

ORDINANCE NO. 2018-08

**AN ORDINANCE HENDRICKS COUNTY, INDIANA CONCERNING AMENDMENT
TO THE HENDRICKS COUNTY ZONING ORDINANCE**

This is a Planned Unit Development District Ordinance (to be known as the "**SONORA PUD DISTRICT**") to amend the Hendricks County, Indiana Zoning Ordinance (effective date of October 1, 2008) (the "Zoning Ordinance"), enacted by Hendricks County pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the Hendricks County Area Plan Commission, Hendricks County Indiana (the "County") and the Township of Brown, both of Hendricks County, Indiana are subject to the Zoning Ordinance;

WHEREAS, the Hendricks County Area Plan Commission (the "Commission") considered a petition (**Petition No. ZA 453/17**), requesting an amendment to the Zoning Ordinance and the Zoning Map real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. ZA 453/17-** to the Hendricks County Board of Commissioners (the "Commissioners") with a 4-2-0 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 Commissioners on March 19, 2018;

WHEREAS, the Board of Commissioners 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 Hendricks County Board of Commissioners, Hendricks County, Indiana, meeting in regular session, that the Zoning Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Zoning Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Sonora 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 amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter ("*Chapter*") and Article ("*Article*") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Zoning Ordinance.

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

- 2.1 Above Grade Living Area shall mean Living Area, as defined in the Zoning Ordinance, which is measured from the top of the subfloor constructed at grade level or higher, and shall not include basements or any other living area located below such subfloor.

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Section 6.3A.2 of the Zoning Ordinance, Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. **Underlying Zoning District(s).** The Underlying Zoning District shall be the RB: Single Family Residential District for Residential purposes.

Section 5. **Permitted Uses/Density/Development Standards.**

- 5.1 **Permitted Uses.** The following uses described in the RB-Single Family Residential District Zoning District, as set forth in Chapter 4, Section 4.9RB of the Zoning Ordinance shall be permitted for the residential areas of the District:
- A. Residential Dwelling, Single Family
 - B. Home Occupations
 - C. Model Home/Temporary Sales Office

Neither Agricultural Use nor Parks and Recreation Use shall be permitted as a primary use of the Real Estate, and no Special Exception Use shall be permitted on the Real Estate.

- 5.2 **Maximum Number of Dwelling Units.** The total number of Single Family Dwellings permitted in the Sonora PUD shall not exceed 274.
- 5.3 **Maximum Density.** The maximum overall density for the District shall not exceed 2.15 units per gross acre.
- 5.4 **General Regulations.** The standards of Chapter 4.9D: RB-Single Family Residential Zoning District, Section D, Lot Standards, shall apply to the development of the District, except as otherwise modified below.

Standards Matrix

Zoning Standard	RB	Area A (Sonora South)	Area B (Sonora North)
Approximate Acreage	N.A.	53.6	75.2
Maximum Number of Units	N.A.	98	176
Minimum 1 story Living Area SF (Above Grade)	1,260	1,800	1,400 ¹
Minimum 2 story Living Area SF (Above Grade)	1,260	2,200	1,800
Minimum Ground Floor Area (2 story)	700	700	700
Lot Area Average Lot size SF²	Minimum 12,500	11,340	9,600
Minimum Lot Width (at setback line)	85	70	60
Front Setback	25 Feet	25 Feet	25 Feet
Side Setback (min. each side)	7.5 Feet	7.5 Feet	7.5 Feet
Rear Setback	15 Feet	20 Feet	20Feet
Agricultural Adjacency Setback	30 Feet	20 Feet	20 Feet
Naturally Sensitive Area Setback	60 Feet	60 Feet	60 Feet
Minimum Distance Between Structure on Same Lot	5 Feet	N.A.	N.A.
Minimum Living Area Façade Width	24 Feet	N.A.	N.A.
Maximum Lot Coverage (Bldg)	35%	40%	40%
Maximum Lot Coverage (All Impervious)	50%	50%	50%

¹ No more than ten (10) of the homes in Area B shall have less than 1,600 square feet of Above Grade Living Area. Additionally, in no case will 2 single story homes containing less than 1,600 square feet of Above Grade Living Area be permitted next to or directly across the street from one another (Note: this is in Area B only).

² Sonora proposes a variety of lot sizes within each area, and thus, to preserve the character of and flexibility in the development, proposes average lot sizes in lieu of minimum lot sizes.

Infrastructure Standards. The District's infrastructure shall comply with the Zoning Ordinance and the County's Subdivision Control Code and General Construction Standards.

- A. All streets within the development will have a minimum of 5 foot wide sidewalks.
- B. An 8 foot asphalt path located within the road rights of way of CR 700, Raceway Road and CR 650 that will be dedicated as part of the platting process.

Section 6. Design Standards

6.1 **Architecture and Design Standards:**

A. **Architectural Standards for Area A:**

- i. All homes in Area A are permitted to use Masonry (Brick or Stone), Wood siding or Fiber Cement Board siding.
 - a. General Architecture Requirements applied to all homes in Area A:
 - 1. Homes in Area A shall not utilize vinyl as a siding material, except as a decorative accent feature. Accent features shall be limited to decorative trim above windows, vents in soffits and gables, shutters and other similar incidental elements of a home.
 - 2. All homes shall have roof overhangs on the gable ends of no less than twelve inches (12") measured from the exterior wall of the home prior to installation of any brick or either siding
 - 3. Window trim consisting of one inch (1") by four inches (4") around all windows (front, side and rear elevations), or one inch (1") by four inches (4") wood surround (nominal dimensional). If shutters are utilized on any window treatment or masonry is utilized adjacent to the window, the window trim is not required.
 - 4. The first model home built in Area A shall be a minimum of 2,600 square feet.
 - 5. Homes in Area A shall be of similar character to the renderings attached as **Exhibit C**
 - b. FRONT FAÇADE Requirements: Each front elevation shall include architectural elements from the following list that total a minimum of five (5) points. Unless otherwise specified, all features in this Section 7.1A 1-17 are worth one (1) point.

1. Front porch, minimum eight (8) feet in width and four (4) feet in depth supported by columns or a minimum of 32 square feet. (2 points)
2. Covered front stoop, minimum sixteen (16) square feet in area.
3. A separate overhead door for each single garage bay
4. Side-loaded or court-entry garage (2 points).
5. Brick, stone or textured concrete masonry on one hundred percent (100%) of the front elevation (excluding openings) (2 points)
6. Brick, stone or textured concrete masonry on fifty percent (50%) of the front elevation (excluding openings)
7. Turret
8. Veranda/balcony
9. Bay, dormer or oriel windows
10. Decorative front gable roof vents or windows
11. Architectural details such as quoins, pilasters, cornices, and dentil molding
12. Garages with a third bay will have a two-foot offset from the other garage bays. This does not apply to side load garages.
13. Homes will be provided with front elevation roofline character, which include any of the following items: Two (2) or more roof planes visible (change in elevation or direction of roof ridge) on the front of the house, Reverse Gables, change in elevation of roof ridge, two or more dormers and decorative enhancements on gable ends. Each element applied carries 1 point, 2 point maximum.
14. Entries to homes will have decorative features such as, decorative trim molding, door sidelight or transom window. ,
15. A minimum of 3 types of façade material or texture style (masonry, horizontal siding, shake style siding, bat n board siding, etc....)
16. Hipped Roof or clipped roof

17. A decorative garage door which features windows, or windows and hardware.

B. Architectural Standards for Area B:

- i. All Homes in Area B are permitted to use Masonry (Brick or Stone), Wood siding, Fiber Cement Board siding or heavy gauge vinyl siding as exterior materials. Vinyl siding a permitted exterior material for siding provided it is a minimum thickness of .44 mm thickness and has the appearance of wood grain texture of either horizontal lap siding, shake siding, bat n board siding. Vinyl siding may not use dutchlap appearance.
 - a. General Architecture Requirements applied to all homes in Area B:
 1. All homes shall have roof overhangs on the gable ends of no less than twelve inches (12”) measured from the exterior wall of the home prior to installation of any brick or either siding
 2. Window trim consisting of one inch (1”) by four inches (4”) around all windows (front, side and rear elevations), or one inch (1”) by four inches (4”) wood surround (nominal dimensional). If shutters are utilized on any window treatment or masonry is utilized adjacent to the window, the window trim is not required.
 3. The first model home built in Area B shall be a minimum of 2,000 square feet.
 4. Homes in Area B shall be of similar character to the renderings attached as **Exhibit D**.
 - b. FRONT FAÇADE Requirements: Each front elevation shall include architectural elements from the following list that total a minimum of five (5) points. Unless otherwise specified, all features in this Section 7.1B 1-18 are worth one (1) point.
 1. Front porch, minimum eight (8) feet in width and four (4) feet in depth supported by columns or a minimum of 32 square feet. (2 points)
 2. Covered front Stoop, minimum sixteen (16) square feet in area.
 3. A separate overhead door for each single garage bay
 4. Side-loaded or court-entry garage (2 points)
 5. Brick, stone or textured concrete masonry on one hundred percent (100%) of the front elevation (excluding openings)(2 points)

6. Brick, stone or textured concrete masonry on fifty percent (50%) of the front elevation (excluding openings)
7. Turret
8. Veranda/balcony
9. Bay, dormer or oriel windows
10. Decorative geometric frontgable roof vents or windows
11. Architectural details such as quoins, pilasters, cornices, and dentil molding
12. Garages with a 3rd bay will have a one-foot offset from the other garage bays. This does not apply to side load garages.
13. Garages with a side extension shall have a one foot offset from garage plane.
14. Homes will be provided with front elevation roofline character, which include any of the following items: Two (2) or more roof planes visible (change in elevation or direction of roof ridge) on the front of the house, Reverse Gable, change in elevation of roof ridge, two or more dormers and decorative enhancements on gable ends. Each element applied carries 1 point, 2 point maximum.
15. Entries to homes will have decorative features such as, decorative trim molding, door sidelight or transom window.
16. A minimum of 2 types of façade texture (masonry, horizontal siding, shake style siding, bat n board siding, etc....) on front elevation
17. Hipped roof or clipped roof
18. A decorative garage door which features windows, or windows and hardware.

C. Overall Development:

- i. The following anti-monotony standards shall apply to the District:
 - a. Homes of the same elevation shall not be permitted next to or directly across the street from each other. Additionally, home color schemes may not be repeated for 2 homes on either side of the subject home and also the 3 homes directly across the street. **Exhibit E** provides a diagram of the Streetscape Diversity requirement.

- ii. The following standards shall apply to side facades on certain homes in the District:
 - a. SIDE FAÇADE (CORNER LOT). The side façade(s) of a home which abuts a public or private street (excluding alleys) and can be viewed from that street shall have at least two (2) windows on a one story house and three (3) windows on a two story house on the side elevation facing the street. A window shall be at least 6 square feet to meet this requirement. Windows adjacent to each other shall be considered 2 windows if the combined size is greater than 12 square feet.

- iii. The following standards shall apply to the rear facades of certain homes in the District:
 - a. CORNER LOTS AND PERIMETER LOTS. The rear façade of a home or a home on a corner lot, which abuts a public or private street (excluding alleys) and can be viewed from that street shall have at least 3 points from the following list: (such home sites are denoted as Perimeter Street Façade Enhancement Home Sites on **Exhibit F**)
 - 1. A minimum pop out room of (10'x10') 3 Points
 - 2. An additional corner break along the rear façade (each end of the house counts toward one corner break) (3 Points)
 - 3. Screen porch (10'x10') 2 Points
 - 4. Bay or oriel windows (2 Points)
 - 5. Raised Wood Deck, minimum eight (8) by ten (10) feet (2 Points)
 - 6. Shutters or Window Grids (all four sides)
 - 7. Two Rear yard trees (2.5 inch Caliper at planting)

6.2 Landscaping Requirements:

- A. Residential Landscaping Standards
 - i. Each residence shall have 2 trees plus 8 shrubs planted within the front yard at the time the residence is completed.
 - ii. Corner lots shall have an additional tree and 8 additional shrubs planted in the side yard (based on façade) facing the street.

- B. Perimeter Landscaping. The District will provide the following perimeter landscaping standards:

- i. There shall be a landscaped common area of at least twenty feet (20') in width on those portions of the Real Estate shown as Perimeter Area A on the Concept Landscaping Plan attached hereto as **Exhibit F**.
 - a. The minimum landscaping in Perimeter Area A shall consist of a mix of trees and shrubs of at least 5 trees and 10 shrubs per 100 lineal feet. The number of shrubs per 100 lineal feet may be reduced so long as 1 additional tree is planted for every reduction of 3 shrubs.
 - b. All perimeter plantings shall be randomly spaced to encourage an irregular pattern.
 - c. At least 50% of the trees and shrubs shall be evergreens.
 - d. Mounds, fencing and/or walls shall be incorporated into the design. Any such features shall meet the requirements set forth in Section 7.5G of the Zoning Ordinance.
 - e. A final landscaping plan for the perimeter and buffer yards shall be submitted as a part of detailed development plan to be approved by the Plan Commission.
 - ii. Minor modifications to the approved final landscaping plan may be approved by the Zoning Administrator so long as the total number of plantings is not reduced.
 - iii. There shall be a Buffer Yard Type 2 landscaped yard on those portions of the Real Estate shown as Perimeter Area B on **Exhibit F**.
 - iv. There shall be no perimeter landscaping or Buffer Yard requirements on those portions of the Real Estate which are not shown as either Perimeter Area A or Perimeter Area B on **Exhibit F**.
- C. Planting Height.
- i. All deciduous trees shall be a minimum of 2-1/2" caliper at breast height at the time of planting.
 - ii. All evergreen trees shall be a minimum height of 6 feet at the time of planting.
- D. Open Space. The District shall provide overall qualifying open space, consisting of common areas (and including retention ponds or other water features) and undisturbed area (including wetlands) of at least thirty percent (30%), generally as shown on the Concept Plan. The District shall provide active open space of at least fifteen percent (15%).
- E. Naturally Sensitive Area. Any naturally sensitive area shown on the Concept Plan (i.e., the wetland area) shall remain undisturbed, except for removal of dead, diseased or invasive species of trees, plants or weeds.

Section 7. **Neighborhood Amenities.** The Sonora PUD District shall feature the following neighborhood amenities: walking trail(s), playground(s), pocket park(s), swimming pool and corresponding bathhouse (the “Neighborhood Amenities”). The bathhouse for the swimming pool shall be substantially similar to the rendering in **Exhibit G.**

Section 8. **Rezoning Commitments.** The development of the District shall be subject to certain rezoning commitments, substantially in the form of **Exhibit H.**

ALL OF WHICH IS ORDAINED/RESOLVED THIS 24th DAY OF April, 2018.

HENDRICKS COUNTY COMMISSIONERS


Matthew D. Whetstone, President


Phyllis A. Palmer, Vice-President


Bob Gentry, Member

ATTEST:



I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Jonathan Isaacs

This document prepared by: Jonathan Isaacs, MI Homes of Indiana, 8500 Keystone Crossing, Suite 580, Indianapolis, Indiana 46256

SCHEDULE OF EXHIBITS

- Exhibit A Real Estate (Legal Description)
- Exhibit B Concept Plan
- Exhibit C Character Renderings – Area “A”
- Exhibit D Character Renderings – Area “B”
- Exhibit E Anti-Monotony Code
- Exhibit F Conceptual Landscaping Plan
- Exhibit G Rendering of Bathhouse
- Exhibit H Rezoning Commitments

EXHIBIT A
PROPERTY DESCRIPTION OF THE REAL ESTATE

SONORA - LAND DESCRIPTION

Part of the North Half of Section 5, Township 16 North, Range 2 East in Hendricks County, Indiana being more particularly described as follows:

Commencing at the Southwest Corner of the East Half of the Northwest Quarter of said Section 5 (railroad spike found at corner, stone found 2.8 feet North and 8.0 feet East of corner); thence North 89 degrees 40 minutes 50 seconds East (Assumed Bearing) along the South line of said East Half Quarter Section a distance of 10.50 feet to the Southeast Corner of a tract of land described in Book 284, Page 553 in the Office of the Recorder of Hendricks County, Indiana (railroad spike with cut "x"); thence North 00 degrees 14 minutes 53 seconds West along the East line of said tract of land a distance of 596.18 feet; thence North 89 degrees 45 minutes 41 seconds East a distance of 125.00 feet; thence North 00 degrees 14 minutes 53 seconds West a distance of 55.00 feet; thence North 89 degrees 45 minutes 41 seconds East a distance of 1385.59 feet; thence North 00 degrees 11 minutes 03 seconds West a distance of 600.00 feet to a 5/8 inch rebar with yellow cap stamped "Schneider Eng. Firm #0001" on the North line of tract of land described in Book 309, page 46 in the Office of the Recorder of Hendricks County, Indiana; thence North 89 degrees 45 minutes 41 seconds East along the North line of said tract of land a distance of 1681.76 feet to the Beginning Point; thence continue North 89 degrees 45 minutes 41 seconds East along the North line of said tract of land a distance of 826.58 feet to the East line of the Northeast Quarter of said Section 5 (railroad spike with cut "x"); thence South 00 degrees 04 minutes 23 seconds West along said East line a distance of 1249.08 feet to the Southeast Corner of the Northeast Quarter of said Section 5 (small PK nail per Marion County Surveyor's reference ties); thence South 89 degrees 45 minutes 22 seconds West along the South line of the said Northeast Quarter Section a distance of 759.00 feet to the Southeast Corner of a tract of land described in Book 183, page 427 (railroad spike with cut "x"); thence North 00 degrees 04 minutes 23 seconds East along the East line of said tract, being parallel with the East line of the Said Northeast Quarter Section, a distance of 388.23 feet to the Northeast Corner of said tract (5/8 inch rebar with yellow cap stamped "Schneider Eng Firm #0001"); thence South 89 degrees 45 minutes 22 seconds West, parallel with the South line of the said Northeast Quarter Section, a distance of 67.59 feet; thence North 00 degrees 04 minutes 23 seconds East, parallel with the East line of the said Northeast Quarter Section, a distance of 860.93 feet to the BEGINNING POINT.

ALSO:

Part of the North Half of Section 5, Township 16 North, Range 2 East in Hendricks County, Indiana being more particularly described as follows:

Commencing at the Southwest Corner of the East Half of the Northwest Quarter of said Section 5 (railroad spike found at corner, stone found 2.8 feet North and 8.0 feet East of corner); thence North 89 degrees 40 minutes 50 seconds East (Assumed Bearing) along the South line of said East Half Quarter Section a distance of 10.50 feet to the Southeast Corner of a tract of land described in Book 284, page 553 in the Office of the Recorder of Hendricks County, Indiana (railroad spike with cut "x"); thence North 00 degrees 14 minutes 53 seconds West along the East line of said tract of land a distance of 596.18 feet; thence North 89 degrees 45 minutes 41 seconds East a distance of 125.00 feet; thence North 00 degrees 14 minutes 53 seconds West a distance of 55.00 feet; thence North 89 degrees 45 minutes 41 seconds East a distance of 1385.59 feet; thence North 00 degrees 11 minutes 03 seconds West a distance of 600.00 feet to a 5/8 inch rebar with yellow cap stamped "Schneider Eng Firm #0001" on the North line of a tract of land described in Book 309, Page 46 in the Office of the Recorder of Hendricks County, Indiana; thence North 89 degrees 45 minutes 41 seconds East along the North line of said tract of land a distance of 1164.62 feet to the Southwest corner of a tract of land described in Book 313, Page 194 in the Office of the Recorder of Hendricks County, Indiana the BEGINNING POINT; thence continuing North 89 degrees 45 minutes 41 seconds East along the South line of said tract a distance of 517.14 feet; thence South 00 degrees 04 minutes 23 seconds West, parallel with the East line of the Northeast Quarter of said Section 5, a distance of 860.93 feet; thence South 89 degrees 45 minutes 22 seconds West, parallel with the South line of the said Northeast Quarter Section, a distance of 517.14 feet to the Northwest Corner of a tract of land described in Book 309, Page 47 (mag nail set in granite stone); thence

North parallel with the East line of the Northeast quarter of said Section 5, a distance of 860.93 feet to the BEGINNING POINT.

ALSO:

A part of the North half of Section 5, Township 16 North, Range 2 East of the Second Principal Meridian in Brown Township, Hendricks County, Indiana and being more particularly described as follows, to-wit:

Commencing at a stone found marking the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 5, thence South 89 degrees 58 minutes 12 seconds East along the North line of the North half of said Section 5 a distance of 2693.59 feet to the POINT OF BEGINNING; thence continue South 89 degrees 58 minutes 12 seconds East along the last described course 1320.90 feet to the Northeast corner of said half section; thence South 00 degrees 02 minutes 00 seconds West along the East line of said half section 1249.08 feet to a point, said point being North 00 degrees 02 minutes 00 seconds East 1249.08 feet from a metal post buried found marking the Southeast corner of the North half of said section; thence South 89 degrees 59 minutes 59 seconds West 1334.70 feet; thence North 00 degrees 39 minutes 57 seconds East 1249.86 feet to the POINT OF BEGINNING.

EXCEPT Therefrom the following described real estate, together with the improvements thereon or belonging thereto, located in Brown Township, Hendricks County, Indiana, being more particularly described as follows:

A part of the North half of Section 5, Township 16 North, Range 2 East of the Second Principal Meridian in Brown Township, Hendricks County, Indiana and being more particularly described as follows, to-wit:

Commencing at the Northeast corner of said half section; thence South 00 degrees 02 minutes 00 seconds West along the East line of said half section 720 feet to a point; thence West parallel with the North line of said half section 605 feet to a point, thence North parallel with the East line of said half section 720 feet to a point on the North line of said half section thence East on the North line of said half section 605 feet to the POINT OF BEGINNING.

ALSO:

A part of the North half of Section 5, Township 16 North, Range 2 East of the Second Principal Meridian in Brown Township, Hendricks County, Indiana, and more fully described as follows:

Commencing at the Northeast corner of the North half of said Section 5; thence along the approximate center line of County Road 700 North and the Section line, South 89 degrees 48 minutes 57 seconds West 1320.90 feet to the POINT OF BEGINNING; thence along the West described line of the Windchase, LLC Property recorded as Instrument No. 200400031074 in Order Book 540, Pages 1243-1244, Hendricks County Recorder's Office, South 00 degrees 42 minutes 15 seconds West 1251.58 feet; thence along the North described line of the Windchase, LLC Property recorded as Instrument No. 200400029380 in Order Book 537, Pages 2170-2171, South 89 degrees 45 minutes 41 seconds West 9.04 feet; thence North 00 degrees 04 minutes 23 seconds East 1251.45 feet; thence along the approximate center line of County Road 700 North and the Section line, North 89 degrees 48 minutes 57 seconds East 22.82 feet to the POINT OF BEGINNING.

ALSO:

Part of the North Half of Section 5, Township 16 North, Range 2 East in Hendricks County, Indiana being more particularly described as follows:

COMMENCING at the Southwest corner of the East Half of the Northwest Quarter of said Section 5 (railroad spike found at corner, stone found 2.8 feet north and 8.0 feet east of corner); thence North 89 degrees 40 minutes 50 seconds East (Assumed Bearing) along the South Line of said East Half Quarter Section a distance of 10.50 feet to the Southeast Corner of a tract of land described in Book 284, Page 553 in the Office of the Recorder of Hendricks County, Indiana (railroad spike with cut "x"); thence North 00 degrees 14 minutes 53 seconds West along the East Line of said tract of land a distance of 596.18 feet; thence North 89 degrees 45 minutes 41 seconds East a distance of 125.00 feet; thence North 00 degrees 14 minutes 53 seconds West a distance of 55.00 feet; thence North 89 degrees

45 minutes 41 seconds East a distance of 1385.59 feet to the BEGINNING POINT; thence North 00 degrees 11 minutes 03 seconds West a distance of 600.00 feet to a 5/8 inch rebar with yellow cap stamped "Schneider Eng Firm #0001" on the North Line of a tract of land described in Book 309, Page 46 in the office of the Recorder of Hendricks County, Indiana; thence North 89 degrees 45 minutes 41 seconds East along the North Line of said tract of land a distance of 1681.76 feet; thence South 00 degrees 04 minutes 23 seconds West, parallel with the East Line of the Northeast Quarter of said Section 5, a distance of 860.93 feet; thence South 89 degrees 45 minutes 22 seconds West, parallel with the South Line of the said Northeast Quarter Section, a distance of 517.14 feet to the Northwest Corner of a tract of land described in Book 309, Page 47 (mag. Nail set in granite stone); thence South 00 degrees 04 minutes 23 seconds West along the West Line of said tract, being parallel with the East Line of said Northeast Quarter Section, a distance of 388.23 feet to the South Line of said Northeast Quarter (railroad spike with cut "x"); thence South 89 degrees 45 minutes 22 seconds West along said South Line a distance of 1159.01 feet to a railroad spike with cut "x" set; thence North 00 degrees 11 minutes 03 seconds West a distance of 649.29 feet to the BEGINNING POINT.

ALSO:

A part of the North half of Section 5, Township 16 North, Range 2 East of the Second Principal Meridian in Brown Township, Hendricks County, Indiana, and being more particularly described as follows, to-wit:

Beginning at a stone found marking the Northwest corner of the Northeast quarter of the Northwest quarter of said Section 5; thence South 89 degrees 58 minutes 12 seconds East along the North half of said Section 5 a distance of 2693.59 feet; thence South 00 degrees 39 minutes 57 seconds West 1249.86 feet; thence South 89 degrees 59 minutes 59 seconds West 2680.17 feet to a point on the west line of the Northeast quarter of the Northwest quarter of said Section 5, said point being North 00 degrees 03 minutes 04 seconds East 1251.21 feet from a stone found marking the southwest corner of the Southeast quarter of the Northwest quarter of said Section 5; thence North 00 degrees 03 minutes 04 seconds East along said west line 1251.21 feet to the POINT OF BEGINNING.

EXHIBIT B

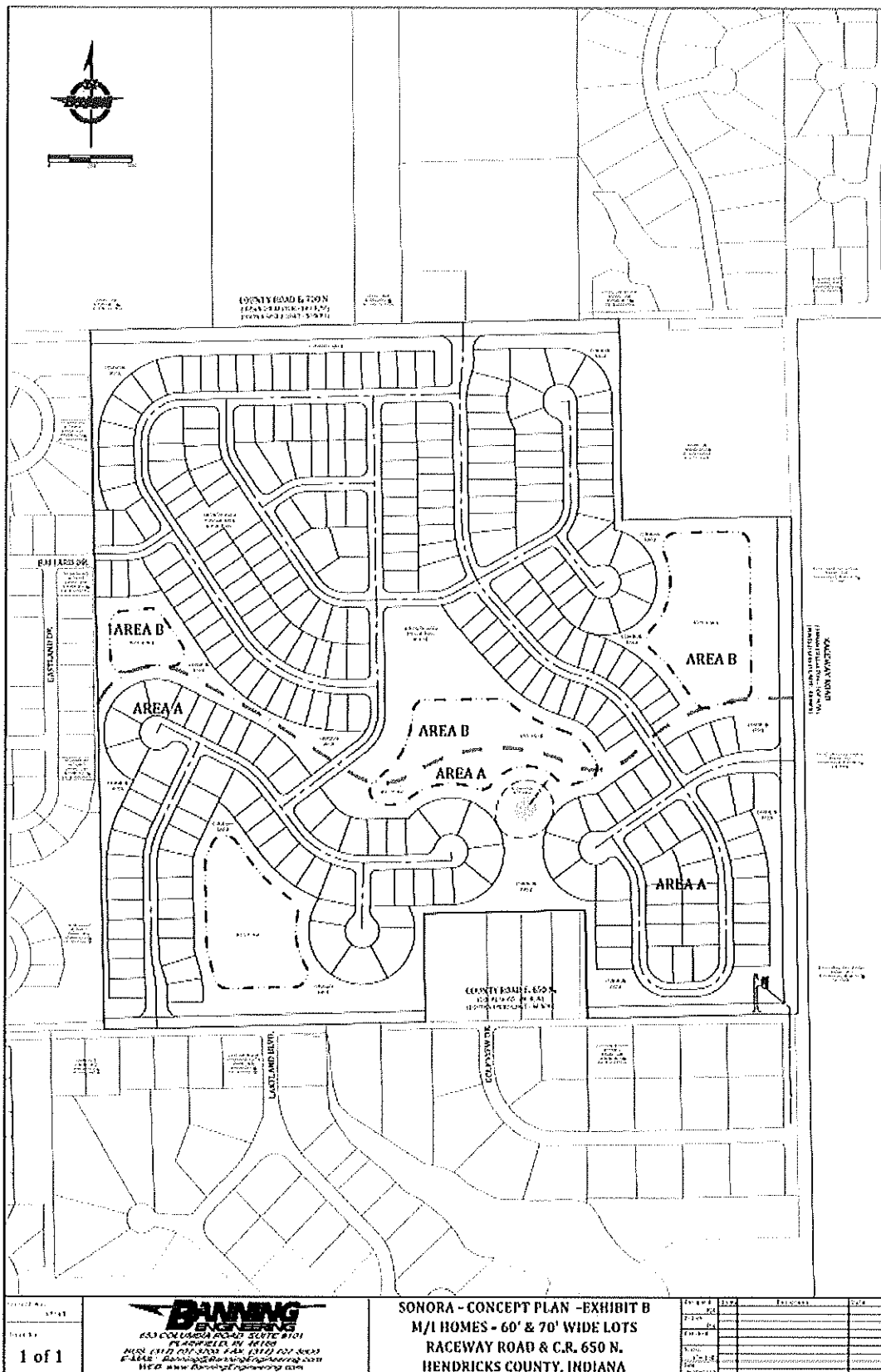


EXHIBIT C

Sonora Development – Prestige Series



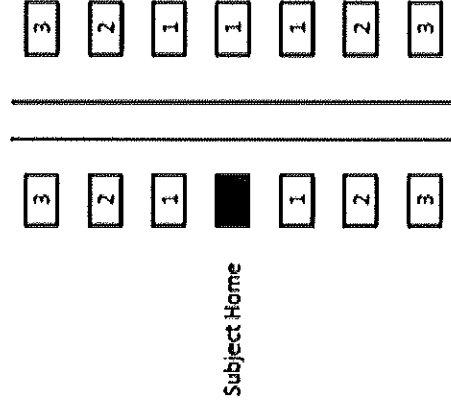
EXHIBIT D

Sonora Development – Smart Series



EXHIBIT E

Anti-Monotony Code



1 Homes shall not be of the Same Elevation of the same plan as the Subject Home and Shall be a Different Color Package

2 Homes may be the Same Elevation of the same plan as the Subject Home, but shall be a Different Color Package

3 Homes may be identical to the Subject Home



EXHIBIT G

Playground Equipment / Pool Amenity
(Page 1 of 1)



EXHIBIT H

STATEMENT OF COMMITMENTS

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

In accordance with I.C. 36-7-4-1015, the owner of the real estate located in Hendricks County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of that parcel of real estate:

Legal Description:

See Exhibit "A" attached hereto and incorporated by reference (the "Subject Property")

Statement of COMMITMENTS:

1. A "Declaration of Covenants, Conditions and Restrictions" ("CCR's") for the community shall provide for the homeowners' association ("HOA") to be professionally managed after the community has been completed and the association has been turned over to the residents.
2. Each home shall have dusk to dawn lights affixed to the front façade.
3. Each home shall have an attached garage with capacity for at least two (2) vehicles.
4. The Sonora PUD District shall construct the Neighborhood Amenities (as defined in the PUD Ordinance) such that a Neighborhood Amenity located within a particular subdivision section will be completed concurrently with the completion of such section (weather permitting). The pool/bathhouse amenity will be constructed no later than following completion of the one hundredth (100th) home on the Subject Property.
5. The builder shall cause all siding and roofing materials to be installed in accordance with all manufacturer's requirements such that all warranties for such products/systems will be fully covered by such warranties.
6. All purchasers' building homes in Area B shall be offered an option to install fiber cement siding material (i.e. "Hardie Plank") in lieu of vinyl siding.
7. Any house in the Subject Property proposed to be rented to an third party shall have a written lease with a minimum lease term of one (1) year. A copy of any such lease shall be provided to the HOA.
8. The builder shall make a donation of \$720.00 to Hendricks County for each home built on the Subject Property, for the sole purpose of highway maintenance funding. Such donation shall be made upon the filing of an original building permit to construct a home (and not be applicable to additions, remodels or replacements).

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein. These COMMITMENTS may be modified or terminated by a decision of the Hendricks County Area Plan Commission made at a public hearing after proper notice has been given.

COMMITMENTS contained in this instrument shall be effective upon:

- (a) the adoption of rezoning petition ZA 453/17 by the Hendricks County Area Plan Commission changing the zoning classification of the real estate from an RA zoning classification to a PUD zoning classification;

and shall continue in effect for as long as the above-described parcel of real estate remains zoned to the PUD zoning classification or until such other time as may be specified herein.

These COMMITMENTS may be enforced by the Hendricks County Area Plan Commission or the Board of Commissioners of Hendricks County.

The undersigned hereby authorizes the secretary of the Hendricks County Area Plan Commission to record this Commitment in the office of the Recorder of Hendricks County, Indiana, upon final approval of petition ZA 453/17 3.

