

**HOOSIER WOODS
ORDINANCE NO. 020399B**

AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF FISHERS, INDIANA - 1980

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF FISHERS, INDIANA-1980. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FISHERS, INDIANA, THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES - 1980, ORDINANCE OF 1980, ORDINANCE NO. 110380 AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

SECTION 1. DECLARATION

That the text of the Zoning Code of the Town of Fishers, Indiana, Ordinance No. 110380 and the Official Zoning Map, Town of Fishers, Indiana, dated November 3, 1980, which accompanies and is part of the Zoning Code of the Town of Fishers, Indiana, as amended, are hereby amended as follows:

That the Zoning Classification of the following described real estate is hereby designated PUD-R District.

SEE EXHIBIT "A" ATTACHED HERETO ("Real Estate") ("Legal Description") and EXHIBIT "B" ("Pictorial Description"). The term "Real Estate" notwithstanding, such term shall not include the part of the Real Estate specifically described on Exhibit A-1 and to be zoned I-1.5.

SECTION 2. PURPOSE OF DISTRICT

- A. The purpose and intent of the District is to provide a degree of flexibility in the development of single-family homes in the medium-density range.
- B. The percentage of the Real Estate to be preserved and/or enhanced as open, passive or active recreational space shall not be less than the average lot size of all lots to be created within the District vs. 12,000 square feet.

SECTION 3. LAND USE

The following uses shall be permitted in the District:

- 1. Single family dwellings - detached.
- 2. Public buildings and facilities with proper architectural design:
 - i. Fire station
 - ii. Park, recreation area
 - iii. Swimming pool
 - iv. Schools
 - v. Library
 - vi. Pumping stations for water, sewage, or storm water
- 3. Public recreational clubs or associations, not-for-profit:
 - i. Swimming
 - ii. Tennis
- 4. Manmade lakes and ponds, for both aesthetic and utilitarian purposes.

5. Appurtenant features such as walks, driveways, curbs, drainage installations, mailboxes, lamp posts, bird baths, and structures of like nature.
6. The keeping of domestic pets, provided it is not for profit and not construed as a kennel, and limited to three animals.
7. Fences, walls, structural screens when they do not impede the view of streets.

SECTION 4. DEVELOPMENT STANDARDS

- | | | |
|----|---------------------------------|---|
| 1. | <u>Minimum Front Yard:</u> | Area I - 30 feet
Area II - 25 feet
Area III - 25 feet |
| 2. | <u>Minimum Rear Yard:</u> | Area I - 25 feet
Area II - 25 feet
Area III - 25 feet |
| 3. | <u>Minimum Home Separation:</u> | Area I - 15 feet
Area II - 15 feet
Area III - 12 feet |

Double frontage lots which face an interior street of a subdivision but also have frontage on a perimeter collector street or thoroughfare shall have an area 30 feet in width designated as "Common Area" or "Landscape Easement" to encompass the entire perimeter of the subdivision where it adjoins a collector street or thoroughfare. This area shall be screened and landscaped in conformance with § 151.093.

- | | | |
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| 4. | <u>Minimum Living Unit Area:</u> | |
| | A. Minimum living unit area exclusive of basement porches, garages, carports and accessory uses | <u>Area I</u>
2,000 s.f., single-story
2,400 s.f., multi-level |
| | B. Minimum living unit area exclusive of basement, porches, garages, carports and accessory uses | <u>Area II</u>
1,600 s.f., single-story
2,000 s.f., multi-level |
| | C. Minimum living unit area exclusive of basement, porches, garages, carports and accessory uses | <u>Area III</u>
1,400 s.f., single-story
1,800 s.f., multi-level |

Within Area III not less than 60% of the homes to be constructed adjacent to Hoosier Road, E. 121st Street, and the West property line, shall be two-story homes.

- | | | |
|----|----------------------------------|---------|
| 5. | <u>Maximum Lot Coverage:</u> | 40% |
| 6. | <u>Maximum Structure Height:</u> | |
| | Primary | 35 feet |
| | Accessory | 25 feet |

7. Off-Street Parking:

26 foot street	3 spaces
30 foot street	2 spaces
All others	2 spaces

8. Garage Requirement. Each dwelling unit shall have attached garages of at least two car capacity and the garage shall be attached to the unit for which it is intended.

9. Cul-de-sacs. All Cul-de-sacs created within the District shall contain a center island in accordance with the standards of the Development Department or Technical Advisory Committee.

10. Street Trees. The Developer shall cause street trees with a minimum caliber of 1.5 inches to be installed within the right-of-way of each street at a rate of one per 50 feet in accordance with the standards of the Development Department.

SECTION 5. MAXIMUM DENSITY

The maximum density shall be 2.5/units/acre.

SECTION 6. PROCEDURES

The adoption of this ordinance and the subsequent consideration of any detailed and final development Plan shall be consistent and pursuant to the provisions of the Planned Unit Development process set forth in § 151.093 Planned Unit Development District.

SECTION 7. APPROVAL

This ordinance shall be in full force and effect from and after its passage by the Town Council. All provisions or part thereof in conflict herewith are hereby repealed.

ADOPTED BY THE Town Council of the Town of Fishers, Indiana on this 7th day of April, 1999.

THE TOWN COUNCIL OF THE TOWN OF FISHERS, HAMILTON COUNTY, INDIANA

AYE		NAY
BY: <u>Walter F. Kelly</u> /s/	Walter F. Kelly, President	
_____	Timothy O. Lima, Vice President	<u>Timothy O. Lima</u> /s/
<u>Stuart F. Easley</u> /s/	Stuart F. Easley, Member	
_____	Scott A. Faultless, Member	<u>Scott A. Faultless</u> /s/
<u>Eileen Pritchard</u> /s/	Eileen Pritchard, Member	
<u>Roy G. Holland</u> /s/	Roy G. Holland, Member	

James P. Roederer /s/ James P. Roederer,
Member

ATTEST:

Linda Gaye Cordell /s/
Clerk-Treasurer
Town of Fishers, Indiana

*Prepared by: James J. Nelson, NELSON & FRANKENBERGER, 3021 E. 98th Street, Suite 220,
Indianapolis, IN 46280.*

EXHIBIT "A"

LAND DESCRIPTION
STEINMETZ PROPERTY

The Northwest Quarter of Section 33, Township 18 North, Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, EXCEPT that portion taken for Interstate Highway 69 and also EXCEPT a 1 acre tract of land described as follows:

Begin at the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 33; thence North twenty (20) rods; thence West eight (8) rods; thence South twenty (20) rods; thence East eight (8) rods to the place of beginning and containing 1 acre.

A new and composite description of the above described tract of land being as follows:

Beginning at a Railroad spike found per Hamilton County Surveyor references at the Northwest corner of the Northwest Quarter of said Section 33; thence North 89 degrees 39 minutes 00 seconds East (an astronomic bearing based on the Indiana state Plane Coordinate System, East Zone (NAD 1983)) along the North line of said Northwest Quarter a distance of 2631.38 feet to a 1 inch Iron Pipe found at the Northeast corner of said Northwest Quarter, thence South 00 degrees 05 minutes 14 seconds East along the East line of said Northwest Quarter a distance of 994.46 feet to the Northeast corner of the above described 1 acre tract of land, said tract having been conveyed to Robert and Caryn Calkins by Warranty Deed recorded in Deed Book 327 page 413 in the Office of the Hamilton County Recorder, the following three (3) calls being along the northerly, westerly and southerly sides of said tract; thence South 89 degrees 30 minutes 09 seconds West 132.00 feet (8 rods); thence South 00 degrees 05 minutes 14 seconds East 330.00 feet (20 rods); thence North 89 degrees, 00 minutes 09 seconds East 132.00 feet (8 rods) to the Southeast corner of the Northeast Quarter of said Northwest Quarter; thence South 00 degrees 05 minutes 14 seconds East along said East line 1324.47 feet to a railroad spike found per Hamilton County Surveyor references marking the Southeast corner of said Northwest Quarter, thence South 89 degrees 21 minutes 20 seconds West along the South line of said Northwest Quarter a distance of 2635.66 feet to a stone with a cut "X" found per Hamilton County Surveyor references marking the Southwest corner of said Northwest Quarter; thence North 00 degrees 00 minutes 10 seconds East along the West line of said Northwest Quarter a distance of 2602.51 feet to the point of beginning.

EXCEPTING therefrom the following land taken for Right of Way purposes as described and recorded in Deed Record Book 216, pages 144 through 148 In the Office of the Hamilton County Recorder, said right of way being more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter, thence South 00 degrees 00 minutes 10 seconds West (bearings have been rotated from the datum used in the original deed to agree with the Indiana State Plans Coordinate System date referenced above) along the West line of said Northwest Quarter a distance of 724.21 feet to the POINT OF BEGINNING; thence North 82 degrees 08 minutes 00 seconds East 189.35 feet; thence Northeasterly 1267.33 feet along an arc to the left and having a radius of 3053.10 feet and subtended by a long chord having a bearing of North 70 degrees 14 seconds 30 seconds East and a length of 1258.26 feet; thence North 58 degrees 21 minutes 00 seconds East a measured distance of 605.97 feet (606.73 feet by deed) to the South boundary of 126th Street; thence North 89 degrees 39 minutes 00 seconds East 500.46 feet along said South boundary of 126th Street; thence South 58 degrees 21 minutes 00 seconds West a measured distance of 1033.59 feet (1034.35 feet by deed); thence Southwesterly 1375.28 feet along an arc to the right and having a radius of 3313.10 feet and subtended by a long chord having a bearing of South 70 degrees 14 minutes 30 seconds West and a length of 1365.41 feet; thence South 82 degrees 08 minutes 00 seconds West a measured distance of 225.29 feet (224.65 feet by deed) to the West line of said Northwest Quarter, thence North 00 degrees 00 minutes 10 seconds East along said West line a measured distance of 262.47 feet (262.39 feet by deed) to the point of beginning and containing 14.207 acres measured, (14.020 acres by deed).

ALSO Excepting therefrom the following land taken for Right of Way purposes as described and recorded in Deed Record Book 216, pages 144 through 148 In the Office of the Hamilton County Recorder, said right of way being more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter, thence North 89 degrees 39 minutes 00 seconds East (bearing have been rotated from the datum used in the original deed to agree with the Indiana State Plans Coordinate System date referenced above) along the North line of sold Northwest riuarter a distance of 265.40 feet; thence South 00 degrees 21 minutes 00 seconds East 16.50 feet to the South boundary of 126th Street and being the POINT OF BEGINNING: thence North 89 degrees 39 minutes 00 seconds East 468.04 feet: thence Southwesterly 261.06 feet along an arc to the right and having a radius of 1190.92 feet and subtended by a long chord having a bearing of South 83 degrees 22 minutes 12 seconds West and a length of 260.54 feet; thence South 89 degrees 39 minutes 00 seconds West 184.015 feet; thence North 41 degrees 36 minutes 25 seconds West 37.91 feet to the point of beginning and containing 0.242 acres more or less.

The above described tract of land being the same as or contained entirely within that property described by Warranty Deed recorded in Deed Record 130 page 244 in the Office of the Hamilton County Recorder and also by Quit Claim Deed recorded as Inst. No. 9215126 in the Office of the Hamilton County Recorder. The net acreage contained within this tract of land is 145.104 acres more or less.

And to all adjacent existing Rights of Way.

EXHIBIT "A" cont'd

LAND DESCRIPTION
VAN RIPER PARCEL

A part of the Southwest quarter of Section 33, Township 18 North, Range 5 East in Fall Creek Township, Hamilton County, Indiana and being more particularly described as follows:

Beginning at a point on the East line of the Southwest quarter of Section 33, Township 18 North, Range 5 East, said point being S 00° 27' 28" W a distance of 791.00 feet from the Northeast corner thereof, thence S 00° 27' 28" W on and along said East line a distance of 1864.86 feet to

the Southeast corner of said quarter, thence S 89° 52' 13" West over and along the South line of said quarter a distance of 1978.74 feet to the Southwest corner of the East half of the Southwest quarter of the Southwest quarter of said Section 33, thence N 00° 29' 13" W on and along the West line of said half quarter quarter a distance of 1239.77 feet to the Northwest corner of said half quarter quarter, thence S 80° 55' 24" W over and along the North line of the West half of the Southwest quarter of the Southwest quarter of said Section 33, a distance of 64.84 feet to a point, said point also being 594.00 feet East of the Northwest corner of the West half of the Southwest quarter of the Southwest quarter of said Section 33, thence N 00° 29' 02" W and parallel to the West line of the Southwest quarter a distance of 1182.33 feet to a point, said point also being a distance of 147.50 feet South of the North line of said Southwest quarter, thence North 89° 58' 38" East and parallel to said North line a distance of 726.00 feet, thence N 00° 29' 02" W and parallel to the West line of said Southwest quarter a distance of 147.50 feet to a point on the North line of said Southwest quarter, thence N 89° 58' 38" E over and along said North line a distance of 1024.68 feet to a point, said point also being 290.40 feet West of the northeast corner of said Southwest Quarter, thence S 00° 27' 28" W and parallel to the East line of said Southwest quarter a distance of 791.00 feet to a point, thence N 89° 58' 35" E and parallel to the North line of said Southwest quarter a distance of 290.40 feet to a point, said point being the place of Beginning and containing 114.839 acres.

EXCEPTING A part of the South Half of the Southwest Quarter of Section 33, Township 18 North, Range 5 East, in Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at a point being an the South line of the Southwest Quarter of Section 33, Township 18 North, Range 5 East, said point being North 89° 45' 31" East 679.13 feet from the Southwest corner of said Southwest Quarter; thence North 00° 22' 23" East 1330.21 feet to a point on the North line of the South half of said Southwest Quarter; thence north 89° 49' 30" East along said North line 262.03 feet; thence South 00° 22' 23" West 1329.91 feet to a point on the South line of said Quarter; thence South 89° 45' 31" West along said South line 262.03 feet to the Point of Beginning and containing 8.00 acres, more or less, subject to all Legal Easements and Rights of Way of Record.

ALSO EXCEPTING a part of the South Half of the Southwest Quarter of Section 33, Township 18 North, Range 5 East in Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of the West Half of the Southwest Quarter of the Southwest Quarter of Section 33, Township 18 North, Range 5 East, said point being North 89° 45' 31" East 659.13 feet from the Southwest corner of the Southwest Quarter of Section 33, thence North 00° 22' 23" East along the East line of said Half-Quarter-Quarter 1330.23 feet to the Northeast corner of said half-Quarter-Quarter; thence North 89° 49' 30" East 20.00 feet; thence South 00° 22' 23" West 1330.21 feet to a point on the South line of the Southwest Quarter of said Section 33; thence South 89° 46' 31" West 20.00 feet to the Point of beginning, containing 0.611 acres, more or less, subject to all Legal Easements and Rights of Way of Record.

ALSO EXCEPTING a part of the South Half of the Southwest Quarter of Section 33, Township 18 North, Range 5 East in Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at a point on the South line of the Southwest Quarter of Section 33, Township 18 North, Range 6 East, said point being North 89° 45' 31" East 941.16 feet from the Southwest corner of said Southwest Quarter: thence North 00° 22' 23" East 1329.91 feet to a point on the North line of the South half of said southwest Quarter, thence North 89° 49' 30" East along said North line

294.00 feet; thence South 00° 22' 23" West 1329.67 feet to a point on the South line of said Quarter; thence South 89° 45' 31" West along said south line 294.00 feet to the Point of Beginning.

ALSO EXCEPTING a part of the Southwest Quarter of Section 33, Township 18 North, Range 5 East in Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at a point on the East line of the Southwest Quarter of Section 33, Township 18 North, Range 5 East, said point being South 00° 21' 34" W 791.00 feet from the Northeast corner of said Quarter, thence S 00° 21' 34" W along said East line 160.00 feet; thence S 89° 53' 29" W parallel with the North line of said Quarter 290.40 feet; thence N 00° 21' 34" E parallel with the East line of said quarter 160.00 feet; thence N 89° 53' 29" E parallel with the North line of said Quarter 290.40 feet to the point of beginning.

And to all adjacent existing Rights of Way.

EXHIBIT "A"

CONTINUED

ALSO:

A part of the South Half of the Southwest Quarter of Section 33, Township 18 North, Range 5 East in Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at a point on the South line of the Southwest Quarter of Section 33, Township 18 North, Range 5 East, said point being North 89 degrees 45 minutes 31 seconds East 941.16 feet from the Southwest corner of said Southwest Quarter; thence North 00 degrees 22 minutes 23 seconds East 1009.91 feet to a point on the North line of the South half of said Southwest Quarter; thence North 89 degrees 49 minutes 30 seconds East along said North line 294.00 feet thence South 00 degrees 22 minutes 23 seconds West 1329.57 feet to a point on the South line of said Quarter; thence South 89 degrees 45 minutes 31 seconds West along said South line 294.00 feet to the Point of Beginning and containing 8.975 acres, more or less, subject to all Legal Easements and Rights of Way of Record.

And to all existing adjacent rights-of-way.

EXHIBIT "A"

Part of the South Half of the Southeast Quarter and part of the Southeast Quarter of the Southwest Quarter of Section 28, Township 13 North, Range 5 East in Hamilton County, Indiana being more particularly described as follows:

Commencing at the Southwest corner of said Southeast Quarter Quarter Section said corner also being the intersecting center lines of East 126th Street and Promise Road (Klepfer School Road); thence North 00 degrees 13 minutes 09 seconds West (assumed bearing) along the centerline of said Promise Road (Klepfer School Road) and the West line of said Southeast Quarter Quarter Section 376.05 feet to the POINT OF BEGINNING of this description; thence continuing North 00 degrees 13 minutes 09 seconds West along said West line and said centerline 300.32 feet; thence North 89 degrees; 39 minutes 21 seconds East parallel with the North line of said Southeast

Quarter Quarter Section, 1070.00 feet thence North 00 degrees 13 minutes 09 seconds West parallel with said West line 325.00 feet; thence North 89 degrees 39 minutes 21 seconds E parallel with said North line 244.55 feet to a point on the West line of said South Half Quarter Section; thence North 00 degrees 15 minutes 8 seconds West along said West line 330.00 feet to the Northwest corner of said South Half Quarter Section; thence North 89 degrees 31 minutes 17 seconds East along the North line of said Half Quarter Section 1478.61 feet to a point on the North right-of-way of Interstate 69; thence South 58 degrees 21 minutes 04 seconds West along said right-of-way 1980.31 feet to a point on the North right-of-way line of East 126th Street bypass; thence the following 7 courses are along said bypass North right-of-way line; 1) North 69 degrees 03 minutes 19 seconds West 159.14 feet 2) North 78 degrees 14 minutes 04 seconds West 269.12 feet; 3) North 88 degrees 17 minutes 54 seconds West 210.30 feet; 4) South 85 degrees 31 minutes 45 seconds West 104.23 feet to the point of curvature of a curve concave southeasterly, the radius point of said curve being South 04 degrees 13 minutes 26 seconds East 1190.92 feet from said point; 5) southwesterly along said curve 332.57 feet to a point on said curve, the radius point of said curve being South 20 degrees; 13 minutes 26 seconds East 1190.92 feet from said point; 6) North 56 degrees 55 minutes 13 seconds West 43.79 feet; 7) South 89 degrees 46 minutes 51 seconds West 16.50 feet to the place of beginning of this description, containing 25.710 acres, more or less. Subject to all legal highways, rights-of-way, easements and restrictions of record.

ALSO:

Part of the Southeast Quarter of the Southwest Quarter of Section Twenty-eight (28) Township Eighteen (18) North, Range Five (5) East located in Fall Creek Township, Hamilton County Indiana being more specifically described as follows:

BEGINNING at a point 625 feet South of the northwest corner of the Southeast Quarter Quarter of Section 28, Township 18 North, Range 5 East; thence East parallel with the north line of said Quarter Quarter Section 705.0 feet; thence North parallel to the west line of said Quarter 295.0 feet; thence East parallel with the north line of said Quarter Quarter Section 365.0 feet; thence South parallel with the west line of said Quarter Quarter Section 325.0 feet; thence West parallel with Quarter Quarter Section line a distance of 1,070.0 feet to the west line of said Quarter Quarter Section; thence North along said line a distance of 30.0 feet to the place of beginning. Containing 3.21 acres, more or less.

LEGAL DESCRIPTION

CALKINS PROPERTY

A part of the Northwest Quarter of Section 33, Township 18 North, Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, described as follows:

Begin at the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 33;

thence North twenty (20) rods;

thence West eight (8) rods;

thence South twenty (20) rods;

thence East eight (8) rods to the place of beginning and containing 1 acre.

A new and composite description of the above described tract of land being as follows:

Beginning at a Railroad spike found per Hamilton County Surveyor references at the Northwest corner of the Northwest Quarter of said Section 33;

thence North 89 degrees 39 minutes 00 seconds East (an astronomic bearing based on the

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Indiana State Plane Coordinate System, East Zone (NAD 1983)) along the North line of said Northwest Quarter a distance of 2631.38 feet to a 1 inch Iron Pipe found at the Northeast corner of said Northwest Quarter,
thence South 00 degrees 05 minutes 14 seconds East along the East line of said Northwest Quarter a distance of 994.46 feet to the Northeast corner of the above described 1 acre tract of land, said tract having been conveyed to Robert and Caryn Calkins by Warranty Deed recorded in Deed Book 327 page 413 in the Office of the Hamilton County Recorder, the following three (3) calls being along the northerly, westerly and southerly sides of said Calkin tract;
thence South 89 degrees 30 minutes 00 seconds West 132.00 feet (8 rods);
thence South 00 degrees 05 minutes 14 seconds East 330.00 feet (20 rods);
thence North 89 degrees 30 minutes 09 seconds East 132.00 feet (8) rods to the Southeast corner of the Northeast Quarter of said Northwest Quarter;
thence South 00 degrees 05 minutes 14 seconds East along said East line 1324.47 feet to a railroad spike found per Hamilton County Surveyor references marking the Southeast corner of said Northwest Quarter;
thence South 89 degrees 21 minutes 20 seconds West along the South line of said Northwest Quarter a distance of 2635.66 feet to a stone with a cut "X" found per Hamilton County Surveyor references marking the Southwest corner of said Northwest Quarter;
thence North 00 degrees 00 minutes 10 seconds East along the West line of said Northwest Quarter a distance of 2662.51 feet to the point of beginning.

EXHIBIT "A-1"

LAND DESCRIPTION

A part of the Northwest Quarter of Section 33, Township 18 North Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, being more particularly described as follows:

BEGINNING at a railroad spike found per Hamilton County Surveyor references at the Northwest corner of the Northwest Quarter of said Section 33, thence North 89 degrees 39 minutes 00 seconds East (an astronomic bearing based on the Indiana State Plane Coordinate System, East Zone (NAD 1993)) along the North line of said Northwest Quarter a distance of 1914.62 feet to a Point on the Westerly Right-Of-Way line of Interstate Highway Number 69 per Deed Record Book 216, Pages 144 - 148 in the Office of the Recorder of Hamilton County, Indiana; thence South 58 degrees 21 minutes 00 seconds West along said Right-Of-Way line (the following two described courses being along said Westerly Right-Of-Way line) a distance of 637.72 feet; thence Southwesterly 1267.33 feet along an arc to the right and having a radius of 3053.10 feet and being subtended by a long chord having a bearing of South 70 degrees 14 minutes 30 seconds West and a length of 1259.25 feet; thence South 82 degrees 08 minutes 00 seconds West tangent to the last described curve a distance of 199.35 feet to a point on the West line of said Northwest Quarter; thence North 00 degrees 00 minutes 10 seconds East along said West line a distance of 774.21 feet to the Point of Beginning.

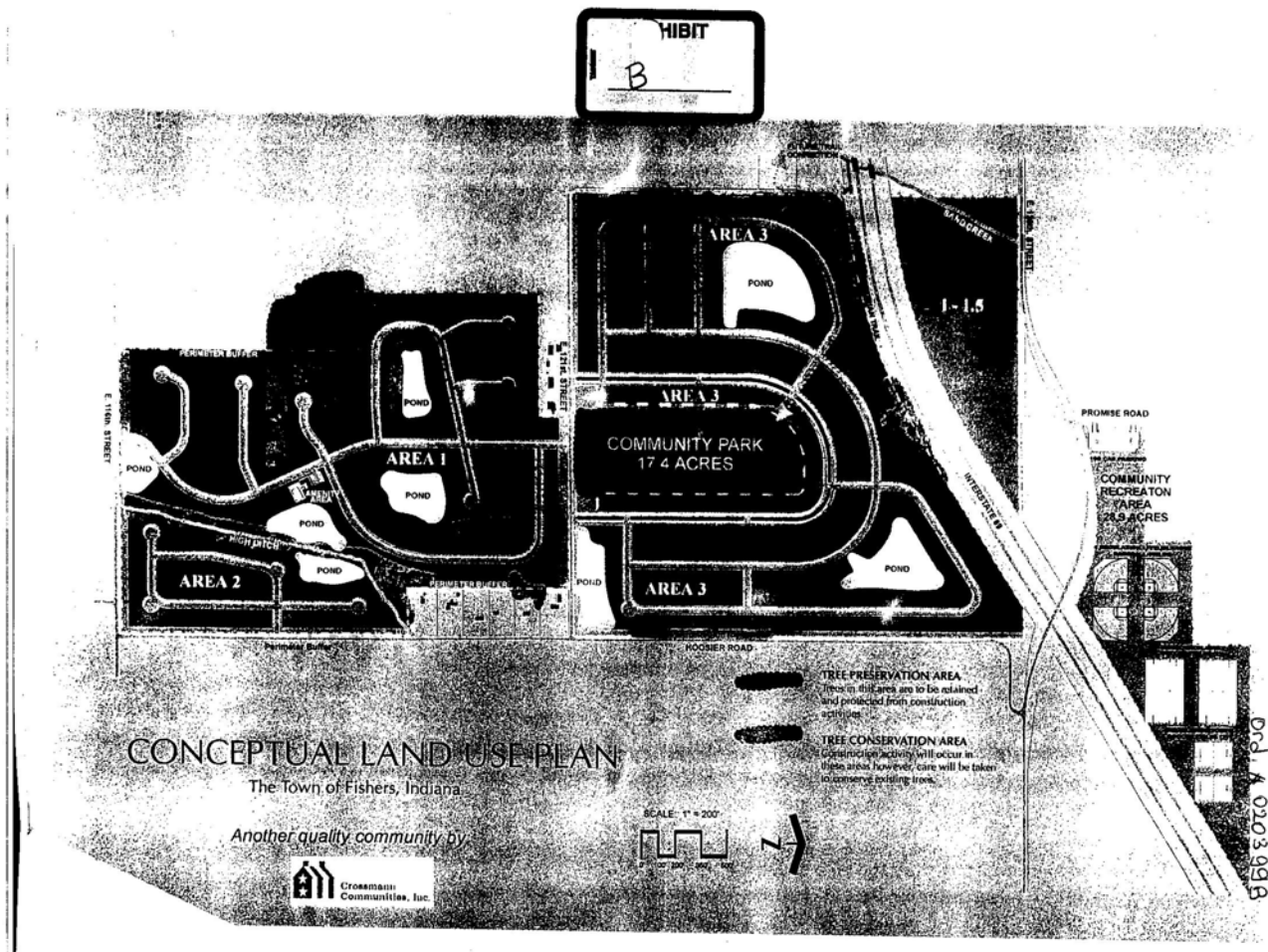
EXCEPTING THEREFROM:

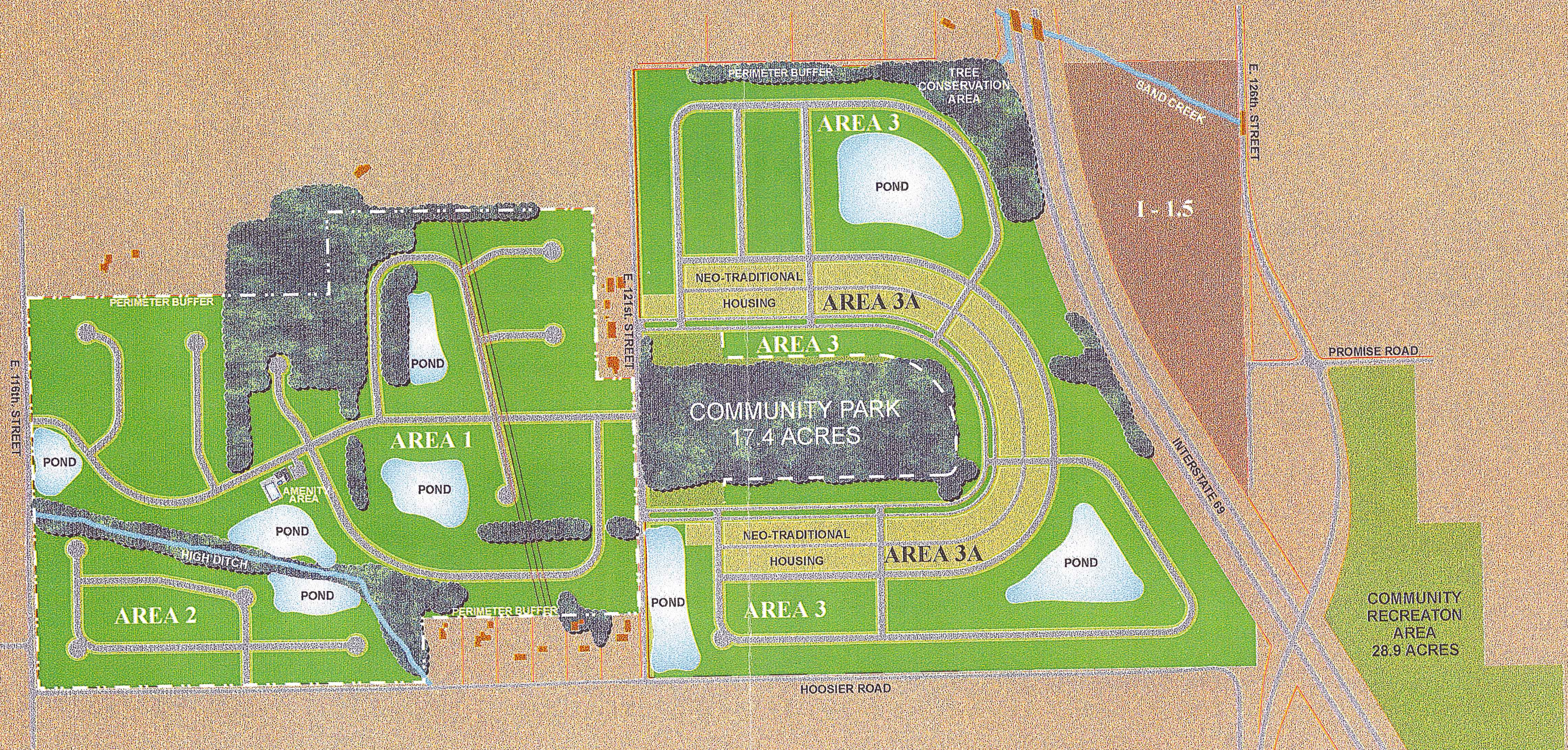
The following described land taken for Right-Of-Way purposes as described and recorded in Deed Record Book 216, Pages 144 - 148 in the Office of the Recorder of Hamilton County, Indiana, said Right-Of-Way being more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter; thence North 89 degrees 39 minutes 00 seconds East (bearings have been rotated from datum used in the original deed to agree with the Indiana State Plane Coordinate System, East Zone (NAD 1983)) along the North line of said Northwest Quarter a distance of 265.40 feet; thence South 00 degrees 21 minutes 00 seconds East 16.50 feet to the South boundary of 126th Street and being the POINT OF

BEGINNING; thence North 99 degrees 39 minutes 00 seconds East a distance of 468.04 feet; thence Southwesterly 261.06 feet along an arc to the right and having a radius of 1190.92 feet and subtended by a long chord having a bearing of South 83 degrees 22 minutes 12 seconds West and a length of 260.54 feet; thence South 89 degrees 39 minutes 00 seconds West a distance of 184.06 feet; thence North 41 degrees 36 minutes 25 seconds West a distance of 37.91 feet to the Point of Beginning.

Containing, less said exception, 21.057 acres (917,253 square feet) more or less.





CONCEPTUAL LAND USE PLAN

The Town of Fishers, Indiana

Another quality community by:

