

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

ORDINANCE AMENDING ORDINANCE NO. 121410, THE ZONING ORDINANCE  
FOR THE TOWN OF MCCORDSVILLE, INDIANA

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted Ordinance No. 121410, as amended, as the Zoning Ordinance; and

WHEREAS, the Town Council of McCordsville, Indiana has, after a public hearing was held on March 18, 2025, received a \_\_\_\_\_ recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance in order to adopt the Gateway at McCordsville Planned-Unit Development (PUD) Ordinance.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that Ordinance No. 121410, as amended, is hereby amended as follows:

**Section 1.** The real estate more particularly described in the attached “Exhibit A” (the “Real Estate”) is hereby zoned to the PUD designation. The Development and Architectural standards set forth in this Ordinance shall govern the development of the Real Estate as the Gateway PUD, and these standards shall replace all other standards set forth in the Town of McCordsville Zoning and Subdivision Control Ordinances, as amended. Where this Ordinance is silent regarding standards, the standards from the McCordsville Zoning and Subdivision Control Ordinances, dated January 2011, as amended, shall apply as described below:

1. District A: CN Zoning District
2. District B: CN and I1 Zoning District
3. District C: I2 Zoning District

**Section 2. Intent.** The Gateway PUD provides strict design requirements which are compiled with the intent to produce the following:

1. District A shall be a Neighborhood Commercial district that shall be integrated to produce a cohesive mixed-use commercial development.
2. District B shall be a hybrid of Neighborhood Commercial District and flexible Low Intensity Industrial District that shall be integrated to produce a cohesive mixed-use commercial development.
3. District C shall be a Light & Medium Industrial District that shall be integrated to produce a cohesive mixed-use commercial development.

**Section 3. Permitted Uses.** The permitted uses, as defined by the McCordsville Zoning and Subdivision Control Ordinances, for the Real Estate are described below, all uses not listed below, shall be considered prohibited.

1. Permitted Primary Uses: District A – Neighborhood Commercial uses as

described in Exhibit B are the only Permitted or Special Exceptions uses for this Real Estate. All other uses are prohibited.

2. District B – Commercial and Low Intensity Industrial uses as described in Exhibit B are the only Permitted or Special Exceptions uses for this Real Estate. All other uses are prohibited.
3. District C – Light and Medium Intensity Industrial uses as described in Exhibit B are the only Permitted or Special Exceptions uses for this Real Estate. All other uses are prohibited.
4. Permitted Accessory Uses, Incidental Uses, and Structures: Those permitted pursuant to the Town Ordinance.
5. Permitted Temporary Uses: Those permitted pursuant to the Town’s Zoning Ordinance.

**Section 4. Development Standards.** The Gateway at McCordsville development shall have three (3) Districts as shown on the Preliminary Planned Unit Development Plan/Concept Plan attached hereto as “Exhibit C”. All development in Districts A, B and C shall comply generally with the Concept Plan. All development shall comply with the following standards:

**A. The Development Standards – District A – Neighborhood Commercial**

<b>Neighborhood Commercial Area</b>	
<b>Min. Lot Area</b>	1 acre*
<b>Max. Lot Area</b>	N/A
<b>Min. Lot Width at Bldg. Line (ft)</b>	100’
<b>Minimum Front Yard Setback</b>	50’ on Mt Comfort Rd, 40’ on 500N, & 25’ all others
<b>Minimum Side Yard Setback</b>	10’
<b>Minimum Rear Yard Setback</b>	10’
<b>Max. Lot Coverage</b>	75% impervious
<b>Max. Principal Structure Height</b>	40’
<b>Max. Accessory Structure Height</b>	35’

\*Up to two lots may be less than 1 acre, but no lot shall be less than 32,670 square feet.

**B. The Development Standards – District B – Flex Industrial/Office**

<b>Neighborhood Commercial Area</b>	
<b>Min. Lot Area</b>	1 acre
<b>Max. Lot Area</b>	N/A
<b>Min. Lot Width at Bldg. Line (ft)</b>	100'
<b>Minimum Front Yard Setback</b>	50' on Mt Comfort Rd, 40' on 500N, & 25' all others
<b>Minimum Side Yard Setback</b>	10'
<b>Minimum Rear Yard Setback</b>	10'
<b>Max. Lot Coverage</b>	75%
<b>Max. Principal Structure Height</b>	40'
<b>Max. Accessory Structure Height</b>	35'
<b>Max. Structure Size (Square Feet)</b>	40,000 SF

**C. The Development Standards – District C – Light & Medium Industrial**

<b>Industrial Area</b>	
<b>Min. Lot Area</b>	2 acre
<b>Max. Lot Area</b>	N/A
<b>Min. Lot Width at Bldg. Line (ft)</b>	100'
<b>Minimum Front Yard Setback</b>	40' on 500N & 25' on all others
<b>Minimum Side Yard Setback</b>	10'
<b>Minimum Rear Yard Setback</b>	10'
<b>Max. Lot Coverage</b>	85%
<b>Max. Principal Structure Height</b>	60'
<b>Max. Accessory Structure Height</b>	35'

<b>Max. Structure Size (Square Feet)</b>	100,000 SF
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Notwithstanding anything contained herein to the contrary, the size and configuration of any District and/or Development Standard above shall be permitted to increase or decrease up to Fifteen (15%) Percent with approval from the Zoning Administrator but shall be as generally depicted on the Concept Plan.

**D. Architectural Standards:** The Architectural Standards for the Real Estate are attached as “Exhibit D”.

**E. Landscaping, Buffering and Screening Standards:** The Landscaping, Buffering and Screening Standards of the Town’s Zoning and Subdivision Control Ordinance regarding Landscaping and Buffering and Screening shall be applicable to the Real Estate with the following exceptions:

1. District A:

- a. The grass strip between the private roadway (right-in/right-out) entrance from Mt Comfort Road shall be a minimum of six (6) feet wide, street trees shall not be required in this area.
- b. Perimeter Parking Lot Plantings: All off-street parking lots, greater than six (6) spaces, shall feature plantings at the following rates:
  - i. Trees: All such parking lots shall feature one (1) tree per fifty (50) lineal feet of parking lot perimeter.
  - ii. Shrubs: Shrubs shall be planted at an average rate of one (1) shrub for every four (4) feet of parking lot perimeter but may be grouped to achieve a natural appearance. A minimum of fifty (50) percent of shrubs shall be evergreen. All species selected shall grow to a minimum height of three (3) feet at maturity and shall be at least eighteen inches (18”) tall at time of planting.
  - iii. Internal Parking Lot Plantings: All off-street parking lots, greater than fifteen (15) spaces shall provide at least one (1) landscaped island, bump-out, or peninsula for every fifteen (15) linear parking spaces. Each island, bump-out, or peninsular shall be a minimum of one hundred and eighty (180) square feet and feature at least one (1) tree.
- c. Buffer Yards: Section 6.11(A)(2) shall not apply, and instead the requirements for perimeter landscape areas, as noted herein shall apply along with a minimum ten (10) foot landscape buffer yard. The Developer and/or Owner shall landscape, fence and/or mound along the south of District A adjacent to CR 500N as to buffer the retail or commercial use from the residential to the south by planting at least. If fence, opaque wall or a mound is installed then there shall be no planting requirements, otherwise the plantings should be a minimum of One (1) deciduous canopy trees with a min. 2” caliper every fifty (50) lineal feet adjacent to CR 500 N.
- d. Planting Adjacent to Buildings. All buildings shall feature sidewalks along the front façade, a minimum of 12’ wide and shall incorporate landscaping areas covering a minimum of 40% of the walkway area. The landscape areas shall be planted with flowers, trees, grasses, and shrubs for a minimum of 50% of the landscaped area. Other facades which feature public parking, customer entrances, or are a primary pathway to a customer entrance shall have a minimum 5’ wide sidewalk. All facades shall be softened from drive aisles, parking, etc., with a foundation planting bed, featuring trees, shrubs, and other plantings. Planting areas

along the façade of a structure with a drive-through lane or pick-up window, may be excluded, if the Zoning Administrator determines the planting bed presents an issue with the operation of the drive-through lane/pick-up window.

2. District B: Shall incorporate and adhere to the standards of District A above, except as follows:
  - a. Buffer Yard: Section 6.11(A)(2) shall not apply, and instead the requirements for perimeter landscape areas, as noted herein above for District A shall apply in District B for all uses along CR 600W.
  - b. Planting Adjacent to Buildings. The requirements for plantings, sidewalks and landscape areas adjacent to buildings as noted hereinabove for District A shall apply in District B for retail uses; and requirements for plantings, sidewalks and landscape areas adjacent to buildings as noted hereinbelow for District C shall apply for light industrial or flex buildings within District B.
3. District C:
  - a. Perimeter Landscaping. The following perimeter landscaping shall be provided:
    - i. Within fifty (50) feet of the western property line of District C there shall be a thirty (30) foot drainage easement and a minimum of twenty (20) foot wide buffer-yard provided. The buffer-yard shall be exclusive of the drainage easement. Within the buffer-yard the following shall be installed within the planting area: (a) a minimum 6' tall opaque fence; and (b) mounding (minimum of 3' tall) with evergreen trees (minimum of 6' tall at planting). All species selected shall be at least six (6) feet tall at time of planting, and shall be planted in a staggered row spaced twenty (20) feet on center. Notwithstanding anything contained herein to the contrary any plantings need to be west of the fencing.
  - b. Planting Adjacent to Buildings. A planting area five feet wide shall be installed along all sides of buildings, except that Sidewalks may be permitted in these areas in lieu of a planting area, but shall not occupy the entire area on any side of the building. These adjacent planting areas need not be rectangular in shape as long as the required amount of space is landscaped. Innovative and original designs are encouraged and the adjacent planting area may be excluded on the side of a building that includes a loading dock, or drive-in or drive-up doorway. The Planting area at the side or rear of a structure may be excluded if that structure is located less than 100 feet from the property line, does not include customer parking, and does not include a customer entrance.
  - c. Section 6.10 (B)(2), (B)(4) and (C)(3) of the Town's Zoning Ordinance shall not apply, and instead the requirements for landscape and buffer areas, as noted above, shall apply.
  - d. Mounding may be waived by the Zoning Administrator when immediately adjacent to a detention feature so long as the detention feature is designed with pond banks and slopes which appear natural.

**F. Pedestrian Accessibility:** Standards of the Town's Zoning and Subdivision Control Ordinance regarding Pedestrian Accessibility shall be applicable to the Real Estate with the following exceptions:

1. A ten (10) foot multi-use trail shall be required along the perimeter of CR 500N and Mt. Comfort Rd in the ROW for the width of the frontage of the Real Estate, to be installed as each lot within each District is developed.
2. The Town reserves the right to require a sidewalk, a minimum of five (5) feet in width, to be installed along the east and west side of the proposed future public road running north and south in the Concept Plan, and along the north and south sides of the proposed future public road running east and west in the Concept Plan. The sidewalk shall be constructed as each lot is developed within each District. This sidewalk shall be placed a minimum ten (10) feet from back of curb. Within this 10' grass strip, street trees (species to be approved by the Zoning Administrator) shall be placed every fifty (50) feet on center. Street trees shall be installed as each lot develops.
3. Connector sidewalks, from the perimeter or street path/sidewalk system to building façade sidewalks, shall be required in Areas A & B. These sidewalks shall be a minimum of five (5) feet wide and shall be landscaped for no less than 50% of their length. These sidewalks shall be illuminated through the use of site lighting.
4. Pedestrian walkways crossing a drive aisle, parking lot, right-of-way, roadway, or entrance shall be distinguished with the use of MUTCD complaint pavement markings. Furthermore, in Areas A & B, special pavers, bricks, or stamped and colored concrete or asphalt shall be used in lieu of pavement markings.

**G. Lighting, Parking, and Signage Standards:** Standards of the Town's Zoning and Subdivision Control Ordinance regarding Lighting, Parking, and Signage shall be applicable to the Real Estate with the following exceptions:

1. Entry Features: The development may install prominent entry features at each entrance on CR 500N or Mt Comfort Rd. Minimum requirements for each entry feature shall be as described below:
  - a. The primary material of the entry wall shall be masonry (CMU prohibited).
  - b. Maximum sign area shall be thirty-six (36) square feet on each entry wall.
  - c. No signage shall be allowed on the private driveway off of Mt Comfort Rd.
2. Lighting shall be installed as further described below:
  - a. Any building fronting Mt Comfort Rd, in District A, shall feature accent lighting along its façade facing Mt Comfort Rd.
  - b. All buildings in District A, B and C shall have pole lighting fixtures that are consistent in style and quality.
3. Parking shall meet the following requirements:
  - a. District A: Shall follow the Town of McCordsville Zoning Ordinance parking requirements for Neighborhood Commercial except as follows:
    - i. Shall provide a minimum of 1 parking space per every 300 square feet of gross floor area of retail space and parking spaces for each employee on the largest shift.
    - ii. Parking spaces shall not be used for display or storage of merchandise, equipment, or materials.
    - iii. Shall allow cross-access easements and shared parking where applicable on lots within District A, that shall be subject to a mutual cross-access

easement agreement that shall provide for customary standards applicable to such agreements.

b. District B: Shall follow the Town of McCordsville Zoning Ordinance parking requirements for Neighborhood Commercial or Light Industrial as applicable except as follows:

- i. If the building use is retail and/or commercial in nature then the minimum parking standards shall follow the minimums required per District A hereinabove, otherwise it shall follow the minimums required per District C hereinbelow
- ii. If the building use is not retail or commercial oriented and is designated as for light industrial uses then no matter the required amount of Town of McCordsville Zoning Ordinance requirement for Bicycle Parking, the Developer or Owner shall not be required to provide more than a minimum area for two bicycle spaces or area adequate for securing two parked bicycles.
- iii. Shall allow cross-access easements and shared parking where applicable on lots within District B, that shall be subject to a mutual cross-access easement agreement that shall provide for customary standards applicable to such agreements.

c. District C: Shall follow the Town of McCordsville Zoning Ordinance parking requirements for Light & Medium Industrial except as follows:

- i. Shall provide a minimum of the lesser of a) one (1) parking space for each employee on the largest shift plus one (1) visitor space for every 2,500 square feet of gross floor area; or b) one (1) parking space for 1,000 square feet of gross floor area.
- ii. The required amount of Town of McCordsville Zoning Ordinance requirement for Bicycle Parking, the Developer or Owner shall not be required to provide more than a minimum area for two bicycle spaces or area adequate for securing two parked bicycles.
- iii. Shall allow cross-access easements and shared parking where applicable on lots within District C, that shall be subject to a mutual cross-access easement agreement that shall provide for customary standards applicable to such agreements.
- iv. Parking spaces in the front yard of the Building shall not be used for display or storage of merchandise, equipment, or materials.

**H. Roadway Standards:** Standards of the Town's Zoning and Subdivision Control Ordinance regarding Streets, Roadways, and Right-of-way shall be applicable to the Real Estate with the following exceptions:

1. Rights-of-way (ROW) shall be dedicated to the Town as denoted below:
  - a. ROW of Sixty-Six (66) feet for the North and South public road to be built to the standards as shown in **Exhibit E**, which is attached hereto and dedicated to the Town at time of Secondary Plat and/or at the Town's request, whichever occurs first.
  - b. ROW of Sixty-Six (66) feet for the East and West public road connecting to Mt Comfort Road is to be built to the standards as shown in **Exhibit E**, which is attached hereto and dedicated to the Town at time of Secondary Plat and/or at the Town's request, whichever occurs first.
  - c. ROW in accordance with the Thoroughfare Plan shall be dedicated to the Town at the time of the Secondary Plat and/or at Town's request, which

- occurs, first, for CR 600W and CR 500N.
- d. The Town shall not be responsible for any maintenance or repairs on any alley, nor any roadway which is not built to town standards and/or not dedicated and accepted as public right-of-way.
2. The following traffic improvements shall be constructed:
    - a. Acceleration and deceleration lanes, in conformance with town standards, at all access points into the development from any local-collector, collector, and/or arterial roadway.
    - b. Passing blisters or left-turn lanes, in conformance with town standards, at all access points as required by the Town Engineer.
  3. The current concept plan anticipates a roadway that in detail shall be approved by the Town Engineer as a right-in and right-out ingress/egress with access to Mt Comfort Road and shall be a shared east/west private road that will be access for both District A and District B to Mt Comfort Road.
  4. It is anticipated that some, proposed internal roadways will be private streets and not dedicated to the Town. In such instances, these roadways shall be designed to adequately accommodate emergency response and emergency vehicles as determined by the Zoning Administrator and Town Engineer, in consultation with emergency providers.
  5. If private street(s), with a width less than that of public streets is proposed, such streets shall be required to prohibit on-street parking. Additionally, any limitation or prohibition of on-street parking shall be privately enforced and the appropriate language codifying those regulations shall be listed in the appropriate covenants and restrictions, and where applicable, lease documentation. This shall not apply to perpendicular, angled, or parallel parking located along a private street, but outside of the private street's thru-lanes.
- I. Definitions:** The following terms shall be defined as follows:
1. "ARC" shall be defined as the Architectural Review Committee as determined by the Plan Commission of the Town of McCordsville.
  2. "Building(s)" shall be defined as a permanent structure constructed on the Real Estate.
  3. "Gateway PUD" shall be defined as the Gateway at McCordsville Planned Unit Development.
  4. "ROW" shall be defined as Rights-of-Way.
  5. "Town" shall be defined as Town of McCordsville.
  6. "Town Engineer" shall be defined as the individual or firm that works for or on behalf of the Town of McCordsville to approve engineering plans.
  7. "Town of McCordsville Zoning Ordinance" shall be defined as the zoning ordinance as amended.
  8. "Town of McCordsville Subdivision Control Ordinances" shall be defined as the subdivision and control ordinance as amended and in place at time of the approval of this Gateway PUD.
  9. "Zoning Administrator" shall be defined as the town planner or administrator responsible for enforcement of the Gateway PUD and Ordinance and for the Town of McCordsville.
  10. Restaurant, Fast Food shall be defined as A commercial establishment where

customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises, or which are able to be taken to a table or counter to be consumed, and often the food is prepared prior to the customer ordering.

11. Restaurant, Fast Casual shall be defined as a commercial establishment where customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises, or which are able to be taken to a table or counter to be consumed. However, unlike fast food, the food is not prepared prior to the customer ordering.

12. Co-working Space shall be defined as a commercial establishment functioning as an office for those who are self-employed or working for different employers. The space shall offer communal office equipment and features, and space for creative thought, knowledge, and ideas to be shared.

**J. Miscellaneous:**

1. Entrances from CR 500 N and Mt Comfort Rd shall be as shown approximately on the Concept Plan.
2. The stormwater drainage ponds shall be allowed to be constructed as wet bottom detention facilities without a fence with a 3:1 slope.
3. All wet detention facilities shall feature an illuminated fountain.
4. Road Impact Fees: The developer agrees to pay any Road Impact Fees adopted and effective at the time of any building permit(s) that is issued, except that any buildings permitted and constructed within District C shall not be required to make such payment so long as they file for permits and receive a building permit within two (2) years following the approval of the Plat for the Gateway PUD.
5. All buildings shall demonstrate adequate public safety radio coverage, verified, prior to construction, by a qualified vendor.

**Section 5.** This Ordinance shall remain in full force and effect from and after its passage and posting as required by the law within the Town of McCordsville, Indiana.

**Section 6.** Introduced and filed on the \_\_ day of \_\_\_\_\_, 2025. A motion to consider on the first reading on the day of introduction was offered and sustained by a vote of \_\_ in favor and \_\_ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this \_\_\_\_ day of \_\_\_\_\_, 2025 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

**TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL:**

Voting Affirmative:

Voting Opposed:

\_\_\_\_\_  
Scott Jones

\_\_\_\_\_  
Scott Jones

\_\_\_\_\_  
Dr. John Price

\_\_\_\_\_  
Dr. John Price

\_\_\_\_\_  
Gregory J. Brewer

\_\_\_\_\_  
Gregory J. Brewer

\_\_\_\_\_  
Chad D. Gooding

\_\_\_\_\_  
Chad D. Gooding

\_\_\_\_\_  
Dr. Bryan Burney

\_\_\_\_\_  
Dr. Bryan Burney

ATTEST:

\_\_\_\_\_  
Stephanie Crider, Clerk-Treasurer

This instrument was prepared by Andrew S. Greenwood, Esq.

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. – Andrew S. Greenwood

## “Exhibit A”

### LEGAL DESCRIPTION

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

Parcel I:

A SOUTHWEST DIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 5 EAST, BUCK CREEK TOWNSHIP, HANCOCK COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER 1068.35 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE WEST ON SAID SOUTH LINE 288.6 FEET, AND TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH ON THE WEST LINE THEREOF 187 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER 288.6 FEET; THENCE SOUTH 187 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.24 ACRES, MORE OR LESS.

Parcel II:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 5 EAST, BUCK CREEK TOWNSHIP, HANCOCK COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER SECTION 288.6 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE EAST ON SAID SOUTH LINE 10 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID QUARTER-QUARTER SECTION 187 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE THEREOF 10 FEET; THENCE SOUTH 187 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.04 OF AN ACRE, MORE OR LESS.

Parcel ID(s): 30-05-01-400-023.000-021; 30-05-01-400-024.000-021

(For Reference Only) Property Addresses: 6212 West 500 North, McCordsville, IN 46055

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 5 EAST, BUCK CREEK TOWNSHIP, HANCOCK COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" REBAR AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 1; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER SOUTH 00 DEGREES 15 MINUTES 04 SECONDS EAST A DISTANCE OF 1330.79 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER NORTH 88 DEGREES 12 MINUTES 35 SECONDS WEST A DISTANCE OF 30.02 FEET TO THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD 600 WEST AS DESCRIBED IN INSTRUMENT 9309092 AS RECORDED IN THE OFFICE OF THE HANCOCK COUNTY RECORDER AND BEING THE POINT OF BEGINNING; THENCE CONTINUING ON SAID SOUTH LINE NORTH 88 DEGREES 12 MINUTES 35 SECONDS WEST A DISTANCE OF 1012.08 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 04 SECONDS WEST A DISTANCE OF 90.29 FEET; THENCE SOUTH 89 DEGREES 47 MINUTES 06 SECONDS EAST A DISTANCE OF 1011.46 FEET TO SAID WEST RIGHT-OF-WAY LINE OF COUNTY ROAD 600 WEST; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE SOUTH 00 DEGREES 15 MINUTES 04 SECONDS EAST A DISTANCE OF 125.70 FEET TO THE POINT OF BEGINNING, CONTAINING 2.508 ACRES, MORE OR LESS.

Part of Tax Parcel ID No(s): 30-05-01-400-012.000-021

(For Reference Only) Property Address: Vacant Land, W. 500 N., McCordsville, IN 46055 (For Reference Only)

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION ONE (1) TOWNSHIP SIXTEEN (16) NORTH, RANGE FIVE (5) EAST, CONTAINING FORTY (40) ACRES, MORE OR LESS.

EXCEPT FOR: A SOUTHWEST DIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION ONE (1) TOWNSHIP SIXTEEN (16) NORTH, RANGE FIVE (5) EAST, DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 1068.35 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE WEST ON SAID SOUTH LINE, 288.6 FEET, AND TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH ON THE WEST LINE THEREOF, 187 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SOUTHEAST QUARTER, 288.6 FEET; THENCE SOUTH 187 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.24 ACRES, MORE OR LESS.

AND EXCEPT FOR: A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER SECTION 288.6 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE EAST ON SAID SOUTH LINE 10 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID QUARTER QUARTER SECTION 187 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE THEREOF 10 FEET; THENCE SOUTH 187 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.04 OF AN ACRE, MORE OR LESS.

AND EXCEPT FOR: A PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 5 EAST IN BUCK CREEK TOWNSHIP, HANCOCK COUNTY, INDIANA, SAID PART BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A BRASS MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 03 MINUTES 52 SECONDS WEST (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 206.22 FEET TO A MAG NAIL; THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 206.88 FEET TO A 5/8 INCH CAPPED REBAR; THENCE SOUTH 88 DEGREES 03 MINUTES 52 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 206.22 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 04 MINUTES 40 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 206.88 FEET TO THE POINT OF BEGINNING, CONTAINING 0.979 ACRES MORE OR LESS.

EXCEPT: THERE IS EXCEPTED OUT OF THE AFOREDESCRIBED 0.979 ACRE TRACT OF LAND THAT PORTION OF SAID 0.979 ACRE TRACT CONVEYED TO HANCOCK COUNTY, INDIANA, PER INSTRUMENT NO. 93-9069 IN THE OFFICE OF THE RECORDER OF SAID HANCOCK COUNTY, SAID EXCEPTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING TO A BRASS MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER, THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 16.51 FEET; THENCE NORTH 88 DEGREES 03 MINUTES 52 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 20.01 FEET TO THE SOUTHEAST CORNER OF AFORESAID INSTRUMENT NO. 93-9069 (THE NEXT THREE (3) CALLS ARE ALONG THE SOUTHERLY AND THE WESTERLY BOUNDARIES OF SAID INSTRUMENT NO. 93-9069); (1) THENCE NORTH 88 DEGREES 03 MINUTES 52 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 110.07 FEET; (2) THENCE NORTH 67 DEGREES 10 MINUTES 40 SECONDS EAST, A DISTANCE OF 92.17 FEET; (3) THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS WEST, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 151.78 FEET TO A 5/8 INCH CAPPED REBAR ON A LINE THAT IS PARALLEL WITH THE 206.88 FEE DISTANCE NORTHERLY, MEASURED ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, FROM THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 03 MINUTES 52 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 25.01 FEET TO THE EASTERLY BOUNDARY OF AFORESAID INSTRUMENT NO. 93-9069; THENCE SOUTH 00 DEGREES 04 MINUTES 40 SECONDS EAST ALONG EASTERLY BOUNDARY AND BEING PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 190.37 FEET TO THE POINT OF BEGINNING. CONTAINING 0.147 ACRES MORE OR LESS. (CONTAINING AFTER SAID EXCEPTION 0.832 ACRES MORE OR LESS).

AND EXCEPT FOR: A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, A DISTANCE OF 200 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH ON SAID EAST LINE, 160 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 230 FEET; THENCE NORTH PARALLEL

WITH THE EAST LINE THEREOF, 160 FEET; THENCE EAST, 230 FEET TO THE POINT OF BEGINNING, CONTAINING 0.844 OF AN ACRE, MORE OR LESS.

AND EXCEPT FOR: A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION ONE (1), TOWNSHIP SIXTEEN (16) NORTH, RANGE FIVE (5) EAST, DESCRIBED AS FOLLOWS: BEGINNING AT A NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION ONE (1); THENCE WEST ON THE NORTH LINE THEREOF, 200 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER OF SOUTHEAST QUARTER, 150 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE THEREOF, 200 FEET, AND TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH ON SAID EAST LINE, 150 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.69 OF AN ACRE, MORE OR LESS.

AND EXCEPT FOR: A PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 5 EAST IN BUCK CREEK TOWNSHIP, HANCOCK COUNTY, INDIANA; SAID PART BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 04 MINUTES 40 SECONDS EAST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 150.00 FEET TO THE SOUTHEAST CORNER OF A 0.69 ACRE TRACT OF LAND PER DEED BOOK 128, PAGE 461, IN THE OFFICE OF THE RECORDER OF SAID HANCOCK COUNTY AND SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 04 MINUTES 40 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND PER INSTRUMENT NO. 98-10299; THENCE NORTH 88 DEGREES 03 MINUTES 32 SECONDS WEST ALONG THE NORTHERLY BOUNDARY OF SAID INSTRUMENT NO. 98-10299, A DISTANCE OF 230.00 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF A 0.1033 ACRE TRACT OF LAND PER DEED BOOK 139, PAGE 637 IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 88 DEGREES 03 MINUTES 32 SECONDS EAST ALONG THE SOUTHERLY BOUNDARY OF SAID 0.1033 ACRE TRACT AND ALONG THE SOUTHERLY BOUNDARY OF AFORESAID 0.69 ACRE TRACT, A DISTANCE OF 230.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.264 ACRES, MORE OR LESS.

EXCEPT: THERE IS EXCEPTED OUT OF THE AFOREDESCRIBED 0.264 ACRE TRACT OF LAND PART OF A TRACT OF LAND CONVEYED TO HANCOCK COUNTY, INDIANA PER INSTRUMENT NO. 93-9069 IN THE OFFICE OF THE RECORDER OF SAID HANCOCK COUNTY; SAID EXCEPTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 04 MINUTES 40 SECONDS EAST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 150.00 FEET TO THE NORTHEAST CORNER OF A 0.69 ACRE TRACT OF LAND PER DEED BOOK 128, PAGE 461 IN THE OFFICE OF THE RECORDER OF SAID HANCOCK COUNTY; THENCE NORTH 88 DEGREES 03 MINUTES 30 SECONDS WEST ALONG THE SOUTHERLY BOUNDARY OF SAID 0.69 ACRE TRACT, A DISTANCE OF 20.01 FEET TO THE EASTERLY BOUNDARY OF SAID TRACT OF LAND PER INSTRUMENT NO. 93-9069; THENCE SOUTH 00 DEGREES 04 MINUTES 40 SECONDS EAST ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 50.00 FEET TO THE NORTHERLY BOUNDARY OF A TRACT OF LAND PER INSTRUMENT NO. 98-10299 IN THE OFFICE OF SAID RECORDER; THENCE NORTH 88 DEGREES 03 MINUTES 32 SECONDS WEST ALONG SAID NORTHERLY BOUNDARY, A DISTANCE OF 10.01 FEET TO THE WESTERLY BOUNDARY OF AFORESAID INSTRUMENT NO. 93-9069; THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS WEST ALONG SAID WESTERLY BOUNDARY, A DISTANCE OF 50.00 FEET TO THE SOUTHERLY BOUNDARY OF AFORESAID 0.69 ACRE TRACT; THENCE SOUTH 88 DEGREES 03 MINUTES 32 SECONDS EAST ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 10.01 FEET TO THE POINT OF BEGINNING, CONTAINING 0.012 ACRES, MORE OR LESS. CONTAINING AFTER SAID EXCEPTION 0.252 ACRES, MORE OR LESS.

AND EXCEPT FOR: A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 5 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER 200 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE WEST ON SAID NORTH LINE 30 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 150 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE THEREOF, 30

FEET; THENCE NORTH, 150 FEET TO THE PLACE OF BEGINNING, CONTAIN 0.0133 OF AN ACRE, MORE OR LESS.

AND EXCEPT FOR: A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 5 EAST, HANCOCK COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST QUARTER CORNER OF SAID SECTION; THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS WEST, 16.51 FEET ALONG THE EAST LINE OF SAID SECTION TO THE PROLONGED NORTH BOUNDARY OF COUNTY ROAD 500 NORTH; THENCE NORTH 88 DEGREES 05 MINUTES 01 SECOND WEST, 20.01 FEET ALONG THE PROLONGED BOUNDARY OF SAID COUNTY ROAD 500 NORTH TO THE POINT OF BEGINNING OF THIS DESCRIPTION, WHICH POINT IS WHERE THE WEST BOUNDARY OF COUNTY ROAD 600 WEST MEETS THE NORTH BOUNDARY OF COUNTY ROAD 500 NORTH; THENCE CONTINUING NORTH 88 DEGREES 05 MINUTES 01 SECOND WEST, 110.07 FEET ALONG THE BOUNDARY OF SAID COUNTY ROAD 500 NORTH; THENCE NORTH 67 DEGREES 10 MINUTES 40 SECONDS EAST, 92.17 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS WEST, 260.00 FEET; THENCE NORTH 02 DEGREES 47 MINUTES 05 SECONDS EAST, 100.12 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS WEST, 200.00 FEET; THENCE NORTH 02 DEGREES 47 MINUTES 05 SECONDS EAST, 100.12 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS WEST, 200.00 FEET; THENCE NORTH 02 DEGREES 47 MINUTES 05 SECONDS EAST, 61.95 FEET TO A NORTH LINE OF THE OWNERS' LAND; THENCE SOUTH 88 DEGREES 08 MINUTES 00 SECONDS EAST, 11.91 FEET ALONG SAID NORTH LINE TO THE WEST BOUNDARY OF COUNTY ROAD 600 WEST; THENCE SOUTH 00 DEGREES 04 MINUTES 40 SECONDS EAST, 960.93 FEET ALONG THE BOUNDARY OF SAID COUNTY ROAD 600 WEST TO THE POINT OF BEGINNING AND CONTAINING 0.481 ACRES, MORE OR LESS.

Tax Parcel ID No(s): 30-05-01-400-015.000-021

(For Reference Only) Property Address: Vacant Land, W. 500 N., McCordsville, IN 46055 (For Reference Only)

## “Exhibit B”

LAND USE MATRIX			
PRIMARY USE	CN	I1	I2
Agricultural Industry, CFO or CAFO			
Agricultural, Crop Production (including tree farms)			
Agricultural, Farm Implement Sales or Service			
Agricultural, Grain Processing or Milling			
Agricultural, Grazing or Pasture Land			
Amphitheater			
Animal Shelter		S	S
Animal, Clinic or Hospital (small animals) with outdoor Kennels		S	S
Animal, Clinic or Hospital (small animals) without outdoor Kennels	P	P	P
Animal, Grooming	P	P	P
Animal, Kennel, Indoor (including doggy daycare)		S	S
Animal, Kennel, Outdoor (including doggy daycare)			S
Animal, Pet Store	P		
Animal, Riding Stables			
Animal, Veterinary, Large-animal		P	P
Antique Shop			
Apparel and Accessories	P		
Apparel, Alterations/Tailoring	P	P	
Appliance Repair	S	P	S
Appliance Store	S		
Arcade	S	S	
Assisted Living Facility			
Auditorium			
Automotive Parts Store (without on-site repair services)	P	P	P
Automotive, Car Wash	P	P	
Automotive, Major Service (e.g. Body Shop)		S	P
Automotive, Minor Service (e.g. Oil Changes and Tires & Detailing)	P	P	P
Automotive, Recreational Vehicle Sales or Service		S	S
Automotive, Rental (automobiles only)		S	P
Automotive, Sales or Lease		S	P
Automotive, Storage (does not include Rental Establishments)			
Automotive, Truck or Bus Rental, Sales or Service			
Bakery, Commercial		P	P
Bakery, Retail	P		
Banquet Hall	S		
Bar or Tavern	S	S	
Barber or Beauty Shop	P	P	
Bed & Breakfast Establishment	P		
Bicycle Sales, Rental or Service	P	P	S
Billiard Hall	S	S	
Boat or Boat Trailer Sales or Service		S	S
Boat Storage, Outdoor			S
Book Store (including stationary)	P	P	
Bottled Gas Storage or Distribution			S
Bottling, Beverages (alcoholic or non-alcoholic)		S	P
Bowling Alley	S	S	
Brewery, Industrial Brewery or Distillery			S
Brewery, Micro-Brewery	P	P	S
Camp, Public or Private (excluding RV campgrounds)			
Catering Facility	S	P	
Child Care Center	P	P	
Cigar Bar		S	S
Cigar Shop		S	S
Club or Lodge, Private or Public	S	S	
Coffee Shop	P	P	
Collection Center, Recycling			S
Collection Point, Donations (excluding retail establishments with drop-off centers)	S	S	P
Collection Point, Recycling	S	S	P
Community Center	S		
Confectionery, Commercial (e.g. candy factory)	S	S	P
Confectionery, Retail (e.g. candy shop)	P	P	
Conference Center	S	P	S
Construction, Flooring Store		P	P
Construction, Paint or Wall Covering Store		P	P
Contractor, Commercial		S	P
Convenience Store, with Gasoline Service or Sales <sup>1</sup>	P	S	
Convenience Store, without Gasoline Service or Sales	P	P	
Co-working Space	S	P	P
Data Processing Center		P	P
Daycare	P	P	
Department or Discount Store, 10,000 sq. ft. or greater (gross floor area)	S	P	

Department or Discount Store, less than 10,000 sq. ft. (gross floor area)	P	P	
Distribution Center, Enclosed (excluding Bottled Gas)		S	P
Distribution Center, Unenclosed (excluding Bottled Gas)			S
Outdoor Driving Range (with or without miniature golf course)			P
Indoor Driving Range and/or simulator (with or without miniature golf course)		P	
Dry Cleaning &/or Laundry, Commercial or Industrial		S	P
Dry Cleaning &/or Laundry, Retail	P	P	P
Dwelling, Fraternity or Sorority		P	
Dwelling, Multi-family			
Dwelling, Second Floor/Upper Level(s)	P	P	
Dwelling, Secondary Suite			
Dwelling, Single-family			
Dwelling, Student Housing			
Dwelling, Two-family			
Electronics Store (excluding Department or Discount Stores)	P	P	
Emergency Services Facility or Station	S	P	P
Farmer's Market, Permanent (enclosed only)	P	P	P
Financial Institution, Bank or Credit Union	P	P	P
Financial Institution, Payday Loan	S	S	S
Fire Arm/Gun Sales		S	P
Fireworks Sales, Permanent			
Fitness Center	P	P	P
Florist, Retail	P	P	
Florist, Wholesaler		P	P
Gallery, Art or Photo (excluding tattoo or piercing parlors)	P	P	
Golf Course (with or without driving range, may include country club)			
Government Facility (excluding Penal and Correctional Institutions)	S	P	S
Greenhouse, Commercial		P	P
Grocery Store or Supermarket (stand-alone)	S	P	
Group Home	S	S	
Gymnastics Center	S	P	P
Health or Day Spa (excluding sexually oriented businesses)	P	P	
Home Improvement, Retail (e.g. Hardware Store or Garden Shop)	P	P	S
Hotel (excluding Extended Stay Hotels)	S	S	S
Hotel, Extended Stay			
Ice Cream Shop, Retail	P	P	
Jewelry Store	P	P	
Junkyard/salvage yard			
Library	S	P	
Liquor Store	P	P	
Lumber Yard		S	P
Mail Order Store	S	P	
Mall, Shopping			
Manufacturing, Light		P	P
Manufacturing, Medium		S	P
Medical Hospital, Center or Complex 10,000 sq ft or greater (gross floor area)		S	
Medical or Dental Clinic less than 10,000 sq ft (gross floor area)	P	P	
Miniature Golf Course (stand-alone)			
Mining or excavation			
Mobile Home Park (including Mobile Home Sales Offices)			
Monument Sales (excluding Manufacturing)			S
Mortuary or Funeral Home (with or without cemetery)		S	
Motel			
Museum	S	P	
Music Store	P	P	
Nature Center	S	S	
Nature Reserve or Preserve (including Wildlife Sanctuaries)			
Newspaper or Magazine Stand	P	P	
Night Club (excluding sexually oriented businesses)		S	
Novelty, Gift, Souvenir Store (excluding sexually oriented businesses)	S	S	
Nursing Home		P	
Park	P	P	
Parking Facility as a Primary Use (public or private)			
Penal or Correctional Institution			
Pharmacy, Stand-alone	P	P	
Philanthropic Institution or Facility	S	S	
Post Office with on-site storage of delivery vehicles		S	P
Post Office without on-site storage of delivery vehicles	P	P	P
Print Shop or Copy Center, Commercial or Industrial		P	P
Print Shop or Copy Center, Retail	P	P	P
Printing/Publishing Facility		P	P
Professional Office	P	P	P
Radio or TV Station	S	P	S
Recreation Facility, Indoor	S	P	P
Recreation Facility, Outdoor		S	S

Recreational Vehicle Sales or Service		S	S
Recreational Vehicle Storage, Outdoor			
Religious Place of Worship	S	P	S
Research & Development Facility (including Laboratories)		P	P
Residential/institutional Facility for the Developmentally Disabled or Mentally Ill			
Restaurant, Drive-In	P	P	
Restaurant, Eat-in	P	P	
Restaurant, Fast Casual	P	P	
Restaurant, Fast Food <sup>2</sup>	P	S	
Retail, Small Scale	P	P	
Retail, Medium Scale		P	S
Retail, Large Scale			S
Retirement Facility	S	S	
School, Commercial, Trade or Business		P	P
School, K-12 and including pre-school	S	S	
School, Nursery	P	P	
School, University or College	S	P	S
Self-Storage or Mini-warehouse		S	S
Sexually Oriented Business			
Shipping Service, Retail	S	P	P
Studio, Art/Artist (excluding Tattoo Parlors and Sexually Oriented Businesses)	P	P	
Studio, Performing Arts (e.g. Dance, Aerobics, and Pilates)	P	P	
Tanning Salon	P	P	
Tattoo and/or Piercing Parlor			S
Telecommunications Facility/Tower		S	S
Theater, Indoor	S	P	
Theater, Outdoor (i.e. drive-in)			
Tobacco Store		S	S
Transit Station	S	S	S
Utility Facility	S	S	P
Vape/Smoke Shop		S	S
Vineyard or Orchard	S	P	P
Warehousing, Enclosed		S	P
Warehousing, Petroleum Products or other hazardous materials			S
Warehousing, Unenclosed			S
Winery	S	S	S

*P = Permitted*

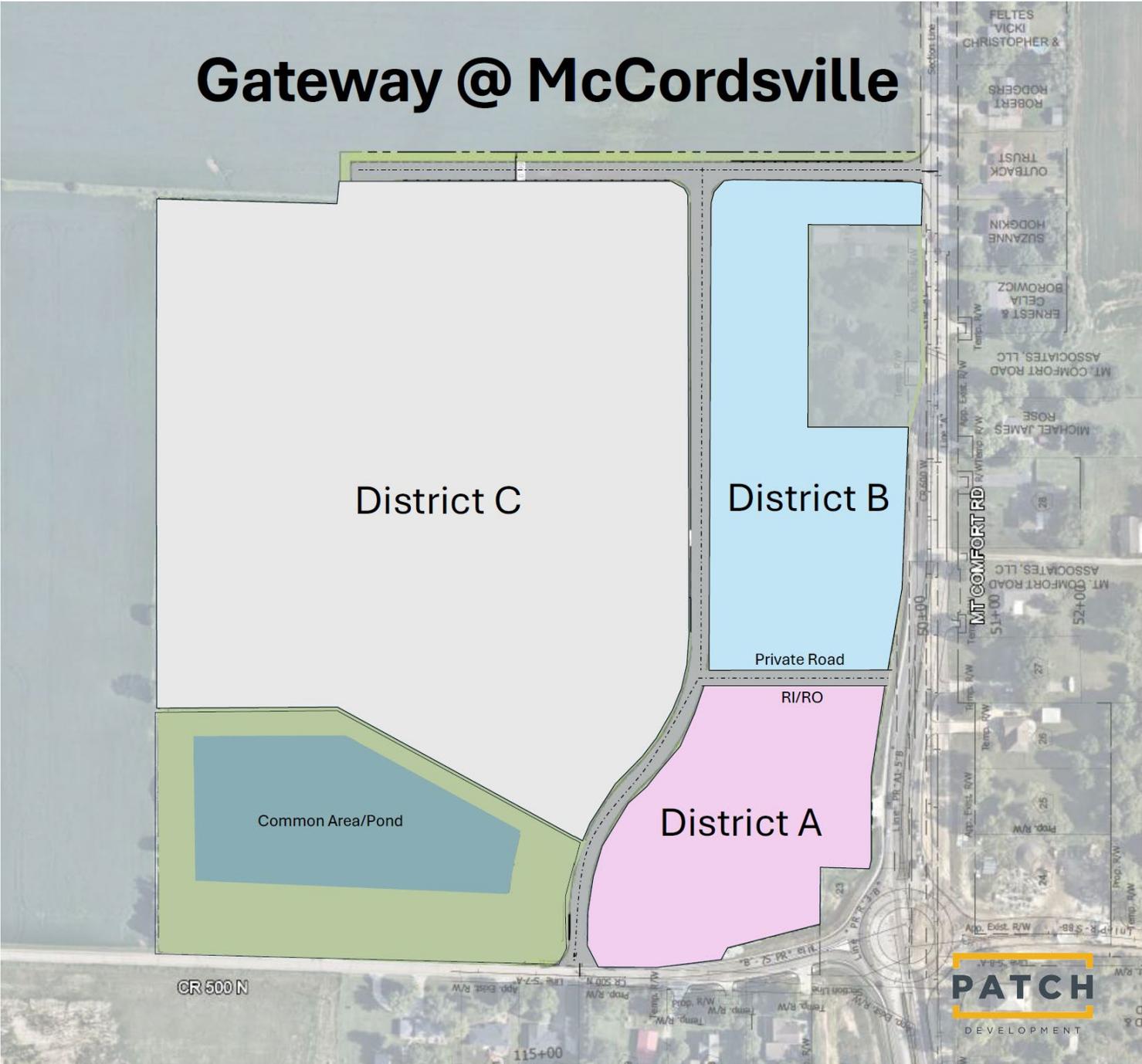
*S = Special Exception*

<sup>1</sup> = A maximum of 1 gas/fuel station is permitted within the Real Estate. Any facility selling gas/fuel must be an establishment of at least 3,500 square feet, which sells foods and other goods. Such facility shall have ample seating areas for customers choosing to consume food on-site. Such facility shall not cater to semi-trucks, shall not include lockers, shall prohibit shower rooms, shall not have dedicated semi-truck fuel pumps, and shall not have a site designed to allow for semi-truck turning movements, except to accommodate vehicle delivering supplies and/or goods to the buildings.

<sup>2</sup> = A fast food facility located in Area A shall not be required to seek a Special Exception for a drive-thru.

“Exhibit C”

Concept Plan



## **“Exhibit D”**

### **Architectural Standards**

The following architectural standards shall apply to each District as noted below:

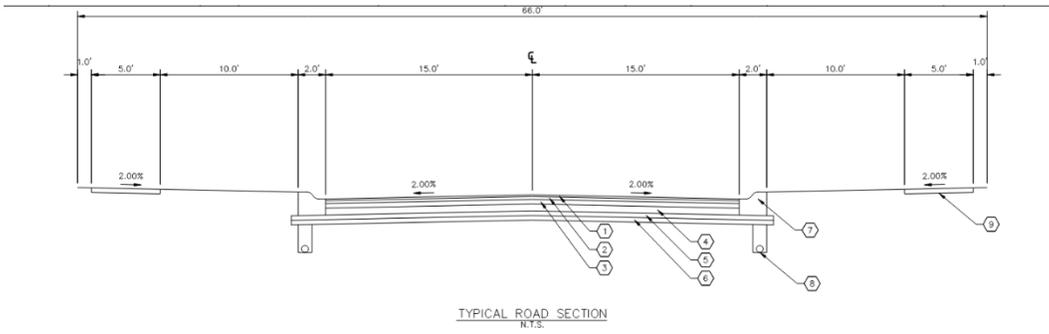
1. **District A – Neighborhood Commercial:** The architectural standards of the Neighborhood Commercial Zoning District and MCR-OL Overlay shall be applicable as the Developer(s) and/or Owner(s) work with the ARC for design approvals except as follows:
  - a. Mechanical screening shall be provided. All ground mounted equipment shall be screened with landscaping. Roof-top mechanical units shall be screened in accordance with the Zoning Ordinance’s standards for commercial roof-top units.
  - b. Trash enclosures shall be masonry and/or match the primary structure(s) building materials with the enclosure walls being at least one (1) foot taller than the tallest trash receptacle.
  - c. The Illustrative Architectural Exhibit, attached hereto as “Exhibit F – District A”, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the buildings within District A on the Real Estate. The final designs may vary; however, the buildings shall be substantially similar in quality and character to the buildings shown in the Exhibit F – District A.
  
2. **District B – Neighborhood Commercial/Flex Industrial/Office:** The architectural standards of the Neighborhood Commercial Zoning District, Light Industrial Zoning District, and MCR-OL Overlay shall be applicable as the Developer(s) and/or Owner(s) work with the ARC for design approvals except as follows:
  - a. If the use or building proposed is a flex industrial and/or office building, then Section 6.04(F)(1)(f) (Required Wall Plane Projections) shall not be applicable, but a minimum amount of design articulation shall be required with a projecting entrance or other architectural accoutrements to be determined by the Architectural Review Committee (ARC).
  - b. Trash enclosures shall be masonry and/or match the primary structure(s) building materials with the enclosure walls being at least one (1) foot taller than the tallest trash receptacle.
  - c. The Illustrative Architectural Exhibit, attached hereto as “Exhibit F – District B”, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the buildings within District B on the Real Estate. The final designs may vary; however, the buildings shall be substantially similar in quality and character to the buildings shown in the Exhibit F – District B.
  - d. No building shall feature overhead doors or docks on the east façade.
  
3. **District C – Light & Medium Industrial:** The architectural standards of the Light & Medium Industrial Zoning District and MCR-OL Overlay shall be applicable as the Developer(s) and/or Owner(s) work with the ARC for design approvals except as follows:
  - a. Mechanical screening shall be provided. All ground mounted equipment shall

be screened with landscaping to the West. Roof-top mechanical units shall be screened in accordance with the Zoning Ordinance's standards for commercial roof-top units.

- b. Section 6.04(F)(1)(f) (Required Wall Plane Projections) shall not be applicable.
- c. Trash enclosures shall be masonry and/or match the primary structure(s) building materials with the enclosure walls being at least one (1) foot taller than the tallest trash receptacle.
- d. The Illustrative Architectural Exhibit, attached hereto as "Exhibit F – District C", is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the buildings within District C on the Real Estate. The final designs may vary; however, the buildings shall be substantially similar in quality and character to the buildings shown in the Exhibit F – District C.
- e. No building shall feature overhead doors or docks on the east façade, unless said door or dock is obscured from view from CR 600W by another building located in District C.

# “Exhibit E”

## Public Road Cross Section



- ① 165 LBS/SYS, OC/OA-HMA, SURFACE, 9.5mm ON
- ② 275 LBS/SYS, OC/OA-HMA, INTERMEDIATE, 19.0 mm ON
- ③ 440 LBS/SYS, OC/OA-HMA, BASE, 25.0mm ON
- ④ 660 LBS/SYS, OC/OA-HMA, BASE, 25.0mm ON
- ⑤ 4 IN. COMPACTED AGGREGATE BASE, NO. 53 ON
- ⑥ 4 IN. COMPACTED AGGREGATE, NO. 2 STONE ON SUBGRADE TREATMENT TYPE 1B (CHEMICALLY MODIFIED WITH 4.5% HIGH CALCIUM HYDRATED LIME OR CEMENT)
- ⑦ 2' ROLLED CURB
- ⑧ 6" UNDERDRAIN
- ⑨ CONCRETE SIDEWALK

“Exhibit F”

Building Renderings – District A



## Building Renderings – District A



## Building Renderings – District B



## Building Renderings – District B



## Building Renderings – District C



