

ORDINANCE NO. 1997-1

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOW AS ZA-151/MA97-01: WILLIAM WAYNE HARMLESS, MARION TOWNSHIP, PARCEL TOTALING 1.77 ACRES, LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 36, APPROXIMATELY ONE MILE WEST OF STATE ROAD 75.

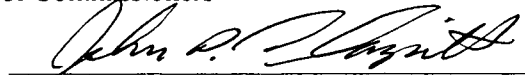
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-151/MA97-01: William Wayne Harmless, S7-T15N-R2W, 1.77 acres, Marion Township, located on the south side of U.S. Highway 36, approximately one mile west of State Road 75.

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.

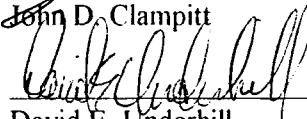
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 21st day of January 1997.

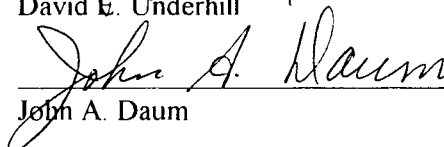
Board of Commissioners



John D. Clampitt

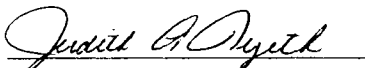


David E. Underhill



John A. Daum

Attest:



Judith A. Wyeth

Special Deputy Auditor

1997

ORDINANCE NO. 1997-2

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOW AS ZA-149/LB97-01: SANDERS DEVELOPMENT GROUP, INC., LIBERTY TOWNSHIP, PARCEL TOTALING 133.00 ACRES, LOCATED ON THE NORTHWEST CORNER OF COUNTY ROAD 1000 SOUTH AND STATE ROAD 39.

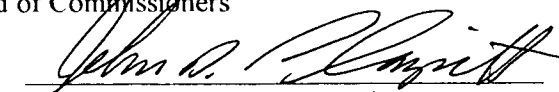
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-149/LB97-01: Sanders Development Group, Inc., S25&26-T14N-R1W, 133.00 acres, Liberty Township, located on the northwest corner of County Road 1000 South and State Road 39.


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 21st day of January 1997.

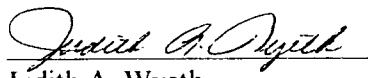
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1997-3

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOW AS ZA-147/WA97-01: WHITEN & GREGORY, WASHINGTON TOWNSHIP, PARCEL TOTALING 52.32 ACRES, LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 100 NORTH, 720 FEET WEST OF COUNTY ROAD 900 EAST AND ON THE WEST SIDE OF COUNTY ROAD 600 EAST, 700 FEET SOUTH OF COUNTY ROAD 100 NORTH.


SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-2: Medium Density Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-147/WA97-01: Whiten & Gregory, S1-T15N-R1E, 52.32 acres, Washington Township, located on the south side of County Road 100 North, 720 feet west of County Road 900 East and on the west side of County Road 600 East, 700 feet south of County Road 100 North.

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 21st day of January, 1996/1997

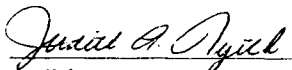
Board of Commissioners


John D. Clampitt


David E. Underill


John A. Daum

Attest:



Judith A. Wyeth

Special Deputy Auditor

A SPECIAL ORDINANCE CONCERNING THE COUNTY CORRECTIONS FUND

WHEREAS, SEA 395, (1986) AN ACT to amend the Indiana Code concerning corrections, added I.C. 11-12-6 to the Indiana Code to provide for the establishment and funding of a county corrections fund; and

WHEREAS, I.C. 11-12-6-6 provides that a county legislative body may annually adopt an ordinance to elect to receive deposits from the State Department of Correction and to establish a county corrections fund; and

WHEREAS, the Hendricks County Board of Commissioners held a public hearing on Monday, February 3, 1997, at 1:00 P.M. in the Commissioners' Room on the first floor of the Hendricks County Government Center, and

WHEREAS, the county corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities; and

WHEREAS, the county legislative body may elect to receive deposits at either Level 1, Level 2 or Level 3 funding; and

WHEREAS, Level 3 is at the most appropriate level of participation for Hendricks County; therefore;

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY:

SECTION 1. Hendricks County Board of Commissioners hereby elect to receive deposits from the Department of Correction in accordance with I.C. 11-12-6.

SECTION 2. Hendricks County Board of Commissioners hereby elect to receive such deposits at Level 3 funding.

SECTION 3. There is hereby created a "county corrections fund", to be administered by the Hendricks County Council. The fund shall consist of deposits received from the Department of Correction in accordance with I.C. 11-12-6.

SECTION 4. The County Corrections fund may be used only for funding the operation of the county jail, jail programs, or other local correctional facilities. Any money remaining in a county corrections fund at the end of the year does not revert to any other fund but remains in the county corrections fund.

SECTION 5. This ordinance shall be in full force and effect upon passage.

Hendricks County
Board of Commissioners

John D. Clampitt
John D. Clampitt

John A. Daum
John A. Daum

David E. Underhill
David E. Underhill

DATED February 3, 1997

ATTEST: Judith A. Orzech
Secretary

BOARD OF HENDRICKS COUNTY
COMMISSIONERS

ORDINANCE NO. 1991-5

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: **LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**, TO PUD: **PLANNED UNIT DEVELOPMENT DISTRICT**. COMMONLY KNOW AS **ZA-153/WA97-03: REPUBLIC DEVELOPMENT CORPORATION, WASHINGTON TOWNSHIP, PARCEL TOTALING 138.07 ACRES, LOCATED ON THE NORTHWEST CORNER OF COUNTY ROAD 100 NORTH AND RACEWAY ROAD.**



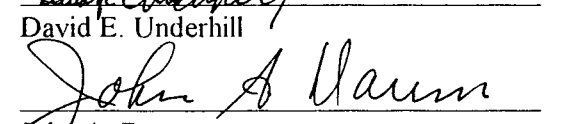
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the **PUD: Planned Unit Development** District, the following described real estate located in the County of Hendricks, Indiana, namely: **ZA-153/WA97-03: Republic Development Corporation, S32-T16N-R2E, 138.07 acres, Washington Township, located on the northwest corner of County Road 100 North and Raceway Road.**

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.

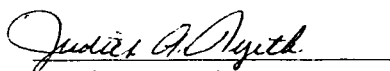
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 18 day of February, 1996.7

Board of Commissioners


John D. Clampitt

David E. Underhill

John A. Daum

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1997-6

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO I-2: LIGHT INDUSTRIAL DISTRICT. COMMONLY KNOW AS ZA-152/GU97-01: WILLIAM & VICKI RICHMOND, GUILFORD TOWNSHIP, PARCEL TOTALING 5.12 ACRES, LOCATED ON THE EAST SIDE OF BOUNTIFUL PLACE, 0.15 MILE SOUTH OF COUNTY ROAD 600 SOUTH.

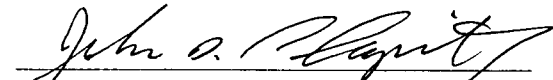
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the **I-2: Light Industrial** District, the following described real estate located in the County of Hendricks, Indiana, namely: **ZA-152/GU97-01: William & Vicki Richmond, S7-T14N-R2E, 5.12 acres, Guilford Township, located on the east side of Bountiful Place, 0.15 mile south of County Road 600 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.

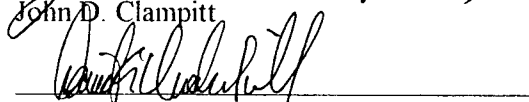
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 18 day of February, 1997.

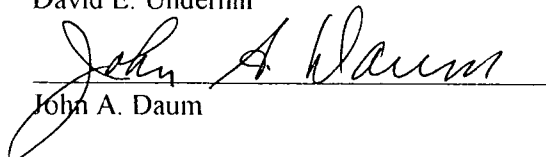
Board of Commissioners



John D. Clampitt

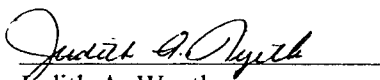


David E. Underhill



John A. Daum

Attest:



Judith A. Wyeth

Special Deputy Auditor

ORDINANCE NO. 997-9

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: **LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT**, TO C-4: **HIGHWAY COMMERCIAL DISTRICT**. COMMONLY KNOW AS ZA-155/LB97-02: **MERLYN & SHIRELY JONES, LIBERTY TOWNSHIP**, PARCEL TOTALING 97.00 ACRES, LOCATED ON THE WEST SIDE OF STATE ROAD 39, APPROXIMATELY 0.49 MILE NORTH OF COUNTY ROAD 1000 SOUTH.

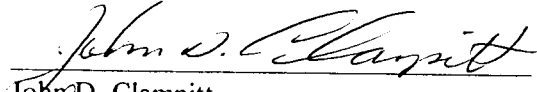
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-155/LB97-01: Merlyn & Shirley Jones, S25&26-T14N-R1W, 97.00 acres, Liberty Township, located on the west side of State Road 39, approximately 0.49 mile north of County Road 1000 South.

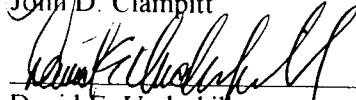
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

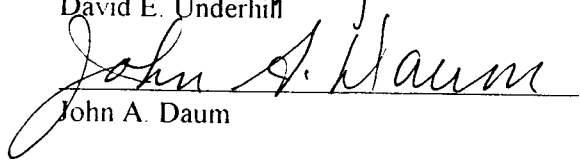
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 17 day of March, 1996/7

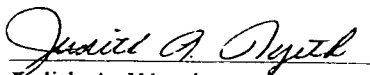
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 1997-10

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-154/FR97-01: HANNELL WRECKING, FRANKLIN TOWNSHIP, PARCEL TOTALING 16.59 ACRES, LOCATED ON THE NORTH SIDE OF U. S. HIGHWAY 40, 0.50 MILE EAST OF COUNTY ROAD 350 WEST.

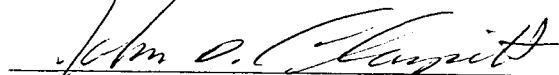
SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-154/FR97-01: Hannell Wrecking, S13-T14N-R2W, 16.59 acres, Franklin Township, located on the north side of U. S. Highway 40, 0.50 mile east of County Road 350 West.

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.

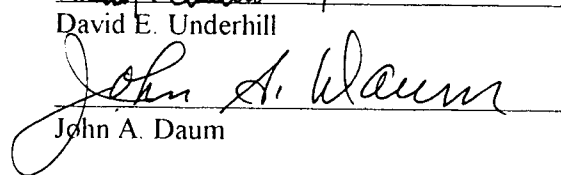
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 17 day of March, 1997.

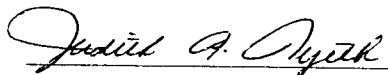
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Judith A. Wyeth
Special Deputy Auditor

FINDING OF FACT
HENDRICKS COUNTY AREA PLAN COMMISSION
HENDRICKS COUNTY, INDIANA

WHEREAS, Hendricks County Area Plan Commission shall in all cases heard by it make written findings of fact which support their determinations in accordance with Indiana Cod 36-7-4-306; and

WHEREAS, the Hendricks County Area Plan Commission has held a public hearing and has given consideration to application
ZA-154/FR97-01: HANNELL V. HENDRICKS COUNTY and

WHEREAS, the Hendricks County Area Plan Commission has given consideration to the above referenced application for their conformance with the comprehensive plan entitled "Hendricks County Comprehensive Plan" adopted August 15, 1983 established under Indiana Code 36-7-4-306 and that such a plan provides development policies for Hendricks County; and

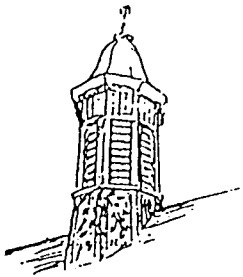
WHEREAS, the Hendricks County Area Plan Commission has given consideration to the above referenced application for their conformance with the Hendricks County zoning Ordinance, adopted November 1997-10 effective January 1, 1992 established under Indiana Code 36-7-4-306 and that such an ordinance for development, through zoning of the County, Indiana, provides for enforcement and penalties for the same;

WHEREAS, the Hendricks County Area Plan Commission has given consideration to the above referenced application for their conformance with the Hendricks County Subdivision Control Ordinance, adopted April 3, 1961 established under Indiana Code 36-7-4-700 and that such an Ordinance provides for the subdivision of land within Hendricks County; and

WHEREAS, the Hendricks County Area Plan Commission has given consideration to the above referenced application for their compliance with the recommendations, stipulations or any necessary conditions, listed below, requested by the public, planning staff or any Area Plan Commission member(s);

SUBJECT TO SELF-IMPOSED CONDITIONS AS FOLLOWS:

1. NO AUTO SALVAGE;
2. VARIANCE FOR MULTIPLE USES;
3. SPECIAL EXCEPTION FOR TIRE OPERATION;
4. SITE PLAN REVIEW FOR STORAGE FACILITY AND OTHER FUTURE CONSTRUCTION; AND
5. SELF IMPOSED CONDITIONS LISTED IN ITEM 4 OF PLAN COMMISSION STAFF LETTER OF MARCH 4, 1997



Hendricks County

Planning & Building Department

HENDRICKS COUNTY GOVERNMENT CENTER

355 South Washington Street • P.O. Box 313 • Danville, Indiana 46122-0313

Phone (317) 745-9254 • Fax 745-9347 • TDD (317) 745-9391

MEMORANDUM

TO: Hendricks County Board of Commissioners

FROM: Hendricks County Plan Commission

DATE: MARCH 11, 1997

RE: Zoning Map Amendment
ZA-154/FR97-01: HANNELL WRECKING

The Hendricks County Plan Commissions offers you the following report on the Zoning Map Amendment application of ZA-154/FR97-01: Hannell Wrecking:

The applicants petitioned the Plan Commission to amend the zoning district classification map for the following described real estate: 16.59 acres, Franklin Township, S13-T14N-R2W. located on the north side of U. S. Highway 40, 0.50 mile east of County Road 350 West.

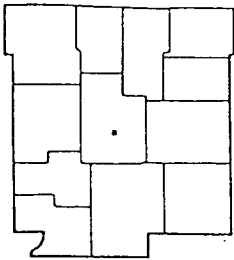
The requested zoning amendment is to change the zoning district classification from R-1: Low Density Single Family Residential District to C-4: Highway Commercial District.

The Plan Commission's recommendation on the petition of the applicant is favorable.

Hendricks County Plan Commission
Hendricks County, Indiana

By: C. Richard Whicker
C. Richard Whicker, President

Walter F. Reeder, III
Walter F. Reeder, III, Secretary



Hendricks County Area Plan Commission Staff

HENDRICKS COUNTY GOVERNMENT CENTER
355 South Washington Street • P.O. Box 313 • Danville, Indiana 46122-0313
Phone (317) 745-9254 • Fax 745-9347 • TDD (317) 745-9391

ZONING AMENDMENT PROJECT DATA

DATE	March 4, 1997				
AGENCY REVIEWS	Hendricks County Area Plan Commission Hendricks County Board of County Commissioners				
PROJECT	ZA-154	FR97-01	HANNELL WRECKING		
REQUEST	EXISTING R-1	PROPOSED C-4	STAFF RECOMMENDATION Favorable based on the self-imposed conditions		
SURROUNDING LAND USE	NORTH Residential	SOUTH Residential	EAST Residential	WEST Residential	
SURROUNDING ZONING	NORTH R-1	SOUTH R-1	EAST R-1	WEST R-1	
DESCRIPTION	AREA 16.59 acres	TOWNSHIP Franklin	SECTION 13-14N-2W	OTHER one parcel	
ROAD	ROAD US 40	FUNCTIONAL CLASS Rural Major Coll.	RAV existing	SETBACK 40 ft	
SEWER AND WATER	SEWER Septic system		WATER Private well		
RECENT ZONING AMENDMENTS IN THIS AREA	ZONING AMENDMENT	NAME		FROM	TO
	N/A				


STAFF COMMENTS:

1. This request is partially to correct an existing zoning violation and partially to allow additional uses;
2. The 1983 Comprehensive Plan recognizes the existing strip commercial development along U.S. Highway 40 but recommends future commercial growth be concentrated in the immediate vicinity of Stilesville;
3. The staff's favorable recommendation is based on the fact that Mr. Hannell has existed here with similar uses for over thirty (30) years;
4. The staff's favorable recommendation is also based on the self-imposed conditions which we understand to be:
 - a. The existing uses will comply with the conditions of the variance granted on May 20, 1974 and on the Agreed Order signed by Judge J.V. Boles on April 29, 1992;
 - b. To the above uses are added a state license tire recycling facility and a mechanical repair garage, as existing nonconforming uses;
 - c. The proposed new uses include used car sales lot, outside boat storage within the fenced area, and mini storage warehouses; and
 - d. This is the first step of a multi-step procedure. Other steps include a variance for multiple uses on a single tract, and site plan approval for future structures.

If the above is not a correct understanding of the self-imposed conditions, the applicant must clarify those conditions;
5. The applicant's Letter of Intent also lists an auto parts salvage business as an existing use. Our records show the variance was granted for an auto parts house, but shows nothing for an auto parts salvage operation. An auto parts salvage operation is not allowed under a C-4 zoning district; and

6. The tire recycling facility is actually a state permitted process that involves collecting, cutting, and transporting the tires to Twin Bridges Landfill for disposal.

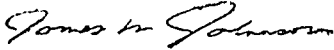
Sincerely,



Walter F. Reeder III, P.E.
Planning Director



Cathy Grindstaff, R.E.H.S.
Environmental Health Director



James M. Johnson, P.E.
County Engineer

cc: Hannell Wrecking
Lee Comer, Attorney
C. Neil Ott, County Surveyor

enclosures

ORDINANCE NO. 97-13

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM I-2: **LIGHT INDUSTRIAL DISTRICT**, TO C-2: **GENERAL COMMERCIAL DISTRICT**. COMMONLY KNOW AS **ZA-156/WA97-04: THOMAS E. SCOTT, WASHINGTON TOWNSHIP, PARCEL TOTALING 2.07 ACRES, LOCATED ON THE SOUTH SIDE OF U. S. HIGHWAY 36, 0.50 MILE WEST OF COUNTY ROAD 1050 EAST.**


SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-156/WA97-04: Thomas E. Scott, S7-T15N-R2E, 2.07 acres, Washington Township, located on the south side of U. S. Highway 36, 0.50 mile west of County Road 1050 East.

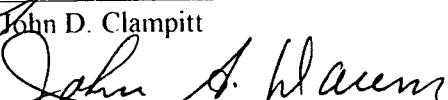
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

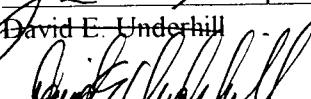
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

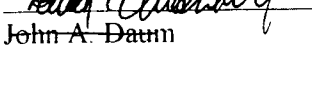
Approved by the Board of County Commissioners of Hendricks County, Indiana, the 21 day of April, 1996.97

Board of Commissioners




John D. Clampitt


John A. Hauser


David E. Underhill


John A. Damm

Attest:



Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 97-14

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT AND C-2: GENERAL COMMERCIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOW AS ZA-157/LB97-03: JOHN & PAM HALL, LIBERTY TOWNSHIP, PARCEL TOTALING 13.44 ACRES, LOCATED ON THE SOUTH SIDE OF U. S. HIGHWAY 40, 0.01 MILE WEST OF STATE ROAD 39.

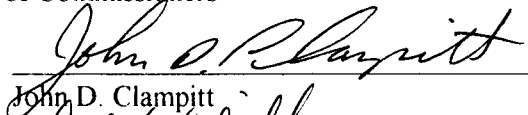
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-157/LB97-03: John & Pam Hall, S2-T14N-R1W, 13.44 acres, Liberty Township, located on the south side of U. S. Highway 40, 0.01 mile west of State Road 39.

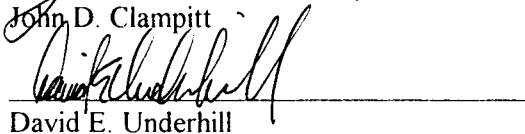
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

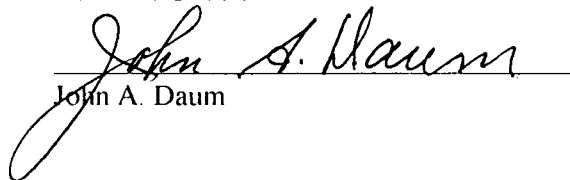
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 21 day of April, ~~1996~~ 97

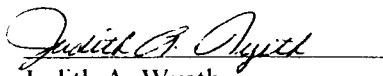
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 97-15

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, R-5: HIGH DENSITY, MULTIFAMILY RESIDENTIAL DISTRICT AND C-3: OFFICE COMMERCIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT AND PUD: PLANNED UNIT DEVELOPMENT DISTRICT. COMMONLY KNOW AS ZA-158/GU97-02: CEDAR RUN, GUILFORD TOWNSHIP, PARCEL TOTALING 260.00 ACRES, LOCATED ON THE NORTHWEST CORNER OF RACEWAY ROAD AND HENDRICKS COUNTY ROAD.

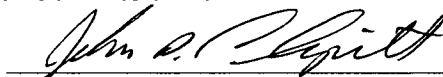
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District and the PUD: Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-158/GU97-02: Cedar Run, S20-T14N-R2E, 260.00 acres, Guilford Township, located on the northwest corner of Raceway Road and Hendricks County Road.

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.

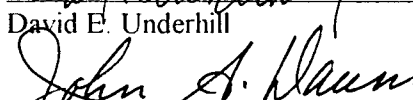
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 21 day of April, 1996.97

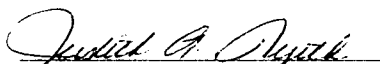
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Judith A. Wyeth
Special Deputy Auditor

99-17
ORDINANCE NO. 17

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM I-2: **LIGHT INDUSTRIAL DISTRICT**, TO C-2: **GENERAL COMMERCIAL DISTRICT**. COMMONLY KNOW AS ZA-160/WA97-06: AVON COMMERCIAL ENTERPRISES, LLC, WASHINGTON TOWNSHIP, PARCEL TOTALING 6.92 ACRES, LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 36, 0.50 MILE EAST OF COUNTY ROAD 800 EAST.

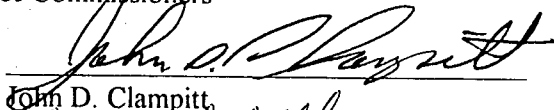
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-160/WA97-06: Avon Commercial Enterprises, LLC, S12-T15N-R1E, 6.92 acres, Washington Township, located on the south side of U.S. Highway 36, 0.50 mile east of County Road 800 East.

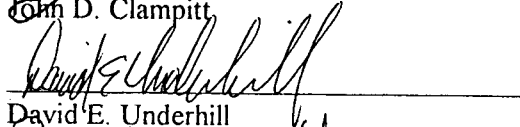
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

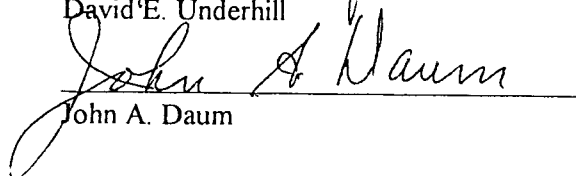
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 19 day of May, ~~1996~~ 1997

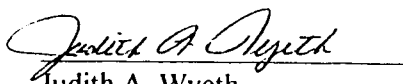
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NO. 97-18

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM I-2: LIGHT INDUSTRIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOW AS ZA-159/WA97-05: MICHELLE PHILLIPS, WASHINGTON TOWNSHIP, PARCEL TOTALING 3.93 ACRES, LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 36, 0.25 MILE EAST OF COUNTY ROAD 800 EAST.

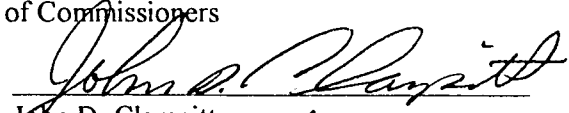
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-159/WA97-05: Michelle Phillips, S12-T15N-R1E, 3.93 acres, Washington Township, located on the south side of U.S. Highway 36, 0.25 mile east of County Road 800 East.

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.

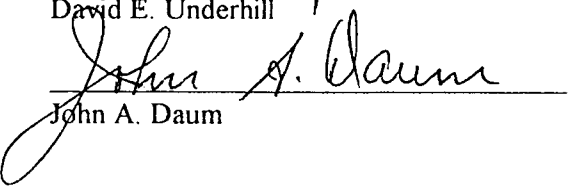
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 19th day of May, 1996/1997

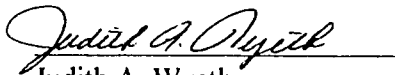
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Judith A. Wyeth
Special Deputy Auditor

SUBDIVISION CONTROL ORDINANCE
HENDRICKS COUNTY, INDIANA

ADOPTION DATED: MAY 27, 1997

HENDRICKS COUNTY PLANNING AND BUILDING DEPARTMENT
355 South Washington Street
Post Office Box 313
Danville, Indiana 46122

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CHAPTER 1
GENERAL PROVISIONS

1.01 TITLE

These regulations shall be known and may be cited and referred to as the "Subdivision Control Ordinance of Hendricks County, Indiana," and shall hereafter be referred to as "these regulations."

1.02 POLICY

1. It is hereby declared to be policy of the County to consider the subdivision of land and the subsequent development of the subdivision plat as subject to the Comprehensive Plan and related policies for the orderly and efficient development of the County.
2. Land to be subdivided shall be of such a character that it can be developed without peril to health or peril from flood, fire or other menace. Subdivided land shall have access to available existing public facilities and improvements and shall have proper provisions for drainage, water, sewerage and other necessary public improvements such as schools, parks, recreation and transportation facilities adequate for serving the subdivision. A private well and a septic system in lieu of public water and sewer facilities are allowable where such facilities do not exist and where permitted under the Zoning Ordinance and approved by the County Health Department.
3. Both existing and proposed public facilities serving the subdivision shall conform to the Comprehensive Plan and related policies.

1.03 PURPOSE

1. To guide the future development and redevelopment of the County in accordance with the Comprehensive Plan and related policies.
2. To provide for the safety, comfort, and soundness of the man-made environment and related open space.
3. To protect the compatibility, character, economic stability and orderliness of all development through reasonable design standards.

4. To guide public and private policy and action so as to provide adequate and efficient public and private facilities to achieve the most aesthetically pleasing and beneficial interrelationship between land uses, and to conserve natural resources such as natural beauty, woodlands, open spaces, and energy both during and after development.

1.04 AUTHORITY AND JURISDICTION

1. These regulations are enacted pursuant to Indiana Home Rule and planning enabling legislation. Indiana Code 36-1-3-4 and 36-7-4-700 Series authorizes the Plan Commission exclusive control to review and approve or disapprove plats for subdivisions throughout the unincorporated area of the County and those municipalities within the County having an interlocal agreement for subdivision regulation. This authority also extends to the re-subdivision of undeveloped portions of a previously recorded plat.
2. Any undeveloped parcel of land with a metes and bounds description established after the effective date of these regulations and less than twenty (20) acres in size shall comply with the provisions of these regulations to be eligible for an improvement location permit. Any metes and bounds tract created in compliance with the Subdivision Control Ordinance in effect at that time of the tract creation shall be considered exempt from these regulations.
3. No Improvement Location Permit, Building Permit or Certificate of Occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformity, with the provisions of these regulations. Also no construction of any public or private improvement shall take place or be commenced except in conformity with the applicable standards of these regulations and the Building Code.

1.05 ENACTMENT

In order that land may be subdivided in accordance with the purpose and policy contained herein, these regulations are hereby adopted.

1.06 INTERPRETATION

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirement for the promotion of the public health, safety, and general welfare.

1.07 CONFLICT

1. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule, regulation, statute, or other provision of law. Where any provision of these regulations imposes a restriction different from those imposed by any other provision of these regulations or any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes a higher standard shall control.
2. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provision of these regulations is more restrictive or imposes a higher standard or regulation than the easement, covenant, or other private agreement or restriction, the requirements of these regulations shall control. Where the provision of the easement, covenant, or private agreement or restriction imposes a duty and obligation more restrictive, or a higher standard than the requirements of these regulations, or the determination of the Plan Commission in approving a subdivision or in enforcing these regulations, and the private provision is not inconsistent with these regulations or determination of the Plan Commission, then the private provision shall be operative and supplemental to these regulations and determinations of the Plan Commission. A private provision can only be enforced privately.

1.08 SEPARABILITY

If any part of any provision of these regulations or application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, the judgement shall be confined in its operation to the part, provision, or application directly involved in all controversy in which the judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to any other person or circumstance. The Board of Commissioners of Hendricks County hereby declares that it would have enacted the remainder of these regulations even without that part, provision or application.

1.09 SAVING PROVISION

1. These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the Board of Commissioners of Hendricks County under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any right obtained by any person, firm or corporation, by lawful action of the Board except as shall be expressly provided for in these regulations.
2. Any proposed or actual subdivision of land having been granted preliminary or final approval by the Plan Commission under the previous Subdivision Control Ordinance shall be held to the provisions of that previous ordinance only and not to the provision of these regulations, including existing provisions of time extension of final approval. Any proposed subdivision of land for which a complete application seeking preliminary or final plat approval and the filing fee has been submitted and accepted by the Secretary of the Plan Commission, prior to the date of enactment of these regulations, shall be held to the provisions of the previous Subdivision Control Ordinance only and not to the provisions of these regulations.
3. Any division of land prior to the enactment of these regulations, and subsequent to April 3, 1961, which division or act was in violation of the ordinance repealed by these regulations, shall be subject to all remedies, penalties and defenses under the repealed ordinance.
4. Any subdivision qualifying under paragraph 1 or 2 of Section 1.09, having been granted final approval under the previous Subdivision Control Ordinance and prior to the effective date of these regulations and subsequently having completed the requirements for recording under the previous Subdivision Control Ordinance, may be signed by the designated officials as having been granted secondary approval and permitted to record the final plat.

1.10 REPEAL OF CONFLICTING ORDINANCES

Upon the adoption of these regulations prescribed by Indiana Code 36-7-4-701, the Subdivision Control Ordinance of Hendricks County, Indiana adopted April 3, 1961, as amended, is hereby repealed.

1.11 AMENDMENT

For the purpose of providing for the public health, safety, and general welfare, the Board of Commissioners of Hendricks County upon recommendation of the Plan Commission, may from time to time amend the provisions imposed by these regulations. A public hearing on any proposed amendment shall be held by the Plan Commission in the manner prescribed by the Indiana Code 36-7-4-701.

1.12 CONDITIONS

1. Regulation of the subdivision of land and the attachment of any reasonable conditions to land subdivision is an exercise of valid police power delegated by the State of Indiana to this County prescribed by Indiana Code 36-7-4-700 Series.
2. The developer has the duty of compliance with any reasonable condition imposed by the Plan Commission for design, dedication, improvement, and restrictive use of the land in order to conform to the physical and economical development of the County and to provide for the safety and general welfare of the future lot owners in the subdivision and of the County at large.

1.13 CITATIONS TO INDIANA CODE

Wherever within this ordinance, references are made to a particular Indiana Code citation it shall include any subsequent revision, amendment or recodification.

1.14 RESUBDIVISION

1. Any substantial revision to an approved plat or amendment to a recorded plat shall be approved by the Plan Commission by the same procedure, rules, and regulations as for a new subdivision.
2. Whenever a parcel of land is subdivided and the subdivision plat shows one (1) or more lots containing more than one (1) acre of land and there are indications that the lots may be resubdivided into smaller building sites, the Plan Commission may require that the parcel of land allow for the future opening of a street and the ultimate extension of an adjacent street. Construction of an access road or easement providing for the future opening and extension of a street may be a requirement of the plat approval.

1.15 VACATION

The process to vacate a part of a plat, public way or public easement shall be in compliance with Indiana Code 36-7-3-10 through 16.

1.16 WAIVER

1. Where the Plan Commission finds that an extraordinary hardship or practical difficulty may result from strict compliance with these regulations or the purposes of these regulations may be served to a greater extent by an alternative proposal, the Commission may approve a waiver to these regulations so that substantial justice may be done and the public interest secured, provided that the waiver shall not have the effect of nullifying the intent and purpose of these regulations. Furthermore, the Plan Commission shall not approve a waiver unless it shall make findings based upon the evidence presented to it in each specific case that:
 - a. The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other nearby property;
 - b. The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property;
 - c. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict compliance of these regulations is carried out; and
 - d. The waiver will not in any manner violate the provisions of the Zoning Ordinance, Comprehensive Plan, or Thoroughfare Plan as interpreted by the Commission.
2. The Plan Commission may impose reasonable conditions with a waiver that may be necessary to accomplish the purpose of these regulations.
3. A request for a waiver shall be submitted in writing by the applicant with the application for primary approval. The written request shall state fully the grounds for the waiver as set forth in this section.

1.17 ENFORCEMENT

1. It shall be the duty of the Plan Commission Staff or their authorized agents to enforce these regulations and to bring any violations or lack of compliance to the attention of the County Attorney.
2. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer or sell any parcel before a plat of subdivision has been approved by the Plan Commission, in accordance with the provisions of these regulations and recorded.
3. The division of any parcel of land into a subdivision, as defined in these regulations, by the use of metes and bounds description for the purpose of sale, or transfer, or lease resulting in the creation of one (1) or more sites shall not be eligible for a building permit.
4. No Improvement Location Permit, Building Permit, or Certificate of Occupancy required under the Building Code, the Zoning Ordinance or these regulations shall be issued on any property subject to these regulations until such property is in full compliance with the provisions of these regulations.
5. Any person who violates a provision of these regulations shall be guilty of an ordinance violation and, upon conviction, shall be fined not less than ten dollars (\$10.00) and not more than three hundred dollars (\$300.00) for each day's violation. The time period of violation shall be determined by the court.
6. Any land subdivided in violation of the terms of these regulations after the effective date hereof, is hereby declared to be a common nuisance, which may be restrained, enjoined or abated in any appropriate action or proceeding.
7. The Plan Commission may institute an injunction suit requesting a person or a governmental unit to be directed to remove a structure erected in violation of these regulations or to make the same comply with its terms. If the Plan Commission is successful in its suit, the respondent shall bear the costs of the action including but not limited to attorney fees, court costs, legal advertising and professional services.
8. The Plan Commission may institute a suit for mandatory injunction requesting a person or a governmental unit to be directed to comply with the provisions of the regulations where such person or governmental unit has violated any provisions of these regulations.

CHAPTER 2 DEFINITIONS

2.01 INTERPRETATION

For the purpose of these regulations, certain words or terms used herein shall be interpreted as follows:

1. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation or other legal entity as well as an individual;
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular;
3. The word "shall" or "must" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement;
4. The words "used" or "occupied" include the words "intended, designed, constructed, converted, altered or arranged to be used or occupied";
5. The word "lot" includes the words "tract", "plot", or "parcel"; and
6. Any word or term not defined herein shall be given a meaning found in a standard English dictionary.

2.02 DEFINITIONS

This section explains the meaning of the more important terms used in the text of these regulations. A graphic illustration of certain definitions is provided in the Appendix. Any zoning, drainage or erosion control terms or words used in the text of these regulations but not defined herein shall have the meaning as defined by the Hendricks County Zoning Ordinance or Hendricks County Storm Drainage, Erosion, and Sediment Control Ordinance (SDESCO).

1. AASHTO: American Association of State Highway and Transportation Officials.
2. ACCELERATION LANE: An added roadway lane which permits integration and merging of slower moving vehicles into the main vehicular stream.
3. ACCESS ROAD: A street designed to provide vehicular access to abutting property.

4. ACRE: A measure of land area containing forty-three thousand five hundred and sixty (43,560) square feet.
5. ALLEY: A right-of-way, other than a street, road, crosswalk, or easement, designed to provide a secondary means of access for the special accommodation of the property it reaches.
6. AMENDMENT: A change to a recorded final plat generally affecting the total subdivision.
7. APPLICANT: The owner of real estate or an authorized agent of the owner, who makes application to the Hendricks County Planning and Building Department for action by the Commission affecting the real estate owned thereby.
8. APPLICATION: A form completed as specified by these regulations and all accompanying documents required by these regulations for approval of the application.
9. BLOCK: A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways or any other barrier to the continuity of development.
10. BOARD: The Board of Commissioners of Hendricks County, Indiana.
11. BOND: A surety bond or instrument of credit in a form satisfactory to the Board.
12. BRIDGE: A drainage structure or conduit with a total span of over twenty (20) feet that carries storm water under a driveway, roadway, railroad, pedestrian walk or public way. A series of structures with a total span of over twenty (20) feet (such as five ((5)) sixty ((60)) inch pipes) constitutes a bridge.
13. BUFFER STRIP: Land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances.
14. BUILDABLE TRACT: A parcel of land which is eligible for an improvement location permit in its current form without further subdivision approval.
15. BUILDING: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

16. BUILDING CODE: The County ordinance establishing and controlling the standards for constructing buildings, utilities, mechanical equipment and all forms of structures and permanent installations and related matters, within the County. Also referred to herein as the Building Code of Hendricks County, Indiana, Ordinance No. 1987-13 and amendments thereto.
17. BUILDING PERMIT: Written permission issued by the Building Commissioner for the construction, repair, alteration, or addition to a structure.
18. BUILDING SITE: An area proposed or provided by grading, filing, excavating or other means for erecting pads, slabs, or foundations for buildings.
19. CATCH BASIN: An inlet designed to intercept and redirect surface waters.
20. CENTRAL SEWERAGE SYSTEM: An approved sewage disposal system which provides a collection network and central sewage treatment facility for a single development, community or region.
21. CENTRAL WATER SYSTEM: A system for common water distribution whether publicly or privately owned and operated.
22. CERTIFICATE OF OCCUPANCY: A document issued by the Building Commissioner allowing the occupancy or use of a building and certifying that the structure or use has been constructed and will be used in compliance with all applicable County codes and ordinances.
23. COMMISSION: The Area Plan Commission of Hendricks County, Indiana established as defined under the Indiana Code 36-7-4-102.
24. COMPREHENSIVE PLAN: A plan, or any portion thereof, adopted by the Board, depicting the general location and extent of present and proposed physical facilities including residential, industrial and commercial uses, major streets, parks, schools and other community facilities. This plan establishes the goals, objectives, and policies for the physical development of the County.
25. CONDOMINIUM: The division of building and the related land into horizontal property interests meeting the requirements of and controlled by Indiana statutes for condominiums as prescribed by Indiana Code 32-1-6-1 through 32-1-6-31.

26. CONDOMINIUM ASSOCIATION: The community association which administers and maintains the common property and common elements of a condominium development.
27. CONSTRUCTION PLAN: The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed for the subdivision in accordance with the requirements of these regulations and the conditions of approval of the plat.
28. CONTOUR MAP: A map that displays the land elevations in graphic form, a topographic map.
29. CONTROL OF ACCESS: The condition where the right of owners or occupants of abutting land or of other persons, to access, including its location onto connecting streets, is fully or partially controlled by public authority, including the Commission.
30. COUNTY: Hendricks County, Indiana.
31. COUNTY ATTORNEY: The licensed attorney designated by the Board to furnish legal assistance for the County.
32. COUNTY AUDITOR: That County official empowered to examine and settle all accounts and demands that are chargeable against the County and not otherwise provided for by statute.
33. COUNTY ENGINEER: The certified professional engineer appointed by the Board to furnish engineering assistance in the administration of these regulations.
34. COUNTY HEALTH DEPARTMENT: The Health Department of Hendricks County, Indiana.
35. COUNTY HEALTH OFFICER: The medical doctor or his authorized representative authorized to administer the health regulations within the county.
36. COUNTY HIGHWAY SUPERINTENDENT: That County official appointed by the Board responsible for planning, directing, and managing Highway Department operations, bridge crews, and activities of the County garage.
37. COUNTY PLANNING AND BUILDING DEPARTMENT: The Planning and Building Department of Hendricks County, Indiana.

38. COUNTY RECORDER: That County official empowered to record and file land description plats.
39. COUNTY STAFF OR COUNTY PLAN COMMISSION STAFF: A representative from each of the following departments shall make up the County Staff: Hendricks County Highway Superintendent, Environmental Health Director, County Engineer, Planning and Building Director, the National Resource Conservancy Service's District Conservationist, and the Hendricks County Deputy Surveyor.
40. COUNTY SURVEYOR: The elected county official responsible for the legal drain system and the SDESCO within Hendricks County.
41. CUL-DE-SAC: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
42. CULVERT: A drain or conduit with a total span of less than twenty (20) feet not incorporated in an enclosed system that carries storm water under a driveway, roadway, railroad, pedestrian walk or public way.
43. CURB: A concrete boundary usually marking the edge of the roadway or paved area.
44. DEDICATION: The setting apart of land or interest in land for public use by the recording of the plat, an ordinance, resolution, entry in the official minutes, or express manifestation on the part of the owner. ,
45. DEVELOPER: Any person engaged in developing a lot or a group of lots or structures for use or occupancy.
46. DRAINAGE: Surface water runoff and the removal of water from land by drains, grading or other means during and after construction or development.
47. DRIVEWAY: The opening along the curb line at which point vehicles may enter or leave the roadway.
48. EASEMENT: An authorization or grant by a property owner to a specific person, the general public, utilities or other entities for the purpose of providing the services or access to the property or other properties.

49. EGRESS: An exit.
50. ELEVATION: A vertical distance above or below a fixed reference level or a flat scale drawing of the front, rear, or side of a building.
51. EXCAVATION: Removal by any means whatsoever of soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the land surface thereof, whether exposed or submerged.
52. EXISTING GRADE OR ELEVATION: The vertical location of the ground surface prior to excavating or filling.
53. FINAL PLAT: A diagram drawn to scale showing all essential data pertaining to the boundaries and subdivision of a tract of land in accordance with the provisions of this ordinance.
54. FINISHED ELEVATION: The proposed elevation of the land surface of a site after completion of all site preparation work.
55. FUNCTIONAL CLASSIFICATION SYSTEM: A hierarchy of roads as shown on the Master Thoroughfare Plan and designated in the Comprehensive Plan to be used for the development and improvement of the county road system.
56. GRADE: The slope of a road, street, swale, storm sewer, or other public improvements, specified in terms of gradient percentage (%).
57. GRADIENT: The rising or descending by regular degrees, expressed as a ratio of the vertical rise or fall to the corresponding horizontal distance.
58. HOMEOWNERS ASSOCIATION: A corporation or other entity that is organized and operated exclusively for the benefit of two (2) or more persons who each own a dwelling in fee simple and acts in accordance with the articles, bylaws, and other documents governing the entity. Community Association and Business Park Associations are included in this definition.
59. IDEM: Indiana Department of Environmental Management.
60. IDNR: Indiana Department of Natural Resources.

61. IMPROVEMENT LOCATION PERMIT: A permit stating that the proposed erection, construction, enlargement or moving of a building or structure referred to therein complies with the provisions of the Zoning Ordinance.
62. INDIANA CODE: The document which codifies all Indiana Statutes for reference purposes. The latest edition with any amending supplements must be referred to for the laws now in force and applicable.
63. INDIVIDUAL SEWAGE DISPOSAL SYSTEM: All equipment and devices necessary for the proper conduction, collection, storage and treatment for the on-site disposal of sewage.
64. INDOT: Indiana Department of Transportation.
65. INGRESS: Access or entry.
66. JURISDICTIONAL AREA: The unincorporated area of the County and those jurisdictions within the county which have by mutual agreement surrender jurisdiction to the county.
67. LANDSCAPE: An expanse of natural scenery including the addition of lawns, trees, plants, and other natural and decorative features of land.
68. LEGAL DRAIN: Any drain that has been accepted and is maintained by the Drainage Board in accordance with the 1965 Drainage Act and its amendments.
69. MAINTENANCE GUARANTEE: Any security which may be required and accepted by the Board to assure that necessary improvements will function as required for a specific period of time.
70. MAJOR STREET: A major street as used in these regulations includes a minor arterial, major collector and minor collector as defined by the Hendricks County Master Thoroughfare Plan. A major street would also include any state or federal route.
71. MAJOR SUBDIVISION: A subdivision of a parcel of land into more than three (3) residential, commercial or industrial lots or any size subdivision requiring any new street.
72. MASTER THOROUGHFARE PLAN: A formally adopted plan that indicates the location of existing or proposed thoroughfares, including their functional classification, alignment, and rights-of-way.

73. MINOR SUBDIVISION: The subdivision of a parcel of land into not more than three (3) new residential, commercial, or industrial building sites. The parcel shall front upon an existing street which is an improved right-of-way maintained by the County or other governmental entity and not involve any new street.
74. MONUMENT: Any permanent marker either of concrete galvanized steel pipe, or iron or steel rods used to identify the location of a property corner or other survey point.
75. NATURAL RESOURCE CONSERVATION SERVICE (NRCS): A governmental agency that provides advice to communities, agencies and individuals within its jurisdiction, and reviews development proposals for soil erosion and sediment control measures.
76. NON-ACCESS EASEMENT: An easement specifically provided that prohibits access to a road or street by vehicular traffic on a regular basis. Driveways shall not be constructed across this easement, but utility company vehicles servicing adjoining lines may cross, for example.
77. NONRESIDENTIAL SUBDIVISION: A subdivision whose intended use is other than residential, such as commercial or industrial or other public uses. A nonresidential subdivision shall comply with the applicable provisions of these regulations.
78. ORDINANCE: A Board adopted law or regulation, including any amendment or repeal of same.
79. OWNER: A person having sufficient proprietary interest to seek development of land.
80. PARCEL: A lot or tract of land.
81. PARK: A tract of land designated and used by the public for active and passive recreation.
82. PAVEMENT: That part of a street having an improved surface of brick, paving stone, concrete or asphalt placed on the surface of the land.
83. PERIMETER DRAIN: A perforated drain required around an on-site sewage disposal system.
84. PERMEABILITY: The ease with which air, water or other fluids can move through soil or rock.

85. PLAN COMMISSION: The Area Plan Commission of Hendricks County, Indiana established as defined under the Indiana Code 36-7-4-102.
86. PLAT: A diagram drawn to scale representing a tract of land, subdivision or site plan showing the boundaries and locations of individual properties and streets.
87. PLAT REVISION: A change to an approved, unrecorded plat not involving a significant change from the primary approval.
88. PRIMARY APPROVAL: An approval granted to an applicant by the Commission after having determined in a public hearing that the subdivision complies with the standards prescribed in these regulations as defined by Indiana Code 36-7-4-702, prior to secondary approval.
89. PUBLIC IMPROVEMENT: Any improvement, facility or service together with its associated public site or right-of-way necessary to provide transportation, drainage, public or private utilities, energy or similar essential services, and maintained by the proper agencies.
90. PUBLIC HEARING: A meeting announced and advertised in advance and open to the public with the public given an opportunity to appear and be heard.
91. PUBLIC MEETING: A meeting announced and advertised in advance and open to the public. The public may or may not be heard.
92. PUBLIC NOTICE: The advertisement of a public hearing in a paper of general circulation in the area indicating the time, place and nature of the public hearing as required by Indiana Code 36-7-4-706, or the posting of a public meeting notice as required by the Indiana Code 5-3-1.
93. PUBLIC UTILITY: Any entity providing essential services whether investor or subscriber owned under the jurisdiction of the Indiana Utility Regulatory Commission or municipally or county owned.
94. PUBLIC UTILITY FACILITY: All facilities, equipment and structures necessary for conducting a service by a government or a public utility.
95. PUBLIC SEWER: Any system, other than an individual sewage disposal system, that is operated by a municipality, governmental agency, or public utility for collection, treatment and disposal of wastes.

96. PUBLIC WATER SYSTEM: Any system, other than an individual well, that is operated by a municipality, governmental agency, or public utility for the furnishing of potable water.
97. REAR DRAINAGE AND UTILITY EASEMENT: An easement generally located at the back of the lots, specifically provided for the installation of required drainage improvements, sanitary sewer and water lines. Said easement shall provide access to the rear utility location easements.
98. REAR UTILITY LOCATION EASEMENT: An easement generally located at the back of the lots provided solely for the purpose of placing the utility lines such as electric, telephone, gas and cable television.
99. REGISTERED LAND SURVEYOR: A land surveyor properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.
100. REGISTERED PROFESSIONAL ENGINEER: An engineer properly licensed and registered in the State of Indiana or through reciprocity permitted to practice in Indiana.
101. REPLAT: A change to a portion of a recorded plat affecting a small number of lots, generally dealing with lot line locations, building setback lines, or easements.
102. RESTRICTIVE COVENANT: A private agreement restricting the use and occupancy of real estate which is a part of the conveyance and is binding on all subsequent purchasers.
103. RESUBDIVISION: A revision to a previously approved plat or an amendment to a previously recorded plat.
104. RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or is occupied by road, crosswalk, railroad, electric transmission and/or distribution line, telephone line, oil or gas pipeline, water line, sanitary or storm sewer, and other similar uses. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

105. RURAL LOCAL ROADS:

Streets which:

- a. Provide access to adjacent land;
- b. Include any street not classified as an arterial or collector street; and
- c. Serve travel over relatively short distances.

These roads constitute sixty-five (65) percent(%) to seventy-five (75) percent (%) of the travel road miles.

106. RURAL MAJOR COLLECTOR ROADS:

Streets which:

- a. Serve all, or virtually all population centers of one thousand (1,000) or more, as well as provide service to any county seat not on an arterial route, and to other traffic generators of inter-county importance, such as consolidated schools, shipping points, county parks, important mining and agricultural areas;
- b. Link above places with nearby larger towns or cities or with routes of high classification; and
- c. Serve the most important travel corridors.

107. RURAL MINOR ARTERIAL ROADS:

Streets which:

- a. Link cities and larger towns (and other traffic generators, such as major resort areas) that are capable of attracting travel over similarly long distances, and form an integrated network providing interstate and intercounty service;
- b. Serve all, or virtually all, urban areas with a population of five thousand (5,000) or more. The system serves an urban area if it either enters or is located within two (2) miles of the urban boundary;
- c. Are spaced at such intervals, consistent with population density, so that all developed areas of the state are within a reasonable distance of an arterial highway;

- d. Provide service to corridors with trip length and travel density greater than those predominantly served by rural collector or local systems. Minor arterials, therefore, constitute routes whose design should be expected to provide for relatively high overall travel speeds with minimum interference to through movement; and
- e. Include principal plus minor arterial systems should contain six to twelve (6-12) percent of total rural miles, with most states falling seven to ten (7-10) percent (%) range.

108. RURAL MINOR COLLECTOR ROADS:

Streets which:

- a. Are spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road;
- b. Provide service to the remaining smaller communities; and
- c. Link the locally important traffic generators with their rural hinterland. Major plus minor collectors should contain twenty to twenty-five (20-25) percent (%) of total rural miles.

109. SANITARY SEWER: A pipe that carries sewage and into which storm, surface and ground waters are not intentionally admitted.

110. SECRETARY OF THE PLAN COMMISSION: The Director of the Hendricks County Planning and Building Department, as designated by the Plan Commission to carry out the business of the Plan Commission.

111. SCREENING: A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

112. SECONDARY APPROVAL: The formal approval of a final plat of a subdivision, after expiration of the time provided for appeal and after the conditions of primary approval have been satisfied.

113. SKETCH PLAN: A rough map of a proposed subdivision or site plan of sufficient accuracy to be used for the purpose of discussion and classification.

114. SIDEWALK: A paved, surfaced or leveled area, usually parallel to and separate from the street, used as a pedestrian walkway.

115. SOIL AND WATER CONSERVATION DISTRICT: A governmental agency that provides advice to communities, agencies and individuals within its jurisdiction, and reviews development proposals for soil erosion and sediment control measures.
116. SOIL MAP: A map delineating soil types that are part of the Soil Survey of Hendricks County, Indiana.
117. SPECIFICATION: A detailed instruction which designates the quality and quantity of materials and workmanship expected in the construction of a structure.
118. STREET: A general term denoting a public way for purposes of vehicular travel, including the entire area within the right-of-way.
119. SUBDIVISION: The division of a parcel of land into two (2) or more lots, parcels, sites, units, plats, or interests for the purpose of sale, lease, or development, either on the installment plan or upon any and all other plans, terms, and conditions, including resubdivision. Subdivision includes the division and development of land zoned for residential, commercial and industrial uses, whether by deed, metes and bounds description, lease, map, plat, intestacy, devise or other recorded instrument. The following kinds of division of existing parcels of land are exempt from this ordinance:
- a. A division of land into two (2) or more tracts all of which are at least twenty (20) acres in size;
 - b. A division of land for the sale or exchange of tracts to correct errors in an existing legal description, provided that no additional building sites other than for accessory buildings are created by the division;
 - c. A division of land for the acquisition of street right-of-way or easement;
 - d. A division of land for the sale or exchange of tracts between adjoining land owners, provided that no additional building sites other than for accessory buildings are created by the division;
 - e. A division of land into cemetery plots for the purpose of burial of corpses; and

- f. A division of land to be subdivided for agricultural use only provided that no additional building sites are created by this division.
120. SUBDIVISION STREET: A road which provides access to lots within a subdivision that is constructed by a developer and is generally dedicated to the County for maintenance.
121. SUBSURFACE DRAIN: A perforated underground drain required parallel to a street and backfilled with stone.
122. TEMPORARY CUL-DE-SAC: A turnaround located at the end of a stub street intended to be replaced when the adjoining area is developed and a through street connection is made.
123. TEMPORARY IMPROVEMENT: An improvement built and maintained by a developer during construction of a subdivision which is intended to be replaced by a permanent improvement or removed prior to release of the performance guarantee.
124. TILE DRAIN: a perforated underground drain required parallel to a swale or ditch.
125. TOPOGRAPHY: The configuration of a surface area showing relative elevations.
126. UNIMPROVED LAND: Land in its natural state before development.
127. VICINITY MAP: A drawing which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the County in order to better locate and orient the area in question.
128. WAIVER: A variance of the provisions of these regulations which would result in unnecessary and undue hardship as determined by the Commission.
129. WALKWAY: A dedicated public or private way for pedestrian and nonmotorized vehicular use only,

CHAPTER 3
SUBDIVISION PROCEDURES

3.01 PRELIMINARY CONSULTATION

Prior to submitting any of the material required by these regulations, the applicant is encouraged to discuss with the Plan Commission Staff the nature of the land division being proposed. The Plan Commission Staff shall inform the applicant of the classification of the subdivision and the applicable procedure which shall be followed under these regulations in order to secure approval. At this consultation, a sketch plan of the development may be proposed for the Plan Commission Staff review. The sketch plan may be a freehand pencil drawing of the area proposed to be platted or may be in any other graphic medium.

3.02 APPLICATION FOR PRIMARY APPROVAL

1. The applicant shall submit to the Secretary a written application for primary approval on forms available at the Planning and Building Department. This application and five (5) blue line or black line prints of the preliminary plan of the proposed subdivision, bearing the seal of a duly registered engineer or land surveyor in the state of Indiana, shall be filed with the Secretary at least thirty (30) days before the meeting at which the Commission is expected to consider the application. If the thirtieth (30th) day falls on a Saturday, Sunday, or County holiday, then the application deadline is set for the previous working day.
2. The Secretary shall retain two (2) copies of the plans and forward a copy of the plans to the following offices: County Engineer, County Health Department and the Natural Resource Conservation Service (NRCS).

3.03 FEES

An applicant shall pay the specified fee at the time of filing the application for primary approval. The application fee shall be established by the Hendricks County Fee Ordinance and shall be nonrefundable.

3.04 PRELIMINARY PLAN

The preliminary plan shall be drawn at a standard engineering scale of not more than one hundred (100) feet to one (1) inch. The maximum page size shall not exceed twenty-four (24) inches by thirty-six (36) inches. For the ease of reading and clearly showing detail on the preliminary plan, additional sheets may be necessary. The match lines shall follow lot lines or streets whenever possible. The preliminary plan shall contain the following information:

1. Existing Conditions:

- a. Project name, developer, project engineer or surveyor, their addresses and telephone numbers, legal description, date of plans and any revisions, scale of plan, and north point;
- b. Area Vicinity Map detailing project environs, current zoning, and streets within one thousand (1,000) feet;
- c. Topography based on mean sea level elevation at a minimum two (2) foot interval for the project site and any adjoining areas whose topography may affect project drainage. If the drainage area is extensive an additional map of sufficient clarity must be provided;
- d. The location of existing streams, lakes, ponds, watercourses, and other water runoff channels;
- e. The existing location of legal drains, surface and subsurface drains, inlets, and outfalls, easements that are visible or of record, existing seeps, springs, and wells that are visible or of record;
- f. Existing storm and sanitary sewers, inlets, outfalls, existing septic tank systems, treatment plants, outlets, wells and any other utilities;
- g. Existing structures;
- h. Identification of jurisdictional wetlands;
- i. Boundary and acreage of project site indicated by a heavy solid lines based on a traverse with angular and linear dimensions;
- j. Adjoining property owners; and

- k. Other significant conditions of the area proposed to be improved.

2. Site Improvements:

- a. Proposed changes in streams, lakes, wetlands detention basins, watercourses and water runoff channels, and associated 100 year flood boundaries, all properly identified;
- b. Proposed location of legal drains, surface and subsurface drains, inlets, outfalls, and easements;
- c. Proposed location, of storm and sanitary sewers, inlets and outfalls, on-site sanitary effluent disposal systems, water mains, fire hydrants, valves and affected utilities;
- d. Structures to be removed or relocated on the project site;
- e. The location and typical cross section of proposed streets, roads, sidewalks, culverts, bridges, parking lots, and hard surfaced areas;
- f. Layout and number of lots, including dimensions, building setback lines and easements, boundary and number of proposed sections;
- g. Areas to be allocated for park, school, recreational, and other public and semi-public sites in conformity with the Comprehensive Plan; and
- h. Letter(s) of Intent for sanitary sewer service and public water service (if applicable).

3.05 STAFF REVIEW

In order to assist the Commission in evaluating a proposed development for compliance with these regulations, the Plan Commission Staff shall review each application prior to submittal of the application for Commission approval.

- 1. The Plan Commission Staff shall consist of the following County officials or their designated representative:
 - a. Director of Planning and Building Department;
 - b. County Engineer;
 - c. Director of Environmental Health;
 - d. Natural Resource Conservation Service (NRCS)- District Conservationist;
 - e. Highway Superintendent; and
 - f. County Surveyor.

2. The Plan Commission Staff shall hold a monthly staff review meeting. An applicant, or their representative shall present and explain the proposal to be considered for Commission approval.
3. Prior to the Commission's scheduled meeting to consider the application, the Plan Commission Staff shall conduct an on-site review. The Plan Commission Staff shall then prepare a letter expressing their comments and recommendations concerning the application and forward the letter to the Secretary prior to the Commission meeting. The County Surveyor will not furnish a letter but will forward the written findings of the County Drainage Board in accordance with the Storm Drainage, Erosion, and Sediment Control Ordinance.
4. The Plan Commission Staff shall consider, but not necessarily be limited to, compliance with the following:
 - a. Subdivision Control Ordinance;
 - b. Zoning Ordinance;
 - c. Comprehensive Plan;
 - d. Storm Drainage, Erosion, and Sediment Control Ordinance;
 - e. Health Department Regulations; and
 - f. Sound engineering practices.

3.06 NOTICE OF PUBLIC HEARING

The Commission shall hold a public hearing for primary approval and notice of such hearing shall be as provided in the Rules of Procedure of the Hendricks County Plan Commission. In addition, the following notifications are required:

1. The applicant shall notify all affected utility companies and the school superintendent of the effected school district in the same manner as described in the Rules of Procedure of the Hendricks County Plan Commission, and submit with said notice a copy of the preliminary plan; and
2. The Planning and Building Department shall place a sign at the location of the proposed subdivision property at least ten (10) days prior to the public hearing.

3.07 PRIMARY APPROVAL

The Commission shall hold a public hearing for a subdivision not more than sixty one (61) days following the proper submittal of a complete application. After the Commission has reviewed the preliminary plan, the Plan Commission Staffs' recommendations, other agency reports, and heard testimony submitted at the public hearing, the Commission shall then make its decision, adopt its findings of fact and announce its decision in public. The Commission, may at its' option, refer the secondary approval to the Plan Commission Staff for consideration and approval.

3.08 WRITTEN FINDINGS OF FACT

If primary approval is granted or denied at the public hearing, then the Plan Commission shall state its findings and decision in writing and it shall be signed by the President and the Secretary of the Commission.

1. If primary approval is denied, the applicant shall correct the deficiency noted by the Commission prior to resubmitting for primary approval as set forth in the Rules of Procedures for the Commission.
2. The written findings of fact shall be presented to the applicant within ten (10) days after the hearing.

3.09 REVIEW BY CERTIORARI OF COMMISSION'S DECISION

The primary approval or disapproval of a plat by the Commission or the imposition of a condition on primary approval is a final decision of the Commission that may be reviewed as provided by Indiana Code 36-7-4-1016.

3.10 EFFECTIVE DATE OF PRIMARY APPROVAL

The primary approval shall be effective for a period of five (5) years after the date of primary approval, at the end of which time secondary approval of the subdivision or any section thereof must have been obtained. Any subdivision not receiving secondary approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new primary application for review and approval subject to all the zoning restrictions and subdivision regulations in effect at the time of resubmission. Upon written request from the applicant, the Commission may extend the primary approval for a maximum of two (2) years beyond the expiration date without further public notice and public hearing.

3.11 APPLICATION FOR SECONDARY APPROVAL

Following primary approval of the preliminary plan the applicant shall file with the Secretary an application for secondary approval of a final plat and construction plans. The application shall:

1. Be submitted on a form available at the Planning and Building Department;
2. Be accompanied by five (5) copies of the final plat and construction plans as described in these regulations;
3. Be accompanied by a properly completed County/Developer Inspection Agreement; (See Appendix B)
4. Be in total compliance with these regulations and the terms or conditions of primary approval;
5. Include any federal, state, or other local approval on their official forms and signed by the proper authority. These approvals may include, but are not limited to the following:
 - a. FEDERAL AGENCIES:
 - (1) Federal Communications Commission;
 - (2) Federal Aviation Administration;
 - (3) Federal Emergency Management Agency; and
 - (4) U.S. Army Corp of Engineers.
 - b. STATE AGENCIES:
 - (1) Indiana Department of Environmental Management;
 - (2) Indiana Department of Natural Resources;
 - (3) Indiana Department of Transportation; and
 - (4) Indiana State Department of Health.
 - c. LOCAL AGENCIES
 - (1) Hendricks County Drainage Board; and
 - (2) Incorporated towns; and
 - d. UTILITY COMPANIES
Public or private utilities for sanitary sewer or water services.

6. If applicable, include a letter of intent indicating that the applicant wishes to construct a model home prior to recording. The letter of intent must include the proposed lot number on which the model home will be constructed. A maximum of three (3) model homes, may be permitted per subdivision or section thereof and a Certificate of Occupancy will not be issued for the model home until the subdivision or section thereof has been properly recorded. Certain necessary improvements may be required of the developer prior to issuance of the building permit.

3.12 FEES

An applicant shall pay the specified fee at the time of filing the application for secondary approval. The application fee shall be established by the Hendricks County Fee Ordinance and shall be nonrefundable.

3.13 FINAL PLAT AND CONSTRUCTION PLANS

The final plat and construction plans shall include the following information:

1. The final plat shall be drawn at a standard engineering scale in ink on mylar or the equivalent. All certifications shall be made in permanent black ink with each signature accompanied by the printed name. The final plat shall include:
 - a. Name of the subdivision and phase;
 - b. Location by section, township and range, and by proper legal description;
 - c. The signature, seal and certification of a land surveyor or registered engineer registered in the State of Indiana on each page of the final plat;
 - d. Certification and dedication by the legal owner with a notarized signature;
 - e. Certification of final approval and signature lines for the President and the Secretary of the Plan Commission on each page of the final plat;
 - f. Scale shown graphically, date, and north point;
 - g. Boundary lines of plat and acreage thereof, based upon an accurate traverse;

- h. The true course and distance to the nearest established section line and official monument, which accurately describes the location of the plat, including the notation of monument found if possible. If the monument can not be located, it must be documented and submitted to the County Surveyor;
- i. City, town, township, county or section lines accurately tied to the lines of the subdivision by courses and distances;
- j. Street designations and labels, in accordance with the provisions of these regulations and the Master Thoroughfare Plan Names and lines of all streets within, and on the perimeter of the plat, with accurate dimensions in feet and hundredths and angles or bearings to streets, alleys and lot lines shown at least to the nearest minute;
- k. Radii, central angles, tangents, lengths of arcs, degree of curvatures, angles or bearings at street intersections and a complete street traverse of each street within and on the perimeter of the plat;
- l. Lines of any existing alleys within and on the perimeter of the plat, with accurate dimensions in feet and hundredths;
- m. All lot numbers and lines, with accurate dimensions in feet and hundredths. Generally lot numbers must be in conformance with lot numbers of the preliminary plan;
- n. Lines of all easements provided for public services, drainage, and utilities, with accurate dimensions in feet and hundredths. No utility poles or pedestals shall be set on property corner or in drainage swales;
- o. Building setback lines accurately shown with dimensions;
- p. Addresses for each lot as assigned by the Planning and Building Department; and
- q. The following statement if the subdivision has received approval from the Drainage Board: This subdivision contains _____ lineal feet of open ditches and _____ lineal feet of underground drains. The lots in the subdivision are or may be subject to a drainage assessment under the authority of the Indiana Drainage Code.

2. Detailed construction plans shall be drawn at a standard engineering scale of not more than one hundred (100) feet to one (1) inch. The maximum page size shall not exceed twenty four (24) inches by thirty six (36) inches. The match lines shall follow lot lines or streets whenever possible. Construction plans shall show the specific location and design of improvements to be installed in accordance with the requirements of these regulations and the conditions of primary approval. Construction plans shall be of sufficient detail to allow a reasonably competent contractor sufficient information to install all proposed improvements. The detail construction plans shall include the following information:
 - a. Project name, developer, project engineer or surveyor, their addresses and telephone numbers, legal description, date of plans and any revisions, scale of plan, and north point;
 - b. Topography based on mean sea level elevation at a minimum two (2) foot interval for the project. The location and elevation of benchmarks must be shown;
 - c. The location of existing streams, lakes, ponds, watercourses, and other water runoff channels, the extent of the floodplain at the established one hundred (100) year flood elevation (regulatory floodway), the limits of the floodway, all properly identified, and all proposed changes;
 - d. The size and location of all existing and proposed legal drains, surface and subsurface drains, inlets, and outfalls, easements, existing seeps, springs, and wells;
 - e. Existing storm and sanitary sewers, inlets, outfalls, existing septic tank systems, treatment plants, outlets, wells and any other utilities;
 - f. Existing structures;
 - g. Jurisdictional wetlands;
 - h. Proposed size and location, materials, and gradients of sanitary sewers, inlets and outfalls, on-site sanitary effluent disposal systems, water mains, fire hydrants, valves and locations of affected utilities;
 - i. Structures to be removed or relocated on the project site;

- j. The location and design including curves, grades, elevations and typical cross sections of proposed streets, roads, sidewalks, culverts, bridges, parking lots, hard surfaced areas, including depressed pavements used to convey or temporarily store overflow from heavier rain storms, and outlets for such overflow;
- k. The cross sections of existing streams and floodplains to be maintained or changed and new channels to be constructed where changes are proposed or discharge into receiving streams is altered;
- l. The drainage, erosion and sediment control measures to be implemented in accordance with the SDESCO;
- m. The layout and the number of lots and building setback and lines;
- n. The drainage location including pipes, ditches, inlets, swales, subsurface drains, lot shaping, holding ponds, and flood routing showing how the rainfall from the one hundred (100) year frequency storm will be routed through the development, including hydraulic grade line maximum depth of water at depressed pavements. The drainage method shall be complete and include grades and pipe sizes. Drainage calculations shall be provided to justify the proposed design and show compliance with SDESCO;
- o. If an individual on-site sewage disposal system is proposed, show locations and results of soil analysis for each lot performed by a registered professional engineer, land surveyor or soil scientist according to the County Health Department procedures and guidelines;
- p. Miscellaneous standards;
- q. The overall area to be allocated for park, school, recreational, and other public and semipublic sites in conformity with the Comprehensive Plan;
- r. A separate overall utility plan showing the lot and street layout, storm sewer system, sanitary sewers, water lines, and all inlets, manholes, fire hydrants, and valves for all sections of this development approved to date. This utility plan may be drawn at a smaller scale than one (1) inch = one hundred (100) feet. Dimensions and elevations are not required unless necessary for clarity;

- s. Street identification and regulatory signs;
- t. Separate plan and profile sheets must be provided for all proposed streets, storm sewers, sanitary sewers, buffering, and landscaping. All crossings must be shown and correctly labeled; and
- u. Other significant conditions of the area proposed to be improved.

3. Supporting Documentation:

- a. Engineering studies that reflect the additional traffic generated by the proposed project as related to the entrance details and improvements to the existing road network, including but not limited to, tapers, deceleration lanes, bypass blisters, traffic control devices and turning lanes at affected intersections. These studies must be in accordance with AASHTO, INDOT and the Hendricks County Engineer's requirements;
- b. An appropriate wetland mitigation plan for any development where jurisdictional wetlands will be adversely affected;
- c. Additional environmental studies for any development that contains possible contamination, endangered species; and
- d. An environmental impact study for any development that, due to unusual circumstances, may affect the ecosystem of Hendricks County.

3.14 APPEAL

All decisions of the Plan Commission, Plat Committee (Staff), or Administrative Committee may be appealed in accordance with the Indiana Code 36-7-4-708.

3.15 SECONDARY APPROVAL

Secondary approval may be granted to a plat only after the following requirements have been satisfied:

- 1. Expiration of the thirty (30) days under Section 3.09 and in accordance with Indiana Code 36-7-4-1016;
- 2. Full compliance with the conditions and requirements set forth by the Commission for primary approval; and
- 3. All other provisions of this ordinance.

After review of all pertinent information, the Commission or the Plan Commission Staff may grant, deny or continue secondary approval at a meeting not more than sixty-one (61) days following the proper submittal of a complete application.

3.16 WRITTEN FINDINGS OF FACT

If secondary approval is granted or denied at the meeting, then the Plan Commission or Plan Commission Staff, shall state its findings and decision in writing and it shall be signed by the Secretary of the Plan Commission.

1. If secondary approval is denied, the applicant shall correct the deficiency noted by the Plan Commission or Plan Commission Staff prior to resubmitting for secondary approval.
2. The findings shall be presented to the applicant within ten (10) days after the hearing.

3.17 APPEALS

Appeal of any Plan Commission Staff decision shall be made at the next available regularly scheduled Plan Commission meeting. All decisions of the Plan Commission may be appealed in accordance with the Indiana Code 36-7-4-707.

3.18 MINOR SUBDIVISION PROCEDURE

A minor subdivision by definition is intended to allow the subdivision of a buildable tract of land with a reduction of approval time and filing procedure. It is not the intent of the minor subdivision procedure to circumvent uniform development plans for a total parcel of land. Therefore, this procedure may only be used for a total of three (3) new building sites provided that there are no improved public rights-of-way required and that the minor subdivision meets all the applicable requirements of the Subdivision Control; Storm Drainage, Erosion, and Sediment Control; and Zoning Ordinances. Further subdivision of a minor plat must proceed through the full major subdivision procedure. If the staff feels this procedure is being abused the applicant must obtain approval from the Plan Commission prior to using this procedure.

The approval procedure for a minor subdivision as described in this section shall be the same as other subdivisions as described in Sections 3.01 thru 3.17 with the exception that primary and secondary approval shall be combined by the Plan Commission into one (1) hearing.

3.19 PROVISIONS FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

Before a final plat is processed for recording by the County Engineer's Office, the developer shall be required to complete, in accordance with the secondary approval for major subdivision or for minor plats, and to the satisfaction of the County Engineer, all improvements as required by these regulations. Exceptions may be granted for placement of the asphalt surface course, boundary improvements, certain erosion control measures, sidewalks and/or street lights (if required), depending on weather conditions. If the developer desires to have additional exceptions, his/her request will be reviewed by the Plan Commission Staff and either granted or denied. A performance guarantee shall be provided for any exceptions granted. A performance guarantee may be provided for certain erosion control measures as determined by the Commission. The authority of administration and enforcement of the performance guarantee shall lie with the Board or its designated representative.

1. The types of performance guarantees allowed are as follows:

- a. Completion of Improvements - All improvements not covered by a performance guarantee shall be installed in accordance with the design standards principles and specifications contained in these regulations and shall be inspected at such times during construction as required by these regulations;
- b. Performance Bond - For those improvements granted an exception from installation prior to recording, a performance bond payable to the Board in the amount equivalent to 110% of the estimated completion costs shall be posted by the developer prior to recording the final plat. This estimate shall be prepared by the design engineer and reviewed by the County Engineer. This performance bond shall comply with all statutory requirements and shall be satisfactory to the County Attorney as to form, sufficiency, and manner of execution;
- c. Irrevocable Letter of Credit - In lieu of such a bond, the developer may submit an irrevocable letter of credit. In the event an irrevocable letter of credit is utilized, it shall be written for a minimum length of one (1) year; or

- d. Cashiers Check - In lieu of such a bond, the developer may submit a cashiers check made payable to the Board. The alternative is only available in the amount of less than ten thousand dollars (\$10,000.00)
- 2. Any performance guarantee submitted under Section 3.19 shall be for a period not to exceed two (2) years. The Board may grant an extension of up to one (1) year for the completion of the improvements, based upon a request by the developer and evidence justifying the request. The Board may secure a new estimate of the cost of the improvements from the County Engineer. If the estimate has increased, the Board shall require an increase in the amount of the performance guarantee.
- 3. A performance guarantee shall be deemed by the Board to be in full force and effect until the time the guarantee is released by written notice by the Board.
- 4. It shall be the responsibility of the developer to keep the performance guarantee current and not allow it to expire until all improvements have been accepted by the Board. If the performance guarantee does expire, no building permits will be issued to those lots within the subdivision or section thereof which required the performance guarantee until a new guarantee is provided.
- 5. Upon completion of the improvements for which a performance guarantee has been provided, the developer shall request a release of the performance guarantee from the Hendricks County Planning and Building Department. The Planning and Building Department will conduct an inspection of the completed improvements. If the improvements have been completed to the satisfaction of the Planning and Building Department and if a suitable maintenance guarantee has been provided, then the Board shall release the performance guarantee. Appeals of the Hendricks County Planning and Building Department decisions shall be made to the Board.
- 6. As a condition of acceptance of this improvement on release of the performance guarantee, the Board shall require the developer to post a maintenance guarantee in an amount equal to twenty (20%) percent of the cost of the improvements.
 - a. The maintenance guarantee shall be one (1) of the following forms:

- (1) Maintenance bond - this bond shall comply with all statutory requirements and shall be satisfactory to the County Attorney as to form, sufficiency and manner of execution; or
 - (2) Irrevocable Letter of Credit - in lieu of such bond, the developer may submit an Irrevocable Letter of Credit. In the event an Irrevocable Letter of Credit is used, it shall be written for a minimum length of one (1) year.
- b. The maintenance guarantee shall be for a period of three (3) years.
 - c. The procedure for release of a maintenance guarantee shall follow the same procedure as in Section 3.19(5) above.

3.20 INSPECTIONS

The developer shall be responsible for having all improvements inspected for compliance with the approved plans and provisions of these regulations. The developer's responsibility for inspections extend to sanitary sewer and water lines and other utility installations where they interact with improvements such as subsurface drains or drainage swales.

The developer shall complete the County/Developer Inspection Agreement and agree to compensate the County for all cost incurred to provide the necessary inspections of the project. This cost shall be based upon a standard hourly rate for the estimated amount of construction time.

The developer shall pay the total estimated cost for the inspection services prior to commencement of construction activities and then will be billed on a regular basis for services rendered above this estimate. Failure to pay within thirty (30) days shall be grounds for termination of construction activities. The developer shall pay the total cost of inspections prior to the final acceptance of the improvements.

The developer shall be responsible for providing all documentation and testing results required for the improvements including, but not limited to the following: compaction tests; infiltration/exfiltration tests to sanitary sewers, pressure tests for water lines and pavement corings if required.

3.21 DUTIES AND POWERS OF INSPECTORS

The Planning and Building Department shall appoint such person(s) as it deems necessary to accomplish adequate inspection and review of all improvements constructed within the jurisdiction of the Board. The Inspector shall perform, but not necessarily be limited to, the following duties:

1. Monitor work being performed to insure that it complies with the standards and specifications of these regulations;
2. Maintain an accurate log of his inspections and findings;
3. Issue directive or stop-work orders when necessary to assure compliance with the approved plans and these regulations; and
4. Make reports to the County Engineer when necessary or when requested.

3.22 TEMPORARY IMPROVEMENTS

The developer shall build and pay for the cost of all temporary improvements required by the Commission and shall maintain these improvements for the period specified by the Commission. Prior to construction of any temporary facility or improvement, the developer shall file with the Planning and Building Department a separate and satisfactory performance guarantee which shall insure that the temporary facility will be properly constructed, maintained and removed.

3.23 AS-BUILT PLANS

Upon completion of the improvements, the developer shall submit six (6) sets of as-built plans to the Planning and Building Department.

The as-built plans shall show the actual locations with ties to permanent points of reference, specifications, and all materials used for the improvements installed in the subdivision or section thereof. These plans shall be certified by a registered professional engineer or land surveyor. The Planning Director shall forward one (1) copy of the as-built plans to each of the following county officials: County Engineer, NRCS-District Conservationist, Director of Environmental Health, Highway Superintendent, and Surveyor.

3.24 FAILURE TO COMPLETE IMPROVEMENTS

1. For a subdivision or section thereof for which no performance guarantee has been posted, if the improvements are not completed within the period of validity of the subdivision approval, the final plat or section thereof shall not be recorded.
2. In those cases where a performance guarantee has been posted and the improvements have not been installed prior to the expiration of the guarantee, the Board shall declare the guarantee to be in default and cause all improvements to be installed according to the approved plans, regardless of the extent of building development at the time the guarantee is declared to be in default.

3.25 RECORDING OF FINAL PLAT

No final plat shall be submitted for recording until it has been thoroughly reviewed by the design engineer or land surveyor for completeness, accuracy, and compliance with these regulations and all other applicable rules, regulations, and laws. No final plat shall be recorded until all applicable maintenance guarantees, performance guarantees and as-built plans have been submitted. Each page shall bear the signatures of the land surveyor, and either the President and the Secretary of the Plan Commission or the County Engineer and Secretary of the Plan Commission, as appropriate and seals of the land surveyor and the Commission.

3.26 TIME LIMITATION TO RECORD FINAL PLAT

1. Every subdivision plat approved after the effective date of these regulations shall be recorded within three (3) years after the date of plat approval.
2. Any plat that is not so recorded within a three (3) year period shall, at the expiration of the three (3) year period, become invalid and shall not be entitled to recording without reapproval by the Commission, in accordance with the standards, requirements and procedures specified by these regulations at the time of reapproval.
3. The Commission may grant one (1) extension of the original approval for up to three (3) years.

3.27 AMENDMENTS, REPLATS OR PLAT REVISIONS

1. Amendments must be certified by any properly registered land surveyor or registered engineer and shall require a public hearing before the Plan Commission in compliance with Section 3.06 of this ordinance. The applicant must supply revised preliminary and final plans in compliance with Chapter 3.
2. Replats must be certified by any properly registered land surveyor or registered engineer and may require a public hearing before the Plan Commission in compliance with Section 3.6 of this ordinance. The applicant must submit revised final plans in compliance with Sections 3.11 through 3.13.
3. Plat revisions to an unrecorded plat shall be heard by the Plan Commission Staff in the same manner as the Secondary Approval in accordance with Section 3.15 of this ordinance.
4. Any revision to an approved but unrecorded plat which, in the opinion of the Plan Commission Staff, involves a significant change must obtain a new primary approval.

CHAPTER 4
GENERAL REQUIREMENTS

4.01 INTRODUCTION

This chapter sets forth the general improvements required for major or minor subdivisions. It explains what government standards and regulatory functions are involved and must be coordinated in carrying out the Comprehensive Plan. Its provisions help to ensure the protection of the health and welfare of the future occupant(s) of an approved subdivision, assure the quality of new development and minimize the adverse effects of the construction of subdivisions on surrounding environment.

4.02 CONFORMANCE

1. In addition to these regulations, all subdivision plans shall comply with the following laws, rules, and regulations:
 - a. All applicable federal, state and local provisions;
 - b. The Zoning Ordinance, Building Code, Storm Drainage, Erosion, and Sediment Control Ordinance and all other applicable laws of the County;
 - c. The Comprehensive Plan, including all streets, drainage systems, and park systems shown on the Land Use Plan;
 - d. Any rules or regulations of the Hendricks County Health Department or corresponding state agencies;
 - e. The rules and regulations of the Indiana Department of Transportation if the subdivision or any lot contained therein abuts a state or federal highway; and
 - f. The highway and drainage standards and regulations adopted by the Board or County Drainage Board.
2. Subdivision approval may be withheld if a subdivision is not in conformity with the above guidelines, requirements or these regulations.

4.03 COVENANTS

If the developer places a restriction on any of the land contained in the subdivision which is greater than but not in conflict with those required by the Zoning Ordinance or these regulations, the Commission may require that the restriction or reference thereto be indicated on the final plat, or included in restrictive covenants to be recorded.

4.04 PLATS CROSSING GOVERNMENTAL BOUNDARIES

Whenever access to the subdivision is required across land in another governmental jurisdiction, the Commission shall request assurance from the other governmental jurisdiction that access is legally established and the access road is adequately improved, or that a performance guarantee has been duly executed and is sufficient in amount to assure the construction of the access road. Lot lines shall be laid out so as not to cross governmental boundary lines.

4.05 BOUNDARY IMPROVEMENTS

The developer shall place, under the supervision of a registered land surveyor, a boundary marker for corner sections and lots. The Registered Land Surveyor shall operate in accordance with all applicable state regulations.

4.06 CHARACTER OF THE LAND

Land which the Commission finds to be unsuitable for subdivision because of flooding, improper drainage, steep slopes, rock formations, adverse earth foundations, topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision or by its surrounding area, shall not be subdivided unless an adequate method is formulated by the developer and approved by the Commission to solve the problems created by the unsuitable land conditions.

4.07 SUBDIVISION NAMES

The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Commission shall have final authority to approve the name of the subdivision which shall be determined at the time of primary approval. In the event the developer intends to develop the subdivision in phases, the name of the subdivision shall incorporate by number, and as necessary, the respective phases, sections and parts in that order.

4.08 STREET NAMES AND ADDRESSES

Street names and numbers shall conform with the established pattern in the County and shall be subject to the approval of the Commission.

The street address for all lots shall be assigned by the Planning and Building Department and listed on the final plat prior to recording.

4.09 LOT IMPROVEMENTS

1. Lot Dimensions and Area

- a. Lot dimensions shall comply with the minimum standards of the Zoning Ordinance. Where lots are more than double the minimum requirement for the zoning district in which the subdivision is located, the Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve potential lots, in compliance with the Zoning Ordinance and these regulations;
- b. Side lot lines should be at right angles to street lines (radial to curving street lines) unless a deviation from this rule will give a better street or lot plan;
- c. The depth of any lot should not be more than three (3) times the width of the lot. Lots with a depth greater than three (3) times the width may be allowed by the Commission upon unusual circumstances such as extreme hardship, topography or unusable remnants under conditions of extreme hardship or unusual conditions of topography; and
- d. Lot areas as specified in the Zoning Ordinance shall exclude all unusable areas such as wet/dry detention basins, areas below normal pool level of lakes and ponds, floodways, cliffs and other steep, unstable slopes, easements for high pressure petroleum pipelines and electric transmission and/or distribution lines.

2. Double Frontage Lots and Access to Lots

- a. Double frontage and reversed frontage lots should be avoided in residential subdivisions except where necessary to provide separation of residential development from traffic arterials or collector roads or to overcome specific disadvantages of topography and orientation; and

- b. Lots in residential subdivisions shall not derive access exclusively from an arterial or collector road. Where driveway access from an arterial or collector road may be necessary for several adjoining lots in both residential and nonresidential subdivisions, the Commission may require that such lots be served by a combined access or frontage road in order to limit a possible traffic hazard on such road. Driveways shall be designed and arranged so as to avoid requiring vehicles to back into traffic on such roads.

3. Easements

- a. All proposed subdivisions submitted for approval under the provisions of these regulations shall allocate areas of suitable size and location, wherever necessary, for drainage and utility easements.
 - 1. Rear drainage and utility easements shall be located along both sides of rear lot lines and the total width of such easements shall be a minimum of thirty (30) feet. A separate rear utility location easement must be provided outside the rear drainage and utility easements and shall be a minimum of five (5) feet. The rear drainage and utility easement may be used by utility companies for access, but no utility may locate any lines or structures within this rear drainage and utility easement without the prior approval of the Hendricks County Drainage Board or County Surveyor.
 - 2. A drainage and utility easement shall be located generally parallel to the street and along the front of the lot lines and shall be a minimum of fifteen (15) feet wide.
- b. If any stream or necessary surface drainage course is located in the area proposed to be subdivided, adequate easements along the sides of such stream or surface drainage course shall be allocated for the purpose of widening, deepening, sloping, improving or protecting the stream or surface drainage course. The easements provided must at least cover the floodway of the stream or surface drainage course.

4. Lot grading

All lots shall provide positive drainage which shall be coordinated with the general storm water drainage of the development.

4.10 SOLID AND HAZARDOUS WASTE

1. Debris and waste shall be disposed of in compliance with state regulations and the Hendricks County Illegal Dumping Ordinance. Any items to be buried must be shown on the approved construction plans and cannot be located under proposed streets, drainage ways or the building site. Burning of natural vegetation or structures shall be in accordance with state and local open burning laws. No burning of construction materials is permitted.
2. If hazardous materials are encountered during the construction of any development, it shall be the developer's responsibility to notify the Environmental Health Department and obtain all necessary permits and perform all cleanup operations in compliance with all applicable regulations.

4.11 WATER BODIES

If a tract being subdivided contains a water body other than a temporary detention facility or portion thereof, lot lines shall either be so drawn as to distribute the entire ownership of the water body among adjacent lots, or the Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is placed so that it will not become the responsibility of the County Drainage Board. No part of the minimum area of a lot required under the Zoning Ordinance may be satisfied by land which is under water other than a temporary detention facility or portion thereof.

4.12 FRONTAGE ON AN IMPROVED STREET

Every lot appearing upon the proposed plat shall abut upon or have sufficient and adequate access to a street designated and labeled within or on the perimeter of the plat and constructed or to be constructed in accordance with the requirements, standards and specifications of these regulations.

4.13 PUBLIC SITES

All proposed subdivisions submitted for approval under the provisions of these regulations shall allocate adequate areas for park, school, recreational and other public and semi-public sites, wherever necessary in conformity with the Comprehensive Plan and as required by the Commission. The location, shape, extent and orientation of these areas should be consistent with existing and proposed topography and other conditions of the proposed subdivision. These areas shall be made available by one of the following methods:

1. Dedication to public use;
2. Reservation for the use of owners of land contained in the plat, by deed restriction or covenants which specify how and under what circumstances the area shall be developed and maintained; or
3. Reservation for acquisition by the County or an agency thereof.

CHAPTER 5
STREET DESIGN STANDARDS AND STREET IMPROVEMENTS

5.01 STREET DESIGN STANDARDS

The arrangement, character, extent, width, grade, and location of all streets shall conform to all of the elements of these regulations. Street classifications are referred to as either major or minor streets in this chapter. A major street includes the rural minor arterial, the rural major collector, and the rural minor collector. A minor street includes the rural local road, subdivision road and cul-de-sac.

1. All streets shall be planned to conform with the Comprehensive Plan and Master Thoroughfare Plan.
2. Whenever a subdivision abuts or contains an existing or proposed major street, the Commission may require frontage roads, double frontage lots with screening, a nonaccess easement along the property lines, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. In those instances where a non-access easement is proposed along a state or federal highway, this easement shall be granted specifically to INDOT.
3. In order to provide a functional County street system, the Commission shall require a developer to construct access streets to adjoining vacant undeveloped properties. The coordination of streets from one (1) subdivision to another is essential to the county in order to provide a continuation of not only vehicular access, but also for transportation and distribution lines for most utilities, such as water, sewer, gas, electricity and telephone systems. However, the dead ending of certain access streets to vacant undeveloped property may cause a windfall profit. In cases where the owner of the vacant land would receive an artificial profit because of another developer providing access, the Commission may waive the requirement of constructing the access street to the vacant land. In these cases, the developer shall be required to dedicate the necessary right-of-way, but the person who develops the adjoining vacant property will be required to construct the street. The Commission shall not consider waiving the street construction requirement for any developer when the future access streets do not provide the only means of access for the vacant adjoining property. The Commission shall determine at the primary hearing the need and location of these access streets.

4. A proposed street shall provide for the continuation of existing, planned or platted streets on adjacent property.
5. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way the Commission may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of the approach grade of any future grade separation structure.
6. A dead end street shall not be permitted except where a street is proposed to be and should logically be extended but is not yet constructed. A temporary cul-de-sac shall be constructed for any dead end street which exceeds three hundred (300) feet in length from the nearest intersection. Drainage details for the temporary cul-de-sac shall be specified by the applicant and approved by the Commission. A dead end street which does not require a temporary cul-de-sac shall have adequate drainage provisions as approved by the Commission.
7. A temporary cul-de-sac shall have an easement radius of not less than fifty (50) feet and shall have a driving surface radius of not less than forty (40) feet. The cross section of a temporary cul-de-sac shall be at least nine (9) inches of aggregate. If it is anticipated that the temporary cul-de-sac will be required for longer than three (3) years, an additional two (2) inches of asphalt binder shall be required. Any temporary cul-de-sac still with a stone surface at the end of the maintenance period must be paved with two (2) inches of asphalt binder prior to release of the maintenance guarantee.
8. An easement providing access to a street shall be prohibited except where its control and maintenance is defined in a manner approved by the Commission.
9. The street right-of-way width shall be in accordance with the Comprehensive Plan and Master Thoroughfare Plan and, where not designated therein, shall be not less than the following:

a. Major Streets:

- | | |
|---------------------------|----------|
| (1) Rural Minor Arterial | 200 feet |
| (2) Rural Major Collector | 150 feet |

(3) Rural Minor Collector 100 feet

b. Minor Streets:

(1) Rural Local Road 80 feet

(2) Subdivision Road 50 feet

(3) Cul-de-sac 100 feet (Diameter)

10. The paved width of all streets shall be adequate to serve the existing and future estimated traffic load for the development. A new rural local road or subdivision road shall be surfaced to a minimum width of thirty (30) feet measured back-to-back of curb. A cul-de-sac turn around shall be paved to a diameter of eighty (80) feet measured back to back of curb. A major street shall be surfaced to a minimum width that is determined by sound engineering design. Where a proposed street is an extension of an existing paved street which exceeds the minimum dimension set forth above, the Commission may require the developer to match the width of the existing paved street.
11. A proposed subdivision street shall be designed to minimize through traffic movement, however, this does not waive the requirement to construct an access road to adjacent property boundary as required by Section 5.01-3 or 5.01-4.
12. Acceptable limits for visibility, curvature, and maximum grade depend on topography, functional classification, anticipated traffic volumes, number and nature of access points, etc. Road design specifications shall be based on sound engineering judgement using the following design speeds. The County Engineer must approve the design speeds selected for each project.

TABLE 1
DESIGN SPEED (MPH)

Road Classification		Rural	Urban
Arterial (2-lane)	Level	60-70	40-55
	Rolling	55-60	40-55
Collector (Major and Minor)	Level	40-60	30-50
	Rolling	30-50	30-50
Local	Level	40-50	30-40
	Rolling	30-40	30-40
Subdivision and Local w/ADT <250	Level	30	30
	Rolling	20-30	20-30

13. A proposed street shall be adjusted to the contour of the land so as to provide usable lots and a reasonable street grade. The maximum allowable street grade shall be as outlined in Table 2. The minimum allowable street grade shall not be less than five tenths (0.5) percent.

TABLE 2
MAXIMUM STREET GRADE

Design Speed (MPH)	20	30	40	50	55	60	70
Road Classification							
Rural Arterial					4.5%	4%	3%
Urban Arterial			7%	6%	5.5%		
Rural Collector		8%	7%	6%	5.5%	5%	
Urban Collector		8%	7%	6%			
Rural Local		8%	7%	6%			
Urban Local		8%	7%				
Subdivision & Local w/ADT <250	9%	8%					

14. Horizontal visibility of a curved street and the vertical visibility on all streets shall be maintained according to the minimum distances shown in Table 3. Sight distances shall be measured in accordance with AASHTO guidelines.

TABLE 3
SIGHT DISTANCE (FEET)

Design Speed (MPH)	20	30	40	50	55	60	70
Stopping Sight (Desirable) Distance	125	200	325	475	550	650	850
(Minimum)	125	200	275	400	450	525	625
Intersection Sight Distance	225	380	560	840	990	1150	1550

- a. The values for desirable stopping sight distance shall be met for all street construction and at all intersections. Minimum stopping sight distances shall only be used in those cases, which, in the opinion of the county engineer, would suffer undue hardship by use of the desirable stopping sight distance.
 - b. The values for intersection sight distance shall be used at the intersection of two (2) new streets. Intersection sight distance should be used at all other intersections. No new features such as signs, embankments, walls, or landscaping, shall be constructed which reduces the sight distance below the intersection sight distance.
 - c. Where unusual or complex situations exist, decision sight distance (per AASHTO Standards) may be required by the County Engineer to provide an added margin of safety.
15. Horizontal curvature measured along the centerline shall comply with the following:

TABLE 4

Radii/Degree of Curve

Design Speed (MPH)	20	30	40	50	55	60
70						
Radius	150	250	470	760	950	1210
1910						
Degree of Curve	22°45'	12°15'	7°30'	6°00'	4°45'	
3°00'						

16. A reverse curve on a major street shall have a straight tangent between elements of said reverse curve of not less than one hundred (100) feet.
17. The sections above deal with minimum requirements. Individual projects, particularly commercial and industrial subdivisions, may warrant additional requirements dictated by sound engineering design. Such additional requirements must be specified by the Commission at primary approval.
18. Access roads from a proposed development onto an existing or proposed county road may be denied or restricted. If in the sole opinion of the Commission, the proposed access road presents a potential hazard to the motoring public, the Commission may require the applicant to make improvements to an existing or proposed county road as a condition of allowing access. An applicant may be required to provide deceleration, acceleration, passing blisters or other improvements to the road system based on the following criteria:
 - a. Sight distance;
 - b. Number of lots;
 - c. Proposed use;
 - d. Street classification;
 - e. Traffic generation;
 - f. Existing or proposed conditions; and
 - g. Sound engineering design.
19. The number of access roads required into a subdivision will be based upon the number of lots, sound engineering design and continuity of the County street system. If the Commission determines that an additional access road is necessary they will advise the applicant at the time of primary approval.

20. A cul-de-sac street shall not exceed one thousand (1,000) feet in length measured from the centerline of the nearest intersection to the center of the cul-de-sac. A cul-de-sac shall be provided with a turnaround radius of not less than fifty (50) feet at the right-of-way line and not less than forty (40) feet at the back of the curb line. The cul-de-sac shall be paved in accordance with Section 5.05.
21. A half street shall be prohibited.
22. The applicant shall dedicate additional right-of-way width as required to meet these regulations. In a subdivision that adjoins or includes an existing street that does not conform to the minimum right-of-way dimension as established by the Comprehensive Plan and Master Thoroughfare Plan,

5.02 INTERSECTIONS

1. Street curbs shall be rounded by radii of sufficient length to permit the smooth flow of traffic, but in no case shall the curb radii be less than twenty-five (25) feet for a minor street, or forty (40) feet for a major street or a street in a commercial or industrial development.
2. Where a proposed street with curbs intersects an existing street without curbs, the curb radius shall be designed so there is a minimum of twelve (12) feet separation between the curb and edge of the existing street pavement.
3. Street right-of-way at intersections shall be designed to provide a minimum of ten (10) feet separation between the street right-of-way and curb.
4. Intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than seventy-five (75) degrees.
5. Intersections of more than two (2) streets at one point shall not be permitted.
6. When a street of lesser functional classification intersects with a street of greater functional classification the radii arcs at the intersection will comply with the standards for the street of greater functional classification.
7. There shall be at least one hundred (100) feet of straight street before entering an intersection.

8. The placement of a driveway which is located near a street intersection shall be based on sound engineering design.
9. Street intersections shall not be closer than two hundred (200) feet center line to center line for minor streets and five hundred (500) feet center line to center line for a major street. This provision does not apply to a frontage road.
10. When a street of lesser functional classification intersects with a street of greater functional classification, the pavement thickness of all improvements within the right-of-way of the intersection shall comply with the standard for the greater street.

5.03 SIGHT DISTANCE AT INTERSECTIONS

1. Sight distance shall be determined by measuring from a point three and one-half (3.5) feet above the roadway surface along a line of sight to a point six (6) inches above the roadway surface.
2. The following items shall be required and must be noted on the final plat:
 - a. No fence, wall, sign, hedge, tree or shrub planting or other similar item which obstructs sight lines at an elevation between two (2) and eight (8) feet above the street, shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points twenty-five (25) feet from the intersection of minor street lines and fifty (50) feet from the intersection of major street lines, or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.
 - b. In the case of a driveway within ten (10) feet of an intersection of a street right-of-way or an alley, the same sight line limitation shall apply.

5.04 BUILDING SETBACK LINE

The building setback line shall be regulated by the setback provisions of the Zoning Ordinance applicable to the area proposed to be subdivided. The minimum building setback line shall be measured from the street right-of-way line but in no instance shall be less than the following:

1. Major Street	75 feet
2. Rural Local Road	50 feet
3. Subdivision Road	25 feet
4. Cul-de-sac	25 feet

5.05 STREET IMPROVEMENTS

1. In general, a street shall be completed to the grade shown on the plan and profile sheet. A plan and profile sheet for each street shall be provided by the developer and prepared by a registered professional engineer or registered land surveyor.
2. The minimum requirements for street construction shall be in accordance with the latest edition of "Standard Specifications" of the Indiana Department of Transportation, in effect at the time of approval. (Hereinafter referred to as the Standard Specifications). A copy of the Standard Specifications is on file in the Office of the County Engineer.
 - a. The subgrade shall be prepared in compliance with Section 207 of the Standard Specifications.
 - b. The subbase, where required, shall be #53 crushed aggregate (or equal) and shall be prepared in compliance with Section 304 of the Standard Specifications.
 - c. The street surface shall be of Portland cement concrete or hot asphaltic concrete. Portland cement concrete materials and construction shall be in compliance with Section 500 of the Standard Specifications and these regulations. Hot asphaltic concrete materials and construction shall be in compliance with Section 400 of the Standard Specifications and these regulations.
3. All utility excavations under the pavement shall be backfilled with Grade "B" borrow or flowable mortar and construction shall conform to Section 211 or Section 213 of the Standard Specifications or compacted thoroughly by other means. Any other means must be approved by the County Engineer's Office prior to construction.

4. Subsurface drains shall be installed one (1) foot outside and parallel to the street curb at a depth of at least three (3) feet below the back of curb. Subsurface drains shall be a minimum of six (6) inch diameter perforated Polyethylene pipe. (See Appendix A for details of stone backfill requirements.) Four (4) inch laterals shall be provided for each lot, extended to the right-of-way line and capped. The ends shall be marked by extending a board or other suitable material to the surface and dimensioned on the as-built plans. No direct surface water discharges will be allowed to connect to the subsurface drain.
5. Stone aggregate base shall be placed under the curb and extended to the aggregate placed for the subsurface drain. This aggregate base shall be continuous and shall match the bottom of pavement (top of subgrade) or be four (4) inches thick whichever is more.
6. Wet spots or other unusual soil conditions may develop in streets. These streets must comply with any or all of the following requirements:
 - a. Four (4) inch Polyethylene lateral underdrains which extend under the subbase and connect directly to the subsurface drains shall be placed at regular intervals through the wet areas;
 - b. Four (4) inches of aggregate (#53 stone) shall be added to the street cross section in addition to the minimum base requirement;
 - c. Soft spots may be over excavated and backfilled with compacted aggregate as approved by the County Engineer; or
 - d. Geotextile filter fabric or lime stabilization may be used. Use of either of these methods shall not allow a reduction in street cross section.
7. The actual design for street construction shall be based upon estimated traffic loading with an adequate growth factor included even though the minimum requirements may be exceeded.
8. The cross section of streets are to be based on a design equation for pavement according to AASHTO standards using a combination of soil support values, total equivalent 18 - kip single axle loads, terminal service ability index, and regional factors. The pavement depths as shown below are minimum requirements:

TABLE 5

ASPHALTIC CONCRETE PAVEMENT

ROAD CLASSIFICATION	SURFACE	BINDER	BASE	AGGREGATE
Minor	1"	2"	0"	9"
	1"	0"	3"	7"
	1"	2"	4"	0"
Rural Collector or Commercial	1"	2"	4"	6"
	1"	0"	5"	9"
	1"	2"	7"	0"
Arterial or Industrial	1"	2"	6"	8"
	1"	0"	8"	9"
	1"	2"	10"	0"

TABLE 6

PORTLAND CEMENT CONCRETE PAVEMENT (RIGID PAVEMENT)

ROAD CLASSIFICATION	SURFACE	BINDER	BASE	AGGREGATE BASE
Minor	6.0"	N/A	N/A	N/A
Rural Collector or Commercial	7.0"	N/A	N/A	N/A
Rural Arterial or Industrial	8.0"	N/A	N/A	N/A

5.06 JOINTS

Rigid pavement shall be jointed in order to control cracking. Joints shall be constructed in accordance with the type and dimensions and at the locations required by Standard Specifications, these regulations, or as directed by the County Engineer's Office.

1. Spacing of weakened plane, transverse, or contraction joints shall not exceed twenty (20) feet. Closer spacing to average fifteen (15) feet is encouraged. A transverse contraction joint may either be formed or sawed dummy groove, ribbon or pre-molded strip type, and shall be one-fourth (1/4) the thickness of the pavement.
2. When a transverse joint is to be formed by sawing, care must be taken to saw the grooves soon after placing the concrete to prevent the formation of cracks due to contraction of the slab.
3. One of the above named joints shall be placed at every catch basin and manhole in the line of pavement. The location of manholes in the pavement shall determine the exact location of the joints.
4. All joints shall extend throughout the curb to the full width of pavement.
5. A transverse expansion joint shall be placed at the intersections, tangent points of sharp curves, and wherever else shown on the plans.
6. Whenever the width between forms of the pavement under construction is greater than ten (10) feet, a longitudinal joint shall be constructed so as to divide the pavement into strips not to exceed ten (10) feet each. This may be accomplished by sawing or by installing a slot or groove as herein described for a contraction joint.
7. White membrane curing compound AASHTO Number 2-M-14B must be properly applied to give complete coverage immediately after finishing.

5.07 CURBS AND GUTTERS

1. A two (2) foot concrete curb and gutter shall be required for all residential subdivision streets. Streets in commercial or industrial subdivisions shall have the option of using two (2) foot concrete curb and gutter, concrete chair back curbs or concrete vertical curbs.

2. Materials, concrete specifications and construction procedure shall comply with Section 605 of the Standard Specifications.
3. Valley gutters which connect gutter drains across street intersections are strictly prohibited.
4. See Appendix A for details of concrete curbs and gutters.

5.08 PRIVATE STREETS

It is the intent and purpose of this section to encourage streets and rights-of-way to be dedicated to the county for ownership and maintenance whenever possible. It is a long range benefit to the entire county for streets and rights-of-way to be maintained publicly rather than privately. There may be, however, a situation in which a privately owned and maintained street is a more reasonable alternative. In any development in which a private street is allowed, the street shall conform to the following requirements:

1. A private street shall meet or exceed the minimum geometrics, width, depth, and other construction standards and specifications for a similar street classification;
2. The right-of-way width of a private street shall not be less than fifty (50) feet;
3. Private streets shall not be permitted which interfere or conflict with the Comprehensive Plan or Master Thoroughfare Plan;
4. Street classification standards and specifications greater than those in Items 1 and 2 above may be applied at the discretion of the Commission if the street is of length or of design as to actually serve as a higher classified street; and
5. The covenants of the final plat shall contain the following statement:

"The streets and public rights-of-way shown hereon are to be privately owned and maintained by the homeowners association pursuant to the articles of incorporation of said association. The streets and rights-of-way shown hereon may become publicly owned and maintained streets only upon the express written consent by the governmental body having jurisdiction and after having been inspected and verified that they meet all current standards."

5.09 SIDEWALKS

1. Sidewalks are required along both sides of all proposed and existing streets and along the development side of all existing county roads in all proposed subdivisions.
2. A plan for a sidewalk system shall be prepared that will provide every lot within a subdivision, or portion thereof, with reasonable access to a sidewalk connecting with all of the community facilities, commercial enterprises and other residential subdivisions located near or adjacent to the subdivision, and in a manner that will provide safe and convenient pedestrian circulation throughout the neighborhood or area in which the subdivision is located and which will avoid pedestrian and vehicular traffic conflict.
3. Sidewalk materials and construction requirements shall conform to the Standard Specifications, Section 604, and shall meet the following requirements:
 - a. Be constructed only of Portland cement concrete unless otherwise expressly approved by the Commission;
 - b. Have a minimum depth of four (4) inches;
 - c. Have a minimum depth of six (6) inches when built in an area of proposed vehicular crossing;
 - d. Have a slope of no steeper than one-quarter ($1/4$) inch per foot toward the street. Any longitudinal slope greater than 1:20 shall be considered a ramp and must comply with Americans with Disabilities Act requirements;
 - e. Be located at least one (1) foot inside the right-of-way line;
 - f. Have consistency, slump, and mixture specifications as established by the Standard Specifications;
 - g. Be jointed every four (4) feet, with expansion joints every forty (40) feet to prevent cracking and heaving;
 - h. Have curb ramps installed at all intersections and at all other locations where required for compliance with the Americans with Disabilities Act; and
 - i. Have a minimum width as follows:

- (1) One or Two Family Developments - four (4) feet;
 - (2) Multifamily Developments - five (5) feet; and
 - (3) Commercial or Industrial - as approved by the Commission.
4. In order to facilitate pedestrian access from the street to schools, parks, playgrounds, or other nearby streets, the Commission may require a perpetual unobstructed easement at least twenty (20) feet in width. This easement shall be indicated on both the preliminary and final plats. The construction details shall be shown on the construction plans and must be specifically approved by the Commission.

5.10 STREET IDENTIFICATION SIGNS AND REGULATORY SIGNS

1. The developer shall install street identification signs at each street intersection within and on the perimeter of the subdivision. The sign shall be located at the northeast corner of said interchange wherever possible. The developer shall also install all appropriate regulatory signs as required by the County Engineer's office.
2. Street identification signs and regulatory signs shall comply with the current issue of Indiana Manual of Uniform Traffic Control Devices regarding size, material, reflectively and location. Street identification signs for public roads shall be white letters on a green background. Street identification signs for private roads shall be white letters on a blue background. Size of letters and sign dimensions shall comply with Hendricks County Highway Department requirements.
3. Regulatory signs shall be placed in accordance with the current issue of the Indiana Manual of Uniform Traffic Control Devices and as directed by the County Engineer's Office.
4. Sign locations must be shown on the development plans.

5.11 ROADSIDE DITCHES

1. Roadside ditches are required for all existing or proposed roads that will not have curbs and gutters.
2. Roadside ditches must be constructed in compliance with Appendix B of the Storm Drainage, Erosion and Sediment Control Ordinance (SDESCO).

3. Roadside ditches shall be located so as to provide a shoulder width as dictated by the road classification and sound engineering design. In no case shall the shoulder width be less than seven (7) feet.

5.12 BRIDGES

All bridge structures shall be designed and constructed in accordance with AASHTO Standard Specifications for Highway Bridges, Current Edition. All bridges shall be designed to incorporate a crash-tested barrier rail per Indiana Department of Transportation (INDOT) specifications and adequate lengths of a crash-tested approach rail. The length of approach rail shall meet INDOT RRR requirements or better.

5.13 CONSTRUCTION WITHIN ROAD RIGHT-OF-WAY

Whenever any construction activities occur within a public road right-of-way, traffic control devices shall be placed in accordance with INDOT standards and the Manual on Uniform Traffic Control Devices, Part VI. The devices shall be installed prior to any construction and shall be maintained during the entire time that the special conditions exist. They shall be removed immediately thereafter.

CHAPTER 6

WATER FACILITIES

6.01 GENERAL REQUIREMENTS

1. The developer shall install a public water supply system in a manner prescribed by the latest edition of the Recommended Standards for Water Works, published by Health Research Inc., Health Education Services Division, P.O. Box 7126, Albany, New York 12224 (commonly known as the "Ten (10) State Standards").
2. Where a public water main is accessible, the developer shall install adequate water facilities including fire hydrants. The water facilities must be shown on the approved construction plans.
3. A water main extension shall be approved by the officially designated agency of the state, county and/or municipality concerned. The design and construction must comply with all applicable federal, state and local regulations.
4. A letter of intent to provide service must be provided from the appropriate utility prior to primary approval.

6.02 INDIVIDUAL WELLS AND CENTRAL WATER SYSTEMS

1. If a public water system is not feasible, as determined by the Commission, individual wells may be used provided they are installed in accordance with all applicable state and county health department requirements.
2. If a public water system is not feasible, an appropriate water source as determined by the Commission, and central water distribution system may be used provided that they meet all applicable federal, state and county requirements.
3. If a central water distribution system is proposed, it must be designed and constructed in a manner that provides an adequate supply of potable water to every lot in the subdivision. A central water system shall be approved by IDEM. This approval shall be submitted with the application for secondary approval.

4. If the Commission requires that a connection to a public water main be eventually provided as a condition for approval of an individual well or central water system, the developer shall make arrangements for future water service at the time the plat receives secondary approval. A performance guarantee in accordance with Section 3.19 may be required to insure compliance.

6.03 FIRE HYDRANTS

Fire hydrants shall be required for all subdivisions except those having lots served by individual wells. Fire hydrants shall be located in cooperation with the affected fire department. Documentation from the fire department shall be provided prior to secondary approval.

6.04 DRY HYDRANTS

In those subdivisions where a central water system is not available and where a permanent lake will be constructed, the developer shall provide dry hydrants in cooperation with the affected fire department.

CHAPTER 7
SEWERAGE FACILITIES

7.01 GENERAL REQUIREMENTS

Each lot must have either access to sanitary sewer facilities or meet individual on-site sewage system criteria.

7.02 SANITARY SEWERAGE SYSTEM REQUIREMENTS

Where required the developer shall install the necessary sanitary sewers and sanitary sewer facilities in compliance with the rules, regulations, and standards of the County Engineer, County Health Department, and other appropriate state and federal agencies. Plans shall be approved by the above agencies where required by those agencies. All plan approvals and permits must be submitted with the application for secondary approval.

A letter of intent to provide service must be provided from the sewer utility prior to primary approval.

7.03 INDIVIDUAL DISPOSAL SYSTEM REQUIREMENTS

If a public sewer facility is not available and an individual or community on-site sewage disposal facility is proposed the minimum lot area shall conform to the requirements of the Zoning Ordinance and any ordinance of the Health Department establishing usable lot areas and design standards for an individual or community on site sewage disposal facility.

These facilities must comply with all applicable rules, regulations and standards of the appropriate federal, state and local agencies. All plan approvals and permits must be obtained prior to secondary approval.

CHAPTER 8
NONRESIDENTIAL SUBDIVISIONS

8.01 GENERAL

If a proposed subdivision includes land that is zoned commercial, industrial or includes land for public uses the layout of the subdivision with respect to the land use shall meet any special provisions that the Commission finds appropriate. A nonresidential subdivision, in addition to complying with these regulations, shall also be subject to all the requirements set forth in the Zoning Ordinance. Site Plan approval as required by the Zoning Ordinance and nonresidential subdivision approval may proceed simultaneously at the discretion of the Commission and/or Plan Commission Staff. It is understood that in some commercial or industrial subdivisions the exact lot line locations may not be known at the time of primary approval. Shifts in lot lines, elimination of lots and minor variations in improvements will not be classified as significant changes as long as all conditions of primary approval, the provisions of this ordinance, the Zoning Ordinance and the Storm Drainage, Erosion and Sediment Control Ordinance are met. Adding additional lots or changes that the Plan Commission Staff determine to be significant shall require a new primary hearing and approval.

8.02 STANDARDS

In addition to the principles and standards in these regulations which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the street arrangement proposed is appropriate for the use anticipated and adequately takes into account other uses in the vicinity. The following principles and standards shall be observed.

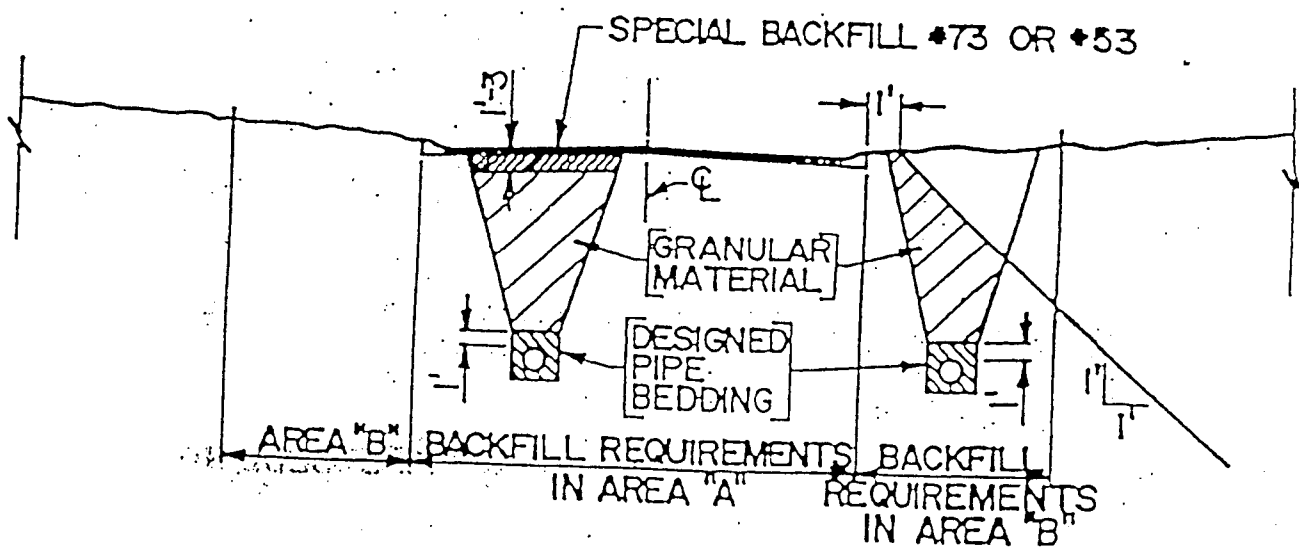
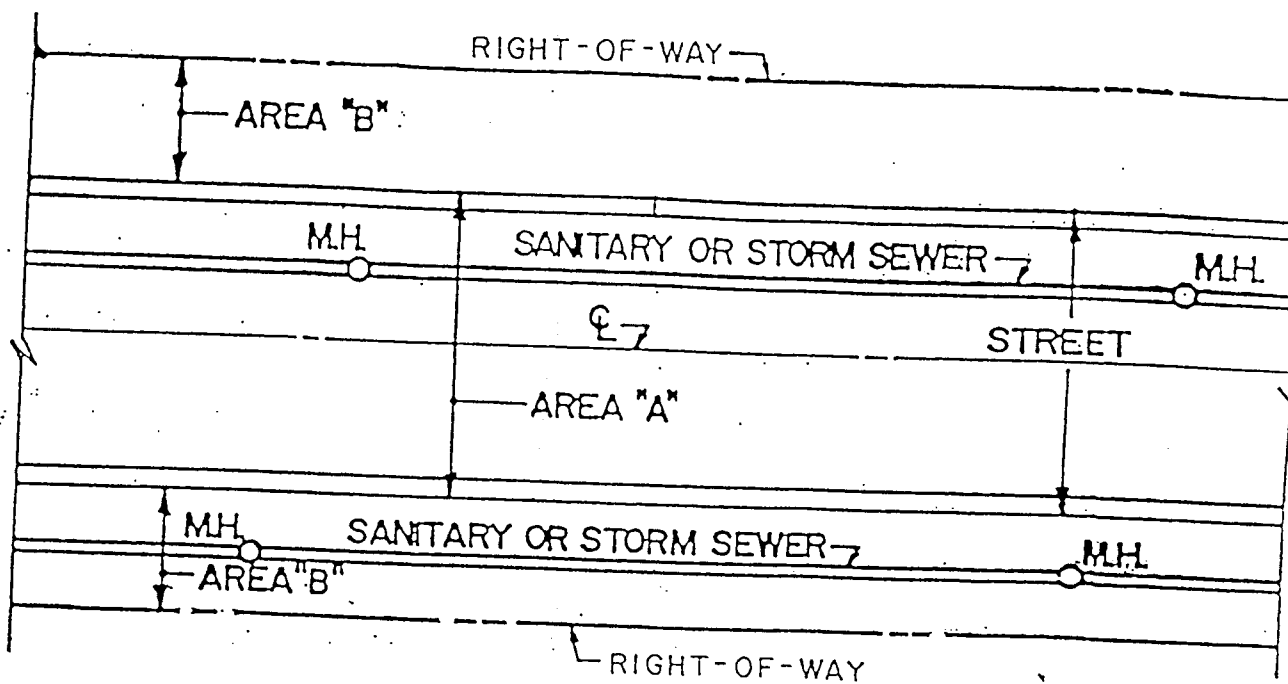
1. A proposed nonresidential subdivision must be appropriately zoned for commercial or industrial use prior to the proposal for a subdivision in accordance with these regulations.
2. A proposed nonresidential subdivision shall be suitable in regards to minimum area and dimensions to the type of development anticipated.
3. The street right-of-way and pavement construction shall be adequate to accommodate the type and volume of traffic anticipated to be generated within and adjacent to the proposed subdivision.

4. Special requirements may be imposed by the Commission with respect to street, curb, gutter, landscaping, lighting, and noise screening and sidewalk design and construction.
5. A special requirement may be imposed by the Commission with respect to the design and installation of a public utility, including water, sanitary sewer, and storm water drainage.
6. Provisions shall be made to protect an adjacent residential area from potential nuisance created by a proposed nonresidential subdivision, including extra depth in lots backing onto existing or potential residential development and a permanently landscaped buffer strip where necessary.
7. For a street carrying nonresidential traffic, especially truck traffic, extension to the boundary of an adjacent existing or potential residential areas may not be required unless in the opinion of the Commission conditions exist to warrant this extension.

APPENDIX A

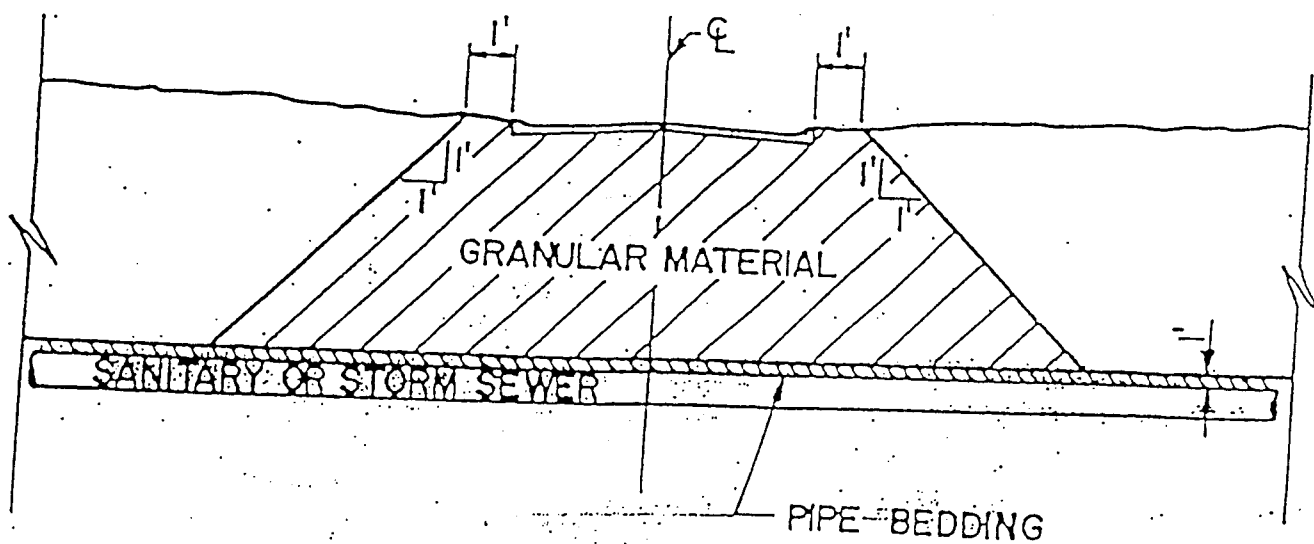
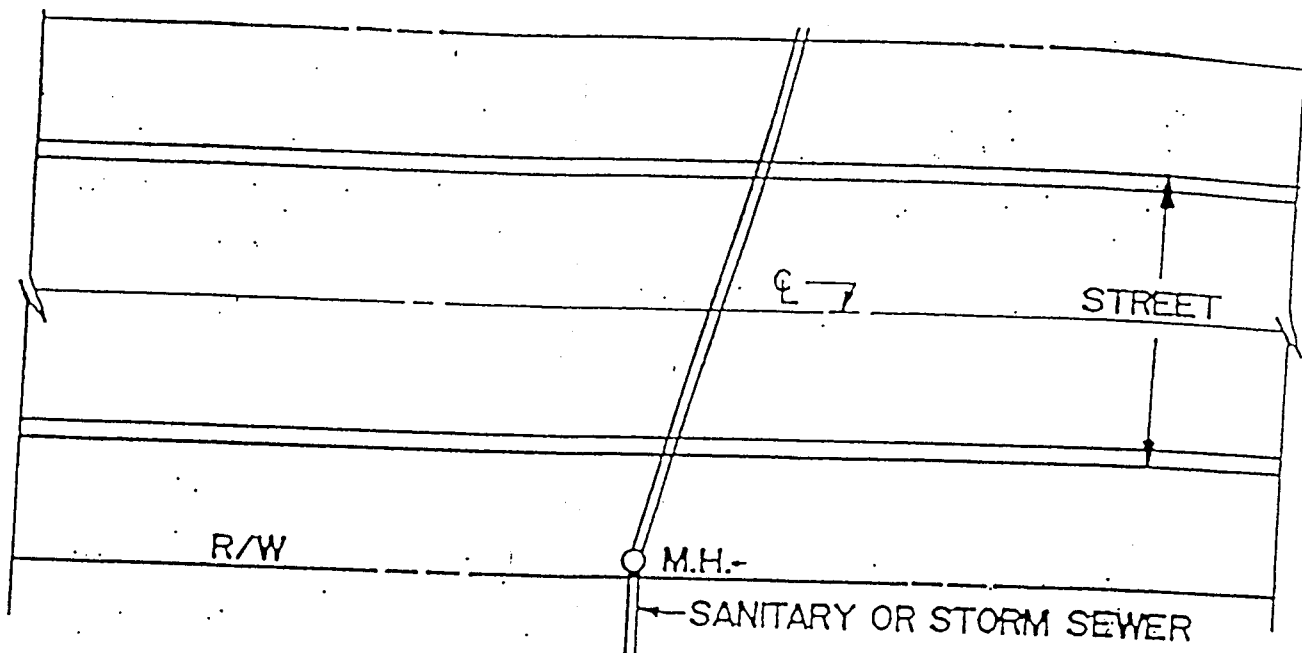
BACKFILL REQUIREMENTS

(FOR SEWERS WITHIN ROAD RIGHT-OF-WAY)

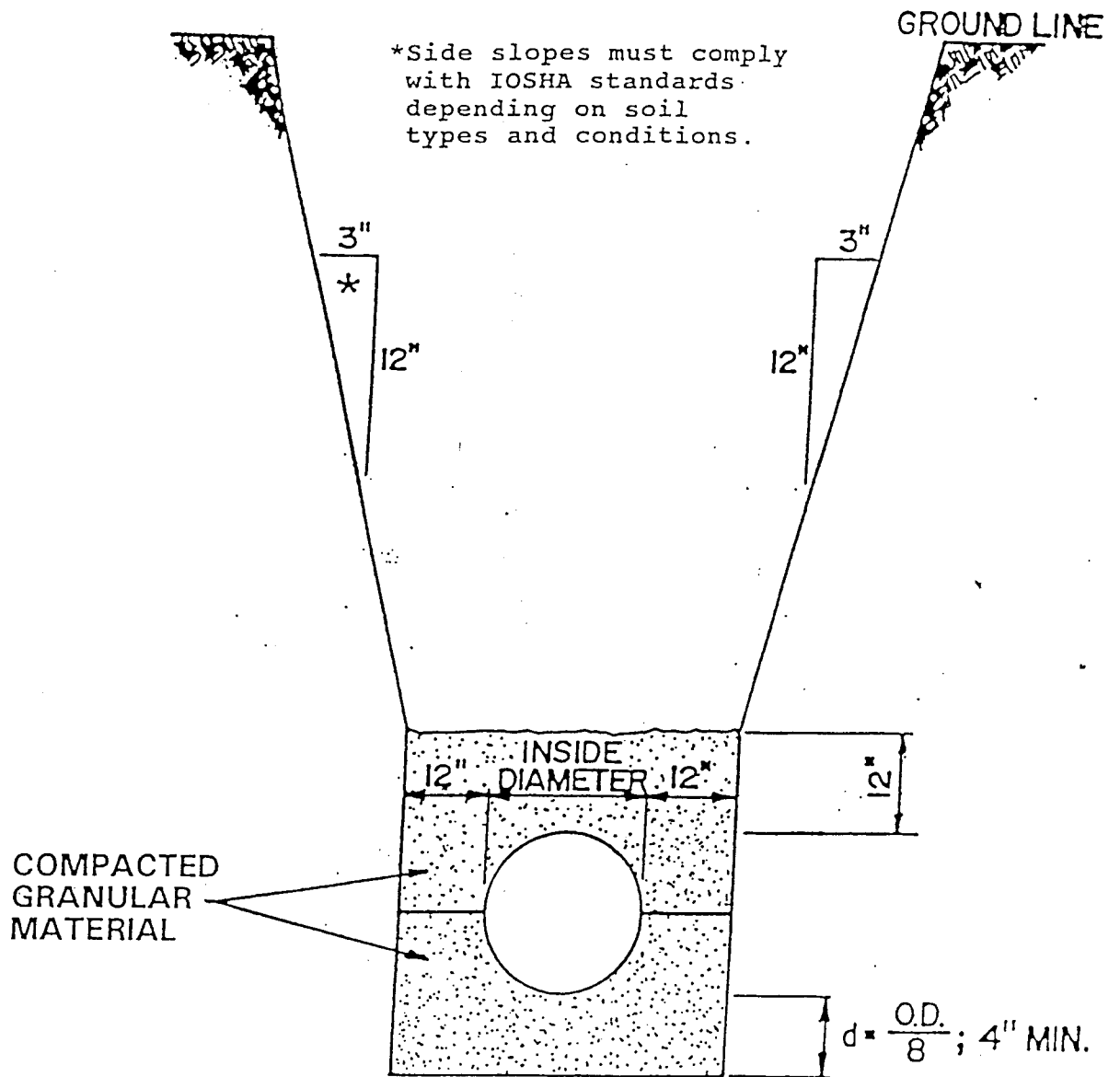


BACKFILL REQUIREMENTS

(FOR SEWERS CROSSING RIGHT OF WAY)



TRENCH SECTION



SUBSURFACE DRAIN

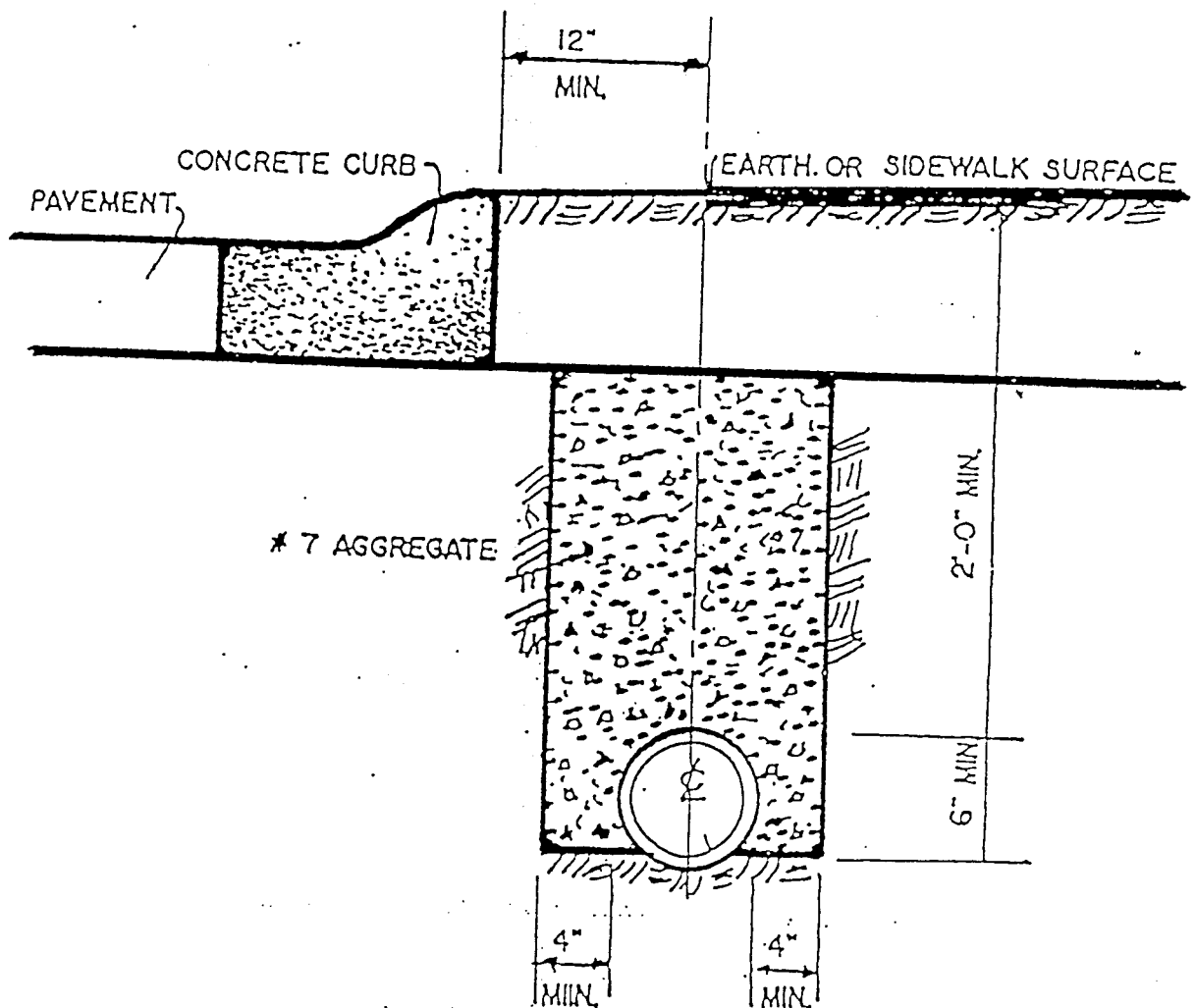
PIPE MATERIAL:

SHALL MEET GENERAL INDUSTRY STANDARD FOR
PERFORATED PLASTIC, OR EQUAL.

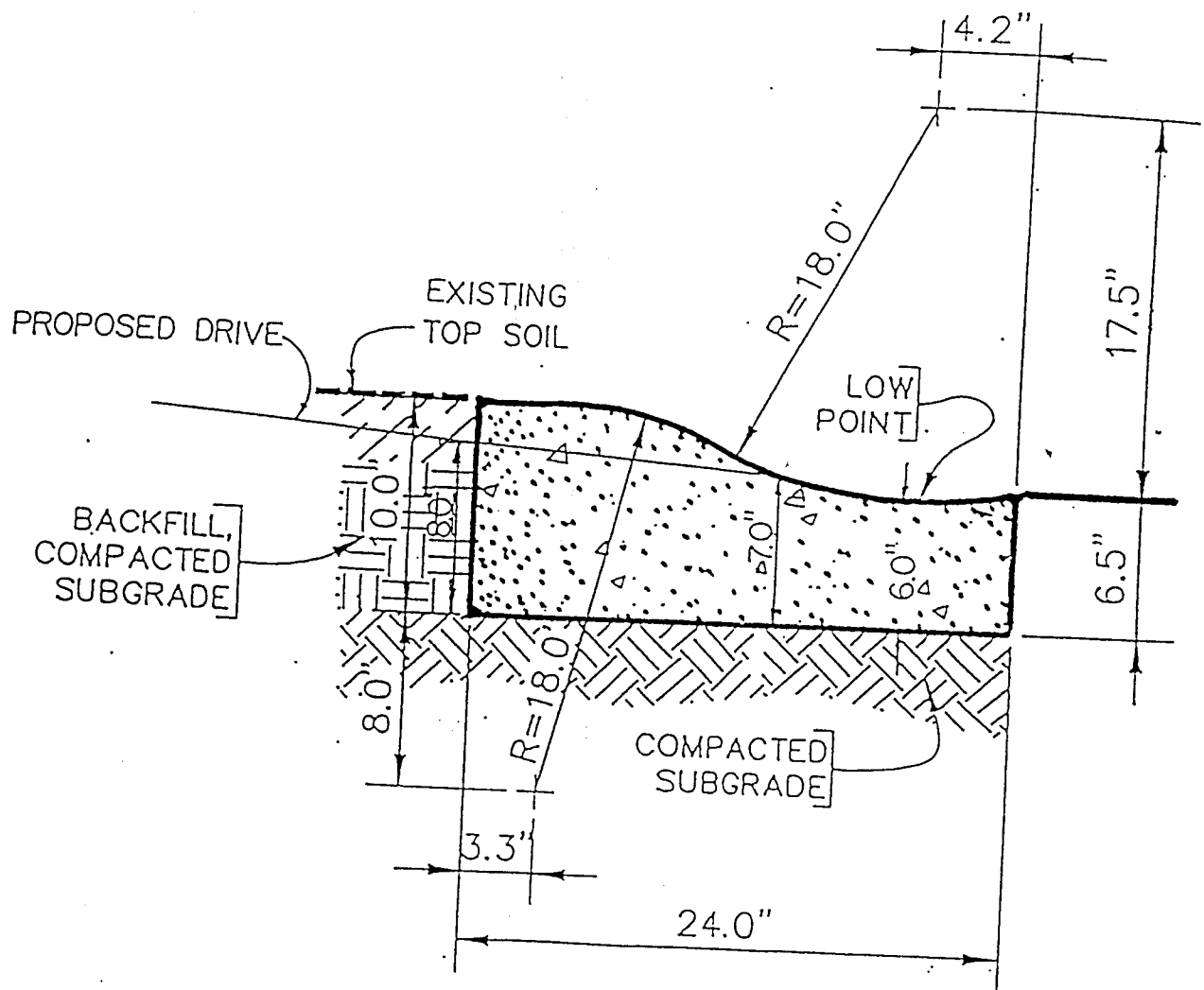
INSTALLATION REQUIRED:

BOTH SIDES OF ALL PAVEMENT.

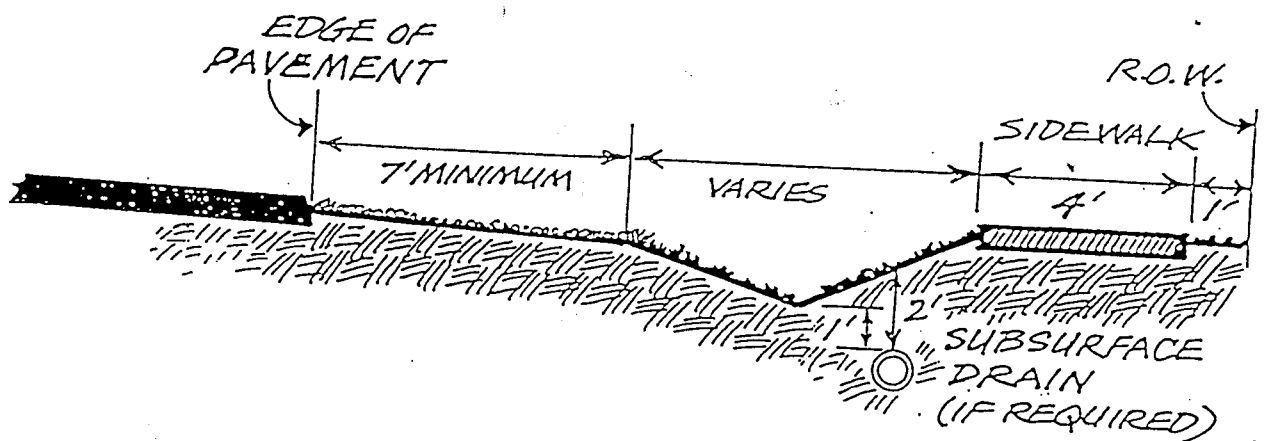
4" LATERALS SHALL BE FURNISHED TO ALL LOTS.



2' ROLL CURB & GUTTER
WITH CUT OUT
FOR DRIVEWAY (TYPICAL)



TYPICAL SIDEWALK PLACEMENT ALONG COUNTY ROAD



APPENDIX B

DRAFT

DRAFT

INSPECTION AND TESTING SERVICES AGREEMENT
BETWEEN ENGINEER AND
HENDRICKS COUNTY PLANNING AND BUILDING DEPARTMENT
HENDRICKS COUNTY, INDIANA

DATE: _____
ENGINEER: _____

Address Zip Phone

PROJECT: _____
Section

LOCATION: _____

The ENGINEER agrees to provide all inspection and review of materials testing reports, including transportation and testing equipment, required to insure all project improvements are constructed in accordance with Hendricks County approved plans and specifications, and all applicable Federal, State and Local regulations.

The ENGINEER also agrees to provide a certified completion statement upon completion of the project but prior to county acceptance of the improvements. The statement must state that, based on the inspections performed, the required improvements have been completed in accordance with the approved plans and specifications and county requirements and that acceptance of the improvements is recommended.

The ENGINEER agrees to perform the inspection services with properly qualified inspectors. Inspectors must be registered engineers, registered land surveyors, American Public Works Association certified construction inspectors or equivalent life experienced individuals. All inspectors must be approved by Hendricks County. This agreement does not include construction engineering or construction stake out.

The estimated time frame for completion of the project is _____ weeks. The total estimated cost for inspection services is _____ (\$ _____ .00) dollars. The actual inspection and testing review fee will be based on the actual number of hours of inspection and review required to complete the project. The estimated cost for inspection and testing may not be exceeded without prior written approval from the County.

RESOLUTION FROM THE HENDRICKS COUNTY AREA PLAN COMMISSION
TO THE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA

WHEREAS, the legislature of the State of Indiana granted certain powers to Area Plan Commission dealing with subdivision ordinance within their jurisdiction pursuant to IC 36-7-4-500, as amended; and

WHEREAS, the Hendricks County Area Plan Commission established a Citizens Advisory Committee to assist in the review of a replacement ordinance for the Hendricks County Subdivision Control Ordinance; and

WHEREAS, the Hendricks County Area Plan Commission held a public hearing on April 15, 1997 giving public notice in accordance with the provisions of IC 5-3-1; and

WHEREAS, the Hendricks County Area Plan Commission have given considerations to the current conditions of Hendricks County and the probable future growth and have prepared a replacement subdivision control ordinance entitled "Hendricks County Subdivision Control Ordinance 1997" and that such an ordinance provides subdivision regulations within Hendricks County; and

WHEREAS, the recommended replacement subdivision control ordinance establishes revisions to the Hendricks County Subdivision Control Ordinance of 1961 which is used to implement the policies of the Comprehensive Plan; and

WHEREAS, the replacement Hendricks County Subdivision Control Ordinance contains the subdivision requirements of the orderly land use development of Hendricks County.

NOW THEREFORE, in order to promote the public health, safety, morals, convenience, order and economy in the process of developing Hendricks County, the Hendricks County Area Plan Commission now recommends that the Board of Commissioners of Hendricks County, Indiana that the replacement Subdivision Control Ordinance attached hereto and made a part thereof, be in full force and effect after its date of passage.

Respectfully submitted,

Hendricks County Area Plan Commission
of Hendricks County, Indiana

By:

C. Richard Whicker
C. Richard Whicker, President

ATTEST:

Walter F. Reeder III
Walter F. Reeder, III, Secretary

April 15, 1997
Resolution adopted

RESOLUTION BY THE

BOARD OF 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 IC 36-7-4-200, as amended; and

WHEREAS, the Board of County Commissioners of Hendricks County established an Area Plan Commission in 1995 entitled the "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 commissioners pertaining to the adoption of a subdivision control ordinance within their jurisdiction pursuant to IC 36-7-4-500, as amended; and

WHEREAS, the Hendricks County Area Plan Commission, with the assistance of the Citizens Advisory Committee, has prepared a replacement Subdivision Control Ordinance in accordance with the provisions of IC 36-7-4-500, as amended; and

WHEREAS, the Hendricks County Area Plan Commission has considered the comments made during the public hearing and has deliberated on the Subdivision Control Ordinance proposals contained in the prepared replacement Subdivision Control Ordinance entitled "Subdivision Control Ordinance of Hendricks County, Indiana, 1997; and

WHEREAS, the Hendricks County Area Plan Commission has reviewed and approved the Replacement Hendricks County Subdivision Control Ordinance 1997 and has, by resolution, recommended the adoption of the ordinance to the Board of County Commissioners of Hendricks County; and

WHEREAS, the proposed Replacement Hendricks County Subdivision Control Ordinance contains the subdivision requirements for the orderly land use development of Hendricks County.

NOW THEREFORE, in order to promote the public health, safety, morals, convenience, order and the 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, Indiana finds that the replacement subdivision control ordinance entitled "Hendricks County Subdivision Control Ordinance 1997"; attached hereto and made a part thereof, be in full force and effect ~~after this date.~~ 7-25-97.

Passed and approved by the Board of Commissioners of Hendricks
County, Indiana, this 27th day of
May, 1997.

BOARD OF COMMISSIONERS

John D. Clampitt
John D. Clampitt, President

David E. Underhill
David E. Underhill, Member

John A. Daum
John A. Daum, Vice-President

ATTEST:

Judith A. Wyeth
Judith A. Wyeth
Special Deputy Auditor

ORDINANCE NUMBER 1997-20

HENDRICKS COUNTY ANIMAL CONTROL

ORDINANCE MANUAL

Hendricks County Animal Control

Ordinance Manual

Title 2: Hendricks County Animal Control Ordinance:

An ordinance regulating the keeping, impoundment, providing for, and taking up of dogs and other animals. To provide for rabies control quarantining and strict observation, and the destruction of dogs and other animals in certain cases. Any person violating any provision of this ordinance shall be deemed guilty of an ordinance violation. If such violation continues, each day's violation shall be a separate offense establishing Animal Control Official to enforce provisions of this ordinance.

WHERE-AS, the Board of Commissioners of Hendricks County, Indiana, has received numerous complaints of dogs and other animals running at large within the County. After having conferred with the Hendricks County Highway Department and the Hendricks County Sheriff's Department, has found that in order to protect the health and welfare of the citizens of Hendricks County from the nuisance and the unsanitary conditions of dogs and other animals running at large, and to promote the health and welfare of the public, it is Ordained as follows:

(A) It is the objective of the Hendricks County Animal Control to provide for the safety and health of the citizens of Hendricks County by remove the unwanted animal population from the public properties and neighborhoods, to control the problem of dogs running at large and to prevent the spread of rabies. There is no intent to remove or separate pets from owners. Every attempt to locate owners with their pets is made when animals with tags are impounded. In addition to its statutory duties, the Hendricks County Animal Control will provide limited services for the citizens of Hendricks County including animal adoption and the assistance to individuals who have lost or found animals.

(B) The following rules of the Hendricks County Animal Control Ordinance were written with the above objectives in mind.

RULE 1
(general definitions)

Chapter 2.1 Definitions:

Sec. 2.1.1 ANIMAL : Animal does not include a human being (defined by Indiana State law).

Sec. 2.1.2 DOMESTIC ANIMALS : Shall mean, as defined by the Indiana State Statute, cattle, calves, horses, mules, swine, sheep, goats, dogs, cats, poultry or other birds.

(A) Any animals of the bovine, equine, caprine, porcine, canine, feline, or avian species.

(B) An aquatic animal that may be the subject of aquaculture (as define in IC 4-4-3.8-1).

Sec.2.1.3 OWNER : Shall mean any person, group of persons, or corporation owning, keeping or harboring a dog or dogs or animals ; to allow an animal to remain on property for one week or longer.

Sec.2.1.4 KENNEL : Shall mean any person, group of persons, or corporation owning, keeping or harboring four or more dogs or cats , and is zoned by the Hendricks County zoning ordinance.

Sec.2.1.5 AT LARGE : Shall mean any animal shall be deemed to be at large, when the animal is off the property of his owner and not under control of a competent person.

Sec 2.1.6 RESTRAINT : Shall mean an animal is under restraint within the meaning of this Ordinance if it is controlled by a leash, rope, ect. at "heel" beside a competent person and/or obedient to that person's commands.

Sec. 2.1.7 STRAY : Shall mean a domestic animal which is lost or whose ownership is otherwise unknown.

Sec. 2.1.8 SPAYED FEMALE : Shall mean any female which has been operated upon to prevent conception.

(A) Spayed female shall also mean "Neutered animal".

(B) "Neutered animal" shall mean any animal which has surgically rendered incapable of reproduction.

Sec.2.1.9 HENDRICKS COUNTY ANIMAL SHELTER : Shall mean any premises designated by action of the County Commissioners for the purpose of impounding and caring for all animals found running at large, in violation of this ordinance, and/or the taking in of unwanted animals.

Sec.2.1.10 RUNNING AT LARGE : Shall mean any animal off the owner's property and/or caretaker's property, that is not under restraint or control.

Sec.2.1.11 CURRENTLY VACCINATED : Shall mean that the owner shows proof that the animal has been vaccinated for rabies (within the past twelve months). A rabies certificate or a call to a veterinarian is proof that the vaccination is current.

Sec.2.1.12 EXPOSED TO RABIES : Shall mean an animal has been exposed to rabies within the meaning of this ordinance, if it has been bitten or scratched by a wild, carnivorous mammal (or bat) not available for testing, or exposed to any animal known to have been infected with rabies.

Sec.2.1.13 STRICT CONFINED OBSERVATION : Shall mean to keep an animal confined in a building or home, and not to allow the animal to come in contact with anything other than the owner, for a period time designated by the Hendricks County Animal Control. If the animal needs to go outside to relieve it's self, it is to be physically restrained by the owner who is at least 18 years of age. To remain in the owner's yard at all times with the owner . Said owner is required to report any unusual behavior or sickness to the Animal Control. All quarantines are to be in Hendricks County and owners are required to follow the rules of the Hendricks County Animal Control for rabies suspects, or as define by Indiana State Board Of Animal Health and or the state veterinarian.

Sec. 2.1.14 CHIEF ANIMAL CONTROL OFFICER : Shall mean the person employed by The Hendricks County Commissioners as its Chief Enforcement Officer.

Sec.2.1.15 ANIMAL CONTROL OFFICER : Shall mean any person employed for the purpose of enforcement and, other duties, as directed in the job description.

(A) Job description shall mean a composite of duties as defined by the Chief Animal Control Officer.

Sec.2.1.16 AUTHORIZED AFTER HOUR CALLS : Shall mean outside regular shelter hours, The Animal Control officer will be authorized to answer call, initiated by the Chief Animal Control Officer, Hendricks County Sheriff department or local police departments for the following:

- (A) Stray domestic animals in distress.
- (B) Stray injured domestic animals. (This does not mean a animal that is just got a limp, Or an animal that has been there for a day or so).
- (C) Bite of a human by any animal. Some cases of animal vs. Animal.
- (D) Stray vicious animal threatening bodily harm.
- (E) Animals left at the scene (i.e: car accident, owner arrested, owner deceased).
- (F) All after hours calls are judge on a case by case bases . All information considered.
- (G) Any other incident deemed an emergency by the Chief Animal Control Officer, Hendricks County Sheriff or local Chief of Police.

Sec.2.1.17 UNDER CONTROL: Shall mean to completely regulate the animal's actions by either verbal command or by restraint.

Sec.2.1.18 QUARANTINE: Shall mean strict confined observation, for a period of 6 months, of an animal bitten by another animal that has been diagnosed as rabid , or a animal that has bitten a human whom is showing signs of rabies. The owner is responsible for all costs. Quarantine shall be at the Hendricks County Animal Shelter / or a facility approved by the Chief Animal Control Officer. The owner is required to follow the rules of the Hendricks County Animal Control for rabies suspects, as defined by Indiana State Board Of Animal Health and or the state veterinarian. All quarantines will be in Hendricks County .

Sec.2.1.19 NOTIFICATION OF OWNERS : Shall mean that any information on the animal's collar or tags, or information obtained at the pick-up location, will be investigated in order to locate the owner. Notification of owners will be by telephone and/or door card Attempts to contact owner will continue for a reasonable length of time. Other means deemed necessary to locate the owners may be implemented .

(A) **REASONABLE LENGTH OF TIME :** Shall mean not less than 3 days over a 7 day period.

Sec.2.1.20 PENALTY FOR VIOLATING THE RUNNING AT LARGE ORDINANCE : Shall mean the Animal Control Officer will impound UNTAGGED DOGS WHOSE OWNERSHIP IS NOT KNOWN if the dog is running at large on public property. If found on private property, permission to have the dog removed from said property will be obtained.

(A) TAGGED DOGS / whose ownership is known may be impounded for Running at Large and may be cited for this offense.

(B) Any domestic animal off a owners land.

Sec.2.1.21 ENTITLED TO RESUME POSSESSION : Shall mean the owner of the animal is required to provide payment of the animals impoundment fees, show proof of current vaccination, or a receipt for prepayment of vaccination for rabies, proof of payment of Indiana state dog tax, and other fees established by the Animal Control or applicable court order. Proof of rabies vaccination for dogs and cats 3 months or older, and Indiana State dog tax for dogs six months or older, as required by state law.

Sec.2.1.22 REPEAT OFFENDERS : Shall mean any person who has previously had an animal in the shelter , or a person who has received a ticket from animal control.

Sec.2.1.23 HUMANELY DESTROYED : Shall mean euthanasia by the injection of drugs approved by the Pharmaceutical Board of the State of Indiana , and recognized by the Humane Society of the United States, and / or the American veterinarian medical association.

Sec.2.1.24 HUMANE REASONS : Shall mean that under certain circumstances, an animal should be euthanized, without first having to wait the usual 3 day waiting period. The following cases of injury and diseases indicate those circumstances:

(A) Injuries that warrant immediate euthanasia :

(1) Any injury to the brain or spinal cord such that the animal is non-responsive to deep pain. Unless the owner can be located within thirty minutes from time of call.

(2) Any injury that has caused the abdomen to be torn open and the bowels to be exposed, unless the owner can be located within thirty minutes from time of call.

(3) Any injury that causes the animal to labor to breathe in air and is turning blue.

(4) Any injury that caused the chest cavity to be torn open and the lungs and/or heart to be exposed.

Sec.2.1.25 SECURE ENCLOSURE : Shall mean a pen with an attached top, bottom, and sides that provides the animal with adequate shelter inside the enclosure and is securely locked by a padlock, of sufficient size capable of securely confining the animal. Pen must be self standing with only one gate.

Sec.2.1.26 DANGEROUS ANIMAL Shall mean :

(A) Any animal which, according to the records of the appropriate authority, has inflicted severe injury on a human being (without provocation) on public or private property.

(B) Any animal which, according to the records of the appropriate authority, has killed or severely injured a domestic animal (without provocation) while off the animal owner's property.

(C) Any animal owned or harbored primarily, or in part, for the purpose of animal fighting or any animal trained for animal fighting.

(D) Any animal which has inflicted fatal injury, or injuries resulting in broken bones or disfiguring lacerations, in a provoked attack.

(E) Any animal which has been involved in more than one attack of any kind.

(F) All animals are judged by a case by case bases. All information considered.

Sec.2.1.27 POTENTIALLY DANGEROUS ANIMAL Shall mean :

(A) Any animal which, when unprovoked, chases or approaches a person upon the streets, sidewalks or any public or private property in a menacing fashion or apparent attitude of attack.

(B) Any animal with a known propensity or disposition for an unprovoked attack and probability to cause injury, or to otherwise threaten the safety of human beings or domestic animals.

(C) Any animal, according to the records of the appropriate authority, which has caused a minor injury to a domestic animal or human.

(D) judged by a case by case bases. all information considered.

Sec.2.1.28 **PROPERTY OF HENDRICKS COUNTY ANIMAL CONTROL / SHELTER :**
Shall mean the animal can be adopted and or humanely destroyed, as seen fit by shelter employees. All information considered using the animal and shelter best interest in mind.

Sec.2.1.29 **WILD ANIMAL :** Shall mean as per define by Hendricks County zoning ordinance.

Sec .2.1.30 **STRICT ISOLATION :** Shall mean as define by Indiana State Board Of Animal Health and the State Veterinarian.

RULE 2 (Enforcement of the Animal Control Ordinance)

Chapter 2.2 Enforcement:

Sec. 2.2.1 The provisions of this ordinance and Indiana State Statutes pertaining to animal control shall be enforced by the Hendricks County Animal Control. The Animal Control remains, as the entity designated by the Hendricks County Board of Health, in the investigation and quarantine and / or strict confined observation procedures concerning rabies and animal bites. The Animal Control will work with the Indiana State Board Of Animal Health and or the state veterinarian, concerning rabies testing of animals that have bitten humans or other animals.

Rule 3 (Restraints)

Chapter 2.3 Restraints:

Sec. 2.3.1 The owner shall keep his dog under restraint at all times and shall not permit such dog to be at large off the premises or property of the owner.

Rule 4
(Impoundment)

Chapter 2.4 Impoundment:

Sec.2.4.1 Domestic animals found running at large shall be taken up by the agents of the Hendricks County Animal Control and impounded in the shelter designated as the Hendricks County Animal Shelter. Said animal shall be confined in a humane manner, for a period of not less than three days, and if not claimed by their owners there after shall become the property of the Hendricks County Animal Control, and be disposed of in a humane manner or adopted at the discretion of the said authority, except as hereinafter provided in certain cases.

(A) This section refers to any animal(s) picked up by the Animal Control Officers or brought to the shelter by citizens.

(B) Persons surrendering animal(s) will be given a surrender form concerning minimum holding periods, adoptions, and euthanasia, which must be signed before the animal is accepted by the shelter employees.

(C) Immediately upon impounding dogs or other animals, the agents of the Hendricks County Animal Control shall make reasonable effort to notify the owner of the conditions whereby they may regain custody of such animal(s).

(D) Animals picked up or brought to the shelter, **WHOSE OWNERSHIP IS UNKNOWN**, shall be held in the shelter for a minimum of three working days (72 hours), **unless sick , (showing signs of parvo, distemper, blood in stool ,listless ect.), or injured.**

(E) Animals picked up or brought to the shelter, **WHOSE OWNERSHIP IS KNOWN** , must be held in the shelter until;

(1) IN THE CASE OF SURRENDERED ANIMALS :

(a) The owner signs a release form requesting that the animal be euthanized in the best interest of the animal and / or to protect the other animals in the shelter from disease. (Shelter employees have the right to refuse to euthanize the animal if they feel the animal can be adopted).

(b) The animal is adopted or it has been held for at least (24 hours).

(c) An owner who has surrendered his animal but has not signed the statement for the animal to be euthanized may change their mind , but the animal must be redeemed by adoption.

(d) Owner - surrendered animals can be placed on hold for an adoption upon time of surrender.

(E) The owner that brings in an animal that can not be adopted, will be advised that the animal will be euthanized as soon as possible. (biter, sick, wild, livestock killer, ect.).

(2) IN THE CASE OF ANIMALS PICKED UP RUNNING AT LARGE :

(a) The owner redeems the animal , in accordance to section 2.5

(b) The court orders disposition of the animal.

(c) The expiration of at least three working days (72 hours) after the owner of an animal that is **NOT PROPERLY TAGGED OR VACCINATED** has been notified and the owner refuses to reclaim the animal. The animal becomes property of the Animal Control.

(d) PROPERLY TAGGED AND VACCINATED animals impounded will be held until the owner properly reclaims or surrenders the animal, or until disposal is ordered by the court. If an owner refuses to reclaim the animal within five days after notification has been made, unless there is pending legal action, the animal becomes property of the Hendricks County Animal Control.

(e) Hendricks County Animal Shelter has unsuccessfully made a reasonable effort to notify the owner of a tagged animal. The animal becomes the property of Hendricks County Animal Shelter after 7 days.

Sec.2.4.2 When dogs are found Running at Large, and their ownership is known to the agents of the Hendricks County Animal Control, such dogs need not be impounded, but the agent may at his discretion, cite the owners of the dogs to appear in court to answer to charges of violation of this Ordinance.

Sec.2.4.3 **There is no cat leash law.** Cats will not be picked up for running at large. However, cats who are reported to be stray, if not contained a recommendation for a humane trap to be used so a pick up can be completed. In the case of owned cats running at large, the complainant has a legal right to utilize a humane trap for the purpose of containing the animal to bring to the Hendricks County Animal Shelter.

Sec. 2.4.4 The owner shall be entitled to resume possession of any animal impounded , except as hereinafter provided ,upon payment of impoundment fees set forth herein in Rule 5, Sec.2.5.

Sec. 2.4.5 Any stray animal impounded under the provisions of this Ordinance , and not reclaimed by its owner within three days , becomes the property of the Hendricks County Animal Control.

RULE 5
(Impoundment Fees)

Chapter 2.5 Impoundment Fees :

Sec. 2.5.1 Any impounded animal may be reclaimed , as herein provided, upon payment by the owner to the Hendricks County Animal Control, the amount of the Impoundment fees set forth herein shall be collected by the Hendricks County Animal Control and periodically turned over to the Hendricks County Auditor for deposit to the Hendricks County General Fund.

(A) An impoundment fee of **\$ 20.00** shall be charged , for a dog , cat , small animals example ; rabbits , poultry , small birds , small exotics.

(1) A additional impoundment fees of **\$ 10.00** for each day the animal is kept after two days.

(2) The initial Impoundment fees will double for repeat offenders, and will continue to double for each offense. (**\$ 40.00 , \$ 80.00 , \$160.00 ect.)**. The Hendricks County Animal Control , through its agents, can seek prosecution of repeat offenders. After a time span of one year from the last offense and there has been no contact from the animal control ref. animals in your care , the impoundment fees will go back to the starting fees of **\$20.00** and will go up accordingly.

(3) Before animals release from the shelter, the owner must proved proof of current vaccination for rabies or prepaid receipt from a license vet for vaccination to be done.

(B) An impoundment fee of **\$50.00** shall be charge for any impounded livestock equine, wild animal or large exotic animal, impounded will pay a fee per animal upon owner claim and will also pay for any and all hauling fees and maintenance fees. If the animal is not claimed within three days, this animal can be put up for adoption or disposed of in accordance with the law.

(1) A maintenance fees are **\$20.00** per day.

(2) A hauling fee of **\$30.00** will be charged , if the stock trailer is used to move the animal.

(C) A donation of **\$10.00** will be requested for the disposal of any owned, deceased animals brought to the shelter. Animals dead over 24 hour may not be taken if the body is in bad condition or if animal is to large (over 200 lb.).

(D) A fee of **\$10.00** will be charged per day for any animals quarantined or placed under strict confined observation and or strict isolation at the shelter during the quarantine or strict confined observation and or strict isolation period only. After which time the fee will increase to **\$20.00** per day. Some cases fees will need to be prepaid for within three days from time of confinement.

(E) A donation of **\$20.00** will be requested for the euthanasia of an animal.

(F) A fee of **\$5.00** per day can be charged to a new owner if an adopted animal remains in the shelter after the adoption has been completed. This is only possible if there is room at the shelter to house the animal.

RULE 6
(Adoption Fees, Euthanasia, injured Animals)

Chapter 2.6 Adoption Fees

Sec. 2.6.1 Adoption fees :

(A) dogs or cats or mice, rats, guinee pig, hamsters ect. is **\$10.00.**

(B) Small animals, rabbits, small birds is **\$20.00.**

(C) Small exotics animals, farm animals (goats , pig). **\$40.00.**

(D) large farm animals. **\$100.00** (equine not included).

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

(F) Outside of the animals listed above a fee will be placed on the animal on a case to case basis. Fees to be set by the Chief Animal Control Officer and the State of Indiana someone from the Division of Companion Animal / Equine Office. Fees will be set by using the cost of boarding, vet care, ect .

Sec. 2.6.2 All animals adopted that can be surgically rendered incapable of reproduction will be (ex. dogs, cats, horse-male). The cost to be at the new owner's expense. Failure to have this done will result in a ordinance violation. See penalty Rule 16. Some cases will be evaluated on a case by case basis.

(A) Animals that are adopted will have to have a current rabies vaccination or proof of prepaid vaccination to be given within 24 hours after adoption. Only if the animal is of age 12 weeks and there is a approve vaccine for that animal.

(B) Animals that are adopted will have to have a current distemper vaccination or proof of prepaid vaccination to be given within 24 hours after adoption.

Sec.2.6.3 Any animals adopted can not be given to a new owner until the animal is spayed/neuter and vaccinated by the person who signed the adoption paper work, they are the ones that are responsible for the animals, and they will be in violation of county ordinances.

Sec. 2.6.4 No animal shall be euthanized until after its required holding time has expired unless : When, in the judgment of the Hendricks County Animal Control or its agents, an animal should be destroyed for humane reasons, or sickness.

(A) At no time will the lives of healthy, adoptable animals be jeopardized to house such animals exhibiting signs of any infectious diseases, solely to comply with the three day waiting period.

RULE 7
(Confinement of certain animals
public nuisance animals)

Chapter 2.7 Confinement of certain animals :

Sec. 2.7.1 The owner shall confine, within a building or secure enclosure, every fierce, dangerous, or vicious animal and not take such animal out of such building or secure enclosure, unless such animal, is securely muzzled and a leash is secured to a choker chain around the animals neck, and the owner is in complete control of the leash. The animal shall not be removed from the enclosure by anyone but the owner, who must be 18 years of age, or older.

Sec. 2.7.2 The owner shall confine every potentially dangerous animal within a six foot, fenced - in yard or pen that is constructed so that the animal can not get out. The owner shall not take the animal out unless said animal is under control on a leash, with a choke collar attached, at all times. The animal is not to be allowed to run free, and must be with the owner, who must be 18 years of age, or older.

(A) The Animal Control Officers shall make a determination as to whether an animal fits this category, based on complaints that has been filed with the Hendricks County Animal Control. The Animal Control Officers shall investigate these complaints to determine if, in fact, the animal is dangerous and /or potentially dangerous. This shall be done on a case by case basis.

(B) It is the owner's responsibility to conspicuously place a sign on every dangerous, or potentially dangerous, animal's enclosure, warning people that a dangerous or potentially dangerous, animal is kept there.

(C) If the owner or keeper of an animal that has been deemed dangerous or potentially dangerous, is unwilling or unable to comply with the above regulations for keeping such animal, then the owner or keeper must have the animal humanely euthanized by an animal shelter or veterinarian, after any required holding period. Any animal that has been designated dangerous, or potentially dangerous, may not be offered for adoption.

(D) Any dangerous animal shall be immediately confiscated by an Animal Control Officer if the:

(1) Animal is not maintained in a proper enclosure.

(2) Animal is outside of the proper enclosure and not under proper restraint. In addition, the owner may be cited for an ordinance violation.

(E) Once an animal has been deemed a dangerous, or potentially dangerous, animal and attacks or bites a person or domestic animal, the owner may be cited. In addition, the dangerous animal shall be quarantined at the Hendricks County Animal Shelter.

(F) When an animal running at large appears to be an immediate physical threat to the public or other animals, and it cannot be safely or humanely captured by the Animal Control Officers, an officer of the law may be called and requested to destroy the animal. As a last resort.

Sec. 2.7.3 Every female dog, in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such manner that said female dog cannot come into contact with another animal, except for breeding purposes, as the owner shall desire.

Sec. 2.7.4 No wild animal may be kept within the county limits, except under such conditions as shall be fixed by the Hendricks County Planning and Zoning, and the State of Indiana.

Sec. 2.7.5 Any at large animal described in the foregoing subsections of Rule 7 of this ordinance, shall be impounded by the Hendricks County Animal Control and may not be redeemed by its owner unless such redemption is authorized by a court having jurisdiction. This provision shall also apply to animals found to be in violation of Rule 8 of this ordinance. Any animal impounded for being a dangerous , or potentially dangerous animal may not be redeemed unless such redemption is authorized by a court having jurisdiction. The owner will be responsible for all fines and fees and proof of all vaccinations before the release of the animal.

RULE 8
(Rabies Control)

Chapter 2.8 Rabies Control :

Sec. 2.8.1 Any animal which bites a human being shall be promptly reported to the Hendricks County Animal Control, and shall there upon be placed under strict confined observation, at the direction of the Hendricks County Animal Control, for a period time designated by the Hendricks County Animal Control, and shall not be released from strict confined observation , except by permission of the Hendricks County Animal Control. **If the animals rabies vaccinations are current** ,such strict confined observation may be on the premises of the owner, at the shelter designated as the Hendricks County Animal Shelter, at the owner's option and expense, or in a veterinary hospital or boarding kennel of the owners choice, who is willing to and is equipped to proved the proper strict confined observation providing it is within Hendricks County. In the case of stray animals, or in the case of animals whose ownership is unknown , **or if the owned animal is unvaccinated** , such strict confined observation shall be at the Hendricks County Animal Shelter at the owner's expense, or at the owner's option and expense, in a veterinary hospital or boarding kennel of the owner's choice, providing it is within Hendricks County . Animals that scratch will be place under strict confined observation. Such strict confined observation may be on the premises of the owner. The length of time will be ten day's from time of bite, in a normal situation.

(A) Any animal that has bitten a human being, be it domestic or wild is considered a rabies suspect until proven otherwise.

(B) Any unowned animal exhibiting signs of rabies shall be euthanized immediately, and the brain sent to the state lab. The most classic signs of rabies are, hydrophobia, extreme aggression, disorientation, foaming at the mouth, high fever, ataxia, or staggering. No animal will show all the signs and some animals that have rabies will not show any of the signs.

(1) Currently vaccinated animals can be place under strict confined observation at the owners home. If the owner has the facilities to handle a rabies suspect that complies with the rules of the Hendricks County Animal Control. This decision shall be at the discretion of the Hendricks County Animal Control as to if the owners home is sufficient. **If the owner has showed signs of not willing to cooperate fully, the animal will be taken to the animal shelter for the remainder of the strict confined observation. At the owner's expense.**

(C) Unvaccinated animals or animals otherwise suspected : to have rabies are to be place under strict confined observation at the owner's expense, at the Hendricks County Animal shelter, in a veterinary clinic or a boarding kennel. These facility's must be willing to accept the responsibility of the suspect animal and is properly equipped for strict confined observation, providing it is within Hendricks County. The owner's home is not sufficient for these rabies suspects.

(1) At the owner's discretion, the animal may be euthanized and have the brain sent to the state lab for a quick diagnosis.

(D) Wild animals that have bitten shall be euthanized immediately and the head to be sent to the state lab.

(E) DOMESTIC ANIMAL VS DOMESTIC ANIMAL:

(1) **(VACCINATED BITER)** Biter placed under strict confined observation at owner's home for a period of time as shall be fixed by the Hendricks County Animal Control. (Ten days from time of bite).

(2) **(UNVACCINATED BITER)** Biter placed under strict confined observation at the Hendricks County Animal Shelter for a period of time as shall be fixed by the Hendricks County Animal Control. Ten days from time of bite, Revaccinated within 24 hours after release from shelter. Proof of appointment with an veterinarian and Proof of prepaid rabies before release will be granted.

(3) **(VACCINATED BITE VICTIM)**. When biter can not be found victim is revaccinated immediately and placed under observation at owners home for 45 days from time of bite.

(4) **(UNVACCINATED BITE VICTIM)** When biter can not be found the owner should have the animal euthanized immediately if the owner is unwilling to have this done the victim is placed under strict isolation for six months, and to be revaccinated one month before released . Owners home is sufficient if the owner has the proper facility's for the strict isolation. If not the animal will be placed under strict isolation at the shelter The cost to be the owners responsibility . To be paid up front. Failure to prepaid within three days from time of strict isolation at the shelter the animal can be euthanized.

(F) Some cases of animal Vs animal will be evaluated on an case by case basis. This decision shall be made in conjunction with the Indiana State Board of Animal Health And the state veterinarian.

(G) All animals placed under strict confined observation, strict isolation and or quarantine must remain within Hendricks County for the duration of the strict confined observation, strict isolation and or quarantine period. The cost to be the owners responsibility . Some cases will be evaluated on a case by case bases. All information considered.

Sec. 2.8.2 The owner or keeper shall surrender , upon demand of the Hendricks County Animal Control any animal which has bitten a human, or is suspected of having been exposed to rabies, For supervised strict confined observation, strict isolation and or quarantine, with the expenses being borne by the owner.

(A) The animal may be reclaimed by the owner :

(1) After observation period from time of bite.

(2) If the animal is determined to be free of rabies at time of the bite.

(3) Upon payment of fees to the Hendricks County Animal Control.

(4) Proof of prepayment of a rabies vaccination and Proof of appointment to have animal revaccinated by a licensed veterinarian within 24 hours after release from the shelter.

(B) Animals not reclaimed after the observation :

(1) No contact from the animals owner after release from observation. Within three days animal becomes property of the Hendricks County Animal Control. It will be euthanized.

(2) If the owner makes contact with the shelter and does not know if they want the animal back, leaves the animal. A time of three days will be given if the owner does not come back to get the animal it becomes property of the animal shelter. It will be euthanized.

Sec. 2.8.3 When an animal under observation or quarantine has been diagnosed as being rabid, or suspected by a licensed veterinarian as being rabid, or dies while under observation, the Hendricks county Animal Control shall immediately send the head of such animal to the State Health Department for pathological examination. Hendricks County Animal Control shall then notify the proper public health officer of reports of human contacts and the diagnosis of the suspected animal.

Sec. 2.8.4 When one or both reports give a positive diagnosis of rabies, the Hendricks County Animal Control shall recommend a county-wide quarantine for a period of 45 days. Upon the invoking of such quarantine, no animal shall be taken into the streets, or permitted to be in the streets, during such quarantine period. unless animal is under control on a leash, with a choke collar, and must be with the owner, who must be 18 years of age or older. During such quarantine , no animal shall be taken or shipped from the county , without written Permission of the Hendricks County Animal Control . Such decision shall be made in conjunction with the Indiana State Board of Animal Health and the state veterinarian .

Sec. 2.8.5 Any stray animal that has been bitten by an animal adjudged to be rabid, shall forthwith be destroyed immediately.

(A) Any animal that is found in violation of the strict confined observation, strict isolation and or quarantine, guidelines, the remainder of the strict observation, strict isolation and or quarantine will take place at the Hendricks County Animal Shelter, at the owner's expense. In some cases to be prepaid within three days.

(B) Some cases of expired vaccinations will be evaluated on an case by case basis. In conjunction with the Indiana State Board of Animal Health and the state veterinarian .

Sec. 2.8.6 In the event of additional positive cases of rabies occurring during the period of quarantine, such period of quarantine may be extended for an additional six (6) months or such other period as the Hendricks County Animal Control may deem necessary. Such decision shall be made in conjunction with the Indiana State Board of Animal Health.

Sec.2.8.7 The carcass of a dead animal exposed to rabies shall , upon demand , be surrendered to the Hendricks County Animal Control.

Sec.2.8.8 The Hendricks County Animal Control shall direct the disposition of any animal found to be infected with rabies. In conjunction with the Indiana State Board of Animal Health.

Sec.2.8.9 Any person refusing to surrender to the Hendricks County Animal Control any animal suspected of being rabid , or exposed to rabies, for strict confined observation, strict isolation, quarantine or destruction , may be deemed guilty of a ordinance violation.

RULE 9 (AUTHORITY)

Chapter 2.9 Authority reference bite cases :

Sec.2.9.1 The Hendricks County Animal Shelter has been named the designee in the investigation and strict confined observation, strict isolation and quarantine procedures concerning rabies and animal bites in Hendricks County . For the Hendricks County Health Dept.

RULE 10 (Reports of Bite Cases)

Chapter 2.10 Reports of Bite Cases :

Sec. 2.10.1 It shall be the duty of every physician, or other practitioner, to report to the Hendricks County Animal Control as soon as possible , the names and addresses of persons treated for bites inflicted by animals that live in Hendricks County, together with such other information as will be helpful in rabies control . Animal Control will respond to these bite cases at all times day or night . If the animal lives outside of Hendricks County the report should go to the Indiana State Board of Animal Health, as soon as possible . Hendricks County Animal Control is not responsible for these cases.

Rule 11 (Responsibilities of Veterinarians)

Chapter 2.11 Responsibilities of Veterinarians :

Sec. 2.11.1 It shall be the duty of every licensed veterinarian to report to the Hendricks County Animal Control the diagnosis of any animal observed as a rabies suspect.

RULE 12
(Exemptions)

Chapter 2.12 Exemptions :

Sec. 2.12.1 Hospitals, clinics and other premises operated by a licensed veterinarian for the care and treatment of animals , are exempt from the provisions of this Ordinance, except where such duties are expressly stated .

RULE 13
(Neglected Animals)

Chapter 2.13 Investigation :

Sec . 2.13.1 For the purpose of discharging the duties imposed by this Ordinance and to enforce its provisions, any agent of the Hendricks County Animal Control is empowered to enter upon any property in which any animal is kept or harbored in a reportedly cruel or inhumane manner , and demand to examine such animal , and to take possession of such animal, when in his opinion, it requires humane treatment.

Requirements for Humane Treatment .

- (A) Animal must be provided with adequate shelter , so animal is kept warm and dry and to protect from the sun and all weather . Livestock does not always require shelter see D.
- (B) Animal must be provided with adequate exercise space , for the size of the animal to be taken into consideration.
- (C) Animal must be provided with Clean water at all times , in a container that cannot be overturned by the animal.
- (D) All investigations are judged on an individual basis, with all information taken into consideration.

RULE 14
(Interference)

Chapter 2.14 Interference :

Sec. 2.14.1 No person shall interfere with, hinder, or obstruct any agent of the Hendricks County Animal Control , in the performance of any duty of such agent, or seek to release any animal in custody of the Hendricks County Animal Control , or it's agents , except as herein provided.

RULE 15
(Animal Shelter Records)

Chapter 2.15 Records :

Sec. 2.15.1 It shall be the duty of the Hendricks County Animal Control to keep, or cause to be kept, accurate and detailed records of the impoundment and disposition of all animals taken into its custody.

Sec. 2.15.2 It shall be the duty of the Hendricks County Animal Control to keep, or cause to be kept, accurate and detailed records of all bite cases reported to it and its investigation of the same.

Sec. 2.15.3 It shall be the duty of the Hendricks County Animal Control to keep, or cause to be kept, accurate and detailed records of all money belonging to Hendricks County, with said records open to inspection, at reasonable times, by such persons responsible for similar records of Hendricks County. The records shall be audited by the Indiana State Board of Accounts , annually, in the same manner as other records of the County are audited.

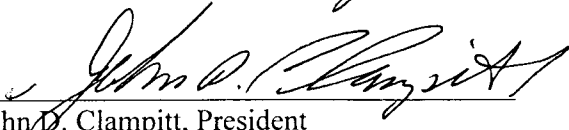
RULE 16
(Penalty)

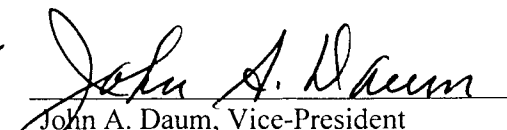
Charter 2.16 Penalty :

Sec. 2. 16 .1 Any person violating any provision of this Ordinance shall be deemed guilty of an ordinance violation and punished by fine not exceeding Five Hundred Dollars(**\$ 500.00**), and if such violation continues, each day's violation shall be a separate offense.

Passed and approved by the Board of Commissioners of Hendricks County, Indiana, this

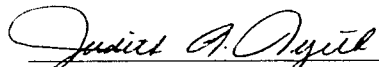
9th day of June, 1997.


John D. Clampitt, President


John A. Daum, Vice-President


David E. Underhill, Member

ATTEST:


Judith A. Wyeth, Special Deputy Auditor

ORDINANCE NO. 1997-21

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOW AS ZA-161/WA97-07: DON MURRAY, WASHINGTON TOWNSHIP, PARCEL TOTALING 5.41 ACRES, LOCATED ON THE SOUTHWEST CORNER OF RACEWAY ROAD AND COUNTY ROAD 100 NORTH (10TH STREET).

SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-161/WA97-07: Don Murray, S5-T15N-R2E, 5.41 acres, Washington Township, located on the southwest corner of Raceway Road and County Road 100 North (10th Street).

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 16 day of June, 1997.

Board of Commissioners

John D. Clampitt

John D. Clampitt

David E. Underhill

David E. Underhill

John A. Daum

John A. Daum

Attest:

Debbie Simpson

Debbie Simpson

Auditor

ORDINANCE NO. 1997-22

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-4: HIGHWAY COMMERCIAL DISTRICT. COMMONLY KNOW AS ZA-163/FR97-02: E. E. GREGORY, ET. AL, FRANKLIN TOWNSHIP, PARCEL TOTALING SIX (6) LOTS TOTALING 1.10 ACRES, LOCATED ON THE SOUTH SIDE OF SOUTH STREET, 0.06 MILE WEST OF TUDOR ROAD IN THE TOWN OF STILESVILLE.


SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-163/FR97-02: E. E. Gregory, Et. Al, S21-T14N-R2W, six (6) lots totaling 1.10 acres, Franklin Township, located on the south side of South Street, 0.06 mile west of Tudor Road in the Town of Stilesville.


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 16 day of June, 1997.

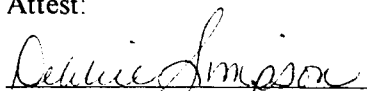
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1997-23

HENDRICKS COUNTY BOARD OF HEALTH

ORDINANCE FOR COLLECTION OF FEES AND AMENDING ALL PRIOR
ORDINANCES

WHEREAS, the legislature of the state of Indiana granted certain powers to the board of each local health department dealing with the collection of fees within their jurisdiction, pursuant to I.C.16-1-4-24; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana held a hearing in the Commissioner's office 6/16, 1997 at approximately 1:40 p.m.; and

NOW THEREFORE, be it ordained by the Board of Commissioners of Hendricks County, Indiana that the Hendricks County Board of Health fee schedule ordinance entitled "Hendricks County Board of Health Ordinance for Collection of Fees", Ordinance 1985-5 and 1992-10 and 1993-14; amended by ordinance dated 10-25-88 and 2-10-92 and 1997-23 enacted by the Board of Commissioners of Hendricks County, Indiana on June 16, 1997 be amended to read as follows:

SECTION I. PUBLIC HEALTH NURSING

A. Personal Health Services

Tuberculosis (Mantoux)	\$1.00 per test
Immunization (state provided)	\$.50 per vaccine (No charge if the patient is indigent)
Child Health Clinic	\$1.00 per child
Immunization (county purchased) and Blood Chemistries	Prices shall be based on cost of supplies, vaccines and other necessary components of service.

B. All communicable disease outbreak control situations where it is necessary to immunize all persons at a place of business to protect those individuals exposed or endangered by the possible communicable disease and to protect the health of the general public, the business entity or owners of the business shall pay for the cost of all vaccines, supplies, and other necessary components of service received by all individuals at the place of business.

C. In the event a lawsuit is necessary to collect the cost of health services for paragraph "A" and "B" above, the individual or business entity found to be liable shall also

pay for reasonable attorney fees and cost of litigation to the county.

SECTION II.-VITAL RECORDS

A. Vital Record Services

Birth Certificate (per copy)	\$5.00
Birth Certificate (wallet size and laminated)	\$7.00
Death Certificate	\$4.00 for first copy and \$2.00 for each additional copy

SECTION III.-ENVIRIONMENTAL HEALTH

A. Food Establishments

1. Food Service (Annually)	
a. 1-5 employees	\$25.00
b. 6-9 employees	\$50.00
c. 10 + employees	\$75.00
2. Food Stores (Annually)	
1. Under 1,000 sq. ft.	\$25.00
2. 1,000 - 8,000 sq. ft.	\$50.00

- | | |
|--|---------|
| 3. Closed loop horizontal geothermal
heat pump system | \$20.00 |
| 4. Closed loop vertical geothermal
heat pump system | \$20.00 |
| 5. Open loop geothermal heat pump system | \$20.00 |
| 6. Open loop geothermal return well | \$20.00 |

D. Solid Waste

- | | |
|--|-------------|
| 1. Landfill Operating Permit (Annually) | \$30,000.00 |
| 2. Refuse Processing Facility (Annually) | \$500.00 |

E. Temporary Campground License

- | | |
|---------------------------------|----------------------|
| 1. Temporary Campground License | \$25.00
per event |
|---------------------------------|----------------------|

Each of the foregoing fees are non-refundable and shall be paid at the time the application or service is made.

Any failure to obtain a permit and/or payment of the fee, shall be considered a violation of this ordinance. Any entity, private or commercial, who is in violation of this ordinance may be enjoined from any further and continuing violation.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

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

If any section, clause, paragraph, provision or portion of this amendment shall be held to be invalid or unconstitutional

3. over 8,000 sq. ft.	\$75.00
3. Mobile Food Service (Annually)	\$20.00
4. Temporary Food Establishments	per unit \$20.00
5. Vending machines (full service)	\$10.00 not to exceed \$500.00
6. Bed and Breakfast	\$25.00
7. Catering Business (Annually)	\$30.00
8. Delinquent Fee	\$20.00

B. Septic Permit (Valid one (1) year from date of issue)

1. New Installation	\$50.00
2. Repair of Existing System	\$30.00

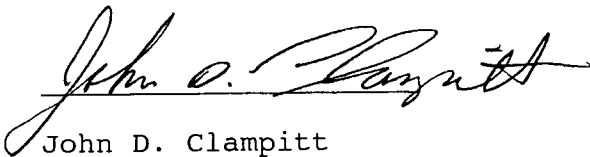
C. Well Protection (Valid one (1) year from date of issue)

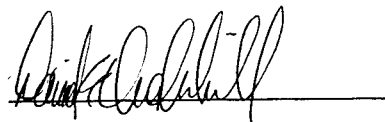
1. Well Permit	\$20.00
2. Pump Permit	\$20.00

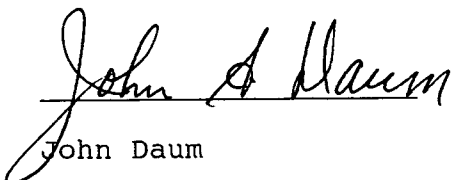
by any court of competent jurisdiction, such decision shall not effect any other section, clause, paragraph, provision or portion of this ammendment.

Passed and approved by the Board of Commissioners of Hendricks County, Indiana this 16 day of June, 1997.

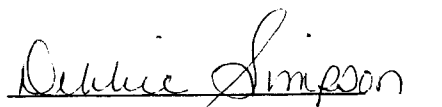
BOARD OF COMMISSIONERS


John D. Clampitt


Dave Underhill


John Daum

ATTEST:


Debbie Simpson
Hendricks County Auditor

HENDRICKS COUNTY
RETAIL FOOD ESTABLISHMENT ORDINANCE

ORDINANCE NO. 1997-24

An Ordinance pertaining to food service establishments, mobile food service establishments, temporary food service establishments, retail food stores, caterers, vending machines, commissaries and other items requiring permits and permit fees for operation of food service and retail food store establishments, prohibiting the sale of adulterated, unwholesome, or misbranded food, regulating the inspection of such establishments, providing for enforcement of this ordinance, providing for the fixing of penalties for violations of said ordinance, and providing for incorporation by reference the following Indiana State Department of Health Rules: Food Service Sanitation Rules, 410 IAC 7-15.1 or as amended; Bed and Breakfast Establishment Rules, 410 IAC 7-15.5 or as amended; Retail Food Store Sanitation Requirements, 410 IAC 7-16.1 or as amended.

Be it ordained by the Board of Commissioners of Hendricks County, State of Indiana, that:

SECTION I DEFINITIONS

Bed and Breakfast - means an operator occupied residence that provides sleeping accommodations to the public for a fee, has no more than fourteen (14) guest rooms, provides breakfast to its guests as part of the fee, and provides sleeping accommodations to a particular guest no more than thirty (30) consecutive days.

Commissary - means a catering establishment, restaurant, or any other place in which a caterer or mobile food service establishment operator keeps, handles, prepares, packages or stores food, containers, or supplies.

Critical Violation - means a violation that contributes to food contamination, illness, or environmental degradation. These may include items marked by an asterisks "*" on the Food Service Establishment and Retail Food Store Inspection Report Forms.

Educational - means a professional organization or school that has not-for-profit status with the State of Indiana.

Food Establishment - means any Food Service Establishment, Retail Food Store Establishment, Temporary Food Establishment, Mobile Food Service Establishment, Push Cart, Bed and Breakfast, or Catering Business.

Food Service Establishment - means any place where food is prepared and intended for individual portion service, and includes the site at which individual portions are provided. The term includes any such place

regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term also includes delicatessen-type operations that prepare sandwiches intended for individual portion service. The term does not include private homes where food is prepared or served for individual family consumption, retail food stores, the location of food vending machines, and supply vehicles.

Habitual Non-compliance - means any repeat violation shown on three (3) consecutive Hendricks County inspection report forms.

Health Officer - means the Director of Public Health of the Hendricks County Health Department in Danville, Indiana or the Health Officer's Authorized Representative.

Mobile Food Service Establishment - means any vehicle-mounted food service establishment designed to be readily movable.

Not for Profit Organization - means an organization exempt from the Indiana Gross Income Tax under IC 6-2.1-3-20 through IC 6-2.1-3-22.

Pushcart - means a nonself-propelled vehicle limited to serving non-potentially hazardous foods or commissary-wrapped food maintained at proper temperatures, or limited to the preparation and serving of frankfurters.

Religious - means a specific form of belief and practice that has not-for-profit status with the State of Indiana.

Retail food store - means any establishment or section of an establishment where food and food products are offered to the consumer and intended for off-premise consumption. The term includes delicatessens that offer prepared food in bulk quantities only. The term does not include establishments which handle only prepackaged, non-potentially hazardous foods; roadside markets that offer only fresh fruits and fresh vegetables for sale; food-service establishments; or food and beverage vending machines.

Temporary Food Service Establishment - means any food service facility that operates for a period of time not in excess of fourteen (14) consecutive calendar days, in conjunction with a single event or celebration at a temporary location, whether or not the facility is fixed or moveable.

SECTION II PERMITS

It shall be unlawful for any person to operate a Retail Food Store Establishment, Retail Food Service Establishment, Temporary Food Establishment, Mobile Food Establishment, Push Cart, Bed and Breakfast, or Catering Business in Hendricks County, who does not possess a valid permit from the Health Officer; except when the entire operation of a food establishment is receiving inspections by an appropriate State or Federal governmental agency. Valid Hendricks County Food Establishment permits shall be posted in a conspicuous place at all times.

1. Only persons who comply with the applicable requirements of this ordinance will be entitled to receive and retain such a permit.

2. A permit for a food establishment shall be for a term of one year and shall be renewed annually. The permit for a temporary food establishment shall be for the term of one continuous operation not to exceed fourteen (14) days.

3. Any permits issued by the Health Officer shall contain the name of the establishment, the address of the establishment, and other pertinent information required by the Health Officer.

4. A permit shall be issued to any person or applicant after inspection and approval by the Health Officer; provided, that the food establishment complies with all applicable requirements.

5. Required permits shall be provided by the Hendricks County Health Officer if a completed application is presented, together with the appropriate fee and the record of an acceptable compliance inspection by the Hendricks County Health Department.

6. Any person who desires to operate a temporary food establishment in Hendricks County, shall obtain from the Health Officer a permit for a temporary food establishment. Such a permit shall be provided by the Health Officer if a completed application is presented together with the appropriate fee.

7. A separate permit shall be required for each Food Establishment operated or to be operated by any person. Any permit issued under this ordinance is not transferable from one person to another person, from one establishment to another, or from one type of operation to another.

SECTION III PERMIT FEES

A. Permit Fees

Except as provided in Subsection II A. and Subsection III B., all permitted food establishments must pay permit fees as specified in the Hendricks County Board of Health Ordinance for Collection of Fees. A delinquent fee is assessed if permit fees are not paid within thirty (30) days of expiration of annual permits.

B. Permit Fee Exception

No permit fee shall be required for food establishments operated by religious, educational, or not-for-profit organizations, or for food establishments that handle only non-potentially hazardous prepackaged foods. Such establishments shall comply with the other provisions of this ordinance.

C. Exemption From Compliance

A not for profit organization that offers food for sale to the final consumer at an event held for the benefit of that organization, is exempt from complying with the inspection and permitting requirements of this Ordinance that may be imposed upon the sale of food at that event if:

1. Members of the organization prepare the food that will be sold,
2. Events conducted by the organization under this section take place in no more than thirty (30) days in any calendar year, and
3. The name of each member who has prepared a food item is attached to the container in which the food item has been placed..

SECTION IV MINIMUM REQUIREMENTS FOR FOOD ESTABLISHMENTS

A. General Requirements

All food service establishments, retail food store establishments, mobile food service units, temporary food service establishments, bed and breakfast establishments, and commissaries shall comply with the minimum requirements specified in the applicable Indiana Administrative Code; 410 IAC 7-15.1, 410 IAC 7-15.5, or 410 IAC 7-16.1. Two copies of each are kept on file in the Hendricks County Clerk's Office Danville, Indiana, for public inspection.

B. Employee Education

A food establishment, except for a temporary food service establishment, will be required to hold an employee education program provided by the Hendricks County Health Department, or through other means with the approval of the Health Officer, when any of the following occurs:

1. Three (3) separate critical violations are noted in one inspection; or
2. Receiving a permit to open a new establishment; or
3. Repeat critical violations are noted on an inspection.

SECTION V SALE, EXAMINATION, AND CONDEMNATION OF UNWHOLESOME, ADULTERATED OR MISBRANDED FOOD.

A. It shall be unlawful for any person to sell through a food establishment, temporary food establishment, bed and breakfast, mobile unit, or commissary, any food which is unwholesome, adulterated or misbranded, as provided in the Indiana Food, Drug and Cosmetic Act; IC 16-42-1 through IC 16-42-2.

B. Samples of food may be taken and examined by the Health Officer or the Health Officer's representative as often as may be necessary to determine freedom from contamination, adulteration, or misbranding. The Health Officer may, on written notice to the owner or operator, impound and forbid the sale of any food which is unwholesome, adulterated, or misbranded or which he has probable cause to believe is unfit for human consumption, unwholesome, adulterated, or misbranded; provided that in the case of misbranding which can be corrected by proper labeling, such food may be released to the operator for correct labeling under the supervision of the Health Officer. The Health Officer may also cause to be removed or destroyed, any dairy product, meat, meat product, seafood, poultry, poultry product, confectionery, bakery product, vegetable, fruit, or other perishable articles which the Health Officer determines are unsound, or contain any filthy, decomposed, or putrid substance, or that may be poisonous or deleterious to health or otherwise unsafe.

SECTION VI COMPLIANCE AND INSPECTIONS

A. Schedule of Inspection

The Health Officer shall establish an inspection schedule to insure that all permitted food establishments are inspected at least one time per year. More frequent inspection may be assigned at the discretion of the Health Officer.

B. Procedure When Violations Are Noted

If during the inspection of any food establishment, the Health Officer or the Health Officer's representative discovers a violation of any of the requirements in Section IV of this ordinance, he shall issue a written order listing such violation to the proprietor or, in the proprietor's absence, to the person in charge, and setting a date by which the violation shall be abated. A copy of the written order shall be filed with the records of the health department.

C. Public Access to Inspection Records

After the narrative report is completed, the food establishment, under IC 16-20-8-5, has the opportunity to review the reports and submit to the health department a written response to the reports. The public will have access to inspection records either ten (10) days after the completion of the inspection; or after a written response to the inspection report has been submitted to the department under IC 16-20-8-5, whichever is earlier, except as provided in IC 16-20-8-8.

The checklist, the narrative report, and the related public records may be inspected and copied under IC 5-14-3, if the Hendricks County Health Department takes any of the following actions with respect to a food service establishment that is the subject of the records:

1. schedules a hearing,
2. orders closure,
3. requests revocation of the permit,
4. finds the existence of an imminent danger to the public health, or
5. finds a gross deception of or fraud upon the consumer.

D. Follow-up Inspection - Prosecution or Hearing for Violators

If upon a follow-up inspection, the Health Officer finds that a food operation, person, or employee is violating any provisions of this ordinance which were in violation on the previous inspection, and concerning which a written order was issued, the Health Officer may do either or both of the following:

1. Promptly issue a written order to the permittee of the food operation; to appear at a certain time and place in the County, in order to show cause why the permit issued under the provision of Section II should not be revoked.
2. Furnish evidence of the violation to Hendricks County legal representatives for enforcement.

E. Revocation of Permit

The Health Officer upon a hearing with the permittee, if the permittee should fail to show cause why their permit should not be revoked, may revoke the permit, and promptly give written notice of the action to the permittee. The Health Officer shall maintain a permanent record of proceedings, filed in the office of the Hendricks County Health Department.

F. Suspension of Permit

Any permit issued under this ordinance may be temporarily suspended by the Health officer, without notice or hearing, for a period not to exceed thirty (30) days for any of the following reasons:

1. Insanitary or other conditions which the Health Officer determines may endanger the public health.
2. Interference with the Health Officer in the performance of their duties.
3. Habitual non-compliance with the requirements set forth by the Indiana State Department of Health or by this Ordinance.

G. Permit Reinstatement

Any person whose permit has been suspended may, at any time, make application to the Health Officer for reinstatement of his/her permit.

SECTION VII INSPECTION OF TEMPORARY FOOD ESTABLISHMENTS

A. Frequency of Inspection

At least once during each event, the Health Officer, should inspect each temporary food establishment for which a permit is required under the provisions of this ordinance.

B. Procedure to Follow When Any Violation is Noted

If during the inspection of any temporary food establishment the Health Officer discovers a violation of the requirements of this ordinance, he may order immediate correction of the violation or set a reasonable time for correction.

C. Revocation of Permit and Penalties for Continued Operation

Upon failure of any person maintaining or operating a temporary food establishment to comply with any order of the Health Officer, it shall be the duty of the Health Officer to revoke the permit of the establishment and to forbid the further sale or serving of food therein.

SECTION VIII AUTHORITY TO INSPECT AND TO COPY RECORDS

All food establishment operators shall, upon the request of the Health Officer, permit the Health Officer access to all parts of the food establishment, and shall permit the Health Officer to collect evidence and/or exhibits, and to routinely inspect, investigate complaints, and copy any or all records relative to the enforcement of this Ordinance.

SECTION IX APPROVAL OF PLANS

All retail food establishments which are hereafter constructed or re-constructed shall conform with the applicable requirements of the Indiana State Department of Health and the Indiana Department of Fire and Building Services. Properly prepared plans and specifications shall be submitted to and approved by the Hendricks County Health Department, in writing, before starting any construction work. Any new or remodeled retail food establishment must submit a completed plan review application on forms provided by the Hendricks County Health Department at least fifteen (15) working days prior to scheduling the pre-opening compliance inspection and employee education required under Sections II A.5. and Section IV B of this ordinance.

SECTION X PENALTIES

In addition to the foregoing, civil penalties, which may include injunctive relief, may be imposed under Indiana law on any person who violates any provision of this ordinance.

SECTION XI UNCONSTITUTIONALITY CLAUSE

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional, or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

SECTION XII REPEAL AND DATE OF EFFECT

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect upon its adoption and its publication as provided by law.

Passed and adopted by the Board of Commissioners of Hendricks County, State of Indiana, on this 21 day of July, 1997.

BOARD OF COMMISSIONERS:

John D. Clappitt
JOHN D. CLAPPITT

Dave Underhill
DAVE UNDERHILL

John A. Daum
JOHN A. DAUM

ATTEST:

Dorinda Simpson
HENDRICKS COUNTY AUDITOR

ORDINANCE NO. 1997-25

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM I-1: RESEARCH/OFFICE INDUSTRIAL DISTRICT, TO I-2: LIGHT INDUSTRIAL DISTRICT. COMMONLY KNOWN AS ZA-165/LB97-04: DUANE LANE, LIBERTY TOWNSHIP, PARCEL TOTALING 0.45 ACRES, LOCATED ON THE SOUTHEAST CORNER OF TENNESSEE STREET AND IOWA STREET, LOTS #1, #2, #3, AND #4 OF THE ORIGINAL TOWN OF CLAYTON.

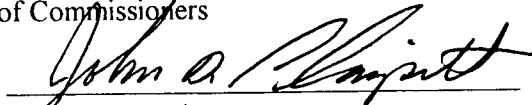
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the I-2: Light Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-165/LB97-04: Duane Lane, S34-T15N-R1W, 0.45 acres, Liberty Township, located on the southeast corner of Tennessee Street and Iowa Street, Lots #1, #2, #3, and #4 of the original Town of Clayton.

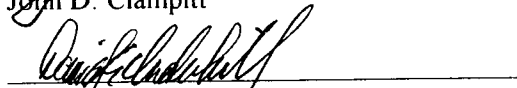
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

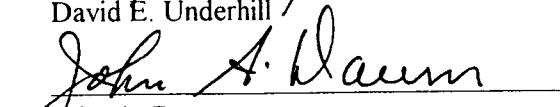
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 21 day of July, 1997.

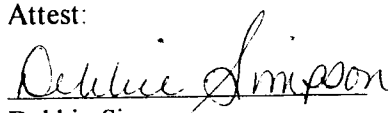
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1997-26 Amended

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO I-2: LIGHT INDUSTRIAL DISTRICT. COMMONLY KNOWN AS ZA-166/GU97-03: DALE V. & CAROL S. FOX, GUILFORD TOWNSHIP, PARCEL TOTALING 6.26 ACRES, LOCATED ON THE SOUTH SIDE OF STATE ROAD 267, 0.9 MILE EAST OF COUNTY ROAD 825 EAST (INDIANA ROAD).

SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the I-2: Light Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-166/GU97-03: Dale V. & Carol S. Fox, S13-T14N-R1E, 6.26 acres, Guilford Township, located on the south side of State Road 267, 0.9 mile east of County Road 825 East (Indiana Road).

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 17th day of February, 1998

Board of Commissioners

John D. Clampitt
John D. Clampitt

David E. Underhill
David E. Underhill

John A. Daum
John A. Daum

Attest:

Debbie Simpson
Debbie Simpson
Auditor

ORDINANCE NO. 1997-26

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO I-2: LIGHT INDUSTRIAL DISTRICT. COMMONLY KNOW AS ZA-166/GU97-03: DALE V. AND CAROL S. FOX, GUILFORD TOWNSHIP, PARCEL TOTALING 9.00 ACRES, LOCATED ON THE SOUTH SIDE OF STATE ROAD 267, 0.9 MILE EAST OF COUNTY ROAD 825 EAST (INDIANA ROAD).

SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the I-2: Light Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-166/GU97-03: Dale V. and Carol S. Fox, S13-T14N-R1E, 9.00 acres, Guilford Township, located on the south side of State Road 267, 0.9 mile east of County Road 825 East (Indiana Road).

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 21 day of July, 1997.

Board of Commissioners

John D. Clampitt
John D. Clampitt

David E. Underhill
David E. Underhill

John A. Daum
John A. Daum

Attest:

Debbie Simpson
Debbie Simpson
Auditor

ORDINANCE NO. 1997-27

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: **LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**, TO R-4: **MEDIUM DENSITY, MULTIFAMILY RESIDENTIAL DISTRICT**. COMMONLY KNOW AS ZA-168/WA97-10: **JOHNNY AND JACKIE VAN BIBBER, WASHINGTON TOWNSHIP, PARCEL TOTALING 4.16 ACRES, LOCATED ON THE NORTH SIDE OF COUNTY ROAD 200 NORTH, 0.38 MILE EAST OF COUNTY ROAD 600 EAST.**

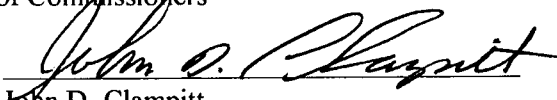
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-4: Medium Density, Multifamily Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-168/WA97-10: Johnny & Jackie Van Bibber, S21-T16N-R1E, 4.16 acres, Washington Township, located on the north side of County Road 200 North, 0.38 mile east of County Road 600 East.

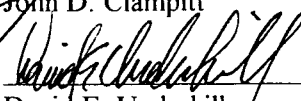
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

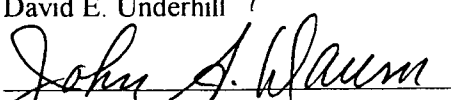
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 18 day of August, 1997.

Board of Commissioners

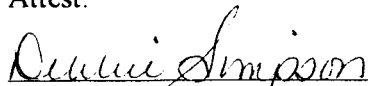


John D. Clampitt


David E. Underhill


John A. Daum

Attest:



Debbie Simpson
Auditor

ORDINANCE NO. 1997-28

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-169/LN97-03: JAMES M. & KATHRYN L. WORTH, LINCOLN TOWNSHIP, PARCEL TOTALING 3.17 ACRES, LOCATED ON THE WEST SIDE OF COUNTY ROAD 575 EAST, 0.44 MILE NORTH OF COUNTY ROAD 350 NORTH.

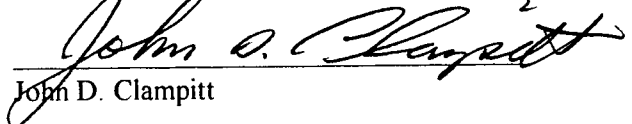
SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-169/LN97-03: James M. & Kathryn L. Worth, S21-T16N-R1E, 3.17 acres, Washington Township, located on the west side of County Road 575 East, 0.44 mile north of County Road 350 North.

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.

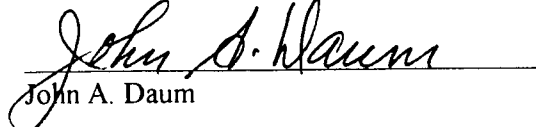
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 18 day of August, 1997.

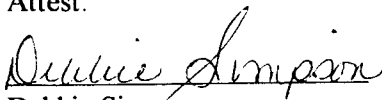
Board of Commissioners


John D. Clampitt

David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1997-29

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM C-2: **GENERAL COMMERCIAL DISTRICT**, TO C-4: **HIGHWAY COMMERCIAL DISTRICT**. COMMONLY KNOW AS ZA-171/WA97-11: **MICHAEL FIRESTONE, WASHINGTON TOWNSHIP**, PARCEL TOTALING 1.50 ACRES, LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 40, 0.56 MILE WEST OF COUNTY ROAD 1050 EAST.

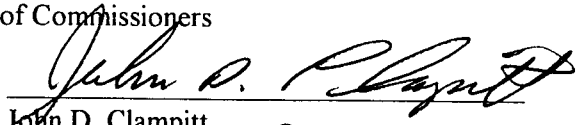
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-4: Highway Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-171/WA97-11: Michael Firestone, S19-T15N-R2E, 1.50 acres, Washington Township, located on the north side of U. S. Highway 40, 0.56 mile west of County Road 1050 East.

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.

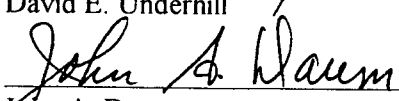
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 18 day of August, 1997.

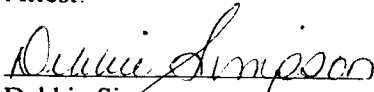
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1997-30

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-5: HIGH DENSITY, MULTIFAMILY RESIDENTIAL DISTRICT. COMMONLY KNOW AS ZA-172/WA97-12: PINNACLE PROPERTIES, WASHINGTON TOWNSHIP, PARCEL TOTALING 32.40 ACRES, LOCATED ON THE SOUTH SIDE OF U. S. HIGHWAY 36, APPROXIMATELY 0.25 MILE EAST OF COUNTY ROAD 625 EAST.

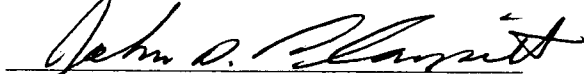
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-5: Medium Density, Multifamily Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-172/WA97-12: Pinnacle Properties, S10-T15N-R1E, 32.40 acres, Washington Township, located on the south side of U. S. Highway 36, approximately 0.25 mile east of County Road 625 East.

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 18 day of August, 1997.

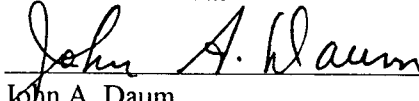
Board of Commissioners



John D. Clampitt

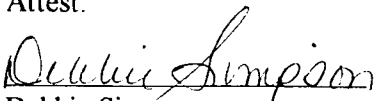


David E. Underhill



John A. Daum

Attest:



Debbie Simpson

Auditor

ORDINANCE NO. 1997-31

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM A C-3: OFFICE COMMERCIAL DISTRICT, TO A C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-173/WA97-13: REX & SHARON DUGAN, WASHINGTON TOWNSHIP, PARCEL TOTALING 9.10 ACRES, LOCATED ON THE NORTHEAST CORNER OF U.S. HIGHWAY 36 AND COUNTY ROAD 525 EAST.

SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-173/WA97-13: Rex & Sharon Dugan, S9-T15N-R1E, 9.10 acres, Washington Township, located on the northeast corner of U.S. Highway 36 and County Road 525 East.

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 15 day of September, 1997.

Board of Commissioners

John D. Clampitt

David E. Underhill

John A. Daum

Attest:

Debbie Simpson
Auditor

32 - AMENDED

ORDINANCE NO. 1997-39

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS ZA-174/WA97-14: OAKFIELD DEVELOPMENT, WASHINGTON TOWNSHIP, PARCEL TOTALING 78.94 ACRES, LOCATED ON THE NORTH SIDE OF COUNTY ROAD 100 NORTH, 0.25 MILE EAST OF COUNTY ROAD 800 EAST.

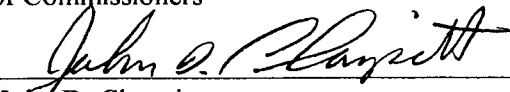
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-2: Medium Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-174/WA97-14: Oakfield Development, S36-T16N-R1E, 78.94 acres, Washington Township, located on the north side of County Road 100 North, 0.25 mile east of County Road 800 East.


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.

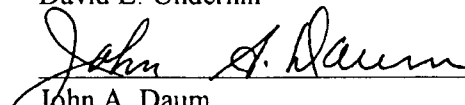
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 13 day of October, 1997.

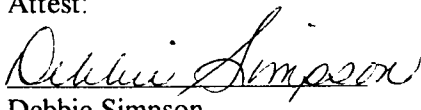
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1997-32

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: **LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**, TO R-2: **MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT**. COMMONLY KNOWN AS ZA-174/WA97-14: **OAKFIELD DEVELOPMENT, WASHINGTON TOWNSHIP, PARCEL TOTALING 79.84 ACRES, LOCATED ON THE NORTH SIDE OF COUNTY ROAD 100 NORTH, 0.25 MILE EAST OF COUNTY ROAD 800 EAST.**

SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-2: Medium Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-174/WA97-14: Oakfield Development, S36-T16N-R1E, 79.84 acres, Washington Township, located on the north side of County Road 100 North, 0.25 mile east of County Road 800 East.

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 15th day of September, 1997.

Board of Commissioners

John D. Clampitt

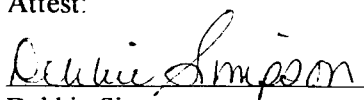


David E. Underhill



John A. Daum

Attest:



Debbie Simpson
Auditor

ORDINANCE NO. 1997-33

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-176/LB97-05: KURT CLEARWATERS, LIBERTY TOWNSHIP, PARCEL TOTALING 0.28 ACRES, LOCATED ON THE NORTHEAST CORNER OF SHORT STREET AND SOUTH STREET, AT THE END OF THE FIRST BLOCK SOUTH OF U.S. HIGHWAY 40, IN THE TOWN OF BELLEVILLE.

SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-176/LB97-05: Kurt Clearwaters, S2-T14N-R1W, 0.28 acres, Liberty Township, located on the northeast corner of Short Street and South Street, at the end of the first block south of U.S. Highway 40, in the Town of Belleville.

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 15th day of September, 1997.

Board of Commissioners

John D. Clampitt

David E. Underhill

John A. Daum

Attest:

Debbie Simpson
Auditor

ORDINANCE NO. 1997-34

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO PUD: PLANNED UNIT DEVELOPMENT DISTRICT. COMMONLY KNOWN AS ZA-177/BR97-01: PRESTON WEST, BROWN TOWNSHIP, PARCEL TOTALING 32.89 ACRES, LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 800 NORTH, APPROXIMATELY 0.75 MILE WEST OF COUNTY ROAD 650 EAST.

SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, 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-177/BR97-01: Preston West, S33-T17N-R1E, 32.89 acres, Brown Township, located on the south side of County Road 800 North, approximately 0.75 mile west of County Road 650 East.

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 15th day of September, 1997.

Board of Commissioners

John D. Clampitt

David E. Underhill

John A. Daum

Attest:

Debbie Simpson
Auditor

ORDINANCE NO. 1997 - 35

**AN ORDINANCE AMENDING THE HENDRICKS COUNTY PLANNING AND
BUILDING DEPARTMENT'S UNIFORM FEE SCHEDULE**

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana established a Planning and Building Department Uniform Fee Schedule separate from the Hendricks County Zoning Ordinance and the Hendricks County Subdivision Control Ordinance on the 19th day of February, 1991 which included the setting and collecting of all planning, zoning and building permit fees; and

WHEREAS, the Hendricks County Area Plan Commission has recommended that the Hendricks County Planning and Building Department's Uniform Fee Schedule be amended; and

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

WHEREAS, the Board of County Commissioners of Hendricks County, Indiana has received and reviewed the Area Plan Commission's report, has 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; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA by authority of Section 36-7-4-411 of the Indiana Code that there is hereby established an amendment to the Planning and Building Department's Uniform Fee Schedule as follows:

HENDRICKS COUNTY UNIFORM FEE SCHEDULE

SECTION I.
PLANNING ADMINISTRATION FEES

I. SUBDIVISION

A. Minor Subdivision	\$200.00 + \$5.00/Lot
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B. Major Subdivision	
1. Preliminary (Primary) Plat	\$300.00
2. Final (Secondary) Plat	\$300.00 + \$5.00/Lot
C. Revision - Change to an Approved Plat, Not Recorded	\$200.00
D. Amendment - Change to a Recorded Plat	\$300.00
E. Extension of Time for Plat Recording	\$100.00
F. Vacation of a Recorded Plat	\$150.00 + \$5.00/Lot
II. <u>ZONING AMENDMENT</u>	
A. Change in Zoning Ordinance Text	\$200.00
B. Change in Zoning Map Classification	\$350.00
III. <u>SHOPPING CENTER</u>	
A. Preliminary Development Plan	\$300.00
B. Final Development Plan	\$150.00 + \$5.00/acre
C. Amendment to an Approved Plat	\$150.00 + \$5.00/acre
IV. <u>PLANNED UNIT DEVELOPMENT</u>	
A. Preliminary Development Plan	\$300.00
B. Final Development Plan	\$300.00 + \$5.00/acre
C. Amendment to an Approved Plan	\$200.00 + \$5.00/acre
V. <u>SITE PLAN REVIEW</u>	
A. In conjunction with a Subdivision Review	No Charge
B. Preliminary Site Plan	\$100.00
C. Final Site Plan	\$100.00 + \$5.00/acre

VI. NOTIFICATION FOR PUBLIC HEARING

- | | |
|--|----------|
| A. Newspaper Legal Ads | \$ 40.00 |
| (This fee will be in addition
to any public hearing fee.) | |

SECTION 2
ZONING ADMINISTRATION FEES

I. APPEALS

- | | |
|--------------------------|----------|
| A. Administrative Appeal | \$150.00 |
|--------------------------|----------|

II. VARIANCE

- | | |
|----------------------------------|--|
| A. Development Standard Variance | \$150.00 + \$50.00 for
each additional
variance request. |
|----------------------------------|--|

III. SPECIAL EXCEPTIONS

- | | |
|------------------------------|----------|
| A. Residential Use | \$150.00 |
| B. Commercial/Industrial Use | \$250.00 |
| C. Mobile Home | \$150.00 |

IV. NOTIFICATION FOR PUBLIC HEARING

- | | |
|--|----------|
| A. Newspaper Legal Ads | \$ 40.00 |
| (This fee will be in addition
to any public hearing fee.) | |

SECTION 3
BUILDING ADMINISTRATION FEES

I. RESIDENTIAL USES

A. Principal Uses

- | | |
|---------------------------|---|
| 1. Single Family Dwelling | \$150.00 + .05/ea add.
sq. ft. > 1,500 sq. ft. |
| 2. Two Family Dwelling | \$200.00 + .05/ea add.
sq. ft. > 2,000 sq.ft. |
| 3. Multifamily Dwelling | \$150.00/bldg. +
\$50.00/dwelling unit |

B. Accessory Uses

1. Garage, Storage, or other Structure on
a Permanent Foundation.

Square Feet

Less than 120 Square Feet	No Charge
121 to 240 Square Feet	\$25.00
241 and over	\$50.00

C. Additions

1. Principal

- | | |
|--|-------------------------|
| a. One(1) to Three (3)
Additional Rooms | \$50.00 |
| b. More Than Three (3) Rooms | \$100.00 + .05 /Sq. Ft. |

- | | |
|--------------|---------|
| 2. Accessory | \$50.00 |
|--------------|---------|

D. Remodeling

- | | |
|------------------------------------|---------|
| 1. Principal (No Additional Rooms) | \$50.00 |
| 2. Accessory (No Additional Rooms) | \$25.00 |

E. Swimming Pool (Inground)	\$50.00
-----------------------------	---------

F. Swimming Pool (Above Ground), Hot Tubs, and Spas	\$25.00
--	---------

G. Electrical, Plumbing, or Heating Ventilation and Air Conditioning	\$25.00
---	---------

H. Roofing

- | | |
|-------------------------|---------|
| 1. One Additional Layer | \$25.00 |
| 2. Complete Removal | \$35.00 |

I. Relocation

- | | |
|--------------|---------|
| 1. Principal | \$75.00 |
| 2. Accessory | \$35.00 |

J. Demolition

- | | |
|--------------|---------|
| 1. Principal | \$50.00 |
| 2. Accessory | \$25.00 |

II. COMMERCIAL USES

A. Principal Use	\$200.00 + .05/Sq. Ft.
------------------	------------------------

B. Accessory Use

- | | |
|---|------------------------|
| 1. Storage or other structure on a
permanent foundation. | \$100.00 + .05/Sq. Ft. |
|---|------------------------|

C. Additions

- | | |
|--------------|------------------------|
| 1. Principal | \$100.00 + .05/Sq. Ft. |
| 2. Accessory | \$ 75.00 + .05/Sq. Ft. |

D. Remodeling

- | | |
|--------------------------------------|----------|
| 1. Principal (No Additional Sq. Ft.) | \$100.00 |
| 2. Accessory (No Additional Sq. Ft.) | \$ 50.00 |

E. Swimming Pool	\$100.00
------------------	----------

F. Electrical, Plumbing, or Heating Ventilation and Air Conditioning	\$ 50.00
---	----------

G. Roofing

- | | |
|-------------------------|----------|
| 1. One Additional Layer | \$ 35.00 |
| 2. Complete Removal | \$ 50.00 |

H. Relocation

- | | |
|--------------|----------|
| 1. Principal | \$100.00 |
| 2. Accessory | \$ 50.00 |

I. Demolition

- | | |
|--------------|----------|
| 1. Principal | \$100.00 |
| 2. Accessory | \$ 50.00 |

III. INDUSTRIAL USES

- | | |
|------------------|------------------------|
| A. Principal Use | \$250.00 + .05/Sq. Ft. |
|------------------|------------------------|

B. Accessory Use

- | | |
|--|------------------------|
| 1. Storage or other structure on a permanent foundation. | \$150.00 + .05/Sq. Ft. |
|--|------------------------|

C. Additions

- | | |
|--------------|------------------------|
| 1. Principal | \$150.00 + .05/Sq. Ft. |
| 2. Accessory | \$100.00 + .05/Sq. Ft. |

D. Remodeling

- | | |
|--------------------------------------|----------|
| 1. Principal (No Additional Sq. Ft.) | \$150.00 |
| 2. Accessory (No Additional Sq. Ft.) | \$ 75.00 |

- | | |
|---|----------|
| E. Electrical, Plumbing, or Heating Ventilation and Air Conditioning. | \$ 50.00 |
|---|----------|

F. Roofing

- | | |
|-------------------------|----------|
| 1. One Additional Layer | \$ 35.00 |
| 2. Complete Removal | \$ 50.00 |

G. Relocation

- | | |
|--------------|----------|
| 1. Principal | \$100.00 |
| 2. Accessory | \$ 50.00 |

H. Demolition

- | | |
|--------------|----------|
| 1. Principal | \$100.00 |
| 2. Accessory | \$ 50.00 |

IV. AGRICULTURAL USES

- A. All structures located on 20+ acres that are used for agricultural purposes are exempt from permit fees;
- B. All structures greater than 120 square feet located on less than 20 acres require a building permit as per the residential accessory permit fees;

- C. All structures located on 20+ acres that are used for personal/residential storage require a building permit as per the residential accessory permit fees; and
- D. All electrical services for agricultural structure requires a building permit as per the residential electrical permit fee.

V. OTHER BUILDING ADMINISTRATION FEES

A. Communication Tower	\$200.00
B. Amusement Rides *	\$200.00
C. Signs	
1. Temporary or Portable Sign	\$ 25.00
2. All Other Signs	
<u>Square Feet</u>	
0 to 25	\$ 25.00
26 to 50	\$ 50.00
51 to 75	\$ 75.00
76 to 100	\$100.00
101 to 125	\$125.00
126 to 150	\$150.00
151 to 300	\$250.00
301 to 500	\$400.00
501 to 1000	\$600.00
1001 and over	\$800.00
D. Contractor Listing Fee	\$ 75.00
E. Re-Inspection Fee **	
1. 1st additional inspection	\$ 25.00
2. 2nd additional inspection	\$ 50.00
3. 3rd additional inspection	\$100.00

G. Hendricks County Highway Map	\$ 1.00
H. Hendricks County Zoning Map	\$ 2.00
I. Township by Township	\$ 5.00
J. Annual Report	\$ 5.00
K. Land Use Plan	\$ 2.00
L. Copies	\$.50
M. Returned Check Fee	\$ 20.00

ALL FEES ARE NONREFUNDABLE

ALL PERMITS ARE NONTRANSFERABLE

*** These inspections are for verification of compliance of design plans only and the County does not take any responsibility for the adequacy, safety, operation and maintenance of the ride.**

**** Re-inspection fees are assessed when an additional inspection is required, which deviates from the normal sequence of inspections.**

VI. MISCELLANEOUS PROVISIONS

- A. The cost of the Certificate of Occupancy is included in the Improvement Location Permit Fee;
- B. Applications and petitions shall be accompanied with the proper fee payment. Checks or money orders must be made payable to the Hendricks County Planning and Building Department; and
- C. Until the applicable fees have been paid in full, no application shall be processed by the Building Department.
- D. All permit fees are doubled if construction is started before securing a building permit.

SECTION 4

MISCELLANEOUS FEES

A. Subdivision Control Ordinance	\$ 15.00
B. Zoning Ordinance	\$ 20.00
C. 1983 Comprehensive Development Plan	\$ 15.00
New Comprehensive Development Plan	\$ 30.00
D. New Comprehensive Plan Summary	\$ 5.00
E. Storm Drainage & Erosion Control Ordinance	\$ 10.00
F. Plan Commission/ BZA Rules of Procedure	\$ 5.00

This Ordinance shall be in full force and effect from and after its passage and approval and publication according to law.

APPROVED, by the Board of Commissioners of Hendricks County, Indiana, this 22 day of September, 19 97.

BOARD OF COMMISSIONERS

John D. Clampitt
John D. Clampitt, President

John A. Daum
John A. Daum, Vice President

David E. Underhill
David E. Underhill, Member

ATTEST:

Debbie Simpson
Debbie Simpson
Auditor

ORDINANCE NO. 1997- 36

ORDINANCE VACATING PUBLIC STREET RIGHT-OF-WAY

BE IT ORDAINED by the County of Hendricks, Indiana, that:

WHEREAS, Michael L. Coates and Marjorie Coates, have filed their Petition to Vacate a certain Street Right-of-way with the Clerk of the Board of Commissioners of Hendricks County, Indiana, pursuant to statute; and

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

WHEREAS, notice of publication has been given as prescribed by I.C. 5-3-1, and the proof of publication having been filed with the Clerk of the Board of Commissioners of Hendricks County, Indiana; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, having held a public hearing on such "Petition to Vacate Street Right-of-way" on Monday, July 7, 1997 at 1:00 p.m.; and Monday, September 8, 1997 at 1:00 p.m.; and

WHEREAS, after reviewing all of the pertinent facts relative to the request of the "Petition to Vacate Street Right-of-ways" and all interested persons having had an opportunity to be heard at the public hearing;

NOW, THEREFORE, by the powers vested in the Board of Commissioners of Hendricks County, Indiana, pursuant to I.C. 36-7-3-12, is hereby ordered and ordained that the relief requested in said "Petition to Vacate Street Right-of-way" is now granted.

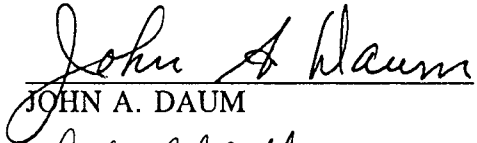
IT IS, THEREFORE, ORDERED AND ORDAINED that the following Street Right-of-Way heretofore platted be, and the same is hereby vacated, which right-of-way is more particularly described on the attached Exhibit "A."

IT IS FURTHER ORDAINED AND ORDERED that the Clerk of the Board of Commissioners of Hendricks County, Indiana, shall furnish a copy of this Ordinance to the

County Recorder for recording, and to the County Auditor, all pursuant to the provisions of I.C.
36-7-3-12.

THIS ORDINANCE ADOPTED THIS 22 DAY OF SEPTEMBER, 1997.


BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA


JOHN A. DAUM


DAVID UNDERHILL


JOHN D. CLAMPITT

ATTESTED BY:


CLERK OF THE BOARD OF
COMMISSIONERS OF HENDRICKS COUNTY

This instrument prepared by Amy C. Broderick, Attorney-at-law, P.O. Box 207, Danville, IN
46122; 317-745-4300.

LEWIS ENGINEERING, INC.

ENGINEERING - SURVEYING - TESTING

1001 E. MAIN ST. - PLAINFIELD, IN. 46168

OFFICE: 317-839-2412 FAX: 317-839-2437



CLIENT

LEGAL DESCRIPTION

A part of Gates Subdivision Section I as per plat thereof recorded in Plat Book 7, Page 48 in the office of the Recorder of Hendricks County Indiana, also being a part of the Northeast Quarter of Section 27, Township 17 North, Range 1 East located in Hendricks County, Indiana, being more particularly described as follows:

BEGINNING at the Southwest corner of Lot 5 in said Subdivision; thence North 90 degrees 00 minutes 00 seconds West, along the South line of said subdivision 50.00 feet to the Southwest corner thereof; thence North 00 degrees 01 minutes 59 seconds East, along the West line of said subdivision, 283.49 feet to a point on the westerly extension of the North line of said Lot 5; thence North 90 degrees 00 minutes 00 seconds East, along said westerly extension, 74.99 feet to a point on the North line of said Lot 5 and the point of curvature of a curve to the left having a radius of 25.00 feet, a delta angle of 89 degrees 58 minutes 01 seconds and a chord bearing South 44 degrees 59 minutes 00 seconds West 35.35 feet; thence along the arc of said curve 39.26 feet; thence South 00 degrees 01 minutes 59 seconds West, along the West line of said Lot 5, 258.51 feet to the POINT OF BEGINNING. Containing 0.33 acres, more or less, being subject to all legal highways, rights-of-way and easements of record.

ORDINANCE NO. 97-39

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM C-1: NEIGHBORHOOD COMMERCIAL DISTRICT, TO C-2: GENERAL COMMERCIAL DISTRICT. COMMONLY KNOWN AS ZA-179/MA97-02: DOUGLAS & TAMARA SUE OREBAUGH, MARION TOWNSHIP, PARCEL TOTALING 0.51 ACRES, LOCATED ON THE SOUTHWEST CORNER OF STATE ROAD 75 AND U. S. HIGHWAY 36.

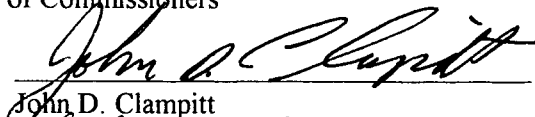
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the C-2: General Commercial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-179/MA97-02: Douglas & Tamara Sue Orebaugh, S8-T15N-R2W, 0.51 acres, Marion Township, located on the southwest corner of State Road 75 and U. S. Highway 36.

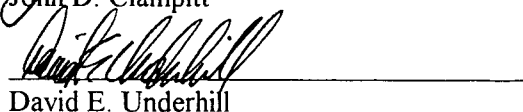
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

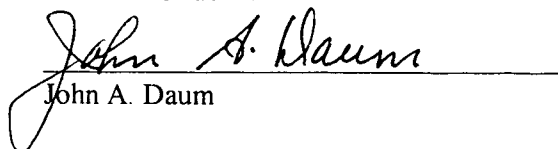
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 17th day of November, 1997.

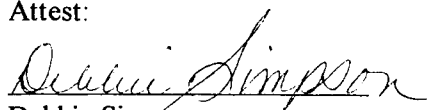
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

CABLE SYSTEM FRANCHISE
TO
PHOENIX CONCEPT CABLEVISION OF INDIANA, L.L.C.
(Renewal)

AN ORDINANCE ENACTED PURSUANT TO THE AUTHORITY GRANTED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDRICKS, AND THE FEDERAL COMMUNICATIONS ACT OF 1934, AS AMENDED AND AS MAY BE AMENDED FROM TIME TO TIME, TO PROVIDE FOR THE GRANT OF A CABLE SYSTEM FRANCHISE TO PROVIDE SERVICE TO THE RESIDENTS OF THE UNINCORPORATED AREAS OF THE COUNTY OF HENDRICKS; TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS OF THIS ORDINANCE BY THE COUNTY OFFICIALS; AND TO PROVIDE FOR REMEDIES AND/OR PENALTIES FOR THE VIOLATION OF THE PROVISIONS CONTAINED HEREIN.

WHEREAS, the County has received a request from Phoenix Concept Cablevision of Indiana, LLC, hereinafter referred to as "Phoenix", for a permit to provide such service on the terms and conditions set forth herein, which terms and conditions have been made available for public inspection in the County of Hendricks;

WHEREAS, the purpose of this Ordinance is to (1) provide for the granting of cable system franchise rights to Phoenix for the continuation of supply of cable services to the residents of a specific portion of the unincorporated areas of the County of Hendricks and (2) to set forth the respective rights, obligations and remedies of the County of Hendricks and the Company in binding agreement form, consistent with the provisions of the Federal Communications Act of 1934, as amended, and the Federal Communications Commission's Rules and Regulations promulgated pursuant thereto, from which this Ordinance shall be interpreted consistent therewith.

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

SECTION 1. Definitions. For the purpose of this Ordinance the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. ACT shall mean the Federal Communications Act of 1934, as amended.
- B. CABLE SERVICE shall mean the providing of video and/or other programming services to Subscribers in the unincorporated areas of the County of Hendricks, to the extent deemed subject to regulation under the Act and/or by the FCC.
- C. CABLE SYSTEM shall mean a facility consisting of a set of lines, fixtures, equipment attachments, and all appurtenances thereto which are used to operate and maintain the Cable System and designed to provide Cable Service to subscribers in the unincorporated areas of the County of Hendricks.
- D. COMMISSIONERS are the authorities for the County of Hendricks.
- E. COMPANY is the grantee of the rights under this Ordinance and means Phoenix Concept Cablevision of Indiana, LLC or the corporation to be formed by Phoenix for the purpose of succeeding to the rights under this Ordinance.
- F. COUNTY shall mean the County of Hendricks located in the State of Indiana, the Grantor of Rights under this Regulatory Ordinance.
- G. FEDERAL COMMUNICATIONS COMMISSION or FCC shall mean that Federal Agency constituted by the Communication Act of 1934, as amended.
- H. FRANCHISE shall mean any authorization granted herein to construct, operate and maintain the Cable System.
- I. GROSS SERVICE RECEIPTS shall mean the total amount of money received during the applicable calendar year by the Company from its subscribers as monthly basic cable television service fees. This does not include receipts derived from paid TV program charges, leased channels, pay TV service, nor does it include any sale or excise tax. Gross Service Receipts do not include the receipts from Franchise Fees or other telecommunication services.
- J. PERSON is any person, firm, partnership, association, corporation, company, or organization of any kind.
- K. SHALL is mandatory language and MAY is permissive.

L. SUBSCRIBER shall mean any person who receives any service delivered by the Cable System.

M. USER OF CABLE SYSTEM shall mean a person who utilized the Cable System to produce or to transmit programs or other communications to Subscribers.

SECTION 2. Grant of Authority. In consideration of the faithful performance and observance of the conditions and reservations hereinafter specified, the right is hereby granted by the County to the Company and its successors and assigns the nonexclusive right to construct, maintain and operate a cable television system including other telecommunication services ("Cable System") in the unincorporated areas in Northwestern Hendricks County to enable the Company to serve the Town of Lizton and North Salem, all in accordance with the laws and regulations of the United States of America, the State of Indiana, and the ordinances and regulations of the County of Hendricks. For this purpose the County hereby grants to the Company a non-exclusive Franchise, right and privilege to construct, erect, operate, modify and maintain, in, upon, along, across, above, over and under the public highways, streets, alleys, sidewalks, and public rights-of-ways now laid out or dedicated, and all extensions thereof and additions thereto in the County which are within the unincorporated areas to be served by the Cable System and which have been dedicated for compatible uses, such poles, wires, cable, underground conduits, manholes, and other television conductors and fixtures necessary for the maintenance and operation in the County of a Cable System for the purpose of distributing television and radio signals, and other electronic impulses in order to furnish television and radio programs, and various telecommunications and other electronic and information services to the public. The right so granted includes the right to use and occupy the public streets, alleys, and public rights-of-ways and all manner of easements which have been dedicated for compatible uses, for the purposes herein set forth.

SECTION 3. Pole Use. Where the use of poles owned by public utilities is not practicable and rental agreements cannot be entered into with said public utilities, the Company shall have the right to erect and maintain its own poles, as such may be necessary for the proper construction and maintenance of the Cable System; provided, however, that the Company shall obtain prior approval from the County as to the necessity for and location of any new poles to be erected. Nothing in this Section shall preclude the

Company from contracting with the County or other utility now or hereafter having pole lines in the County to provide and maintain the transmission system of the Company.

SECTION 4. Installation and Maintenance of Attachments. The Company shall, at its own expense, make and maintain its attachments in safe condition and in good repair, and in a manner suitable to the utility companies and the County.

In the maintenance and operation of its Cable System in the streets, alleys and other public places, and in the course of any new construction or additions to its facilities, the Company shall proceed so as to cause the least possible inconvenience to the general public. Any streets, alleys, sidewalks, or other public places distributed or damaged in the construction or maintenance of the Cable System shall be promptly repaired to the satisfaction of the County by and at the expense of the Company.

SECTION 5. Pole Erection and Construction. The Company's transmission and distribution system poles, and the wires and appurtenances thereon, shall be located, erected and maintained so as not to endanger or interfere with the lives of persons, or interfere with new improvements the County may deem proper to make, or hinder unnecessarily or obstruct the free use of streets, alleys, bridges or other public property. Removal of poles or rearrangement of its facilities to avoid such interference will be at the Company's expense.

SECTION 6. Specifications. The Company's poles, cables, wires and appliances, in each and every location, shall be erected and maintained in accordance with (1) such requirements and specifications as the County shall from time to time prescribe, (2) requirements and specifications of the National Electrical Safety Code and the National Board of Fire Underwriters, (3) any amendments or revisions of said codes or practices and (4) in compliance with any rules or order now in effect or that may hereafter be issued by any regulatory agency or other authority having jurisdiction in the State of Indiana.

All installation of equipment shall be of a permanent nature and in accordance with good engineering practice. The Company's service drops shall be installed in a neat and workmanlike manner, including the house attachments, so as to preserve the best overall appearance of power, telephone and Cable System drops through the air and attached to

the buildings. Cable System service drops are to be installed where practicable from the cable away from a pole so as to preserve climbing space on the pole.

In the event a customer discontinues cable service and requests removal of the Company's service drop, such removal shall be accomplished in a neat and workmanlike manner at the Company's expense.

The Company shall grant to the County, free of expense, joint use of any and all poles owned by it for any proper municipal purpose acceptable to the Company, insofar as such use may be accomplished without interfering with the free use and enjoyment of the Company's own wires and fixtures; and the County shall hold the Company harmless from any and all actions, causes of actions or damage caused by replacing of the County's wires or appurtenances upon poles of the Company. Proper regard shall be given to all existing safety rules governing construction and maintenance in effect at the time of construction.

SECTION 7. Relocation of Facilities. In the event that at any time during the period of the Ordinance, the County shall elect to alter or change the grade of any streets, alleys or other public ways, the Company, upon reasonable notice by the County, shall remove, release and relocate its poles, wires, cables, underground conduits, manholes and other fixtures.

SECTION 8. Tree Trimming. The Company shall have the authority and is hereby required to trim trees upon and overhanging streets, alleys, sidewalks and public places of the County to prevent the branches of such trees from coming in contact with the wires, cables and distribution system components of the Company, all trimming to be done at the sole expense of the Company.

SECTION 9. Damages. The Company shall exercise special precaution to avoid damage to facilities of the County and of others supported on said poles; and hereby assume all responsibility for and agrees to indemnify the County from and against any and all loss or damage, or claim therefore, resulting from the attachment to such poles of the Company's facilities and from any and all acts or omissions of the Company in connection therewith. The Company shall make an immediate report to the County of the occurrence

of any loss or damage and hereby agrees to pay the cost incurred in making repairs to such facilities of the County of others.

SECTION 10. Insurance. The Company shall indemnify, protect and save harmless the County from and against losses and physical damage to property, and bodily injury or death to persons, including payments made under any workmen's compensation law, which may arise out of or be caused by the erection, maintenance, presence, use or removal of all Cable System equipment of any kind or nature whatsoever within the County, or by any act of the Company, its agents or employees, or in any way arising out of the granting of this franchise. The Company shall carry insurance to protect itself, the utility companies and the County from and against all claims, demands, actions, judgments, costs, expenses, and liabilities which may arise or result, directly or indirectly, from or by reason of such loss, injury or damage. Such insurance policy shall specifically provide that the County and the utility companies shall be named insureds. The amounts of such insurance against liability due to physical damage to property shall be not less than Five Hundred Thousand Dollars (\$500,000.00) as to any one claim and not less than One Million Dollars (\$1,000,000.00) aggregate in any single policy year; and against liability due to bodily injury or to death of persons, not less than One Hundred Thousand Dollars (\$100,000.00) as to any one person, and not less than Three Hundred Thousand Dollars (\$300,000.00) as to all such claims arising from any one accident. The Company shall also carry such insurance as it deems necessary to protect it, the utility companies and the County from all claims under the workmen's compensation laws in effect that may be applicable to the Company. All insurance required by this Ordinance shall be and remain in full force and effect for the entire period of this Ordinance. The policies of insurance, or a certified copy or copies thereof, shall be deposited with and kept on file by the Auditor of the County of Hendricks.

SECTION 11. Minimum CATV System Service. Subject to and in accordance with the rules and regulations of the Federal Communications Commission, the Company's cable television system shall make available to all subscribers FM radio signals and cable television service on at least 10 channels, including the special access channels required by the rules and regulations of the Federal Communications Commission.

SECTION 12. Rates. The Company agrees that all rates charged to subscribers to its Cable System service shall be standard, uniform and reasonable. A copy of the Company's schedule of charges for installation and furnishing of service shall be filed with the Auditor of the County not less than sixty (60) days prior to the effective date of such charges.

SECTION 13. Unauthorized Use of Service. Persons receiving Cable System service may not alter, extend or otherwise tamper with the Company's facilities to serve more equipment than being contracted for.

SECTION 14. Technical Standards.

A All television signals impressed upon the distribution system shall be capable of being received on any television set of standard manufacture, when equipped, as necessary, with converters, special decoding equipment or auxiliary circuits.

B Upon completion of construction and commencement of operations, and periodically thereafter, performance tests will be conducted by the Company, at its sole expense, to insure that the more stringent of FCC (or other federal or state regulatory agency with jurisdiction) standards are met.

SECTION 15. Police Power. The Company shall at all times during the life of this permit be subject to all lawful exercise of the police power of the County and to such reasonable regulation as the County shall hereafter by resolution of ordinance provide.

SECTION 16. Service Area.

A The Grantee of any Franchise hereunder shall offer Cable Service to all potential residential subscribers upon request located within one hundred fifty (150) feet of Grantee feeder cable where there exists a minimum density of thirty-five (35) dwelling units per mile (excluding homes receiving competitors services). The Grantee may elect, but has no obligation, to offer Cable Service to areas not meeting the above standard.

SECTION 17. Payment. In consideration of the rights, privileges and permit hereby granted in compensation to the County for the use of its public places, Grantee agrees to pay to the Auditor of the County no later than March 31st for the preceding

calendar year, three percent (3%) of the annual gross service receipts from the sale of services of the monthly cable television system.

The Company shall file with the County an annual report of all revenues with the County at the time of making the annual compensation payment. The County may at any reasonable time have access to the Company's books and records for audit purposes.

SECTION 18. Purpose of Payment. The payments provided for in this Ordinance to be made to the County are in payment by the Company to the County for the use of the streets and alleys, and additional supervision, maintenance, inspection, regulation, burdens and costs to the County occasioned by reason of the granting of the rights hereunder.

SECTION 19. Underground Facilities. The Company at its own expense, shall place its facilities underground in those areas of the County where all of the utilities are underground.

SECTION 20. Approval of Construction. Wherever this Ordinance provision is made for approval of the Company's construction of facilities, such approval shall be given by the person designated by the County Commissioner.

SECTION 21. Complaint Procedures / Regulation.

A. The Company shall, while operating under this Franchise Ordinance, maintain efficient cable television service in the County. However, the Company shall not be liable for loss or damage caused by interruption or failure of service due to accident or breakdown to lines or equipment, strike, riot, act of God or the public enemy or such other causes as are beyond its control, or due to shutdowns for reasonable periods to make repairs to equipment; but the Company shall in such cases exercise proper diligence in repairing such equipment and resume operation of same without unnecessary delay;

B. The Company shall maintain a local business office or agent easily accessible to the citizens of the County for the purpose of receiving subscriber complaints expeditiously and normally within 48 hours. The County Board of Commissioners may appoint a commission or may designate any officer of the County with the responsibility of monitoring the Company's operations and in cases where customer complaints are unsatisfied by the Company's response to the complaints, such commission or person shall

have the power, and the Company shall accept and give recognition to, recommended changes in the Company's complaint procedures.

SECTION 22. Service and System Maintenance. The Company shall, at its own expense, at all times maintain and furnish telephone answering service and system maintenance service to subscribers during reasonable regular business hours. The Company, in addition to having its telephone listed in the local telephone directory, shall advise each of its subscribers in writing of such telephone number.

SECTION 23. Compliance with State and Federal Law.

A The Company shall conform to all laws, rules and regulations of the United States and of the State of Indiana in the construction and operation of its Cable System; and all rules and regulations of the Federal Communications Commission relating to cable television franchises, as now enacted or subsequently amended, are incorporated herein by reference. The Company shall take such additional action as is necessary to incorporate formally in the terms of this franchise any modifications required by amendments of applicable federal and state laws, rules and regulations governing the contents of cable television franchises within one (1) year of their adoption.

B This Ordinance is in full compliance with the rules and regulations of the Federal Communications Commission relating to cable television franchises as now enacted.

C Nothing herein shall be construed to prohibit the Company from requesting a waiver of any state or federal rule or regulation, provided that a copy of such request shall be served upon the County.

SECTION 24. Effective Date. This Ordinance shall take effect and be in force, after its passage by the County Board of Commissioners for Hendricks County.

SECTION 25. Transfer of Franchise. The franchise and rights granted herein shall be in a privilege to be held in personal trust by the Company (i.e., Phoenix Concept Cablevision of Indiana, L.L.C. or the corporation or limited partnership to be formed by Phoenix Concept Cablevision of Indiana, L.L.C. to succeed to the franchise and rights granted herein) and shall not be assigned, transferred, sold or disposed of, without the

prior consent of the County Commissioners expressed by resolution. Such consent shall not be unreasonably withheld provided that the proposed assignee agrees to comply with all the provisions of this Ordinance and is able to provide proof of financial responsibility and other qualifications satisfactory to the County Commissioners. No consent by the County Commissioners shall be required for a transfer in trust, mortgage or other instrument of hypothecation to secure an indebtedness of the Company. The consent of the County Commissioners to any sale or other transfer shall not constitute a waiver or release of any of the rights of the County under this Ordinance.

SECTION 26. Term of Franchise. The Franchise granted the Company herein, shall terminate fifteen (15) years from its effective date, subject to renewal for a period of five (5) years on the same terms and conditions as contained herein, or on such different or additional terms and conditions as may be lawfully specified by the County and as are consistent with the requirements of the Act and the rules and regulations of the FCC. The Company's application for Franchise renewal may be granted pursuant to the provisions of Section 626 [47 USC 546] of the Act, as may be amended. The Company shall have the right to be a party to any proceedings in which its rights, privileges, or interests would be affected and shall be fully entitled to such due process rights as may be available under applicable laws, ordinances, rules or regulations. Notwithstanding the above, the County in its sole discretion and in accordance with state law, may preclude the Company's presence should the necessity of a closed session arise.

SECTION 27. Final Termination of the Franchise. Upon final termination of the Franchise, the Company shall remove its cables, wires and equipment from all poles of the County and all space reserved for the County's use on poles belonging to others. If not so removed, the County shall have the right to remove or have its contractor remove them at the risk, cost and expense of the Company and without any liability therefor.

SECTION 28. Penalties. Any violation by the Company, its vendee, lessee or successor, of the material provisions of this franchise shall be cause for the forfeiture of this franchise and all rights hereunder, provided that the County shall first notify the Company in writing of the condition or act on which the violation is charged, and the Company shall have thirty (30) days within which to remedy such condition or act; and

provided further, that should it be impossible to correct the said violation within said thirty (30) days, then the Company shall have a reasonable time to make said corrections. Failure to pay all monies due from the Company to the County hereunder after thirty (30) days' written notice by the County to the Company shall be grounds for revocation of the Franchise.

SECTION 29. General Terms. Failure to enforce or insist upon compliance with any of the terms or conditions of this Ordinance shall not constitute a waiver or relinquishment of any such terms or conditions, but the same shall be and remain at all times in full force and effect.

If any section, sentence, clause or phrase of this Ordinance is for any reason held illegal, invalid or unconstitutional, such validity shall not affect the validity of the Ordinance and any portions in conflict are hereby repealed.

SECTION 30. Notices. Notices under this Ordinance except as otherwise indicated shall be addressed to the Company by addressing the same to:

Phoenix Concept Cablevision of Indiana, L.L.C.
ATTN: James H. Feeney, Vice President
10 South Franklin Turnpike
Ramsey, New Jersey 07446

and for the County to:

Hendricks County Commissioners
Hendricks County Court House
Courthouseentucky Street
Danville, Indiana 46122

Passed by the Board of the County Commissioners of the County of Hendricks, Indiana on this 8, day of December, 1997.

Members of the Board of the County Commissioners of Hendricks, Indiana

John A. Claysett
John A. Haum
David A. Hill

The above and foregoing Ordinance approved and signed by me, this
_____, day of _____, 1997.

County Board Commissioner
of Hendricks County

ATTEST:

Dorothy Simpson
Hendricks County Auditor

a:\hendrick.ord

ORDINANCE NO. 1997-41

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-5: **HIGH DENSITY, MULTI FAMILY DISTRICT**, TO **PUD: PLANNED UNIT DEVELOPMENT DISTRICT**. COMMONLY KNOWN AS **ZA-180/WA97-16: SANDERS DEVELOPMENT GROUP, INC., WASHINGTON TOWNSHIP, PARCEL TOTALING 10.95 ACRES, LOCATED ON THE NORTH SIDE OF U. S. HIGHWAY 36, 0.33 MILE EAST OF COUNTY ROAD 900 EAST.**

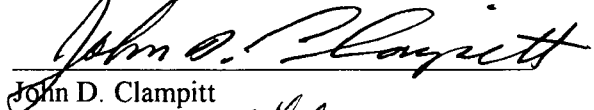
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the PUD: Planned Unit Development District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-180/WA97-16: Sanders Development Group, Inc., S6-T15N-R2E, 10.95 acres, Washington Township, located on the north side of U. S. Highway 36, 0.33 mile east of County Road 900 South.

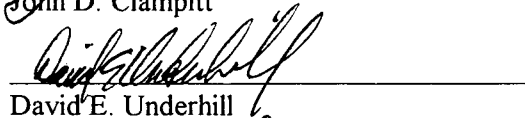
SECTION 2. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

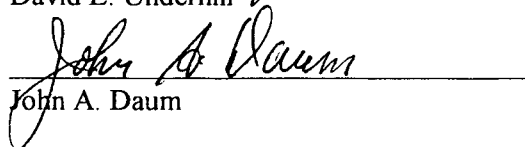
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 15 day of DECEMBER, 1997.

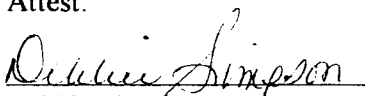
Board of Commissioners


John D. Clampitt


David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

ORDINANCE NO. 1997-42

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM R-1: LOW DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-2: MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL DISTRICT. COMMONLY KNOWN AS ZA-182/WA97-18: THE BRADFORD GROUP, INC., WASHINGTON TOWNSHIP, PARCEL TOTALING 40.00 ACRES, LOCATED ON THE EAST SIDE OF STATE ROAD 267, 0.50 MILE SOUTH OF COUNTY ROAD 150 SOUTH.

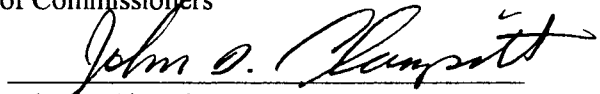
SECTION 1. Be it ordained by the Board of Commissioner of the County of Hendricks, Indiana, that the Zoning Ordinance (1991-17) adopted on the 18th day of November on the year 1991, be amended so as to include in the R-2: Medium Density, Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA-182/WA97-18: The Bradford Group, Inc., S14-T15N-R1E, 40.00 acres, Washington Township, located on the east side of State Road 267, 0.50 mile south of County Road 150 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.

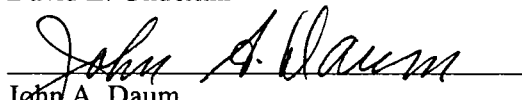
SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 15 day of DECEMBER, 1997.

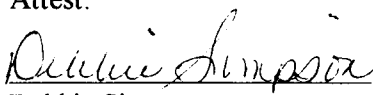
Board of Commissioners


John D. Clampitt

David E. Underhill


John A. Daum

Attest:


Debbie Simpson
Auditor

NOTICE OF APPROVAL

On November 25, 1997, the Indiana Election Commission approved the boundaries of the following precincts for Hendricks County, Indiana:

NEW

GUILFORD 19
LINCOLN 15
WASHINGTON 15
WASHINGTON 16
WASHINGTON 17

REVISED:

CENTER 3	LINCOLN 2	GUILFORD 1	MIDDLE 1
CENTER 6	LINCOLN 5	GUILFORD 18	MIDDLE 2
CENTER 7	LINCOLN 6		
CENTER 8	LINCOLN 9		
CENTER 9	LINCOLN 11		
	LINCOLN 13		

UNION 1	WASHINGTON 2
UNION 2	WASHINGTON 4
	WASHINGTON 5
	WASHINGTON 7
	WASHINGTON 9
	WASHINGTON 10
	WASHINGTON 11
	WASHINGTON 12
	WASHINGTON 14

All effective on November 25, 1997 and Ordered by the Hendricks County Commissioners, Ordinance Number 1997-43 issued on

DECEMBER 15, 1997

ORDINANCE SETTING VOTER PRECINCTS IN HENDRICKS COUNTY, INDIANA

WHERE AS, Indiana code 3-11-1.5 requires each county of Indiana to establish voter precincts; and

WHERE AS, Hendricks County, Indiana, requires additional and revised precincts in order to comply with the directives of said law; and

WHERE AS, Hendricks County, Indiana, by and through its Board of Commissioners has conducted a study to determine proper voter precincts for the said county:

NOW, THEREFORE, BE IT ORDERED by the Commissioners of Hendricks County as follows:

1. Hendricks County, Indiana, by and through its Board of Commissioners, hereby establishes Guilford 19, Lincoln 15, Washington 15, Washington 16 and Washington 17 as voter precincts for Hendricks County, Indiana.

2. Hendricks County, Indiana, by and through its Board of Commissioners, hereby revises aforementioned precincts in Center, Lincoln, Guilford, Middle, Union and Washington Townships as voter precincts for Hendricks County, Indiana.

3. Each precinct is established as described in the maps attached hereto, made a part hereof which are on file for inspection in the office of the county engineer, county clerk and county auditor.

4. A description of the boundaries of each precinct established is attached hereto, made a part hereof which are on file for inspection in the office of the county engineer, the county clerk and the county auditor.

5. The estimated number of voters in each precinct established by this Order is attached hereto and made a part hereof by this reference and which are on file for inspection in the office of the county engineer, the county clerk and the county auditor.

6. That this Ordinance shall become effective on the date specified by the Indiana Election Commission or on the first date permitted under I.C. 3-11-1.5-25 if no effective date is specified by the Indiana Election Commission.

ORDERED this 1 day of DECEMBER, 1997.

BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA

BY: John D. Phyllitt

BY: John A. Daum

BY: David M. Schell

AUDITOR'S CERTIFICATE

I, Debbie Simpson, the duly elected Auditor of the County of Hendricks, Indiana, certify the contents of this Order to be a true and accurate representation of the matters as described and depicted in the official records of the proceedings of the Board of County Commissioners of this County.

Dated: December 15, 1997 Debbie Simpson
Debbie Simpson
Hendricks County Auditor

Approved as to form: Gregory E. Steuerwald
Gregory E. Steuerwald

ORDINANCE NO. 1997 - 7

WHEREAS, the Hendricks County Council ("Council") is the fiscal body of Hendricks County, a political subdivision of the State of Indiana ("County"); and

WHEREAS, the Council and the Hendricks County Redevelopment Commission ("Commission") have agreed to enter into a Debt Service Reserve Fund Agreement ("Agreement") with Comerica Bank, and a collateral agent to be determined ("Agreement") for the purpose of providing moneys to fund a debt service reserve fund to secure financing obtained from Comerica Bank by Enterctement LLC ("Developer") for the purpose of constructing a theme park ("Project") in Hendricks County, Indiana; and

WHEREAS, the Council has previously imposed a tax pursuant to I.C. 6-3.5-7 ("EDIT Tax"), for the purpose of advancing economic development within the County; and

WHEREAS, the Council has adopted a capital improvement plan specifying the uses of the EDIT Tax revenues; and

WHEREAS, the Council is authorized under I.C. 6-9-28 to impose a county admissions tax ("Admissions Tax"); and

WHEREAS, in order to satisfy its obligations under the Agreement, the Council now desires to impose the Admissions Tax and to pledge Admissions Tax revenues and EDIT Tax revenues to satisfy the obligations of the County under the Agreement.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Hendricks County, Indiana, as follows:

1. The Council hereby imposes a tax to be known as the Hendricks County Admissions Tax, for the privilege of attending an amusement park, pursuant to the provisions of I.C. 6-9-28 *et. seq.*

2. The amount of such tax shall be One Dollar (\$1.00) on the price of admission to the Project.

3. This Admissions Tax applies to admission charges collected after June 30, 1997.

4. The proceeds of the Admission Tax are hereby pledged to the payment of the County's obligations under the Agreement, including the payment of debt service on any obligations issued to satisfy the County's obligations under the Agreement.

5. Such pledge of Admissions Tax revenues shall not be reduced or rescinded, and such revenues shall not be otherwise spent or encumbered for so long as the County is obligated in any way under the Agreement, or so long as any obligations issued by the County to satisfy its obligations under the Agreement remain outstanding; provided, however, that if all or any portion of such revenues are not required to meet the County's obligations under the Agreement in any given year, such excess may be expended by the County as permitted by law.

6. The County Auditor is hereby authorized and directed to immediately send a certified copy of this Ordinance to the Commissioner of the Department of State Revenue, in accordance with I.C. 6-9-28-2.

7. The Capital Improvement Plan previously adopted with respect to the use of EDIT Tax funds under I.C. 6-3.5-7-15 is hereby reconfirmed.

8. In order to satisfy the County's obligations under the Agreement, the Council hereby pledges all EDIT Tax revenues which are not encumbered or committed by the County, the Commission or any other public party as the date hereof to the payment of the County's obligations under the Agreement, provided, however that the amount of EDIT Tax revenues pledged hereby shall never in any manner cause the County to violate the provisions of Ordinance No. 1992-8 authorizing the issuance of the County's Economic Development Income Tax Revenue Bonds, Series 1992A.

9. The pledge of EDIT Tax revenues hereunder shall become effective on January 1, 1999, and shall remain in effect for so long as the County remains obligated under the Agreement or for so long as obligations issued by the County to satisfy its obligations under the Agreement remain outstanding; provided, however, that if the Project is not completed in accordance with the Agreement on or prior to August 1, 1998, the pledge of EDIT Tax revenues shall be released for calendar year 1999, and the pledge shall become effective on January 1, 2000.

10. The County shall not commit or otherwise encumber the EDIT Tax revenues, except as provided herein, for so long as the Agreement is in effect of obligations issued to satisfy the County's obligations under the Agreement remain outstanding; provided, however, that if EDIT Tax revenues remain unspent in any year after the County's obligations under the Agreement are satisfied, such unspent revenues may be used by the County in the manner provided by law.

11. This Ordinance, and the pledges created and taxes imposed hereunder, shall not be rescinded or amended in any way, for so long as the Agreement remains in effect or the obligations issued by the County to satisfy its obligations under the Agreement remain outstanding.

ADOPTED this 12th day of February, 1997.

HENDRICKS COUNTY COUNCIL

AYE

NAY

<u>John H. ...</u>	_____
<u>Paul ...</u>	_____
<u>James R. ...</u>	_____
<u>Dr. ...</u>	_____
<u>Lydia ...</u>	_____
<u>Richard ...</u>	_____
_____	_____

Attest: Debbie Simpson
Debbie Simpson, Auditor,
Hendricks County

ORDINANCE NO. 97-8

AN ORDINANCE OF THE HENDRICKS COUNTY COUNCIL
APPROVING A LEASE BETWEEN
THE HENDRICKS COUNTY REDEVELOPMENT AUTHORITY
AND THE HENDRICKS COUNTY REDEVELOPMENT COMMISSION

WHEREAS, the Hendricks County Council has been presented with a proposed Lease between Hendricks County Redevelopment Authority (the "Authority") and the Hendricks County Redevelopment Commission (the "Commission") for the lease of certain equipment, buildings, infrastructure and road improvements in or directly serving or benefitting the Hendricks County Economic Development Area Number 2 (the "Project"); and

WHEREAS, the Commission, at a meeting on March 3, 1997, following a public hearing, adopted a resolution authorizing the execution of the Lease, finding, pursuant to IC 36-7-14.5-14, that the lease rental payments to be paid by the Commission to the Authority pursuant to the Lease are fair and reasonable and finding, pursuant to IC 36-7-14-25.2, that the use of the Project throughout the term of the Lease will serve the public purpose of Hendricks County, Indiana (the "County"), and is in the best interests of its residents; and

WHEREAS, the County Council desires to approve said Lease pursuant to IC 36-7-14-25.2, which provides that any lease approved by a resolution of the Commission must be approved by an ordinance of the fiscal body of the unit;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF HENDRICKS COUNTY, INDIANA, as follows:

Section 1. The County Council hereby approves the Lease, as approved by the Commission, pursuant to IC 36-7-14-25.2.

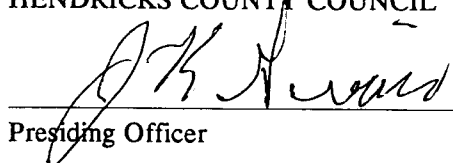
Section 2. This Ordinance shall be in full force and effect upon compliance with the procedures required by law.

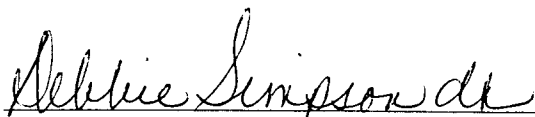
ADOPTED by the County Council of Hendricks County, Indiana, on the 4th day of March, 1997.

(SEAL)

HENDRICKS COUNTY COUNCIL

ATTEST:


Presiding Officer


Auditor of Hendricks County, Indiana

HENDRICKS COUNTY COUNCIL

ORDINANCE NO. 97-37

AN ORDINANCE OF HENDRICKS COUNTY, INDIANA,
ADOPTING TAX ABATEMENT PROCEDURES

- WHEREAS, the Hendricks County Council has determined that economic development and the attraction of capital investment is beneficial to the public welfare of its citizens; and
- WHEREAS, in order to stabilize local property tax rates and shift the property tax burden away from private homeowners to industrial enterprises, the Hendricks County Council has determined that it is in the best interest of its citizens to offer financial incentives to attract new capital investment; and
- WHEREAS, Hendricks County is permitted and has the power pursuant to provisions of Indiana Law to promote economic development by offering certain financial incentives for the purpose of attracting new capital investment and attracting and/or retaining good paying jobs; and
- WHEREAS, this ordinance provides for the procedures to be used in Hendricks County and such procedures are set forth to provide a mechanism to promote and assist economic development within Hendricks County; and
- WHEREAS, it is believed that this ordinance is in the best interest of Hendricks County, Indiana.

NOW, THEREFORE, by the powers vested in the Hendricks County Council of Hendricks County, Indiana, it is hereby ORDERED AND ORDAINED that:

SECTION I

Tax Abatement Procedures: General Provisions.

Legislative Findings, in accordance with Indiana Code Section 6-1.1-12.1-2 are hereby made by the Hendricks County Council as follows:

(a) The Council hereby finds that there is a need to develop tax abatement procedures which set forth the philosophy, regulations, procedures, and general standards, which Hendricks County, Indiana, believes are necessary to encourage economic development within the County limits.

(b) The Council therefore declares that the following tax abatement procedures and general standards shall govern tax abatement requests filed for consideration with the County.

(c) The following tax abatement procedures and general standards are promulgated pursuant to the "Home Rule" powers vested in the County pursuant to I.C. 36-1-3-1, et seq., and the property tax abatement statutes as set forth in I.C. 6-1.1-12.1 et seq. All persons who desire to seek real or personal property tax abatement consideration, have the duty to comply with the applicable provisions set forth in this Ordinance, as well as all state law requirements. However, those persons who petition pursuant to Section XIII, must only comply with the applicable state law provisions, and the requirements of Annual Review provided for herein in Section XVIII.

SECTION II

Definitions

(a) As used in this Ordinance, the terms and phrases shall have the following meanings:

(1) "Designating body" shall mean the Hendricks County Council of Hendricks County, Indiana.

(2) "Economic Revitalization Area (ERA)" shall mean an area which is within the limits of the County which has become undesirable or impossible for, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property. The term "economic revitalization area (ERA)" shall also include: any area, where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues.

(3) "Hard dollar costs" shall mean expenses directly related to the proposed new construction or rehabilitation excluding costs of financing, architect, engineering, and attorney fees. For the purposes of this Ordinance, the hard dollar cost is that cost certified on the Statement of Benefits (Form SB-1), Section 4, "Net Estimated Values Upon Completion of Project".

(4) "Industrial Development" shall mean and include those definitions set forth in major groups 20 through 39 of the Standard Industrial Classification Manual (SIC), published by the United States Office of Management and Budget, which manual is hereby incorporated by reference, with copies being maintained in the Office of the Executive Director of the Hendricks County Economic Development Partnership.

(5) "Institutional Development" shall mean the development of any educational facilities.

(6) "Mixed Use" shall mean any mix of two (2) or more of the following uses only: office, institutional or industrial.

(7) "New manufacturing equipment" shall mean tangible personal property which was:

(i) installed during the period beginning March 1, 1983, and ending December 31, 1993, in an area that is declared an economic revitalization area after February 28, 1983, in which a deduction for tangible personal property is allowed;

(ii) is used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property; and

(iii) was acquired by its owner for use as described in subdivision II and was never before used by its owner for any purpose in Indiana.

(8) "Property" shall mean a building or structure, but shall not include land.

(9) "Redevelopment" shall mean the construction of new structures, in economic revitalization areas, either:

(i) on unimproved real estate; or

(ii) on real estate upon which a prior existing structure is demolished to allow for a new construction.

(10) "Rehabilitation" shall mean the remodeling, repair, or betterment of property in any manner or any enlargement or extension of property.

(11) "Tax Abatement Committee" shall mean the Committee established pursuant to this Ordinance to review petitions for tax abatement consisting of five members as follows: (1) the Executive Director of the Hendricks County Economic Development Partnership; (2) a member of the Hendricks County Area Plan Commission as designated by the Plan Commission; (3) a member of the Hendricks County Redevelopment Commission as designated by the Redevelopment Commission; (4) a member of the Hendricks County Economic Development Commission as designated by the Economic Development Commission; and (5) a Superintendent of Schools from one of the six (6) school districts within County as designated by the Superintendents. All members shall serve on such committee until they resign or are replaced with a successor designated by the appropriate Commission or organization.

(12) "Warehouse Development" shall mean and include those definitions set forth in major groups 42, 50, and 51 of the Standard Industrial Classification Manual (SIC), published by the United States Office of Management and Budget, which manual is hereby incorporated by reference with copies being maintained in the Office of the Executive Director of the Hendricks County Economic Development Partnership.

(b) Any terms not specifically defined in this Section shall have the meanings ascribed to them in I.C. 6-1.1-12.1-1 et. seq.

SECTION III

Financial Incentives

It is the policy of Hendricks County, Indiana, not to offer financial incentives for economic development projects that involve the relocation of a business from another Indiana jurisdiction to Hendricks County, Indiana. Hendricks County's decision to offer financial incentives to relocate an economic development project from another Indiana jurisdiction to the County will be based on the following:

(1) A letter or other written documentation from the jurisdiction where the business is currently located that it has exhausted all resources available to keep the business in such jurisdiction; or

(2) The business has exhausted its efforts to reach an agreement with the jurisdiction in which it is located and will put into written certification that said business is no longer considering a location in said jurisdiction; or

(3) The business has provided the County with a written financial incentive package from another state to relocate to said state and such relocation of said business would be detrimental to the State of Indiana in terms of the lost of capital investment and/or jobs.

SECTION IV

Office Development

Real Property Tax Abatement

(a) The Hendricks County Council believes that the following tax abatement general standards have a reasonable relationship to the development objectives of office developments within Hendricks County, Indiana, and would warrant tax abatement consideration as set forth herein.

(b) Three-Year General Standards:

(1) New Construction: Proposed office developments which incorporate new construction of a hard dollar cost of not less than \$450,000.00 may be considered for three-year real property tax abatement.

(2) Rehabilitation: Proposed rehabilitation of existing structures located within Hendricks County for office development, and which propose not less than \$150,000.00 in hard dollar cost of rehabilitation, may be considered for three-year real property tax abatement.

(c) Six-Year General Standards:

(1) New Construction: Proposed office developments which incorporate new construction of a hard dollar cost of not less than \$900,000.00 may be considered for six-year real property tax abatement.

(2) Rehabilitation: Proposed rehabilitation of existing structures located within Hendricks County for office development, and which propose a hard dollar cost of not less than \$300,000.00 for rehabilitation, may be considered for six-year real property tax abatement.

(d) Ten-Year General Standards:

(1) New Construction: Proposed office developments which incorporate new construction of a hard dollar cost of not less than \$1,500,000.00 may be considered for ten-year real property tax abatement.

(2) Rehabilitation: Proposed rehabilitation of existing structures located within Hendricks County for office development, and which propose a hard dollar cost of not less than \$600,000.00 for rehabilitation, may be considered for ten-year real property tax abatement.

(e) Compliance With State Law: All applicants seeking real property tax abatement consideration under this Section must also comply with all applicable regulations set forth in I.C. 6-1.1-12.1-2 et seq.

SECTION V

Mixed Use Development

Real Property Tax Abatement

(a) The Hendricks County Council believes that the following tax abatement general standards have a reasonable relationship to the development objectives of mixed use developments within Hendricks County, Indiana, and would warrant tax abatement consideration as set forth herein.

(b) Three-Year General Standards:

(1) New Construction: Proposed mixed use developments which incorporate a hard dollar construction cost of not less than \$450,000.00 may be considered for three-year real property tax abatement.

(2) Rehabilitation: Proposed rehabilitation of existing structures located within Hendricks County, Indiana, and which propose a hard dollar cost of not less than \$150,000.00 for rehabilitation, may be considered for six-year real property tax abatement.

(c) Six-Year General Standards:

(1) New Construction: Proposed mixed use developments which incorporate a hard dollar construction cost of not less than \$900,000.00 may be considered for six-year real property tax abatement.

(2) Rehabilitation: Proposed rehabilitation of existing structures located within Hendricks County for mixed use development, and which propose a hard dollar cost of not less than \$300,000.00 for rehabilitation, may be considered for six-year real property tax abatement.

(d) Ten-Year General Standards:

(1) New Construction: Proposed mixed use developments which incorporate a hard dollar construction cost of not less than \$1,500,000.00 for new construction may be considered for ten-year real property tax abatement.

(2) Rehabilitation: Proposed rehabilitation of existing structures located within Hendricks County for mixed use development, and which propose a hard dollar cost of not less than \$600,000.00 for rehabilitation, may be considered for ten-year real property tax abatement.

(e) Compliance With State Law: All applicants seeking real property tax abatement consideration under this Section must comply with all applicable regulations set forth in I.C. 6-1.1-12.1-1 et seq.

SECTION VI

Institutional Development

Real Property Tax Abatement

(a) The Hendricks County Council believes that the following general standards have a reasonable relationship to the development objectives for institutional development within the County, and would warrant tax abatement consideration as set forth herein.

(b) Three-Year General Standards:

(1) New Construction Only: Proposed new construction of institutional developments which are to be located within Hendricks County may be considered for three-year real property tax abatement.

(c) Compliance With State Law: All applicants seeking real property tax abatement consideration under this Section must also comply with all applicable regulations set forth in I.C. 6-1.1-12.1-2 et seq.

SECTION VII

Industrial Development

Real Property Tax Abatement

(a) The Hendricks County Council believes that the following general standards have a reasonable relationship to the development objectives for industrial development within the County, and would warrant tax abatement consideration as set forth herein.

(b) Three-Year General Standards:

(1) New Construction: Proposed industrial developments which incorporate new construction hard dollar cost of not less than \$200,000.00 may be considered for three-year real property abatement.

(c) Six-Year General Standards:

(1) New Construction: Proposed industrial developments which incorporate new construction hard dollar cost of not less than \$400,000.00 may be considered for six-year real property abatement.

(d) Ten-Year General Standards:

(1) New Construction: Proposed industrial developments which incorporate new construction hard dollar cost of not less than \$600,000.00 may be considered for ten-year real property abatement.

(e) Compliance With State Law: All applicants seeking real property tax abatement consideration under this Section must comply with all applicable regulations set forth in I.C. 6-1.1-12.1-1 et seq.

SECTION VIII

Warehouse Development

Real Property Tax Abatement

(a) The Hendricks County Council believes that the following general standards have a reasonable relationship to the development objectives for warehouse development within the County, and would warrant tax abatement consideration as set forth herein.

(b) Three-Year General Standards:

(1) New Construction and Rehabilitation: Proposed warehouse development of new construction or rehabilitation with a hard dollar cost of not less than \$750,000 may be considered for three-year tax abatement.

(c) Six-Year General Standards:

(1) New Construction and Rehabilitation: Proposed warehouse development of new construction or rehabilitation with a hard dollar cost of not less than \$1,500,000.00 may be considered for six-year real property tax abatement.

(d) Ten-Year General Standards:

(1) New Construction and Rehabilitation: Proposed warehouse development of new construction or rehabilitation with a hard dollar cost of not less than \$3,000,000.00 may be considered for ten-year real property tax abatement.

(e) Compliance With State Law: All applicants seeking real property tax abatement consideration under this Section must also comply with all applicable regulations set forth in I.C. 6-1.1-12.1-1 et seq.

SECTION IX

Council's Authority to Enlarge Real Property Tax Abatement General Standards

(a) The Hendricks County Council believes that pursuant to its Home Rule authority set forth in I.C. 36-1-3-1 et seq., and the authority granted to it under I.C. 6-1.1-12.1-1 et seq., and it has the authority to declare areas within the County as Economic Revitalization Areas (ERA) which do not meet the general standards for real property tax abatement set forth in Sections IV through VIII.

(b) The Hendricks County Council therefore declares that individuals who desire to petition for real property tax abatement which do not meet the General Standards set forth herein but nevertheless have a business or business development that is unique in the total number of jobs created, salary levels of the jobs, total investment in building and equipment or similar characteristics, may do so by filing proper petitions and forms of declaratory and confirmatory resolutions with the Hendricks County Auditor. Such forms shall set forth in detail the reasons why they believe their circumstances create a unique opportunity for Hendricks County and that they should be granted such abatement and declared an ERA.

(c) The Tax Abatement Committee, as the preliminary review body shall review such Petitions, and Declaratory and Confirmatory Resolutions on a project by project basis and make its Report to the Hendricks County Council which shall have the sole absolute authority as the

designating body to declare ate area to be an Economic Revitalization Area for tax abatement purposes.

(d) The Tax Abatement committee in its Report and the Hendricks County Council in its decision shall make specific findings supporting their conclusion that there is or is not a rational basis for the determination that the area should be declared an Economic Revitalization Area.

(e) Real property tax abatement granted under this Section shall be limited to the specific amount of years determined by the Hendricks County Council to be appropriate under the circumstances. The Hendricks County Council shall have the sole and absolute discretion to determine the specific amount of years of tax abatement.

SECTION X

Personal Property Tax Abatement

(a) The Hendricks County Council believes that the following general standards have a reasonable relationship to the development objectives of promoting the installation of new manufacturing equipment within Hendricks County, Indiana, and would warrant tax abatement consideration as set forth herein.

(b) Five and Ten Year General Standards:

(1) All applicant seeking a five or ten year personal property tax abatement must comply with all provisions of I.C. 6-1.1-12.1-4.5 and the provisions of Sections XI and XIII that are applicable.

(2) The Hendricks County Council may grant a five or ten year personal property tax abatement based on but not limited to the following factors:

- (i) Useful life of machinery;
- (ii) Assessed value of machinery being replaced;
- (iii) Impact of abatement on existing tax increment financing district;
- (iv) Aggregate capital investment in buildings and machinery; and
- (v) Number of jobs created.

(c) Applicants seeking personal property tax abatement must verify that the new manufacturing equipment will be used in conjunction with uses within major groups 20 through 39 or 42 of the Standard Industrial classification Manual as published by the United States Office of Management and Budget.

SECTION XI

Agreement For Tax Abatement

(a) The Hendricks County Council shall require that all applicants for Economic Revitalization Area designation enter into an Agreement with the Hendricks County Council following adoption of a declaratory resolution and prior to the public hearing on the Economic Revitalization Area designation request. The Memorandum of agreement shall contain the investment levels, job creation and/or retention levels and wage rates the applicant has committed to the County in order to receive consideration for Economic Revitalization area designation. A final public hearing on the Economic Revitalization Area designation request shall not be held unless the Memorandum of Agreement has been completed.

SECTION XII

Corporate Citizenship

(a) Applicants receiving tax abatements from the Hendricks County Council are encouraged to contribute to the development of the overall Hendricks County Community through participation in professional, volunteer, service and not-for-profit organizations.

SECTION XIII

Information Required of Applicants Seeking Tax Abatement Designation Application Required

(a) Owners Must File. Owners of real property or new manufacturing equipment located within the County may petition the Hendricks County Council on forms provided by the Hendricks County Auditor for real or personal property tax abatement consideration. All information and attachments required by the Designation Application must be completed and filed with the Hendricks County Auditor together with a filing fee of two hundred and fifty dollars (\$250.00) to cover processing and administrative costs.

(b) Petition Information: Property owners petitioning for tax abatement shall provide the following information on the petition to enable the Hendricks County Council to consider their request:

(1) The name(s) and address(es) of the real property owner(s) (and personal property owner(s), in case of the request for personal property tax abatement), and any other person(s) leasing, intending to lease, or having an option to purchase such property, and a brief description of the business.

(2) If the business organization is publicly held, the name of the corporate parent and the name under which the corporation is filed with the Securities Exchange Commission.

(3) The legal description and commonly known address of the real property for which real property abatement is being petitioned; or the legal description and commonly known address of the facility at which the new manufacturing equipment for which tangible personal property tax abatement is being petitioned will be located. In addition, the petition MUST include

the complete parcel number (14 characters) for each parcel to be designated an economic revitalization area (ERA). Said parcel number can be determined in the real estate records of the office of the Hendricks County Auditor.

(4) A map and/or plat describing the area where tax abatement is being requested.

(5) The current assessed valuation of the real property improvement before rehabilitation, redevelopment, economic revitalization, or improvement; or the current assessed valuation of the tangible personal property to be replaced by the new manufacturing equipment.

(6) A description of the proposed project (whether rehabilitation, new construction, or installation of new manufacturing), including information about physical improvements to be made or the new manufacturing equipment to be installed, an estimate of the cost of the project, the amount of land to be used, the proposed use of the improvements, and a general statement as to the value of the project to the business.

(7) an estimate of the number of new permanent jobs to be created by the project within one (1) year, a statement of the current number of permanent and part-time jobs at the location and impact on those current jobs to be caused by the project, and the projected annual salaries for each such position to be created.

(8) Verification that no building permit has been issued for construction on the property for the improvement proposed or verification that the new manufacturing equipment has not been installed.

(9) The Standard Industrial Classification Manual major group within which the proposed project would be classified, by number and description.

(10) The Internal Revenue Service Code of principal business activity by which the proposed project would be classified, by number and description.

(11) A description of actual or anticipated public financing for the project.

(12) For real property tax abatement, a description of how the property in question has become undesirable for or impossible of normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements, or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values and prevent a normal development of the property or property use.

(13) For personal property tax abatement, a description of why the facility or group of facilities to be replaced are technologically, economically or energy obsolete, whereby the obsolescence may lead to a decline in employment and tax revenues; together with a verification that the new manufacturing equipment will be used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining or refinishing of other

tangible personal property and that the new manufacturing equipment was never before used by its owner for any purpose in Indiana.

(14) The name, address, and telephone number of the person to contact regarding notice of Council meetings and public hearings concerning the petition.

(15) The real and personal property taxes paid at the location during the previous five (5) years, whether paid by the current owner or a previous owner.

(16) An estimate of the after-rehabilitation market value of the real property or an estimate of the market value of the new manufacturing equipment after installation.

SECTION XIV

Statement of Benefits, Declaratory and Confirmatory Resolutions Required.

(a) In addition to the completed petition, filing fee, and related documents required by Section XIV, the owners of real property or new manufacturing equipment must file a completed Statement of Benefits form at the time of filing the petition.

(b) Proposed forms of Declaratory and Confirmatory Resolutions are also required of the owner at time of filing said petition.

(c) The provisions of I.C. 6-1.1-12.1-3 shall be followed by the designating body when reviewing such documents required by this Section.

SECTION XV

Review by the Tax Abatement Committee

(a) Upon the filing of a completed Tax Abatement Petition, including all attachments, filing fee, Statement of Benefits Form, and the Declaratory and Confirmatory Resolutions by the owner, the Hendricks County Auditor shall review said documents and make a determination that the application is complete or not complete. If the application or information is incomplete, the Hendricks County Auditor shall contact the applicant and advise the applicant of the deficiencies in the application. If the application and information is complete, the application shall be submitted to the Hendricks County Tax Abatement Committee for review. Said review shall be for informational purposes only, and shall not be binding on the designating body.

(b) The Hendricks County Tax Abatement Committee shall review the Petition, Statement of Benefits, and all attachments thereto. It shall also have the authority to request additional information from the petitioner which is relevant to the Petition and Statement of Benefits.

(c) no later than fifteen (15) working days from the receipt of said documents from the Hendricks County Auditor, the Hendricks County Tax Abatement Committee shall prepare a written report setting forth its advisory findings. Said report shall be provided to the Hendricks County Council members, the Hendricks County Auditor, and the Petitioner.

(d) Said report shall address, but not be limited to addressing, the following:

(1) Whether all required information was originally submitted by the petitioner. In the event that additional information was requested of the petitioner, the report shall address such requests and the response received from the petitioner.

(2) Whether the information contained in the Petition and Statement of Benefits indicates that the requirements of this Ordinance are met by the project as described in the petition.

(3) Whether zoning requirements have been met, and, if not, the zoning issues to be resolved.

(4) Whether the project is located in a tax allocation area, as defined in I.C. 36-7-14-39, and if so, whether the Hendricks County Redevelopment Commission has adopted a resolution approving the application. A copy of such a resolution if required shall be attached to the report.

(5) If additional terms of tax abatement have been proposed a copy of the proposed agreement shall be attached to the report.

(6) Whether, in the Tax Abatement Committee's opinion, a deduction should be allowed based on the following:

(i) Whether the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of this nature.

(ii) Whether the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

(iii) Whether the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

(iv) Whether any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

(e) The Committee's report shall also have attached to it a copy of the Petition and Statement of Benefits form and all attachments thereto.

SECTION XVI

County Council's Review of Declaratory Resolution

(a) The Hendricks County Council shall hold a public hearing on the petitioner's Declaratory Resolution pursuant to I.C. 6-1.1-12.1-2.5.

(b) The Petitioner, and/or its representative, shall be required to attend the public hearing and present evidence to the County Council as to why it believes it qualifies for the requested abatement.

(c) If the Hendricks County Council finds that the property qualifies as an economic revitalization area under the terms of this Ordinance and I.C. 6-1.1-12.1-1(1), the County Council may adopt a resolution declaring the property as an economic revitalization area for purposes of tax abatement. Said Resolution shall specify whether the abatement is for real property tax deduction or for personal property tax deduction, the length of time during which the area shall be so designated, and the general boundaries of the area by describing its location in relation to public ways. If the abatement is for real property taxes, the County Council shall specify whether the abatement is for three(3), six (6), or ten (10) years. Upon the adoption of the declaratory resolution, the Hendricks County Auditor shall file the resolution with the Hendricks County Assessor, together with supporting data required by I.C. 6-1.1-12.1-2.5.

(d) If the area is located within an allocation area as defined in I.C. 36-7-14-39, as declared by the Hendricks County Redevelopment Commission, the Hendricks County Council shall not adopt a declaratory resolution declaring an area to be an economic revitalization area for the purposes of either real property tax deduction or personal property tax deduction if the Commission has not adopted a resolution approving the petition.

(e) Upon adoption of the declaratory resolution, the Hendricks County Auditor shall cause notice of the adoption to be published pursuant to I.C. 5-3-1, and shall include in the notice information about the adoption of the declaratory resolution, the substance of the resolution, that a description of the affected area is available and can be inspected in the Hendricks County Assessor's Office, the date when the Hendricks County Council will receive and hear all remonstrances and objections from interested persons; and any other information required by I.C. 6-1.1-12.1-2.5.

SECTION XVII

Confirmatory Resolutions

(a) Following the legal publication and on the date published in the legal notice, a public hearing on the confirmatory resolution shall be held by the Hendricks County Council. The

petitioner, and/or its representative, shall be present and shall be required to present evidence why it believes the tax abatement requested should be granted. At which time the Council shall receive and hear all remonstrances and objections from interested persons pertaining to the petition. At the public hearing, the Council shall determine whether the petition complies with this Ordinance and with I.C. 6-1.1-12.1 et seq., and shall consider all pertinent requirements for economic revitalization areas prior to taking final action determining whether the petition meets qualifications for an economic revitalization area and confirming, modifying and confirming, or rescinding the declaratory resolution. The determination of the Hendricks County Council is final except that an appeal may be taken and heard as provided by I.C. 6-1.1-12.1-2.5(d) and (e).

(b) The Hendricks County Council must make a determination as to whether the deductions shall be allowed and make specific findings pursuant to I.C. 6-1.1-12.1-3. The Council must further comply with I.C. 6-1.1-12.1-4.5 and make specific finding thereto when considering personal property tax abatement requests.

(c) In declaring an area an economic revitalization area (ERA), the designating body may:

(1) Limit the time period to a certain number of calendar years during which the area shall be so designated;

(2) Limit the type of deductions that will be allowed within the economic revitalization area to either the deduction allowed under I.C. 6-1.1-12.1-3, or the deduction allowed under I.C. 6-1.1-12.1-4.5;

(3) Limit the dollar amount of the deduction that will be allowed with respect to new manufacturing equipment if a deduction had not been filed before July 1, 1987, for that equipment;

(4) Limit the dollar amount of the deduction that will be allowed with respect to redevelopment and rehabilitation occurring in areas that are designated as economic revitalization areas on or after September 1, 1988; or

(5) Impose reasonable conditions related to the purpose of state law or the general standards adopted herein for allowing the deduction for the redevelopment or rehabilitation of the property or the installation of new manufacturing equipment.

To exercise one (1) or more of the above described powers, the County Council must include this fact in the Resolutions adopted.

SECTION XVIII

Annual Review of Petitions by the Council

(a) All property owners who receive approval of their real and/or personal property tax abatement requests as a result of the Hendricks County Council's action under this Section

shall be required to appear before the County Council. Such appearances shall take place at a County Council meeting following the petitioner's filing of the first Certified Declaration Application with the Hendricks County Auditor, required by the State Board of Tax Commissioners pursuant to I.C. 6-1.1-12.1-5.

(b) Additionally, the petitioner shall file with the Hendricks County Council an annual report that shall include, but not be limited to the following information:

(1) Completed compliance with Statement of Benefits Form;

(2) The name and address of the person(s) filing the report;

(3) The amount of real and/or personal property taxes paid for the property during the year before the property was declared as an economic revitalization area and during the most recent tax year; and

(4) The current number of part-time and full-time jobs, specifying whether permanent or temporary, and the number of such jobs as of the end of the year immediately prior to receiving tax abatement.

(c) A property owner who fails to file an annual report on or before March 1st may be subject to revocation of their tax abatement pursuant to Section XX.

(d) The Hendricks County Council shall review the material presented by the Petitioner in comparison to the information published by the Hendricks County Auditor as required by I.C. 6-1.1-12.1-8.

(e) The Hendricks County Council shall specifically advise each property owner in writing as to whether subsequent appearances before the County Council shall be necessary. If such additional appearances are not required, the property owner shall be duly advised that their future Annual Reports may be mailed. Failure to mail such completed reports may result in revocation of the tax abatement by the County Council.

SECTION XIX

Failure of Petitioner to Comply May Result in Revocation of Tax Abatement by County Council

(a) Hendricks County, Indiana, believes that the granting of a request for real and/or personal property tax abatement under the terms and conditions of this Ordinance results in a contractual arrangement between the County and the property owner granted abatement.

(b) Therefore a Petitioner who fails to achieve the estimates set forth in its original Petition for Tax Abatement Consideration and its Statement of Benefits may have its tax abatement revoked by the Hendricks County Council.

(c) A Petitioner who fails to file its Annual Report and meet with the County Council as required herein may have the tax abatement revoked by the County Council.

(d) Petitioners who comply with the Annual Report and meeting requirements, but fail to provide evidence as to why they have not achieved the estimates set forth in their documents used by the County Council when granting the abatement, may have the tax abatement revoked by the County Council.

SECTION XX

Severability of Article

(a) The terms and conditions set forth in this Ordinance are determined to be in the best interests of Hendricks County, Indiana, in the tax abatement area.

(b) All procedures are believed to consistent with HomeRule and I.C. 6-1.1-12.1-1 et seq.

(c) If however any provisions in said Ordinance are found to be inconsistent by a competent Court of law, the remaining provisions herein shall remain in full force and effect.

This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

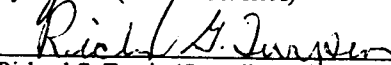
SECTION XXI


Councils Reservation of Rights

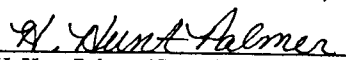
(a) Nothing herein shall be considered mandatory upon the council to grant a petition for abatement. Hendricks County Council expressly reserves the right to accept or reject any petition.

Passed and Adopted this 7th day of October, 1997

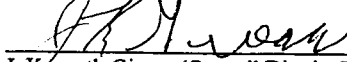

Lydia Gibbs (Council District I)

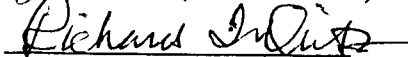

Richard G. Turpin (Council District II)

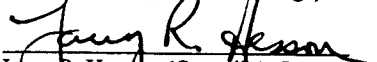

Paul T. Hardin (Council District III)


H. Hunt Palmer (Council At-Large)

HENDRICKS COUNTY COUNCIL~


J. Kenneth Givan (Council District IV)


Richard Dietz (Council At-Large)


Larry R. Hesson (Council At-Large)

**HENDRICKS COUNTY COUNCIL
INNKEEPERS' AMENDED TAX ORDINANCE
ORDINANCE NO. 38 -1997**

WHEREAS, it is 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 I.C.6-9-18, which chapter enables Hendricks County, by and through its County Council, to levy an Innkeepers' Tax in furtherance of the policy hereinabove stated.

NOW THEREFORE, BE IT ORDAINED by the Hendricks County Council as follows:

SECTION I:

- 1) A tax is hereby levied on every hotel, motel, or inn engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room(s), lodging or accommodations located in Hendricks County, Indiana.
- 2) The tax does not apply to gross income received in a transaction in which:
 - a) a person rents a room, lodging, or accommodations for a period of thirty (30) days or more.
- 3) The tax shall be levied at the rate of five percent (5%) on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under I.C. 6-2.5.
- 4) The tax shall be reported on forms approved by the Hendricks County Treasurer and shall be paid monthly to the Hendricks County Treasurer not more than twenty (20) days after the end of the month in which the tax is collected. The provisions of I.C. 6-2.5 relating to rights, duties, liabilities, procedures, penalties, and definitions apply to the imposition of the tax imposed by Section 3 of this Chapter. The County Treasurer is responsible for administration of the tax. All of the provisions of I.C. 6-2.5 relating to the rights, duties, liabilities, procedures, penalties, definitions, and administration are applicable to the imposition and administration of the tax imposed under this section except to the extent those provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. All provisions of I.C. 6-2.5 apply to the County Treasurer with respect to the tax imposed by this section in the same manner that they apply to the Department of State Revenue with respect to listed taxes under I.C. 6-1.1-1-1.

SECTION II:

The Treasurer of Hendricks County, shall forthwith establish a "Convention, Recreation, and Visitor Promotion Fund". The Treasurer shall deposit in this fund, all amounts received under this Ordinance. Money in this fund, including but not limited to, tax receipts under Section I of this Ordinance and any accumulated income therefrom, may be expended to promote and encourage conventions, tradeshow, special events, recreation and visitors or industrial development within Hendricks County and any other use permitted under the statute. Expenditures of funds so collected shall be as set forth in a budget to be submitted annually by the Board of Commissioners of Hendricks County, Indiana to this County Council for its review and subject to its approval. No expenditures may be made using such funds unless first

receiving approval from the Board of Commissioners and in the accordance with an appropriation by this County Council in the manner provided by law.

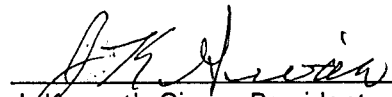
SECTION III:

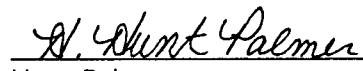
All of the provisions of I.C. 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, and administration are applicable to the imposition and administration of the tax imposed under this Ordinance except to the extent those provisions are in conflict or inconsistent with the specific provisions of this Ordinance or requirements of the Treasurer of Hendricks County, Indiana.

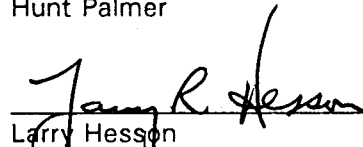
SECTION IV:

Any entity, person, corporation, or other business described in Section I of this Ordinance shall begin collection of the tax imposed by this Ordinance on the 1st day of January, 1997. 1998

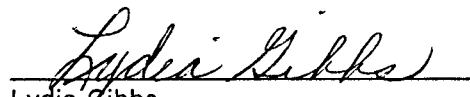
Passed and approved by the County Council of Hendricks County, Indiana, this 7 day of ~~September~~, 1997.
OCTOBER

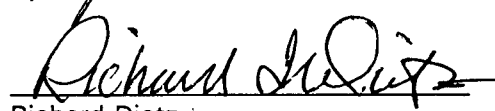

J. Kenneth Givan, President


Hunt Palmer


Larry Hesson


Paul T. Hardin


Lydia Gibbs


Richard Dietz


Richard G. Turpin

ATTEST:


Hendricks County Auditor

*File at beginning of
1997 Ordinances*

AMENDMENT TO 1997 HENDRICKS COUNTY SALARY ORDINANCE

WHEREAS, the Hendricks County Council is the fiscal body that approves the salaries paid for positions held in Hendricks County; and

WHEREAS, enumerated below is an amendment to the listed County appropriations and the approved salaries for 1997; and

NOW THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY, INDIANA:

SECTION #1: That the Hendricks County Council hereby approves the amendment to the listed appropriations based on 26 pays per year for the positions in Hendricks County, Indiana, as shown below. In the event of a turnover for any position, the starting wage could be less than, but shall not exceed the existing amount originally appropriated without an amendment. In the event of overtime for non-exempt employees, the rate is figured at time and one half of the base pay. Overtime would be in addition to the base pay listed. Part time salary range can be no less than \$5.35 per hour and no more than \$7.64 per hour.

DEPARTMENT APPROPRIATION	ORIGINAL REQUEST	APPROVED REQUEST	NOTE
PROSECUTOR IV-D			
01-084-114	14560.00	17428.00	SEE NOTE A
CLERK			
01-101-114	14560.00	15288.00	
01-101-115	19820.00	20803.00	
01-101-116	14560.00	15288.00	
01-101-117	17745.00	18655.00	
01-101-118	16473.00	17292.00	
01-101-119	14560.00	14760.00	
01-101-120	14560.00	15216.00	
01-101-122	14560.00	15288.00	
01-101-123	14560.00	15288.00	
01-101-124	14560.00	15288.00	
01-101-125	14560.00	14852.00	
01-101-127	14560.00	15288.00	
01-101-128	14560.00	15288.00	
01-101-129	14560.00	15288.00	
AUDITOR			
01-102-113	22514.00	23661.00	
01-102-114	16167.00	15764.00	
01-102-115	17101.00	18109.00	
01-102-116	16762.00	18109.00	
01-102-117	18200.00	18109.00	
01-102-118	21330.00	22386.00	
01-102-119	15520.00	18109.00	
01-102-120	14560.00	15743.00	
01-102-121	14560.00	15288.00	
01-102-122	14560.00	14560.00	
TREASURER			
01-103-113	15233.00	15997.40	
01-103-115	16762.00	18108.80	
01-103-116	14560.00	15288.00	
01-103-117	16762.00	17781.20	
RECORDER			
01-104-114	15233.00	15994.65	
01-104-115	14560.00	15724.80	
SHERIFF			
01-105-113	14560.00	13250.00	
01-105-116	18308.00	19223.40	
01-105-117	18308.00	2221.80	
01-105-152	75600.00	90283.67	
01-105-153	15171.00	15929.55	
01-105-154	39524.00	40316.22	

01-105-155	25726.00	26161.38	
01-105-157	26194.00	26717.90	
01-105-158	37653.00	38348.04	
01-105-159	34003.00	34683.16	
01-105-161	37653.00	38405.96	
01-105-162	38355.00	39122.00	
01-105-163	37653.00	38296.25	
01-105-164	33444.00	34112.98	
01-105-167	30429.00	30808.04	
01-105-168	32041.00	33076.30	
01-105-169	29935.00	30349.54	
01-105-171	29468.00	30057.42	
01-105-173	32041.00	32793.96	
01-105-174	29001.00	29581.06	
01-105-177	28532.00	29102.70	
01-105-178	28532.00	29102.70	
01-105-179	28532.00	29102.70	
01-105-180	28532.00	29102.70	
01-105-181	31573.00	32204.54	
01-105-182	31573.00	32204.54	
01-105-184	16782.00	17525.67	
01-105-185	14560.00	15303.67	
01-105-186	14560.00	15303.67	
01-105-187	14560.00	15303.67	
01-105-189	26661.00	27194.26	
01-105-191	26661.00	27194.26	
01-105-192	26661.00	27194.26	
01-105-193	26194.00	26717.90	
SURVEYOR			
01-106-114	17436.00	18104.64	
01-106-115	19397.00	20948.20	
01-106-116	18307.00	19019.00	
01-106-117	20085.00	20887.00	
01-106-118	14560.00	15008.00	
01-106-150	1000.00	1200.00	
CORONER			
01-107-112	2106.00	2210.00	
01-107-115	1200.00	2550.00	
PROSECUTOR			
01-108-113	19000.00	19950.00	
01-108-114	18000.00	18900.00	
01-108-115	18000.00	18540.00	
01-108-116	27710.00	29825.00	
01-108-121	18000.00	18720.00	
ASSESSOR			
01-109-113	14560.00	15385.30	
01-109-114	14560.00	15724.80	

01-109-115	14560.00	15724.80	
01-109-116	14560.00	14996.80	
LINCOLN TWP			
01-112-113	945.00	545.00	
EXTENSION ED			
01-130-115	20279.00	21293.00	
01-130-116	18023.00	18924.00	
PLANNING COMM			
01-131-112	27618.00	28998.84	
01-131-113	24999.00	26250.00	
01-131-114	15398.00	14100.00	
01-131-118	29012.00	30172.48	
01-131-119	16168.00	17053.40	
01-131-120	21788.00	22900.00	
01-131-122	16667.00	17053.40	
01-131-123	3000.00	17560.00	SEE NOTE B
01-131-124	20889.00	22090.12	
01-131-125	21272.00	22654.58	
01-131-126	20890.00	21725.60	
01-131-128	18788.00	19604.00	
01-131-129	18788.00	16828.00	
01-131-130	19397.00	20434.00	
01-131-131	0.00	28000.00	SEE NOTE C
01-131-152	3000.00	5500.00	
COMMISSIONERS			
01-135-113	20280.00	21294.00	
CUSTODIAL			
01-136-112	13195.00	13904.80	
01-136-113	17336.00	18345.60	
01-136-114	11372.00	12392.40	
01-136-115	11372.00	12339.60	
01-136-116	11372.00	12339.60	
01-136-150	7500.00	6300.00	
01-136-152	1500.00	2700.00	
JAIL			
01-137-112	25726.00	26240.76	
01-137-116	13905.00	14648.67	
01-137-117	18473.00	19947.20	
01-137-121	19637.00	20694.75	
01-137-122	19637.00	20694.75	
01-137-123	11735.00	12359.36	
01-137-127	18673.00	14112.92	

01-137-152	10000.00	29121.68	
01-137-153	50000.00	50090.00	
01-137-154	19637.00	20694.70	
01-137-156	21698.00	22755.75	
01-137-157	25507.00	26564.75	
01-137-158	25507.00	26564.75	
01-137-159	22932.00	21187.00	
01-137-160	19637.00	14617.08	
01-137-161	23131.00	24188.75	
01-137-162	32341.00	32838.60	
01-137-164	19637.00	20694.75	
01-137-165	20141.00	16825.92	
01-137-166	23131.00	21386.00	
01-137-167	25507.00	26564.75	
01-137-168	23131.00	24188.75	
01-137-169	21698.00	24188.75	
01-137-170	19637.00	20694.75	
01-137-171	19637.00	20694.75	
01-137-173	19637.00	24188.75	
01-137-174	23131.00	20694.75	
01-137-175	19637.00	20694.75	
01-137-176	14472.00	15096.36	
01-137-177	0.00	13157.00	
01-137-178	11682.00	12306.36	
01-137-179	12862.00	13486.36	
01-137-181	19637.00	18917.00	
01-137-182	19637.00	20694.75	
01-137-184	23131.00	24188.75	
01-137-185	23131.00	24188.75	
01-137-186	23131.00	24188.75	
01-137-187	19637.00	21414.75	
01-137-188	19637.00	20694.75	
01-137-189	23131.00	24188.75	
01-137-190	19637.00	14655.40	
01-137-191	19637.00	20694.75	
01-137-192	19637.00	20694.75	
01-137-193	19637.00	20694.75	
COUNTY HOME			
01-138-116	14487.00	15222.00	
01-138-117	13159.00	13833.80	
01-138-119	15070.00	15137.20	
01-138-122	13905.00	14612.00	
01-138-123	11375.00	11961.60	
01-138-124	13905.00	14612.00	
01-138-125	11375.00	11907.00	
01-138-126	13905.00	14612.00	
01-138-127	14396.00	15131.00	
01-138-128	13250.00	13924.50	
01-138-129	15233.00	16010.00	
01-138-150	10000.00	7102.10	

01-138-152	7773.00	10773.00	
CIRCUIT COURT			
01-139-113	18425.00	19346.00	
01-139-116	21272.00	22335.60	
01-139-117	10635.00	11166.80	
01-139-118	21272.00	22335.60	
01-139-152	3000.00	5200.00	
01-139-195	2200.00	0.00	
SUPERIOR I			
01-140-112	21272.00	22548.32	
01-140-113	21272.00	22548.32	
01-140-114	18424.00	19254.00	
01-140-150	16768.00	17268.00	
01-140-152	3000.00	3732.43	
SUPERIOR II			
01-141-112	18425.00	19585.00	
01-141-113	18600.00	19760.00	
01-141-114	18425.00	19585.00	
01-141-115	18425.00	19585.00	
01-141-116	21272.00	22432.00	
01-141-117	21272.00	21272.00	
01-141-152	3000.00	2600.00	
01-141-196	100.00	300.00	
01-141-197	100.00	300.00	
EMERGENCY MGMT			
01-142-150	0.00	1200.00	SEE NOTE D
ENGINEER			
01-143-112	29834.00	31549.37	
01-143-113	23814.00	25081.26	
01-143-114	22950.00	24292.69	
01-143-116	20348.00	21417.87	
01-143-117	20713.00	21945.69	
01-143-118	30407.00	32189.79	
01-143-119	18473.00	20129.16	
01-143-120	18473.00	16750.72	
01-143-121	16598.00	16897.13	
01-143-122	17436.00	18798.99	
01-143-124	37037.00	39395.12	
01-143-126	23814.00	25237.23	
01-143-152	6000.00	3589.49	
01-143-154	14560.00	15471.44	
ANIMAL CONTROL			
01-144-111	27490.00	30761.90	SEE NOTE E
01-144-112	17417.00	18189.00	
01-144-113	17417.00	18189.00	

01-144-114	17417.00	18189.00	
01-144-115	14560.00	15724.80	
WEIGHT/MEASURE			
01-145-111	11380.00	8640.00	SEE NOTE F
01-145-150	0.00	2740.00	SEE NOTE G
ELECTION			
01-146-112	20088.00	21093.00	
01-146-116	14560.00	15724.00	
01-146-122	14560.00	14851.00	
01-146-123	10000.00	4500.00	
COMPUTER CTR			
01-147-111	22782.00	24423.00	
01-147-112	20279.00	21796.00	
01-147-113	20105.00	15105.00	
01-147-152	5000.00	10000.00	
CIRCUIT CT PROB			
01-150-113	28029.00	30096.00	
01-150-114	24359.00	22330.00	
01-150-115	24359.00	28288.00	
01-150-120	27160.00	28288.00	
MICROFILM			
01-152-112	18291.00	19209.00	
01-152-113	14560.00	15288.00	
01-152-114	5000.00	10850.00	SEE NOTE H
SUPERIOR III			
01-153-112	18424.00	18928.00	
01-153-113	21272.00	22754.00	
01-153-114	21272.00	22335.00	
01-153-115	18424.00	19345.00	
01-153-116	18424.00	19345.00	
SOIL/WATER			
01-155-111	19361.00	20329.00	
HIGHWAY			
02-201-112	31000.00	31930.00	
02-201-113	22512.00	24258.00	
02-201-121	28679.00	25779.00	
02-201-122	26510.00	24010.00	
02-201-123	26147.00	23547.00	
02-201-124	28316.00	25516.00	
02-201-125	29039.00	25439.00	
02-201-126	29039.00	25939.00	
02-201-127	27233.00	24833.00	
02-201-128	29666.00	26666.00	

02-201-129	29666.00	25866.00	
02-201-130	26870.00	24370.00	
02-201-131	29039.00	26539.00	
02-201-132	29039.00	26439.00	
02-201-133	28316.00	25716.00	
02-201-134	22943.00	20143.00	
02-201-135	29039.00	26439.00	
02-201-136	29666.00	26766.00	
02-201-137	29039.00	26239.00	
02-201-138	26147.00	23247.00	
02-201-139	29039.00	26139.00	
02-201-140	26510.00	24210.00	
02-201-141	28316.00	25316.00	
02-201-142	26147.00	23247.00	
02-201-145	29039.00	26239.00	
02-201-148	29666.00	26666.00	
02-201-150	26744.00	24474.00	
02-201-151	26147.00	21147.00	
02-201-152	20000.00	100300.00	
02-201-155	24823.00	22223.00	
02-201-157	29039.00	26439.00	
BRIDGE			
25-203-112	28679.00	25679.00	
25-203-113	28679.00	26379.00	
25-203-115	29039.00	26439.00	
25-203-116	26510.00	24010.00	
25-203-117	31927.00	32338.10	SEE NOTE I
25-203-152	0.00	10400.00	
HEALTH			
05-213-113	18520.00	19496.00	
05-213-114	30617.00	32454.00	
05-213-117	18520.00	19496.00	
05-213-118	14560.00	15632.00	
05-213-119	14560.00	15192.00	
05-213-121	29012.00	31162.00	
05-213-122	23736.00	25184.00	
05-213-123	27617.00	29048.00	
05-213-124	28152.00	31340.00	SEE NOTE J
05-213-125	27617.00	29048.00	
05-213-127	26000.00	27780.00	SEE NOTE K
HEALTH FAMILY			
06-513-112	20500.00	20950.00	
06-513-150	10920.00	10470.00	
REASSESSMENT			
09-505-111	14560.00	14996.80	
09-505-112	14560.00	15385.30	
09-505-113	14560.00	14996.80	

CIRCUIT CT PROB			
16-319-150	0.00	4000.00	SEE NOTE L
911			
17-516-112	20930.00	21987.75	
17-516-114	23131.00	24188.75	
17-516-115	21710.00	22767.75	

NOTE A	UPGRADE POSITION HELD BY MELINDA ARCHER FROM PARTTIME TO FULLTIME AS APPROVED BY COUNCIL
NOTE B	CHANGE POSITION HELD BY JOANNE GARCIA FROM TEMPORARY TO FULLTIME AS APPROVED BY COUNCIL
NOTE C	APPROPRIATION DELETED FROM ORIGINAL SALARY ORDINANCE
NOTE D	ADDITION OF PARTTIME CLERICAL POSITION TO DEPARTMENT AS APPROVED BY COUNCIL
NOTE E	ADDITIONAL APPROPRIATION FOR UPGRADE OF POSITION AS APPROVED BY COUNCIL
NOTE F	APPROPRIATION REDUCED DUE TO DEPARTMENTAL REQUEST WITH APPROPRIATION REDUCTION TRANSFERRED TO ADDITIONAL APPROPRIATION FOR ADDITION OF A PARTTIME ASSISTANT AS APPROVED BY COUNCIL
NOTE G	ADDITION OF PARTTIME ASSISTANT TO DEPARTMENT AS APPROVED BY COUNCIL
NOTE H	CHANGE POSITION HELD BY TANIA MYNATT FROM PARTTIME TO FULLTIME AS APPROVED BY COUNCIL
NOTE I	ANNUAL WAGE INCREASE FOR STEVE MAXWELL AS APPROVED BY COUNCIL
NOTE J	REDUCTION OF APPROPRIATION FOR CONSISTENT NEW HIRE WAGE AS APPROVED BY COUNCIL
NOTE K	ADDITIONAL APPROPRIATION FOR CONSISTENT NEW HIRE WAGE AS APPROVED BY COUNCIL
NOTE L	ADDITIONAL APPROPRIATION FOR PARTTIME CLERK IN CIRCUIT COURT AS APPROVED BY COUNCIL

THE 1997 AMENDMENT HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED
ON THIS

12 & 22 DAY OF September, 1997 BY:

9/12/97 JK Arnold

Council President

9/12/97 James R. Henson

Council Vice-President

9/22/97 John D. Phyllis

Board of Commissioners President

1997 HENDRICKS COUNTY SALARY ORDINANCE

WHEREAS, the Hendricks County Council is the fiscal body that approves the salaries paid for positions held in Hendricks County; and

WHEREAS, enumerated below is the listed County appropriations and the approved salaries for 1997; and

NOW THEREFORE, BE IT ORDAINED BY THE HENDRICKS COUNTY COUNCIL, HENDRICKS COUNTY, INDIANA:

SECTION #1: That the Hendricks County Council hereby approves the listed appropriations based on 26 pays per year for the positions in Hendricks County, Indiana, as shown below. In the event of a turnover for any position, the starting wage could be less than, but shall not exceed the existing amount originally appropriated without an amendment.

SECTION #2: In the event of overtime for non-exempt employees, the rate is figured at time and one half of the base pay. Overtime would be in addition to the base pay listed.

SECTION #3: Hendricks County employees with employment status identified as part time (with exception of those identified in Section #4) or temporary will have a base salary range no less than \$5.35 per hour and no more than \$7.64 per hour.

SECTION #4: Hendricks County employees with employment status identified as part time remitted through a township will have a base salary range no less than \$5.35 per hour and no more than \$7.50 per hour.

SECTION #5: Elected Official, First Deputy and Department Head base wage will be increased by 5% of the gross income not to exceed an annual increase of \$1,762.00.

SECTION #6: Merit Deputy base wage will be increased by 6% of the gross income with an additional maximum 2% discretionary increase awarded based on performance.

SECTION #7: Highway Workers base wage will be increased by 3% of the gross income with an additional maximum 8% discretionary increase awarded based on performance.

SECTION #8: Hendricks County employees', not identified in Sections #3, #4, #5, #6 and #7, base wage will remain the same unless awarded a maximum 8% discretionary increase based on performance.

SECTION #9: All discretionary increases noted in Sections #6, #7 and #8 can not exceed the monetary allowance for each departmental fund as appropriated in the wage pool.

DEPARTMENT APPROPRIATION	APPROVED
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PROSECUTOR TITLE IV-D

01-084-112	31526.00
01-084-113	20279.00
01-084-114	14560.00
01-084-150	14560.00
01-084-152	1200.00
01-084-199	2470.00

CLERK

01-101-111	36996.00
01-101-112	27553.00
01-101-113	14560.00
01-101-114	14560.00
01-101-115	19820.00
01-101-116	14560.00
01-101-117	17745.00
01-101-118	16473.00
01-101-119	14560.00
01-101-120	14560.00
01-101-121	15234.00
01-101-122	14560.00
01-101-123	14560.00
01-101-124	14560.00
01-101-125	14560.00
01-101-126	2000.00
01-101-127	14560.00
01-101-128	14560.00
01-101-129	14560.00
01-101-150	5000.00
01-101-152	5000.00
01-101-199	12200.00

AUDITOR

01-102-111	36996.00
01-102-112	27553.00
01-102-113	22514.00
01-102-114	16167.00
01-102-115	17101.00
01-102-116	16762.00
01-102-117	18200.00
01-102-118	21330.00
01-102-119	15520.00
01-102-120	14560.00
01-102-121	14560.00
01-102-122	14560.00
01-102-150	7033.00
01-102-152	1000.00
01-102-199	8564.00

DEPARTMENT APPROPRIATION	APPROVED
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TREASURER

01-103-111	36996.00
01-103-112	27553.00
01-103-113	15233.00
01-103-114	14560.00
01-103-115	16762.00
01-103-116	14560.00
01-103-117	16762.00
01-103-150	10500.00
01-103-152	1050.00
01-103-199	3894.00

RECORDER

01-104-111	36996.00
01-104-112	27553.00
01-104-113	16763.00
01-104-114	15233.00
01-104-115	14560.00
01-104-150	3500.00
01-104-199	2328.00

SHERIFF

01-105-111	81762.00
01-105-113	14560.00
01-105-114	16702.00
01-105-115	3000.00
01-105-116	18308.00
01-105-117	18308.00
01-105-118	25726.00
01-105-150	5000.00
01-105-152	75600.00
01-105-153	15171.00
01-105-154	39524.00
01-105-155	25726.00
01-105-156	25726.00
01-105-157	26194.00
01-105-158	37653.00
01-105-159	34003.00
01-105-160	36952.00
01-105-161	37653.00
01-105-162	38355.00
01-105-163	37653.00
01-105-164	33444.00
01-105-165	33444.00
01-105-166	31068.00
01-105-167	30429.00
01-105-168	32041.00
01-105-169	29935.00
01-105-170	25726.00
01-105-171	29468.00
01-105-172	25726.00
01-105-173	32041.00
01-105-174	29001.00
01-105-175	25726.00
01-105-176	32976.00
01-105-177	28532.00
01-105-178	28532.00
01-105-179	28532.00

SHERIFF CONTINUED

01-105-179	28532.00
01-105-180	28532.00
01-105-181	31573.00
01-105-182	31573.00
01-105-184	16782.00
01-105-185	14560.00
01-105-186	14560.00
01-105-187	14560.00
01-105-190	25726.00
01-105-191	26661.00
01-105-192	26661.00
01-105-193	26194.00
01-105-199	6275.00

SURVEYOR

01-106-111	21308.00
01-106-112	14967.00
01-106-113	31326.00
01-106-114	17436.00
01-106-115	19397.00
01-106-116	18307.00
01-106-117	20085.00
01-106-118	14560.00
01-106-150	1000.00
01-106-152	1000.00
01-106-199	4489.00

CORONER

01-107-111	12326.00
01-107-112	2106.00
01-107-113	1587.00
01-107-115	1200.00
01-107-199	105.00

PROSECUTOR

01-108-112	38000.00
01-108-113	19000.00
01-108-114	18000.00
01-108-114	18000.00
01-108-115	18000.00
01-108-116	27710.00
01-108-117	38000.00
01-108-118	4500.00
01-108-119	38000.00
01-108-120	14000.00
01-108-121	18000.00
01-108-122	8000.00
01-108-124	18000.00
01-108-152	2000.00
01-108-199	6336.00

ASSESSOR

01-109-111	36996.00
01-109-112	27553.00
01-109-113	14560.00
01-109-114	14560.00
01-109-115	14560.00
01-109-116	14560.00
01-109-150	2500.00
01-109-199	2912.00

CENTER TOWNSHIP

01-110-111	9832.00
01-110-112	4735.00
01-110-113	4437.00

GUILFORD TOWNSHIP

01-111-111	11653.00
01-111-112	8429.00
01-111-113	700.00

LINCOLN TOWNSHIP

01-112-111	11724.00
01-112-112	12020.00
01-112-113	945.00

WASHINGTON TOWNSHIP

01-113-111	11653.00
01-113-112	13150.00

BROWN TOWNSHIP

01-114-111	5678.00
01-114-112	6288.00

CLAY TOWNSHIP

01-115-111	1864.00
01-115-112	1238.00

EEL RIVER TOWNSHIP

01-116-111	1864.00
01-116-112	2658.00
01-116-113	1393.00

FRANKLIN TOWNSHIP

01-117-111	1864.00
01-117-112	2563.00

LIBERTY TOWNSHIP

01-118-111	3411.00
01-118-112	4519.00

MARION TOWNSHIP

01-119-111	4937.00
01-119-112	2320.00

MIDDLE TOWNSHIP

01-120-111	2465.00
01-120-112	4078.00

UNION TOWNSHIP

01-121-111	1849.00
01-121-112	2770.00

EXTENSION AGENT

01-130-115	20279.00
01-130-116	18023.00
01-130-199	1915.00

PLANNING COMMISSION

01-131-111	54762.00
01-131-112	27618.00
01-131-113	24999.00
01-131-114	15398.00
01-131-115	5000.00
01-131-116	3300.00
01-131-118	29012.00
01-131-119	16168.00
01-131-120	21788.00
01-131-122	16667.00
01-131-123	3000.00
01-131-124	20889.00
01-131-125	21272.00
01-131-126	20890.00
01-131-128	18788.00
01-131-129	18788.00
01-131-130	19397.00
01-131-152	3000.00
01-131-199	13584.00

DRAINING BOARD

01-133-113	2000.00
01-133-114	2000.00
01-133-115	2000.00

VETERANS SERVICE

01-134-111	11584.00
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COMMISSIONERS

01-135-113	20280.00
01-135-115	10000.00
01-135-122	17824.00
01-135-123	17824.00
01-135-124	17824.00
01-135-152	2000.00
01-135-199	1014.00

CUSTODIAL

01-136-111	27551.00
01-136-112	11832.00
01-136-113	17336.00
01-136-114	11372.00
01-136-115	11372.00
01-136-116	11372.00
01-136-150	7500.00
01-136-152	1500.00
01-136-199	3164.00

JAIL

01-137-112	25726.00
01-137-116	13905.00
01-137-117	18473.00
01-137-118	7326.00
01-137-121	19637.00
01-137-122	19637.00
01-137-123	11375.00
01-137-125	18673.00
01-137-126	18673.00
01-137-127	18673.00
01-137-152	10000.00
01-137-153	50000.00
01-137-154	19637.00

01-137-155	19637.00
01-137-156	21698.00
01-137-157	25507.00
01-137-158	25507.00
01-137-159	22932.00
01-137-160	19637.00
01-137-161	23131.00
01-137-162	32341.00
01-137-163	19637.00
01-137-164	19637.00
01-137-165	20141.00
01-137-166	23131.00
01-137-167	25507.00
01-137-168	23131.00
01-137-169	21698.00
01-137-170	19637.00
01-137-171	19637.00
01-137-172	19637.00
01-137-173	19637.00
01-137-174	23131.00

COUNTY HOME

01-138-111	29883.00
01-138-116	14487.00
01-138-117	13159.00
01-138-119	15070.00
01-138-122	13905.00
01-138-123	11375.00
01-138-124	13905.00
01-138-125	11375.00
01-138-126	13905.00
01-138-127	14396.00
01-138-128	13250.00
01-138-129	15233.00
01-138-150	10000.00
01-138-152	7773.00
01-138-199	7503.00

CIRCUIT COURT

01-139-113	18425.00
01-139-115	2000.00
01-139-116	21272.00
01-139-117	10635.00
01-139-118	21272.00
01-139-148	2500.00
01-139-150	1000.00
01-139-152	3000.00
01-139-195	2200.00
01-139-196	2200.00
01-139-197	1000.00
01-139-199	3580.00

SUPERIOR COURT I

01-140-112	21272.00
01-140-113	21272.00
01-140-114	18424.00
01-140-150	16768.00
01-140-152	3000.00
01-140-153	1000.00
01-140-195	100.00
01-140-196	80.00
01-140-197	50.00
01-140-199	3887.00

SUPERIOR COURT II

01-141-112	18425.00
01-141-113	18600.00
01-141-114	18425.00
01-141-115	18425.00
01-141-116	21272.00
01-141-117	21272.00
01-141-152	3000.00
01-141-153	1000.00
01-141-196	100.00
01-141-197	100.00
01-141-199	5821.00

EMERGENCY MANAGEMENT

01-142-111	8142.00
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ENGINEER

01-143-111	46762.00
01-143-112	29834.00
01-143-113	23814.00
01-143-114	22950.00
01-143-116	20348.00
01-143-117	20713.00
01-143-118	30407.00
01-143-119	18473.00
01-143-120	18473.00
01-143-121	16598.00
01-143-122	17436.00
01-143-124	37037.00
01-143-126	23814.00
01-143-150	7280.00
01-143-152	6000.00
01-143-154	14560.00
01-143-199	14723.00

ANIMAL CONTROL

01-144-111	27490.00
01-144-112	17417.00
01-144-113	17417.00
01-144-114	17417.00
01-144-115	14560.00
01-144-116	17417.00
01-144-152	500.00
01-144-199	4211.00

WEIGHTS & MEASURES

01-145-111	11380.00
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ELECTION

01-146-111	3300.00
01-146-112	20088.00
01-146-115	2000.00
01-146-116	14560.00
01-146-117	1200.00
01-146-122	14560.00
01-146-123	10000.00
01-146-199	2460.00

COMPUTER CENTER

01-147-110	40955.00
01-147-111	22782.00
01-147-112	20279.00
01-147-113	20105.00
01-147-152	5000.00
01-147-199	3158.00

COUNCIL

01-149-113	5476.00
01-149-114	5476.00
01-149-115	5476.00
01-149-116	5476.00
01-149-117	5476.00
01-149-118	5476.00
01-149-119	5476.00

CIRCUIT COURT PROBATION

01-150-112	37935.00
01-150-113	28029.00
01-150-114	24359.00
01-150-115	24359.00
01-150-120	27160.00
01-150-150	6000.00
01-150-199	5195.00

SUPERIOR COURT PROBATION

01-151-111	27572.00
01-151-112	21109.00
01-151-113	21109.00
01-151-114	21109.00
01-151-115	21109.00
01-151-116	21109.00
01-151-117	21946.00
01-151-118	17010.00
01-151-120	28029.00
01-151-121	28029.00
01-151-199	10028.00

MICROFILM

01-152-112	18291.00
01-152-113	14560.00
01-152-114	5000.00
01-152-199	1643.00

SUPERIOR COURT III

01-153-112	18424.00
01-153-113	21272.00
01-153-114	21272.00
01-153-115	18424.00
01-153-116	18424.00
01-153-152	3000.00
01-153-153	1250.00
01-153-196	200.00
01-153-197	100.00
01-153-199	4891.00

SOIL & WATER

01-155-111	19361.00
01-155-199	968.00

HIGHWAY

02-201-111	36750.00
02-201-112	31000.00
02-201-113	22512.00
02-201-115	6000.00
02-201-199	2676.00
02-201-119	6200.00
02-201-121	28679.00
02-201-122	26510.00
02-201-123	26147.00
02-201-124	28316.00
02-201-125	29039.00
02-201-126	29039.00
02-201-127	27233.00
02-201-128	29666.00
02-201-129	29666.00
02-201-130	26870.00
02-201-131	29039.00
02-201-132	29039.00
02-201-133	28316.00
02-201-134	22943.00
02-201-135	29039.00
02-201-136	29666.00
02-201-137	29039.00
02-201-138	26147.00
02-201-139	29039.00
02-201-140	26510.00
02-201-141	28316.00
02-201-142	26147.00
02-201-143	6200.00
02-201-144	6200.00
02-201-145	29039.00
02-201-146	6200.00
02-201-147	6200.00
02-201-148	29666.00
02-201-149	26744.00
02-201-150	26744.00
02-201-151	26147.00
02-201-152	20000.00
02-201-154	21214.00
02-201-155	24823.00
02-201-156	6200.00
02-201-157	29039.00
02-201-158	6200.00
02-201-159	6200.00

BRIDGE

25-203-112	28679.00
25-203-113	28679.00
25-203-115	29039.00
25-203-116	26510.00
25-203-117	31927.00

HEALTH

05-213-110	23854.00
05-213-113	18520.00
05-213-114	30617.00
05-213-115	43062.00
05-213-116	43887.00
05-213-117	18520.00
05-213-118	14560.00
05-213-119	14560.00
05-213-121	29012.00

05-213-122	23736.00
05-213-123	27617.00
05-213-124	28152.00
05-213-125	27617.00
05-213-127	26000.00
05-213-150	14000.00
05-213-152	1000.00
05-213-181	4900.00
05-213-199	12946.00

HEALTH MAINTENANCE

06-503-111	25359.00
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HEALTHY FAMILIES

06-513-111	23000.00
06-513-112	20500.00
06-513-113	20500.00
06-513-150	10920.00

REASSESSMENT

09-505-111	14560.00
09-505-112	14560.00
09-505-113	14560.00
09-505-114	14560.00
09-505-117	5000.00
09-505-150	30000.00
09-505-152	2000.00
09-505-199	2912.00

PROSECUTORS VICTIMS ASSISTANCE

14-514-111	12075.00
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SUBSTANCE ABUSE

16-316-150	2500.00
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SUPERIOR COURT PROBATION

16-317-111	16069.00
16-317-112	6920.00
16-317-113	6920.00
16-317-114	6920.00
16-317-115	6920.00
16-317-116	6920.00
16-317-119	16052.00
16-317-150	800.00
16-317-152	500.00

CIRCUIT COURT PROBATION

16-319-111	2990.00
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SUPERIOR COURT PROBATION

16-322-111	29430.00
16-322-112	16052.00

EMERGENCY PHONE SYSTEM

17-516-111	20930.00
17-516-112	20930.00
17-516-113	20930.00
17-516-114	21710.00
17-516-115	21710.00
17-516-152	12500.00
17-516-199	5311.00

THE 1997 HENDRICKS COUNTY SALARY ORDINANCE AS APPROVED ON THIS
3RD DAY OF DECEMBER, 1996 BY:

W. Hunt Palmer
Council President

John A. Haun
Council Vice-President

John O. Platt
Board of Commissioners President

COUNTY COMMISSIONERS' RESOLUTION NO. 1997-37

WHEREAS, the Hendricks County Redevelopment Commission has authorized the issuance of tax increment revenue bonds of the Hendricks County Redevelopment District (the "District") to be designated as "Hendricks County Redevelopment District Adjustable Rate Tax Increment Revenue Bonds (Heartland Crossing Project)" (the "Bonds"), in the aggregate principal amount not to exceed \$5,000,000, to finance certain infrastructure projects in connection with the Heartland Crossing development (the "Projects"); and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana (the "Board"), approved of the financing of the Projects by resolution adopted on December 16, 1996; and

WHEREAS, the Board is required to execute the Bonds on behalf of the District and to execute other documents and certificates and take other actions in connection with the issuance of the Bonds, and the Board desires to authorize the President to take such actions on behalf of the Board;

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

1. The Board hereby authorizes and directs the President of the Board to execute the Bonds on behalf of the Board by his manual or facsimile signature, to execute and deliver on behalf of the Board all closing documents in connection with the issuance of the Bonds that are required to be signed by the Board, and to take such further actions and execute such further documents as may be necessary or appropriate to complete the issuance of the Bonds and fulfill the purposes of this resolution.

2. This resolution shall be in full force and effect from and upon compliance with the procedures required by law.

The foregoing was passed by the Board of Commissioners of Hendricks County this 22 day of September, 1997.

BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY

By: John C. Rappit
President

John A. Haum
Vice President

Commissioner

(SEAL)

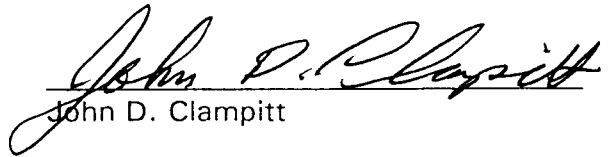
ATTEST:

By: Debbie Simpson
Auditor, Hendricks County, Indiana

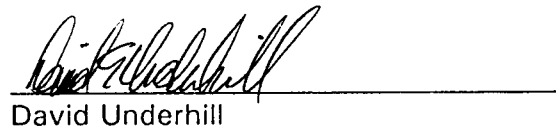
RESOLUTION No. 41 -1997

BE IT RESOLVED that Resolution No. 40-1997 previously submitted by George Hall is hereby rescinded.

DATED this 24 day of November, 1997.


John D. Clampitt


John "Bud" Daum


David Underhill

RESOLUTION No. 42-1997

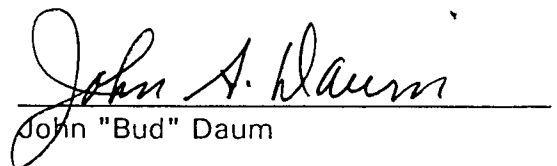
WHEREAS, the issue of displaying the Ten Commandments in our county government buildings has been raised by Mr. George Hall, a resident of the State of Indiana; and

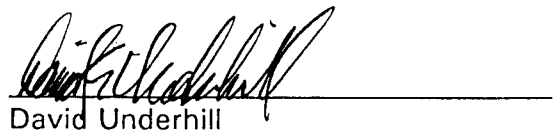
WHEREAS, the Ten Commandments have had a significant impact on the development of the fundamental legal principles of Western Civilization; and

THEREFORE BE IT RESOLVED, by the Hendricks County Board of Commissioners, that the display in the Government Center of the Ten Commandments will be permitted in the county of Hendricks. The time, place, manner and context of any such display shall be determined at a later date. Any such display shall be in compliance with the requirements and prohibitions contained in the United States Constitution, United States Supreme Court and lower court precedent.

DATED this 24 day of November, 1997.

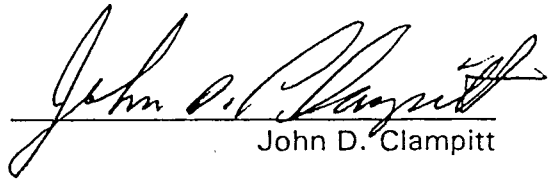

John D. Clampitt


John "Bud" Daum



David Underhill

RESOLUTION No.: 45 -1997

Be it resolved by the Hendricks County Board of Commissioners that on this 6 day of October, 1997, we do hereby adopt and approve the Interlocal Agreement with the West Central Solid Waste District.


John D. Clampitt

ATTEST:


Debbie Simpson, Hendricks County Auditor

RESOLUTION NO. 97-11

**RESOLUTION OF THE HENDRICKS COUNTY REDEVELOPMENT
AUTHORITY AUTHORIZING THE EXECUTION OF A LEASE WITH THE
HENDRICKS COUNTY REDEVELOPMENT COMMISSION
AND RELATED MATTERS**

WHEREAS, the Hendricks County Redevelopment Authority (the "Authority") has been created pursuant to IC 36-7-14.5 (the "Act"), as a separate body corporate and politic, and as an instrumentality of Hendricks County, Indiana (the "County"), to finance local public improvements for lease to the Hendricks County Redevelopment Commission (the "Commission"); and

WHEREAS, the Authority intends to issue bonds pursuant to IC 36-7-14.5-19 (the "Bonds") to be used to finance all or a portion of certain project costs pursuant to a Memorandum of Understanding dated May 14, 1996, by and among Qualitech Steel Corporation, the County and the Town of Pittsboro, Indiana, in or directly serving or benefitting the Hendricks County Economic Development Area Number 2 (the "Projects"), to fund a debt service reserve fund, to pay credit enhancement fees and to pay the costs of issuance of the Bonds; and

WHEREAS, the Authority desires to lease the Projects to the Commission pursuant to a proposed lease substantially in the form presented at this meeting (the "Lease"), and to pledge the Fixed Annual Rentals under the Lease to the payment of the principal and interest on the Bonds;

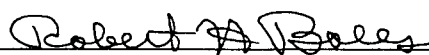
NOW, THEREFORE, BE IT RESOLVED BY THE HENDRICKS COUNTY REDEVELOPMENT AUTHORITY AS FOLLOWS:

1. The Authority hereby approves the proposed Lease between the Authority and the Commission substantially in the form presented at this meeting. The President and Secretary of the Authority are hereby authorized to execute the Lease on behalf of the Authority substantially in the form presented at this meeting, with such changes thereto as such officers shall approve, such approval to be conclusively evidenced by their execution thereof.

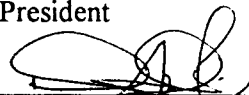
2. This resolution shall be in full force and effect from and after its adoption by the Authority.

ADOPTED the 7th day of March, 1997.

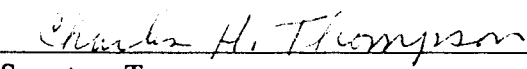
HENDRICKS COUNTY REDEVELOPMENT
AUTHORITY



President



Vice President



Secretary-Treasurer

RESOLUTION NO. 97-12

**RESOLUTION OF THE HENDRICKS COUNTY REDEVELOPMENT
AUTHORITY AUTHORIZING ISSUANCE OF THE HENDRICKS COUNTY
REDEVELOPMENT AUTHORITY LEASE RENTAL REVENUE BONDS, SERIES 1997
AND RELATED MATTERS**

WHEREAS, the Hendricks County Redevelopment Authority (the "Authority") has been created pursuant to IC 36-7-14.5 (the "Act"), as a separate body corporate and politic, and as an instrumentality of Hendricks County, Indiana (the "County"), to finance local public improvements for lease to the Hendricks County Redevelopment Commission (the "Commission"); and

WHEREAS, the Authority intends to issue bonds in the aggregate principal amount not to exceed Twenty-Five Million Dollars (\$25,000,000) pursuant to IC 36-7-14.5-19 to be known as the "Hendricks County Redevelopment Authority Lease Rental Revenue Bonds, Series 1997" (the "Bonds"), the proceeds of which are to be used to finance all or a portion of certain project costs pursuant to a Memorandum of Understanding dated May 14, 1996, by and among Qualitech Steel Corporation, the County and the Town of Pittsboro, Indiana, in or directly serving or benefitting the Hendricks County Economic Development Area Number 2 (the "Projects"), to fund a debt service reserve fund, to pay credit enhancement fees and to pay the costs of issuance of the Bonds; and

WHEREAS, the Authority will lease the Projects to the Commission pursuant to the lease Agreement between the Authority and the Commission dated as of March 1, 1997 (the "Lease"), and to pledge the Fixed Annual Rentals under the Lease to the payment of the principal and interest on the Bonds; and

WHEREAS, there has been prepared and submitted to the Authority a form of Trust Indenture (the "Indenture"), which Indenture provides for, among other things, the issuance of such Bonds to finance all or a portion of the Projects, along with other documents relating to the issuance and sale of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE HENDRICKS COUNTY REDEVELOPMENT AUTHORITY AS FOLLOWS:

1. For the purpose of financing the costs of acquiring, constructing and equipping the Projects, and to fund a debt service reserve fund, pay credit enhancement fees and pay the costs of issuance, there is hereby authorized and there shall be executed, issued, and delivered by and on behalf of the Authority, pursuant to the Act, the Bonds in the original aggregate principal amount not to exceed Twenty-Five Million Dollars (\$25,000,000), with a final term no later than January 15, 2023, a maximum interest rate of eight percent (8%), and a minimum price of 95% of par.

2. The Bonds shall be issued in accordance with and shall be secured by a trust agreement substantially in the form of the Indenture as submitted at this meeting, with such changes and modifications as the President and the Secretary-Treasurer of the Authority deem necessary or

appropriate to effectuate these resolutions and to consummate the sale of the Bonds, said officers' execution and attestation thereof to be conclusive evidence of their approval of such changes.

3. The Bonds shall be sold by negotiated sale to the Indiana Bond Bank, in accordance with the form of Purchase Agreement presented to this meeting (the "Purchase Agreement"). Any of the officers of the Authority is hereby authorized to complete, execute and deliver the Purchase Agreement substantially in the form as submitted to this meeting, together with such changes and modifications as such officer of the Authority deems necessary or appropriate, with execution by such officer to be conclusive evidence of such approval, based upon the recommendation of the financial advisor with respect to the interest rates on the Bonds and other matters contained therein. Any of the officers of the Authority is further authorized to carry out, on behalf of the Authority, the terms and conditions set forth in the Purchase Agreement, consistent with the provisions of this Resolution.

4. Any officer of the Authority is hereby authorized and directed, in the name and on behalf of the Authority, to execute and deliver the Continuing Disclosure Undertaking, in the form presented at this meeting, with such changes and modifications as such officer deems necessary or appropriate, said officer's execution thereof to be conclusive evidence of their approval of such changes.

5. After the sale of the Bonds, the President and the Secretary-Treasurer are authorized to complete the Indenture and then to execute the same on behalf of the Authority.

6. Prior to the delivery of the Bonds, the Secretary-Treasurer shall be authorized to obtain a legal opinion as to the validity of the Bonds from Bose, McKinney & Evans, bond counsel for the Authority, and to furnish such opinion to the purchaser of the Bonds. The cost of such opinion, together with the fees and expenses of bond counsel in the performance of related services in connection with the issuance, sale and delivery of the Bonds, shall be considered as part of the costs incidental to these proceedings and shall be paid out of the proceeds of the Bonds.

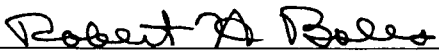
7. The provisions of this Resolution and the Indenture shall constitute a contract between the Authority and the holders of the Bonds, and, after the issuance of the Bonds, this Resolution shall not be repealed or amended in any respect which would materially adversely affect the rights of such holders so long as the Bonds or the interest thereon remains unpaid.

8. Each officer of the Authority is hereby authorized and directed to take all such actions and to execute all such instruments as such officer deems necessary or desirable to carry out the transactions contemplated by this Resolution, in such forms as such officer or officers executing the same shall deem proper, to be evidenced by the execution thereof. Any such documents heretofore executed and delivered and any such actions heretofore taken be, and hereby are, ratified and approved.

9. This resolution shall be in full force and effect from and after its adoption by the Authority.

ADOPTED the 18th day of April, 1997.

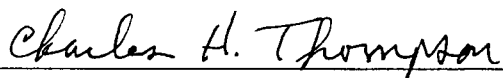
HENDRICKS COUNTY REDEVELOPMENT
AUTHORITY



President



Vice President



Secretary-Treasurer

RECEIVED

MAR 04 1997

STATE BOARD OF
TAX COMMISSIONERSRESOLUTION NO. 97-16**RESOLUTION OF THE HENDRICKS COUNTY REDEVELOPMENT COMMISSION
AUTHORIZING THE EXECUTION OF A LEASE BETWEEN THE
HENDRICKS COUNTY REDEVELOPMENT AUTHORITY
AND THE HENDRICKS COUNTY REDEVELOPMENT COMMISSION
AND RELATED MATTERS**

WHEREAS, the Hendricks County Redevelopment Authority (the "Authority") has been created pursuant to IC 36-7-14.5 as a separate body corporate and politic, and as an instrumentality of Hendricks County (the "County"), to finance local public improvements for lease to the Hendricks County Redevelopment Commission (the "Commission"); and

WHEREAS, the Commission on July 8, 1996, adopted its Resolution No. 96-1 (the "Declaratory Resolution"), declaring an area in Hendricks County known as the Hendricks County Economic Development Area Number 2 as an economic development area under IC 36-7-14-41 (the "Economic Development Area"), and designating the entire Economic Development Area as an allocation area under IC 36-7-14-39 and IC 36-7-14-39.3 (the "Allocation Area"); and

WHEREAS, the Commission on July 29, 1996, following a public hearing, adopted its Resolution No. 96-2 confirming the Declaratory Resolution (the "Confirmatory Resolution"); and

WHEREAS, the Authority intends to issue its Hendricks County Redevelopment Authority Economic Development Lease Rental Revenue Bonds, Series 1997, for the purpose of financing certain project costs pursuant to a Memorandum of Understanding dated May 14, 1996, by and among Qualitech Steel Corporation, the County and the Town of Pittsboro, Indiana (the "Projects"), in or directly serving or benefitting the Economic Development Area and the Allocation Area; and

WHEREAS, the Commission desires to finance all or a portion of the Projects by entering into a lease substantially in the form presented at this meeting (the "Lease") with the Authority with Fixed Annual Rentals not to exceed those set forth in Exhibit C to the Lease (the "Lease Rental Payments"); and

WHEREAS, on this date a public hearing has been held and all interested parties have been provided the opportunity to be heard at the hearing; and

WHEREAS, after the public hearing the Commission may adopt a resolution pursuant to IC 36-7-14-25.2 authorizing the execution of the Lease on behalf of the County, if it finds that the service to be provided throughout the term of the Lease will serve the public purpose of the County and is in the best interests of its residents and the Lease Rental Payments provided for are fair and reasonable; and

WHEREAS, the Commission desires to authorize execution of the Lease and authorize the publication of a notice of execution and approval of lease.

NOW, THEREFORE, BE IT RESOLVED BY THE HENDRICKS COUNTY REDEVELOPMENT COMMISSION AS FOLLOWS:

1. The Commission hereby finds and determines that the terms of the Lease are based upon the value of the Projects, that the Lease Rental Payments to be paid by the Commission, pursuant to the terms of the Lease, are fair and reasonable, and that the use of the Projects throughout the term of the Lease will serve the public purpose of the County and is in the best interests of its residents. The Commission further finds and determines that all of the Projects set forth in Exhibit A to the Lease either are located in or directly serve or benefit the Economic Development Area and the Allocation Area.
2. The Commission hereby finds and determines that the Commission reasonably expects to pay the Lease Rental Payments under the Lease from Tax Increment (as defined in the Lease) or other funds made available to the Commission, even though the County will pledge a tax levy on all of the property in the redevelopment district as a back-up source of security.
3. The President or Vice President and the Secretary of this Commission are hereby authorized and directed, on behalf of the County, and subject to obtaining the ordinance from the County Council of the County referred to in paragraph 4 hereof, to execute and deliver the Lease in substantially the form presented at this meeting.
4. The Secretary of the Commission is hereby directed to transmit to the County Council of Hendricks County a copy of this Resolution and to request from said County Council an ordinance approving the Lease.
5. The Commission hereby authorizes the publication of a notice of execution and approval of lease in accordance with the requirements of applicable law.
6. The Commission hereby ratifies and confirms the establishment of the Economic Development Area and the Allocation Area, including without limitation or condition, the adoption of the Declaratory Resolution and the Confirmatory Resolution.
7. The President, Vice President and Secretary of this Commission, and each of them, is hereby authorized and directed to take all such further actions and to execute all such instruments as are desirable to carry out the transactions contemplated by this Resolution, in such forms as the President, Vice President or Secretary executing the same shall deem proper, such desirability to be conclusively evidenced by the execution thereof.
8. This Resolution shall be in full force and effect upon adoption by the Commission.

ADOPTED the 3rd day of March, 1997.

HENDRICKS COUNTY REDEVELOPMENT
COMMISSION



President



Secretary



Member



Member

Member

RESOLUTION NO. 97-24

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF ADJUSTABLE RATE TAX INCREMENT REVENUE BONDS (HEARTLAND CROSSING PROJECT), IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED \$5,000,000, AUTHORIZING AN INDENTURE, A BOND PLACEMENT AGREEMENT, AN OFFERING MEMORANDUM AND OTHER DOCUMENTS IN CONNECTION THEREWITH, AND OTHER MATTERS RELATING THERETO.

WHEREAS, Hendricks County Redevelopment Commission (the "Commission") is authorized by Indiana Code 36-7-14 and 36-7-25 (collectively, the "Act"), to have issued in the name of the County bonds of the Hendricks County Redevelopment District (the "District") for the purpose of providing for the financing of economic development projects; and

WHEREAS, the Commission has previously established the Hendricks County Economic Development Area Number 4 (the "Area") as an economic development area and an allocation area to facilitate the financing of certain road, sewer, water and drainage projects as more fully described in Exhibit A attached hereto (collectively the "Project"); and

WHEREAS, the Project will be of benefit to the health, safety, morals and general welfare of Hendricks County and its citizens, and complies with the purposes and provisions of the Act; and

WHEREAS, the Commission proposes to issue and sell the revenue bonds hereinafter authorized and designated "Adjustable Rate Tax Increment Revenue Bonds (Heartland Crossing Project)" (the "Bonds"), in one or more series, to finance costs of the Project;

NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

Section 1. Financing Agreements. The Commission hereby approves the following agreements and other documents, substantially in the forms presented at this meeting: (i) a Trust Indenture between the Commission and Bank One, Indiana, NA, as trustee (the "Indenture"); (ii) the form of the Bonds included in the Indenture; (iii) a Bond Placement Agreement (the "Bond Placement Agreement") between the Commission and Bank One, N.A. (the "Placement Agent"); (iv) a Preliminary Offering Memorandum with respect to the Bonds (the "Preliminary Offering Memorandum"); (v) a Letter of Credit to be issued by Bank One, Indiana, NA, in favor of the trustee for the Bonds (the "Letter of Credit"); and (vi) a Credit and Guaranty Agreement among the Commission, Cedar Run Limited, Inc. and Bank One, Indiana, NA (the "Credit Agreement"). In addition, the Commission hereby approves the use of an Offering Memorandum with respect to the Bonds, in substantially the form of the Preliminary Offering Memorandum, but with the addition thereto of any pricing or other information omitted therefrom (the "Offering Memorandum").

Section 2. Bonds. The Commission hereby authorizes the issuance of the Bonds, in one or more series, in an aggregate principal amount not to exceed Five Million Dollars (\$5,000,000), for the purpose of procuring funds to pay a portion of the costs of the Project, which Bonds will be

payable solely out of and secured exclusively by the Trust Estate (as defined in the Indenture), as well as the Letter of Credit (up to the maximum amount authorized therein). The Bonds shall be dated the date of delivery thereof, shall mature no later than October 30, 2021, shall be in denominations of One Hundred Thousand Dollars (\$100,000) and any whole multiples of Five Thousand Dollars (\$5,000) in excess thereof (except as otherwise provided in the Indenture), and shall be in fully registered form, registered initially in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York. The Bonds shall carry the conversion or registration privileges, be executed in the manner, be payable in the medium of payment at the place or places, and be subject to the terms of redemption, including redemption prior to maturity, as provided in the Indenture. The Bonds shall bear interest at the rate or rates from time to time determined in accordance with the Indenture, not to exceed ten percent (10%) per annum. The interest on the Bonds shall be payable at the time or times or at the interval or intervals provided in the Indenture. The Bonds are limited obligations of the District, payable solely out of and secured exclusively by the Trust Estate, and shall not otherwise constitute a debt, liability or obligation of the District or Hendricks County.

Section 3. Offering Memorandum. The distribution of the Preliminary Offering Memorandum and the Offering Memorandum are hereby authorized and approved.

Section 4. Letter of Credit; Guaranty. The officers of the Commission are hereby authorized to obtain the Letter of Credit and to execute any necessary or appropriate documents in connection therewith, including without limitation the Credit Agreement and a remarketing agreement with a remarketing agent to be selected by such officers. Such officers are further authorized and directed to secure one or more guaranties from Cedar Run Limited, Inc. or its affiliates or principals, as a back-up source of security for the Commission's reimbursement obligations with respect to the Letter of Credit, and to execute any and all documents necessary or appropriate to effectuate such guaranties.

Section 5. Execution of Documents. Any two officers of the Commission (collectively, the "Authorized Signatories") are hereby authorized and directed, for and on behalf of the Commission, to execute, seal, attest and deliver the Indenture, the Bond Placement Agreement, the Offering Memorandum and the Credit Agreement, substantially in the forms presented at this meeting, but with such changes thereto as such Authorized Signatories may determine to be necessary or appropriate, such determination to be conclusively evidenced by such Authorized Signatories' execution and attestation thereof; provided, however, that no such changes shall increase the maximum principal amount of, the maximum interest rate on or the maximum term to maturity of the Bonds as set forth in this Resolution without further consideration by the Commission. The Board of Commissioners of Hendricks County are authorized to sign the Bonds in the name of the County on behalf of the District, and such signatures may be facsimile signatures. The County Auditor is hereby authorized and directed, for and on behalf of the Commission, to arrange for the delivery of the Bonds at the direction of the Placement Agent.

Section 6. Other Actions. Any of the Authorized Signatories is hereby authorized and directed, for and on behalf of the Authority, to execute, seal, attest and deliver any other agreement

or instrument and to take any other action as such Authorized Signatory may determine to be necessary or appropriate to effect the transactions contemplated by this Resolution, such determination to be conclusively evidenced by such Authorized Signatory's having executed such other agreement or instrument or having taken such other action.

Section 7. Resolution as Contract. The provisions of this Resolution shall constitute a contract between the Commission and the owners of the Bonds, and, from and after the issuance of the Bonds, this Resolution shall not be repealed or amended in any respect which would adversely affect the rights of such owners so long as any of the Bonds remain outstanding under the Indenture.

Section 8. Effectiveness. This Resolution shall be in full force and effect immediately upon its passage.

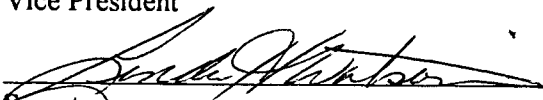
Adopted by the members of this Hendricks County Redevelopment Commission on this 9th day of July, 1997.

HENDRICKS COUNTY REDEVELOPMENT
COMMISSION



President

Vice President



Secretary



Member

Member

EXHIBIT A

Description of the Projects

The proceeds of the Bonds will be used to pay all or a portion of the costs incurred for the following projects which will be located in or directly serve and benefit the Hendricks County Economic Development Area Number 4 (the "Area"), together with costs incurred in connection with the issuance of the Bonds, including capitalized interest, credit enhancement fees, and any required funding of a debt service reserve fund:

1. Domestic water service and fire protection for business park, both within the Area and outside the Area (from Indianapolis Water Company's line in Marion County) but directly serving and benefitting the Area.
2. Sewage disposal for each lot including main trunk lines and sewer laterals to each lot.
3. Storm sewer pipes, culverts, ditches, and retention lakes.
4. Stabilization, asphalt binder and surface, curbs, and underdrains for Hendricks County portion of a 4-lane entrance drive and 16 ft. landscaped median which serves as the entrance to the Business park and Heartland Crossing development, built to County specifications. Also, interior roads serving traffic from Boulevard to various lots.
5. Accel/Decel/left turn lanes for State Road 67 traffic (2 intersections), signalization, street signage, and entrance landscaping.
6. Engineer staking of development at various stages of construction including building pad and utility grades and monumentation.
7. Engineering and design of the overall layout, construction plans, and consultation.

97-
RESOLUTION NO. 38

**RESOLUTION OF THE
HENDRICKS COUNTY REDEVELOPMENT COMMISSION
APPROPRIATING THE PROCEEDS
(INCLUDING INVESTMENT EARNINGS THEREON)
OF THE HENDRICKS COUNTY REDEVELOPMENT DISTRICT
ADJUSTABLE RATE TAX INCREMENT REVENUE
BONDS (HEARTLAND CROSSING PROJECT) TO BE APPLIED
TO THE COST OF DEVELOPMENT IN THE
HENDRICKS COUNTY ECONOMIC DEVELOPMENT AREA NUMBER 4
AND MATTERS RELATED THERETO**

WHEREAS, the Hendricks County Redevelopment Commission (the "Commission"), being the governing body of the Hendricks County Redevelopment District (the "Redevelopment District"), on July 9, 1997, adopted a resolution (the "Bond Resolution"), the provisions of which resolution are hereby included herein by this reference thereto, determining to issue special taxing district bonds of the Redevelopment District in one or more series in an original aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) designated as the "Hendricks County Redevelopment District Adjustable Rate Tax Increment Revenue Bonds (Heartland Crossing Project)" (the "Bonds"), for the purpose of procuring funds to pay for all or a portion of the costs of certain road, sewer, water and drainage improvements in or serving the Hendricks County Economic Development Area Number 4 (the "Projects"), together with the expenses in connection with or on account of the Bonds therefor, all as further set forth in Exhibit A to the Bond Resolution (collectively, the "Project Costs"); and

WHEREAS, the Commission did not include the proceeds (including investment earnings thereon) of the Bonds of the Redevelopment District in the regular budget for the year 1997; and

WHEREAS, there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the Project Costs, and the issuance of the Bonds has been authorized to procure the necessary funds and a necessity exists for the making of the additional appropriation set out herein; and

WHEREAS, notice of a hearing on said appropriation has been published as required by law; and

WHEREAS, such public hearing was held on August 6, 1997 at 7:00 p.m. (local time), at the Hendricks County Government Center, 355 South Washington Street, Danville, Indiana, concerning said appropriation at which all taxpayers and interested persons had an opportunity to appear and express their views regarding such additional appropriation; and

WHEREAS, the Commission also desires to provide for the ongoing operation and maintenance of the Projects by the appropriate governmental entity or public utility;

NOW, THEREFORE, BE IT RESOLVED BY THE HENDRICKS COUNTY REDEVELOPMENT COMMISSION, THE GOVERNING BODY OF THE HENDRICKS COUNTY DEPARTMENT OF REDEVELOPMENT AND THE HENDRICKS COUNTY REDEVELOPMENT DISTRICT, THAT:

1. The proceeds derived from the sale of the Bonds heretofore authorized to be issued, together with investment earnings thereon, shall be, and are, hereby appropriated by the Commission for the purpose of providing funds to be applied to the Project Costs.

2. Such appropriation shall be in addition to all appropriations provided for in the existing budget and levy, and shall continue in effect until the completion of the activities described in Paragraph No. 1 above. Any surplus of such proceeds shall be credited to the proper fund as provided by law.

3. A certified copy of this resolution, together with such other proceedings and actions as may be necessary, shall be filed by the Secretary of the Commission with the Auditor of Hendricks County, who shall report the appropriation to the State Board of Tax Commissioners.

4. In order to facilitate the ongoing operation and maintenance of the Projects by the entities responsible therefor, the Commission hereby authorizes the officers of the Commission to take the actions necessary to donate the appropriate interests in the various portions of the Projects referenced in Exhibit A of the Bond Resolution as follows:

- a. Item 1: to the Indianapolis Water Company.
- b. Items 2-3: to the Tri-County Conservancy District.
- c. Item 4: to Hendricks County.
- d. Item 5: to the State of Indiana.

ADOPTED by the members of the Hendricks County Redevelopment Commission on the 6th day of August, 1997.

HENDRICKS COUNTY REDEVELOPMENT
COMMISSION

ATTEST:

Harold E. Hansen
President

Sandra J. Johnson
Secretary

RESOLUTION NO. 97-39

WHEREAS, the Hendricks County Redevelopment Commission (the "Commission") has previously established the Hendricks County Economic Development Area Number 4 (the "Area") and approved the Economic Development Plan - Hendricks County Economic Development Area Number 4 (the "Plan") for the Area; and

WHEREAS, the Plan calls for approximately \$5,442,000 to be invested by the Commission in the Area in infrastructure costs (the "Infrastructure Costs") in order to promote economic development in the Area; and

WHEREAS, the Commission has previously issued its Hendricks County Redevelopment District Adjustable Rate Tax Increment Revenue Bonds (Heartland Crossing Project) in the aggregate principal amount of \$4,460,000 (the "Original Bonds"), which will finance approximately \$3.9 million of the Infrastructure Costs; and

WHEREAS, in order to finance the remaining Infrastructure Costs, the Commission intends to issue an additional series of bonds (the "Additional Bonds") at such time that the tax increment generated in the Area will support such Additional Bonds; and

WHEREAS, certain of the Infrastructure Costs may be incurred by or on behalf of the Commission prior to the issuance and delivery of the Additional Bonds; and

WHEREAS, the Commission desires to establish its intent, pursuant to Treas. Reg. § 1.150-2 and IC 5-1-14-6(c), that such Infrastructure Costs be reimbursed from the proceeds of the Additional Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Hendricks County Redevelopment Commission as follows:

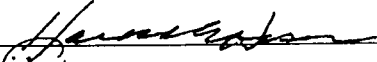
1. The Commission hereby declares its intent to issue the Additional Bonds pursuant to IC 36-7-14 in an amount sufficient to finance the remaining Infrastructure Costs as identified in the Plan; subject to receipt by the Commission of a report from an independent financial consultant projecting that the tax increment revenues to be generated in the Area will be sufficient to pay such Additional Bonds along with the Original Bonds.

2. The Commission hereby declares its intent, pursuant to Treas. Reg. § 1.150-2 and IC 5-1-14-6(c), that Infrastructure Costs not covered by the Original Bonds that are incurred by or on behalf of the Commission in financing the development of the Area be reimbursed from the proceeds of the Additional Bonds.

3. This resolution shall be in full force and effect from and after its adoption by the Commission.


Adopted by the Hendricks County Redevelopment Commission this ____ day of _____,
1997.

HENDRICKSCOUNTYREDEVELOPMENT
COMMISSION




President


Vice President



Secretary



Member



Member

