ORDINANCE 14-__

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF THE SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT DISTRICT BEING THAT OF, ORDINANCE 11-19, ORDINANCE 13-15 AND TITLE 16 LAND USE CONTROLS

WHEREAS, The Town of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield Washington Township Zoning Ordinance; and

WHEREAS, the Westfield-Washington Township Plan Commission ("Commission") considered a petition (docket ____-PUD-___) filed with the Commission requesting an amendment to Ordinance 11-19, enacted by the Town Council on September 12, 2011, and amended by Ordinance 13-15, enacted by the Town Council on June 10, 2013, (jointly referred to hereinafter as the "Springmill Trails PUD").

WHEREAS, on _____, 2014, the Commission took action to forward Docket _____-PUD-___ to the Westfield City Council with a favorable recommendation in accordance with Indiana Code 36-7-4-608, as required by Indiana Code 36-7-4-1505;

WHEREAS, on _____ ___, 2014, the Secretary of the Commission certified the action of the Commission to the City Council; and

WHEREAS, the Westfield City Council is subject to the provisions of Indiana Code 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

NOW THEREFORE BE IT FURTHER ORDAINED BY THE WESTFIELD CITY COUNCIL THAT ORDINANCE 11-19, and TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. Article 4, Section 4.5 (J), Paragraph 2 under "Building Materials" shall be amended as follows:

> Masonry or natural materials shall be the exterior building material on the remaining exterior elevations of the building, excluding openings, such as doors and windows, roofs and any elevation area within a dormer projecting from a roof. In addition to natural materials, Polymeric Cladding of minimum thickness of 0.22" and with an applied exposure of at least 6 7/8" (e.g. Norandex Everlast™) and high quality vinyl windows shall be a permitted material for exterior elevations.

SECTION 2. Article 6, Section 6.3, Paragraph B, Subparagraph 1, part c. shall be amended as follows:

> Facilities designed to accommodate one (1) bicycle parking space per three (3) dwelling units shall be provided for multi-family dwellings. Multi-family dwellings with attached garages may have such garages count as required bicycle parking under this section.

SECTION 3. Article 6, Section 6.3, Paragraph 3, shall be amended as follows:

The required bicycle parking facilities noted in this section, except those provided in attached garages for multi-family dwellings under 6.3(B)(1)(c), shall be designed to accommodate a minimum of four bicycles.

In all other respects, the Springmill Trails PUD Ordinance shall remain in effect and unchanged.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS ____ DAY OF _____, 2014.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For	Voting Against	Abstain
Jim Ake	Jim Ake	Jim Ake
Steven Hoover	Steven Hoover	Steven Hoover
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
Chuck Lehman	Chuck Lehman	Chuck Lehman
Robert J. Smith	Robert J. Smith	Robert J. Smith
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric
Robert W. Stokes	Robert W. Stokes	Robert W. Stokes

ATTEST:

_____
Cindy J. Gossard, 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. Russell L. Brown

I hereby certify that ORDINANCE No. _____ was delivered to the Mayor of Westfield on the _____ day of _____ 2014 at _____ __.m.

_____
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE NO. 14-__

This ____ day of _____, 2014.

_____
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. 14-__

This _____ day of _____ 2014.

_____
J. Andrew Cook, Mayor

ATTEST:

_____
Cindy J. Gossard, Clerk-Treasurer

Prepared by: Russell L. Brown, 26781-49, Clark, Quinn, Moses, Scott & Grahn, LLP
320 N. Meridian Street, Suite 1100, Indianapolis, IN 46204, (317) 637-1321

Concept Plan (Draft Site Plan)

NOTES:

1. CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CORNER MONUMENTS DURING CONSTRUCTION.
2. CONTRACTOR TO VERIFY LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT ENGINEER IF VARIATION EXISTS.

CAUTION !!

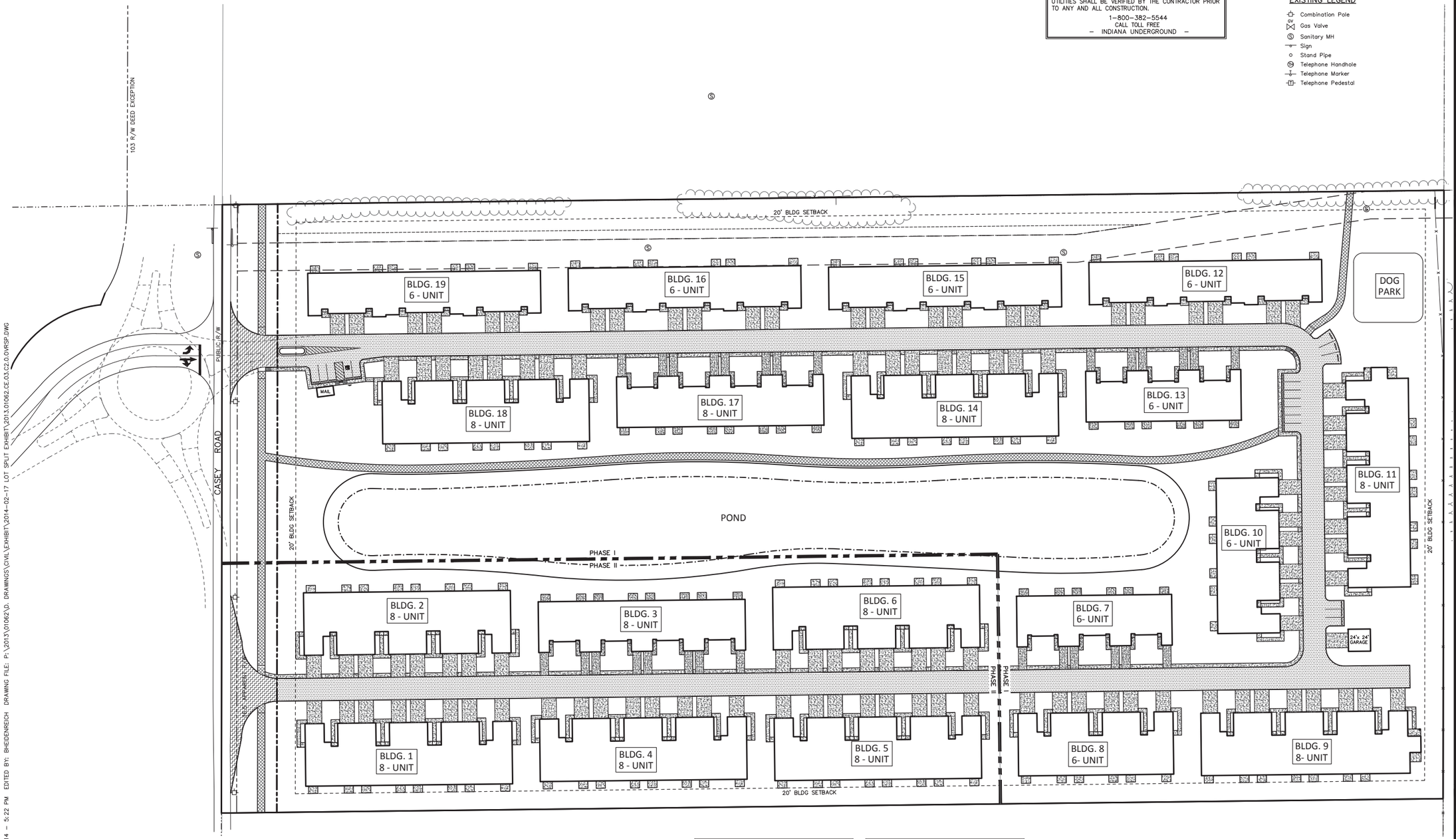
THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (including, but not limited to, manholes, inlets, valves, and marks made upon the ground by others) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF SAID EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

1-800-382-5544
CALL TOLL FREE
– INDIANA UNDERGROUND –

0' 50' 100'
SCALE: 1"=50'

EXISTING LEGEND

- Combination Pole
- Gas Valve
- Sanitary MH
- Sign
- Stand Pipe
- Telephone Handhole
- Telephone Marker
- Telephone Pedestal



PHASE I (NORTH)	
8 UNIT BUILDING (2 CAR) =	4
8 UNIT BUILDING (1 CAR) =	1
6 UNIT BUILDING (2 CAR) =	2
6 UNIT BUILDING (1 CAR) =	2
6 UNIT BUILDING (WIDE) =	4
TOTAL PHASE II UNITS =	88
SUNROOM UNITS =	1
PHASE I AREA =	14.78 ACRES

PHASE II (SOUTH)	
8 UNIT BUILDING (2 CAR) =	5
8 UNIT BUILDING (1 CAR) =	1
6 UNIT BUILDING (2 CAR) =	0
6 UNIT BUILDING (1 CAR) =	0
6 UNIT BUILDING (42' WIDE) =	0
TOTAL PHASE II UNITS =	48
SUNROOM UNITS =	1
PHASE II AREA	5.23 ACRES

SITE INFORMATION	
AREA =	±20 ACRES
TOTAL UNITS =	136
TOTAL UNITS PER ACRE =	6.8

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.547.5580 FAX 317.543.0270
www.structurepoint.com

STRUCTUREPOINT LLC

CERTIFIED BY

LOT SPLIT EXHIBIT

PREPARED FOR:
REDWOOD ACQUISITION, LLC
23775 COMMERCE PARK
BEACHWOOD, OHIO

PROJECT:
WOODBURY RIDGE
CASEY ROAD & S.R. 32
WESTFIELD, INDIANA

DATE:	03/17/14
DRAWN BY:	RCB
CHK'D BY:	WAB
JOB NO.	2013.01062

REVISIONS	

SHEET NO.
LSE
OF

2013.01062.CE.03.C2.0.0VRSP.dwg

PRINT DATE: 3/17/14
PLOT SCALE: 1:2.5849

EDIT DATE: 2/17/14 – 5:22 PM EDITED BY: BHEDENREICH DRAWING FILE: P:\2013\01062\D. DRAWINGS\CIVIL\EXHIBIT\2014-02-17 LOT SPLIT EXHIBIT\2013.01062.CE.03.C2.0.0VRSP.DWG

PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 3 EAST, AND PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN 1/2" IRON ROD AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 04 SECONDS EAST (ASSUMED BEARING) 1322.97 FEET ON THE NORTH LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER TO A 1/2" IRON ROD AT THE NORTHEAST CORNER OF THE WEST HALF OF THE SAID SOUTHWEST QUARTER; THENCE ON THE EAST LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER SOUTH 00 DEGREES 04 MINUTES 29 SECONDS WEST 1156.33 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ON THE EAST LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER SOUTH 00 DEGREES 04 MINUTES 29 SECONDS WEST 30.25 FEET TO THE NORTH LINE OF A 2.0 ACRE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT No. 200500039616; THENCE ON SAID NORTH LINE SOUTH 89 DEGREES 19 MINUTES 04 SECONDS WEST 295.17 FEET TO A 5/8" IRON REBAR WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE WEST LINE OF SAID 2.0 ACRE TRACT OF REAL ESTATE; THENCE ON SAID WEST LINE SOUTH 00 DEGREES 04 MINUTES 29 SECONDS WEST 295.17 FEET TO A 5/8" IRON REBAR WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE SOUTH LINE OF THE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT No. 2004-00046557; THENCE ON SAID SOUTH LINE SOUTH 89 DEGREES 19 MINUTES 04 SECONDS WEST 1027.89 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE ON SAID WEST LINE AND THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33 SOUTH 00 DEGREES 04 MINUTES 42 SECONDS WEST 3.25 FEET; THENCE CONTINUING ON SAID SOUTH LINE SOUTH 89 DEGREES 29 MINUTES 14 SECONDS WEST 297.00 FEET ; THENCE NORTH 00 DEGREES 04 MINUTES 42 SECONDS EAST 327.79 FEET TO THE SOUTHWEST CORNER OF THE TRACT OF ESTATE DESCRIBED IN INSTRUMENT No. 2007038240; THENCE ON THE SOUTH LINE OF SAID TRACT OF REAL ESTATE NORTH 89 DEGREES 19 MINUTES 04 SECOND EAST 1620.04 FEET TO THE POINT OF BEGINNING OF THE DESCRIPTION, CONTAINING 10.12 ACRES MORE OR LESS.

PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN 1/2" IRON ROD AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE NORTH 89 DEGREES 19 MINUTES 04 SECONDS EAST (ASSUMED BEARING) 1322.97 FEET ON THE NORTH LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER TO A 1/2" IRON ROD AT THE NORTHWEST CORNER OF THE EAST HALF OF THE SAID SOUTHWEST QUARTER AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ON SAID NORTH LINE NORTH 89 DEGREES 19 MINUTES 04 SECONDS EAST 1322.97 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE ON THE EAST LINE OF SAID SOUTHWEST QUARTER SOUTH 00 DEGREES 04 MINUTES 16 SECONDS WEST 267.36 FEET; THENCE SOUTH 89 DEGREES 19 MINUTES 04 SECONDS WEST 1322.99 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE ON SAID WEST LINE NORTH 00 DEGREES 04 MINUTES 29 SECONDS EAST 267.36 FEET TO THE POINT OF BEGINNING OF THE DESCRIPTION, CONTAINING 8.12 ACRES MORE OR LESS.

DULY ENTERED FOR TAXATION J
Subject to final acceptance for transfer
11 day of July, 2004
Robin M Mills Auditor of Hamilton County
Parcel # 08-05-34-00-00-023.001
08-05-34-00-00-023.003

200400046558
Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
07-06-2004 At 03:04 pm.
CORP W DEED 20.00

20.00
(4)

CORPORATE WARRANTY DEED

THIS INDENTRURE WITNESSETH, that **Hunt Real Estate Limited Liability Company** ("Grantor"), a corporation organized and existing under the laws of the State of Indiana, CONVEYS AND WARRANTS to **Casey, Casey & Hunt, LLC**, ("Grantee"), in Hamilton County, in the State of Indiana, for the sum of Ten Dollars ($10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Hamilton County, in the State of Indiana:

See attached Exhibit A

The undersigned person executing this Deed on behalf of Grantor represent and certify that they are duly elected officers of Grantor and have been fully empowered, by proper resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full corporation capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done. There is no Indiana Gross Income Tax due at this time on this conveyance.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 28th day of June, 2004.

ATTEST:

HUNT REAL ESTATE LIMITED
LIABILITY COMPANY

By: Janet A Hunt
Title OWNER Trustee

By: Louis R. Hunt
Title Trustee

CASE NO. casey

EXHIBIT A - LEGAL DESCRIPTION

PARCEL 11: (Hunt Real Estate Limited Liability Company)

Part of Southeast Quarter of the Southwest Quarter of Section 34, Township 19 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of the Southwest Quarter of Section 34, Township 19 North, Range 3 East, Washington Township, Hamilton County, Indiana; thence South 00 degrees 01 minute 35 seconds East (assumed bearing) on the East line of said Southwest Quarter 658.76 feet to the point of beginning for the tract herein described; thence South 89 degrees 12 minutes 35 seconds West parallel with the North line of said Southwest Quarter 1322.66 feet to the West line of the Northeast Quarter of said Southwest Quarter; thence south 00 degrees 00 minutes 58 seconds west on the West line of the Northeast Quarter of said Southwest Quarter 662.59 feet to the Southwest corner of the Northeast Quarter of said Southwest Quarter; thence North 89 degrees 17 minutes 44 seconds East on the South line of the Northeast Quarter of said Southwest Quarter 1322.75 feet to the East line of said Southwest Quarter; thence North 00 degrees 01 minutes 35 seconds West on the East line of said Southwest Quarter 664.58 feet to the point of beginning, containing 20.15 acres, more or less.

PARCEL 12: (HUNT REAL ESTATE LIMITED LIABILITY COMPANY)

Part of the East Half of the Southwest Quarter of Section 34, Township 19 North, Range 3 East in Hamilton County, Indiana, described as follows:

Beginning at the Northeast corner of the Southwest Quarter of Section 34, Township 19 North, Range 3 East; thence South 00 degrees 01 minutes 35 seconds East (assumed bearing) on the East line of said Southwest Quarter 658.76 feet; thence South 89 degrees 12 minutes 35 seconds West parallel with the North line of said Southwest Quarter 1322.66 feet to the West line of the East Half of said Southwest Quarter; thence North 00 degrees 00 minutes 58 seconds West on said West line 658.76 feet to the North line of said Southwest Quarter; thence North 89 degrees 12 minutes 35 seconds East on said North line

EXHIBIT A - CONT'D

1322.54 feet to the place of beginning, containing 20.00 acres, more or less.

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared JANET A. HUNT and LOUIS R. HUNT authorized representatives of Hunt Real Estate Limited Liability Company, who acknowledged the execution of the foregoing Deed.

WITNESS my hand and Notarial Seal this 28th day of July, 2004.

NOTARY PUBLIC, A resident of Hamilton County, Indiana
Printed: NOREEN JOHNSON

My Commission Expires:

MAY 22, 2008

Mail Tax Statements To:

15740 OAK ROAD, CARMEL, IN 46033

This instrument prepared by: Jack G. Hittle, Attorney at Law CHURCH, CHURCH, HITTLE & ANTRIM, 938 Conner Street, P.O. Box 10, Noblesville, IN 46061; (317) 773-2190.