

**#REZ-2024-0002**

**BILL NO. Z-24-01-17**

**ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_**

**AN ORDINANCE amending the City of Fort Wayne  
Zoning Map No. B-11 (Sec. 13 of Aboite Township)**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated a C2 (Limited  
Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort  
Wayne, Indiana:

PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 30 NORTH, RANGE 11 EAST, ABOITE  
CIVIL TOWNSHIP, ALLEN COUNTY, INDIANA, BASED ON AN ORIGINAL SURVEY BY NOLAN R. MARK,  
INDIANA PROFESSIONAL SURVEYOR LICENSE NUMBER LS21900003 OF ON THE MARK LAND  
SURVEYING, LLC, SURVEY NO. 23.0156, DATED DECEMBER 22, 2023, AND BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF ROSEWOOD DRIVE  
WITH THE PRESENT NORTHERN RIGHT OF WAY LINE OF ABOITE CENTER ROAD, SAID POINT OF  
COMMENCEMENT BEING THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO THE ALLEN  
COUNTY BOARD OF COMMISSIONERS AS RECORDED IN DOCUMENT NUMBER 2008014873 IN THE  
OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA AND ALSO BEING THE SOUTHWEST CORNER  
OF THE LANDS OF LONG TERM CARE INVESTMENTS IV, LLC AS RECORDED IN DOCUMENT NUMBER  
2013052701 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA;

THENCE SOUTH 86 DEGREES 23 MINUTES 57 SECONDS EAST 239.31 FEET ALONG ABOITE CENTER  
ROAD AT THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE SOUTH, HAVING  
A RADIUS OF 900.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE 20.35 FEET, HAVING A CENTRAL ANGLE OF 1 DEGREE  
17 MINUTES 45 SECONDS, AND A CHORD OF 20.35 FEET BEARING SOUTH 85 DEGREES 44 MINUTES  
59 SECONDS EAST AT THE POINT OF TANGENCY OF SAID CURVE;

THENCE NORTH 20 DEGREES 34 MINUTES 7 SECONDS WEST 24.61 FEET;

THENCE NORTH 3 DEGREES 31 MINUTES 20 SECONDS EAST 5.48 FEET AT THE POINT OF CURVATURE  
OF A NONTANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 120.00 FEET;

1           THENCE NORTHEASTERLY ALONG SAID CURVE 86.52 FEET, HAVING A CENTRAL ANGLE OF 41  
2           DEGREES 18 MINUTES 40 SECONDS, AND A CHORD OF 84.66 FEET BEARING NORTH 24 DEGREES 10  
3           MINUTES 40 SECONDS EAST AT THE POINT OF TANGENCY OF SAID CURVE;

4           THENCE NORTH 44 DEGREES 50 MINUTES 1 SECOND EAST 28.85 FEET AT THE POINT OF CURVATURE  
5           OF A NONTANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 200.00 FEET;

6           THENCE NORTHEASTERLY ALONG SAID CURVE 115.24 FEET, HAVING A CENTRAL ANGLE OF 33  
7           DEGREES 0 MINUTES 54 SECONDS, AND A CHORD OF 113.66 FEET BEARING NORTH 28 DEGREES 19  
8           MINUTES 34 SECONDS EAST TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP  
9           SET FLUSH AND BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT:

10          THENCE CONTINUING ALONG SAID CURVE 23.54 FEET TO A 5/8 INCH REBAR WITH "MARK  
11          LS21900003" IDENTIFICATION CAP SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE, AND AT  
12          THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A  
13          RADIUS OF 180.00 FEET;

14          THENCE NORTHEASTERLY ALONG SAID CURVE 188.50 FEET, HAVING A CENTRAL ANGLE OF 60  
15          DEGREES 0 MINUTES 0 SECONDS, AND A CHORD OF 180.00 FEET, BEARING NORTH 35 DEGREES 14  
16          MINUTES 40 SECONDS EAST TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP  
17          SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE, AND AT THE POINT OF CURVATURE OF A  
18          NONTANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 220.00 FEET;

19          THENCE NORTHEASTERLY ALONG SAID CURVE 142.28 FEET, HAVING A CENTRAL ANGLE OF 37  
20          DEGREES 3 MINUTES 21 SECONDS, AND A CHORD OF 139.82 FEET, BEARING NORTH 46 DEGREES 53  
21          MINUTES 3 SECONDS EAST TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP  
22          SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE;

23          THENCE NORTH 28 DEGREES 21 MINUTES 34 SECONDS EAST 35.28 FEET TO A 5/8 INCH REBAR  
24          FOUND 0.1 FEET BELOW GRADE AT THE SOUTHWESTLY LINE OF AN EXISTING 0.800 ACRE TRACT OF  
25          LAND DESCRIBED IN INSTRUMENT NUMBER 2019038999 IN THE OFFICE OF THE RECORDER OF  
26          ALLEN COUNTY, INDIANA;

27          THENCE SOUTH 50 DEGREES 57 MINUTES 59 SECONDS EAST 260.13 FEET ALONG SAID  
28          SOUTHWESTLY LINE TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET  
29          FLUSH AT THE RIGHT-OF-WAY OF JEFFERSON BOULEVARD AND THE POINT OF CURVATURE OF A  
30          NONTANGENT CURVE, CONCAVE TO THE NORTHWEST;

          THENCE SOUTHWESTERLY ALONG SAID CURVE 373.55 FEET, HAVING A CENTRAL ANGLE OF 1  
          DEGREE 6 MINUTES 56 SECONDS, AND A CHORD OF 373.55 FEET, BEARING SOUTH 36 DEGREES 1  
          MINUTE 36 SECONDS WEST TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP  
          SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE;

          THENCE NORTH 50 DEGREES 57 MINUTES 59 SECONDS WEST 268.43 FEET TO THE POINT OF  
          BEGINNING, CONTAINING 2.381 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS OF RECORD.

1 and the symbols of the City of Fort Wayne Zoning Map No. B-11 (Sec. 13 of Aboite  
2 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort  
3 Wayne, Indiana is hereby changed accordingly.  
4

5 SECTION 2. If a written commitment is a condition of the Plan Commission's  
6 recommendation for the adoption of the rezoning, or if a written commitment is modified and  
7 approved by the Common Council as part of the zone map amendment, that written  
8 commitment is hereby approved and is hereby incorporated by reference.

9 SECTION 3. That this Ordinance shall be in full force and effect from and after its  
10 passage and approval by the Mayor.

11 \_\_\_\_\_  
12 Council Member  
13

14 APPROVED AS TO FORM AND LEGALITY:  
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16 \_\_\_\_\_  
17 Malak Heiny, City Attorney  
18  
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# City of Fort Wayne Common Council

## DIGEST SHEET

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### Department of Planning Services

Title of Ordinance: Zoning Map Amendment  
Case Number: REZ-2024-0002  
Bill Number: Z-24-01-17  
Council District: 4 - Dr. Scott Myers

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Introduction Date: January 23, 2024

Plan Commission  
Public Hearing Date: February 12, 2024 (not heard by Council)

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

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Synopsis of Ordinance: To rezone approximately 2.381 acres from C1/Professional Office and Personal Services to C2/Limited Commercial

Location: 4100 block of Sage Bluff Xing, 350 feet east of its intersection with Aboite Center Road (Section 13 of Aboite Township)

Reason for Request: To allow for a new hotel

Applicant: Landon Grogg of A&Z Engineering, Inc.

Property Owner: JDRB LLC

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Related Petitions: Primary Development Plan - Courtyard by Marriott West Jefferson

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Effect of Passage: Property will be rezoned to the C2/Limited Commercial zoning district, which will allow for a new hotel and similar uses.

Effect of Non-Passage: The property will remain zoned C1/Professional Office and Personal Services, which does not permit hotels. The site may be redeveloped with professional office and personal services and similar uses.



## Department of Planning Services Rezoning Petition Application

**Applicant**  
 Applicant Landon Grogg (A&Z Engineering, LLC)  
 Address 1220 Ruston Pass  
 City Fort Wayne State Indiana Zip 46825  
 Telephone (260) 485-7077 E-mail lgrogg@az-engineering.net

**Property Ownership**  
 Property Owner JDRB, LLC  
 Address 3221 Covington Lake Dr.  
 City Fort Wayne State Indiana Zip 46804  
 Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

**Contact Person**  
 Contact Person AJ Patel (FWS Hospitality, LLC)  
 Address 121 S Doctor M.L.K. Jr Blvd  
 City South Bend State Indiana Zip 46601  
 Telephone (574) 320-2784 E-mail apatel@jskhospitality.com

*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 7324 W Jefferson Blvd Township and Section Aboite, 13  
 Present Zoning C1 Proposed Zoning C2 Acreage to be rezoned 2.381  
 Purpose of rezoning (attach additional page if necessary) For construction of a new Courtyard by Marriott hotel Facility.

Sewer provider City of Fort Wayne Water provider City of Fort Wayne

**Filing Checklist**  
*Applications will not be accepted unless the following filing requirements are submitted with this application.*  
☒ Filing fee \$1000.00  
☒ Surveys showing area to be rezoned  
☒ Legal Description of parcel to be rezoned  
☒ Rezoning Criteria (please complete attached document)

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 Fort Wayne and Allen County Plan Commissions 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

(printed name of applicant)

Daniel Biehl

(signature of applicant)  
 DocuSigned by:

*[Signature]*

(date)

1/5/2024

(printed name of property owner)

(signature of property owner)

(date)



| Received | Receipt No. | Hearing Date | Petition No.  |
|----------|-------------|--------------|---------------|
| 1-8-24   | 144677      | 2-12-24      | REZ-2024-0002 |

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802  
 Phone (260) 449-7607 • Fax (260) 449-7682 • [www.allencounty.us](http://www.allencounty.us) • [www.cityoffortwayne.org](http://www.cityoffortwayne.org)



## Department of Planning Services Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

- (1) The Comprehensive Plan;

This project represents the construction of a proposed hotel facility on an under utilized vacant lot along a heavy trafficked roadway corridor. This project promotes the development of a vacant lot, and permits the development of a new hotel facility that will be of adequate size and capacity that is needed for the current market.

- (2) Current conditions and the character of current structures and uses in the district;

The current district is zoned as C1. The facility to the west of the proposed hotel site is a 53,400 sqft, 1 story, health and rehab center/ nursing home that was built in 2014 and is in very good condition. To the north of the proposed hotel site, there is a 4,300 sqft, 1 story, general office building that was built in 2020 and is in very good condition.

- (3) The most desirable use for which the land in the district is adapted;

Commercial

- (4) The conservation of property values throughout the jurisdiction;

The proposed hotel facility is a Courtyard by Marriott, which is constructed, maintained, managed and held to the national and global high standards of the Marriott name. The proposed hotel will provide travelers such as clients and out of town employees for all the businesses along W. Jefferson Blvd a relatively close place to stay when visiting Fort Wayne. The construction of a new hotel in the jurisdiction will only help improve the values of the surrounding properties.

- (5) Responsible development and growth.

The proposed hotel will be constructed to meet current industry standards of a 4 story, +/- 100 room facility. The site will be utilized to the fullest with the proposed building and parking lot. If in the future the development is determined to need to expand due to market needs, the property owner, developer and engineer/architect will go through all the correct channels with the City of Fort Wayne and Allen County and all the Zoning Ordinances to get any additional development and growth request for the site approved.

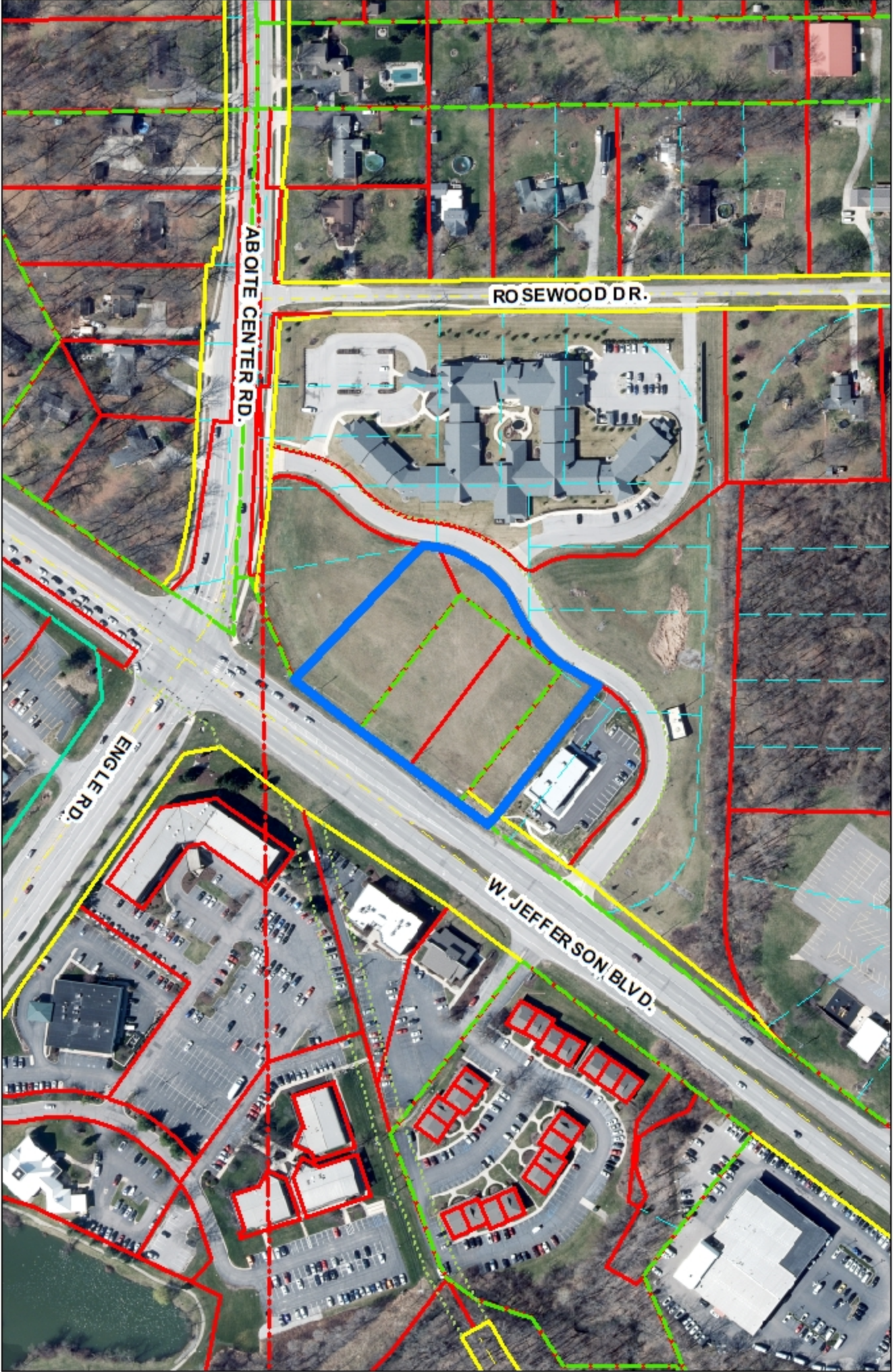
### COMPLETE FILING TO INCLUDE:

- ☒ Filing Fee
- ☒ Complete application signed by property owner\*
- ☒ Legal description (in Word document format)\*
- ☒ Boundary/Utility Survey\*
- ☒ Rezoning Criteria \*
- ☐ Written Commitment (if applicable)\*

*\*All documents may be digital*

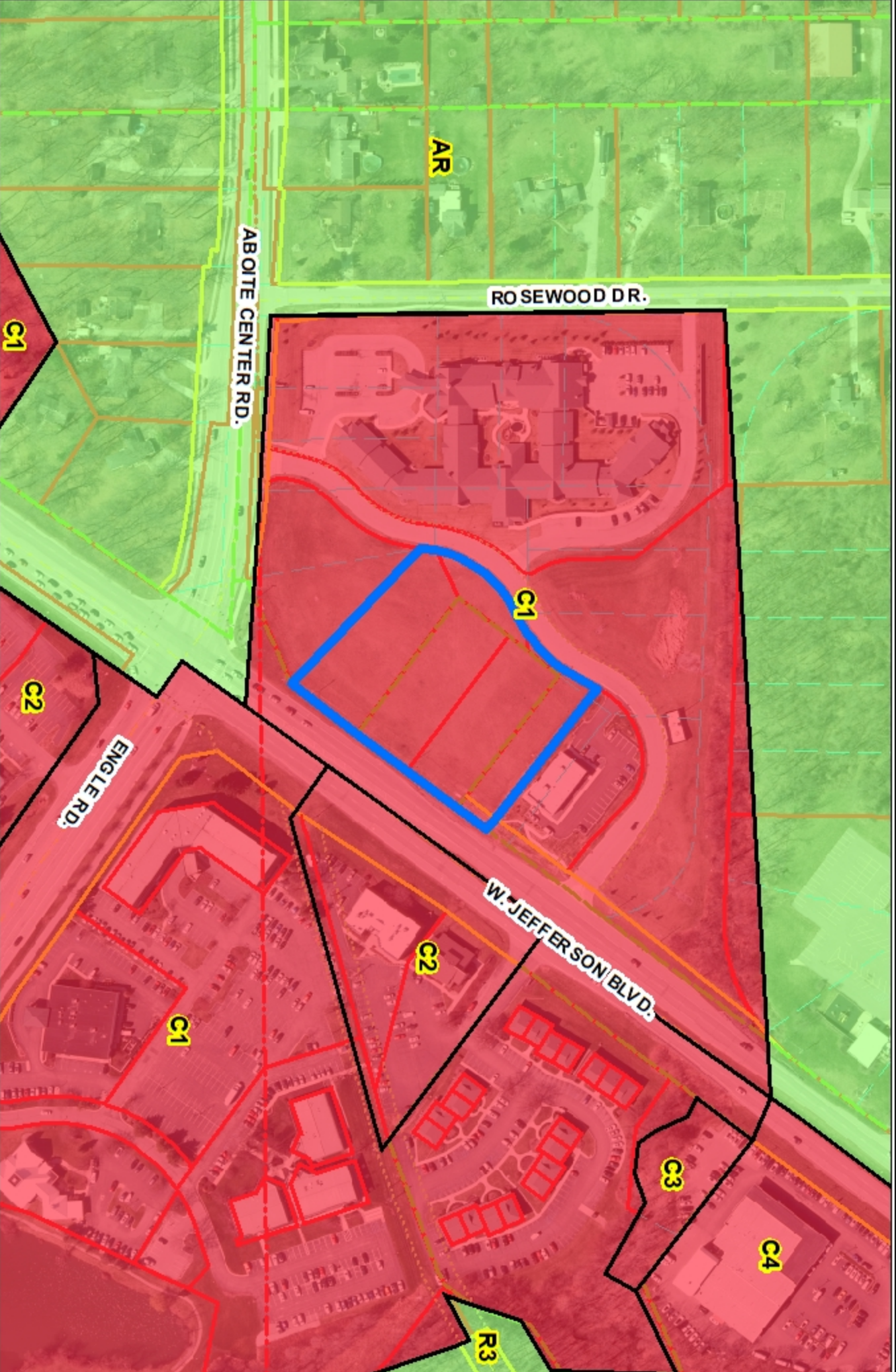






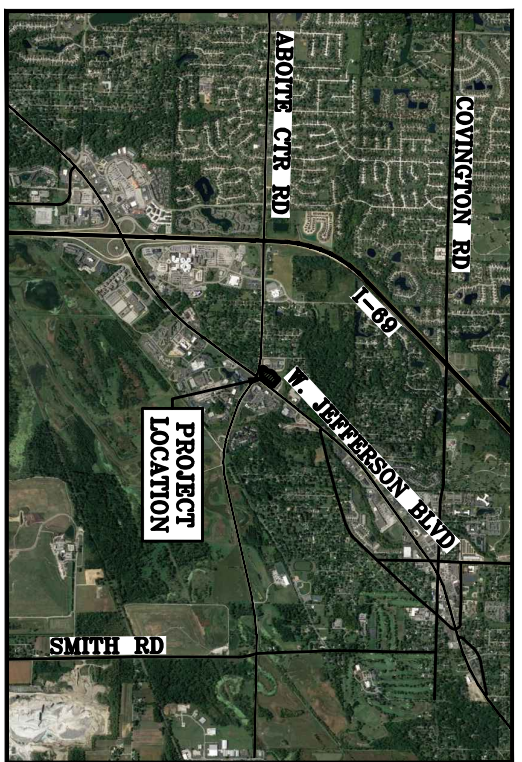
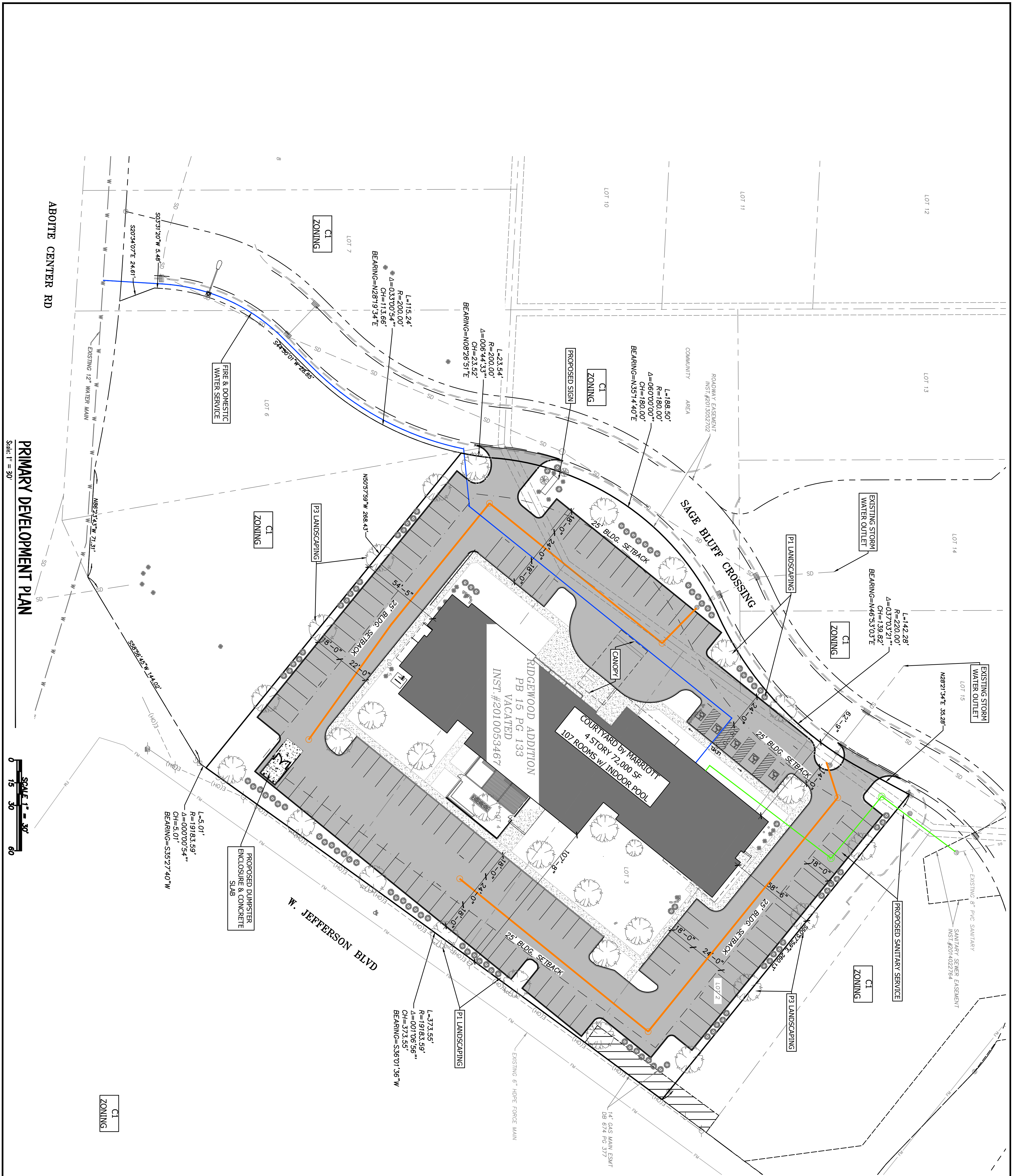
Although not a guarantee, the information contained herein is based on the best available information and is not intended to constitute a warranty of any kind. The City of Alton, Illinois, and its Planning Department, accept no liability for any errors or omissions in this map. Any error or omission in this map is the responsibility of the user. © 2024 Alton, Illinois. All rights reserved. North American Datum 1983. State Plane Coordinate System, Indiana East. Revised and Corrected: Spring 2019. Date: 1/10/2024





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**LEGEND**

- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED WATER LINE
- PROPOSED DECIDUOUS TREE
- PROPOSED SHRUB

|           |                     |
|-----------|---------------------|
| DEVELOPER | EMS HOSPITALITY LLC |
|-----------|---------------------|

**CIVIL ENGINEER & ARCHITECT**

**A&Z ENGINEERING LLC**  
1220 Ruston Pass  
Ft. Wayne, IN 46825  
PH: (260) 485-7077  
CONTACT: LONDON GROGG  
EMAIL: lgrogg@az-engineering.net

**MAUST ARCHITECTURAL SERVICES**  
112 N. MAIN ST.  
GOSHEN, IN 46526  
PH: (574) 537-8500  
CONTACT: MICHAEL MAUST  
EMAIL: michaelmaust@maustarchitects.com

**SURVEYOR**

ON THEM MARK LAND SURVEYING  
2305 Central Yard Ct, Suite B  
Ft. Wayne, IN 46818  
PH: (260) 338-2052  
CONTACT: NOLAN MARK  
EMAIL: nmark@otmlandsurveying.com

FLOOD INSURANCE RATE MAP (FIRM)

ALLEN COUNTY, INDIANA AND INCORPORATED AREAS  
FIRM MAP NUMBER: 18003C0286G  
PANEL 286 OF 495  
DATED AUGUST 3, 2009

| PARKING SUMMARY            |                        |                  |
|----------------------------|------------------------|------------------|
| F1 SPACE PER SLEEPING ROOM | TOTAL PARKING REQUIRED | PROPOSED PARKING |
| 107 ROOMS                  | 107                    | 117              |

| PARKING SUMMARY |        |
|-----------------|--------|
| EXISTING ZONING | C1     |
| PROPOSED ZONING | C2     |
| CURRENT USE     | VACANT |
| PROPOSED USE    | HOTEL  |

**GENERAL NOTE**

PROPERTY LINES AND BEARING & DISTANCES SHOWN ARE FROM ALTA SURVEY PERFORMED AUGUST OF 2023 BY ON THE MARK LAND SURVEYING. FILE NO.: 4054-234091

|              |     |
|--------------|-----|
|              |     |
|              |     |
|              |     |
| SURVEYED BY: | XXX |
| DESIGNED BY: | XXX |
| DRAWN BY:    | XXX |
| CHECKED BY:  | XXX |
| APPROVED BY: | XXX |

BY: Warren J. Zwick  
DATE: JAN. 8, 2024

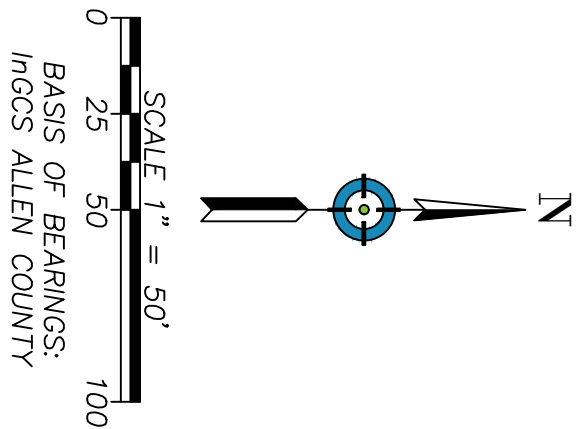
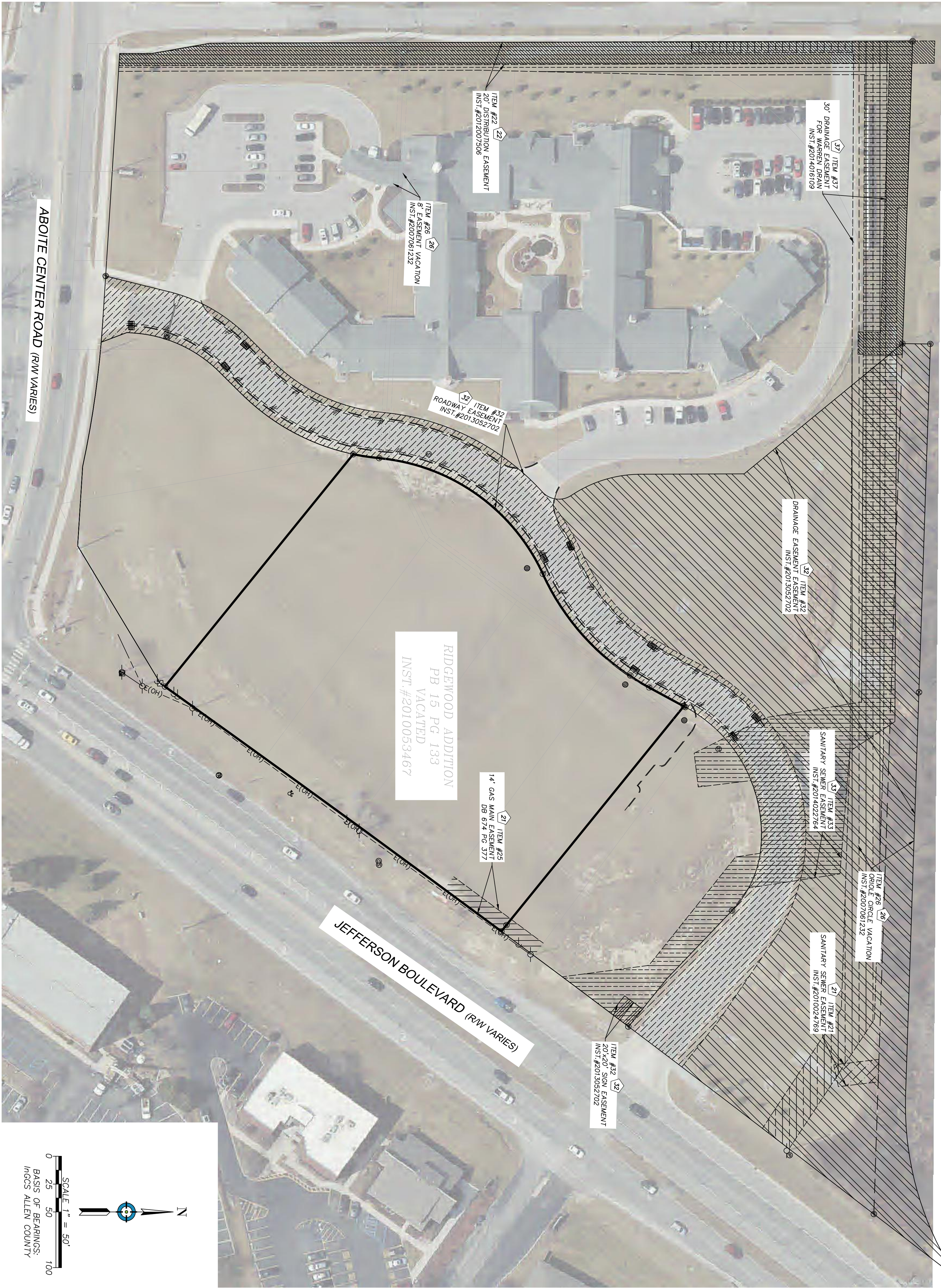


**A & Z ENGINEERING**  
 1220 Ruston Pass  
 Fort Wayne, IN 46825  
 260.485.7077  
[www.az-engineering.net](http://www.az-engineering.net)



TITLE COMMITMENT – SCH. B – FILE #4034-234091

- ITEM 1 – ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I-REQUIREMENTS ARE MET. (SUBJECT TO)
- ITEM 2 – ANY DISCREPANCIES OR CONFLICTS IN BOUNDARY LINES, ANY SHORTAGES IN AREA, OR ANY ENCROACHMENT OR OVERLAPPING IN IMPROVEMENTS. (SUBJECT TO)
- ITEM 3 – ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORD BUT WHICH COULD BE ASCERTAINED BY AN ACCURATE SURVEY OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION OF THE LAND. (SUBJECT TO)
- ITEM 4 – EASEMENTS, LIENS OR ENCUMBRANCES OR CLAIMS THEREOF, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS (SUBJECT TO)
- ITEMS 5-18 – NOT SURVEY ITEMS
- ITEM 19 – EASEMENT FOR DISTRIBUTION AS DISCLOSED BY INSTRUMENT NO. 2009027523. (DEPICTED ON SURVEY – NOT IN SUBJECT AREA)
- ITEM 20 – EASEMENT FOR INGRESS-EGRESS AS DISCLOSED BY INSTRUMENT NO. 2010024768. (CANNOT DRAW – ILLEGIBLE PLAT AND LEGAL DESCRIPTION THE SAME AS ITEM 21)
- ITEM 21 – EASEMENT FOR SANITARY SEWER AS DISCLOSED BY INSTRUMENT NO. 2010024769. (DEPICTED ON SURVEY – NOT IN SUBJECT AREA)
- ITEM 22 – EASEMENT FOR DISTRIBUTION AS DISCLOSED BY INSTRUMENT NO. 2012007506. (DEPICTED ON SURVEY – NOT IN SUBJECT AREA)
- ITEM 23 – TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF ENTRY DATED OCTOBER 1, 2010, RECORDED OCTOBER 22, 2010, IN INSTRUMENT NO. 2010052014. (DOES NOT EFFECT – DOCUMENT IS LISTED AS BEING FOR A 6 MONTH TIME PERIOD)
- ITEM 24 – TERMS, CONDITIONS AND PROVISIONS OF WATER CONTRACT NO. 8729 RECORDED IN INSTRUMENT NO. 88-31996, ASSIGNED BY INSTRUMENT NO. 95-52283. (SUBJECT TO)
- ITEM 25 – TERMS, CONDITIONS AND PROVISIONS OF EASEMENT FOR GAS MAINS RECORDED IN DEED BOOK 674, PAGE 377. (DEPICTED ON SURVEY – IN SURVEY AREA)
- ITEM 26 – GENERAL ORDINANCE NO. 6-35-07 RECORDED NOVEMBER 2, 2007 AS INSTRUMENT NO. 2007061232. (DEPICTED ON SURVEY)
- ITEM 27 – EASEMENTS, IF ANY, FOR PUBLIC UTILITIES OR FACILITIES INSTALLED IN ANY PORTION OF THE VACATED STREET, HEREIN DESCRIBED PRIOR TO THE VACATION THEREOF, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO REPAIR, MAINTAIN, REPLACE AND REMOVE THE SAME. (SUBJECT TO)
- ITEM 28 – EASEMENT FOR POLE LINES, CONDUITS AND MAINTENANCE PURPOSES GRANTED TO INDIANA MICHIGAN POWER COMPANY AS RECORDED JUNE 3, 2009 IN INSTRUMENT NO. 2009027523. (DEPICTED ON SURVEY – SAME AS ITEM 19)
- ITEM 29 – TERMS, CONDITIONS AND PROVISIONS OF EASEMENTS FOR DRIVEWAYS RECORDED IN DEED RECORD 719, PAGE 453 AND INSTRUMENT NO. 72-9073. (DOES NOT EFFECT – DRIVEWAY EASEMENT DESCRIBED OVER EXISTING BUILDING TO THE WEST)
- ITEM 30 – RESTRICTIONS AND ANY OTHER ITEMS, COVENANTS AND CONDITIONS DISCLOSED BY INSTRUMENT RECORDED IN PLAT RECORD 15, PAGE 35 AND AS AMENDED IN PLAT RECORD 13, PAGE 133 AND IN MISCELLANEOUS RECORD 103, 2010 AS DISCLOSED BY INSTRUMENT NO. 2010053467 AND ANY SUBSEQUENT INSTRUMENTS PERTINENT THERE TO. (DEPICTED ON SURVEY)
- ITEM 31 – TERMS, CONDITIONS AND PROVISIONS OF WRITTEN COMMITMENT DATED APRIL 30, 2013, RECORDED MAY 1, 2013, IN INSTRUMENT NO. 2013024458. (SUBJECT TO)
- ITEM 32 – TERMS, CONDITIONS AND PROVISIONS OF EASEMENT AGREEMENT FOR RIDGEWOOD PROFESSIONAL PARK DATED SEPTEMBER 11, 2013 RECORDED SEPTEMBER 11, 2013, IN INSTRUMENT NO. 2013052702. (DEPICTED ON SURVEY – NOT IN SURVEY AREA)
- ITEM 33 – TERMS, CONDITIONS AND PROVISIONS OF SANITARY SEWER EASEMENT AGREEMENT DATED MAY 16, 2014, RECORDED MAY 23, 2014, IN INSTRUMENT NO. 2014022764. (DEPICTED ON SURVEY – NOT IN SURVEY AREA)
- ITEM 34 – TERMS, CONDITIONS AND PROVISIONS OF DECLARATION OF COVENANTS AND RESTRICTIONS FOR RIDGEWOOD PARK DATED AUGUST 8, 2019, RECORDED OCTOBER 28, 2019, IN INSTRUMENT NO. 2019053583. (SUBJECT TO)
- ITEM 35 – NOT SURVEY ITEM
- ITEM 36 – RIGHTS OF THE PUBLIC, THE STATE OF INDIANA AND THE MUNICIPALITY IN AND TO THAT PART OF THE LAND, IF ANY, TAKEN OR USED FOR ROAD PURPOSES, INCLUDING UTILITY RIGHT OF WAY. (SUBJECT TO)
- ITEM 37 – RIGHTS OF WAY FOR DRAINAGE TILES, DITCHES, FEEDERS, LATERALS, AND LEGAL DRAINS AND DITCHES, IF ANY. (DEPICTED ON SURVEY – NOT IN SURVEY AREA)



SCHEDULE B PART II EXCEPTIONS

JDRB, LLC

7324 W JEFFERSON BLVD, FORT WAYNE, IN 46804

PART OF THE SOUTHWEST  
QUARTER, SECTION 13,  
TOWNSHIP 30 NORTH, RANGE 11  
EAST, ABOITE CIVIL TOWNSHIP,  
ALLEN COUNTY, INDIANA

| REV | DATE |
|-----|------|
|     |      |
|     |      |
|     |      |
|     |      |
|     |      |



2305 CENTRALYARD CT, SUITE B  
FORT WAYNE, IN 46818  
260-338-2052  
info@otmlandsurveying.com  
www.otmlandsurveying.com

|                    |
|--------------------|
| JOB NO. 230156     |
| FIELWORK COMPLETED |
| DATE: 10/13/2023   |
| CHECK: BLW/BEC     |
| DRAWING            |
| DATE: 12/23/2023   |
| DRAWN BY: BLW      |
| APPROVED BY: WAW   |
| DATE: 12/23/2023   |
| 2                  |
| SHEET              |
| OF 2 SHEETS        |



SURVEYOR'S REPORT

PURPOSE OF SURVEY: THE PURPOSE OF THIS SURVEY WAS TO RETRACE AN EXISTING TRACT OF LAND AS DESCRIBED IN INSTRUMENT NUMBER 201002027059 OF ALTA/NSPS LAND TITLE SURVEY IN THE RECORD OF ALLEN COUNTY, INDIANA. THE PROPERTY ADDRESS BEING 7324 WEST JEFFERSON BOULEVARD, FORT WAYNE 46804.

IN ACCORDANCE WITH TITLE 86.5, ARTICLE 1, RULE 12, SECTION 30 OF THE INDIANA ADMINISTRATIVE CODE, THE BELOW THEORY OF LOCATION WAS BASED UPON THE FOLLOWING OPINIONS AND OBSERVATIONS A RESULT OF UNCERTAINTIES IN LINES AND CORNERS BECAUSE OF THE FOLLOWING:

BASIS OF BEARINGS: THE BASIS OF BEARINGS FOR THIS SURVEY ARE BASED ON THE MEASURED BEARING OF THE CHORD ALONG THE NORTHEAST-TO-SOUTHWEST LINE TO THE RECORD FOR THIS SURVEY. THE MEASURED BEARING OF THIS LINE IN INDIANA GEOSPATIAL COORDINATE SYSTEM - ALLEN COUNTY IS SOUTH 36 DEGREES 01 MINUTES 36 SECONDS WEST.

DISCREPANCIES IN MEASUREMENTS:

MONUMENTS WERE FOUND WITHIN THE RELATIVE POSITIONAL ACCURACY FOR THE USE OF THE PROPERTY. MONUMENTS' LOCATIONS THAT WERE NOT ARE SHOWN IN RELATION TO THE THEORETICAL CORNER. THERE IS MORE WEIGHT THROWN IN TO FOUND MONUMENTS THAN THE RECORD DEED DISTANCES. THE MEASURED AND CALCULATED DISTANCES ARE SHOWN IN RELATION TO EACH:

A) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS  
THE MONUMENTS FOUND ARE SHOWN ON THE SURVEY AND LISTED ON THE SURVEY UNDER MONUMENT LEGEND.

CONTROLLING MONUMENTS INCLUDE:

- MONUMENT "A" - 5/8" REBAR WITH "ABONMARCHE" IDENTIFICATION CAP FOUND 0.3 FEET BELOW GRADE - THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
  - MONUMENT "C" - 5/8" REBAR FOUND 0.1 FEET BELOW GRADE - THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
  - MONUMENT "H" - 5/8" REBAR WITH "FORESIGHT" IDENTIFICATION CAP FOUND 0.1 FEET BELOW GRADE - THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
  - MONUMENT "I" - 5/8" REBAR FOUND 0.1 FEET BELOW GRADE - THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
  - MONUMENT "L" - 5/8" REBAR FOUND 0.1 FEET BELOW GRADE - THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
  - MONUMENT "T" - 5/8" REBAR FOUND 0.1 FEET BELOW GRADE - THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
  - MONUMENT "U" - 5/8" REBAR FOUND 0.1 FEET BELOW GRADE - THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
- B) OCCUPATION OR POSSESSION LINES  
THERE WERE NO UNCERTAINTIES BASED ON VISUAL INSPECTION OF OCCUPATION OR POSSESSION LINES. THE PARCEL IS UNDEVELOPED.

C) CLARITY OR AMBIGUITY OF DESCRIPTIONS:

- 1) INSTRUMENT NUMBER 2021033288 (LIMITED LIABILITY COMPANY DEED) - SUBJECT PARCEL
- 2) INSTRUMENT NUMBER 2019038999 (LIMITED LIABILITY COMPANY DEED) - NORTHERLY ADJOINER
- 3) INSTRUMENT NUMBER 201002027059 (CORRECTED QUITCLAIM DEED) - NORTHERLY AND WESTERLY ADJOINER
- 4) RECORDED PLAT OF RIDGEWOOD ADDITION AS RECORDED IN PLAT BOOK 15 PAGE 35
- 5) RECORDED SURVEY BY ABONMARCHE - SURVEY NUMBER 13-0113 DATED JULY 12, 2013 AND RECORDED AS INSTRUMENT NUMBER 201406109
- 6) RECORD SURVEY BY FORESIGHT CONSULTING LLC - SURVEY NUMBER 192306 DATED JULY 12, 2019
- D) RELATIVE POSITIONAL ACCURACY OF THE MEASUREMENTS  
BASED ON THE USE OF THE PROPERTY (URBAN COMMERCIAL, SUBURBAN SINGLE FAMILY RESIDENTIAL, SUBDIVISION, LOTS--RURAL SURVEY - REAL ESTATE LYING IN RURAL AREAS) THE ACCEPTABLE RELATIVE POSITIONAL ACCURACY IS URBAN SURVEY 0.07 FEET (21 MILLIMETERS) PLUS 50 PPM AND ALTA/NSPS STANDARD.

THEORY OF LOCATION:

THE SOUTHEASTERLY (373.55 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED BY MONUMENTS "O" AND "P". THESE MONUMENTS ESTABLISHED THE BEARING FOR THE RIGHT-OF-WAY OF JEFFERSON BOULEVARD AND THE BASIS OF BEARINGS FOR THIS SURVEY. THE DISTANCE ALONG THIS LINE IS CONTROLLED BY THE NORTHEASTERLY ADJOINER AND THE OWNERS REQUEST.

THE NORTHEASTERLY (260.13 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED BY MONUMENTS "G" AND "L". THESE MONUMENTS ESTABLISHED THE BEARING FOR THIS LINE. THE DISTANCE IS CONTROLLED BY THE RIGHT-OF-WAY OF JEFFERSON BOULEVARD AND THE RECORD EASEMENT DESCRIPTION FOR ACCESS ROAD.

THE NORTHWESTERLY (23.54 FEET, 188.50 FEET, 142.28 FEET AND 35.28) LINES OF THE SUBJECT TRACT WERE ESTABLISHED BY MONUMENTS "A," "H" AND "I". THESE MONUMENTS "A," AND "I" WERE USED TO PLACE AND ROTATE THE RECORD DESCRIPTION OF THE EASEMENT FOR THE ACCESS ROAD. RECORD DISTANCES WERE HELD THROUGHOUT THE COURSE OF THE EASEMENT.

THE SOUTHWESTERLY (268.43 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED PER THE OWNERS REQUEST.

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE AND SEAL, FULL PAYMENT OF INVOCE, AND COMPLETE WITH TRANSMISSION ONLY. ANY SURVEY DOCUMENTS SHOULD BE KEPT IN A SAFE PLACE. ANY REUSE OF THIS SURVEY DOCUMENTS WITHOUT WRITTEN PERMISSION BY THE LAND SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE LAND SURVEYOR.

SINCE THE LAST DATE OF FIELD WORK OF THIS SURVEY, CONDITIONS BEYOND THE KNOWLEDGE OR CONTROL OF ON HERON.

ALTA TABLE A NOTES:

- 1 - SEE SHEET 1 FOR FOUND MONUMENTS
- 2 - THE ADDRESS OF THE PROPERTY IS 7324 W JEFFERSON BOULEVARD, FORT WAYNE, IN 46804
- 3 - SEE FLOODPLAIN CERTIFICATION ON SHEET 1
- 6(b) THE RECORD REPORT PROVIDED TO SURVEYOR AT TIME OF SURVEY
- 8 - SEE SHEET 1 FOR IMPROVEMENTS
- 11(b) - SEE SHEET 1 FOR UNDERGROUND UTILITIES
- 13 - SEE SHEET 1 FOR ADDITIONAL PROPERTY OWNERS
- 16 - THERE IS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED AT THE TIME OF SURVEY
- 17 - THERE WERE (NO) PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES MADE AVAILABLE TO THE SURVEYOR AT TIME OF SURVEY. THERE WAS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF SURVEY

MONUMENT LEGEND

- "A" ~ 5/8" REBAR W/ "ABONMARCHE FIRM # 0050" ID. CAP FOUND (-0.3")
- "B" ~ 5/8" REBAR W/ MARK LS21900003" ID. CAP SET (FLUSH)
- "C" ~ 5/8" REBAR W/ MARK LS21900003" ID. CAP SET (FLUSH)
- "D" ~ 5/8" REBAR W/ MARK LS21900003" ID. CAP SET (FLUSH)
- "E" ~ 5/8" REBAR ON SIDE FOUND (-1.0")
- "F" ~ 5/8" REBAR W/ MARK LS21900003" ID. CAP SET (FLUSH)
- "G" ~ 5/8" REBAR W/ "FORESIGHT CONSULTING 29800000" ID. CAP FOUND (-0.1")
- "H" ~ 5/8" REBAR W/ "FORESIGHT CONSULTING 29800000" ID. CAP FOUND (-0.1")
- "I" ~ 5/8" REBAR ON SIDE FOUND (FLUSH)
- "L" ~ 5/8" REBAR FOUND (-0.1")
- "M" ~ 5/8" REBAR W/ MARK LS21900003" ID. CAP SET (FLUSH)
- "N" ~ 5/8" REBAR W/ MARK LS21900003" ID. CAP SET (FLUSH)
- "O" ~ RIGHT-OF-WAY MARKER FOUND (+1.0)
- "P" ~ 5/8" REBAR W/ "FORESIGHT" ID. CAP FOUND (+0.2) - C.M.

LEGAL DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 30 NORTH, RANGE 11 EAST, ABOITE CIVIL TOWNSHIP, ALLEN COUNTY, INDIANA, BASED ON AN ORIGINAL SURVEY BY NOLAN R. MARK, INDIANA PROFESSIONAL SURVEYOR LICENSE NUMBER LS21900003 OF ON THE MARK LAND SURVEYING, LLC, SURVEY NO. 23.0156, DATED DECEMBER 22, 2023, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF ROSEWOOD DRIVE WITH THE PRESENT NORTHERN RIGHT-OF-WAY LINE OF ABOITE CENTER ROAD, SAID POINT OF COMMENCEMENT BEING THE NORTHWEST CORNER OF A TRACT OF LAND OWNED BY THE ALLEN COUNTY BOARD OF HEALTH, BEING THE SOUTHWEST CORNER OF THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, AND ALSO BEING THE SOUTHWEST CORNER OF THE LANDS OF LONG TERM CARE INVESTMENTS IV, LLC AS RECORDED IN DOCUMENT NUMBER 2013062701 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA;

THENCE SOUTH 86 DEGREES 23 MINUTES 57 SECONDS EAST 239.31 FEET ALONG ABOTE CENTER ROAD AT THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 900.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE 20.35 FEET, HAVING A CENTRAL ANGLE OF 1 DEGREE 17 MINUTES 45 SECONDS, AND A CHORD OF 20.35 FEET BEARING SOUTH 69 DEGREES 44 MINUTES 59 SECONDS EAST AT THE POINT OF TANGENCY OF SAID CURVE;

THENCE NORTH 20 DEGREES 34 MINUTES 7 SECONDS WEST 24.61 FEET;

THENCE NORTH 3 DEGREES 31 MINUTES 20 SECONDS EAST 5.48 FEET AT THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 120.00 FEET;

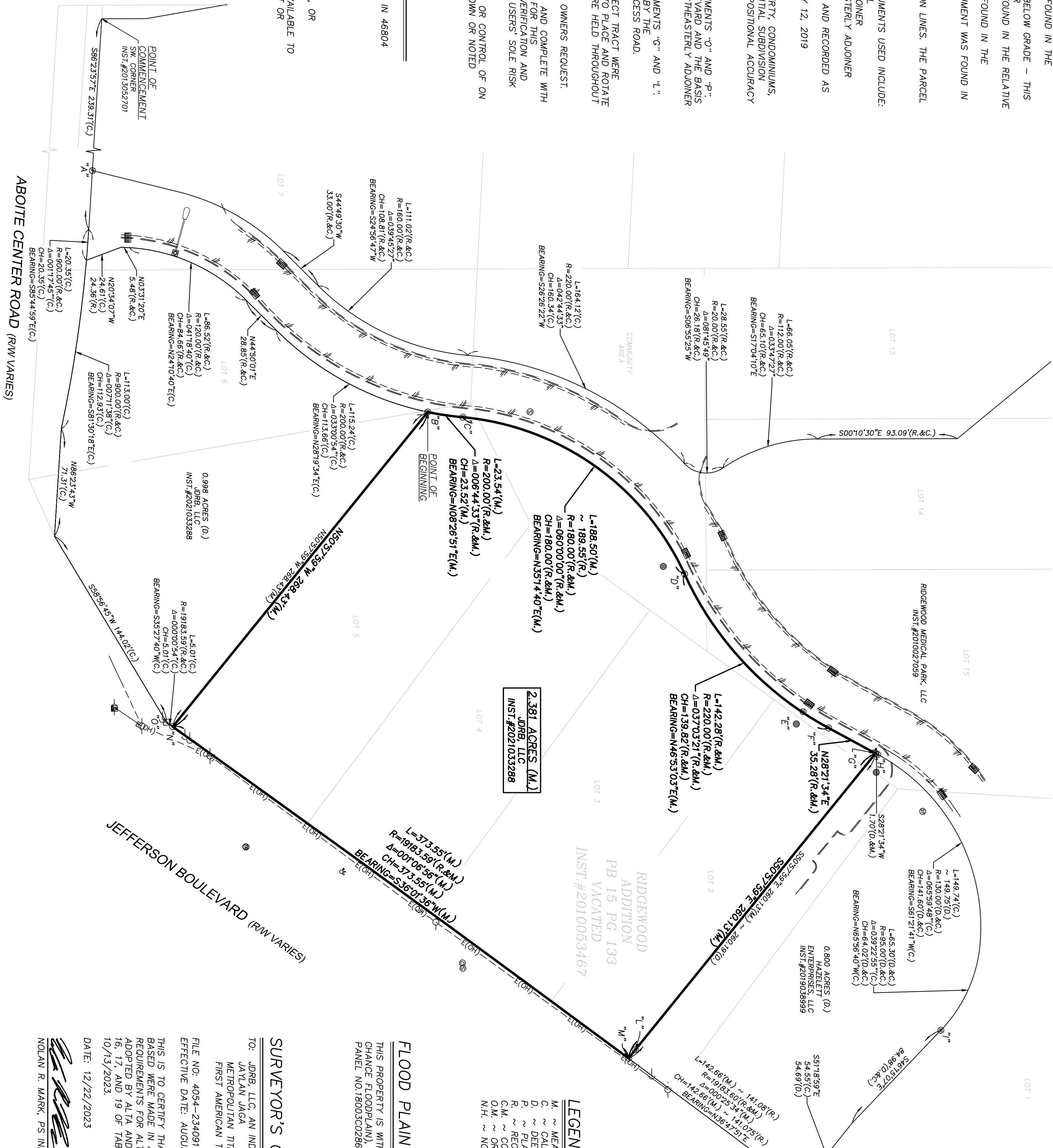
THENCE NORTHEASTERLY ALONG SAID CURVE 88.52 FEET, HAVING A CENTRAL ANGLE OF 41 DEGREES 18 MINUTES 40 SECONDS, AND A CHORD OF 84.66 FEET BEARING NORTH 24 DEGREES 10 MINUTES 40 SECONDS EAST AT THE POINT OF TANGENCY OF SAID CURVE;

THENCE NORTH 44 DEGREES 50 MINUTES 1 SECOND EAST 28.45 FEET AT THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 200.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE 115.24 FEET, HAVING A CENTRAL ANGLE OF 33 DEGREES 0 MINUTES 54 SECONDS, AND A CHORD OF 113.66 FEET BEARING NORTH 28 DEGREES 19 MINUTES 34 SECONDS EAST TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH AND BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE CONTINUING ALONG SAID CURVE 23.54 FEET TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE, AND AT THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 180.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE 188.50 FEET, HAVING A CENTRAL ANGLE OF 60 DEGREES 0 MINUTES 0 SECONDS, AND A CHORD OF 180.00 FEET, BEARING NORTH 35 DEGREES 14 MINUTES 40 SECONDS EAST TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE, AND AT THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 220.00 FEET;



THENCE NORTHEASTERLY ALONG SAID CURVE 142.28 FEET, HAVING A CENTRAL ANGLE OF 37 DEGREES 3 MINUTES 21 SECONDS, AND A CHORD OF 139.82 FEET, BEARING NORTH 46 DEGREES 53 MINUTES 3 SECONDS EAST TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE;

THENCE NORTH 28 DEGREES 21 MINUTES 34 SECONDS EAST 35.28 FEET TO A 5/8 INCH REBAR FOUND 0.1 FEET BELOW GRADE AT THE SOUTHWESTLY LINE OF AN EXISTING 0.800 ACRE TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2019038999 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA;

THENCE SOUTH 50 DEGREES 57 MINUTES 59 SECONDS EAST 260.13 FEET ALONG SAID SOUTHWESTLY LINE TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH AT THE RIGHT-OF-WAY OF JEFFERSON BOULEVARD AND THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE NORTHWEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE 373.55 FEET, HAVING A CENTRAL ANGLE OF 1 DEGREE 6 MINUTES 56 SECONDS, AND A CHORD OF 373.55 FEET, BEARING SOUTH 36 DEGREES 1 MINUTE 36 SECONDS WEST TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE;

THENCE NORTH 50 DEGREES 57 MINUTES 59 SECONDS WEST 268.43 FEET TO THE POINT OF BEGINNING, CONTAINING 2.381 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS OF RECORD.

FLOOD PLAIN CERTIFICATION

THIS PROPERTY IS WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), FOR THE CITY OF FORT WAYNE, INDIANA, COMMUNITY NO.180003. PANEL NO.18003C02866, DATED AUGUST 3, 2009.

SURVEYOR'S CERTIFICATE

TO: JDRB, LLC, AN INDIANA LIMITED LIABILITY COMPANY  
JAYLXAN JAGA  
METROPOLITAN TITLE  
FIRST AMERICAN TITLE INSURANCE COMPANY

FILE NO: 4054-234091  
EFFECTIVE DATE: AUGUST 17, 2023 @ 8:00 AM  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(d), 8, 11(b), 13, 16, 17, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 10/13/2023.

DATE: 12/22/2023

NOLAN R. MARK

NOLAN R. MARK, PS INDIANA NO. 21900003

| REV | DATE |
|-----|------|
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|     |      |
|     |      |

PART OF THE SOUTHWEST QUARTER, SECTION 13, TOWNSHIP 30 NORTH, RANGE 11 EAST, ABOITE CIVIL TOWNSHIP, ALLEN COUNTY, INDIANA

ALTA/NSPS LAND TITLE SURVEY  
JDRB, LLC  
7324 W JEFFERSON BLVD, FORT WAYNE, IN 46804

|                  |                     |
|------------------|---------------------|
| JOB NO. 23.0156  | FIELDWORK COMPLETED |
| DATE: 10/13/2023 | CHECK BY: JDRB      |
| DATE: 12/22/2023 | DRAWING             |
| DATE: 12/22/2023 | APPROVED BY: NRM    |



PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 30 NORTH, RANGE 11 EAST, ABOITE CIVIL TOWNSHIP, ALLEN COUNTY, INDIANA, BASED ON AN ORIGINAL SURVEY BY NOLAN R. MARK, INDIANA PROFESSIONAL SURVEYOR LICENSE NUMBER LS21900003 OF ON THE MARK LAND SURVEYING, LLC, SURVEY NO. 23.0156, DATED DECEMBER 22, 2023, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF ROSEWOOD DRIVE WITH THE PRESENT NORTHERN RIGHT OF WAY LINE OF ABOITE CENTER ROAD, SAID POINT OF COMMENCEMENT BEING THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO THE ALLEN COUNTY BOARD OF COMMISSIONERS AS RECORDED IN DOCUMENT NUMBER 2008014873 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA AND ALSO BEING THE SOUTHWEST CORNER OF THE LANDS OF LONG TERM CARE INVESTMENTS IV, LLC AS RECORDED IN DOCUMENT NUMBER 2013052701 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA;

THENCE SOUTH 86 DEGREES 23 MINUTES 57 SECONDS EAST 239.31 FEET ALONG ABOITE CENTER ROAD AT THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 900.00 FEET;

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THENCE CONTINUING ALONG SAID CURVE 23.54 FEET TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE, AND AT THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 180.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE 188.50 FEET, HAVING A CENTRAL ANGLE OF 60 DEGREES 0 MINUTES 0 SECONDS, AND A CHORD OF 180.00 FEET, BEARING NORTH 35 DEGREES 14 MINUTES 40 SECONDS EAST TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH AT THE POINT OF TANGENCY OF SAID CURVE, AND AT THE POINT OF CURVATURE OF A NONTANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 220.00 FEET;



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THENCE NORTH 28 DEGREES 21 MINUTES 34 SECONDS EAST 35.28 FEET TO A 5/8 INCH REBAR FOUND 0.1 FEET BELOW GRADE AT THE SOUTHWESTLY LINE OF AN EXISTING 0.800 ACRE TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2019038999 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA;

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