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01/31/2011 11:52:38A 8 PGS
Mary L. Clark
HAMILTON County Recorder IN
Recorded as Presented


ORDINANCE NO. 1-1-11

Document Cross Reference No. 200300072858, 200600021117,
DR 2010-13929, 2010-34554, 2010-34555

**AN ORDINANCE AMENDING ORDINANCE NO. 50-11-02 AND
ORDINANCE NO. 30-3-06 AND ALL AMENDMENTS THERETO INCLUDING THE
ADOPTION OF AN AMENDED DEVELOPMENT PLAN FOR THE
CUMBERLAND POINTE APARTMENTS IN THE CITY OF NOBLESVILLE,
HAMILTON COUNTY, INDIANA.**

Ordinance No. 1-1-11 is an amendment ("the Amendment") to Ordinance No. 30-3-06 ("Cumberland Pointe Apartments") and Ordinance No. 50-11-02 ("Cumberland Pointe Planned Development Preliminary Development Plan") amending the Unified Development Ordinance for 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.

WHEREAS, the Plan Commission of the City of Noblesville has conducted a public hearing on Application #10N-15-1206 as required by law to amend the -Preliminary Development Plan for "Cumberland Pointe Planned Development" specifically dealing only with the multi-family portion, "Cumberland Pointe Apartments"; and,

WHEREAS, the Plan Commission, at their December 20, 2010 meeting, has sent its favorable recommendation for adoption to the Noblesville Common Council in the manner by a vote of 10 in favor of adoption and zero opposed.

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

Section 1. The amendment relates to the proposed signage for the Cumberland Pointe Apartments multi-family portion only, said real estate marked as "Exhibit A" which is incorporated herein and made a part hereof, and the signage approved is reflected in the attached signage exhibit marked as "Exhibit B" which is incorporated herein and made a part hereof.

Section 2. The signage exhibits attached hereby replace and supersede the original or any amended exhibits for the multi-family portion signage only of Cumberland Pointe Planned Development.

Section 3. The amendment includes the following Variations:

Greenfield Avenue Sign

1. Minimum front yard setback is zero located behind the right-of-way and utility easement for Greenfield Avenue
2. Maximum Sign Height – Seven (7) feet
3. Maximum Sign Face Size – 38.5 square feet
4. Allowance of a "Ground Sign" adjacent to a Primary Arterial.
5. Allowance of two additional colors of blue and gold.

Cumberland Pointe Boulevard Sign

1. Minimum Front Yard Setback is five (5) feet behind the right-of-way for Cumberland Pointe Boulevard.
2. Allowance of two additional colors of blue and gold.

Section 4. The amendment includes the following stipulations for both signs:

1. All signs must meet the Vision Corner Clearance setback.
2. Landscaping around the base of the signs is a minimum of a 3 to 1 ratio based on the sign face square footage including a minimum of 115.5 square feet for the Greenfield Avenue sign and 37.5 square feet for the Cumberland Pointe Boulevard sign.
3. The southern edge of the right-of-way and utility easement for Greenfield Avenue shall be surveyed and pinned prior to the installation of the sign along Greenfield Avenue.
4. Any existing landscaping to be removed shall be submitted on a development plan, drawn to a scale, indicating the trees/shrubs to be removed including the new locations for said landscaping materials and shall be approved by the Planning Department Staff prior to installation of said signs.
5. Prior to the issuance of any sign or building permits, the Secondary plat for the "Cumberland Pointe Apartments" shall be accepted by the City and recorded at the Hamilton County Recorder's Office.

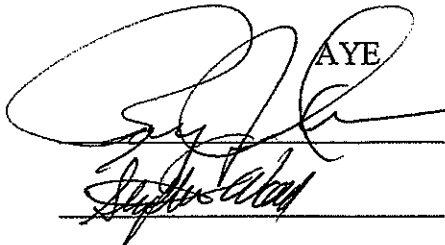
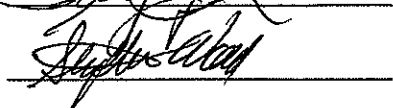
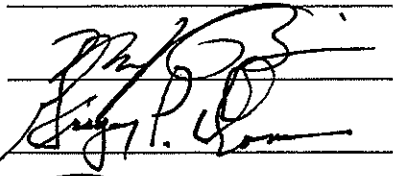
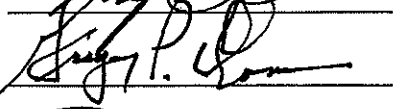


Section 5. All other exhibits, terms, and conditions of the original adopted Preliminary Development Plan Ordinance and the adopted Ordinance for the multi-family portion (“Cumberland Pointe Apartments”) shall remain in full force and effect.

Section 6. This ordinance shall be in full force and effect from and upon its adoption in accordance with the law.

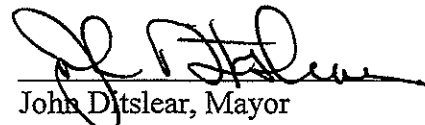
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Section 7. Upon motion duly made and seconded, this ordinance was fully passed by the members of the Common Council this 25th day of January, 2011.

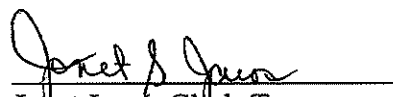
COMMON COUNCIL
CITY OF NOBLESVILLE

AYE		NAY
	Roy Johnson	_____
	Stephen C. Wood	_____
_____	Dale Snelling	_____
	Mark Boice	_____
	Greg O'Connor	_____
	Brian Ayer	_____
	Mary Sue Rowland	_____

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County,
Indiana, this 25th day of January, 2011.


John Ditslear, Mayor
City of Noblesville

ATTEST:


Janet Jaros, Clerk-Treasurer

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

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. *Gordon Byers*

Prepared by: Gordon D. Byers, Attorney at Law, P.O. Box 27, Noblesville, Indiana 46061. 317-773-3221

Exhibit A
Property

Tract One:

PHASE I:

A Part Of The Southwest Quarter Of Section 8, Township 18 North, Range 5 East And A Part Of The Northwest Quarter Of Section 17, Township 18 North, Range 5 East Located In Noblesville Township, Hamilton County, Indiana, More Particularly Described As Follows:

Commencing At The Railroad Spike At The Southwest Corner Of The Southwest Quarter Of Section 8, Township 18 North, Range 5 East; Thence North 00 Degrees 00 Minutes 00 Seconds East (Assumed Bearing) Along The West Line Of Said Quarter Section 1609.16 Feet To The Place Of Beginning; Thence Continuing North 00 Degrees 00 Minutes 00 Seconds East Along Said West Line Of Said Quarter Section A Distance Of 122.06 Feet To A Mag Nail Set In The Centerline Of Old State Road 238 Now Greenfield Avenue The Following Three (3) Calls Are Along Said Centerline; (1) Thence South 55 Degrees 50 Minutes 00 Seconds East A Distance Of 87.10 Feet To A Mag Nail Set; (2) Thence South 65 Degrees 23 Minutes 00 Seconds East A Distance Of 336.50 Feet To A Mag Nail Set; (3) Thence South 71 Degrees 44 Minutes 00 Seconds East A Distance Of 696.97 Feet To The Northeast Corner Of The Property Owned By SRS, LLC As Described In Instrument Number 2004-00015406 As Recorded In The Office Of The Recorder Of Hamilton County Being A Mag Nail Set; Thence South 00 Degrees 03 Minutes 52 Seconds West Along The East Line Of Said Instrument Number 2004-00015406 A Distance Of 1247.50 Feet To The South Line Of Said Quarter Section; Thence South 00 Degrees 16 Minutes 09 Seconds West A Distance Of 30.21 Feet To A Point On A Curve On The North Right Of Way Of Cumberland Pointe Boulevard (For Reference A Pin Found South 83 Degrees 11 Minutes 31 Seconds East A Distance Of 0.27 Feet); Thence Westerly 57.96 Feet Along Said Curve To The Left Having A Radius Of 325.00 Feet And Subtended By A Long Chord Having A Bearing Of North 84 Degrees 33 Minutes 05 Seconds West And A Length Of 57.88 Feet; Thence North 89 Degrees 39 Minutes 45 Seconds West Along Said North Right Of Way A Distance Of 202.46 Feet; Thence North 00 Degrees 00 Minutes 25 Seconds West A Distance Of 25.04 Feet To Said South Line Of Said Quarter Section; Thence Continuing North 00 Degrees 00 Minutes 25 Seconds West A Distance Of 102.01 Feet; Thence North 89 Degrees 59 Minutes 15 Seconds West A Distance Of 220.80 Feet; Thence South 29 Degrees 45 Minutes 26 Seconds West A Distance Of 30.88 Feet; Thence South 13 Degrees 35 Minutes 21 Seconds West A Distance Of 60.25 Feet; Thence South 46 Degrees 56 Minutes 42 Seconds East A Distance Of 22.45 Feet To Said South Line Of Said Quarter Section; Thence South 46 Degrees 56 Minutes 42 Seconds East A Distance Of 19.35 Feet; Thence South 80 Degrees 32 Minutes 50 Seconds East A Distance Of 75.14 Feet To Said North Right Of Way Of Cumberland Pointe

Boulevard; Thence North 89 Degrees 39 Minutes 45 Seconds West Along Said North Right Of Way A Distance Of 215.10 Feet To The Southwest Corner Of Said Instrument Number 2004-00015406 Being Marked By A 3/4 Inch Pipe W/ID Cap Set; Thence North 00 Degrees 00 Minutes 00 Seconds West A Distance Of 803.41 Feet To The Northeast Corner Of The Property owned By Robert and Shawn Dietch As Described In Instrument Number 2003-97105 As Recorded In The Office Of The Hamilton County Recorder (For Reference A Pin With A Miller Surveying Cap Found South 9 Degrees 45 Minutes 39 Seconds East 0.33 Feet); Thence South 89 Degrees 59 Minutes 59 Seconds West Along The North Line Of Said Instrument 2003-97105 A Distance Of 82.69 Feet; Thence North 11 Degrees 33 Minutes 50 Seconds East A Distance Of 289.44 Feet; Thence North 62 Degrees 05 Minutes 29 Seconds East A Distance Of 49.19 Feet To The Point Of Curvature Of A Curve To The Left; Thence Northeasterly 44.06 Feet Along Said Curve Having A Radius Of 30.00 Feet And Subtended By A Long Chord Having A Bearing Of North 20 Degrees 01 Minutes 19 Seconds East And A Length Of 40.20 Feet; Thence North 22 Degrees 02 Minutes 52 Seconds West A Distance Of 7.69 Feet To The Point Of Curvature Of A Curve To The Left; Thence Northwesterly 30.90 Feet Along Said Curve Having A Radius Of 30.00 Feet And Subtended By A Long Chord Having A Bearing Of North 51 Degrees 33 Minutes 10 Seconds West And A Length Of 29.55 Feet; Thence North 81 Degrees 03 Minutes 29 Seconds West A Distance Of 169.80 Feet; Thence South 90 Degrees 00 Minutes 00 Seconds West A Distance Of 188.09 Feet; Thence South 55 Degrees 23 Minutes 41 Seconds West A Distance Of 105.83 Feet; Thence South 89 Degrees 33 Minutes 53 Seconds West A Distance Of 70.21 Feet; Thence North 31 Degrees 17 Minutes 17 Seconds West A Distance Of 91.89 Feet; Thence North 58 Degrees 42 Minutes 43 Seconds East A Distance Of 10.00 Feet; Thence South 31 Degrees 17 Minutes 17 Seconds East A Distance Of 86.21 Feet; Thence North 89 Degrees 33 Minutes 53 Seconds East A Distance Of 61.46 Feet; Thence North 55 Degrees 23 Minutes 41 Seconds East A Distance Of 105.88 Feet; Thence North 90 Degrees 00 Minutes 00 Seconds East A Distance Of 191.98 Feet; Thence South 81 Degrees 03 Minutes 29 Seconds East A Distance Of 231.99 Feet; Thence North 18 Degrees 25 Minutes 33 Seconds East A Distance Of 68.39 Feet; Thence North 08 Degrees 43 Minutes 00 Seconds East A Distance Of 132.81 Feet; Thence North 72 Degrees 01 Minute 33 Seconds West A Distance Of 490.83 Feet To The Point Of Curvature Of A Curve To The Right; Thence Northwesterly 255.99 Feet Along Said Curve Having A Radius Of 796.01 Feet And Subtended By A Long Chord Having A Bearing Of North 62 Degrees 48 Minutes 47 Seconds West And A Length Of 254.89 Feet; Thence North 90 Degrees 00 Minutes 00 Seconds West A Distance Of 16.18 Feet To The Place Of Beginning.
Containing 20.278 Acres (883301.514 Square Feet) More Or Less.

Tract Two:

PARCEL "A"

A Part Of The Southwest Quarter Of Section 8, Township 18 North, Range 5 East Located In Noblesville Township, Hamilton County, Indiana, more Particularly Described As Follows;

Commencing At The Railroad Spike At The Southwest Corner Of The Southwest Quarter Of Section 8, Township 18 North, Range 5 East; Thence North 00 Degrees 00 Minutes 00 Seconds East (Assumed Bearing) Along The West Line Of Said Quarter Section A Distance Of 774.88 Feet To The Place Of Beginning (For Reference A Mag Nail Found North 55 Degrees 29 Minutes 36 Seconds West 0.08"); Thence Continuing North 00 Degrees 00 Minutes 00 Seconds East, Along Said West Line A Distance Of 834.28 Feet; Thence North 90 Degrees 00 Minutes 00 Seconds East A Distance Of 16.18 Feet To The Point Of Curvature Of A Curve To The Left; Thence Southeasterly 235.99 Feet Along Said Curve Having A Radius Of 796.01 Feet And Subtended By A Long Chord Having A Bearing Of South 62 Degrees 48 Minutes 47 Seconds East And A Length Of 254.89 Feet; Thence South 72 Degrees 01 Minutes 33 Seconds East A Distance Of 490.83 Feet; Thence South 08 Degrees 43 Minutes 00 Seconds West A Distance Of 132.81 Feet; Thence South 18 Degrees 25 Minutes 33 Seconds West A Distance Of 68.39 Feet; Thence North 81 Degrees 03 Minutes 29 Seconds West A Distance Of 231.99 Feet; Thence South 90 Degrees 00 Minutes 00 Seconds West A Distance Of 191.98 Feet; Thence South 55 Degrees 23 Minutes 41 Seconds West A Distance Of 105.88 Feet; Thence South 89 Degrees 33 Minutes 53 Seconds West A Distance Of 61.46 Feet; Thence North 31 Degrees 17 Minutes 17 Seconds West A Distance Of 86.21 Feet; Thence South 58 Degrees 42 Minutes 43 Seconds West A Distance Of 10.00 Feet; Thence South 31 Degrees 17 Minutes 17 Seconds East A Distance Of 91.89 Feet; Thence North 89 Degrees 33 Minutes 53 Seconds East A Distance Of 70.21 Feet; Thence North 55 Degrees 23 Minutes 41 Seconds East A Distance Of 105.83 Feet; Thence North 90 Degrees 00 Minutes 00 Seconds East A Distance Of 188.09 Feet; Thence South 81 Degrees 03 Minutes 29 Seconds East A Distance Of 169.80 Feet To The Point Of Curvature Of A Curve To The Right; Thence Southeasterly 30.90 Feet Along Said Curve Having A Radius Of 30.00 Feet And Subtended By A Long Chord Having A Bearing Of South 51 Degrees 33 Minutes 10 Seconds East And A Length Of 29.55 Feet; Thence South 22 Degrees 02 Minutes 52 Seconds East A Distance Of 7.69 Feet To The Point Of Curvature Of A Curve To The Right; Thence Southwesterly 44.06 Feet Along Said Curve Having A Radius Of 30.00 Feet And Subtended By A Long Chord Having A Bearing Of South 20 Degrees 01 Minutes 19 Seconds West And A Length Of 40.20 Feet; Thence South 62 Degrees 05 Minutes 29 Seconds West A Distance Of 49.19 Feet; Thence South 11 Degrees 33 Minutes 50 Seconds West A Distance Of 289.44 Feet; Thence South 90 Degrees 00 Minutes 00 Seconds West A Distance Of 516.60 Feet To The Place Of Beginning. Containing 9.717 Acres (423267.854 Square Feet) More Or Less.

Also:

Parcel "B"

A Part Of The Southwest Quarter Of Section 8, Township 18 North, Range 5 East And A Part Of The Northwest Quarter Of Section 17, Township 18 North, Range 5 East Located In Noblesville Township, Hamilton County, Indiana, More Particularly Described As Follows:

EXHIBIT A

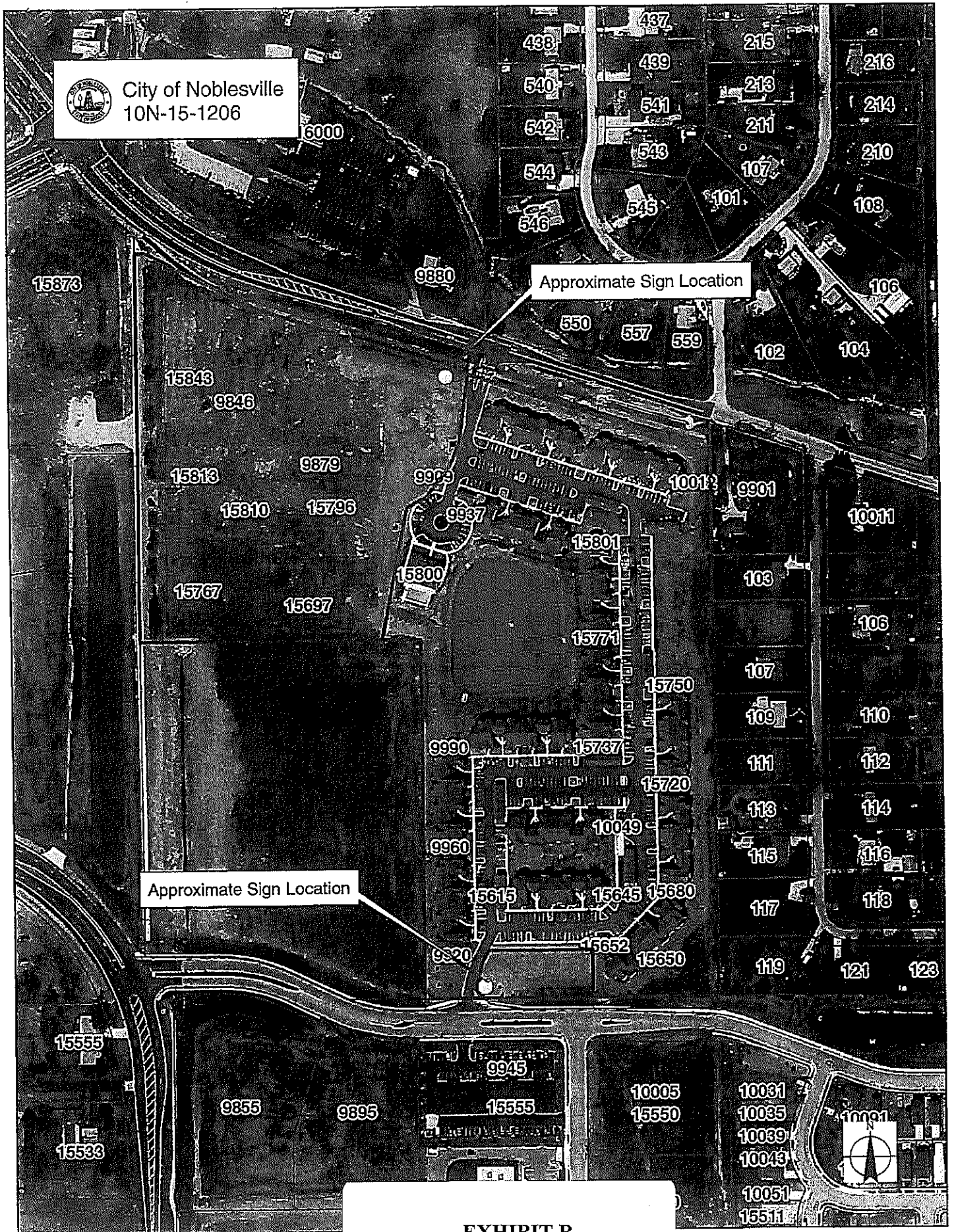
Page 3

Commencing At The Railroad Spike At The Southwest Corner Of The Southwest Quarter Of Section 8, Township 18 North, Range 5 East; Thence South 89 Degrees 59 Minutes 55 Seconds East (Assumed Bearing Of North 00 Degrees 00 Minute 00 Seconds West For The West Line Of Said Southwest Quarter) Along The South Line Of Said Quarter Section A Distance Of 599.31 Feet To The Southeast Corner Of The Property Owned By Robert And Shawn Dietz As Described In Instrument Number 2003-97105 As Recorded In The Office Of The Hamilton County Recorder (For Reference A Pin With A Miller Surveying Cap Found South 27 Degrees 14 Minutes 22 Seconds East 0.04 Feet); Thence Continuing South 89 Degrees 59 Minutes 55 Seconds East A Distance Of 126.84 Feet To The Place Of Beginning; Thence North 46 Degrees 56 Minutes 42 Seconds West A Distance Of 22.45 Feet; Thence North 13 Degrees 35 Minutes 21 Seconds East A Distance Of 60.25 Feet; Thence North 29 Degrees 45 Minutes 26 Seconds East A Distance Of 30.88 Feet; Thence South 89 Degrees 59 Minutes 15 Seconds East A Distance Of 220.80 Feet; Thence South 00 Degrees 00 Minutes 25 Seconds East A Distance Of 102.01 Feet To The South Line Of Said Quarter Section; Thence Continuing South 00 Degrees 00 Minutes 25 Seconds East A Distance Of 25.04 Feet To A Point On The North Right Of Way Of Cumberland Pointe Boulevard; Thence North 89 Degrees 39 Minutes 45 Seconds West Along Said North Right Of Way Line Of Cumberland Pointe Boulevard A Distance Of 145.54 Feet; Thence North 80 Degrees 32 Minutes 50 Seconds West A Distance Of 75.14 Feet; Thence North 46 Degrees 56 Minutes 42 Seconds West A Distance Of 19.35 Feet To The Place Of Beginning.

Containing 0.675 Acres (29385.082 Square Feet) More Or Less.
Phase II in All Containing 10.392 Acres More Or Less.



City of Noblesville
10N-15-1206



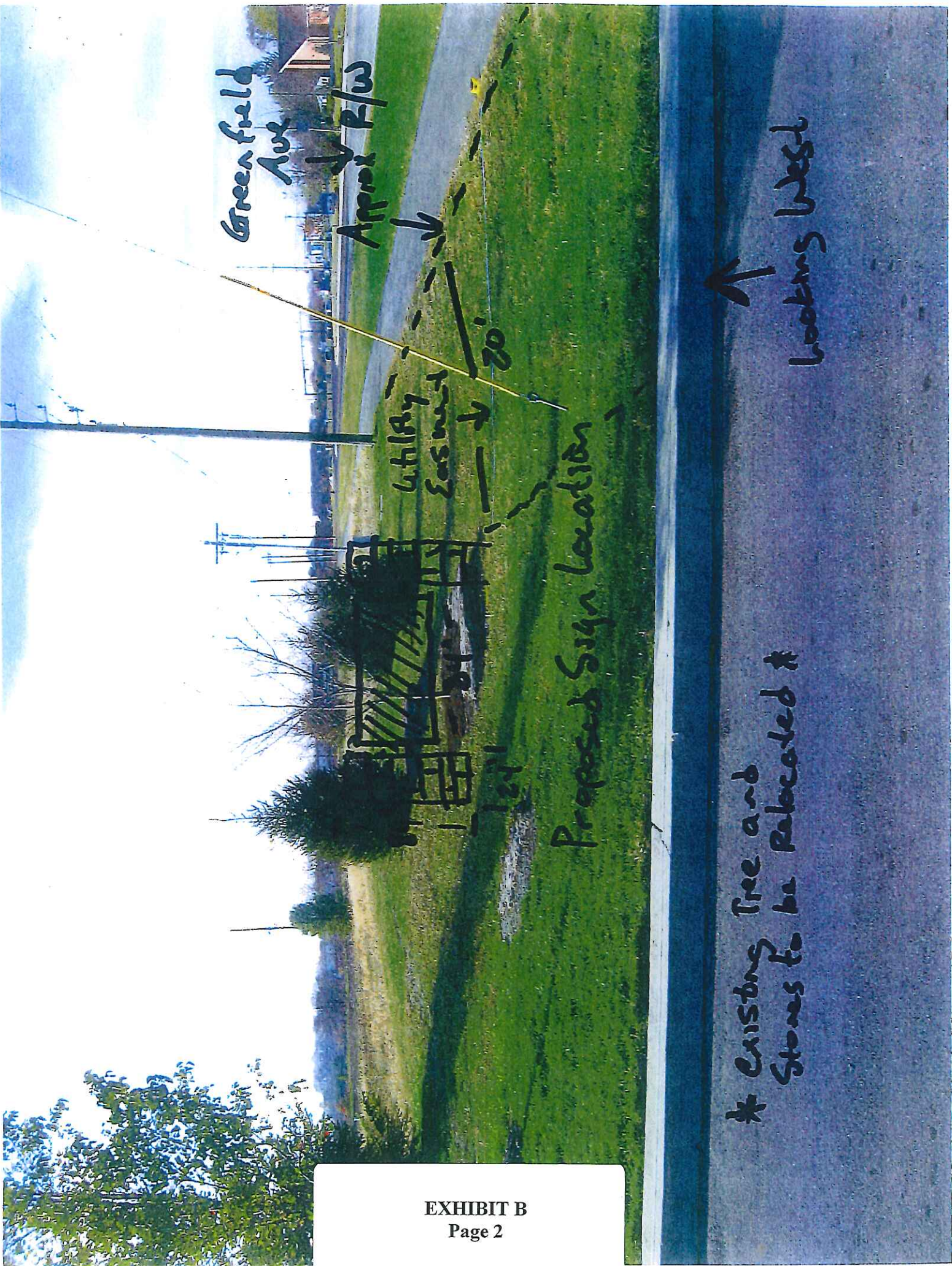


EXHIBIT B
Page 2

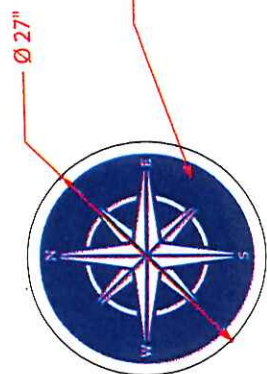



EXHIBIT B
Page 3

Double Panel

Custom Aluminum Tube Frame for Support Between Sign Faces

Paint Colors: Signworks Dark Blue / Gold / White



		317-872-8722 317-872-8724	
5349 West 86th Street Indianapolis, IN 46268		All artwork and sketches remain the exclusive property of Indianapolis Signworks, Inc. until purchased. Any use of this material or similarities without the authorization of Indianapolis Signworks, Inc. is forbidden. COPYRIGHT Indianapolis Signworks 2010. Images and concepts will be illustrative artwork if used without authorization.	
COMPANY/SALES INFORMATION		SIGN PANEL INFORMATION	
Company: Barrett & Stokely Community: Cumberland Pointe Account Rep: Sandra		Material: 3/4" PVC Color: TBD Size: See Art Sign Faces: 2 sided	
DIGITAL INFORMATION		MOUNTING/INSTALL INFORMATION	
Media: N/A Laminate: N/A Size: N/A		Qty. Vinyl Colors: 3 Signworks Dark Blue White Metallic Gold Qty. Vinyl Colors: 0 n/a n/a n/a Vinyl Notes: Automotive Custom	
DATE/DESIGN INFORMATION		MOUNTING: Hidden Post Mount	
Designer: Rich Scale: 3/4"=1'-0"		Size: n/a Type: n/a Color: n/a Finials: Height: Depth:	
Date Originated: 6/17/2010 Last Revised: 1/15/2010		Design Status: Pending	

Column to be
Removed

Looking West

14.5' →
From R/W

Approx R/W

Existing Column to be Removed

Today's
Exit

Approx R/W

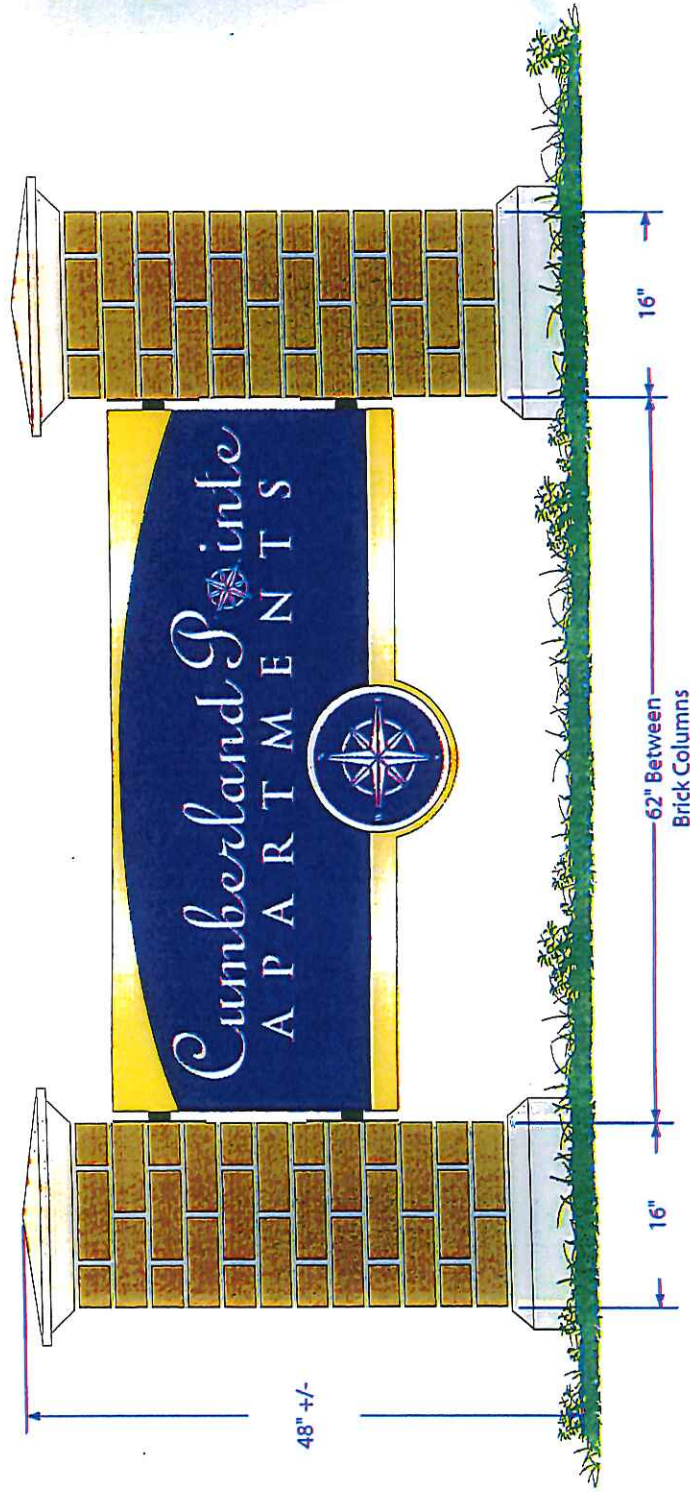
Cambridge Rd
Blvd →

Sign Faces are 30"h x 60"w (12.5 Square Feet) Routed .75" PVC

Double Panel

Custom Aluminum Tube Frame for Support Between Sign Faces

Paint Colors: Signworks Dark Blue / White / Gold



MOUNTING/INSTALL INFORMATION			
Mounting Notes: Hidden Post Mount			
Mounting: Size: Type: Color: Finials: Height: Depth:			
Qty. Vinyl Colors: 1			
n/a			
n/a			
n/a			
Vinyl Notes: n/z			
COLOR INFORMATION			
Qty. Paint Colors: 3			
Signworks Dark Blue			
TBD			
TBD			
Paint Notes: Automotive Custom			
DIGITAL INFORMATION			
Media: N/A			
Laminate: N/A			
Size: N/A			
SIGN PANEL INFORMATION			
Material: .75" PVC			
Color: TBD			
Size: See Art			
Sign Face: 2 sided			
DATE/DESIGN INFORMATION			
Date Originated: 6/17/2010			
Last Revised: n/a			
Design Status: Prelim			
COMPANY/SALES INFORMATION			
Company: Barrett & Stokely			
Community: Cumberland Pointe			
Account Rep: Sandra			
Designer: Chris			
Scale: 1"=1'			
317-872-8722			
317-872-8724			
5349 West 86th Street Indianapolis, IN 46268			
All artwork and sketches remain the exclusive property of Indianapolis Signworks, Inc. until purchased. Any reproduction without the written consent of Indianapolis Signworks, Inc. is forbidden. Copyright Indianapolis Signworks 2010. Images are for conceptual use only and are not to be used without authorization.			
FILE LOCATION: Clients>Cumberland Pointe-Barrett & Stokely>Entry Small			