

TOWN COUNCIL

ORDINANCE NO. 16-2020

AN ORDINANCE TO AMEND
THE PLAINFIELD ZONING ORDINANCE AND ZONE MAP
OF THE TOWN OF PLAINFIELD, INDIANA,
AND FIXING A TIME WHEN
THE SAME SHALL TAKE EFFECT

WHEREAS, I.C. 36-7-4, et seq., empowers the Town of Plainfield Plan Commission to hold public hearings and make recommendations to the Town Council of the Town of Plainfield concerning ordinances for the zoning or districting of all lands within the incorporated areas of the Town of Plainfield; and,

WHEREAS, the Town of Plainfield Plan Commission has conducted a public hearing in accordance with I.C. 36-7-4, et seq., with respect to a proposal to amend the Plainfield Zoning Ordinance and Zone Map of the Town of Plainfield, Indiana, and has certified such proposal to the Town Council of the Town of Plainfield with a favorable recommendation:

**NOW, THEREFORE, BE IT ORDAINED BY THE
TOWN COUNCIL OF THE TOWN OF PLAINFIELD,
HENDRICKS COUNTY, INDIANA AS FOLLOWS:**

Section 1. Amendment

Pursuant to Docket No. RZ-20-062, (Gruma Corporation) the real estate described in Exhibit "A" of about 34.8 acres attached hereto and incorporated herein by this reference is hereby rezoned from the "I-2 Office/Warehouse Distribution" district to the "I-3 Light Manufacturing" district classification of the Plainfield Zoning Ordinance subject to the attached commitment(s).

Section 2. Severability

If any section of this Ordinance shall be held invalid by a court of competent jurisdiction, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose, the provisions of this Ordinance are hereby declared to be severable.

Section 3. Effective Date

This Ordinance shall be effective within the incorporated areas of the Town of Plainfield, Hendricks County, Indiana upon its adoption by the Town Council of the Town of Plainfield, as provided in I.C. 36-7-4.

Passed and adopted by the Town Council of the Town of Plainfield, Indiana, on this _____ day of _____, 2020.

**TOWN COUNCIL, TOWN OF PLAINFIELD
HENDRICKS COUNTY, INDIANA**

DocuSigned by:

Robin G. Brandgard

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Robin G. Brandgard, President

DocuSigned by:

Bill Kirchoff

78C608CAFF0B48C...

Bill Kirchoff, Vice President

DocuSigned by:

Kent McPhail

6ABFDF470D254D9...

Kent McPhail

DocuSigned by:

Dan Bridget

D9736EE181004F8...

Dan Bridget

DocuSigned by:

Lance Angle

32E36D005E374BD...

Lance Angle

ATTESTED BY:

DocuSigned by:

Mark J. Todisco

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Mark J. Todisco, Clerk Treasurer, of the
Town of Plainfield, Indiana

Exhibit A

PROPERTY DESCRIPTION:



PARCEL 2:

PART OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HENDRICKS COUNTY, INDIANA, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A HENDRICKS COUNTY SURVEYOR MONUMENT REPRESENTING THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 01 MINUTES 31 SECONDS EAST (AN ASSUMED BEARING) ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 1,229.18 FEET TO THE NORTH LINE OF INCREMENTAL LOT 1 IN ALLPOINTS MIDWEST BUSINESS PARK SECTION 2; THENCE ALONG THE NORTH LINE OF SAID INCREMENTAL LOT 1, SOUTH 88 DEGREES 06 MINUTES 13 SECONDS WEST, 1,047.03 FEET; THENCE NORTH 01 DEGREES 53 MINUTES 47 SECONDS WEST, 896.87 FEET; THENCE SOUTH 87 DEGREES 59 MINUTES 04 SECONDS WEST, 15.07 FEET; THENCE NORTH 01 DEGREES 00 MINUTES 39 SECONDS WEST, 330.00 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, NORTH 87 DEGREES 59 MINUTES 04 SECONDS EAST, 1075.69 FEET TO THE POINT OF BEGINNING, CONTAINING 29.873 ACRES, MORE OR LESS.

PARCEL 3 (EASEMENT):

APPURTENANT, NON-EXCLUSIVE ACCESS, UTILITY, DRAINAGE AND IRRIGATION EASEMENTS CONTAINED IN THE DECLARATION OF COVENANTS AND EASEMENTS FOR ALLPOINTS MIDWEST BUSINESS PARK SECTION 1 AND 2, RECORDED DECEMBER 8, 2008 AS DOCUMENT NO. 200827078 AND AS DEPICTED ON THE PLAT OF ALLPOINTS MIDWEST BUSINESS PARK SECTION TWO-(INCREMENTAL) LOT 1, RECORDED AUGUST 1, 2008 AS INSTRUMENT NO. 200818455.

EXHIBIT "A"

NOTE: The Town of Plainfield Zoning Ordinance, requires the use of this form in recording commitments made with respect to Development Plan Approvals, Zone Map Changes or Planned Unit Developments in accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615.

COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION WITH A DEVELOPMENT PLAN APPROVAL, ZONE MAP CHANGE OR PLANNED UNIT DEVELOPMENT REQUIRED BY THE TOWN OF PLAINFIELD ZONING ORDINANCE

In accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615, the Owner of the real estate located in the Town of Plainfield, Hendricks County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of the following described parcel of real estate:

LEGAL DESCRIPTION:

LOT 2 OF THE AMENDED PLAT OF ALLPOINTS MIDWEST BUSINESS PARK SECTION TWO - (INCREMENTAL) LOTS 1 & 2 RECORDED ON MAY 8, 2020 AS INSTRUMENT NUMBER 202011487, PLAT CABINET 8, SLIDE293/1 IN THE OFFICE OF THE RECORDER OF HENDRICKS COUNTY, INDIANA

STATEMENT OF COMMITMENTS:

1. The real estate shall not be used for any use except for those allowed under I2 zoning and for the the manufacture, warehousing, and distribution of food and food products, as allowed under I3 zoning.
- 2.
- 3.
- 4.

These COMMITMENTS shall run with the land, be binding on the Owner of the above-described real estate, subsequent owners of the above-described real estate and other persons acquiring an interest therein. These COMMITMENTS may be modified or terminated by a decision of the Town of Plainfield Plan Commission made at a public hearing after proper notice has been given.

COMMITMENTS contained in this instrument shall be effective upon the approval of petition # _____ pursuant to the Town of Plainfield Zoning Ordinance, and shall continue in effect until modified or terminated by the Town of Plainfield Plan Commission.

These COMMITMENTS may be enforced jointly or severally by:

1. The Town of Plainfield Plan Commission;
2. Owners of all parcels of ground adjoining the real estate to a depth of two (2) ownerships, but not exceeding six-hundred (600) feet from the perimeter of the real estate, and all owners of real estate within the area included in the petition who were not petitioners for approval, however; and
3. _____

The undersigned hereby authorizes the Secretary of the Town of Plainfield Plan Commission to record this Commitment in the Office of the Recorder of Hendricks County, Indiana, upon final approval of petition # _____.

IN WITNESS WHEREOF, Owner has executed this instrument this ___ day of _____, _____.

(Individual Owner)

Signature _____ (Seal)	Signature _____ (Seal)
Printed _____	Printed _____

(Organization Owner)

By _____

Printed _____

Title _____

