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Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
04-02-2004 At 11:20 am.
ORDINANCE 15.00

ORDINANCE NO. 6-2-04

**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 (the "PUD Ordinance") to amend 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 03N-15-2328 as required by law in regard to the application for a change of zone district designation filed by Triton Development, LLC; and,

WHEREAS, the Plan Commission at their February 17, 2004 meeting sent its favorable recommendation to the Noblesville Common Council by a vote of 12 in favor and 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 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 1" attached hereto, is located generally at the southwest corner of Cherry Tree Road and 171st Street, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana. The Real Estate hereby is rezoned from the R-2 classification to the

R2/PD Residential Planned Development classification, as designated in the City's Development Ordinance.

SECTION 2. The preliminary development plan attached hereto as "Exhibit 2," the Development Guidelines attached hereto as "Exhibit 3" and the Architectural and Landscaping Guidelines attached hereto as "Exhibit 4" are adopted as part of this ordinance.

SECTION 3. This Planned Development Ordinance, its exhibits and the preliminary development plan approved by the Plan Commission (collectively, the "PD Standards") permit variations from the development standards, specifications, guidelines and/or requirements (collectively, the "Standards") contained in the City's Development Ordinance. The following variations are included: the preliminary development plan, the Development Guidelines and the Architectural and Landscaping Guidelines. The PD Standards supersede the Standards in the City's Development Ordinance to the extent the PD Standards vary, alter or modify the Standards in the City's Development Ordinance. The Standards in the City's Development Ordinance, however, shall apply to the extent that the PD Standards do not vary, alter or modify them.

SECTION 4. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 23rd day of March, 2004.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

NAY

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

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 23rd day of March, 2004.

John Ditslear
John Ditslear, Mayor
City of Noblesville, IN

ATTEST:

Janel Jaros
Janel Jaros, Clerk-Treasurer

Prepared by: Steven D. Hardin, Esq., Attorney-At-Law, Bingham McHale LLP
970 Logan Street, Noblesville, IN 46060

LEGAL DESCRIPTION

A part of the Southwest Quarter of Section 2, Township 18 North, Range 4 East, in Noblesville Township Hamilton County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Quarter Section; thence North 00 degrees 12 minutes 01 seconds East along the West line of said Quarter Section 892.09 feet; thence North 82 degrees 49 minutes 05 seconds East 470.80 feet; thence North 07 degrees 10 minutes 55 seconds West 1.67 feet; thence North 82 degrees 49 minutes 05 seconds East 135.00 feet; thence North 05 degrees 24 minutes 12 seconds West 43.53 feet; thence South 89 degrees 45 minutes 46 seconds East 189.53 feet; thence South 39 degrees 19 minutes 56 seconds East 125.85 feet; thence South 01 degrees 37 minutes 01 seconds West 182.07 feet; thence South 49 degrees 43 minutes 16 seconds West 109.24 feet; thence South 89 degrees 45 minutes 46 seconds East 170.07 feet; thence North 21 degrees 46 minutes 26 seconds East 134.38 feet; thence North 00 degrees 14 minutes 14 seconds East 270.00 feet; thence South 89 degrees 45 minutes 46 seconds East 200.00 feet; thence North 00 degrees 14 minutes 14 seconds East 46.82 feet; thence South 89 degrees 45 minutes 46 seconds East 133.37 feet; thence North 00 degrees 04 minutes 35 seconds West 196.69 feet; thence North 16 degrees 51 minutes 19 seconds West 101.17 feet; thence North 75 degrees 21 minutes 47 seconds East 46.99 feet; thence North 14 degrees 38 minutes 13 seconds West 185.00 feet; thence South 75 degrees 21 minutes 47 seconds West 41.95 feet; thence North 19 degrees 36 minutes 12 seconds West 737.72 feet; thence North 49 degrees 31 minutes 50 seconds East 171.76 feet; thence South 88 degrees 50 minutes 50 seconds East 320.00 feet; thence North 01 degrees 09 minutes 10 seconds East 250.00 feet to the North line of said Quarter Section; thence South 88 degrees 50 minutes 50 seconds East 1,190.00 feet to the East line of said Quarter Section; thence South 00 degrees 02 minutes 57 seconds East 572.61 feet; thence North 88 degrees 50 minutes 50 seconds West 264.00 feet; thence South 00 degrees 02 minutes 57 seconds East 330.00 feet; thence South 88 degrees 50 minutes 50 seconds East 264.00 feet; thence South 00 degrees 02 minutes 57 seconds East 919.81 feet; thence North 89 degrees 34 minutes 30 seconds West 468.92 feet; thence North 88 degrees 30 minutes 40 seconds West 858.96 feet; thence South 00 degrees 14 minutes 14 seconds West 856.87 feet to the South line of said Quarter Section; thence North 87 degrees 45 minutes 37 seconds West 1,333.15 feet to the place of beginning, containing 86.608 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

S/40721/LEGAL/DetailedDevelopmentPlan
December 5, 2003