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**ORDINANCE NO. 39-10-23, AS AMENDED**

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

This is an Ordinance to amend the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the "UDO"), enacted by the City of Noblesville under authority of Indiana Code § 36-7-600, et seq., as amended.

**WHEREAS**, the Plan Commission of the City of Noblesville (the "Plan Commission") conducted a public hearing on application number LEGP 0089-2023 (the "Petition") at its September 18, 2023, meeting as required by law in regard to the application filed by Pulte Homes of Indiana, Inc. (the "Developer") for a request in change of zoning (the "Petition"); and

**WHEREAS**, the Plan Commission sent a favorable Recommendation relating to the Petition to the Common Council of the City of Noblesville, Indiana, (the "City Council") by a vote of ten (10) in favor and zero (0) opposed;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council, meeting in regular session, it hereby adopts this ordinance (the "Ordinance") as an amendment to the UDO and the Official City of Noblesville Zoning Map (the "Zoning Map") as follows:

**Section 1. Applicability of Ordinance.**

- 1.1 The Zoning Map is hereby changed to designate the subject real estate generally located east of Boden Road and north of 156<sup>th</sup> Street, more particularly described in **Exhibit A**, attached hereto (the "Real Estate"), as a Planned Development Overlay District to be known as the **Finch Creek Planned Development** (the "District").
- 1.2 The District's underlying zoning districts shall be the **R-4 Residential District** for Areas A-C as shown on **Exhibit B-1** and **R-5 Residential District** for Area D as shown on **Exhibit B-1** (the "Underlying Districts"). Development in the Underlying Districts shall be governed entirely by (i) the provisions of this 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 (collectively, (i) and (ii), the "Governing Standards").
- 1.3 Future Annexation of Kreagcroft Parcel. As of the date of adoption of this Ordinance, a petition for annexation has been filed under IC 36-4-3-5.1 and is pending approval by the Noblesville Common Council for the Kreagcroft Incorporated parcel (parcel # 12-11-11-00-00-004.001). Upon the date on which the adopted Kreagcroft annexation ordinance takes effect, the Kreagcroft real estate

shall be designated as the R-4 zoning classification and also shall be designated as part of the Finch Creek Planned Development.

- 1.4 All provisions and representations of the UDO that conflict with the provisions of this Ordinance and its exhibits are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

**Section 2. Definitions.**

- 2.1 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. Capitalized terms that are not otherwise defined herein but are defined in the UDO shall have the meaning ascribed to them in the UDO.
- 2.2 “Architectural and Landscaping Standards” shall mean the standards set forth in Exhibit D, attached hereto, related only to the single-family detached homes.
- 2.3 “Frontage” shall mean property connected directly with a street or highway. For the purpose of determining frontage, an alley shall be considered the same as a street only for lots which the alley serves as it’s only means of frontage/access to public right-of-way.
- 2.4 “Local Streets” shall mean a system of streets and roads, which primarily provides local access service {including supplying access to fronting properties} and access to a higher order of street systems. Alleys shall be considered the same as a street for lots which the alley serves as it’s only means of frontage/access to public right-of-way.
- 2.5 “Illustrative Elevations” shall mean the set of single-family attached, single-family detached, multi-family, and commercial illustrative architectural elevations attached hereto as Exhibit C.
- 2.6 “Lot Type” shall mean the parcel with specific bulk and density standards associated with the various residential dwelling types identified in Section 13.
- 2.7 “Conceptual Development Plan” shall mean the colored, conceptual plan attached hereto as Exhibit B.

**Section 3. Permitted Uses.**

- 3.1 The following uses shall be permitted in Areas A, B & C:
  - a. Dwelling, Single-Family Detached
- 3.2 The following uses shall be permitted in Area D:
  - a. All uses in the R-5 Residential District
  - b. All uses as shown in the Use Exhibit, attached hereto as Exhibit E.

- 3.3 All Temporary Uses, Conditional Uses, Accessory Uses and Accessory Buildings customarily incidental to any of the permitted uses shall be permitted.

**Section 4. Preliminary Development Plan.**

- 4.1 The Conceptual Development Plan is hereby incorporated and approved. The Conceptual Development Plan is intended to establish the vision and intent for the Real Estate; however, a Preliminary Development Plan is still required and has been filed with this Ordinance.

**Section 5. Architectural Standards.** The following standards shall apply.

- 5.1 All single-family homes and multi-family buildings shall be: 1) substantially consistent with the Illustrative Elevations; 2) otherwise comply with the Architectural and Landscaping Standards set forth in **Exhibit D**, or 3) as listed on the approved elevation list attached hereto as Exhibit D. The Director of Planning and Development (the "Director"), including his/her designees, shall review and approve home elevations at the time of filing of the Detailed Development Plan and/or Building Permit for compliance.
- 5.2 If a home or multi-family elevation does not comply with Section 5.1, then the proposed home or multi-family elevation(s) shall be submitted for review and approval by the Director. The Director's review of the elevation(s) shall be performed in order to determine its compatibility and consistency with the intended quality and character of the District and the Illustrative Elevations. If the Director does not approve the proposed home or multi-family elevation pursuant to the standards set forth in this Section 5, then the Developer shall have the right to submit the proposed elevation to the Architectural Review Board, or its succeeding board/body (the "ARB") for review and approval. The ARB's review shall be performed in order to determine compatibility and consistency with the intended quality and character of the District and the Illustrative Elevations.
- 5.3 Any number of materials may be used for the design of buildings in Areas D. The following is a list of acceptable materials:
- A. Brick
  - B. Stone
  - C. C.M.U (concrete masonry units)
  - D. Glass block
  - E. Cast stone
  - F. Poured Concrete
  - G. Precast Concrete
  - H. Colored/Decorative Concrete
  - I. Limestone
  - J. Terracotta
  - K. Fiber Cement Siding
  - L. Wood
  - M. Engineered Wood
  - N. Stucco

- O. EIFS
- P. Glass (clear, colored, sand blasted, etched, etc.)
- Q. Metal railing

**Section 6.** **Title, Purpose, and Effect.** The regulations of *ARTICLE 1. TITLE, PURPOSE, AND EFFECT* shall apply.

**Section 7.** **Definitions and Rules of Word Usage.** The regulations of *ARTICLE 2 DEFINITIONS AND RULES OF OWRD USAGE* shall apply.

**Section 8.** **Administrative Bodies and Officials.** The regulations of *ARTICLE 3 ADMINISTRATIVE BODIES AND OFFICIALS* shall apply.

**Section 9.** **Zoning Applications and Approvals** The regulations of *ARTICLE 4 ZONING APPLICATIONS AND APPROVALS* shall apply.

**Section 10.** **Subdivision Procedure.** The regulations of *ARTICLE 5 SUBDIVISION PROCEDURE* shall apply.

**Section 11.** **Site Design and Improvement Standards.** The regulations of *ARTICLE 6 SITE DESIGN AND IMPROVEMENT STANDARDS* shall apply; except as modified below:

- 11.1 ***Article 6, Part C, Section 1.B.1. Blocks:*** Shall apply; except Blocks on local streets in residential areas shall not be more than two thousand six hundred ten (2,610) feet nor less than one hundred fifty (150) feet in length.
- 11.2 ***Article 6, Part C, Section 2.B.2. Corner Lot Dimensions:*** Shall apply; except Corner Lots shall be a minimum of twenty-five (25) percent larger than the minimum lot areas indicated for the area and lot type as identified in Section 13 of this Ordinance.
- 11.3 ***Article 6, Part C, Section 2.C.2. Lot Lines:*** Shall apply; except side lot lines shall be permitted to have jogs/offsets between the front and rear lot lines for Area C.
- 11.4 ***Article 6, Part D, Section 1.C.5.a. Mounds:*** Shall apply; except mounds shall be a minimum height at peak of three (3) feet.
- 11.5 ***Article 6, Part D, Section 1.C.7.b. Permanent Dead-End Streets (Cul de sacs):*** Shall apply; except the maximum length of a permanent cul-de-sac shall be permitted to be nine hundred twenty-five (925) feet in length. The maximum length of a temporary cul-de-sac shall be permitted to be two thousand five hundred (2,500) feet in length.
- 11.6 ***Article 6, Part D, Section 1.D.5. Horizontal Alignment:*** Shall apply; except the minimum centerline radii for horizontal curves shall be one hundred fifty (150) feet

for Residential Minor Collector streets, and the minimum tangent distance between reverse curves shall be zero (0) feet for Residential Minor Collector streets.

- 11.7 **Article 6, Part E, Section 4.A.5. Detention/Retention Ponds:** Shall apply; except the general size and shape of wet detention ponds as depicted on the Concept Plan and Preliminary Development Plan are allowed to be reduced by up to 20%. Wet detention ponds shall remain wet detention ponds and also allow for ledges (in addition to required safety ledge) below normal pool (wet surface) as long as they are a minimum 4 feet deep and at least 25% of the pond is 10 feet deep.

**Section 12. Plans, Maps, and Zoning Districts.** The regulations of *ARTICLE 7 PLANS, MAPS, AND PROCEDURES* shall apply.

**Section 13. Zoning Districts.** The regulations of *ARTICLE 8 ZONING DISTRICTS* shall apply, except as modified below:

- 13.1 **Table 8.B Summary of Residential Bulk Requirements and Table 8.C Summary of Commercial Bulk Requirements:** Shall not apply. Instead, the following requirements shall apply:

Standard	Area A Lot Type 1	Area A Lot Type 2	Area A Lot Type 3
<b>Min. Lot Area</b>	5,625 SF	6,500 SF	8,125 SF
<b>Min. Lot Width</b>	45'	51'	64'
<b>Min. Lot Frontage</b>	20'	20'	20'
<b>Maximum Building Height</b>	35'	35'	35'
<b>Min. Front Yard Setback</b>	20'	20'	20'
<b>Min. Side Yard Setback<sup>1</sup></b>	5'	5'	5'
<b>Min. Rear Yard Setback</b>	15' (Primary) 5' (Accessory)	15' (Primary) 5' (Accessory)	15' (Primary) 5' (Accessory)
<b>Floor Area Ratio</b>	Does Not Apply	Does Not Apply	Does Not Apply
<b>Min. Floor Area</b>	1,400 SF	1,600 SF	2,000 SF
<b>Maximum Lot Coverage</b>	55%	55%	55%

<sup>1</sup> Minimum setback on either side of the structure.

<b>Standard</b>	<b>Area B Lot Type 1 (Front Load Series)</b>	<b>Area B Lot Type 2 (Side Load Series)</b>	<b>Area C (Specialty)</b>
<b>Min. Lot Area</b>	7,800 SF	10,400 SF	3,900 SF
<b>Min. Lot Width</b>	60'	80'	40'
<b>Min. Lot Frontage</b>	20'	20'	20'
<b>Maximum Building Height</b>	35'	35'	35'
<b>Min. Front Yard Setback</b>	20' <sup>2</sup>	20' <sup>2</sup>	20'
<b>Min. Side Yard Setback<sup>3</sup></b>	5'	3'	0'
<b>Min. Building Separation</b>	10'	10'	10' <sup>6</sup>
<b>Min. Rear Yard Setback</b>	20' (Primary) 5' (Accessory)	20' (Primary) 5' (Accessory)	15'
<b>Floor Area Ratio</b>	Does Not Apply	Does Not Apply	Does Not Apply
<b>Min. Floor Area</b>	1,600 SF <sup>4</sup> 2,200 SF <sup>5</sup>	2,200 SF <sup>4</sup> 2,600 SF <sup>5</sup>	1,800 SF
<b>Maximum Lot Coverage</b>	55%	55%	Does Not Apply

<sup>2</sup> Front Yard Setbacks in Area B shall be offset a minimum of two feet (2') on adjacent lots. No variation required along street curves.

<sup>3</sup> Minimum setback on either side of the structure.

<sup>4</sup> For a single-story dwelling unit.

<sup>5</sup> For a two-story dwelling unit.

<sup>6</sup> Brick, overhangs, and front porch slabs may encroach into this separation up to one (1) foot.

Standard	Area D (Mixed-Use) <sup>1</sup>
Min. Lot Area	Does Not Apply
Min. Lot Size	Does Not Apply
Min. Lot Width	Does Not Apply
Maximum Building Height	4 stories or 50', whichever is greater
Min. Front Yard Setback	5'
Min. Side Yard Setback <sup>2</sup>	5'
Min. Rear Yard Setback	5'
Floor Area Ratio	Does Not Apply
Min. Floor Area	700 SF/Unit
Min. District Size	N/A
Max District Size	N/A
Maximum Lot Coverage	Does Not Apply

<sup>1</sup> Article 8, Part B, Section 6(C)(1) shall not apply to Area D.

<sup>2</sup> Minimum setback on either side of the structure

Note: Accessory structures such as entry monument signs, roundabout walls and gateway structures shall be permitted within the building setbacks, subject to the City Engineering Department's approval.

13.2 **Article 8, Part B, Section 6.C.1.b. Setbacks:** Shall not apply.

13.3 **Article 8, Part H, Section 3.F.1.b. Establishment of Site Development Intensity:**  
Shall not apply. Instead, the maximum number of Dwelling Units for each Area is:

- A. Area A shall not exceed six hundred ninety (690) total Dwelling Units, nor have less than six hundred thirty (630) Dwelling Units when fully developed. In addition, Area A shall include a minimum of fifty (50) of each Lot Type.
- B. Area B shall not exceed five hundred thirty-five (535) total Dwelling Units and shall include a minimum of seventy-two (72) of each Lot Type.
- C. Area C shall not exceed one hundred fifteen (115) total Dwelling Units. If a secondary plat has not been recorded for any portion of Area C within five (5) years from the date of approval of this PD Ordinance, then development in that portion of Area C shall comply with the standards set forth in Area B, Lot Type 1.
- D. Area D shall not exceed six hundred (600) total Dwelling Units and shall include a maximum of: five hundred (500) Multi-Family Dwellings and one hundred (100) Single-Family Attached Dwellings/Townhouses. In addition, Area D shall have a minimum of ten thousand (10,000) square feet of

commercial/retail space, with a minimum of five thousand (5,000) square feet in phase 1 of the Area D development.

- E. A DDP for each section of an Area required pursuant to Section 21.1 may contain any mix of permitted Lot Types as long as the other requirements of this Section 13 have been met and, with respect to any minimum Lot Type requirement, can be met in future DDPs for undeveloped sections of the applicable Area.

13.4 **Article 8, Part H, Section 3.F.2. Establishment of Peripheral Yard:** Shall not apply. Instead, Section 17.5 of this Ordinance shall apply.

13.5 **Article 8, Part H, Section 3.H. Designation of Permanent Common Open Space:** Shall not apply. Instead, open space shall be provided as generally shown on the Conceptual Development Plan.

**Section 14. General Regulations.** The regulations of *ARTICLE 9 GENERAL REGULATIONS* shall apply; except as modified below:

14.1 **Article 9, Part G, Section 3.A. Temporary Uses Require a Temporary Use Permit (Model Homes):** Shall apply; except as modified below:

- A. Area A shall be permitted a maximum of six (6) model homes at any given time, of any plan or product series on any lot within Area A. Model home areas identified within this PUD or the Preliminary Development Plan are subject to change at any time.
- B. Area B shall be permitted a maximum of six (6) model homes at any given time, of any plan or product series on any lot within Area B (frontload product shall be permitted to be constructed as a model home in Area B, on an 80' wide lot type, so long as there is no reduction of the minimum seventy-two (72) Lot Type requirement). Model home areas identified within this PUD or the Preliminary Development Plan are subject to change at any time.
- C. Area C shall be permitted a maximum of four (4) model homes at any given time, of any plan or product series on any lot within Area C. Model home areas identified within this PUD or the Preliminary Development Plan are subject to change at any time.
- D. Area D shall be permitted a maximum of two (2) model homes at any given time, of any plan or product series on any lot within Area D. Model home areas identified within this PUD or the Preliminary Development Plan are subject to change at any time.

**Section 15. Off-Street Parking and Loading.** The regulations of *ARTICLE 10 OFF-STREET PARKING AND LOADING* shall apply, except as modified below:

- 15.1 **Table 10.0.4.A. Off-Street Parking Dimensions:** Shall apply, except the vehicle projection for a ninety-degree (90 °) parking stall shall be eighteen (18)



feet.

- 15.2 **Article 10, Section 4.B.1. Dimensions and Layout:** Shall not apply; instead, the off- street parking shall be located as generally shown on the Conceptual Development Plan.
- 15.3 **Article 10, Section 4.C.2. Driveways:** Shall not apply; instead, the entrances and exits shall be as generally shown on the Conceptual Development Plan, and residential driveways located on property fronting more than one public street shall have the leading edge of the driveway at least ten (10) feet from the intersection.
- 15.4 **Article 10, Section 4.C.4. Location of Parking and Loading Behind Required Setback:** Shall not apply; instead, the parking and loading shall be as generally shown on the Conceptual Development Plan.
- 15.5 **Article 10, Section 4.D.3. Marking of Parking:** Shall apply, except bumper guards or wheel guards shall not be required if curbs are integrated with the sidewalk.
- 15.6 **Article 10, Section 6.A.3. Pedestrian Access Along Building Facades Not Adjacent to a Public Sidewalk:** Shall not apply. Instead, the pedestrian walkways shall be as shown generally on the Conceptual Development Plan.
- 15.7 **Article 10, Section 6.A.4. Pedestrian Access Through Parking Areas:** Shall not apply.
- 15.8 **Article 10, Section 6.B.2. Pedestrian Walkway Standards - Along Facades Not Adjacent to Sidewalks:** Shall not apply.
- 15.9 **Article 10, Section 9.E. Design and Improvement Standards:** Shall not apply.
- 15.10 **Article 10, Section 9.F. Central Loading:** Shall not apply.

**Section 16.** **Signs.** The regulations of *ARTICLE 11. SIGNS* shall apply, except as modified below:

- 16.1 **Article 11, Part B, Section 3.A.4 Design:** Shall apply; except that the size of the words “of Noblesville” shall be a minimum of twenty-five (25) percent of the height of the largest group of letters.
- 16.2 **Article 11, Part B, Section 3.A.5 Design:** Shall not apply. Signs and accessory walls or monuments may be located within setbacks and ROWs. A wall or fence may be allowed within the Common Area/Landscape Buffer.
- 16.3 **Article 11, Part C, Section 1.B.2. Type of Sign Permitted:** Shall apply. In addition, blade and building mounted signs shall be permitted in the District.
- 16.4 **Article 11, Part C, Section 1.B.3. Number:** Shall apply; except as modified below:
  - A. Two (2) Ground Signs shall be permitted at each entrance to a recorded, platted residential subdivision, if the Ground Signs are located on either side of the

entrance. Accessory walls, columns or other monumentation shall be permitted as part of the signage on either side and within the median.

- 16.5 **Article 11, Part C, Section 1.B.4. Maximum Sign Area:** Shall apply; except as modified below:
- A. The Maximum Sign Area shall be one hundred (100) square feet, per sign.
- 16.6 **Article 11, Part C, Section 1.B.5. Maximum Ground Sign Height:** Shall apply; except as modified below:
- A. The Maximum Ground Sign Height shall be twenty (20) feet; decorative/accessory features shall be permitted to extend up to twenty-five (25) feet in height. Please see an example sign attached hereto as **Exhibit G**.
- 16.7 **Del Webb Sign Package Details:** Shall apply as detailed below and substantially the same as shown on **Exhibit G to G-9**.
- A. **Pole banner** signs shall be permitted to be installed or displayed by the Developer or the homeowners' association for the Finch Creek PD (the "HOA") only along the main, entrance boulevard and in front of the amenity center and shall not be classified as temporary signs. Street pole banners and pole banners shall be spaced a minimum of 150 feet apart, shall have no more than two (2) banners per pole, and shall not be affixed to more than fifteen (15) poles. Examples of the permitted street pole banners and pole banners are attached hereto as **Exhibit G-1 and Exhibit G-2**.
    - I. Street Pole Banners and Pole Banners may be located on any street light poles within the Real Estate and shall not be limited in the total number of banners in the development. Each banner shall be a maximum of 2' wide and 5' tall. Banners may have print on both faces.
    - II. Flags: Corporate flags may be flown at sales center locations in conjunction with the American flag are permitted. Only one corporate flag shall be permitted per builder. The maximum height of any such flag pole shall be restricted to twenty five (25'). Flag size should be appropriate for the height of the flag pole.
  - B. **Parking Signs** shall be permitted as follows: One (1) sign, per parking space, not to exceed two (2) square feet in area and six (6) feet in height (includes post) shall be permitted. An example of the permitted parking sign is attached hereto as **Exhibit G-6**.
  - C. **Temporary Way Finding/Directional Signs** shall be permitted throughout the interior roads within the Finch Creek Development as follows: These signs are intended to be directional signs for both pedestrian and vehicular traffic.
    - I. Way Finding Signs not located at the intersection of two roads shall be spaced a minimum of 50 feet apart. An example of the permitted way finding/directional sign is attached hereto as **Exhibit G-3**.

- II. Way Finding Signs are limited to four (4) square feet in sign face area, affixed to a post totaling not more than five (5) feet in height (includes post). Way Findings Signs shall not be illuminated.
  - III. Subject to necessary approvals, Way Finding Signs may be located within the public right-of-way.
  - IV. Way Finding Sign design and material shall be in character with the theme of the Finch Creek PD or an applicable phase thereof. Plastic material shall be prohibited.
- D. Subject to necessary approvals, the Developer may elect **special street signs** for the neighborhood in order to establish the character and theme of the development. If elected, the HOA must maintain and/or replace such signs as needed. Street signs shall conform to the Manual for United Traffic Control Devices (M.U.T.C.D.).
- E. **Model Home/Sales Center Signage** shall be permitted for so long as a Dwelling is used as a model home by a builder of Dwellings in Finch Creek PD as follows:
- I. **Sales Center Sign:** One (1) ground sign on the lot on which the sales center is located, individually not to exceed eighteen (18) square feet in sign face area, five (5) feet in height (includes posts), and six (6) feet in width (includes posts) shall be permitted. The sales center sign may be double-faced. An example of the permitted sales center sign is attached hereto as **Exhibit G-4**.
  - II. **Model Identification Sign:** One (1) freestanding sign, per model, on the lot on which the model home is located, not to exceed six (6) square feet in sign face area, four (4) feet in height (includes posts), and four (4) feet in width (includes posts). An example of the permitted model identification sign is attached hereto as **Exhibit G-5**.
  - III. **Model Window/Decal Signs:** Three (3) window/decals, per model, a combined total of up to ten (10) square feet in area shall be permitted.
- F. **Amenity Signage** shall be permitted as follows:
- I. **Ground Sign:** One (1) ground sign, located at the clubhouse location, individually not to exceed one hundred twenty-eight (128) square feet in sign face area, thirteen (13) feet in height (includes posts), and sixteen (16) feet in width (includes posts) shall be permitted until the clubhouse is complete and available for use. An example of the permitted amenity ground sign is attached hereto as **Exhibit G-7**.
  - II. **Boulevard Signs:** Ten (10) individual ground signs, located along the entry boulevard, individually not to exceed six (6) square feet in sign face area, affixed to a post totaling not more

than five (5) feet in height (includes post), subject to necessary approvals, may be located within the public right-of-way. Examples of the permitted boulevard signs are attached hereto as **Exhibit G-8**. All Boulevard Signs shall be removed no later than the completion and sale of Dwellings on all Lots in the Del Webb Area A.

16.8 **Marketing Entrance Identification Signs** shall be permitted as follows:

- I. **Location:** Each permanent entrance off 156<sup>th</sup> Street, Boden Road, 166<sup>th</sup> Street, and Olio Road shall be permitted a maximum of one (1) double-faced, or two (2) single-faced ground sign(s), and may identify multiple builders in each Area. An example of the permitted marketing entrance identification signs are attached hereto as **Exhibit G-9**
- II. **Size:** Each sign face of a marketing entrance identification sign shall individually not to exceed sixty-four (64) square feet in sign face area with five (5) square feet for starbursts (see Sign Exhibit), ten (10) feet in height (includes posts), and eight (8) feet in width (includes posts). All Marketing Entrance Identification Signs shall be removed no later than the completion and sale of Dwellings on all Lots in each Area for each builder.

16.9 **Temporary Pole Banner Signs:** Temporary Pole Banner signs shall be permitted to be installed or displayed by Developer at each entry way of Del Webb, with a maximum of four (4) poles on each side of each entry way. Temporary Pole Banner signs shall be removed upon turnover from the Builder to the Home Owner Association.

16.10 **Additional Sign Provisions:** Notwithstanding the above, a Program of Signs including dimensions, color, materials, illumination, and locations may be submitted for review and approval by the Plan Commission, for Area D only.

**Section 17. Landscaping and Screening.** The regulations of *ARTICLE 12. LANDSCAPING AND SCREENING* shall apply; except as modified below:

17.1 **Article 12, Section 4.B.6. Landscaping and Screening:** Shall apply, except no maximum height requirement.

17.2 **Lot Landscaping.** Individual lots and multi-family buildings shall be landscaped in accordance with the Architectural and Landscaping Standards, attached hereto as **Exhibit D**.

17.3 **Parking Lot Landscaping.** Commercial parking lots shall provide perimeter landscaping a minimum of ten (10) feet in width.

17.4 **Building Base Landscaping.** As an alternative to the UDO's building base landscaping requirements, a site-specific landscape plan, including soft-scapes and

vegetation around outdoor seating/patio areas, may be submitted for review and approval by the Director.

17.5 **Table 12.0.7.E. Landscape Buffer Yard Requirements:** Shall apply only where and as specified below and as depicted on the Buffer Exhibit, attached hereto as **Exhibit F**. All other Landscape Buffer Yards shall be waived.

- A. The Landscape Buffer Yards along Boden Road, 166th Street, and 156th Street shall be a minimum of fifty (50) feet in width, except along Boden Road in Area C which shall be a minimum of twenty (20) feet, and Area D, where Landscape Buffer Yards shall not apply.
- B. The Landscape Buffer Yard along Olio Road shall be a minimum of fifty (50) feet in width and may be located east, west, or within the relocated powerline easement. The Landscape Buffer yard may include easements. Mounding and plantings, per the UDO, shall be required unless otherwise restricted as required by a utility company, which shall supersede the requirement of this ordinance. This standard is intended to accommodate the relocation of the existing overhead powerlines to the Olio Road frontage.
- C. The Landscape Buffer Yard along the shared property line north of Area D and the former Noble East PD shall be a minimum of twenty (20) feet in width.
- D. A wall or fence may be allowed within the Common Area/Landscape Buffer.

17.6 **Article 12, Section 9. Street Trees:** Shall apply; except as modified below:

- A. There shall be a minimum of 1,675 street trees within the development, as generally shown on the Preliminary Development Plan.

**Section 18. Environmental Performance Standards.** The regulations of *ARTICLE 13. ENVIRONMENTAL PERFORMANCE STANDARDS* shall apply.

**Section 19. Nonconforming Uses and Structures.** The regulations of *ARTICLE 14. NONCONFORMING USES AND STRUCTURES* shall apply.

**Section 20. Enforcement.** The regulations of *ARTICLE 15. ENFORCEMENT* shall apply.

**Section 21. Procedures.**

**21.1 Detailed Development Plan.** A Detailed Development Plan (“DDP”) for each section within an Area shall be submitted to the City for review and approval pursuant to Article 8, Part H, Sec. 3, subject to the following clarification: (i) the Director of Planning and Zoning shall approve Minor Changes from the Preliminary Development Plan reflected in the submitted DDP; and (ii) if a DDP includes a Major Change from the approved Preliminary Development Plan, then, prior to approval of the DDP, an amended Preliminary Development Plan shall be submitted to the City for review by the Technical Advisory Committee and then for review and approval by the Plan Commission following a public hearing. A Secondary Plat shall be submitted for review and approval as part of any approved DDP. Deviations from the mix of Lot Types for any Area as shown on the Preliminary Development Plan that are permitted under Section 13.3(E) shall not be considered either a Major Change or Minor Change. A Major Change from the approved Preliminary Development Plan shall be reviewed and approved by the Technical Advisory

Committee and the Plan Commission based upon compliance with the development standards set forth herein and shall be compatible and consistent with the intended quality and character of the District.

**21.3 Major and Minor Changes.**

**21.3.1** “Major Change” shall mean: (i) an increase in the maximum number of Dwelling Units for an Area as described in Section 13.3 of this Ordinance, (ii) a substantial change to the location of a perimeter entrance as shown on the Preliminary Development Plan, and (iii) significant changes to the drainage management systems, including but not limited to, BMP’s and legal drains.

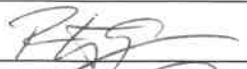



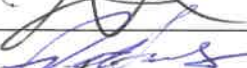

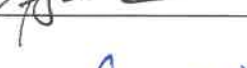
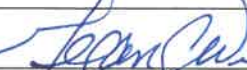

**23.3.2** “Minor Change” shall mean: Any change (other than a Major Change) that is consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance. Specifically, changes to the internal street configurations and building configurations are expected and shall be deemed to be Minor Changes.

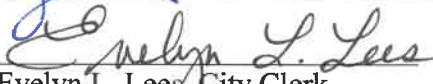
**Section 22. Amenities.**

- 22.1 **Trails/Paths.** Trails shall be installed in the locations generally shown on the Conceptual Development Plan. All trails may be constructed of either asphalt or concrete. Internal trails shall be a minimum of eight (8) feet in width.
- 22.2 The following amenities shall be included in Area A:
- A. **Clubhouse.** A minimum fourteen thousand (14,000) square foot clubhouse shall be constructed, which shall include a fitness center, pool, community room, sports courts (bocce, tennis and/or pickle ball), and an outdoor kitchen or fire table area.
  - B. **Pocket Parks.** Pocket parks shall be developed in the general location and size as shown on the Conceptual Development Plan, and may be selected from (dog park, community gardens, yoga lawn, seating area with landscaping, bird watching area, butterfly garden, etc.). Each pocket park shall be installed as part of any adjacent phase or section, with the exception of the dog park which may be installed in any phase or section.

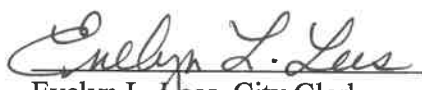
**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK-SIGNATURE PAGE(S) TO FOLLOW]**

Approved on this 5<sup>th</sup> day of December, 2023 by the Common Council of the City of Noblesville, Indiana:

AYE	COUNCIL MEMBER	NAY	ABSTAIN
	Brian Ayer		
	Mark Boice		
	Michael J. Davis		
	Gregory P. O'Connor		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Dan Spartz		
	Megan G. Wiles		

ATTEST:   
 Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this 5<sup>th</sup> day of December, 2023 at 8:06 P.M.

  
 Evelyn L. Lees, City Clerk

  
 Chris Jensen, Mayor

MAYOR'S APPROVAL

12-5-23  
 Date

Chris Jensen, Mayor

MAYOR



ATTEST:   
 Evelyn L. Lees, City Clerk

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: Rex A. Ramage.

Prepared by: Rex A. Ramage, Pulte Homes of Indiana, Inc.  
 11590 N Meridian Street, Carmel, Indiana 46032 | (317) 814-2026

**EXHIBIT A**  
**REAL ESTATE**

**AS-SURVEYED LAND DESCRIPTION**

Part of the Northeast Quarter, all of the Southeast Quarter, part of the Southwest Quarter, and part of the Northwest Quarter; all in Section 11, Township 18 North, Range 5 East of the Second Principal Meridian, Wayne Township, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at a Harrison monument marking the northwest corner of said Northeast Quarter; thence South 89 degrees 59 minutes 27 seconds East (grid bearing based upon Indiana State Plane East Zone (NAD 83 2011, EPOCH 2010.0000) along the north line of said Northeast Quarter a distance of 861.25 feet to the northwest corner of a parcel described in Instrument Number 200400030204 in the Office of the Recorder of Hamilton County, Indiana, the following two (2) courses being along the west and south lines thereof; (1) thence South 00 degrees 15 minutes 13 seconds East a distance of 1436.35 feet to the southwest corner thereof; (2) thence South 89 degrees 59 minutes 27 seconds East a distance of 1749.40 feet to the east line of said Northeast Quarter; thence South 00 degrees 17 minutes 15 seconds East along said east line a distance of 1213.55 feet to the southeast corner of said Northeast Quarter, said corner being marked by a Harrison monument; thence South 00 degrees 26 minutes 38 seconds East along the east line of said Southeast Quarter a distance of 2656.66 feet to the southeast corner thereof, said corner being marked by a Harrison monument; thence South 89 degrees 47 minutes 37 seconds West along the south line of said Southeast Quarter a distance of 2622.52 feet to the southwest corner thereof, said corner being marked by a Harrison monument; thence South 89 degrees 44 minutes 48 seconds West along the south line of said Southwest Quarter a distance of 2503.93 feet to the east corner of a parcel described in Instrument Number 9448501 in said Recorder's Office; thence North 45 degrees 11 minutes 45 seconds West along the northeast line of said parcel a distance of 155.41 feet to the west line of said Southwest Quarter; thence North 00 degrees 08 minutes 18 seconds West along said west line a distance of 1222.16 feet to the northwest corner of the Southwest Quarter of said Southwest Quarter, said corner being marked by a mag nail with washer stamped "HWC ENGINEERING FIRM #0114"; thence North 89 degrees 51 minutes 37 seconds East along the north line of said quarter-quarter section a distance of 1306.55 feet to the southwest corner of the Northeast Quarter of said Southwest Quarter, said corner being marked by a 5/8-inch uncapped rebar; thence North 00 degrees 09 minutes 22 seconds West along the west line of said quarter-quarter section a distance of 1329.56 feet to the northwest corner thereof, said corner being marked by a 5/8-inch rebar with yellow plastic cap stamped "HWC ENGINEERING FIRM #0114"; thence North 00 degrees 15 minutes 13 seconds West along the west line of the East Half of said Northwest Quarter a distance of 2663.11 feet to the northwest corner of said half-quarter section, said corner being marked by a mag nail with washer stamped "P.I. CRIPE 842-6777"; thence South 89 degrees 59 minutes 43 seconds East along the north line of said Northwest Quarter a distance of 1304.79 feet to the POINT OF BEGINNING, containing 460.219 acres, more or less.

AND

Part of the West Half of Section 11, Township 18 North, Range 5 East located in Wayne Township, Hamilton County, Indiana, described as follows:



BEGINNING at the Southwest Corner of the Northwest Quarter of said Section, thence North 00 degrees 13 minutes 30 seconds West (basis of bearing = ALTA/ ACSM land title survey prepared by the Schneider Corporation as Job #3544.001) along the West line thereof a distance of 1662.31 feet; thence North 89 degrees 59 minutes 23 seconds East a distance of 1305.37 feet to the East line of the West half of said Northwest Quarter; thence South 00 degrees 15 minutes 14 seconds East along said East line a distance of 1661.95 feet to the Southeast corner of said half Quarter section; thence South 00 degrees 09 minutes 19 seconds East along the East line of the West half of the Southwest Quarter a distance of 1329.62 feet; thence South 89 degrees 51 minutes 35 seconds West a distance of 1306.57 feet to the West line of said Southwest Quarter; thence North 00 degrees 08 minutes 22 seconds West along said West line a distance of 1332.22 feet to the point of beginning, containing 89.74 acres, more or less.

EXCEPT a part of the West Half of Section 11, Township 18 North, Range 5 East, Hamilton County, Indiana, described as follows: Beginning on the West line of said Section at a point South 00 degrees 13 minutes 28 seconds East 1,011.11 feet from the Northwest corner of said Section, designated as point "2" on the Location Control Route Survey recorded in Instrument 2017028470, thence South 89 degrees 58 minutes 39 seconds East 70.00 feet along the North; thence South 00 degrees 13 minutes 28 seconds East 1,653.32 feet to the South line of the Northwest Quarter of said Section; thence North 89 degrees 37 minute 44 seconds West 70.00 feet along said South line to the Southwest corner of said Northwest Quarter, designated as point "3" on said Location Control Route Survey; thence North 00 degrees 13 minutes 28 seconds West 1,652.87 feet along the West line of said Section to the point of beginning and containing 2.656 acres, more or less.

AND

Part of the Northeast Quarter of Section 11, Township 18 North, Range 5 East of the Second Principal Meridian, in Wayne Township, Hamilton County, Indiana, based on a survey prepared by Michael G. Judt, Professional Surveyor #21500017, HWC Engineering Job #2017-266-C, more particularly described as follows:

BEGINNING at the northeast corner of said Northeast Quarter, marked by a Harrison monument; thence South 00 degrees 17 minutes 15 seconds East (grid bearing, Indiana State Plane, East Zone, NAD 83 (2011) EPOCH 2010.0000) along the east line of said Northeast Quarter a distance of 1436.35 feet; thence North 89 degrees 59 minutes 27 seconds West a distance of 1749.40 feet; thence North 00 degrees 15 minutes 13 seconds West a distance of 1436.35 feet to the north line of said Northeast Quarter; thence South 89 degrees 59 minutes 27 seconds East along said north line a distance of 1748.55 feet to the POINT OF BEGINNING, containing 57.670 acres, more or less.

**EXHIBIT B**  
**CONCEPTUAL DEVELOPMENT PLAN**



**EXHIBIT B-1  
AREA PLAN**



**EXHIBIT B-2**  
**AREA D – CONCEPTUAL SITE PLAN**



**EXHIBIT C – (AREA A - LOT TYPE 1)**



**EXHIBIT C – (AREA A - LOT TYPE 2)**



**EXHIBIT C – (AREA A – LOT TYPE 3)**



**EXHIBIT C – (AREA B – LOT TYPE 1)**  
**FRONT LOAD**





**EXHIBIT C – (AREA B – LOT TYPE 1)**  
**FRONT LOAD**



**EXHIBIT C – (AREA B – LOT TYPE 2)**  
**SIDE LOAD**



**EXHIBIT C – (AREA C – LOT TYPE 1)**  
**CORNERSTONE SERIES (SPECIALTY HOUSING)**



**EXHIBIT C – (AREA D)**  
**MIXED-USE-Multi Family**



**EXHIBIT C – (AREA D)**  
**MIXED-USE – Townhomes**



**EXHIBIT D**  
**ARCHITECTURAL AND LANDSCAPING STANDARDS – AREA A**

*All terms used shall have the meaning ascribed to them in the definitions section at the end of this exhibit.*

**I. ROOF RIDGELINES**

All homes required to provide a minimum of two (2) roof ridgelines visible from the front entry of the home.

**II. CORNER BREAKS**

Single-Level architectural features must project a minimum of four (4) feet from the adjacent architectural plane.

**Front Elevations**

All homes required to provide a minimum of three (3) corner breaks on each front elevation.

**Side Elevations**

Any side elevation with street frontage required to provide a minimum of: a) three (3) corner breaks , or (b) a masonry wainscot (a minimum height of the lower of (i) 30" above grade, or (ii) up to the sill of the lowest first floor window), and a change in material pattern or material color within said side elevation gable. In the event a side elevation gable is not present under scenario (b) above, then the gable treatment shall be substituted with window trim (1"x4" nominal) on said side elevation. All other side elevations are required to provide a minimum of two (2) corner breaks.

**Rear Elevations**

All homes on corner lots and those homes with rear elevations visible from the 156<sup>th</sup> Street and Olio Road public right-of-way are required to provide a minimum of three (3) corner breaks on each Rear Elevation. All other rear elevations are required to provide a minimum of two (2) corner breaks.

**III. WINDOWS**

All homes required to provide a minimum of one (1) window on all four (4) sides of the home, except the home may have no windows on one (1) side provided the other three (3) elevations have a minimum of nine (9) windows total (minimum window size shall be 8 square feet). For the purposes of this calculation, a twin window shall be counted as two (2)

windows.

A service door providing access to a front-load garage may be installed on a side elevation in lieu of a required side-elevation Window once per home.

A grouping of Windows containing individual Windows less than 8 square feet may be considered a Window for the purposes of calculation when the Windows comprising the grouping:

- Are identical in height or width to one another; AND
- Are individually at least 4 square feet in size; AND
- Are located on the same architectural plane, in the same interior room; OR are located within 24 inches of an adjacent Window within the same grouping; AND
- Have a combined aggregate size of at least 8 square feet

Windows in the garage door (in aggregate) or in the front door shall qualify as one (1) window, provided the total square footage is at least 8 square feet.

Window Treatment is required on all windows on the front facade.

#### **IV. GARAGE DOOR**

All homes shall have at least a 2-car attached garage.

Single-Level homes with front-load garages cannot exceed maximum garage door percentage of 35%. Applies only to two-car front-load garages.

If a third car garage is present, it must be offset a minimum of two (2) feet from an adjacent façade.

Garage elevations shall include a variety of design elements to vary the appearance of garage façades within Area A. The variety of design elements include the garage door, garage door windows, garage door hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver. All garage doors shall also be painted a color to match the dominant exterior material or a color to accent the dominant

exterior material.

**V. FRONT ENTRY & PORCH**

All homes must provide a Porch of at least 30 square feet or 6' in depth at the front entry.

**VI. ROOF PITCH**

All homes are required to provide a minimum roof pitch of 5/12 along the main roof ridgeline. Gable, dormer, shed dormer and porch roof pitches may vary to achieve various architectural styles, in no event be less than 3/12. Elevations with two (2) single dormers, both with shed roofs, shall be prohibited.

The Director of Planning and Development, including his/her designee(s), may approve homes with a lower roof pitch if compatible with certain architectural or historical styles on a case-by-case basis (e.g., craftsman, prairie, etc.), as identified by *A Field Guide to American Houses*.

**VII. ROOF OVERHANG**

All homes are required to provide a minimum roof overhang of 11 inches, measured from framing, or 8 inches when measured from exterior surface of brick/stone, on all architectural planes. Lesser overhangs shall be permitted for secondary roof areas such as, but not limited to, porches and bay windows.

**VIII. NUMBER OF EXTERIOR CLADDING STYLES PER ARCHITECTURAL PLANE**

**Front Elevations**

Each front elevation is required to utilize a combination of different materials from the City's Approved Exterior Materials list (except that vinyl shall be prohibited):

1. One (1) construction material if 100% masonry is used on the architectural plane; or
2. Two (2) different construction materials if entire front elevation has brick wainscot up to sill of lowest first floor window.

**IX. HOMOGENEITY**

Exterior design details, including but not limited to: exterior cladding styles, material compositions, number and style of windows, window placement, trim detailing, and roof design must logically transition onto adjacent architectural planes to be consistent with the intended architectural style of the structure. Furthermore, vinyl shall be prohibited.

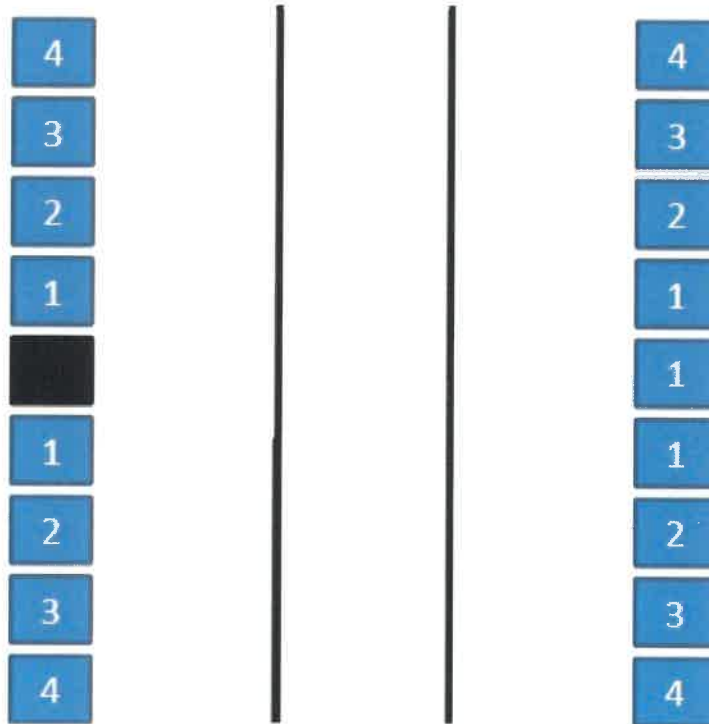
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**X. ANTI-MONOTONY**



**FACADE VARIETY CODE**



- 1** Home cannot be of the same elevation of the same plan as the Subject home. Must be a different color package. Home cannot be mirrored or flipped elevation.
- 2** Home cannot be of the same elevation of the same plan as the Subject home. Cannot be the identical color package as the Subject home but may have the same brick. Home cannot be mirrored or flipped elevation
- 3** Home may be of the same plan and elevation as the Subject home, but must be a different color package.
- 4** May be identical to Subject home.

**XI. LANDSCAPING**

**Front Yard Landscaping**

In addition to Street Trees, each front yard required to contain a minimum of:

- One (1) shade tree (2.5" minimum trunk diameter) OR one (1) ornamental tree (2.5" minimum trunk diameter)
- Ten (10) shrubs (24" minimum height)

**EXHIBIT D**  
**ARCHITECTURAL AND LANDSCAPING STANDARDS – AREA B**

*All terms used shall have the meaning ascribed to them in the definitions section at the end of this exhibit.*

**II. ROOF RIDGELINES**

All homes required to provide a minimum of three (3) roof ridgelines visible from the front entry of the home.

**III. CORNER BREAKS**

All corner break architectural features must project a minimum of four (4) feet from the adjacent architectural plane.

**Front Elevations**

All homes required to provide a minimum of three (3) corner breaks on each front elevation. Architectural features located above the ground level are counted as corner breaks subject to the minimum corner break projection regulations.

**Side Elevations**

Any side elevation with street frontage shall be required to provide: (a) a minimum of three (3) corner breaks, or (b) a masonry wainscot (a minimum height of the lower of (i) 30" above grade, or (ii) up to the sill of the lowest first floor window), and a change in material pattern or material color within said side elevation gable. In the event a side elevation gable is not present under scenario (b) above, then the gable treatment shall be substituted with window trim (1"x4" nominal) on said side elevation. All other side elevations are required to provide a minimum of two (2) corner breaks.

**Rear Elevations**

All homes on corner lots and those homes with rear elevations visible from the Boden Road, 166<sup>th</sup> Street, and Olio Road public right-of-way are required to provide a minimum of three (3) corner breaks on each Rear Elevation. All other rear elevations are required to provide a minimum of two (2) corner breaks.

**IV. WINDOWS**

Single-Level and One and a Half Story homes required to provide a minimum of two (2) Windows on each front elevation, one (1) window on each side elevations, and three (3)

windows on the rear elevation, with an aggregate total of eight (8) windows on the home.

Multiple-Level homes required to provide a minimum of three (3) Windows on each front elevation, one (1) window on each side elevations, and three (3) windows on the rear elevation, with an aggregate total of twelve (12) windows on the home.

A service door with half window providing access to a front-load garage may be installed on a side elevation in lieu of a required side-elevation Window once per home.

A grouping of Windows containing individual Windows less than 8 square feet may be considered a Window for the purposes of calculation when the Windows comprising the grouping:

- Are identical in height or width to one another; AND
- Are individually at least 4 square feet in size; AND
- Are located on the same architectural plane, AND
- Have a combined aggregate size of at least 8 square feet

Windows in the garage door (in aggregate) and front door shall qualify, provided the total square footage is at least eight (8) square feet.

Window Treatment is required on all windows on the front facade.

#### **V. GARAGE DOOR DESIGN & GARAGE DOOR PERCENTAGE**

All homes in Area B shall incorporate a decorative garage door. Decorative shall mean: hardware, windows, decorative panel (Gallery, etc.), or any combination of the aforementioned items.

Single-Level homes with front-load garages cannot exceed maximum garage door percentage of 35%.

Multiple-Level homes with front-load garages cannot exceed maximum garage door percentage of 20%.

Applies only to two-car front-load garages.

If a third car garage is present, it must be offset a minimum of two (2) feet from an adjacent façade.

**Lots within Area B - Lot Type 2:** Side load garages shall be required on all homes constructed within Area B on Lot Type 2, except for one (1) model home which may be front loaded.

**VI. FRONT ENTRY & PORCH**

All homes must provide a Porch of at least 30 square feet or 6' in depth at the front entry.

**VII. ROOF PITCH**

All single-level homes are required to provide a minimum roof pitch of 5/12 along the main roof ridgeline. All multiple-level homes are required to provide a minimum roof pitch of 6/12 along the main roof ridgeline.

The Director of Planning and Development, including his/her designee(s), may approve homes with a lower roof pitch if compatible with certain architectural or historical styles on a case-by-case basis (e.g., craftsman, prairie, etc.), as identified by *A Field Guide to American Houses*.

**VIII. ROOF OVERHANG**

All homes are required to provide a minimum roof overhang of 11 inches, measured from framing, or 8 inches when measured from exterior surface of brick/stone, on all architectural planes.

**IX. NUMBER OF EXTERIOR CLADDING STYLES PER HOME**

**Front Elevations**

Each front elevation is required to utilize a combination of different materials from the City's Approved Exterior Materials list (except that vinyl shall be prohibited):

1. One (1) construction material if 100% masonry is used on the architectural plane; or
2. Two (2) different construction materials if entire front elevation has brick wainscot up to sill of lowest first floor window

**X. MASONRY PERCENTAGE**

Each Primary Architectural Plane required to contain at least one (1) exterior material composed of masonry in accordance with the Exterior Cladding Style calculation requirements - the following exterior materials and/or compositions are considered masonry for the purposes of this calculation:

1. Shake Shingles composed of clay
2. Brick
3. Manufactured Stone
4. Solid/Natural Stone
5. Stucco

**Lots within Area B - Lot Type 2:** masonry wainscot shall be required on all sides of the dwellings (front, both sides, and rear) and shall be at a minimum height of the lower of (i) 36" above grade, or (ii) up to the sill of the lowest first floor window. As many as twenty-five percent (25%) of the homes may have less than the required masonry except on a corner lot or next to a common area where masonry wainscot shall be required.

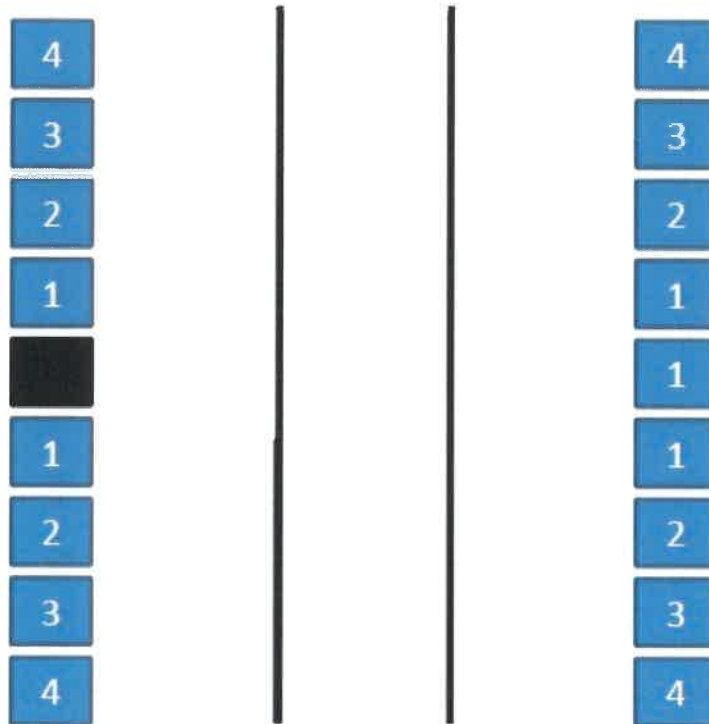
**XI. HOMOGENEITY**

Exterior design details, including but not limited to: exterior cladding styles, material compositions, number and style of windows, window placement, trim detailing, and roof design must logically transition onto adjacent architectural planes to be consistent with the intended architectural style of the structure. Furthermore, vinyl shall be prohibited.

(Continued on next page)

**XII. ANTI-MONOTONY**

**FACADE VARIETY CODE**



**1**

Home cannot be of the same elevation of the same plan as the Subject home. Must be a different color package. Home cannot be mirrored or flipped elevation.

**2**

Home cannot be of the same elevation of the same plan as the Subject home. Cannot be the identical color package as the Subject home but may have the same brick. Home cannot be mirrored or flipped elevation

**3**

Home may be of the same plan and elevation as the Subject home, but must be a different color package.

**4**

May be identical to Subject home.

### **XIII. LANDSCAPING**

#### **Front Yard Landscaping**

In addition to Street Trees, each front yard required to contain a minimum of:

- Two (2) shade trees (2.5" minimum trunk diameter) OR one (1) shade tree (2.5" minimum trunk diameter) AND one (1) ornamental tree (2.5" minimum trunk diameter)
- Ten (10) shrubs (24" minimum height)

**EXHIBIT D**  
**ARCHITECTURAL AND LANDSCAPING STANDARDS – AREA C**

*All terms used shall have the meaning ascribed to them in the definitions section at the end of this exhibit.*

**I. ROOF RIDGELINES**

All homes required to provide a minimum of two (2) roof ridgelines visible from the front entry of the home.

- a. Homes with a historical architectural style<sup>1</sup> that lends itself to the use of less ridgelines may be excluded from this requirement.

**II. CORNER BREAKS**

All corner break architectural features must project a minimum of four (4) feet from the adjacent architectural plane.

**Front Elevations**

All homes required to provide a minimum of three (3) corner breaks on each front elevation. Architectural features located above the ground level are counted as corner breaks subject to the minimum corner break projection regulations.

**Side Elevations**

Any side elevations are required to provide a minimum of two (2) corner breaks.

**Rear Elevations**

All homes on corner lots are required to provide a minimum of three (3) corner breaks on each Rear Elevation. All other rear elevations are required to provide a minimum of two (2) corner breaks.

**III. WINDOWS\***

Multiple-Level homes required to provide a minimum of three (3) Windows on each front elevation, one (1) window on each side elevations, and three (3) windows on the rear elevation, with an aggregate total of twelve (12) windows on the home.

A service door with half window providing access to a front-load garage may be installed on a side elevation in lieu of a required side-elevation Window once per home.

A grouping of Windows containing individual Windows less than 8 square feet may be considered a Window for the purposes of calculation when the Windows comprising the grouping:



- Are identical in height or width to one another; AND
- Are individually at least 4 square feet in size; AND
- Are located on the same architectural plane, AND
- Have a combined aggregate size of at least 8 square feet

Windows in the garage door (in aggregate) and front door shall qualify, provided the total square footage is at least eight (8) square feet.

Window Treatment is required on all windows on the front facade.

**IV. GARAGE DOOR PERCENTAGE**

All homes with front-load garages cannot exceed maximum garage door percentage of 40%.

Applies only to two-car front-load garages.

**V. FRONT ENTRY & PORCH**

All homes must provide a Porch of at least 24 square feet at the front entry.

**VI. ROOF PITCH**

All single-level homes are required to provide a minimum roof pitch of 5/12 along the main roof ridgeline. All multiple-level homes are required to provide a minimum roof pitch of 6/12 along the main roof ridgeline.

The Director of Planning and Development, including his/her designee(s), may approve homes with a lower roof pitch if compatible with certain architectural or historical styles on a case-by-case basis (e.g., craftsman, prairie, etc.), as identified by *A Field Guide to American Houses*.

**VII. ROOF OVERHANG**

All homes are required to provide a minimum roof overhang of 11 inches, measured from framing, or 8 inches when measured from exterior surface of brick/stone, on all architectural planes.

**VIII. NUMBER OF EXTERIOR CLADDING STYLES PER HOME**

**Front Elevations**

Each front elevation is required to utilize a combination of different materials from the City's Approved Exterior Materials list (except that vinyl shall be prohibited):

1. One (1) construction material if 100% masonry is used on the architectural plane; or
2. Two (2) different construction materials if entire front elevation has brick wainscot a minimum of 16" in height

**IX. MASONRY PERCENTAGE**

Each Primary Architectural Plane required to contain at least one (1) exterior material

composed of masonry in accordance with the Exterior Cladding Style calculation requirements - the following exterior materials and/or compositions are considered masonry for the purposes of this calculation:

1. Shake Shingles composed of clay
2. Brick
3. Manufactured Stone
4. Solid/Natural Stone
5. Stucco

**X. HOMOGENEITY**

Exterior design details, including but not limited to: exterior cladding styles, material compositions, number and style of windows, window placement, trim detailing, and roof design must logically transition onto adjacent architectural planes to be consistent with the intended architectural style of the structure. Furthermore, vinyl shall be prohibited.

**XI. ANTI-MONOTONY**

No two structures including color, style, composition, etc. are permitted to be located adjacent to or directly across the street from the subject property.

**XII. LANDSCAPING**

**Front Yard Landscaping**

In addition to Street Trees, each front yard required to contain a minimum of:

- One (1) ornamental tree (2.5" minimum trunk diameter)
- Ten (10) shrubs (24" minimum height)

## **RESIDENTIAL ARCHITECTURAL STANDARDS DEFINITIONS – APPLICABLE TO AREAS A, B, & C**

**Architectural Plane, Primary:** Any architectural plane with frontage on a street or roadway. Corner lots are considered to have multiple primary architectural planes.

**Architectural Plane, Secondary:** Any architectural plane that is not considered to be a primary architectural plane.

**Architectural Plane:** A two-dimensional surface defined by width and length

**Building, Multi-Level:** Any building containing more than one (1) story located above adjacent grade

**Building, Single-Level:** Any building containing exactly one (1) story located above adjacent grade

**Corner Break:** The position at which two architectural planes meet and form relief creating a third dimension, excluding all interior points. The exterior corners of a covered porch, and the outermost corners of the home, shall count toward this requirement.

**Elevation:** A two-dimensional scaled drawing of any side of a building or structure.

**Exterior Cladding Percentage:** The ratio of the area of an exterior cladding style divided by the sum of all other exterior cladding on an architectural plane, excluding the roof, windows, and doors.

**Garage Door Percentage:** The ratio of the area of a garage door divided by the total area of the architectural plane on which the garage door is located, including the roof, windows, and doors.

**Masonry:** Any exterior cladding style composed of brick, stone, stucco, terra cotta, or similar material.

**Perimeter Lot:** Any lot adjacent to a street, roadway, or publicly owned land for which no buildable lots are located between the lot and the roadway or publicly owned property.

**Porch:** A structure attached to a building that has a roof and that may or may not have walls.

**Roof Overhang:** The horizontal distance, excluding gutters, which the roof projects beyond the framing of the architectural plane immediately below.

**Roof Pitch:** The ratio of the slope of the main roof ridges, measured as rise divided by run.

**Roof Ridgeline:** The line of intersection formed between opposite slopes or sides of a roof. Roof ridgelines do not include minor architectural features such as bay windows, turrets, garage eyebrows, or other similar features; however, the following items do qualify as a roof ridgeline: dormer (both pitched and flat/shed roof, single or multiple dormers), gable above the garage (even if it doesn't meet the main roof), and a gable within a larger gable (provided that the smaller gable offsets from the larger gable).

**Story, Half:** The portion of a building located above a story and under a sloping, gable, hip, or gambrel roof, the wall plates on at least two (2) opposite exterior walls of which are not more than three (3) feet above the floor level of such half-story.

**Story:** The portion of a building, above adjacent grade, between the surface of any floor and the surface of any floor next above it; or, if there is no floor above it, then the space between such floor and the ceiling next above it.

**Window Treatment:** The application of shutters, masonry, or trim composed of wood (a minimum of 1"x4"), engineered wood (a minimum of 1"x4"), or fiber cement installed around and immediately adjacent to a window frame.

**Window:** A framed opening a minimum of eight (8) square feet or grouping of windows on an architectural plane containing glass product a minimum of eight (8) square feet.

<sup>1</sup>Historical architectural styles are styles such as Colonial, Craftsman, Farmhouse, Cottage, Italianate, Arts & Crafts, or homes with various architectural elements taken from the foregoing to create a more recent and modern version.

<sup>2</sup>Homes with a historical architectural style that lends itself to the use of less material changes may be excluded from the requirements set forth above.

**EXHIBIT D**  
**ARCHITECTURAL AND LANDSCAPING STANDARDS – AREA D**

*All descriptions are intended to provide a basic description and outline for the development. Final development plans and elevations will be submitted as part of the Procedures in Section 13.*

**Development Intent**

The development(s) in Area D are intended to focus on multi-family and senior living housing. The goal for the development(s) is to create a high-quality village setting that has a sense of place with regards to building layout and design.

All buildings will seek to create strong “streetwalls”, permeable building frontages, and screen parking lots along every building right-of-way.

The architectural style will focus on a “lodge” theme with the use of materials including but not limited to raw/stained wood and stone. The style could take on a traditional style with gabled roofs or a flat roof with potential awnings.

The landscaping will be minimal with the small setbacks and village layout but will be strategically utilized to screen parking lot areas.

**Architectural Standards**

**I. Façade treatment**

- a. All facades shall feature a building undulation (i.e., setback/bump-out) every 100 feet.

**II. Exterior materials**

- a. Cladding / siding materials shall include the following:
  - i. Brick veneer
  - ii. Fiber cement siding
  - iii. Metal panel
  - iv. Stone veneer
  - v. Or other high-quality materials.

**III. NUMBER OF EXTERIOR CLADDING STYLES PER BUILDING**

**Street facing Elevations.**

Each street elevation is required to utilize a combination of different materials from the Approved Exterior Materials list:

- 1. One (1) construction material if 100% masonry is used on the architectural plane: or
- 2. Two (2) different construction materials entire front elevation has brick wainscot up to sill of lowest first floor window; or

(Continued on next page)

#### **IV. MASONRY PERCENTAGE**

Each Primary street facing Architectural Plane required to contain at least one (1) exterior material composed of masonry in accordance with the Exterior Cladding Style calculation requirements - the following exterior materials and/or compositions are considered masonry for the purposes of this calculation:

1. Shake Shingles composed of clay
2. Brick
3. Manufactured Stone
4. Solid/Natural Stone
5. Stucco

#### **V. Design elements**

##### **a. Building Corners**

- i. At corners facing a public street there shall be a change in parapet height with a design element incorporated that creates a visual variation in the parapet height. This can be achieved using elements like roof overhangs, canopies, or other similar elements.

##### **b. Roof Parapets**

- i. All street elevation parapets shall feature a change in elevation or Building element (i.e., canopy, or design feature) every 150 feet that disrupts the parapet line. A minimum of two (2) heights of parapet shall be used in the design of all multi-family buildings.
- ii. At Building main entries that are not used for a residential unit entry or building stair egress, a canopy or building overhang shall be provided to protect main building entries.

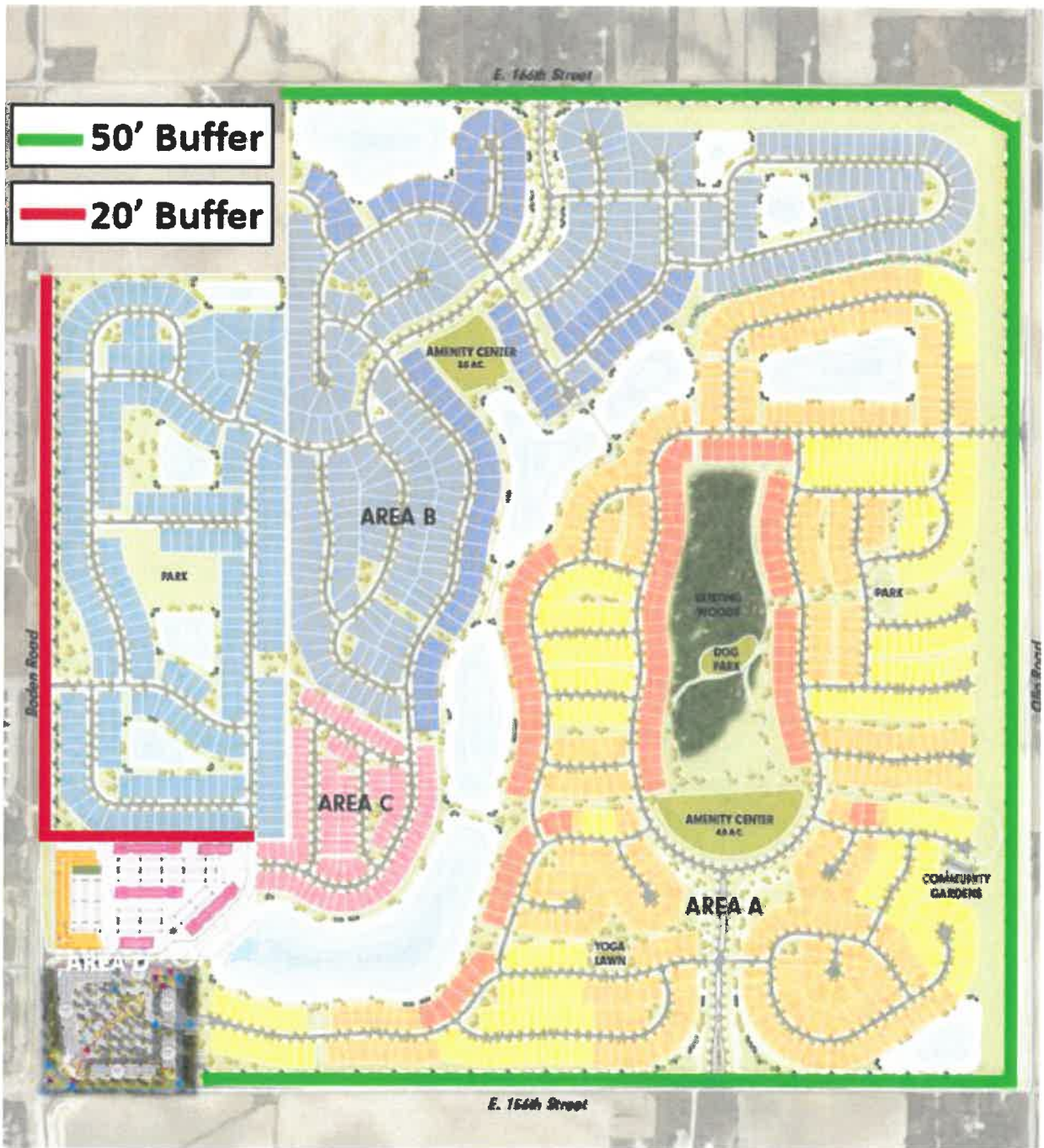
#### **VI. HOMOGENEITY**

Exterior design details, including but not limited to: exterior cladding styles, material compositions, number and style of windows, window placement, trim detailing, and roof design must logically transition onto adjacent architectural planes to be consistent with the intended architectural style of the structure.

**EXHIBIT E**  
**USE CHART**

<b>Planned Business Permitted Uses ("P")</b>
Dwelling, Multi-Family of 3 or more dwelling units
Care Centers, Child & Adult Care Services
Preschool/Nursery School
Post Office
Public Service Facility
Club or Lodge (Private)
Gallery and/or Museum
Health/Fitness Facility
Public Parks and Playgrounds
Automated Teller Machine ATM (Stand Alone Structure)
Bar, Tavern, Lounge, or Brewpub
Drinking Place
Financial, Insurance & Real Estate Services
Laundry/Dry Cleaners without On-Site Plant
Offices
Offices & Clinics of Physicians, Dentists, or other Health Care Practitioners
Personal Care Establishment
Professional and Technical Services
Restaurant (Without Drive-Thru)
Retail Sales
<b>Planned Business Conditional Uses ("C")</b>
Wireless Telecommunication Service Facility (5G "local pole", or equivalent)

**EXHIBIT F**  
**BUFFER EXHIBIT**





**EXHIBIT G  
SIGN EXHIBIT**

*\*For illustrative purposes only. Drawing not to scale\**



**Maximum Height: 20'**

**Maximum Height: 25'**

# EXHIBIT G-1 POLE BANNER SIGN – Example

22100 - Kimblewick Banners (Towne Rd)



Indianapolis, IN 462  
317-788-0202 (Office)  
317-788-1578 (Fax)

SLI

Date: 1/20/21

■ PMS 540c

■ PMS 298c

White

Putte Team will scout locations for these



Quantity: 10 set-ups  
Finished Size: 24" w x 48" h  
Image Process: CET Print | No Bleed  
Laminate: None  
Sides: Double  
Substrate: 18oz Opaque Banner  
Mount: 16' Banner Pole

Approved | Date: \_\_\_\_\_

Artwork File Name: N:/Builders/Del Webb/Kimblewick/Pole Banners-Towne Rd.fs



## EXHIBIT G-2 POLE BANNER SIGN – Banner Examples



Quantity: 4 (1 each of 4)  
 Finished Size: 24" w x 58.5" h  
 Image Process: CET Print | No Bleed  
 Laminate: None  
 Sides: Double  
 Substrate: 18oz Opaque Banner  
 Mount: 3" Sewn Pockets for 1" Arms

Approved *X* \_\_\_\_\_ | Date: \_\_\_\_\_

Artwork File Name: N:/Builders/Del Webb/Kimblewick/Light Pole Banners.fs



**EXHIBIT G-3**  
**TEMPORARY WAY FINDING/DIRECTIONAL SIGN – Example**

21735 - Kimblewick Directional (6)

Date: 10/29/20

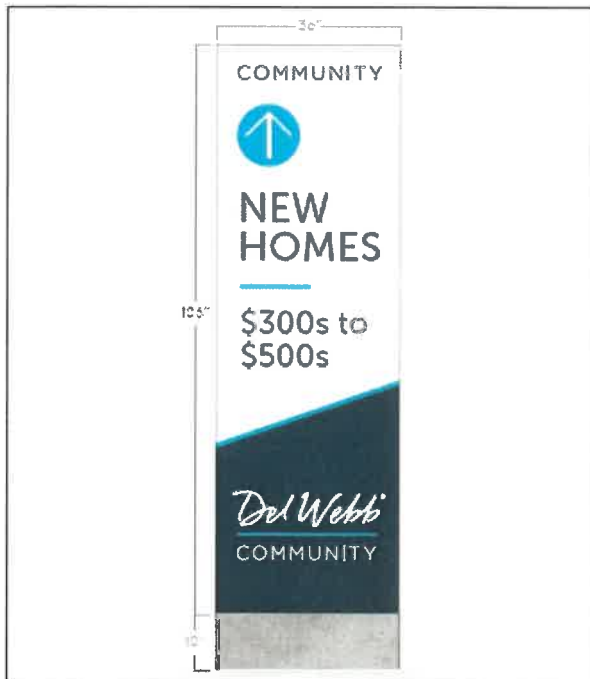
- PMS 540c
- PMS 298c
- White



Quantity: 1  
 Finished Size: 17.75" w x 23.75" h  
 Image Process: CET Print | 1/16" bleed  
 Laminate: Gloss  
 Sides: Single  
 Substrate: Aluminum  
 Mount: 2" Aluminum Posts

Approved \_\_\_\_\_

Artwork File Name: N:/Bull



**EXHIBIT G-4  
MODEL HOME (SALES CENTER) SIGN – Example**

21735 - Kimblewick Sales Center (1)  Indianapolis, IN 46203  
 Date: 1/8/21 317-788-0202 (Office)  
 317-788-1579 (Fax)  
**SLK**

PMS 540c  
 PMS 298c  
 White



Quantity: 1  
 Finished Size: 59" w x 41.75" h  
 Image Process: CET Print  
 Laminate: Gloss  
 Sides: Double Panel  
 Substrate: Aluminum  
 Mount: 4" Aluminum Posts | 3" Cross Support

Approved *X*: \_\_\_\_\_ | Date: \_\_\_\_\_

Artwork File Name: N:/Builders/Del Webb/Kimblewick/Sales Center 59x42.fs

## EXHIBIT G-5 MODEL HOME (MODEL IDENTIFICATION) SIGN – Examples

**21735 - Kimblewick Model ID (2)**

Date: 10/29/20

- PMS 540c
- PMS 298c
- White

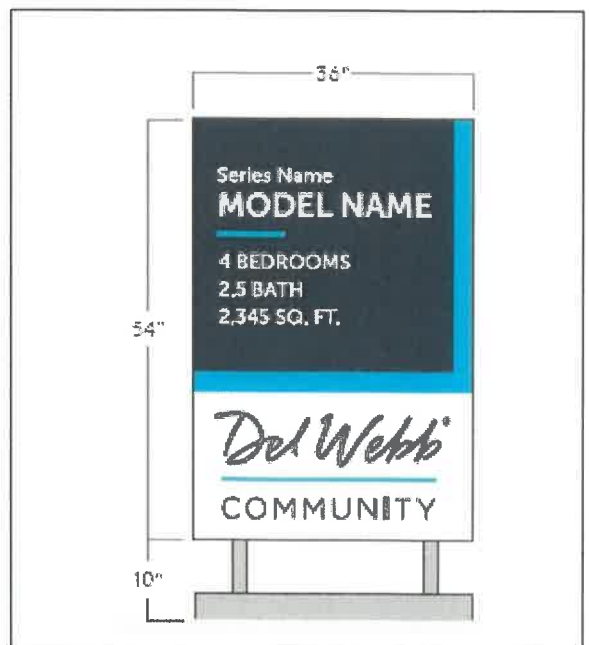
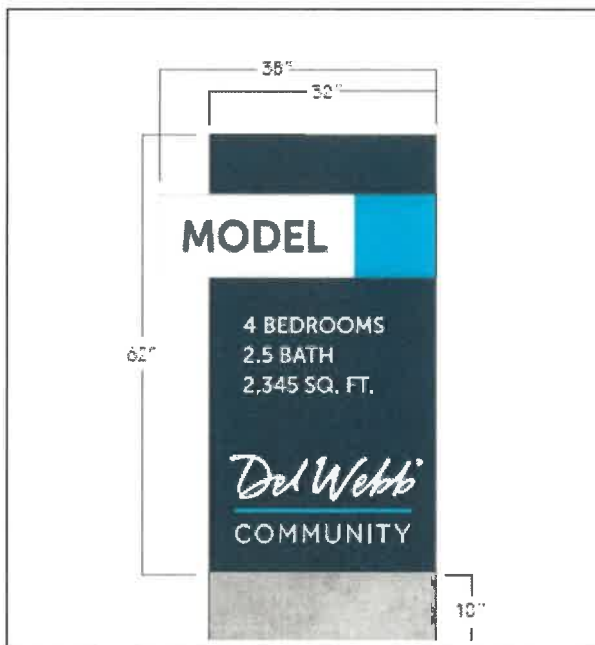
Indianapolis, IN 46203  
317-788-0202 (Office)  
317-788-1579 (Fax)

**SLK**

Quantity: 3 (1 each of 3)  
 Finished Size: 29" w x 22.75"  
 Image Process: CET Print  
 Laminate: Gloss  
 Sides: Double Panel  
 Substrate: Aluminum  
 Mount: 3" Aluminum Posts | 2" Cross Support

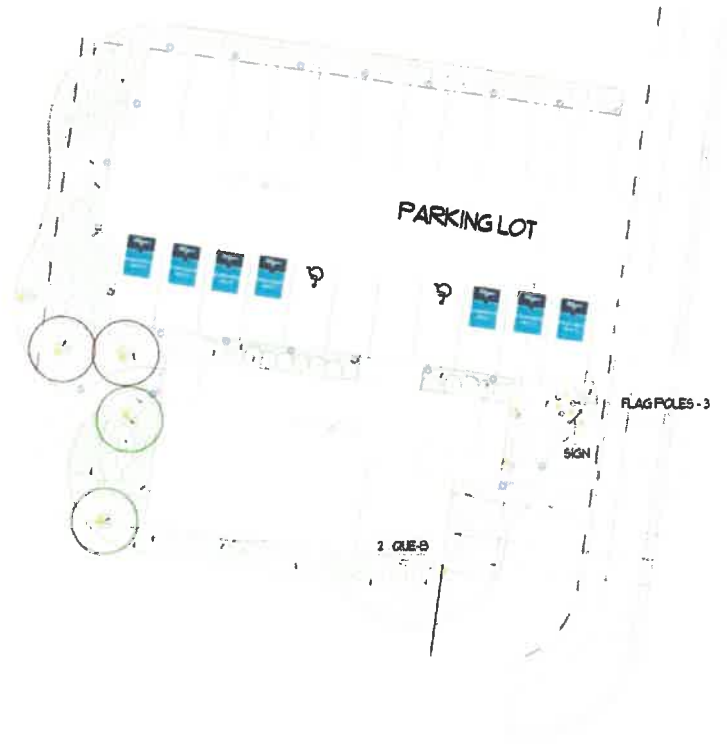
Approved *X*: \_\_\_\_\_ | Date: \_\_\_\_\_

Artwork File Name: N:/Builders/Del Webb/Kimblewick/Model ID 29x23.fs



**EXHIBIT G-6  
MODEL HOME (MODEL PARKING) SIGN – Example**

12"x18" Future Homeowner Post & Panel Signs



**EXHIBIT G-7  
AMENITY GROUND SIGN – Example**

21735 - Kimblewick Amenity Sign (5) 

Indianapolis, IN 46201  
317-788-0202 (Office)  
317-788-1579 (Fax)

**SLK**

Date: 1/27/21

 PMS 540c

 PMS 298c

White



Quantity: 1  
Finished Size: 192"w x 96"h  
Image Process: CET Print | 1/16" bleed  
Laminate: Gloss  
Sides: Double Panel  
Substrate: Aluminum  
Mount: 4"x6"x13ft Cedar Posts Stained Black

Approved : \_\_\_\_\_ | Date \_\_\_\_\_

Artwork File Name: N:/Bullders/Del Webb/Kimblewick/Amenity Sign.fs



**EXHIBIT G-8  
AMENITY BOULEVARD SIGN – Examples**

**21735 - Kimblewick Blvd Signs (3)**   
Date: 1/8/21

- PMS 540c
- PMS 298c
- White



Quantity: 8 (1 each of 8)  
 Finished Size: 23.75"w x 31.75"h  
 Image Process: CET Print  
 Laminate: Gloss  
 Sides: Double Panel  
 Substrate: Alumium  
 Mount: 3" Aluminum Posts

Approved  \_\_\_\_\_

Artwork File Name: N:/Builders/Del Webb/Kimblewic

**EXHIBIT G-9  
MARKETING ENTRANCE IDENTIFICATION SIGN – Examples**





**STATEMENT OF COMMITMENTS**

EJC

**COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE  
MADE IN CONNECTION WITH A REZONING OF PROPERTY**

In accordance with I.C. 36-7-4-1015, Whitecroft Farms, Inc., an Indiana corporation, Kreagcroft Incorporated, an Indiana corporation, Robert L. Bowen and Corby D. Thompson (collectively, "Owner") the owners of certain real estate located in Hamilton County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of that parcel of real estate:

**Legal Description:** See Exhibit A attached hereto and incorporated herein by reference (the "Real Estate")

**Statement of COMMITMENTS:**

1. Prior to any application for a building permit for any portion of the Real Estate shown on Exhibit B attached hereto ("Area D"), the developer of such portion of Area D shall prepare and file with the City of Noblesville an application for approval of an amended preliminary development plan and architectural review board approval.
2. The development and construction of any Multi-Family Dwellings (as defined in the *Unified Development Ordinance* of the City of Noblesville, Indiana (the "UDO") on the Real Estate shall comply with the minimum required number of off-street parking spaces under the UDO in effect as of the date of approval of the amended preliminary development plan for such Multi-Family Dwellings.
3. Pulte Homes of Indiana, LLC, and the City of Noblesville, Indiana, shall utilize their best efforts to finalize and execute the Development Agreement for the project on the Real Estate on or before December 31, 2023. Unless the parties mutually agree in writing to an extension of time to complete the Developer Agreement, in the event the Developer Agreement is not executed by all parties by December 31, 2023, the zoning for the property shall revert to the zoning that was in place immediately proceeding the Rezone to which these commitments were attached.

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein. These COMMITMENTS may be modified or terminated only by a decision of the City of Noblesville Common Council made at a public hearing after proper notice has been given.

COMMITMENTS contained in this instrument shall be effective upon the adoption of Ordinance #38-10-23, which is an ordinance to amend the official zoning map adopted by reference in the UDO, and shall continue in effect for as long as the above-described parcel of real estate remains zoned to Planned Unit Development District approved by Ordinance # 38-10-23.

These COMMITMENTS may be enforced jointly or severally by:

1. The City of Noblesville Advisory Plan Commission;
2. The City of Noblesville Common Council; and
3. The Director of Planning and Development of the Department of Planning and Development in the City of Noblesville, Indiana, and his or her designee.

IN WITNESS WHEREOF, owner has executed this instrument this 20<sup>th</sup> day of December, 2023.

Whitecroft Farms, Inc., an Indiana corporation

Signature: [Handwritten Signature]

Printed: JOHN R. GUMBS

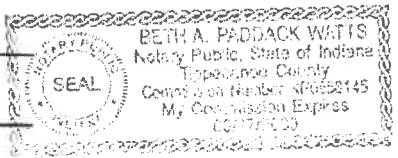
Title: ASST. SECRETARY

STATE OF Indiana )  
 ) SS:  
COUNTY OF Tippelcroe )

Before me, a Notary Public in and for said County and State, personally appeared John R Gumbs, the Assistant Secretary of Whitecroft Farms, Inc., an owner of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 20<sup>th</sup> day of December, 2023

[Handwritten Signature]  
Notary Public  
Beth A PADDACK WATTS  
Printed Name of Notary Public  
My Commission expires: 09-17-2030  
My County of residence: Tippelcroe



Kreagcroft Incorporated, an Indiana corporation

Signature: 

Printed: Kreag Holtkamp

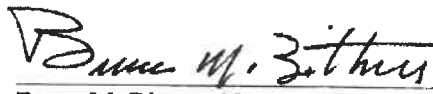
Title: President

STATE OF INDIANA                    )  
  ) SS:  
COUNTY OF HAMILTON            )

*Before me, a Notary Public in and for said County and State, personally appeared Kreag Holtkamp, the President of Kreagcroft Incorporated, an owner of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.*

*Witness my hand and Notarial Seal this 7<sup>th</sup> day of December, 2023*



  
Bruce M. Bittner, Notary Public

*My County of Residence:*       Hamilton

*Commission Number:*           682965

*My Commission Expires:*       April 9, 2024

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. Timothy E. Ochs

This instrument was prepared by Timothy E. Ochs, Ice Miller LLP, One American Square, Suite 2900, Indianapolis, IN 46282-0200, Telephone 317-236-2100.

Signature: Robert L Bowen

Printed: Robert L. Bowen

STATE OF INDIANA )  
                              ) SS:  
COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared Robert L. Bowen, an owner of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this  
11 day of December, 20 23

Jennifer Wagle  
Notary Public  
**JENNIFER WAGLE**  
Printed Name of Notary Public  
My Commission expires: September 30, 2029  
My County of residence: MARION




Signature: 

Printed: Corby D. Thompson

STATE OF Indiana )  
 ) SS:  
COUNTY OF Hamilton )

Before me, a Notary Public in and for said County and State, personally appeared Corby D. Thompson, an owner of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this  
15<sup>TH</sup> day of December, 20 23

  
\_\_\_\_\_  
Notary Public

Michelle D. Bruce  
\_\_\_\_\_  
Printed Name of Notary Public

My Commission expires: 10/16/2024

My County of residence: Hamilton

NP0690045

Michelle D. Bruce  
Notary Public  
Seal

State of Indiana, Hamilton County  
My Commission Expires 10/16/2024

I affirm under the penalties for perjury, that I have taken reasonable care to read each page of this document unless required by law. Timothy E. Ochs

This instrument was prepared by Timothy E. Ochs, Ice Miller LLP, One American Square, Suite 2900, Indianapolis, IN 46282-0200, Telephone 317-236-2100.

**Exhibit A**  
**Legal Description**

**Finch Creek (ALL PROPERTY INCLUDED)**

**Overall As-Surveyed Land Description**

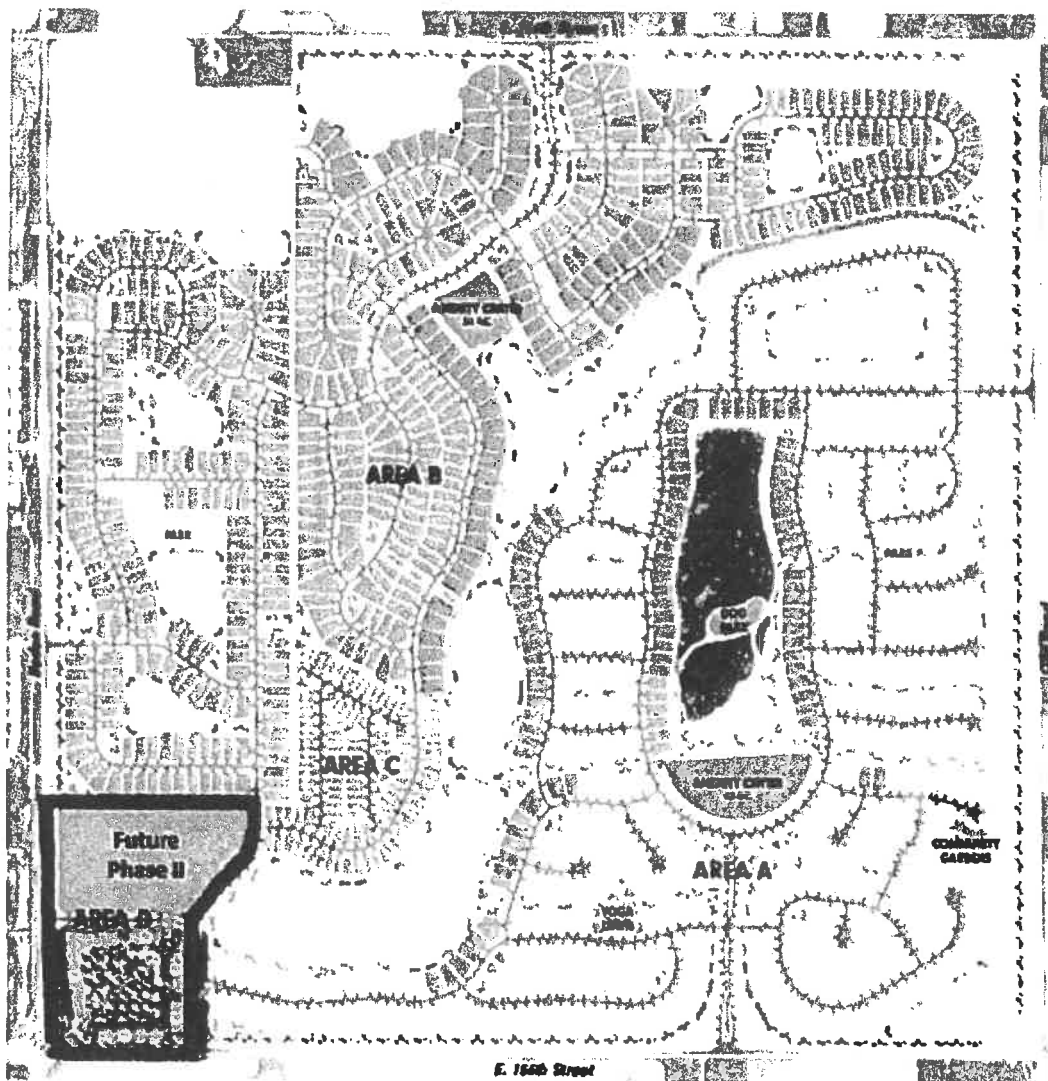
All of the Northeast Quarter, all of the Southeast Quarter, part of the Southwest Quarter, and part of the Northwest Quarter, all in Section 11, Township 18 North, Range 5 East of the Second Principal Meridian, Wayne Township, Hamilton County, Indiana, based on a survey prepared by Michael G. Judt, Professional Surveyor #21500017, HWC Engineering Job #2017-266, more particularly described as follows:

**BEGINNING** at the northeast corner of said Northeast Quarter, marked by a Harrison monument; thence South 00 degrees 17 minutes 15 seconds East (grid bearing, Indiana State Plane East Zone, NAD 83(2011) EPOCH 2010.0000) along the east line of said Northeast Quarter a distance of 2649.90 feet to the northeast corner of said Southeast Quarter, marked by a Harrison monument; thence South 00 degrees 26 minutes 38 seconds East along the east line of said Southeast Quarter a distance of 2656.66 feet to the southeast corner of said Southeast Quarter, marked by a Harrison monument; thence South 89 degrees 47 minutes 37 seconds West along the south line of said Southeast Quarter a distance of 2622.52 feet to the southeast corner of said Southwest Quarter, marked by a Harrison monument; thence South 89 degrees 44 minutes 48 seconds West along the south line of said Southwest Quarter a distance of 2128.93 feet to the southeast corner of a tract of land described in Instrument #2022002052 in the Office of the Recorder of Hamilton County, Indiana, the following six (6) courses being along the east and north lines of said tract; (1) thence North 00 degrees 15 minutes 14 seconds West a distance of 50.00 feet; (2) thence South 89 degrees 44 minutes 46 seconds West a distance of 285.00 feet; (3) thence North 40 degrees 11 minutes 51 seconds West a distance of 116.38 feet; (4) thence North 08 degrees 09 minutes 56 seconds West a distance of 393.86 feet; (5) thence North 00 degrees 08 minutes 18 seconds West a distance of 90.00 feet; (6) thence South 89 degrees 51 minutes 42 seconds West a distance of 70.00 feet to the west line of said Southwest Quarter; thence North 00 degrees 08 minutes 18 seconds West along said west line a distance of 2044.83 feet to the southwest corner of said Northwest Quarter, marked by a Harrison monument; thence North 89 degrees 58 minutes 26 seconds East along the south line of said Northwest Quarter a distance of 70.00 feet to the southeast corner of a tract of land described in Instrument Number 2018013708 in said Recorder's Office; thence North 00 degrees 13 minutes 28 seconds West along the east line of said tract a distance of 1662.65 feet; thence South 89 degrees 59 minutes 39 seconds East a distance of 1235.30 feet to the west line of the East half of said Northwest



Quarter; thence North 00 degrees 15 minutes 13 seconds West along said west line a distance of 1001.14 feet to the north line of said Northwest Quarter; thence South 89 degrees 59 minutes 43 seconds East along said north line a distance of 1304.80 feet to the northwest corner of said Northeast Quarter, marked by a Harrison monument; thence South 89 degrees 59 minutes 27 seconds East along the north line of said Northeast Quarter a distance of 2609.80 feet to the POINT OF BEGINNING, containing 603.189 acres, more or less.

Exhibit B  
Depiction of Area D



2024006407 AFFM \$25.00  
02/27/2024 10:20:16AM 1 PGS  
Trini Beaver  
Hamilton County Recorder IN  
Recorded as Presented

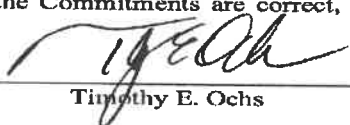


AMM

CROSS-REFERENCE: Instrument No. 2023047755

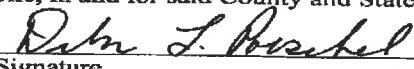
**AFFIDAVIT OF SCRIVENER'S ERROR**

The undersigned, Timothy E. Ochs, being duly sworn states that he was the Scrivener of that certain Statement of Commitments, dated December 20, 2023, and recorded in the office of the Recorder of Hamilton County, Indiana on December 21, 2023, as Instrument No. 2023047755 (the "Commitments"). The undersigned states the second reference to "Ordinance # 38-10-23" was a scrivener's error, and the reference should have been to "Ordinance # 39-10-23". The undersigned further states that all other references in the Commitments are correct, including the first reference to "Ordinance #38-10-23."

  
\_\_\_\_\_  
Timothy E. Ochs

STATE OF INDIANA )  
COUNTY OF MARION ) SS:

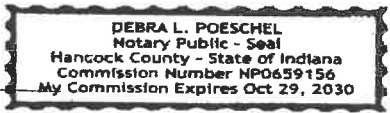
Subscribed and sworn to before me, a Notary Public, in and for said County and State, this 26<sup>th</sup> day of February, 2024.

  
\_\_\_\_\_  
Signature

Debra L. Poeschel  
Printed Notary Public

My Commission Expires:  
Oct. 29, 2030

County of Residence:  
Hancock



This instrument was prepared by Timothy E. Ochs, Attorney, Ice Miller LLP, One American Square, Suite 2900, Indianapolis, Indiana 46282; Telephone: (317) 236-2100.

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. Timothy E. Ochs