

2007071052 ORDINANCE \$20.00 12/26/2007 10:53:10A 4 PGS Jennifer J Hayden HAMILTON County Recorder IN Recorded as Presented

ORDINANCE NO. 62-11-07

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE AND ORDINANCE NO. 99-12-05, A PART OF THE COMPREHENSIVE MASTER PLAN OF THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

Document Cross Reference: Instrument No. 200600001758 <u>Document Cross Reference No. ORDINANCE #99-12-05</u>

An Ordinance to amend the Unified Development Ordinance of the City of Noblesville, (the "City") Hamilton County, Indiana enacted by the City under the authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended and Ordinance No. 99-12-05, A Planned Development Ordinance creating the Pleasant Street Commercial Park Planned Development, and

Whereas, City's Plan Commission ("the Commission") has conducted a public hearing as on Application No. 07N-15-1724 as required by law in regard to the application for approval of an amended development plan for property located on the east side of Kraft Court as per attached legal description Exhibit 1, a part of the Pleasant Street Commercial Planned Development and filed by Pleasant Street Commercial Park, LLC.; and

Whereas the Commission has sent to the Common Council its favorable recommendation by a vote of 10 ayes and zero nays at their November 19, 2007.

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

SECTION 1. As the current adopted Ordinance No. 99-12-05 prohibits the construction of a loading dock on the primary façade. The primary façade is defined as "the primary architectural façade which contains commercial and retail public entrances and tenant signs and faces a dedicated street."

SECTION 2. This Planned Development amendment will permit the construction of a loading dock area as per Exhibit 2 for this particular parcel. All other requirements previously adopted per Ordinance No. 99-12-05 and any amendments thereto shall remain unchanged and in full force and effect.

This Ordinance shall be in full force and effect from and upon its adoption in accordance with the law. Adopted this <u>27th</u> day of <u>November</u>, 2007 by the Common Council of the City of Noblesville, Hamilton County, Indiana.

COMMON COUNCIL, CITY OF NOBLESVILLE

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APPROVED and signed by the Mayor of the City of Noblesville, Hamilton

County, Indiana, this 21st day of November, 2007.

John Ditslear, Mayor City of Noblesville, Indiana

City of Noblesville, Indiana

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

Pursuant to IC 36-2-11-15(b)(2), 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.

Prepared by: Joyceann Yelton, Noblesville Planning Department, 16 S. 10th Street, Noblesville, IN 46060 317-776-6325



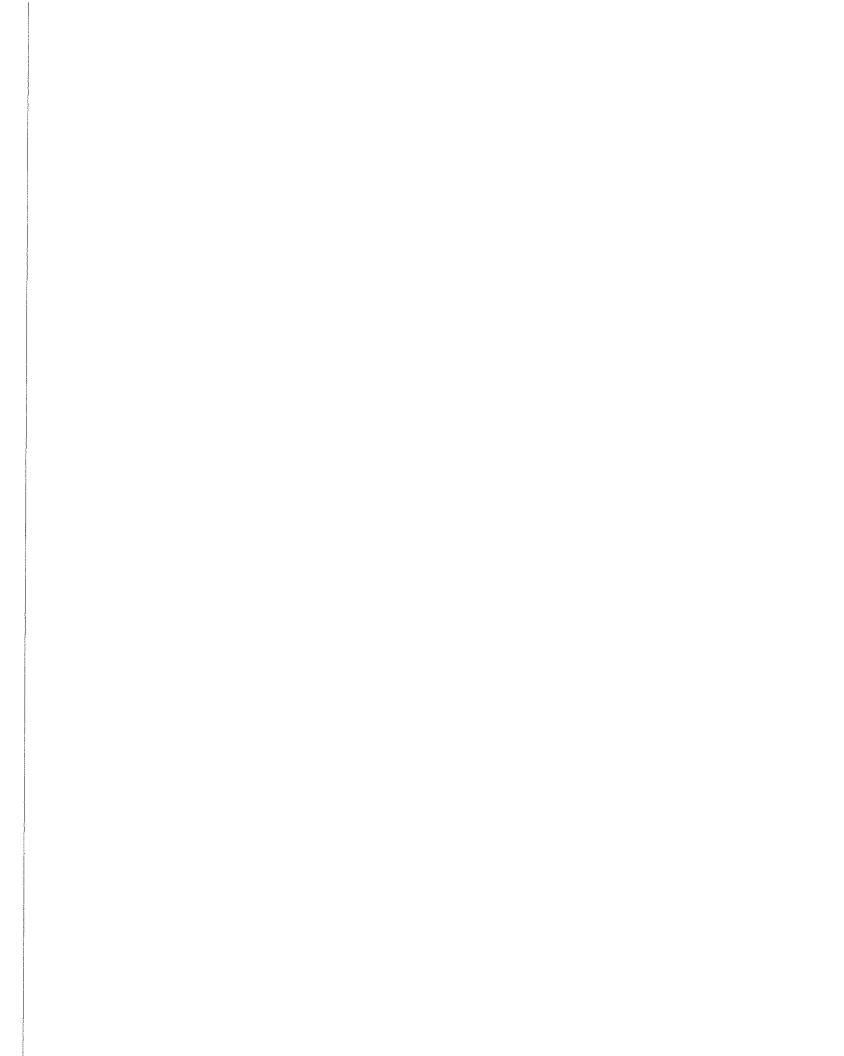
Exhibit 1

DESCRIPTION

A part of Block E in Pleasant Street Commercial Park Recorded as Instrument Number 2007000416, Plat Cabinet #4, Slide #228 in the office of the Recorder of Hamilton County, Indiana.

Commencing at the Southeast corner of said Block E; thence South 89 degrees 52 minutes 54 seconds West along the South line of said Block E 257.55 feet to the POINT OF BEGINNING of this description; thence continuing South 89 degrees 52 minutes 54 seconds West along said South line 262.07 feet; thence North 10 degrees 27 minutes 36 seconds West 607.36 feet to the North line of said Block E; thence North 79 degrees 32 minutes 24 seconds East along said North line 275.69 feet to the Westerly Right-of-Way line of Kraft Court; the next three(3) calls being on and along said line; 1.) South 10 degrees 37 minutes 17 seconds East 238.08 feet to the point of curvature of a curve concave westerly, the radius point of said curve being South 79 degrees 22 minutes 43 seconds West 21.00 feet from said point; 2.) southerly along said curve 17.12 feet to the point of tangency of said curve, said point being South 53 degrees 54 minutes 48 seconds East 21.00 feet from the radius point of said curve, said point also being the point of curvature of a curve concave northeasterly, the radius point of said curve being South 53 degrees 54 minutes 48 seconds East 49.00 feet from said point; 3.) southeasterly along said curve 129.26 feet to the point of tangency of said curve, said point being South 25 degrees 03 minutes 40 seconds East 49.00 feet from the radius point of said curve; thence South 00 degrees 07 minutes 06 seconds East 323.29 feet to the place of beginning, containing 4.058 acres, more or less, subject to all legal highways, rights-of-ways, easements, and restrictions of record.

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October 19, 2007



PILIEASANT STIPLET BUSINESS PARK SITE LOCATION MAP

