

ORDINANCE NO. 09 _____

An Ordinance of the Town of Zionsville, Indiana concerning park improvements by the Zionsville Park and Recreation Board through the issuance and sale of bonds, and other matters connected therewith

WHEREAS, the Park and Recreation Board ("Board") of the Town of Zionsville, Indiana ("Town") has determined to issue bonds in an amount not to exceed \$5,500,000 of the Zionsville Park and Recreation District ("District") to construct and complete the park projects as more fully described in Exhibit A attached hereto and incorporated herein by reference, together with all necessary appurtenances, related improvements and equipment, including the acquisition of real estate as described on Exhibit B attached hereto (collectively, "Projects"); and

WHEREAS, the Town Council of the Town is authorized by IC 36-10-3-25(c) to approve the issuance of bonds of the District;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, INDIANA THAT:

Section 1. The Town Council hereby approves the issuance of bonds of the District by the Board in the amount not to exceed \$5,500,000 to apply on the cost of the Projects, including capitalized interest.

Section 2. The Town represents that:

- (a) The bonds are not private activity bonds as defined in Section 141 of the Code;
- (b) The Town hereby designates the bonds as qualified tax-exempt obligations for purposes of Section 265(b) of the Code;
- (c) The reasonably anticipated amount of qualified tax-exempt obligations (including qualified 501(c)(3) obligations and tax-exempt leases but excluding other private activity bonds)

which will be issued by the Town and all entities subordinate to the Town during 2023 does not exceed \$10,000,000; and

(d) The Town, any body acting in the name of the Town, and any entities subordinate to the Town, have not designated and will not designate more than \$10,000,000 of qualified tax-exempt obligations during 2023.

Therefore, the Town expects the bonds to qualify for the exception in the Code from the disallowance of 100% of the deduction by financial institutions of interest expense allocable to newly acquired tax-exempt obligations.

Section 3. Effective Date. This ordinance shall be in full force and effect from and after its passage.

Introduced and filed on the 10th day of April, 2023. A motion to consider on First Reading was sustained by a vote of 6 in favor and 1 opposed, pursuant to Indiana Code § 36-5-2-9.8.

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ORDINANCE NO: 2023-__09__

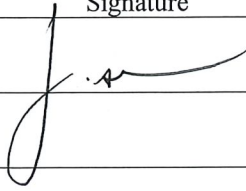
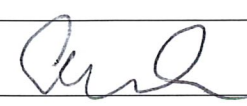
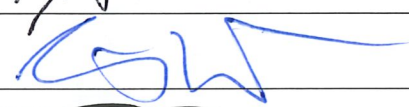
This instrument was prepared by: Heather R. James, Partner, Ice Miller LLP, One American, Square, Indianapolis, Indiana 46282; (317) 236-2199

This Ordinance contains no Social Security Numbers. As required by Ind. Code § 36-2-11-15, 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.

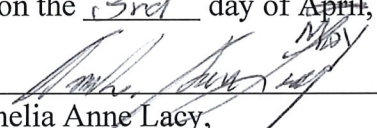
ORDINANCE NO: 2023-09__

DULY PASSED AND ADOPTED this 1st day of May, 2023, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of 6 in favor and 1 opposed.

TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA

	YEA Signature	NAY Signature
Jason Plunkett, President		
Brad Burk, Vice-President		
Alexander Choi, Member		
Joe Culp, Member		
Josh Garrett, Member		
Craig Melton, Member		
Bryan Traylor, Member		

I hereby certify that the foregoing Resolution was delivered to the Town of Zionsville Mayor Emily Styron on the 3rd day of April, 2023, at 9:00 A.m.

ATTEST: 
Amelia Anne Lacy,
Municipal Relations Coordinator

MAYOR'S APPROVAL


Emily Styron, Mayor

5/3/2023
Date

MAYOR'S VETO

Emily Styron, Mayor

Date

ORDINANCE NO: 2023-__

NOTARY

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

Before me, a Notary Public, in and for said County and State, personally appeared

Jason Plunkett,
Brad Buck,
Alex Choi,
Joe Culp,
Josh Garrett,
Greg Melton,
Bryan Traylor,
who acknowledged the execution of the foregoing document.

WITNESS my hand and Notarial Seal this 1st day of May, 2023.

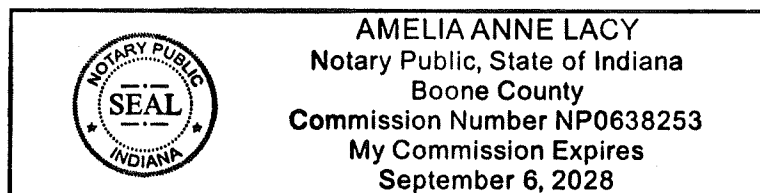
[Signature]
Notary Public - Signature

Amelia Anne Lacy
Notary Public - Printed

My Commission Expires: 09/06/2028

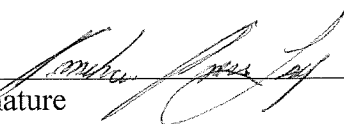
My Commission Number: NP0638253

County of Residence: Boone



ORDINANCE NO: 2023- 09

EXECUTED AND DELIVERED in my presence:


Signature

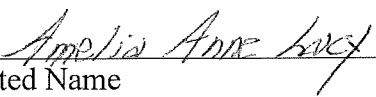

Printed Name

EXHIBIT A

Description of Projects

The Project consists of certain park improvements, including the acquisition of land, and the design, development and engineering and construction costs associated with the land for development of a new nature preserve, together with necessary appurtenances, related improvements and equipment.

EXHIBIT B

Description of Real Property

Real property in the City of Zionsville, County of Boone, State of Indiana, described as follows:

TRACT I:

THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST, OF THE SECOND PRINCIPAL MERIDIAN, CONTAINING 80 ACRES, MORE OR LESS.

EXCEPT THEREFROM THE FOLLOWING:

A PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST, PARTICULARLY DESCRIBED AS FOLLOWS:

FROM AN IRON ROD AT THE NORTHWEST CORNER OF THE AFORESAID SOUTHWEST QUARTER, WHICH IS THE POINT OF BEGINNING OF THIS DESCRIPTION, PROCEED NORTH 89 DEGREES 30 MINUTES 39 SECONDS EAST (AN ASSUMED BEARING), 678.29 FEET ALONG THE QUARTER SECTION LINE; THENCE SOUTH 17 DEGREES 43 MINUTES 28 SECONDS WEST, 550.24 FEET; THENCE SOUTH 23 DEGREES 14 MINUTES 21 SECONDS WEST, 465.98 FEET; THENCE SOUTH 89 DEGREES 30 MINUTES 39 SECONDS WEST, 326.90 FEET TO A POINT 1698.58 FEET NORTH OF THE SOUTHWEST CORNER OF THE AFORESAID QUARTER SECTION; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 949.29 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING, CONTAINING 11.2354 ACRES, MORE OR LESS. LOCATED IN UNION TOWNSHIP, BOONE COUNTY, INDIANA.

ALSO, EXCEPT THEREFROM THE FOLLOWING:

PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN, UNION TOWNSHIP, BOONE COUNTY, INDIANA, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER 949.29 FEET SOUTH 00 DEGREES 33 MINUTES 28 SECONDS EAST OF THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 58 MINUTES 00 SECONDS EAST 326.67 FEET; THENCE NORTH 22 DEGREES 41 MINUTES 42 SECONDS EAST 465.98 FEET; THENCE NORTH 17 DEGREES 10 MINUTES 49 SECONDS EAST 550.24 FEET TO THE NORTH LINE OF SAID SOUTHWEST QUARTER AT A POINT 678.29 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 58 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 348.20 FEET; THENCE SOUTH 09 DEGREES 37 MINUTES 30 SECONDS WEST 599.94 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 55 SECONDS WEST 413.47 FEET; THENCE SOUTH 22 DEGREES 41 MINUTES 42 SECONDS WEST 423.15 FEET; THENCE SOUTH 88 DEGREES 58 MINUTES 00 SECONDS WEST 339.90 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 33 MINUTES 28 SECONDS WEST ALONG SAID WEST LINE 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.582 ACRES, MORE OR LESS.

TRACT II:

A PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST, SITUATED IN UNION TOWNSHIP BOONE COUNTY, INDIANA, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE AFORESAID NORTHEAST QUARTER AND PROCEED THENCE NORTH 88 DEGREES 57 MINUTES 35 SECONDS EAST (THE BEARING DETERMINED FROM

SOLAR OBSERVATION), 110.22 FEET ALONG THE SECTION LINE TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 2 EAST, THENCE NORTH 88 DEGREES 47 MINUTES 56 SECONDS EAST, 1000.83 FEET ALONG THE SECTION LINE; THENCE SOUTH 20 DEGREES 36 MINUTES 23 SECONDS EAST, 1692.90 FEET ALONG THE CENTERLINE OF U.S. HIGHWAY 421; THENCE SOUTH 72 DEGREES 53 MINUTES 37 SECONDS WEST 359.04 FEET; THENCE SOUTH 47 DEGREES 34 MINUTES 01 SECOND WEST, 109.87 FEET; THENCE SOUTH 63 DEGREES 03 MINUTES 54 SECONDS WEST, 281.11 FEET; THENCE SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST, **1009.14** FEET; THENCE NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST, 1881.00 FEET ALONG THE QUARTER SECTION LINE TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT REAL ESTATE CONVEYED TO THE STATE OF INDIANA BY WARRANTY DEED RECORDED JULY 13, 1992, IN DEED RECORD 243, PAGE 105, IN THE OFFICE OF THE RECORDER OF BOONE COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST, BOONE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 19 MINUTES 24 SECONDS EAST 110.22 FEET ALONG THE NORTH LINE OF SAID SECTION TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 2 EAST; THENCE NORTH 89 DEGREES 07 MINUTES 32 SECONDS EAST 1,000.62 FEET ALONG SAID NORTH LINE TO THE CENTERLINE OF U.S.R. 421; THENCE SOUTH 20 DEGREES 24 MINUTES 30 SECONDS EAST 339.92 FEET ALONG SAID CENTER LINE; THENCE SOUTH 69 DEGREES 35 MINUTES 30 SECONDS WEST 50.00 FEET TO THE WESTERN BOUNDARY OF SAID U.S.R. 421; THENCE NORTH 31 DEGREES 43 MINUTES 06 SECONDS WEST 50.99 FEET; THENCE NORTH 20 DEGREES 24 MINUTES 30 SECONDS WEST 100.00 FEET; THENCE NORTH 26 DEGREES 07 MINUTES 08 SECONDS WEST 50.25 FEET; THENCE NORTH 20 DEGREES 24 MINUTES 30 SECONDS WEST 50.00 FEET; THENCE NORTH 53 DEGREES 14 MINUTES 23 SECONDS WEST 94.49 FEET; THENCE SOUTH 88 DEGREES 33 MINUTES 59 SECONDS WEST 172.71 FEET; THENCE SOUTH 75 DEGREES 07 MINUTES 35 SECONDS WEST 103.08 FEET; THENCE NORTH 79 DEGREES 31 MINUTES 39 SECONDS WEST 101.98 FEET; THENCE SOUTH 83 DEGREES 27 MINUTES 07 SECONDS WEST 100.50 FEET; THENCE NORTH 87 DEGREES 58 MINUTES 30 SECONDS WEST 100.13 FEET; THENCE SOUTH 62 DEGREES 35 MINUTES 51 SECONDS WEST 201.25 FEET; THENCE NORTH 27 DEGREES 24 MINUTES 09 SECONDS WEST 44.72 FEET; THENCE NORTH 50 DEGREES 30 MINUTES 10 SECONDS EAST 64.03 FEET; THENCE NORTH 69 DEGREES 02 MINUTES 10 SECONDS WEST 53.85 FEET; THENCE NORTH 85 DEGREES 07 MINUTES 37 SECONDS WEST 100.50 FEET TO THE SOUTH BOUNDARY OF S. R. 32; THENCE SOUTH 89 DEGREES 09 MINUTES 45 SECONDS WEST 21.99 FEET ALONG THE BOUNDARY OF SAID S.R. 32; THENCE SOUTH 89 DEGREES 19 MINUTES 24 SECONDS WEST 100.52 FEET ALONG SAID BOUNDARY TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3; THENCE NORTH 0 DEGREES 19 MINUTES 39 SECONDS WEST 40.00 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND CONTAINING 2.044 ACRES, MORE OR LESS. THE PORTION OF THE ABOVE DESCRIBED REAL ESTATE WHICH IS NOT ALREADY EMBRACED WITHIN PUBLIC RIGHTS OF WAY CONTAINS 0.626 ACRES, MORE OR LESS.

ALSO, EXCEPTING A PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST, BOONE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 89 DEGREES 19 MINUTES 24 SECONDS EAST 110.22 FEET ALONG THE NORTH LINE OF SAID SECTION TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 2 EAST; THENCE NORTH 89 DEGREES 07 MINUTES 32 SECONDS EAST 1,000.62 FEET ALONG SAID NORTH LINE TO THE CENTER LINE OF U.S.R. 421; THENCE SOUTH 20 DEGREES 24 MINUTES 30 SECONDS EAST 339.92 FEET ALONG SAID CENTER LINE TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 20 DEGREES 24 MINUTES 30 SECONDS EAST 940.00 FEET ALONG SAID CENTER LINE; THENCE SOUTH 69 DEGREES 35 MINUTES 30 SECONDS WEST 50.00 FEET TO THE WESTERN BOUNDARY OF SAID U.S.R.

421; THENCE NORTH 26 DEGREES 44 MINUTES 55 SECONDS WEST 271.66 FEET; THENCE NORTH 20 DEGREES 24 MINUTES 30 SECONDS WEST 170.00 FEET; THENCE NORTH 14 DEGREES 41 MINUTES 52 SECONDS WEST 100.50 FEET; THENCE NORTH 20 DEGREES 24 MINUTES 30 SECONDS WEST 200.00 FEET; THENCE NORTH 14 DEGREES 41 MINUTES 52 SECONDS WEST 201.00 FEET TO THE BOUNDARY OF SAID U.S.R. 421; THENCE NORTH 69 DEGREES 35 MINUTES 30 SECONDS EAST 50.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.484 ACRES, MORE OR LESS. THE PORTION OF THE ABOVE-DESIGNATED REAL ESTATE WHICH IS NOT ALREADY EMBRACED WITHIN PUBLIC RIGHTS OF WAY CONTAINING 0.405 ACRES, MORE OR LESS.

TRACT III:

A PART OF THE NORTH HALF OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST, SITUATED IN UNION TOWNSHIP, BOONE COUNTY, INDIANA, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT AN IRON ROD, MARKING THE CENTER OF SAID SECTION 3, AND PROCEED THENCE SOUTH 88 DEGREES 58 MINUTES 00 SECONDS WEST (THE BEARING DETERMINED FROM SOLAR OBSERVATION), 1351.03 FEET ALONG THE QUARTER SECTION LINE TO A POINT 1351.03 FEET EAST OF THE STEEL ROD AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER; THENCE NORTH 00 DEGREES 38 MINUTES 51 SECONDS WEST, 1010.25 FEET ALONG THE QUARTER SECTION LINE; THENCE NORTH 84 DEGREES 05 MINUTES 58 SECONDS EAST 1355.83 FEET (A FENCE EXISTS, MORE OR LESS, ALONG THE WESTERN PORTION OF THIS LINE) THENCE SOUTH 00 DEGREES 41 MINUTES 28 SECONDS EAST, 895.34 FEET ALONG THE QUARTER SECTION LINE; THENCE NORTH 72 DEGREES 08 MINUTES 57 SECONDS EAST 85.80 FEET; THENCE SOUTH 03 DEGREES 10 MINUTES 25 SECONDS EAST, 253.84 FEET; THENCE SOUTH 88 DEGREES 17 MINUTES 26 SECONDS WEST, 92.99 FEET ALONG THE QUARTER SECTION LINE TO THE POINT OF BEGINNING.

TRACT IV:

A PART OF THE EAST HALF OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST, SITUATED IN UNION TOWNSHIP, BOONE COUNTY, INDIANA, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT AN IRON ROD, MARKING THE CENTER OF THE AFORESAID SECTION 3, AND PROCEED THENCE NORTH 88 DEGREES 17 MINUTES 26 SECONDS EAST (THE BEARING DETERMINED FROM SOLAR OBSERVATION) 92.99 FEET ALONG THE QUARTER SECTION LINE; THENCE NORTH 03 DEGREES 10 MINUTES 25 SECONDS WEST 253.84 FEET; THENCE SOUTH 72 DEGREES 08 MINUTES 57 SECONDS WEST 85.80 FEET; THENCE NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 307.47 FEET ALONG THE QUARTER SECTION LINE TO A POINT 1881.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE AFORESAID EAST HALF SECTION; THENCE NORTH 89 DEGREES 18 MINUTES 32 SECONDS EAST, 1009.14 FEET; THENCE NORTH 63 DEGREES 03 MINUTES 54 SECONDS EAST, 281.11 FEET; THENCE NORTH 47 DEGREES 34 MINUTES 01 SECOND EAST, 109.87 FEET; THENCE NORTH 72 DEGREES 53 MINUTES 37 SECONDS EAST 359.04 FEET TO A POINT 1692.90 FEET SOUTHEAST OF THE INTERSECTION OF U.S. HIGHWAY #421 AND STATE HIGHWAY #32, AS MEASURED ALONG THE CENTERLINE OF THE U.S. HIGHWAY #421; THENCE SOUTH 20 DEGREES 36 MINUTES 23 SECONDS EAST, 770.96 FEET ALONG THE AFORESAID CENTERLINE OF U.S. HIGHWAY #421 BEING A POINT 81.18 FEET NORTHWEST OF THE QUARTER SECTION LINE AS MEASURED ALONG THE AFORESAID CENTERLINE; THENCE SOUTH 69 DEGREES 23 MINUTES 37 SECONDS WEST, 330.00 FEET; THENCE SOUTH 20 DEGREES 36 MINUTES 23 SECONDS EAST, 100.32 FEET; THENCE SOUTH 83 DEGREES 23 MINUTES 37 SECONDS WEST, 271.92 FEET; THENCE SOUTH 07 DEGREES 23 MINUTES 37 SECONDS WEST 140.10 FEET; THENCE SOUTH 15 DEGREES 56 MINUTES 17 SECONDS EAST, 69.06 FEET ALONG THE CENTERLINE OF EAGLE CREEK; THENCE SOUTH 05 DEGREES 11 MINUTES 11 SECONDS WEST, 126.78 FEET ALONG THE AFORESAID CENTERLINE; THENCE SOUTH 16 DEGREES 02 MINUTES 57 SECONDS WEST, 155.80 FEET ALONG THE AFORESAID CENTERLINE; THENCE SOUTH 00 DEGREES 17 MINUTES 02 SECONDS EAST, 689.36 FEET ALONG THE QUARTER-QUARTER SECTION LINE; THENCE

SOUTH 87 DEGREES 44 MINUTES 10 SECONDS WEST 1349.31 FEET ALONG THE QUARTER QUARTER SECTION LINE TO A POINT 1330.24 FEET NORTH OF THE SOUTHWEST CORNER OF THE AFORESAID EAST HALF; THENCE NORTH 00 DEGREES 17 MINUTES 13 SECONDS WEST, 1330.24 FEET ALONG THE QUARTER SECTION LINE TO THE POINT OF BEGINNING, CONTAINING 67.2675 ACRES, MORE OR LESS.

EXCEPT THEREFROM THE FOLLOWING:

A PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST, SITUATED IN UNION TOWNSHIP, BOONE COUNTY, INDIANA, PARTICULARLY DESCRIBED AS FOLLOWS:

FROM AN IRON ROD MARKING THE ACCEPTED CENTER OF SECTION 3, SAID ROD BEING APPROXIMATELY 9 FEET EAST OF THE TRUE CENTER AS DETERMINED BY INTERSECTION OPPOSITE QUARTER SECTION CORNERS; PROCEED THENCE SOUTH 00 DEGREES 17 MINUTES 13 SECONDS EAST (THE BEARING DETERMINED FROM SOLAR OBSERVATION) 1,198.28 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, PROCEED THENCE SOUTH 88 DEGREES 16 MINUTES 45 SECONDS EAST, 72.63 FEET; THENCE SOUTH 87 DEGREES 09 MINUTES 23 SECONDS EAST, 66.52 FEET; THENCE SOUTH 86 DEGREES 55 MINUTES 40 SECONDS EAST, 126.96 FEET; THENCE SOUTH 86 DEGREES 34 MINUTES 03 SECONDS EAST, 265.51 FEET; THENCE SOUTH 87 DEGREES 07 MINUTES 03 SECONDS EAST, 197.68 FEET; THENCE SOUTH 03 DEGREES 58 MINUTES 19 SECONDS EAST, 65.05 FEET; THENCE SOUTH 87 DEGREES 44 MINUTES 10 SECONDS WEST, 732.69 FEET ALONG THE QUARTER-QUARTER SECTION LINE, THENCE NORTH 00 DEGREES 17 MINUTES 13 SECONDS WEST, 131.96 FEET TO THE POINT OF BEGINNING, CONTAINING 1.6615 ACRES, MORE OR LESS.

ALSO EXCEPT:

A PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST, SITUATED IN UNION TOWNSHIP, BOONE COUNTY, INDIANA, PARTICULARLY DESCRIBED AS FOLLOWS:

FROM AN IRON ROD, MARKING THE CENTER OF THE AFORESAID SECTION 3, (SAID ROD BEING APPROXIMATELY 9 FEET EAST OF THE TRUE CORNER OF THE SECTION); AND PROCEED THENCE NORTH 88 DEGREES 17 MINUTES 26 SECONDS EAST (THE BEARING DETERMINED FROM SOLAR OBSERVATION) 1978.23 FEET ALONG THE QUARTER SECTION LINE; THENCE NORTH 20 DEGREES 36 MINUTES 23 SECONDS WEST 81.18 FEET, FOLLOWING, MORE OR LESS, THE CENTERLINE OF U.S. HIGHWAY 421 TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, PROCEED THENCE SOUTH 69 DEGREES 23 MINUTES 37 SECONDS WEST 330.00 FEET, THENCE NORTH 78 DEGREES 15 MINUTES 08 SECONDS WEST 131.71 FEET; THENCE NORTH 08 DEGREES 33 MINUTES 33 SECONDS EAST 176.26 FEET; THENCE NORTH 74 DEGREES 33 MINUTES 06 SECONDS EAST 94.43 FEET; THENCE NORTH 82 DEGREES 20 MINUTES 50 SECONDS EAST 35.21 FEET; THENCE NORTH 08 DEGREES 51 MINUTES 37 SECONDS WEST 20.37 FEET; THENCE NORTH 71 DEGREES 58 MINUTES 35 SECONDS EAST 223.04 FEET; THENCE SOUTH 20 DEGREES 36 MINUTES 23 SECONDS EAST 218.08 FEET FOLLOWING, MORE OR LESS, THE CENTERLINE OF U.S. HIGHWAY #421 TO THE POINT OF BEGINNING.

ALSO EXCEPT:

A PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST SITUATED IN UNION TOWNSHIP, BOONE COUNTY, INDIANA, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT AN IRON ROD, MARKING THE CENTER OF THE AFORESAID SECTION 3 (SAID ROD BEING APPROXIMATELY 9 FEET EAST OF THE TRUE CENTER OF SECTION) AND PROCEED THENCE NORTH 88 DEGREES 17 MINUTES 26 SECONDS EAST (THE BEARING DETERMINED FROM SOLAR OBSERVATION) 1978.23 FEET ALONG THE QUARTER SECTION LINE; THENCE NORTH 20 DEGREES 36 MINUTES 23 SECONDS WEST 299.26 FEET ALONG THE CENTERLINE OF U.S. HIGHWAY #421 TO THE POINT OF

BEGINNING. FROM SAID POINT OF BEGINNING, PROCEED THENCE SOUTH 71 DEGREES 58 MINUTES 35 SECONDS WEST, 223.04 FEET; THENCE SOUTH 08 DEGREES 51 MINUTES 37 SECONDS WEST, 20.37 FEET; THENCE SOUTH 82 DEGREES 02 MINUTES 50 SECONDS WEST, 35.21 FEET; THENCE SOUTH 74 DEGREES 33 MINUTES 06 SECONDS WEST 79.77 FEET; THENCE NORTH 49 DEGREES 07 MINUTES 02 SECONDS WEST, 397.02 FEET; THENCE NORTH 59 DEGREES 16 MINUTES 33 SECONDS EAST, 538.65 FEET; THENCE SOUTH 20 DEGREES 36 MINUTES 23 SECONDS EAST, 448.49 FEET ALONG THE AFORESAID CENTERLINE OF U. S. HIGHWAY #421 TO THE POINT OF BEGINNING, CONTAINING 4.0795 ACRES, MORE OR LESS.

ALSO EXCEPT:

A PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 2 EAST SITUATED IN UNION TOWNSHIP, BOONE COUNTY, INDIANA, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS PLUG, BEING THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 18 NORTH RANGE 2 EAST, THENCE SOUTH 88 DEGREES 23 MINUTES 40 SECONDS WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID SECTION 1,586.98 FEET TO A POINT BEING THE INTERSECTION OF SAID NORTH LINE AND THE CENTERLINE OF US HWY 421; THENCE ALONG SAID CENTERLINE SOUTH 21 DEGREES 04 MINUTES 10 SECONDS EAST 1,796.22 FEET; THENCE SOUTH 58 DEGREES 50 MINUTES 27 SECONDS WEST TO A FOUND REBAR WITH 'ANDERSON' CAP AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 58 DEGREES 50 MINUTES 27 SECONDS WEST 486.59 FEET TO A FOUND REBAR WITH 'ANDERSON' CAP; THENCE NORTH 41 DEGREES 03 MINUTES 35 SECONDS EAST 175.55 FEET TO A FOUND REBAR WITH 'WEIHE' CAP; THENCE NORTH 68 DEGREES 13 MINUTES 41 SECONDS EAST 323.90 FEET; THENCE SOUTH 21 DEGREES 04 MINUTES 10 SECONDS EAST 0.79 FEET TO THE POINT OF BEGINNING; CONTAINING 13,171 SQ. FT. (0.302 AC) MORE OR LESS.