

ORDINANCE NO. 1244

BEING AN ORDINANCE ANNEXING CERTAIN
CONTIGUOUS TERRITORIES TO THE TOWN OF ST. JOHN,
PURSUANT TO THE PROVISIONS OF I.C. 36-4-3 et. seq.

WHEREAS, St. John Westview, LLC, an Indiana Limited Liability Company of St. John, Indiana and Peoples Bank Trust No. 10314 Under Trust Agreement dated December 12, 2001, previously petitioned the Town of St. John to annex certain contiguous territories to the Town of St. John, pursuant to the provisions of I.C. 36-4-3 et. seq.; and

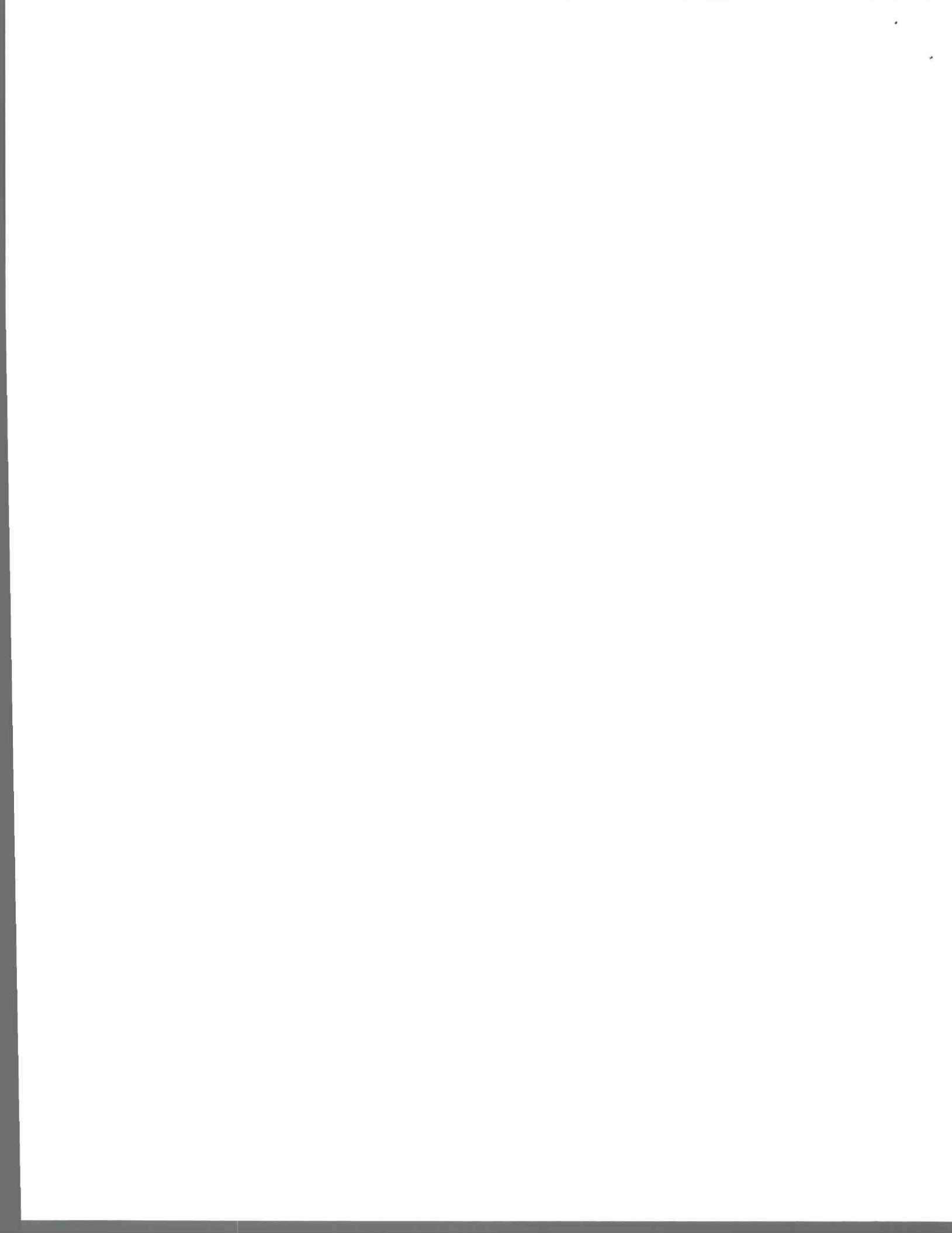
WHEREAS, said petitioners have executed a zoning commitment, a copy of which is attached hereto, made a part hereof, and marked as Exhibit "A"; and

WHEREAS, said petitioners will submit a proposed plan of subdivision for said territories, which, upon approval, will meet the requirements of the subdivision control ordinance of the Town of St. John for streets, sanitary sewers, storm sewers, public water supply, and other amenities required by said ordinance; and

WHEREAS, it is deemed to be necessary and equitable for the future development of said town that said territories be annexed to provide for the organized, coherent, and planned administration of said community; and

WHEREAS, the owners of the parcel of land hereinafter described did petition the Town Council of the Town of St. John, Lake County, Indiana for the zoning of such parcel to be annexed to be classified in part as R-1 (single-family detached residential), R-2 (single-family detached residential), R-3 (single-family attached residential [duplex]), R-4 (zero lot line or cluster housing) subject to the terms and conditions of a contractual zoning commitment; and

WHEREAS, the Town of St. John has held a public hearing this 23rd day of May, 2002



upon the annexation; and

WHEREAS, the Town of St. John has duly considered said annexation and has determined said annexation to be in the best interest of the health, safety and welfare of the Town and said land is necessary for the present and future growth of the Town of St. John, Indiana; and

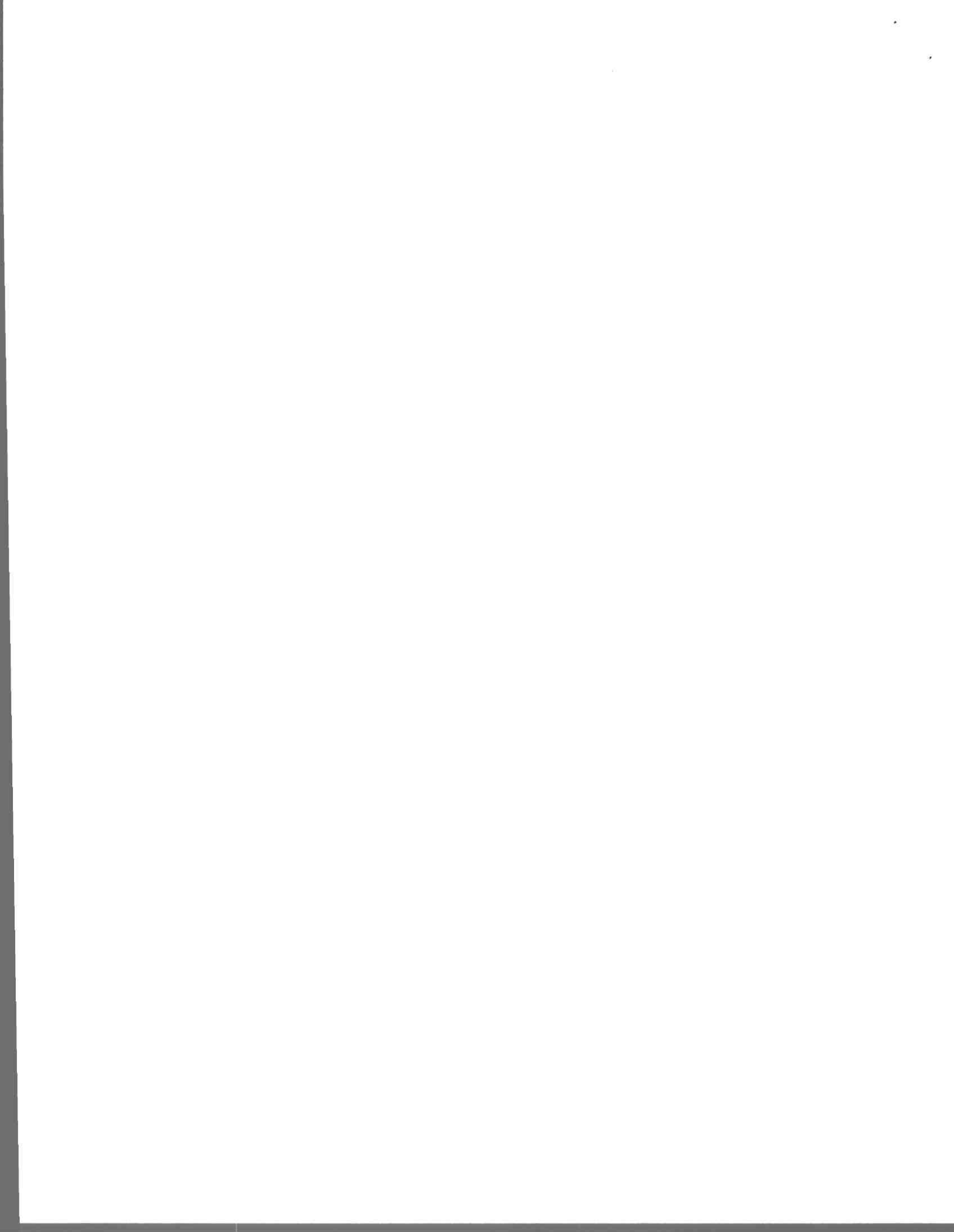
WHEREAS, the territory sought to be annexed will within the prescribed time limits be provided with governmental and propriety services by said petitioners in the same manner as those services are provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density consistent with applicable federal, state, and local laws, procedures, and planning criteria;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana as follows:

Section 1. The following described real estate be and it is hereby annexed to and made a part of the Town of St. John, Lake County, Indiana, to-wit:

Parcel 1: That part of the East half of the Southwest Quarter of Section 5, Township 34 North, Range 9 West of the Second Principal Meridian described as beginning at the Southwest corner thereof; thence North 00 degrees 45 minutes 12.5 seconds East along the West line of said East Half, a distance of 2650.04 feet to the Northwest corner thereof; thence South 89 degrees 03 minutes 27 seconds East along the North line of said East half of the Southwest Quarter, a distance of 1161.72 feet to a point which is 159.70 feet West of the Northeast corner of said Southwest Quarter; thence South 00 degrees 46 minutes 42 seconds West along a line parallel with the East line of said East half of the Southwest Quarter, a distance of 2652.20 feet to a point on the South line of said East half of the Southwest Quarter; thence North 88 degrees 57 minutes 11 seconds West along said South line a distance of 1,160.58 feet to the point of beginning, all in Lake County, Indiana, containing 70.668 acres, more or less.

Parcel 2: A part of the East half of the Southwest Quarter and a part of the West



half of the Southeast Quarter of Section 5, Township 34 North, Range 9 West of the Second Principal Meridian described as beginning at the Southwest corner of the West half of said Southeast Quarter; thence North 88 degrees 57 minutes 11 seconds West along the South line of said Section 5, a distance of 159.70 feet; thence North 00 degrees 46 minutes 42 seconds East along a line parallel with the East line of the East half of the Southwest Quarter a distance of 2652.20 feet to a point on the North line of said Southwest Quarter; thence South 89 degrees 03 minutes 27 seconds East along said North line a distance of 159.70 feet to the Northeast corner of said East half of the Southwest Quarter; thence South 89 degrees 03 minutes 27 seconds East along the North line of the West half of the Southeast Quarter, a distance of 1321.42 feet to the Northeast corner thereof; thence South 15 degrees 03 minutes 05.5 seconds West, a distance of 2736.20 feet to a point on the South line of said West half of the Southeast Quarter; thence North 88 degrees 57 minutes 11 seconds West along said South line, a distance of 646.83 feet to the point of beginning, all in Lake County, Indiana, containing 69.668 acres, more or less.

Parcel 3: A part of the West half of the Southwest Quarter of Section 5, Township 34 North, Range 9 West of the Second Principal Meridian, described as beginning at a point which is on the North line of said West half of the Southwest Quarter and 1140.01 feet East of the Northwest corner thereof; thence South 89 degrees 03 minutes 27 seconds East along said North line a distance of 181.41 feet to the Northeast corner of said West half of the Southwest Quarter; thence South 00 degrees 45 minutes 12.5 seconds West along the East line of said West half of the Southwest Quarter, a distance of 2650.04 feet to the Southeast corner of said West half of the Southwest Quarter; thence North 88 degrees 57 minutes 11 seconds West along the South line of said West half of the Southwest Quarter, a distance of 180.25 feet; thence North 00 degrees 43 minutes 43 seconds East along a line parallel with the West line of said West half of the Southwest Quarter a distance of 2649.72 feet to the point of beginning, all in Lake County, Indiana, containing 10.9999 acres, more or less.

Section 2. That pursuant to and in reliance upon the zoning commitment attached hereto, made a part hereof, and marked as Exhibit "A" that the zoning of such territory be and it is hereby determined to be R-1 (single-family detached residential), R-2 (single-family detached residential), R-3 (single-family attached residential [duplex]), R-4 (zero lot line or cluster housing), as set forth and described on the proposed development map, a copy of which is

attached hereto, made a part hereof, and marked as Exhibit "B" and legally described as follows:

Parcel 1: That part of the East half of the Southwest Quarter of Section 5, Township 34 North, Range 9 West of the Second Principal Meridian described as beginning at the Southwest corner thereof; thence North 00 degrees 45 minutes 12.5 seconds East along the West line of said East Half, a distance of 2650.04 feet to the Northwest corner thereof; thence South 89 degrees 03 minutes 27 seconds East along the North line of said East half of the Southwest Quarter, a distance of 1161.72 feet to a point which is 159.70 feet West of the Northeast corner of said Southwest Quarter; thence South 00 degrees 46 minutes 42 seconds West along a line parallel with the East line of said East half of the Southwest Quarter, a distance of 2652.20 feet to a point on the South line of said East half of the Southwest Quarter; thence North 88 degrees 57 minutes 11 seconds West along said South line a distance of 1,160.58 feet to the point of beginning, all in Lake County, Indiana, containing 70.668 acres, more or less.

Parcel 2: A part of the East half of the Southwest Quarter and a part of the West half of the Southeast Quarter of Section 5, Township 34 North, Range 9 West of the Second Principal Meridian described as beginning at the Southwest corner of the West half of said Southeast Quarter; thence North 88 degrees 57 minutes 11 seconds West along the South line of said Section 5, a distance of 159.70 feet; thence North 00 degrees 46 minutes 42 seconds East along a line parallel with the East line of the East half of the Southwest Quarter a distance of 2652.20 feet to a point on the North line of said Southwest Quarter; thence South 89 degrees 03 minutes 27 seconds East along said North line a distance of 159.70 feet to the Northeast corner of said East half of the Southwest Quarter; thence South 89 degrees 03 minutes 27 seconds East along the North line of the West half of the Southeast Quarter, a distance of 1321.42 feet to the Northeast corner thereof; thence South 15 degrees 03 minutes 05.5 seconds West, a distance of 2736.20 feet to a point on the South line of said West half of the Southeast Quarter; thence North 88 degrees 57 minutes 11 seconds West along said South line, a distance of 646.83 feet to the point of beginning, all in Lake County, Indiana, containing 69.668 acres, more or less.

Parcel 3: A part of the West half of the Southwest Quarter of Section 5, Township 34 North, Range 9 West of the Second Principal Meridian, described as beginning at a point which is on the North line of said West half of the Southwest Quarter and 1140.01 feet East of the Northwest corner thereof; thence South 89 degrees 03 minutes 27 seconds East along said North line a distance of 181.41 feet to the Northeast corner of said West half of the Southwest Quarter; thence South 00 degrees 45 minutes 12.5 seconds West along the East line of said West half of the Southwest Quarter, a distance of 2650.04 feet to the Southeast corner of said West half of the Southwest Quarter; thence North 88 degrees 57 minutes 11

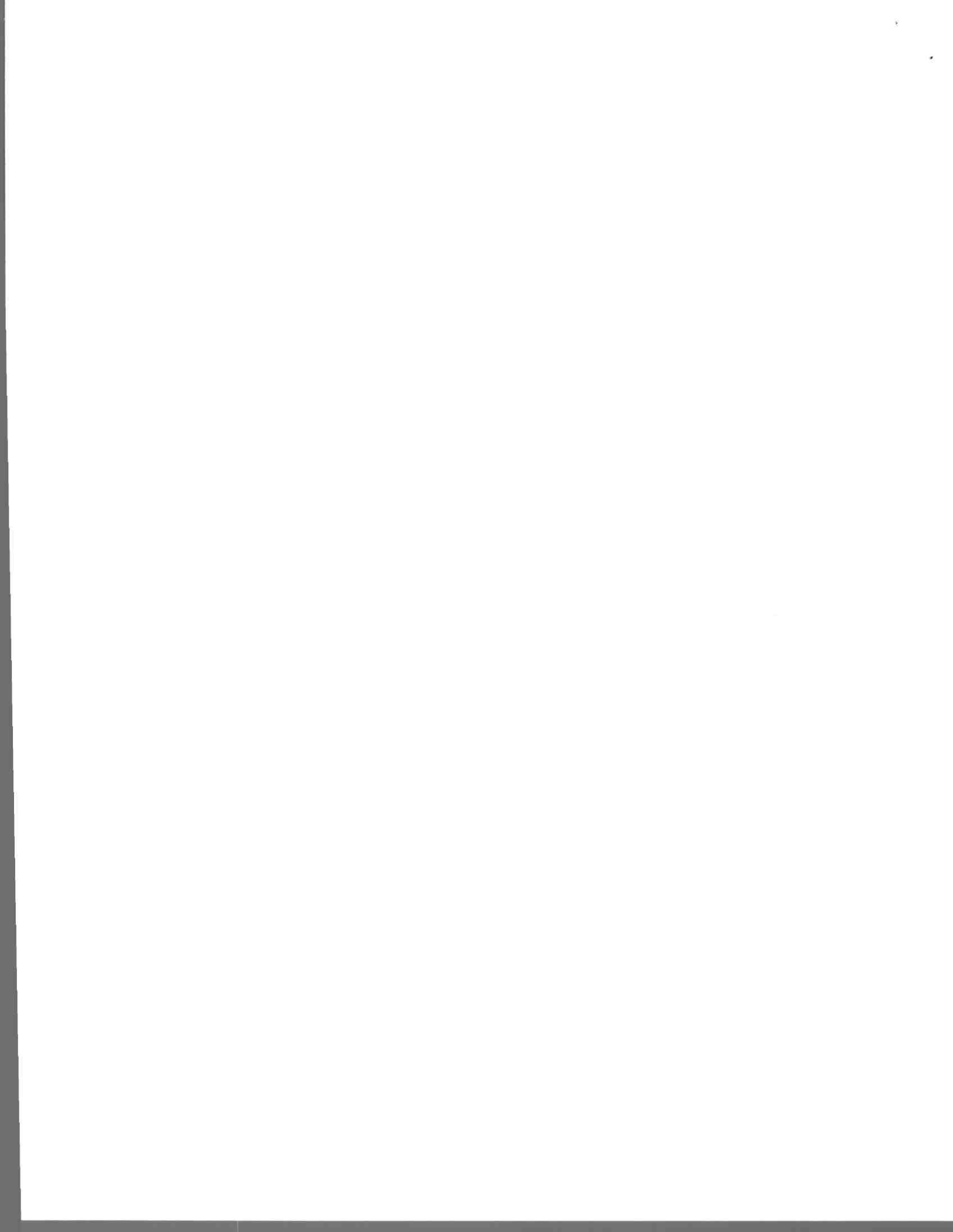
seconds West along the South line of said West half of the Southwest Quarter, a distance of 180.25 feet; thence North 00 degrees 43 minutes 43 seconds East along a line parallel with the West line of said West half of the Southwest Quarter a distance of 2649.72 feet to the point of beginning, all in Lake County, Indiana, containing 10.9999 acres, more or less.

Section 3. The zoning classification for the individual portions of the annexed tract are set forth and described on the zoning map attached hereto, made a part hereof, and marked as Exhibit "C" and are legally described as follows:

ZONE R1

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 3481.49 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 180.00 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST 330.00 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 630.00 FEET TO A POINT OF BEGINNING; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST 905.00 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 529.42 FEET TO A POINT THAT IS 1339.42 FEET SOUTH OF THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5 AND 399.05 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG A LINE PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 1380.06 FEET TO A POINT LYING ON A STRAIGHT LINE DRAWN FROM THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5 TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 646.83 FEET (AS MEASURED ALONG SAID SOUTH LINE) EAST OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER, SAID POINT LYING 1381.15 FEET (AS MEASURED ALONG SAID STRAIGHT LINE) SOUTHWEST OF SAID NORTHEAST CORNER; THENCE NORTH 14 DEGREES 41 MINUTES 13 SECONDS EAST, ALONG SAID STRAIGHT LINE, 303.59 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST, ALONG A LINE THAT IS PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 349.12 FEET TO A POINT THAT IS 1045.00 FEET SOUTH OF SAID NORTH LINE AND 706.68 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE NORTH 39 DEGREES 49 MINUTES 55 SECONDS WEST 308.59 FEET TO THE POINT OF BEGINNING; ALL IN LAKE COUNTY, INDIANA.

AREA = 653,400 SF = 15.000 AC (more or less)



ZONE R2

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 1140.01 FEET TO A POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG SAID NORTH LINE, 2341.48 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 180.00 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST 330.00 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 630.00; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST 905.00 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 718.16 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG A CURVE CONVEX TO THE SOUTHEAST AND HAVING A RADIUS OF 400.00 FEET AND A 214.30 FOOT CHORD BEARING SOUTH 16 DEGREES 6 MINUTES 20 SECONDS WEST, AN ARC DISTANCE OF 216.95 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, ALONG A CURVE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 400.00 FEET AND A 215.51 FOOT CHORD BEARING SOUTH 16 DEGREES 0 MINUTES 56 SECONDS WEST, AN ARC DISTANCE OF 218.21 FEET TO A POINT OF TANGENCY ON A LINE THAT IS PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 0 DEGREES 23 MINUTES 16 SECONDS WEST, ALONG SAID PARALLEL LINE, 710.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 18 MINUTES 32 SECONDS WEST, ALONG SAID SOUTH LINE, 985.56 FEET TO A POINT ON THE EAST LINE OF WHITE OAK MANOR 6TH ADDITION UNIT 2, AS MONUMENTED; THENCE NORTH 0 DEGREES 23 MINUTES 16 SECONDS EAST, ALONG SAID MONUMENTED LINE AND THE NORTHERLY EXTENSION THEREOF, 2650.24 FEET TO THE POINT OF BEGINNING; ALL IN LAKE COUNTY, INDIANA.

AREA = 3,610,528 SF = 82.886 AC (more or less)

ZONE R3

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 3481.49 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 180.00 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST 330.00 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 630.00; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST 905.00 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 529.42 FEET TO A POINT OF BEGINNING THAT IS 1339.42 FEET SOUTH OF THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5 AND 399.05 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE CONTINUING SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 188.74 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY,

ALONG A CURVE CONVEX TO THE SOUTHEAST AND HAVING A RADIUS OF 400.00 FEET AND A 214.30 FOOT CHORD BEARING SOUTH 16 DEGREES 6 MINUTES 20 SECONDS WEST, AN ARC DISTANCE OF 216.95 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, ALONG A CURVE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 400.00 FEET AND A 215.51 FOOT CHORD BEARING SOUTH 16 DEGREES 0 MINUTES 56 SECONDS WEST, AN ARC DISTANCE OF 218.21 FEET TO A POINT OF TANGENCY ON A LINE THAT IS PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 0 DEGREES 23 MINUTES 16 SECONDS WEST, ALONG SAID PARALLEL LINE, 710.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 18 MINUTES 32 SECONDS EAST, ALONG SAID SOUTH LINE, 1161.76 FEET TO A POINT THAT IS 646.83 FEET (AS MEASURED ALONG SAID SOUTH LINE) EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE NORTH 14 DEGREES 41 MINUTES 13 SECONDS EAST, ALONG A STRAIGHT LINE DRAWN FROM SAID POINT TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, 1356.39 FEET TO A POINT THAT IS 1381.15 FEET (AS MEASURED ALONG SAID STRAIGHT LINE) SOUTHWEST OF SAID NORTHEAST CORNER; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST, ALONG A LINE PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 1380.06 FEET TO THE POINT OF BEGINNING; ALL IN LAKE COUNTY, INDIANA.

AREA = 1,701,142 SF = 39.053 AC (more or less)

ZONE R4

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 3481.49 FEET TO A POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 180.00 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST 330.00 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 630.00 FEET; THENCE SOUTH 39 DEGREES 49 MINUTES 55 SECONDS EAST 308.59 FEET TO A POINT THAT IS 1045.00 FEET SOUTH OF SAID NORTH LINE AND 706.68 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG A LINE THAT IS PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 349.12 FEET TO A POINT LYING ON A STRAIGHT LINE DRAWN FROM THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5 TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 646.83 FEET (AS MEASURED ALONG SAID SOUTH LINE) EAST OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER, SAID POINT LYING 1077.55 FEET (AS MEASURED ALONG SAID STRAIGHT LINE) SOUTHWEST OF THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE NORTH 14 DEGREES 41 MINUTES 13 SECONDS EAST, ALONG SAID STRAIGHT LINE, 1077.55 FEET TO SAID NORTHEAST CORNER; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 481.97 FEET TO THE POINT OF BEGINNING; ALL IN LAKE COUNTY, INDIANA.

AREA = 628,272 SF = 14.423 AC (more or less)

Section 4. This Ordinance shall be in full force and effect from and after the passage and publication thereof according to law.

Section 5. Passed and adopted by the Town Council of the Town of St John, Lake County, Indiana this 27th day of June, 2002.

Aye 5 Nay 0


KRISTIE L. ALDRIDGE, President


MICHAEL S. FORBES, Vice-President


JEROME J. RUDY, Member


KATHLEEN J. WILLMAN, Member


WILLIAM M. WINTERHALER, Member

ATTEST:


JUDITH L. COMPANIK, Clerk-Treasurer

ZONING COMMITMENT

Comes now St. John Westview, LLC pursuant to the provisions of I.C. 1971, 36-7-4-615, the rules and regulations of the St. John Plan Commission revised July 1, 1992, Article V(6), and Ordinance 1030 of the Town of St. John adopted December 31, 1996 and make the following zoning commitment in consideration of the zoning of certain tracts of real estate as part of annexation proceedings before the St. John Town Council.

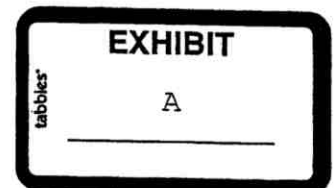
1. That development shall be generally consistent with the conceptual development plan prepared by Earth Source, Inc. and dated March 28, 2002, a copy of which is made part hereof as if fully set out herein.

2. That the acreage of the tract to be zoned as R-1 shall be equal to or greater than 15 acres.

3. That the density, i.e. the number of units to be erected on the tract to be zoned as R-2 shall be equal to or less than 160 units.

4. That the density, i.e. the number of units to be erected on the tract to be zoned as R-3 shall be equal to, or less than 116 units, provided that any development that does not meet the requirements of the St. John Subdivision Control Ordinance may be processed as a Planned Unit Development.

5. That the density, i.e. the number of units to be erected on the tract to be zoned as R-4 (cottage houses) shall be equal to, or less than 40 units, provided that any development that does not



meet the requirements of the St. John Subdivision Control Ordinance may be processed as a Planned Unit Development.

6. That the project density, taken as a whole, shall not exceed 2.420 units per acre.

7. That each residential unit erected on the tract zoned as R-4 shall be similar in appearance and of comparable or greater quality than those existing units erected in Homestead Village Units 1, 2, and 3 as recorded in plat book 79 page 10; plat book 80 page 22; and plat book 86 page 42, respectively in the Office of the Recorder, Lake County, Indiana.

8. That each residential unit erected on the tract zoned as R-4 shall have not less than 1,350 square feet.

9. That each residential unit erected on the tract zoned as R-4 shall have a market value not less than One Hundred Twenty Five Thousand Dollars (\$125,000.00) per unit.

10. That each residential unit erected on the tract zoned as R-1 or R-2 shall have a two car garage.

11. That each residential unit erected on the tract zoned as R-3 and R-4 shall have not less than a two car garage, plus one additional off-street parking space.

12. That the residential units erected on the tract to be zoned as R-3 shall have identical coach lights and identical mailboxes.

13. That not less than one hundred percent (100%) of each group of residential units erected on each lot of the tract zoned as R-3 and R-4, shall be sold to owner/occupants.

14. That the approximate value of each dwelling unit erected in the tract zoned as R-3 shall have a value equal to or greater than One Hundred Dollars (\$100.00) per square foot and a market value of not less than One Hundred Fifty Thousand Dollars (\$150,000.00) per unit.

15. That the square footage of one hundred percent (100%) of the dwelling units erected in the tract zoned as R-3 shall be equal to or greater than 1,400 square feet and not less than twenty-five percent (25%) of the dwelling units erected in the tract zoned as R-3 shall be equal to or greater than 1,700 square feet.

16. To avoid the appearance of "tract" housing, minor architectural details such as brick color, brick style, color, siding, roof styles, and other cosmetic exterior modifications shall be provided.

17. That none of the dwelling units erected in the tract zoned as R-3 or R-4 shall be greater than two stories in height.

18. That no one building erected in the tract zoned as R-3 shall contain more than two units.

19. That all of the dwelling units erected in the tract zoned as R-3 shall have not less than two (2) bedrooms and not less than two (2) bathrooms.

20. That all of the dwelling units erected in the tract zoned as R-3 shall have not less than a 6/12 roof pitch.

21. That not less than the first floor of the front elevation of any dwelling unit erected in the tract zoned as R-3 shall be masonry.

22. That all of the landscaped common areas (non-natural) within the tract zoned as R-3 shall be irrigated.

23. That all of the common areas, landscaped or natural, shall be under the jurisdiction of a Property Owners Association which shall provide for a maintenance fee to cover the cost of yard maintenance, snow removal, and irrigation which fee shall be not less than Fifty Dollars (\$50.00) per month per unit.

24. That this commitment shall be binding upon the heirs, successors and assigns of the owner.

IN WITNESS WHEREOF, the said ST. JOHN WESTVIEW, LLC, an Indiana Limited Liability Company has caused this Zoning Commitment to be executed by Frank E. Schilling, its Manager.

ST. JOHN WESTVIEW, LLC, an Indiana Limited Liability Company

BY: Frank E. Schilling
FRANK E. SCHILLING, Its Manager

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named FRANK E. SCHILLING, Manager of ST. JOHN WESTVIEW, LLC, to me known to be such Manager of said LLC and acknowledged the execution of the foregoing Zoning Commitment for and on behalf of said Company and by its authority.

WITNESS my hand and Notarial seal this 22nd day of June, 2002.



Michael L. Muenich
Michael L. Muenich, Notary Public

My Commission Expires: 9/17/2007 County of Residence: Lake
westview\zoning\commitment