

ORDINANCE NO. 3912

**AN ORDINANCE AMENDING THE ZONING DISTRICTS
OF THE CITY OF NEW CASTLE**

WHEREAS, Integrity Land Management, LLC, has requested the New Castle Plan Commission consider an amendment of the master plan of the City of New Castle, as established in Ordinance Number 846, by rezoning certain real estate commonly known as 2001 South Memorial Drive in the City of New Castle from its current C-1 (local business) zoning to C-2 (general business) zoning, and

WHEREAS, in evaluating a proposed rezoning, the Plan Commission and Common Council must give 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 August 16, 2023, the Plan Commission conducted a hearing on the request and voted to certify the request to the Common Council with a favorable recommendation.

NOW THEREFORE BE ORDAINED BY THE COMMON COUNCIL of the City of New Castle, Indiana, 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 C-1 to C-2

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 21, TOWNSHIP 17 NORTH, RANGE 10 EAST.
NEW CASTLE, HENRY COUNTY, INDIANA, AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT 1320 FEET SOUTH OF THE NORTHEAST
CORNER OF THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP AND RANGE AFORESAID (WHICH POINT IS ALSO THE
NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SAID SECTION) AND RUNNING THENCE
SOUTH ON AND ALONG THE EAST LINE OF SAID QUARTER-
QUARTER SECTION, 255.75 FEET; THENCE WEST, 171.95 FEET;
THENCE SOUTH, 2.00 FEET; THENCE WEST, 23.65 FEET; THENCE
NORTH, 20.50 FEET; THENCE WEST, 24.90 FEET; THENCE NORTH,
96.00 FEET; THENCE EAST, 9.40 FEET; THENCE NORTH, 144.50 FEET
TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SAID SECTION; THENCE EAST, 211.10
FEET TO THE PLACE OF BEGINNING, SAID ABOVE DESCRIBED
TRACT CONTAINING 1.2622 ACRES, MORE OR LESS.

EXCEPT:

A PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP
17 NORTH, RANGE 10 EAST, HENRY COUNTY, INDIANA,
DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH BOUNDARY
OF MIDWAY DRIVE AND THE WESTERN BOUNDARY OF S. R. 3 A
DISTANCE OF 1,350.00 FEET SOUTHERLY (ALONG THE EAST LINE
OF SAID QUARTER SECTION) AND NORTH 89 DEGREES 00
MINUTES 00 SECONDS WEST, 21.40 FEET (ALONG THE SOUTH
BOUNDARY PROLONGED, OF SAID MIDWAY DRIVE) FROM THE
NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE
SOUTHWESTERLY, 39.84 FEET ALONG SAID WESTERN
BOUNDARY OF S. R. 3; THENCE NORTH 34 DEGREES 40 MINUTES

28 SECONDS WEST, 48.14 FEET TO THE SOUTH BOUNDARY OF MIDWAY DRIVE; THENCE SOUTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, 35.67 FEET ALONG SAID SOUTH BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 0.016 ACRE, MORE OR LESS.

Common address: 2001 South Memorial Drive in the City of New Castle, Indiana.

Parcel Numbers: 33-12-21-240-131.000-016 (030-83723-00)

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 of law 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 upon passage, publication, if any, as required by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS ____ DAY OF _____, 2023.

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

AYE

NAY

ATTEST:

Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2023.

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