

2024020631 ORDINANCE \$25.00 06/13/2024 10:17:56A 45 PGS Trini Beaver HAMILTON County Recorder IN Recorded as Presented

ORDINANCE NO. 22-06-24

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE, A PART OF THE COMPREHENSIVE PLAN OF THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

Document Cross Reference Nos. 2024-08752

This Ordinance (the "Branson Reserve PD Ordinance" or "PD Ordinance") amends the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the "UDO"), enacted by the City of Noblesville (the "City") under authority of Indiana Code § 36-7-4-600, et seq., as amended.

WHEREAS, the Plan Commission of the City of Noblesville (the "Plan Commission") conducted a public hearing on docket number LEGP 0071-2024 at its May 20, 2024 meeting, as required by law, in regard to the application (the "Petition") filed by MI Homes of Indiana, an Indiana limited partnership (the "Developer") concerning a change of zoning of certain property described in Exhibit A attached hereto (the "Real Estate" which is also referred to herein as the "District") and the adoption of a preliminary development plan to be known, collectively with attached Exhibits, as the "Branson Reserve Preliminary Development Plan", as further described in Section 4 below (the "Preliminary Development Plan"); and,

WHEREAS, the Plan Commission has sent a Favorable Recommendation for adoption of said amendment with a vote of ten (10) AYES and zero (0) NAYS to the Common Council of the City of Noblesville Hamilton County, Indiana (the "Common Council");

NOW, THEREFORE, BE IT ORDAINED by the Common Council, meeting in regular session, that it hereby adopts this Branson Reserve PD Ordinance as an amendment to the UDO and the Official City of Noblesville Zoning Map (the "Zoning Map") to establish this Planned Development Overlay District (the "District") to read as follows:

Section 1. Applicability of Ordinance.

- A. The Zoning Map is hereby amended to change the zoning of the Real Estate from "R4" Residential to "R4/PD" Residential Planned Development, which is to be known as the Branson Reserve Planned Development (the "District").
- B. The District's underlying zoning district shall be R4 Residential (the "Underlying District"). Development in this District shall be governed entirely by (i) the provisions of this Branson Reserve PD Ordinance and its exhibits, and (ii) those

provisions of the UDO in effect as of the date of adoption of this Ordinance, and applicable to the Underlying District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance. Cross-references to "Article", "Part", "Section" and "Subsection" in this Ordinance shall refer to the corresponding Article, Part, Section and Subsection as specified and referenced in the UDO.

- C. All provisions and representations of the UDO that conflict with the provisions of this Branson Reserve PD Ordinance and its exhibits are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Branson Reserve PD Ordinance.
- Section 2. **Definitions.** The general rules of construction set forth in Article 2 of the UDO and the definitions set forth in this Ordinance shall apply to the regulations of this Ordinance. Words not defined herein but defined in the UDO shall be interpreted in accordance with the UDO definition.

Section 3. Permitted Uses.

- A. All uses permitted in the Underlying District shall be permitted within the District; however, the maximum number of Dwelling Units shall not exceed one hundred and forty-seven (147).
- В. Accessory Uses and Accessory Structures customarily incidental to any permitted use shall be permitted.

Section 4. Preliminary Development Plan.

- Full sized, scaled development plans are on file with the City's Planning and A. Development Department with a revision date of April 24, 2024. What is attached hereto as Exhibit B is a general representation of the full sized plans and Exhibit B, together with the full sized plans, shall be collectively referred to as the "Preliminary Development Plan".
- B. The Preliminary Development Plan is hereby incorporated herein and approved. Pursuant to Article 8 of the UDO, the Preliminary Development Plan is intended to establish the basic goals and policies, bulk standards, variations/waivers from the Underlying District and layout of the District.
- Section 5. **Bulk Standards.** The bulk requirements applicable to the Underlying District shall be replaced, modified and superseded by the below:
 - The Minimum Lot Area: Six Thousand eight hundred and seventy-five (6,875) A. Square Feet

- B. Minimum Lot Width measured at the front building setback line: Fifty-five (55) feet
- C. Minimum Street Frontage: Thirty-five (35) feet
- D. Maximum Building Height: Thirty-five (35) feet
- E. Minimum Front Yard Setback: Twenty-five (25) feet
- F. Minimum Side yard Setback: Five (5) feet
- G. Minimum Rear yard Setback: Fifteen (15) feet
- H. Maximum Floor Area Ratio: Not Applicable
- I. Minimum Living Area: Fifteen Hundred (1,500) Square Feet
- J. Maximum Lot Coverage: Fifty-five (55) percent
- <u>Section 6.</u> <u>Architectural Standards.</u> The requirements included in Article 8, shall not apply, instead the following shall apply to the District:
 - A. The approved elevations shall be the set of elevations on file with the City's Planning and Development Department as submitted on March 20, 2024, as reviewed and approved by the City's Architectural Review Board (the "Committee"), a its April 17, 2024 meeting (the "Approved Elevations").
 - B. The Approved Elevations are hereby incorporated and approved. All home elevations shall be substantially consistent with the Approved Elevations. The Director of Planning and Development, including his or her designees, shall review and approve elevations at the time of filing of the Detailed Development Plan and/or Building Permit for compliance and consistency with the Approved Elevations.
 - C. The elevations of any dwelling that substantially varies from an Approved Elevations shall be submitted for review and approval by the Director of Planning and Development if in compliance with the Architectural Standards hereby incorporated under **Exhibit C** or require approval by the Committee, if not found in compliance with the standards included in **Exhibit C**. The Committee's review of said elevation(s) shall be performed in order to determine its compatibility and consistency with the intended quality and character of the District and the Approved Elevations.
 - D. Elevations (Dwelling Character Exhibits) are included under **Exhibit D** which are representative of the Approved Elevations.

- E. Corner Breaks shall be a minimum of 2' by 6' creating an additional roof line. A corner lot street side is required to have the same number of corner breaks as the front elevations of the home. An additional corner break is required on homes that back to Promise Road and are within fifty (50) feet of the Promise Road right-of-way.
- <u>Section 7.</u> <u>Landscaping and Open Space Standards.</u> The standards of Article 12, Landscaping and Screening, of the UDO shall apply, except as modified below:
 - A. <u>Lot Landscaping</u>. All Lots shall be landscaped in accordance with the Architectural Review Board Standards (adopted on August 16, 2007). This standards shall only be applicable to the front of the dwelling including the front door on corner lots.
 - B. <u>Landscape Buffer Yards</u>. Landscape Buffer Yards shall be provided as shown on the Preliminary Development Plan.
 - 1. North. West and South perimeter of the Real Estate: A minimum fifty (50) foot common area including a twenty-five (25) foot buffer yard shall be required as shown on the Preliminary Development Plan. Four (4) shade trees, fifteen (15) large deciduous shrubs, and six (6) large evergreen shrubs shall be provided per two-hundred (200) linear feet of within the buffer yard in addition to preservation of existing trees as shown on the Preliminary Development Plan.
 - 2. <u>East Peripheral Yard</u>: The east Peripheral Yard shall be a minimum of (30) feet of common area. Three trees, at least two (2) of which shall be shade trees, and thirty-three (33) shrubs, shall be provided per one-hundred (100) linear feet of road frontage.
 - C. <u>Open Space</u>. Open Space shall be provided substantially in the size, configuration and locations depicted on the Preliminary Development Plan.
 - 1. Amenities shall include a shelter, seating area, playground and path/sidewalk connections to surrounding sidewalk.
 - D. <u>Tree Preservation</u>. The requirements of Article 12, Section 13.B (Tree Preservation) of the UDO shall be applicable to the Real Estate in areas specified as Tree Preservation Easements on the Preliminary Development Plan and notice of the regulation of such standards shall be included in the Declaration of Covenants and Restriction that will be applicable to the Real Estate.
- <u>Section 8.</u> Parking and Loading Standards. The standards of Article 10, Off-Street Parking and Loading, of the UDO shall apply except as noted below:

- A. The minimum distance between the street centerline and the driveway for lots which front more than one public street shall be fifty (50) feet and the driveways are not required to be placed 7.5' from the lot line furthest from the intersection.
- <u>Section 9.</u> <u>Lighting Standards.</u> The standards of Article 13, Environmental Performance Standards, of the UDO, shall apply, except as modified below:
 - A. Photocell controlled light fixtures shall be required on either side of garage doors.
- Section 10. Sign Standards. The District's signs shall comply with Article 11 of the UDO, except as modified below:
 - A. Two (2) signs shall be permitted at the entrance to the subdivision which flank the entrance as depicted in **Exhibit E**.
- Section 11. Site Design and Infrastructure Standards. Unless otherwise stated within this Branson Reserve PD Ordinance, all public infrastructure within the District shall adhere to the City's standards and design criteria, subject to the following specific waivers that are hereby approved:
 - A. Corner lots shall be permitted at a minimum of twenty-five (25) percent larger than the minimum lot area.
 - B. The Centerline Radii for Residential Minor Collectors reduced from 225 feet to 150 feet.

Section 12. Procedures:

- A. <u>Detailed Development Plan:</u> Approval of any Detailed Development Plan ("DDP") shall follow the procedures set out in Article 8 of the UDO, subject to the following clarification:
 - 1. The Director of Planning and Zoning shall approve a Minor Change; and
 - 2. If a DDP includes a Major Change from the approved Preliminary Development Plan, then, prior to approval of the DDP, The Major Change shall be reviewed and approved by the Technical Advisory Committee and the Plan Commission based upon compliance with the Governing Standards set forth herein and shall be compatible and consistent with the intended quality and character of the District.
- B. <u>Secondary Plat</u>: A Secondary Plat shall be submitted for review and approval as part of any approved DDP.
- C. Major Change. For purposes of this PD Ordinance, a "Major Change" shall mean:

- (i) a substantial change to the <u>location</u> of a perimeter entrance as shown on the Preliminary Development Plan; and (ii) significant changes to the drainage management systems, including, but not limited to, BMP's and legal drains.
- D. <u>Minor Change</u>. For purposes of this PD Ordinance, a "Minor Change" shall mean any change that: (i) is not a Major Change; and (ii) is consistent with the intent of this Ordinance and consistent with the quality and character represented in this Branson Reserve Ordinance for the District.
- **Section 13. Effective Date.** This Branson Reserve PD Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.

[The remainder of this page intentionally left blank; signature page follows.]

Approved on this _____ day of 2024 by the Common Council of the City of Noblesville, Indiana: AYE NAY **ABSTAIN** Mark Boice Michael J. Davis Evan Elliott David M. Johnson Darren Peterson Pete Schwartz **Aaron Smith Todd Thurston** Megan G. Wiles ATTEST Evelyn L. Lees, City Clerk Presented by me to the Mayor of the City of Noblesville, Indiana, this 12th day of , 2024 at 7:12 A.M. Evelyn L. Lees City Clerk

MAYOR'S APPROVAL

Chris Jensen, Mayor

MAYOR'S VETO

Chris Jensen, Mayor

Date



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: Jon C. Dobosiewicz

Prepared by: James E. Shinaver, attorney at law, NELSON & FRANKENBERGER and Jon C. Dobosiewicz, land use professional, NELSON & FRANKENBERGER. 550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106.

Branson Reserve - 2024 PD Ordinance 4 052024

EXHIBIT A

Legal Description (Page 1 of 1)

Part of the West Half of the Northwest Quarter of Section 28, and part of the Southwest Quarter of the Southwest Quarter of Section 21, all in Township 19 North, Range 5 East of the Second Principal Meridian, in Noblesville Township, Hamilton County, Indiana, based on an ALTA/NSPS Land Title Survey prepared by Michael G. Judt, Professional Surveyor Number 21500017, HWC Engineering Job Number 2023-371, more particularly described as follows:

BEGINNING at the northeast corner of the West Half of the Northwest Quarter of said Section 28, marked by a Harrison monument; thence South 00 degrees 02 minutes 59 seconds East (grid bearing, Indiana Geospatial Coordinate System, "Hamilton County" Zone) along the east line of said Half-Ouarter Section a distance of 666.76 feet to the northeast corner of Roudebush Woods, Section 4, the plat of which is recorded in Plat Cabinet 3, Slide 108 as Instrument Number 200200095881 in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 07 minutes 09 seconds West along the north line of said Roudebush Woods, Section 4, and along the north line of Roudebush Woods, Section 2, the plat of which is recorded in Plat Cabinet 2, Slide 520 as Instrument Number 200000060265 in said Recorder's Office, and along the westerly extension thereof, a distance of 1314.16 feet to the east line of Meadows Knoll, Section 4, the plat of which is recorded in Plat Cabinet 2, Slide 373 as Instrument Number 199909971659 in said Recorder's Office; thence North 00 degrees 03 minutes 35 seconds East along said east line a distance of 669.12 feet to the northwest corner of the Northwest Quarter of said Section 28, marked by a 5/8-inch rebar with illegible cap; thence North 00 degrees 06 minutes 41 seconds East along the east line of said Meadows Knoll, Section 4, along the east line of Meadows Glen, Section 5, the plat of which is recorded in Plat Cabinet 2, Slide 437 as Instrument Number 200000025367 in said Recorder's Office, and along the east line of Meadows Glen, Section 4, the plat of which is recorded in Plat Cabinet 2, Slide 221 as Instrument Number 199909905519 in said Recorder's Office, a distance of 1070.80 feet to a 5/8-inch rebar with yellow cap stamped "HWC ENGINEERING FIRM #0114"; thence North 88 degrees 55 minutes 21 seconds East a distance of 1288.92 feet to the west line of a right-of-way grant described in Instrument Number 200400023359 in said Recorder's Office, the following two (2) courses being along the west and south lines thereof; (1) thence South 00 degrees 17 minutes 24 seconds East a distance of 168.39 feet; (2) thence North 89 degrees 42 minutes 36 seconds East a distance of 16.50 feet to the east line of the Southwest Quarter of the Southwest Quarter of said Section 21; thence South 00 degrees 17 minutes 24 seconds East along said east line a distance of 908.90 feet to the POINT OF BEGINNING, containing 52.354 acres, more or less.

EXHIBIT A

Depiction of Legal Description (Page 2 of 2)



EXHIBIT B PRELIMINARY DEVELOPMENT PLAN



(See following 17 pages which are a subset of the PDP plan set on file with Noblesville Planning)

PARCEL #29-07-28-000-001.000-012 PARCEL # 29-07-21-000-034.000-012 RICHARD A. FISHER AND MIRIAM L. FISHER, TRUSTEES THE RICHARD A. AND MIRIAM L. FISHER LIVING TRUST, DATED NOVEMBER 17, 1992 (1/2 INTEREST) WARRANTY DEED - INST. #2023048456 LINDA J. HOLLAND (1/2 INTEREST) AFFIDAVIT OF SURVIVORSHIP - INST. #2019010728

> ADDRESS: 19609 PROMISE RD. **NOBLESVILLE, IN 46060**

APPLICANT / DEVELOPER M/I HOMES OF INDIANA, L.I ATTN: JONATHAN ISAACS DIRECTOR OF LAND ACQUISITION 8425 WOODFIELD CROSSING BLVD., SUITE 100W INDIANAPOLIS, IN 146240

AGENT / SURVEYOR: **HWC ENGINEERING** ATTN: R. JASON COYLE, PS 135 N. PENNSYLVANIA, SUITE 2800 **INDIANAPOLIS, IN 46204** PH.: (317) 757-9344 EMAIL: JCOYLE@HWCENGINEERING.COM

OVERALL LAND DESCRIPTION:

PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 28, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, ALL IN TOWNSHIP 19 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, BASED ON AN ALTA/NSPS LAND TITLE SURVEY PREPARED BY MICHAEL G. JUDT, PROFESSIONAL SURVEYOR NUMBER 21500017, HWC ENGINEERING JOB NUMBER 2023-371, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 28, MARKED BY A HARRISON MONUMENT; THENCE SOUTH 00 DEGREES 02 MINUTES 59 SECONDS EAST (GRID BEARING, INDIANA GEOSPATIAL COORDINATE SYSTEM, "HAMILTONCOUNTY" ZONE) ALONG THE EAST LINE OF SAID HALF-QUARTER SECTION A DISTANCE OF 666.76 FEET TO THE NORTHEAST CORNER OF ROUDEBUSH WOODS, SECTION 4, THE PLAT OF WHICH IS RECORDED IN PLAT CABINET 3, SLIDE 108 AS INSTRUMENT NUMBER 200200095881 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 07 MINUTES 09 SECONDS WEST ALONG THE NORTH LINE OF SAID ROUDEBUSH WOODS, SECTION 4, AND ALONG THE NORTH LINE OF ROUDEBUSH WOODS, SECTION 2, THE PLAT OF WHICH IS RECORDED IN PLAT CABINET 2, SLIDE 520 AS INSTRUMENT NUMBER 200000060265 IN SAID RECORDER'S OFFICE, AND ALONG THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 1314.16 FEET TO THE EAST LINE OF MEADOWS KNOLL, SECTION 4, THE PLAT OF WHICH IS RECORDED IN PLAT CABINET 2, SLIDE 373 AS INSTRUMENT NUMBER 199909971659 IN SAID RECORDER'S OFFICE; THENCE NORTH 00 DEGREES 03 MINUTES 35 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 669.12 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 28, MARKED BY A 5/8-INCH REBAR WITH ILLEGIBLE CAP; THENCE NORTH 00 DEGREES 06 MINUTES 41 SECONDS EAST ALONG THE EAST LINE OF SAID MEADOWS KNOLL, SECTION 4, ALONG THE EAST LINE OF MEADOWS GLEN, SECTION 5, THE PLAT OF WHICH IS RECORDED IN PLAT CABINET 2, SLIDE 437 AS INSTRUMENT NUMBER 200000025367 IN SAID RECORDER'S OFFICE, AND ALONG THE EAST LINE OF MEADOWS GLEN, SECTION 4, THE PLAT OF WHICH IS RECORDED IN PLAT CABINET 2, SLIDE 221 AS INSTRUMENT NUMBER 199909905519 IN SAID RECORDER'S OFFICE, A DISTANCE OF 1070.80 FEET TO A 5/8-INCH REBAR WITH YELLOW CAP STAMPED "HWC ENGINEERING FIRM #0114" ;THENCE NORTH 88 DEGREES 55 MINUTES 21 SECONDS EAST A DISTANCE OF 1288.92 FEET TO THE WEST LINE OF A RIGHT-OF-WAY GRANT DESCRIBED IN INSTRUMENT NUMBER 200400023359 IN SAID RECORDER'S OFFICE, THE FOLLOWING TWO (2) COURSES BEING ALONG THE WEST AND SOUTH LINES THEREOF; (1) THENCE SOUTH 00 DEGREES 17 MINUTES 24 SECONDS EAST A DISTANCE OF 168.39 FEET; (2) THENCE NORTH 89 DEGREES 42 MINUTES 36 SECONDS EAST A DISTANCE OF 16.50 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE SOUTH 00 DEGREES 17 MINUTES 24 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 908.90 FEET TO THE POINT OF BEGINNING, CONTAINING 52.354 ACRES, MORE OR LESS.

FLOOD HAZARD STATEMENT:

THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN ON THIS REPORT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTIES IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP. THE WITHIN DESCRIBED TRACT OF LAND LIES WITHIN FLOOD HAZARD ZONE "X"(UNSHADED) AS SAID TRACT PLOTS BY SCALE ON MAP NUMBER 18057C0153G OF THE FLOOD INSURANCE RATE MAPS FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA (MAPS DATED NOVEMBER 19, 2014).

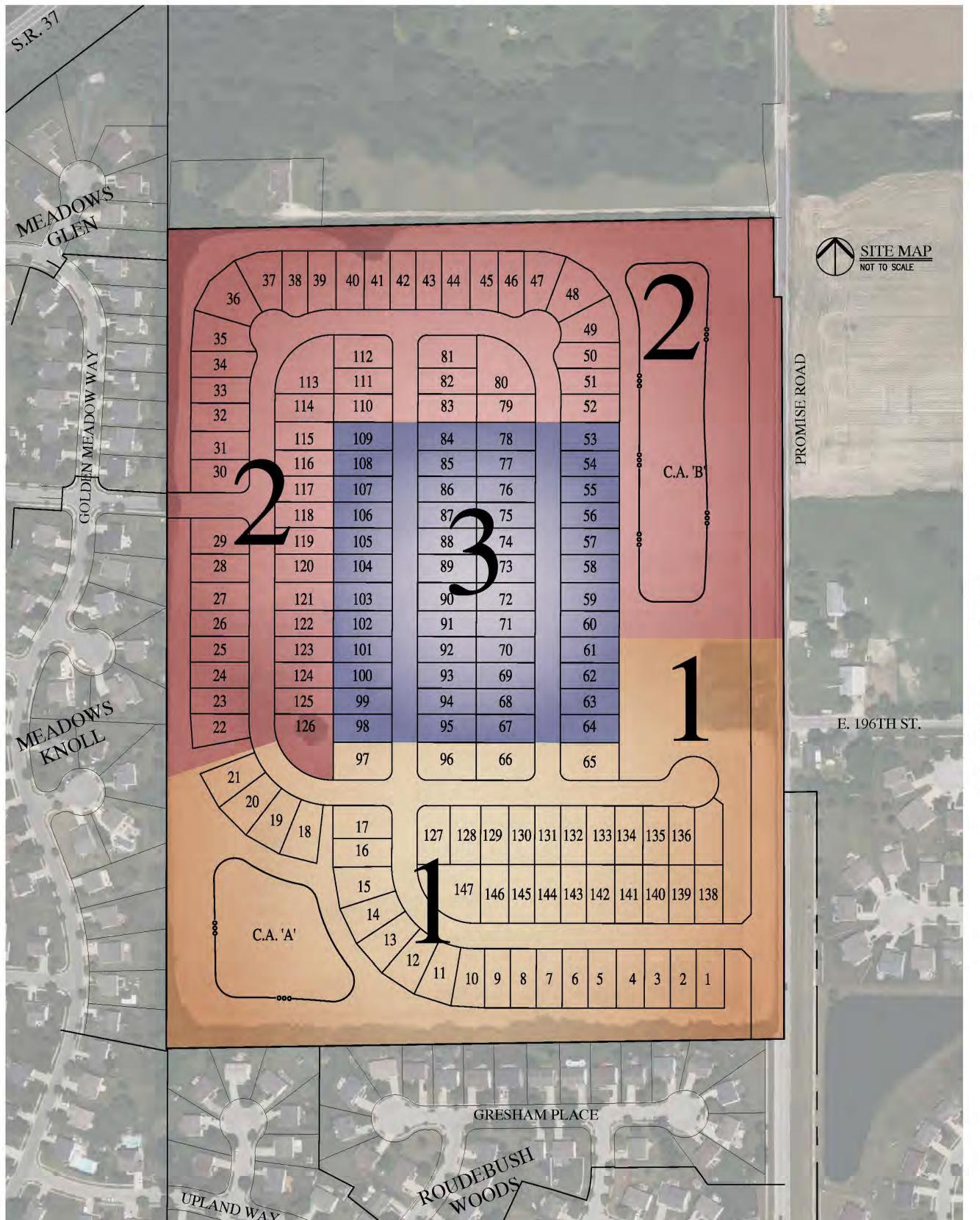
THE NOBLESVILLE STANDARDS SHALL BE INCORPORATED BY REFERENCE INTO THESE PLANS

NO ALTERNATE SPECIFICATIONS OR MATERIALS OR NEW MATERIALS MAY BE USED WITHOUT THE EXPRESS WRITTEN APPROVAL FROM THE CITY OF NOBLESVILLE PRIOR TO THE COMPLETION OF THE

DESIGN PROFESSIONAL CERTIFYING PLANS FOR THE PROJECT ACKNOWLEDGES THEIR PROFESSIONAL RESPONSIBILITY FOR ENSURING THAT ALL WORK IS CORRECT, ACCURATE AND COMPLIES WITH ALL APPROPRIATE LAWS, STANDARDS, REGULATIONS AND ORDINANCES. IF SUCH AN ERROR/OR OMISSION IS FOUND, THE DEVELOPER IS NOT RELIEVED OF COMPLYING WITH ALL APPROPRIATE LAWS, STANDARDS, REGULATIONS AND ORDINANCES.

BRANSON RESERVE PRELIMINARY DEVELOPMENT PLAN

A PART OF THE W. 1/2, NW. 1/4, SEC. 28 & PART OF THE SW. 1/4, SW. 1/4, SEC. 21, T. 19 N., R. 5 E., CITY OF NOBLESVILLE, NOBLESVILLE TWP., HENDRICKS CO., INDIANA



SHEET LIST TABLE

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C1.0	TITLE / COVER SHEET
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4.6	INTERSECTION SIGHT DISTANCE PL
5.0	LIGHTING AND SIGNAGE PLAN
5.1	CLUSTER MAILBOX PLAN
6.0	OPEN SPACE PLAN
6.1	PHASING PLAN & NARRATIVE
L1-L7	LANDSCAPE PLANS & DETAILS
L8	STREET TREE PLAN

DEVELOPMENT STANDARDS

MIN. SIDE YARD SETBACK

MIN. LIVING AREA:

MAX. LOT COVERAGE

MAX. BUILDING HEIGHT

16 SOUTH STREET

NOBLESVILLE, IN 46060

THEIL MANN@NOBLESVILLE IN US

NOBLESVILLE, INDIANA 46060

NAOMLK, CARLTON@USPS.GOV

BRANSON RESERVE		TOTAL AREA:	52.354
ZONING DISTRICT: PLANN	ED UNIT DEVELOPMENT	TOTAL NUMBER OF LOTS:	147
UNDERLYING ZONING DIST	ΓRICT: R4 RESIDENTIAL	DENSITY (GROSS - UNITS PER ACRE):	2.81
TOTAL LOTS: 147		DENSITY (NET - UNITS PER ACRE):	3.80
SECTION 1: 46		TOTAL LOT AREA:	25.706
SECTION 2: 53		TOTAL COMMON AREA:	16.877
SECTION 3: 48		TOTAL RIGHT-OF-WAY AREA:	9.780
MIN. LOT AREA	6,875 S.F.	SUBDIVISION STREET WIDTH:	32'
MIN. LOT WIDTH	55'	SUBDIVISION STREET R/W WIDTH:	54'
MIN. LOT FRONTAGE	35'	TOTAL LENGTH OF STREETS	
MIN. FRONT YARD SETBAC	CK 25'	MEASURED ALONG CENTERLINE:	5584.7
MIN. REAR YARD SETBACK	15' (MIN.)		

1,500 S.F. 55%	PROMISE ROAD = PRIMARY (140' TO	TAL / 70' HALF)
35'	POND AREA AT NORMAL POOL:	3.894 Ac. ±

P: (740) 891-7566

UTILITY CONTACT INFORMATION: NOBLESVILLE ENGINEERING

DEVELOPMENT SITE PLAN SUMMARY

THOROUGHFARE ROAD CLASSIFICATIONS

EARL SMALL JR

P: (317) 982-1161

METRONE

CARMEL, IN 46032

P: (317) 670-7995

CHRIS THORN

P: (812) 213-1292

5870 N COLLEGE

RS3865@ATT.COM

P: (317) 525-1499

ROOSEVELT SOLOMON

MARC HILL

5330 E 65TH STREET

INDIANAPOLIS, IN 46220

12415 OLD MERIDIAN STREET

MARC.HILL@METRONETINC.COM

CHRIS.THORN@METRONET.COM

AVE INDIANAPOLIS, INDIANA 46220

EARL_SMALL@CABLE.COMCAST.COM

 $52.354 \text{ Ac.} \pm$

25.706 Ac. ± (49.1%)

16.877 Ac. \pm (32.2%)

 $9.780 \,\mathrm{Ac.} \pm (18.7\%)$

5584.7

P: (317) 776-6330	
ODISE ADAMS	
OADAMS@NOBLESVILLE,IN,US	
NOBLESVILLE POSTI	MASTER
NAOMI CARLTON	
1900 PLEASANT ST	

P: (317) 773-9775 HAMILTON COUNTY SURVEYORS OFFICE 1 N 8TH STREET, SUITE 188 NOBLESVILLE, INDIANA 46060 P: (317) 776-8495 STEVE, CASH@HAMILTONCOUNTY, IN. GOV

HAMILTON COUNTY HIGHWAY DEPARTMENT DAVID LUCAS 1700 S 10TH STREET NOBLESVILLE, INDIANA 46060 P: (317) 773-7770 DAVID.LUCAS@HAMILTONCOUNTY.IN.GOV

DUKE ENERGY TRANSMISSION DAVID MESZAROS 139 E 4TH ST CINCINNATI, OH 45202 DAVID.MESZAROS@DUKE-ENERGY,COM

RYAN DAUGHERTY 2727 CENTRAL AVE COLUMBUS, IN RYAN.DAUGHERTY@DUKE-ENERGY.COM P: (812) 375-2021

16000 ALLISONVILLE ROAD NOBLESVILLE, INDIANA 46061 KIM, KELLY@CENTERPOINTENERGY, COM P: (317) 736-2915 CHAD MILLER CHAD.R.MILLER@CENTERPOINTENERGY.COM DUKE ENERGY (ELECTRIC) MARC DILLER

CENTERPOINT ENERGY (GAS)

MARC.DILLER@DUKE-ENERGY.COM TRACY WHITE 15227 HERRIMAN BLVD NOBLESVILLE, IN 46060 P: (317) 885-2426

100 S MILL CREEK RD

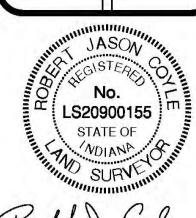
NOBLESVILLE, IN 46062

TRACY.S.WHITE@AMWATER.COM JOSHUA COX JOSHUA.COX@AMWATER.COM

> PLANS PREPARED BY: **HWC** Engineering 135 N. Pennsylvania, Suite 2800 Indianapolis, IN 46204 (317) 347-3663

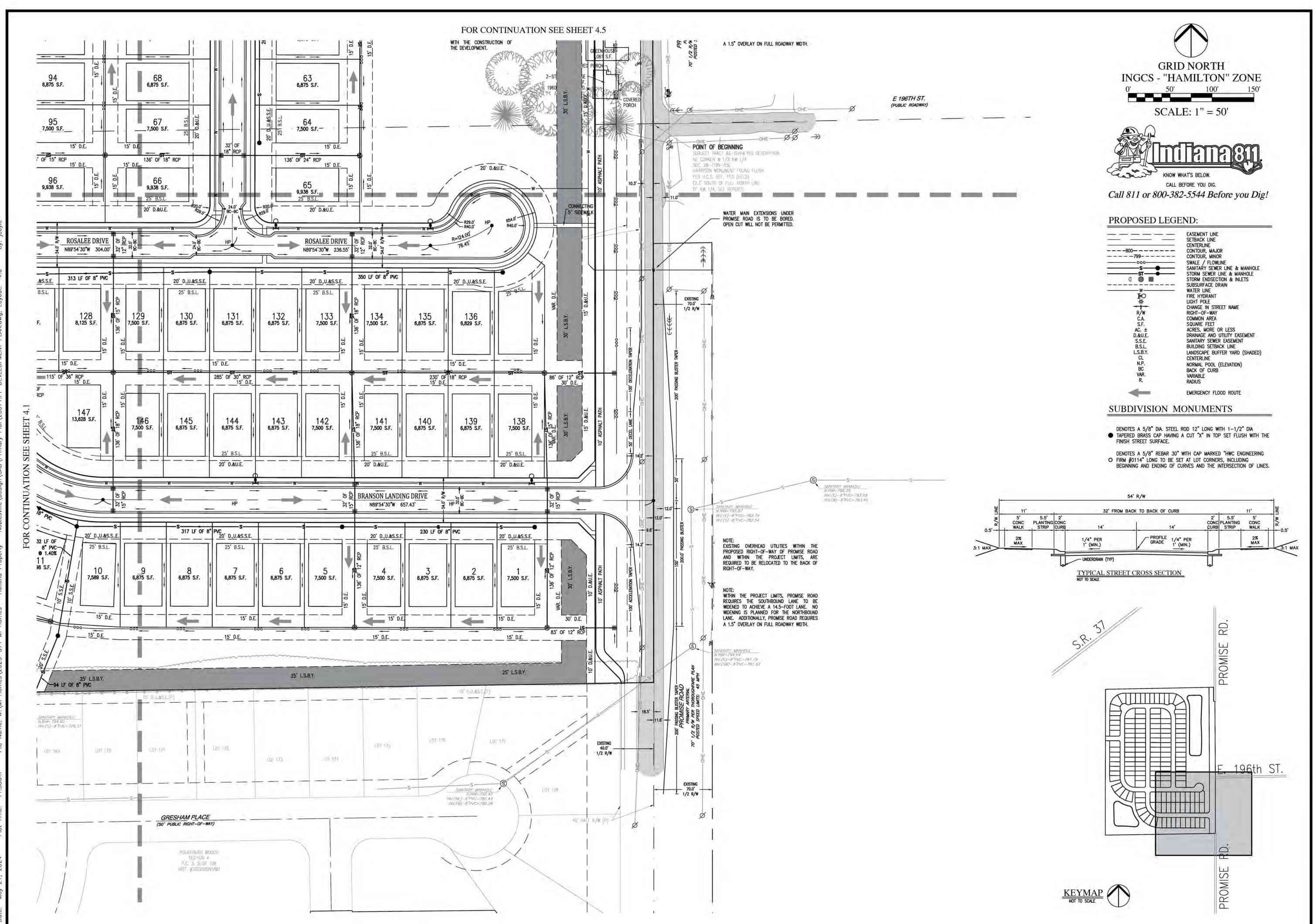


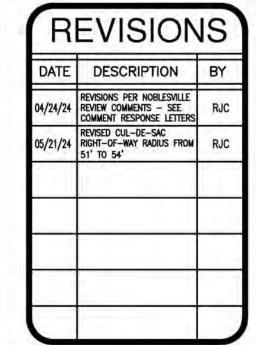
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CHECKED BY MARCH 20, 2024 SCALE AS SHOWN

TITLE / COVER SHEET





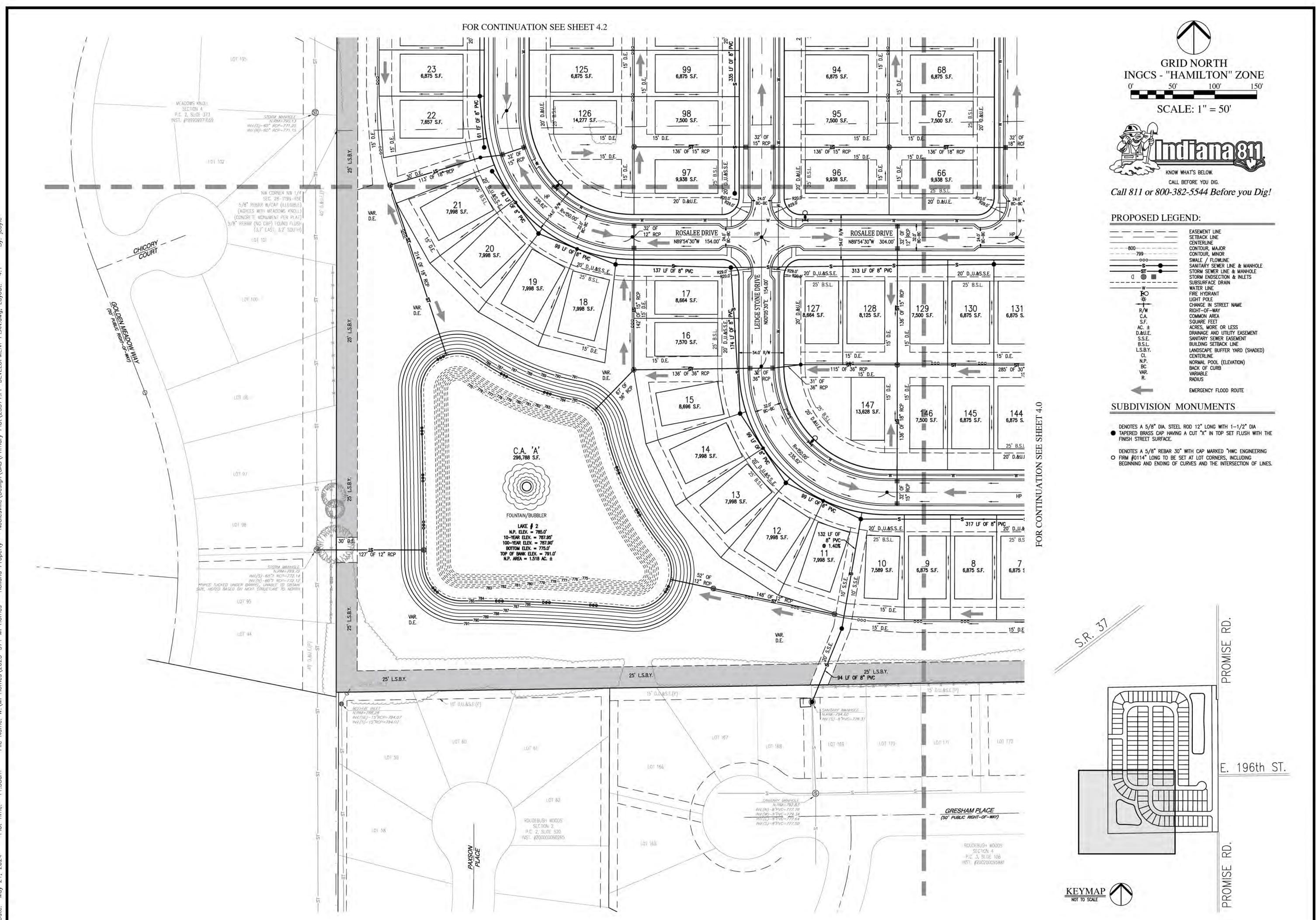


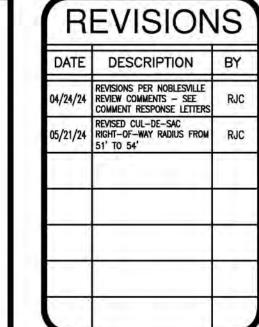
BRANSON RESERVE - PROMISE ROAD
CITY OF NOBLESVILLE, INDIANA
PRELIMINARY DEVELOPENT PLAN
DEVELOPENT PLAN

No.
LS20900155
STATE OF
NOIANA
SURVENIENT
SU

DRAWN BY
RJC
CHECKED BY
RJC
DATE
MARCH 20, 2024
SCALE
AS SHOWN
SHEET

DEVELOPMENT PLAN







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PRELIMIN

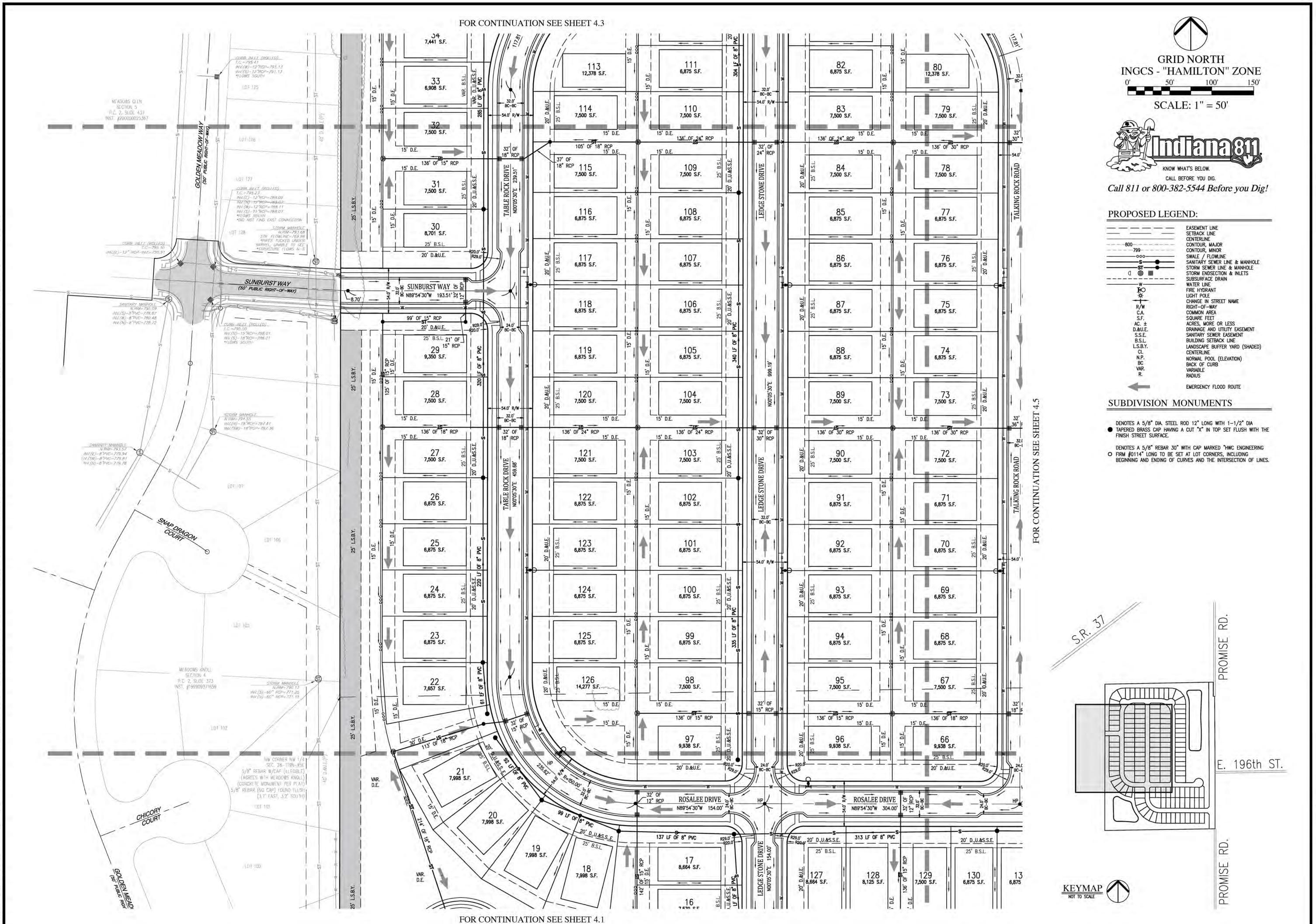
BRANSON RESERVE - PROMISE ROAD CITY OF NOBLESVILLE, INDIANA

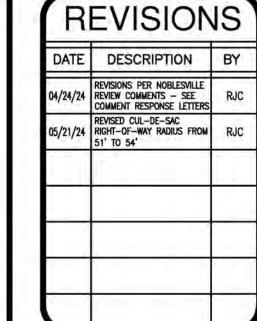
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4.1
PRIMARY PLAT PLAN

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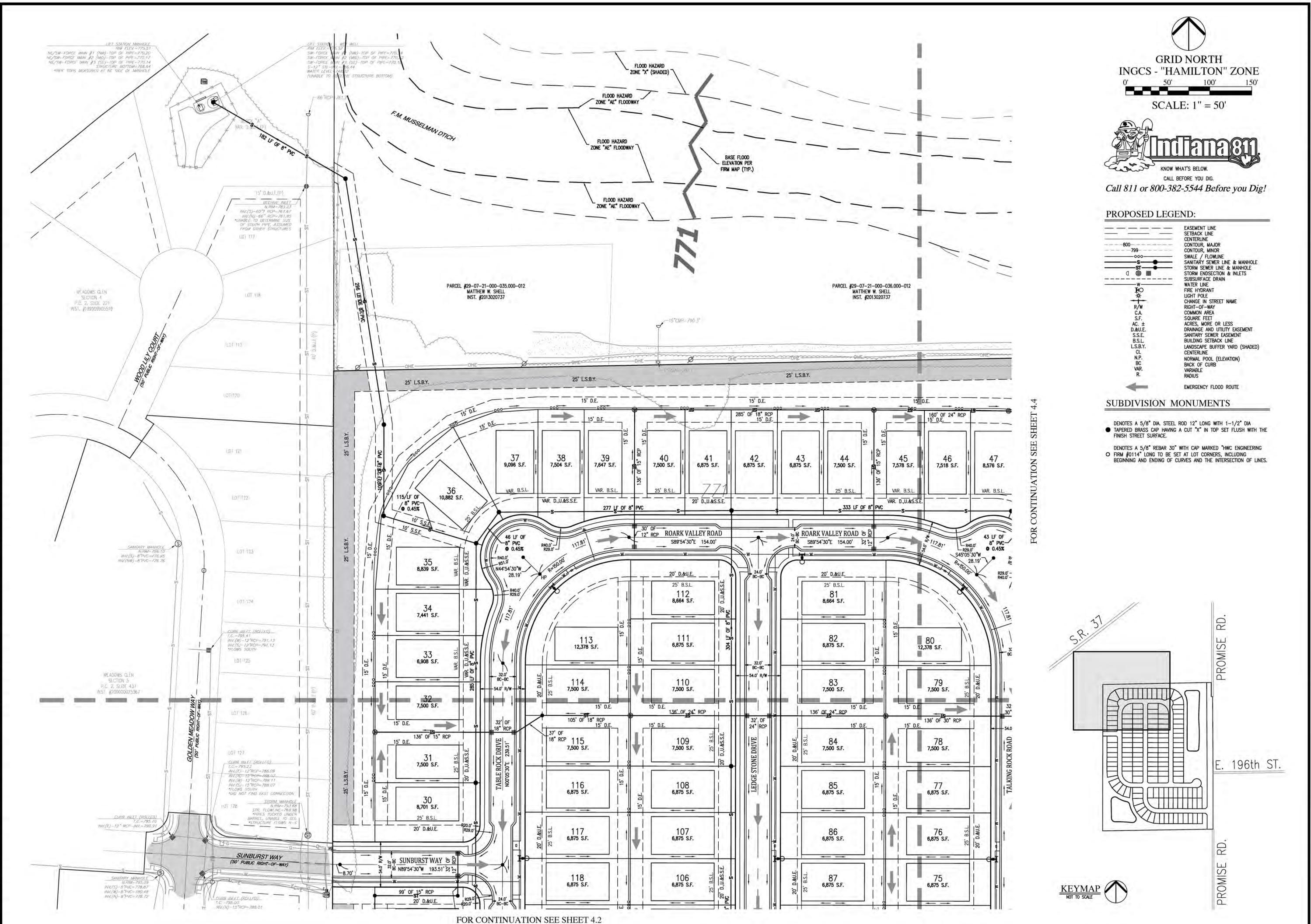
BRANSON RESERVE - PROMISE ROAD CITY OF NOBLESVILLE, INDIANA

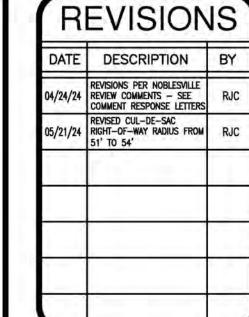
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STATE OF
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4.2
PRIMARY PLAT PLAN

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BRANSON RESERVE - PROMISE ROAD CITY OF NOBLESVILLE, INDIANA

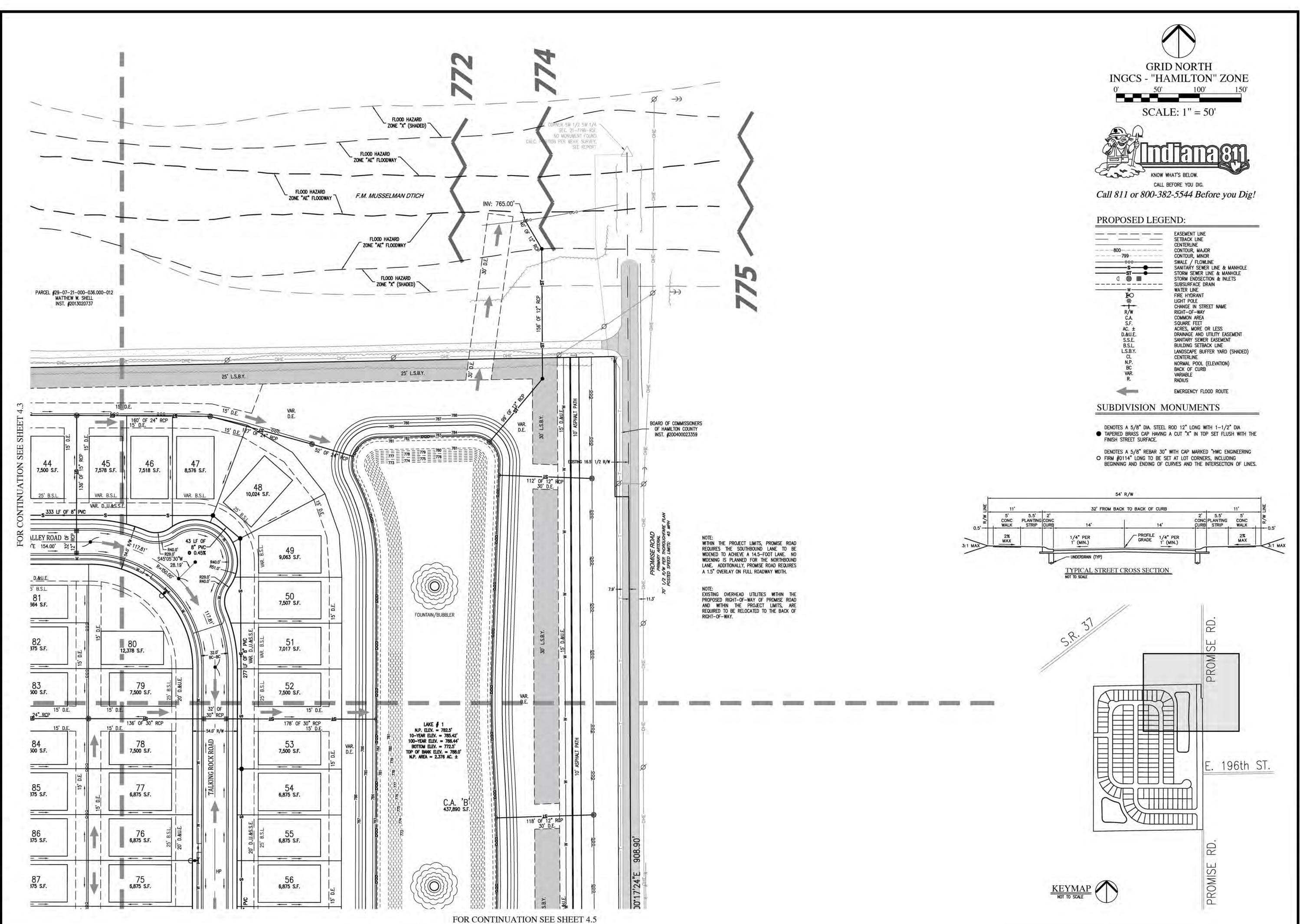


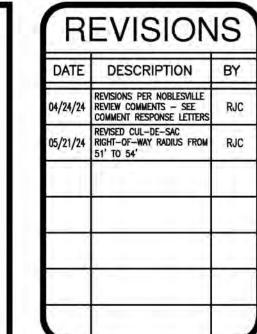
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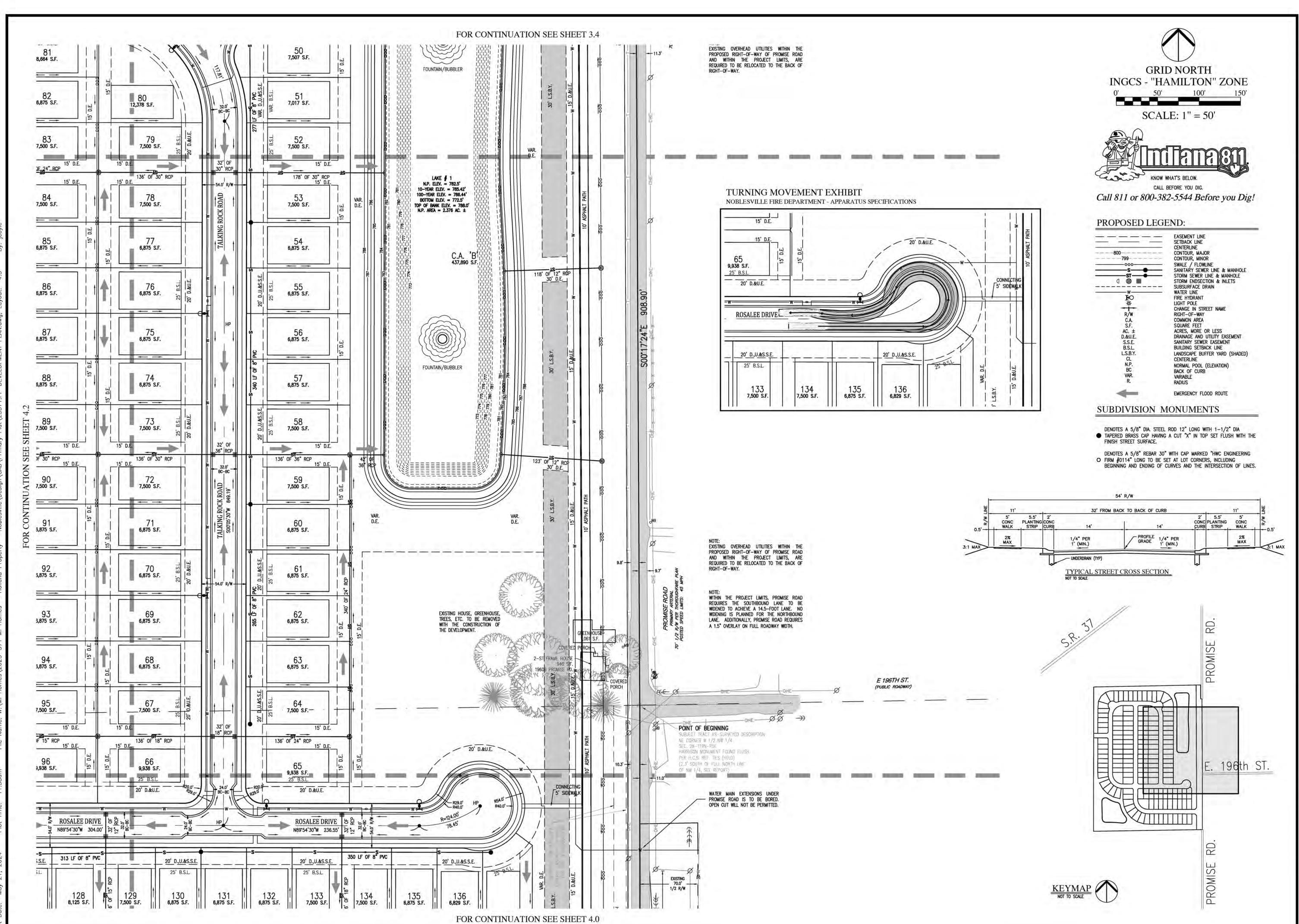
BRANSON RESERVE - PROMISE ROAD
CITY OF NOBLESVILLE, INDIANA
PRELIMINARY DEVELOPMENT PLAN
DEVELOPENT PLAN

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4.4
PRIMARY PLAT PLAN

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DATE DESCRIPTION BY

REVISIONS PER NOBLESVILLE REVIEW COMMENTS - SEE COMMENT RESPONSE LETTERS

05/21/24 REVISED CUL-DE-SAC RIGHT-OF-WAY RADIUS FROM RJC 51' TO 54'



BRANSON RESERVE - PROMISE ROAD
CITY OF NOBLESVILLE, INDIANA
PRELIMINARY DEVELOPENT PLAN
DEVELOPENT PLAN

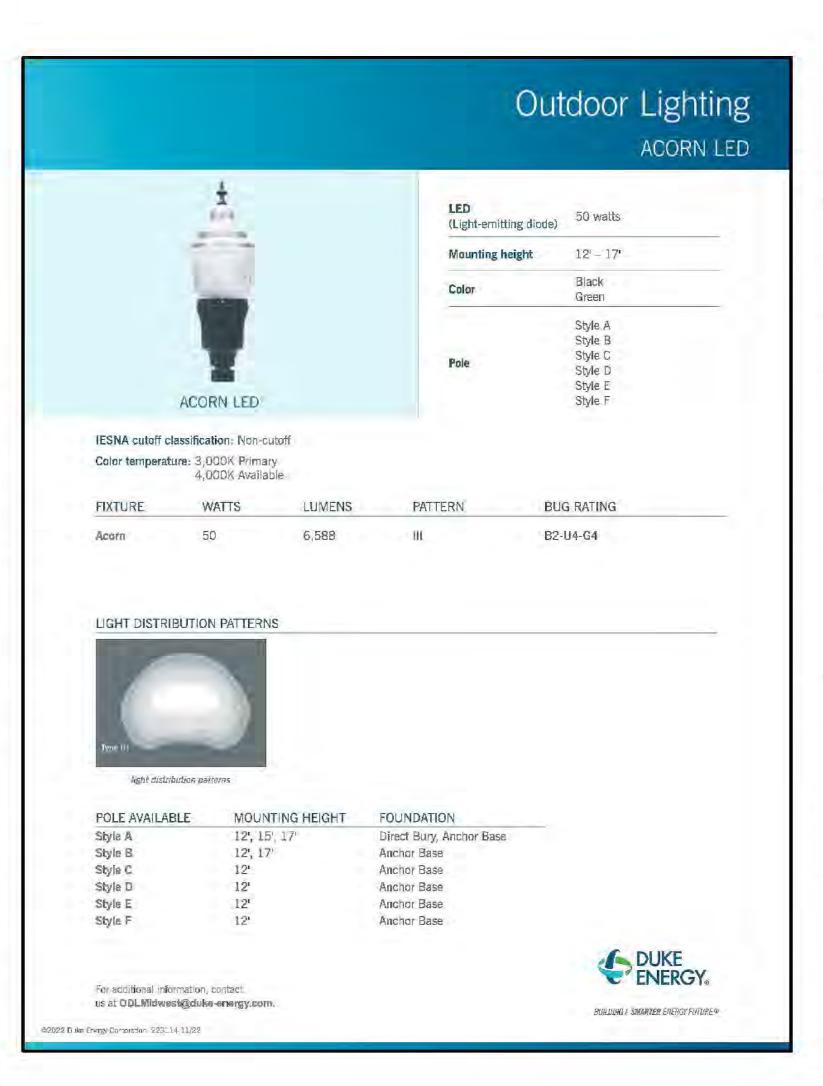
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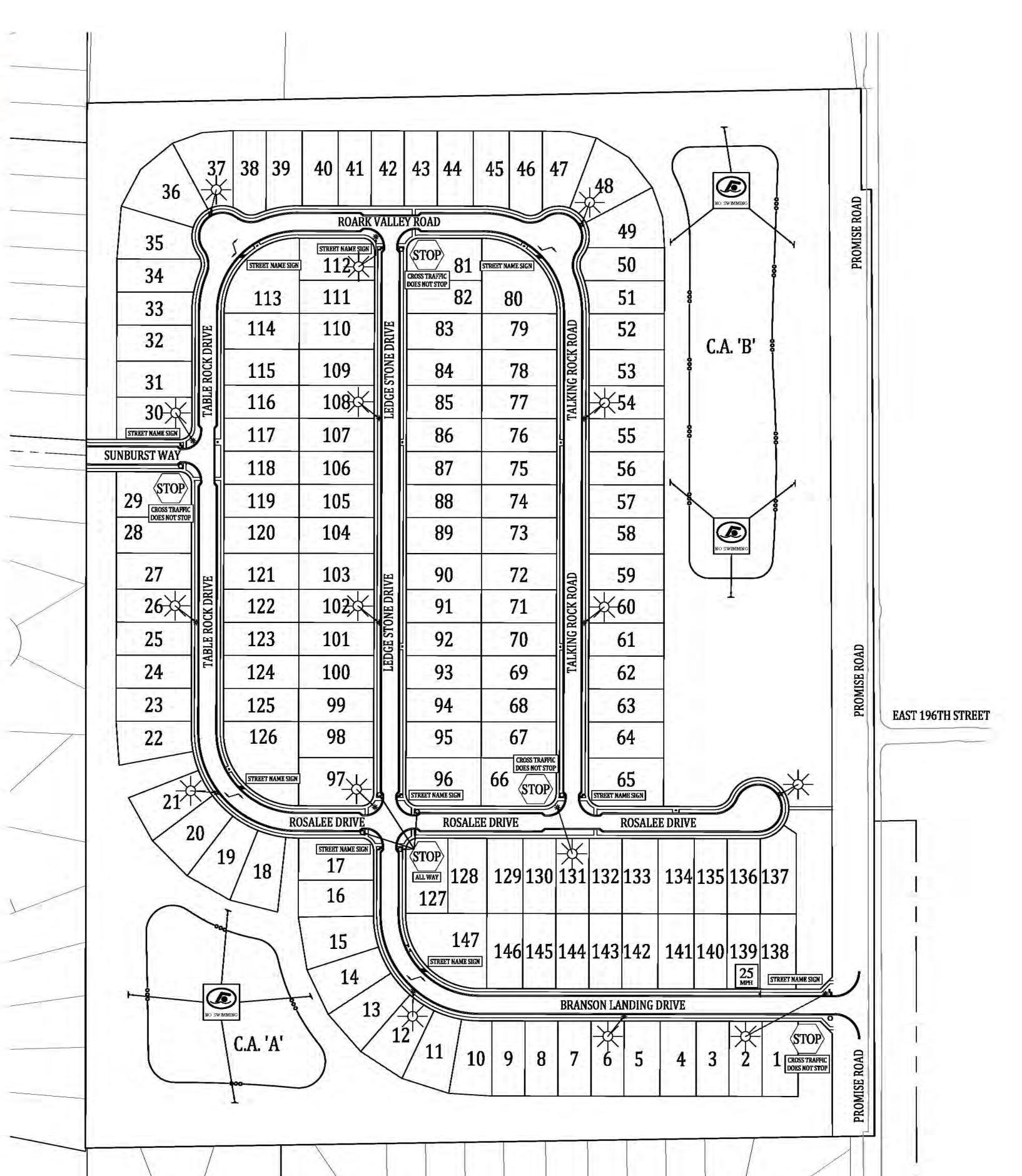
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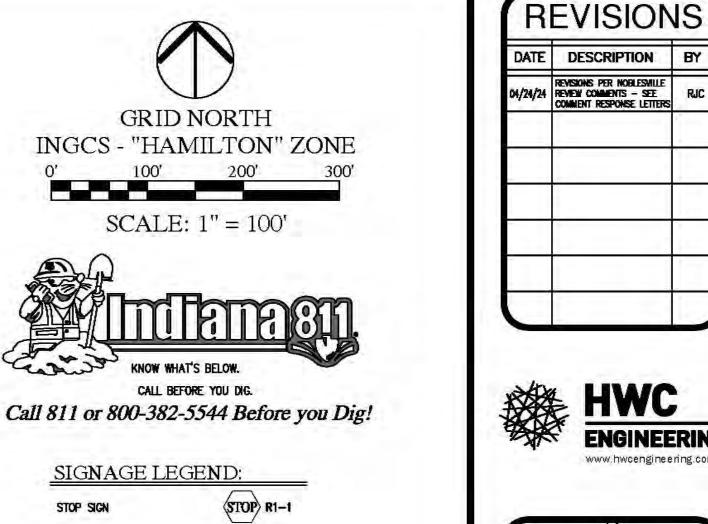
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4.5
PRIMARY PLAT PLAN







25 W13-1P

SPEED LIMIT SIGN

STREET NAME SIGN

SEE THIS SHEET FOR DUKE ACORN LED STREET LIGHT CUT SHEETS

STREET LIGHT

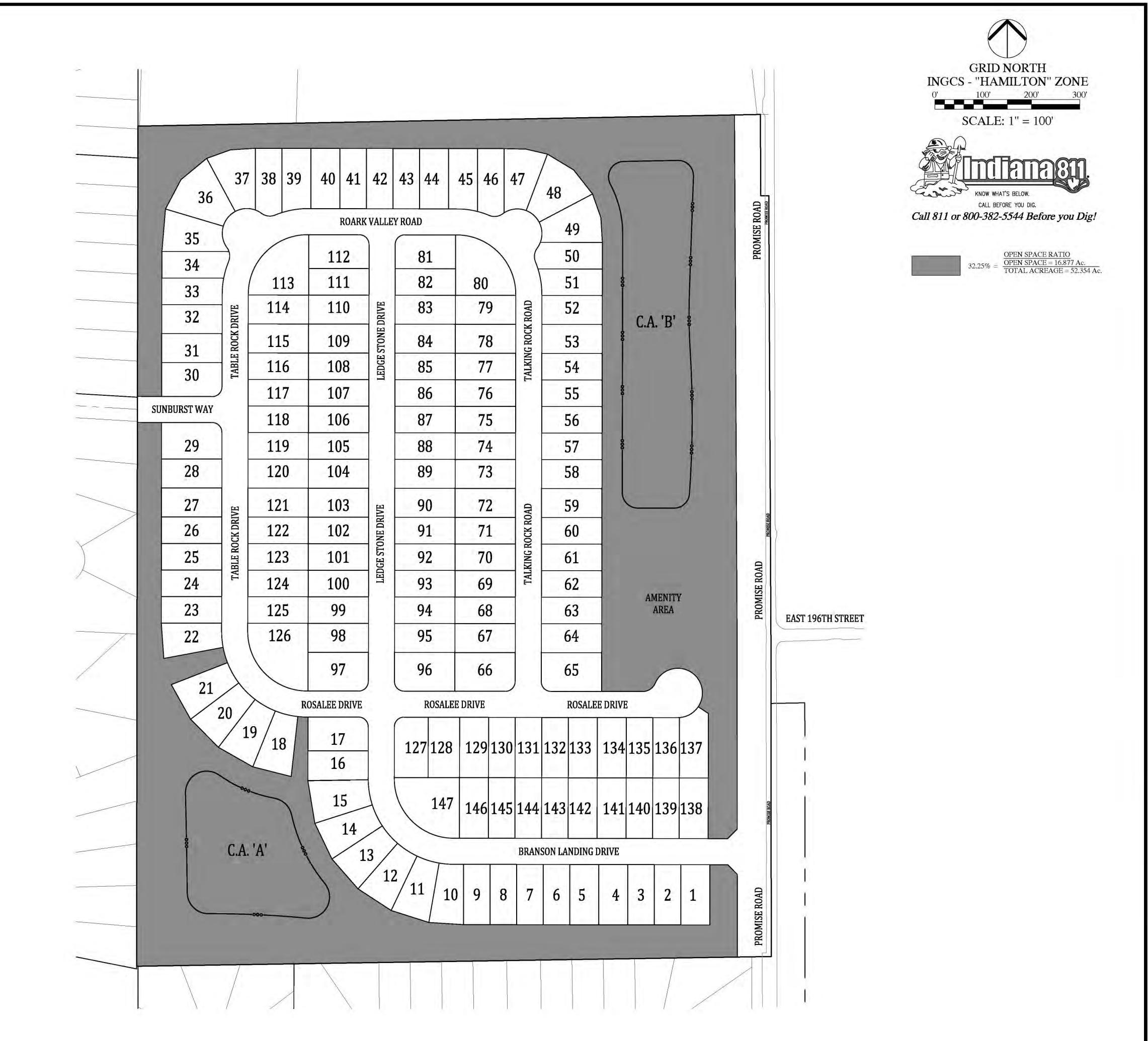
www.hwcengineering.com

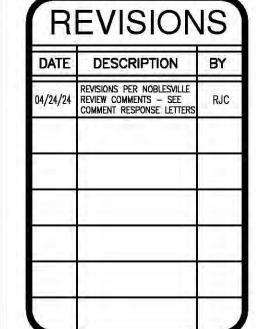
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LIGHTING & SIGNAGE PLAN







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STATE OF

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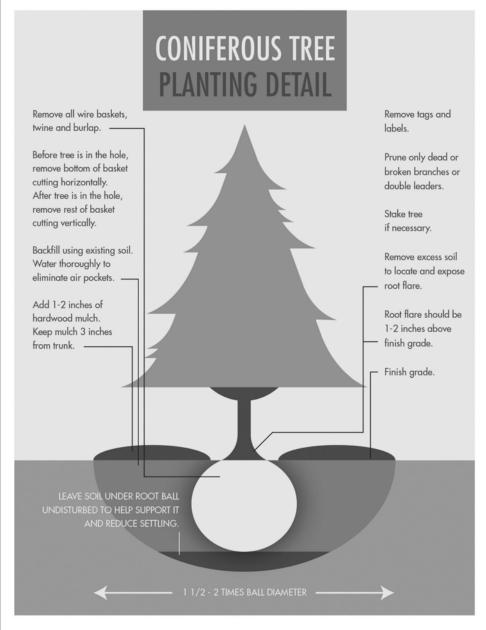
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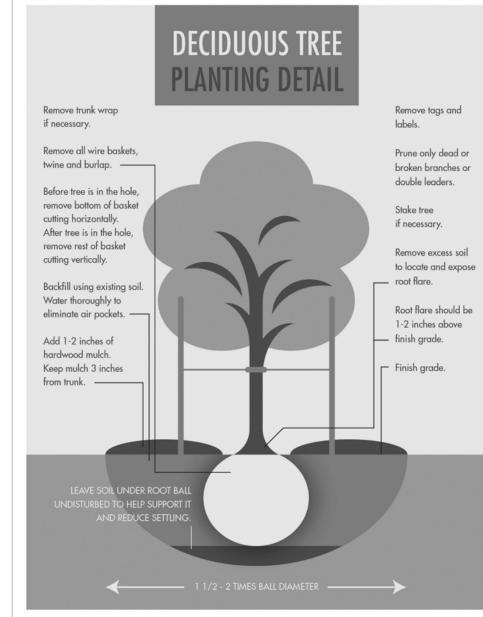
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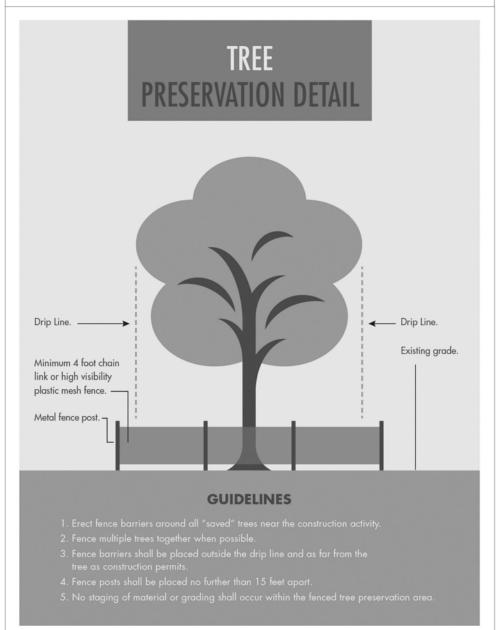
6.0 OPEN SPACE PLAN

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DESIGNED FOR

MI HOMES OF INDIANA 8425 WOODFIELD CROSSING BLVD, SUITE 100W

INDIANAPOLIS, IN 46240

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ANDSCAPE PLAN



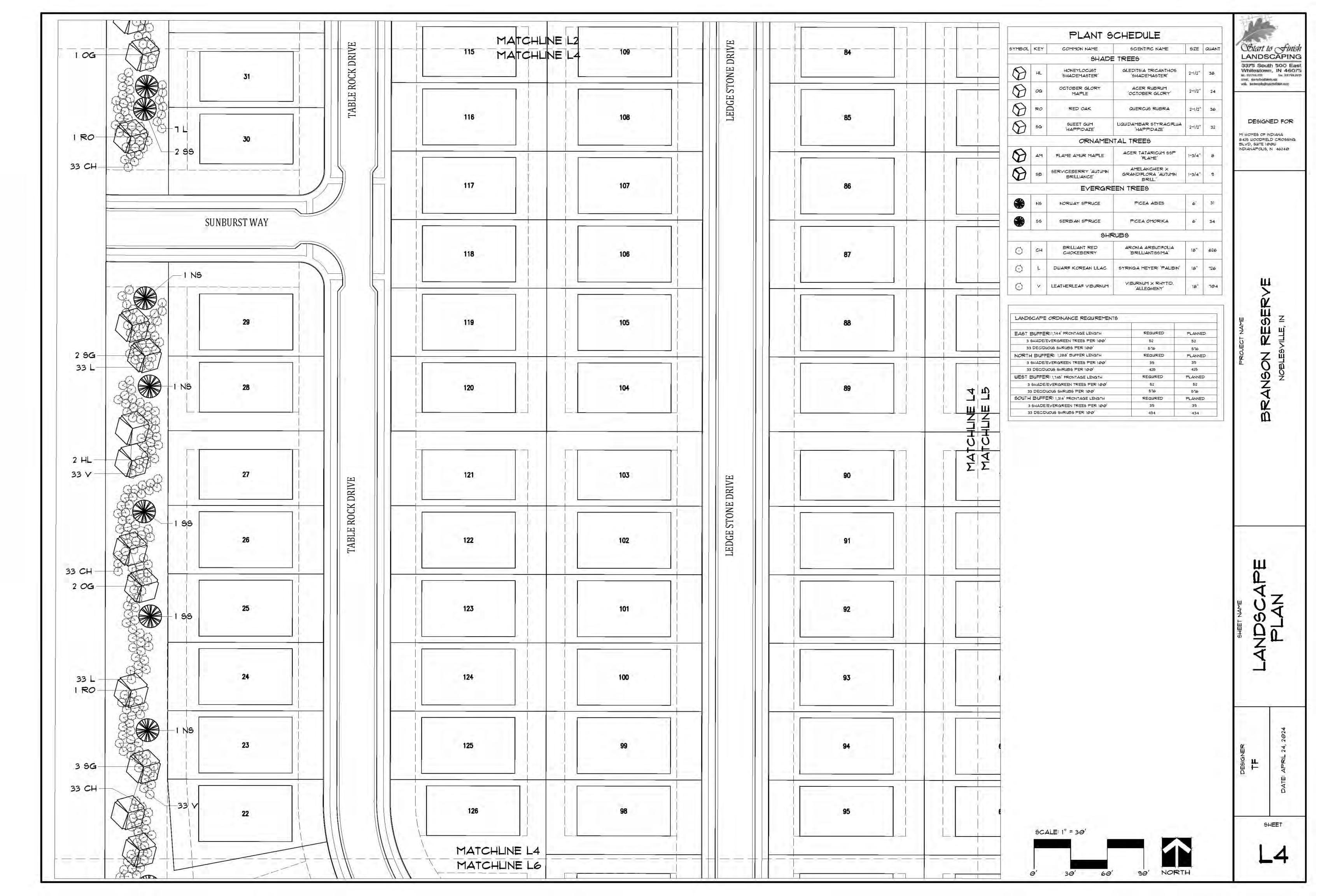
		1 EANT O	CHEDULE	T	
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	QUAN'
		SHADE	E TREES		
0	HL	HONEYLOCUST 'SHADEMASTER'	GLEDITSIA TRICANTHOS 'SHADEMASTER'	2-1/2"	38
0	0G	OCTOBER GLORY MAPLE	ACER RUBRUM 'OCTOBER GLORY'	2-1/2"	24
0	RO	RED OAK	QUERCUS RUBRA	2-1/2"	36
0	sa	SWEET GUM 'HAPPIDAZE'	LIQUIDAMBAR STYRACIFLUA 'HAPPIDAZE'	2-1/2"	32
		ORNAMEN	ITAL TREES		
0	AM	FLAME AMUR MAPLE	ACER TATARICUM SSP 'FLAME'	1-3/4"	8
0	SB	SERVICEBERRY 'AUTUMN BRILLIANCE'	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILL.'	1-3/4"	9
		EVERGRI	EEN TREES		
	NS	NORWAY SPRUCE	PICEA ABIES	6	31
	55	SERBIAN SPRUCE	PICEA OMORIKA	6'	34
		SHF	RUBS		
\odot	сн	BRILLIANT RED CHOKEBERRY	ARONIA ARBUTIFOLIA 'BRILLIANTISSIMA'	18"	626
0	L	DWARF KOREAN LILAC	SYRINGA MEYERI "PALIBIN"	18"	726
0	V	LEATHERLEAF VIBURNUM	VIBURNUM X RHYTID.	18"	704

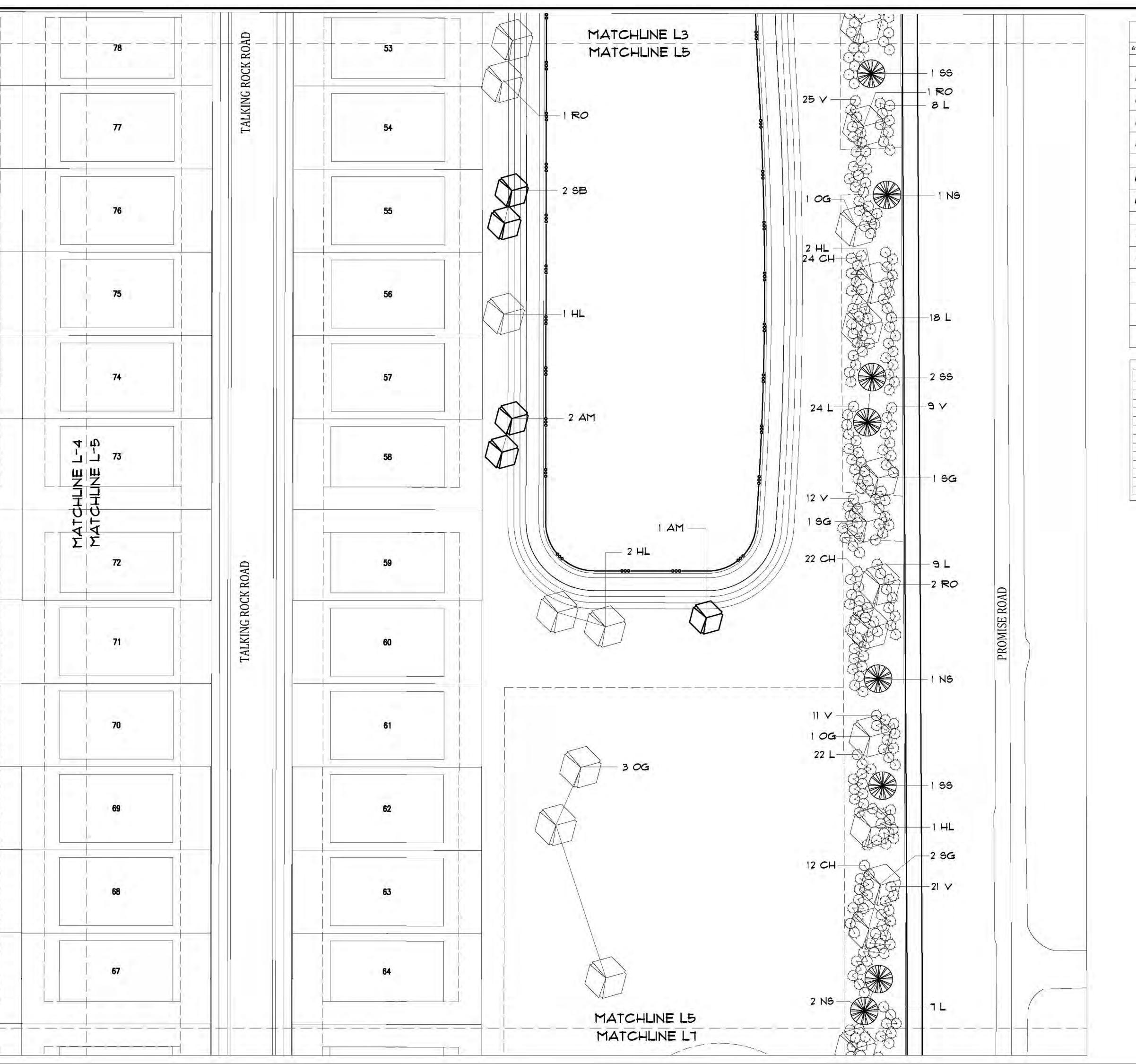
	- T-	Tr.
EAST BUFFER: 1,744' FRONTAGE LENGTH	REQUIRED	PLANNED
3 SHADE/EVERGREEN TREES PER 100'	52	52
33 DECIDUOUS SHRUBS PER 100'	576	516
NORTH BUFFER: 1,288' SUFFER LENGTH	REQUIRED	PLANNED
3 SHADE/EVERGREEN TREES PER 100'	39	39
33 DECIDUOUS SHRUBS PER 100'	425	425
WEST BUFFER: 1,145' FRONTAGE LENGTH	REQUIRED	PLANNED
3 SHADE/EVERGREEN TREES PER 100'	52	52
33 DECIDUOUS SHRUBS PER 100'	576	576
SOUTH BUFFER: 1,314' FRONTAGE LENGTH	REQUIRED	PLANNED
3 SHADE/EVERGREEN TREES PER 100'	39	39
33 DECIDUOUS SHRUBS PER 100'	434	434

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DESIGNED FOR

MI HOMES OF INDIANA 8425 WOODFIELD CROSSING BLVD, SUITE 100W INDIANAPOLIS, IN 46240





		PLANT S	CHEDULE		
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	QUAN
		SHADE	TREES		
	HL	HONEYLOCUST 'SHADEMASTER'	GLEDITSIA TRICANTHOS 'SHADEMASTER'	2-1/2"	38
0	0G	OCTOBER GLORY MAPLE	ACER RUBRUM 'OCTOBER GLORY'	2-1/2"	24
	RO	RED OAK	QUERCUS RUBRA	2-1/2"	36
	5G	SWEET GUM 'HAPPIDAZE'	LIQUIDAMBAR STYRACIFLUA 'HAPPIDAZE'	2-1/2"	32
		ORNAMEN	TAL TREES		
8	AM	FLAME AMUR MAPLE	ACER TATARICUM SSP 'FLAME'	1-3/4"	8
0	SB.	SERVICEBERRY 'AUTUMN BRILLIANCE'	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILL.'	1-3/4"	9
		EVERGRI	EEN TREES		
	NS	NORWAY SPRUCE	PICEA ABIES	6'	31
*	55	SERBIAN SPRUCE	PICEA OMORIKA	6'	34
		SHF	RUBS		,
0	СН	BRILLIANT RED CHOKEBERRY	ARONIA ARBUTIFOLIA 'BRILLIANTISSIMA'	18"	626
0	L	DWARF KOREAN LILAC	SYRINGA MEYERI "PALIBIN"	18"	726
0	V	LEATHERLEAF VIBURNUM	VIBURNUM X RHYTID. 'ALLEGHENY'	18"	704

LANDSCAPE ORDINANCE REQUIREMENTS		
EAST BUFFER: 1,144' FRONTAGE LENGTH	REQUIRED	PLANNED
3 SHADE/EVERGREEN TREES PER 100'	52	52
33 DECIDUOUS SHRUBS PER 100	576	576
NORTH BUFFER: 1,288' BUFFER LENGTH	REQUIRED	PLANNED
3 SHADE/EVERGREEN TREES PER 100'	39	39
33 DECIDUOUS SHRUBS PER 100'	425	425
WEST BUFFER: 1,745' FRONTAGE LENGTH	REQUIRED	PLANNED
3 SHADE/EVERGREEN TREES PER 100'	52	52
33 DECIDUOUS SHRUBS PER 100'	576	576
SOUTH BUFFER: 1,314' FRONTAGE LENGTH	REQUIRED	PLANNED
3 SHADE/EVERGREEN TREES PER 100	39	39
33 DECIDUOUS SHRUBS PER 100'	434	434

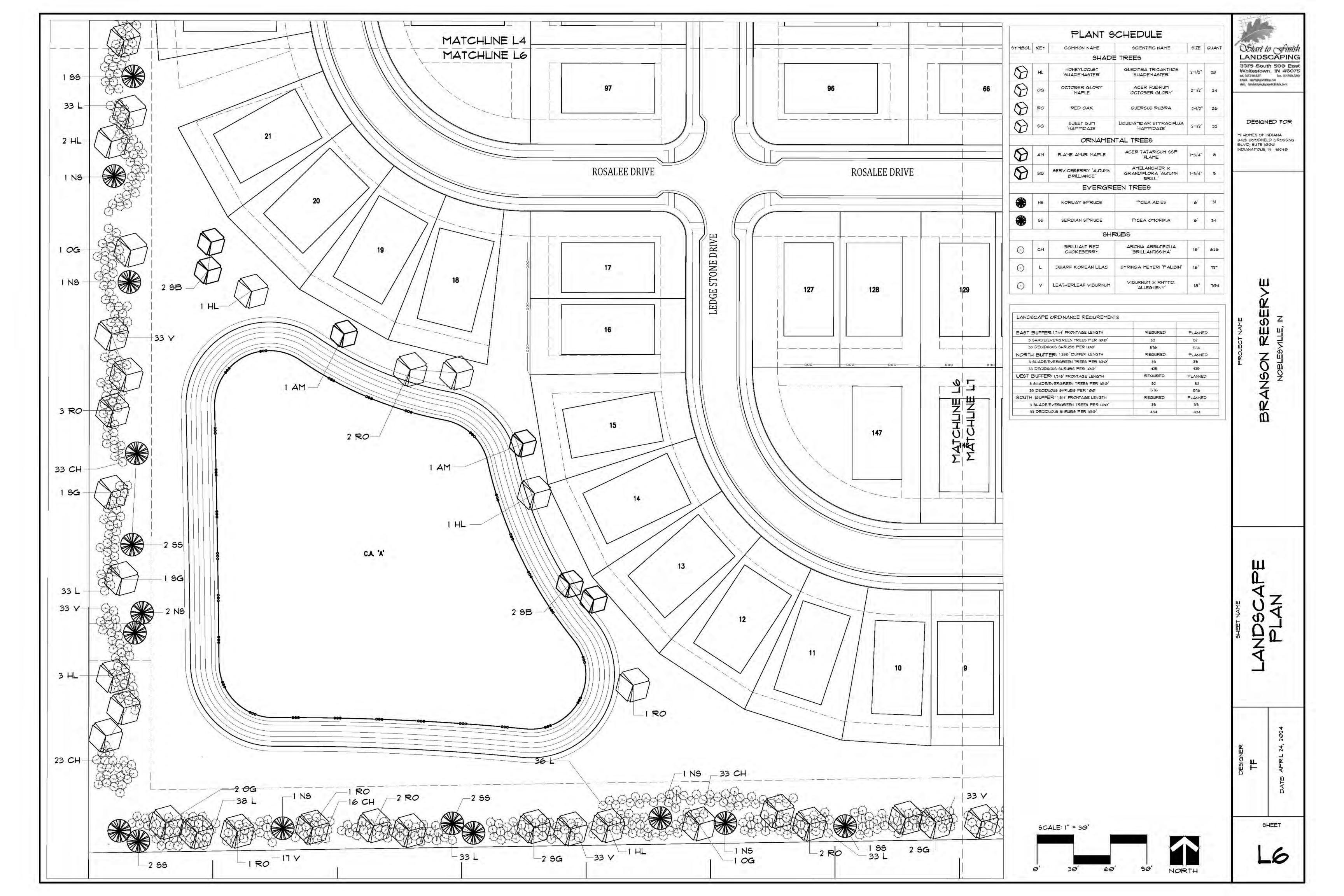
SCALE: 1" = 30'

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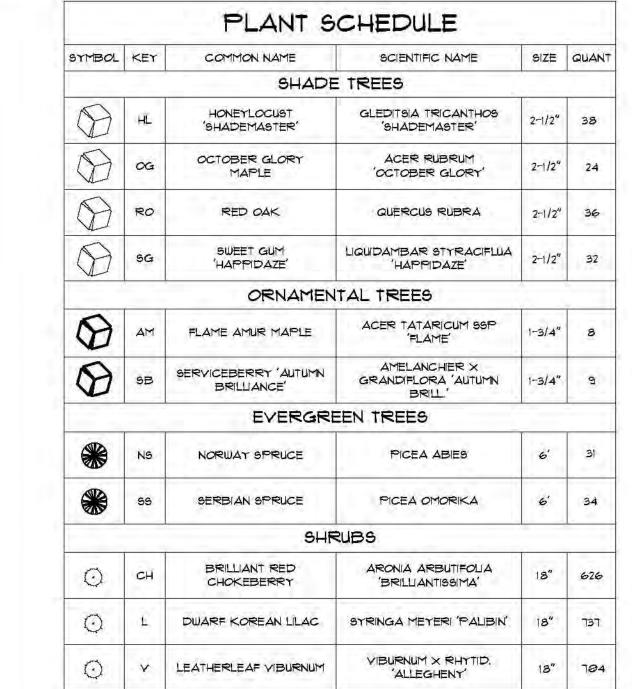
DESIGNED FOR

MI HOMES OF INDIANA 8425 WOODFIELD CROSSING BLVD, SUITE 100W INDIANAPOLIS, IN 46240

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LANDSCAPE ORDINANCE REQUIREMENTS		
EAST BUFFER:1,744' FRONTAGE LENGTH	REQUIRED	PLANNED
3 SHADE/EVERGREEN TREES PER 100'	52	52
33 DECIDUOUS SHRUBS PER 100'	576	576
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3 9HADE/EVERGREEN TREES PER 100	39	39
33 DECIDUOUS SHRUBS PER 100'	434	434

SCALE: 1" = 30"

Obtail to Finish LANDSCAPING 3375 South 500 East Whitestown, IN 46075 M. Scholan for Michaela and Scholand for Michaela and Scholand for Michaela

DESIGNED FOR

MI HOMES OF INDIANA 8425 WOODFIELD CROSSING BLYD, SUITE 100W INDIANAPOLIS, IN 46240

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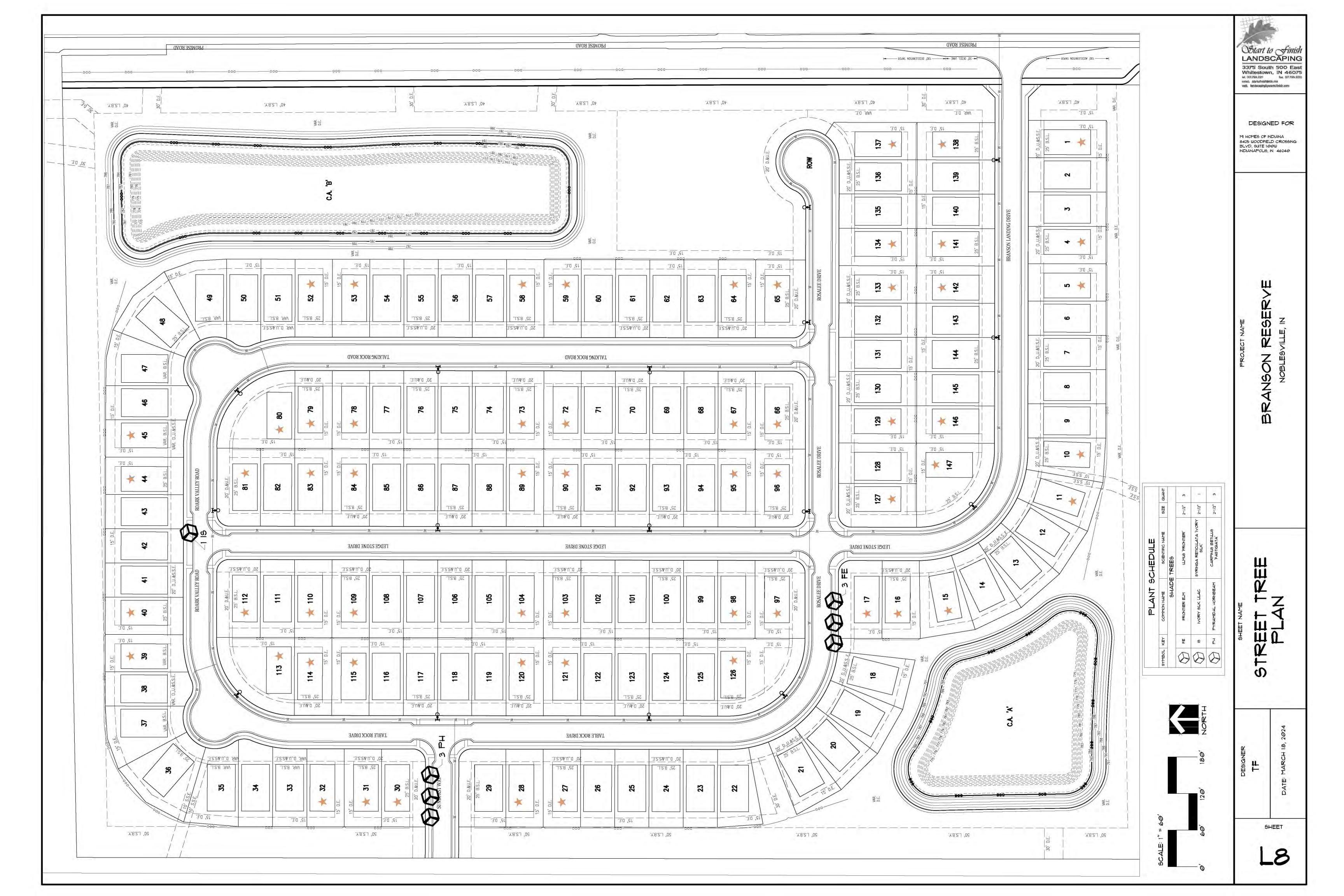


EXHIBIT C

ARCHITECTURAL STANDARDS

(Page 1 of 2)

	Architectural Standards - [Branson]						
SI	Floor Area/Dwelling Unit	One-Story	1,500 sf				
eor	(Minimum)	Two-Story	1,700 sf				
llan	Building Height (Maximum)		35 feet				
General/ Miscellaneous	Corner Breaks (Minimum)	Primary Architectural Plane	3				
1/1	, ,	Secondary Architectural Plane	2				
ıera		Required	No,				
Ger	Porch	Area (Minimum)	20 sf when provided				
	Masonry Percentage (Minimum)	Primary Architectural Plane	15%				
	Masoni y Tercentage (Millindin)	Secondary Architectural Plane	-				
s		Fiber Cement Board	Y				
rial		Stucco	Y				
Materials	Approved Materials (Non-	Wood	Y				
Ä	Masonry)	Vinyl (.048 gauge minimum)	N				
		Aluminum	N				
		Soffits and Rake Boards Vinyl or aluminum	Y				
	Roof Pitch (Minimum)	Primary Ridge unless architecture style suggests less.	6/12				
J	Roof Ridgelines (Minimum)	One-Story	2				
Roof	Roof Ragemes (Finnian)	Two-Story	3				
H	Roof Overhang (Minimum)	All Architectural Planes	12 inches				
	Allowable Vent Location (Roof)	Primary Architectural Plane	Y				
	Time waste vent Becation (1001)	Secondary Architectural Plane	Y				
	Window Cine (Minimum)	Standard Window	8 sf				
	Window Size (Minimum)	Accent Window (accent windows adding to 8 SF equals 1 window)	4 sf				
ows		Primary Architectural Plane	Ranch = 2 2-story = 4				
Windo	Number of Windows (Minimum)	Secondary Architectural Plane	Ranch = 1 2-story = 2				
		Total Aggregate (doors count as windows)	Ranch = 8 2-story = 10				
	Window Treatment Required	Primary Architectural Plane	Y				
		Secondary Architectural Plane	N				
3e		Primary Architectural Plane	Y				
Garage	Garage Location	Primary Architectural Plane (Corner Lot)	Y				
		Secondary Architectural Plane	Y				

Garage Door Percentage, Primary	One-Story	50%
Architectural (4)	Two-Story	50%
Garage Windows Required		N

Applicable Footnotes:

- (1) Window Treatment includes shutters, wood trim wrap, or brick detail surround.
- (2) Ridge vent not included in restricted vent type on primary architectural plane.
- (3) Overhang may be 8" in masonry areas.
- (4) Third car garage does not count against Garage Door percentage

EXHIBIT D

DWELLING CHARACTER EXHIBITS

(See following 7 Pages)

Mackey II









Ε



Ashton



Α



С



В





Irvington







В





Findlay



Α



С



В





Akerman (McKinley)



Α



C



В





Foster



Α



C







Fairbanks





D





Ε



EXHIBIT E

Entrance Signage Exhibit

(Page 1 of 1)



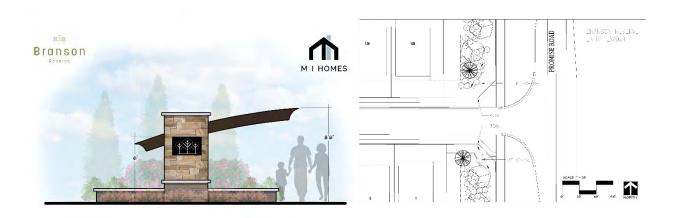


EXHIBIT F

Waivers

The below is a list of Waivers (intended to summarize the text of the PD Ordinance) from the underlying UDO standards.

- A. Modification of Minimum lot width, street frontage, setbacks, floor area, and lot coverage bulk standards (see Section 5).
- Reduction the Buffer Yard and Peripheral Yard: B.
 - North, West and South: 50' common area and 25' buffer yard / 4 trees-21 shrubs per 200'
 - Peripherial Yard along Promise Road: 30' common area
- Open space as illustrated on the Preliminary Development Plan. C.
- Amended sign standards to permit signs flanking entrance. D.
- E. Reduced Centerline Radius to 150' for minor collector.

COMMITMENTS CONCERNING USE AND DEVELOPMENT OF REAL ESTATE

<u>Document Cross Reference</u>: Deed Recorded with the Hamilton County Recorder's Office on December 27, 2023, as Instrument No. 2023-48456.

WHEREAS, the Developer filed a petition under Docket Number LEGP 000070-2024 and LEGP 000071-2024 seeking rezone approval to a Planned Unit Development Ordinance to be known as the "Branson Reserve" (the "Request") with the City of Noblesville's Plan Commission (the "Plan Commission") and the City of Noblesville's Common Council (the "Council") pertaining parcels of real estate that are identified by the Hamilton County, Indiana Auditor's Office as 10-07-28-00-00-001.000 and 10-07-21-00-00-034.000 (collectively, the "Real Estate"), which Real Estate is more particularly described in **Exhibit A** which is attached hereto and incorporated herein by reference;

WHEREAS, the Developer is requesting the Council to consider approval of the Request subject to the following commitments (the "Commitments");

NOW THEREFORE, the Developer makes the following Commitments to the Plan Commission and Council regarding the use and development of the Real Estate:

<u>Section 1.</u> Commitments. The Real Estate is subject to the following Commitments:

A. Renting and Leasing: The following text shall be included in the Covenants, Conditions and Restrictions (the "CCR's") that will be prepared and recorded with the Office of the Recorder of Hamilton County, Indiana which CCR's shall govern the townhome residential community that is the subject of the Request:

Renting and Leasing. An owner of a townhome unit (the "Residential Unit") shall not be permitted to lease their Residential Unit for income to a 3rd party until that owner has owned and resided in the subject Residential Unit for a period of at least twelve (12) months. After the twelve (12) month period has expired, the owner shall be permitted to lease the Residential Unit for income to a 3rd party; however, said lease term to any 3rd party is required to be for a period of at least twelve (12) months.

However, the above described Renting and Leasing limitation shall not be applicable in the event of either: (i) hardship as defined in this paragraph; or, (ii) acquisition of a Residential Unit by a lender through foreclosure, deed in lieu of foreclosure or similar proceedings, which in both cases the owner of a Residential Unit shall be entitled to lease the Residential Unit for residential purposes. Hardship is defined as a personal or financial situation that, without allowing renting or leasing of a Residential Unit, significant financial harm shall occur to the Owner. The Owner must inform the Homeowner's Association Board of the specific circumstances of the hardship, and provide the Homeowner's Association Board with a copy of the proposed lease.

All lease or rental agreements permitted by this Section 1 must be in writing and shall be provided to the Homeowner's Association Board.

Section 2. Definitions.

- 1. <u>Developer</u>. MI Homes of Indiana, L.P.
- 2. <u>Director</u>. The Director of Planning and Development for the City of Noblesville, Indiana.
- <u>Section 3.</u> <u>Modification of Commitments.</u> These Commitments shall continue in effect until modified or terminated. These Commitments shall only be modified or terminated by the Plan Commission in accordance with the City of Noblesville's Unified Development Ordinance.
- <u>Section 4.</u> <u>Effective Date.</u> These Commitments shall be effective upon the City Council's approval of the Request.
- <u>Section 5.</u> <u>Recording.</u> These Commitments shall be recorded with the Office of the Recorder of Hamilton County, Indiana by the Developer upon approval of the Request by the Council and Developer's acquisition of the Real Estate. Within fifteen (15) days after the recording of these Commitments, the Developer shall provide to the Director a recorded copy of these Commitments.
- <u>Section 6.</u> <u>Enforcement.</u> These Commitments may be enforced by the Director, the Department of Planning and/or the Plan Commission.
- Section 7. Binding on Successors. These Commitments are binding upon (i) each owner of the Real Estate and (ii) upon each owner's successors, assigns and grantees with respect to the portion of the Real Estate owned by such successor, assign and grantee and during such successor's, assign's and grantee's ownership, unless modified or terminated by the Plan Commission pursuant to the requirements herein. Notwithstanding the provisions of this Section 7, these Commitments shall terminate as to any part or parts of the Real Estate for which the zoning district or classification is later changed after the Effective Date.

IN WITNESS WHEREOF, MI Homes of Indiana, L.P., as the Developer, have caused these Commitments to be executed as of the dates identified below.

"Developer" MI Homes of Indiana, L.P. By: Name: Title: Date: BARRIE A PROPS Notary Public - Seal Delaware County - State of Indiana STATE OF INDIANA Commission Number 710214 My Commission Expires Feb 6, 2026) SS .: COUNTY OF MOUTON Before me the undersigned, a Notary Public, in and for said County and State, personally appeared Keith A. Blais (title) of MI Homes of Indiana, L.P., as the V.P. of Land Developer, who acknowledged the execution and the foregoing Commitments Concerning Use and Development of Real Estate. WITNESS my hand and Notarial Seal this 11th day of June My Commission Expires: February 6,2026 Residing in Daleville

<u>This instrument prepared</u> by James E. Shinaver, Nelson & Frankenberger, 550 Congressional Blvd., Suite 210, Carmel, IN 46032.

County of Delawave

Return to: James E. Shinaver, Nelson & Frankenberger, 550 Congressional Blvd., Suite 210, Carmel, IN 46032.

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

EXHIBIT A

Legal Description (Page 1 of 1)

Part of the West Half of the Northwest Quarter of Section 28, and part of the Southwest Quarter of the Southwest Quarter of Section 21, all in Township 19 North, Range 5 East of the Second Principal Meridian, in Noblesville Township, Hamilton County, Indiana, based on an ALTA/NSPS Land Title Survey prepared by Michael G. Judt, Professional Surveyor Number 21500017, HWC Engineering Job Number 2023-371, more particularly described as follows:

BEGINNING at the northeast corner of the West Half of the Northwest Quarter of said Section 28, marked by a Harrison monument; thence South 00 degrees 02 minutes 59 seconds East (grid bearing, Indiana Geospatial Coordinate System, "Hamilton County" Zone) along the east line of said Half-Quarter Section a distance of 666.76 feet to the northeast corner of Roudebush Woods, Section 4, the plat of which is recorded in Plat Cabinet 3, Slide 108 as Instrument Number 200200095881 in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 07 minutes 09 seconds West along the north line of said Roudebush Woods, Section 4, and along the north line of Roudebush Woods, Section 2, the plat of which is recorded in Plat Cabinet 2, Slide 520 as Instrument Number 200000060265 in said Recorder's Office, and along the westerly extension thereof, a distance of 1314.16 feet to the east line of Meadows Knoll, Section 4, the plat of which is recorded in Plat Cabinet 2, Slide 373 as Instrument Number 199909971659 in said Recorder's Office; thence North 00 degrees 03 minutes 35 seconds East along said east line a distance of 669.12 feet to the northwest corner of the Northwest Quarter of said Section 28, marked by a 5/8-inch rebar with illegible cap; thence North 00 degrees 06 minutes 41 seconds East along the east line of said Meadows Knoll, Section 4, along the east line of Meadows Glen, Section 5, the plat of which is recorded in Plat Cabinet 2, Slide 437 as Instrument Number 200000025367 in said Recorder's Office, and along the east line of Meadows Glen, Section 4, the plat of which is recorded in Plat Cabinet 2, Slide 221 as Instrument Number 199909905519 in said Recorder's Office, a distance of 1070.80 feet to a 5/8-inch rebar with yellow cap stamped "HWC ENGINEERING FIRM #0114"; thence North 88 degrees 55 minutes 21 seconds East a distance of 1288.92 feet to the west line of a right-of-way grant described in Instrument Number 200400023359 in said Recorder's Office, the following two (2) courses being along the west and south lines thereof; (1) thence South 00 degrees 17 minutes 24 seconds East a distance of 168.39 feet; (2) thence North 89 degrees 42 minutes 36 seconds East a distance of 16.50 feet to the east line of the Southwest Quarter of the Southwest Quarter of said Section 21; thence South 00 degrees 17 minutes 24 seconds East along said east line a distance of 908.90 feet to the POINT OF BEGINNING, containing 52.354 acres, more or less.

EXHIBIT A

Depiction of Legal Description (Page 2 of 2)

