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Jennifer J Hayden  
HAMILTON County Recorder IN  
Recorded as Presented

ORDINANCE NO. 36-7-07

Document Cross Reference Nos. 9306377 and 200600021115

**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 Ordinance No. 28-3-06, Hamilton County Instrument No. 200600021115, (the "Noblesville Commerce Park 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-15-0747 as required by law in regard to the application filed by Noblesville Properties, Inc. (the "Developer") to amend the Noblesville Commerce Park PD Ordinance; and,

WHEREAS, the Plan Commission at its July 16, 2007 meeting sent a unanimous 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 Noblesville Commerce Park PD Ordinance is hereby amended as follows:

SECTION 1. The subject real estate, more particularly described in Exhibit A attached hereto ("Real Estate"), is located within the originally approved Noblesville Commerce Park Planned Development, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana. The Real Estate currently is zoned I-2/PD District, subject to the Preliminary Development Plan and the Noblesville Commerce Park Planned Development Overlay District.

SECTION 2. "Permitted Uses", as defined by Section 2, is hereby amended as follows:  
"Places of Worship and all uses permitted in the PB, I-1 and I-2 Districts shall be permitted. The following uses, however, shall not be permitted: Automobile Fuel Station, Cemetery, Adult Cabaret, Adult Media Store, Adult Motion Picture Theater, and Sex Shop."

SECTION 3. All other provisions of the Noblesville Commerce Park Planned Development Ordinance shall remain in effect with the adoption of this ordinance.

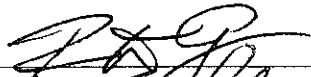
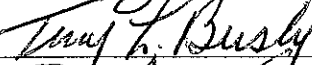
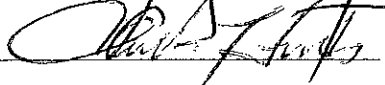
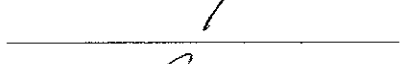
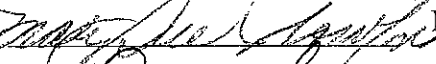

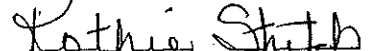
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SECTION 4. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 14<sup>th</sup> day of August, 2007.

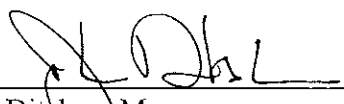
COMMON COUNCIL OF THE CITY OF NOBLESVILLE

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 14<sup>th</sup> day of August, 2007.

  
\_\_\_\_\_  
John Ditslear, Mayor  
City of Noblesville, IN

ATTEST:

  
\_\_\_\_\_  
Janet Jaros, 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: Matthew S. Skelton.

This instrument was prepared by Matthew S. Skelton, AICP, Attorney-At-Law, Baker & Daniels, LLP, 970 Logan Street, Noblesville, IN 46060, (317) 569-9600.

**EXHIBIT A**  
**Land Description**

Noblesville Commerce Park Planned Development

A part of the Northwest Quarter and the Northeast Quarter of Section 6, Township 18 North, Range 5 East Located in the City of Noblesville, Hamilton County, Indiana being bounded as follows:

Commencing at the southwest corner of the Northeast Quarter of Section 6, Township 18 North, Range 5 East; thence North 00 degrees 19 minutes 43 seconds East (assumed bearing) 688.20 feet along the west line of said Northeast Quarter to a P.K. nail marking the POINT OF BEGINNING of this description, said point on the north right-of-way line of Pleasant Street as described in Instrument #7763 and recorded in Deed Record 151, Page 474; thence South 89 degrees 43 minutes 07 seconds West 185.24 feet along the north line of said Pleasant Street to a P.K. nail; thence North 07 degrees 10 minutes 29 seconds West 108.96 feet to a P.K. nail; thence North 45 degrees 51 minutes 04 seconds East 72.10 feet to a P.K. nail; thence 73 degrees 58 minutes 49 seconds East 133.41 feet to a P.K. nail; thence South 00 degrees 19 minutes 43 seconds West 29.98 feet parallel with the west line of said Northeast Quarter to a P.K. nail; thence North 62 degrees 36 minutes 24 seconds East 112.38 feet to an iron rod with cap; thence North 62 degrees 15 minutes 36 seconds East 181.16 feet to an iron rod with cap; thence North 38 degrees 11 minutes 38 seconds East 156.51 feet to an iron rod with cap; thence North 52 degrees 10 minutes 30 seconds East 170.60 feet to an iron rod with cap; thence South 86 degrees 20 minutes 50 seconds East 230.61 feet to an iron rod with cap; thence North 41 degrees 14 minutes 37 seconds East 46.73 feet to an iron rod with cap; thence North 89 degrees 02 minutes 20 seconds East 9.68 feet to an iron rod with cap; thence North 08 degrees 49 minutes 51 seconds East 2.69 feet to an iron rod with cap; thence South 88 degrees 52 minutes 27 seconds East 319.94 feet to an iron rod with cap on the west line of a 7.385 acre tract of land described and recorded in Instrument #87-48368; thence South 00 degrees 08 minutes 42 seconds West 521.37 feet along the west line of said 7.385 acre tract of land to an iron rod with cap at the southwest corner of said 7.385 acre tract of land, said point also being on the north right-of-way line of Pleasant Street as per Instrument #8851, Deed Record 145, Page 66; thence South 78 degrees 59 minutes 15 seconds West 149.68 feet along the north right-of-way line of said Pleasant Street to an iron rod with cap, said point also being on the south line of Firestone Industrial Products Co. as described in Instrument #1771 and recorded in Deed Record 130, Page 296; thence North 89 degrees 40 minutes 59 seconds West 915.28 feet along the south line of said Firestone Industrial Products Co. to the POINT OF BEGINNING.