

ORDINANCE NO. 3913

**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 2005 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

BEGINNING 53 RODS 1 ½ LINKS NORTH OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 17 NORTH, RANGE 10 EAST AND RUNNING THENCE NORTH 440 FEET MORE OR LESS TO A POINT 1320 FEET SOUTH OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE WEST 440 FEET; THENCE SOUTH 440 FEET MORE OR LESS TO A POINT 53 RODS 1 ½ LINKS NORTH OF THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE EAST 440 FEET TO THE PLACE OF BEGINNING, CONTAINING 4.44 ACRES, MORE OR LESS.

EXCEPT 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 ACRE. MORE OR LESS, AND LEAVING AFTER SAID EXCEPTION 3.1778 ACRES, MORE OR LESS.

Common address: 2005 South Memorial Drive in the City of New Castle, Indiana.

Parcel Numbers: 33-12-21-240-132.000-016 (030-83722-00)

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