

Petitioner: Marina District Development, LLC

ORDINANCE NO. 9309

AN ORDINANCE RECLASSIFYING CERTAIN LANDS IN THE CITY OF HAMMOND FOR ZONING PURPOSES AND AMENDING ORDINANCE NO. 8514 (AN ORDINANCE ESTABLISHING A ZONING PLAN FOR THE CITY OF HAMMOND INCLUDING THE REGULATIONS AND MAPS TO ADMINISTER THE ZONING PLAN IN ORDER TO PROVIDE FOR ORDERLY GROWTH AND DEVELOPMENT WITHIN THE CITY, ALL IN ACCORDANCE WITH THE COMPREHENSIVE/LAND USE PLAN, AS AMENDED) FOR PROPERTY COMMONLY KNOWN AS 900 BLOCK OF INDIANAPOLIS BOULEVARD AND THE 1000-1100 BLOCKS OF 5TH AVENUE, HAMMOND, INDIANA.

WHEREAS, in said Ordinance the following described property was classified as C-2 Shopping Center District, C-4 General Commercial District, and I-2

Manufacturing District:

A part of the South Half of Section 36, Township 38 North, Range 10 West of the 2nd Principal Meridian and the North Half of Section 1, Township 37 North, Range 10 West of the 2nd Principal Meridian, Lake County, Indiana, being particularly described as: Commencing at the intersection of the Easterly Right of Way line of the Indiana East-West Tollway and the Original centerline of Indianapolis Boulevard; thence South 38°37'14" East, along said original centerline a distance of 436.40 feet; thence South 27°48'46" West 60.00 feet to the existing Southwesterly line of said Indianapolis Boulevard and the Point of Beginning, said point also being the Northwest corner of Lot 2 in New Roby 1st Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 104, page 70 in the Office of the Recorder of Lake County, Indiana; thence South 38°37'45" East 159.24 feet to the centerline of 5th Avenue; thence North 00°32'59" East 20.42 feet to the existing Southwesterly Right of Way of Indianapolis Boulevard; thence South 38°37'45" East along said Southwesterly Right of Way line a distance of 565.78 feet; thence continuing along the Southwesterly line of Indianapolis Boulevard South 39°52'38" East a distance of 101.11 feet; thence continuing along the Southwesterly line of Indianapolis Boulevard South 38°37'45" East a distance of 180.09 feet; thence South 51°12'03" West 135.69 feet; thence South 35°43'10" West 136.32 feet; thence South 12°17'45" West 132.22 feet; thence South 03°37'23" East 125.93 feet; thence South 23°45'00" East 122.46 feet to a point on a non-tangent curve, concave to the Northeast, having the following elements: a Radius of 346.48 feet, a Chord Bearing South 54°39'06" East, and a Chord Length of 298.49 feet; thence Southeasterly along said curve an Arc Length of 308.58 feet to a point on the Westerly

right of way of 112th Street; thence South 34°43'42" West along said Westerly right of way of 112th Street a distance of 462.96 feet; thence North 89°23'06" West along the Northern right-of-way line of 112th Street a distance of 336.05 feet to the Eastern right-of-way 5th Avenue; thence North 00°32'59" East along the East line of said 5th Avenue a distance of 788.93 feet; thence North 89°27'01" West 73.00 feet to the West line of said 5th Avenue; thence North 00°32'59" East along the West line of said 5th Avenue a distance of 426.75 feet to the Northeast corner of Outlot B in said New Roby 1st Addition; thence North 58°44'38" West along the Northeasterly line of said Outlot B a distance of 78.50 feet; thence North 89°21'05" West along the North line of said Outlet 8, and said line extended West, a distance of 292.58 feet to the East line of Outlet A in said New Roby 1st Addition; thence North 00°32'59" East along the East line of Outlot A in said New Roby 1st Addition a distance of 137.06 feet; thence South 62°11'30" East 14.08 feet; thence North 27°48'46" East 476.01 feet; thence North 50°41'29" East 66.17 feet; thence North 02°02'40" West 43.77 feet; thence South 41°29'00" East 30.00 feet to the Point of Beginning. Containing 18.89 acres, more or less.

Also known as 900 Block of Indianapolis Boulevard and the 1000-1100 Blocks of 5th Avenue

WHEREAS, the City Plan Commission of the City of Hammond, Lake County, Indiana, having held a public hearing and on the 17th day of August, 2015, did recommend that said above described real estate is to be reclassified from C-2 Shopping Center District, C-4 General Commercial District, and I-2 Light Industrial District to PUD Planned Unit Development District, to construct, operate, and maintain a unified commercial retail development.

WHEREAS, the Common Council of the City of Hammond, Lake County, Indiana, pursuant to its authority and powers vested by ordinance and statute has determined that the changing of said property from class C-2 Shopping Center District, C-4 General Commercial District, and I-2 Light Industrial District to PUD Planned Unit Development District, is more consistent with the surrounding zoning and prospective uses in the area.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond, Lake County, Indiana that Ordinance No. 8514 be hereby amended and modified and that the land hereinafter described lying within the municipal corporate limits of the City of Hammond, Indiana, be put from a class C-2 Shopping Center District, C-4 General Commercial District, and I-2 Light Industrial District to PUD Planned Unit Development District, which land is more particularly described as follows:

A part of the South Half of Section 36, Township 38 North, Range 10 West of the 2nd Principal Meridian and the North Half of Section 1, Township 37 North, Range 10 West of the 2nd Principal Meridian, Lake County, Indiana, being particularly described as: Commencing at the intersection of the Easterly Right of Way line of the Indiana East-West Tollway and the Original centerline of Indianapolis Boulevard; thence South $38^{\circ}37'14''$ East, along said original centerline a distance of 436.40 feet; thence South $27^{\circ}48'46''$ West 60.00 feet to the existing Southwesterly line of said Indianapolis Boulevard and the Point of Beginning, said point also being the Northwest corner of Lot 2 in New Roby 1st Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 104, page 70 in the Office of the Recorder of Lake County, Indiana; thence South $38^{\circ}37'45''$ East 159.24 feet to the centerline of 5th Avenue; thence North $00^{\circ}32'59''$ East 20.42 feet to the existing Southwesterly Right of Way of Indianapolis Boulevard; thence South $38^{\circ}37'45''$ East along said Southwesterly Right of Way line a distance of 565.78 feet; thence continuing along the Southwesterly line of Indianapolis Boulevard South $39^{\circ}52'38''$ East a distance of 101.11 feet; thence continuing along the Southwesterly line of Indianapolis Boulevard South $38^{\circ}37'45''$ East a distance of 180.09 feet; thence South $51^{\circ}12'03''$ West 135.69 feet; thence South $35^{\circ}43'10''$ West 136.32 feet; thence South $12^{\circ}17'45''$ West 132.22 feet; thence South $03^{\circ}37'23''$ East 125.93 feet; thence South $23^{\circ}45'00''$ East 122.46 feet to a point on a non-tangent curve, concave to the Northeast, having the following elements: a Radius of 346.48 feet, a Chord Bearing South $54^{\circ}39'06''$ East, and a Chord Length of 298.49 feet; thence Southeasterly along said curve an Arc Length of 308.58 feet to a point on the Westerly right of way of 112th Street; thence South $34^{\circ}43'42''$ West along said Westerly right of way of 112th Street a distance of 462.96 feet; thence North $89^{\circ}23'06''$ West along the Northern right-of-way line of 112th Street a distance of 336.05 feet to the Eastern right-of-way 5th Avenue; thence North $00^{\circ}32'59''$ East along the East line of said 5th Avenue a distance of 788.93 feet; thence North $89^{\circ}27'01''$ West 73.00 feet to the West line of said 5th Avenue; thence North $00^{\circ}32'59''$ East along the West line of said 5th Avenue a distance of 426.75 feet to the Northeast corner of Outlot B in said New Roby 1st

Addition; thence North 58°44'38" West along the Northeasterly line of said Outlot B a distance of 78.50 feet; thence North 89°21'05" West along the North line of said Outlet 8, and said line extended West, a distance of 292.58 feet to the East line of Outlet A in said New Roby 1st Addition; thence North 00°32'59" East along the East line of Outlot A in said New Roby 1st Addition a distance of 137.06 feet; thence South 62°11'30" East 14.08 feet; thence North 27°48'46" East 476.01 feet; thence North 50°41'29" East 66.17 feet; thence North 02°02'40" West 43.77 feet; thence South 41°29'00" East 30.00 feet to the Point of Beginning. Containing 18.89 acres, more or less.

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Be it Further Ordained by the Common Council that this Ordinance shall have full force and effect from and after its passage and approval by the Common Council, signing by the President of the Common Council, and publication according to law.

Michael Opinker /s/
Council President

ATTEST:

Robert J. Golec, City Clerk /s/

The foregoing Ordinance No. 9309 consisting of four (4) typewritten pages, including this page was approved by the Common Council on the 14th day of September, 2015.

Robert J. Golec, City Clerk /s/