

ORDINANCE # 2023-18

**AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY FROM THE "R-2" TWO-FAMILY RESIDENTIAL DISTRICT TO THE "R-3" MULTI-FAMILY RESIDENTIAL DISTRICT**

**WHEREAS**, the applicant, Timbers Edge Development, LLC, has an interest in fifty percent (50%) or more of certain parcels of real estate hereinafter described located within the City of Columbia City, Indiana, having heretofore applied to amend the Zoning Map of the City of Columbia City, Indiana, to reclassify said properties from the "R-2" Two-family Residential District to the "R-3" Multi-family Residential District; and

**WHEREAS**, the Plan Commission of the City of Columbia City, upon referral of said application, held a public hearing, as prescribed by law, and have reported to the Common Council of the City of Columbia City its findings and recommendations in writing concerning the request that said real estate be rezoned from its present "R-2" Two-family Residential District to the "R-3" Multi-family Residential District, subject to the recordation of certain Written Commitments; and

**WHEREAS**, the Common Council, upon certification by the Plan Commission of its favorable recommendation, considered and examined the proposed zone map change giving regard to the Comprehensive Plan, the current conditions and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction, and the responsible development and growth of the City of Columbia City; and

**WHEREAS**, the Common Council of the City of Columbia City deems it in the best interest of the community that such zoning reclassification be enacted;

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBIA CITY**, that the Code of Ordinances, Title XV, Chapter 156, be amended in that the following described real estate situated within Whitley County, Indiana, to wit:

[Please see Exhibit A.]

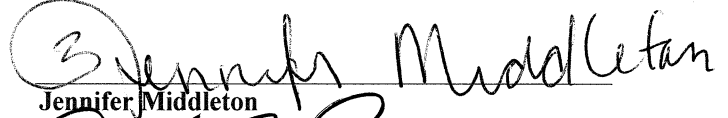
which has heretofore been classified as "R-2" Two-family Residential District, be and hereby is reclassified as "R-3" Multi-family Residential District, effective upon the recordation with the Whitley County Recorder of the submitted Written Commitments.

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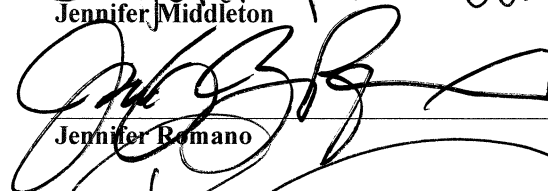
PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBIA CITY,  
INDIANA, ON THIS 10 DAY Oct, 2023.



Walter Crowder



Jennifer Middleton



Jennifer Romano

Tad Varga



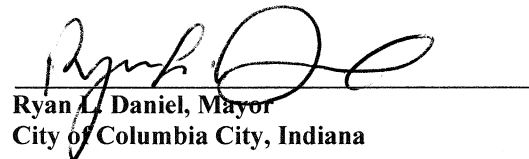
Daniel Weigold

ATTEST:



Rosie M. Coyle, Clerk-Treasurer

Signed and approved by me on this 10 day of Oct, 2023.



Ryan L. Daniel, Mayor  
City of Columbia City, Indiana

## EXHIBIT A

### Rezoning Description:

PART OF THE SOUTHWEST QUARTER, TOGETHER WITH PART OF THE NORTHWEST QUARTER, ALL BEING IN SECTION 12, TOWNSHIP 31 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA, AND ALL TOGETHER WITH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT A P.K. NAIL FOUND AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S 89 DEGREES 11 MINUTES 22 SECONDS E (ADJOINER'S DEED BEARING), ON AND ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2207.35 FEET TO A MAG NAIL AT THE SOUTHEAST CORNER OF A CERTAIN 1 ACRE TRACT OF LAND AS RECORDED IN DOCUMENT NUMBER 90-3-226, IN THE RECORDS OF WHITLEY COUNTY, INDIANA, SAID MAG NAIL BEING AT THE TRUE POINT OF BEGINNING; THENCE CONTINUING S 89 DEGREES 11 MINUTES 22 SECONDS E, ON AND ALONG SAID SOUTH LINE, BEING WITHIN THE RIGHT-OF-WAY OF COUNTY ROAD 100S, A DISTANCE OF 367.0 FEET TO A MAG NAIL, SAID MAG NAIL BEING SITUATED N 89 DEGREES 11 MINUTES 22 SECONDS W, A DISTANCE OF 57.0 FEET FROM AN IRON PIN FOUND AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE N 01 DEGREES 23 MINUTES 12 SECONDS W, PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2640.26 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SAID POINT BEING SITUATED 2.5 FEET NORTH OF A RAIL IRON POST FOUND; THENCE S 89 DEGREES 07 MINUTES 20 SECONDS E, ON AND ALONG SAID NORTH LINE, ALSO BEING ON AND ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 12, A DISTANCE OF 57.0 FEET TO A RAIL IRON POST FOUND AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12, ALSO BEING THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE N 01 DEGREES 03 MINUTES E, ON AND ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 12, A DISTANCE OF 1107.0 FEET (RECORDED 16 CHAINS AND 50 LINKS WHICH EQUALS 1089.0 FEET) TO A WOOD POST FOUND AT THE POINT OF INTERSECTION WITH THE NORTH LINE OF THE SEEK'S VILLAGE RESERVE; THENCE S 69 DEGREES 51 MINUTES 55 SECONDS W, ON AND ALONG SAID NORTH LINE, A DISTANCE OF 1419.84 FEET (RECORDED 21 CHAINS AND 95 LINKS WHICH EQUALS 1448.7 FEET) TO A RAIL IRON POST FOUND AT THE POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE S 01 DEGREES 36 MINUTES E, ON AND ALONG SAID EAST LINE, A DISTANCE OF 598.4 FEET (RECORDED 8 CHAINS AND 66 LINKS WHICH EQUALS 571.56 FEET) TO A RAIL IRON POST FOUND AT THE SOUTHEAST CORNER OF SAID WEST HALF; THENCE S 89 DEGREES 07 MINUTES 20 SECONDS E, ON AND ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 12, ALSO BEING ON AND ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 12, A DISTANCE OF 447.23 FEET TO A POINT SITUATED 1742.73 FEET (RECORDED 26 CHAINS AND 40 1/2 LINKS WHICH EQUALS 1742.73 FEET) EAST OF AN IRON PIN FOUND AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12, SAID POINT ALSO BEING SITUATED 1.3 FEET NORTH OF AND 2.6 FEET EAST OF THE NORTH FACE OF A RAIL IRON POST FOUND; THENCE S 00 DEGREES 49 MINUTES 52 SECONDS E, ON AND ALONG THE WEST LINE OF A CERTAIN TRACT OF LAND AS RECORDED IN DEED RECORD 122, PAGE 121, IN SAID RECORDS, A DISTANCE OF 2355.1 FEET TO AN IRON PIN AT THE NORTHWEST CORNER OF A CERTAIN 1.00 ACRE TRACT OF LAND AS RECORDED IN DOCUMENT NUMBER 86-8-95, IN SAID RECORDS; THENCE S 89 DEGREES 11 MINUTES 22 SECONDS E, ON AND ALONG THE NORTH LINE OF SAID TRACT OF LAND RECORDED IN DOCUMENT NUMBER 86-8-95, AND ON AND ALONG THE NORTH LINE OF A CERTAIN 1 TRACT OF LAND AS RECORDED IN DOCUMENT NUMBER 99-4-293, IN SAID RECORDS AND ON AND ALONG THE NORTH LINE OF SAID TRACT OF LAND IN DOCUMENT NUMBER 90-3-226, BEING PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 450.0 FEET TO AN IRON PIN AT THE NORTHEAST CORNER OF SAID TRACT OF LAND IN DOCUMENT NUMBER 90-3-226; THENCE S 00 DEGREES 56 MINUTES 45 SECONDS E, ON AND ALONG THE EAST LINE OF SAID TRACT OF LAND IN DOCUMENT NUMBER 90-3-226, A DISTANCE OF 290.4 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 71.469 ACRES OF LAND, MORE OR LESS.

EXCEPT: PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 31 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

COMMENCING AT A P.K. NAIL FOUND AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S 89 DEGREES 11 MINUTES 22 SECONDS E (ADJOINER'S DEED BEARING), ON AND ALONG THE

SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2207.35 FEET TO A MAG NAIL AT THE SOUTHEAST CORNER OF A CERTAIN 1 ACRE TRACT OF LAND AS RECORDED IN DOCUMENT NUMBER 90-3-226, IN THE RECORDS OF WHITLEY COUNTY, INDIANA, SAID MAG NAIL BEING AT THE TRUE POINT OF BEGINNING; THENCE CONTINUING S 89 DEGREES 11 MINUTES 22 SECONDS E, ON AND ALONG SAID SOUTH LINE, BEING WITHIN THE RIGHT-OF-WAY OF COUNTY ROAD 100S, A DISTANCE OF 367.0 FEET TO A MAG NAIL, SAID MAG NAIL BEING SITUATED N 89 DEGREES 11 MINUTES 22 SECONDS W, A DISTANCE OF 57.0 FEET FROM AN IRON PIN FOUND AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE N 01 DEGREES 23 MINUTES 12 SECONDS W, PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1187.87 FEET TO AN IRON PIN; THENCE S 88 DEGREES 36 MINUTES 48 SECONDS W, A DISTANCE OF 120.0 FEET TO AN IRON PIN; THENCE N 89 DEGREES 47 MINUTES 41 SECONDS W, A DISTANCE OF 180.02 FEET TO AN IRON PIN; THENCE N 01 DEGREES 23 MINUTES 12 SECONDS W, PARALLEL TO SAID EAST LINE, A DISTANCE OF 35.5 FEET TO AN IRON PIN; THENCE N 89 DEGREES 47 MINUTES 41 SECONDS W, A DISTANCE OF 213.0 FEET TO AN IRON PIN; THENCE S 01 DEGREES 23 MINUTES 12 SECONDS E, PARALLEL TO SAID EAST LINE, A DISTANCE OF 35.5 FEET TO AN IRON PIN; THENCE N 89 DEGREES 47 MINUTES 41 SECONDS W, A DISTANCE OF 292.82 FEET TO AN IRON PIN ON THE WEST LINE OF A CERTAIN TRACT OF LAND AS RECORDED IN DEED RECORD 122, PAGE 121, IN SAID RECORDS; THENCE S 00 DEGREES 49 MINUTES 52 SECONDS E, ON AND ALONG SAID WEST LINE, A DISTANCE OF 885.25 FEET TO AN IRON PIN AT THE NORTHWEST CORNER OF A CERTAIN 1.00 ACRE TRACT OF LAND AS RECORDED IN DOCUMENT NUMBER 86-8-95, IN SAID RECORDS; THENCE S 89 DEGREES 11 MINUTES 22 SECONDS E, ON AND ALONG THE NORTH LINE OF SAID TRACT OF LAND RECORDED IN DOCUMENT NUMBER 86-8-95, AND ON AND ALONG THE NORTH LINE OF A CERTAIN 1 TRACT OF LAND AS RECORDED IN DOCUMENT NUMBER 99-4-293, IN SAID RECORDS AND ON AND ALONG THE NORTH LINE OF SAID TRACT OF LAND IN DOCUMENT NUMBER 90-3-226, BEING PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 450.0 FEET TO AN IRON PIN AT THE NORTHEAST CORNER OF SAID TRACT OF LAND IN DOCUMENT NUMBER 90-3-226; THENCE S 00 DEGREES 56 MINUTES 45 SECONDS E, ON AND ALONG THE EAST LINE OF SAID TRACT OF LAND IN DOCUMENT NUMBER 90-3-226, A DISTANCE OF 290.4 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 19.159 ACRES OF LAND, MORE OR LESS.

ALSO EXCEPT:

PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 31 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT A P.K. NAIL FOUND AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 11 MINUTES 22 SECONDS EAST (ADJOINER'S DEED BEARING), ON AND ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2574.35 FEET TO A MAG NAIL FOUND AT THE SOUTHEAST CORNER OF THE PLAT OF RAVENWOOD AS RECORDED IN DOCUMENT NUMBER 2003120756 IN THE RECORDS OF WHITLEY COUNTY, INDIANA, SAID MAG NAIL BEING SITUATED NORTH 89 DEGREES 11 MINUTES 22 SECONDS WEST, A DISTANCE OF 57.0 FEET FROM AN IRON PIN FOUND AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREES 23 MINUTES 12 SECONDS WEST, ON AND ALONG THE EAST LINE OF SAID PLAT OF RAVENWOOD, BEING PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1187.87 FEET TO AN IRON PIN FOUND AT A NORTHEAST CORNER OF SAID PLAT OF RAVENWOOD, SAID IRON PIN BEING AT THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 01 DEGREES 23 MINUTES 12 SECONDS WEST, ON AND ALONG THE NORTHERLY PROJECTION OF THE EAST LINE OF SAID PLAT OF RAVENWOOD, BEING PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 766.84 FEET TO A 5/8-INCH IRON PIN CAPPED "WALKER"; THENCE NORTH 89 DEGREES 47 MINUTES 41 SECONDS WEST, A DISTANCE OF 798.42 FEET TO A 5/8-INCH IRON PIN CAPPED "WALKER" ON THE WEST LINE OF A CERTAIN TRACT OF LAND AS RECORDED IN DEED RECORD 122, PAGE 121, IN SAID RECORDS; THENCE SOUTH 00 DEGREES 49 MINUTES 52 SECONDS EAST, ON AND ALONG SAID WEST LINE, A DISTANCE OF 770.0 FEET TO A 5/8-INCH IRON PIN CAPPED "WALKER" FOUND AT A NORTHWEST CORNER OF SAID PLAT OF RAVENWOOD; THENCE SOUTH 89 DEGREES 47 MINUTES 41 SECONDS EAST, ON AND ALONG A NORTH LINE OF SAID PLAT OF RAVENWOOD, A DISTANCE OF 292.82 FEET TO A 5/8-INCH IRON PIN CAPPED "WALKER" FOUND AT A CORNER OF SAID PLAT OF RAVENWOOD; THENCE NORTH 01 DEGREES 23 MINUTES 12 SECONDS WEST, ON AND ALONG A WEST LINE OF SAID PLAT OF RAVENWOOD, A DISTANCE OF 35.5 FEET TO A 5/8-INCH IRON PIN

CAPPED "WALKER" FOUND AT A NORTHWEST CORNER OF SAID PLAT OF RAVENWOOD; THENCE SOUTH 89 DEGREES 47 MINUTES 41 SECONDS EAST, ON AND ALONG A NORTH LINE OF SAID PLAT OF RAVENWOOD, A DISTANCE OF 213.0 FEET TO A 5/8-INCH IRON PIN CAPPED "WALKER" FOUND AT A NORTHEAST CORNER OF SAID PLAT OF RAVENWOOD; THENCE SOUTH 01 DEGREES 23 MINUTES 12 SECONDS EAST, ON AND ALONG AN EAST LINE OF SAID PLAT OF RAVENWOOD, A DISTANCE OF 35.5 FEET TO A 5/8-INCH IRON PIN CAPPED "WALKER" FOUND AT A CORNER OF SAID PLAT OF RAVENWOOD; THENCE SOUTH 89 DEGREES 47 MINUTES 41 SECONDS EAST, ON AND ALONG A NORTH LINE OF SAID PLAT OF RAVENWOOD, A DISTANCE OF 180.02 FEET TO A 5/8-INCH IRON PIN CAPPED "WALKER" FOUND AT A CORNER OF SAID PLAT OF RAVENWOOD; THENCE NORTH 88 DEGREES 36 MINUTES 48 SECONDS EAST, ON AND ALONG A NORTH LINE OF SAID PLAT OF RAVENWOOD, A DISTANCE OF 120.0 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 13.999 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH:

PART OF A 13.999-ACRE PARCEL DESCRIBED IN DOCUMENT #2006050639 AS FOUND IN THE OFFICE OF THE RECORDER OF WHITLEY COUNTY, INDIANA, THE SUBJECT PARCEL BEING PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 31 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A P.K. NAIL AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12; THENCE SOUTH 89 DEGREES 20 MINUTES 08 SECONDS EAST BEARINGS BASED ON GEODETIC INDIANA EAST STATE PLANE COORDINATE SYSTEM [NAD'83][2011]), ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 2,574.35 FEET TO A MAG NAIL AT THE SOUTHEAST CORNER OF THE PLAT OF RAVENWOOD, RECORDED IN DOCUMENT #2003120756 AS FOUND IN THE OFFICE OF THE WHITLEY COUNTY RECORDER, SAID MAG NAIL BEING SITUATED 57.00 FEET NORTH 89 DEGREES 20 MINUTES 08 SECONDS WEST OF AN IRON PIN AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREE 32 MINUTES 28 SECONDS WEST, ON THE EAST LINE OF SAID PLAT OF RAVENWOOD, BEING PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER, 1,187.87 FEET TO THE A NORTHEAST CORNER OF THE AFOREMENTIONED 13.999-ACRE PARCEL, SAID POINT BEING A 5/8" REBAR CAPPED "WALKER" AT THE NORTHEAST CORNER OF SAID PLAT OF RAVENWOOD; THENCE CONTINUING NORTH 01 DEGREE 32 MINUTES 28 SECONDS WEST, ON THE EAST LINE OF SAID 13.999 ACRE PARCEL, BEING THE NORTHERLY PROJECTION OF THE EAST LINE OF SAID PLAT OF RAVENWOOD AND BEING PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER, 724.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 27 MINUTES 32 SECONDS WEST, 120.00 FEET; THENCE NORTH 01 DEGREE 32 MINUTES 28 SECONDS WEST, 46.16 FEET TO A POINT ON THE NORTH LINE OF SAID 13.999-ACRE PARCEL; THENCE SOUTH 89 DEGREES 56 MINUTES 57 SECONDS EAST, ON SAID NORTH LINE, 120.05 FEET A 5/8" REBAR CAPPED "WALKER" AT THE NORTHEAST CORNER OF SAID 13.999-ACRE PARCEL; THENCE SOUTH 01 DEGREE 32 MINUTES 28 SECONDS EAST, ON THE EAST LINE OF SAID 13.999-ACRE PARCEL; 42.84 FEET TO THE POINT OF BEGINNING, SAID TO CONTAIN IN SURVEY 0.123 ACRES (5,341 SQUARE FEET), MORE OR LESS.

ALSO WITH

PART OF A 13.999-ACRE PARCEL DESCRIBED IN DOCUMENT #2006050639 AS FOUND IN THE OFFICE OF THE RECORDER OF WHITLEY COUNTY, INDIANA, THE SUBJECT PARCEL BEING PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 31 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A P.K. NAIL AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12; THENCE SOUTH 89 DEGREES 20 MINUTES 08 SECONDS EAST (BEARINGS BASED ON

GEODETIC INDIANA EAST STATE PLANE COORDINATE SYSTEM [NAD'83][2011]), ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 2,574.35 FEET TO A MAG NAIL AT THE SOUTHEAST CORNER OF THE PLAT OF RAVENWOOD, RECORDED IN DOCUMENT #2003120756 AS FOUND IN THE OFFICE OF THE WHITLEY COUNTY RECORDER, SAID MAG NAIL BEING SITUATED 57.00 FEET NORTH 89 DEGREES 20 MINUTES 08 SECONDS WEST OF AN IRON PIN AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREE 32 MINUTES 28 SECONDS WEST, ON THE EAST LINE OF SAID PLAT OF RAVENWOOD, BEING PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER, 1,187.87 FEET TO THE NORTHEAST CORNER OF THE AFOREMENTIONED 13.999-ACRE PARCEL, SAID POINT BEING A 5/8" REBAR CAPPED "WALKER" AT THE NORTHEAST CORNER OF SAID PLAT OF RAVENWOOD; THENCE CONTINUING NORTH 01 DEGREE 32 MINUTES 28 SECONDS WEST, ON THE EAST LINE OF SAID 13.999-ACRE PARCEL, BEING THE NORTHERLY PROJECTION OF THE EAST LINE OF SAID PLAT OF RAVENWOOD AND BEING PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER, 766.84 FEET TO A 5/8" REBAR CAPPED "WALKER" AT THE NORTHEAST CORNER OF SAID 13.999-ACRE PARCEL; THENCE NORTH 89 DEGREES 56 MINUTES 57 SECONDS WEST, ON THE NORTH LINE THEREOF, 180.07 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREE 32 MINUTES 28 SECONDS EAST, 12.84 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 32 SECONDS WEST, 120.00 FEET; THENCE SOUTH 01 DEGREE 32 MINUTES 28 SECONDS EAST, 144.00 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 32 SECONDS WEST, 130.00 FEET; THENCE NORTH 10 DEGREES 57 MINUTES 18 SECONDS WEST, 106.26 FEET; THENCE NORTH 73 DEGREES 49 MINUTES 50 SECONDS WEST, 61.36 FEET; THENCE NORTH 09 DEGREES 27 MINUTES 07 SECONDS EAST, 40.00 FEET; THENCE SOUTH 89 DEGREES 00 MINUTES 52 SECONDS WEST, 120.00 FEET; THENCE NORTH 00 DEGREES 59 MINUTES 08 SECONDS WEST, 5.10 FEET TO A POINT ON THE NORTH LINE OF SAID 13.999-ACRE PARCEL; THENCE SOUTH 89 DEGREES 56 MINUTES 57 SECONDS EAST, ON SAID NORTH LINE, 438.32 FEET TO THE POINT OF BEGINNING, SAID TO CONTAIN IN SURVEY 0.643 ACRES (211,024 SQUARE FEET), MORE OR LESS.

ALSO WITH

PART OF A 13.999-ACRE PARCEL DESCRIBED IN DOCUMENT #2006050639 AS FOUND IN THE OFFICE OF THE RECORDER OF WHITLEY COUNTY, INDIANA, THE SUBJECT PARCEL BEING PART OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 31 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A P.K. NAIL AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12; THENCE SOUTH 89 DEGREES 20 MINUTES 08 SECONDS EAST (BEARINGS BASED ON GEODETIC INDIANA EAST STATE PLANE COORDINATE SYSTEM [NAD'83][2011]), ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 2,574.35 FEET TO A MAG NAIL AT THE SOUTHEAST CORNER OF THE PLAT OF RAVENWOOD, RECORDED IN DOCUMENT #2003120756 AS FOUND IN THE OFFICE OF THE WHITLEY COUNTY RECORDER, SAID MAG NAIL BEING SITUATED 57.00 FEET NORTH 89 DEGREES 20 MINUTES 08 SECONDS WEST OF AN IRON PIN AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREE 32 MINUTES 28 SECONDS WEST, ON THE EAST LINE OF SAID PLAT OF RAVENWOOD, BEING PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER, 1,187.87 FEET TO THE NORTHEAST CORNER OF THE AFOREMENTIONED 13.999-ACRE PARCEL, SAID POINT BEING A 5/8" REBAR CAPPED "WALKER" AT THE NORTHEAST CORNER OF SAID PLAT OF RAVENWOOD; THENCE CONTINUING NORTH 01 DEGREE 32 MINUTES 28 SECONDS WEST, ON THE EAST LINE OF SAID 13.999-ACRE PARCEL, BEING THE NORTHERLY PROJECTION OF THE EAST LINE OF SAID PLAT OF RAVENWOOD AND BEING PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER, 766.84 FEET TO A 5/8" REBAR CAPPED "WALKER" AT THE NORTHEAST CORNER OF SAID 13.999-ACRE PARCEL; THENCE NORTH 89 DEGREES 56 MINUTES 57 SECONDS WEST, ON THE NORTH LINE THEREOF, 678.40 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 59 MINUTES 08 SECONDS EAST, 36.58 FEET; THENCE SOUTH 89 DEGREES 00 MINUTES 52 SECONDS WEST, 120.00 FEET TO A POINT ON THE WEST LINE OF SAID 13.999-ACRE PARCEL; THENCE NORTH 00 DEGREES 59 MINUTES 08 SECONDS WEST ON SAID WEST LINE, 38.75 FEET TO A 5/8" REBAR CAPPED "WALKER" AT THE NORTHWEST CORNER OF SAID 13.999-ACRE PARCEL; THENCE SOUTH 89 DEGREES 56 MINUTES 57 SECONDS EAST, ON THE NORTH LINE THEREOF, 120.02 FEET TO THE POINT OF BEGINNING, SAID TO CONTAIN IN SURVEY 0.104 ACRES (4,520 SQUARE FEET), MORE OR LESS.