123 Washington Street Columbus, Indiana 47201 Phone: (812) 376-2550 Fax: (812) 376-2643





#### STAFF REPORT

# CITY OF COLUMBUS PLAN COMMISSION (April 9, 2014 Meeting)

**Docket No. / Project Title:** ANX-14-02 & RZ-14-04 (Stonehaven)

Thom Weintraut Staff:

Applicant: Joel Spoon 13.46 Acres **Property Size:** 

**Current Zoning:** AP (Agriculture: Preferred)

**Proposed Zoning:** RS3 (Residential: Single-Family 3)

Location: Northwest corner of the intersection of Goeller Road and County Road 350

West in Columbus Township.

#### **Background Summary:**

The applicant has indicated that the proposed annexation and re-zoning is for the purpose of developing a single-family residential subdivision consisting of 25 lots.

#### **Key Issue Summary:**

The following key issue(s) should be resolved through the consideration of this application:

- 1. Is the property a logical and appropriate addition to the City of Columbus?
- 2. Is RS3 (Residential: Single-Family 3) zoning district appropriate for this area?

# **Preliminary Staff Recommendation (Annexation):**

Favorable recommendation to the City Council. The property is 14.8% contiguous to the City of Columbus and therefore meets the minimum requirement of being 12.5% contiguous as defined by IC 36-4-3-1.5. The location of the property will facilitate efficient provision of city services.

#### **Preliminary Staff Recommendation (Re-zoning):**

Favorable recommendation to the City Council.

#### **Plan Commission Options:**

Annexation and re-zoning are two separate requests and should be decided separately. In reviewing requests for annexation & re-zoning the Plan Commission may (1) forward a favorable recommendation on both or either to the City Council, (2) forward an unfavorable recommendation on both or either to the City Council, (3) forward both or either to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend conditions or commitments be attached to the re-zoning request. The City Council makes all final decisions regarding annexation & rezoning applications.

#### **Considerations / Decision Criteria (Annexation):**

Indiana law requires to be eliqible for annexation, the external boundary of the area must be at least 12.5% contiguous with the boundary of the City (the property involved in this annexation is 14.8% contiguous with the boundary of the City). In 1990 the City Council adopted the following policies for annexation:

- 1. Subdivisions which are contiguous to the City should be a part of the City.
- 2. Land contiguous to the City zoned for commercial or industrial purposes should be annexed to the City before it is developed.
- 3. Land contiguous to the City used for commercial or industrial purposes should be a part of the City.
- 4. Undeveloped land required to complement the annexation of developed land and which helps provided the ability to manage growth should be a part of the City.
- Neighborhoods which are socially, culturally, and economically tied to the City should be a part of the City.
- 6. The pattern of City boundaries should promote efficient provision of services by the City, the County, and other agencies.
- 7. Contiguous lands needed for orderly growth and implementation of the City's Comprehensive Plan should be a part of the City.
- 8. Contiguous lands which are likely to be developed in the relatively near future should be a part of the City
- 9. Contiguous lands having the potential for health or safety problems or environmental degradation should be a part of the City and provided with City services.
- 10. Contiguous properties which, if annexed, would serve to equalize the tax burden for City residents should be a part of the City.

#### **Decision Criteria (Re-Zoning):**

Indiana law and the Columbus Zoning Ordinance require the Plan Commission and City Council pay reasonable regard to the following when considering a re-zoning:

#### The Comprehensive Plan.

Preliminary Staff Comments: The Comprehensive Plan identifies the future land use for this area as residential. The property is adjacent to residential use which is consistent with the Comprehensive Plan's encouragement of orderly growth where city services can readily be provided. The property is located less than 1/2 of a mile from State Road 46 / Jonathan Moore Pike which provides access to commercial goods and services nearby such as Westhill Shopping Center and development around the I-65 and Jonathan Moore Pike interchange. In addition, there is a sidepath on the south side of Goeller Road which provides a connection to the People Trail located at the intersection of Goeller Boulevard and Jonathan Moore Pike. The site is also approximately 1/2 mile from Oakbrook Park to the west and Harrison Park to the southeast.

#### The current conditions and the character of current structures and uses in each district.

Preliminary Staff Comments: The site is located adjacent to the north of Tipton Lakes, an area consisting of single-family residential homes on similar sized lots. To the north and east of the subject property, the surrounding development is larger lot residential development, to the west there are large parcels of property with single-family dwellings and woodlands, and further to the west approximately 1/2 mile is the Oakbrook Park and subdivision which are part of the City of Columbus. The proposed development should be consistent with the surrounding structures and character.

#### The most desirable use for which the land in each district is adapted.

Preliminary Staff Comments: The Comprehensive Plan identifies residential for the use the property and surrounding area. The property is located near good and services, a park, recreation facilities, and adjacent to both an arterial and collector streets and, therefore, appropriate to higher density residential development.

#### The conservation of property values throughout the jurisdiction of the City of Columbus.

*Preliminary Staff Comments:* The property values throughout the City of Columbus should not be impacted in a negative way if the zoning were approved. The proposed development is in character with the surrounding properties and is within an area where single-family residential use is dominant and therefore surrounding properties values should not be impacted.

# Responsible growth and development.

*Preliminary Staff Comments:* The property is in a predominately single-family residential area. This parcel is in an area surrounded by the City of Columbus on the east, south, and west and, therefore, is an ideal parcel for development. There are city services readily available and the infrastructure in place to support residential development and thereby reflects responsible growth and development.

Current Property Informa	ation:		
Existing Land Use:	Agriculture/pasture.		
Existing Site Features:	The site is primarily open grassland with medium dense woodland on the northwest portion of the property and a few individual red cedar trees on the southeast portion. There is a small stream that runs across the southwest edge of the property.		
Flood Hazards:	There are no mapped flood hazards on the property.		
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	None.		
Vehicle Access:	The property has access to Goeller Road (Residential, Suburban Minor Arterial) and County Road 350 West (Residential, Suburban, Collector). There is a new local street (Stonehaven Lane) proposed as part of the subdivision.		

Surrounding Zoning and Land Use:				
	Zoning:	Land Use:		
North:	AG (Agriculture: Preferred)	Single-family residential		
South:	RS3 (Residential: Single-Family 3)	Single-family residential and North Lake at Tipton Lakes.		
East:	AG (Agriculture: Preferred)	Single-family residential Mt. Pleasant Christian Church		
West:	AG (Agriculture: Preferred)	Single-family residential		

	Existing Zoning: AG	Proposed Zoning: RS3
Zoning District Intent:	This AP, Agriculture Preferred zoning district is intended to provide an area suitable for agriculture and agriculture-related uses. This district is further intended to preserve the viability of agricultural operations, and limit nonagricultural development in areas with minimal, incompatible infrastructure.  Residential development in this zoning district is intended to be limited. In no instance shall this zoning district be considered a large-lot residential zone. This district is further intended to protect the use and value of both agricultural and non-agricultural property within the community.	The RS3, Single-Family Residentia zoning district is intended to provide areas for moderate to high density single-family residences in areas with compatible infrastructure and services. Development in the zoning district should generally be served by sewer and water utilities Such development should also provide residents with convenien access to Collector and Arteria streets, parks and open space employment, and convenience goods.  In the jurisdiction of the City of Columbus this district is intended for use only within the City limits.
Permitted Uses:	<ul> <li>Farm (General)</li> <li>Single-Family Dwelling</li> <li>Nature Preserve / Conservation Area</li> </ul>	Single-family dwellings     Nature preserve / conservatio area.
Water and Sewer Service:	Not Required	Required
Lot and/or Density Requirements:	Minimum Lot Area:  1 acre or as required to provide two viable septic system sites  Maximum Lot Coverage:  Agricultural Structures: None  Non-Agricultural Structures: 35%	Maximum Gross Density: 5 Dwelling Units per Acre Minimum Lot Area: 7200 Sq. ft. Minimum Lot Width: 60 feet Minimum Lot Frontage 35 feet Maximum Lot Coverage:

Setbacks Required:	Side and Rear Yard Setback:	Side Yard Setback:	
Front setbacks are	Agricultural Structure: 30 feet	Primary Structure: 5 feet	
determined by the Thoroughfare Plan	Primary Structure: 30 feet*	Accessory Structure: 5 feet	
Classification of the adjacent	Accessory Structure: 15 feet*	Rear Yard Setback:	
street and are the same regardless of zoning.	*5 feet on lots of 2 acres or less	Primary Structure: 5 feet	
	where the applicable side or rear lot line adjoins a property of 2 acres or	Accessory Structure: 5 feet	
	less	Front Yard Setback:	
	Front Yard Setback (for Carr Hill	Goeller Road (Minor Arterial):	
	Road, a Collector Street): Collector Street: 25 feet	50 feet	
		County Road 350 West (Collector)	
		15 feet*	
		Stonehave Lane (Local)	
		10 feet*	
		*25 feet for any garage with a vehicle	
		entrance facing the Street.	
Height Restrictions:	Primary Structure:	Primary Structure:	
	Agricultural Structure: None	40 feet	
	Primary Structure: 40 feet	Accessory Structure:	
	Accessory Structure:	25 feet or the height of the primary	
	35 feet	structure on the property, whichever is less.	
Floor Area Requirements:	Minimum Living Area per Dwelling:	Minimum Living Area per Dwelling:	
	1,000 square feet	1,000 square feet	
Signs:	Wall Signs: Not permitted	Wall Signs: Not permitted	
	Freestanding Signs: Not permitted	Freestanding Signs: Freestanding signs are not permitted for multifamily residential developments. Instead, these developments are permitted to install two Development Entry Signs per public street access point. Each Development Entry Sign can have a maximum area of 32 square feet and a maximum overall height of 6 feet.	

Interdepartmental R	Review:
City Engineering:	The site has 396' of frontage on County Road 350 W, and 346' of frontage on Goeller Road, totally 742'. Goeller is an existing residential arterial street, and 350 W is an existing residential collector street. Both sections of roadway join county roads at each end. Both roads are substandard in width and do not have curbs. 742' represents a 0.0539% increase in the City's street inventory.  Estimated cost for street maintenance, sign replacement, and snow removal can be prorated based on the City's current budget amounts for those items. No new street lights are anticipated at this time.
	Overlay cost for existing streets would be approximately \$12,000 at today's prices; which calculates to an approximate annual cost of \$1,300, based on a 3% interest rate and a 8 year overlay cycle.
City Utilities:	Water is available along the south side of Goeller Road and sewer crosses the property on the Northwest Corner.
Parks Department:	No comments received.
Community Development:	No concerns.
MPO:	No comments received.
Police Department:	No concerns.
Fire Department:	There are no issues with the requested annexation or rezoning.

#### **Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

- 1. **POLICY A-2-3:** Ensure that development takes place in a manner which allows for preservation of farmland, open space, and significant natural features whenever possible and desirable.
- 2. **POLICY A-2-6:** The City Council should consider annexation proposals on a case-by-case basis within the laws of the State of Indiana and the city's adopted annexation policies. *Annexation increases taxes and increases the pressure for development. Because of requirements of Indiana law, it is sometimes necessary for the city to annex farmland in order to provide for orderly growth, but the city's annexation policies should discourage annexation of farmland except when necessary.*
- 3. **POLICY A-2-11:** Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood-by-neighborhood basis.
- 4. **POLICY A-2-13:** Encourage growth to take place at a rate that enables the city to maintain the high quality of public services.
- 5. **GOAL A-4:** Promote wise and efficient use of limited resources and nonrenewable resources, including but not limited to capital and land.
- 6. **POLICY A-4-2:** Encourage infill development, and/or use of vacant parcels for projects such as parks or other amenities which complement the neighborhoods in which they are located.

- 7. **POLICY A-4-7:** Require new development to take place in an orderly fashion to facilitate efficient provision of services at reasonable cost.
- 8. **GOAL D-1**: Develop new housing where adequate public services can be provided economically.
- 9. **POLICY D-1-1:** Promote orderly housing expansion in location where the city's infrastructure and services have capacity to accommodate the growth.
- 10. **POLICY D-1-3:** Encourage development adjacent to already developed areas.

This property is located in the Western Hills character area. The following Planning Principle(s) apply to this application:

- 1. Encourage all development to be linked to bicycle and pedestrian systems.
- 2. Prohibit further non-farm development using septic systems.

# Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

- 1. This parcel is located approximately 1/2 mile east and west of the current corporate boundaries of the City of Columbus in an area that currently creates a gap in the city limits. This site is an appropriate for infill development and an opportunity for orderly expansion of the City into that gap.
- 2. The petitioner is requesting approval of a major subdivision (PP-14-02) in conjunction with the request for annexation and rezoning.
- 3. The RS3 Zoning District allows for a density of 5 units per acre. The property to the south of the subject property is zoned RS3, but the average density is 2 units per acres. The proposed subdivision at the site of the rezoning shows a similar average density of 2 units per acre.
- 4. The surrounding area is primarily single-family residential and wooded. The proposal would not impact agricultural uses.
- 5. The site has water available along the south side of Goeller Road and sanitary sewer available on the northwest corner of the property.
- 6. The site is located at the intersection of a Goeller Road, a Minor Arterial, and County Road 350 West, a Collector Street, thereby providing suitable connection for the development to the greater network of streets and highways.
- 7. Westhill Shopping Center is located 3/4 of a mile to the north of the development and provides a wide selection of goods and services and the site is just west of the Interstate 65 / State Road 46 interchange area where there are also a wide variety of retail and service selections.
- 8. The proposed development has access to a sidepath along the south side of Goeller Road which provides a connection to Oakbrook Park, 1/2 mile to the west of the site, and to Harrison Park, 1/2 mile to the east of the site. The sidepath also connects to the People Trail at the Intersection of Goeller Boulevard and Jonathan Moore Pike providing a bicycle and pedestrian connection to Westhill Shopping Center, the I-65 interchange retail and restaurant services, and a further connection to the Downtown, Mill Race Park and destinations further to the east.

# Columbus – Bartholomew County Planning Department Rezoning Application (Zoning Map Amendment)



Rezoning Application:	THE STATE OF THE S	THE STATE OF THE S		
Current Zoning: AP	Requested Zoning:	RS3		
Applicant Information:				
Name _JOEL SPOON				
Address 1007 CENTRAL AVENUE (number) (street)		COLUMBUS (city)	IN (state)	47201 (zip)
Phone No.: 812-379-4495	Fax No.:	E-mail Address:		
Name: _BETH QUICK				
		COLUMBUS	IN	47201
Address 9261 GRANDVIEW RD. (number) (street)		COLUMBUS (city)	IN (state)	47201 (zip)
Address 9261 GRANDVIEW RD. (number) (street)		(city)	(state)	(zip)
Address 9261 GRANDVIEW RD. (number) (street)  Phone No.:	Fax No.:	(city) E-mail Address:	(state)	(zip)
Address 9261 GRANDVIEW RD, (number) (street)  Phone No.:  Notification Information (list the pers	Fax No.:	(city) E-mail Address:	(state)	(zip)
Address 9261 GRANDVIEW RD, (number) (street)  Phone No.:  Notification Information (list the personame: JONATHAN M, ISSACS	Fax No.:	(city) E-mail Address: nce regarding this appl	(state)	(zip)
Address 9261 GRANDVIEW RD, (number) (street)  Phone No.:  Notification Information (list the personame: JONATHAN M, ISSACS	Fax No.:	(city) E-mail Address:	(state)	(zip)
Address 9261 GRANDVIEW RD. (number) (street)  Phone No.:  Notification Information (list the personame: JONATHAN M. ISSACS  Address 3640 COMMERCE DR. (number) (street)	Fax No.:son to whom all corresponde	(city) E-mail Address: nce regarding this appl COLUMBUS (city)	(state) ication should be direction should be	(zip) ted): 47201 (zip)
Address 9261 GRANDVIEW RD, (number) (street)  Phone No.:  Notification Information (list the personal Name: JONATHAN M. ISSACS  Address 3640 COMMERCE DR. (number) (street)  Phone No.: 812-372-0996	Fax No.: son to whom all corresponded Fax No.:812-372-6160	(city) E-mail Address: nce regarding this appl COLUMBUS (city) E-mail Address:	(state)  ication should be direct  IN  (state)  iissacs@ilsurveying	(zip) ted): 47201 (zip)
Address 9261 GRANDVIEW RD, (number) (street)  Phone No.:  Notification Information (list the personant per	Fax No.: son to whom all corresponded Fax No.:812-372-6160	(city) E-mail Address: nce regarding this appl COLUMBUS (city) E-mail Address:	(state)  ication should be direct  IN  (state)  iissacs@ilsurveying	(zip) ted): 47201 (zip)
Address 9261 GRANDVIEW RD. (number) (street)  Phone No.:  Notification Information (list the personant per	Fax No.:  Fax No.:812-372-6160  mation (please check one	(city)  E-mail Address:  nce regarding this appl	(state)  ication should be direct  IN  (state)  iissacs@ilsurveying	(zip) ted): 47201 (zip)
Address 9261 GRANDVIEW RD. (number) (street)  Phone No.:  Notification Information (list the personant per	Fax No.:  Fax No.:812-372-6160  mation (please check one	(city)  E-mail Address:  nce regarding this appl	(state)  ication should be direct  IN  (state)  iissacs@ilsurveying	(zip) ted): 47201 (zip)

# Rezoning Criteria:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria to which both the Plan Commission and legislative body (City Council, County Commissioners, Joint District Council) must "pay reasonable regard" when considering a rezoning request. Those criteria are listed below. Explain how this request addresses each criterion.

The Comp	prehens	ive Plan.
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THE COMPREHENSIVE PLAN HAS THIS AREA BEING ZONED AGRICULTURAL PRI	FERRED. REZONING THE SUBJECT
LAND FROM AP TO RS3 COMPLIES WITH THE COMPREHENSIVE PLAN.	
The current conditions and the character of current structures and uses in each d	istrict (existing & proposed).
THE PROPERTY WILL BE USED FOR SIMILAR USES AS THE CURRENT ZONING.	
	-
The most desirable use for which the land in each district is adapted.	
THE SITE WOULD BE BEST USED FOR HOUSING. THIS WOULD BE CONSISTENT	WITH THE SURROUNDING
PROPERTIES AND COMPLY WITH THE COMPREHENSIVE PLAN.	
The conservation of property values throughout the jurisdiction.	
THIS REZONE IS CONSISTENT WITH THE COMPREHENSIVE PLAN AND SHOULD	NOT HAVE ANY EFFECT ON THE
PROPERTY VALUES.	``
Responsible growth and development.	
THE REZONE WOULD HELP THE GROWTH OF THE AREA BY PROVIDING HOUSIN	G.
	:

# Rezoning Purpose:

Explain the reason(s) why the applicant has proposed this zoning change.

THIS REZONE HAS BEEN REQUESTED DUE TO THE DIFFICULTIES IN DEVELOPING THIS PROPERTY UNDER THE CURRENT ZONING DESIGNATION. THIS CHANGE IN ZONING WILL MAKE THE PROPERTY MORE DEVELOPABLE AND BE CONSISTENT WITH THE COMPREHENSIVE PLAN. THIS REZONE IS BEING REQUESTED DUE TO THE CURRENT ZONING BEING TOO RESTRICTIVE FOR THE FUTURE DEVELOPMENT OF THIS SITE.

Applicant's Signature:	
The Information included in and with this application is con	pletely true and correct to the best of my knowledge and belief.
7/1/	3-5-14
(Applicant's Signature)	(Date)
Owner's Signature (the "owner" does not include tenant i authorize the filing of this application and will allow the Pitanalyzing this request. Further, I will allow a public notice the request is complete.  (Owner's Signature)	anning Department staff to enter this properly for the purpose of sign to be placed and remain on the property until the processing of $3-6-14$
(Owner a adustrial)	(Date)
(Owner's Signature)	(Date)

ZONED RS3

SCALE: 1"

100

CURVE TABLE

 CURVE
 LENGTH
 RADIUS
 TANGENT
 DELTA
 CHORD
 BEARING
 CHORD

 C1
 113.69
 1892.84
 56.86
 3'26'29"
 \$ 73'32'43" W
 113.67

Durveying

Fax: 812-358-2605

3640 Commerce Drive Columbus, Indiana 47201 Phone: 812-372-0996 Fox: 812-372-0996

www.ilsurveying.com 414 South Main Street frownstown, Indiana 47220 Phone: 812-358-2882

INDIANA

OWG NAME: 14034 SPOON REZONE.dwg

DRAWN BY: THA

DWG DATE: 2/20/14

SCALE: 1"= 200"

Columbus - Bartho	olomew County Planning Dep	partment		
Ann	exation Application	DEN	B.	
			Eller	
Annexation Application  Planning Department Use Only:  Docket No.:  ANX-14-07				
Docket No.: ANX - 14-07	•	2	2014	
Annexation Application:		THE CONTROL OF PERSON SERVICES AND	4	
Applicant Information:				
Name JOEL SPOON				
Address1007 CENTRAL AVENUE	COLUMBUS	IN	47201	
(number) (street)	(city)	(state)	(zip)	
Phone No.: <u>812-379-4495</u> Fax No.:	E-mail Address:			
Property Owner Information (the "owner" does	s not include tenants or contract buyers):			
Name: _BETH QUICK				
			LATERY TO	
Address 9261 GRANDVIEW RD. (number) (street)	(city)	(state)	47201 (zip)	
Phone No.: Fax No.:	E-mail Address:	***************************************		
Notification Information (list the person to who	m all correspondence regarding this applic	ation should be dire	octed):	
	m an correspondence regarding this applica	ation should be une	otteu).	
Name: JONATHAN M. ISSACS	00111110110		1000	
Address 3640 COMMERCE DR. (number) (street)	COLUMBUS (city)	(state)	47201 (zip)	
Phone No.: <u>812-372-0996</u> Fax No.:	812-372-6160 E-mail Address: _	iissacs@ilsurvevin	a.com	
How would you prefer to receive information (p	lease check one):	ne Fax M	lail	
Property Information:				
	square feet			
Property Size: 13.46 acres <u>or</u>	square feet			
Property Size: 13.46 acres <u>or</u> Township: <u>COLUMBUS</u>	square feet		13	
Property Size: 13.46 acres <u>or</u> Township: <u>COLUMBUS</u>	square feet (city)	(state)	(zip)	
Property Size: 13.46 acres <u>or</u> Township: <u>COLUMBUS</u> Address	(city)			

Land Use Information:		
Current Land Use: <u>UNDEVELOPED</u>	Intended Future Land Use:	RESIDENTIAL SUBDIVISION
Current Zonina: AP	Intended Future Zoning;	R53
Annexation Reasons:		
Explain the reason(s) why the applicant has proposed this	annexation.	en e
THIS ANNEXATION IS BEING REQUESTED TO OBTAIN TO ENABLE THE DEVELOPMENT OF SUBJECT LAND.		CE FROM THE CITY OF COLUMBUS,
Applicant's Signature:  The information included in and with this application is con		best of my knowledge and belief.
Applicant's Signature)	(Date)	
Owner's Signature (the "owner" does not include tenant authorize the filing of this application and will allow the Planalyzing this request. Further, I will allow a public notice the request is complete.	lanning Department staff to ente	er this property for the purpose of in the property until the processing of
(Owner's Signature)	(Dale)	-6-14
(Owner's Signature)	(Dale)	· · ·

# PROPERTY DESCRIPTION (TAKEN VERBATIM FROM INST#2013-5181)

A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER OF SOUTHWEST QUARTER OF SECTION 28. TOWNSHIP 9 NORTH, RANGE 5 EAST LYING IN COLUMBUS TOWNSHIP, BARTHOLOMEW COUNTY, INDIANA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28. THENCE SOUTH 00'50'48" EAST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER AND COUNTY ROAD 350 WEST A DISTANCE OF 664.79 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89"49"26" WEST A DISTANCE OF 973.23 FEET; THENCE SOUTH 00'28'08" EAST A DISTANCE OF 923.71 FEET TO THE CENTER OF GOELLER ROAD: THENCE NORTH 65'45'25" EAST ALONG SAID ROAD A DISTANCE OF 54.64 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN "GRAHAM ADMINISTRATIVE SUBDIVISION" RECORDED IN PLAT BOOK "R". PAGE 255C; THENCE NORTH 00'28'08" WEST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 427.52 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH 85'24'12" EAST ALONG THE NORTH LINE OF SAID LOT A DISTANCE OF 928.18 FEET TO EAST LINE OF THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SAID SECTION 28, AND COUNTY ROAD 350 WEST; THENCE NORTH 00'50'48" WEST ALONG SAID EAST LINE AND ROAD A DISTANCE OF 396.41 FEET TO THE POINT OF BEGINNING, CONTAINING 10.28 ACRES, MORE OR LESS AND SUBJECT TO ALL APPLICABLE EASEMENTS

ALSO: A PART OF LOT 1 OF THE GRAHAM ADMINISTRATIVE SUBDIVISION AS RECORDED IN PLAT BOOK "R", PAGE 255C, AND AS INSTRUMENT NUMBER 2011-5344, IN THE OFFICE OF THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 85'24'12" WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 403.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 85'24'12" WEST A DISTANCE OF 380.67 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 00'28'08" EAST ALONG THE WEST LINE OF SAID LOT A DISTANCE OF 427.52 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTH 65'45'25" EAST ALONG THE SOUTH LINE OF SAID LOT (AND ALONG GOELLER ROAD) A DISTANCE OF 130.73 FEET; THENCE NORTH 69'16'07" EAST A DISTANCE OF 160.71 FEET TO THE PC OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 113.69 FEET TO THE PT THEREOF (SAID CURVE HAWING A RADIUS OF 1892.84 FEET, A CHORD BEARING OF NORTH 73'32'43" EAST AND A CHORD DISTANCE OF 113.67 FEET); THENCE NORTH 00'28'08" WEST A DISTANCE OF 315.26 FEET TO THE POINT OF BEGINNING, CONTAINING 3.18 ACRES MORE OR LESS AND SUBJECT TO ALL APPLICABLE EASEMENTS AND RIGHTS OF WAY.

(CONTAINING IN TOTAL 13.46 ACRES, MORE OR LESS)

