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200600016347
Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
03-28-2006 At 11:21 am.
ORDINANCE 18.00

ORDINANCE NO. 20-2-06

Document Cross Reference No. 200300124691

**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 Ordinance No. 81-11-03 (the “Noble Creek Shops PD Ordinance”) previously approved pursuant to 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 No. 05N-15-2260 as required by law in regard to the application filed by Douglas Realty Group, (the “Developer”) to amend the Noble Creek Shops PD Ordinance and the previously approved Noble Creek Shops preliminary development plan; and,

WHEREAS, the Plan Commission at their February 21, 2006 meeting sent its favorable recommendation to the Noblesville Common Council by a vote of 11 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 Noble Creek Shops PD Ordinance and the previously approved Noble Creek Shops preliminary development plan 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 on the north side of Pleasant Street, west of State Road 37, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana. The Real Estate currently is zoned PB/PD Planned Business Planned Development District.

SECTION 2. The Noble Creek Shops PD Ordinance and the previously approved Noble Creek Shops preliminary development plan are hereby amended to permit the building occupant of the tenant space identified as “Self Storage @ Noble Creek Shops” on Exhibit 2 to utilize:

1. One wall sign (the “Wall Sign”) on the south elevation of the existing building at the location identified as location “A” on Exhibit 2. The Wall Sign shall not exceed the size of the sign illustrated in Exhibit 3.
2. One directional ground sign (the “Directional Sign”) at the location identified as location “B” on Exhibit 2. The Directional Sign shall not exceed the size of the sign illustrated in Exhibit 4.
3. The sign copy of the Wall Sign and Directional Sign shall be permitted to change as long as the maximum sign sizes as set forth above are not exceeded.
4. The Wall Sign shall consist of individual channelized letters.
5. The Directional Sign shall not be illuminated, but may include reflective material in order to enhance night visibility for on-site vehicular traffic.
6. The Wall Sign and Directional Sign shall otherwise comply with the applicable provisions of the City’s Development Ordinance.
7. All other provisions of the Noble Creek Shops PD shall remain in effect with the adoption of this ordinance.

SECTION 3. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 14th day of March, 2006.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

NAY

Terry Busby Terry Busby _____
Alan Hinds Alan Hinds _____
Laurie Jackson Laurie Jackson _____
Kathie Stretch Kathie Stretch _____
Dale Snelling Dale Snelling _____
Mary Sue Rowland Mary Sue Rowland _____
Brian Ayer Brian Ayer _____

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 14th day of March, 2006.

John Ditslear
John Ditslear, Mayor
City of Noblesville, IN

ATTEST

Janet Jaros
Janet Jaros, Clerk-Treasurer

EXHIBITS ARE ON FILE AND MAY BE VIEWED IN THE CITY OF NOBLESVILLE CLERK-TREASURER'S OFFICE.

Prepared by: Matthew S. Skelton, AICP, Attorney-At-Law, Bingham McHale, LLP
970 Logan Street, Noblesville, IN 46060, (317) 776-8668

EXHIBIT 1
Legal Description

Part of the Northeast Quarter of Section 6, Township 18 North, Range 5 East in Noblesville Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the southeast corner of the Northeast Quarter of said Section; thence North 00 degrees 31 minutes 26 seconds West (assumed bearing) along the East line of said Northeast Quarter a distance of 723.70 feet to the north right-of-way line of Pleasant Street as conveyed to the Board of Commissioners of Hamilton County, Indiana, per Warranty Deed recorded in Deed Record 145, page 66 in the Office of the Recorder of Hamilton County, Indiana; thence North 89 degrees 59 minutes 53 seconds West along said north right-of-way line a distance of 260.83 feet to a point 157 feet west of the centerline of State Road 37 per I.S.H.C. Plans for "F" Project #824 Section 1 and on the westerly right-of-way line of said State Road 37; thence North 45 degrees 41 minutes 25 seconds East along said westerly right-of-way a distance of 14.32 feet to a point on the north line of a 10 foot Right-of-Way Grant to the City of Noblesville, recorded in Instrument #9403549 in said Recorder's Office; thence North 89 degrees 59 minutes 53 seconds West along said north right-of-way line a distance of 222.81 feet to the **Point of Beginning**; thence continuing North 89 degrees 59 minutes 53 seconds West along said north right-of-way line a distance of 574.24 feet; thence North 00 degrees 17 minutes 20 seconds West a distance of 547.42 feet to the southerly right-of-way line of the Central Indiana Railway; thence South 89 degrees 35 minutes 15 seconds West along said south right-of-way line a distance of 18.34 feet to a point on the southerly prolongation of the east line of 20th Street in the City of Noblesville, Indiana; thence North 00 degrees 00 minutes 56 seconds East along said prolongation a distance of 50.00 feet to a point on the northerly right-of-way line of said Railway; thence North 89 degrees 33 minutes 15 seconds East along said northerly right-of-way line a distance of 873.75 feet to a point on the westerly right-of-way line of the aforesaid State Road 37, said point being on a non-tangent curve to the left having a radius of 3906.70 feet, the radius point of which bears North 89 degrees 53 minutes 57 seconds East; thence southerly along said curve and westerly right-of-way line an arc distance of 20.00 feet to a point which bears South 89 degrees 36 minutes 21 seconds West from said radius point; thence South 00 degrees 23 minutes 39 seconds East along said westerly right-of-way line a distance of 20.57 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 278.61 feet; thence South 00 degrees 00 minutes 00 seconds West a distance of 166.06 feet; thence South 90 degrees 00 minutes 00 seconds East a distance of 279.67 feet to a point on the westerly right-of-way line of said State Road 37; thence South 00 degrees 23 minutes 39 seconds East along said westerly right-of-way line a distance of 100.73 feet; thence South 89 degrees 54 minutes 46 seconds West a distance of 280.45 feet; thence South 00 degrees 00 minutes 07 seconds West a distance of 296.32 feet to the Point of Beginning, containing 8.85 acres, more or less.


Declaration

This form is to be signed by the preparer of a document and recorded with each document in accordance with IC 36-2-7.5-5(a).

I, the undersigned preparer of the attached document, in accordance with IC 36-2-7.5, do hereby affirm under the penalties of perjury:

1. I have reviewed the attached document for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers;
2. I have redacted, to the extent permitted by law, each Social Security number in the attached document.

I, the undersigned, affirm under the penalties of perjury, that the foregoing declarations are true.



Signature of Declarant

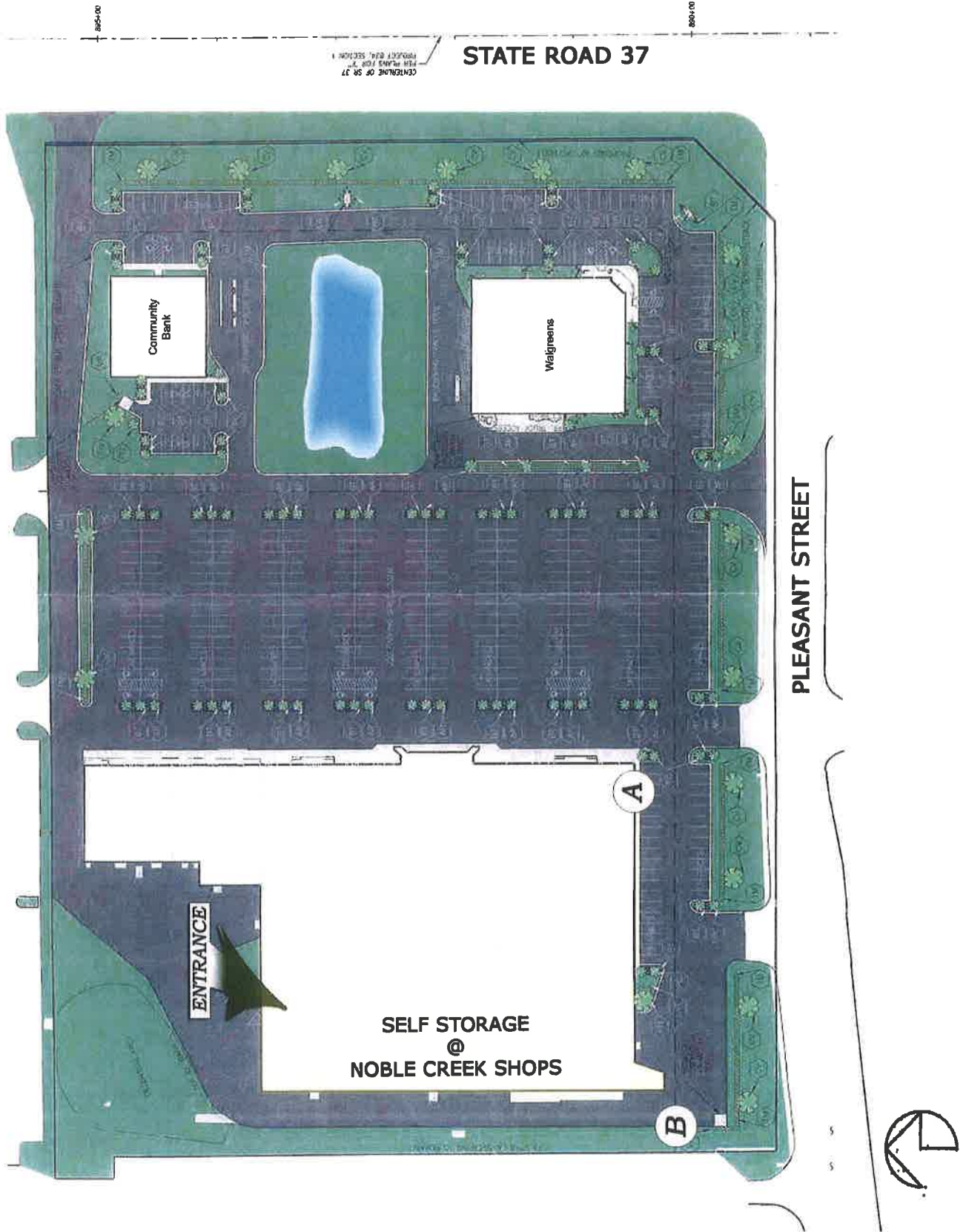
Steven D. Hardin

Printed Name of Declarant

NOBLE CREEK SHOPS

Proposed Sign Locations

EXHIBIT 2



**RETAIL CENTER REDEVELOPMENT
SR 37 AND PLEASANT STREET
NOBLESVILLE, INDIANA**

DATE: 11/27/03
 11/27/03 SEE PLAN #
 11/27/03 PRELIMINARY NO. 0001
 11/27/03 REVISED WALKING SURVEY
 11/27/03 REVISED FOR MOBILITY
 11/27/03 REVISED

DRG
DOUGLAS REALTY GROUP
 188 E. MARKET ST. #11100
 INDIANAPOLIS, IN 46204
 TEL. (317) 252-0800
 FAX (317) 252-0800

DATE: 11/27/03
 11/27/03 SEE PLAN #
 11/27/03 PRELIMINARY NO. 0001
 11/27/03 REVISED WALKING SURVEY
 11/27/03 REVISED FOR MOBILITY
 11/27/03 REVISED

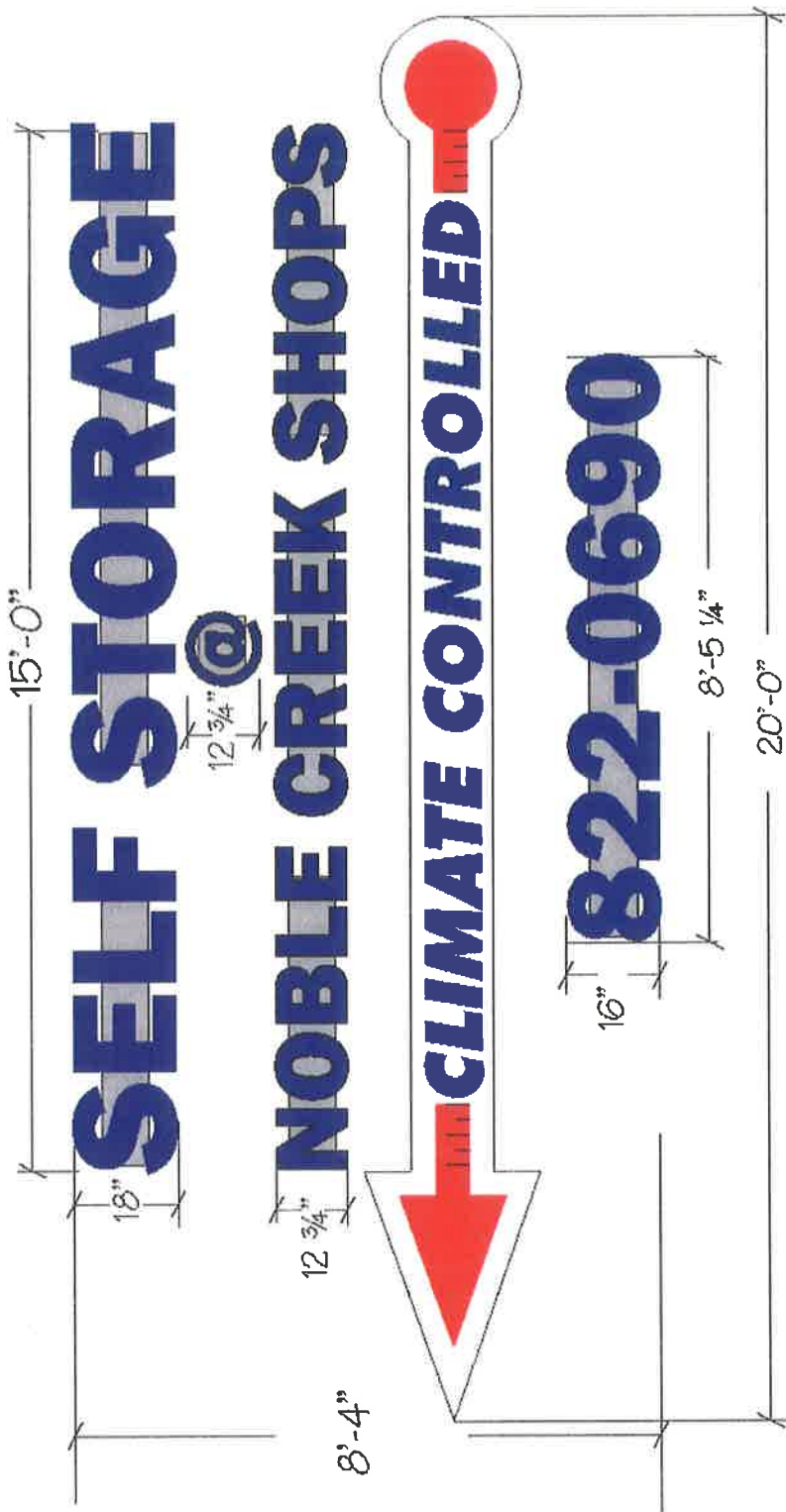
14048 WYGGAN ARK DRIVE
 CHICAGO, IL 60638-4503
 312.581.7340 VOICEL
 312.581.7196 FAX

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CURRAN ARCHITECTURE

WALL SIGN DETAIL

INTERNALLY ILLUMINATED CHANNEL LETTERS



DIRECTIONAL SIGN DETAIL

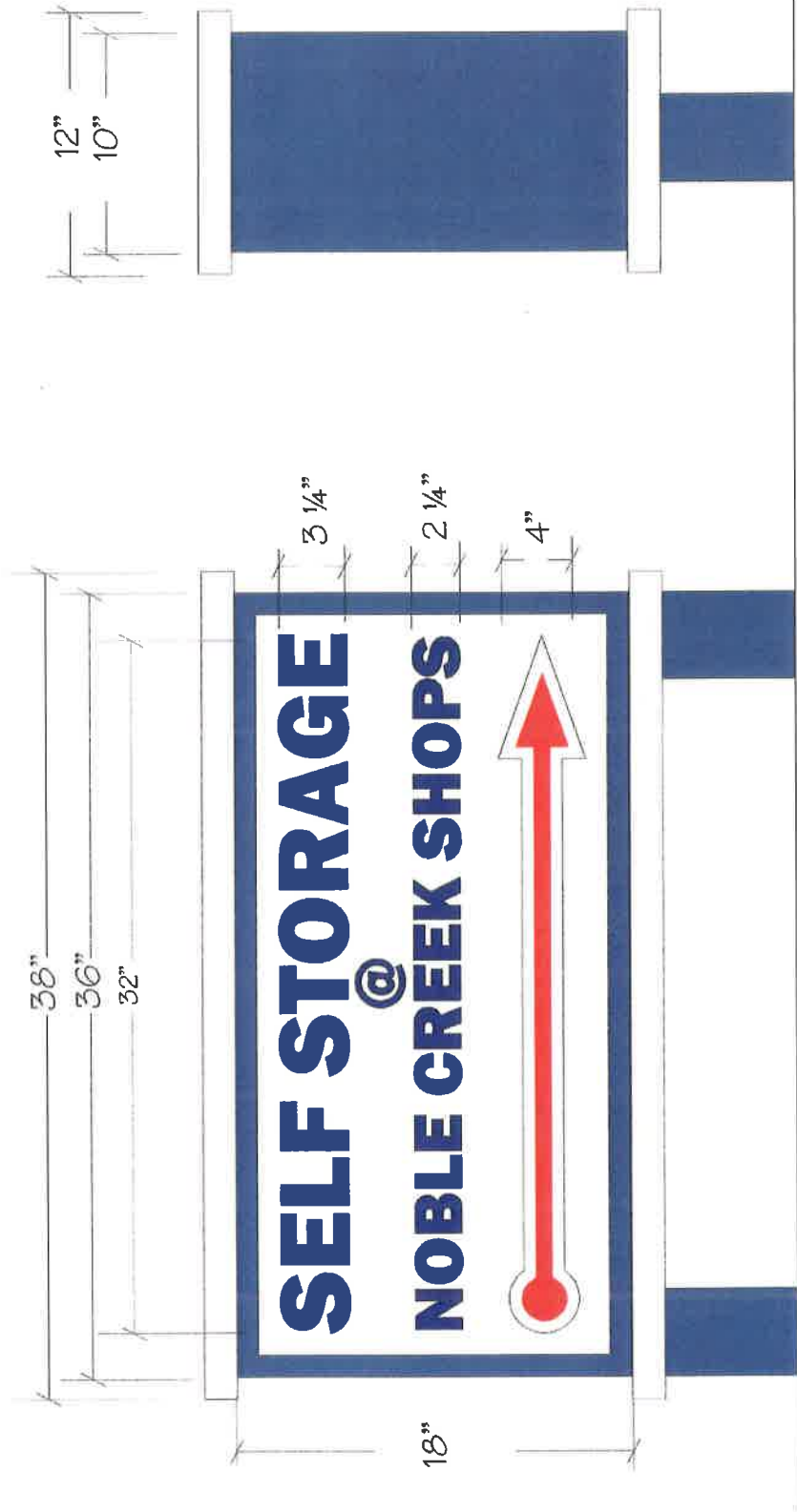


EXHIBIT 4