

2006 COUNCIL & COMMISSIONERS' ORDINANCES	NUMBER	DATE
ZA-359/06 Richard & Beverly Bower Franklin Township from RA to AGB Stop sign ordinance	2006-01	1-24-06
CR 2005 of Lancaster Road Ordinance approving interlocal agreement between BCC & Town of Whitestown	2006-02	3-7-06
Ordinance approving interlocal agreement between Regional Water Bd. & Whitestown	2006-03	3-7-06
Ordinance enlarging composition to 5 members per IC 36-9-27-5 DRAINAGE BOARD	2006-04	3-7-06
Amending Drainage Board & Clean Water Uniform Fee Schedule	2006-05	3-14-06
ZA 360/06 from WI Warehouse Industrial to RSS	2006-06	4-25-06
ZA 350/06 (PUD 20) Portraite Homes Oxford Rd from PUD to Amended PUD Planned Unit Dev. District	2006-07	5-3-06
Weight Restrictions CR 50W from 625N to 45136 CR 625N from SR 39 to CR 50W	2006-08	5-23-06
ZA-364/06 from PUD to NB Neighborhood Business District West 56th Street LLC	2006-09	5-23-06
TZ A 01/06 Chapter 45 Airport Dev. District	2006-10	6-13-06
ZA 367/06 from RA Rural Residential to AD Airport Development Center Township	2006-11	6-27-06
ZA 362/06 Francis Ontiveros Liberty TSP from RA to AGB Ag Business	2006-12	6-27-06
ZA-365/06 Observatory Garden, & P	2006-13	6-27-06
Ordinance Establishing a Stormwater Management Board	2006-14	6-27-06
Amendment to Animal Adoption Fees	2006-15	7-11-06
ZA 368/06 from RA Single Family to RAA Residential District	2006-16	7-18-06
Ordinance adopting the National Incident Management Systems (NIMS)	2006-17	7-18-06
Amended Ordinance (Council) distributing 1/2 of 1/2 of over 590	2006-18	9-5-06
Amending 2004-39 Board of Directors membership Solid Waste Mgmt District	2006-19	9-7-06
Amendment to HC Zoning Ordinance Chapter 8, Section 2.02	2006-20	9-26-06
Amending Zoning Map from RA Rural Residential to RAA Single Family Residential	2006-21	9-26-06
ZA 369-06 Nicholas Brothers Farm Vacating Rofw Cedar Run Amended Secondary Plot of Highland Farming, LLC	2006-22	9-26-06
ZA 370/06 Cedar Run Amended from RA to GB Guilford Township	2006-23	10-3-06
ZA 371/06 Sanders Development from RA to HB (Heavy Business) Liberty Township	2006-24	10-24-06
ZA 361-06 from RA to PUD Platinum Properties Lincoln Twp. 224.6 Acres 224.6004	2006-25	10-24-06
ZA 373/06 from RA to RAA Gerald Malon Centu Twp 30.01 1440 E. CR 200N	2006-26	11-28-06
	2006-27	11-28-06

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2A347/06 From RA to GB 9093 SR39, LLC Silent Township, SR39 & 9005	2006-28	11-28-06
Council Ordinance - Collection & Audits of Drinker's Tax	2006-29	12-14-06
TZA 04/06 Amendment amending Chapter 58 adding 58.16; Chapter 2 Section 2.02 Chapter 14 Sec. 14.06	2006-30	12-19-06
TSA 01/06 Amending Subdivision Control Ordinance amending Chapter 12 Section 12.02	2006-31	12-19-06
2A375/06 Josh & Christy ABONOUR from RA to RSS 27.32 acres 700 N & I 74	2006-32	12-19-06
2A377/06 Maurice & Sandra Wells from RA to RSS 24.23 acres Liberty Township 1000 S & 100 E	2006-33	12-19-06
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	2006-51	

*
Renumbered
Council Ordinance
formerly 2006-26

ORDINANCE NO. 2006-01

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO AGB/AGRICULTURAL BUSINESS DISTRICT, COMMONLY KNOWN AS ZA 359/06: RICHARD & BEVERLY BOWEN, FRANKLIN TOWNSHIP, PARCEL TOTALING 1.00 ACRES, LOCATED ON THE SOUTHWEST SIDE OF MASTEN ROAD, APPROXIMATELY 0.80 MILE SOUTH OF COUNTY ROAD 700 SOUTH.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the AGB/Agricultural Business District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 359/06: Richard & Beverly Bowen, S17-T14N-R2W, 1.00 acre, Franklin Township, located on the southwest side of Masten Road, approximately 0.80 mile south of County Road 700 South.

SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 359/06: Richard & Beverly Bowen, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 24th day of January, 2006.

Board of Commissioners

Ed Schrier

Ed Schrier, President

Phyllis A. Palmer

Phyllis A. Palmer, Vice-President

David A. Whicker

David A. Whicker, Member

Attest:

Nancy Marsh
Nancy Marsh, Auditor

1 - 2006
2006

ORDINANCE NUMBER 2006-02

ORDINANCE FOR STOP SIGNS ON CERTAIN COUNTY ROADS

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is the governing body for said County; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is responsible for the maintenance and upkeep of all county roads; and

WHEREAS, to insure the safety of all persons traveling said roads and to properly maintain and upkeep said roads;

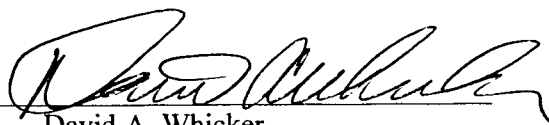
NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Hendricks County, Indiana that traffic approaching the following intersection from all four directions shall stop, in accordance with the findings of a traffic investigation by the County Engineer:


County Road 200 South at Cartersburg Road

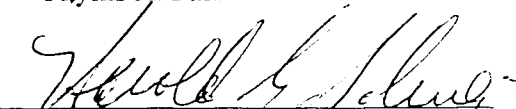
BE IT FURTHER ORDAINED that upon a finding of a violation of this ordinance a penalty shall be assessed in accordance with Indiana Code.

DULY EXECUTED this 7th day of March, 2006

HENDRICKS COUNTY, INDIANA
BOARD OF COMMISSIONERS

By: 
David A. Whicker

By: 
Phyllis A. Palmer

By: 
Harold E. Schrier

Attest: Nancy L. Maush

ORDINANCE NO. 2006-03

ORDINANCE APPROVING INTERLOCAL AGREEMENT

WHEREAS, the Hendricks County Commissioners ("Commissioners") desire to authorize the Town of Whitestown ("Town") to own and operate sewage disposal facilities within the County for the limited purpose of serving individual Hendricks County residents on an as-needed basis as determined by the Commissioners for the Hendricks County Regional Sewer District ("District");

WHEREAS, Commissioners hereby approve the Interlocal Agreement attached hereto as Exhibit A.

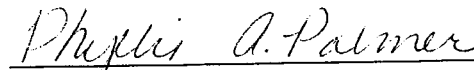
NOW, THEREFORE, be it ordained by the Commissioners as follows:

The Commissioners hereby approve the Interlocal Agreement attached hereto as Exhibit A that allows the Town of Whitestown to own and operate wastewater disposal facilities in Hendricks County. The Commissioners, however, only allow Whitestown to provide wastewater treatment service to customers on a wholesale or retail basis within Hendricks County upon written request from the Commissioners or the District.

REVIEWED, APPROVED, AND ADOPTED BY THE HENDRICKS COUNTY COMMISSIONERS this 7th day of ~~February~~ March, 2006.

HENDRICKS COUNTY COMMISSIONERS


Ed Schrier


Phyllis Palmer


David Whicker

ORDINANCE NO. 2066-04

ORDINANCE APPROVING INTERLOCAL AGREEMENT

WHEREAS, the Hendricks County Regional Sewer District ("District") desires to authorize the Town of Whitestown ("Town") to own and operate sewage disposal facilities within the County for the limited purpose of serving individual Hendricks County residents on an as-needed basis as determined by the Commissioners for the Hendricks County Regional Sewer District ("District");

WHEREAS, the District hereby approves the Interlocal Agreement attached hereto as Exhibit A.

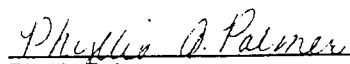
NOW, THEREFORE, be it ordained by the District as follows:

The District hereby approves the Interlocal Agreement attached hereto as Exhibit A that allows the Town of Whitestown to own and operate wastewater disposal facilities in Hendricks County. The District, however, only allows Whitestown to provide wastewater treatment service to customers on a wholesale or retail basis within Hendricks County upon written request from the Commissioners or District.

REVIEWED, APPROVED, AND ADOPTED BY THE HENDRICKS COUNTY
REGIONAL SEWER DISTRICT this 17th day of ~~February~~ March, 2006.

HENDRICKS COUNTY REGIONAL SEWER
DISTRICT


Ed Schrier


Phyllis Palmer


David Whicker

Ordinance No. 2006 - 05

WHEREAS, the composition of the Drainage Board is governed by I.C. 36-9-27-5; and

WHEREAS, the Drainage Board currently consists of the County Executives; and

WHEREAS, the Drainage Board wishes to enlarge its composition as permitted under I.C. 36-9-27-5 to five (5) members, at least one of whom must be a member of the Executive appointed by the Executive; and

WHEREAS, at least one of the members must be a member of the Executive; and

WHEREAS, the remaining members shall be resident freeholders of the County, knowledgeable in drainage matters; and

WHEREAS, the freeholders shall serve terms of three (3) years, staggered on an annual basis; and

WHEREAS, the County Surveyor shall serve on the Drainage Board as an ex-officio, non-voting member;

NOW, THEREFORE, be it ordained as follows:

- 1) The Hendricks County Drainage Board shall consist of five (5) members;
- 2) At least one of the members must be a member of the Executive, appointed by the Executive;
- 3) The remaining members shall be resident freeholders of the County, knowledgeable in drainage matters;
- 4) Freeholders shall serve terms of three (3) years, staggered on an annual basis;
- 5) The County Surveyor shall serve on the Drainage Board as an ex-officio, nonvoting member.

IN WITNESS WHEREOF, Hendricks County, in the State of Indiana, by ordinance of its Drainage Board has caused this ordinance to be executed and attested by the signatures of its Board.

HENDRICKS COUNTY, INDIANA

By: The Drainage Board of Hendricks
County, Indiana

By: 

Member

By: Phyllis G. Palmer

Member

By: 

Member

ATTEST:

By: Danusha Maish
County of Hendricks, Indiana

3/14/06

ORDINANCE NO. 2006- 06

***AN ORDINANCE AMENDING THE HENDRICKS COUNTY DRAINAGE BOARD
UNIFORM FEE SCHEDULE AND THE HENDRICKS COUNTY CLEAN WATER
DEPARTMENT UNIFORM FEE SCHEDULE***

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, need to amend the Drainage Board Uniform Fee Schedule, which includes the amending, setting and collecting of all Drainage Board administrative fees, and need to amend the Clean Water Department Uniform Fee Schedule, which includes the setting and collecting all Clean Water Department fees, and

WHEREAS, Section 36-9-27-73 of the Indiana Code allows the Hendricks County Drainage Board the authority to set reasonable fees and collect associated costs from petitioners in drainage proceeding, and

WHEREAS, 327 IAC 15-13 (Rule 13), specified by State regulation, requires Hendricks County to develop and implement a comprehensive Storm Water Quality Management Plan (SWQMP) and allows the County the ability to self-fund such a program;

NOW THEREFORE, BE IT ORDAINED by the Hendricks County Board of Commissioners that there is hereby amended a Drainage Board Uniform Fee Schedule and a Clean Water Department Uniform Fee Schedule as follows:

DRAINAGE BOARD UNIFORM FEE SCHEDULE:

I. SUBDIVISION:

A. Minor Subdivision	
1. Primary & Secondary	\$500.00 (includes review fees)
B. Major Subdivision	
1. Primary	\$500.00 + \$15/Lot/Acre/Unit
2. Secondary	\$500.00 + \$10/Lot/Acre/Unit
C. Revision - (Change to an Approved Plat, not Recorded)	\$250.00
D. Amendment - (Change to a Recorded Plat)	\$250.00
E. Re-plat - (Vacation of a Recorded Plat)	\$500.00
F. Divisional Lot Split	\$250.00

II. SHOPPING CENTER:

A. Preliminary Development Plan	\$1,000.00 + \$15.00/Lot/Acre/Unit
B. Final Development Plan	\$1,000.00 + \$10.00/Lot/Acre/Unit
D. Amendment to an Approved Final Development Plan	\$1,000.00 + \$10.00/Lot/Acre/Unit

III. PLANNED UNIT DEVELOPMENT:

A. Preliminary Development Plan	\$500.00 + \$15.00/Lot/Acre/Unit
B. Final Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit
C. Amendment to an Approved Planned Unit Development	\$500.00 + \$10.00/Lot/Acre/Unit

IV. DEVELOPMENT PLAN REVIEW:

A. Preliminary Development Plan	\$500.00 + \$15.00/Lot/Acre/Unit
B. Final Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit
C. Amendment to a Development Plan	\$500.00 + \$10.00Lot/Acre/Unit

V. AMENITY AREA:

A. Preliminary Development Plan	\$500.00 + \$15.00/Lot/Acre/Unit
B. Final Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit
C. Amendment to a Development Plan	\$500.00 + \$10.00Lot/Acre/Unit

VI. COMMERCIAL/INDUSTRIAL:

A. Principal \$1,000.00 + \$10.00/Lot/Acre/Unit

VII. INDIVIDUAL RESIDENCE AND FARMS:

A. Regulated Drain Outlet Permit \$100.00/outlet

B. Regulated Drain Crossing Permit \$250.00/crossing

C. Regulated Drain Encroachment Permit \$250.00/encroachment

(NOTE: All fees in this section can be waived or modified by the Hendricks County Surveyor and/or the Hendricks County Drainage Board.)

VIII. UTILITIES:

A. Regulated Drain Crossing Permit \$250.00/crossing

B. Regulated Drain Encroachment Permit \$0.25/foot (Min. \$250.00)

(NOTE: All fees in this section can be waived or modified by the Hendricks County Surveyor and/or the Hendricks County Drainage Board. All fees will be waived if the permit is for work within a new subdivision. A new subdivision refers to a development granted final approval by the Hendricks County Plan Commission within the last 24 months.)

IX. OTHER:

A. Copy of the Hendricks County Drainage Handbook \$100.00

B. Removal of Obstruction Application \$250.00

C. Variance of a Regulated Drainage Easement \$250.00

X. MISCELLANEOUS FEES:

A. Returned Check Fee \$25.00

B. Two-foot Contour Maps (via Accu-Air) \$30.00/Acre (Min. \$1,000.00)

C. Copies \$1.00/Page

XI. ENGINEERING REVIEW FEES:

All engineering projects will require a review fee above and beyond the application fee(s). The review fee shall equate to the contract rate of the reviewing engineer, not to exceed \$110.00/hour. This fee shall be paid to the Hendricks County Drainage Board and shall be paid in full before any project approval is given.

ALL FEES ARE NON REFUNDABLE

(Unless so permitted by the Drainage Board)

CLEAN WATER DEPARTMENT UNIFORM FEE SCHEDULE

I. RESIDENTIAL

A.	Principal	
	1. Single Family Dwelling	\$250.00
	2. Multi-Family Dwelling	\$500.00/Building
	3. Demolition	\$250.00
	4. Additions	\$100.00
	5. Accessory Structures	\$100.00
	6. Detached Garage	\$100.00
	7. Swimming Pools	\$100.00
	8. Relocation	\$100.00

II. SUBDIVISION:

A.	Minor Subdivision	
	1. Secondary	\$250.00
B.	Major Subdivision	
	1. Secondary	\$500.00 + \$10.00/Lot/Acre/Unit

III. SHOPPING CENTER:

A.	Final Development Plan	\$1,000.00 + \$10.00/Lot/Acre/Unit
B.	Amendment to Approved Final Development Plan	\$1,000.00 + \$10.00/Lot/Acre/Unit

IV. PLANNED UNIT DEVELOPMENT:

A.	Final Development Plan	\$500.00 + \$10.00/Lot/Acre/Unit
B.	Amendment to an Approved PUD	\$500.00 + \$10.00/Lot/Acre/Unit

V. DEVELOPMENT PLAN REVIEW:

A.	Final Development Plan	\$500.00
B.	Amendment to a Development Plan	\$500.00

VI. AMENITY AREA:

A.	Final Development Plan	\$500.00
B.	Amendment to a Development Plan	\$500.00

VII. COMMERCIAL/INDUSTRIAL:

- A. Principal \$1,000.00 + \$10.00/Lot/Acre/Unit

VIII. Utility :

- A. 5000 to 20,000 sq. ft. surface area disturbed \$150.00
B. 20,001 to 43, 559 sq. ft. surface area disturbed \$250.00
C. 43, 560 sq. ft. or more surface area disturbed \$500.00

IX. Ponds : (except those ponds/detention areas already reviewed and approved in the development process)

- A. 5000 to 20,000 sq. ft. surface area disturbed \$100.00
B. 20,001 to 43, 559 sq. ft. surface area disturbed \$200.00
C. 43, 560 sq. ft. or more surface area disturbed \$300.00

X. STOP WORK ORDERS:

- A. Permit Re-Instatement Fee Minimum \$500.00 or two (2) times the filing fee, whichever is greater
- B. Fine For Continued Construction after Stop Work Order \$1,000.00 first day and up to \$500.00 for each additional day

XI. MISCELLANEOUS FEES:

- A. Returned Check Fee \$25.00
- B. Two-foot Contour Maps (via Accu-Air) \$30.00/Acre (Min. \$1,000.00)
- C. Copies \$1.00/Page

XII. ENGINEERING REVIEW FEES:

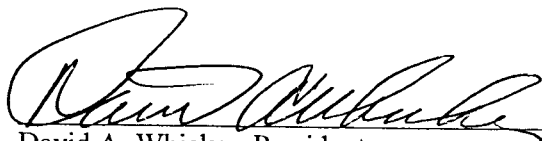
All engineering projects that require a Stormwater Pollution Prevention Plan for Construction Sites will require a review fee above and beyond the Clean Water Permit fee. The review fee shall equate to the contract rate of the reviewing engineer, not to exceed \$110.00/hour. This fee shall be paid to the Hendricks County Drainage Board and shall be paid in full before any Clean Water Permit is issued.

ALL FEES ARE NON REFUNDABLE
(Unless so permitted by the Drainage Board)

This Ordinance shall be in full force and effect from and after its passage and approval.

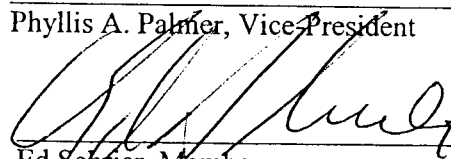
Presented to the Board of Commissioners of Hendricks County, Indiana, and approved on this 25th day of April, 2006:

BOARD OF COMMISSIONERS OF HENDRICKS COUNTY:



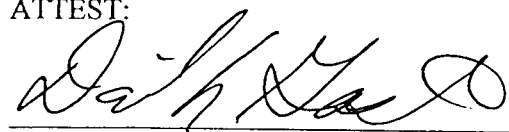
David A. Whicker, President

Phyllis A. Palmer, Vice President



Ed Schrier, Member

ATTEST:



David L. Gaston, P.L.S., Hendricks County Surveyor

ORDINANCE NO. 2006-07

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM WI/WHOLESALE INDUSTRIAL DISTRICT TO RSS/REGIONAL SUPPORT SERVICES DISTRICT, COMMONLY KNOWN AS ZA 360/06: REESE CENTRAL WHOLESALE, INC., CENTER TOWNSHIP, PARCEL TOTALING 15.96 ACRES, LOCATED AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF U.S. HIGHWAY 36 AND COUNTY ROAD 300 EAST, APPROXIMATELY 0.06 MILE SOUTH OF THE RAILROAD.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the RSS/Regional Support Services District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 360/06: Reese Central Wholesale, Inc., S07-T15N-R1E, 15.96 acres, Center Township, located at the southeast quadrant of the intersection of U.S. Highway 36 and County Road 300 East, approximately 0.06 mile south of the railroad.

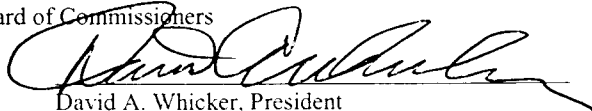
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 360/06: REESE CENTRAL WHOLESALE, INC., the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

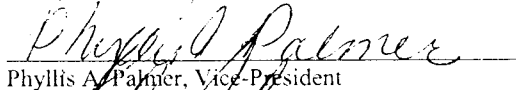
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

3rd Approved by the Board of County Commissioners of Hendricks County, Indiana, the
day of may, 2006.

Board of Commissioners



David A. Whicker, President

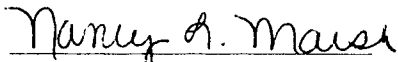


Phyllis A. Palmer, Vice-President



Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NO. 2006 - 00

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM PUD/PLANNED UNIT DEVELOPMENT DISTRICT TO AMENDED PUD/PLANNED UNIT DEVELOPMENT DISTRICT, COMMONLY KNOWN AS ZA 350/06 (PUD 20): PORTRAIT HOMES, OXFORD PARK, LLC, WASHINGTON TOWNSHIP, PARCEL TOTALING 2.08 ACRES, LOCATED ON THE WEST SIDE OF COUNTY ROAD 525 EAST, AND SOUTH OF COUNTY ROAD 100 SOUTH.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the Amended PUD/Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 350/06 (PUD 20): Portrait Homes, Oxford Park, LLC (Amendment), S16-T15N-R1E, 2.08 acres, Washington Township, located on the west side of County Road 525 East, and south of County Road 100 South.

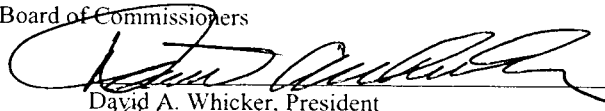
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 350/06 (PUD 20): *Portrait Homes, Oxford Park, LLC (Amendment)*, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

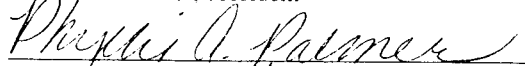
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 23rd day of May, 2006.

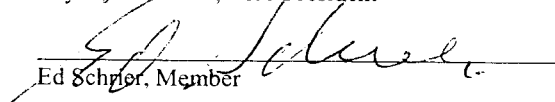
Board of Commissioners



David A. Whicker, President

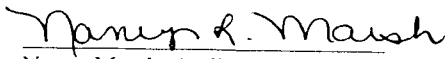


Phyllis A. Palmer, Vice-President



Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NUMBER 2006-09

ORDINANCE FOR WEIGHT RESTRICTIONS ON CERTAIN COUNTY ROADS

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is the governing body for said County; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana is responsible for the maintenance and upkeep of all county roads; and

WHEREAS, there is currently no posted weight restrictions on certain roads in the County; and

WHEREAS, to insure the safety of all persons traveling said roads and to properly maintain and upkeep said roads;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Hendricks County, Indiana that there will be a gross vehicle weight restriction of no more than twenty (20) tons on the following roads:

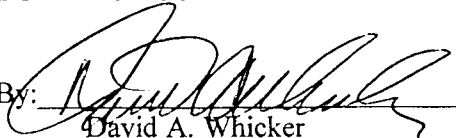
County Road 50 West	from	CR 625 North to	US 136
County Road 625 North	from	SR 39	to CR 50 West

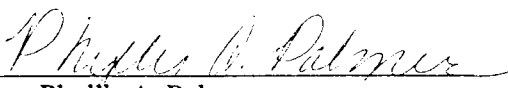
BE IT FURTHER ORDAINED that upon a finding of a violation of this ordinance a , penalty shall be imposed in the penal sum up to Five Hundred Dollars (\$500.00).

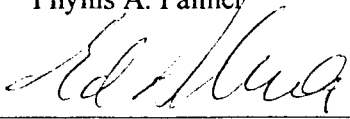
The effective date of this ordinance will be the date of passage and it shall have an expiration date of November 1, 2006.

DULY EXECUTED this 23Rd day of May, 2006

HENDRICKS COUNTY, INDIANA
BOARD OF COMMISSIONERS

By: 
David A. Whicker

By: 
Phyllis A. Palmer

By: 
Ed Schrier

Attest: Nancy D. Marsh

ORDINANCE NO. 2006-10

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM PUD/PLANNED UNIT DEVELOPMENT DISTRICT TO NB/NEIGHBORHOOD BUSINESS DISTRICT, COMMONLY KNOWN AS ZA 364/06: WEST 56TH STREET LLC, LINCOLN TOWNSHIP, PARCEL TOTALING 8.61 ACRES, LOCATED AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF COUNTY ROAD 600 NORTH AND COUNTY ROAD 1000 EAST, MORE COMMONLY KNOWN AS 6175 NORTH COUNTY ROAD 1000 EAST.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the NB/Neighborhood Business District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 364/06: West 56th Street, LLC, S06-T16N-R2E, 8.61 acres, Lincoln Township, located at the northeast quadrant of the intersection of County Road 600 North and County Road 1000 East, more commonly known as 6175 North County Road 1000 East.

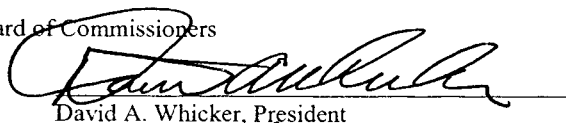
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 364/06: West 56th Street, LLC, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

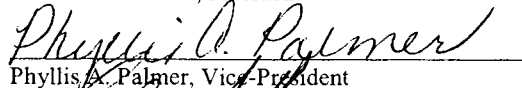
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

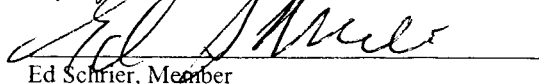
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the
13th day of June, 2006.

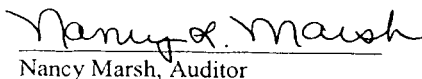
Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NO. 2006-11

**AN AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE BY
ADDING CHAPTER 45 "AD" AIRPORT DEVELOPMENT DISTRICT AND
AMENDING
CHAPTER 2 – DEFINITIONS – SECTION 2.02 TO INCLUDE AIRPORT-RELATED
USE;
CHAPTER 50 – SECTIONS 50.05 F 1; 50.05 F 4;
CHAPTER 54 – SECTION 54.02 H;
CHAPTER 58 – SECTION 58.10 A; and
CHAPTER 60 – SECTIONS 60.06 A 1 (a); 60.06 B 1 (a); 60.06 C 1 (a) and
60.07 A 1, TO ADD THE R-AA ZONING DISTRICT AND THE AD COMMERCIAL
AND AD RESIDENTIAL DISTRICTS.**

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana adopted the Hendricks County Zoning Ordinance on November 5, 2001 and which became effective on November 5, 2001;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended as to Chapters 50, 54 and 60.

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (TZA 01/06) and voted to forward a favorable recommendation to the County Commissioners;

WHEREAS, the County Commissioners have received and reviewed the Plan Commission's report, have considered the Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

**CHAPTER 45
"AD" AIRPORT DEVELOPMENT DISTRICT**

45.01 PURPOSE

The purpose of the "AD" District is to (1) promote aviation safety, (2) encourage the area around Gordon Graham Field to develop with land uses that are compatible with, and support, airport operations, and (3) advance economic development in Hendricks County.

45.02 PERMITTED USES

- A. All uses legally existing before the effective date of this Ordinance, subject to Chapter 4 of this Ordinance and this Chapter.
- B. Airport-Related Uses
- C. Light Manufacturing
- D. Medical and Dental Laboratories
- E. Commercial and Non-Commercial Recreation
- F. Public Parks and Recreation Facilities
- G. Publicly Owned Buildings and Utilities
- H. Research and Testing Laboratories
- I. Warehouses
- J. Wholesale Businesses
- K. Retail Businesses
- L. Offices, Professional and Business
- M. Minor Residential Plats
- N. Individual Single Family Dwellings
- O. Agriculture
- P. Any other use the Plan Commission determines supports the purpose of this Ordinance

45.03 ACCESSORY USES

Accessory uses shall be permitted as follows:

- A. Signs meeting the requirements of this Chapter and Chapter 60 of this Ordinance..
- B. Other accessory uses and structures in conjunction with a primary use or structure provided the accessory use does not change the character of the district.

Accessory uses and building shall be incidental and subordinate in height, area, bulk, extend, and purpose to the principal use. Accessory buildings shall not be erected prior to the principal building.

45.04 SPECIAL EXCEPTONS

Special exceptions shall be permitted as follows:

- A. Mixed non-residential uses
- B. Shopping Centers not exceeding 15,000 square feet in gross floor area
- C. Cemeteries

45.05 PROHIBITED USES

- A. Major residential plats
- B. Major commercial or industrial plats with a residential component
- C. Auditoriums
- D. Amphitheaters
- E. Day Care Center
- F. Concert halls
- G. Hospitals
- H. Mobile home parks
- I. Nursing homes
- J. Outdoor music facilities
- K. Public and private educational institutions
- L. Religious places of worship
- M. Wireless communication facilities

45.06 DEVELOPMENT STANDARDS

- A. Property Development Standards

The minimum dimension of lots and yards and the heights of buildings shall be as shown in the following table.

- *Maplewood - CARTERS BULLS*
- *URBAN SERVICES*
- *PROPOS OF THIS APPROPRIATE*
- *CO INTRODUCE USE*

1.1 "AD" Airport Development District	
Minimum Lot Area	<ul style="list-style-type: none"> • Residential use: 1.5 acres. • All other uses: None.
Minimum Road Frontage	<ul style="list-style-type: none"> • 50 feet.
Maximum Lot Coverage	<ul style="list-style-type: none"> • Residential use: 35 percent. • Residential accessory use: 5 percent or 600 square feet of the total lot area, whichever is greater. • All other uses: 50 percent principal building. • All other uses: 75 percent total impervious surface coverage.
Minimum Lot Width	<ul style="list-style-type: none"> • Residential use: 150 feet. • All other uses: None
Maximum Height	<ul style="list-style-type: none"> • Residential use: 40 feet principal structure. • Residential accessory use: 18 feet. • All other uses: 60 feet for principal structure. • All other uses: 40 feet accessory structure.
Minimum Front Yard Setback	<ul style="list-style-type: none"> • 50 feet from the R.O.W. when fronting on an urban principal arterial. • 50 feet from the R.O.W. when fronting on an urban minor arterial. • 45 feet from the R.O.W. when fronting on an urban collector. • 35 feet from the R.O.W. when fronting on an urban local road. • 80 feet from the R.O.W. when fronting on a rural principal arterial. • 50 feet from the R.O.W. when fronting on a rural minor arterial. • 45 feet from the R.O.W. when fronting on a rural collector. • 35 feet from the R.O.W. when fronting on a rural local road.
Minimum Side Yard Setback	<ul style="list-style-type: none"> • Residential use: 15 feet. • All other uses: 20 feet within district. • All other uses: 40 feet if adjoining another less intensive district.
Minimum Rear Yard Setback	<ul style="list-style-type: none"> • Residential use: 15 feet. • All other uses: 20 feet if within district. • All other uses: 40 feet if adjoining another less intensive district.
Minimum Distance Between Principal Buildings	<ul style="list-style-type: none"> • Residential use: None. • All other uses: 10 feet.
Minimum Dwelling Width	<ul style="list-style-type: none"> • Residential use: 24 feet. • All other uses: None.
Landscaping Along Perimeter Roads	<ul style="list-style-type: none"> • Residential use: Minimum Level 2 landscaping per Section 50.05(F)(2). • All other uses: None.

B. Minimum Off-Street Parking and Loading Requirements

Minimum off-street parking and loading requirements shall be as regulated by Chapter 48 of this Ordinance.

C. Sign Requirements

Maximum sign requirements shall be as regulated by Chapter 60 of this Ordinance.

D. Bufferyard Requirements

Minimum buffering standards shall be as regulated by Chapter 50 of this Ordinance.

45.07 AIR SAFETY LAND USE RESTRICTIONS

Notwithstanding any other provisions of this Ordinance, no use may be made of land within this zoning district in such a manner as to interfere with the operation of an airborne aircraft. The following special requirements shall apply to each permitted use. The Hendricks County Plan Director/Building Commissioner shall require compliance with these restrictions as a condition of issuing an Improvement Location Permit/Building Permit.

- A. All lights or illumination used in conjunction with streets, parking, signs, or use of land and structures shall be arranged and operated in such a manner that it is not misleading or dangerous to Gordon Graham Field or in the vicinity thereof. All lights or illumination must conform to the regulations in Section 58.10 of this Ordinance.
- B. No operations of any type shall produce smoke, glare, or other visual hazards within this zoning district.
- C. No operations of any type shall produce electronic interference with navigation signals or radio communications between the Airport and aircraft.
- D. Structure height shall be regulated by the standards of both this zoning district and Indiana Code 8-21-10 *Regulation of Tall Structures*.
- E. Marking and lighting
 - 1. A structure or object of natural growth may require the installation, operation, and maintenance of markers and lights necessary to indicate to aircraft the presence of an airport hazard.
 - 2. Notwithstanding other provisions of this Chapter, any structure over two hundred (200) feet above ground level shall have installed lighting in accordance with Federal Aviation Administration Advisory circular 70/7460-1K and amendments thereto on such structures. This lighting may include flashing red beacons, steady burning red obstruction lights, or high intensity obstruction lights. All required lighting must be in accordance with Federal Aviation Administration Advisory Circular 70:7460-1K and amendments thereto.

45.08. AIRPORT HAZARDS DESCRIBED AND PROHIBITED

An airport hazard is a land use, structure, or object of natural growth located in this zoning district that:

- A. Exceeds the height limits of Section 45.07(D) of this Ordinance.
- B. Interferes with visual, radar, radio, or other system of tracking, acquiring data relating to, monitoring, or controlling aircraft.
- C. Interferes with a pilot's ability to distinguish between airport lights and other lights, results in glare in the eyes of a pilot, or impairs visibility in the vicinity of the Airport.
- D. Creates a wildlife hazard, as defined by the Code of Federal Regulations Title 14, Part 139.
- E. Otherwise endangers or interferes with the landing, taking off, or maneuvering of an aircraft.

45.09 NONCONFORMING USES, STRUCTURES, AND OBJECTS

- A. Nonconforming Uses
 - 1. All uses legally existing before the effective date of this Chapter which would not be classified under this Ordinance as a permitted use, accessory use, or special exception shall be classified as nonconforming uses.
 - 2. All uses legally existing before the effective date of this Chapter which would be classified as a prohibited use under this Ordinance shall be classified as nonconforming uses.
 - 3. All uses approved by the Board of Zoning Appeals before the effective date of this Chapter which are not classified under this Chapter as a permitted use, accessory use, or special exception shall be classified as nonconforming uses.
 - 4. Regulation of nonconforming uses. Nonconforming uses shall be subject to the requirements of Chapters 4 and 45 of this Ordinance.
- B. Nonconforming Structures
 - 1. All structures legally existing before the effective date of this Chapter which do not meet the requirements of this Chapter shall be classified as nonconforming structures.
 - 2. Regulation of nonconforming structures. Nonconforming structures shall be subject to the requirements of Chapters 4 and 45 of this Ordinance.

C. Nonconforming Objects of Natural Growth

1. Objects of natural growth existing before the effective date of this Chapter which do not meet the requirements of this Chapter shall be classified as nonconforming objects of natural growth, provided, however, that such object of natural growth shall not encumber the imaginary surfaces described in Indiana Code 8-21-10 *Regulation of Tall Structures* in which event the encumbrance may be removed in accordance with any available remedy provided by applicable law.
2. Nonconforming objects of natural growth that have been removed or destroyed shall not be replaced

Section 50.05 BUFFERYARD AND LANDSCAPING STANDARDS

F. Bufferyard Requirements

The following requirements shall pertain to buffering a new use from an existing adjacent use. The numeric levels in subsection 1 will correspond to the level description in subsection 2 below.

1. Levels of Bufferyards

[illegible]

4. Bufferyard Width¹

		New Residential Development							New Commercial Development							New Industrial Development			New Airport Development	
		R-A	R-AA	R-B	R-C	R-D	R-E	R-F	AG-B	NB	GB	OB	RSS	HB	RDD	WI	MI	AD COMMERCIAL	AD RESIDENTIAL	
Existing Residential	R-A	0*	0*	5	10	15	25	30	25	25	25	25	75	75	50	75	100	75	0*	
	R-AA	0*	0*	5	10	15	25	30	25	25	25	25	75	75	50	75	100	75	0*	
	R-B	0	0	0	5	10	20	25	25	25	25	25	75	75	50	75	100	75	0	
	R-C	0	0	0	0	5	15	20	20	20	20	20	65	65	45	65	100	65	0	
	R-D	0	0	0	0	0	10	15	20	20	20	20	65	65	45	65	100	65	0	
	R-E	0	0	0	0	0	0	5	10	10	10	10	50	50	25	50	80	50	0	
	R-F	0	0	0	0	0	0	0	10	10	10	10	50	50	25	50	80	50	0	
Existing Commercial	AG-B	0	0	0	0	0	0	0	0	10	10	50	50	25	50	10	0	10	0	
	NB	0	0	0	0	0	0	0	0	0	0	0	0	25	50	75	0	75	0	
	GB	0	0	0	0	0	0	0	0	0	0	0	0	25	50	75	0	75	0	
	OB	0	0	0	0	0	0	0	0	0	0	0	0	25	25	75	0	75	0	
	RSS	0	0	0	0	0	0	0	0	0	0	0	0	0	25	50	0	50	0	
	HB	0	0	0	0	0	0	0	0	0	0	0	0	0	50	75	0	75	0	
Existing Industrial	RDD	0	0	0	0	0	0	0	0	0	0	0	0	0	50	50	0	50	0	
	WI	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	MI	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Existing Airport	AD COMMERCIAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	AD RESIDENTIAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

¹The bufferyard requirement shall NOT be included as part of the minimum yard requirement.

*All distances are measured in feet.

Section 2.02 DEFINITIONS

Airport-Related Use: A use or activity whose purpose or function is primarily or partially dependent on location or access to the operational area of a public use airport, or whose functions are directly or indirectly necessary for the daily operations and economic viability of a full-service public use airport to include but not be limited to all necessary navigation and flight operation facilities, and accessory uses such as terminal, storage, and servicing facilities for aircraft, air research facilities, and restaurant, hotel, or motel facilities and similar related services for the comfort and accommodation of air crews, air passengers and the public

Section 54.02 DEFINITIONS

The following definitions shall apply to this Chapter:

- H. "Residential Zoning District" shall mean any "R-A", "R-AA", "R-B", "R-C", "R-D", "R-E" or "R-F" District.

Section 58.10 OUTDOOR LIGHTING

A. Light Trespass

All areas containing outdoor lighting shall limit light spillage onto adjacent property, when measured at any point along a property line to the requirements set forth below. Compliance shall be achieved by utilizing fixture shielding, directional control designed into fixtures, fixture location, height, or aim, or a combination of these or other factors.

Adjoining Districts	Light Spillage Measured in Vertical Foot-Candles
AG, AG-B RA, RAA, RB, RC, RD, RE, RF AD RESIDENTIAL NB, MHP, PUD-R	0.10
GB, OB, RD, TC, PUD-RC RSS, HB, WI, MI, PUD-CI AD COMMERCIAL Public right-of-way	0.30

SECTION 60.06 ON-PREMISE SIGNS: AGRICULTURAL, COMMERCIAL, INDUSTRIAL DISTRICTS

The following signage is permitted in the Agricultural, Commercial and Industrial Districts:

A. Freestanding Identification Signs for Single Use Sites (excluding single use sites within an integrated center).

1. Type of Signs

Freestanding identification signs shall be permitted as follows:

- a. One (1) Ground Sign – AG/B, NB, GB, OB, RSS, HB, RDD, WI, AD COMMERCIAL and MI Districts; or
- b. One (1) Pole Sign – GB and HB Districts.

B. Freestanding Identification Signs for Integrated Centers (including single use sites within the integrated center).

1. Type of Signs

Freestanding Identification Signs shall be permitted as follows:

- a. Ground Sign – NB, GB, OB, RSS, HB, RDD, WI, AD COMMERCIAL and MI Districts; and
- b. Pole Sign – GB and HB Districts.

C. Freestanding Identification Signs for Outlots in an Integrated Center

1. Type of Signs

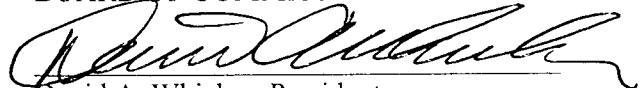
Freestanding Identification Signs shall be permitted as follows:

- a. Ground Signs – NB, GB, OB, RSS, HB, RDD, WI, AD COMMERCIAL and MI Districts.

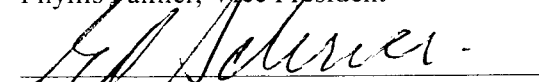
60.06 ON-PREMISES SIGNS – A, R-A, R-AA, R-B, R-C, R-D, R-E, R-F, AND MH DISTRICTS

APPROVED, by the Board of Commissioners of Hendricks County, Indiana this 27th day of June, 2006

BOARD OF COMMISSIONERS


David A. Whicker, President


Phyllis Palmer, Vice President


Ed Schrier, Member

Attest


Nancy Marsh, Auditor

ORDINANCE NO. 2006-12

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO AD/AIRPORT DEVELOPMENT DISTRICT, COMMONLY KNOWN AS ZA 367/06: AIRPORT DEVELOPMENT DISTRICT ZONING, CENTER TOWNSHIP, PARCEL TOTALING 2,300 ACRES, LOCATED APPROXIMATELY SOUTH OF U.S. HIGHWAY 36 BETWEEN COUNTY ROAD 150 EAST AND COUNTY ROAD 400 EAST, TO ABOUT 0.25 MILE SOUTH OF COUNTY ROAD 200 SOUTH..

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the AD/Airport Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 367/06: Airport Development District Zoning, 2,300 acres, Center Township, located approximately south of U.S. Highway 36 between County Road 150 East and County Road 400 East, to about 0.25 mile south of County Road 200 South.

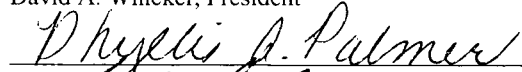
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

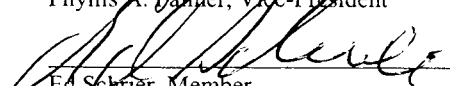
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the
27th day of June, 2006.

Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NO. 2006-13

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO AG-B/AGRICULTURAL BUSINESS DISTRICT, COMMONLY KNOWN AS ZA 362/06: FRANCIS ONTIVEROS, S08-T14N-R1W, LIBERTY TOWNSHIP, PARCEL TOTALING 24.49 ACRES, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 40, APPROXIMATELY HALF WAY BETWEEN COUNTY ROAD 200 WEST AND COUNTY ROAD 100 WEST.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the AG-B/Agricultural Business District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 362/06: Francis Ontiveros, S08-T14N-R1W, 24.49 acres, Liberty Township, located on the north side of U.S. Highway 40, approximately half way between County Road 200 West and County Road 100 West.

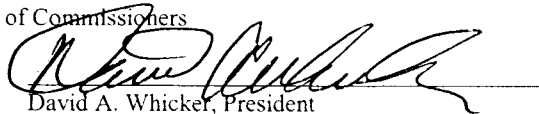
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 362/06: *Francis Ontiveros*, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

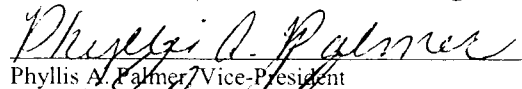
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 27th day of June, 2006.

Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Souther, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NO. 2006-14

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO RAA/SINGLE FAMILY (15,000) RESIDENTIAL DISTRICT, COMMONLY KNOWN AS ZA 365/06: OBSERVATORY GARDENS, LP, S27-T17N-R1E, BROWN TOWNSHIP, PARCEL TOTALING 142.07 ACRES, LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 900 NORTH, APPROXIMATELY .50 MILE WEST OF THE INTERSECTION OF STATE ROAD 267.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the RAA/Single Family (15,000) Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 365/06: Observatory Gardens, LP, S27-T17N-R1E, 142.07 acres, Brown Township, located on the south side of County Road 900 North, approximately .50 mile west of the intersection of State Road 267.

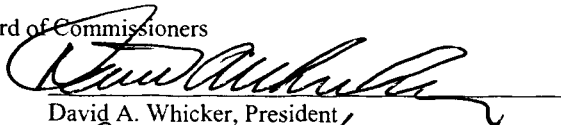
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 365/06: *Observatory Gardens, LP*, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

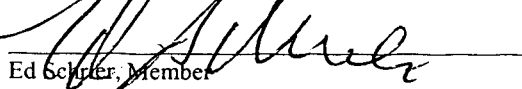
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 27th day of June, 2006.

Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NO. 2006- 15

AN ORDINANCE ESTABLISHING A STORMWATER MANAGEMENT
BOARD FOR HENDRICKS COUNTY

WHEREAS, THE General Assembly of the State of Indiana has made the determination that management of stormwater quality is a primary concern for the State of Indiana and its political subdivisions; and

WHEREAS, stormwater quality management is a required function for Hendricks County as mandated in Indiana Rule 327 IAC 15-13; and

WHEREAS, Hendricks County must establish a Stormwater Management Board for the purpose of providing direction for the creation of a Department of Stormwater Management; and

WHEREAS, the Federal Clean Water Act, 33 U.S.C. 1251 et seq., requires certain political entities to implement stormwater programs within prescribed time frames, and the Environmental Protection Agency, pursuant to the Federal Clean Water Act, 33 U.S.C. 1251 et seq., and Indiana Rule 327 IAC 15-13 has published rules for stormwater programs addressing stormwater quality; and

WHEREAS, Indiana Code Annotated, § 8-1.5-5-1 et seq., provides that the purpose of the stormwater management statute is to facilitate county compliance with the Water Quality Act of 1977, and applicable EPA regulations, particularly those arising from § 405 of the Water Quality Act of 1987, and § 402(p) of the Clean Water Act of 1977, as well as Indiana Rule 327 IAC 15-13 and to enable counties to regulate stormwater quality; and

WHEREAS, I.C. 8-1.5-5-1 et seq. allows counties to adopt the provisions of said chapter, by ordinance, creating a Stormwater Management Board; and

WHEREAS, Indiana Code Annotated, § 8-1.5-5-1 et seq., provides that among other powers counties have with respect to stormwater quality, is the power by ordinance to:

- 1) Establish a board of directors; and
- 2) Appoint members to such board.

NOW, THEREFORE, BE IT ENACTED BY THE
COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, THAT:

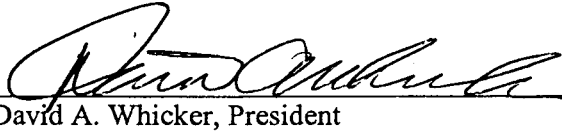
They declare and determine that a Stormwater Management Board shall be
established pursuant to IC 8-1.5-5-4.5; and that

The Board established pursuant to the terms of this Ordinance shall have those
powers provided for under I.C. 8-1.5-5.

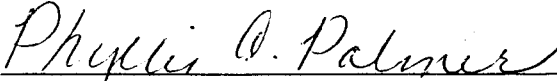
This Ordinance shall be in full force and effect from and after its passage and approval.

Presented to the Board of Commissioners of Hendricks County, Indiana, and approved on
this 11th day of July, 2006:

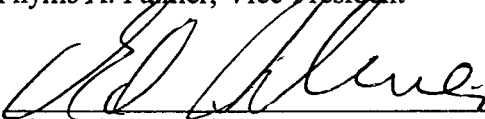
BOARD OF COMMISSIONERS OF HENDRICKS COUNTY:



David A. Whicker, President



Phyllis A. Palmer, Vice-President



Ed Schrier, Member

ATTEST:



Nancy Marsh, Hendricks County Auditor

ORDINANCE ESTABLISHING AN AMENDMENT
TO CHAPTER 2.6 ADOPTION FEES
FOR THE HENDRICKS COUNTY ANIMAL SHELTER

WHEREAS, The Hendricks County Animal Control amends Chapter 2.6: Adoption Fees, and hereby sets the following adoption fees:

Sec. 2.6.1 Adoption Fees:

(A) Dogs or cats adoption fees:

(1) Total fee for adoption will be \$24.25

\$ 10.00 will go into the county general fund

\$ 6.25 will be paid by a money order to the AKC

\$ 8.00 will go back into the donation fund for the shelter

(B) Mice, rats, guinea pigs, hamsters, rabbits, small birds, etc. \$10.00

(C) Small exotics animals, farm animals (goats, pigs) \$40.00

(D) Large farm animals, (equine not included) \$100.00

(E) Equine fees will be placed on the individual animal and to follow the rules in Sec. E.

(F) For animals not listed above, a fee will be placed on a case-by-case basis. Fees will be set by the Chief Animal Control Officer and a representative from the State of Indiana, Division of Companion Animal/Equine Office. Fees will be set by using the cost of boarding, veterinarian care, etc.

(G) A fee of \$5.00 per day can be charged in addition to the adoption fees, to a new owner if a hold has been placed on an animal and they ask if we can hold on to the animal, past the 24 hour waiting period, and the animal remains in the Hendricks County Animal Control/Shelter. This can only be done if there is room at the Hendricks County Animal Control/Shelter to house the animal.

Sec. 2.6.2 All animals adopted that can be surgically rendered incapable of reproduction will be (ex. dogs, cats, and horse-male). The cost will be at the new owner's expense. Failure to have this done will result in an ordinance violation. See penalty Rule 16. Some cases will be evaluated on a case-by-case basis. All adopted animals that can be, will be micro chipped (EX. dogs, cats, and equine). The cost of the microchip and registration to be at the owner's expense, paid by a money order at the time of the adoption and is mailed out by the animal control.

(A) Adopted animals that are age 12 weeks or older, for which there is an approved vaccine, will have to have a current rabies vaccination or proof of prepaid vaccination to be given within 4 days after adoption.

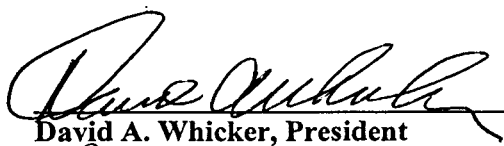
(B) Animals that are adopted will have to have a current distemper vaccination or poof of prepaid vaccination to be given within 4 days after adoption.

NOT, THEREFORE, BE IT HEREBY ORDAINED that effective July 18, 2006, the Hendricks County Animal Shelter will collect the above stated fees.

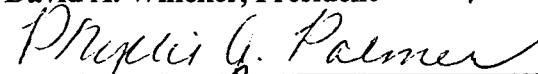
NOW THEREFORE, BE IT HEREBY ORDAINED by the Hendricks County Board of Commissioners that the adoption fees shall be collected before the animals are released to the proposed owner.

This Ordinance and these fees shall be in full force and effective from and after the date that it is adopted by a majority of the Board of Commissioners of Hendricks County, Indiana and executed by said Board.

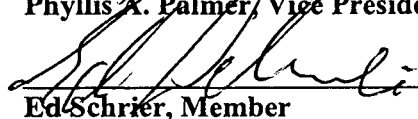
Adopted this 18th day of July, 2006



David A. Whicker, President



Phyllis A. Palmer, Vice President



Ed Schrier, Member

ATTEST: Nancy L. Marsh
Nancy L. Marsh, Auditor

ORDINANCE NO. 2006-17

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO RAA/SINGLE FAMILY (15,000) RESIDENTIAL DISTRICT, COMMONLY KNOWN AS ZA 368/06: CHARLES M. NEESE, S22-T17N-R1E, BROWN TOWNSHIP, PARCEL TOTALING 23.33 ACRES, LOCATED APPROXIMATELY .08 MILE EAST OF COUNTY ROAD 650 EAST AND .07 MILE SOUTH OF COUNTY ROAD 1000 NORTH, MORE COMMONLY KNOWN AS 9925 NORTH COUNTY ROAD 650 EAST, PITTSBORO.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the RAA/Single Family (15,000) Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 368/06: Charles M. Neese, S22-T17N-R1E, 23.33 acres, Brown Township, located approximately .08 mile east of County Road 650 East and .07 mile south of County Road 1000 North, more commonly known as 9925 North County Road 650 East, Pittsboro.

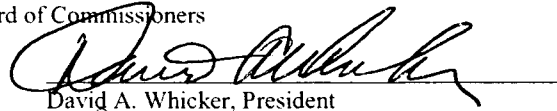
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 368/06: Charles M. Neese, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

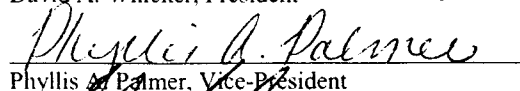
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

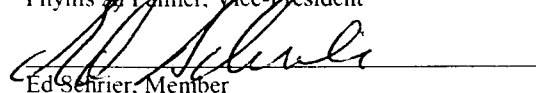
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 18th day of July, 2006.

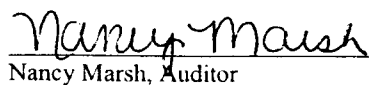
Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

**HENDRICKS COUNTY ORDINANCE ADOPTING
THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**

ORDINANCE NO. 2006-18

AN ORDINANCE ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)
AS THE STANDARD FOR INCIDENT MANAGEMENT BY THE COUNTY OF HENDRICKS.

WHEREAS, on February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD) – 5 that directed the Department of Homeland Security, in cooperation with representatives of federal, state, and local government, to develop a National Incident Management System (NIMS) to provide a consistent approach to the effective management of situations involving natural disasters, man-made disasters or terrorism; and

WHEREAS, the final NIMS was released on March 1, 2004, and

WHEREAS, the NIMS contains a practice model for the accomplishment of the significant responsibilities associated with prevention, preparedness, response, recovery, and mitigation of all major and national hazards situations, and

WHEREAS, the HSPD-5 requires that state and local governments adopt the NIMS by fiscal year 2005 as a pre-condition to the receipt of federal grants, contract and activities related to the management and preparedness for certain disaster and hazard situations; and

WHEREAS, the Commissioners for the County of Hendricks desire to adopt the NIMS as required by HSPD-5.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF HENDRICKS COUNTY:

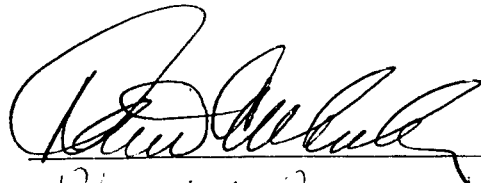
Hereby adopts the National Incident Management System dated March 1, 2004.

READ AND APPROVED on first reading this the 5th day of September, 2006.

READ AND APPROVED AND ADOPTED on second reading this the 5th day of September, 2006.

ATTEST:

Nancy D. Marsh


Phyllis J. Palmer
Ed Scherle

**HENDRICKS COUNTY COUNCIL
INNKEEPERS' AMENDED TAX ORDINANCE
ORDINANCE NO. 2006- 19**

WHEREAS, it has been the policy and expressed desire of Hendricks County, State of Indiana to promote and encourage development and tourism within Hendricks County and the respective municipalities located therein; and

WHEREAS, the General Assembly of the State of Indiana has recognized the necessity and propriety of funding such activities at the local level by enacting IND. CODE 6-9-18, the Uniform County Innkeeper's Tax; and

WHEREAS, pursuant to IND. CODE 6-9-18, the Uniform County Innkeepers' Tax, the Hendricks County Council has, by Ordinance No. 38-1997 dated 7 October 1997, levied such a tax, and the Board of Commissioners of Hendricks County created a commission to promote the development and growth of the convention, visitor, and tourism industry in the county, that commission being the Hendricks County Tourism Commission (hereinafter "the Commission"); and

WHEREAS, the General Assembly of the State of Indiana has, by IND. CODE 6-9-37, effective 1 July 2005, enabled Hendricks County, by and through its County Council, to increase its Innkeeper's Tax and levy an Innkeeper's Tax at a rate not to exceed eight percent (8%), IND. CODE 6-9-37-4 (c) providing in part that those Innkeeper's Tax collections in excess of the rate of five percent (5%) be expended: "(1) to promote and or encourage conventions, visitors, and tourism within the county; and (2) for the development of a county park, a county fairground, or a county promotion."; and

WHEREAS, by its Ordinance No. 2005-34 dated 25 August 2005, the Hendricks County Council did amend and supersede its Ordinance No. 38-1997 and levy an Innkeepers' Tax not to exceed eight percent (8%); and

WHEREAS, there is now a need to establish more definite procedures for the efficient distribution of funds for the purposes set forth in IND. CODE 6-9-37-4 (c)(2);

NOW, THEREFORE, BE IT ORDAINED by the Hendricks County Council that, effective upon passage of this amending Ordinance, the aforesaid Hendricks County Council Ordinance No. 2005-34 be amended to delete subsection (d) and to revise subsections (b) and (c) of Section II of said Ordinance as follows:

SECTION II:

b) Not less often than quarterly, upon written request from the treasurer of the Commission, the Hendricks County Auditor shall issue a warrant directing the Treasurer of Hendricks County to transfer money from the convention, visitor, and tourism promotion fund to the treasurer(s) of such entity or entities having been designated to receive revenue for the purposes set out in IND. CODE 6-9-37-4(c)(2), or to a designated separate non-reverting account of such entity or entities, such monies transferred to be in the previously designated ratio.

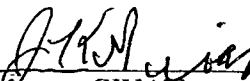
c) The Hendricks County Council shall, for the period from 31 October through 31 December 2005 and for each calendar year thereafter, designate to the Commission for inclusion in its proposed budget the entity or entities which are to receive for that year or part of a year the one-half (1/2) of the Innkeeper's Tax revenues in excess of five percent (5%) to be used for the purposes set out in IND. CODE 6-9-37-4(c)(2). If more than one entity is to share such revenues, the

Hendricks County Council shall designate the ratio of those shares. Beginning in calendar year 2007 and for each subsequent year, the designation by the Hendricks County Council shall be made and communicated to the Commission not later than May 31st.

ADOPTED by the County Council of Hendricks County, Indiana, this 7th day of September, 2006.



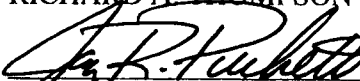
PAUL T. HARDIN



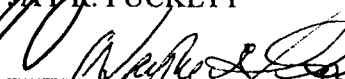
J. K. GIVAN



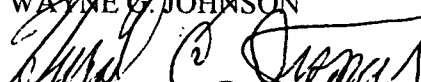
RICHARD A. THOMPSON




JAY R. PUCKETT



WAYNE C. JOHNSON

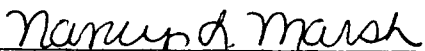


HURSEL C. DISNEY



LARRY R. HESSON

ATTEST:



NANCY L. MARSH, Hendricks County Auditor

ORDINANCE NO. 2006 – 20

AMENDING ORDINANCE NO. 2004 – 39

BOARD OF DIRECTORS MEMBERSHIP OF THE
HENDRICKS COUNTY SOLID WASTE MANAGEMENT DISTRICT

WEREAS, Hendricks County has designated itself as a county solid waste district pursuant to IC 13-21-4-2 and has established and appointed a board of directors pursuant to IC 13-21-3-4; and

WEREAS, the Indiana General Assembly changed the composition of the board of directors for a county solid waste district by amending IC 13-21-3-5 Sec. 5. (e); and

WHEREAS, Hendricks County has determined a need to amend Ordinance No. 2004-39 establishing the Hendricks County Solid Waste Management District to comply with IC 13-21-3-5 Sec. 5. (e).

NOW THEREFORE, be it ordained by the Hendricks County Board of Commissioners that the membership of the Board of Directors of the Hendricks County Solid Waste Management District be changed to comply with the provisions of IC 13-21-3-5 Sec. 5. (e) by amending Section 1 (Board of Directors) of Ordinance 2004 – 39 to read as follows.

Section 1. (Board of Directors) The Hendricks County Solid Waste Management District will be governed by a board of 9 directors consisting of:

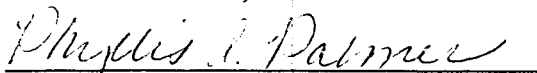
- (3) three members of the county executive;
- (2) two members of the county fiscal body, chosen by the county fiscal body;
- (4) four members of which one member of the town legislative bodies of Avon, Brownsburg, Danville and Plainfield shall serve, chosen by each of the towns' legislative bodies.

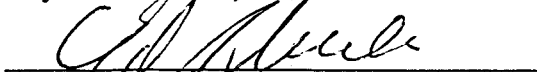
Section 2. (Effective Date) This ordinance shall become effective from and after the date of its passage.

Adopted by the Board of Commissioner of Hendricks County in a regular meeting on the 26th day of September, 2006.

THE BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

ATTEST: 
Nancy Marsh, Auditor

ORDINANCE NO. 2006-21

**AN AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE
BY AMENDING CHAPTER 2 – SECTION 2.02**

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana adopted the Hendricks County Zoning Ordinance on November 5, 2001 and which became effective on November 5, 2001;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended as to Chapter 2 – Section 2.02 Definitions;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (**TZA 02/06**) and voted to forward a favorable recommendation to the County Commissioners;

WHEREAS, the County Commissioners have received and reviewed the Plan Commission's report, have considered the Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, AS FOLLOWS:

AMEND:

2.02 DEFINITIONS

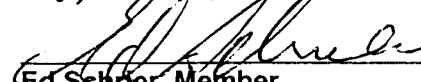
Family: (a) One or more persons related by blood, marriage, adoption or other duly-authorized custodial arrangement; or (b) not more than four unrelated persons living together in a dwelling sharing common sleeping, cooking, living and eating facilities; or (c) residents of a Group Home (see *Group Home*) licensed by the State of Indiana.

APPROVED, by the Board of County Commissioners of Hendricks County, Indiana this 26th day of September, 2006.

BOARD OF COMMISSIONERS


David A. Whicker, President


Phyllis Palmer, Vice President


Ed Schrier, Member

ATTEST:


Nancy Marsh, Auditor

ORDINANCE NO. 2006-22

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO RAA/SINGLE FAMILY (15,000) RESIDENTIAL DISTRICT, COMMONLY KNOWN AS ZA 369/06: NICHOLAS BROTHERS FARMS, LLC, S22-T15N-R1E, WASHINGTON TOWNSHIP, PARCEL TOTALING 20.04 ACRES, LOCATED APPROXIMATELY 0.12 MILE NORTH OF THE INTERSECTION OF COUNTY ROAD 251 SOUTH AND COUNTY ROAD 625 EAST, ACROSS FROM THE CEDAR BEND SUBDIVISION.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the RAA/Single Family (15,000) Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 369/06: Nicholas Brothers Farms, LLC, S22-T15N-R1E, 20.04 acres, Washington Township, located approximately 0.12 mile north of the intersection of County Road 251 South and County Road 625 East, across from the Cedar Bend Subdivision.

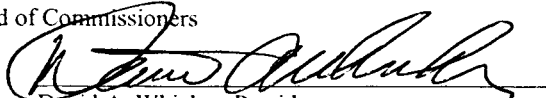
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 369/06: *Nicholas Brothers Farms, LLC*, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

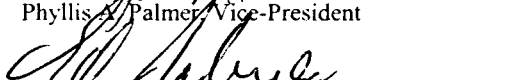
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

26th Approved by the Board of County Commissioners of Hendricks County, Indiana, the day of September, 2006.

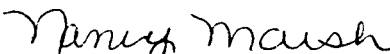
Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NO. 2006-23

AN ORDINANCE VACATING PUBLIC STREET RIGHT-OF-WAY

WHEREAS, CEDAR RUN LIMITED, INC., a corporation organized and existing under and by virtue of the laws of the State of Indiana ("Petitioner") has filed with the Clerk of the Hendricks County Board of Commissioners, Hendricks County, Indiana (the "Board") a petition (the "Petition") to vacate certain public right-of-way heretofore included within the Secondary Plat of Heartland Crossing Business Park, Section Two, recorded July 31, 2001, as Instrument Number 20010022252, in Plat Cabinet 4, Slide 76, pages 1 ABCDE, in the office of the Recorder of Hendricks County, Indiana (the "Plat"), with the area proposed for vacation being a part of the cul-de-sac located at the northeastern termination of Windfall Lane as shown on the Plat, and with such area being more particularly described and identified in the Petition and in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, notice of the Petition has been given by certified mail, return receipt requested, to each record owner of land that abuts the property proposed to be vacated; and

WHEREAS, notice of the Petition by publication has been given by Petitioner, as prescribed by Ind. Code § 5-3-1, and proof of such notice by publication has been filed with the Clerk of the Board; and

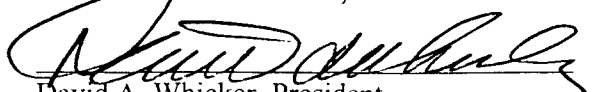
WHEREAS, the Board held a public hearing on the Petition on Tuesday, October 3, 2006 at 9:30 a.m. in the Commissioner's Meeting Room of the Hendricks County Government Center, Hendricks County, Indiana (the "Hearing"); and

WHEREAS, at the Hearing, following the Board's review all of pertinent facts relative to the Petition and the opportunity of all interested parties to speak on the Petition, the Board determined that the Petition should be GRANTED and APPROVED in all respects.

NOW, THEREFORE, the Board does hereby APPROVE the Petition in all respects and does hereby VACATE the public right-of-way heretofore included in the Plat and being more particularly described and identified in attached Exhibit A. Pursuant to the request of Petitioner, this APPROVAL shall become effective upon the recording of the Amended Plat of Heartland Crossing Business Park, Section Two, in connection with that certain petition pending before the Hendricks County Plan Commission under its file number MAP 524/06.

THIS ORDINANCE ADOPTED THIS 3RD DAY OF OCTOBER 2006.

BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA


David A. Whicker, President

LAND DESCRIPTION
R/W VACATION 2

That portion of the Northeast Quarter of the Northeast Quarter of Section 20, Township 14 North, Range 2 East of the Second Principal Meridian, Guilford Township, Hendricks County, Indiana, described as follows:

Commencing at a Harrison Monument found marking the northeast corner of said Northeast Quarter; thence South 00 degrees 14 minutes 23 seconds West along the east line thereof 493.67 feet to the northeast corner of Heartland Crossing Business Park, Section Two, as per the plat thereof recorded as Instrument Number 2001-22252 in Plat Cabinet 4, Slide 76, Pages 1ABCDE and a Certificate of Correction as recorded in Instrument Number 2001-35128 in the Office of the Recorder of said county (the following six (6) courses are along the north and west lines thereof): 1) thence South 88 degrees 48 minutes 12 seconds West along the north line thereof 30.01 feet to the west right-of-way line of Raceway Road; 2) thence South 00 degrees 14 minutes 23 seconds West along said line, parallel with the east line of said Northeast Quarter, 493.35 feet; 3) thence South 86 degrees 01 minute 48 seconds West 322.64 feet; 4) thence North 88 degrees 27 minutes 08 seconds West 249.90 feet; 5) thence South 83 degrees 50 minutes 51 seconds West 111.90 feet; 6) thence North 45 degrees 29 minutes 06 seconds West 39.03 feet; thence North 44 degrees 30 minutes 54 seconds East 24.56 feet to the beginning of a tangent curve to the left having a radius of 30.00 feet and a central angle of 90 degrees 00 minutes 00 seconds; thence northeasterly, northerly, and northwesterly along the arc of said curve 47.12 feet; thence North 45 degrees 29 minutes 06 seconds West 66.45 feet to the beginning of a tangent curve to the left having a radius of 170.00 feet and a central angle of 90 degrees 00 minutes 34 seconds; thence northwesterly, westerly, and southwesterly along the arc of said curve 267.06 feet; thence North 45 degrees 29 minutes 40 seconds West 60.00 feet to the POINT OF BEGINNING; thence North 44 degrees 31 minutes 09 seconds East 26.66 feet to the beginning of a tangent curve to the right having a radius of 230.00 feet and a central angle of 35 degrees 48 minutes 36 seconds; thence northeasterly along the arc of said curve 143.75 feet to the beginning of a compound curve to the right having a radius of 70.00 feet and a central angle of 07 degrees 06 minutes 17 seconds; thence easterly along the arc of said curve 8.68 feet; thence South 02 degrees 34 minutes 14 seconds East 16.90 feet along said line to the beginning of a curve to the left having a radius of 230.00 feet, a central angle of 42 degrees 51 minutes 06 seconds and a radial line passing through said point which bears North 02 degrees 38 minutes 35 seconds West; thence westerly and southwesterly along the arc of said curve 172.02 feet to the POINT OF BEGINNING, containing 0.034 acres, more or less.

	RIGHT OF WAY PARCEL 2 VACATION EXHIBIT A	Date: <u>9/6/06</u>
	PART OF THE NE 1/4, NE 1/4 SEC. 20-T14N-R2E HENDRICKS COUNTY, INDIANA	Job #: <u>06050</u> Drawn By: <u>BAW</u> Checked: <u>BLH</u> Revised: _____ Scale: <u>1"=50'</u>

LAND DESCRIPTION
R/W VACATION 3

That portion of the Northeast Quarter of the Northeast Quarter of Section 20, Township 14 North, Range 2 East of the Second Principal Meridian, Guilford Township, Hendricks County, Indiana, described as follows:

Commencing at a Harrison Monument found marking the northeast corner of said Northeast Quarter; thence South 00 degrees 14 minutes 23 seconds West along the east line thereof 493.67 feet to the northeast corner of Heartland Crossing Business Park, Section Two, as per the plat thereof recorded as Instrument Number 2001-22252 in Plot Cabinet 4, Slide 76, Pages 1ABCDE and a Certificate of Correction as recorded in Instrument Number 2001-35128 in the Office of the Recorder of said county (the following six (6) courses are along the north and west lines thereof): 1) thence South 88 degrees 48 minutes 12 seconds West along the north line thereof 30.01 feet to the west right-of-way line of Raceway Road; 2) thence South 00 degrees 14 minutes 23 seconds West along said line, parallel with the east line of said Northeast Quarter, 493.35 feet; 3) thence South 86 degrees 01 minute 48 seconds West 322.64 feet; 4) thence North 88 degrees 27 minutes 08 seconds West 249.90 feet; 5) thence South 83 degrees 50 minutes 51 seconds West 111.90 feet; 6) thence North 45 degrees 29 minutes 06 seconds West 39.03 feet; thence North 44 degrees 30 minutes 54 seconds East 144.56 feet to the beginning of a curve to the right having a radius of 30.00 feet, a central angle of 90 degrees 00 minutes 00 seconds, and a radial line passing through said point which bears South 45 degrees 29 minutes 06 seconds East; thence southwesterly, westerly, and northwesterly along the arc of said curve 47.12 feet; thence North 45 degrees 29 minutes 06 seconds West 66.45 feet to the beginning of a tangent curve to the left having a radius of 170.00 feet and a central angle of 34 degrees 11 minutes 48 seconds; thence northwesterly and westerly along the arc of said curve 137.27 feet to the beginning of a curve to the left having a radius of 70.00 feet, a central angle of 47 degrees 28 minutes 55 seconds, and a radial line passing through said point which bears North 44 degrees 54 minutes 41 seconds East and the POINT OF BEGINNING; thence northwesterly and westerly along the arc of said curve 58.01 feet; thence South 02 degrees 34 minutes 14 seconds East along said line 16.90 feet to the beginning of a curve to the right having a radius of 230.00 feet, a central angle of 12 degrees 57 minutes 40 seconds, and a radial line passing through said point which bears North 02 degrees 38 minutes 35 seconds West; thence easterly along the arc of said curve 52.03 feet to the POINT OF BEGINNING, containing 0.014 acres, more or less.

	RIGHT OF WAY PARCEL 3 VACATION EXHIBIT A	Date: <u>9/6/06</u>
	PART OF THE NE 1/4, NE 1/4 SEC. 20-T14N-R2E HENDRICKS COUNTY, INDIANA	Job #: <u>06050</u>
		Drawn By: <u>BAW</u>
		Checked: <u>BLH</u>
		Revised: _____
		Scale: <u>1"=50'</u>



HEARTLAND CROSSING
BUSINESS PARK
SECTION 2
Per Instr. #200100022252
P.C. 4 SL. 76 PG. 1 A,B,C,D,E

Common Area 3

R = 230.00'
Δ = 35° 48' 36"
L = 143.75'

R = 70.00'
Δ = 07° 06' 17"
L = 8.68'

NORTH LINE, NE 1/4

POINT OF COMMENCEMENT
NE CORNER, NE 1/4
SEC. 20-T14N-R2E

Date: 9/6/06

Job #: 06050

Drawn By: BAW

Checked: BLH

Revised:

Scale: 1"=50'

RIGHT OF WAY PARCEL 2 VACATION
EXHIBIT B

PART OF THE NE 1/4, NE 1/4
SEC. 20-T14N-R2E
HENDRICKS COUNTY, INDIANA

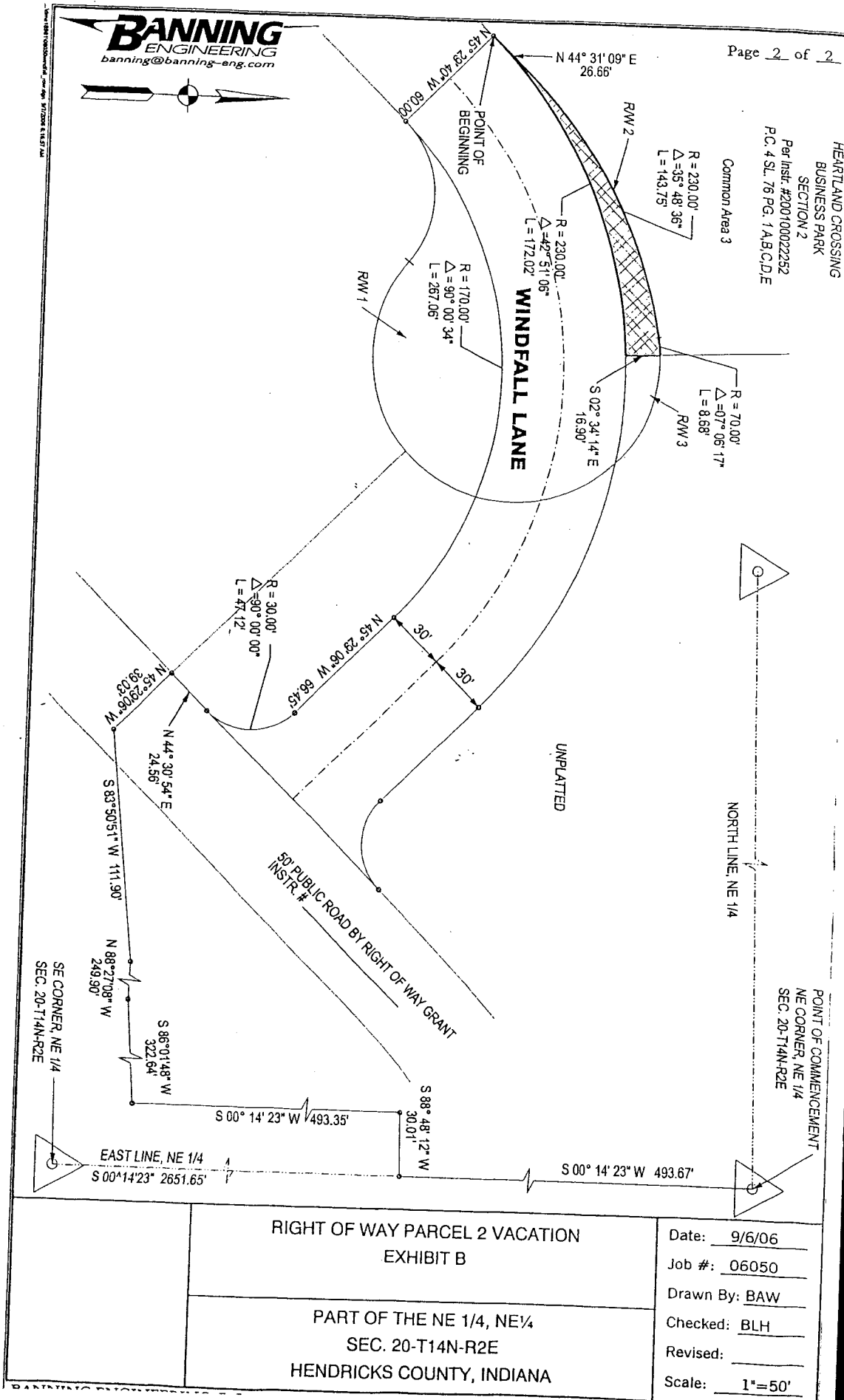


EXHIBIT "A"

LAND DESCRIPTION
R/W Vacation 1

That portion of the Northeast Quarter of the Northeast Quarter of Section 20, Township 14 North, Range 2 East of the Second Principal Meridian, Guilford Township, Hendricks County, Indiana, described as follows:

Commencing at a Harrison Monument found marking the northeast corner of said Northeast Quarter; thence South 00 degrees 14 minutes 23 seconds West along the east line thereof 493.67 feet to the northeast corner of Heartland Crossing Business Park, Section Two, as per the plat thereof recorded as Instrument Number 2001-22252 in Plat Cabinet 4, Slide 76, Pages 1ABCDE and a Certificate of Correction as recorded in Instrument Number 2001-35128 in the Office of the Recorder of said county (the following six (6) courses are along the north and west lines thereof); 1) thence South 88 degrees 48 minutes 12 seconds West along the north line thereof 30.01 feet to the west right-of-way line of Raceway Road; 2) thence South 00 degrees 14 minutes 23 seconds West along said line, parallel with the east line of said Northeast Quarter, 493.35 feet; 3) thence South 86 degrees 01 minute 48 seconds West 322.64 feet; 4) thence North 88 degrees 27 minutes 08 seconds West 249.90 feet; 5) thence South 83 degrees 50 minutes 51 seconds West 111.90 feet; 6) thence North 45 degrees 29 minutes 06 seconds West 39.03 feet; thence North 44 degrees 30 minutes 54 seconds East 24.56 feet to the beginning of a tangent curve to the left having a radius of 30.00 feet and a central angle of 90 degrees 00 minutes 00 seconds; thence northeasterly, northerly, and northwesterly along the arc of said curve 47.12 feet; thence North 45 degrees 29 minutes 06 seconds West 66.45 feet to the beginning of a tangent curve to the left having a radius of 170.00 feet and a central angle of 24 degrees 00 minutes 24 seconds; thence northwesterly along the arc of said curve 71.23 feet to the beginning of a curve to the right having a radius of 70.00 feet, a central angle of 115 degrees 23 minutes 18 seconds and a radial line passing through said point which bears South 75 degrees 32 minutes 20 seconds East, and the POINT OF BEGINNING; thence southwesterly, westerly, and northwesterly along the arc of said curve 140.97 feet to the beginning of a reverse curve to the left having a radius of 50.00 feet and a central angle of 85 degrees 20 minutes 16 seconds; thence northwesterly, westerly and southwesterly along the arc of said curve 74.47 feet to the beginning of a curve to the right having a radius of 170.00 feet, a central angle of 65 degrees 46 minutes 48 seconds, and a radial line passing through said point which bears North 45 degrees 16 minutes 19 seconds West; thence northeasterly, easterly, and southeasterly along the arc of said curve 195.17 feet to the POINT OF BEGINNING, containing 0.151 acres, more or less.

	RIGHT OF WAY PARCEL 1 VACATION EXHIBIT A	Date: <u>9/6/06</u>
	PART OF THE NE 1/4, NE 1/4 SEC. 20-T14N-R2E HENDRICKS COUNTY, INDIANA	Job #: <u>06050</u> Drawn By: <u>BAW</u> Checked: <u>BLH</u> Revised: _____ Scale: <u>1"=50'</u>

ORDINANCE NO. 2006-24

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO GB/GENERAL BUSINESS DISTRICT, COMMONLY KNOWN AS ZA 370/06: CEDAR RUN LIMITED, INC., S20-T14N-R2E, GUILFORD TOWNSHIP, PARCEL TOTALING 5.115 ACRES, LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 800 SOUTH, BETWEEN RACEWAY ROAD AND STATE ROAD 67.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the GB/General Business District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 370/06: Cedar Run Limited, Inc., S20-T14N-R2E, 5.115 acres, Guilford Township, located on the south side of County Road 800 South between Raceway Road and State Road 67.

SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 370/06: Cedar Run Limited, Inc., the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

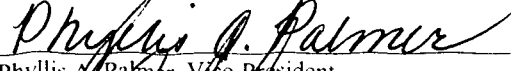
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.


SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 24th day of October, 2006.

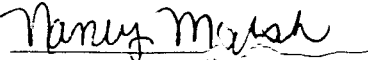
Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NO. 2006-25

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT AND HB/HIGHWAY BUSINESS DISTRICT TO RSS/REGIONAL SUPPORT SERVICES DISTRICT AND GB/GENERAL BUSINESS DISTRICT, COMMONLY KNOWN AS ZA 371/06: SANDERS DEVELOPMENT GROUP, INC., S34-T14N-R1W, LIBERTY TOWNSHIP, PARCEL TOTALING 896.89 ACRES, LOCATED WEST OF STATE ROAD 39 ON THE NORTH SIDE OF COUNTY ROAD 1000 SOUTH, BETWEEN STATE ROAD 39 AND COUNTY ROAD 100 EAST AND SOUTH OF COUNTY ROAD 1000 SOUTH ON THE EAST AND WEST SIDES OF COUNTY ROAD 100 EAST.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November on the year 2001, be amended so as to include in the RSS/Regional Support Services District and GB/General Business District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 371/06: Sanders Development Group, Inc., S34-T14N-R1W, 896.89 acres, Liberty Township, located west of State Road 39 on the north side of County Road 1000 South, between State Road 39 and County Road 100 East and South of County Road 1000 South on the east and west sides of County Road 100 East.

SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 371/06: Sanders Development Group, Inc., the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

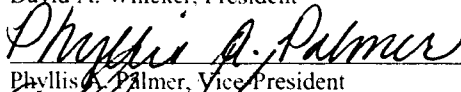
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

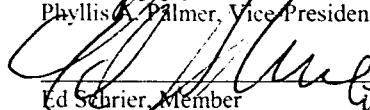
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 24th day of October, 2006.

Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice President


Ed Scriber, Member

Attest:


Nancy Marsh Auditor

ORDINANCE NO. 2006-26

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO PUD/PLANNED UNIT DEVELOPMENT DISTRICT, COMMONLY KNOWN AS ZA 366/06: PLATINUM PROPERTIES, LLC, S23&26-T16N-R1E, LINCOLN TOWNSHIP, PARCEL TOTALING 224.65 ACRES, LOCATED ON THE EAST SIDE OF STATE ROAD 267 AND ON THE SOUTH AND NORTH SIDES OF COUNTY ROAD 300 NORTH.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the PUD/Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 366/06: Platinum Properties, LLC, S23&26-T16N-R1E, 224.65 acres, Lincoln Township, located on the east side of State Road 267 and on the south and north sides of County Road 300 North.


SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 366/06: *Platinum Properties, LLC*, the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

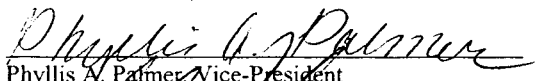
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 28th day of November, 2006.

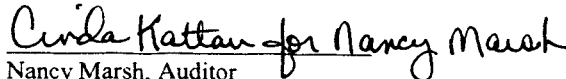
Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NO. 2006-27

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO RAA/SINGLE FAMILY (15,000) RESIDENTIAL DISTRICT, COMMONLY KNOWN AS ZA 373/06: GERARD MASON, S26-T16N-R1W, CENTER TOWNSHIP, PARCEL TOTALING 20.01 ACRES, LOCATED ON THE NORTH SIDE OF COUNTY ROAD 200 NORTH APPROXIMATELY 0.50 MILE EAST OF THE INTERSECTION OF COUNTY ROAD 100 EAST, MORE COMMONLY KNOWN AS 1490 EAST COUNTY ROAD 200 NORTH.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the RAA/Single Family (15,000) Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 373/06: Gerard Mason., S26-T16N-R1W, 20.01 acres, Center Township, located on the north side of County Road 200 North, approximately 0.50 mile east of the intersection of County Road 100 East, more commonly known as 1490 East County Road 200 North.

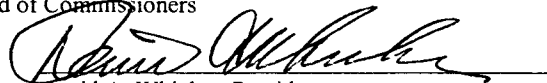
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 373/06: Gerard Mason., the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

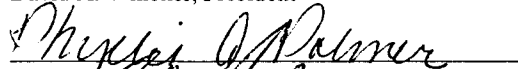
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 28th day of November, 2006.

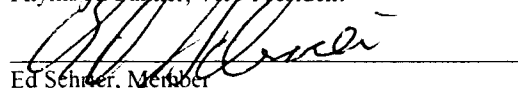
Board of Commissioners



David A. Whicker, President

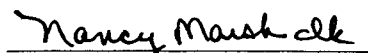


Phyllis A. Palmer, Vice-President



Ed Schuler, Member

Attest:


Nancy Marshall, Auditor

ORDINANCE NO. 2006-28

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO GB/GENERAL BUSINESS DISTRICT, COMMONLY KNOWN AS ZA 374/06: 9093 SR 39, LLC, S25-T14N-R1W, LIBERTY TOWNSHIP, PARCEL TOTALING 10.95 ACRES, LOCATED ON THE EAST SIDE OF STATE ROAD 39 AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF COUNTY ROAD 900 SOUTH, MORE COMMONLY KNOWN AS 9093 SOUTH STATE ROAD 39.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the GB/General Business District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 374/06: 9093 SR 39, LLC., S25-T14N-R1W, 10.95 acres, Liberty Township, located on the east side of State Road 39 at the southeast quadrant of the intersection of County Road 900 South, more commonly known as 9093 South State Road 39.

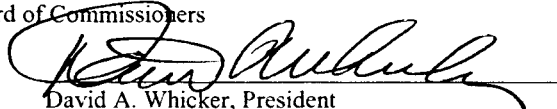
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 374/06: 9093 SR 39, LLC., the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

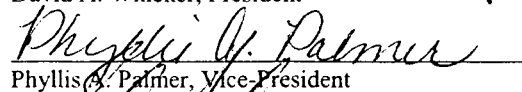
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

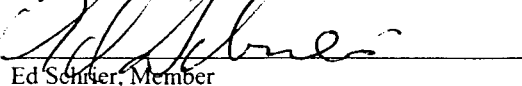
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 28th day of November, 2006.

Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

**HENDRICKS COUNTY COUNCIL
COLLECTIONS AND AUDITS OF INNKEEPERS' TAX ORDINANCE
ORDINANCE NO. 2006- 29**

WHEREAS, it has been the policy and expressed desire of Hendricks County, State of Indiana to promote and encourage development and tourism within Hendricks County and the respective municipalities located therein; and

WHEREAS, the General Assembly of the State of Indiana has recognized the necessity and propriety of funding such activities at the local level by enacting IND. CODE 6-9-18, the Uniform County Innkeeper's Tax, which chapter has enabled Hendricks County, by and through its County Council, to levy an Innkeeper's Tax in furtherance of the policy hereinabove stated; and

WHEREAS, pursuant to IND. CODE 6-9-18, the Uniform County Innkeeper's Tax, the Hendricks County Council has, by Ordinance No. 38-1997 dated 7 October 1997, levied such a tax at the rate of five percent (5%) effective 1 January 1998, and the Board of Commissioners of Hendricks County, pursuant to IND. CODE 6-9-18-5, created a commission to promote the development and growth of the convention, visitor, and tourism industry in the county, that commission being the Hendricks County Tourism Commission (hereinafter "the Commission"); and

WHEREAS, the General Assembly of the State of Indiana has, by IND. CODE 6-9-37, effective 1 July 2005, enabled Hendricks County, by and through its County Council, to increase its Innkeeper's Tax and levy an Innkeeper's Tax at a rate not to exceed eight percent (8%); and

WHEREAS, IND. CODE 6-9-29-3 provides that should an ordinance have been adopted requiring payment of the Innkeeper's Tax to the Hendricks County Treasurer (as was provided by Ordinance No. 38-1997 and Ordinance 2005-34), the Hendricks County Treasurer

(hereinafter "Treasurer") has the same rights and powers with respect to collecting the Innkeeper's Tax as would the Indiana Department of State Revenue; and

WHEREAS, it is the purpose, goal, and requirement of the Hendricks County Council and the Treasurer to ensure the fair and timely collection of the Innkeeper's Tax; and

WHEREAS, IND. CODE 6-9-37-3(E) provides that all of the provisions of IND. CODE 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of the tax imposed under this section.

NOW, THEREFORE, be it ordained by the Hendricks County Council that:

- A. As previously provided in Ordinance No. 38-1997 and as amended by Ordinance 2005-34, the Innkeeper's Tax shall be paid monthly to the Treasurer.
- B. The Treasurer may create forms for use by taxpayers for filing and collection of Innkeeper's Tax.
- C. For lodging facilities obligated to collect Innkeeper's Tax, a monthly report shall be submitted to the Treasurer, along with payment of any Innkeeper's Tax collected, by the 20th calendar day of the month following the month of collection, i.e. an Innkeeper's Tax monthly report shall be submitted by February 20th for activity in January.
- D. For purposes of this Ordinance, an Innkeeper's Tax monthly report shall be considered timely submitted if the envelop used to mail the report, and any payment, via first class US mail is postmarked on the 20th day of the month or before. The Treasurer shall also accept monthly reports and any payments at the Treasurer's Office.

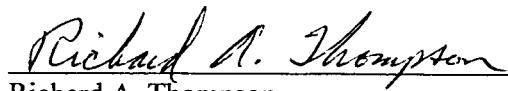
- E. A monthly report is due from any lodging facility covered by the Innkeeper's Tax law even if no Innkeeper's Tax has been collected in that previous calendar month.
- F. If the 20th day of the month falls on a Saturday, Sunday, or legal holiday, the Innkeeper's Tax monthly report shall be submitted by the next following business day.
- G. Any monthly reports submitted after the due date must include a penalty calculated at 10% of the Innkeeper's Tax paid or to be paid, without prorating for the number of days that the monthly report is overdue.
- H. Recognizing that IND. CODE 6-9-29-3 provides that the Treasurer has the same rights and powers with respect to collecting the Innkeeper's Tax as does the Department of State Revenue, the Treasurer is authorized to conduct audits and investigations of taxpayers concerning collection and payment of Innkeeper's Tax. Specifically, but not exclusive, the Treasurer may examine the books, records, papers, or other data bearing on the correctness of Innkeeper's Tax returns, including those pertinent records of third parties handling funds for the credit of, or acting as an agent for, any lodging facility subject to the Innkeeper's Tax.
- I. Pursuant to IND. CODE 6-8.1-3-12, the Treasurer has concurrent jurisdiction with the Indiana Department of Revenue to investigate and audit Innkeeper's Tax returns and reports; further, pursuant to IND. CODE 6-8.1-3-12(g)(3), at the discretion of the Treasurer, the cost of the audit of Innkeeper's Tax may be charged or assessed against the lodging facility audited.

- J. After completion of the audit, the results of the audit will be provided to the lodging facility by the audit firm or Treasurer.
- K. Upon receipt of the audit results, the Treasurer shall either:
1. Remit to the lodging facility the amount of Innkeeper's Tax overpaid; or
 2. Send a statement to the lodging facility for the amount of Innkeeper's Tax due, requesting payment within thirty (30) business days of the date of the statement.
- L. The Treasurer may retain accountants or investigators for purposes of conducting audits of lodging facilities subject to the Innkeeper's Tax; the Treasurer may retain legal counsel for purposes of the bringing of enforcement actions for collection of the Innkeeper's Tax and cost thereof.

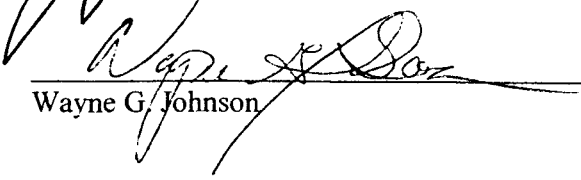
ADOPTED by the County Council of Hendricks County, Indiana, this 14th day of December, 2006.

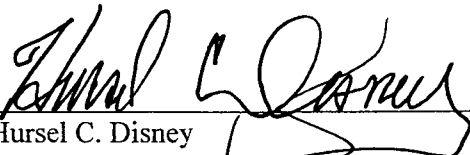

Paul T. Hardin

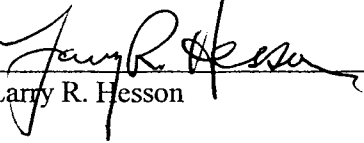

J. K. Givan


Richard A. Thompson

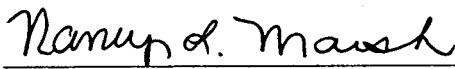

Jay R. Puckett,


Wayne G. Johnson


Hursel C. Disney


Larry R. Hesson

ATTEST:


Nancy L. Marsh, Hendricks County Auditor

SH107673_1

ORDINANCE NO. 2006-30

**AN AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE BY
AMENDING CHAPTER 58 – ADDING SECTION 58.16 ESTATE SUBDIVISION
DESIGNATION AND AMENDING CHAPTER 2 – SECTION 2.02 DEFINITIONS
AND AMENDING CHAPTER 14 – SECTION 14.06**

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana adopted the Hendricks County Zoning Ordinance on November 5, 2001 and which became effective on November 5, 2001;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended as to Chapter 58 – Adding Section 58.16 ESTATE SUBDIVISION DESIGNATION AND AMENDING CHAPTER 2 – SECTION 2.02 DEFINITIONS AND AMENDING CHAPTER 14 – SECTION 14.06;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (TZA 04/06) and voted to forward a favorable recommendation to the County Commissioners;

WHEREAS, the County Commissioners have received and reviewed the Plan Commission's report, have considered the Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

ADD:

58.16 ESTATE SUBDIVISION DESIGNATION

A. Purpose

The purpose of the Estate subdivision is to (1) discourage bland and characterless suburban residential design, (2) promote architectural variety and interest in residential neighborhoods, and (3) bolster the quality of neighborhood life.

B. Estate designation

1. The Estate designation is a special land use classification conferred by the Plan Commission within single family residential zoning districts. The Estate designation is not a zoning district itself. Consequently, Estate developments fall under both the special Estate provisions of this Chapter plus other provisions that apply to the applicable zoning district generally.

2. The Estate designation shall be distinguished by an "(E)" added to the applicable zoning classification on the official zoning map. For example, an Estate subdivision in the RA/Rural Residential zoning district shall be shown on the official zoning map as RA(E)/Rural Residential.

C. Applicability

The Estate designation shall apply to detached single family residential major plats located in single family residential zoning districts which have received the Estate designation from the Plan Commission as described in this Chapter.

D. Applicability to abutting and adjoining land

Certain specified provisions of this Chapter shall apply to land abutting or adjoining property receiving the Estate designation.

E. Development Standards

The minimum dimension of lots and yards and the heights of buildings shall be as shown in the following accompanying table.

Minimum Lot Area	<ul style="list-style-type: none"> • None
Maximum Gross Density	<ul style="list-style-type: none"> • 2 units per acre (central sewer) • 1 unit per 1.5 acres (septic system)
Minimum Lot Width	<ul style="list-style-type: none"> • None
Maximum Lot Coverage	<ul style="list-style-type: none"> • 35 percent for single family uses. • 5 percent or 600 square feet of the total lot area, whichever is greater, for accessory uses.
Minimum Lot Frontage	<ul style="list-style-type: none"> • 50 feet.
Minimum Ground Floor Living Area	<ul style="list-style-type: none"> • 2,400 square feet single story. • 1,500 square feet multi-story first story, 2,800 square feet total.
Maximum Height	<ul style="list-style-type: none"> • 40 feet principal structure. • 18 feet accessory structure.
Minimum Front Yard Setback	<ul style="list-style-type: none"> • 50 feet from the R.O.W. when fronting on an urban principal arterial. • 50 feet from the R.O.W. when fronting on an urban minor arterial. • 45 feet from the R.O.W. when fronting on an urban collector. • 35 feet from the R.O.W. when fronting on an urban local road. • 80 feet from the R.O.W. when fronting on a rural principal arterial. • 50 feet from the R.O.W. when fronting on a rural minor arterial. • 45 feet from the R.O.W. when fronting on a rural collector.

	<ul style="list-style-type: none"> • 35 feet from the R.O.W. when fronting on a rural local road.
Minimum Side Yard Setback	<ul style="list-style-type: none"> • 15 feet.
Minimum Rear Yard Setback	<ul style="list-style-type: none"> • 15 feet.
Minimum Dwelling Width	<ul style="list-style-type: none"> • 24 feet.
Landscaping Along Perimeter Roads	<ul style="list-style-type: none"> • Minimum Level 2 Landscaping per section 50.05(F) (2).

F. Minimum Off-Street Parking and Loading Requirements.

Minimum off-street parking and loading requirements shall be as regulated by the applicable zoning district.

G. Sign Requirements

Maximum sign requirements shall be as regulated by the applicable zoning district.

H. Bufferyard Requirements

Minimum buffering standards shall be as regulated by the applicable zoning district

I. Architectural Standards

Residential construction in Estate designated developments shall comply with the architectural standards found in the current version of the publication *Estate Subdivision Architectural Standards*.

J. Estate Subdivision Approval Process

1. Eligible development. A development eligible for the Estate designation shall be:
 - i. Zoned single family residential.
 - ii. Limited to major plats of detached single family residential use.
2. Estate designation conferred by Plan Commission. The Plan Commission may confer the Estate designation on an eligible development.
3. Permitted use. Major plats receiving the Estate designation by the Plan Commission shall be a permitted use in that zoning district.
4. Major plat approval required. Petitioners for the Estate designation shall file for major plat approval.
5. Plan Commission findings of fact. The Plan Commission may confer the Estate designation by finding the following at the time of primary plat approval:

- i. The proposal is eligible for Estate designation.
- ii. The proposal meets the purpose of the Estate designation.

These findings shall:

- i. Be made a part of the motion to approve the primary plat.
- ii. Appear in the findings of fact for the primary plat.
- iii. Be in addition to the regular findings of fact for primary plat approval.

K. Land abutting and adjoining Estate designated property

An important aspect of the Estate designation is its ability to protect a development's particular residential character by limited control of abutting and adjoining land use (see Chapter 2 *Definitions* for definitions of "Abut or Abutting" and "Adjoining").

For purposes of this Section, land separated by a right-of-way greater than 160 feet wide as specified in the Thoroughfare Plan shall not be considered abutting or adjoining and is not subject to this Section.

1. Residential major plat development on undeveloped abutting and adjoining land. Residential land abutting and adjoining an Estate designated development shall be subject to the following provisions at the time of rezoning, major plat approval, or both:
 - i. Perimeter residential lots abutting or adjoining an Estate designated development shall meet the Estate development standards of this Chapter and the standards of the current version of the publication *Estate Subdivision Architectural Standards*.
 - ii. Residential lots not abutting or adjoining the Estate designated development shall meet the development standards of the established zoning district and any other applicable standard.
2. Residential minor plat development on undeveloped abutting and adjoining land. Legally established residential minor plats on abutting and adjoining land are not subject to this Chapter.
3. Already developed abutting and adjoining land. Abutting and adjoining land with legally existing uses are not subject to this Chapter.
4. Non-residential development on undeveloped abutting and adjoining land. In evaluating a non-residential rezoning request on abutting and adjoining land, the Plan Commission shall give due regard to the:
 - i. Purpose of the Estate designation.
 - ii. Proximity of the Estate development to the proposed non-residential zoning district and/or use.

- iii. Likely effects, either beneficial or detrimental, of the proposed non-residential zoning district and/or use on the Estate development.

AMENDMENT OF CHAPTER 14 - SECTION 14.06 PROHIBITED USES

- A. Major Plat, with the exception of Major Plats designated by the Plan Commission as an Estate Subdivision.

AMENDMENT OF CHAPTER 2 - SECTION 2.02 DEFINITIONS

ADD:

ABUT OR ABUTTING: To physically touch or border upon; or to share a common property line.

ADD:

ADJACENT: To be separated by common property lines, lot lines, right of way or an alley.

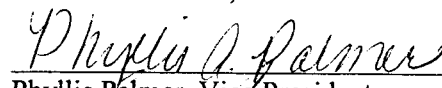
ADJOINING: SEE ADJACENT.

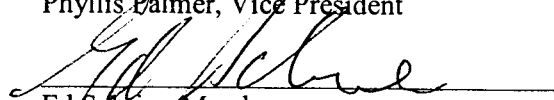
CONTIGUOUS: SEE ABUT/OR ABUTTING.

19th **APPROVED**, by the Board of Commissioners of Hendricks County, Indiana this day of December, 2006

BOARD OF COMMISSIONERS


David A. Whicker, President


Phyllis Palmer, Vice President


Ed Schrier, Member

Attest


Nancy Marsh, Auditor

ORDINANCE NO. 2006-31

**AN ORDINANCE AMENDING THE HENDRICKS COUNTY INDIANA
SUBDIVISION CONTROL ORDINANCE BY AMENDING CHAPTER 12 –
SECTION 12.02 DEFINITIONS**

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana, adopted the Hendricks County Subdivision Control Ordinance on December 21, 2004;

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Subdivision Control Ordinance be amended as to Chapter 12 – Section 12.02 DEFINITIONS;

WHEREAS, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment (TSA 01/06) voted to forward a favorable recommendation to the County Commissioners; and

WHEREAS, the County Commissioners have received and reviewed the Area Plan Commission's report, have considered the Area Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety and convenience of the people of Hendricks County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

AMENDMENT OF CHAPTER 12.02

ADD:

ABUT OR ABUTTING: To physically touch or border upon; or share a common property line.

ADD:

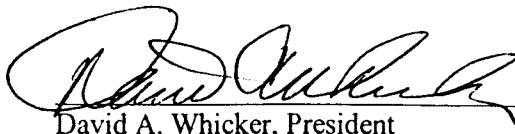
ADJACENT: To be separated by common property lines, lot lines, right of way or an alley.

ADJOINING: SEE ADJACENT.

CONTIGUOUS: SEE ABUT/OR ABUTTING.

Approved by the Board of County Commissioners of Hendricks County, Indiana, this 19th day of December, 2006.

BOARD OF COMMISSIONERS



David A. Whicker, President

Phyllis A. Palmer
Phyllis A. Palmer, Vice President

Ed Schrier
Ed Schrier, Member

ATTEST:

Nancy Marsh
Nancy Marsh, Auditor

ORDINANCE NO. 2006-32

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO RSS/REGIONAL SUPPORT SERVICES DISTRICT, COMMONLY KNOWN AS ZA 375/06: JOSH & CHRISTY R. ABDNOUR, S33-T17N-R1E, BROWN TOWNSHIP, PARCEL TOTALING 27.32 ACRES, LOCATED ON THE NORTH SIDE OF COUNTY ROAD 700 NORTH AT THE INTERSECTION WITH COUNTY ROAD 625 EAST, SOUTH OF INTERSTATE 74.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the RSS/Regional Support Services District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 375/06: Josh & Christy R. Abdnour., S33-T17N-R1E, 27.32 acres, Brown Township, located on the north side of County Road 700 North at the intersection with County Road 625 East, south of Interstate 74.

SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 375/06: JOSH & CHRISTY R. ABDNOUR., the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

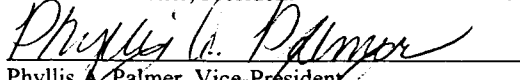
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

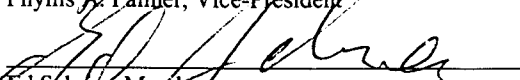
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 19th day of December, 2006.

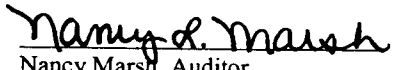
Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

ORDINANCE NO. 2006-33

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RA/RURAL RESIDENTIAL DISTRICT TO RSS/REGIONAL SUPPORT SERVICES DISTRICT, COMMONLY KNOWN AS ZA 377/06: MAURICE E. & SANDRA J. WELLS, S34-T14N-R1W, LIBERTY TOWNSHIP, PARCEL TOTALING 24.23 ACRES, LOCATED AT THE SOUTHWEST QUADRANT OF THE INTERSECTION OF COUNTY ROAD 1000 SOUTH AND COUNTY ROAD 100 EAST.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2001-24) adopted on the 5th day of November in the year 2001, be amended so as to include in the RSS/Regional Support Services District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 377/06: Maurice E. & Sandra J. Wells., S34-T14N-R12W, 24.23 acres, Liberty Township, located at the southwest quadrant of the intersection of County Road 1000 South and County Road 100 East.

SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 377/06: MAURICE E. & SANDRA J. WELLS., the "Findings of Fact/Law" and the "Development Commitment Recording Form" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Development Commitment Recording Form" as a part of this Ordinance.

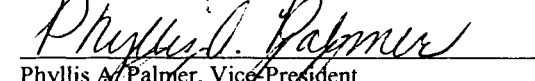
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

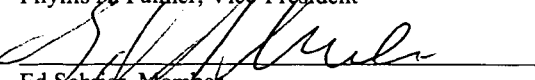
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 19th day of December, 2006.

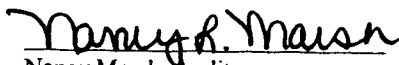
Board of Commissioners


David A. Whicker, President


Phyllis A. Palmer, Vice-President


Ed Schrier, Member

Attest:


Nancy Marsh, Auditor

2006 COUNCIL & COMMISSIONERS' RESOLUTIONS	NUMBER	DATE
Regional Sewer Board Investment Lydequa is a capital investment	06-01	4/4/06
BEC, Town of Avon, Plainfield, Brownsburg Airport Authority, Ronald Reagan PKy	06-02	12-14-06
BEC a town of Plainville - Transfer of property	06-03	12-14-06
Interim Borrowing Work Release	06-04	12-14-06 Comppt 12-14-06 RCC
Preliminary Determination to issue General Obligations Bonds Work Release	06-05	12-14-06
Comprehensive Plan Planning	06-06	12-19-06
	06-07	
	06-08	
	06-09	
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	06-25	

RESOLUTION

BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, THE TOWN OF AVON, INDIANA, THE TOWN OF BROWNSBURG, INDIANA, THE TOWN OF PLAINFIELD, INDIANA, AND THE INDIANAPOLIS AIRPORT AUTHORITY

REGARDING THE INTER-GOVERNMENTAL AGREEMENT CONCERNING THE RONALD REAGAN CORRIDOR MASTER PLAN

This agreement between Hendricks County, Indiana, herein referred to as "County," and the Towns of Avon, Brownsburg, and Plainfield, Indiana, herein referred to as "Towns" and the Indianapolis Airport Authority, herein referred to as "Airport".

WHEREAS, the County, Towns, and Airport have collaborated over the past two decades in developing a long-term vision for the critical north-south roadway between Interstate 70 and Interstate 74, known as the Ronald Reagan Parkway; and

WHEREAS, the collaborative vision of this corridor recommends that this area be a premier economic development corridor with high-quality development standards; and

WHEREAS, more stringent planning controls are recommended to ensure the preservation of the corridor's accessibility and development quality; and

WHEREAS, the County, Towns, and Airport have an interest in the same geographic area referred to as the Ronald Reagan Corridor as illustrated in Exhibit 1; and

WHEREAS, portions of the Ronald Reagan Corridor are within the jurisdictions of the Hendricks County Plan Commission, the Avon Plan Commission, the Brownsburg Plan Commission, the Plainfield Plan Commission, and the Indianapolis Airport Authority;

WHEREAS, development along the Ronald Reagan Parkway impacts future development within the County;

WHEREAS, the County, Towns, and Airport want to make the development process as efficient as possible without compromising quality; and

WHEREAS, Indiana Code does not provide a mechanism that allows both the County and the Towns to review developments within an AREA OF COMMON INTEREST (ACI), herein referred to as ACI, but does allow Counties and Towns to enter into inter-governmental agreements.

NOW THEREFORE, in consideration of the mutual agreements set forth herein, the County, Towns, and Airport agree as follows:

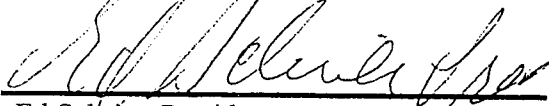
1. THAT, the AREA OF COMMON INTEREST (ACI) shall be defined as the Ronald Reagan Corridor as shown in Exhibit 1.
2. THAT, all parties agree to adopt the Ronald Reagan Corridor Master Plan as the long range vision for this area, subject, however, to the qualifications contained in the Indianapolis Airport Authority's letter of August 4, 2004, a copy of which is attached hereto as Exhibit 2.
3. THAT, all parties agree to participate in a steering committee meeting as required, but not less than (1) once a year, to review the progress of the Ronald Reagan Corridor Master Plan. All parties agree to appoint at least one representative to the Ronald Reagan Parkway Steering Committee.
4. THAT, all parties will agree to utilize the model overlay ordinance contained in the Master Plan as a **BASE** document which they will then **REVIEW AND MODIFY FOR**

LOCAL CONDITIONS and adopt as an amendment to their zoning ordinance, if applicable.

5. THAT, the individual Plan Commissions, in order to maximize coordination, will route for comment any petition or development in the ACI that requires a hearing (rezoning, variance, special exception, conditional use, subdivision of land, development plan review, etc...) to the other Plan Commissions in the ACI and the Indianapolis Airport Authority as soon as possible. The Ronald Reagan Corridor Steering Committee shall conduct a series of workshops with the collective Plan Commissions and Indianapolis Airport Authority or designees thereof to establish a procedure for distributing, reviewing, and commenting on any petition described above within the ACI.
6. THAT, the local governments will use the standards identified in the Master Plan for construction of the various improvements within the right-of-way of the Ronald Reagan Corridor. This includes the suggested standards for the road cross section, landscaping, trails/sidewalks, median treatment signage, and other enhancements. Notwithstanding the foregoing the Indianapolis Airport Authority reserves the right to act in accordance with the Exhibit 2 qualifications and limitations contained therein.
7. THAT, all parties will agree to formulate a committee comprised of at least two (2) representatives from each jurisdiction that has participated in this agreement, with the intended purpose of developing an agreement between the jurisdictions with respect to the funding and maintenance of the Parkway and it's enhancements although it is acknowledged by all parties that participation of the Indianapolis Airport Authority in such an agreement may be limited due to the terms and conditions of the Federal Aviation Administration's Final Policy and Procedures Concerning the Use of Airport Revenue dated February 16, 1999.

NOW THEREFORE, such Inter-Governmental Agreement is passed and approved on this 12th day of April, 2005, by the following:

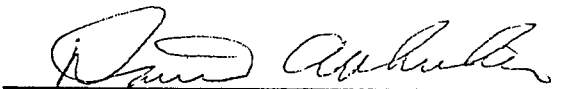
HENDRICKS COUNTY BOARD OF COMMISSIONERS,



Ed Schrier, President



Phyllis Palmer, Vice President



Sonya Cleveland, Member

DAVID A. WHICKER

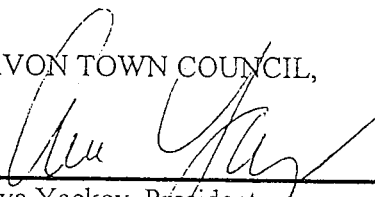
ATTEST:

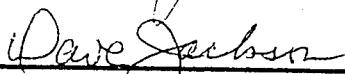



Nancy Marsh, Auditor

NOW THEREFORE, such Inter-Governmental Agreement is passed and approved on this ____ day of April, 2005, by the following:

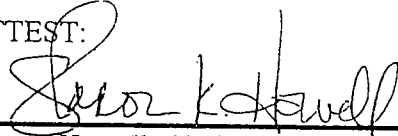
AVON TOWN COUNCIL,

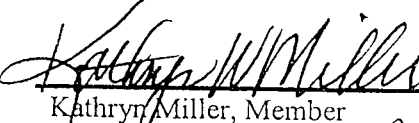

Eva Yackey, President

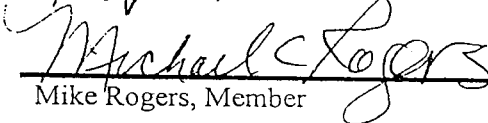

Dave Jackson, Vice President


David Cox, Member

ATTEST:



Sharon Howell, Clerk Treasurer



Kathryn Miller, Member

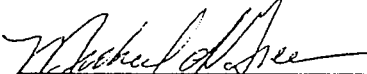

Mike Rogers, Member

NOW THEREFORE, such Inter-Governmental Agreement is passed and approved on this ____ day of April, 2005, by the following:

BROWNSBURG TOWN COUNCIL,

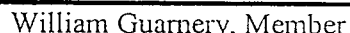

Jeanette Baker, President



Robert Waggoner, Vice President


Michael J. Green, Member

ATTEST:


Jeanette M. Brickler, Clerk Treasurer


William Guarnery, Member


Charles E. Ratliff, Member

NOW THEREFORE, such Inter-Governmental Agreement is passed and approved on this 8th day of May, by the following:

PLAINFIELD TOWN COUNCIL,

Rohi G. Brandgard
Robin G. Brandgard, President, President

Kent McPhail
Kent McPhail, Member

Bill Kirchoff
Bill Kirchoff, Member

Daniel W. Fivecoat, Member

Edmond L. Gaddie Jr.
Edmond L. Gaddie Jr., Member

ATTEST:

Wesley Bennett
Wesley Bennett, Clerk Treasurer

NOW THEREFORE, such Inter-Governmental Agreement is passed and approved on this 2 day of June 2006 by the following:

INDIANAPOLIS AIRPORT AUTHORITY,

ABSENT
Lacy M. Johnson, President

ABSENT
H. Patrick Callahan, Vice President

Alfred B. Bennett
Alfred B. Bennett, Secretary

Kelly J. Flynn
Kelly J. Flynn, Member

N. Stuart Grauel
N. Stuart Grauel, Member

Shirley Haflich
Shirley Haflich, Member

Robert H. Voorhies
Robert H. Voorhies, Member

Michael W. Wells
Michael W. Wells, Member

ATTEST:

[Signature]

Exhibit 1

RONALD REAGAN CORRIDOR

AREA OF COMMON INTEREST

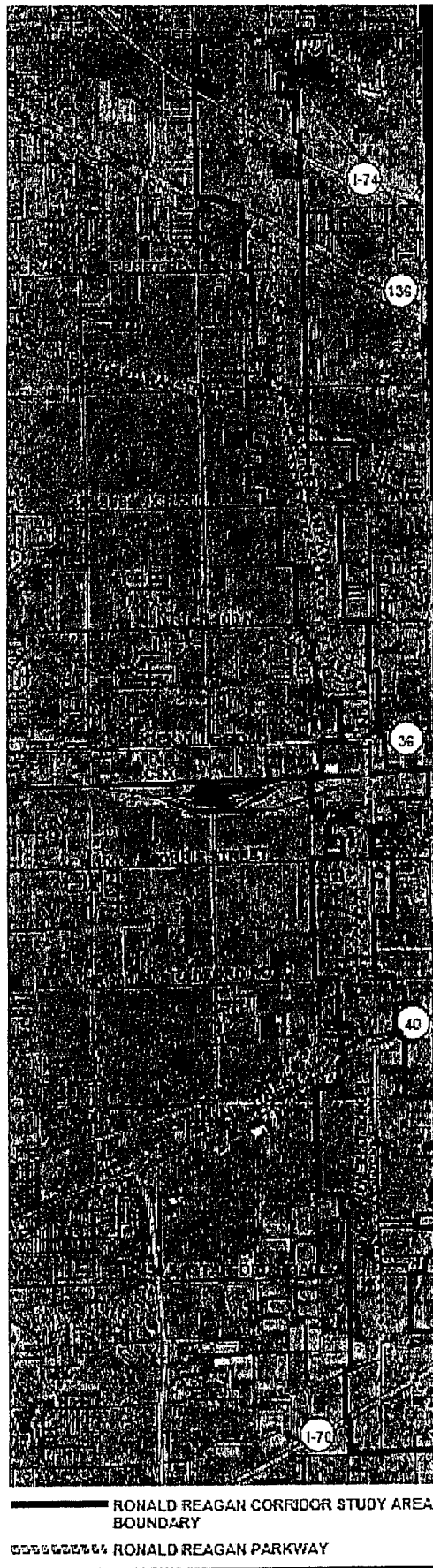


Exhibit 2



BAA 

Indianapolis Airport Authority • Indianapolis International Airport managed by BAA Indianapolis LLC

Patrick F. Dooley
Airport Director

2500 S. High School Road
Indianapolis, IN 46241-4941
(317) 487-9594
www.indianapolisairport.com

August 4, 2004

Ron L. Taylor, ASLA, RLA
HNTB Urban Design
111 Monument Circle, Suite 1200
Indianapolis, IN 46204

Dear Ron:

It has been my pleasure to serve on the Steering Committee for the Ronald Reagan Corridor Master Plan. We appreciate the opportunity to offer input and advice to the local governmental agencies that are coordinating this project.

We reviewed the draft Ronald Reagan Corridor Zoning Overlay District draft Ordinance with the Airport Authority Board and we discussed its impact on the Airport. It has been acknowledged by those on the Steering Committee that the Authority has the statutory power to exclusively determine the use of its property and therefore is not subject to local zoning Ordinances. However, it has been the policy of the Airport Authority to reasonably cooperate with local development standards as may be appropriate without compromising the ability of the Airport to maximize its ability to develop and function as efficiently as possible. Therefore, in the spirit of cooperation, the Authority's Board approved the following position statement with respect to the draft Ordinance and Master Plan:

As it pertains to development of Airport owned properties adjacent to the Ronald Reagan Parkway by the Indianapolis Airport Authority, the Indianapolis Airport Authority intends to reasonably cooperate with the spirit of the Ronald Reagan Corridor Overlay District subject to the exercise of best management practices for traditional airport development and management. The Authority advises that development of properties within the vicinity of the airfield may be constrained by statutory and operational considerations such as height restrictions on structures and vegetation, lighting layouts, the attraction of wildlife due to bodies of water and/or vegetation, noise impacts and various regulatory safety requirements to which airport operators are subject.

We are sharing this information with you and hope that you can incorporate it into the study records, and pass it on to the Steering Committee members as appropriate. Should you or others wish to discuss this further, please contact me at (317) 487-5306 and I will be happy to discuss it. We are available if any additional information or



Exhibit 2

participation is needed, and we look forward to the Corridor's development into a successful economic development tool and cohesive connector for the local communities.

Sincerely,

A handwritten signature in cursive script that reads "Lori Dunlap". The signature is written in dark ink and is positioned above the printed name.

Lori Dunlap

CC: James Lemons, BAA Planning Manager
Dave Fleet, BAA VP of Planning and Engineering

06-03

JOINT RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY,
INDIANA AND THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA

COMES NOW, the Board of Commissioners of Hendricks County, Indiana (hereinafter referred to as "The Commissioners") and the Town Council of the Town of Danville, Indiana (hereinafter referred to as "The Council") do hereby enter into this Joint Resolution specifically stated as follows:

WHEREAS, the Commissioners conveyed to the Town of Danville real property described in the attached legal description that was not needed for governmental purposes in 2000 for the purposes of building a fire station; and "Exhibit B"

WHEREAS, the Town of Danville paid all costs of transferring said property; and

WHEREAS, certain parcels were not included in the transfer which lie adjacent to the west fork of White Lick Creek; and

WHEREAS, the Town of Danville desires to have certain parcels transferred for Stream Bank Restoration to protect its sanitary sewers; and

WHEREAS, the Commissioners concur with the Town's desire for the property as it serves no governmental purpose to them.

NOW, THEREFORE, BE IT RESOLVED by the Hendricks County Commissioners and by the Danville Town Council that:

The Commissioners agree to convey for fee simple title ownership of the property described in the attached exhibit to the Town of Danville. The Council's payment of all expenses required for the transfer of ownership of the property shall constitute all compensation to be paid by the Town of Danville to Hendricks County for this conveyance. Exhibit A

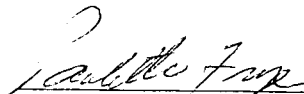
So ordained this 5th day of JUNE, 2006.

TOWN OF DANVILLE
TOWN COUNCIL


Town Council President

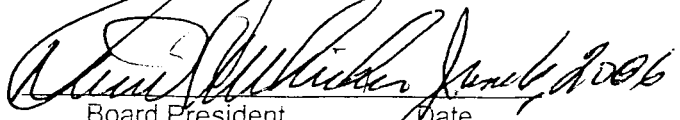
15 June 2006
Date

ATTEST:


Clerk Treasurer

1-5-06
Date

HENDRICKS COUNTY
BOARD OF COMMISSIONERS


Board President

June 6, 2006
Date

ATTEST:

Nancy d. Marsh
Date

6-6-06
Date

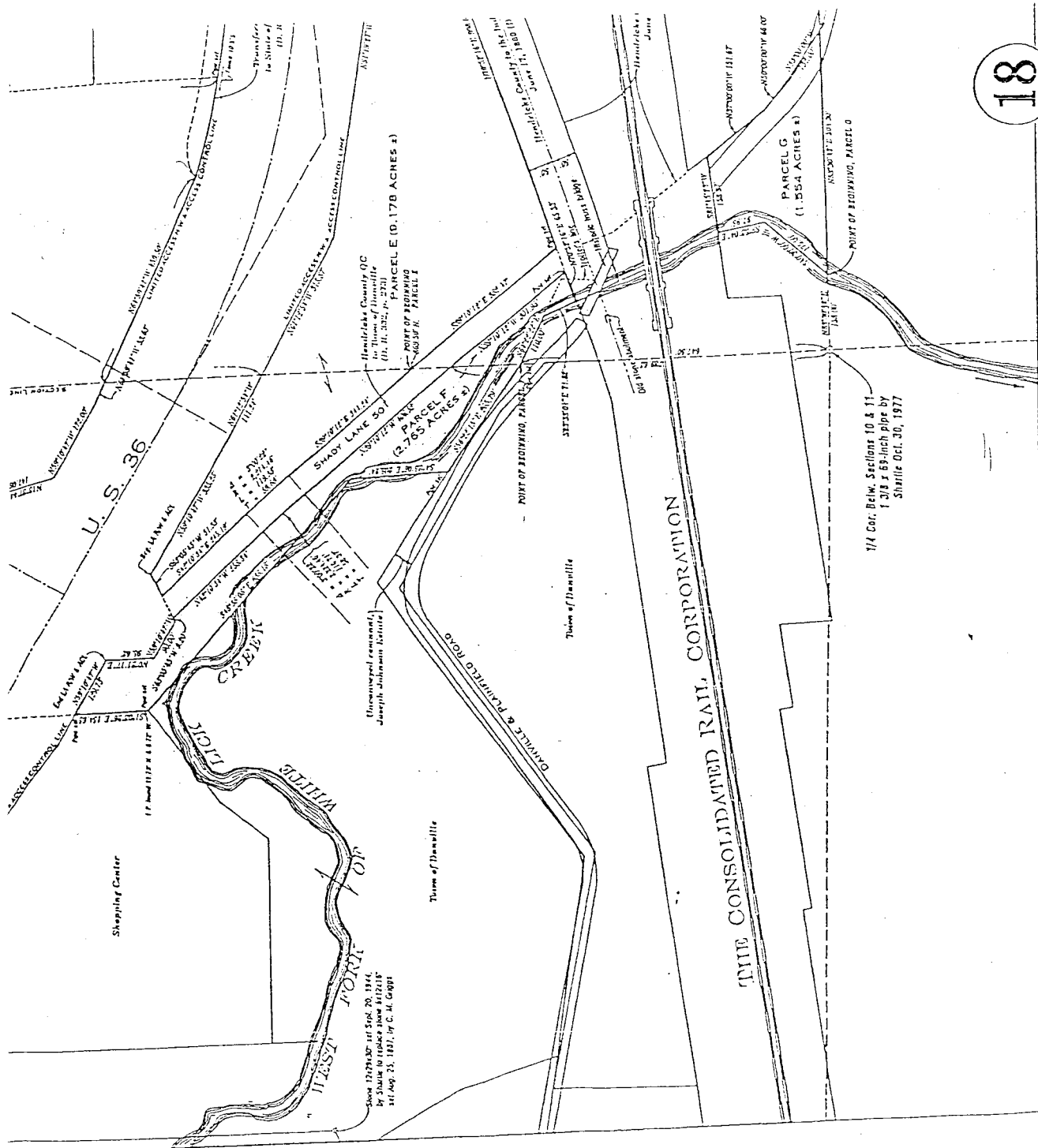
"EXHIBIT A"

PARCEL F

A part of the East Half of the Northeast Quarter of Section 10, and a part of the West Half of the Northwest Quarter of Section 11, all in Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Beginning where the center of the Danville and Plainfield Road intersected the west line of said Section 11 in 1867, which point is South 0 degrees 24 minutes 45 seconds East (assumed bearing) 2,066.84 feet, measured along said west line, from a cross on a stone at the northwest corner of said section, said beginning point being also North 0 degrees 24 minutes 45 seconds West 647.50 feet, measured along said west line, from a pipe at the southwest corner of the Northwest Quarter of said Section 11; thence South 64 degrees 22 minutes 22 seconds East along said former center line 110.00 feet to the center of the West Fork of White Lick Creek; thence South 23 degrees 38 minutes 04 seconds East along the center of said creek 71.82 feet to the northwestern line of that certain parcel of land conveyed June 17, 1869, by Hendricks County to The Indianapolis and St. Louis Railroad Company by virtue of a deed recorded in Deed Record 37, page 60, in said Recorder's office; thence North 70 degrees 52 minutes 16 seconds East along said northwestern line 65.33 feet to the southwestern boundary of Shady Lane; thence North 39 degrees 10 minutes 12 seconds West along said boundary 301.95 feet (301.98 feet by Deed Record 332, page 273, in said Recorder's office) to the east line of said Section 10 at a point that is North 0 degrees 24 minutes 45 seconds West 789.63 feet, measured along said east line, from a pipe at the southeast corner of the Northeast Quarter of said Section 10; thence North 39 degrees 10 minutes 12 seconds West along said boundary 406.52 feet; thence along said boundary Northwesterly 116.71 feet on an arc to the left having a radius of 2,224.46 feet and subtended by a long chord having a bearing and length of North 40 degrees 40 minutes 23 seconds West 116.70 feet; thence North 42 degrees 10 minutes 34 seconds West along said boundary 258.84 feet (258.81 feet by said Deed Record 332, page 273) to the south boundary of that certain 17.287-acre parcel of real estate condemned for Relocated U.S. 36 and transferred June 18, 1984, by the Auditor of said County to the State of Indiana by virtue of a certificate recorded in Deed Record 279, pages 436-439, in said Recorder's office; thence South 63 degrees 05 minutes 45 seconds West along said south boundary 9.20 feet; thence North 59 degrees 10 minutes 47 seconds West along said boundary 90.00 feet; thence North 0 degrees 21 minutes 17 seconds East along said boundary 98.62 feet; thence North 59 degrees 10 minutes 47 seconds West along said boundary 129.73 feet (127.63 feet by said certificate) to the west line of that certain 44.53-acre parcel conveyed October 3, 1882, and December 5, 1882, by virtue of deeds recorded in Deed Record 58, page 499, and Deed Record 59, page 135, respectively, in said Recorder's office; thence South 1 degrees 03 minutes 26 seconds East along said west line 154.65 feet to a corner of said 44.53-acre parcel; thence South 46 degrees 38 minutes 08 seconds East along the southwestern line of said 44.53-acre parcel, 638.18 feet (39 ½ rods by the deeds for said 44.53-acre parcel and 9.87 chains by Deed Record 96, page 287, in said Recorder's office) to where a stone formerly marked at the southernmost corner of said 44.53 acres on the west line of that certain 88.24 acres described in Deed Record 32, page 198, in said Recorder's office; thence South 4 degrees 25 minutes 08 seconds East along said west line 205.24 feet (3.12 chains by said Deed Record 96, page 287) to the center of the Danville and Plainfield Road as located in 1882; thence South 56 degrees 22 minutes 15 seconds East along said former center line 265.79 feet to the point of beginning; containing 2.404 acres, more or less, in said section 10; and containing 0.361 acres, more or less, in said Section 11. Containing in all 2.765 acres, more or less. Subject to zoning, restrictions, encumbrances, highways, rights of way, and easements.

EXHIBIT B

A part of the East Half of the Northeast Quarter of Section 10, and a part of the West Half of the Northwest Quarter of Section 11, all in Township 15 North, Range 1 West, Hendricks County, Indiana, described as follows: Beginning on the west line of said Section 11 at a point that is South 0 degrees 24 minutes 45 seconds East (assumed bearing) 1,844.84 feet (1,844.82 feet by Deed Record 332, page 273, in the Office of the Recorder of said County), measured along said west line, from a cross on a stone at the northwest corner of said section, said beginning point being also North 0 degrees 24 minutes 45 seconds West 869.50 feet, measured along said west line, from a pipe at the southwest corner of the Northwest Quarter of said Section 11; thence South 39 degrees 10 minutes 12 seconds East along the northeastern boundary of Shady Lane 382.47 feet (382.50 feet by the aforesaid deed) to the northwestern line of that certain parcel of land conveyed June 17, 1869, by Hendricks County to The Indianapolis and St. Louis Railroad Company by virtue of a deed recorded in Deed Record 37, page 60, in the office of the Recorder of said County; thence North 70 degrees 52 minutes 16 seconds East along said northwestern line 998.02 feet to the southwestern boundary of that certain 17.287-acre parcel of real estate condemned for Relocated U.S. 36 and transferred June 18, 1984 by the Auditor of said County to the State of Indiana by virtue of a certificate recorded in Deed Record 279, pages 436-439, in said Recorder's office; thence North 81 degrees 19 minutes 27 seconds West along said southwestern boundary 917.84 feet (919.43 feet by said certificate); thence North 61 degrees 12 minutes 54 seconds West along said boundary 318.87 feet to a point on the east line of said Section 10 that is South 0 degrees 24 minutes 45 seconds East 1,522.32 feet, measured along said east line, from a cross on a stone at the northeast corner of said section; thence North 61 degrees 12 minutes 54 seconds West along said boundary 141.24 feet; thence North 59 degrees 10 minutes 47 seconds West along said boundary 335.28 feet (335.35 feet by said certificate); thence South 63 degrees 05 minutes 45 seconds West along said boundary 51.33 feet to the aforesaid northeastern boundary Shady Lane; thence South 42 degrees 10 minutes 34 seconds East along said boundary 245.19 feet (245.16 feet by said Deed Record 332, page 273); thence along said boundary Southeasterly 119.33 feet on an arc to the right having a radius of 2,274.46 feet and subtended by a long chord having a bearing and length of South 40 degrees 40 minutes 23 seconds East 119.32 feet; thence South 39 degrees 10 minutes 12 seconds East along said boundary 344.24 feet to the point of beginning; containing 1.831 acres, more or less, in said Section 10; and containing 7.347 acres, more or less, in said Section 11. Containing in all 9.178 acres, more or less. Subject to provisions in said certificate denying direct access to and from Relocated U.S. 36, leases, zoning, restrictions, encumbrances, rights of way, easements and regulated drains, if any.



RESOLUTION 06-04
COUNTY COUNCIL AND COMMISSIONER RESOLUTION

**JOINT RESOLUTION OF THE HENDRICKS COUNTY COMMISSIONERS AND THE
HENDRICKS COUNTY COUNCIL REGARDING INTERIM FINANCING OF INITIAL
COSTS FOR HENDRICKS COUNTY WORK RELEASE PROJECT**

WHEREAS, Hendricks County, Indiana (the "County") has selected the firm of United Consulting Engineers & Architects to perform certain design work in connection with the proposed construction of the new Work Release project (the "Project"); and

WHEREAS, the County currently lacks adequate funds to make the initial payments on the contract with United Consulting Engineers & Architects; and

WHEREAS, THE County desires to provide assurances to United Consulting Engineers & Architects as to the source of funding for such payments.

NOW, THEREFORE, BE IT RESOLVED by the Hendricks County Commissioners and the Hendricks County Council, as follows:

1. The County hereby confirms its intent to fund the costs of the Project, including design costs, from the proceeds of bonds to be issued by or on behalf of the County.
2. In order to provide interim funding for Project costs, including design costs, as soon as possible after November 16, 2006, the County hereby confirms its intent to use sufficient funds from the County's Cumulative Capital Development Fund to cover such costs as permitted by IC 36-1-8-4 for such purpose, and to reimburse the Cumulative Capital Development Fund from the proceeds of the above mentioned bonds when issued.

ADOPTED this ^{21st} 16th day of November, 2006.

HENDRICKS COUNTY COMMISSIONERS

James Albright
Phyllis A. Palmer
Ed Scher

Attest:

Nancy A. Marsh

HENDRICKS COUNTY COUNCIL

James B. Brown
Paul W. Brown
Walter A. Brown
Richard A. Thompson
John L. Brown
Carl F. Phyllis
William L. Brown

Council 14th day
December, 2006

RESOLUTION NO. 06-05

**RESOLUTION OF THE HENDRICKS COUNTY COUNCIL MAKING A
PRELIMINARY DETERMINATION TO ISSUE GENERAL OBLIGATION BONDS**

WHEREAS, the County Council (the "Council") of Hendricks County, Indiana (the "County") has given consideration to the adoption of a resolution making a preliminary determination by the County to issue general obligation bonds in an aggregate principal amount not to exceed \$6,000,000 (the "Bonds") for the purpose of paying: (1) the cost of land, buildings, structures and improvements comprising a new County work release center, and (2) the expenses incurred in connection with or on account of the issuance of the Bonds by the County (collectively, the "Project"); and

WHEREAS, pursuant to Indiana Code 6-1.1-20-3.1, as amended, if the Council proposes to impose property taxes to pay debt service on bonds, the proceeds of which will be used to finance a project, and such project is not excluded under Indiana Code 6-1.1-20-1.1, as amended, the Council must conduct a public hearing on the preliminary determination to proceed with the project prior to the Council adopting any resolution making a preliminary determination to issue general obligation bonds; and

WHEREAS, notice of such hearing has been given in accordance with Indiana law; and

WHEREAS, interested people have been given the opportunity to present testimony and ask questions concerning the Project, and the Council has heard public input at a public hearing held this date concerning the Project; and

WHEREAS, the Council now finds that a need exists for the Project, and that the County cannot provide the necessary funds to pay the cost of the Project to meet such need;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, that:


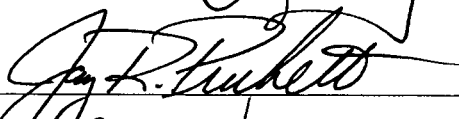
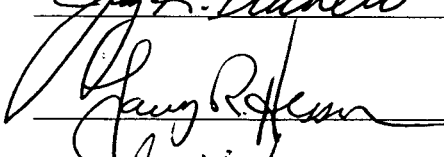
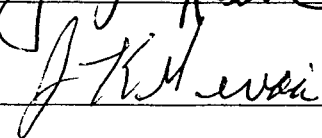
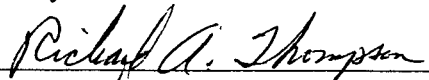
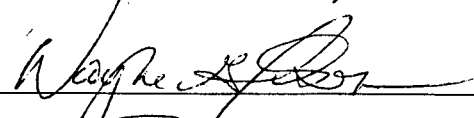
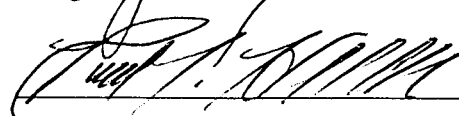
Section 1. The Council hereby makes a preliminary determination that there exists a need for the Project. Accordingly, the Council hereby makes a preliminary determination that, to the extent permitted by law, the Council will take all the necessary steps to issue one or more series of the Bonds, the proceeds of which shall be used for the purpose of financing all or a portion of the Project. The maximum term of each series of the Bonds will be twenty years. The maximum principal amount of the Bonds shall be \$6,000,000. The estimated interest rates that will be paid on the Bonds will be 5.50% and the total interest costs associated with the Bonds are estimated to be approximately \$4,248,475.

Section 2. A notice of the foregoing preliminary determination that, to the extent permitted by law, the Council will take all of the necessary steps to issue the Bonds to finance all or a portion of the costs of all or a portion of the Project shall be given in accordance with Indiana Code 6-1.1-20-3.1, as amended.

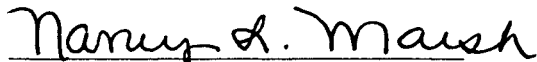
Section 3. Any and all actions previously taken by any member of the Council or the Board of Commissioners or the County Auditor in connection with the foregoing preliminary determination or the Project are hereby ratified and approved.

DULY ADOPTED on this 14th day of December, 2006, by the County Council of Hendricks County, Indiana.

COUNTY COUNCIL OF
HENDRICKS COUNTY, INDIANA

Attest:


County Auditor

06-06
RESOLUTION
BOARD OF COUNTY COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA

WHEREAS, the legislature of the State of Indiana granted certain powers to boards of county commissioners for the establishment of an area planning commission within their jurisdiction pursuant to Indiana Code 36-7-4-200, as amended; and

WHEREAS, the Board of County Commissioners of Hendricks County established an advisory plan commission in 1951 entitled "Hendricks County Plan Commission"; and

WHEREAS, the Board of County Commissioners of Hendricks County established an area plan commission on 1 February, 1995 entitled "Hendricks County Area Plan Commission"; and

WHEREAS, the legislature of the State of Indiana granted certain powers to boards of county commissioners and area planning commissions pertaining to the adoption of a comprehensive plan within their jurisdiction pursuant to Indiana Code 36-7-4-500, as amended; and

WHEREAS, the Hendricks County Area Plan Commission held a public hearing on 13 December, 2006 after giving public notice in accordance with the provisions of Indiana Code 5-3-1; and

WHEREAS, the Hendricks County Area Plan Commission has considered the comments made during the public hearing and has deliberated on the planning proposals contained in the prepared comprehensive plan entitled *Growing Smarter, The Hendricks County Quality Growth Strategy*; and

WHEREAS, the Hendricks County Area Plan Commission has approved the proposed Hendricks County Comprehensive Plan and has, by resolution, recommended the adoption of said plan to the Board of County Commissioners of Hendricks County; and

WHEREAS, the proposed Hendricks County Comprehensive Plan contains goals and objectives for the orderly development of Hendricks County and establishes policy for Hendricks County government regarding the development of Hendricks County.

WHEREAS, the recommended comprehensive plan establishes objectives which will lead to revisions of the Hendricks County Zoning Ordinance and Subdivision Control Ordinance which are the ordinances implementing the policies of the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Hendricks County finds that the current ordinances should remain in effect until revision of said ordinances; and


NOW THEREFORE, in order to promote the public health, safety, morals, convenience, order, and general welfare, and for the sake of efficiency and economy in the process of developing Hendricks County, the Board of County Commissioners of Hendricks County adopts the Comprehensive Plan, attached hereto and made a part thereof, and it shall be in full force and effect after this date.

Passed and approved by the Board of County Commissioners of Hendricks County, Indiana this 19th day of December, 2006.

BOARD OF COUNTY COMMISSIONERS


David A. Whicker, President


Phyllis A. Palmer, Vice President


Ed Schrier, Member

ATTEST


Nancy Marsh, Auditor

**HENDRICKS COUNTY REGIONAL SEWER DISTRICT
BOARD OF DIRECTORS**

RESOLUTION NO. 2006-01

WHEREAS, the Hendricks County Regional Sewer District ("HCRSD") is organized under the laws of the State of Indiana and provides sewer utility service to certain areas in Hendricks County, Indiana; and

WHEREAS, pursuant to a certain "Service Agreement" dated April 4, 1994 between HCRSD and Hendricks County Wastewater, LLC ("HCW"), and as amended, HCW provides wastewater collection and treatment service to an area generally bounded by the Conrail railroad tracks on the south, CR 900 East on the west, the Boone-Hendricks County Line on the north and the Marion-Hendricks County Line on the east (the "Service Area"); and

WHEREAS, the Board of Directors of the HCRSD, at its regularly scheduled meeting on February 21, 2006, approved an "Agreement for Sewer Service" with Lewis Group, Inc. ("LGI") and HCW to enable the provision of sewer utility service to the northern portion of the aforementioned Service Area ("LGI Agreement"); and

WHEREAS, Section 3.f. of the LGI Agreement provides that HCW will reimburse LGI for Reimbursable Costs as defined by Section 3.d.ii of said LGI Agreement in the amount of Two Thousand Three Hundred and Seventy Five Dollars (\$2,375) for each EDU that connects to the Brown Township Interceptor, the On-Site Extension or the Lift Station; and

WHEREAS, the facilities required to serve the northern portion of the Service Area shall be considered an expansion of the wastewater system under Section 2.01(l) of the Service Agreement; and

WHEREAS, HCRSD and HCW are desirous of confirming that the payments made by HCW to LGI in accordance with Section 3.f. of the LGI Agreement are to be treated as capital investments in the Wastewater System by HCW;

NOW, THEREFORE, BE IT RESOLVED by the Board of the HCRSD affirms that all payments for Reimbursable Costs made by HCW to LGI under Section 3.f. of the LGI Agreement approved by the Board February 21, 2006 shall be treated as capital investments by HCW in the Wastewater System.

IN WITNESS WHEREOF, the Board of Directors of the HCRSD has approved this Resolution on this 4th day of ~~March~~ April, 2006.

"HCRSD"

HENDRICKS COUNTY REGIONAL SEWER DISTRICT

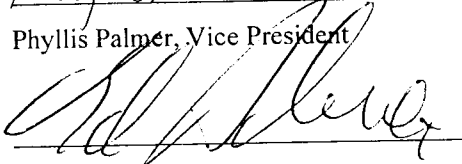
BOARD OF DIRECTORS



David A. Whicker, President



Phyllis Palmer, Vice President



Ed Schrier, Board Member