_____
<u>[Signature]</u>	Alan Hinds	_____
<u>[Signature]</u>	Laurie Jackson	_____
<u>[Signature]</u>	Mary Sue Rowland	_____
<u>[Signature]</u>	Dale Snelling	_____
<u>[Signature]</u>	Kathie Stretch	_____

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 24th day of April, 2007.

[Signature]
John Ditslear, Mayor
City of Noblesville, IN

ATTEST:

[Signature]
Janet Aros, 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: Steven D. Hardin.

Prepared by: Steven D. Hardin, Attorney-At-Law, Baker & Daniels, LLP
970 Logan Street, Noblesville, IN 46060, (317) 569-9600.

EXHIBIT A
LEGAL DESCRIPTION

A part of the Northeast Quarter of Section 5, Township 18 North, Range 5 East as follows:

Beginning at the center of said Section 5 running thence East 1322.8 feet to the one-eighth Section Stone, thence North on the one-eighth section line 1515.6 feet to the South line of the right of way of the Central Indiana Railroad, thence South 76 degrees West along said South line of right of way 50 feet, thence in a one degree curve to the right 1300 feet to the West line of said Northeast Quarter, thence South 1311 feet to the place of beginning, containing forth-two and twenty-five hundredths (42.25) acres, more or less; containing in all one hundred thirty and twenty-two hundredths (130.22) acres, more or less, subject to legal highways and rights of way, all in Noblesville Township, Hamilton County, Indiana.

EXCEPT:

A part of the Northeast Quarter (1/4) of Section Five (5), Township Eighteen (18) North, Range Five (5) East, Noblesville Township, Hamilton County, Indiana, as covered by land description contained in deed recorded as Instrument No. 9872209, and being that part of the grantor's land lying within the right of way lines depicted on the attached right of way plat, marked Exhibit "B", more fully described as follows:

Commencing at the Northwest corner of said Quarter Section; thence South 00 degrees 00 minutes 24 seconds East (assumed bearing) along the West line of said Quarter Section, a distance of 1,222.68 feet to the PLACE OF BEGINNING: Thence North 89 degrees 39 minutes 11 seconds East a distance of 80.73 feet; thence South 0 degrees 20 minutes 49 seconds East a distance of 110.00 feet; thence South 89 degrees 39 minutes 11 seconds West a distance of 81.39 feet to the aforesaid West line of said Quarter Section; thence North 0 degrees 00 minutes 24 seconds West, along said West line of said Quarter Section, a distance of 110.00 feet to the PLACE OF BEGINNING.

Containing 0.205 acres (8,916.69 square feet), more or less, being subject to any rights-of-way, easements or restrictions of record or observable.