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Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
09-05-2006 At 11:41 am.
ORDINANCE 17.00

ORDINANCE NO. 62-7-06

Document Cross- Reference No. 990687 and 9914016

AN ORDINANCE TO AMEND ORDINANCE # 3-1-96 FOR TOWN AND COUNTRY PLANNED DEVELOPMENT AND A SPECIFIC USE LAND FOR SAID REAL ESTATE LOCATED IN NOBLESVILLE, HAMILTON COUNTY, INDIANA

An ordinance to amend Ordinance #3-1-96 and all amendments thereto and the requirements of the Unified Development Ordinance for Outlot D-2 of the Town and Country Planned Development, as 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 #06N-15-0803 submitted by Arcadia Real Estate, LLC and Stenz Corporation, and

WHEREAS, the Commission has sent to the Common Council its decision of the July 17, 2006 meeting, reflecting a vote of 8 ayes and 0 nays with a favorable recommendation for adoption of the amendment, and

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

SECTION 1. That the subject real estate, Parcel No. 11-11-06-00-03-002.000, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana,

specifically Outlot D-2 in the Town and Country Subdivision as per Exhibit A (Planned Development) also known as 17201 Clover Road is the subject property, all of which is designated as Planned Business/Planned Development, and does not permit the use of automobile leasing/rental by right as per the zoning classification, and

WHEREAS, AVIS Car rental. desires to open a satellite location for an automobile/leasing area at 17201 Clover Road within the Arcadia Retail Center, including

- (1) a limit of twelve display vehicles is permitted,
- (2) no trucks will be on display
- (3) display parking is as indicated on the attached Exhibit B and

SECTION 2. All other standards, guidelines or other requirements adopted by the Council for Ordinance #53-12-97, and amendments thereto in regard to the Town and Country Planned Development shall remain unchanged and in full force and effect unless previously amended by the Council.

SECTION 3. Upon motion duly made and seconded; this Ordinance was fully passed by the members of the Common Council this 15th day of August, 2006.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

NAY

<u>Terry L. Busby</u>	Terry L. Busby	_____
<u>Brian Ayer</u>	Brian Ayer	_____
<u>Alan Hinds</u>	Alan Hinds	_____
<u>Laurie E. Jackson</u>	Laurie Jackson	_____
<u>Mary Sue Rowland</u>	Mary Sue Rowland	_____
_____	Dale Snelling	_____
<u>Kathie Stretch</u>	Kathie Stretch	_____

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 15th day of August, 2006.

John Ditslean
John Ditslean, Mayor
City of Noblesville, Indiana

ATTEST:

Janet Jaros
Janet Jaros, Clerk - Treasurer

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

OWNER'S POLICY
SCHEDULE A, LEGAL DESCRIPTION, continued

PARCEL I:

Outlot "D-2" of the Secondary Plat of Town and Country Subdivision, the plat of which is recorded January 6, 1999 as Instrument No. 9909900687, P.C. No. 2, Slide No. 211, in the Office of the Recorder of Hamilton County, Indiana.

PARCEL II:

Non-exclusive easement as created and set forth in Declaration of Protective Covenants recorded April 16, 1997 as Instrument No. 9709714923.

PARCEL III

Non-exclusive easements created and set forth in Declaration of Sign Easement by Sault Associates Limited Partnership dated October 1, 1997 and recorded December 15, 1997 as Instrument No. 9709754061 and as established in Limited Partnership Warranty Deed from Sault Associates Limited Partnership, a Michigan Limited Partnership to Aldi, Inc., an Illinois Corporation dated June 15, 1997 and recorded June 19, 1998 as Instrument No. 9809833233.

EXISTING HAMILTON COUNTY FAIRGROUNDS

