STATE OF INDIANA
TOWN OF BROWNSBURG

ORDINANCE NO. 2011-10

AN ORDINANCE AMENDING THE WYNNE FARMS PUD ZONING ORDINANCE

BE IT ORDAINED by the Civil Town of Brownsburg, Hendricks County, Indiana, that:

WHEREAS, Paul F. Rioux of Platinum Properties, LLC., ("Developer") of approximately 39.82 acres of real estate commonly known as Parcel "F" within the Wynne Farms PUD, in the Town of Brownsburg, Lincoln Township, Hendricks County, Indiana, part of Parcels Numbered 32-07-25-200-001.000-016 & 32-07-25-100-005.000-016, ("Property") which real estate is more particularly described on Exhibit 'A' and generally depicted on Exhibit 'B', has filed a petition with the Town Council to amend the zoning standards of said real estate; and

WHEREAS, the Developer petitions the Town Council to amend sections 6.03 A., and 6.03 J. within the Wynne Farms PUD; and

WHEREAS, the Advisory Plan Commission for the Town of Brownsburg ("Commission") has considered said Zoning Map Amendment at a public meeting, on April 25, 2011, and by a majority vote of its members has made a FAVORABLE RECOMMENDATION that zoning on the above-described Property be amended pursuant to the Advisory Plan Commission case PCCA-1-11-1061 Wynne Farms PUD Amendment Parcel "F"; and

WHEREAS, the Commission has further found that the amendment does not adversely affect the master plan of the Town of Brownsburg, and has been favorably recommended by the Commission to the Town Council;

WHEREAS, the this property was annexed and zoned into the Town of Brownsburg, as a previously approved project through Hendricks County, by Ordinance 2008-25;

NOW, by the powers vested in the Town Council of the Town of Brownsburg, Hendricks County, Indiana, said Council finds that the zoning sought is in conformity with the master plan and municipal plan of the Town of Brownsburg, Hendricks County, Indiana.

THEREFORE, it is ordered and ordained that the Wynne Farms PUD Sections 6.03 A., and 6.03 J. for the Property above-described are amended as follows, subject to: prior to the issuance of a building permit for any house, the architectural elevation shall be submitted to and approved by the Planning and Building Department staff:

1. 6.03 A. Front elevations shall be 100% brick, stone, or cultured stone, excluding windows and doors, up to eight (8) feet in height or equivalent square footage coverage. A maximum of 20% of the homes may reduce this brick requirement provided that NO home shall have less than 35% brick, stone, or cultured stone excluding windows, and doors, up to eight (8) feet in height or equivalent square footage.; and

2. 2.03 J. All operable windows on the front of the home shall have shutters unless otherwise highlighted with a minimum of six (6) inch wood trim detail or the windows are inset in brick, stone, or other masonry material.

SAID ORDINANCE OF ZONING AMENDMENT is hereby PASSED and ADOPTED THIS ____ DAY of _____, 2011.

TOWN OF BROWNSBURG
HENDRICKS COUNTY, INDIANA

By:_____
Matthew S. Bowles, President

ATTESTED BY:

_____
Jeanette Brickler, Clerk-Treasurer

Prepared by:

Town of Brownsburg
61 North Green Street
Brownsburg IN 46112

EXHIBIT 'A'

LEGAL DESCRIPTION

("Parcel-F" of Wynne Farms PUD a.k.a. Birch Run)

A part of the West Half of the Northeast Quarter and a part of the Southeast Quarter of the Northwest Quarter all in Section 25, Township 16 North, Range 1 East of the Second Principal Meridian in Hendricks County, Indiana, being more particularly described as follows:

Commencing at a railroad spike found representing the Northeast corner of said Section 25; thence South 88 degrees 55 minutes 49 seconds West on and along the North line of sa.id Section a distance of 1327.59 feet to the calculated North Quarter corner of said Northeast Quarter Section as determined by an Alta/Acsm Land Title Survey as prepared by Benchmark Surveying Inc. and certified by Donn M. Scotten on January 31, 2003 and is recorded as Instrument Number 200600015739, in the Office of the Recorder of Hendricks County, Indiana, said point also being the POINT OF BEGINNING of this description; thence South 00 degrees 50 minutes 25 seconds East a distance of 2659.00 feet to the calculated South Quarter corner of said Northeast Quarter Section; thence South 88 degrees 49 minutes 03 seconds West on and along the South line of said Quarter Section a distance of 1335.21 feet to the calculated center of the aforesaid Section 25; thence South 88 degrees 33 minutes 54 seconds West on and along the South line of the Southeast Quarter of the Northwest Quarter of said Section 25 a distance of 687.52 feet; thence North 00 degrees 58 minutes 24 seconds West a distance of 197.14 feet to a point on a curve concave Northwesterly having a central angle of 49 degrees 23 minutes 49 seconds and a radius of 1900.00 feet; thence Northeasterly on and along said curve an arc distance of 1638.06 feet (said arc being subtended by a chord having a bearing of North 42 degrees 13 minutes 12 seconds East and a length of 1587.80 feet); thence North 17 degrees 31 minutes 17 seconds East a distance of 897.56 feet to the point of curvature of a curve concave Westerly having a central angle of 14 degrees 15 minutes 48 seconds and a radius of 1900.00 feet; thence Northerly on and along said curve an arc distance of 472.99 feet (said arc being subtended by a chord having a bearing of North 10 degrees 23 minutes 23 seconds East and a length of 471.77 feet) to a point on the North line of the Northeast Quarter of said Section 25; thence North 88 degrees 55 minutes 49 seconds East on and along said North line a distance of 564.41 feet to the POINT OF BEGINNING and containing 65.93 acres, more or less. Subject to all restrictions, rights-of-way and easements of record.

Except, part of the Northwest Quarter of the Northeast Quarter of Section 25, Township 16 North, Range 1 East, Lincoln township, Hendricks County, Indiana, being more particularly described as follows:

Beginning at a Bolt marking the northwest corner of said Section 25; thence North 88 degrees 50 minutes 20 seconds East (assumed bearing) along the North line of said Northwest Quarter of Section 25 a distance of 2658.80 feet to a Railroad Spike marking the North Quarter corner of said Section 25, thence North 88 degrees 55 minutes 49 seconds East on and along the North line of said Quarter-Quarter Section 640.36 feet to the POINT OF BEGINNING; thence continuing North 88 degrees 55 minutes 49 seconds East on and along said North line 687.23 feet to the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section; thence South 00 degrees 50 minutes 25 seconds East on and along the East line of said Quarter-Quarter Section 1444.74 feet; thence South 89 degrees 09 minutes 35 seconds West 360.00 feet; thence North 00 degrees 50 minutes 25 seconds West 66.77 feet; thence North 34 degrees 51 minutes 07 seconds West 52.08 feet; thence North 52 degrees 07 minutes 22 seconds West 51.76 feet; thence North 70 degrees 17 minutes 58 seconds West 61.19 feet; thence North 62 degrees 56 minutes 31 seconds West 169.21 feet; thence South 17 degrees 31 minutes 17 seconds West 140.00 feet; thence North 72 degrees 28 minutes 43 seconds West 177.00 feet; thence South 17 degrees 31 minutes 17 seconds West 38.82 feet to a tangent curve concave Northwesterly and having a central angle of 04 degrees 09 minutes 18 seconds and a radius of 978.00 feet; thence Southwesterly oh and along said

curve an arc distance of 70.92 feet (said arc being subtended by a chord having a bearing of South 19 degrees 35 minutes 56 seconds West and a length of 70.91 feet); thence North 71 degrees 10 minutes 03 seconds West 171.95 feet to a point on the West right-of-way line of Northfield Drive the following three (3) courses being on and along said West right-of-way line; (1) said curve being concave Northwesterly having a central angle of 01 degrees 18 minutes 39 seconds and a radius of 1800.00 feet; thence Northeasterly on and along said curve an arc distance of 41.19 feet (said arc being subtended by a chord having a bearing of North 18 degrees 10 minutes 37 seconds East and a length of 41.18 feet; (2) thence North 17 degrees 31 minutes 17 seconds East 828.56 feet to the point of curvature of a tangent curve concave Westerly and having a central angle of 11 degrees 12 minutes 37 seconds and a radius of 1755.48 feet; (3) thence Northerly on and along said curve an arc distance of 343.47 feet (said curve being subtended by a chord having a bearing of North 11 degrees 54 minutes 59 seconds East a length of 342.92 feet; thence North 02 degrees 41 minutes 30 seconds East 162.09 feet to the POINT OF BEGINNING of this description and containing 26.11 acres, more or less, subject to all restrictions, right-of-way, and containing easement of record.

EXHIBIT 'B'

GENERAL DEPICTION

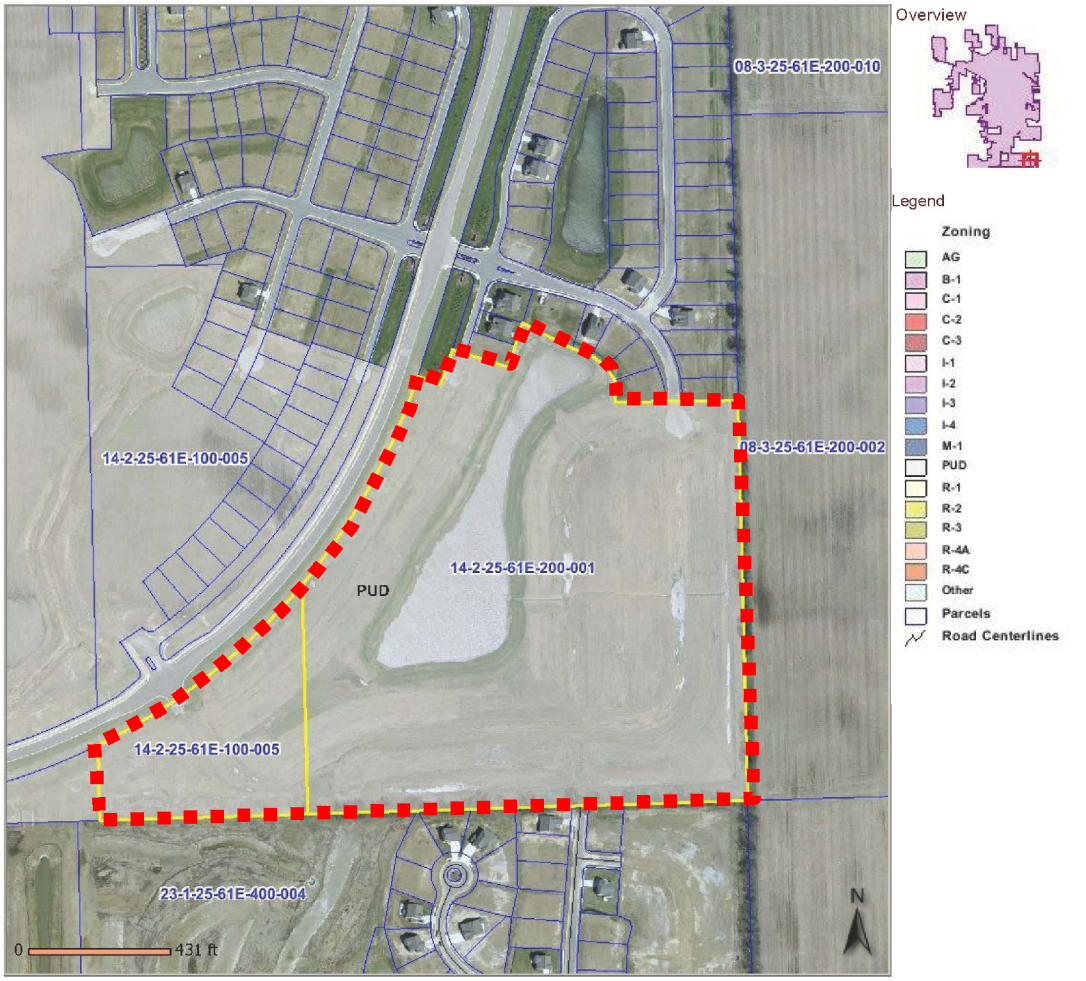
Town of Brownsburg, IN

beacon™

Wynne Farms PUD Amendment

Parcel F

Date Created: 4/28/2011
Map Scale: 1 in = 431 ft



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