



Certification of Recommendation

Whitestown Plan Commission

July 27, 2016

RE: AMENDMENT TO THE ZONING MAP (PC16-010-TA)

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 June 13, 2016 the Whitestown Plan Commission gave a 5-0 favorable recommendation to change the zone classification under section IC 36-7-4-608.

The change in zoning is from Boone County Area Plan Zoning- GB General Business to Whitestown UDO GB- General Business for the property described in the legal descriptions contained in the attached **Exhibit A**. Commitments that apply to the zoning amendment are contained in the attached **Exhibit B**.

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

Respectfully,

Lauren Bailey
Director of Planning and Community Development
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Whitestown, IN 46075
317-732-4535
planning@whitestown.in.gov



Whitestown
Public Hall

Whitestown Parkway

Maple Grove Commercial

Whitestown Pkwy

Oxford Dr

Grove Pass

Motteson Dr

Muller Dr

Anderson Dr

W Stonegate Dr

Maple Grove Blvd

Maple Grove Dr

Exhibit A

Legal Description

All of Block "A" of Maple Grove Commercial Subdivision of which is recorded as Instrument number 201300013491, Book 22, Page 51 in the Office of the Recorder of Boone County Indiana, and which plat was amended by recorded Instrument number 2016000006338, Book 24, Pages 42-43 in the Office of the Recorder of Boone County Indiana.

Exhibit B

Commitments

Commitments Concerning the Use and Development of Real Estate

STATE OF INDIANA)

) SS:

COUNTY OF BOONE)

Pursuant to IC §36-7-4-1015, MS Whitestown, LLC (hereinafter, "Owner") makes the following Commitments to the Whitestown Plan Commission regarding the hereinafter described Real Estate.

Description of Real Estate:

See Exhibit "A" attached hereto and incorporated herein.

Statement of Commitments:

1. To preserve the context of the area, the following uses should be prohibited as part of this rezoning:
 - a. Automobile or Motorcycle Sales' Automobile Repair, Service Station; Billiard & Pool Establishments; Boat Sales; Customary Home Occupations (accessory use); Diaper Services; Disinfecting & Exterminating Services; Dwelling- single family; Fraternity, Sorority or Student Housing; Fuel Dealers; Hay, Grain & Feed Stores; Major Residential Subdivision; Mobile home, Travel Trailer, Camper Sales & Services; Night Club; Temporary Mobile home; Truck Sales, Rental Leasing, Repair; Tobacco Stores.

Binding Effect:

These Commitments are binding on the owner of the Real Estate, each subsequent owner of the Real Estate, and each person acquiring an interest in the Real Estate, unless modified or terminated by operation of law or by the Whitestown Plan Commission or its successor.

Recording:

The undersigned authorizes the Director of the Whitestown Planning Department to record these Commitments in the Office of the Recorder of Boone County, Indiana, upon granting of the approval of Owner's proposed Development Plan for Docket PC16-010-TA.

Enforcement:

These Commitments may be enforced by the Whitestown Plan Commission.

IN WITNESS WHEREOF, Owner executed these Commitments this _____ day of
_____, 2016.

By _____

Title _____

Printed _____

STATE OF INDIANA)

)

COUNTY OF _____)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared [OWNER], who acknowledged the execution of the foregoing Commitments.

WITNESS my hand and Notarial Seal this _____ day of _____, 2016.

Signed: _____

Printed: _____

Notary Public

My Commission Expires:

My County of Residence is:

This instrument was prepared by John R. Molitor, Attorney at Law.

"I, affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."

Name: John R. Molitor