

ORDINANCE NO. 3476
AN ORDINANCE AMENDING THE ZONING DISTRICTS
OF THE CITY OF NEW CASTLE, INDIANA

WHEREAS, on June 28, 2006, Sterling Development, LLC requested the New Castle Plan Commission consider the amendment of the Master Plan of the City of New Castle as established in Ordinance No. 846 of the City, and

WHEREAS, the request submitted by said Sterling Development, LLC seeks to rezone certain real estate located in the City of New Castle, Henry County, Indiana from its current single family residential zoning (R-1) to multi-family residential zoning (R-3), and

WHEREAS, the rezoning gives reasonable regard to: (1) the comprehensive plan, (2) the current conditions and character of the area to be rezoned, (3) the most desirable use of the area to be rezoned, (4) the property value of the area, (5) reasonable development and growth of the area, and

WHEREAS, on September 29, 2006, the Plan Commission certified to the Common Council of the City of New Castle that it had considered this request and, after public notice and hearing, approved the aforementioned amendment in the zoning code.

NOW THEREFORE BE ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE that it hereby adopts the recommendation of the New Castle Plan Commission and amends the Master Plan of the City of New Castle and zoning map by rezoning certain real estate located within the City of New Castle, Henry County, Indiana from R-1 to R-3. Said real estate is more particularly described as follows, to wit:

5.00 ACRES BY PARALLEL LINES OFF OF THE ENTIRE EAST SIDE OF THE FOLLOWING DESCRIBED TRACT:

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, AND A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 17 NORTH, RANGE 10 EAST, HENRY COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE NORTH ALONG THE WEST LINE THEREOF A DISTANCE OF 25 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF WASHINGTON STREET AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH CONTINUING ALONG SAID WEST LINE A DISTANCE OF 635 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 1605 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF LAND DESCRIBED WITHIN DEED RECORD 196, PAGES 527 & 528; THENCE SOUTH ALONG THE WEST LINE THEREOF A DISTANCE OF 635 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF SAID WASHINGTON STREET; THENCE WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1623 FEET,

MORE OR LESS TO THE POINT OF BEGINNING. CONTAINING 23.6 ACRES, MORE OR LESS.

Commonly known as: _____

This rezoning is made all pursuant to the New Castle City Code Section 152.05 and Indiana Code 36-7-4-607, et seq.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage and publication as provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE
THIS ____ DAY OF _____, 2006.

Thomas Nipp, Presiding
Officer, Common Council, City
of New Castle, Indiana

AYE

NAY

ATTEST:

Janice Lavarney,
Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2006.

Thomas Nipp, Mayor of the City
Of New Castle, Indiana