# ORDINANCE NUMBER 13-24

## AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 – LAND USE CONTROLS

This is a Planned Unit Development District Ordinance (to be known as the "**CHATHAM HILLS PUD DISTRICT**") to amend the Westfield-Washington Zoning Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Zoning Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

**WHEREAS,** the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Zoning Ordinance;

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1311-PUD-11**), requesting an amendment to the Zoning Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

**WHEREAS,** the Commission forwarded **Petition No**. **1311-PUD-11** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____recommendation in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

**WHEREAS**, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2013;

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

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Zoning Ordinance and Zoning Map are hereby amended as follows:

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**Section 1.** **Applicability of Ordinance.**

1.1 The Zoning Ordinance is hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Chatham Hills PUD District**" (the "District").

1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Zoning Ordinance as set forth herein, unless specifically modified by the terms of this Ordinance.

1.3 All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

**Section 2.** **District Intent.** Nestled among tree-adorned rolling hills and meandering creeks, Chatham Hills emerges—unlike any terrain familiar to Central Indiana. This is a special place, carved out by Mother Nature herself. Chatham Hills has a story, many stories in fact, filled with history and preserved land. This land has been passed down for seven generations, originally purchased as part of the Northwest Territory. Indiana's beloved poet James Whitcomb Riley recited stories in fireside readings, children explored the creeks and hills, families farmed the fields, and memories have been made around fire pits tucked beneath the tree canopies. It seems like a world away, but it has been here, in Westfield, all along. Residents of the District and members of the club alike will be able to enjoy the natural surroundings, with miles of nature trails, paths and parks, as well as enjoy an all-encompassing, active lifestyle featuring a Pete Dye-designed 18-hole championship golf course, a 9-hole executive par-3 course, tennis, swimming, casual dining and community involvement, as well as businesses along US Highway 31. Chatham Hills invites one to create, reinvent, and live their story—to share with generations to come.

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

3.1 Architectural Review Committee (ARC): The committee as set forth in Sections 20 and 21 of this Ordinance. The ARC is not a committee of the City of Westfield or any other related governmental entity.

3.2 Building Height: Building height shall be measured from (i) the average ground level at the foundation of the building facing the street (ii) to the highest point of the roof for a flat roof; to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs. Chimneys, elevators, tanks and other similar structures shall not be included in calculating heights.

3.3 Chatham Hills: District's name pertaining to the Real Estate and may be used interchangeable with "The Club at Chatham Hills," "Chatham Hills Club," or a similar variation as determined by the Master Developer or its assigns.

3.4 Character Exhibit(s). The illustrative exhibits attached hereto and incorporated by reference as **Exhibit D** through **Exhibit H**. The exhibits are a compilation of images designed to capture the intended quality of structures to be constructed in the District. Although the exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of structures that are permitted to be constructed and that contribute to the District's intent and vision. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.

3.5 Color Package: A combination of the color of the following exterior elements of a building: the primary siding, brick or stone, the trim, and an optional accent color (e.g. board/batten, shake).

~~3.5~~3.6 Community Garden: Land designated within a subdivision common area for use by residents of the District for the growing of plants, including fruits, vegetables and flowers. These areas may be segmented off for use by designated individual residents.

~~3.6~~3.7 Conceptual Plan: The plan attached hereto and incorporated herein by reference as **Exhibit B**.

~~3.7~~3.8 Developer: Any individual, corporation, partnership or entity engaged in the improvement of a parcel of land or construction of a building within the District.

~~3.8~~3.9 Developer, Master: Chatham Oaks, LLP, until such time as it transfers, or assigns, in writing its rights as Master Development. Such rights may be transferred by the Master Development, in its sole discretion, in whole or in part, but only by written instrument signed by the Master Developer. A copy of any executed transfer shall be provided to the Department.

~~3.9~~3.10 Development Amenities: Community features that provide comfort, convenience, pleasure, and increased quality of life within the District which may include, but are not limited to: the Clubhouse, Golf Course and Club, Trails, Farmstead, lakes and aquatic recreation, non-motorized lake recreation and rentals, parks, shared common area, private or public dog parks, gyms or fitness facilities, community event barns, basketball courts, ball-fields (soccer, football, etc.), disc golf course, outdoor tented patio, theater facility; restaurant and dining, outdoor grill area, equestrian trails and stables; picnic or barbecue areas or pavilions, playgrounds, tree houses, sand volleyball courts, bocce, outdoor yoga terrace and racquetball courts, and other similar uses as determined by the Director.

~~3.10~~3.11 District Area: A discrete geographic area within the District, as identified on the Conceptual Plan. The District contains two (2) District Areas: Area I: Residential Districts and Area II: Mixed Use District. The size, dimension, and

acreage of subareas within Area I: Residential Districts may be increased or decreased by up to fifteen percent (15%) as long as the gross number of residential dwelling units does not exceed the maximum permitted by this Ordinance.

~~3.11~~3.12 Entertainment Facility, Commercial: A commercial use conducted for profit and open to the general public that offers active recreational opportunities and is predominantly conducted in enclosed or screened facilities. Commercial Recreation Facilities may include, but are not limited to: performance training facility, miniature golf, ice skating rink or cooking school.

~~3.12~~3.13 Farmstead Uses: The uses of the land that include existing or future improvements for an active and operational farm, processing, packaging, merchandising, sale and distribution of beverage and food items on-site and off-site, including but not limited to dairy, herbs and spices, vineyard or brewery for production/sale of spirits, wine or beer, produce or creamery. Uses may also entail private gardens or gardening plots, co-operative garden or farm for picking produce, animal interaction (i.e. pony rides, petting zoo), educational experiences or tours, indoor/outdoor dining, grilling or tasting rooms. Farmstead may comprise a main building for customer interaction or offices, as well as ancillary buildings or barns for storage, operations, warehousing, distribution, refrigeration, animals or other related operations, including equestrian riding academies and stables or petting zoos, dairy bars, drive-in restaurants, food bars, burger stands, hot dog stands, lunch bars, and refreshment stands are permitted, as well as diners, dining rooms, grills, lunch counters, pizza parlors, pizzerias, restaurants, soda fountains, submarine sandwich shops, delicatessen, ice cream parlors, frozen custard stands, bakeries, coffee shops or coffee cafes, and tea rooms.

~~3.13~~3.14 Frontage Place: A permanent public or private way situated parallel to a District II street or a boulevard in order to provide access to one or more lots.

~~3.14~~3.15 Golf Course and Club Uses: (collectively, "Golf Course Uses") Land comprising a public or privately owned golf course and club facilities, together with its related ancillary and accessory uses, improvements, and structures, catering to patrons of the facility, rather than the general public. Facilities include, but are not limited to:

A. Golf Course: The eighteen (18) hole championship golf course, the nine (9) hole executive golf course, including all elements of the course (i.e. fairways and surrounding corridors, greens, tee boxes, bunkers, hazards, natural features (i.e. creeks, woods, lakes)), common areas, restrooms or park pavilions, bridges, pathways, practice facility, driving range, short game area, instructional area, cart paths, golf bag storage and drop-off, golf cart parking and golf cart use on cart paths, golf cart-related services (indoor/outdoor storage, rental, service, sales, cleaning, re-fueling/charging, maintenance).

B. Clubhouse(s): The main building or accessory pavilions comprising welcome center or sales offices, indoor/outdoor fitness and training facilities, practice areas, private or group training or instruction, simulation or technology, retail sales, meeting space, event facilities and rental, locker rooms, spa, dog washing station, babysitting/daycare, cooking instruction, professional offices, club rental/service or sales, concession stands on the course, food and beverage services/sales and associated business uses, snack bars, private bars, coffee bars, catering, commissary, instructional schools, outdoor/terrace dining and grilling, score and leader boards.

C. Recreational Facilities: Tennis and paddle tennis courts, indoor or outdoor swimming pools, recreational practice fields, basketball or racquetball courts, outdoor sand volleyball, playgrounds, cart paths, Development Amenities, Trails, outdoor event/tent facility, picnic pavilions, outdoor fire pits, small amphitheater or outdoor movie screen, tree house and security house.

D. Maintenance Facilities: Repair and storage facilities primarily for the maintenance and repair of golf carts and other related equipment for the course and facilities, pump house, maintenance facilities, barns, sheds and related buildings, outdoor storage, equipment repair/refueling/cleaning, public address/storm signaling system, solar or alternative energy panels, small warehouses or barns for indoor storage of maintenance or construction equipment and shall be consistent with overall design theme and may be included in the Clubhouse or may be separate structure(s);

E. Food and Beverage Uses: Dairy bars, food bars, burger stands, hot dog stands, lunch bars, and refreshment stands are permitted as well as diners, dining rooms, grills, lunch counters, pizza parlors, pizzerias, restaurants, soda fountains, submarine sandwich shops, delicatessen, ice cream parlors, frozen custard stands, bakeries, brewery or vineyard, coffee shops or coffee cafes and tea rooms as well as temporary food trucks or mobile concession carts.

~~3.15~~3.16 Lindley House: The historical, red-brick home located south of the Red Barn, as identified and depicted on the exhibit attached hereto as **Exhibit C**.

~~3.16~~3.17 Lot Frontage: The length of the Front Lot Line.

~~3.17~~3.18 Lot Line: The property line bounding a Lot.

~~3.18~~3.19 Lot Line, Front: A Lot Line abutting a public or private street, or an access easement if approved by the Department in coordination with the Fire Department. A Through Lot and Corner Lot will have multiple Front Lot Lines and Front Yards.

~~3.19~~3.20 Herein: Shall mean and refer to the entirety of, and anywhere within, this

PUD, and shall not be restricted to a particular paragraph or section in which "herein" appears.

~~3.20~~3.21 Masonry: Shall include brick, limestone, natural stone, cultured stone, or a combination of the same, bonded together with a mortar to form a wall, buttress, or similar mass.

~~3.21~~3.22 Monon Trail: The trail that will be extended through the District by the City, as depicted on the City's Alternative Transportation Plan, and as generally labeled on the Conceptual Plan.

~~3.22~~3.23 Open Space (or Green Space): Land used for recreation, resource protection, amenity, and/or screening. Open Space may include Natural Areas, Golf Course Uses, Parks, Development Amenities, Recreational Facilities, Farmstead Uses (only those areas maintained as a Development Amenity for residents of the District), Trails, detention and retention areas, wetlands, and buffer yards. Open Space does not include rights-of-way, medians in rights-of-way or any area of land included on a Lot used for another primary use.

~~3.23~~3.24 Red Barn: The barn located along US31 as identified and depicted on the exhibit attached hereto as **Exhibit C**.

~~3.24~~3.25 Street, External: Tomlinson Road, 199th Street, Cox Avenue, 203rd Street, Horton Road, 206th Street, Oak Ridge Road, Lindley Farm Road and US31.

~~3.25~~3.26 Street, Internal: A public or private street or shared drive other than an External Street.

~~3.26~~3.27 Trails: Any pedestrian or nature trail, that may be paved or maintained in a natural state (e.g., gravel, rock or mulch), used by pedestrians, hikers, cyclists, pets, golf carts or other fitness or golf-related equipment throughout the District. A trail may: (i) be private (including gated or secured) or public, (ii) be permitted in non-vehicular areas (i.e. woods), (iii) comprise or feature elevated ropes/obstacle or fitness courses, tree houses, dog washing station, educational or historical themes; and (iv) include ancillary uses such as trail heads, restrooms, pump houses, signage, bike racks.

~~3.27~~3.28 Underlying Zoning District: The Zoning District of the Zoning Ordinance that shall govern the development of the District and its various subareas, as set forth in this Ordinance.

**Section 4.** **District Areas.** The District is hereby divided into areas and further divided into subareas, as set forth below and illustrated on the Conceptual Plan. Development of each District area shall be regulated as set forth in this Ordinance:

4.1 **District I: Residential Districts**: This area is intended for detached single family residential, Golf Course and Club Uses, Farmstead, Development

Amenities, and limited attached residential uses, as generally shown on the Conceptual Plan, and as further regulated by this Ordinance.

4.2 **District II: Mixed-Use Area**: This area is intended for commercial, retail, office, attached or detached and multi-family residential, Farmstead Uses, Golf Course and Club Uses, Lindley House, Red Barn and Development Amenities.

**Section 5.** **Conceptual Plan.** The Conceptual Plan provides a general vision for the development of the District which illustrates one possible layout of internal drives, uses, green space, thoroughfares, and buildings that are permitted by this Ordinance. The Conceptual Plan is only conceptual. The final layouts and sites plans shall be subject to the terms and conditions of this Ordinance and may vary from the Conceptual Plan.

**Section 6.** **Underlying Zoning Districts.** Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning Ordinance applicable to the Underlying Zoning District, as set forth below, shall apply. Section (*"WC §"*) cross-references of this Ordinance shall hereafter refer to the Section as specified and referenced in the Zoning Ordinance.

6.1 District I: Residential Districts: The Underlying Zoning District for District I: Residential Districts shall be the SF4 – Single Family Residential District.

A. Farmstead Uses in District I: If property within District I is maintained and/or developed for Farmstead Uses, as set forth in this Ordinance, and is maintained as a Development Amenity for residents of the District, then the Underlying Zoning District for that portion of District I shall also be the SF4 – Single Family Residential District; however, if Farmstead Uses (or a portion thereof) are not maintained as a Development Amenity ~~or developed~~ for ~~patrons other than~~ residents of the District, then the ~~Underlying Zoning District for that portion of District I shall be the~~ GB – General Business District standards, as modified herein, shall apply to the development of that area of the Farmstead Use.

6.2 District II: Mixed-Use District:

A. Non-Residential Uses: If property within District II is developed for non-residential uses or mixed-use buildings, then the Underlying Zoning District for that portion of District II shall be the GB – General Business District.

B. Multi-Family Uses: If property within District II is developed for multi-family residential uses, as set forth in this Ordinance, then the Underlying Zoning District for that portion of District II shall be MF2 – Multi-family District.

C. Residential Uses in District II: If property within District II is developed for single family residential uses, then the Underlying Zoning District for that portion of District II shall be the SF4 – Single Family Residential District.

**Section 7.** **Permitted Uses.** The uses permitted in each District Area shall be as set forth below.

7.1 All uses permitted in the Underlying Zoning District shall be permitted in their respective District Area.

7.2 Additional District I Uses: The following additional uses shall be permitted within District I:

A. Development Amenities;

B. Golf Course and Club Uses;

C. Farmstead Uses;

D. Model dwellings, design centers and sales offices therein and temporary trailers from which lot and dwelling sales activities may be conducted with outside sales persons;

E. Tents, pavilions, patios and related equipment or displays (e.g., leaderboards) which are ancillary uses ~~Temporary uses and related equipment (e.g., tents), which shall be deemed permanent, ancillary uses~~ to the Golf Course and Club Uses (e.g., weddings, social events, golf demonstration or training tents) or Farmstead Uses (e.g., agricultural product sales tent), shall be deemed permanent as an ongoing ancillary use to existing operations and~~, which~~ shall not require a temporary use permit, unless otherwise determined by the Director due to the unique nature and/or scale of a proposed temporary use or event;

F. Bed and Breakfasts/Inns, together with incidental or accessory conference and food, subject to the quantity limitations specified herein;

G. Home occupations per the terms and conditions of the Zoning Ordinance with the following additional restrictions: (i) home garage sales shall not exceed one (1) day per year, (ii) home-based schools shall be limited to eight (8) or less full-time or part-time students, including residents of the home, (iii) personal motor vehicle sales are prohibited and (iv) professional offices of a technology-related service, interior design or graphic design shall be permitted; and

H. Wireless Communication Service Facilities shall be permitted as a Special Exception in accordance with the Zoning Ordinance.

7.3 Additional District II Uses: The following additional uses shall be permitted within District II:

A. All uses permitted in District I;

B. Multi-family dwellings;

C. Mixed-use buildings (residential located above the ground floor of any building where the main floor is used for non-residential purposes);

D. Assisted living facilities;

E. Boat and trailer sales and service for non-motorized watercrafts (e.g., kayaks, paddle boats) without outdoor storage or display;

F. Home design center (including related general offices and showroom(s));

G. Kennel with outdoor runs may be permitted only as a Special Exception, complying with Zoning Ordinance standards and any conditions otherwise imposed by the Board of Zoning Appeals;

H. Brewery or vineyard (including the production, sale and consumption of alcohol (and gross sales from food sales may be less than 50%) and tasting room);

I. One (1) automobile service station (e.g., tire and auto service center, ~~including~~ car wash)~~,~~ or fuel/gas station (e.g., the sale of gasoline and other automotive petroleum products and retail consumer goods) shall be permitted. Body work and major mechanical services are prohibited; however, routine maintenance shall be permitted~~. All service bays shall face interior parking~~;

J. Entertainment Facility, Commercial.

7.4 District II Prohibited Uses: The following uses shall be prohibited in District II:

A. Outdoor storage;

B. Outdoor display (except as otherwise specifically permitted herein);

C. The following uses that would otherwise be permitted in District II by the Underlying Zoning District shall be prohibited: auto sales; exterminators; motorcycle sales; motorcycle service or repair;

~~B.~~D. Any business that would emit a foul-smelling by-product, gas, smoke or other unpleasant smell or sound; and

~~C.~~E. Any building or structure that would compromise the views, residential and golf experience in District I.

**Section 8.** **General Regulations.** The regulations of the Underlying Zoning District shall apply to the development of the District.

8.1 The US Highway 31 Overlay Zone (*WC § 16.04.070*) shall not apply to the Real Estate.

**Section 9.** **Bulk and Density Standards.** The regulations of the Underlying Zoning District shall apply, except as otherwise provided below.

9.1 Single-family Detached Residential Uses: The standards of the Underlying Zoning District, as set forth herein, shall apply to all single-family residential uses in the District, except as otherwise set forth below. The District subarea standard to apply to a specific area of the Real Estate shall be determined by the Developer at the time of the primary plat for that particular area of the Real Estate.

| District Subarea | Minimum Lot | | | Minimum Setbacks | | | | Max. Bldg. Height[1] | Maximum Number of Dwelling Units in Subarea[2] |
|---|---|---|---|---|---|---|---|---|---|
| | Width | Lot Frontage | Area (SF) | Front | Side | Rear | Building Separation | | |
| **1-A** | 150’ | 30’ | 20,000 | 25’ | 8’ | 30’ | 16’~~20’~~ | 45’ | 1,500 |
| **1-B** | 120’ | 30’ | 15,000 | 25’ | 8’ | 30’ | 16’~~20’~~ | 45’ | 1,500 |
| **1-C** | 110’ | 30’ | 12,500 | 25’ | 8’ | 30’ | 16’~~20~~’ | 45’ | 1,500 |
| **1-D** | 105’ | 30’ | 12,500 | 25’ | 8’ | 30’ | 16’~~20’~~ | 45’ | 1,500 |
| **1-E** | 90’ | 30’ | 10,000 | 25’ | 8’ | 25’ | 16’~~20’~~ | 40’ | 1,500 |
| **1-F** | 80’ | 25’ | 10,000 | 25’ | 8’ | 25’ | 16’ | 40’ | 975 |
| **1-G** | 70’ | 20’ | 7,750 | 20’ | 5’ | 10’ | 10’ | 35’ | 750 |
| **1-H** | 65’ | 20’ | 7,750 | 20’ | 5’ | 10’ | 10’ | 35’ | 600 |
| **1-I** | 60’ | 20’ | 7,500 | 20’ | 5’ | 10’ | 10’ | 35’ | 600 |

[1] The clubhouse and similar or ancillary Golf Course Use and Development Amenity buildings shall not exceed fifty-five (55’) in height.
[2] However, pursuant to Section 9.5, in no case shall the total number of dwelling units in District I exceed 1,500 dwelling units.

9.2 Single-family Attached Residential Uses: The standards of the Underlying Zoning District shall apply to attached residential uses, except as otherwise set forth below:

| Attached Residential Type | Minimum Building Setbacks | | | | Minimum Dwelling Unit Size (SF) | Maximum Density | Max. Bldg. Height[3] |
|---|---|---|---|---|---|---|---|
| | Private Street | Public Street | Garage from Street | Building Separation | | | |
| **Duplex** | 10’ | 20’ | 20’ | 12’ | 1,500 | 6 du/acre | 50’ |
| **Triplex** | 10’ | 20’ | 20’ | 12’ | 1,500 | 10 du/acre | 50’ |
| **Quadraplex** | 10’ | 20’ | 20’ | 12’ | 1,500 | 10 du/acre | 50’ |
| **Townhome** | 10’ | 20’ | 20’ | 12’ | 1,200 | 12 du/acre | 50’[4] |
| **Condo-minimum** | 10’ | 20’ | 20’ | 12’ | 1,200 | 12 du/acre | 50’ |

9.3 ~~District II~~ Nonresidential and Mixed-Uses: The standards of the Underlying Zoning District shall apply to mixed and nonresidential uses, except as otherwise set forth below:

A. Minimum Lot Area: No minimum.

B. Maximum Square Footage for a Single Retail Tenant: 30,000 square feet

~~B.~~C. Minimum Lot Width at Building Line: Fifty (50) feet

~~C.~~D. Minimum Lot Depth: None

~~D.~~E. Minimum Lot Frontage on Road: No minimum; however, direct or indirect (e.g., access easement, private street) access to a public right-of-way shall be required.

~~E.~~F. Minimum Setback Lines:

i. US 31 Frontage Road: Thirty (30) feet~~ from US31~~; however, this setback may be decreased by the Director or the Plan Commission to ensure a consistent streetscape with existing buildings (e.g., Lindley Home, Red Barn).

ii. All other streets: Twenty (20) feet

iii. Side Yard: No minimum

iv. Rear Yard: Twenty (20) feet, unless abutting a

[3] The clubhouse and similar or ancillary Golf Course Use and Development Amenity buildings shall not exceed fifty-five (55’) in height.
[4] In no case shall a Townhome exceed three (3) stories in height.

shared parking area, in which case no setback is required

~~F.~~G. Maximum Building Height: Sixty (60) feet

~~G.~~H. Maximum Impervious Surface: ~~One Hundred~~Ninety Percent (~~100~~90%)

9.4 District II Multi-family Uses: The standards of the Underlying Zoning District shall apply to multi-family uses, except as otherwise set forth below:

A. Maximum Number of Dwelling Units per Structure: ~~Thirty six (36)~~Twenty-four (24) units.

B. Minimum Square Footage per Dwelling Unit (excluding porches, terraces, garage and carport): Six hundred and fifty (650) square feet.

C. Minimum Setback: Ten (10) feet from all internal driveways and parking and parking areas.

D. Minimum Distance between Structures: Twenty (20) feet

9.5 Maximum Density:

A. District I: The maximum number of single-family residential dwellings within an individual subarea of District I shall be as set forth in Section 9.1 of this Ordinance; however, in no case shall the number of single family residential dwellings in District I exceed one thousand five hundred (1500) dwelling units.

B. District II: The maximum number of dwelling units within District II shall not collectively exceed five hundred (500) for the following: (i) detached ~~or attached~~ single family dwellings; (ii) attached single family dwellings; and (iii) Apartments, Bed and Breakfast rooms.

C. District II Multi-family Uses: The maximum number of multi-family dwellings shall not exceed three hundred and fifty (350) dwelling units and a gross density of ~~thirty six (36)~~twenty-four (24) dwelling units per acre.

D. Assisted Living Facility: Units within an Assisted Living Facility shall not be considered dwelling units for purposes of calculating density within the District.

9.6 Variations: The Plan Commission may approve a fifteen percent (15%) reduction in any minimum development standard or fifteen percent (15%) increase in any maximum development standard specified in this Section, excluding maximum density standards.

**Section 10.** **Off-Street Loading and Parking.** The parking and loading standards of the Zoning Ordinance (*WC § 16.04.120*) shall apply, except as provided below:

10.1 District II: Required parking may be provided as on-street (subject to approval by the Department of Public Works) and/or off-street parking spaces. Parking spaces immediately adjacent to the frontage of a building adjacent to Internal Streets, with parking bays, shall be included in the required parking calculation. Minimum parking spaces accessory to designated uses shall be provided as follows:

A. Office Uses: Two (2) parking spaces for each one-thousand (1,000) square feet of floor area.

B. Retail Uses: Three (3) parking spaces for each one thousand (1,000) square feet of floor area, provided, however, that in no case shall any individual tenant or owner provide less than five (5) parking spaces.

C. Inn or Bed and Breakfast: One (1) parking space for each rental sleeping unit. If, in addition to sleeping units, there are other accessory uses located within or operated in conjunction with the inn or Bed and Breakfast, additional parking spaces, calculated based upon the parking requirements for that specific use, shall be provided.

D. Apartments: One (1) parking space for each Dwelling Unit and two (2) parking spaces for Dwelling Units with two (2) or more bedrooms.

10.2 Golf Cart Parking: When applicable and approved by the Master Developer, parking spaces for golf carts may be included in the overall parking lot plan.

10.3 Location: All loading and off-street parking areas shall be in rear yard or side yards and shall be screened as set forth herein; however, parking shall be permitted to exist in front yards of buildings located partially or wholly within or along Golf Course Uses, (so as to prevent any parking visible or bordering the Golf Course) or Farmstead Uses (so as to enable farming operations or farmland to be located in rear yards of related buildings). Any parking areas located in an established front yard shall be required to be screened from the right-of-way in accordance with the Zoning Ordinance for Perimeter Parking Lot Landscaping (*WC § 16.04.070(B)*).

10.4 Drive-through Facilities: All drive-through facilities shall be restricted to rear or side yards only and shall be screened as set forth herein. Drive-through facilities located in a side yard shall be limited to one (1) lane and facilities in a rear yard shall be limited to two (2) lanes; however, financial institutions may have up to four (4) lanes. Any drive-through facilities located in yards adjacent to a residential use shall be screened from the residential use in accordance with the Zoning Ordinance for Perimeter Parking Lot Landscaping (*WC § 16.04.070(B)*) and any buffer yard otherwise required herein.

10.5 Parking Surface: Parking lots may include limited grass, rock, gravel or other natural (i.e. mulch) parking surfaces, if at the Master Developer's discretion, such surfaces are consistent with: (i) the District's environmental preservation intent; (ii) the dining type; and (iii) the District's development theme. Unpaved or temporary parking areas shall not require interior parking lot landscaping. Such areas shall be delineated and reviewed as part of a Lot's Development Plan approval and shall be subject to review and approval by the Department of Public Works to ensure appropriate erosion control and drainage measures are in place. Cement wheel stops shall not be required in parking lots of Golf Course and Clubhouse Uses or Development Amenities

10.6 Loading Berths: Loading berths shall comply with the Zoning Ordinance (*WC § 16.04.120* and *WC § 16.06.040(I)*). In addition, the following shall apply:

A. Loading berths shall be oriented in a manner so that they are not visible from the US 31 Frontage Road.

B. Loading berths shall be oriented in a manner that minimizes their visibility from all other public rights-of-way and adjacent residential uses.

C. The use of loading berth enclosures shall be utilized where appropriate in order to accomplish the design objectives set forth above.

D. Loading berths shall comply with the following standards:

i. All loading berths shall be adjacent to the primary structure and shall be located entirely within the side or rear yards of lots.

ii. Loading berths shall be screened, to the extent reasonably necessary to accomplish the design objectives set forth above by installing solid, opaque walls or fences. Special attention shall be given to minimize the visibility of loading berths from adjacent properties or rights-of-way.

iii. A chain link fence or a variation of a chain link fence shall not constitute an acceptable screen.

iv. Loading berth walls or fences shall be softened by installing the following landscaping materials adjacent to such screens, except no landscaping shall be required where access/delivery doors or gates are present: (i) ornamental or evergreen tree every 30 feet; and (ii) 5 shrubs every 30 feet.

10.7 Bicycle parking:

A. Number of Spaces: A minimum of one (1) bicycle parking space shall be provided per thirty (30) vehicular parking spaces. No more than fifteen (15) bicycle parking spaces shall be required for any principal building.

B. Proximity to Principal Structure: The bicycle parking spaces shall be located in close proximity to a main entryway into the principal building or be located inside the principal building.

C. Rack Requirement: A bicycle rack shall be installed on a hard dustless surface that allows the parking structure to be securely fastened to the ground and that secures the bicycles.

D. Pedestrian Ways: Bicycle parking areas shall be designed such that when in use, the bicycles shall not obstruct an adjacent sidewalk, path, or other pedestrian way and located to provide a minimum of five (5) feet of clearance behind the bicycle to allow for room to maneuver.

E. Exemptions: Single-Family Residential Dwellings and Attached Residential Dwellings shall be exempt from this section. In addition, the Plan Commission or Director may exempt certain uses from this section where it can be clearly demonstrated that the use is not a destination for the general public utilizing bicycles (e.g., day care centers, drive up establishments, and other auto-oriented uses as determined by the Director).

**Section 11.** **Landscaping and Screening.** The District's landscaping and screening shall comply with the Zoning Ordinance (*WC § 16.06)*, except as otherwise provided below.

11.1 Preservation of Trees: The Developer shall only be required to provide a tree inventory for those trees of which tree preservation credits are being requested by the Developer; provided, however, that tree stands shall be generally outlined on any Development Plan.

11.2 Installation of Landscaping: The installation of landscaping required by this Ordinance may be delayed, at the Director's determination, due to: (i) periods of adverse weather; (ii) availability of plant material; (iii) conflicts between construction scheduling (e.g., Golf Course construction, completion of Development Amenities or infrastructure) and proper planting conditions; and/or (iv) if required landscaping is dependent on tree preservation credits to be further determined (e.g., from the Golf Course).

11.3 Road Frontage Standards: The road frontage landscaping requirements of the Zoning Ordinance (*WC § 16.06.050*) shall apply; however, it shall not apply along Golf Course areas adjoining or located along Internal or External Streets.

11.4 Buffer Yards: The buffer yard requirements of the Zoning Ordinance (*WC § 16.06.060*) shall apply, except as provided below:

A. Buffer yards shall not be required along Golf Course areas adjoining or located along Internal or External Streets.

B. Buffer yards shall not be required between District Areas and shall not be required adjacent to Development Amenities, except as otherwise required herein.

C. A minimum twenty (20) foot wide buffer yard shall be required between residential use(s) and any adjoining General Business (GB) District use. The buffer yard shall be landscaped in accordance with the Zoning Ordinance.

~~B.~~D. A minimum twenty (20) foot wide buffer yard shall be required between residential properties of the District and any adjacent property zoned the Agricultural/Single Family (AG-SF1) District. The buffer yard shall be landscaped in accordance with the Zoning Ordinance.

~~C.~~E. A Masonry wall or a combination of masonry and wood or iron fencing (which is entirely opaque and consistent with the design theme of other fencing or entrances in the District) may be substituted and replace any required ~~minimum forty (40) foot wide~~ buffer yard between uses or External Streets if said wall is: (i) a minimum height of six (6) feet; (ii) located within a minimum ten (10) foot wide easement, and (iii) supplemented with landscaping consistent with the Zoning Ordinance's requirement for the softening of walls and fences (*WC § 16.06.040(K)*).

~~D.~~F. ~~Wood privacy fencing may be placed in buffer yards adjacent to residential areas outside of the District, the Monon Trail, Farmstead Uses, surrounding Maintenance Facilities or other similar areas as determined by the Master Developer, and shall not exceed eight (8) feet in height.~~

**Section 12. Open Space and Amenity Standards.**

12.1 Natural Areas: The preservation of the natural landscape, terrain, topography and natural features of the Real Estate shall be preserved when possible and shall be a priority when constructing all residential, infrastructure, amenities and other aspects of the development.

12.2 Minimum Open Space: The District shall provide a minimum of twenty percent (20%) of the Real Estate to be set aside for Open Space, which shall replace and superseded any open space or green belt space requirement of the Zoning Ordinance. All ~~Green~~ Open Space in the District shall be owned by the Master Developer, unless otherwise approved and transferred by the Master Developer to an Owners' Association.

12.3 District Amenity Standards: The District may include, but shall not be limited to, the Development Amenities described herein.

A. Development Amenities shall be maintained and owned by the Master Developer, unless otherwise approved or assigned in writing by the Master Developer.

B. Development Amenities and privately owned common areas shall be made available to residents as determined and approved by Master Developer.

C. Multi-family amenities shall be provided in accordance with the Underlying Zoning District for any multi-family development; however, a maximum of two (2) amenities may be credited if access to the District's other Development Amenities ~~shared amenities in the District~~ is provided and approved by Master Developer.

**Section 13. Sign Standards.** The District's signs shall comply with the Zoning Ordinance (*WC § 16.08.010*), except as provided below:

13.1 Permitted Signs: The following additional signs shall be permitted:

A. Signs advertising construction projects shall not exceed seventy-five (75) square feet.

B. Decorative street signs and traffic control devices may differ from the City's standards if approved by the City's Department of Public Works and if it conforms to the Indiana Manual on Uniform Traffic Control Devices. Such signage and devices shall be consistent with the development theme and shall be installed at the expense of the Developer and maintained by the Owners' Association.

C. Electronic signage for Golf Course Uses shall be permitted to include scoring or leader board signage with manual or digital changeable copy area, which shall not be counted toward total sign display area square footage or towards total allotted sign area; scoring or leader boards shall be located in the rear or side yards and shall not be visible from public rights-of-way or adjoining residential properties. Outdoor televisions screens shall~~,~~ not be visible from public rights-of-way or adjoining residential properties, and shall not be considered signs.

D. Signs including the logo, trademark, directions and website for the District shall be permitted to be painted or placed in a similar aesthetic, to scale, on the front or side elevations or roof of the Red Barn and may include two (2) signs.

E. Message or announcement boards mounted to the Clubhouse or other Golf Course Use buildings or Development Amenities shall not count toward total allotted sign area and shall not be visible from public rights-of-way or adjoining residential properties.

F. ~~Ornamental banners, pennants or flags shall be permitted in parking lots or other areas in the District not visible from public rights-of-way of External Streets~~.

G. All signage may be illuminated ~~in an aesthetically pleasing manner~~and shall comply with the Lighting Standards of the Zoning Ordinance, as amended herein~~ that is not distracting from public rights-of-way or nearby residential properties~~.

H. All temporary or permanent signs related to tours or layout of the Golf Course or Amenities (i.e. hole numbers, description of area or directional signs for tours) shall not count towards allotted real estate signs.

13.2 Prohibited Signs: The following additional signs shall be prohibited:

A. Signs facing the Golf Course, Clubhouse or other Development Amenities except for way-finding, scoring or other informational purposes as approved by the Master Developer and otherwise permitted by this Ordinance.

B. Signs painted or mounted upon the exterior side or rear walls of any building or structure, except as otherwise permitted by this Ordinance.

C. ~~No signage (temporary or permanent) shall be permitted on the golf course side of a multi-family development or any building façade or yard, except for way-finding or regulatory signage consistent with the District~~.

13.3 Identification with the City of Westfield: Title signs shall comply with the Zoning Ordinance; however, for Golf Course Uses and residential subarea or use transition areas, identification with Westfield shall only be required at the entrances along External Streets.

13.4 Residential Signs: The following additional signs shall be permitted for residential subdivisions and shall not count against the permitted total Sign Area Allocation:

A. Two (2) entrance signs indicating the name of the development, the name of the residential section, subdivision and/or Development Amenity shall be permitted at each entrance and at each start of a particular section of the subdivision or area of the District. Each sign shall not exceed seventy-five (75) square feet.

13.5 District Identification Signs:

A. Monument Signs: Signs identifying the District shall be permitted at the intersections of: (i) 199th Street and Tomlinson Road; (ii) along Lindley Farm Road, just south of State Road 38; (iii) 203rd Street and Tomlinson Road; (iv) 206th Street and Horton Road; (v) along 206th Street at the Farmstead; and (vi) all planned or new entrances as determined by the Master Developer. Each sign shall be incorporated into a landscape feature, wall, fence or other decorative feature, as determined by the Director, and shall not exceed thirty-two (32) square feet in sign area.

B. Wall or Roof Signs: Signs may be painted on the roof or side of an existing building or structure (at the time of adoption of this Ordinance) shall be permitted (e.g., Red Barn, Farmstead). Such signs shall only include the District's name or logo and shall be scaled, preserved and integrated into the architectural character of the structure and the District's design theme. Such signs shall be a maximum of seventy-five (75) square feet.

**Section 14. Lighting Standards.** The District's lighting shall comply with the Zoning Ordinance (*WC § 16.07.010*) with the following exceptions:

14.1 Architectural lighting may be directed upward on Golf Course Use buildings for the softening of walls and entryways and shall be directed in a manner as to direct light away from residential adjacent property and public rights-of-way and shall otherwise comply with the lighting standards of the Zoning Ordinance.

14.2 Architectural lighting may be located below and directed upward or onto the surface(s) of the Red Barn or Lindley House and shall not be required to be shielded but shall be permitted for the softening of the buildings and to highlight architectural details and shall otherwise comply with the lighting standards of the Zoning Ordinance.

14.3 Dusk to Dawn Lights for Single-family Residential Uses: A light shall be installed on each home lot at a location, height, type, style and manufacturer approved by the Owners' Association Architectural Review Committee. The light may be either pole mounted in the front yard or attached as a carriage light to the residence. The light shall be equipped with a photo electrical cell or similar device to ensure automatic illumination from dusk to dawn and shall be maintained in proper working order by the owner of each lot. Illumination intensity for fixtures without shielding shall be limited to one hundred sixty (160) watts for incandescent bulbs or an equivalent illumination for other types of bulbs.

14.4 Decorative street lights may differ from the City's standards if approved by the Department of Public Works. Decorative street lights shall be consistent with the development theme and shall be installed at the expense of the Developer and maintained by the Owners' Association.

14.5 Real or faux gas lights may be used without shielding.

14.6 Lighting (e.g., pole lighting) of the Golf Course for playing a round of golf at night shall be prohibited (does not include lighting for pathways, security or practice areas).

## Section 15. Pedestrian and Bicycle Connectivity.

15.1 Pedestrian and bicycle access shall be provided throughout the District to permit and encourage pedestrian movement within the District and surrounding developments to: (i) provide an alternative for people to get where they are going without using their vehicles; (ii) provide a means for people to safely and practically get to local destinations; and (iii) provide for fitness and general recreational opportunities.

15.2 The District's pedestrian and bicycle network shall comply with the Zoning Ordinance and the City's construction standards, unless otherwise approved by the Department of Public Works. To the maximum extent practicable, land uses, amenities, parks, trails and other open spaces should be organized to create integrated systems of open space that connect both internal to the District and to development surrounding the District.

15.3 Golf carts shall be permitted on streets, Trails and amenities within the District. The operation of golf carts on public rights-of-way shall be subject to the City's Code of Ordinances (see Chapter 58-1), as amended, and any requirements of the Department of Public Works and Department of Parks and Recreation.

**Section 16.** **Single-Family Architectural and Streetscape Design Standards.** The procedures and regulations of *WC § 16.04.165 Development Plan Review* applicable to the Underlying Zoning District shall apply to detached and attached single family dwellings within the District, except as provided below:

~~16.1 Streetscape Design Standards:~~

~~A. Mailboxes. All mailboxes within any particular District subarea shall be uniform in design, coloring, lettering, and numbering.~~

~~B. Street Number. The number of the street address of each single family dwelling shall be placed on both the sing1e family dwelling and the mailbox for that single family dwelling. All such numbering shall be of uniform design, coloring, and numbering. The number attached to the single family dwelling shall be etched in stone, concrete, wood, iron or brass type plate or other material as approved by the ARC.~~

~~16.2 Architectural Design Standards:~~

~~16.3~~16.1 Character Exhibit. Character illustrations indicating conceptually the intended architecture, quality and appearance of single family detached homes are provided in the Character Exhibit, attached hereto as **Exhibit D**.

~~16.4~~16.2 Character Exhibit. Character illustrations indicating conceptually the intended architecture, quality and appearance of single family attached homes are provided in the Character Exhibit, attached hereto as **Exhibit E**.

~~16.5~~16.3 Design Elements. Design elements and detailing shall be continued completely around the structure. Such design elements shall include, but are not limited to, windows, window placement, roof overhangs, roof pitch, trim detailing, and exterior wall materials. The use of long, massive, unbroken exterior building walls shall be avoided. Multiple architectural elements (including but not limited to quoins, pilasters, solder courses, lintels, friezes, cornices, dentils, architraves, wood or fiber cement siding varieties or breaks) ~~may~~ shall be incorporated to achieve variation in terms of footprint and architectural elevations.

A. ~~Exterior Colors. Exterior color selection shall be submitted and approved by the ARC, prior to the application of a building permit to the City~~.

~~16.6~~16.4 Exterior Surfaces:

A. Aluminum and vinyl siding shall be prohibited; however, vinyl clad windows and soffits shall be permitted.

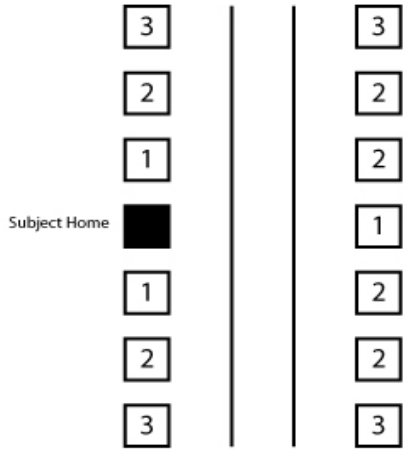
B. Permitted exterior materials shall include EIFS, synthetic stucco, cultured stone, brick, stone, wood, fiber cement siding or comparable materials. Masonry shall not be required; however, ~~but~~ a combination of exteriors

(i.e. patterns, textures, horizontal fiber cement siding and shake-shingle style fiber cement siding) shall be ~~encouraged~~required. If both EIFS and stucco are used, then a third exterior building material shall be incorporated.

~~16.7~~16.5 Windows and Architectural Breaks. Windows shall be provided on at least three (3) sides of the home; provided, however, that in the event a side façade does not have a window, then that facade shall have at least two (2) architectural breaks, such as a chimney or other corner break. The outermost corners of a building shall not be considered architectural breaks. All dwellings located along a right-of-way shall have windows on all facades visible from the right-of-way. Windows required herein shall be a minimum size of fifteen (15) square feet; or, windows less than fifteen (15) square feet each may meet this requirement if the collective size of multiple windows on a given facade is at least fifteen (15) square feet.

~~16.8~~16.6 Façade Variety Standards:

A. The following Façade Variety Standards shall apply to ensure variations in home elevations and in the overall streetscape of for single-family dwellings in the District:




**1** Homes shall be a different floor plan or model than subject home. At the time of the issuance of the Certificate of Occupancy, homes shall have a different primary siding color and at least one of the other three Color Package elements shall be a different color than the subject home.

**2** Homes may have the same or variation of the same floor plan or model as the subject home; however, the home's front elevation may not be identical and shall incorporate multiple variations to the front elevation (e.g., entryway treatment, window style and treatment, building materials and patterns/textures, roofline treatment, garage door treatment or orientation). At the time of

the issuance of the Certificate of Occupancy, homes shall have a different primary siding color and at least one of the other three Color Package elements shall be a different color than the subject home.

3 Homes may have the same or variation of the same floor plan or model as the subject home; however, the home's front elevation may not be identical. Homes may have the same primary siding color as the subject home; however, at least one Color Package element shall be a different color.

~~A.~~B. The Plan Commission may consider variations or grant waivers to the Façade Variety Standards for sections of the District where the intent of the streetscape for that section is to establish a uniform architectural theme for homes within that section of the District (e.g., empty-nester or active adult enclave). Character illustrations indicating conceptually the intended architecture, quality and appearance of homes that fit this uniform architectural theme concept are provided in the Character Exhibit, attached hereto as **Exhibit I.** Homes shall otherwise comply with the other architectural standards set forth herein and any alternative standards approved by the Plan Commission in granting variations or waivers of the Façade Variety Standards.

~~16.9~~16.7 Attached Residential. The following additional standards shall also apply to attached residential buildings:

i. Townhomes shall not exceed three (3) stories in height.

ii. Each townhome shall have an attached garage.

iii. Vinyl and chain link fencing shall be prohibited.

**Section 17. Multi-family Architectural and Streetscape Design Standards.** The procedures and regulations of *WC § 16.04.165 Development Plan Review* applicable to the Underlying Zoning District shall apply to multi-family development within the District, except as otherwise provided below:

~~17.1 Streetscape Design Standards:~~

~~A. Mailboxes. All mailboxes within a subarea shall be uniform in design, lettering, and numbering.~~

~~B. Street Number. The number of the street address of each building shall be placed on the building façade(s) which do not face any Golf Course areas. The number attached to the building or dwelling entryway, door or entrance shall be etched in stone, concrete, a mounted wood, iron or brass type plate or sign, window decal or other material approved by the ARC.~~

~~17.2~~17.1 ~~Architectural Design Standards:~~ Character Exhibit. Character illustrations indicating conceptually the intended architecture, quality and appearance of multi-family residential development buildings are provided in the Character Exhibit, attached hereto as **Exhibit F**.

~~17.3~~17.2 Design Elements. Design elements and detailing shall be continued completely around the structure and shall be consistent and complimentary to all buildings in a multi-family development. Such design elements shall include, but are not limited to, windows, window placement, trim detailing, balconies, courtyards, entryways, signage and exterior wall materials. The use of long, massive, unbroken exterior building walls shall be avoided. Multiple architectural elements (including but not limited to quoins, pilasters, solder courses, lintels, friezes, cornices, dentils, architraves, wood or fiber cement siding varieties or breaks) ~~may~~ shall be incorporated to achieve variation in terms of footprint and architectural elevations.

~~17.4 Exterior Colors. Exterior color selection shall be submitted and approved by the ARC prior to the application of a building permit to the City.~~

~~17.5~~17.3 Exterior Surfaces:

A. Aluminum and vinyl siding shall be prohibited; however, vinyl clad windows and soffits shall be permitted.

B. Permitted exterior materials include EIFS, synthetic stucco, cultured stone, brick, stone, wood, fiber cement siding or comparable materials. Masonry shall ~~not~~ be required~~ but a combination of exteriors (i.e. horizontal fiber cement siding and shake shingle style fiber cement siding) shall be encouraged~~ on a minimum of ten percent (10%) of each building façade.

~~B.~~C. All structures shall utilize a minimum of two (2) exterior building materials (excluding window, door and roofing materials).

~~17.6~~17.4 Windows and Architectural Breaks. Multi-family buildings shall have windows on all sides and shall ~~be encouraged to~~ have ~~an~~ architectural break(s) consistent with the Design Elements required above~~, such as a chimney or other corner break~~. The outermost corners of a dwelling unit shall not be considered architectural breaks.

17.5 Detached Garages. Detached garage structures~~, not to exceed eight (8) vehicle bays per detached garage, structure,~~ shall be permitted and shall comply with the following standards:~~, but must comply with design standards herein and approved by the ARC.~~

A. The exterior design and building materials of the structures shall be consistent with the primary buildings;

B. Flat roofs shall not be permitted and the roof design and materials shall be consistent with the primary buildings;

C. A single structure shall not exceed eight (8) vehicular bays; and

D. Structures shall not be located in an established front yard or in a side or rear yard adjacent to a single family residential use.

~~17.7~~17.6 Elevations. Building elevations of similar floor plans shall have a variety in style, massing and use of materials and detailing of elements. The same elevation may occur as buildings are grouped together if each building plan has at least two (2) different styles.

~~17.8~~17.7 Roof Vents. Roof vents shall be located to on an area of the building to minimize the visibility from the Golf Course, rights-of-way and adjacent single-family residential properties, when possible and shall be painted to match the roofing material, black, or left natural if metal.

~~17.9~~17.8 ARC Approval. Structures shall be architecturally compatible and

cohesive, as approved by the ARC. Such letter of approval shall be submitted with a development plan and/or building permit application.

**Section 18.** **Non-Residential Architectural and Streetscape Design Standards.** The procedures and regulations of *WC § 16.04.165 Development Plan Review* applicable to the Underlying Zoning District shall apply to non-residential uses within the District, except as otherwise provided below:

~~18.1 Streetscape Design Standards:~~

~~A. Mailboxes. All mailboxes, where applicable, shall be uniform in design, lettering, numbering and structure.~~

~~B. Street Number. The number of the street address of each building shall be placed on the building façade(s) which does not face any Golf Course areas. The number attached to the building or dwelling entryway, door or entrance shall be etched in stone, concrete, a mounted wood, iron or brass type plate or sign, window decal or other material approved by the ARC.~~

~~18.2 Architectural Design Standards: The following additional standards shall apply:~~

~~18.3~~18.1 Clubhouse Character Exhibit. Character illustrations indicating conceptually the intended architecture, quality, and appearance of the Clubhouse and related buildings are provided in the Character Exhibit, attached hereto as **Exhibit G.**

~~18.4~~18.2 Non-Residential Character Exhibit. Character illustrations indicating conceptually the intended architecture, quality, exterior building materials, and appearance of non-residential buildings within the District are provided in the Character Exhibit, attached hereto as **Exhibit H**.

18.3 Alternative Architectural Styles. Variations to the Architectural Design Standards of this section may be approved by the Plan Commission or Director for buildings that are substantially similar in architectural style and character to those depicted in the Character Exhibits in Exhibit C, Exhibit G and Exhibit H.

18.4 Design Elements. Overall design details, architectural style, design theme, exterior materials, colors or other related design elements shall be consistent with overall design theme of the District or surrounding buildings.

~~A. Design elements and detailing shall be continued around all sides of a structure. Such design elements may include, but are not limited to, windows, window placement, trim detailing, balconies, courtyards, entryways, signage and exterior wall materials. The use of long, massive, unbroken exterior building walls shall be avoided. Multiple architectural elements (including but not limited to quoins, pilasters, solder courses, lintels, friezes, cornices, dentils, architraves, wood or fiber cement siding varieties or breaks) may be incorporated. Ancillary~~

~~buildings or structures shall be excluded if the use does not generally constitute the need for an architectural element or window (i.e. no windows on a pump house), as determined by the Master Developer.~~

~~B.~~A. ~~Exterior Colors. Exterior color selection shall be submitted and approved by the ARC prior to the application of a building permit to the City.~~

18.5 Building Facades.

A. All building facades shall be encouraged to have a defined base or foundation, a middle or modulated wall, and a top formed by a pitched roof or articulated cornice.

B. Building facades which are ninety (90) feet or greater in length shall be designed with aggregate offsets (projecting or recessed) of not less than ten (10) percent of the building length. Offsets shall be constructed at intervals of not greater than sixty (60) feet.

C. All buildings shall be constructed with the same quality of building materials and the same level of architectural detail on all building facades.

D. Gutters and downspouts shall be visually integrated with the architectural style of the structure. The color of gutters and downspouts shall be selected to complement or to be consistent with the building materials used.

E. Main Entrances:

i. Building entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the architectural style and details of the building as a whole.

ii. The location, orientation, proportion and style of doors shall complement the architectural style of the building.

F. Awnings:

i. Fixed or retractable awnings are permitted if they complement the building's architectural style, material, colors and details.

ii. Awnings shall be made of a non-reflective material.

iii. All awnings shall be kept in good repair.

iv. Awnings that are installed in order to comply with the requirements of this Ordinance shall not be removed unless the building would otherwise comply without the awnings.

18.6 Exterior Building Materials.

A. Masonry shall be the preferred exterior building material. Vinyl clad windows and soffits shall be permitted; however, vinyl and metal siding shall be prohibited with the following exception: Metal or aluminum siding may be permitted for ancillary structures used as Maintenance

Facilities or that compliment Farmstead Uses if the building's design is architecturally compatible with and designed to be sensitive to the surrounding context in which the building is situated.

B. A minimum of twenty percent (20%) of each building façade (exclusive of windows, faux windows and glazing, doors and loading berths) of the primary building(s) shall be Masonry.

C. The use of Masonry to create a wainscot or wrap effect around buildings shall be encouraged.

D. Increased and enhanced use of Masonry and other architectural ornamentation shall be required around building entrances and on building facades visible from the US Highway 31 public right-of-way in order to create an aesthetically pleasing appearance and to create an appearance of high-quality, visually interesting architecture.

18.7 Windows and Openings.

A. Design elements shall be organized such that openings on a facade (including, but not limited to, windows, doors, loading berths, faux windows and architectural or painted elements resembling openings) line up horizontally and vertically with other openings and are arranged in a balanced, relatively uniform fashion.

B. Exceptions to these standards may be permitted if openings are organized in an aesthetically pleasing manner and constitute an essential artistic design element appropriate for the building type, scale, orientation, location and building site.

C. All window designs shall be compatible with the style, materials, color, details and proportion of the building. The number of window panes, the number of window openings, window trim and other architectural design elements designed to accent the windows (e.g., shutters, keystones, ledges, etc.) shall be consistent with and complementary to the architectural style of the building.

D. Window trim and other architectural design elements designed to accent the windows (e.g., shutters, keystones, ledges, etc.) shall be required for all windows unless, by determination of the Director and Master Developer, such trim or design elements would detract from the design objectives of this Ordinance.

18.8 Roofs.

A. Pitched roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips. Pitched roofs shall be clad in wood shingles, slate, composition shingles, clay tiles or standing seam panels.

B. If asphalt composition shingles are used for pitched roofs, then the shingles shall be: (i) gray, black, dark blue, dark green, barn red or dark brown; (ii) of the dimensional asphalt shingle grade; and (iii) made of a non-reflective material.

C. If standing seam panels are used, then the panels shall be: (i) gray, black, dark blue, dark green, barn red or dark brown; and (ii) made of a non-reflective material.

D. Flat roofs are permitted if edged by architectural moulding, an articulated cornice feature or a decorative parapet wall.

E. Parapet walls shall be fully integrated into the architectural design of buildings to create seamless design transitions between the main building mass and roof-mounted architectural elements (which may include roof-mounted equipment screening).

F. Modulation of the roofs and/or roof lines shall be required in order to eliminate the appearance of box-shaped buildings.

G. Dormers shall be designed with appropriate details, proportion and style consistent with the overall building composition and roofed with symmetrical gable, hip or barrel roofs.

H. All visible vents, attic ventilators, turbines, flues and other visible roof penetrations shall be: (i) painted to match the color of the roof, flat black or left natural if metal; and (ii) oriented to minimize their visibility from adjacent residential properties, public rights-of-way and the Golf Course thoroughfares.

~~C. Exterior Surfaces:~~

~~i. Aluminum and vinyl siding shall be prohibited; however, vinyl clad windows and soffits shall be permitted and metal or aluminum siding shall be permitted for buildings or structures which are used for Maintenance Facilities or compliment Farmstead Uses and shall be approved by the ARC.~~

~~ii. Permitted exterior materials shall include EIFS, synthetic stucco, cultured stone, brick, stone, wood, fiber cement siding or comparable materials. Masonry shall not be required but a combination of exteriors (i.e. horizontal fiber cement siding and shake shingle style fiber cement siding) shall be encouraged.~~

~~iii. Windows and Architectural Breaks. Non residential buildings, where applicable, shall have windows on at least three (3) sides and shall be encouraged to have an architectural break, such as a chimney or other corner break.~~

~~D. Roof Vents. Roof vents shall be located to on an area of the building to minimize the visibility from the Golf Course, when possible and shall be painted to match the roofing material, black, or left natural if metal.~~

18.9 Dumpsters.

A. Garbage containers, trash receptacles, pallet storage areas, trash compactors, recycling areas and other similar facilities shall be completely and permanently screened from view of public rights-of-way and adjoining properties.

B. Solid wall or fence enclosures used for screening shall be of a material that matches or complements the primary structure to which it is associated.

C. Dumpster enclosures which are structurally connected to the primary use on a given parcel shall be encouraged, but not required.

D. Man-doors which do not include swinging, moveable doors shall be encouraged in order to provide daily access to dumpsters for waste disposal.

E. Dumpster enclosures, which include swinging, moveable doors, shall be kept closed at all times when said doors are not in active use.

F. Direct access to dumpster enclosures from within primary structures shall be encouraged.

18.10 Mechanical Equipment.

A. Mechanical equipment for buildings, satellite dishes and other similar improvements (except for equipment or speakers pertaining to safety, weather (e.g., storm siren), security, maintenance, monitoring and other similar devices) shall be completely and permanently screened from view of public rights-of-way and adjoining residential properties.

B. When attached to the ground, screening methods shall include a berm or an opaque wall or fence enclosure of a material that matches or complements the primary structure to which it is appurtenant.

C. When roof mounted, screening methods shall include parapet walls, enclosures or other similar architectural treatment that matches or complements the primary structure to which it is appurtenant.

18.11 Accessory Structures.

A. All detached accessory structures shall be architecturally compatible with the primary building(s) with which they are associated.

B. Ancillary structures for Golf Course and Clubhouse Uses and Development Amenity buildings may be excluded from the requirements of this section if the building's size and use do not physically allow for or

do not generally constitute the need for specific architectural enhancements (e.g., no windows on a pump house), as determined by the Master Developer and Director.

~~18.5~~18.12 ARC Approval. Structures shall be architecturally compatible and cohesive, as approved by the ARC.

~~18.6~~18.13 ~~Non-Residential Uses~~Additional Standards. The additional design standards applicable to non-residential or mixed-use buildings shall be as set forth below:

A. Restaurant Uses. Outdoor cafes and eating areas shall be permitted in accordance with the Zoning Ordinance. Permanent outdoor cafés and eating areas shall be delineated and reviewed as part of a Lot's Development Plan approval.

B. Automobile Service Stations. Any vehicular fuel pumps or canopies shall be located at least ten (10) feet farther away from the US 31 Frontage Road right-of-way line than the elevation of the primary structure, to which the fuel pumps or canopies are appurtenant or associated, that is nearest to said right-of-way line. All service bay doors shall face interior parking areas and shall not be oriented towards public rights-of-way.

~~B.~~C. Sidewalk Displays. Retail uses shall be permitted to have sidewalk displays of retail merchandise, subject to obtaining the necessary approvals if located within a public right-of-way, and subject to the following:

i. Displays shall be limited to directly in front of an establishment, provided that a minimum of five (5) feet of sidewalk clearance along the curb and leading to the storefront entrance is maintained free of display, and the display area does not exceed seventy-five percent (75%) of the length of the storefront.

ii. Displays shall be permitted only during normal business hours and shall be removed at the ~~end~~ close of ~~the~~ business ~~day~~or between the hours of 9:00 p.m. and 8:00 a.m., whichever is more restrictive. Cardboard boxes or pallets shall not be used for sidewalk displays.

iii. Sidewalk displays shall maintain a clean, litter-free, and well-kept appearance at all times.

D. Outdoor Displays. Outdoor displays for Golf Course and Clubhouse Uses (e.g., golf club demonstration tents) or Farmstead Uses (e.g. sale of agricultural or related products or goods) shall be permitted; however, displayed items shall be stored inside a building outside of the use's hours

of operation or between the hours of 9:00 p.m. and 8:00 a.m., whichever is more restrictive. Seasonal agricultural items (e.g., pumpkins, Christmas trees, corn stalks, and straw bales) shall not be required to be stored indoors.

**Section 19.** **Fences Standards.** The standards of the Zoning Ordinance shall apply *(WC § 16.04.100(3))* to both residential and non-residential uses, except as otherwise provided below:

A. ~~Fences located within any Front Yard shall not exceed forty two (42) inches in height, as measured from the topmost point thereof to the ground adjacent to the fence~~.

B. Open wire mesh or chain-link fencing surrounding tennis courts and Golf Course practice areas may be erected to a height that meets national regulations for the sport or an increased height specified by the Department of Public Works, so as to protect any nearby traffic or buildings.

C. ~~Fences constructed of wood for the purpose of obscuring view shall be installed so that the finished side of the fence is facing outward~~.

D. ~~Fencing may be privately secured~~. Privacy fencing in buffer yards adjacent to residential areas, the Monon Trail, Farmstead Uses, surrounding Maintenance Facilities or other similar areas as determined by the Master Developer, shall not exceed eight (8) feet in height

**Section 20.** **Infrastructure Standards.**

20.1 The District's infrastructure shall comply with the Zoning Ordinance and the City's Construction Standards, unless otherwise approved by the Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

20.2 The District shall comply with the Thoroughfare Plan. For portions of the Real Estate that adjoin or include existing streets or alternative transportation corridors (e.g., Monon Trail) that do not conform to the minimum right-of-way dimensions established in the Thoroughfare Plan, the Developer shall dedicate additional width along either one or both sides of such streets and/or alternative transportation corridors sufficient to meet the requirements of the Thoroughfare Plan and the Monon & Midland Trace Trail Master Plan.

A. In addition to the fifty (50) foot half right-of-way required to be dedicated along 199th Street, pursuant to the Thoroughfare Plan, the Developer shall dedicate an additional twenty (20) feet of right-of-way (for a total right-of-way dedication of seventy (70) feet north from the centerline of 199th Street) for portions of the Real Estate that are located between the

centerline of Tomlinson Road and a point approximately one thousand one hundred and seventy feet (1,170') west along 199th Street.

**Section 21. Owners' Association and Declaration(s) of Covenants.**

21.1 Declarations of Covenant(s) shall be prepared by the Master Developer and recorded with the Recorder's Office of Hamilton County, Indiana. There may be multiple Declaration(s) of Covenants applicable to the different areas of the Real Estate, and multiple corresponding Owners' Association(s) and may contain standards that may be stricter than the standards of this Ordinance.

21.2 Owners' Association(s) shall be established and responsible for the ongoing upkeep and maintenance of any privately owned common grounds, structures, signs, etc., as outlined in the association documents and any other specific development improvements noted as their responsibility by this Ordinance.

21.3 The Declaration(s) of Covenants shall establish an Architectural Review Committee ("ARC"). The organization and procedures of the ARC shall be set forth in the Declaration of Covenants. There may be a separate ARC for each Owners' Association(s) or a single ARC for multiple Owners' Association(s). The ARC shall be established to review and approve all proposed development within the District, as well as any proposed changes to an existing building.

**Section 22. Master Developer and Architectural Review Committee Consent.**

22.1 Master Developer Consent: A written consent by the Master Developer or its assigns shall accompany any permit or approval request pertaining to the Real Estate by a Developer, user, owner, or tenant. Permits or approvals may include, but are not limited to:

A. Improvement Location Permit for any improvements within the District;

B. Sign permit for any signs within the District;

C. Building permits for any Buildings within the District;

D. Development Plan, or Primary or Secondary Plat approvals for any part of the District; and

E. Any text amendment or other requests for variations to the terms and conditions of this Ordinance.

22.2 Architectural Review Committee Approval: A letter of support for construction or modification of a structure from the Owners' Association Architectural Review Committee shall accompany any building permit or development plan application to the City for the construction or modification of a structure. Such letter shall also specify its approval for compliance with any standard set forth by this Ordinance that requires ARC approval. The Department shall further review and

confirm compliance with said standard(s), as may be deemed necessary by the Department in its continued administration of this Ordinance and subsequently filed applications and permits.

**Section 23.** **Annexation.**

23.1 The Real Estate, or parts thereof that may be the subject of a secondary plat approval, shall be annexed into the corporate limits of the City of Westfield prior to the approval and recording of a secondary plat for that part of the Real Estate.

**ALL OF WHICH IS ORDAINED/RESOLVED THIS _____DAY OF _____2014.**

**WESTFIELD CITY COUNCIL**

| **Voting For** | **Voting Against** | **Abstain** |
|---|---|---|
| _____ | _____ | _____ |
| Jim Ake | Jim Ake | Jim Ake |
| _____ | _____ | _____ |
| Steven Hoover | Steven Hoover | Steven Hoover |
| _____ | _____ | _____ |
| Robert L. Horkay | Robert L. Horkay | Robert L. Horkay |
| _____ | _____ | _____ |
| Charles Lehman | Charles Lehman | Charles Lehman |
| _____ | _____ | _____ |
| Robert J. Smith | Robert J. Smith | Robert J. Smith |
| _____ | _____ | _____ |
| Cindy L. Spoljaric | Cindy L. Spoljaric | Cindy L. Spoljaric |
| _____ | _____ | _____ |
| Robert W. Stokes | Robert W. Stokes | Robert W. Stokes |

ATTEST:

_____
Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE/RESOLUTION 13-24 was delivered to the Mayor of Westfield

on the _____ day of _____, 2014, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE/RESOLUTION 13-24

this _____ day of _____, 2014.

_____
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE/RESOLUTION 13-24

this _____ day of _____, 2014.

_____
J. Andrew Cook, Mayor

This document prepared by Elizabeth K. Garfield, Henke Development Group, LLC.

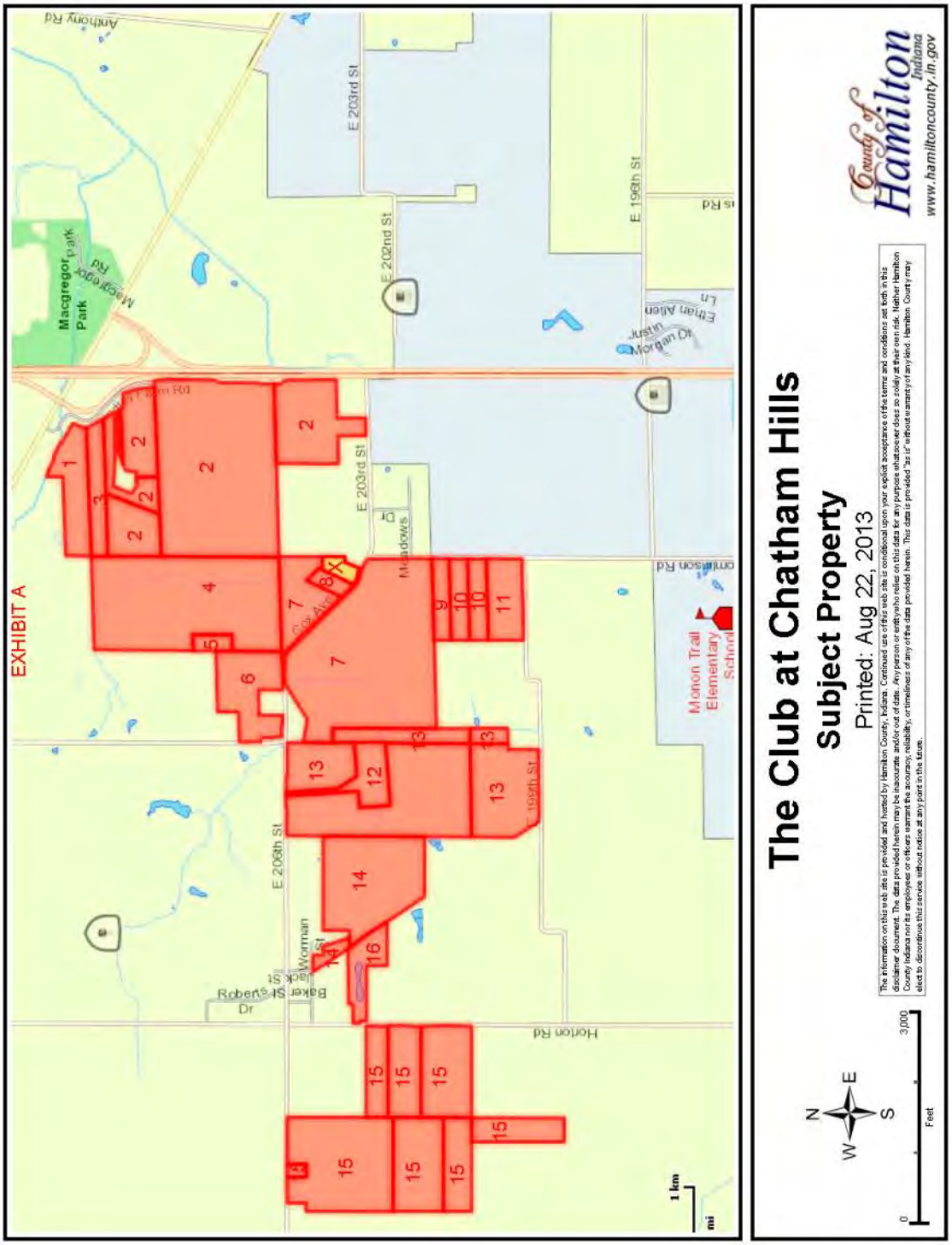
## SCHEDULE OF EXHIBITS

| | |
|---|---|
| Exhibit A | Real Estate (Legal Descriptions) |
| Exhibit B | Conceptual Plan |
| Exhibit C | Lindley House and Red Barn Exhibit |
| Exhibit D | Character Exhibit: Detached Single Family Residential |
| Exhibit E | Character Exhibit: Attached Single Family Residential |
| Exhibit F | Character Exhibit: Multi-Family Residential Development |
| Exhibit G | Character Exhibit: Clubhouse |
| Exhibit H | Character Exhibit: Non-Residential |

# EXHIBIT A

REAL ESTATE / LEGAL DESCRIPTIONS

The Real Estate shall include the following descriptions. The numbered parcels on the map below correspond with the numbered legal descriptions that follow herein this exhibit.



**<u>Legal Description:</u>** **<u>1</u>**
**Deeded Owner:** **Maley, Janet**
**Acreage:** **16.36 Acres per Hamilton County GIS (15.995 Surveyed Acres)**
*Parcel No:* *08-05-13-00-00-022.000*

File No.: 201323026

A part of the Northeast quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, bounded as follows: Beginning on the Quarter Section line 61 rods West of the Southeast corner of the Northeast Quarter of said Section, Township and Range and run thence West 98.39 rods to the Southwest corner of said Quarter Section, thence North 20,55 rods, thence East 68.39 rods, thence North 40 rods to the middle of the Noblesville and Lafayette State Road, thence in a Southeasterly direction along the middle of said Road to a point due North from the place of beginning, thence South 42 rods and 9 links to the place of beginning, containing 18.39 acres.

Also, Commencing at the Southeast corner of the Northeast Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, running thence West 61 rods, thence North 42 rods and 13 links to the middle of the State Road, thence Southeast along the middle of said road to the southwest corner of the Northwest quarter of Section 19, Township 19 North, Range 4 East, thence South 6 rods to the place of beginning, containing 9.24 acres, more or less.

EXCEPT: TRACT "A": Part of the Northeast Quarter of Section 13, Township 19 North, Range 3 East in Washington Township, Hamilton County, Indiana, more particularly described as follows: Beginning 684.6 feet measured (660 feet deed) North of a stone which is 339.075 feet North and 1128.485 feet East by deed of the Southwest corner of the Northeast Quarter of Section 13, Township 19 North, Range 3 East, in the centerline of State Road #38; thence Southeasterly on and along said centerline of State Road #38 425.6 feet; thence South 369.5 feet to the center of a stream; thence on and along the centerline of said stream to a point 428.6 feet South of the place of beginning, thence North 428.6 feet to the place of beginning, containing 3.35 acres, more or less.

ALSO EXCEPT: TRACT "B": Part of the Northeast Quarter of Section 13, Township 19 North, Range 3 East, in Washington Township, Hamilton County, Indiana, more particularly described as follows: Beginning 684.6 feet measured (660 feet deed) North and 425.6 feet Southeast of a stone which is 339.075 feet North and 1128.435 feet East by deed of the Southwest corner of the Northeast Quarter of Section 13, Township 19 North, Range 3 East, in the centerline of State Road #38; thence Southeasterly on and along said centerline of State Road #38 859.8 feet to the centerline of a stream; thence Westerly on and along the centerline of said stream to a point 369.5 feet South of the place of beginning, thence North 369.5 feet to the place of beginning, containing 3.35 acres, more or less.

ALSO EXCEPT that portion of real estate conveyed to the State of Indiana by Warranty Deed recorded December 22, 2010 as Instrument No. 2010069599, in the Office of the Recorder of Hamilton County, Indiana, more particularly described as follows: A part of the Northeast Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, described as follows: Beginning at a point on the south line of said Quarter Section South 87 degrees 46 minutes 34 seconds West 125.81 feet from the southeast corner of said quarter section, which point of beginning is on the west boundary of U.S. 31, thence continuing South 87 degrees 46 minutes 34 seconds West 697.59 feet along said line; thence North 28 degrees 59 minutes 58 seconds West 11.08 feet to point "149" on said plat; thence North 20 degrees 40 minutes 36 seconds East 192.83 feet to point "190" on said plat; thence North 59 degrees 46 minutes 45 seconds West 321.09 feet to point "194" on said plat, thence North 14 degrees 53 minutes 48

seconds East 18.64 feet to the center line of Thomas Lindley Ditch; thence Northeasterly following the meanderings of said center line approximately 636.68 feet to the southwestern boundary of S.R. 38; thence South 57 degrees 48 minutes 51 seconds East 98.44 feet along said boundary; thence South 58 degrees 19 minutes 10 seconds East 258.79 feet along said boundary to the west boundary of said U.S. 31; thence South 0 degrees 11 minutes 25 seconds West 115.57 feet along said boundary to the point of beginning and containing 4.935 acres, more or less

TOGETHER with the permanent extinguishment of all right and easements of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), to and form the grantors' abutting lands, along the line described as follows: Beginning at the western end of the eastern 567.99 feet of the 697.59 foot course described above; thence Northeasterly 102.94 feet along an arc to the right having a radius of 179.00 feet and subtended by a long chord having a bearing of North 14 degrees 38 minutes 28 seconds East and a length of 101.52 feet to a point "121" on said plat; thence North 31 degrees 06 minutes 56 seconds East 79.12 feet to point "122" on said plat; thence Northwesterly 189.65 feet along an arc to the left having a radius of 122.00 feet and subtended by a long chord having a bearing of North 13 degrees 53 minutes 04 seconds West and a length of 171.12 feet to point "123" on said plat; thence North 58 degrees 53 minutes 04 seconds West 36.20 feet and terminating on the center line of said Thomas Lindley Ditch. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

NOTE: Acreage in the legal description of the subject real estate is solely for the purposes of identifying and describing the insured land and should not be construed as insuring the quantity of land as set forth in said description.

| | | |
|---|---|---|
| **Legal Description:** | **2** | |
| **Deeded Owners:** | **Bray, Philip D & Helen L & Marjorie A Maley Huffman, Toni K Maley, Joseph B Maley, Jeffrey Thomas Rainwater, Charles David Updegraff, Kevin Updegraff, Michael Updegraff** | |
| **Acreage:** | **167.77 Acres per GIS** | |
| | **(158.911 Surveyed Acres, represents land sold to INDOT)** | |
| *Parcel No:* | *2a.* | *08-05-13-00-00-025.000 (99.1 Acres per GIS)* |
| | *2b.* | *08-05-13-00-00-024.000 (27.81 Acres per GIS)* |
| | *2c.* | *08-05-13-00-00-023.000 (11.43 Acres per GIS)* |
| | *2d.* | *08-05-24-00-00-006.000 (29.43 Acres per GIS)* |

Part of the Northeast Quarter of Section 24, Township 19 North, Range 3 East and part of the Southeast Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northwest corner of said Southeast Quarter; thence North 87 degrees 46 minutes 40 seconds East along the north line of said Southeast Quarter (assumed basis of bearings) 1,815.72 feet to the west right-of-way line of US 31 as defined in Instrument Numbers 2011024282 and 2011006538, on file in the Office of the Recorder of Hamilton County, Indiana; thence South 28 degrees 59 minutes 58 seconds East along said west right-of-way line 276.98 feet to the north line of the parcel conveyed to John and Lesley Lautenschlager in Instrument Number 9509660, on file in the Office of said Recorder, the following four (4) courses are along the north, west, south and east lines of said Lautenschlager parcel; 1)thence South 87 degrees 46 minutes 40 seconds West 1,041.94 feet; 2)thence South 22 degrees 35 minutes 01 second West 818.10 feet; 3)thence North 87 degrees 46 minutes 40 seconds East 562.54 feet; 4)thence North 02 degrees 13 minutes 20 seconds West 309.68 feet to the south line of Parcel 2 as described in Instrument Number 2010050848, on file in the Office of said Recorder, the following three (3) courses are along the south and east lines thereof; 1)thence South 87 degrees 35 minutes 23 seconds East 49.34 feet; 2)thence North 08 degrees 16 minutes 20 seconds East 155.16 feet; 3)thence North 65 degrees 39 minutes 48 seconds East 91.85 feet to the south line of said Lautenschlager parcel; thence North 87 degrees 46 minutes 40 seconds East along said south line 786.14 feet to said west right-of-way line of US 31, the following sixteen (16) courses are along said west right-of-way line as defined by

Instrument Numbers 2011006538, 2011024282 and 2012012117 and as shown on the Final Right-of-Way Plans for U.S. 31, INDOT Project Number 0710215, Code 5306; 1)thence South 28 degrees 59 minutes 58 seconds East 35.72 feet; 2)thence North 89 degrees 59 minutes 46 seconds East 197.53 feet; 3)thence South 19 degrees 21 minutes 02 seconds East 201.44 feet; 4)thence South 06 degrees 14 minutes 47 seconds East 260.67 feet; 5)thence North 87 degrees 46 minutes 43 seconds East 89.67 feet; 6)thence South 07 degrees 49 minutes 05 seconds East 174.34 feet; 7)thence South 00 degrees 11 minutes 28 seconds West 49.98 feet; 8)thence South 02 degrees 44 minutes 20 seconds West 246.03 feet; 9)thence South 00 degrees 07 minutes 14 seconds West 359.23 feet; 10)thence South 31 degrees 15 minutes 28 seconds West 81.78 feet; 11)thence South 00 degrees 07 minutes 19 seconds West 550.00 feet; 12)thence South 16 degrees 49 minutes 16 seconds West 52.20 feet; 13)thence South 00 degrees 07 minutes 19 seconds West 250.01 feet; 14)thence South 29 degrees 48 minutes 18 seconds East 115.39 feet; 15)thence South 00 degrees 00 minutes 57 seconds East 686.26 feet; 16)thence South 03 degrees 01 minutes 14 seconds West 45.57 feet to the south line of the parcel described in Instrument Number 8411319 (Book 344, Page 661), on file in the Office of said Recorder, the following six (6) courses are along the south, east and west lines of said parcel; 1)thence South 87 degrees 58 minutes 52 seconds West 532.83 feet; 2)thence South 00 degrees 02 minutes 47 seconds East 424.30 feet; 3)thence South 87 degrees 58 minutes 52 seconds West 254.03 feet; 4)thence North 00 degrees 00 minutes 53 seconds East 424.30 feet; 5)thence South 87 degrees 58 minutes 52 seconds West 400.29 feet; 6)thence North 00 degrees 00 minutes 32 seconds East 909.09 feet to the south line of the Southeast Quarter of said Section 13; thence South 87 degrees 54 minutes 03 seconds West along said south line 1,322.56 feet to the southwest corner of said Southeast Quarter; thence North 00 degrees 21 minutes 41 seconds East along the west line of said Southeast Quarter 2,654.14 feet to the POINT OF BEGINNING. Containing 158.911 acres, more or less.

**Legal Description: 3**
**Deeded Owner: Lautenschlager, John & Lesley**
**Acreage: 7.5 Acres per GIS (8.837 Surveyed Acres)**
***Parcel No: 08-05-13-00-00-024.001***

LAUTENSCHLAGER PARCEL I:
Part of the Southeast Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northwest corner of said Southeast Quarter; thence North 87 degrees 46 minutes 40 seconds East along the north line of said Southeast Quarter (assumed basis of bearings) 1,815.72 feet to the west right-of-way line of US 31 as defined in Instrument Numbers 2011024282 and 2011006538, on file in the Office of the Recorder of Hamilton County, Indiana; thence South 28 degrees 59 minutes 58 seconds East along said west right-of-way line 276.98 feet to the north line of the parcel conveyed to John and Lesley Lautenschlager in Instrument Number 9509660, on file in the Office of said Recorder, being the POINT OF BEGINNING; thence continuing South 28 degrees 59 minutes 58 seconds East along said west right-of-way line 168.62 feet the north line of Parcel 2 as described in Instrument Number 2010050848, on file in the Office of said Recorder, the following four (4) courses are along the north and west lines of said Parcel 2; 1)thence South 80 degrees 59 minutes 34 seconds West 109.67 feet; 2)thence North 89 degrees 45 minutes 00 seconds West 462.61 feet; 3)thence North 87 degrees 29 minutes 54 seconds West 475.43 feet; 4)thence South 02 degrees 30 minutes 06 seconds West 50.42 feet to the north line of Parcel 1 as described in said Instrument Number 2010050848, the following five (5) courses are along the north, west, south and east lines of said Parcel 1; 1)thence North 88 degrees 42 minutes 30 seconds West 9.23 feet; 2)thence South 22 degrees 52 minutes 23 seconds West 220.69 feet; 3)thence South 55 degrees 59 minutes 15 seconds East 176.32 feet; 4)thence North 12 degrees 13 minutes 24 seconds East 34.61 feet; 5)thence South 87 degrees 35 minutes 23 seconds East 102.75 feet to an east line of said Lautenschlager parcel, the following four (4) courses are along the east, south and west lines thereof; 1)thence South 02 degrees 13 minutes 20 seconds East 309.68 feet; 2)thence South 87 degrees 46

minutes 40 seconds West 562.54 feet; 3)thence North 22 degrees 35 minutes 01 second East 818.10 feet; 4)thence North 87 degrees 46 minutes 40 seconds East 1,041.94 feet to the POINT OF BEGINNING. Containing 8.073 acres, more or less.

ALSO LAUTENSCHLAGER PARCEL II:
Part of the Southeast Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northwest corner of said Southeast Quarter; thence North 87 degrees 46 minutes 40 seconds East along the north line of said Southeast Quarter (assumed basis of bearings) 1,815.72 feet to the west right-of-way line of US 31 as defined in Instrument Numbers 2011024282, 2011006538, 2012027432 and 2011006538, on file in the Office of the Recorder of Hamilton County, Indiana; thence South 28 degrees 59 minutes 58 seconds East along said west right-of-way line 498.80 feet to the south line of Parcel 2 as described in Instrument Number 2010050848, on file in the Office of said Recorder, being the POINT OF BEGINNING; thence continuing South 28 degrees 59 minutes 58 seconds East along said right-of-way line 57.95 feet to the south line of the parcel conveyed to John and Lesley Lautenschlager in Instrument Number 9509660, on file in the Office of said Recorder; thence South 87 degrees 46 minutes 40 seconds West along said south line 786.14 feet to a southeast corner of Parcel 1 as described in Instrument Number 2010050848, on file in the Office of said Recorder; thence North 65 degrees 39 minutes 48 seconds East along an east line of said Parcel 1, a distance of 153.85 feet to the south line of Parcel 2 as described in said Instrument Number 2010050848, the following three (3) courses are along said south line; 1)thence South 87 degrees 29 minutes 54 seconds East 19.37 feet; 2)thence South 89 degrees 45 minutes 00 seconds East 467.65 feet; 3)thence North 80 degrees 59 minutes 34 seconds East 131.91 feet to the POINT OF BEGINNING. Containing 0.764 acres more or less. Containing, in both parcels, 8.837 acres, more or less.

**Legal Description: 4**
**Deeded Owner: Stewart, Jeffery A & Catherine S Parker T/C**
**Acreage: 76.96 Acres per GIS (77.672 per Surveyed Acres)**
*Parcel No: 08-05-13-00-00-026.000*

The East Half of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the SE corner of said Southwest Quarter, the following four (4) courses are along the south, west, north and east lines of said East Half; 1)thence South 87 degrees 57 minutes 50 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 1,322.01 feet; 2)thence North 00 degrees 16 minutes 25 seconds East 2,660.92 feet; 3)thence North 88 degrees 15 minutes 49 seconds East 1,325.81 feet; 4)thence South 00 degrees 21 minutes 41 seconds West 2,654.14 feet to the POINT OF BEGINNING.Containing 80.71 acres, more or less.

EXCEPT:

A part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, located in Washington Township, Hamilton County, Indiana being described as follows:

Commencing at the Southwest comer of the Southeast Quarter of the Southwest Quarter of Section 13, Township 19 North, Range 3 East; thence North 00 degrees 02 minutes 56 seconds East, 700.42 feet on and along the West line of the Southeast Quarter of said Southwest Quarter to the POINT OF BEGINNING of this description; thence North 00 degrees 02 minutes 56 seconds East, 551.24 feet on and along the West line of the Southeast Quarter of Said Southwest Quarter to a fence; thence North 86

degrees 07 minutes 47 seconds East, 236.88 feet on and along said fence; thence South 00 degrees 00 minutes 26 seconds East, 567.43 feet; thence North 89 degrees 57 minutes 06 seconds West, 236.88 feet to the Point of Beginning. Containing 3.038 acres, more or less.

Containing, after Exception, 77.672 acres, more or less.

**Legal Description: 5**
**Deeded Owner: Stewart, Jeffery A & Linda S**
**Acreage: 3.038 Acres**
*Parcel No: 08-05-13-00-00-026.001*

A part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, located in Washington Township, Hamilton County, Indiana being described as follows:

Commencing at the Southwest comer of the Southeast Quarter of the Southwest Quarter of Section 13, Township 19 North, Range 3 East; thence North 00 degrees 02 minutes 56 seconds East, 700.42 feet on and along the West line of the Southeast Quarter of said Southwest Quarter to the POINT OF BEGINNING of this description; thence North 00 degrees 02 minutes 56 seconds East, 551.24 feet on and along the West line of the Southeast Quarter of Said Southwest Quarter to a fence; thence North 86 degrees 07 minutes 47 seconds East, 236.88 feet on and along said fence; thence South 00 degrees 00 minutes 26 seconds East, 567.43 feet; thence North 89 degrees 57 minutes 06 seconds West, 236.88 feet to the Point of Beginning. Containing 3.038 acres, more or less.

**Legal Description: 6**
**Deeded Owner: Godby, James L & B Ann Godby Trustee**
**Acreage: 21.45 Acres**
*Parcel No: 08-05-13-00-00-027.000*

Part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 335.44 feet to the northwest corner of the 0.467-acre parcel described in Instrument Number 200100054117, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter 307.26 feet to a point that is 148.13 feet south of the southeast corner of the 1.0-acre parcel described as Parcel II in Instrument Number 9419576, on file in the Office of said Recorder, the following two (2) courses are parallel with the south and east lines of said Parcel II; 1)thence North 88 degrees 25 minutes 07 seconds East 438.53 feet; 2)thence North 00 degrees 11 minutes 12 seconds East 298.13 feet to a point on the north line of Parcel I as described in said Instrument Number 9419576, said point being 148.13 feet east of the northeast corner of said Parcel II, the following two (2) courses are along the north and east lines of said Parcel I; 1)thence North 88 degrees 25 minutes 07 seconds East 873.47 feet; 2)thence South 00 degrees 40 minutes 12 seconds West 930.75 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 545.43 feet to the east line of the 3.00-acre parcel described in Instrument Number 9563173, on file in the Office of said Recorder, the following three (3) courses are along the east, north and west lines thereof; 1)thence North 00 degrees 11 minutes 12 seconds East 344.80 feet; 2)thence South 89 degrees 06 minutes 56 seconds West 363.00 feet; 3)thence South 00 degrees 11 minutes 12 seconds West 352.10 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 141.52 feet to the west line of said 0.467-acre parcel, the following

six (6) courses are along the west and north lines thereof; 1)thence North 00 degrees 10 minutes 28 seconds West 44.59 feet; 2)thence South 89 degrees 49 minutes 32 seconds West 165.62 feet; 3)thence North 09 degrees 13 minutes 08 seconds West 95.60 feet to the point of curve of a non tangent curve concave to the east, having a radius of 940.00 feet, the radius point of which bears North 80 degrees 46 minutes 53 seconds East; 4)thence northerly along said curve a distance of 154.30 feet to a point that bears North 89 degrees 48 minutes 49 seconds West from said radius point; 5)thence North 00 degrees 11 minutes 12 seconds East 34.10 feet; 6)thence North 89 degrees 48 minutes 48 seconds West 60.00 feet to the POINT OF BEGINNING. Containing 21.45 acres, more or less.

**Legal Description: 7**
**Deeded Owner: Hazel V Scott Revocable Trust (Steele, Carl M Trustee/Hittle, Jack Trustee)**
**Acreage: 113.43 Acres**
*Parcel No: 08-05-24-00-00-002.004*

Part of the Northwest Quarter of Section 24, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Northwest Quarter; thence South 00 degrees 03 minutes 52 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 629.76 feet to the northeast corner of the 3.00-acre parcel described in Instrument Number 2009056686, on file in the Office of the Recorder of Hamilton County, Indiana, the following seven (7) courses are along the north, west and south lines of said 3.00-acre parcel; 1)thence North 89 degrees 56 minutes 08 seconds West 176.79 feet; 2)thence South 24 degrees 53 minutes 54 seconds West 504.88 feet; 3)thence South 56 degrees 46 minutes 35 seconds East 47.81 feet;4) thence South 65 degrees 09 minutes 25 seconds East 41.76 feet; 5)thence South 70 degrees 36 minutes 27 seconds East 22.55 feet; 6)thence South 76 degrees 34 minutes 05 seconds East 76.76 feet; 7)thence South 72 degrees 16 minutes 03 seconds East 62.11 feet; thence South 65 degrees 39 minutes 43 seconds East 45.00 feet; thence South 57 degrees 47 minutes 20 seconds East 135.50 feet to the east line of said Northwest Quarter; thence South 00 degrees 03 minutes 52 seconds West 916.84 feet to the southeast corner of the 91.59-acre parcel described in Instrument Number 9249819, on file in the Office of said Recorder, the following two (2) courses are along the south and west lines thereof; 1)thence South 88 degrees 24 minutes 37 seconds West 2,429.69 feet; 2)thence North 00 degrees 15 minutes 45 seconds East 1,472.26 feet to the south line of the 21-acre parcel described in said Instrument Number 9249819; thence South 87 degrees 57 minutes 50 seconds West along said south line 221.19 feet to the west line of said Northwest Quarter; thence North 00 degrees 15 minutes 45 seconds East along said west line 429.19 feet to the southwest corner of the 4.25-acre parcel described in Instrument Number 20070009175, on file in the Office of said Recorder, the following two (2) courses are along the south lines thereof; 1)thence South 81 degrees 22 minutes 15 seconds East 337.53 feet; 2)thence North 58 degrees 37 minutes 15 seconds East 663.74 feet to a point on the north line of said Northwest Quarter that is 899.73 feet east of the northwest corner thereof; thence North 87 degrees 57 minutes 50 seconds East along said north line 1,744.29 feet to the POINT OF BEGINNING. Containing 116.43 acres, more or less.

EXCEPT:

Part of the Northwest Quarter of Section 24, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence South 00 degrees 03 minutes 52 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 629.76 feet to the northeast corner of the 3.00-acre parcel described in Instrument Number 2009056686, on file in the Office of the Recorder of Hamilton County, Indiana, the following two (2) courses are along the north

and west lines of said 3.00-acre parcel; 1)thence North 89 degrees 56 minutes 08 seconds West 176.79 feet to the POINT OF BEGINNING; 2)thence South 24 degrees 53 minutes 54 seconds West 504.88 feet to the southwest corner of said 3.00-acre parcel; thence North 44 degrees 57 minutes 01 second West 250.00 feet; thence North 24 degrees 53 minutes 54 seconds East parallel with the west line of said 3.00-acre parcel 556.80 feet; thence South 44 degrees 57 minutes 01 second East 250.00 feet to the northerly extension of said west line; thence South 24 degrees 53 minutes 54 seconds West along said northerly extension 51.92 feet to the POINT OF BEGINNING. Containing 3.00 acres, more or less.

Containing, after Exception, 113.43 acres, more or less.

**Legal Description: 8**
**Deeded Owner: Chatham Oaks, LLP**
**Acreage: 3.00 Acres**
*Parcel No: 08-05-24-00-00-002.000*

Commencing at the northeast corner of said Northwest Quarter; thence South 00 degrees 03 minutes 52 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 629.76 feet to the northeast corner of the 3.00-acre parcel described in Instrument Number 2009056686, on file in the Office of the Recorder of Hamilton County, Indiana, the following two (2) courses are along the north and west lines of said 3.00-acre parcel; 1)thence North 89 degrees 56 minutes 08 seconds West 176.79 feet to the POINT OF BEGINNING; 2)thence South 24 degrees 53 minutes 54 seconds West 504.88 feet to the southwest corner of said 3.00-acre parcel; thence North 44 degrees 57 minutes 01 second West 250.00 feet; thence North 24 degrees 53 minutes 54 seconds East parallel with the west line of said 3.00-acre parcel 556.80 feet; thence South 44 degrees 57 minutes 01 second East 250.00 feet to the northerly extension of said west line; thence South 24 degrees 53 minutes 54 seconds West along said northerly extension 51.92 feet to the POINT OF BEGINNING. Containing 3.00 acres, more or less.

**Legal Description: 9**
**Deeded Owner: Chatham Oaks, LLP**
**Acreage: 6.75 Acres**
***Parcel No: 08-05-24-00-00-037.001***

Land situated in the County of Hamilton, State of Indiana, Part of the Northwest Quarter of Section 24, Township 19 North, Range 3 East Washington Township, Hamilton County, Indiana, being described as follows: Commencing at the Southeast corner of the Northwest Quarter of Section 24, Township 19 North, Range 3 East; thence on the East line of said Northwest Quarter North 00 degrees 03 minutes 31 seconds East (assumed bearing) 226.25 feet to a Mag Nail and the Point of Beginning of this description; thence South 88 degrees 24 minutes 39 seconds West 1172.80 feet to a 5/8 inch steel rebar with a yellow cap stamped "Miller Survey" on the West line of a 35 acres tract of real estate described in Instrument No. 9609630806; thence on said West line North 00 degrees 03 minutes 41 seconds East 250.75 feet to a 5/8 inch steel rebar with a yellow cap stamped "Miller Survey" on the North line of said 35 acres tract of real estate described in Instrument No. 9609630806; thence on said North line North 88 degrees 24 minutes 39 seconds East 1172.80 feet to a Mag Nail on the East line of said Northwest Quarter; thence on said East line South 00 degrees 03 minutes 41 seconds West 250.75 feet to the Point of Beginning, containing 6.75 acres more or less.

**<u>Legal Description: 10</u>**

**Deeded Owner:** **Chatham Oaks, LLP**
**Acreage:** **14.12 Acres**
***Parcel No:*** ***10a. 08-05-24-00-00-037.002***
***10b. 08-05-24-00-00-037.003***

Part of the Northwest and Southwest Quarters of Section 24, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Southwest Quarter, also being on the east line of the 35-acre parcel described in Instrument Number 9609630806, on file in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 21 minutes 24 seconds West along the east line of said Southwest Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 35.92 feet; thence South 88 degrees 24 minutes 37 seconds West parallel with the north line of said 35-acre parcel 1,174.27 feet to the west line thereof; thence North 00 degrees 14 minutes 58 seconds East 262.20 feet along said west line to the south line of the parcel described in Instrument Number 2011012100, on file in the Office of said Recorder; thence North 88 degrees 24 minutes 38 seconds East along said south line 1,173.61 feet to the southeast corner of said parcel and the east line of said Northwest Quarter; thence South 00 degrees 03 minutes 52 seconds West along said east line 226.25 feet to the POINT OF BEGINNING. Containing 7.06 acres, more or less.

ALSO INCLUDING: Commencing at the northeast corner of said Southwest Quarter, also being on the east line of the 35-acre parcel described in Instrument Number 9609630806, on file in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 21 minutes 24 seconds West along the east line of said Southwest Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 35.92 feet to the POINT OF BEGINNING; thence continuing South 00 degrees 21 minutes 24 seconds West along said east line 262.21 feet; thence South 88 degrees 24 minutes 37 seconds West parallel with the north line of said 35-acre parcel 1,173.78 feet to the west line thereof; thence North 00 degrees 14 minutes 58 seconds East along said west line 262.19 feet to a point that is 1,174.27 feet South 88 degrees 24 minutes 37 seconds West from the beginning point; thence North 88 degrees 24 minutes 37 seconds East parallel with the north line of said 35-acre parcel 1,174.27 feet to the POINT OF BEGINNING. Containing 7.06 acres, more or less.

**<u>Legal Description: 11</u>**
**Deeded Owner:** **Rasnake, Craig A and Gregory M**
**Acreage:** **14.12 Acres**
*Parcel No:* *08-05-24-00-00-037.000*

Part of the Southwest Quarter of Section 24, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:
Commencing at the northeast corner of said Southwest Quarter, also being on the east line of the 35-acre parcel described in Instrument Number 9609630806, on file in the Office of the Recorder of Hamilton County, Indiana, the following four (4) courses are along the east, south and west lines of said 35-acre parcel; 1)thence South 00 degrees 21 minutes 24 seconds West along said east line 560.45 feet to the POINT OF BEGINNING; 2)thence continuing South 00 degrees 21 minutes 24 seconds West 262.45 feet; 3)thence South 88 degrees 24 minutes 37 seconds West 1,172.80 feet; 4)thence North 00 degrees 14 minutes 58 seconds East 262.43 feet to a point that is 1,173.29 feet South 88 degrees 24 minutes 37 seconds West from the beginning point; thence North 88 degrees 24 minutes 37 seconds East 1,173.29 feet to the POINT OF BEGINNING.

ALSO INCLUDING: Commencing at the northeast corner of said Southwest Quarter, also being on the east line of the 35-acre parcel described in Instrument Number 9609630806, on file in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 21 minutes 24 seconds West along said east line 298.13 feet to the POINT OF BEGINNING; thence continuing South 00 degrees 21 minutes 24 seconds West along said east line 262.32 feet; thence South 88 degrees 24 minutes 37 seconds West parallel with the north line of said 35-acre parcel 1,173.29 feet to the west line thereof; thence North 00 degrees 14 minutes 58 seconds East along said west line 262.30 feet to a point that is 1,173.78 feet South 88 degrees 24 minutes 37 seconds West from the beginning point; thence North 88 degrees 24 minutes 37 seconds East parallel with the north line of said 35-acre parcel 1,173.78 feet to the POINT OF BEGINNING. Containing 7.06 acres, more or less.

Containing 14.12 acres, more or less.

**Legal Description: 12**
**Deeded Owner: Ogle, Larry S & Jerolyn**
**Acreage: 10.434 Acres**
*Parcel No:* 08-05-23-00-00-012.00

A part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 19 North, Range 3 East in Washington Township, Hamilton County, more particularly described as follows:
Beginning at a point on the North line of the Northeast Quarter of Section 23, Township 19 North, Range 3 East, said point being N 90°00' 00" W (assumed bearing) 692.00 feet from the Northeast corner thereof, thence S 03°14' 20" E 732.38 feet, thence S 29° 14' 21" 317.08 feet, thence N 86° 45' 40" E 461 .28 feet, thence S 03° 14' 20" E 440.00 feet, thence S 86° 45' 40" W 872.23 feet, thence N 03° 14' 20" W 440.00 feet, thence N 86° 45' 40" E 222.00 feet, thence N 03° 14' 20" W 1018.79 feet to a point on the North line of said quarter, thence N 90° 00' 00" E along said North line 50.00 feet to the point of beginning and containing 10.434 acres, subject to all legal easements and rights of way of record. Subject to easements, agreements and restrictions of record.

**Legal Description: 13**
**Deeded Owner: Godby, Barbara Ann Ogle & Larry Shaul Ogle**
**Acreage: 107.7 Acres per GIS (110.056 Surveyed Acres)**
*Parcel No:* *13a. 08-05-23-00-00-013.000 (28.05 Acres per GIS)*
*13b. 08-05-23-00-00-012.000 (66.85 Acres per GIS)*
*13c. 08-05-24-00-00-039.000 (2.8 Acres per GIS)*
*13d. 08-05-24-00-00-040.000 (10 Acres per GIS)*

Part of the Northeast and Southeast Quarters of Section 23 and part of the Northwest and Southwest Quarters of Section 24, all in Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence South 00 degrees 15 minutes 45 seconds West along the east line of said Northeast Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 47.15 feet to the southeast corner of the 0.336-acre parcel described in Instrument Number 200100054118, on filed in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing South 00 degrees 15 minutes 45 seconds West along the east line of said Northeast Quarter 636.35 feet to the northeast corner Parcel No. 08-05-24-00-00-40.00 (“Parcel 40”) as described in Instrument Number 9508535, on file in the Office of said Recorder, the following three (3) courses are along the north, east and south lines of said Parcel 40; 1)thence North 88 degrees 24 minutes 37 seconds East 222.50 feet; 2)thence South 00 degrees 15 minutes 45 seconds West 1,956.43 feet; 4)thence South 88 degrees 24 minutes 37 seconds West 1.52 feet to the

east line of Parcel No. 08-05-24-00-00-39.00 ("Parcel 39"), as described in said Instrument Number 9508535; thence South 00 degrees 15 minutes 45 seconds West along the east line of said Parcel 39 a distance of 540.33 feet to the north line of the 3.01-acre parcel described in Instrument Number 2007034241, on file in the Office of said Recorder, the following two (2) courses are along the north and west lines of said 3.01-acre parcel; 1)thence South 88 degrees 45 minutes 51 seconds West 294.37 feet; 2)thence South 00 degrees 10 minutes 40 seconds West 445.58 feet to the south line of Parcel No. 08-05-23-00-00-13.000 as described in said Instrument Number 9508535; thence South 89 degrees 51 minutes 00 seconds West along said south line 971.17 feet to the northeast right-of-way line of a railroad; thence North 33 degrees 22 minutes 47 seconds West along said railroad right-of-way line 508.24 feet to the west line of the East Half of said Southeast Quarter; thence North 00 degrees 16 minutes 52 seconds East along the west line of said East Half 560.81 feet to the southwest corner of the East Half of said Northeast Quarter; thence North 00 degrees 11 minutes 30 seconds East along the west line of the East Half of said Northeast Quarter 2,639.20 feet to the northwest corner of the East Half of said Northeast Quarter; thence North 89 degrees 49 minutes 09 seconds East along the north line of said Northeast Quarter 852.77 feet to the northwest corner of said 0.336-acre parcel, the following two (2) courses are along the west and south lines of said 0.336-acre parcel; 1)thence South 00 degrees 11 minutes 42 seconds East 47.27 feet; 2)thence North 89 degrees 48 minutes 18 seconds East 475.41 feet to the POINT OF BEGINNING. Containing 120.49 acres, more or less.

EXCEPT

A part of the Northeast Quarter of the Northeast Quarter of Section 23, Township 19 North, Range 3 East in Washington Township, Hamilton County, more particularly described as follows:
Beginning at a point on the North line of the Northeast Quarter of Section 23, Township 19 North, Range 3 East, said point being N 90°00' 00" W (assumed bearing) 692.00 feet from the Northeast corner thereof, thence S 03°14' 20" E 732.38 feet, thence S 29° 14' 21" 317.08 feet, thence N 86° 45' 40" E 461 .28 feet, thence S 03° 14' 20" E 440.00 feet, thence S 86° 45' 40" W 872.23 feet, thence N 03° 14' 20" W 440.00 feet, thence N 86° 45' 40" E 222.00 feet, thence N 03° 14' 20" W 1018.79 feet to a point on the North line of said quarter, thence N 90° 00' 00" E along said North line 50.00 feet to the point of beginning and containing 10.434 acres, subject to all legal easements and rights of way of record. Subject to easements, agreements and restrictions of record.

Containing, after Exception, 110.056 acres, more or less.

| | | |
|---|---|---|
| **Legal Description:** | **14** | |
| **Deeded Owner:** | **Chatham Oaks, LLP** | |
| **Acreage:** | **42.94 Acres per GIS (43.066 Surveyed Acres)** | |
| *Parcel No:* | *14a.* | *08-05-23-00-00-011.000 (40.47 Acres per GIS)* |
| | *14b.* | *08-05-23-01-03-014.000 (2.47 Acres per GIS)* |

A PART OF THE NORTH HALF OF SECTION 23, TOWNSHIP 19 NORTH. RANGE 3 EAST LOCATED IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE SOUTH 00 DEGREES 11 MINUTES 40 SECONDS WEST (ASSUMED BEARING) 532.00 FEET ALONG THE EAST LINE OF THE WEST HALF SAID NORTHEAST QUARTER TO THE NORTHEAST CORNER OF A 10 ACRE TRACT OF REAL ESTATE DESCRIBED IN MISCELLANEOUS RECORD 138, PAGE 456 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 11 MINUTIES 40 SECONDS WEST 1438.00 FEET

ALONG THE EAST LINE OF THE WEST HALF OF SAID NORTHEAST QUARTER TO THE SOUTHEAST CORNER OF A 29 ACRE TRACT OF REAL ESTATE DESCRIBED IN MISCELLANEOUS RECORD 138, PAGE 456; THENCE SOUTH 89 DEGREES 49 MINUTES 15 SECONDS WEST 853.78 FEET ALONG THE SOUTH LINE OF SAID 29 ACRE TRACT AND SAID SOUTH LINE EXTIENDED WESTERLY TO THE CENTERLINE OF THE ABANDONED MONON RAILROAD; THENCE NORTH 33 DEGREES 25 MINUTIES 35 SECONDS WEST 1897.30 FEET ALONG SAID CENTERLINE TO THE WESTERLY EXTENSION OF THE NORTH LINE OF A 1.79 ACRE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT 9809817997; THENCE NORTH 89 DEGREES 47 MINUTES 54 SECONDS EAST 229.73 FEET ALONG SAID WESTERLY EXTENSION AND ALONG THE NORTH LINES OF SAID 1.79 ACRE TIRACT (THE FOLLOWING 3 COURSES ARE ALONG THE EASTERLY LINES OF SAID 1.79 ACRE TRACT); 1) THENCE SOUTH 00 DEGREES 07 MINUTES 27 SECONDS WEST 152.00 FEET; 2) THENCE NORTH 89 DEGREES 47 MINUTES 54 SECONDS EAST 123.75 FEET; 3) THENCE SOUTH 18 DEGREES 24 MINUTES 07 SECONDS EAST 386.27 FEET TO THE NORTH LINE OF SAID 29 ACRE TRACT; THENCE NORTH 89 DEGREES 49 MINUTES 15 SECONDS EAST 107.46 FEET ALONG THE NORTH LINE OF SAID 29 ACRE TRACT TO THE SOUTHWEST CORNER OF SAID 10 ACRE TRACT; THENCE NORTH DO DEGREES 11 MINUTIES 40 SECONDS EAST 370.00 FEET TO THE NORTHWEST CORNER OF SAID 10 ACRE TRACT; THENCE NORTH 89 DEGREES 49 MINUTES 15 SECONDS EAST 1320.00 FEET TO THE POINT OF BEGINNING. CONTAINING 43.066 ACRES, MORE OR LESS.

**Legal Description: 15**

**Deeded Owner:** **Chatham Oaks, LLP**

**Acreage:** **134.70 Acres per GIS (135.88 Surveyed Acres)**

*Map Number/Parcel No:*

*15a. 08-05-23-00-00-002.201 (9.45 Acres per GIS)*
*15b. 08-05-22-00-00-013.002 (22 Acres per GIS)*
*15c. 08-05-23-00-00-002.001(14 Acres per GIS)*
*15d. 08-05-23-00-00-002.101(22 Acres per GIS)*
*15e. 08-05-22-00-00-013.001 (12 Acres per GIS)*
*15f. 08-05-22-00-00-013.000 (43.75 Acres per GIS)*
*15g. 08-05-22-00-00-014.000 (10 Acres per GIS)*
*15h. 08-05-22-00-00-012.000 (1.5 Acres per GIS)*

THE EAST HALF OF THE NORTHEAST QUARTER OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 3 EAST AND PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 3 EAST DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 19 NORTH, RANGE 3 EAST; THENCE SOUTH 00 DEGREES 11 MINUTES 21 SECONDS WEST (ASSUMED BEARING) 1149.38 FEET ALONG THE EAST LINE OF SAID NORTHEAST QUARTER TO THE NORTHWEST CORNER OF A 45.45 TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT NUMBER 9809872007; THENCE NORTH 89 DEGREES 47 MINUTES 37 SECONDS EAST 1326.94 FEET TO THE NORTHEAST CORNER OF SAID 45.45 ACRE TRACT; THENCE SOUTH 00 DEGREES 09 MINUTES 24 SECONDS WEST 1409.76 FEET ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 3 EAST TO THE SOUTHEAST CORNER OF THE WEST HALF OF SAID NORTHWEST QUARTER; THENCE SOUTH 89 DEGREES 43 MINUTES 28 SECONDS WEST 1327.795 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER: THENCE SOUTH 00 DEGREES 11 MINUTES 21 SECONDS WEST (ASSUMED BEARING) 2641.76 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER;

THENCE SOUTH 00 DEGREES 02 MINUTES 03 SECONDS WEST 1321.84 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE SOUTH 89 DEGREES 45 MINUTES 09 SECONDS WEST 330.95 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 02 MINUTES 13 SECONDS EAST 1321.93 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 46 MINUTES 01 SECOND WEST 992.655 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 07 MINUTES 13 SECONDS EAST 2643.16 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 49 MINUTES 42 SECONDS EAST 1326.71 FEET TO THE POINT OF BEGINNING. CONTAINING 135.88 ACRES, MORE OR LESS.

**Legal Description: 16**

**Deeded Owner:** **Chatham Oaks, LLP**
**Acreage:** **9.34 Acres per GIS (9.257 Surveyed Acres)**
*Parcel No:* 08-05-23-00-00-007.001

A part of the East Half of the Northwest Quarter of Section 23, Township 19 North, Range 3 East, more particularly described as follows:

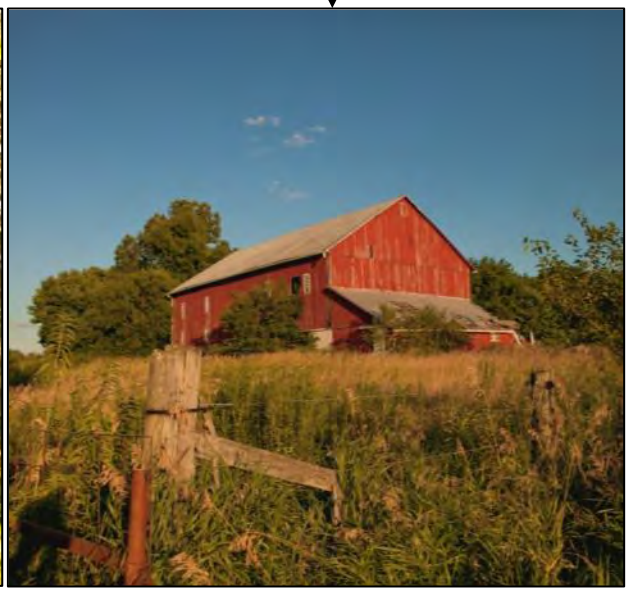
Beginning at a point on the West line of the East Half of the Northwest Quarter of Section 23, Township 19 North, Range 3 East, said point being South 00 degrees 05 minutes 36 seconds West (assumed bearing) 955.10 feet from a point marking the Northwest corner of the East Half of the said Quarter Section; thence North 89 degrees 44 minutes 20 seconds East on a line parallel with the North line of the said Quarter Section a distance of 279.8 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 50.00 feet; thence North 89 degrees 44 minutes 20 seconds East on a line parallel with the North line of the said Quarter Section a distance of 776.91 feet to a point on the Western right-of-way line of the Monon Railroad; thence South 33 degrees 29 minutes 09 seconds East along the Westerly right-of-way line of said Railroad a distance of 655.37 feet; thence North 89 degrees 46 minutes 55 seconds West (North 89 degrees 57 minutes 30 seconds West deed bearing) a distance of 572.72 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 293.41 feet; thence North 89 degrees 46 minutes 55 seconds West a distance of 796.49 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 92.00 feet; thence North 89 degrees 46 minutes 55 seconds West a distance of 50.00 feet to a point on the West line of the East Half of the said Quarter Section; thence North 00 degrees 05 minutes 36 seconds East along the West line of the East Half of the said Quarter Section a distance of 100.96 feet to the point of beginning, containing 9.257 acres, more or less.

Together with the Westerly Half of the right of way of the former Monon Railway East of and adjacent thereto as set out in Instruments recorded December 24, 2003 as Instrument Number 200300126946 and February 10, 2005 as Instrument Number 200500008158 in the Office of the Recorder of Hamilton County, Indiana.

# EXHIBIT B

CONCEPTUAL PLAN

**EXHIBIT C**
LINDLEY HOUSE and RED BARN



Above: Photo of Lindley House (2013)
Right: Red Barn (2013)

# EXHIBIT D

## CHARACTER EXHIBIT: SINGLE FAMILY DETACHED RESIDENTIAL

(Examples are primarily from The Bridgewater Club, Westfield, Indiana)

*Examples of elevation and roof variations:*

# EXHIBIT E

## CHARACTER EXHIBIT: SINGLE FAMILY ATTACHED RESIDENTIAL

# EXHIBIT F

## CHARACTER EXHIBIT: MULTI-FAMILY RESIDENTIAL DEVELOPMENT

*Example of a multi-family residential development on a golf course (and corresponding community clubhouse building and swimming pool).* *(The Pinehills, Plymouth, MA)*

Clubhouse &
Leasing Office

# EXHIBIT G

## CHARACTER EXHIBIT: CLUBHOUSE AND GOLF COURSE USES

*Clubhouse and related uses (general design theme, architectural influence):*

# EXHIBIT H

## CHARACTER EXHIBIT: NON-RESIDENTIAL BUILDINGS

*Other non-residential buildings:*

# EXHIBIT I

CHARACTER EXHIBIT: SINGLE-FAMILY FAÇADE EXHIBIT