

ORDINANCE NO. 3804
AN ORDINANCE AMENDING THE ZONING DISTRICTS
OF THE CITY OF NEW CASTLE

WHEREAS, on March 18, 2019, Turning Point Life Center requested the New Castle Plan Commission consider the amendment of the master plan of the City of New Castle as established in Ordinance Number 846 of the City, and

WHEREAS, the request submitted by said BBR seeks to rezone certain real estate located in the City of New Castle, Henry County, Indiana from its current I-2 (industry) zoning to C-1 (commercial) zoning, and

WHEREAS, this rezoning gives reasonable regard to:

1. The comprehensive plan,
2. 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 April 24, 2019, 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 I-1 to C-1. Said real estate is more particularly described as follows, to wit:

Commencing at a 5/8 inch rebar marking the Southwest corner of the Southwest quarter of the Northeast quarter of Section 10, Township 17 North, Range 10 East; thence North 00 degrees 22 minutes 37 seconds East 160.02 feet (assumed bearing) along the West line of said quarter quarter section to the Northerly line of Parcel C as described by Instrument No. 20017712, Records of Henry County, Indiana; thence South 89 degrees 41 minutes 03 seconds East 465.47 feet along the North line of said parcel to the Westerly right of way line of the former C. C. C. & St. L. Railroad; thence North 00 degrees 00 minutes 29 seconds East 338.24 feet along said Westerly line to a 5/8 inch rebar at the point of beginning; thence North 89 degrees 59 minutes 51 seconds West 595.38 feet to a 5/8 inch rebar; thence North 00 degrees 00 minutes 29 seconds East 731.63 feet to a nail on the center line of Garner Street; thence South 89 degrees 59 minutes 51 seconds East 600.00 feet along said center line to a 5/8 inch rebar on the curved Westerly right of way of said railroad, said rebar being North 86 degrees 03 minutes 27 seconds West 1959.86 feet from the radius point of said curve; thence Southerly 134.59 feet along said curved right of way line to a point that is North 89 degrees 59 minutes 31 seconds West 1959.86 feet from said radius point; thence South 00 degrees 00 minutes 29 seconds West 597.15 feet to the point of beginning, containing 10.00 acres, more or less.

Common known as: 911 Garner St., New Castle, IN 47362
Parcel No: 030-81130-00 (#33-12-10-100-109.001-016)

(A GIS map is attached hereto as Exhibit "A" depicting the area to be rezoned.)

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 _____, 2019.

Greg York, Presiding Officer,
Common Council, City
of New Castle, Indiana

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NAY

ATTEST:

Christy York,
Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2019.

Greg York, Mayor of the City
of New Castle, Indiana