

ORDINANCE NO. 111020

ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE TOWN OF McCORDSVILLE, INDIANA

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted Ordinance No. 121410 as the Town of McCordsville Zoning Ordinance; and

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted the Gateway Crossing PD-M Ordinance No. 031301, as amended by Ordinance 06119; and

WHEREAS, the Town Council of McCordsville, Indiana, has, after a public hearing was held on October 20th, 2020, received a favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Gateway Crossing PD-M Ordinance No. 031301, as amended by Ordinance 06119, in order to adopt certain changes to said PUD Ordinance;

THEREFORE BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that Ordinance No. 031301, as amended by 061119, is hereby amended as follows:

SECTION 1. This Amendment Ordinance applies to the real estate more particularly described in the attached Exhibit A.

SECTION 2. Applicability of Ordinance. All Written Commitments set forth in Section 3 of the PUD Ordinance No. 031301, as it pertains to Exhibit A, shall be deleted in entirety and superseded by the Written Commitment set forth in Ordinance 061119 with the adoption of this Ordinance. All provisions and representations of the PUD Ordinances listed above that conflict with the provisions of this Ordinance are hereby rescinded and shall be superseded by the terms Ordinance.

SECTION 3. This Ordinance shall remain in full force and effect from and after its passage and posting as required by the law within the Town of McCordsville, Indiana.

SECTION 4. Introduced and filed on the 10th day of November, 2020. A motion to consider on First Reading on the day of introduction was offered and sustained by a vote of ___ in favor and ___ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this ___ day of _____, 2020 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of ___ in favor and ___ opposed.

TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:

Barry A. Wood

Barry A. Wood

Thomas R. Strayer

Thomas R. Strayer

Gregory J. Brewer

Gregory J. Brewer

Larry J. Longman

Larry J. Longman

Branden D. Williams

Branden D. Williams

ATTEST:

Staci A. Starcher
Clerk Treasurer

This instrument was prepared by Teia Marie Bui, Esq. Clover Management, Inc. 348 Harris Hill Road
Williamsville, NY 14221 Tel: (716) 688-4503 ext. 303

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. Teia Marie Bui

Exhibit A – Legal Description

A part of the East Half of the Southwest Quarter and the West Half of the Southeast Quarter of Section 26, Township 17 North, Range 5 East, in Vernon Township, Hancock County, Indiana, more particularly described as follows:

COMMENCING at the Northeast corner of the West Half of the Southeast Quarter of said Section; thence North 89 degrees 59 minutes 42 seconds West along the North line of said Half Quarter Section a distance of 1,020.63 feet; thence South 00 degrees 52 minutes 49 seconds West a distance of 741.04 feet to a northwesterly boundary line of Gateway Crossing Apartments, Section Three as recorded in Instrument 2003-10979 in Plat Cabinet "C", Slide 122 & 123 in the Office of the Recorder, Hancock County, Indiana; thence along the northwesterly boundary lines of said Gateway Crossing Apartments, Section Three by the next four (4) courses; 1) South 43 degrees 13 minutes 24 seconds West 308.07 feet to the POINT OF BEGINNING of this description; 2) South 38 degrees 38 minutes 57 seconds West 187.29 feet to the point of curvature of a curve concave northwesterly, the radius point of said curve being North 51 degrees 21 minutes 03 seconds West 715.00 feet from said point; 3) southwesterly along said curve 53.13 feet to the point of tangency of said curve, said point being South 47 degrees 05 minutes 37 seconds East 715.00 feet from the radius point of said curve; 4) South 42 degrees 54 minutes 24 seconds West 79.02 feet to a point on a curve concave southwesterly, the radius point of said curve being South 45 degrees 06 minutes 39 seconds West 390.00 feet from said point, said point also being on a northeasterly boundary line of Gateway Crossing, Section One as recorded in Instrument 2002-13631 in Plat Cabinet "C", Slide 98-100 in said Recorder's Office; thence along the northeasterly boundary lines of said Gateway Crossing, Section One by the next three (3) courses; 1) northwesterly along said curve 165.68 feet to the point of tangency of said curve, said point being North 20 degrees 46 minutes 14 seconds East 390.00 feet from the radius point of said curve; 2) North 69 degrees 13 minutes 47 seconds West 176.19 feet to the point of curvature of a curve concave northeasterly, the radius point of said curve being North 20 degrees 46 minutes 13 seconds East 260.00 feet from said point; 3) northwesterly along said curve 214.95 feet to the point of tangency of said curve, said point being South 68 degrees 08 minutes 18 seconds West 260.00 feet from the radius point of said curve; thence North 68 degrees 08 minutes 18 seconds East a distance of 75.92 feet; thence North 36 degrees 32 minutes 01 seconds East a distance of 359.89 feet; thence North 39 degrees 21 minutes 34 seconds West a distance of 57.75 feet; thence North 29 degrees 28 minutes 35 seconds West a distance of 24.41 feet; thence North 74 degrees 28 minutes 35 seconds West a distance of 25.34 feet; thence North 60 degrees 32 minutes 50 seconds East a distance of 81.61 feet; thence South 05 degrees 38 minutes 25 seconds West a distance of 24.61 feet; thence South 39 degrees 21 minutes 43 seconds East a distance of 594.43 feet to the POINT OF BEGINNING. Containing 5.059 acres, more or less.