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AND RECORDED IN DOCUMENT NUMBER 82-8905 IN THE OFFICE OF THE
RECORDER OF SAID COUNTY; THENCE NORTH 87 DEGREES 08 MINUTES
18 SECONDS WEST, ON AND ALONG THE SOUTH LINE OF SAID 0.81
ACRE TRACT, A DISTANCE OF 164.60 FEET; THENCE SOUTH 90 DEGREES
00 MINUTES 00 SECONDS WEST, CONTINUING ON AND ALONG SAID
SOUTH LINE AND PARALLEL TO THE NORTH LINE OF SAID NORTHEAST
QUARTER, A DISTANCE OF 176.73 FEET; THENCE SOUTH 00 DEGREES 00
MINUTES 00 SECONDS WEST, A DISTANCE OF 420.22 FEET TO THE
POINT OF CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A
RADIUS OF 45.00 FEET; THENCE SOUTHWESTERLY, ON AND ALONG THE
ARC OF SAID CURVE, AN ARC DISTANCE OF 23.56 FEET, BEING
SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 23.29 FEET AND
A BEARING OF SOUTH 15 DEGREES 00 MINUTES 10 SECONDS WEST TO
THE POINT OF TANGENCY; THENCE SOUTH 30 DEGREES 00 MINUTES 00
SECONDS WEST AND TANGENT TO SAID CURVE, A DISTANCE OF 51.53
FEET TO THE POINT OF CURVATURE OF A REGULAR CURVE TO THE
LEFT HAVING A RADIUS OF 65.00 FEET; THENCE SOUTHWESTERLY, ON
AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 34.04
FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF
33.65 FEET AND A BEARING OF SOUTH 15 DEGREES 00 MINUTES 10
SECONDS WEST TO THE POINT OF TANGENCY; THENCE SOUTH 00
DEGREES 00 MINUTES 00 SECONDS WEST AND TANGENT TO SAID
CURVE, A DISTANCE OF 130.16 FEET; THENCE SOUTH 90 DEGREES 00
MINUTES 00 SECONDS WEST AND PARALLEL TO THE NORTH LINE OF
SAID NORTHEAST QUARTER, A DISTANCE OF 250.10 FEET TO A POINT
ON THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER;
THENCE SOUTH 01 DEGREES 05 MINUTES 10 SECONDS WEST, ON AND
ALONG SAID WEST LINE, A DISTANCE OF 289.89 FEET; THENCE NORTH
90 DEGREES 00 MINUTES 00 SECONDS EAST AND PARALLEL TO SAID
NORTH LINE, A DISTANCE OF 880.00 FEET; THENCE NORTH 01 DEGREES
05 MINUTES 10 SECONDS EAST AND PARALLEL TO SAID WEST LINE, A
DISTANCE OF 60.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00
SECONDS EAST AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF
145.04 FEET TO A POINT SITUATED 295.10 FEET, SOUTH 90 DEGREES 00
MINUTES 00 SECONDS WEST FROM THE EAST LINE OF SAID
NORTHEAST QUARTER; THENCE NORTH 01 DEGREES 00 MINUTES 15
SECONDS EAST AND PARALLEL TO SAID EAST LINE, A DISTANCE OF
180.00 FEET; THENCE NORTH 51 DEGREES 48 MINUTES 36 SECONDS
EAST, A DISTANCE OF 21.98 FEET; THENCE SOUTHEASTERLY, ON AND
ALONG THE ARC OF A REGULAR CURVE TO THE LEFT, NOT TANGENT
TO THE LAST COURSE, HAVING A RADIUS OF 148.50 FEET, AN ARC
DISTANCE OF 83.17 FEET, BEING SUBTENDED BY A LONG CHORD
HAVING A LENGTH OF 82.09 FEET AND A BEARING OF SOUTH 73
DEGREES 22 MINUTES 19 SECONDS EAST TO THE POINT OF TANGENCY;
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, TANGENT
TO SAID CURVE AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF

1 150.86 FEET TO THE WEST LINE OF A 1.187 ACRE TRACT OF LAND
2 CONVEYED TO THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED
3 DATED NOVEMBER 21, 1996 AND RECORDED IN DOCUMENT NUMBER
4 960064914 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE
5 NORTH 01 DEGREES 14 MINUTES 45 SECONDS EAST, ON AND ALONG
6 SAID WEST LINE, A DISTANCE OF 50.00 FEET; THENCE SOUTH 90
7 DEGREES 00 MINUTES 00 SECONDS WEST AND PARALLEL TO SAID
8 NORTH LINE, A DISTANCE OF 150.44 FEET TO THE POINT OF
9 CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS
10 OF 98.50 FEET; THENCE NORTHWESTERLY, ON AND ALONG THE ARC OF
11 SAID CURVE, AN ARC DISTANCE OF 130.11 FEET, BEING SUBTENDED BY
12 A LONG CHORD HAVING A LENGTH OF 120.86 FEET AND A BEARING OF
13 NORTH 52 DEGREES 09 MINUTES 25 SECONDS WEST; THENCE NORTH 01
14 DEGREES 00 MINUTES 15 SECONDS EAST, NOT TANGENT TO THE LAST
15 CURVED COURSE, AND PARALLEL TO SAID EAST LINE, A DISTANCE OF
16 55.14 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST
17 AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF 0.70 FEET;
18 THENCE NORTHWESTERLY, ON AND ALONG A REGULAR CURVE TO
19 THE LEFT, NOT TANGENT TO THE LAST COURSE, HAVING A RADIUS OF
20 85.00 FEET, AN ARC DISTANCE OF 115.25 FEET, BEING SUBTENDED BY A
21 LONG CHORD HAVING A LENGTH OF 106.62 FEET AND A BEARING OF
22 NORTH 45 DEGREES 09 MINUTES 00 SECONDS WEST TO THE POINT OF
23 TANGENCY; THENCE NORTH 83 DEGREES 59 MINUTES 31 SECONDS
24 WEST AND TANGENT TO SAID CURVE, A DISTANCE OF 86.96 FEET TO
25 THE POINT OF CURVATURE OF A REGULAR CURVE TO THE RIGHT
26 HAVING A RADIUS OF 15.00 FEET; THENCE NORTHWESTERLY, ON AND
27 ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 21.99 FEET,
28 BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 20.07
29 FEET AND A BEARING OF NORTH 41 DEGREES 59 MINUTES 45 SECONDS
30 WEST TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 00
MINUTES 00 SECONDS EAST AND TANGENT TO SAID CURVE, A
DISTANCE OF 144.82 FEET TO THE POINT OF CURVATURE OF A
REGULAR CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET;
THENCE NORTHEASTERLY, ON AND ALONG SAID CURVE, AN ARC
DISTANCE OF 23.83 FEET, BEING SUBTENDED BY A LONG CHORD
HAVING A LENGTH OF 21.40 FEET AND A BEARING OF NORTH 45
DEGREES 30 MINUTES 34 SECONDS EAST TO THE POINT OF TANGENCY;
THENCE SOUTH 88 DEGREES 59 MINUTES 45 SECONDS EAST AND
TANGENT TO SAID CURVE, A DISTANCE OF 165.45 FEET; THENCE
NORTH 01 DEGREES 00 MINUTES 15 SECONDS EAST, A DISTANCE OF
34.00 FEET; THENCE NORTH 88 DEGREES 59 MINUTES 45 SECONDS
WEST, A DISTANCE OF 156.74 FEET TO THE POINT OF CURVATURE OF A
REGULAR CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET;
THENCE NORTHWESTERLY, ON AND ALONG THE ARC OF SAID CURVE,
AN ARC DISTANCE: OF 38.84 FEET, BEING SUBTENDED BY A LONG
CHORD HAVING A LENGTH OF 35.05 FEET AND A BEARING OF NORTH 44

1 DEGREES 30 MINUTES 17 SECONDS WEST TO THE POINT OF TANGENCY;
2 THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST AND
3 TANGENT TO SAID CURVE, A DISTANCE OF 9.53 FEET TO THE POINT OF
4 CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS
5 OF 65.00 FEET; THENCE NORTHEASTERLY, ON AND ALONG THE ARC OF
6 SAID CURVE, AN ARC DISTANCE OF 34.61 FEET, BEING SUBTENDED BY
7 A LONG CHORD HAVING A LENGTH OF 34.20 FEET AND A BEARING OF
8 NORTH 15 DEGREES 15 MINUTES 30 SECONDS EAST TO THE POINT OF
9 TANGENCY; THENCE NORTH 30 DEGREES 30 MINUTES 40 SECONDS
10 EAST AND TANGENT TO SAID CURVE, A DISTANCE OF 46.04 FEET TO
11 THE POINT OF CURVATURE OF A REGULAR CURVE TO THE LEFT,
12 HAVING A RADIUS OF 100.00 FEET; THENCE NORTHEASTERLY, ON AND
13 ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 53.26 FEET,
14 BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 52.63
15 FEET AND A BEARING OF NORTH 15 DEGREES 15 MINUTES 10 SECONDS
16 EAST TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 00
17 MINUTES 00 SECONDS EAST AND TANGENT TO SAID CURVE, A
18 DISTANCE OF 64.63 FEET TO THE TRUE POINT OF BEGINNING,
19 CONTAINING 16.415 ACRES OF LAND.

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PARCEL II:

31 PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION
32 21, TOWNSHIP 31NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA,
33 MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

34 COMMENCING ON THE NORTH LINE OF SAID NORTHEAST QUARTER AT
35 A POINT SITUATED 295.10 FEET, SOUTH 90 DEGREES 00 MINUTES 00
36 SECONDS WEST (ASSUMED BEARING AND IS USED AS THE BASIS FOR
37 THE BEARINGS IN THIS DESCRIPTION) FROM THE NORTHEAST CORNER
38 OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 00
39 MINUTES 18 SECONDS WEST, A DISTANCE OF 45.01 FEET TO THE
40 SOUTHEAST CORNER OF A 0.039 ACRE TRACT OF LAND CONVEYED TO
41 THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED DATED
42 NOVEMBER 21, 1996 AND RECORDED IN DOCUMENT #960064914 IN THE
43 OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 90
44 DEGREES 00 MINUTES 00 SECONDS WEST, ON AND ALONG THE SOUTH
45 LINE OF SAID 0.039 ACRE TRACT AND PARALLEL TO THE NORTH LINE
46 OF SAID NORTHEAST QUARTER, A DISTANCE OF 304.12 FEET; THENCE
47 NORTH 86 DEGREES 07 MINUTES 12 SECONDS WEST, CONTINUING ON
48 AND ALONG SAID SOUTH LINE, A DISTANCE OF 100.23 FEET TO THE
49 MOST WESTERLY POINT OF SAID 0.039 ACRE TRACT, THIS BEING A
50 POINT ON THE SOUTH LINE OF AN 0.81 ACRE TRACT OF LAND
51 CONVEYED TO THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED
52 DATED JUNE 3, 1982 AND RECORDED IN DOCUMENT #82-8905 IN THE
53 OFFICE OF THE RECORDER OF SAID COUNTY; THENCE NORTH 87

1 DEGREES 08 MINUTES 18 SECONDS WEST, ON AND ALONG THE SOUTH
2 LINE OF SAID 0.81 ACRE TRACT, A DISTANCE OF 164.00 FEET; THENCE
3 SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ON
4 AND ALONG SAID SOUTH LINE AND PARALLEL TO THE NORTH LINE OF
5 SAID NORTHEAST QUARTER, A DISTANCE OF 176.73 FEET TO THE TRUE
6 POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00
7 SECONDS WEST, A DISTANCE OF 420.22 FEET TO THE POINT OF
8 CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS
9 OF 45.00 FEET; THENCE SOUTHWESTERLY, ON AND ALONG THE ARC OF
10 SAID CURVE, AN ARC DISTANCE OF 23.56 FEET, BEING SUBTENDED BY
11 A LONG CHORD HAVING A LENGTH OF 23.29 FEET AND A BEARING OF
12 SOUTH 15 DEGREES 00 MINUTES 10 SECONDS WEST TO THE POINT OF
13 TANGENCY; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS
14 WEST AND TANGENT TO SAID CURVE, A DISTANCE OF 51.53 FEET TO
15 THE POINT OF CURVATURE OF A REGULAR CURVE TO THE LEFT
16 HAVING A RADIUS OF 65.00 FEET; THENCE SOUTHWESTERLY, ON AND
17 ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 34.04 FEET,
18 BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 33.65
19 FEET AND A BEARING OF SOUTH 15 DEGREES 00 MINUTES 10 SECONDS
20 WEST TO THE POINT OF TANGENCY; THENCE SOUTH 00 DEGREES 00
21 MINUTES 00 SECONDS WEST AND TANGENT TO SAID CURVE, A
22 DISTANCE OF 130.16 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00
23 SECONDS WEST AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF
24 250.10 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID
25 NORTHEAST QUARTER, SAID POINT BEING SITUATED SOUTH 01
26 DEGREES 05 MINUTES 10 SECONDS WEST, A DISTANCE OF 680.11 FEET
27 FROM THE NORTHWEST CORNER OF THE EAST HALF OF SAID
28 NORTHEAST QUARTER; THENCE NORTH 01 DEGREES 05 MINUTES 10
29 SECONDS EAST, ON AND ALONG SAID WEST LINE, A DISTANCE OF
30 650.11 FEET TO THE SOUTHWEST CORNER OF SAID 0.81 ACRE TRACT OF
LAND; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ON
AND ALONG THE SOUTH LINE OF SAID 0.81 ACRE TRACT AND
PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A
DISTANCE OF 278.27 FEET TO THE TRUE POINT OF BEGINNING,
CONTAINING 4.075 ACRES OF LAND.

EXCEPT:
PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION
21, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF
THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE SOUTH 01
DEGREES 05 MINUTES 10 SECONDS WEST (ADJOINING BEARING AND IS
USED AS THE BASIS FOR THE BEARINGS IN THIS DESCRIPTION), ALONG
THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, A

DISTANCE OF 60.01 FEET TO THE SOUTHWEST CORNER OF A 0.192 ACRE TRACT OF LAND CONVEYED TO THE CITY OF FORT WAYNE, INDIANA, BY DEED RECORDED IN DOCUMENT NUMBER 200000729, THIS BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 05 MINUTES 10 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 257.04 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST AND PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 283.72 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 116.95 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST AND PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 54.00 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 19.47 FEET TO THE POINT OF CURVATURE OF A REGULAR CURVE TO THE LEFT HAVING A RADIUS OF 88.00 FEET; THENCE SOUTHWESTERLY, ON AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 142.65 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 127.54 FEET AND A BEARING OF SOUTH 88 DEGREES 33 MINUTES 36 SECONDS WEST; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST AND PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, NOT TANGENT TO THE LAST CURVE, A DISTANCE OF 61.02 FEET; THENCE NORTH 01 DEGREES 05 MINUTES 10 SECONDS EAST AND PARALLEL TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER, A DISTANCE OF 102.50 FEET; THENCE NORTH 45 DEGREES 32 MINUTES 36 SECONDS EAST, A DISTANCE OF 31.41 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST AND PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 203.93 FEET; THENCE SOUTH 36 DEGREES 52 MINUTES 12 SECONDS EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 30.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST AND PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 13.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 55.00 FEET TO THE SOUTHEAST CORNER OF SAID 0.192 ACRE TRACT OF LAND; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ON AND ALONG THE SOUTH LINE OF SAID 0.192 ACRE TRACT OF LAND AND PARALLEL TO THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 278.84 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1.000 ACRES OF LAND.

ALSO EXCEPT:

PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

1 COMMENCING ON THE NORTH LINE OF SAID NORTH-EAST QUARTER
2 AT A POINT SITUATED 295.10 FEET, SOUTH 90 DEGREES 00 MINUTES 00
3 SECONDS WEST (ASSUMED BEARING AND IS USED AS THE BASIS FOR
4 THE BEARINGS IN THIS DESCRIPTION) FROM THE NORTHEAST CORNER
5 OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 00
6 MINUTES 15 SECONDS WEST AND PARALLEL TO THE EAST LINE OF
7 SAID NORTHEAST QUARTER, A DISTANCE OF 45.01 FEET TO THE
8 SOUTHEAST CORNER OF A 0.039 ACRE TRACT OF LAND CONVEYED TO
9 THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED DATED
10 NOVEMBER 21,1996 AND RECORDED IN DOCUMENT #960064914 IN THE
11 OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 90
12 DEGREES 00 MINUTES 00 SECONDS WEST, ON AND ALONG THE SOUTH
13 LINE OF SAID 0.039 ACRE TRACT AND PARALLEL TO THE NORTH LINE
14 OF SAID NORTHEAST QUARTER, A DISTANCE OF 304.12. FEET; THENCE
15 NORTH 86 DEGREES 07 MINUTES 12 SECONDS WEST, CONTINUING ON
16 AND ALONG SAID SOUTH LINE, A DISTANCE OF 100.23 FEET TO THE
17 MOST WESTERLY POINT OF SAID 0.039 ACRE TRACT, THIS BEING A
18 POINT ON THE SOUTH LINE OF AN 0.81 ACRE TRACT OF LAND
19 CONVEYED TO THE COUNTY OF ALLEN, STATE OF INDIANA, BY DEED
20 DATED JUNE 3,1982 AND RECORDED IN DOCUMENT #82-8905 IN THE
21 OFFICE OF THE RECORDER OF SAID COUNTY; THENCE NORTH 87
22 DEGREES 08 MINUTES 18 SECONDS WEST, ON AND ALONG THE SOUTH
23 LINE OF SAID 0.81 ACRE TRACT, A DISTANCE OF 164.60 FEET; THENCE
24 SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ON
25 AND ALONG SAID SOUTH LINE AND PARALLEL TO THE NORTH LINE OF
26 SAID NORTHEAST QUARTER, A DISTANCE OF 176.73 FEET TO THE TRUE
27 POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00
28 SECONDS WEST, CONTINUING ON AND ALONG SAID SOUTH LINE AND
29 PARALLEL TO SAID NORTH LINE, A DISTANCE OF 278.27 FEET TO THE
30 SOUTHWEST CORNER OF SAID 0.81 ACRE TRACT, THIS BEING A POINT
ON THE WEST LINE OF THE EAST

20 HALF OF SAID NORTHEAST QUARTER, SAID POINT BEING SITUATED
21 SOUTH 01DEGREES 05 MINUTES 10 SECONDS WEST, A DISTANCE OF
22 30.01 FEET FROM THE NORTHWEST CORNER OF THE EAST HALF OF
23 SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 05 MINUTES
24 10 SECONDS WEST, ON AND ALONG THE WEST LINE OF THE EAST HALF
25 OF SAID NORTHEAST QUARTER, A DISTANCE OF 30.00 FEET TO A POINT
26 SITUATED 60 FEET NORMALLY DISTANT SOUTHWARD FROM SAID
27 NORTH LINE; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS
28 EAST AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF 278.84
29 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A
30 DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING,
CONTAINING 0.192 ACRES OF LAND (8357 SQUARE FEET).

27 PARCEL III:
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PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 31 NORTH, RANGE 13 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING ON THE NORTH LINE OF SAID NORTHEAST QUARTER AT A POINT SITUATED 295.10 FEET, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING AND IS USED AS THE BASIS FOR THE BEARINGS IN THIS DESCRIPTION) FROM THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREES 00 MINUTES 15 SECONDS WEST, A DISTANCE OF 304.43 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREES 00 MINUTES 15 SECONDS WEST, A DISTANCE OF 256.17 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST AND PARALLEL TO SAID NORTH LINE, A DISTANCE OF 0.70 FEET; THENCE NORTHWESTERLY, ON AND ALONG A REGULAR CURVE TO THE LEFT, NOT TANGENT TO THE LAST COURSE, HAVING A RADIUS OF 85.00 FEET, AN ARC DISTANCE OF 115.25 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 106.62 FEET AND A BEARING OF NORTH 45 DEGREES 09 MINUTES 00 SECONDS WEST TO THE POINT OF TANGENCY; THENCE NORTH 83 DEGREES 59 MINUTES 31 SECONDS WEST AND TANGENT TO SAID CURVE, A DISTANCE OF 86.96 FEET TO THE POINT OF CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET; THENCE NORTHWESTERLY, ON AND ALONG SAID CURVE, AN ARC DISTANCE OF 21.99 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 20.07 FEET AND A BEARING OF NORTH 41 DEGREES 59 MINUTES 45 SECONDS WEST TO THE POINT OF TANGENCY; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST AND TANGENT TO SAID CURVE, A DISTANCE OF 144.82 FEET TO THE POINT OF CURVATURE OF A REGULAR CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET; THENCE NORTHEASTERLY, ON AND ALONG SAID CURVE, AN ARC DISTANCE OF 23.83 FEET, BEING SUBTENDED BY A LONG CHORD HAVING A LENGTH OF 21.40 FEET AND A BEARING OF NORTH 45 DEGREES 30 MINUTES 34 SECONDS EAST TO THE POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 59 MINUTES 45 SECONDS EAST AND TANGENT TO SAID CURVE, A DISTANCE OF 165.45 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.773 ACRES OF LAND.

and the symbols of the City of Fort Wayne Zoning Map No. U-34 (Sec. 21 of St. Joseph Township), as established by Section 157.082 of Title XV of the Code of the City of Fort Wayne, Indiana is hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its

passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY:

Carol T. Helton, City Attorney

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2014-0091
Bill Number: Z-14-09-10
Council District: 1-Tom Smith

Introduction Date: September 9, 2014

Plan Commission
Public Hearing Date: September 8, 2014

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 20.07 acres of property from NC-Neighborhood Center District to SC-Shopping Center District

Location: 6002 St. Joe Center Road

Reason for Request: To accommodate the proposed square footage of the expansion of the existing St. Joe Village Kroger store.

Applicant: Topvalco Inc., and Ohio Company

Property Owner: Topvalco Inc., and Ohio Company

Related Petitions: Primary Development Plan, Kroger, St. Joe Village Shopping Center

Effect of Passage: Property will be rezoned to SC-Shopping Center, which will allow the increased square footage (113,180 s.f. total) for the Kroger expansion.

Effect of Non-Passage: The property will remain zoned NC-Neighborhood Center and the proposed Kroger expansion will not be permitted because the size will exceed the allowance (80,000 s.f. total building size) in the NC district.

Department of Planning Services
Rezoning Petition Application

Kroger Company (J-973)
St. Joe Village Shopping Center

Applicant	Applicant <u>Topvalco, Inc., an Ohio Company</u>		
	Address <u>1014 Vine Street</u>		
	City <u>Cincinnati</u>	State <u>Ohio</u>	Zip <u>45202</u>
	Telephone <u>513-698-1821</u>	Fax _____	E-mail <u>Ross.Beyer@Kroger.com</u>

Property Ownership	Property Owner <u>Topvalco, Inc., an Ohio Company</u>		
	Address <u>1014 Vine Street</u>		
	City <u>Cincinnati</u>	State <u>Ohio</u>	Zip <u>45202</u>
	Telephone <u>513-698-1821</u>	Fax _____	E-mail <u>Ross.Beyer@Kroger.com</u>

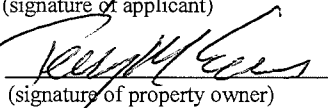
Contact Person	Contact Person <u>Jon A. Bomberger, Faegre Baker Daniels LLP</u>		
	Address <u>111 E. Wayne Street, Suite 800</u>		
	City <u>Fort Wayne</u>	State <u>Indiana</u>	Zip <u>46802</u>
	Telephone <u>260-460-1658</u>	Fax _____	E-mail <u>jon.bomberger@FaegreBD.com</u>

All staff correspondence will be sent only to the designated contact person.

Request	☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction		
	Address of the property <u>6002 St. Joe Center Road, Fort Wayne, Indiana 46835</u>		
	Present Zoning <u>NC</u>	Proposed Zoning <u>SC</u>	Acreage to be rezoned <u>20.071</u>
	Proposed density <u>n/a</u> units per acre		
	Township name <u>St. Joseph</u> Township section # <u>21</u>		
	Purpose of rezoning (attach additional page if necessary) <u>Rezoning from NC to SC to accommodate expansion of Kroger Company Grocery Store. See description attached as Exhibit A.</u>		
Sewer provider <u>Fort Wayne</u> Water provider <u>Fort Wayne</u>			

Filing Requirements	<i>Applications will not be accepted unless the following filing requirements are submitted with this application. Please contact staff for applicable filing fees and plan/survey submittal requirements.</i>		
	☒ Applicable filing fee		
	☒ Applicable number of surveys showing area to be rezoned (plans must be folded)		
	☒ Legal Description of parcel to be rezoned		
	☐ Rezoning Questionnaire (original and 10 copies) County Rezoning Only		

I/we understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Plan Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

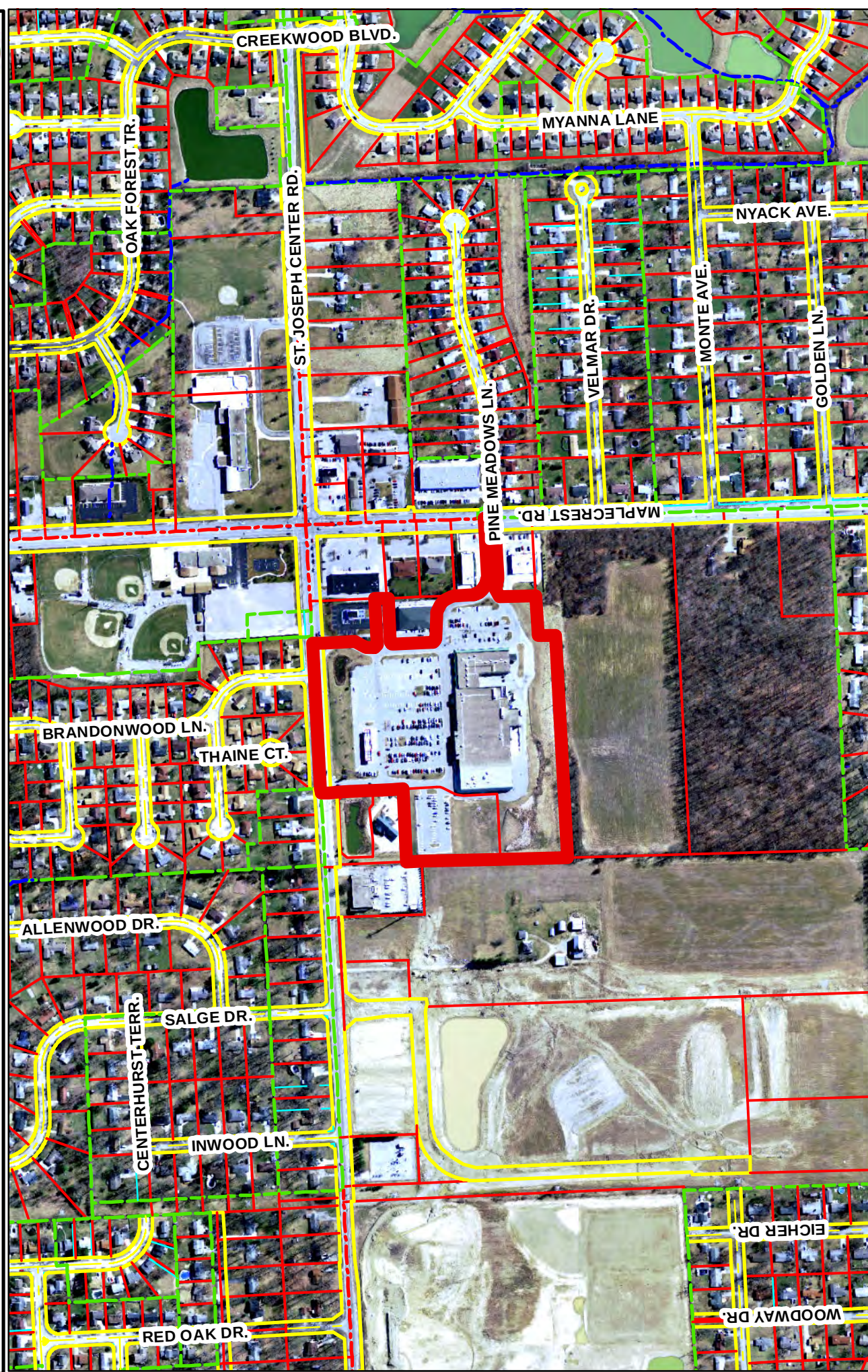
<u>Topvalco, Inc.</u>		<u>7.30</u> , 2014
(printed name of applicant)	(signature of applicant)	(date)
By: <u>TERRY M. EVANS, PRESIDENT</u>		<u>7.30.2014</u>
(printed name of property owner)	(signature of property owner)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)
_____	_____	_____
(printed name of property owner)	(signature of property owner)	(date)

Received	Receipt No.	Hearing Date	Petition No.
8/6/14	115851	9/8/14	

222-2014-0091



Rezoning Petition REZ-2014-0091 and Primary Development Plan - Kroger St. Joe Village



Project boundaries represented by bold colored lines are for representational purposes only.

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2014 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009

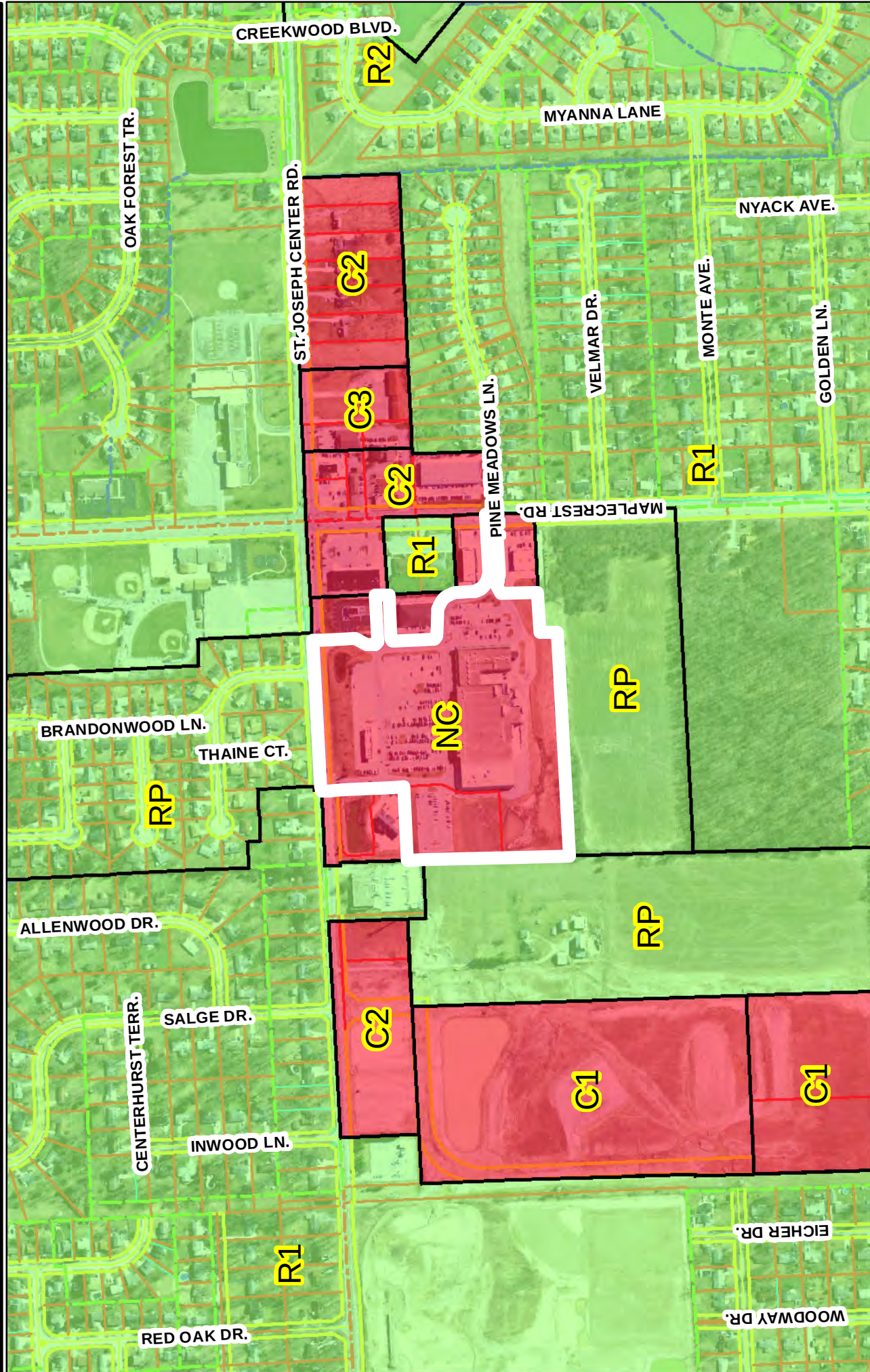
Date: 8/29/2014

1 inch = 500 feet

0 250 500 Feet



Rezoning Petition REZ-2014-0091 and Primary Development Plan - Kroger St. Joe Village



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Photos and Contours: Spring 2009

Date: 8/29/2014

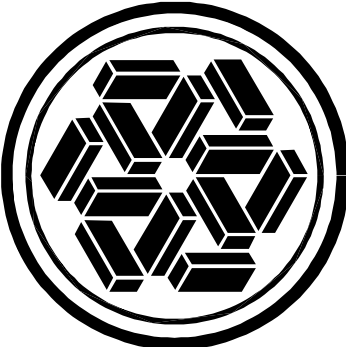


1 inch = 500 feet

0 250 500 Feet

St. Joe Center Road (Public Roadway)

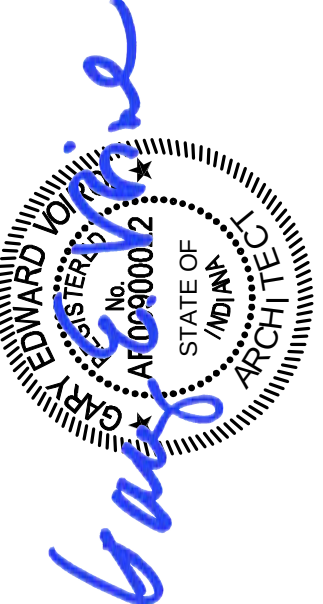
For technical questions concerning the drawings or project, contact:
Kerry Schroepf
MSKTD & Assoc
(260) 432-9337



MSKTD
& Associates, Inc.

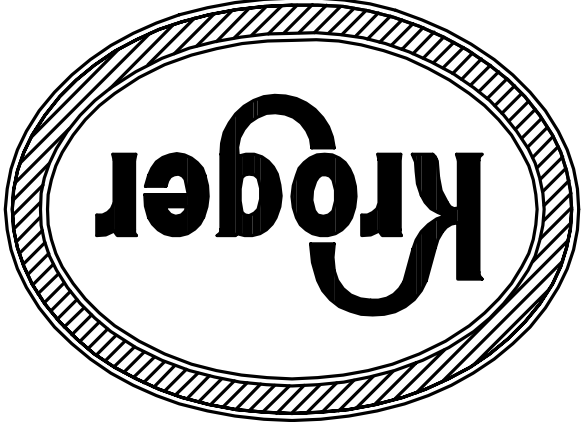
ARCHITECTURE ENGINEERING INTERIOR DESIGN
575 MAGNANON WAY 500 NORTH MERIDIAN
FORT WAYNE, IN 46804 INDIANAPOLIS, IN 46204
voice (317) 917-1190
fax (317) 822-6236
http://www.msktd.com

CERTIFICATION:



The concepts, ideas, designs, plans and details as shown on this document are the sole property of MSKTD & Associates, Inc., and were created, developed and presented for use on this project. These drawings are not to be used for any other purpose whatsoever, without the expressed written consent of MSKTD & Associates, Inc. The Owner shall be permitted to retain copies for information and reference in connection with this project.

Project Developer:
Topalco, Inc. an Ohio Corp.
1014 Vine Street
Cincinnati, Ohio 45202
ph: 513.698.1821
A New Building Expansion for:
The Kroger Company
St. Joe Village Kroger Store: J-973
Fort Wayne, Indiana



REVISIONS: DATE: BY:

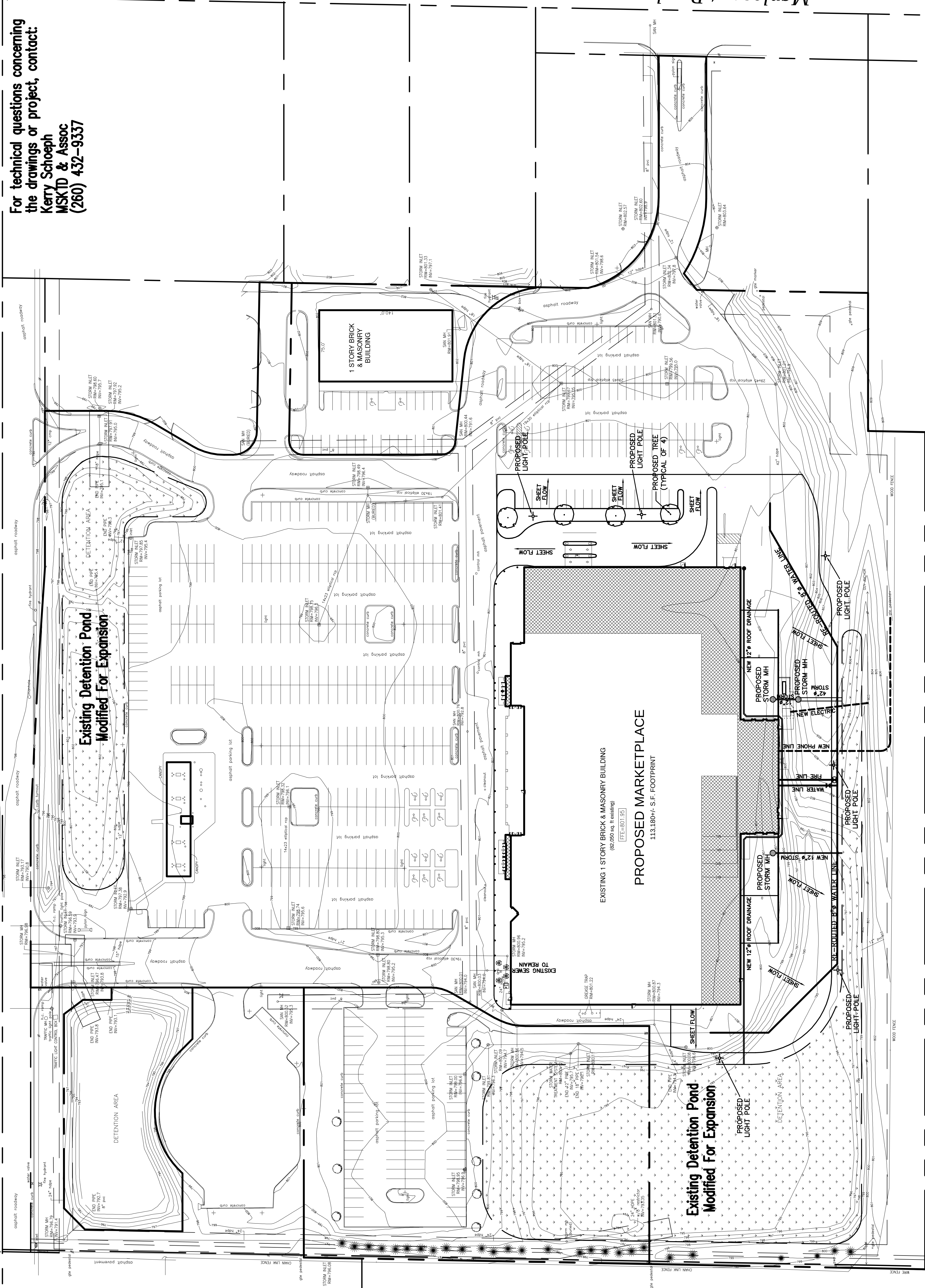
SHEET TITLE:

Primary
Development
Plan

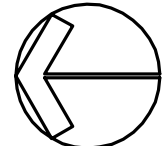
COMMISSION NUMBER: 6546
DATE: 7-30-14

SHEET NUMBER:

C4.1



Primary Development Plan



1" = 50.00'

Maplecrest Road