

29.00
8
2.00
NONE

2010048374 ORDINANCE \$31.00
09/29/2010 11:16:13A 8 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NO. 26-08-10

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE,
A PART OF THE COMPREHENSIVE PLAN OF THE CITY OF NOBLESVILLE,
HAMILTON COUNTY, INDIANA

Document Cross Reference No. 9545117, 200600069647, 2010034267, 2010034268

WHEREAS, this is an ordinance amending the Unified Development Ordinance and the Land Use Subdistricts Map of the Corporate Campus previously approved pursuant to the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the "UDO"), 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 Docket No. 10N-15-1020 as required by law, with respect to an application for a change of zoning classification filed by Marilyn Bubenzer regarding the subject real estate described in Exhibit A attached hereto (the "Real Estate"); and,

WHEREAS, the Plan Commission at its August 16, 2010, meeting sent a favorable recommendation to the Noblesville Common Council by a vote of eleven (11) 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 UDO is hereby amended as follows:

Section 1. The Corporate Campus Land Use Map (the "Land Use Map") is hereby amended with respect to the Real Estate as shown on the attached Exhibit B and as further described in Section 2, below.

Section 2. The permitted uses and development standards for the two areas, defined as "Area A" and "Area B" on the Land Use Map, are as follows:

2.1 Area A. Any part of Area A that is not in the floodplain (now or in the future) may be developed with uses permitted in the Commercial Land Use Classification, as listed within Appendix D of the UDO ("Appendix D"), and shall be designated as within the Secondary Corridor Subdistrict, as regulated by Article 8, Part E, Section 7 of the UDO (the "CC District").

2.2 Area B. Any part of Area B that is not in the floodplain (now or in the future) may, in addition to the currently permitted uses (as shown on the Land Use Map), be developed with uses permitted in the Commercial Land Use

Classification, as listed within Appendix D, and shall be designated as within the Secondary Corridor Subdistrict, as regulated by the CC District.

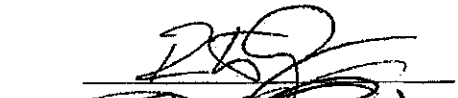

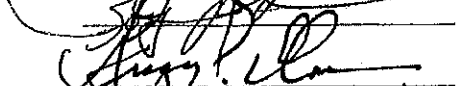

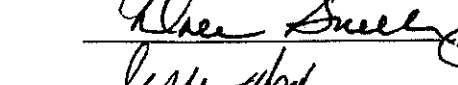
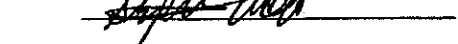
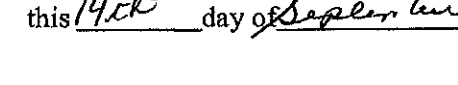
Section 3. Other than those matters directly addressed by this ordinance, no other UDO requirements or conditions otherwise applicable to the Real Estate shall be considered altered with the adoption of this ordinance.

Section 4. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 14th day of September, Two Thousand and Ten.

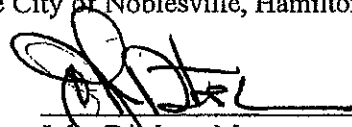
COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

NAY

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

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 14th day of September, 2010.



John Ditslear, Mayor
City of Noblesville, IN

ATTEST:



Janet S. 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: Steven D. Hardin.

This Instrument Prepared by: Steven D. Hardin, Attorney-At-Law, Baker & Daniels, LLP
23 South Eighth Street, Suite 3000, Noblesville, Indiana 46060 | 317.569.9600

EXHIBIT A
LEGAL DESCRIPTION

“AREA A”

NORTH PARCEL – OVERALL COMBINED

A part of the Northeast Quarter of Section 22 and a part of the Southeast Quarter of Section 15, all in Township 18 North, Range 5 East, Fall Creek Township and Wayne Township, Hamilton County, State of Indiana being more particularly described as follows:

Commencing at the Northeast corner of said Section 22; thence South 00 degrees 05 minutes 55 seconds East, along the East line thereof, 402.41 feet to the Northeast corner of Parcel #18 – Fee Simple, Limited Access Right of way per said Inst. No. 2006-17144, the following fourteen (14) courses being along the perimeter thereof; (1) thence South 63 degrees 52 minutes 15 seconds West 105.72 feet to the POINT OF BEGINNING of the real estate described herein; (2) thence South 00 degrees 05 minutes 55 seconds East 18.47 feet; (3) thence South 23 degrees 17 minutes 46 seconds East 76.16 feet; (4) thence South 00 degrees 05 minutes 51 seconds East 538.00 feet; (5) thence South 89 degrees 54 minutes 08 seconds West 20.00 feet; (6) thence South 00 degrees 05 minutes 51 seconds East 65.00 feet; (7) thence North 89 degrees 54 minutes 09 seconds East 20.00 feet; (8) South 00 degrees 05 minutes 51 seconds East 350.00 feet; (9) thence South 12 degrees 13 minutes 57 seconds West 183.71 feet; (10) thence North 89 degrees 59 minutes 47 seconds West 138.75 feet to a curve concave Northerly having a radius of 645.00 feet, the radius point of said curve bears North 00 degrees 00 minutes 14 seconds East; (11) thence Westerly and Northwesterly along said curve 374.75 feet to a point which bears South 33 degrees 17 minutes 35 seconds West from said radius point; (12) thence North 56 degrees 42 minutes 26 seconds West 255.50 feet; (13) thence North 33 degrees 17 minutes 34 seconds East 30.00 feet; (14) thence North 56 degrees 42 minutes 26 seconds West 1167.53' feet to a point on the West line of the delineated Flood Plain North of 146th Street per Inst. No. 2006-17144, the following sixteen (16) calls being along said West delineated Flood Plain line; 1) thence North 35 degrees 11 minutes 27 seconds East 1.28 feet Measured (6.12 feet Deed); 2) thence North 25 degrees 44 minutes 21 seconds East 105.76 feet; 3) thence North 15 degrees 38 minutes 10 seconds East 108.40 feet; 4) thence North 09 degrees 08 minutes 34 seconds East 211.01 feet; 5) thence North 04 degrees 18 minutes 49 seconds East 100.37 feet; 6) thence North 15 degrees 08 minutes 09 seconds East 164.51 feet; 7) thence North 23 degrees 59 minutes 58 seconds East 85.35 feet; 8) thence North 41 degrees 30 minutes 28 seconds East 49.50 feet; 9) thence North 47 degrees 51 minutes 33 seconds East 260.07 feet; 10) thence North 56 degrees 34 minutes 57 seconds East 124.80 feet; 11) thence North 56 degrees 38 minutes 36 seconds East 44.15 feet; 12) thence North 70 degrees 09 minutes 26 seconds East 44.15 feet; 13) thence North 72 degrees 26 minutes 39 seconds East 37.79 feet; 14) thence North 63 degrees 30 minutes 14 seconds East 37.79 feet; 15) thence North 62 degrees 51 minutes 41 seconds East 90.90 feet; 16) thence North 69 degrees 50 minutes 13 seconds East 29.81 feet Measured (24.03 feet Deed) to the South line of the right of way for Greenfield Avenue, per Parcel #18b of said Inst. No. 2006-17144, the next two (2) calls being along said Southern right of way line; 1) thence South 44 degrees 26 minutes 22 seconds East 368.91 feet to the point of curvature of a non-tangent curve to the left having a radius of 775.00 feet, the radius point of which bears North 43 degrees 33 minutes 48 seconds East; 2) thence Southeasterly along said curve an arc length of 53.65 feet to a point which bears South 39 degrees 35 minutes 50 seconds West from said radius point and is the Northwest corner of the real estate described within Inst. No. 2006-35146, the next two (2) calls being along the Western and Southern lines thereof; 1) thence South 00 degrees 05 minutes 55 seconds East 655.56 feet; 2) thence North 64 degrees 20 minutes 52 seconds East 360.24 feet to a point on the West line of the real estate described in Inst. No. 9609648057, the next two (2) courses being along the Western and Southern lines thereof; 1) South 00 degrees 05 minutes 55 seconds East 168.78 feet; thence North 63 degrees 52 minutes 15 seconds East 297.15 feet to the POINT OF BEGINNING of this description, containing 46.597 Acres, more or less.

SEA Group
Land Surveyors
 494 Gradle Drive Phone: 317.844.3333
 Carmel, IN 46032 Fax: 317.844.3383
 www.SEAGroupLLC.com

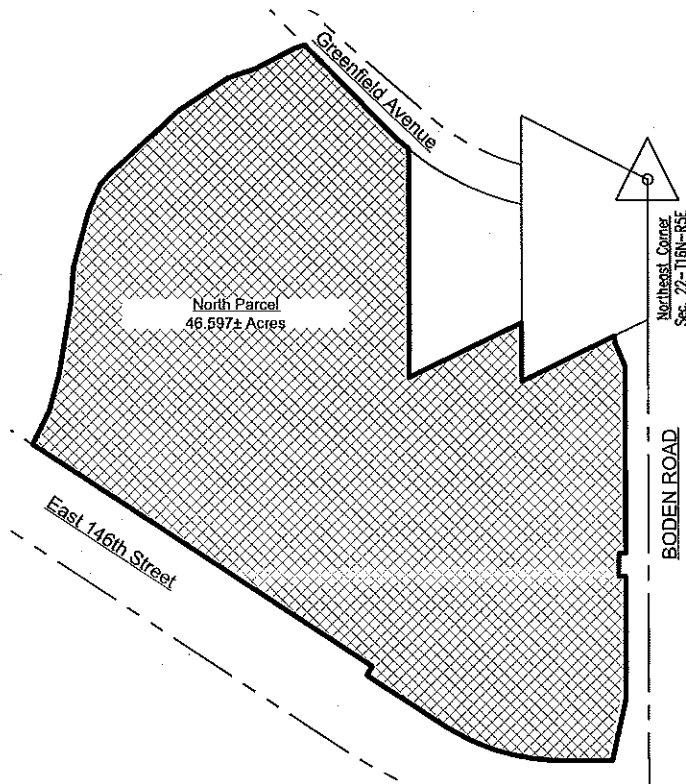
REAL ESTATE EXHIBIT

NORTHERN PARCEL - 46.597± ACRES

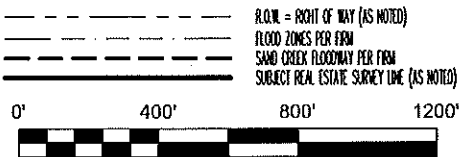
Drawing Prepared By: BMM
 Drawing Scale: 1" = 400'
 Drawing Date: 04/22/2010
 Field Work Date: N/A

Drawing Prepared For:
 Marilyn Bubbenzer
 10833 Courageous Drive
 Indianapolis, IN 46236

EXHIBIT A (CONT.)
"AREA A"



DRAWING LEGEND



SYMBOL LEGEND



Property Address:
 East 146th Street & Bodin Road
 Noblesville, Indiana

Project Number: C9-4715h

Page Number 1 of 2

ALSO INCLUDING:

SOUTH FLOODPLAIN PARCEL

A part of the Southeast Quarter of the Northeast Quarter of Section 22, Township 18 North, Range 5 East, Fall Creek Township, Hamilton County, State of Indiana and being a portion of a Parcel of real estate described in that certain Deed to the City of Noblesville, per Inst. No. 2006-17144, as recorded in the Hamilton County Recorder's Office, State of Indiana, and being more particularly described as follows:

Commencing at the Northeast corner of said Section 22; thence South 00 degrees 05 minutes 55 seconds East, along the East line thereof, 1874.93 feet to the Southeast corner of Parcel #18 (Right of way for East 146th Street), in said Inst. No. 2006-17144; thence North 89 degrees 59 minutes 51 seconds West, along the South line thereof, 65.00 feet to the POINT OF BEGINNING of the real estate described herein; thence South 00 degrees 05 minutes 55 seconds East, parallel to said East Quarter Section line, 200.00 feet; thence North 89 degrees 59 minutes 51 seconds West, parallel to said South right of way line, 178.68 feet to the point of curvature of a curve to the right, having a radius of 1050.00 feet, the radius point of which bears North 00 degrees 00 minutes 09 seconds East; thence Northwesterly along said curve an arc length of 83.96 feet to a point which bears South 04 degrees 35 minutes 03 seconds West from said radius point; thence South 04 degrees 35 minutes 03 seconds West, along a radial line from said previous curve, 25.00 feet to a point on a non-tangent curve to the right having a radius of 1075.00 feet; thence Northwesterly along said curve an arc length of 267.66 feet to a point on the East Limits of the Floodway for Sand Creek, per Flood Insurance Rate Map #18057C0255F for Hamilton County, which point bears South 18 degrees 51 minutes 00 seconds West from said radius point, the following six (6) calls being along said Sand Creek Floodway Limits, 1) thence North 22 degrees 08 minutes 09 seconds East 25.04 feet; 2) thence North 20 degrees 19 minutes 33 seconds East 57.68 feet; 3) thence North 17 degrees 52 minutes 16 seconds East 50.00 feet; 4) thence North 15 degrees 34 minutes 13 seconds East 55.55 feet; 5) thence North 14 degrees 08 minutes 14 seconds East 26.72 feet; 6) thence North 13 degrees 38 minutes 48 seconds East 10.31 feet to a point on the aforesaid South right of way line of East 146th Street, per said Inst. No. 2006-17144; said point being a point of curvature of a curve to the left, having a radius of 850.00 feet, the radius point of which bears North 19 degrees 08 minutes 10 seconds East; thence Southeasterly along said curve an arc length of 283.85 feet to a point which bears South 00 degrees 00 minutes 09 seconds West from said radius point; thence South 89 degrees 59 minutes 51 seconds East, along said South right of way line, 178.33 feet to the POINT OF BEGINNING of this description, containing 2.40 Acres, more or less.

EXHIBIT A (CONT.)
"AREA A"



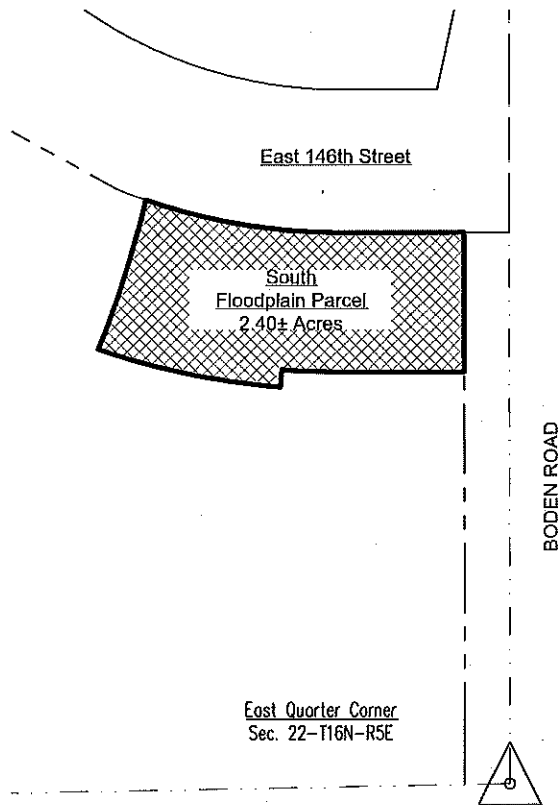
494 Gradle Drive Phone: 317.844.3333
 Carmel, IN 46032 Fax: 317.844.3383
 www.SEAGroupLLC.com

EXHIBIT

SOUTH FLOODPLAIN PARCEL - 2.40± ACRES

Drawing Prepared By: BMM
 Drawing Scale: 1" = 400'
 Drawing Date: 12/23/2009
 Field Work Date: 12/17/2009

Drawing Prepared For:
 Marilyn Bubenzer
 10833 Courageous Drive
 Indianapolis, IN 46236



DRAWING LEGEND

----- ROW = RIGHT OF WAY (AS NOTED)
 - - - - - FLOOD ZONES PER FRM
 - - - - - SAND CREEK FLOODWAY PER FRM
 _____ SUBJECT REAL ESTATE SURVEY LINE (AS NOTED)



SYMBOL LEGEND

△ Section Corner

Property Address:

East 146th Street & Bodен Road
 Noblesville, Indiana

Project Number: C9-4715e

Page Number 1 of 2



494 Gradle Drive Phone: 317.844.3333
 Carmel, IN 46032 Fax: 317.844.3383
 www.SEAGroupLLC.com

REAL ESTATE EXHIBIT

AREA B - 39.62± ACRES

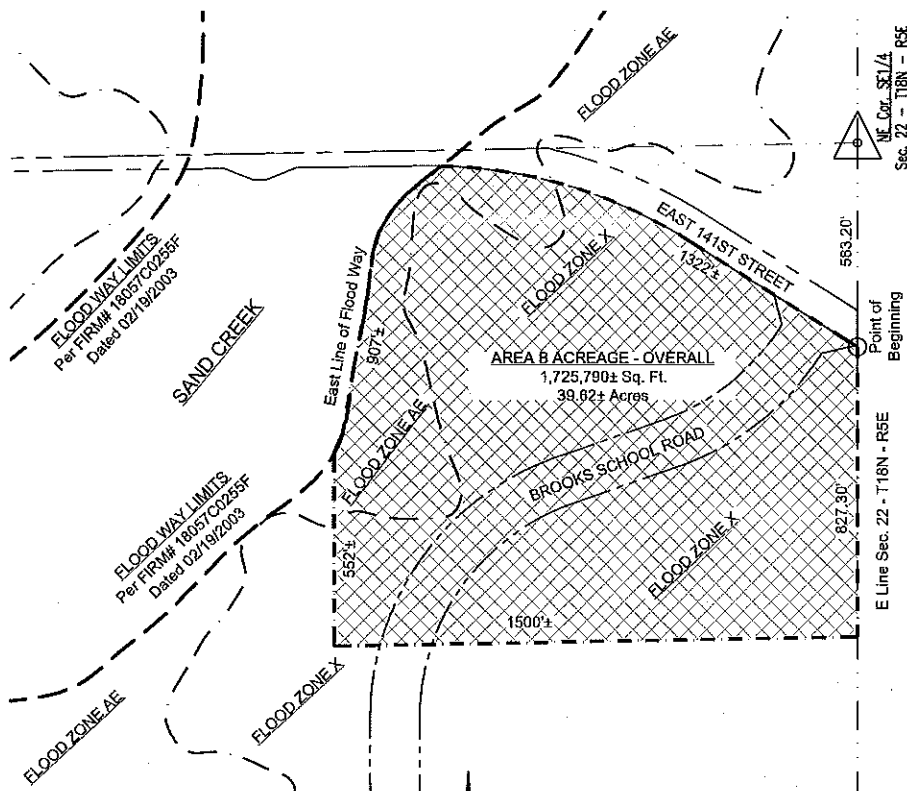
Drawing Prepared By: BMM
 Drawing Scale: 1" = 400'
 Drawing Date: 06/23/2010
 Revision Number: One (1)

Drawing Prepared For:
 Marilyn Bubbenzer
 10833 Courageous Drive
 Indianapolis, IN 46236

Real Estate Description - Area B - City of Noblesville - Zoning Exhibit

A portion of the Southeast Quarter of Section 22, Township 18 North, Range 5 East, Fall Creek Township, Hamilton County, State of Indiana, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 22, being the midpoint of the East line of said Section 22; thence Southerly, along said East line, 583.20 feet to a point on the South right of way line of East 141st Street, being the POINT OF BEGINNING of this description; thence meander Northwesterly, along said South right of way line, 1322 feet, more or less, to a point on the East line of the Existing Flood Way for Sand Creek, as shown and delineated on the Flood Insurance Rate Map No. 18057C0255F, dated 02/19/2003 provided from FEMA; thence meander Southwesterly, along said East Flood Way line, 907 feet, more or less, to a point on a line being 1500 feet West of and parallel to the East line of said Southeast Quarter Section; thence Southerly along said parallel line, 552 feet, more or less, to a point on a line being 1,410.30 feet South of and parallel to the North line of said Southeast Quarter Section; thence Easterly, parallel to said North Quarter Section line, 1500 feet, more or less, to a point on the East line of said Southeast Quarter Section; thence Northerly, along said East line, 827.30 feet to the POINT OF BEGINNING of this description, containing 39.62 acres, more or less.



DRAWING LEGEND

- SECTION LINE (AS NOTED)
- R.O.W. = RIGHT OF WAY (AS NOTED)
- FLOOD ZONES PER FEMA
- SAND CREEK FLOODWAY PER FEMA
- SUBJECT REAL ESTATE SURVEY LINE (AS NOTED)



SYMBOL LEGEND

△ Section Corner

Property Address:
 East 146th Street & Boden Road
 Noblesville, Indiana

Project Number: C9-4715-ArB
EXHIBIT SHEET 1 OF 1

EXHIBIT B: LAND USE MAP



City of Noblesville
 Official Zoning Map
 Corporate Campus
 Land Use & Subdistricts
 Prepared by the Department of Planning
 Created: December 28, 2009
 Map 3 of 3

Zoning District - CCPD Corporate Campus Planned District

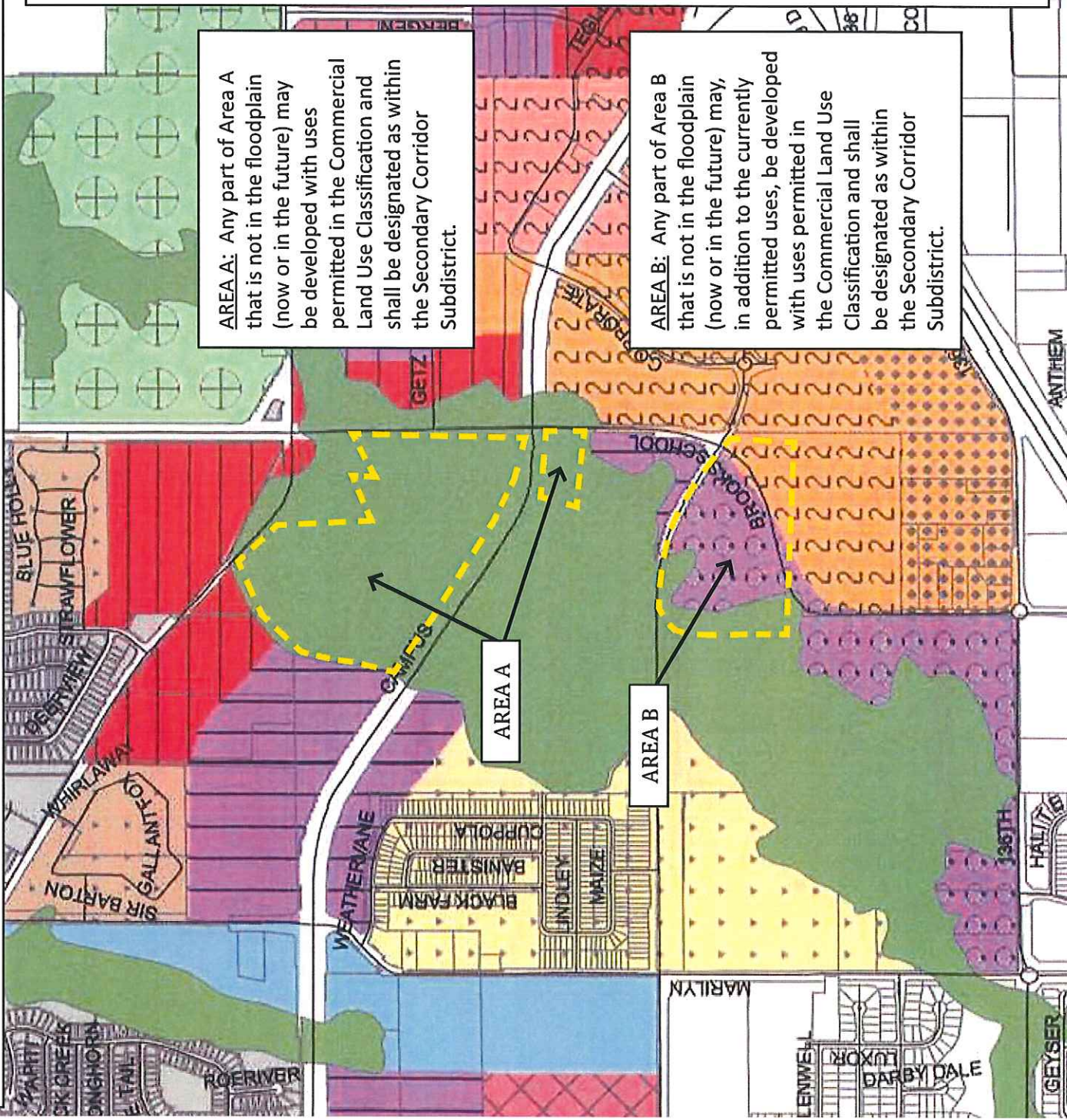
- Street Centerline
- Flood Hazard District
- Noblesville Zoning
- Parcel Lines
- Subdistricts**
 - |||| 146th Street Corridor
 - ||||| Agricultural/O
 - ||||| Interchange Flex
 - ||||| Interchange
 - ||||| Internal
 - ||||| Mixed Residential
 - ||||| Recreation / Entertainment
 - ||||| Secondary Corridor
 - ||||| View Corridor
- Land Use Type**
 - Commercial/Office
 - Commercial
 - Community
 - Countryside
 - Industrial / Office
 - Mixed Residential
 - Office
 - Office/Flex
 - Regional Recreation / Entertainment
 - Single Family Residential
 - Village Center

ADOPTED DECEMBER 28, 2009

Every effort has been made to ensure the accuracy, correctness and timeliness of the materials presented. The City of Noblesville assumes no liability for damage, injury or loss of property, including but not limited to, the use of the information, even if the City has advised of the possibility that the information may not be accurate. The user of this information assumes all liability for their dependence on this information and assumes responsibility for the information. Areas depicted by these digital products are not intended to be used for engineering or other professional engineering standards. Detailed questions should be directed to the City of Noblesville, Planning Department at (317) 776-4325.

AREA A: Any part of Area A that is not in the floodplain (now or in the future) may be developed with uses permitted in the Commercial Land Use Classification and shall be designated as within the Secondary Corridor Subdistrict.

AREA B: Any part of Area B that is not in the floodplain (now or in the future) may, in addition to the currently permitted uses, be developed with uses permitted in the Commercial Land Use Classification and shall be designated as within the Secondary Corridor Subdistrict.



DEVELOPMENT AGREEMENT

Dated as of April 13, 2010

by and among

CITY OF NOBLESVILLE

(the "City")

and

Marilyn Bubenzer

(the "Mrs. Bubenzer")

Campus. To that end, the City plans to connect 136th Street and 141st Street by combining a portion of the existing Brooks School Road with new improvements (the "Connection Road") and to create a recreational trail network along the Sand Creek corridor. Some of Mrs. Bubenzer's land is needed to construct the Connection Road and the recreational trail. In addition, both Mrs. Bubenzer and the City currently own land that is located within the floodplain. Mrs. Bubenzer plans to prepare some of her floodplain land for economic development by constructing off-site compensatory flood storage areas to offset the on-site fill activity. Some of the City's floodplain land is needed to construct the compensatory flood storage areas.

NOW, THEREFORE, the City and Mrs. Bubenzer agree and represent as follows:

1. Connection Road Right-Of-Way

- 1.1 Mrs. Bubenzer agrees to convey to the City via limited warranty deed real estate for right-of-way purposes as described on Exhibit B, attached hereto, to allow for the construction of the Connection Road (the "Right-of-Way Parcel"), subject only to such restrictions as imposed by zoning, easements, and other restrictions of record, free and clear of any mortgages and other claims of indebtedness which create a lien against the real estate (the "Permitted Exceptions").
- 1.2 Within sixty (60) days of the date of this Agreement, Mrs. Bubenzer shall convey the Right-of-Way Parcel. Within sixty (60) days of the conveyance of the Right-of-Way Parcel, the City shall vacate that portion of the existing Brooks School Road right-of-way between 136th Street and 141st Street that will not be needed for the Connection Road. Contemporaneous with that vacation, Mrs. Bubenzer shall grant the City a temporary access easement (along the old Brooks School

WMP's IDEM approval and/or other applicable rules and regulations. Mrs. Bubenzer further agrees to indemnify and hold harmless the City for any costs, damages or other loss resulting from any disturbance to the WMP.

4. Release of Easement for Temporary Soil Storage

Mrs. Bubenzer previously granted the City a "Grant of Easement for Temporary Soil Storage", dated February 28, 2006, which easement permitted the City to use Mrs. Bubenzer's property located near the proposed 141st Street and Boden Road intersection for construction staging and soil placement and storage, among other uses (the "Easement"). Among other things, the Easement requires the City to pay Mrs. Bubenzer \$11,857 on or around January 1, 2010, and to restore the property to useable farming conditions (including removing the existing stored soil) prior to a release of the Easement and its obligations (the "Payment and Restoration Obligations"). Mrs. Bubenzer and the City now agree to release the Easement, and Mrs. Bubenzer agrees to waive the City's Payment and Restoration Obligations. Contemporaneous with the execution of this Agreement, the parties shall execute the "Release of Grant of Easement for Temporary Soil Storage", attached hereto as Exhibit F.

5. Evidence of Title

If either party, as grantee, elects to obtain an owner's title insurance policy (at their own cost) and in the event that the title binder shows any lien or encumbrance in title, other than the Permitted Exceptions, then the grantee shall provide notice to the grantor immediately of said lien or encumbrance. The

(b) along the west side of the Connection Road between 136th Street and 141st Street: three (3) full access non-signalized entries as long as they are: (i) at least 400' from 141st Street; (ii) 400' from 136th Street; and (iii) at least 600' from each other;

(c) along the east side of the Connection Road between 136th Street and 141st Street: two (2) full access non-signalized entries as long as they are matched up with two of the west side entries; and

(d) one (1) access point south of Campus Parkway on the west side of Boden Road near the far south property line to serve the parcel at the southwest corner of Boden Road and Campus Parkway.

9.2 Any future splits by Mrs. Bubenzer or her assigns of Mrs. Bubenzer's real estate adjacent to the Connection Road shall utilize the access points provided within this Agreement via inter-vehicular access easements.

9.3 The City agrees to permit the following entrance along Boden Road and grants Mrs. Bubenzer's real estate west of Boden Road and north of 146th Street/Campus Parkway the following access rights along Boden Road:

(a) one non-signalized full access entry located across from the future Getz Road/Boden Road connection (located approximately 700' from the center of the intersection of Boden Road and 146th Street/Campus Parkway).

10. Miscellaneous

10.1 Amendment. Any covenant or agreement contained in this Agreement may be amended only by a written instrument executed by the parties. Any condition

not be affected thereby and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

10.8 Failure to Enforce. The failure or delay of any party to enforce any provision of this Agreement shall not be construed as a waiver of any other rights or remedies set out herein.

10.9 Default. The non-breaching party may pursue any remedies at law or equity available under Indiana law.

10.10 Notices.

Any notice required by this Agreement shall be sent to the parties at:

Mrs. Bubenzer:

Marilyn Bubenzer
10833 Courageous Drive
Indianapolis, IN 46236

City:

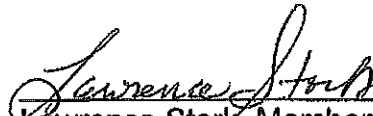
City of Noblesville
c/o Mayor John Ditslear
16 S. 10th Street
Noblesville, IN 46060

10.11 Dispute Resolution. The parties agree that prior to initiating any action under this Agreement, the parties shall attempt to resolve said dispute through mediation under the Indiana Rules of Alternative Dispute Resolution prior to filing litigation. In the event either party initiates litigation to enforce the terms or conditions of this Agreement, the prevailing party, in addition to any other amounts due and owing under this Agreement shall be awarded reasonable attorneys fees from the defaulting party.

Approved this 13th day of April, 2010, by the Board of Public Works and Safety of the City of Noblesville.

BOARD OF PUBLIC WORKS AND SAFETY

John Ditslear, Member



Lawrence Stork, Member



Jack Martin, Member

ATTEST:

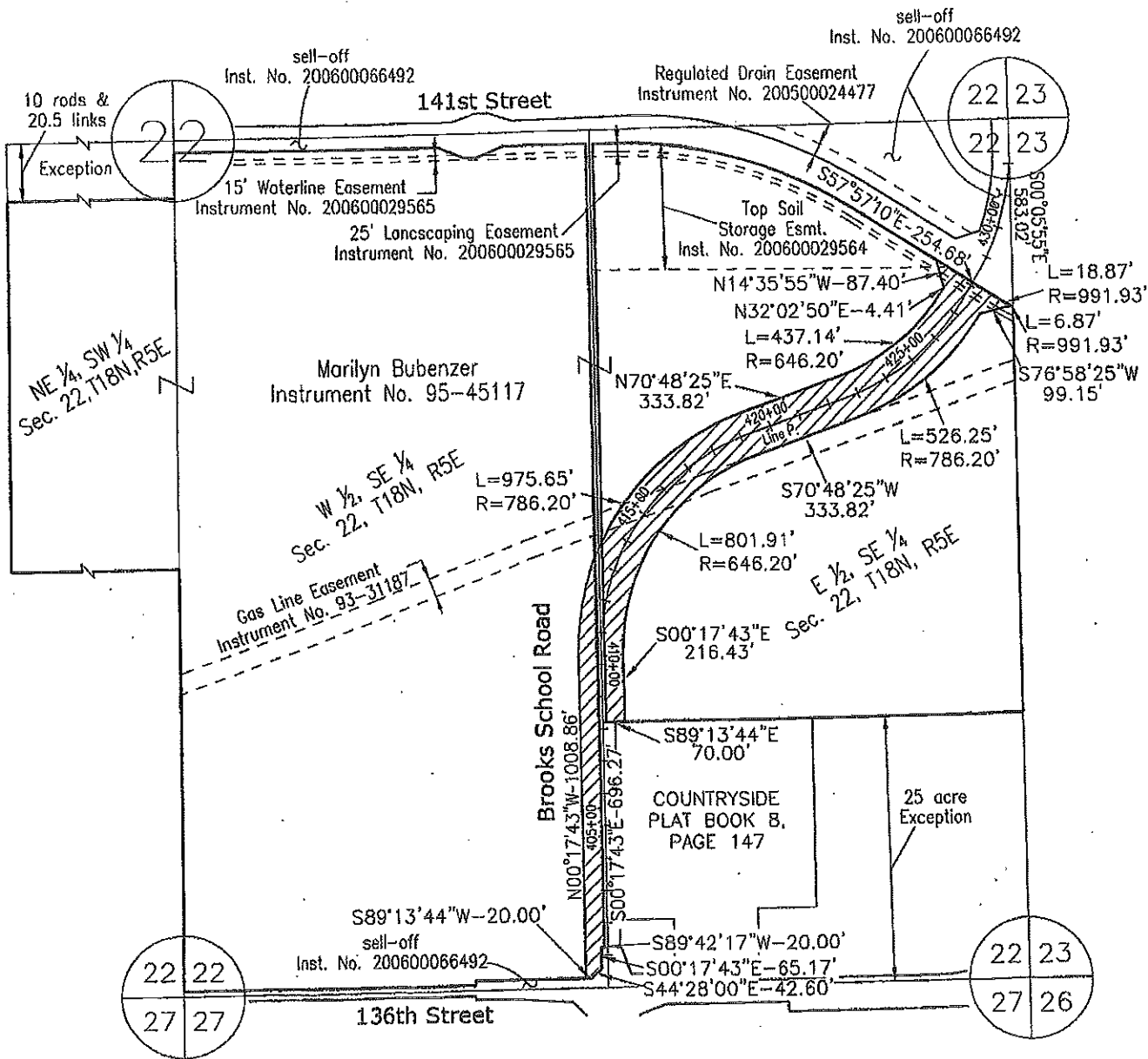


Janet Jaros, Clerk-Treasurer

EXHIBIT 'A'



EXHIBIT B



Brooks School Road Right-of-Way

AMERICAN
STRUCTUREPOINT
INC.

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.647.5580 FAX 317.543.0270
www.structurepoint.com

DATE: 03.05.2010

SHEET NO.

DRAWN BY: TLM

1
of

JOB NO. 2009.01712

1

DESC. FILE:

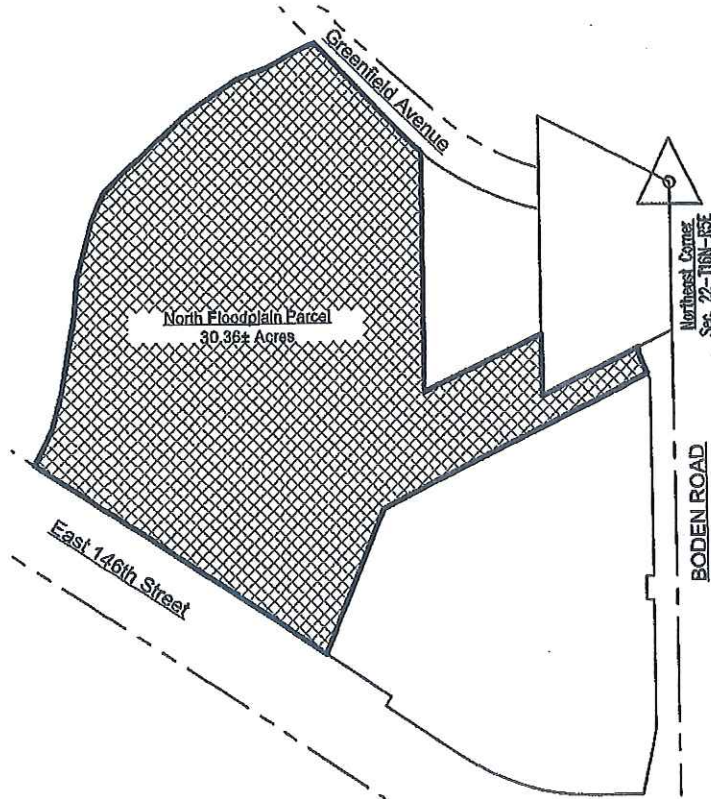
SEA Group
Land Surveyors
 494 Gradle Drive Phone: 317.844.3333
 Carmel, IN 46032 Fax: 317.844.3383
 www.SEAGroupLLC.com

EXHIBIT D

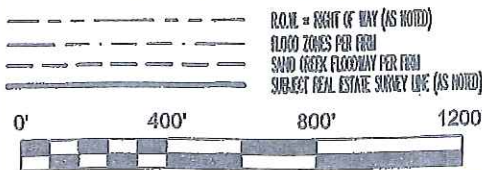
NORTH FLOODPLAIN PARCEL - 30.36± ACRES

Drawing Prepared By: BMM
 Drawing Scale: 1" = 400'
 Drawing Date: 12/23/2009
 Field Work Date: 12/17/2009

Drawing Prepared For:
 Marilyn Bubenzner
 10833 Courageous Drive
 Indianapolis, IN 46236



DRAWING LEGEND



SYMBOL LEGEND



Property Address:
 East 146th Street & Bodden Road
 Noblesville, Indiana
Project Number: C9-4715d
Page Number: 1 of 2

SEA Group
Land Surveyors

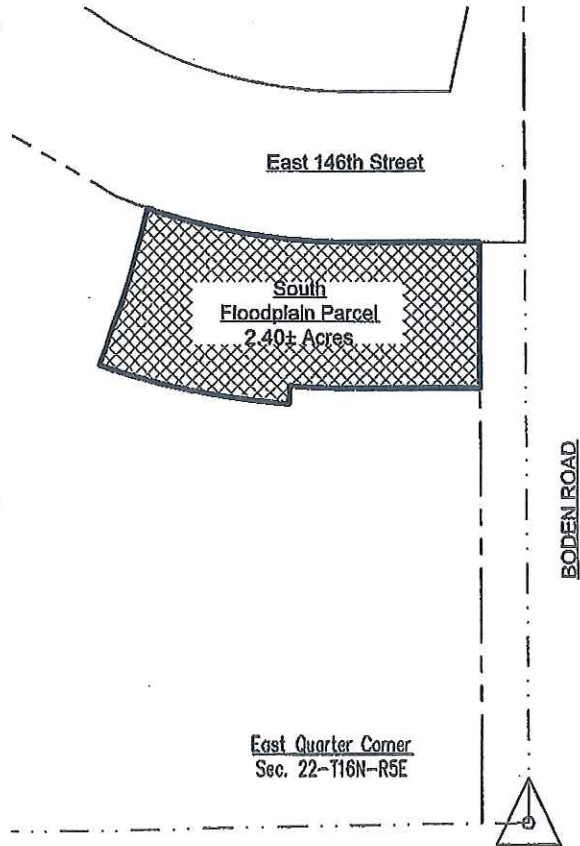
494 Gradle Drive Phone: 317.844.3333
 Carmel, IN 46032 Fax: 317.844.3383
 www.SEAGroupLLC.com

EXHIBIT E

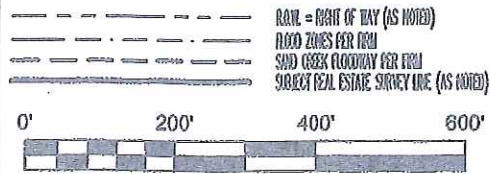
SOUTH FLOODPLAIN PARCEL ~ 2.40± ACRES

Drawing Prepared By: BMM
 Drawing Scale: 1" = 400'
 Drawing Date: 12/23/2009
 Field Work Date: 12/17/2009

Drawing Prepared For:
 Marilyn Bubenzer
 10833 Courageous Drive
 Indianapolis, IN 46236



DRAWING LEGEND



SYMBOL LEGEND



Property Address:
 East 146th Street & Boden Road
 Noblesville, Indiana

Project Number: C9-4715e

Page Number 1 of 2

EXHIBIT F

Hamilton County Tax Parcel No. 13-11-22-00-00-008.00

Cross-referenced to Instrument Nos. 9545117 and 200600029564 dated 5-25-2006

RELEASE AND TERMINATION OF EASEMENT

This Release and Termination of Easement is executed this _____ day of December, 2009, by **Marilyn Bubenzer** ("Mrs. Bubenzer") and the **City of Noblesville**, Hamilton County, Indiana (the "City").

WHEREAS, by document entitled "Grant of Easement for Temporary Soil Storage" executed on February 28, 2006, and recorded on May 25, 2006, as Instrument No. 200600029564, in the office of the Recorder of Hamilton County, Indiana, Mrs. Bubenzer granted the City certain temporary easements over the real estate described subject to certain obligations as set forth in such document (the "Easement"), and

WHEREAS, parties now desire to terminate the Easement and release each other from any and all obligations set forth therein,

NOW, THEREFORE, Mrs. Bubenzer and the City, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby confirm such termination and **RELEASE** and **TERMINATE** the Easement and release each other from any and all obligations set forth therein.

IN WITNESS WHEREOF, Mrs. Bubenzer and the City have executed this Release and Termination of Easement effective as of the date first indicated above.

MARILYN BUBENZER

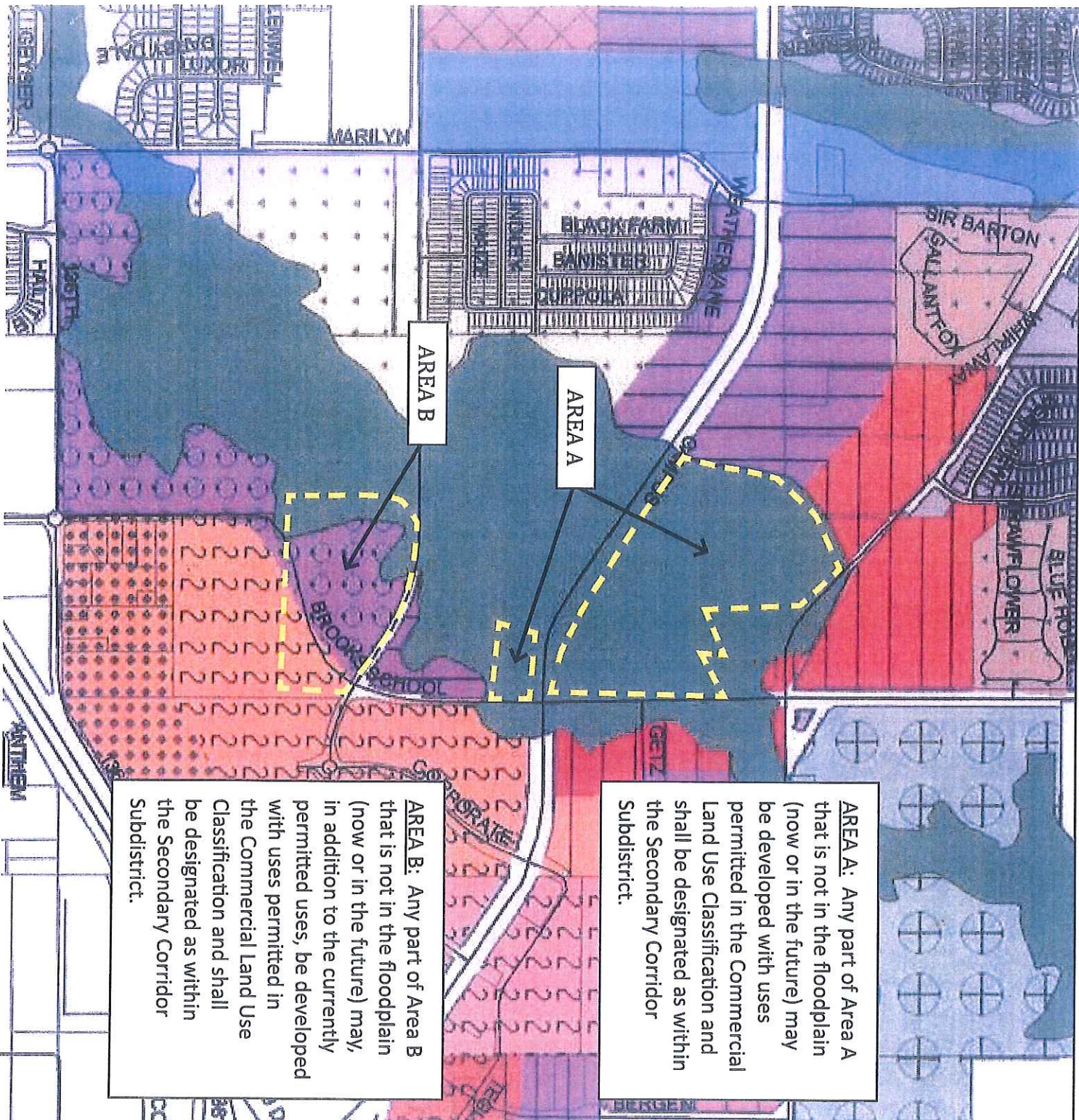
CITY OF NOBLESVILLE

By: _____

Printed: _____

Title: _____

EXHIBIT G: ZONING EXHIBIT



AREA A: Any part of Area A that is not in the floodplain (now or in the future) may be developed with uses permitted in the Commercial Land Use Classification and shall be designated as within the Secondary Corridor Subdistrict.

AREA B: Any part of Area B that is not in the floodplain (now or in the future) may, in addition to the currently permitted uses, be developed with uses permitted in the Commercial Land Use Classification and shall be designated as within the Secondary Corridor Subdistrict.



City of Noblesville
Official Zoning Map
Corporate Campus
Land Use & Subdistricts
 Prepared by the Department of Planning
 Revised December 29, 2019
 Map 3 of 3

Zoning District - CCPD Corporate Campus Planned District

- Street Centerline
- ▬ Flood Hazard District
- ▬ Noblesville Zoning
- ▬ Parcel Lines
- Subdistricts**
- ▬ 146th Street Corridor
- ▬ Agricultural/O
- ▬ Interchange Flex
- ▬ Interchange
- ▬ Internal
- ▬ Mixed Residential
- ▬ Recreation / Entertainment
- ▬ Secondary Corridor
- ▬ View Corridor
- Land Use Type**
- ▬ Commercial
- ▬ Commercial/Office
- ▬ Community
- ▬ Countywide
- ▬ Industrial / Office
- ▬ Mixed Residential
- ▬ Office
- ▬ Office/Flex
- ▬ Regional Recreation / Entertainment
- ▬ Single Family Residential
- ▬ Village Center

ADOPTED DECEMBER 29, 2019

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