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 12/28/2022 01:41:01P 6 PGS
 Jennifer Hayden
 HAMILTON County Recorder IN
 Recorded as Presented



ORDINANCE NO. 78-12-22

**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 the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the "UDO"), enacted by the City of Noblesville under authority of Indiana Code § 36-7-4-600, et seq., as amended.









WHEREAS, the Plan Commission of the City of Noblesville (the "Plan Commission") conducted a public hearing on application number LEGP 0109-2022 (the "Petition") at its November 21, 2022, meeting as required by law in regard to the application filed by Secured Holdings, LLC, an Indiana limited liability company (the "Developer") for a request in change of zoning; and

WHEREAS, the Plan Commission sent a favorable recommendation relating to the Petition to the Common Council of the City of Noblesville, Indiana (the "City Council"), by a vote of nine (9) in favor and zero (0) opposed;

NOW, THEREFORE, BE IT ORDAINED by the City Council, meeting in regular session, it hereby adopts this ordinance ("Ordinance") as an amendment to the UDO and the Official City of Noblesville Zoning Map (the "Zoning Map") to read as follows:

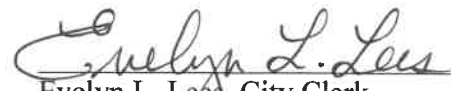
- Section 1.** That the subject real estate containing approximately 34.27 acres located generally southeast of the intersection of State Road 32 and Hazel Dell Road, Noblesville, Indiana, which real estate is more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby rezoned from the R1 and PB districts to the R5 (Area A) and PB (Area B) districts as designated in the UDO.
- Section 2.** That the Zoning Map shall be updated concurrently to reflect the changes referred to in Section 1 above. A copy of the Zoning Map shall be located in the Office of the Clerk of the City of Noblesville.
- Section 3.** This Ordinance shall be in full force and effect from and upon the earlier of its adoption and publication in accordance with the law.

Approved on this 20th day of December, 2022 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Brian Ayer		
	Mark Boice		
	Michael J. Davis		
	Gregory P. O'Connor		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Dan Spartz		
	Megan G. Wiles		

ATTEST: 
 Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this 21st day of December, 2022 at 8:15 A.M.


 Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL


Chris Jensen, Mayor

12-21-22
Date

MAYOR'S VETO

Chris Jensen, Mayor

Date

ATTEST: 
Evelyn L. Lees, City Clerk



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: Steven D. Hardin.

Prepared by: Steven D. Hardin, Attorney-At-Law, Faegre Drinker Biddle & Reath, LLP
600 East 96th Street, Suite 600, Indianapolis, Indiana 46032 | (317) 569-9600.

EXHIBIT A
LEGAL DESCRIPTION

Area A Land Description
Rezoned to "R5 Multi-Family Residential"

Part of the Northwest quarter of Section 3, Township 18 North, Range 4 East of the Second Principal Meridian, Hamilton County, Indiana, the following description was based on surveys prepared by Timothy D. Higbie, L.S as Survey First LLC project numbers 2021-0022 and 2022-0006, is described as follows:

Commencing at a brass pin in concrete at the Northwest corner of said Northwest quarter; thence along the West line of said quarter (bearings are based on the State Plane Coordinates, Indiana East Zone, on the NAD83, using GPS derived North from NTRIP CORS network) South 00 degrees 02 minutes 09 seconds East 586.51 feet; thence North 88 degrees 31 minutes 22 seconds East 54.76 feet to the East right-of-way of Hazel Dell Drive per Instrument number 200300090653 and Instrument number 200400005003 recorded in the Office of the Hamilton County Recorder and the POINT OF BEGINNING; thence North 88 degrees 31 minutes 22 seconds East 144.32 feet to a tangent curve to the left concave North having a radius of 155.00 feet and a long chord that bears North 68 degrees 55 minutes 58 seconds East and a long chord of 118.12 feet; thence Northeasterly along said curve an arc length of 121.18 feet; thence North 46 degrees 36 minutes 10 seconds East 219.33 feet to a tangent curve to the right, concave Southeast having a radius of 149.01 feet and a long chord that bears North 68 degrees 00 minutes 37 seconds East and a long chord of 108.57 feet; thence Northeasterly along said curve an arc length of 111.13 feet; thence North 89 degrees 25 minutes 03 seconds East 931.66 feet to the East line of the land of Gary Alton Hinshaw Trustees Deed per deed recorded in said Recorder's Office as Instrument number 2012023283; thence along said East line South 00 degrees 02 minutes 23 seconds East 737.79 feet to the North line of a parcel conveyed to the City of Noblesville in Instrument number 2017043039 in said Recorder's Office, a rebar was found 1.2' West and 3.5' North; thence along the North line of said City of Noblesville, South 87 degrees 58 minutes 18 seconds West 73.14 feet; thence along said North line North 89 degrees 43 minutes 39 seconds West 87.51 feet to the Northeast corner of a parcel conveyed to the City of Noblesville in Instrument number 2016004263 in said Recorder's Office (a one-inch diameter iron pipe was found 1.4 feet West and 2.8 feet North); thence North 89 degrees 43 minutes 42 seconds West 812.16 feet along the North lines of the parcels conveyed to the City of Noblesville in Instrument numbers 2016004263 and 2016009905 in said Recorder's Office to a rebar with cap set at the Northeast corner of a parcel to the City of Noblesville in Instrument number 2017042702 in said Recorder's Office; thence North 89 degrees 43 minutes 39 seconds West 456.49 feet to a rebar with cap set on said East right-of-way of Hazel Dell Road by said Instrument number 200400005003; the following two (2) courses are along said right-of-way; 1.) thence North 01 degrees 58 minutes 45 seconds West 473.28 feet; 2.) thence North 04 degrees 24 minutes 11 seconds West 13.99 feet to the POINT OF BEGINNING, containing 22.371 acres more or less.

Area B Land Description
Rezoned to "PB Planned Business"

Part of the Northwest quarter of Section 3, Township 18 North, Range 4 East of the Second Principal Meridian, Hamilton County, Indiana, the following description was based on surveys prepared by Timothy D. Higbie, L.S as Survey First LLC project numbers 2021-0022 and 2022-0006, is described as follows:

Commencing at a brass pin in concrete at the Northwest corner of said Northwest quarter; thence along the West line of said quarter (bearings are based on the State Plane Coordinates, Indiana East Zone, on the NAD83, using GPS derived North from NTRIP CORS network) South 00 degrees 02 minutes 09 seconds East 586.51 feet; thence North 88 degrees 31 minutes 22 seconds East 54.76 feet to the East right-of-way of Hazel Dell Drive per Instrument number 200300090653 and Instrument number 200400005003 recorded in the Office of the Hamilton County Recorder and the POINT OF BEGINNING; the following five (5) courses are along the East and South lines of said right-of-way; 1) thence North 04 degrees 24 minutes 11 seconds West 129.81 feet; 2.) thence North 01 degrees 44 minutes 14 seconds East 24.63 feet; 3.) thence North 01 degrees 44 minutes 15 seconds East 310.83 feet (a concrete right-of-way marker found 0.40 feet North and 0.2' East of the corner); 4) thence North 33 degrees 02 minutes 35 seconds East 72.40 feet (72.39' record), (a concrete right-of-way marker found 0.06 feet South and 0.20 feet East of the corner); 5) thence North 89 degrees 31 minutes 21 seconds East 97.25 feet (a concrete right-of-way marker found 0.03 feet South and 0.40 feet West of the corner); thence North 89 degrees 26 minutes 58 seconds East 264.69 feet along the South line and the Westerly extension of the South line of the right-of-way parcel per Instrument number 200100002817 in said Recorder's Office to the Southeast corner thereof (a concrete right-of-way marker was found 0.3 feet South and 0.4 feet West of corner); thence North 00 degrees 34 minutes 33 seconds West 9.06 feet along the East line of said right-of-way to a rebar found with cap stamped "Structurepoint #0094" (hereafter "Structurepoint rebar") on the South right-of-way line of State Road 32 as described in Deed Record 143, page 70, Deed Record 141, page 435, and Deed Record 141, page 250 in said Recorder's Office; thence North 89 degrees 26 minutes 10 seconds East 883.87 feet along said South right-of-way line to a Structurepoint rebar found on the East line of a parcel conveyed to Herbert E. and Betty Lou W. Boone in Instrument number 200000061947 in said Recorder's Office; thence North 00 degrees 02 minutes 22 seconds West 52.11 feet to the North line of said quarter section; thence along said North line North 89 degrees 25 minutes 18 seconds East 160.60 feet to the Northeast corner of the land of Gary Alton Hinshaw Trustees Deed per deed recorded in said Recorder's Office as Instrument number 2012023283, said point is referenced as 1171.47 feet from the Northeast corner of said Northwest quarter; thence along the East line of said Hinshaw, South 00 degrees 02 minutes 23 seconds East 353.27 feet; thence South 89 degrees 25 minutes 03 seconds West 931.66 feet to a tangent curve to the left, concave South, having a radius of 149.01 feet and a long chord that bears South 68 degrees 00 minutes 37 seconds West and a long chord of 108.57 feet; thence Southwesterly along said curve an arc length of 111.13 feet; thence South 46 degrees 36 minutes 10 seconds West 219.33 feet to a tangent curve to the right, concave North, having a radius of 155.00 feet and a long chord that bears South 68 degrees 55 minutes 58 seconds West and a long chord of 118.12 feet; thence Southwesterly along said curve an arc length of 121.18 feet; thence South 88 degrees 31 minutes 22 seconds West 144.32 feet to said right of way and the POINT OF BEGINNING containing 11.901 acres more or less.

Area A Depiction and Area B Depiction



-  Area A
-  Area B