

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF PITTSBORO, MIDDLE TOWNSHIP,  
HENDRICKS COUNTY, INDIANA CONCERNING AMENDMENT TO  
THE UNIFIED DEVELOPMENT ORDINANCE**

**Section 1.** This is a Planned Unit Development District Ordinance amending Town of Pittsboro Unified Development Ordinance to include the White Oaks PUD District Ordinance No. \_\_\_\_\_ (the "**WHITE OAKS PUD**") as an amendment to the Town of Pittsboro Unified Development Ordinance, Hendricks County, Indiana (the "UDO"), enacted by the Town of Pittsboro pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

**WHEREAS**, the Town of Pittsboro, Indiana (the "Town") Hendricks County, Indiana is subject to the Town of Pittsboro UDO Ordinance;

**WHEREAS**, the Pittsboro Advisory Plan Commission (the "Commission") considered a petition (**Petition No.** \_\_\_\_\_), requesting a recommendation of approval of the White Oaks PUD, as part of the UDO Ordinance and amending the Town's Zoning Map relating to real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

**WHEREAS**, the Commission forwarded **Petition No.** \_\_\_\_\_ to the Town Council of the Town, Hendricks County, Indiana (the "Town Council") with a \_\_\_\_\_ recommendation in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

**WHEREAS**, the Secretary of the Commission certified the action of the Commission to the Town Council on \_\_\_\_\_, 2021;

**WHEREAS**, the Town Council is subject to the provisions of the Indiana Code §36- 7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Pittsboro, Hendricks County, Indiana, meeting in regular session, that the White Oaks PUD is hereby approved as follows:

**Section 2. Applicability of Ordinance.**

2.1 The UDO and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**WHITE OAKS PUD District**" (the "District").

A. Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) if a standard is not addressed by this Ordinance, the provisions of the UDO, as amended and applicable to the Real Estate.

- B. Chapter (“*Chapter*”) and Article (“*Article*”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the UDO.
- C. All provisions and representations of the UDO that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

**Section 3.** **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the UDO Ordinance.

- 3.1 Area A: The part of the Real Estate depicted on the Preliminary Development Plan attached as Exhibit B as Area A.
- 3.2 Area B. The part of the Real Estate depicted on the Preliminary Development Plan as Area B.
- 3.3 Area C. The part of the Real Estate depicted on the Preliminary Development Plan as Area C.
- 3.4 Paired Villas: Area A will be developed with attached Single Family dwellings and targeted to the active adult buyer. In order to ensure the product will be targeted to the active Adult Buyer, all attached single family homes in Area A will be limited to one story living with the exception of a 2<sup>nd</sup> story loft area of no more than 50% of the first floor living area. The Homeowners’ Association for owners of lots in Area A (“HOA”) will provide lawn maintenance and snow removal in Area A. For attached residential dwellings, the HOA will also be responsible for maintenance items that affect common elements of an attached residence, such as roofs and exterior walls.
- 3.5 Dwelling: A structure built in accordance with the standards and requirements contained in this Ordinance and intended for occupancy as a single-family residence, whether attached or detached. A detached single-family dwelling equals one Dwelling unit, and an attached single family dwelling equals two Dwelling units.

**Section 4.** **Preliminary Development Plan.**

- 4.1 The Preliminary Development Plan, attached hereto as **Exhibit B,** is hereby incorporated in accordance with \_\_\_\_\_, Planned Unit Development Districts; PUD District Ordinance Requirements; Preliminary Development Plan. The Real Estate shall be developed in substantial compliance with the Preliminary Development Plan.

**Section 5. Permitted Uses.** The permitted uses shall be as set forth below.

- 5.1 The following uses are permitted within the White Oaks PUD:
- A. Dwelling, single family (hereinafter referred to as “detached single family dwelling”)
  - B. Dwelling, two family (hereinafter referred to as “attached single family dwelling” or “Paired Villa”)
  - C. Accessory Uses as permitted in the UDO for residential neighborhoods.

**Section 6. General Regulations.**

- 6.1 The following standards as outlined in this PUD Ordinance are the standards that shall apply to the Real Estate known as White Oaks PUD. The standards for Area A, Area B and Area C shall be applied to each of the respective areas as depicted on the Preliminary Development Plan.
- 6.2 **Maximum Number of Dwelling Units.** The total number of Dwellings permitted in the White Oaks PUD shall not exceed three hundred sixty-four (364) Dwelling Units.
- A. The Standards Matrix in Section 6.3 outlines a maximum number of Dwellings within each Area. The total number of Dwellings can be modified up to 10% from the stated number of Dwellings as shown in Area A and Area B provided that the total number of Dwellings is capped at 364 Dwelling units.
  - B. Area C shall not have any more lots than the stated 65 dwelling units as identified in the Standard matrix in Section 6.3.

### 6.3 Standards Matrix

Standard	AREA A(1)	AREA B	Area C
Max Number of Lots	79 (158 Units)	141	65
Minimum Lot Area	11,000 (5500 SF per unit)	7500 SF	9000
Minimum Lot Width (at Building line)	90' (45' per unit)	60'	70'
Minimum Building Setback			
Building Separation	18'	20 feet between homes	20 feet between homes
Front Yard	25'	25'	25'
Side Yard	5'with an aggregate of 18' (2)	5'with an aggregate of 20'	5'with an aggregate of 20'
Rear Yard	25'	25'	25'
Maximum Building Height (measured from street side of dwelling)	35'	35'	35'
Minimum Living Area (Total)			
One Story Dwellings	1400 SF	1600 SF	1600 SF
Two Story Dwellings	N/A	1800 SF	1800 SF

- (1) If any portion of Area A is developed as Single Family Detached Residential, then the standards of Area B shall apply. The minimum distance between a single-family detached home and an existing attached single-family home will be 20 feet of separation.
- (2) The side yard setback and building separation in Area A as stated in the Standards Matrix is the side yard setback and building separation per building. The Attached single family will have a lot line between the attached units. This allows each unit to be sold separately on its own lot of record.

### **Section 7. Infrastructure Standards.**

- 7.1 The District's infrastructure shall comply with the Town's General Construction Standards as outlined in the UDO, unless otherwise approved by the Plan Commission and Town Engineer, as part of the Detailed Development Plan and/or Construction Plan approval process.

### **Section 8. Architectural Design Standards.**

- 8.1 The following Architectural Design standards shall apply to the development of the District. **Exhibit D** is an illustrative sample of the style and types of Dwellings that may be built within the District.

**A. Architectural Standards for Area A (Attached Villas):**

- i. Exterior Materials for Area A: All Homes in Area A are permitted to use Masonry (Brick or Stone), wood siding, fiber cement board siding or heavy gauge vinyl siding as exterior materials. Vinyl siding shall be a permitted exterior material for siding in Area A provided it is a minimum thickness of .46 mm thickness and has the appearance of wood grain texture of either horizontal lap siding, shake siding, or bat n board siding.
- ii. All homes shall have roof overhangs on the gable ends of no less than twelve inches (12”) measured from the exterior wall of the home prior to installation of any brick or either siding.
- iii. Window trim consisting of one inch (1”) by four inches (4”) around all windows (front, side and rear elevations), or one inch (1”) by four inches (4”) wood surround (nominal dimensional). If shutters are utilized on any window treatment or masonry is utilized adjacent to the window, the window trim is not required.
- iv. A minimum of a 24” Masonry wainscott on the front elevation as depicted in the Illustrative pictures found in Exhibit D.
- v. A decorative garage doors including windows and decorative hardware as depicted in the character Exhibit D.
- vi. A covered front porch of no less than 4 feet in depth and 8 feet in width.
- vii. A minimum of three different architectural textures on the front elevation. Such different textures can include different types of masonry, horizontal siding, shake and /or Board and Batten siding. The attached illustrative plans in Exhibit D show each home as having the three different textures of front façade treatment.
- viii. Vinyl siding of no less than .46 mm in thickness.

**B. Architectural Standards for Area B:**

- i. Exterior Materials for Area B: All Homes in Area B are permitted to use Masonry (Brick or Stone), wood siding, fiber cement board siding or heavy gauge vinyl siding as exterior materials. Vinyl siding shall be a permitted exterior material for siding in Area B provided it is a minimum thickness of .46 mm thickness and has the appearance of wood grain texture of either horizontal lap siding, shake siding, or bat n board siding.

- ii. All homes shall have roof overhangs on the gable ends of no less than twelve inches (12”) measured from the exterior wall of the home prior to installation of any brick or either siding.
- iii. Window trim consisting of one inch (1”) by four inches (4”) around all windows (front, side and rear elevations), or one inch (1”) by four inches (4”) wood surround (nominal dimensional). If shutters are utilized on any window treatment or masonry is utilized adjacent to the window, the window trim is not required.
- iv. Front Façade Requirements: Each front elevation shall include architectural elements from the following list that total a minimum of five (5) points. Unless otherwise specified, all features listed below as a. - r in this Section 8.1.B.iv.. are worth one (1) point.
  - a. Front porch, minimum eight (8) feet in width and four (4) feet in depth supported by columns or a minimum of 32 square feet. (2 points)
  - b. Covered front Stoop, minimum sixteen (16) square feet in area.
  - c. A separate overhead door for each single garage bay
  - d. Side-loaded or court-entry garage (2 points)
  - e. Brick, stone or textured concrete masonry on one hundred percent (100%) of the front elevation (excluding openings) (2 points)
  - f. Brick, stone or textured concrete masonry on fifty percent (50%) of the front elevation (excluding openings)
  - g. Turret
  - h. Veranda/balcony
  - i. Bay, dormer or oriel windows
  - j. Decorative geometric front gable roof vents or windows
  - k. Architectural details such as quoins, pilasters, cornices, and dentil molding
  - l. Garages with a 3<sup>rd</sup> bay will have a one-foot offset from the other garage bays. This does not apply to side load garages.
  - m. Garages with a side extension shall have a one foot offset from garage plane.

- n. Homes will be provided with front elevation roofline character, which include any of the following items: Two (2) or more roof planes visible (change in elevation or direction of roof ridge) on the front of the house, Reverse Gable, change in elevation of roof ridge, two or more dormers and decorative enhancements on gable ends. Each element applied carries 1 point, 2 point maximum.
- o. Entries to homes will have decorative features such as, decorative trim molding, door sidelight or transom window.
- p. A minimum of 2 types of façade texture (masonry, horizontal siding, shake style siding, bat n board siding, etc....) on front elevation.
- q. Hipped roof or clipped roof
- r. A decorative garage door which features windows, or windows and hardware.

**C. Architectural Standards for Area C:**

- i. Exterior Materials for Area C: All Homes in Area C are permitted to use Masonry (Brick or Stone), wood siding, fiber cement board siding as exterior materials. Vinyl siding is not permitted for exterior siding in Area C.
- ii. All homes shall have roof overhangs on the gable ends of no less than twelve inches (12”) measured from the exterior wall of the home prior to installation of any brick or either siding
- iii. Window trim consisting of one-inch (1”) by four inches (4”) around all windows (front, side and rear elevations), or one inch (1”) by four inches (4”) wood surround (nominal dimensional). If shutters are utilized on any window treatment or masonry is utilized adjacent to the window, the window trim is not required.
- iv. Front Façade Requirements: Each front elevation shall include architectural elements from the following list that total a minimum of five (5) points. Unless otherwise specified, all features listed below as a. - r in this Section 8.1.C.iv. are worth one (1) point.
  - a. Front porch, minimum eight (8) feet in width and four (4) feet in depth supported by columns or a minimum of 32 square feet. (2 points)
  - b. Covered front Stoop, minimum sixteen (16) square feet in area.

- c. A separate overhead door for each single garage bay
- d. Side-loaded or court-entry garage (2 points)
- e. Brick, stone or textured concrete masonry on one hundred percent (100%) of the front elevation (excluding openings)(2 points)
- f. Brick, stone or textured concrete masonry on fifty percent (50%) of the front elevation (excluding openings)
- g. Turret
- h. Veranda/balcony
- i. Bay, dormer or oriel windows
- j. Decorative geometric front gable roof vents or windows
- k. Architectural details such as quoins, pilasters, cornices, and dentil molding
- l. Garages with a 3<sup>rd</sup> bay will have a one-foot offset from the other garage bays. This does not apply to side load garages
- m. Garages with a side extension shall have a one foot offset from garage plane.
- n. Homes will be provided with front elevation roofline character, which include any of the following items: Two (2) or more roof planes visible (change in elevation or direction of roof ridge) on the front of the house, Reverse Gable, change in elevation of roof ridge, two or more dormers and decorative enhancements on gable ends. Each element applied carries 1 point, 2 point maximum.
- o. Entries to homes will have decorative features such as, decorative trim molding, door sidelight or transom window.
- p. A minimum of 2 types of façade texture (masonry, horizontal siding, shake style siding, bat n board siding, etc....) on front elevation
- q. Hipped roof or clipped roof
- r. A decorative garage door which features windows, or windows and hardware.



**D. Additional Architectural Standards for Dwellings in Area C adjacent to Woodland Hills Subdivision and The Reserve at Woodland Hills Subdivision:**

- i. Those lots depicted on the Preliminary Development Plan attached as Exhibit B and marked with a star (Lot Numbers 150, 151, 152, 153, 154, 163, 164, 195, 214, 215 and 216) which are adjacent to The Woodland Hills/The Reserve at the Woodland Hills Subdivisions shall have one additional corner break located on the rear elevation of each Dwelling.
- ii. A corner break is defined as the position at which two architectural planes meet and form relief creating a third dimension. Each exterior corner is considered a corner break, the additional corner break creates a 3<sup>rd</sup> corner break as viewed from the rear of the Dwelling.
- iii. A corner break must be a minimum of a 2 foot off set from the rear elevation and be greater than 8 feet in length and be a minimum of 8 feet in height in order to be considered a corner break. The following list is a non inclusive list of examples that can meet the requirement for the additional corner break:
  - iv. A minimum pop out room of a minimum size of 10'x10'.
  - v. Screen porch/Covered Patio (10'x10')
  - vi. Bay window with a minimum dimension of 2' in depth and 8' in length.

**E. Additional Architectural Standards for all Single Family Detached Dwelling sites:**

- i. Anti-Monotony Standard: Homes of the same elevation shall not be permitted next to or directly across the street from each other. Additionally, home color schemes may not be repeated for 2 homes on either side of the subject home and also the 3 homes directly across the street. **Exhibit C** provides a diagram of the Streetscape Diversity requirement.
- ii. Side Facades for Corner Lots: The side façade(s) of a home which abuts a public or private street and can be viewed from that street shall have at least two (2) windows on a one story house and three (3) windows on a two story house on the side elevation facing the street. A window shall be at least 6 square feet to meet this requirement. Windows adjacent to each other shall be considered 2 windows if the combined size is greater than 12 square feet.

**Section 9. Neighborhood Amenities.**

9.1 The White Oak PUD District shall include the installation of the following neighborhood amenities:

- A. Walking Trail(s) as approximately depicted on Exhibit B.
- B. Playground
- C. Swimming pool and bathhouse
- D. Picnic shelter or half-court basketball court or equivalent type of amenity within the Common Area as approved by the zoning administrator.
- E. Passive recreational area with park benches and sitting areas.

**Section 10. Open Space.**

10.1 The District shall provide a minimum of 20% open space. Open space calculation is inclusive of open space including pond areas. Street Rights-of-Way and area on private lots is not considered open space for this calculation.

**Section 11. Landscaping.**

11.1 Single Family Detached Dwelling Landscaping Standards:

- A. Each single family detached residence shall have 2 trees plus 8 shrubs planted within the front yard at the time the residence is completed.
- B. Corner lots shall have an additional tree planted in the side yard.

11.2 Paired Villa Dwelling (Single Family Attached) Residential Landscaping Standards:

- A. Each single family attached (paired Villa) residence shall have 1 tree plus 6 shrubs planted within the front yard at the time the residence is completed.
- B. Corner lots shall have an additional tree planted in the side yard.

11.3 Perimeter Landscaping. The District will include the following perimeter landscaping standards:

- A. There shall be a landscaped common area of at least twenty feet (20') in width on the northern property line adjacent to US Highway 136 and as shown as Perimeter Landscape Area on the Conceptual Buffer Plan attached hereto as **Exhibit E.**
- B. The minimum landscaping in Perimeter Area A shall consist of a mix of trees and shrubs of at least 5 trees and 10 shrubs per 100 lineal feet. The number of shrubs

per 100 lineal feet may be reduced so long as 1 additional tree is planted for every reduction of 3 shrubs.

- C. All perimeter plantings shall be randomly spaced to encourage an irregular pattern.
  - D. At least 50% of the trees and shrubs shall be evergreens.
  - E. Mounds, fencing and/or walls shall be incorporated into the design.
- 11.4 Eastern Buffer Yard: The east property line of the White Oaks PUD which generally is located from the main District's entrance at US 136 and continues south along the eastern boundary line adjacent to The Woodlands and The Reserve at the Woodlands shall include a 50 foot wide landscape buffer ("Eastern Buffer Yard") along the eastern side of the PUD that is adjacent to the Woodlands/Reserve at the Woodlands and as approximately depicted on **Exhibit E**. Such Buffer yard shall be landscaped with the following planting standards:
- A. The minimum landscaping shall consist of 5 evergreen trees per 100 of linear feet of the property line. Spacing of such trees shall be done to provide a partial screen between the District and the Woodlands/Reserve at the Woodlands Subdivisions. Existing trees shall be taken into account in determining the overall tree requirement of the eastern Buffer Yard.
  - B. Evergreens installed in the Eastern Buffer Yard shall be 7 to 8 feet in height at time of planting.
  - C. An intermittent undulating mound up to 5 feet in height shall be installed within the Eastern Buffer Yard with a side slope of no more than 3' over 1 foot of rise. The mounding is only permitted if drainage requirements can be met. Areas adjacent to the proposed ponds will not be required to have mounding in order to allow proper drainage and meet any drainage requirements.
  - D. A final landscaping plan for the perimeter and Eastern Buffer Yards shall be submitted as a part of detailed development plan to be approved by the Plan Commission. Minor modifications to the approved final landscaping plan may be approved by the Zoning Administrator so long as the total number of plantings is not reduced.
- 11.5 Landscape material shall be no less than the following based on normal horticulture standards unless otherwise noted in other sections of this ordinance:

- A. Canopy trees shall be 2 ½ inches in DBH at time of planting
- B. Ornamental trees shall be 1 ½ inch DBH at time of planting
- C. Evergreen trees shall be 5-6 feet in height at time of planting.
- D. Shrubs shall be a minimum of 2 ½ gallon containers at time of planting

**Section 12. Signage.**

- 12.1 Entry Signage: Entry monument signs at US 136 entrance shall be permitted within a landscape wall or feature. 1 double sided sign or 2 single sided signs are permitted per entrance to the subdivision. The sign area shall be 32 square feet. Such signage may be permitted within a center median or on either side of the entrance drive provided it meets the corner vision clearance requirement.
- 12.2 Internal Neighborhood Signage: Signage separating various neighborhoods within the PUD shall be permitted. Such signage shall be limited to masonry columns measuring a height of 5 feet tall and shall be out of the ROW.

**Section 13. Lighting.**

- 13.1 Street lighting will be provided by the Developer and maintained by the HOA. Such street lights shall be placed near intersections within the neighborhood See **Exhibit G.**
- 13.2 Dusk to dawn carriage lights on the garage shall be provided on each home to help with illumination in the community. A final street light plan shall be submitted and approved as part of the construction documents.

**Section 14. Fencing.**

- 14.1 Fences shall not be permitted within any utility or drainage easement.
- 14.2 Fencing shall be permitted only in rear yards and shall be no taller than 5 feet in height.

**Section 15. Street and sidewalk standards.**

- 15.1 Streets and sidewalks, including, but not limited to widths and design, shall conform to the subdivision control ordinance of the Town of Pittsboro.

**Section 16. Preliminary Development Plan.**

- 16.1 The White Oak Preliminary Development Plan dated \_\_\_\_\_ for the White

Oak PUD is approved and is incorporated as shown in “Exhibit B” attached hereto.

**Section 17. Surety/Bonds.**

- 17.1 Developer, and/or its successors and assigns, shall meet the requirements for Surety/Bonds in accordance with the Chapter 9 of the Town of Pittsboro UDO subdivision control ordinances.

**Section 18. Master Plan.**

- 18.1 Master Plan approval may be granted in phases. Approval of the Master Plan is subject to the requirements of Chapter 6 of the Town of Pittsboro UDO.

**Section 19. Certification and Recordation of the Development Plan.**

Promptly upon approval thereof, the Town of Pittsboro shall sign a mylar copy of each approved Master Plan, record the signed Master Plan in the Office of the Recorder of Hendricks County, Indiana and deliver a copy of the signed Master Plan to the Developer. The Recorder shall return the originally recorded Development Plan to the Town of Pittsboro.

The Town of Pittsboro shall record approved modifications of the Master Plan in the Office of the Recorder of Hendricks County, Indiana promptly following the approval of such modification. Subsequent to recordation, the Town of Pittsboro shall deliver a copy of the recorded modification to the Developer.

**Section 20. Improvement Location Permits.**

The provisions of the Pittsboro UDO shall apply to the issuance of improvement location permits in the P.U.D. district.

ALL OF WHICH IS ORDAINED/RESOLVED THIS \_\_ DAY OF \_\_\_\_\_, 2021

**PITTSBORO TOWN COUNCIL**

\_\_\_\_\_  
**Jarod Baker**  
**President**

\_\_\_\_\_  
**James Hill**  
**Member**

\_\_\_\_\_  
**Melodi Ingalls**  
**Member**

\_\_\_\_\_  
**William Majeske**  
**Member**

\_\_\_\_\_  
**Jay Thompson**  
**Member**

ATTEST:

\_\_\_\_\_  
Shari L. Ping, Clerk Treasurer

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: Jonathan Isaacs

This document prepared by: Jonathan Isaacs, MI Homes of Indiana L.P. 8425 Woodfield Crossing, Suite 100W, Indianapolis, Indiana 46240 (317) 475-3629

**SCHEDULE OF EXHIBITS**

- Exhibit A     Real Estate (Legal Description)
- Exhibit B     Preliminary Development Plan
- Exhibit C     Streetscape Diversity Requirement
- Exhibit D     Character Exhibits
- Exhibit E     Buffer Yard/Bus Stop Conceptual Map
- Exhibit F     Playground Equipment / Pool Amenity

**EXHIBIT A**  
**PROPERTY DESCRIPTION OF THE REAL ESTATE**

**Hudson Property Legal Description**

That portion of the Southwest Quarter of the Northwest Quarter and the West half of the Southwest Quarter of Section 5, Township 16 North, Range 1 East of the Second Principal Meridian, Hendricks County, Indiana, more particularly described as follows, to-wit:

Beginning at a corner post at the Northwest corner of said Southwest Quarter; thence on and along the West line of said Northwest Quarter (assumed bearing) North 00 degrees 05 minutes 50 seconds West, 792.14 feet to an existing fence; thence on and along said fence line, North 89 degrees 17 minutes 03 seconds East, 312.41 feet to a point on the East line extended Southerly of that certain parcel of land described in Deed Record Book 263 on page 480 in the Office of the Recorder of Hendricks County, Indiana; thence on and along the East line of said certain parcel and the Southerly extension thereof, North 00 degrees 39 minutes 46 seconds West, 302.49 feet to a railroad spike set on the curved centerline of U.S. Highway 136, a radial line passing through said point bears North 27 degrees 15 minutes 18 seconds East, said curve having a central angle of 2 degrees 15 minutes 18 seconds and a radius of 3820.05 feet; thence Southeasterly on and along said curved centerline, 150.70 feet to a railroad spike; thence leaving said curve, South 00 degrees 53 minutes 05 seconds West, 230.98 feet to a fence post; thence South 01 degrees 49 minutes 57 seconds West, 329.39 feet to a fence post; thence South 00 degrees 34 minutes 33 seconds West, 1468.05 feet to a fence post; thence South 88 degrees 53 minutes 13 seconds East, 881.17 feet to a 5/8 inch rebar with cap set in the East line of the West half of said Southwest Quarter; thence on and along said East line, South 00 degrees 20 minutes 40 seconds West, 1688.07 feet to a 5/8 inch rebar set in the South line of said Southwest Quarter; thence on and along said South line, North 89 degrees 02 minutes 56 seconds West, 1303.57 feet to a stone marking the Southwest corner of said Section 5; thence on and along the West line of said Southwest Quarter, North 00 degrees 27 minutes 03 seconds East, 2678.88 feet to the POINT OF BEGINNING. The above described parcel contains 68.66 acres, more or less.

(For Reference Only) Property Address: Vacant Land, Pittsboro, IN 46167

(For Reference Only) Tax Parcel ID No.: 020-105611-300012 / 32-07-05-300-012.000-019



**EXHIBIT A Continued**

**Sparks Family Partnership Legal Description**

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

Parcel 1:

A part of the Southeast quarter of Section 6, Township 16 North, Range 1 East, more particularly described as follows:

Beginning at the Northeast corner thereof; running thence West in and along the North line thereof 685.7 feet; running thence South parallel to the East line thereof 1337.7 feet running thence East parallel to the North line aforesaid 685.7 feet to a point in the East line of said quarter section; running thence North in and along said East line 1337.7 feet to the place of beginning, containing in all 21.06 acres, more or less.

(For Reference Only) Property Address: Vacant Land, Pittsboro, IN 46167

(For Reference Only) Tax Parcel ID No.: 010-206611-400002 / 32-07-06-400-002.000-018

Parcel 2:

That portion of the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 5, Township 16 North, Range 1 East of the Second Principal Meridian, Hendricks County, Indiana, more particularly described as follows, to-wit:

Commencing at a post at the Southwest corner of said Northwest quarter; thence on and along the West line of said Northwest quarter, (assumed bearing) North 00 degrees 05 minutes, 50 seconds West, 833.95 feet to a 5/8 inch rebar with cap in the Southwest corner of that certain parcel of land described in deed recorded in Book 263 on page 480 in the office of the Recorder of Hendricks County; thence on and along the South line of said certain parcel, North 88 degrees 56 minutes 10 seconds East, 312.00 feet to a 5/8 inch rebar with cap in the Southeast corner of said certain parcel; thence on and along the East line of said certain parcel, North 00 degrees 39 minutes 46 seconds West, 258.79 feet (296.46 feet deed) to a point on the curved centerline of U.S. Highway 136 marked by a railroad spike, a radial line passing through said point bears, North 27 degrees 15 minutes 18 seconds East, having a central angle of 02 degrees 15 minutes 18 seconds and a radius of 3820.05 feet; thence on and along the arc of said curved centerline Southeasterly 150.70 feet to a railroad spike and the POINT OF BEGINNING; thence South 00 degrees 53 minutes 05 seconds West, 230.98 feet to a fence post; thence South 01 degree 49 minutes 57 seconds West, 329.39 feet to a fence post; thence South 00 degrees 34 minutes 33 seconds West, 1468.05 feet to a fence post; thence South 88 degrees 53 minutes 13 seconds East, 881.17 feet to a 5/8 inch rebar with cap set in the East line of the West half of said Southwest quarter; thence on and along said East line, North 00 degrees 20 minutes 40 seconds East, 1466.01 feet to a 5/8 inch rebar with cap set in the Southeast corner of that certain parcel of land described in deed recorded in Book 279 on page 45 in the office of the Recorder of said county; thence on and along the South line of said certain parcel, North 88 degrees 21 minutes 16 seconds West, 341.89 feet (350.02 deed) to a 5/8 inch rebar with cap set in the Southwest corner of said certain parcel; thence on and along the West line of said certain parcel, North 00 degrees 04 minutes 15 seconds East 252.50 feet, (deed 250.77 feet) to a point on the curved centerline of U.S. 136, a radial line passing through said point bears South 30 degrees 47 minutes 49 seconds West, having a central angle of 00 degrees 39 minutes 10 seconds and a radius of 30,937.54 feet; thence on and along the arc of said curved centerline, Northwesterly 352.49

**EXHIBIT A Continued**

feet to a 5/8 inch rebar with cap set at the end of said curve; thence tangent to said curve, and on and along said centerline, North 58 degrees 33 minutes 00 seconds West, 122.40 feet to a 5/8 inch rebar with cap marking the beginning of a tangent curve through which a radial line passes bearing North 31 degrees 27 minutes 00 seconds East, having a central angle of 01 degree 56 minutes 05 seconds and a radius of 3820.05 feet; thence on and along said curved centerline, Northwesterly 128.99 feet to the POINT OF BEGINNING.

The above described parcel contains 34.45 acres, more or less.

**EXCEPTING THEREFROM:**

That part of the above described property conveyed to Everett Edward Sparks II by a Warranty Deed recorded January 24, 2013, as Instrument Number 201302516, in the Office of the Recorder of Hendricks County, Indiana, described as follows:

Lot 1 Sparks Minor Plat, an Addition in Hendricks County, Indiana, as per plat thereof recorded January 18, 2013 as Instrument No. 201300748 in Plat Cabinet 7, Slide 178, pages 1 a and b, in the Office of the Recorder of Hendricks County, Indiana.

**Sparks Legal Description**

Lot 1 Sparks Minor Plat, an Addition in Hendricks County, Indiana, as per plat thereof recorded January 18, 2013 as Instrument No. 201300748 in Plat Cabinet 7, Slide 178, pages 1 a and b, in the Office of the Recorder of Hendricks County, Indiana.

**EXHIBIT B**  
**PRELIMINARY DEVELOPMENT PLAN**

Page 1 of 3



**EXHIBIT B**  
**PRELIMINARY DEVELOPMENT PLAN**  
Page 2 of 3

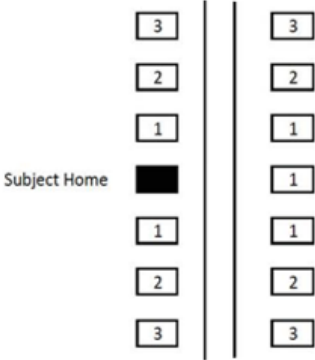


**EXHIBIT B**  
**PRELIMINARY DEVELOPMENT PLAN**  
**Page 3 of 3**



**EXHIBIT C**

**Streetscape Diversity**



- 1** Homes shall not be of the Same Elevation of the same plan as the Subject Home and shall be a Different Color Package
- 2** Homes may be of the same plan and may be the Same Elevation as the Subject Home, but shall be a Different Color Package.
- 3** Homes may be identical to the Subject Home.



**EXHIBIT D**  
**CHARACTER EXHIBITS**  
**Page 1 of 2**

**Area A Single Family Attached**



**EXHIBIT D**  
**CHARACTER EXHIBITS**  
**Page 2 of 2**

**Area B Single Family**





**EXHIBIT E**  
**Conceptual Buffer**



**EXHIBIT F**  
**Playground Equipment / Pool Amenity**  
(Page 1 of 1)



**Sample Pool House**



**Sample Playground**

**EXHIBIT G**  
**Street Light Exhibit**

