

EXHIBIT E

ORDINANCE NUMBER XX-XX-XX

MARILYN WOODS PD ORDINANCE AMENDMENT 1

AN ORDINANCE CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE NO. 62-12-95 AND ALL AMENDMENTS THERETO, A PART OF THE COMPREHENSIVE PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

Document Cross-Reference No: 2021-041663

This Ordinance (the “**MARILYN WOODS PD ORDINANCE AMENDMENT 1**”) amends the Unified Development Ordinance of the City of Noblesville, Hamilton County, Indiana No. 62-12-95 (the “Unified 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 City of Noblesville, of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, The Common Council of the City of Noblesville, Hamilton County, Indiana (the “Common Council”) enacted Ordinance 25-04-21, the Marilyn Woods PD Ordinance on April 27, 2021 (the “Marilyn Woods PUD”);

WHEREAS, the Advisory Plan Commission of the City of Noblesville (the “Commission”) considered a petition (**Petition No. LEGP-002802021**), requesting an amendment to the Unified Development Ordinance and the Marilyn Woods PUD with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the “Real Estate”);

WHEREAS, the Commission forwarded **Petition No. LEGP-002802021** to the Common Council with a **FAVORABLE** recommendation (**10-0**) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the City Clerk certified the action of the Commission to the Common Council on April 28, 2021;

WHEREAS, the Common Council is subject to the provision of the Indiana Code §36-7-4-1512 concerning any action on this request.

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 is hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 All provisions and representations of the Unified Development Ordinance and the Marilyn Woods PUD that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the provisions of the Marilyn Woods PUD and its Exhibits, and (iii) the provisions of the Unified Development Ordinance (the "UDO"), as amended by the Marilyn Woods PUD, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance or the Marilyn Woods PUD, as amended.
- 1.3 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Signs.** The standards of Article 11(C)1(B) Signs, of the UDO shall apply, except as noted below:

- 2.1 Location: Minimum of 1.8 feet from the street right-of-way.
- 2.2 Landscaping: Minimum of 1.8 feet from the base of the sign.

[Remainder of page intentionally left blank, signature page follows]

Approved on this _____ day of _____, 2024 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Mark Boice		
	Michael J. Davis		
	Evan Elliott		
	Dave Johnson		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Todd Thurston		
	Megan G. Wiles		

ATTEST: _____

Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this _____ day of _____, 2024 at _____ .M.

Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

Chris Jensen, Mayor

Date

MAYOR'S VETO

Chris Jensen, Mayor

Date

ATTEST: _____
Evelyn L. Lees, City Clerk

EXHIBIT A

Legal Description

Part of the Northwest Quarter of Section 22, Township 18 North, Range 5 East in Hamilton County, Indiana, being more particularly described as follows:

Beginning at the Southwest Corner of the said Northwest Quarter Section; thence North 00 degrees 05 minutes 46 seconds West along the West Line of the said Northwest Quarter Section a distance of 1918.61 feet; thence North 89 degrees 10 minutes 38 seconds East, parallel with the South Line of the North Half of the said Northwest Quarter Section, a distance of 1321.07 feet to the East Line of the West Half of the said Northwest Quarter Section; thence South 00 degrees 07 minutes 48 seconds East along the said East Line a distance of 1921.61 feet to the Southeast Corner of the West Half of said Northwest Quarter Section; thence South 89 degrees 18 minutes 28 seconds West along the South Line of the said Northwest Quarter Section a distance of 1322.17 feet to the Beginning Point, containing 58.253 acres, more or less.

EXCEPT, right of way dedicated in document 2010024200:

A part of the Northwest Quarter of Section 22, Township 18 North, Range 5 East, Fall Creek Township, Hamilton County, Indiana, being described as follows:

Commencing at the Southwest corner of the Northwest quarter of Section 22, Township 18 North, Range 5 East; thence on the South line of said Southwest Quarter North 89 degrees 18 minutes 29 seconds East (assumed bearing) 822.17 feet to the point of beginning of this description; thence parallel with the East line of the West half of said Northwest Quarter North 00 degrees 07 minutes 46 seconds West 75.00 feet; thence parallel with the South line of said Northwest Quarter North 89 degrees 18 minutes 29 seconds East 425.00 feet; thence parallel with the East line of the West half of said Northwest Quarter North 00 degrees 07 minutes 46 seconds West 425.00 feet; thence parallel with the South line of said Northwest Quarter North 89 degrees 18 minutes 29 seconds East 75.00 feet to the East line of the West half of said Northwest Quarter; thence on said East line South 00 degrees 07 minutes 46 seconds East 500.00 feet to the Southeast corner of the West half of said Northwest Quarter; thence on the South line of said Northwest Quarter South 89 degrees 18 minutes 29 seconds West 500.00 feet to the point of beginning, containing 1.59 acres, more or less.