ORDINANCE 14-08

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF THE MAPLE KNOLL PLANNED UNIT DEVELOPMENT BEING THAT OF ORDINANCE 04-02, AND 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 Advisory Plan Commission (the "Commission") considered a petition (Docket 1401-PUD-01), filed with the Commission requesting an amendment to Ordinance 04-02, enacted by the Town Council on February 9, 2004 (the "Maple Knoll PUD Ordinance")

WHEREAS, on February 3rd, 2014 the Commission took action to forward Docket Number Docket 1401-PUD-01 to the Westfield City Council with a favorable recommendation in accordance with Ind. Code 36-7-4-608, as required by Ind. Code 36-7-4-1505;

WHEREAS, on February 3rd, 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 the Indiana Code IC 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE MAPLE KNOLL PUD ORDINANCE AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. The Maple Knoll PUD Ordinance is hereby amended so that the standards established in what is attached hereto and incorporated herein by reference as Exhibit "A" are applicable to the real estate described in what is attached hereto and incorporated herein by reference as Exhibit "B" (the "Real Estate"). In all other respects, the Maple Knoll PUD Ordinance shall remain in effect and unchanged.

SECTION 2. Upon motion duly made and seconded, this Ordinance 14-08 was fully passed by members of the Council this __ day of _____, 2014. Further, this Ordinance 14-08 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 with this Ordinance14-__ are hereby amended. To the extent that this Ordinance 14-08 conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of this Ordinance 14-08 shall prevail.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 10 DAY OF Feb, 2014.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For	**Voting Against**	**Abstain**
Jim Ake	Jim Ake	Jim Ake
~~John Dippel~~ CHARLES LEHMAN	~~John Dippel~~	~~John Dippel~~
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 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: Jon C. Dobosiewicz

Signed

I hereby certify that ORDINANCE No. 14-08 was delivered to the Mayor of Westfield

on the 11 day of Feb, 2014, at 9:20A m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE No. 14-08

This 18 day of Feb., 2014.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. 14-08

this _____ day of _____, 2014.

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

Prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenberger
3105 East 98th Street, Suite 170, Indianapolis, In. 46280, (317) 844-0106

Maple Knoll PUD - Springmill Pointe Sign Amendment 112113

EXHIBIT "A"

The provisions of Section 14 Signage of the Maple Knoll PUD and Exhibit 18 of the Maple Knoll PUD shall be inapplicable to the Real Estate. All signs on the Real Estate shall comply with the provisions of WC 16.08.010 Sign Standards, as amended.

EXHIBIT "B"
Page 1 of 2

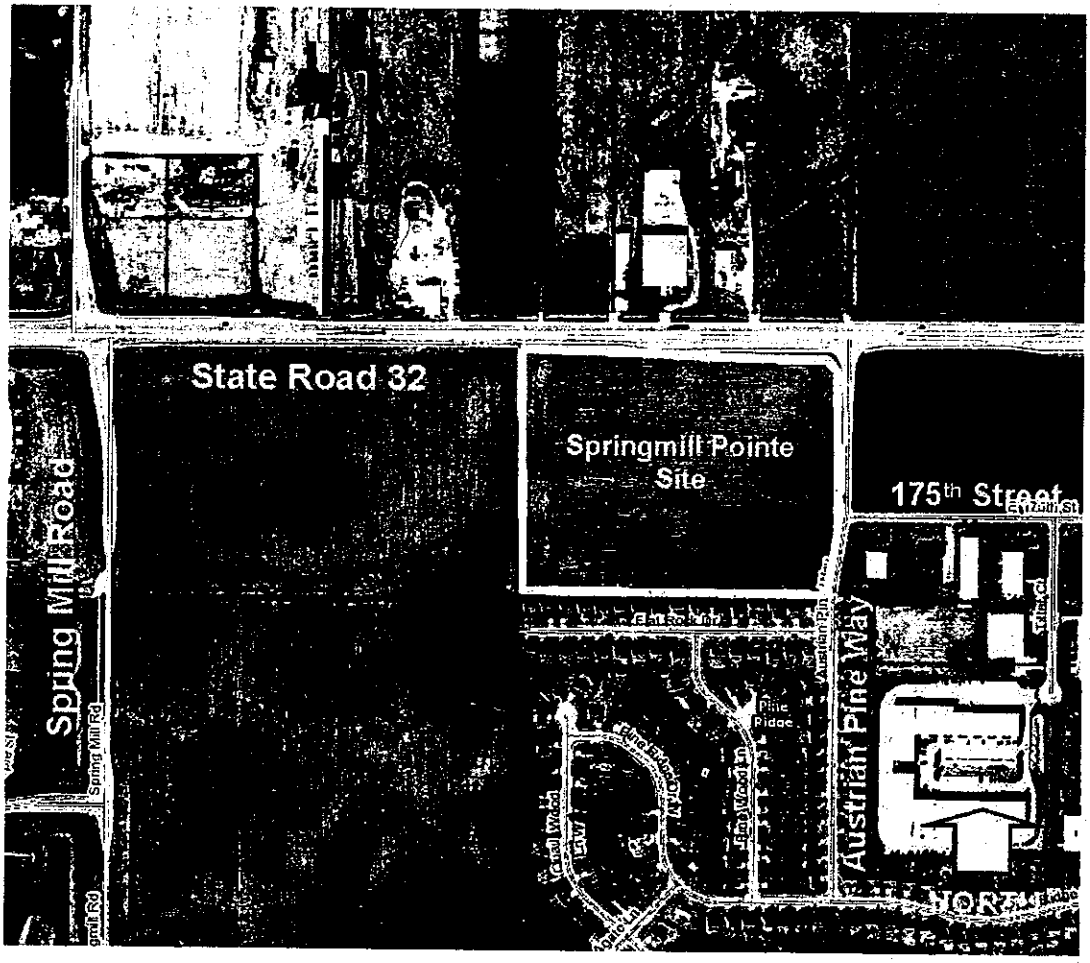
(Legal Description)

A part of the North Half of Section 2, Township 18 North, Range 3 East of the Second Principal Meridian, situated in Washington Township, Hamilton County, Indiana and being more specifically described as follows:

Commencing at the Northwest corner of said Section 2; thence North 89 degrees 42 minutes 10 Seconds East (basis of bearings) on and along the North line of said Section 2, a distance of
1357.85 feet; thence South 00 degrees 14 minutes 14 seconds West parallel with the West line of the East Half of the Northwest Quarter of said Section 29, a distance of 53.61 feet to a point on the South right-of-way line of State Road 32 as described in Instrument Number 2007-0061524 on file in the Office of the Recorder of Hamilton County, Indiana and the **Point of Beginning** of this description; thence on and along said South right-of-way line by the following six (6) courses: 1) North 87 degrees 33 minutes 18 seconds East 42.93 feet; thence 2) North 89 degrees 42 minutes 10 seconds East 30.00 feet; thence 3) South 86 degrees 00 minutes 29 seconds East
200.56 feet; thence 4) North 89 degrees 42 minutes 10 seconds East 531.50 feet; thence 5) South 46 degrees 19 minutes 32 seconds East 43.22 feet; thence 6) South 02 degrees 35 minutes 31 seconds East 252.85 feet to a point on the West right-of-way line of Austrian Pine Way; thence on and along said West right-of-way line by the following four (4) courses: 1) South 00 degrees 25 minutes 24 seconds West 181.16 feet to the point of curvature of a tangent curve to the right, said curve having a radius of 975.00 feet and being subtended by a long chord bearing South 05 degrees 11 minutes 02 seconds West 161.83 feet; thence 2) Southerly on and along said curve to the right through a central angle of 9 degrees 31 minutes 16 seconds an arc distance of 162.02 feet to the point of tangency thereof; thence 3) South 09 degrees 56 minutes 40 seconds West 100.22 feet to the point of curvature of a tangent curve to the left, said curve having a radius of 875.00 feet and being subtended by a long chord bearing South 07 degrees 18 minutes 21 seconds West 80.56 feet; thence 4) Southerly on and along said curve to the left through a central angle of 5 degrees 16 minutes 37 seconds an arc distance of 80.59 feet to a point on the North line of Pine Ridge, Section 5 per plat thereof, recorded as Instrument Number 1999-0021163 on file in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 38 minutes 40 seconds West on and along said North line 1045.53 feet; thence South 89 degrees 42 minutes 10 seconds West 31.51 feet; thence North 00 degrees 14 minutes 14 seconds East parallel with the West line of the East Half of the Northwest Quarter of said Section 29, a distance of 817.87 feet to the **Point of Beginning**, containing 20.595 acres, more or less.

EXHIBIT "B"
Page 2 of 2

(Site Location Exhibit)



Springmill Pointe Plat
(Within the Maple Knoll PUD)
Site Location Map / Aerial Photograph