

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 11-2006

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. PUD-05-002, the real estate described in Exhibit "A" attached hereto and incorporated herein by this reference is hereby zoned to the "PUD" classification of the Plainfield Zoning Ordinance and is hereby designated for residential development pursuant to the "Statement of Preliminary Plan for Oak Tree Development" approved per the Plainfield Plan Commission's Public Hearing of March 6, 2006, a copy of which is attached hereto as Exhibit "A", and incorporated herein by this reference.

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 _____ 2006.

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

Robin G. Brandgard, President

Kent McPhail

Bill Kirchoff

Daniel W. Fivecoat

Edmond L. Gaddie Jr.

ATTESTED BY:

Wesley Bennett, Clerk-Treasurer of
the Town of Plainfield, Indiana

EXHIBIT A

LEGAL DESCRIPTION:

That portion of the Northeast and Southeast Quarters of Section 32, the Northwest Quarter of Section 33, and Southwest Quarter of Section 28, all in Township 15 North, Range 1 East, and the Northeast Quarter of Section 5, Township 14 North, Range 1 East of the Second Principal Meridian, in Liberty and Guilford Townships, Hendricks County, Indiana, described as follows:

BEGINNING at the southeast corner of said Northwest Quarter of Section 33; thence South 88 degrees 25 minutes 32 seconds West along the south line thereof 2690.25 feet to the northeast corner of said Southeast Quarter of Section 32; thence South 00 degrees 33 minutes 08 seconds East along the east line thereof 1797.30 feet to the north right of way line of U.S. Highway 40 (the following five (5) courses are along said right of way line); 1) thence South 89 degrees 27 minutes 38 seconds West 15.00 feet; 2) thence South 28 degrees 18 minutes 50 seconds West 82.26 feet; 3) thence South 65 degrees 48 minutes 45 seconds West 1854.70 feet to the beginning of a tangent curve to the right having a radius of 7112.98 feet and a central angle of 04 degrees 25 minutes 16 seconds; 4) thence southwesterly along the arc of said curve 548.87 feet; 5) thence South 88 degrees 24 minutes 05 seconds West 427.08 feet to the west line of said Northeast Quarter of Section 5; thence North 00 degrees 31 minutes 08 seconds West along said west line and the west line of said Southeast Quarter of Section 32 a distance of 1456.75 feet; thence North 88 degrees 30 minutes 08 seconds East 198.00 feet; thence North 00 degrees 31 minutes 08 seconds West 1320.00 feet to the south line of said Northeast Quarter of Section 32; thence South 88 degrees 30 minutes 08 seconds West along said south 198.00 feet to the southwest corner of said Northeast Quarter; thence North 00 degrees 48 minutes 41 seconds West along the west line thereof 1517.27 feet to the former southerly right of way line of the Consolidated Rail Corporation railroad; thence North 74 degrees 50 minutes 40 seconds East along said right of way line 2786.73 feet east line of said Northeast Quarter; thence North 00 degrees 33 minutes 28 seconds West along said east line 43.62 feet to said former southerly right of way line; thence North 74 degrees 55 minutes 20 seconds East along said right of way line 2411.86 feet; thence North 75 degrees 01 minute 54 seconds East along said right of way line 361.70 feet to the east line of the Southwest Quarter of said Section 28; thence South 00 degrees 54 minutes 17 seconds East along said east line 190.36 feet to the northeast corner of the Northwest Quarter of said Section 33; thence South 00 degrees 38 minutes 00 seconds East along the east line thereof 2675.70 feet to the POINT OF BEGINNING, containing 412.89 acres, more or less.