

Sunbeam SW Corner
126th + Cumberland

ORDINANCE NO. 020294D

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF FISHERS, INDIANA - 1980**

WHEREAS, the Town Council of the Town of Fishers, Indiana adopted Ordinance #090788B on the 7th Day of September, 1988, designating the real estate commonly known as the Exit Five Corporate Park as a Planned Development District with accompanying standards for its development;

WHEREAS, the Town Council of the Town of Fishers is hereby requested to amend Ordinance #090788B to include the real estate described in Exhibit "A" attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fishers, Indiana, that the Zoning Ordinance, a part of the COMPREHENSIVE PLAN AND ORDINANCE - 1980, ORDINANCE NO. 110380, as amended, is hereby amended as follows :

Section 1. Map Amendment and District Designation

That the Zoning Map, identified as OFFICIAL ZONING MAP, FISHERS, INDIANA, Dated November 15, 1989, which accompanies and is a part of the Zoning Ordinance of the Town of Fishers, Indiana, as amended, is hereby amended as follows :

That the zoning classification of the real estate described in Exhibit "A" attached hereto, is hereby designated PD, Planned Development District;

Section 2. Adoption of Existing Standards

The standards for development and all other applicable guidelines governing the intended use, review and approval of the development of said real estate shall be consistent with those existing guidelines contained in Ordinance #090788B, as amended.

Section 3. Approval

This Ordinance shall be in full force and effect from and after its passage by the Town Council and its publication, as provided by law. All provisions or parts thereof in conflict herewith are hereby repealed.

ADOPTED by the Town Council of the Town of Fishers, Indiana on this 2nd day of March, 1994.

THE TOWN COUNCIL OF THE TOWN OF
FISHERS, HAMILTON COUNTY, INDIANA

BY: Walter F. Kelly
Walter F. Kelly
Roy G. Holland
Roy G. Holland

ATTEST:
Linda Gaye Cordell
Linda Gaye Cordell
Fishers Clerk-Treasurer

James E. Roederer
James E. Roederer
David Gingrich
David Gingrich
Deborah Heckart
Deborah Heckart

SUBMITTED BY:
Scott Adams
Scott Adams
Department of Development

EXHIBIT "A"

Boundary Description (Deed Book 284, page 535)

Begin at the northeast corner of section 31, township 18 north, range 5 east, and run west 2035 feet, thence south 1886.57 feet, thence east 2035 feet, thence north 1881.57 feet to the place of beginning, less 9.381 acres taken by the State of Indiana in Hamilton County Superior Court Cause No. 568-558, containing 78.619 acres, more or less.

To update and modernize the current land description of the surveyed tract so as to reflect the existing condition of Interstate 69 through the surveyed tract, the following land descriptions have been prepared:

TRACT I

Part of the Northeast Quarter of Section 31, Township 18 North, Range 5 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of Section 31, Township 18 North, Range 5 East, Hamilton County, Indiana; thence South 00 degrees 19 minutes 02 seconds West (assumed bearing - measured) on the East line of said Northeast Quarter 1881.57 feet to the Southeast corner of the Real Estate described in Deed Book 284, Page 535 in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 43 minutes 18 seconds West on the South line of the Real Estate described in said Deed Book 284, Page 535 in said Office a distance of 83.75 feet to a point on the East line of the real estate described in Parcel 77 of Project # I-69-10330 in the Superior Court of Hamilton County Judgement filed August 24, 1970, said point being marked by a 3/8 inch rebar w/ cap marked Weihe Engr L.S. 0012 ("capped rebar") being the POINT OF BEGINNING of this description; the following four (4) courses are on the perimeter of the real estate described in said Parcel 77; 1.) thence North 03 degrees 58 minutes 19 seconds West, 8361 feet; 2.) thence North 51 degrees 08 minutes 30 seconds West, 76.68 feet; 3.) thence South 82 degrees 23 minutes 28 seconds West, 566.12 feet to the beginning of a curve, concave Southerly, having a radius of 2161.83 feet and a central angle of 88 degrees 02 minutes 05 seconds; 4.) thence Westerly along the arc of said curve to the left, 30316 feet to the South line of the real estate described in said Deed Record 284, page 535, being the point of intersection with a non-tangent line; thence North 89 degrees 43 minutes 18 seconds East, 923.35 feet on the South line of the real estate described in said Deed Record 284, page 535 to the POINT OF BEGINNING; Containing 70297 square feet of land, (1.61 acres), more or less.

TRACT II

Part of the Northeast Quarter of Section 31, Township 18 North, Range 5 East, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter of Section 31, Township 18 North, Range 5 East, Hamilton County, Indiana; thence South 89 degrees 51 minutes 45 seconds West, 2035.00 feet on the North line of said Northeast Quarter to the Northwest corner of the real estate described in Deed Record 284, page 535 in the Office of the Recorder of Hamilton County, Indiana; the following two (2) courses are on the perimeter of the real estate described in said Deed Record 284, page 535; 1.) thence South 00 degrees 18 minutes 57 seconds West, 1886.57 feet; 2.) thence North 89 degrees 43 minutes 18 seconds East, 367.90 feet to the Western-most corner of the real estate described in Parcel 77 of Project # I-69-10330 in the Superior Court of Hamilton County Judgement filed August 24, 1970, being a point of intersection with a non-tangent curve, concave Southerly, having a radius of 2421.83 feet and a central angle of 23 degrees 16 minutes 12 seconds; the following six (6) courses are on the perimeter of the real estate described in said Parcel 77; 1.) thence Northeasterly along the arc of said curve to the right, from which the local tangent at the beginning point bears North 59 degrees 07 minutes 16 seconds East, 983.60 feet to the curve's end; 2.) thence North 82 degrees 23 minutes 28 seconds East, 591.12 feet; 3.) thence North 38 degrees 13 minutes 32 seconds East, 115.67 feet; 4.) thence North 05 degrees 33 minutes 17 seconds East, 602.52 feet; 5.) thence North 13 degrees 05 minutes 18 seconds East, 76.90 feet to the existing West right-of-way line of Cumberland Road; 6.) thence South 00 degrees 19 minutes 02 seconds West, 1157.70 feet on the existing West right-of-way line of Cumberland Road to the South line of the real estate described in said Deed Record 284, page 535; thence North 89 degrees 43 minutes 18 seconds East, 18.00 feet on the South line of the real estate described in said Deed Record 284, page 535 to the Southeast corner thereof, being on the East line of said Northeast Quarter; thence North 00 degrees 19 minutes 02 seconds East, 1881.57 feet on the East line of said Northeast Quarter to the POINT OF BEGINNING; Containing 77.00 acres of land, more or less.

Subject to the right-of-way for 126th Street. (Tract II)

Subject to the right-of-way for Cumberland Road. (Tract II)

Subject to an Electric Pole Line Easement granted to Public Service Company of Indiana, Inc. dated July 12, 1967 and recorded July 18, 1967 in Deed Record 213 page 169 as

