

SEPTEMBER 3, 2024



MOUNT COMFORT MEADOWS

PLANNED UNIT DEVELOPMENT

DEVELOPER
ARBOR HOMES

9225 Harrison Park Court Indianapolis, IN 46216



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Statement of Intent:

Arbor Homes (“Petitioner”) seeks to annex and rezone approximately 120 acres of land adjacent and congruent to the Town of McCordsville, Indiana. The property is zoned by Hancock County zoning as Residential 2.5 (R2.5). Arbor is proposing to rezone the property to PUD zoning. The development is located on the south side of the Town and the property will be contiguous to the Town boundaries.

The property has frontage along N 700 W and W 500 N. The site borders the parcels located at the northeast corner of N 700 W and W 500 N. This land comprises of agricultural land, wooded land, and a few residential parcels. The property is adjacent to the Hancock County zoned Stansbury PUD to the north. The property borders current agricultural and wooded land to the east. To the south, across the W 500 N is additional agricultural land and a residential parcel. Across N 700 W to the east is additional agricultural land as well as a few residential parcels. The site features approximately 7 acres of wooded land that will be preserved. A trail system will be designed and incorporated throughout the wooded area. The proposed development will include no more than 326 detached single-family Dwellings.

The proposed development is consistent with the goals and objectives of the Town of McCordsville Comprehensive Plan. Specifically, but not exclusively, the development will address Land Use Goal #3 (C) by providing a mix of housing products, low-maintenance product district as well as a traditional, detached single family housing district, and incorporate multiple architectural styles and designs that will provide a varied streetscape within the development. With a focus on Land Use Goal # 4, Transportation Goal #1, and Public Facilities Goal #2 the development will provide interconnected sidewalks and trails that lead to amenity destinations within the development with hopes of encouraging pedestrians and cyclists to traverse the community. Further, the development will utilize the stub street connection into the adjacent neighborhood as well as develop stub streets into the surrounding undeveloped properties to allow for interconnectivity for future development. The development has been designed with open space and passive and active recreation in mind with preserving wooded area and activating it with an internal trail, as well as preserving areas throughout the development for amenity areas like pocket parks, playgrounds, and open green space.

The Mount Comfort Meadows PUD supports the Future Land Use Map’s anticipated uses of Low Density Residential and Low-Medium Density Residential by proposing two different product types that reflect the intent of both designations. The differing product lines, and their placement, ensure the property is compatible with other communities in the surrounding area.

Area A: Arbor, as designated on the Preliminary Concept Plan, attached hereto as **Exhibit B**, features the Arbor line of homes, and includes a maximum 212 lots. **Area B: Destination**, as designated on the Preliminary Concept Plan, attached hereto as **Exhibit B**, features the Destination line of homes, a low-maintenance, ranch style product. This area will include a maximum of 114 lots.

The proposed density, 2.72 units/acre, and product lines, Arbor Homes and Destination, is compatible with other communities in the surrounding area. Amenities will include a pool house and pool, 2 playgrounds, multiple trail systems including a preserved wooded area activated with an internal trail, and perimeter sidewalks along neighborhood frontages on W. 500 N. and N. 700 W.

ORDINANCE NO.

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MCCORDSVILLE,
HANCOCK COUNTY, INDIANA AMENDING ORDINANCE NO. _____, THE ZONING
ORDINANCE FOR THE TOWN OF MCCORDSVILLE, INDIANA**

WHEREAS, the Town Council of the Town of McCordsville, Indiana (the “Town Council”), has heretofore adopted Ordinance No. _____ as the Town of McCordsville, Indiana Zoning Ordinance (the “Zoning Ordinance”) pursuant to its authority under the laws of the State of Indiana, Indiana Code § 36-7-4 *et seq.*, as amended; and

WHEREAS, the Town of McCordsville, Indiana (the “Town”) is subject to the Zoning Ordinance; and

WHEREAS, the Town Advisory Plan Commission (the “Commission”) considered a petition (“Mount Comfort Meadows PUD”), filed with the Commission requesting an amendment to the Zoning Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the “Real Estate”);

WHEREAS, the Commission forwarded Docket _____, after a public hearing held on the ____ day of _____, 2024, to the Town Council with a favorable recommendation by a vote of ____ 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 Common Council on the ____ day of _____, 2024; and

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

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of McCordsville, Hancock County, Indiana, meeting in regular session, that the Subdivision Control Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

1. The Zoning Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the “Mount Comfort Meadows PUD” (the “District”).
2. Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its Exhibits, and (ii) the provisions of the Zoning Ordinance, as amended and applicable to the Underlying Zoning District (as defined herein) or Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
3. The underlying Zoning District shall be Single Family Residential District 4 (R4) as stated in the Ordinance #121410 adopted in January of 2011, (the “Underlying Zoning District”). Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the Underlying Zoning District shall apply.
4. Section (“Section”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Zoning and Subdivision and Control Ordinances.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Zoning and/or Subdivision Control Ordinance.

Section 3. Preliminary Concept Plan. The Preliminary Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Section VIII.: Planned Unit Developments. The Real Estate shall be developed in substantial compliance with the Preliminary Concept Plan.

Section 4. Permitted Uses. The permitted uses, as defined by the Town of McCordsville Subdivision Control Ordinances, for the Real Estate are described below, all uses not listed below, shall be considered prohibited.

1. Single-Family Dwellings (Detached Dwellings)
2. All Accessory Uses and Temporary Uses in the Underlying Zoning District shall be permitted unless otherwise prohibited in this Ordinance.

Section 5. Zoning District Standards. The Mount Comfort Meadows PUD shall have two (2) Area Districts (Area A: Arbor and Area B: Destination) as shown on the Preliminary Concept Plan, attached hereto as **Exhibit B**. The standards of Section III.: Zoning Districts Standards and Article VI: Development Standards in the Zoning Ordinance, as amended, shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

Development Standards	Area A: Arbor	Area B: Destination
Maximum Number of Lots	212	114
Minimum Lot Area (SF)	7,150 SF	7,930 SF
Minimum Lot Width (ft)	55’*	61’
Minimum Lot Depth (ft)	130’	130’
Minimum Front Yard Setback (ft)	25’	25’
Minimum Side Yard Setback (ft)	6’	6’
Minimum Rear Yard Setback (ft)	15’	15’
Maximum Building Height (ft)	35’	35’
Minimum Square Footage (single-story) (SF)	1,500 SF	1,500 SF
Minimum Square Footage (multi-story) (SF)	1,700 SF	N/A**
* A minimum of 25% of the Area A (Arbor) Lots will have a minimum Lot Width of 65’.		
** Area B (Destination) is a 1 to 1.5-story product. The maximum square footage of a loft in a 1.5-story will be 900 square feet.		

Section 6. Development Standards. The standards of Article III.: Zoning Districts Standards, Article IV: Specific Use Standards and Article VI: Development Standards in the Zoning Ordinance shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance. All homes construction in the Mount Comfort Meadows PUD shall have the following minimum standards:

1. **Roof Pitch.** All Dwellings in the District shall feature a minimum of a 6:12 primary roof pitch. Ancillary roofs (including but not limited to porches, garage extensions, overhangs, sunrooms, and third car garages with separate roof Structures) shall not be considered primary roof for the purposes of the 6:12 pitch requirement above. Ancillary roofs shall feature a minimum of a 3:12 roof pitch.
2. **Roof Overhang.** All Dwellings shall have a minimum of an eleven (11”) inch gable overhang on Dwellings where the side consists of siding at the eave, and a minimum of an eight (8”) inch gable overhang on Dwellings where the side consists of brick at the eave.
3. **Facade Design/Construction Requirements.** Article VI, Section 6.04 (A)(4)(c) shall not apply to this development. The exterior wall surface of the first floor of any multi-story residence shall have a minimum of one, two (2’) foot projection or recess on all front facades. The exterior wall surface of any one-story, ranch residence shall have a minimum of one, two (2’) foot projection or recess the front facade. The ranch recess requirement will be satisfied by a covered, inset front porch.
4. **Front Gable.** All Dwellings shall have a minimum of one (1) front-facing gable on all front elevations.
5. **Area A: Arbor Perimeter Lots.** All Lots indicated with a (*) on **Exhibit B** shall have a rear

gable in the form of one of the following: Enclosed sunroom, a covered back porch with a minimum of 8"x8" columns, rear bump of at least ten (10') feet in width by four (4') feet in depth. If a first-floor brick wrap is chosen, a gable is not required on the rear Elevation.

6. Area B: Destination Perimeter Lots. All Lots indicated with a (*) on **Exhibit B** shall have either an inset, covered patio or a rear bump of at least (10') feet in width by four (4') feet in depth on the rear façade. If a first-floor brick wrap is chosen neither of these features are required on the rear Elevation.
7. Corner/High-Visibility Lots. All lots indicated with a (•) on **Exhibit B** shall have a brick or stone wainscot wrap on all facades. When a masonry wrap is used, the sides and rear elevations shall match the material on the front façade. In addition to this masonry requirement, the side elevations shall contain a minimum of two (2) of the following siding materials; horizontal lap siding, vertical siding, board and batten, and/or shake siding.
8. Siding and Building Material Requirements. All siding shall be brick, stone, wood, cement fiber board or stucco. Vinyl siding is prohibited. Colors of all exterior materials shall be chosen by the builder and approved by the applicable governmental architectural review committee, if applicable. In addition, Article VI, Section 6.04 (A)(3)(c – e) shall not apply to this development. A minimum of fifty percent (50%) of the homes shall have a front elevation of at least fifty percent (50%) brick or stone, exclusive of windows, doors, garage doors, and areas above a roof line. The remaining homes may have less than fifty percent (50%) brick or stone provided they contain a minimum of a brick or stone wainscot that is the lesser of 30" high or to the lowest first floor windowsill height. Return walls along the front elevation shall include brick or stone consistent with the brick or stone on the front elevation. For example, a recessed front door creates return walls that should carry the materials on the front elevation.
9. Anti-Monotony. A single Dwelling Elevation shall not be repeated unless it is separated by at least three (3) different front Elevations along either side of the same street frontage. There shall not be more than ten (10%) percent of the Dwellings in the District with the same front Elevation. The ARC has the right to consider elevations, with different names, as like-elevations if they appear similar, which for the purpose of anti-monotony shall be considered the same elevation.
10. Windows and Openings. Unless adjacent to masonry, all windows and openings shall have a nominal 1-inch by 6-inch (1"x 6") wood or vinyl surround. All ranch homes shall contain a minimum of three (3) windows on the front façade, and one (1) window on the side and rear facades, with the exception of a side façade facing a public street which shall contain a minimum of two (2) windows. All two-story homes shall contain a minimum of four (4) windows on the front façade and shall contain a minimum of two (2) windows on each side and rear facades with the exception of a side façade facing a public street which shall contain a minimum of three (3) windows. The "Juniper" floorplan model shown at ARC and included in **Exhibit E**, shall be exempt from the two-story front facade window requirement, but shall contain a minimum of three (3) windows on the front façade and shall contain a minimum of two (2) windows on each side and rear facades with the exception of a side façade facing a public street which shall contain a minimum of three (3) windows. A set of three (3) "bullet" windows a minimum of 1-foot by 1-foot (1'x1') each and/or a transom window a minimum of 1-foot by 4-foot (1'x4') may count as one (1) window. Double windows count as two windows. Lots denoted with a (*) on the Preliminary Concept Plan shall include a minimum of four (4) windows on the rear façade. The front facing façade of a side or rear-load garage

shall include a minimum of two (2) windows, which shall not count towards other window requirements.

11. Sod and Seedings. All Dwelling shall have sod installed for the Front Yard to the corner of the front Elevation. Dwellings built on Corner Lots shall have sod installed on sides having Street frontage to the corner of the street side elevation.
12. Maximum Lot Coverage for all Impervious Surface. The maximum Lot Coverage for all Impervious Surface shall be fifty-five (55%) percent of the total Lot.
13. Elevation Approval: The Town's Architectural Review Committee ("ARC") reviewed and approved a set of home plan elevations that hereby incorporated as **Exhibit E**, and while they must meet the standards of the PUD, are approved by the ARC. Homes in the "Approved Elevations" do not need further review by the ARC except for anti-monotony purposes.
 - a. All homes not included in the "Approved Elevations" shall comply with the standards set forth in this Ordinance and shall be substantially similar in quality and character to the homes in the "Approved Elevations". The Director of Planning and Building ("Director"), including his or her designees, shall review home elevations at the time of filing for a building permit for compliance.
 - b. Any home elevation submitted which either is not on the Approved Elevations or does not comply with **Exhibit E** of this Ordinance may be submitted for review by the ARC. The ARC may approve an elevation if it is determined the elevation is similar in quality and character to the homes in the "Approved Elevations" and is consistent with the spirit and intent of the PUD, as determined by the ARC. The ARC may also deny elevations in which they feel are not substantially similar in quality and character.
 - c. All home elevations shall be submitted to the ARC with no less than a color front elevation, black-n-white side and rear elevations, material call-outs, dimensioned or scaled elevations and floorplans, and any other material determined necessary for review by the Administrative Officer.
14. Driveways. All Dwellings in the District shall have concrete driveways.
15. Landscaping. All Dwellings in the District shall be landscaped with a minimum of one (1) deciduous tree, two (2) ornamental trees and twelve (12) shrubs planted along the front foundation of the primary structure. The Town may approve re-location of tree plantings to rear-yards when warranted do to spacing concerns or other conflicts. All homes on corner lots shall also include a minimum of one (1) deciduous tree, and one (1) ornamental tree planted in the secondary Front yard, and a minimum of eight (8) shrubs planted along the foundation of the side elevation of the primary structure and sod in the side yard facing the side street. Any street tree lawns, ten (10) wide or greater, shall include street trees at a rate of one (1) tree for every fifty (50) feet.
16. Garages: The following Garage Location/Orientation standards shall replace Article IV, Section 4.17(B)(3):

All Dwellings in the District shall have a minimum two-car garage with a minimum of twenty (22') feet in width or depth measured from the exterior of the garage or shall be a minimum of 440 square feet in size. All garages shall feature a minimum of two (2) dusk-to-dawn coach lights on the garage.

Any front-loading garage that protrudes eight (8') feet or more in front of the front elevation shall feature at least one (1') window on one/either side elevation of the garage. The maximum protrusion distance of the garage shall be sixteen (16') feet from the front façade. Garage protrusion shall be measured from the widest part of the front elevation. This may include the front porch.

Decorative garage doors shall be an option for buyers but are not required.

For any 3-car garage, at least one (1) of the bays shall have a separate door and be recessed a minimum of two (2) feet from the other bays.

For front-loading garages, the garage doors shall not comprise greater than 51% of the width of the front elevation for a home with a 2-car garage. The garage door width of a 3-car garage shall not comprise greater than 58% of the width of the front elevation.

17. Exhaust vents shall not be visible from the front elevation. Additionally, no wall mounted vent or louver shall be located on the first-floor exterior of a front elevation (excluding gable areas).
18. Satellite dishes shall not be visible from the front elevation of the home.
19. Window A/C units, and the like, are prohibited.
20. Front porch columns shall be a minimum of 8" x 8" (nominal). Front porches shall be a minimum of four (4) feet in depth. The standards in 154.113(A)(4)(f) shall not apply.

Section 7. General Standards. The standards of the Subdivision Control Ordinance shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

1. **Street Width.** Unless otherwise specified in **Exhibit B**, all Streets within the District shall be designed with a Right-Of-Way of fifty-four (54') feet with a minimum Street width of thirty (30') feet from back of curb to back of curb. There shall be a six (6') feet wide planting strip from back of curb to front edge of sidewalk with a one (1') foot sidewalk Easement at the rear of the sidewalk.
2. **Street Signage.** The Developer shall be responsible for the cost of and the placement of all Street signage as required by the Town. Sign posts consistent with **Exhibit D** shall be installed, such decorative posts shall be maintained by the HOA. Additionally, the Town may require their logo to be added to the street name blades.
3. **Utilities.** All utilities within the District shall be trenched and located behind the curb. This commitment is subject to the approval by the utilities that will serve the community. Private utilities shall be placed in the utility Easements and shall not be within the public Right-Of-Way.
4. **Lighting.** Streetlights shall be installed at each community entrance, intersection, and cul-de-sac. Streetlights shall meet the requirements of 154.121(C) of the Zoning Ordinance, with the following additions or exceptions:
 - a. A streetlight consistent with **Exhibit D** and the requirements below shall not need approval from the Plan Commission.

- b. Shall be full cut-off luminaries.
 - c. Shall have a BUG rating of $B \leq 4$, $U \leq 0$, $G \leq 2$.
 - d. Shall be no taller than eighteen (18) feet from grade, and not shorter than fifteen (15) feet from grade.
5. Common Area Landscaping. The Common Area(s) located along N 700 W and W 500 N shall include seven (7) trees and (6) shrubs per one hundred (100) linear feet. Mounding, a minimum of three (3) feet tall, shall be provided along CR 700W. Mounding, a minimum of five (5) feet tall, shall be provided along CR 500N from the west property line to the west end of any detention facility that abuts CR 500N, as shown on the Preliminary Concept Plan. Mounding, a minimum of three (3) feet tall, shall be provided along CR 500N adjacent to any detention facility. Mounding requirements may be altered in the event utilities or drainage are negatively impacted by the above requirement. In any event, a level of mounding dictated by the town engineer will be required.
 6. Common Area Ponds. Common Area Pond #1, #2, and #3 as depicted on **Exhibit B**. All ponds and features will be maintained by the HOA. Any pond adjacent to CR 700W or CR 500N shall feature a fountain.
 7. Amenities. Amenities as depicted in **Exhibit B**, will include a pool house with a minimum footprint of 900 square feet and a pool that will be a minimum of 1,900 square feet, two (2) playgrounds, a looped trail system around Common Area Pond # 3, and a mulch trail system through the identified preserved wooded area. The architectural style and materials of the pool house shall be consistent with the architectural style and materials of the residences.
 8. Prohibited Structures. No other detached structures or above ground pools shall be permitted in the Districts. Pergolas and gazebos, however, are permitted.
 9. Fence Standards. Fences shall be 4' wrought iron in style or a 6' vinyl privacy fence. Fences shall not be closer to the front property than the rear corner of the home. If the homeowner chooses to install a fence, and their lot is a "Privacy Fence Prohibited" lot (identified on **Exhibit B**), the fence shall be 4' wrought iron in style. All other fencing standards not specifically addressed herein shall be in accordance with Section 154.118 of the McCordsville Zoning Ordinance now or as amended.
 10. Mailboxes. Dwellings in the District shall have mailboxes to be installed by the Developer for each Dwelling. Mailboxes will be installed in accordance with the current local United States Postal Service (USPS) regulations and guidelines. Mailboxes shall be of uniform design.
 11. Homeowner's Association. The subdivision shall be managed by a professional homeowner's association management company that shall maintain all common areas. Area B: Destination shall be a low-maintenance community and shall include yard and landscaping maintenance outside of private fences, and snow plowing.
 12. Builder Signage. The builder shall have the right to place a community marketing Signs at each entrance of the community off of N 700 W and W 500 N Streets. Each Sign shall be up to thirty-two (32') square feet in size. In addition to the above-mentioned Signs, the builder shall have the right to place other ancillary marketing Signs within the community including but not limited to Signs in front of the model home(s) with business hours, phone number, website and etc. as well as Signs on each lot identifying the individual lots such as "Available/For Sale" or "Sold". Signs in front of each model may include one Sign up to nine (9') square feet with the name of the model style and other information along with two

additional Signs each up to four (4') square feet with additional advertising information. In addition to Signs, builder shall have the right to install and maintain a US flag, Indiana state flag and company flag at the models.

13. Primary Entry Monumentation: All subdivision entry signage, along CR 500N or CR 700W, shall include the language "of McCordsville".
14. Secondary Entry Monument: A secondary entry monument may be erected at the entrance from Stansbury subdivision. This monument is limited to a maximum height of six (6) feet and a maximum width and depth of four (4) feet by four (4) feet. Such a monument may include signage, up to six (6) square feet, but shall not be illuminated.
15. Right-of-Way Dedication: The petitioner commits to dedicating Right-of-Way at the time of secondary Plat. The required dedication shall be a 48.5' half width right-of-way along N 700 W and N 500 W.
16. Road Improvements: The Developer shall widen CR 500 North and CR 700 West along the entire frontage of the development to include a 12' lane and 2' stone shoulder along the north side of CR 500 North and the east side of CR 700 West. Developer shall install entrance improvements at both entrances to include a passing blister, an acceleration taper, deceleration lane and taper. Construction of the entrance shall include one inbound lane and two outbound lanes.
17. Snow Plowing: The homeowner's association shall be responsible for all snow removal on internal streets.
18. Model Home: A model home will be constructed in the development. The model home shall be one (1) of the three (3) largest models offered by the builder at the time the model permit is issued. If the builder elects to build more than one (1) model, this requirement shall only apply to one (1) model per product type.
19. Woods: The wooded area, shown as common area on the Preliminary Concept Plan shall be placed in a Tree Conservation Easement (T.C.E.). The Town will develop language pertaining to permitted and prohibited tree clearing during the Primary Plat review process. This language shall be added to the Primary Plat and applicable Secondary Plat(s). The protected wooded area shall be no less than 7 acres in size with the allowance for tree removal necessary for the installation and maintenance of the amenity trail system and utility infrastructure.
20. The Town shall not be responsible for any maintenance or repairs on any alley, nor roadway which is not built to town standards and/or dedicated and accepted as public right-of-way.
21. The Town shall not be responsible for any maintenance on any landscaping, fencing, or signage located in the public right-of-way.
22. All truncated domes shall be black in color.
23. An eight (8) inch yellow thermoplastic/paint stripe shall be placed on the top of the curb adjacent to any fire hydrant within the subdivision. This stripe shall extend ten (10) feet out from the hydrant in both directions.
24. No home shall be rented or leased for a period of at least twenty-four (24) months from the

last date of transfer or sale, except when renting to a family member or in case of financial hardship that is approved by the Homeowner's Association (HOA), or unless otherwise required by the terms of a federally insured mortgage encumbering a home.

- 25. Open Space Acreage: The total open space provided shall be a minimum of twenty-five percent (25%) of the Real Estate. Required drainage facilities may be included in the open space calculation.

PASSED AND ADOPTED THIS _____ day of _____, 20__.

MCCORDSVILLE TOWN COUNCIL

Voting For

Voting Against

Abstain

Gregory J. Brewer

Gregory J. Brewer

Gregory J. Brewer

Scott Jones

Scott Jones

Scott Jones

John Price

John Price

John Price

Dr. Bryan Burney

Dr. Bryan Burney

Dr. Bryan Burney

Chad Gooding

Chad Gooding

Chad Gooding

ATTEST:

Stephanie Crider, Clerk-Treasurer

EXHIBIT A
LEGAL
DESCRIPTIONS

LANE LEGAL DESCRIPTION

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

The Southeast Quarter of the Southwest Quarter of Section 1, Township 16 North, Range 5 East to Buck Creek Township, Hancock County, Indiana.

EXCEPT that part conveyed by Quit-Claim Deed by and between Elsie L. Offenbacker and Margaret Offenbacker to Charles B. White recorded August 13, 1979 as Instrument No. 79-4170, more particularly described as follows:

All that part of the North Half of the Southeast Quarter of the Southwest Quarter of Section 1, Township 16 North, Range 5 East, which lies West of the established fence line between the land of the Grantors to the East of said fence line and the land of the Grantee to the West of said fence line which said fence line has been recognized as the boundary line between the lands of the parties hereto during their respective ownership of said land and that of Tony F. Offenbacker, predecessor in title of the land owned by the Grantors.

ALSO EXCEPT that part conveyed by Quit-Claim Deed by and between Elsie L. Offenbacker and Margaret Offenbacker to John B. White and Wanda M. White, husband and wife, recorded August 13, 1979 as Instrument No. 79-4171, more particularly described as follows:

All that part of the South Half of the Southeast Quarter of the Southwest Quarter of Section 1, Township 16 North, Range 5 East, which lies West of the established fence line between the land of the Grantors to the East of said fence line and the land of the Grantee to the West of said fence line which said fence line has been recognized as the boundary line between the lands of the parties hereto during their respective ownership of said land and that of Tony F. Offenbacker, predecessor in title of the land owned by the Grantors.

WHITE FARM LEGAL DESCRIPTION

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

Certain real estate situated in Hancock County, Indiana, being more particularly described as follows, to -wit: The North Half of the Southwest Quarter of Section 1, Township 16 North, Range 5 East, containing in all 80 acres, more or less.

EXHIBIT B – PRELIMINARY CONCEPT PLAN

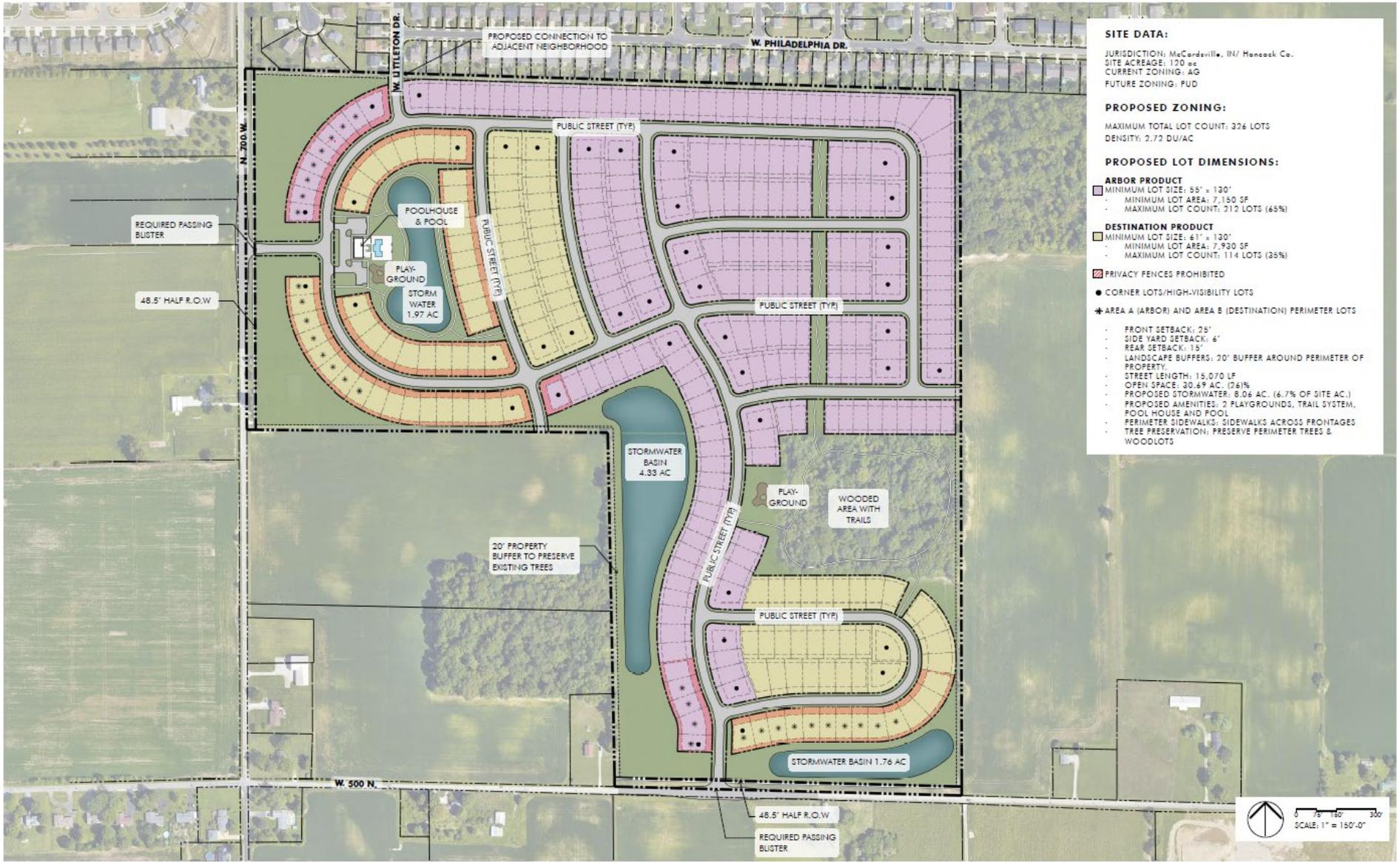
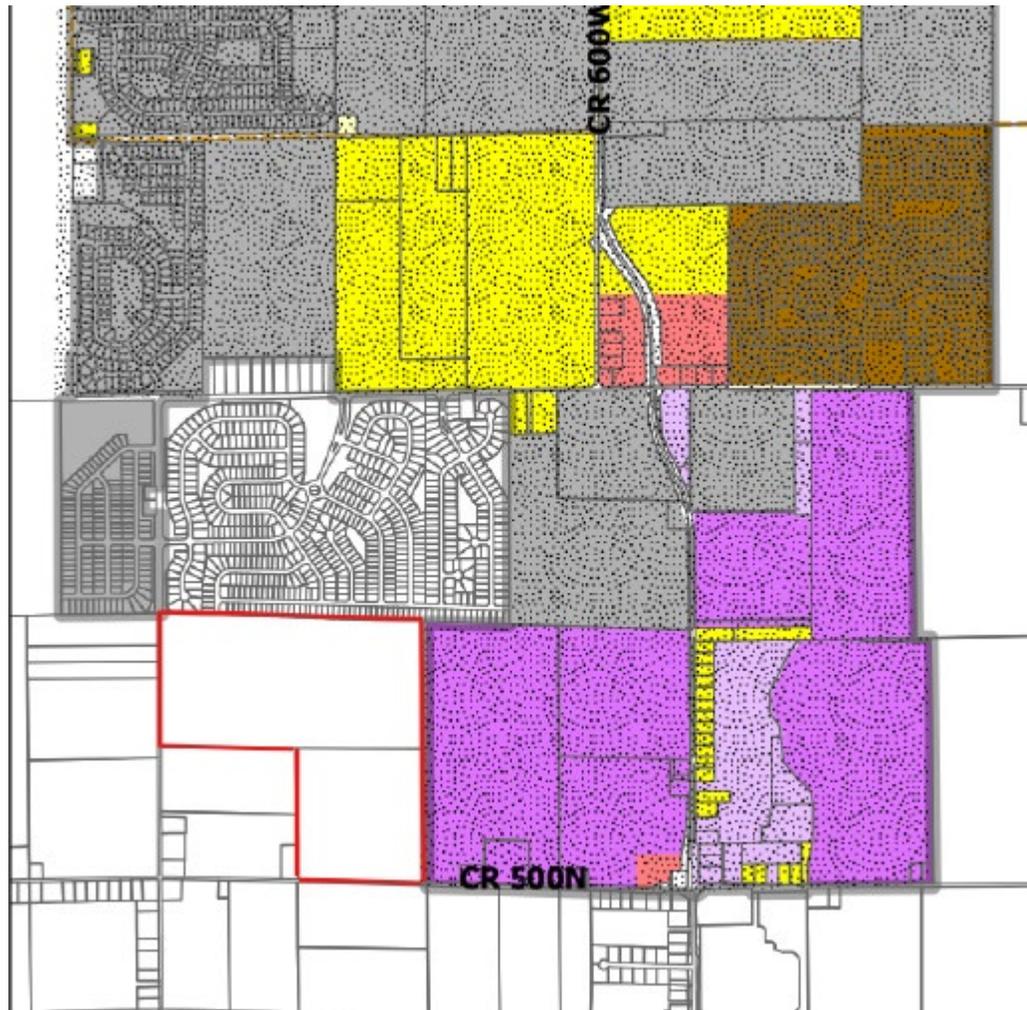


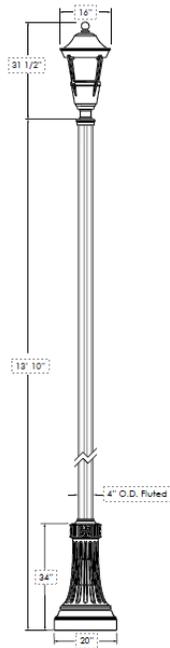
EXHIBIT C
ADJACENT ZONING MAP



Legend

-  MCR-OL Overlay
-  Residential-1 (R-1)
-  Residential-2 (R-2)
-  Residential-3 (R-3)
-  Woodhaven Zoning
-  Old Town (OT)
-  Public_Semi-public (P)
-  Professional Business Office (CO)
-  Neighborhood Commercial
-  Regional Commercial (CR)
-  Industrial-1 (I-1)
-  Industrial-2 (I-2)
-  Boucher Zoning
-  Planned Unit Development
-  Corporate Limits
-  Sanitary Territory

EXHIBIT D
STREETLIGHTS & STREET SIGNS



Pole Details:

- Cast Aluminum Base Extruded Aluminum Shaft**
- 1/2" X 18" Double Nut Double Washer Anchor Bolts**
- 65W LED bulb**
- Pole and base black matte finish**



EXHIBIT E
ARC ELEVATION APPROVAL

