

ORDINANCE 14-15

Document Cross Reference No. _____

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 - LAND USE CONTROLS.

WHEREAS, the City 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 Advisory Plan Commission (the "Commission") held a public hearing on April 21, 2014 for a petition (Docket No.1402-REZ-01) filed by Pedcor Investments, LLC ("Owner" of the Real Estate), requesting to rezone certain lands within the City of Westfield.

WHEREAS, in order to address project issues and obtain the support of existing Oak Park residents, Owner prepared and executed 'Commitments Concerning the Use or Development of Real Estate Made in Connection with a Zone Map Change,' dated _____, to be effective upon adoption of this Ordinance 14-15; and,

WHEREAS, the Commission took action to forward the said petition (Docket No. 1402-REZ-01) to the Westfield City Council (the "Council") with a favorable recommendation (8-0) in accordance with Ind. Code 36-7-4-608, on July 7, 2014; and,

WHEREAS, the Secretary of the Commission certified the action of the Commission to Council on July 7, 2014; and,

WHEREAS, the Council is subject to the provisions of the Indiana Code IC 36-7-4-608 concerning any action on this request.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL THAT TITLE 16 OF THE
WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

SECTION 1. WC 16-04 Zoning Map amended as follows:

The Zoning Map accompanying and made a part of the Westfield-Washington Township Zoning Ordinance is amended to reclassify real estate (the “Real Estate”) described in what is attached hereto and incorporated herein by reference as Exhibit “A” from AG-SF1 to SF-1.

SECTION 2. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered. To the extent that this ordinance conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of this ordinance shall prevail.

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ALL OF WHICH IS ORDAINED THIS _____ DAY OF _____, 2014.

**WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Chuck Lehman

Chuck Lehman

Chuck Lehman

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

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 the law: Jennifer M. Miller

Prepared by: Jennifer M. Miller, AICP; City of Westfield; 2728 East 171st Street, Westfield, IN 46074

I hereby certify that Ordinance No. 14-15 was delivered to the Mayor of Westfield on the _____ day of _____, 2014 at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE No. 14-15

This ____ day of _____, 2014.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. 14-15

This ____ day of _____, 2014.

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

Exhibit A
Legal Description

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EXHIBIT A
Legal Description

The Schneider Corporation

Historic Fort Harrison 8901 Otis Avenue Indianapolis, IN 46216-1037 Phone: 317.826.7100 Fax: 317.826.7200

LAND DESCRIPTION

Paul E. Estridge, Jr., Parcel No. 09-10-07-00-00-011.001

Paul E. Estridge, Jr., Parcel No. 09-10-07-00-00-011.000

Paul E. Estridge, Jr. and Judith A. Estridge, Parcel No. 08-10-07-00-00-014.000

Part of the Southeast Quarter of Section 7, Township 18, Range 4 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at the northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 7; thence North 89 degrees 51 minutes 17 seconds East (assumed bearing) along the North line of said Quarter Quarter and south line of Oak Park Section 1, the plat of which is recorded in Plat Cabinet 1, Slide 492 as Instrument No. 9447716 in the Office of the Recorder in Hamilton County, Indiana a distance of 470.00 feet to the POINT OF BEGINNING, (the following five (5) courses being along the easterly and southerly lines thereof); (1) continuing North 89 degrees 51 minutes 17 seconds East 290.00 feet (2) North 00 degrees 00 minutes 00 seconds West 883.23 feet; (3) North 90 degrees 00 minutes 00 seconds East 212.42 feet to a point on a tangent curve to the right having a radius of 125.00 feet, the radius point of which bears South 00 degrees 00 minutes 00 seconds East; (4) southeasterly along said curve an arc distance of 196.35 feet to a point which bears South 90 degrees 00 minutes 00 seconds East from said radius point; (5) North 90 degrees 00 minutes 00 seconds East 75.00 feet to the northwest corner of a tract of land recorded as Instrument No. 200300020298 in said Recorder's Office, (the following three (3) courses being along the westerly, southerly and easterly lines thereof); (1) South 00 degrees 00 minutes 00 seconds West a 72.00 feet; (2) North 90 degrees 00 minutes 00 seconds East 275.00 feet; (3) North 00 degrees 00 minutes 00 seconds West 28.00 feet to the south line of said Oak Park Section 1; thence North 89 degrees 51 minutes 41 seconds East along said south line a distance of 301.38 feet to the northwest corner of Oak Park Section 1A Final Plat Replat of Lots 19-22 Oak Park Section 1, the plat of which is recorded in Plat Cabinet 2, Slide 242 as Instrument No. 9909917815 in said Recorder's Office; thence South 00 degrees 08 minutes 19 seconds East along the west line of said Replat a distance of 712.45 feet to the north line of the Southeast Quarter of said Southeast Quarter Section and the north line of a tract of land recorded as Instrument No. 2010053567 in said Recorder's Office; thence South 89 degrees 51 minutes 16 seconds West along said north line a distance of 419.06 feet to the northwest corner of said Quarter-Quarter and the northeast corner of a tract of land recorded as Instrument No. 9441330 in said Recorder's Office, (the following two (2) courses being along the east and south lines thereof); (1) South 00 degrees 04 minutes 06 seconds East 668.96 feet; (2) South 89 degrees 51 minutes 41 seconds West 1332.30 feet to the West line of said Southeast Quarter; thence North 00 degrees 00 minutes 13 seconds East along said West line a distance of 416.81 feet to the southwest corner of a tract of land recorded as Instrument No. 9441329 in said Recorder's Office, (the following four (4) courses being along the southerly and easterly lines thereof); (1) North 89 degrees 51 minutes 17 seconds East 20.00 feet; (2) North 44 degrees 51 minutes 17 seconds East 31.47 feet; (3) North 89 degrees 20 minutes 46 seconds East 427.83 feet; (4) North 00 degrees 00 minutes 13 seconds East 253.71 feet to the POINT OF BEGINNING, containing 35.26 acres of land, more or less.

Note: The above described real estate was prepared from record deed and plat information without benefit of a field survey. The description is intended for land rezone purposes only and is not intended for transfer of title.

T:\ok\927\999\docs\LD_rezone description

RGL 1-2-2014

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