



**CERTIFICATION TO THE
TOWN COUNCIL
OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA**

October 17, 2016

To the Town Council of the Town of Zionsville, Indiana:

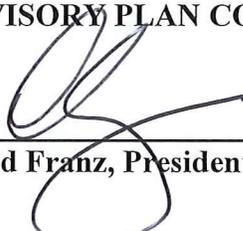
Be it advised that, pursuant to Indiana Code 36-7-4, on October 17, 2016 the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 5 in favor and 1 opposed, gave an, ***Favorable Recommendation*** to proposal 2016-45-CA to amend the Commitments of Boone County Area Plan Commission Ordinance #2008-13, which is applicable to 10901, 10985 E. 300 South and 3201 S. U.S. 421 located in the jurisdiction of the Town of Zionsville, Boone County Indiana.

The Zoning Commitments in Ordinance #2008-13 encompasses approximately 57.53 acres, and were recorded in the Boone County Recorder's office in 2008. As part of that approval, 44.25 acres were rezoned from the R-1 Zoning Classification to the GB Zoning Classification, and 13.28 acres were rezoned from the R-1 Zoning Classification to the PB Zoning Classification. Instrument 2000800010861 identifies the list of Prohibited Uses and specifies development commitments.

The petitioner was seeking to modify the commitments, to allow the use of an Automobile Repair Service Station.

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2016-45-CA to amend the Commitments of Boone County Area Plan Commission Ordinance #2008-13, and approve the amended commitments concerning the use or development of real estate (a copy of which is attached to this Certification and incorporated here by this reference) to the Town Council of Zionsville, Indiana, with an Favorable Recommendation.

**TOWN OF ZIONSVILLE
ADVISORY PLAN COMMISSION**



David Franz, President

Attest: _____

**Wayne DeLong, AICP
Secretary, Town of Zionsville Advisory Plan Commission**

25.00
NON
COMMISSIONERS

200800010861
Filed for Record in
BOONE COUNTY, INDIANA
MARY ALICE "SAM" BALDWIN
11-21-2008 At 08:16 am.
ORDINANCE 26.00

ORDINANCE NO. 2008 - 13

AN ORDINANCE REZONING PROPERTY
AND CHANGING THE ZONING MAPS
OF BOONE COUNTY, INDIANA
(Harris FLP; 07EA-16-839)

WHEREAS, the Petitioner, Harris FLP, filed their Zoning Amendment Application before the Boone County Area Plan Commission, seeking to rezone approximately 57.53 acres, more or less, in Eagle Township, Boone County, Indiana, from the R-1 Residential Zoning Classification to the GB General Business Zoning Classification and the PB Professional Business Zoning Classification; and

WHEREAS, pursuant to Indiana Code 36-7-4-608, the Area Plan Commission conducted the required public hearing and determined its favorable recommendation, by a 6-0 vote, on August 6, 2998; and certified its recommendation to the legislative body, the Board of Commissioners of Boone County, on August 20, 2008; and

WHEREAS, pursuant to Indiana code 36-7-4-608, the Board of Commissioners of Boone County, having considered the Application and the recommendation of the Area Plan Commission, now adopts the proposal and approves the requested rezoning with any stated condition of a commitment (Covenants/Commitments), all as hereinafter set out.

IT IS THEREFORE CONSIDERED, ORDAINED AND ADOPTED as follows:

1. That the Applicant is Harris FLP.
2. That the Applicant seeks to have the following described property, which is currently located in the R-1 Zoning Classification rezoned to the GB Zoning Classification:

A part of the northeast quarter of Section 23 and a part of the northwest quarter of Section 24, both in Township 18 North, Range 2 East of the Second Principal Meridian, Boone County, Indiana, described as follows:

Beginning at the northwest corner of the northwest quarter of Section 24, Township 18 North, Range 2 East; thence South 89 degrees 56 minutes 41 seconds East (all bearing recited in this description are referenced to the north line of the northwest quarter of Section 24, Township 18 North, Range 2 East, the bearing of which is assumed to be South 89 degrees 56 minutes 41 seconds East) along the north line of said northwest quarter section 289.95 feet; thence South 01 degrees 02 minutes 43 seconds West 1,358.82 feet; thence South 89 degrees 56 minutes 41 seconds West 261.30 feet; thence South 70 degrees 42 minutes 11 seconds West 782.00 feet to the centerline of U.S. Highway 421 (Michigan Road); thence North 19 degrees 11 minutes 47 seconds West along said centerline 1,715.14 feet to a 1 inch diameter iron rod in a monument box in the north line of the northeast quarter of Section 23 Township 18 North, Range 2 East; thence South 89 degrees 53 minutes 13 seconds East along said north line 1,298.64 feet to the point of beginning, containing 1,927,261 square feet or 44.25 acres, more or less.

3. That the Applicant seeks to have the following described property, which is currently located in the R-1 Zoning Classification rezoned to the PB Zoning Classification:

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A part of the northeast quarter of Section 23 and a part of the northwest quarter of Section 24, both in Township 18 North, Range 2 East of the Second Principal Meridian, Boone County, Indiana, described as follows:

Beginning at the northwest corner of the northwest quarter of Section 24, Township 18 North, Range 2 East; thence South 89 degrees 56 minutes 41 seconds East (all bearing recited in this description are referenced to the north line of the northwest quarter of Section 24, Township 18 North, Range 2 East, the bearing of which is assumed to be South 89 degrees 56 minutes 41 seconds East) along the north line of said northwest quarter section 289.95 feet; thence South 01 degrees 02 minutes 43 seconds West 1,358.82 feet to the point of beginning; thence continuing South 01 degrees 02 minutes 43 seconds West 741.92 feet to the north line of Bridlewood Subdivision (Plat Book 6, pages 105-107, Office of the Recorder, Boone County, Indiana); thence South 89 degrees 59 minutes 55 seconds West along said north line 415.11 feet to a 4 inch by 4 inch concrete monument at the northwest corner of said Bridlewood Subdivision also being in the eastern line of the land of Joe Lee and Lynda Sue Chambers; thence north 11 degrees 32 minutes 25 seconds West along said eastern line 91.15 feet to the northeast corner thereof; thence South 79 degrees 58 minutes 04 seconds West along the northern line of said Chambers 397.69 feet to the centerline of U.S. Highway 421 (Michigan Road); thence North 19 degrees 11 minutes 47 seconds West along said centerline 490.53 feet; thence North 70 degrees 42 minutes 11 seconds East 782.00 feet; thence North 89 degrees 56 minutes 41 seconds East 261.30 feet to the point of beginning, containing 578,479 square feet or 13.28 acres, more or less.

4. That the Board of Commissioners has paid reasonable regard to applicable comprehensive plans; 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 responsible development and growth.
5. That from and after this date, the official zoning maps of Boone County, Indiana shall be changed to rezone the subject property from the R-1 Zoning Classification to the GB and PB Zoning Classifications. Further, the Executive Director of the Boone County Area Plan Commission is hereby authorized to change the official zoning maps consistent with this ordinance.
6. Attachment A includes commitments and are hereby made a part of this ordinance.
7. Attachment B includes a concept plan for the property and shall be used in comparison of future development plans.

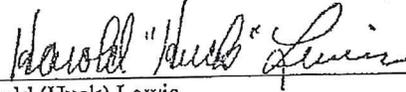
ALL OF WHICH IS ADOPTED this 3rd day of November, 2008, by the Board of Commissioners of Boone County, Indiana.

BOARD OF COMMISSIONERS OF
BOONE COUNTY, INDIANA

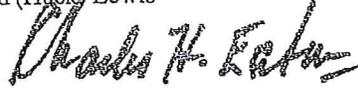
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Marc Applegate

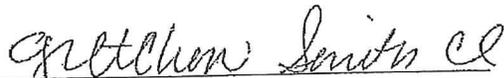


Harold (Huck) Lewis



Charles Eaton

ATTEST:



Gretchen Smith, Auditor

This instrument was prepared by Steven C. Niblick,
Executive Director of the Boone County Area Plan Commission

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY,
THAT I HAVE TAKEN REASONABLE CARE TO REDACT
EACH SOCIAL SECURITY NUMBER IN THIS
DOCUMENT, UNLESS REQUIRED BY LAW."

NAME: Karen Lasley

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ATTACHMENT A

PETITIONER'S COMMITMENTS TO INDUCE

FAVORABLE ZONE MAP CHANGE

- I. Notwithstanding the uses permitted as a matter of Right or by way of Special Exception in the GB-General Business Zoning Classification, the following uses shall be prohibited on the subject property; to-wit:

Boone County Zoning Ordinance
Table 2, Authorized Uses

Non-Industrial Farm, Agricultural, Animal Related Uses

- Animal Day Care
- Commercial Greenhouse
- Kennel (Small, Large and/or Unlimited)
- Roadside Produce Stand
- Sale Barn for Livestock
- Farm
- Hay, Grain, Feed Stores

Government

- Penal or Correctional Institutions
- Industrial Uses
- Auction Sales Yard
- Mineral Extraction
- Warehouse (General)
- Warehouse (Grain Storage)
- Wholesale Produce Terminal
- Farm Product Processing
- Food Processing
- Linen Supply

Recreation, Amusement, Tourism

- Hotel or Motel
- Outdoor Theatre
- Billiard and Pool Establishment

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- Public Stable
- Outdoor Shooting Range
- Public or Private Camp Ground or Recreational Vehicle Park

Residential

- Minor Residential Subdivision
- Mobile Home Park
- Customary Home Occupation
- Multi-Family Dwelling
- Single-Family Dwelling
- Two-Family Dwelling
- Farm Seasonal Worker Housing
- Fraternity, Sorority or Student Housing
- Group Residential Facility
- Major Residential Subdivision
- Temporary Mobile Home

Retail, Trade, Food Stores

- Maximum of two Fast Food Drive-thru Restaurants
- Liquor Store (Wine Store with more than 75% of its inventory in wine would be permitted)
- Night Club

Retail, Trade, General Merchandise

- Monument Sales
- Tobacco Stores (a Cigar Shop with the majority of its inventory geared towards cigars would be excluded from this restriction)

General Services

- Coin Operated Laundry
- Commercial Testing Laboratories

Vehicle Dealers, Repair and Services

- Self-Service Automatic Car Wash (the intent is to exclude open bayed self-car wash)
- Automobile or Motorcycle Sales
- Automobile Repair Service Station (no sale of gasoline or overnight storage of vehicle allowed but a quick service oil change will be permitted)
- Mobile home, Travel Trailer, Camper Sales & Service
- Passenger Car Rental

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Industrial

- Anhydrous Ammonia
- Commercial Facility for Breeding Non-Farm Fowl & Animals
- Confined Feeding
- Contractors Storage
- General Industrial
- Mineral Extraction
- Truck Freight Terminal

II. Notwithstanding the uses permitted as a matter of Right or by way of Special Exception in the PB-Professional Business Zoning Classification, the following uses shall be prohibited on the subject property; to-wit:

Boone County Zoning Ordinance
Table 2, Authorized Uses

Residential

- Minor Residential Subdivision
- Major Residential Subdivision
- Customary Home Occupation
- Multi-Family Dwelling
- Two-Family Dwelling
- Temporary Mobile Home

Utilities, Transportation and Communication

- Airport or Heliport

III. The Petitioners agree to further site development Commitments and Limitations as follows:

- Square Footage
In the GB-General Business classification, the maximum square footage for any one user will be 150,000 square feet with no other building exceeding 75,000 square feet.
- Fast Food Restaurants
No more than two (2) fast food restaurants being allowed on the GB portion of the property. Further, that the two (2) fast food restaurants shall not be located adjacent to each other.

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- Buffer along East and South Property
That the east and south ponds depicted on the conceptual plan will be installed for protection of Willow Glen and Bridlewood Subdivision.
 - Minimum Distance for South and East Property Line
That the building set-back line on the south property line will be a minimum of 150 feet which is depicted on the concept plan.
 - Water features on the property
That a minimum of two (2) sizeable water features be placed along U.S. 421 as depicted in the concept plan.
 - Public Road Commitment on the Major Access point on U.S. 421
That the major access point on U.S. 421 connecting to the pre-established access cut in Willow Glen will be built to Boone County Highway Standards and dedicated as a public road.
 - Number of Outlets on U.S. 421
That Outlots on U.S. 421 be limited to a total of seven (7) outlots. All outlots will be a minimum of one (1) acre in size.
 - Number of Outlots on County Road 300 South
That Outlots be limited to a total of four (4) outlots. All outlots will be a minimum of one (1) acre in size.
 - Multiple Tenants
That no more than three (3) outlots out of the total eleven (11) commercial outlots would be allowed to have more than (2) tenants.
 - Signage
The signage for the development will comply with the US 421 Overlay District and as depicted in the Signage and Concept Plans. Further, the applicant commits to not more than eleven (11) freestanding tenant signs and not more than one (1) multi-user/identification sign along CR 3000 South and not more than two (2) multi-user/identification signs along US 421, one in the GB and one in the PB Zoning Classifications. No pole signs shall be allowed in either district.
 - Dark Skies
The applicant commits to dark sky lighting technologies.
 - Building Height
The office building on the South and West part of the PB-Professional Business classification shall be a maximum of two stories in height. The office building on the North and East part of the PB-Professional Business classification shall be a maximum of three (3) stories in height.
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- Architecture and Landscaping
The architecture and landscaping plans shall substantially comply with the renderings submitted and presented with the concept plan.

- Road Cuts

Petitioner will be limited to two (2) access cuts onto 300 South as follows:

1. The main entrance (full access) from CR 300 South will line up with the future development of the Greenhouse property on the North side of CR 300 South;
2. A right-in/right-out access point to be located to the east of the main entrance.

Petitioner will be limited to two (2) access cuts onto US 421 as follows:

1. Right-in/right-out;
2. The main entrance from US 421;
3. A third southern cut onto US 421 was originally depicted in the concept plan for this proposed development. It has been eliminated as a public access point. However, should the southernmost out lot develop as a fire or emergency services use, developer reserves the right to seek approval for this access cut onto US 421 for emergency services vehicles only.

These Commitments are conditioned upon a favorable zone map change as requested by Petitioner and subject to a favorable zone map change by the Board of Commissioners of Boone County. These Commitments may not be amended except after a hearing before the Boone County Area Plan Commission and approval of the Board of Commissioners of Boone County.

The Petitioner acknowledges that these Material Representations and Commitments are to induce a Zone Map change and may be enforced pursuant to I.C. 36-7-4-610.5.

Cross Reference: Zoning Commitments recorded with the Boone County, Indiana, Recorder on November 21, 2008, as Instrument No. 2008-00010861.

**ZIONSVILLE PLAN COMMISSION
FILE: 2016-45-CA**

**AMENDED COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF
REAL ESTATE**

In accordance with I.C. 36-7-4-1015, Harris FLP, an Indiana limited partnership (“Owner”), seeks to amend certain zoning commitments originally approved by adoption of Ordinance No. 2008-13 by the Board of Commissioners of Boone County, Indiana, on November 3, 2008, in connection with a zone map change for approximately 57.53 acres (the “Real Estate”), which real estate is legally described in Exhibit A, as attached hereto and incorporated herein by reference, which Real Estate is commonly known as 10901, 10985 East County Road 300 South (a/k/a 146th Street) and 3201 South U.S. Highway 421 (a/k/a Michigan Road).

Owner represents and warrants that the Real Estate is now within the Town of Zionsville, Indiana, and that as the owner of said Real Estate, the Owner has authority to and hereby does voluntarily make the following AMENDED COMMITMENTS concerning the use and development of the Real Estate.

STATEMENT OF AMENDED COMMITMENTS

Owner, upon approval of Docket Number 2016-45-CA by the Town Council of the town of Zionsville, Indiana (the “Zoning Approval”), voluntarily agrees and commits that said Zoning Approval shall be conditioned upon the following Amended Commitments:

1. That there are zoning commitments that were recorded with the Boone County Recorder’s Office on November 21, 2008, as Instrument Number 2008-00010861 (the “Zoning Commitments”) which govern the use and development of the Real Estate, consisting of approximately 57.53 acres.
2. The Zoning Commitments include voluntary commitments and restrictions concerning the use and development of the Real Estate, including prohibiting “Automobile Repair Service Station (no sale of gasoline or overnight storage of vehicle allowed but a quick service oil change will be permitted)”.

3. In the zoning application identified as Docket Number 2016-45-CA, owner seeks approval to amend the Zoning Commitments applicable to the Real Estate to permit an Automobile Service Station.
4. In order for a service station/fuel station use to be permitted on the Real Estate, the specific prohibition regarding “Automobile Repair Service Station (no sale of gasoline or overnight storage of vehicle allowed but a quick service oil change will be permitted)” on the Real Estate in the Zoning Commitments is hereby vacated and terminated.
5. Except for terminating and vacating the prohibition of “Automobile Repair Service Station (no sale of gasoline or overnight storage of vehicle allowed but a quick service oil change will be permitted)”, the remaining terms and conditions, including but not limited to, the list of prohibited uses set forth in Attachment A contained in the Zoning Commitments, shall remain in full force and effect with respect to the Real Estate.

These AMENDED COMMITMENTS shall be executed and recorded by Owner in the Office of the Boone County Recorder, Boone County, Indiana, and shall be considered a covenant running with the land described herein as the Real Estate, as set out in Exhibit A.

These AMENDED COMMITMENTS shall be binding on Owner, subsequent owners of the Real Estate, and other persons or entities acquiring an interest therein (hereinafter collectively the “Owners”). Owner shall have an affirmative duty to inform any third parties with whom Owner negotiates for a possible sale, lease, assignment, mortgage, or transfer of the Real Estate of the existence of these AMENDED COMMITMENTS. In the event any sale, lease, assignment, mortgage, or transfer occurs, Owner shall ensure that a copy of these AMENDED COMMITMENTS is incorporated into any such written agreement with the third party. If Owner fails to comply with the terms of this paragraph and the third party fails to perform and/or comply with the these AMENDED COMMITMENTS, the Town of Zionsville shall be entitled to receive from Owner and from each corporation and/or other third party identified above as Owners, jointly and/or severally, any and all damages which arise from this failure and shall be entitled to injunctive relief to terminate any non-compliance herewith.

These AMENDED COMMITMENTS may be modified or terminated by a decision of the Town of Zionsville Plan Commission made after a public hearing for which proper notice is given, including hearings for other land use or zoning approvals involving the Real Estate or any portion thereof.

These AMENDED COMMITMENTS shall be effective upon approval of the relief requested in Plan Commission Docket Number 2016-45-CA by the Town Council for the Town of Zionsville, Indiana, and shall continue in effect until modified or terminated as specified above and /or as prescribed by statute.

These AMENDED COMMITMENTS may be enforced jointly and/or severally by the Town of Zionsville Plan Commission, the Director of Planning for the Town of Zionsville, the Town and/or owners of any parcel of ground adjoining the Real Estate. Owner and all Owners shall be obligated hereunder to indemnify the Town of Zionsville Plan Commission, the Town (including a successor city or municipality), and hold said entities and their respective authorized representatives, including the Director of Planning for the Town, harmless from any liability, expense (including reasonable attorney fees and court costs), costs, or damages which result from the failure to perform Owner's and/or owner's obligations under the terms and conditions of these AMENDED COMMITMENTS. Throughout these AMENDED COMMITMENTS and reference to "Town" or "Town of Zionsville" shall also include any successor city, municipality, or other governmental body having land use, planning, and zoning jurisdiction over the Real Estate.

In the event it becomes necessary to enforce these AMENDED COMMITMENTS in a court of competent jurisdiction and Owner and/or any of the Owners, jointly and/or severally, are found to be in violation of these AMENDED COMMITMENTS, such violators shall pay all reasonable costs and expenses the Town and the Town's Plan Commission and other authorized representative(s) incur in the enforcement of these AMENDED COMMITMENTS, including reasonable attorney fees, expert witness fees, and court costs.

Owner and all subsequent Owners of all or a portion of the Real Estate shall be obligated hereunder, jointly and/or severally, to indemnify the Town of Zionsville Plan Commission and/or the Town and hold said entities and their respective authorized representative(s), including the Director of Planning for the Town, harmless from any liability, expense (including reasonable attorney fees and court costs), costs or damages which result from failure to perform Owner's and/or Owners' obligations hereunder and/or to comply with the terms and conditions of these AMENDED COMMITMENTS.

Owner shall be responsible, at its expense, for recording this Statements of Amended Commitments in the Office of the Recorder of Boone County, Indiana, and shall promptly provide the Planning Department of the Town of Zionsville with a copy if such recording as a condition precedent to commencing any work within the Development Plan. These AMENDED COMMITMENTS shall be considered a covenant running with the Real Estate, including any portion thereof.

By executing these AMENDED COMMITMENTS, Owner represents and warrants that at the time of such execution, owner is the sole owner of all the Real Estate, that execution of these AMENDED COMMITMENTS shall be binding upon Owner as to all the particulars herein, and shall be considered a COVENANT running with the land described herein as the Real Estate, including any portion thereof. By the signature affixed below to these AMENDED COMMITMENTS, Harris FLP further represents and warrants that the undersigned has full corporate authority to execute these AMENDED COMMITMENTS on behalf of said limited partnership and bind owner hereto.

IN WITNESS WHEREOF, Owner has executed this instrument this ____ day of _____, 2016.

“OWNER”
Harris FLP, an Indiana limited partnership

By: _____

Printed: Robert L. Harris

Title: Member

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, personally appeared Robert L. Harris, Member of Harris FLP, an Indiana limited partnership, who acknowledged the execution of the foregoing instrument in such capacity and who, having been duly sworn, stated that any and all representations therein contained are true.

Witness my hand and Notarial Seal this ____ day of _____, 2016.

Signature: _____

Printed: _____

County of Residence: _____

My Commission expires: _____

I affirm, under the penalties for perjury that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Matthew M. Price, Attorney at Law

This instrument was prepared by:
Matthew M. Price, Attorney at Law
Bingham Greenebaum Doll LLP.
10 W. Market St., Suite 2700
Indianapolis, IN 46204
Telephone: 317-635-8900

EXHIBIT A
LEGAL DESCRIPTION

A part of the northeast quarter of Section 23 and a part of the northwest quarter of Section 24, both in Township 18 North, Range 2 East of the Second Principal Meridian, Boone County, Indiana, described as follows:

Beginning at the northwest corner of the northwest quarter of Section 24, Township 18 North, Range 2 East; thence South 89 degrees 56 minutes 41 seconds East (all bearing recited in this description are referenced to the north line of the northwest quarter of Section 24, Township 18 North, Range 2 East, the bearing of which is assumed to be South 89 degrees 56 minutes 41 seconds East) along the north line of said northwest quarter section 289.95 feet; thence South 01 degrees 02 minutes 43 seconds West 1,358.82 feet; thence South 89 degrees 56 minutes 41 seconds West 261.30 feet; thence South 70 degrees 42 minutes 11 seconds West 782.00 feet to the centerline of U.S. Highway 421 (Michigan Road); thence North 19 degrees 11 minutes 47 seconds West along said centerline 1,715.14 feet to a 1 inch diameter iron rod in a monument box in the north line of the northeast quarter of Section 23, Township 18 North, Range 2 East; thence South 89 degrees 53 minutes 13 seconds East along said north line 1,298.64 feet to the point of beginning, containing 1,927,261 square feet or 44.25 acres, more or less.

And

A part of the northeast quarter of Section 23 and a part of the northwest quarter of Section 24, both in Township 18 North, Range 2 East of the Second Principal Meridian, Boone County, Indiana, described as follows:

Beginning at the northwest corner of the northwest quarter of Section 24, Township 18 North, Range 2 East; thence South 89 degrees 56 minutes 41 seconds East (all bearing recited in this description are referenced to the north line of the northwest quarter of Section 24, Township 18 North, Range 2 East, the bearing of which is assumed to be South 89 degrees 56 minutes 41 seconds East) along the north line of said northwest quarter section 289.95 feet; thence South 01 degrees 02 minutes 43 seconds West 1,358.82 feet to the point of beginning; thence continuing South 01 degrees 02 minutes 43 seconds West 741.92 feet to the north line of Bridlewood Subdivision (Plat Book 6, pages 105-107, Office of the Recorder, Boone County, Indiana); thence South 89 degrees 59 minutes 55 seconds West along said north line 415.11 feet to a 4 inch by 4 inch concrete monument at the northwest corner of said Bridlewood Subdivision also being in the eastern line of the land of Joe Lee and

Lynda Sue Chambers; thence North 11 degrees 32 minutes 25 seconds West along said eastern line 91.15 feet to the northeast corner thereof; thence South 79 degrees 58 minutes 04 seconds West along the northern line of said Chambers 397.69 feet to the centerline of U.S. Highway 421 (Michigan Road); thence North 19 degrees 11 minutes 47 seconds West along said centerline 490.53 feet; thence North 70 degrees 42 minutes 11 seconds East 782.00 feet; thence North 89 degrees 56 minutes 41 seconds East 261.30 feet to the point of beginning, containing 578,479 square feet or 13.28 acres, more or less.

Total of 57.53 acres, more or less.