



Certification of Recommendation

Whitestown Plan Commission

July 13, 2021

RE: AMENDMENT TO ZONING MAPS OF THE WHITESTOWN UNIFIED DEVELOPMENT ORDINANCE (PC21-022-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 July 12, 2021 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 Patch Whitestown, LLC. by Brian J. Tuohy on behalf of Margaret F. Smith, Owner, seeking to rezone approximately 78.47 acres, more or less, in the Town of Whitestown, Indiana, from the AG (General Agriculture) Zone to the I-1 (Light Industry) Zoning Classification.

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

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

Respectfully,

Brittany Garriott
Director of Planning and Community Development

Exhibit A

Legal Description

The Land referred to herein below is situated in the County of Boone, State of Indiana, and is described as follows:

NOTE: THIS LEGAL DESCRIPTION IS INCOMPLETE AND IS FOR INFORMATIONAL PURPOSES ONLY. THIS LEGAL DESCRIPTION SHOULD NOT BE USED TO PREPARE LEGAL DOCUMENTS.

PARCEL #1

BEING THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 1 EAST LOCATED IN WORTH TOWNSHIP, BOONE COUNTY, INDIANA AND CONTAINING 40 ACRES OF LAND, MORE OR LESS.

PARCEL #2

BEING THE EAST HALF OF PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 18, RANGE 1 EAST, WORTH TOWNSHIP, BOONE COUNTY, INDIANA, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 23; THENCE ALONG THE NORTH DESCRIBED LINE OF THE KENNETH L. SMITH PROPERTY RECORDED IN DEED RECORD 247, PAGES 698-699 AND THE QUARTER SECTION LINE, SOUTH 89°00'04" WEST 1326.54 FEET; THENCE ALONG PART OF THE EAST DESCRIBED LINE OF THE PAUL J. GROOVER AND ROZELLA GROOVER PROPERTY RECORDED IN DEED RECORD 137, PAGE 568, BOONE COUNTY RECORDER'S OFFICE AND THE QUARTER QUARTER SECTION LINE, NORTH 00°16'35" WEST 5.83 FEET; THENCE NORTH 88°44'10" EAST 1326.65 FEET; THENCE ALONG THE APPROXIMATE CENTER LINE OF COUNTY ROAD 450 EAST AND THE QUARTER SECTION LINE, SOUTH 00°11'56" EAST 11.96 FEET TO THE POINT OF BEGINNING, CONTAINING 0.2709 ACRE, MORE OR LESS, SUBJECT TO THE RIGHT OF WAY FOR COUNTY ROAD 450 EAST ON AND ALONG THE EAST BOUNDARY. (SURVEY ATTACHED)

(A 0.2709 ACRE TRACT BEFORE DIVISION AND PART OF DEED RECORD 247, PAGES 700-701)

PARCEL #3

BEING THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 1 EAST LOCATED IN WORTH TOWNSHIP, BOONE COUNTY, INDIANA AND CONTAINING 40 ACRES OF LAND, MORE OR LESS.

PARCEL #4

BEING THE WEST HALF OF PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 18, RANGE 1 EAST, WORTH TOWNSHIP, BOONE COUNTY, INDIANA, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 23; THENCE ALONG THE NORTH DESCRIBED LINE OF THE KENNETH L. SMITH PROPERTY RECORDED IN DEED RECORD 247, PAGES 698-699 AND THE QUARTER SECTION LINE, SOUTH 89°00'04" WEST 1326.54 FEET; THENCE ALONG PART OF THE EAST DESCRIBED LINE OF THE PAUL J. GROOVER AND ROZELLA GROOVER PROPERTY RECORDED IN DEED RECORD 137, PAGE 568, BOONE COUNTY RECORDER'S OFFICE AND THE QUARTER QUARTER SECTION LINE, NORTH 00°16'35" WEST

5.83 FEET; THENCE NORTH 88°44'10" EAST 1326.65 FEET; THENCE ALONG THE APPROXIMATE CENTER LINE OF COUNTY ROAD 450 EAST AND THE QUARTER SECTION LINE, SOUTH 00°11'56" EAST 11.96 FEET TO THE POINT OF BEGINNING, CONTAINING 0.2709 ACRE, MORE OR LESS, SUBJECT TO THE RIGHT OF WAY FOR COUNTY ROAD 450 EAST ON AND ALONG THE EAST BOUNDARY. (SURVEY ATTACHED)

(A 0.2709 ACRE TRACT BEFORE DIVISION AND PART OF DEED RECORD 247, PAGES 700-701)

EXCEPTING THEREFROM:

A PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 1 EAST LOCATED IN WORTH TOWNSHIP, BOONE COUNTY, INDIANA BEING BOUNDED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 1 EAST; THENCE SOUTH 88 DEGREES 16 MINUTES 21 SECONDS WEST (THE BASIS OF BEARING IS THE INDIANA WEST ZONE NAD 83 STATE PLANE COORDINATE SYSTEM) 1,327.93 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE SOUTHWEST CORNER OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE, NORTH 00 DEGREES 38 MINUTES 41 SECONDS WEST 114.52 FEET ALONG THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 16 MINUTES 21 SECONDS EAST 61.07 FEET PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 42 MINUTES 54 SECONDS EAST 203.42 FEET; THENCE SOUTH 85 DEGREES 47 MINUTES 25 SECONDS EAST 79.83 FEET; THENCE SOUTH 80 DEGREES 43 MINUTES 43 SECONDS EAST 79.52 FEET; THENCE SOUTH 76 DEGREES 06 MINUTES 11 SECONDS EAST 200.05 FEET; THENCE SOUTH 81 DEGREES 54 MINUTES 28 SECONDS EAST 173.99 FEET; THENCE NORTH 88 DEGREES 29 MINUTES 06 SECONDS EAST 395.99 FEET; THENCE NORTH 88 DEGREES 21 MINUTES 34 SECONDS EAST 144.03 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 40 MINUTES 23 SECONDS EAST 4.28 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING CONTAINING 1.487 ACRES, MORE OR LESS.

ALSO EXCEPTING THEREFROM:

A PART OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 1 EAST, BOONE COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT-OF-WAY LINES DEPICTED ON THE ATTACHED RIGHT-OF-WAY PARCEL PLAT MARKED EXHIBIT "B" DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH BOUNDARY OF C.R. 400, WHICH POINT IS THE SOUTHWEST CORNER OF THE GRANTOR'S LAND, NORTH 0 DEGREES 38 MINUTES 08 SECONDS WEST 114.50 FEET FROM THE SOUTHWEST CORNER OF SAID HALF SECTION; THENCE CONTINUING NORTH 0 DEGREES 38 MINUTES 08 SECONDS WEST 210.81 FEET ALONG THE WEST LINE OF THE GRANTOR'S LAND; THENCE SOUTHEASTERLY 126.50 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 295.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 18 DEGREES 20 MINUTES 03 SECONDS EAST AND A LENGTH OF 125.54 FEET TO POINT "1031" DESIGNATED ON SAID EXHIBIT "B"; THENCE SOUTH 34 DEGREES 36 MINUTES 08 SECONDS EAST 46.93 FEET TO POINT "1032" DESIGNATED ON SAID EXHIBIT "B"; THENCE SOUTH 78 DEGREES 12 MINUTES 20 SECONDS EAST 235.00 FEET TO POINT "1033" DESIGNATED ON SAID EXHIBIT "B" AND THE NORTHERN BOUNDARY OF SAID C.R. 400 SOUTH; THENCE ALONG THE NORTHERN BOUNDARY OF SAID C.R. 400 SOUTH NORTHWESTERLY 83.00 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 901.22 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 89 DEGREES 05 MINUTES 17 SECONDS WEST AND A LENGTH OF 82.87 FEET; THENCE SOUTH 88 DEGREES 17 MINUTES 17 SECONDS WEST 210.98 FEET ALONG SAID NORTHERN BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 0.315 ACRES, MORE OR LESS.

Exhibit B

