

EXHIBIT "A"

COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION WITH A DEVELOPMENT PLAN APPROVAL, ZONE MAP CHANGE OR PLANNED UNIT DEVELOPMENT REQUIRED BY THE TOWN OF PLAINFIELD ZONING ORDINANCE.

In accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615, the Owner of the real estate located in the Town of Plainfield, Hendricks County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of the following described parcel of real estate:

LEGAL DESCRIPTION
(Sugar Grove Senior Living, LLC)

A part of the Southeast Quarter of Section 33, Township 15 North, Range 1 East of the Second Principal Meridian in Guilford Township, Hendricks County, Indiana and being more particularly described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence South 88 degrees 23 minutes 14 seconds West along the south line thereof 417.50 feet to the **POINT OF BEGINNING**; thence continue South 88 degrees 23 minutes 14 seconds West 927.54 feet to the southwest corner of the land of Wilmer E. James and Donna D. James as described in Book 252, Page 648 in the Office of the Recorder of Hendricks County, Indiana; thence North 00 degrees 54 minutes 29 seconds West along the west line of said land 648.00 feet to the northwest corner thereof; thence North 88 degrees 23 minutes 14 seconds East parallel with the south line of said Southeast Quarter 1,346.41 feet to the east line thereof; thence South 00 degrees 47 minutes 14 seconds East along said east line 439.32 feet; thence South 88 degrees 23 minutes 14 seconds West parallel with said south line 417.50; thence South 00 degrees 47 minutes 14 seconds East parallel with the east line of said Southeast Quarter 208.70 feet to the **POINT OF BEGINNING**, containing 18.018 acres of land, more or less.

This description is for zoning purposes only. No transfer of title is to occur with this description. Limited fieldwork was performed. This description was based on existing deeds, plats, and surveys. No monuments were set and no deeds should be created from this description.

Plainfield
Planning & Zoning
DP RZ PUD PP BZA ILP SP

MAY 06 2008

APPROVED RECEIVED
BY _____

STATEMENT OF COMMITMENTS:

1. **Mechanical Equipment:** There will be no rooftop mechanical units except for a kitchen vent. All ground mechanical equipment will be screened by a fence or landscaping.
2. **Trash Enclosure:** The trash enclosure will comply with Town Standards.
3. **Foundation Landscaping:** A Level 2 foundation landscaping for all structures except for the Barn and Gazebo will be provided.
4. **Parking Lot Screening:** Only the eastern edge of the east parking lot will be screened.
5. **Lighting:** Lighting will comply with Town Standards. Decorative street lights will be dark-sky compliant.
6. **Signs:** Signage will comply with Plainfield sign standards for a residential subdivision which would allow two 32 square foot signs incorporated into the fence at the entrance.
7. **Substantial compliance with site plan, building elevations, landscape plan, light fixtures and sign plan submitted file date April 21, 2008.**
8. **Substantial compliance with the Sugar Grove Senior Living, LLC at Plainfield PUD Ordinance submitted file date April 21, 2008.**

These COMMITMENTS shall run with the land, be binding on the Owner of the above-described real estate, subsequent owners of the above-described real estate and other persons acquiring an interest therein. These COMMITMENTS may be modified or terminated by a decision of the Town of Plainfield Plan Commission made at a public hearing after proper notice has been given.

COMMITMENTS contained in this instrument shall be effective upon the approval of petition PUD-08-001 pursuant to the Town of Plainfield Zoning Ordinance, and shall continue in effect until modified or terminated by the Town of Plainfield Plan Commission.

These COMMITMENTS may be enforced jointly or severally by:

1. The Town of Plainfield Plan Commission;
2. Owners of all parcels of ground adjoining the real estate to a depth of two (2) ownerships, but not exceeding six-hundred (600) feet from the perimeter of the real estate, and all owners of real estate within the area included in the petition who were not petitioners for approval.

ORDINANCE NO. PUD

AN ORDINANCE OF THE TOWN OF PLAINFIELD, INDIANA ESTABLISHING THE SUGAR GROVE SENIOR LIVING, LLC PLANNED UNIT DEVELOPMENT DISTRICT

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Plainfield, Indiana (the "Council"), that (i) pursuant to IC §36-7-4-1500 *et seq.*, it adopts this Sugar Grove Senior Living, LLC Ordinance, as an amendment to the Town of Plainfield Zoning Ordinance and it shall be in full force and effect from and after its passage, (ii) all prior commitments shall be null and void and replaced and superseded by this Sugar Grove Senior Living, LLC Ordinance, and (iii) this Sugar Grove Senior Living, LLC Ordinance shall be in full force and effect from and after its passage and signing by the Council.

Applicability of Ordinance

Zoning Map The Official Zoning Map of the Town of Plainfield Zoning Ordinance, is hereby changed to designate the land described in Exhibit "A" (the "Real Estate"), as a Planned Unit Development District to be known as Sugar Grove Senior Living, LLC Ordinance (the "District").

Development Development in the District shall be governed entirely by (i) the provisions of this Sugar Grove Senior Living, LLC Ordinance and its exhibits, and (ii) those provisions of the Town of Plainfield Zoning Ordinance specifically referenced in this Sugar Grove Senior Living, LLC Ordinance. In the event of a conflict between this Sugar Grove Senior Living, LLC Ordinance and the Town of Plainfield Zoning Ordinance, the provisions of this Sugar Grove Senior Living, LLC Ordinance shall apply.

Italicized Terms Any capitalized term not defined herein shall have the meaning as set forth in the Plainfield Zoning Ordinance in effect on the date of the enactment of this Sugar Grove Senior Living, LLC Ordinance.

Sugar Grove Senior Living, LLC District Map Development in the District shall be subject to the development and design standards applicable to the product type identified as Types "A" and "B" and on the Sugar Grove Senior Living, LLC.

Section 1: General Purpose Statement

The District is being established to develop independent living senior citizens Garden Homes Type A and Assisted Living units Type B for senior citizens. The development will be compatible with the surrounding existing and proposed developments in the area. The zoning is contemplated to allow for development of Garden Homes in the area closest to Moon Road, and the development of the Assisted Living Building to the west portion of the property.

The establishment of the District as a PUD is to allow development flexibility. The PUD District (Types "A" and "B" combined) will be comprised of not greater than 48 Garden Homes and 76 assisted living Units and 40 Memory Care beds. The *Development Standards* are designed to

encourage well planned design principles that will promote on-site amenities, pedestrian friendly streets, and community open space.

This property is a farm field with tree lines on the south and west property lines. The surrounding zoning consists of a church to the north zoned AG, Plainfield Correctional Facility to the east zoned R-1, Residential lot to the southeast zoned AG, Commercial Building to the south zoned AG, Sugar Grove subdivision to the south zoned PUD, and a farm field zoned AG to the west.

Section 2: General Terms and Conditions

A. Plans Considered Conceptual

The preliminary plan shall be considered conceptual. Final site design shall be reviewed by the Plainfield Plan Commission through the final detailed plan.

B. Architectural Standards

The developer / builder shall follow the residential architecture requirements set forth in Section 5 of this Ordinance.

C. Proposed Housing Products

Garden Homes and the Assisted Living building has been submitted as part of the PUD plans for the District. Should a building product be proposed which varies from the types shown in the PUD, building elevations of the new proposed product shall be presented to and approved by the Planning Director and/or the Plan Commission, as a minor amendment to this PUD. Prior to making a determination, the Planning Director may consult with the Plainfield Design Review Committee.

Section 3: Land Use

A. *Permitted Uses*

- **TYPE "A"**

The *Permitted Uses* applicable within Type "A" of the PUD District shall be those uses referenced in the R-6 district set forth in the Town of Plainfield Zoning Ordinance. The primary use will be Independent Living Units with up to six (6) dwelling units per building.

- **TYPE "B"**

The *Permitted Uses* applicable within Type "B" of the PUD District shall be those uses referenced in the GC district set forth in the Town of Plainfield Zoning Ordinance. The primary use will be an Assisted Living Memory Care Building to house and care for Senior Citizens.

Section 4: Development Standards

B. *Development Standards.*

- **TYPE "A"**

The *Development Standards* applicable to the land uses within Type "A" of the PUD district shall be the underlying district standards for the R-6 district set forth in the Town of Plainfield Zoning Ordinance. The maximum number of Garden Homes within Type "A" shall be 48. The Garden Homes will be developed as rental homes.

- **TYPE "B"**

The *Development Standards* applicable to the land uses within Type "B" of the PUD district shall be the underlying district standards for the GC district set forth in the Town of Plainfield Zoning Ordinance. The maximum number of Assisted Living Units within Type "B" shall be 76 and 40 Memory Care beds.

DEVELOPMENT STANDARDS MATRIX

Standard	Type "A" – Garden Homes ¹	Type "B" – Assisted Living
Minimum Number of Units	48	76 & 40 Memory Care beds
Minimum Square Footage	1 Bedroom: 720 Sq.ft. (min.) 2 Bedroom: 1260 Sq.ft. (min.)	350 sq. ft. N/A Memory Care beds
Minimum Front Yard Setbacks	20' from back of curb	N/A
Minimum Side Yard Setbacks	20'	N/A
Minimum Setback from Private Street (structure)	20' from back of curb	N/A
Minimum Building Separation	20 feet	20 feet
Minimum Rear Yard Setback	20 feet	20 feet
Maximum Building Height	35 feet	35 feet
Minimum Roof Pitch (excluding Gables and dormers)	See Arch. Elevation Drawings	See Arch. Elevation Drawings
Off Street Parking	2 Spaces for two bedroom 1 Space for one bedroom	83 Spaces
Garage door width ratio to the length of the front façade	40% max.	N/A
Minimum Garage Size	275 Sq Ft	None

Section 5: Architectural Guidelines

Garden Homes

The elevations and exterior material finishes of all Garden Homes shall be subject to the final approval of the DRC and the Plan Commission. Such approvals shall also include review and approval of streetscape design and final site plan design including entryway features, signage and community landscaping.

Garden Homes shall be constructed with exterior materials consisting of masonry, hardy plank, and/or wood siding. The architectural design of exterior elevations and exterior finishes of all Garden Homes shall be consistent within this development.

Garden Home garages shall be attached to the primary dwelling unit and shall be a minimum of 275 square feet in size. The length to width ratio of garage to front façade in the 6-plex Garden Home buildings will be a maximum of 40%.

All Garden Home buildings will have a front elevation oriented toward the interior street and driveway access to each dwelling unit will be limited to access from an interior street. All roof slopes shall be a minimum of 6 in 12.

All Garden Home buildings shall be one story units and shall, at a minimum, have 85% brick on front and sides. The rear elevations will, at a minimum, have 55% brick. Multiple colors will be used to enhance the design using a maximum of three discernable colors on each wall surface. There shall be no vinyl siding and buildings shall have a 12" minimum overhang on eaves and soffits. The design will include multiple surface textures, including soldier coursing, roof dormers, shutters, and louvers as design elements.

All Garden Home units have a covered entry and or porch. All units have laundry connections.

Assisted Living Building

The elevations and exterior material finishes of the Assisted Living Building shall be subject to the final approval of the DRC and the Plan Commission. Such approvals shall also include review and approval of streetscape design and final site plan design including entryway features, signage and community landscaping.

The Assisted Living Building shall be constructed with exterior materials consisting of masonry, hardy plank, and/or wood siding. The architectural design of exterior elevations and exterior finishes of the assisted living building shall be consistent within all Garden Homes within this development.

The Assisted Living building shall be one story with varying roof slopes (see elevation notes) and shall, at a minimum, have 85% brick wrap. There shall be no vinyl siding, and buildings shall have a 12" minimum overhang on eaves and soffits. The design will include multiple surface textures, including soldier coursing, roof dormers, shutters, and louvers as design elements. Multiple colors will be used to enhance the design using a maximum of three discernable colors on each wall surface.

The Assisted Living building has covered entries and porches which provide facade off-sets of a minimum of four feet approximately every forty feet of wall length.

Section 6: Open Space

In lieu of *Developed Recreational Open Space* requirements, open space may include, but not be limited to, such facilities as: Horse viewing area, benches, fountain in pond, walking path, and putting green.

- **Pathways**

The PUD District has been designed to interconnect a street network and open space pathway system. Areas have been strategically located providing residents with vistas to open spaces and easy access to the varied recreational opportunities.

Section 7: Amenities

Sugar Grove Senior Living, LLC will feature a clubhouse with swimming pool for residents and friends use.

Section 8: Tree Preservation

See Landscaping Plan.

Section 9: Landscaping

Landscaping shall meet Town of Plainfield Ordinance except for the barn.

Section 10: Lighting

Lighting Standards shall meet the requirements of the Town of Plainfield lighting ordinance, Lighting Standards for Gateway Corridor.

Street lighting shall be provided at entrances into the PUD District as determined by the developer. Additional lighting may be erected throughout the District as determined by the developer. The maximum height of light standards shall not exceed twenty (20) feet.

Section 11: Signs

- Plainfield Sign Standards shall meet Town of Plainfield Ordinance.

Section 12: Additional Standards

- **Maintenance**

The management company for the entire campus at Sugar Grove Senior Living, LLC shall provide for maintenance of all common areas and amenities. The management company will provide full exterior maintenance, full yard maintenance and snow removal.

- **R/W Dedication**

Fifty Feet (50') of Right of Way along Moon Road will be dedicated to the Town of Plainfield.

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The undersigned hereby authorizes the Secretary of the Town of Plainfield Plan Commission to record this Commitment in the Office of The Recorder of Hendricks County, Indiana, upon final approval of petition PUD-08-001.

IN WITNESS WHEREOF, Owner has executed this instrument this _____ day of _____, _____.

(Organization Acknowledgement)

Signature _____

Printed _____

STATE OF _____)

COUNTY OF _____)

SS:

Before me, a Notary Public in and for said County and State, personally appeared

_____, the _____ of _____, an Owner of the real estate described above who acknowledged the execution of the foregoing instrument in such capacity and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this _____ day of _____, _____

Signature _____

Printed _____

County of Residence _____

My Commission expires: _____

This instrument was prepared by Banning Engineering, P.C., 853 Columbia Road, Suite 101, Plainfield, IN 46168.

