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Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NO. 63-11-08

AN ORDINANCE AMENDING ORDINANCE NO. 39-8-07 AND THE UNIFIED DEVELOPMENT ORDINANCE NO. 62-12-95 AND ALL AMENDMENTS THERETO INCLUDING THE ADOPTION OF AN AMENDED DEVELOPMENT PLAN OF THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA.

This Ordinance No. 63-11-08 is an amendment ("the Amendment") to Ordinance No. 39-8-07 (the "Exhibit 9 Signage Provisions") amending the Unified Development Ordinance of the City of Noblesville, (the "City") Hamilton County, Indiana enacted by the City under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended.

Whereas, City's Plan Commission (the "Commission") has conducted a hearing as required by law in regard to the application for approval of a text amendment to the Exhibit 9 Signage Provisions filed by the Hamilton Town Center, LLC; and,

Whereas the Commission has sent to the Common Council its positive recommendation regarding Application 08N-15-1519 by a vote of eight (8) ayes and two (2) nays at the Commission's November 17, 2008 hearing.

Now, therefore, be it ordained by the Common Council, meeting in regular session, that the Exhibit 9 Signage Provisions is hereby amended to regulate the building currently occupied by CVS, identified as the "Subject Building" (hereafter the "Subject Building") on what is attached hereto and incorporated herein by reference as Exhibit A, with the provisions established in the Exhibit 9 Signage Provisions for "Signs for Single User Occupying More than 10,000 square feet"; provided, however, that the maximum letter height for all signs on the Subject Building shall not exceed 30 inches.

It is further ordained that all other applicable provisions of the Exhibit 9 Signage Provisions, as hereby amended, shall remain in full force and effect.


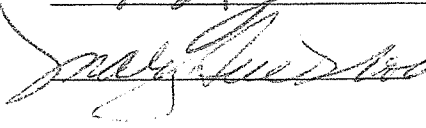
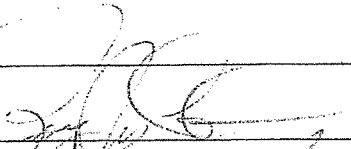
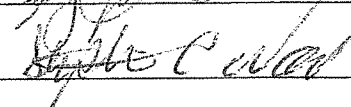
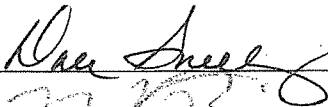

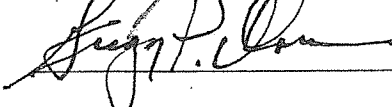
This Amendment shall be full force and effect from and upon its adoption in accordance with the law. Adopted this 3rd day of December, 2008 by the Common Council of the City of Noblesville, Hamilton County, Indiana.

COMMON COUNCIL, CITY OF NOBLESVILLE

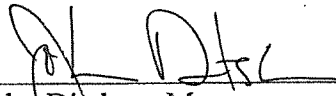
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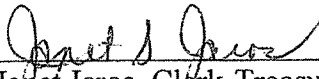
	_____	Brian Ayer	_____
	_____	Mary Sue Rowland	_____
_____	_____	Roy Johnson	
_____	_____	Stephen C. Wood	
	_____	Dale Snelling	_____
	_____	Mark Boice	_____
	_____	Greg O'Connor	_____

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 23rd day of Dec, 2008.



John Distlear, Mayor
City of Noblesville, Indiana

ATTEST:



Janet Jaros, Clerk-Treasurer
City of Noblesville, Indiana

Prepared by: Charles D. Frankenberger, Nelson and Frankenberger, Attorneys at Law, 3105 E. 98th Street, Suite 170, Indianapolis, IN 46280 (317) 844-0106

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 – Charles D. Frankenberger.

Exhibit A

CVS PARCEL DESCRIPTION

A part of the Southeast Quarter of the Northwest Quarter of Section 23, Township 18 North, Range 5 East, Hamilton County, Indiana, and being more particularly described as follows:

Commencing at the northwest corner of said quarter-quarter section; thence South 00 degrees 06 minutes 31 seconds East (assumed bearing) 426.07 feet along the west line of said quarter-quarter section to the point of beginning of this description; thence North 21 degrees 38 minutes 09 seconds East 88.32 feet; thence Northeasterly 133.59 feet along an arc to the right and having a radius of 75.00 feet and subtended by a long chord having a bearing of North 72 degrees 39 minutes 46 seconds East and a length of 116.62 feet; thence South 56 degrees 18 minutes 37 seconds East 175.80 feet; thence South 55 degrees 32 minutes 27 seconds East 107.34 feet; thence South 33 degrees 25 minutes 08 seconds West 205.22 feet to the southwestern line of the 21.966-acre tract of land described in Instrument Number 200600052780 in the Office of the Recorder of Hamilton County, Indiana; thence North 56 degrees 20 minutes 09 seconds West 51.29 feet along said southwestern line; thence along said southwestern line Northwesterly 254.82 feet along an arc to the left and having a radius of 1,532.39 feet and subtended by a long chord having a bearing of North 61 degrees 05 minutes 59 seconds West and a length of 254.53 feet to the west line of said quarter-quarter section; thence North 00 degrees 06 minutes 31 seconds West 61.24 feet along said west line to the point of beginning and containing 1.675 acres, more or less.