



Certification of Recommendation

Whitestown Plan Commission

December 3, 2018,

RE: AMENDMENT TO ZONING MAPS OF THE WHITESTOWN UNIFIED DEVELOPMENT ORDINANCE (PC18-045-ZA)

In accordance with IC 36-7-4-608, the Whitestown Plan Commission hereby certifies their recommendation to the Whitestown Town Council as described below.

- At their public hearing on November 19, 2018 the Whitestown Plan Commission gave a favorable recommendation under section IC 36-7-4-608 with a 5-0 vote to approve a zoning amendment to the Whitestown Unified Development Ordinance. The zoning amendment includes petitioner Westport Homes, seeking to rezone approximately 189 acres, more or less, in the Town of Whitestown, Indiana, from the AG (Agriculture) Zoning Classification and R2 (Low Density Single Family and Two Family Residential) to the PUD (Trailside PUD) Zoning Classification.

The property described in the legal descriptions are contained in the attached **Exhibit A.**

If you have any questions, please contact me at your earliest convenience.

Respectfully,

Brittany Garriott
Director of Planning and Community Development
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Whitestown, IN 46075
317-732-4535
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Exhibit A

Legal Description

PARCEL 1:

PART OF THE WEST HALF OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST, WORTH TOWNSHIP, BOONE COUNTY, INDIANA,

DESCRIBED AS FOLLOWS:

BEGINNING AT A HARRISON MONUMENT FOUND MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE NORTH 00 DEGREES 48 MINUTES 45 SECONDS WEST 672.52 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 18 TO A FIVE EIGHTHS (5/8) INCH DIAMETER REBAR WITH BLUE PLASTIC CAP STAMPED "HAUSE PLS20600040" (HEREAFTER CALLED CAPPED REBAR); THENCE NORTH 87 DEGREES 47 MINUTES 21 SECONDS EAST 1495.52 FEET TO A CAPPED REBAR; THENCE SOUTH 00 DEGREES 58 MINUTES 27 SECONDS EAST 670.52 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 18 AND A CAPPED REBAR; THENCE SOUTH 00 DEGREES 42 MINUTES 22 SECONDS EAST 2307.74 FEET TO THE NORTHERN RIGHT-OF-WAY OF THE FORMER C.C.C. & ST. L. RAILROAD AND A CAPPED REBAR; THENCE NORTH 64 DEGREES 25 MINUTES 19 SECONDS WEST 1667.75 FEET ALONG SAID NORTHERN RIGHT-OF-WAY TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTOR 18 AND A CAPPED REBAR; THENCE NORTH 00 DEGREES 45 MINUTES 54 SECONDS WEST 1527.94 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18 TO THE POINT OF BEGINNING. CONTAINING 88.92 ACRES, MORE OR LESS.

PARCEL 2:

PART OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST, WORTH TOWNSHIP, BOONE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 18; THENCE ALONG THE SECTION LINE AND AN EAST DESCRIBED LINE OF THE RALPH C. SHUMATE & CLAY F. SHUMATE PROPERTY RECORDED IN DEED RECORD 231, PAGE 487 BOONE COUNTY RECORDER'S OFFICE, NORTH 00 DEGREES 48 MINUTES 28 SECONDS WEST (ASSUMED BEARING) 672.52 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SECTION LINE AND THE EAST LINE OF SAID SHUMATE PROPERTY; NORTH 00 DEGREES 48 MINUTES 28 SECONDS WEST 497.37 FEET; THENCE ALONG A SOUTH DESCRIBED LINE OF THE JACK R. CRANE REVOCABLE TRUST PROPERTY RECORDED IN DEED RECORD 254, PAGE 912, NORTH 87 DEGREES 49 MINUTES 32 SECONDS EAST 1493.33 FEET; THENCE ALONG A WEST DESCRIBED LINE OF THE EDGAR O. HAMMERLE & NADINE HAMMERLE PROPERTY RECORDED AS INSTRUMENT NUMBER 0309432, SOUTH 01 DEGREES 03MINUTES 28 SECONDS EAST 406.84 FEET; THENCE ALONG A SOUTH DESCRIBED LINE OF SAID HAMMERLE PROPERTY AND THE APPROXIMATE CENTER LINE OF THE PIPES LEGAL TILE DRAIN, NORTH 86 DEGREES 46 MINUTES 56 SECONDS EAST 1314.79 FEET; THENCE ALONG THE APPROXIMATE CENTER LINE OF COUNTY ROAD 650 EAST AND THE QUARTER SECTION LINE, SOUTH 00 DEGREES 36 MINUTES 10 SECONDS EAST, 1765.04 FEET; THENCE SOUTH 88 DEGREES 25 MINUTES 17 SECONDS WEST, 1305.80 FEET; THENCE ALONG AN EAST DESCRIBED LINE OF THE JUNE G. WYMAN PROPERTY RECORDED IN DEED RECORD 194, PAGE 996, NORTH 00

DEGREES 42MINUTES 22 SECONDS WEST 960.99 FEET; THENCE ALONG AN EAST DESCRIBED LINE OF SAID WYMAN PROPERTY, NORTH 01 DEGREES 03 MINUTES 28 SECONDS WEST 676.66 FEET; THENCE ALONG A NORTH DESCRIBED LINE OF SAID WYMAN PROPERTY, SOUTH 87 DEGREES 47 MINUTES 38 SECONDS WEST 1495.52 FEET TO THE POINT OF BEGINNING. CONTAINING 69.49 ACRES, MORE OR LESS)

PARCEL 3:

PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST, WORTH TOWNSHIP, BOONE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE ALONG THE APPROXIMATE CENTER LINE OF COUNTY ROAD 650 EAST AND THE QUARTER SECTION LINE, SOUTH 00 DEGREES 36 MINUTES 10 SECONDS (ASSUMED BEARING) EAST 971.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE APPROXIMATE CENTER LINE OF COUNTY ROAD 650 EAST AND THE QUARTER SECTION LINE, SOUTH 00 DEGREES 36 MINUTES 10 SECONDS EAST 419.76 FEET; THENCE ALONG A NORTH DESCRIBED LINE OF THE KEITH D. TITUS & NANCY D. TITUS PROPERTY RECORDED AS INSTRUMENT NUMBER 0307787, BOONE COUNTY RECORDER'S OFFICE, SOUTH 88 DEGREES 20 MINUTES 24 SECONDS WEST 200.00 FEET; THENCE ALONG A WEST DESCRIBED LINE OF SAID TITUS PROPERTY AND A WEST DESCRIBED LINE OF THE PHILLIP M. GODBY AND ANNE L. GODBY PROPERTY RECORDED IN DEED RECORD 235, PAGE 141, SOUTH 00 DEGREES 36 MINUTES 10 SECONDS EAST 200.00 FEET; THENCE ALONG A NORTH DESCRIBED LINE OF THE WAYNE E. ALLEN PROPERTY RECORDED AS INSTRUMENT NUMBER 0113594, SOUTH 88 DEGREES 20 MINUTES 24 SECONDS WEST 214.50 FEET; THENCE ALONG AN EAST DESCRIBED LINE OF THE DONALD R. CLARK & VIRGINIA L. CLARK PROPERTY RECORDED IN DEED RECORD 190, PAGE 320, NORTH 00 DEGREES 36 MINUTES 10 SECONDS WEST 376.08 FEET; THENCE ALONG A NORTH DESCRIBED LINE OF SAID CLARK PROPERTY, SOUTH 88 DEGREES 20 MINUTES 24 SECONDS WEST 890.89 FEET, THENCE ALONG AN EAST DESCRIBED LINE OF THE JUNE G. WYMAN PROPERTY RECORDED IN DEED RECORD 199, PAGE 998, NORTH 00 DEGREES 42 MINUTES 22 SECONDS WEST 245.53 FEET; THENCE NORTH 88 DEGREES 25 MINUTES 17 SECONDS EAST 1305.80 FEET TO THE POINT OF BEGINNING, CONTAINING 9.990 ACRES, MORE OR LESS.

EXCEPTING THEREFROM:

A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST, WORTH TOWNSHIP, BOONE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 18; THENCE SOUTH 00 DEGREES 35 MINUTES 32 SECONDS EAST 1038.14 FEET ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18 TO A MAGNETIC NAIL WITH METAL WASHER STAMPED "HAUSE PCS20600040" (HEREAFTER CALLED MAG NAIL WITH WASHER), SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 00 DEGREES 35 MINUTES 32 SECONDS EAST 177.21 FEET ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18 TO A MAG NAIL WITH WASHER: THENCE SOUTH 88 DEGREES 21 MINUTES 02 SECONDS WEST 306.99 FEET TO A FIVE EIGHTHS (5/8) INCH DIAMETER REBAR WITH BLUE PLASTIC STAMPED :HAUSE

PLS20600040" (HEREAFTER CALLED CAPPED REBAR); THENCE NORTH 01 DEGREES 48 MINUTES 20 SECONDS WEST 177.18 FEET TO A CAPPED REBAR;

THENCE NORTH 88 DEGREES 21 MINUTES 02 SECONDS EAST 310.74 FEET TO THE POINT OF BEGINNING. CONTAINING 1.26 ACRES, MORE OR LESS.

DESCRIPTION (CLARK PARCELS)

A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN WORTH TOWNSHIP, BOONE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHICH IS 18 CHAINS 33 1/3 LINKS SOUTH AND 6 CHAINS 33 1/3 LINKS WEST OF THE NORTHEAST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST, AND RUN THENCE WEST 13 CHAINS 66 2/3 LINKS TO THE WEST LINE OF SAID TRACT; THENCE SOUTH 16 CHAINS 6 LINKS TO THE NORTH LINE OF THE RIGHT OF WAY OF THE INDIANAPOLIS AND NORTHWESTERN TRACTION COMPANY; THENCE WITH SAID NORTH LINE OF SAID RIGHT OF WAY OF SAID TRACTION COMPANY, SOUTH 75 DEGREES 19 MINUTES EAST 2 CHAINS 19 LINKS; THENCE WITH SAID NORTH LINE OF SAID RIGHT OF WAY OF SAID TRACTION COMPANY, SOUTH 82 DEGREES 2 MINUTES EAST, 1 CHAIN 51 LINKS; THENCE WITH SAID NORTH LINE OF SAID RIGHT OF WAY OF SAID TRACTION COMPANY EAST 9 CHAINS 95 LINKS; THENCE NORTH 5 CHAINS 78 2/3 LINKS; THENCE EAST 6 CHAINS 48 1/3 LINKS TO THE EAST LINE OF SAID TRACT; THENCE NORTH 22 1/2 LINK; THENCE WEST 6 CHAINS 33 1/3 LINKS; THENCE NORTH 10 CHAINS 77 2/3 LINKS TO THE PLACE OF BEGINNING. CONTAINING 22 2/3 ACRES, MORE OR LESS.

ALSO:

A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WORTH TOWNSHIP, BOONE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING 335 FEET NORTH OF THE SOUTHWEST CORNER OF SAID HALF QUARTER SECTION AND RUN THENCE NORTH 48 1/2 FEET; THENCE SOUTH 76 DEGREES 34 MINUTES EAST 147 FEET; THENCE SOUTH 84 DEGREES 38 MINUTES EAST 100 FEET; THENCE EAST 653 FEET; THENCE SOUTH 20 FEET; THENCE WEST 853 FEET TO THE NORTH LINE OF THE RIGHT OF WAY OF THE C.C.C. AND ST. L. RAILROAD; THENCE NORTH 62 DEGREES 42 MINUTES WEST 48 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM:

THAT PART CONVEYED BY WARRANTY DEED TO MISSION BAPTIST CHURCH RECORDED JANUARY 20, 1965 IN DEED RECORD 179 PAGE 232, IN WORTH TOWNSHIP, BOONE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 10 CHAINS AND 14 1/2 LINKS NORTH OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST, AND RUNNING THENCE NORTH 64.91 FEET; THENCE WEST 414 1/2 FEET; THENCE SOUTH 64.91 FEET; THENCE EAST 414 1/2 FEET TO THE PLACE OF BEGINNING.

FURTHER EXCEPTING THEREFROM:

THAT PART CONVEYED BY QUIT CLAIM DEED TO EBENEZER BAPTIST CHURCH, INC. RECORDED JUNE 22, 2006 AS INSTRUMENT NO. 200600006666 AND RE-RECORDED AS INSTRUMENT NO. 200800002073, IN WORTH TOWNSHIP, BOONE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18; THENCE ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER NORTH 00 DEGREES 39 MINUTES 30 SECONDS WEST 524.41 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 15 MINUTES 52 SECONDS WEST 414.54 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 05 SECONDS EAST 10.82 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 223.28 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 58 SECONDS WEST 250.81 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 14 EAST 226.77 FEET; THENCE SOUTH 00 DEGREES 22 MINUTES 23 SECONDS EAST 76.13 FEET; THENCE NORTH 88 DEGREES 52 MINUTES 29 SECONDS EAST 413.58 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 187.88 FEET TO THE POINT OF BEGINNING.