

ORDINANCE NO. 04-10

**AN ORDINANCE OF THE TOWN OF WESTFIELD CONCERNING AMENDMENT
TO 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 0401-REZ-02) filed with the Commission to rezone certain lands; and

WHEREAS, the Westfield Washington Township Plan Commission did take action to forward the request to the Westfield town Council with a positive recommendation under the provision of IC 36-7-4-605; and

WHEREAS, the Secretary of the Commission certified the action of the commission to the Town Council on January 27, 2004; and

WHEREAS, the Westfield Town Council is subject to the provision of IC 36-7-4-608(g) concerning any action on this request.

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

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

The zoning classification of the real estate described on Exhibit 1 (the “Real Estate”), attached hereto, is hereby incorporated into and shall become a part of the “Bridgewater PUD” as defined and governed by Ordinance No. 02-17 of the Town of Westfield, Washington Township, Hamilton County, Indiana (the “Bridgewater PUD”)

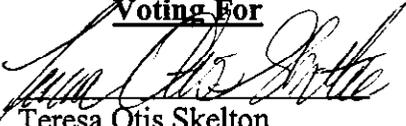
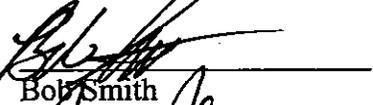
The Real Estate is reclassified on the Zone Map from the AG-SF1 District Classification to the Planned Unit Development District Classification, the underlying zoning classification of which shall be the SF-2 District Classification of the Zoning Ordinance in force at the time of the enactment of the Bridgewater PUD.

The Real Estate shall become a part of Parcel D3 as depicted in Exhibit 9 of the Bridgewater PUD.

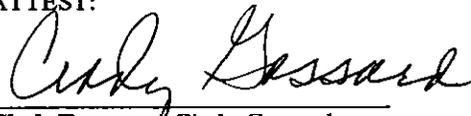
SECTION 2. This ordinance shall be in full force and effect from and after its passage.

ALL OF WHICH IS HEREBY ADOPTED BY THE TOWN COUNCIL OF
WESTFIELD, HAMITON COUNTY, INDIANA THIS 9 DAY OF
Feb, 2004

WESTFIELD TOWN COUNCIL

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
 Teresa Otis Skelton	_____ Teresa Otis Skelton	_____ Teresa Otis Skelton
 Jack Hart	_____ Jack Hart	_____ Jack Hart
 David Mikesell	_____ David Mikesell	_____ David Mikesell
 Bob Smith	_____ Bob Smith	_____ Bob Smith
 Ron Thomas	_____ Ron Thomas	_____ Ron Thomas

ATTEST:


Clerk-Treasurer, Cindy Gossard

This ordinance prepared by
Jerry Rosenberger, Town Manager

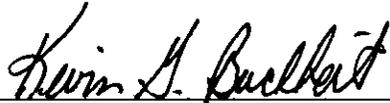
**WESTFIELD WASHINGTON TOWNSHIP PLAN COMMISSION
CERTIFICATION**

The Westfield Washington Plan Commission met in regular session on Monday, January 26, 2004, to consider an amendment of the Comprehensive Zoning Ordinance of Westfield-Washington Township 1977, as amended. Notice of public hearing on January 26, 2004, was presented to the Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed amendment is as follows:

A change in zoning classification, from AG-SF1 to SF-2/PUD,
at 3930 and 3936 East 151st Street.

A motion was approved to forward this request to the Westfield Town Council with a recommendation to approve (8-0-0).

I, Kevin G. Buchheit, AICP, being the Secretary of the Westfield Washington Township Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield Washington Township Plan Commission held on January 26, 2004.



Kevin G. Buchheit, AICP, Secretary

January 27, 2004

Date

EXHIBIT 1

LEGAL DESCRIPTION

Parcel 1: 3636 East 151st Street (1 acre)

A part of the Northwest Quarter of Section 17, Township 18 North, Range 4 East in Hamilton County, Indiana, and being more particularly described as follows:

Beginning on the South line of the said Quarter, North 90 degrees 00 minutes 00 seconds East (assumed bearing) 1243.81 feet from the Southwest corner thereof; thence North 00 degrees 00 minutes 00 seconds East 223.38 feet; thence parallel with the said South line, North 90 degrees 00 minutes 00 seconds East 195.00 feet; thence 00 degrees 00 minutes 00 seconds West 223.38 feet to the South line of the said Quarter; thence on and along the said South line, South 90 degrees 00 minutes 00 seconds West 195.00 feet to the point of beginning

Parcel 2: 3930 East 151st Street (1 acre)

PART OF THE NORTHWEST QUARTER OF SECTION SEVENTEEN (17), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOUR (4) EAST, DESCRIBED AS FOLLOWS:

BEGIN 260.0 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION SEVENTEEN (17), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOUR (4) EAST; RUN THENCE WEST 165.0 FEET ON AND ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO A POINT; THENCE NORTH AT RIGHT ANGLES 264.0 FEET TO AN IRON PIN; THENCE EAST 165.0 FEET PARALLEL WITH THE SOUTH LINE OF SAID QUARTER TO AN IRON PIN; THENCE SOUTH 264.0 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.0 ACRE, MORE OR LESS, IN HAMILTON COUNTY, INDIANA.