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200600065696  
Filed for Record in  
HAMILTON COUNTY, INDIANA  
JENNIFER J HAYDEN  
11-01-2006 At 11:04 am.  
ORDINANCE 15.00

ORDINANCE NO. 78-9-06

Document Cross Reference Nos. 9209215

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

An ordinance to amend the Unified Development Ordinance for 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, the Plan Commission of the City of Noblesville has conducted a public hearing as required by law in regard to the application for a change of zone district designation Application #06J-14-1433 filed by W and C Development, LLC; and,

WHEREAS, the Plan Commission sent its positive recommendation for approval to the Noblesville Common Council by a vote of 10 ayes and 0 nays, on September, 18 2006;

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 for said City and the Official Zone Map of said Ordinance are hereby amended as follows:

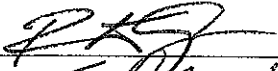


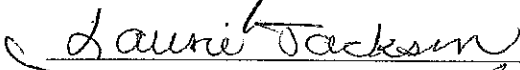

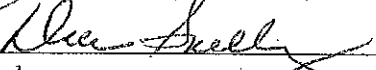
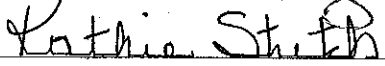
SECTION 1. The subject real estate (the "Real Estate"), more particularly described in Exhibit A attached hereto, is located generally at the southeast corner of State Road 32 and State Road 38 on the east side of the City of Noblesville, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana. The Real Estate hereby is rezoned to the R2/PD District, subject to this The Hamlets at Stony Creek of Noblesville Planned Development Overlay District (the "District").

SECTION 2. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 24th day of Oct, 2006.


COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

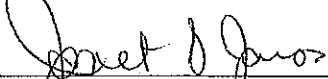
NAY

	Brian Ayer
	Terry Busby
	Alan Hinds
	Laurie Jackson
	Mary Sue Rowland
	Dale Snelling
	Kathie Stretch

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 24th day of Oct, 2006.

  
John Ditslear, Mayor  
City of Noblesville, IN

ATTEST:

  
Janet Jaros, Clerk-Treasurer

Prepared by Steven D. Hardin, Attorney-at-Law  
Baker & Daniels, LLP, 970 Logan Street, Noblesville, Indiana 46060

## EXHIBIT A

### Description of Real Estate

BEGINNING AT THE STONE WITH X AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 5 EAST; THENCE NORTH 00 DEGREES 37 MINUTES 31 SECONDS EAST (ASSUMED BEARING) 121.02 FEET ON AND ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD #32; (THE FOLLOWING 4 COURSES ARE ON AND ALONG THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD #32) (1) THENCE NORTH 68 DEGREES 55 MINUTES 49 SECONDS EAST 82.86 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (2) THENCE NORTH 76 DEGREES 05 MINUTES 38 SECONDS EAST 200.13 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (3) THENCE NORTH 13 DEGREES 54 MINUTES 22 SECONDS WEST 15.28 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (4) THENCE NORTH 76 DEGREES 05 MINUTES 38 SECONDS EAST 2648.25 FEET, MORE OR LESS, TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING BEING SOUTH 89 DEGREES 58 MINUTES 38 SECONDS EAST 176.00 FEET FROM THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 5 EAST; THENCE SOUTH 00 DEGREES 36 MINUTES 49 SECONDS WEST 846.80 FEET, MORE OR LESS, PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 5 EAST TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 58 MINUTES 38 SECONDS EAST 5.50 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 18 NORTH, RANGE 5 EAST; THENCE SOUTH 00 DEGREES 06 MINUTES 36 SECONDS WEST 1027.97 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 57 MINUTES 09 SECONDS WEST 809.77 FEET ON AND ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD #38; (THE FOLLOWING 7 COURSES ARE ON AND ALONG THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD #38) (1) THENCE NORTH 77 DEGREES 05 MINUTES 56 SECONDS WEST 276.25 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (2) THENCE NORTH 72 DEGREES 44 MINUTES 40 SECONDS WEST 622.64 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (3) THENCE NORTH 75 DEGREES 09 MINUTES 32 SECONDS WEST 98.43 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (4) THENCE NORTH 84 DEGREES 14 MINUTES 56 SECONDS WEST 83.06 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (5) THENCE NORTH 75 DEGREES 09 MINUTES 32 SECONDS WEST 316.44 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING. AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING BEING SOUTH 14 DEGREES 50 MINUTES 28 SECONDS WEST 1090.88 FEET FROM THE RADIUS POINT OF SAID CURVE TO THE RIGHT; (6) THENCE NORTHWESTERLY ON AND ALONG SAID RIGHT OF WAY LINE AND ON AND ALONG SAID CURVE TO THE RIGHT 883.86 FEET TO A POINT THAT BEARS SOUTH 00 DEGREES 02 MINUTES 58 SECONDS WEST FROM THE POINT OF BEGINNING; (7) THENCE NORTH 00 DEGREES 02 MINUTES 58 SECONDS EAST 134.22 FEET TO THE POINT OF BEGINNING, CONTAINING 84.845 ACRES, MORE OR LESS.