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(15)

ORDINANCE NO. 50-11-02

200300072858
Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
07-24-2003 At 02:50 pm.
ORDINANCE 37.00

AN ORDINANCE TO AMEND THE ZONING ORDINANCE,
A PART OF THE MASTER PLAN OF THE CITY OF
NOBLESVILLE, HAMILTON COUNTY, INDIANA

This is an Ordinance (the "PUD Ordinance") amending the Unified Development Ordinance of the City of Noblesville, Hamilton County, Indiana, enacted by the City of Noblesville under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended (the "Zoning Ordinance"):

WHEREAS, the Plan Commission of the City of Noblesville (the "Commission") has conducted a public hearing as required by law in regard to the application for approval of a preliminary development plan and this PUD Ordinance filed by W and C Development Company, LLC for the real estate (i) containing approximately 210 acres, legally described on Exhibit "A" hereto, and located in Noblesville Township, Noblesville, Indiana (the "Real Estate") and (ii) located within the Corporate Campus Park District set forth in Article 8 of the Zoning Ordinance (the "Corporate Campus Park District");

WHEREAS, the Commission has sent to the Common Council of the City of Noblesville, Indiana (the "Common Council") its favorable recommendation adopted on the 18th day of November, 2002; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council, meeting in regular session, that the Zoning Ordinance and the zone map (the "Zone Map") corresponding to the Zoning Ordinance are hereby amended as follows:

SECTION 1. OVERALL CLASSIFICATION. The Real Estate is classified as Corporate Campus Park District (i) with an Overlay Subdistrict of Mixed Residential for both the

Multi-Family and Single Family and (ii) Overlay Subdistricts of Secondary Corridor and Internal Corridor for the Industrial/Office on the Zone Map, all per the provisions of this PUD Ordinance, permitting multi-family residential, detached single family residential, and office/industrial uses.

- A. Attached hereto and incorporated herein by reference as Exhibit "B", in six (6) parts, is the approved preliminary development plan (collectively, the "Preliminary Plan") allocating the Real Estate into the areas to be occupied by the permitted multi-family residential, detached single family residential, and office/industrial uses.
- B. Attached hereto and incorporated herein by reference as Exhibit "C" (the "Multi-Family Parcel") is the legal description of that portion of the Real Estate to be occupied by multi-family use; attached hereto and incorporated herein by reference as Exhibit "D" (the "Residential Parcel One") is the legal description of that portion of the Real Estate to be utilized for detached single family use accessed by streets and lanes; attached hereto and incorporated herein by reference as Exhibit "E" (the "Residential Parcel Two") is the legal description of that portion of the Real Estate to be utilized for street accessed, detached single family residential use; attached hereto and incorporated herein by reference as Exhibit "F" (the "Undesignated Parcel") is the legal description of that portion of the Real Estate, the use and preliminary development plan of which is yet undetermined and which must later be determined in accordance with the applicable provisions and procedures specified in the Zoning Ordinance and the Corporate Campus Park District; and attached hereto and incorporated herein by reference as Exhibit "G" (the "Office/Industrial Parcel") is the legal description of

that portion of the Real Estate to be used for office/industrial uses.

SECTION 2. MULTI-FAMILY. The Multi-Family Parcel, corresponding to the area colored in brown and identified on part one (1) of the Preliminary Plan as "A", shall be developed as multi-family residential uses. Other approved improvements are as follows:

- A. The preliminary elevations of the various buildings (the "Multi-Family Building Elevations") which were reviewed and approved by the Architectural Review Board of the City of Noblesville, Indiana (the "ARB"), and which by this PUD Ordinance are approved, are attached hereto and incorporated herein by reference as Exhibit "H" in eight (8) parts;
- B. Part 3 of Exhibit B, together with what are attached hereto and incorporated herein by reference as Exhibit "I" in four (4) parts (collectively, the "Multi-Family Landscape Illustrations") are illustrations of the preliminary site/landscape plan, building landscaping plans, and proposed water feature (the "Water Feature Illustration"), which were reviewed and approved by the ARB, and which by this PUD Ordinance are approved. The Water Feature Illustration is for illustrative purposes only, and the actual water feature may differ in size, height, width, and appearance, but must be approved by the Department of Planning and Development for the City of Noblesville, Indiana (the "Department"). The decision of the Department can be appealed to the ARB. The decision of the ARB can be appealed to the Common Council.

- C. Additional multi-family site information pertaining to, among other things, density, open space, floor areas, and parking is attached hereto and incorporated herein by reference as Exhibit "J" in five (5) parts.

SECTION 3. RESIDENTIAL PARCEL ONE. Residential Parcel One, corresponding to the area colored in lighter yellow and designated on part one (1) of the Preliminary Plan as "D" shall be developed for detached single family residential use. The uses and development standards applicable to Residential Parcel One are as follows:

- A. Detached single family dwellings and such accessory structures and uses as allowed by the Declaration of Conditions, Covenants and Restrictions recorded by the developer of Residential Parcel One with the Recorder of Hamilton County, Indiana, together with common and amenity areas along with accessory uses, structures, and improvements located thereon, are permitted uses.
- B. The maximum number of single family residences to be constructed upon Residential Parcel One shall not exceed three hundred sixty-five (365), two hundred sixty-five (265) of which are Village Lane Homes and one hundred (100) of which are Perimeter Homes.
- C. The Village Lane Homes are those homes accessed by lanes, and include all lots within Residential Parcel One, which utilize lanes for garage access. Development Standards for the Village Lane Homes are set forth in the Development Standards Matrix attached hereto and incorporated herein by reference as Exhibit "K" (the "Development Standards Matrix");
- D. The elevations of the Village Lane Homes which were approved by the ARB, and which are approved by this PUD Ordinance, are attached hereto as Exhibit "L".

All Village Lane Homes shall have an eight inch (8") overhang on all sides;

- E. The Perimeter Homes are the homes which are within Residential Parcel One and which do not have garages accessed by lanes. The Development Standards Matrix specifies the development standards of the Perimeter Homes. All Perimeter Homes shall have an eight inch (8") overhang on all sides;
- F. The architectural style and design of the Perimeter Homes shall be consistent with the theme established by the Village Lane Elevations and the conceptual elevations attached hereto and incorporated herein by reference as Exhibit "M"; provided, however, that (i) front-loaded one (1) car garages with driveways not to exceed ten (10) feet in width shall be permitted and (ii) the actual elevations of the Perimeter Homes shall be reviewed and approved by the ARB. The decision of the ARB can be appealed to the Common Council;
- G. Attached hereto and incorporated herein by reference as Exhibit "N" is an illustration of the manner in which certain parking areas will be designed and structured;
- H. Perimeter buffering standards are included in what is attached hereto and incorporated herein by reference as Exhibit "O" in three (3) parts;
- I. Common area/open space shall be in conformity with the illustrations included in what is attached hereto and incorporated herein by reference as Exhibit "P" in three (3) parts;
- J. Additional standards relating to streetscape design are included in what is attached hereto and incorporated herein by reference as Exhibit "Q" in seven (7) parts;

- K. Lot Design Guidelines for Village Lane Homes and Perimeter Homes are included in what is attached hereto and incorporated herein by reference as Exhibit "R" in three (3) parts.
- L. Additional site information pertaining to, among other things, density and open space, is included in what is attached hereto and incorporated herein by reference as Exhibit "S" in three (3) parts.
- M. The preliminary landscape plan for Residential Parcel One is illustrated on part four (4) of Exhibit "B".
- N. The Declaration of Covenants, Conditions, and Restrictions (the "Declaration") to be recorded for Residential Parcel One by the developer of Residential Parcel One shall include the following provision, which, by the terms of the Declaration, cannot be changed by amendment:

Upon turnover of the affairs of the Association by the Declarant to the Members, the Association shall continuously employ a professional manager or management company, possessing experience and expertise in the management of homeowners associations, to assist the Board of Directors in the Management of and administration of the Association, and

Mini barns and outbuildings which are detached from the residence shall be prohibited.

SECTION 4. RESIDENTIAL PARCEL TWO. Residential Parcel Two, corresponding to the area colored in darker yellow and designated on part one (1) of the Preliminary Plan as "E" shall be developed for detached single family residential use in the area so designated on the Preliminary Plan. The uses and development standards for Residential Parcel Two are as follows:

- A. Detached single family dwellings and such accessory structures and uses as allowed by the Declaration of Conditions, Covenants and Restrictions recorded by the developer of Residential Parcel Two with the Recorder of Hamilton County, Indiana, together with common and amenity areas along with accessory uses, structures, and improvements located thereon, are permitted uses.
- B. The maximum number of single family residences to be constructed upon Residential Parcel Two shall not exceed one hundred ninety-six (196).
- C. The elevations of residences to be constructed in Residential Parcel Two which were approved by the Noblesville ARB, and which are approved by this PUD Ordinance are attached hereto and incorporated herein by reference as Exhibit "L" (the "Hallmark Homes"). The Development Standards Matrix specifies the development standards of the Hallmark Homes.
- D. Attached hereto and incorporated herein by reference as Exhibit "N" is an illustration of the manner in which certain parking areas will be designed and structured.
- E. Perimeter buffering standards are included in what is attached hereto and incorporated herein by reference as Exhibit "O" in three (3) parts;
- F. Common area/open space shall be as identified in what is included in and attached hereto and incorporated herein by reference as Exhibit "P" in three (3) parts;
- G. Additional standards relating to streetscape design are included in what is attached hereto and incorporated herein by reference as Exhibit "Q" in seven (7) parts.

- H. Lot design guidelines for Hallmark homes are included in what is attached hereto and incorporated herein by reference as Exhibit "R" in three (3) parts.
- I. Additional site information pertaining to, among other things, density and open space, is included in what is attached hereto and incorporated herein by reference as Exhibit "S" in three (3) parts.
- J. The preliminary landscape plan for Residential Parcel Two is illustrated on part five (5) of Exhibit "B".
- K. The Declaration of Covenants, Conditions, and Restrictions (the "Declaration") to be recorded for Residential Parcel Two by the developer of Residential Parcel Two shall include the following provision, which, by the terms of the Declaration, cannot be changed by amendment:

Upon turnover of the affairs of the Association by the Declarant to the Members, the Association shall continuously employ a professional manager or management company, possessing experience and expertise in the management of homeowners associations, to assist the Board of Directors in the Management of and administration of the Association.

Mini barns and outbuildings which are detached from the residence shall be prohibited.

SECTION 5. UNDESIGNATED PARCEL. The Undesignated Parcel, colored in gray and corresponding to what is designated on part one (1) of the Preliminary Plan as "B", shall be developed for uses and per a preliminary development plan to later be determined per the provisions and procedures of the Zoning Ordinance and the Corporate Campus Park District.

SECTION 6. OFFICE/INDUSTRIAL PARCEL. The Office/Industrial Parcel, colored in purple and corresponding to what is designated on part one (1) of the Preliminary Plan as "C", shall be developed for office/industrial purposes and shall comply with the provisions,

guidelines, and development standards in the Corporate Campus Park District pertaining to industrial development:

- A. The lot lines for the Industrial Parcel on the Preliminary Plan shall be as determined during the subsequent development plan phases;
- B. The preliminary landscape plan for the Industrial Parcel is illustrated on part six (6) of Exhibit "B".
- C. Road cuts into the Industrial Parcel shall be permitted in the areas shown on the Preliminary Plan along Cumberland Road of the Industrial Parcel. The wall sign, as indicated in the Preliminary Plan at the northern most road cut off of Cumberland Road, shall be permitted to exist within the Open Space.

SECTION 7. PUD DEVELOPMENT STANDARDS. The development standards and requirements established by this PUD Ordinance and/or its exhibits supersede the development standards of the Zoning Ordinance and the Subdivision Control Ordinance of the City of Noblesville, Indiana; provided, however, that unless a development standard, guideline, or requirement specified in the Zoning Ordinance is varied, altered, or modified by this PUD Ordinance and/or its exhibits, then such development standard, guideline, or requirement as specified in the Zoning Ordinance shall apply. Further, (i) all lighting and curbing shall be as required by the Zoning Ordinance and (ii) all mail boxes will be as required by the U.S. Postmaster.

SECTION 8. PROCEDURES. The following procedures shall apply:

- A. As indicated above, the actual elevations for the Perimeter Homes shall be reviewed and approved by the ARB;

B. The Department shall determine whether final plans including, without limitation, building elevations, site plans, landscape plans, and Water Feature Illustration are in substantial conformance with what has been approved by the ARB and by the Common Council in this PUD Ordinance.

C. Any decision of the Department can be appealed to the ARB. Any decision of the ARB can be appealed to the Common Council.

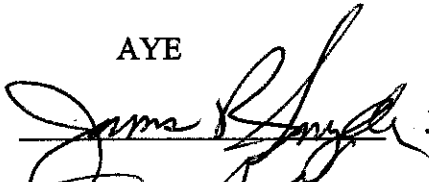

SECTION 9. ENACTMENT. Upon motion duly made and seconded, this PUD Ordinance was fully passed by the members of the Common Council this 10th day of Dec, 2002.

COMMON COUNCIL, CITY OF NOBLESVILLE

BY:

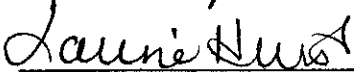
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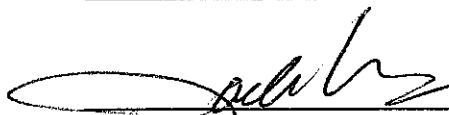



James Snyder

Alan Hinds



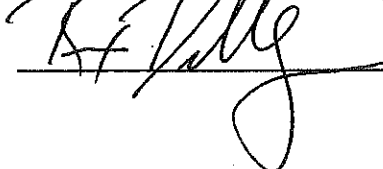
Laurie Hurst



Jack Martin

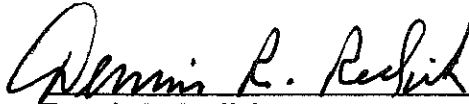


Dale Snelling

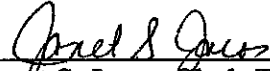


Rex Dillinger

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 10th day of Dec, 2002.


Dennis R. Redick, Mayor,
City of Noblesville, Indiana

ATTEST:


Janet S. Jaros, Clerk-Treasurer
City of Noblesville, Indiana

This Ordinance prepared by: Charles D. Frankenger, Attorney at Law
NELSON & FRANKENBERGER
3021 East 98th Street, Suite 220
Indianapolis, IN 46280

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PUD ORDINANCE NUMBER

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Exhibit List

Exhibit A.	Overall legal description of 210 acres
Exhibit B.	Preliminary Development Plan in six (6) parts: 1. Land District Plan; 2. Overall Preliminary Development Plan; 3. Multi-Family Development Plan; 4. Detached Single Family Plan No. 1; 5. Detached Single Family Plan No. 2; and 6. Industrial Development Plan
Exhibit C.	Legal Description – Multi-Family Parcel
Exhibit D.	Legal Description – Residential Parcel One
Exhibit E.	Legal Description – Residential Parcel Two
Exhibit F.	Legal Description – Undesignated Parcel
Exhibit G.	Legal Description – Industrial Parcel
Exhibit H.	Multi-Family Building Elevations in eight (8) parts: 1. Apartment Building Type 1 Elevation; 2. Apartment Building Type 2 Elevation; 3. Apartment Building Type 3 Elevation; 4. Apartment Building Type 4 Elevation; 5. Apartment Building Type 5 Elevation; 6. Apartment Building Type 6 Elevation; 7. Clubhouse Elevation; 8. Garage and Trash Enclosure Elevations
Exhibit I.	Multi-Family Landscape Illustrations in four (4) parts: 1. Clubhouse Area Landscape Concept; 2. Two Story Apartment Building Landscape Concept; 3. Three Story Apartment Building Landscape Concept; and 4. Illustration of Water Feature

- Exhibit J. Multi-Family Site Information in five (5) parts – Density, Open Space,
Floor Areas, and Parking
- Exhibit K. Development Standards Matrix – Detached Single Family
- Exhibit L. Village Lane Home and Hallmark Home Elevations
- Exhibit M. Perimeter Home Elevations
- Exhibit N. Detached Single Family – Parking Illustrations
- Exhibit O. Detached Single Family – Perimeter Buffering Standards in three (3) parts
- Exhibit P. Detached Single Family – Open Space Illustrations in three (3) parts
- Exhibit Q. Detached Single Family – Streetscape Standards in seven (7) parts
- Exhibit R. Detached Single Family – Lot Design Guidelines in three (3) parts
- Exhibit S. Detached Single Family – Site Information in three (3) parts – Density
and Open Space

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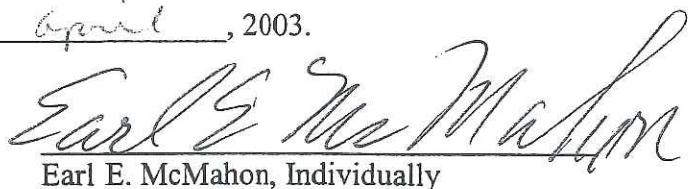
COPY

COMMITMENTS CONCERNING THE
USE AND DEVELOPMENT OF REAL ESTATE

Earl E. McMahon (the "Owner") makes the following commitments ("Commitments") to the Common Council (the "Council") of the City of Noblesville, Indiana:

1. Description of Real Estate. The real estate is legally described on Exhibit A (the "Real Estate").
2. Ordinance Number. The Ordinance Number is 50-11-02, under which the Preliminary Development Plan was approved, subject to and conditioned upon compliance with these Commitments.
3. Commitment. The Owner, for himself and his successors, assigns, and grantees, hereby commits that neither subsequent owners of the Real Estate, regardless of their nature or status, nor the Real Estate, shall be exempt from the payment of (i) installments of real estate taxes due and owing to Hamilton County, Indiana (the "Real Estate Taxes") or (ii) the equivalent of the Real Estate Taxes.
4. Binding on Successors and Assigns. After the Effective Date (defined below), these Commitments are binding upon Owner, each subsequent owner of the Real Estate, and each other person acquiring an interest in the Real Estate, unless modified or terminated by the Council. These commitments may be modified or terminated only by a decision of the Council made at a public hearing after notice as provided by the Rules of the Council.
5. Recording. The undersigned shall record these Commitments in the Office of the Recorder of Hamilton County, Indiana, upon the occurrence of all events specified in paragraph 7 above.
6. Enforcement. These Commitments may be enforced by the Council.

EXECUTED this 3 day of April, 2003.


Earl E. McMahon, Individually

Date: 4/3/03

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Earl E. McMahon, who acknowledged the execution of the foregoing Commitments.

WITNESS my hand and Notarial Seal this 3rd day of April, 2003.

My Commission Expires:
2/27/09

Jack G. Little
Notary Public - Signature

Residing in Ham. County

Jack G. Little
Printed Name

Prepared By: Charles D. Frankenberger, Nelson & Frankenberger, 3021 East 98th Street, Suite 220, Indianapolis, Indiana 46204.

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EXHIBIT "A"

Description of Real Estate

A part of the Southwest Quarter of Section 8, Township 18 North, Range 5 East and a part of the Northwest Quarter of Section 17, Township 18 North, Range 5 East located in Noblesville Township, Hamilton County, Indiana, being described as follows:

Beginning at the railroad spike at the Southwest corner of the Southwest Quarter of Section 8, Township 18 North, Range 5 East; thence North 00 degrees 00 minutes 00 seconds (assumed bearing) 774.88 feet to a mag nail at the Point of Beginning of this description; thence North 00 degrees 00 minutes 00 seconds 956.34 feet on and along the West line of said Southwest Quarter to a mag nail at the point of intersection of the west line of said Southwest Quarter and the centerline of State Road 238; thence South 55 degrees 50 minutes 00 seconds East 87.10 feet on and along the centerline of said State Road 238 to a mag nail; thence South 65 degrees 23 minutes 00 seconds East 536.50 feet on and along the centerline of said State Road 238 to a mag nail; thence South 71 degrees 44 minutes 00 seconds East 696.97 feet on and along the centerline of said State Road 238 to a mag nail at the Northeast corner of Parcel "G" as described in deed record 354, page 470; thence South 00 degrees 03 minutes 52 seconds West 1247.56 feet on and along the East line of said Parcel "G" and the east line of Parcel "A" as described in deed record 354, page 470 to a 5/8" iron rod with yellow cap stamped Miller Surveying on the south line of said Southwest Quarter; thence South 00 degrees 16 minutes 10 seconds West 30.15 feet to a 5/8" Iron rod with yellow cap stamped Miller Surveying on a curve to the left, said 5/8" iron rod with yellow cap stamped Miller Surveying being North 10 degrees 33 minutes 27 seconds East 325.00 feet from the radius point of said curve to the left; thence Northwesterly 57.96 feet on and along said curve to the left to a 5/8" iron rod with yellow cap stamped Miller Surveying at the point of tangency of said curve to the left; thence North 89 degrees 39 minutes 45 seconds West 563.20 feet to a 5/8" iron rod with yellow cap stamped Miller Surveying; thence North 00 degrees 00 minutes 00 seconds 25.00 feet to a 5/8" iron rod with yellow cap stamped Miller Surveying on the South line of said Southwest Quarter; thence North 00 degrees 00 minutes 00 seconds 778.41 feet to a 5/8" iron rod with yellow cap stamped Miller Surveying; thence North 90 degrees 00 minutes 00 seconds West 599.30 feet to the Point of Beginning. Containing 30.669 acres, more or less.

OVERALL
LEGAL DESCRIPTION

A part of Southwest Quarter of Section 8, Township 18 North, Range 5 East, and part of Section 17, Township 18 North, Range 5 East all in Hamilton County, Indiana, more particularly described as follows:

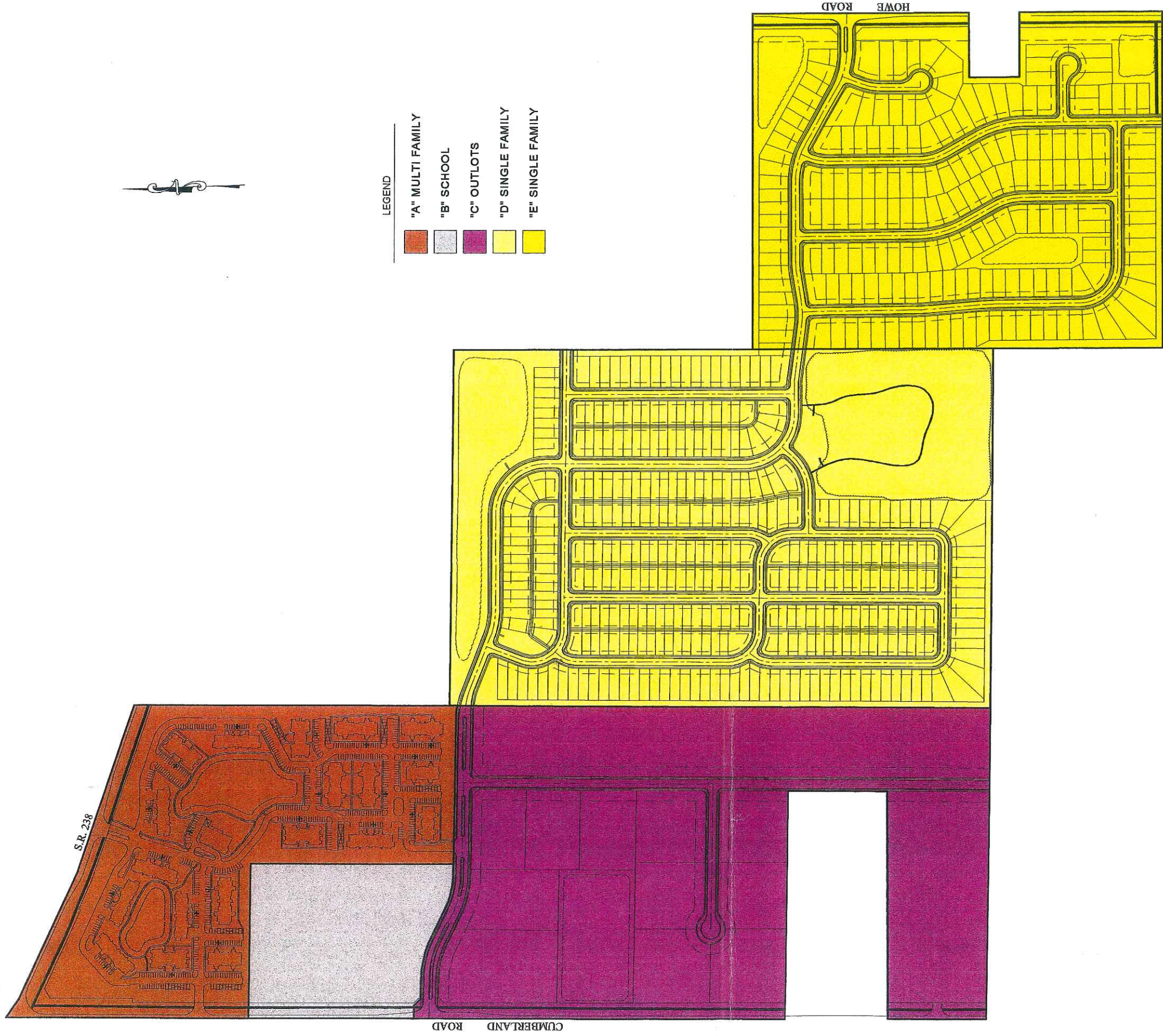
Beginning at the Southwest corner of said Southwest Quarter Section; thence North 00 degrees 00 minutes 00 seconds East 1,731.22 feet; thence South 55 degrees 50 minutes 00 seconds East 87.10 feet; thence South 65 degrees 23 minutes 00 seconds East 536.50 feet; thence South 71 degrees 44 minutes 00 seconds East 696.97 feet; thence South 00 degrees 03 minutes 52 seconds West 1,247.56 feet to a point on the North line of said Section 17; thence North 89 degrees 39 minutes 45 seconds East along said North line 1,408.55 feet to the Northeast corner of the West Half said Section 17; thence South 00 degrees 06 minutes 45 seconds East along the East line of said West Half 1,190.00 feet; thence South 89 degrees 39 minutes 45 seconds East 1,314.96 feet; thence South 00 degrees 06 minutes 54 seconds East 845.00 feet; thence South 89 degrees 53 minutes 06 seconds West 270.00 feet; thence South 00 degrees 06 minutes 54 seconds East 250.00 feet; thence North 89 degrees 53 minutes 06 seconds East 270.00 feet; thence South 00 degrees 06 minutes 54 seconds East 515.00 feet; thence North 89 degrees 39 minutes 45 seconds West 1,315.03 feet to a point on the aforesaid East line of said West Half ; thence North 00 degrees 06 minutes 45 seconds West along said East line 638.40 feet; thence North 89 degrees 39 minutes 49 seconds West 2,637.67 feet to a point on the West line of said Section 17; thence North 00 degrees 07 minutes 01 seconds East 389.92 feet; thence North 89 degrees 20 minutes 04 seconds East 886.07 feet; thence North 00 degrees 16 minutes 10 seconds East 391.79 feet; thence North 89 degrees 46 minutes 25 seconds West 887.03 feet to a point on the afore said West line of Section 17; thence North 00 degrees 07 minutes 01 seconds East along said West line 1,335.12 feet to the place of beginning, containing 209.872 acres, more or less, Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

This description was prepared for zoning purposes only and is subject to change on completion of an accurate boundary survey.

S/42960/legal/coverall
August 15, 2002
(R) KRG .(GDK)

CUMBERLAND AND POINTE

LAND USE/DISTRICT PLAN



CUMBERLAND AND POINTE

MULTI-FAMILY



BUILDING	BUILDING TYPE	STORIES	UNITS
1	I	2	14
2	I	2	14
3	I	2	14
4	VI	3	24
5	I	2	14
6	IV	3	24
7	II	2	14
8	I	2	14
9	VI	3	24
10	I	2	14
11	VI	3	24
12	IV	2	15
13	III	2	16
14	IV	3	24
15	IV	3	24
16	I	2	14
17	IV	2	16
18	IV	2	16
19	VI	3	24

NOTE: BUILDING TYPES I - VI CAN BE VIEWED IN GREATER DETAIL IN BOOKLET.

GROSS AREA	30.67 AC.
NET AREA	25.33 AC.
NUMBER OF UNITS	346

USABLE C.A.	4.8 AC.	16.65%	16.95%
POND #1	0.22 AC.	0.75%	2.00%
POND #2	0.22 AC.	0.75%	2.00%
WATER FEATURE AREA	0.22 AC.	0.75%	2.00%
COMMON AREA	0.22 AC.	0.75%	2.00%

DENSITY	7.20 U/A
RIGHT OF WAY	3.38 AC.
TOTAL POND	0.44 AC.
NET DENSITY	11.28 U/A
CORPORATE CAMPUS	13.65 U/A
BASE DENSITY	14 U/A
PERMITTED DENSITY	7-20 U/A

Notes:
1. All building footprints are shown in yellow.
2. All parking spaces are shown in white.
3. All landscaping is shown in green.
4. All water features are shown in blue.
5. All information is based on the latest available data.

NOTE: PARKING LOTS AND PLANTING ISLANDS TO BE CURBED TO STANDARD SPECIFICATIONS
ALL SITE LIGHTING SHALL MEET STANDARD SPECIFICATIONS
MAIL BOXES SHALL BE PUT IN AND LOCATED PER POST MASTERS REQUEST
SIGN WALL SHALL NOT EXCEED 6' IN HEIGHT
BUILDING SHALL NOT EXCEED 45' IN HEIGHT

TOTAL NET Livable OF BUILDINGS	321,954
GROSS AREA OF SITE	30.67 AC.
NET AREA OF SITE	25.33 AC.
FLOOR RATIO PER GROSS ACRES	0.24
FLOOR RATIO PER NET ACRES	0.29
PERMITTED FLOOR RATIO PER STAFF REPORT	0.60

REQUIRED BY ORDINANCE	REQUIRED SPACES PER UNIT	TOTAL REQUIRED SPACES
1 BEDROOM UNITS	1.3	202.8
2 BEDROOM UNITS	1.7	275.4
3 BEDROOM UNITS	1.9	55.2
TOTAL		531.4

PROVIDED ON SITE	REGULAR SPACES	479
	HANDICAP SPACES	40
	ATTACHED GARAGES	42
	DETACHED GARAGES	64
	TOTAL	626
	93.6 ADDITIONAL PARKING SPACES PROVIDED	

PARKING LANDSCAPING	PAVEABLE AREA	7.55 AC.	15%
	LANDSCAPED AREA	1.15 AC.	

PLANT MATERIAL
ALL PLANT MATERIAL TO BE SPECIFIED WILL CONFORM TO ARTICLE 12, LANDSCAPING AND SCREENING REQUIREMENTS.

SMALL SHADE TREES
• 2 1/2" MINIMUM TRUNK DIAMETER
LARGE SHADE TREES
• 3 1/2" MINIMUM TRUNK DIAMETER
ORNAMENTAL TREES
• 1 1/2" MINIMUM TRUNK DIAMETER

SMALL EVERGREEN TREES
• 6" MINIMUM HEIGHT
LARGE EVERGREEN TREES
• 8" MINIMUM HEIGHT
SHRUBS
• 24" MINIMUM HEIGHT
• 1/2" MINIMUM SPREAD

SELECT LIST OF DESIRABLE TREES

SHADE TREES
• RED MAPLE VAR.
• SUGAR MAPLE VAR.
• HONEY LOCUST VAR.
• PEAR VAR.
• LINDEN VAR.
• OAK VAR.
• LARCH VAR.

ORNAMENTAL TREES
• SERVICE BERRY VAR.
• FLOWERING CHERRY VAR.
• WINTERING HAWTHORN
• CARAGANA RED CHERRY

EVERGREEN TREES
• AUSTRALIAN PINE
• COLORADO SPRUCE
• SERBIAN SPRUCE

LEGEND
LAKE AREA
STREETS
SIDEWALKS
GARAGE
ORNAMENTAL TREE
SMALL EVERGREEN
SPRUCE TREE
SMALL SHADE TREE
LARGE SHADE TREE
MULTI-USE PATH
MOUNDING
FOUNTAIN

LANDSCAPE PLAN PREPARED BY:
LANDSCAPE FOCUS, LTD.
10000 10th Avenue, Suite 100
Edmonton, Alberta T6E 1K1
PH: 780-443-1111
FAX: 780-443-1112
AUGUST 13, 2002

SITE PLAN PREPARED BY:
Simpson & Associates, Inc.
CONSULTING ENGINEER
LAND SURVEYORS
10000 10th Avenue, Suite 100
Edmonton, Alberta T6E 1K1
PH: 780-443-1111
FAX: 780-443-1112

LEGEND

- SINGLE FAMILY
- LAKE AREA
- STREETS
- SIDEWALKS
- SPRUCE TREE
- SMALL SHADE TREE
- LARGE SHADE TREE
- MULTI-USE PATH
- MOUNDING
- FOUNTAIN

TABLE

ITEM	QUANTITY	UNIT	PRICE	TOTAL
1. SITE PREP	1	AC	100,000	100,000
2. GRASS SEED	1	AC	5,000	5,000
3. MULCH	1	AC	10,000	10,000
4. TREES	1	AC	10,000	10,000
5. PLANTS	1	AC	10,000	10,000
6. FERTILIZER	1	AC	10,000	10,000
7. IRRIGATION	1	AC	10,000	10,000
8. TOTAL				145,000

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8. TOTAL				145,000

USABLE C.A.		PER 00033 AREA	PER 101 AREA
POND #1	4.15 AC.	2.0%	3.7%
POND #2	1.55 AC.	0.8%	0.8%
POND #4	2.55 AC.	0.0%	0.0%
W0030	10.35 AC.	2.1%	8.40%
COBHAM AREA	5.55 AC.	4.7%	5.0%

Note 1: Once Tuesday is equal to the total number of units of value by the total assets in the file, 551.1 Units/17.6 assets = 4.77 units per acre.

Note 2: Mid Tuesday is equal to the total number of units of value by the total assets in the file and multiplying the night of value of House Brand and good one, 516.1 Units/17.6 acres = 2.90 assets = 0.31 assets = 2.33 units per acre.

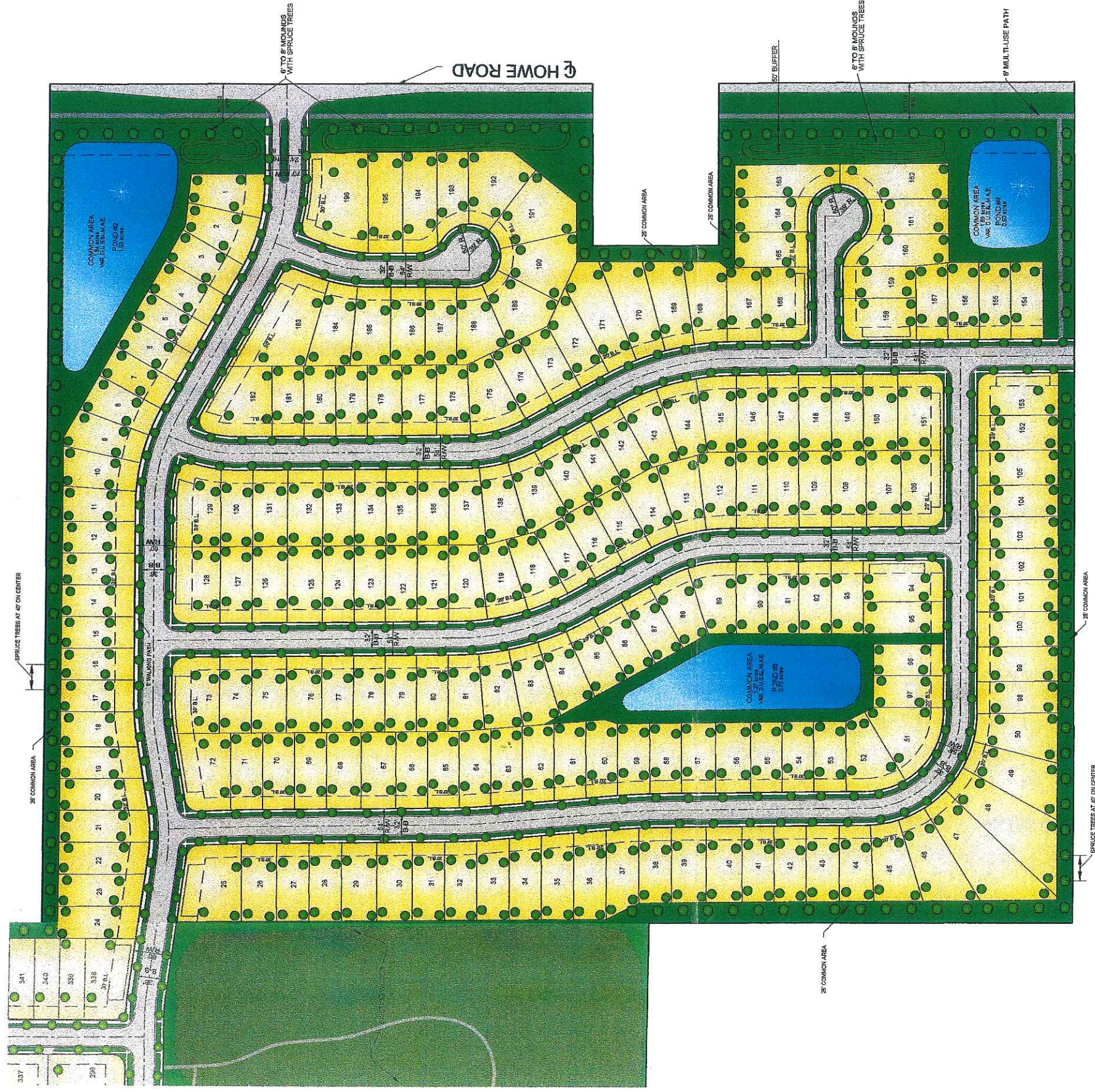


Sleepnetwork & Associates, Inc.
 LAND SURVEYORS
 CONSULTING ENGINEERS
 (717) 442-6555 FAX (717) 442-6552
 846 ALLENDALE RD. • FISHERS, INDIANA 46032

CUMBERLAND AND POINTE

HALLMARK SINGLE FAMILY

FUTURE RESIDENTIAL



GROSS AREA	117.6 AC.
NET AREA	108.39 AC.
NUMBER OF UNITS	561 LOTS
PER LOT	
PER LOT	
PER LOT	

PER LOT	PER LOT	PER LOT
LEASABLE C.A.	21.48 AC.	18.27%
POND #1	4.12 AC.	3.50%
POND #2	1.03 AC.	0.88%
POND #3	0.87 AC.	0.74%
POND #4	1.03 AC.	0.88%
COMMON AREA	1.68 AC.	1.43%
COMMON AREA	1.68 AC.	1.43%

DENSITY	1.89 AC.
RIGHT-OF-WAY	6.39 AC.
POND AREA	4.33 AC.
POND AREA #1	4.33 AC.
POND AREA #2	4.33 AC.
POND AREA #3	4.33 AC.
POND AREA #4	4.33 AC.
GROSS DENSITY	4.77 U/A
NET DENSITY	5.13 U/A

- LEGEND
- LAKE AREA
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Note 1: Gross Density is based on the total number of units divided by the total area in this site. (561 Units/117.6 acres = 4.77 U/A)

Note 2: Net Density is based on the total number of units divided by the total area in this site excluding the ponds and common areas. (561 Units/108.39 acres = 5.13 U/A)



CUMBERLAND AND POINTE OFFICE/INDUSTRIAL

PLANT MATERIAL

ALL PLANT MATERIAL TO BE SPECIFIED
WILL CONFORM TO ARTICLE 12, LANDSCAPING
AND SCREENING REQUIREMENTS.

SMALL SHADE TREES

- 2 1/2" MINIMUM TRUNK DIAMETER

LARGE SHADE TREES

- 3 1/2" MINIMUM TRUNK DIAMETER

ORNAMENTAL TREES

- 1 1/2" MINIMUM TRUNK DIAMETER

SMALL EVERGREEN TREES

- 6" MINIMUM HEIGHT
- 8" MINIMUM HEIGHT

LARGE SPRUCE TREES

- 8" MINIMUM HEIGHT
- 24" MINIMUM HEIGHT
- 12" MINIMUM SPREAD

SHRUBS

- 24" MINIMUM HEIGHT
- 12" MINIMUM SPREAD

SELECT LIST OF DESIRABLE TREES

SHADE TREES

- RED MAPLE VAR.
- SUGAR MAPLE VAR.
- EUROPEAN HORNEBAM
- HONEY LOCUST VAR.
- PEAR VAR.
- ASH VAR.
- LONDON PLANETREE
- OAK VAR.
- LINDEN VAR.

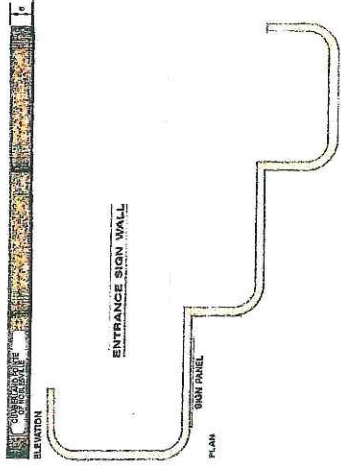
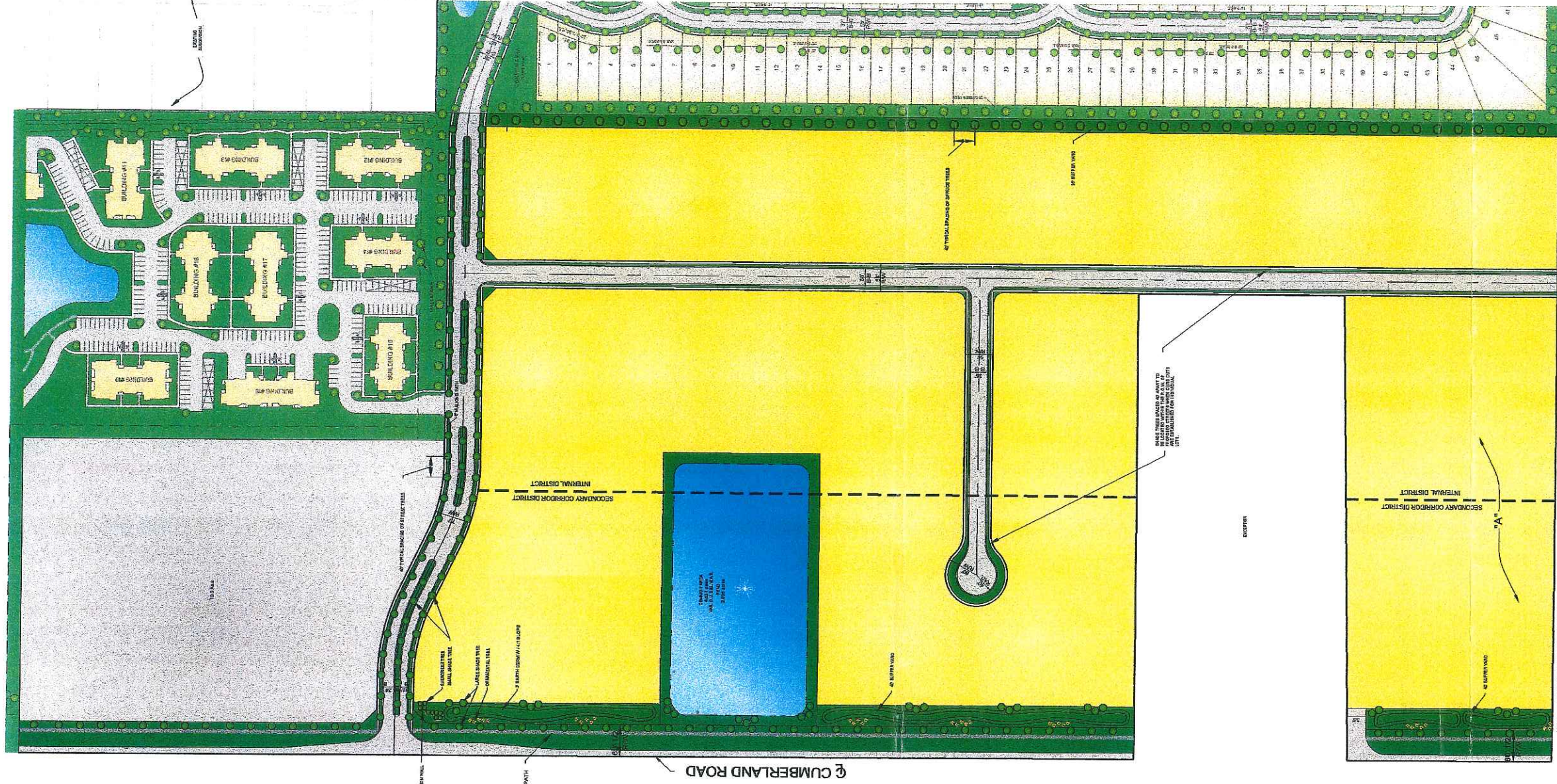
ORNAMENTAL TREES

- SERVICEBERRY VAR.
- FLOWERING CRAB VAR.
- WINTERKING HAWTHORN
- CANADIAN RED CHERRY

EVERGREEN TREES

- AUSTRIAN PINE
- COLORADO SPRUCE
- NORWAY SPRUCE
- SERBIAN SPRUCE

LEGEND	
	LAKE AREA
	LARGE SHADE TREE
	SMALL SHADE TREE
	SMALL EVERGREEN
	ORNAMENTAL TREE
	STREETS
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NOTE

1. SIGN TO BE MINIMUM OF 16' BEHIND RIGHT-OF-WAY AND A MAXIMUM OF 10' IN HEIGHT.
2. BUFFER YARD TO BE AN EASEMENT ON THE INDIVIDUAL LOT AND SHALL NOT BE COMMON AREA.
3. ALL LANDSCAPING TO DEVELOPMENT STANDARDS OF UNDERLYING SUBDISTRICTS.

NOTE - ENTRANCE TO PARCEL 'A' TO BE PERMITTED ONLY IF DEVELOPED INTO MORE THAN ONE (1) LOT.
- ACCESS EASEMENT TO BE PROVIDED TO ADJACENT PROPERTY TO THE NORTH

DESIGNED BY
LANDFOCUS, LTD.

LandFocus, Ltd.
Landscaping - Planning - Site Design
2200 W. 10th Ave. Suite 100
Calgary, Alberta T2C 1A5
403.243.1111

AUGUST 13, 2002

SITE PLAN PREPARED BY:



Stapp & Associates, Inc.
CONSULTING ENGINEERS LAND SURVEYORS
10000 17th Ave. S.E. Suite 100
Calgary, Alberta T2C 1A5
403.243.1111

**"MULTI-FAMILY"
LEGAL DESCRIPTION**

A part of the Southwest Quarter of Section 8, Township 18 North, Range 5 East, and part of the Northwest Quarter of Section 17, Township 18 North Range 5 East, all in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of said Southwest Quarter, thence North 00 degrees 00 minutes 00 seconds East along the West line of said Southwest Quarter 774.88 feet to the POINT OF BEGINNING of this description; thence continuing North 00 degrees 00 minutes 00 seconds East 956.34 feet; thence South 55 degrees 50 minutes 00 seconds East 87.10 feet; thence South 65 degrees 23 minutes 00 seconds East 536.50 feet; thence South 71 degrees 44 minutes 00 seconds East 696.97 feet; thence South 00 degrees 03 minutes 52 seconds West 1,247.56 feet to a point on the North line of said Northwest Quarter Section; thence South 00 degrees 16 minutes 10 seconds West 30.15 feet to a point on a curve concave southerly, the radius point of said curve being South 10 degrees 33 minutes 19 seconds West 325.00 feet from said point; thence westerly along said curve 57.96 feet to the point of tangency of said curve, said point being North 00 degrees 20 minutes 15 seconds East 325.00 feet from the radius point of said curve; thence North 89 degrees 39 minutes 45 seconds West 563.20 feet; thence North 00 degrees 00 minutes 00 seconds East 25.00 feet to a point on the South line of said Southwest Quarter Section; thence continuing North 00 degrees 00 minutes 00 seconds East parallel with the aforesaid West line 778.41 feet; thence South 90 degrees 00 minutes 00 seconds West 599.29 feet to the place of beginning, containing 30.669 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

This description was prepared for zoning purposes only and is subject to change on completion of an accurate boundary survey.

S/42960/legal/apartments
August 10, 2002
(R) KRG (GDK)

**"REAR-LOAD SINGLE FAMILY"
LEGAL DESCRIPTION**

A part of the Northwest Quarter of Section 17, Township 18 North, Range 5 East, Hamilton County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of said Northwest Quarter Section; thence South 00 degrees 06 minutes 45 seconds East along the East line thereof 2,145.00 feet; thence North 89 degrees 39 minutes 49 seconds West 1,423.10 feet; thence North 00 degrees 16 minutes 10 seconds East 2,144.96 feet to a point on the North line of said Northwest Quarter Section; thence North 89 degrees 39 minutes 45 seconds East 1,408.55 feet to the place of beginning, containing 69.991 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

This description was prepared for zoning purposes only and is subject to change on completion of an accurate boundary survey.

S/42960/legal/residentail a
August 10, 2002
(R) KRG (F) GDK

**"SINGLE FAMILY"
LEGAL DESCRIPTION**

A part of the East Half of Section 17, Township 18 North, Range 5 East,
Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said East Half Section; thence South 00 degrees 06 minutes 45 seconds East along the West line thereof 1190.00 feet to the POINT OF BEGINNING of this description; thence South 89 degrees 39 minutes 45 seconds East 1,314.96 feet; thence South 00 degrees 06 minutes 54 seconds East 845.00 feet; thence South 89 degrees 53 minutes 06 seconds West 270.00 feet; thence South 00 degrees 06 minutes 54 seconds East 250.00 feet; thence North 89 degrees 53 minutes 06 seconds East 270.00 feet; thence South 00 degrees 06 minutes 54 seconds East 515.00 feet; thence North 89 degrees 39 minutes 45 seconds West 1,315.03 feet; thence North 00 degrees 06 minutes 54 seconds West 1,610.00 feet to the place of beginning, containing 47.052 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

This description was prepared for zoning purposes only and is subject to change on completion of an accurate boundary survey.

S/42960/legal/residentail b
August 13, 2002
(R) KRG (GDK)

LEGAL DESCRIPTION

A part of the Southwest Quarter of Section 8, Township 18 North, Range 5 East, and part of the Northwest Quarter of Section 17, Township 18 North Range 5 East, all in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of said Southwest Quarter, thence North 00 degrees 00 minutes 00 seconds East along the West line of said Southwest Quarter 119.71 feet to the POINT OF BEGINNING of this description; thence continuing North 00 degrees 00 minutes 00 seconds East along said West line 655.17 feet; thence North 90 degrees 00 minutes 00 seconds East 599.29 feet; thence South 00 degrees 00 minutes 00 seconds East parallel with the aforesaid West line 778.41 feet to a point on the North line of said Northwest Quarter Section, thence continuing South 00 degrees 00 minutes 00 seconds East 25.00 feet; thence North 89 degrees 39 minutes 45 seconds West 40.66 feet to the point of curvature of a curve concave northerly, the radius point of said curve being North 00 degrees 20 minutes 15 seconds East 315.00 feet from said point; thence westerly along said curve 126.34 feet to a point on the South line of said Southwest Quarter Section; thence continuing along said curve 13.55 feet to the point of tangency of said curve, said point being South 25 degrees 47 minutes 02 seconds West 315.00 feet from the radius point of said curve; thence North 64 degrees 12 minutes 58 seconds West 121.24 feet to the point of curvature of a curve concave southerly, the radius point of said curve being South 25 degrees 47 minutes 02 seconds West 385.00 feet from said point; thence westerly along said curve 170.99 feet to the point of tangency of said curve, said point being North 00 degrees 20 minutes 15 seconds East 385.00 feet from the radius point of said curve; thence North 89 degrees 39 minutes 45 seconds West 74.10 feet; thence North 44 degrees 49 minutes 52 seconds West 35.46 feet; thence North 90 degrees 00 minutes 00 seconds West 50.00 feet to the place of beginning, containing 10.000 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

This description was prepared for zoning purposes only and is subject to change on completion of an accurate boundary survey.

S/42960/legal/school
August 10, 2002
(R) KRG (F) GDK

"OUTLOTS"
LEGAL DESCRIPTION

A part of the Southwest Quarter of Section 8, Township 18 North, Range 5 East, and part of the Northwest Quarter of Section 17, Township 18 North Range 5 East, all in Hamilton County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of said Southwest Quarter, thence North 00 degrees 00 minutes 00 seconds East along the West line of said Southwest Quarter 119.71 feet; thence South 90 degrees 00 minutes 00 seconds East 50.00 feet; thence South 44 degrees 49 minutes 52 seconds East 35.46 feet; thence South 89 degrees 39 minutes 45 seconds East 74.10 feet to the point of curvature of a curve concave southerly, the radius point of said curve being South 00 degrees 20 minutes 15 seconds West 385.00 feet from said point; thence easterly along said curve 170.99 feet to the point of tangency of said curve, said point being North 25 degrees 47 minutes 02 seconds East 385.00 feet from the radius point of said curve; thence South 64 degrees 12 minutes 58 seconds East 121.24 feet to the point of curvature of a curve concave northerly, the radius point of said curve being North 25 degrees 47 minutes 02 seconds East 315.00 feet from said point; thence easterly along said curve 13.55 feet to a point on the North line of said Northwest Quarter Section; thence continuing along said curve 126.34 feet to the point of tangency of said curve, said point being South 00 degrees 20 minutes 15 seconds West 315.00 feet from the radius point of said curve; thence South 89 degrees 39 minutes 45 seconds East 603.87 to a point of curvature of a curve concave southerly, the radius point of said curve being South 00 degrees 20 minutes 15 seconds West 325.00 feet from said point; thence easterly along said curve 57.96 feet to the point of tangency of said curve, said point being North 10 degrees 33 minutes 19 seconds East 325.00 feet from the radius point of said curve; thence South 00 degrees 16 minutes 10 seconds West 2,114.81 feet; thence North 89 degrees 39 minutes 49 seconds West 1,214.57 feet to a point on the West line of said Northwest Quarter Section; thence North 00 degrees 07 minutes 01 seconds East along said West line 389.92 feet; thence North 89 degrees 20 minutes 04 seconds East 886.07 feet; thence North 00 degrees 16 minutes 10 seconds East 391.79 feet; thence North 89 degrees 46 minutes 25 seconds West 887.03 feet to a point on the aforesaid West line of said Northwest Quarter Section; thence North 00 degrees 07 minutes 01 seconds East along said West line 1,335.12 feet to the place of beginning, containing 52.160 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

This description was prepared for zoning purposes only and is subject to change on completion of an accurate boundary survey.