

TOWN COUNCIL

ORDINANCE NO. 47-2006

**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-06-012, the real estate described in Exhibit "A" attached hereto and incorporated herein by this reference is hereby zoned to the "GC" General Commercial District classification, and shall be subject to the additional commitments imposed by the Plan Commission at its December 4, 2006 public hearing.

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 8TH day of Jan ~~2006~~ 2007 [Signature]

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

Robin G. Brandgard, President

[Signature]

Kent McPhail

[Signature]

Bill Kirchoff

Daniel W. Fivecoat

[Signature]

Edmund L. Gaddie Jr.

ATTESTED BY:

[Signature]

Wesley R. Bennett, Clerk Treasurer, of the
Town of Plainfield, Indiana

PUBLISHED:

Hendricks County Flyer JAN 18 2007
Hendricks County Flyer JAN 25 2007

LEGAL DESCRIPTION
GILLEY'S REAL ESTATE DEVELOPMENT, INC.

Part of the Southeast quarter of Section 33, Township 15 North, Range 1 East of the Second Principal Meridian, situated in Guilford Township, Hendricks County, Indiana, more particularly described as follows:

Commencing at the northeast corner of the southeast quarter, aforesaid, proceed thence south 01 degrees 04 minutes 30 seconds west (an assumed bearing) along the east line of said southeast quarter, 729.89 feet; thence south 90 degrees 00 minutes 00 seconds west 597.00 feet to the point of beginning. From said point of beginning, continue thence south 90 degrees 00 minutes 00 seconds west, 752.13 feet; thence south 00 degrees 57 minute 15 seconds east 34.30 feet; thence south 67 degrees 39 minute 15 seconds west parallel with the south right of way line of U.S. Highway 40, 207.0 feet; thence north 00 degrees 57 minutes 15 seconds west 451.98 feet to said south right of way line; thence north 67 degrees 39 minutes 15 seconds east along said south right of way line 879.19 feet to the northwest corner of Minor Plat 275; thence south 01 degrees 04 minute 30 seconds west along the west line of lot #1 in said Minor Plat #275, 306.63 feet (305.13 feet by plat) to the southwest corner of Lot #1; thence south 89 degrees 52 minutes 03 seconds east, along the south line of said Lot #1, 150.00 feet to the northwest corner of Lot #2 in Minor Plat #275 (replatted); thence south 01 degrees 04 minutes 30 seconds west along the west lines of Lots 2 and 3 in Minor Plat 275 (replatted) 366.33 feet to the point of beginning, containing 10.915 acres, more or less.

EXCEPT:

A part of the southeast quarter of Section 33, Township 15 North, Range 1 East, located in Hendricks County, Indiana, being more particularly described as follows:

Commencing at the northeast corner of the southeast quarter of Section 33, Township 15 North, Range 1 East; thence south 01 degrees 04 minutes 30 seconds west 729.89 feet along the east line of said southeast quarter to the southeast corner of Minor Plat #275 as recorded in Plat Cabinet 1, Slide 35, page 2, in the Office of the Recorder of Hendricks County, Indiana; thence north 90 degrees 00 minutes 00 seconds west 597.00 feet along the south line of Lot 3 and Lot 2 in said Minor Plat to the southwest corner of said Lot 2; thence north 01 degree 04 minutes 30 seconds east 366.33 feet along the west line of said Lot 2 to the south line of Lot 1 in said Minor Plat; thence north 89 degrees 52 minutes 03 seconds west 150.00 feet along the south line of said Lot 1 to its southwest corner and the point of beginning of this description; thence south 01 degree 04 minutes 30 seconds west 123.55 feet along the southerly extension of the west line of said Lot 1; thence north 89 degrees 08 minutes 45 seconds west 234.17 feet; thence north 00 degrees 10 minutes 16 seconds east 326.00 feet to the south right of way of U.S. 40; thence north 67 degrees 39 minutes 45 seconds east 260.78 feet along said right of way to the northwest corner of said Lot 1; thence south 01 degree 04 minutes 30 seconds west 305.13 feet along the west line of said Lot 1 to the point of beginning, containing 2.05 acres, more or less and being subject to all legal highways, rights of way and easements of record.

ALSO EXCEPT:

Part of the Southeast quarter of section 33, Township 15 North, Range 1 East of the Second Principal Meridian, Hendricks County, Indiana, described as follows:

Commencing at a County Standard disk found at the northeast corner of said southeast quarter; thence south 01 degrees 04 minutes 30 seconds west along the east line of said southeast quarter 729.89 feet to the southeast corner of Lot 3 of the Replat of Minor Plat No. 275 as per

plat thereof recorded in Plat Cabinet 2, Slide 94 page 1 in the Hendricks County Recorder's office; thence south 90 degrees 00 minutes 00 seconds west 977.32 feet along the south line of said Lot 3 and the south line of the land of Gilley's Real Estate Development, Inc., as described in Deed Record 348 pages 484-485 in the Office of the Recorder of said county to a point on the southerly extension of the west line of the land of Kathleen R. Gilley as described in Deed Record 348 page 486 in said county records; thence north 00 degrees 10 minutes 16 seconds east along said west line and its southerly extension 369.62 feet to a point being 0.3 feet west of a 5/8 inch rebar with cap stamped "Lewis Eng" found, said point being the point of beginning; thence south 77 degrees 48 minutes 41 seconds west 155.48 feet to a 5/8 inch rebar with cap stamped "Banning Eng LS29800001" set (herein referred to as a "monument set"); thence north 18 degrees 01 minutes 57 seconds west 163.15 feet to a monument set on the south right of way line of U.S. Highway 40 per plans for ISHC State Highway F.A. Project No. 15 Sec B (3)(1940); thence north 67 degrees 46 minutes 56 seconds east along said south right of way line 219.38 feet to a monument set at the northwest corner of said land of Kathleen R. Gilley, thence south 00 degrees 10 minutes 16 seconds west along said west line 205.27 feet to the point of beginning. Containing 0.768 acres, more or less and being subject to all legal highways, rights of way and easements of record.

