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Jennifer Hayden
Hamilton County Recorder IN
Recorded as Presented



2022

Sunbeam PUD



Planning & Zoning Department
City of Fishers
Ordinance: 101022D



2022

Sunbeam PUD



Planning & Zoning Department
City of Fishers
Ordinance: 101022D



1.1. Declaration, Purpose and Intent, Applicability, and Allowed Uses

A. Declaration

1. Ordinance No. 101022D
2. Adopted: November 14, 2022

B. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the Official Zoning Map of the City of Fishers, Indiana, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described in Section 1.7 of this Ordinance (the "Real Estate"), is hereby designated as a Planned Unit Development – Mixed Use District (PUD-M), and that said PUD-M zoning district shall hereafter be known as the "Sunbeam PUD."

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance and its exhibits. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance. The Real Estate shall not be subject to any existing or future overlay district.

C. Applicability

The standards of the UDO applicable to the C3 Commercial District shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. "Chapter" cross-references of this Ordinance shall hereafter refer to the Chapter section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Sec. 1.3.6.: Introductory Provisions: Transition Rules* also shall apply to amendments.

D. Allowed Uses

1. All uses listed under C3 Commercial, EN Employment Node and MF Multi-Family in *Sec. 5.1.5. Permitted Use Table* and
 - a. Indoor and Outdoor Entertainment, including arenas, stadiums, and auditoriums for entertainment and recreation events, and outdoor theatre, sports and recreational facilities (including golf-related entertainment).
 - b. Walk-up windows for pick-up or carry out
2. The following uses are prohibited:
 - a. Adult Entertainment Establishment
 - b. Animal Care (indoor or outdoor)
 - c. Palmist, psychic, medium, fortune telling

- d. Wedding chapel
- e. laundromat
- f. Bed and Breakfast
- g. Bingo Hall
- h. Bowling Alley, unless approved as a special use
- i. Convention Center, unless approved as a special use
- j. Martial Arts studio, unless approved as a special use
- k. Automobile sales and services
- l. Car wash
- m. Fuel sales
- n. Fuel/energy station
- o. Fuel/service station
- p. Mortuary or Cemetery
- q. Museum, including Outdoor Living History Museum
- r. School, public or private (K-12)
- s. Place of worship
- t. Tattoo parlor
- u. Piercing studio
- v. Nail salon (specifically not including nail services that are a part of a high-end day spa or similar use)
- w. Massage parlor (specifically not including massage services that are a part of a high-end day spa or similar use)
- x. Alternative financial service (refund anticipation loan lenders, title loan businesses, short-term loan providers, cash for precious metal stores and pawn shops)
- y. Day care, adult
- z. Sexually-oriented business
- aa. Tobacco shop, smoke shop, head shop, and hookah lounge (specifically not including a cigar bar or lounge that also offers retail sales and on-site consumption of cigars and cigar related accessories)
- bb. Package goods store (alcohol) (but excluding a restaurant specialty retail shop, tavern, bar, or brewery that sells beer, wine, and/or other alcohol for take-home use).
- cc. Second hand or government surplus store
- dd. Conservation Development
- ee. Manufactured Home Development
- ff. Group home
- gg. Child Care Home
- hh. Child Care Institution
- ii. Special Care Facilities
- jj. Group Home Living
- kk. Nature or game preserve, wildlife management area, refuge, animal sanctuary, park and recreation fields, reservoir and related control structures
- ll. Utilities: Major Utilities Use Category & Telecommunication Facilities

- mm. Outdoor Recreation, except outdoor theater, outdoor sports or entertainment facility (including golf-related entertainment)
 - nn. Library
 - oo. Shooting Range
 - pp. Short Term Rentals
 - qq. Two-Unit Living
3. In addition, any applicable use standard as set forth in *Chapter 5: Use Regulations* shall also apply.
 4. Drive up windows, exterior menu boards, and speakers shall be reviewed and approved by the Mayor or Mayor's designee (no public hearing shall be required). This limitation does not apply to culinary accelerator uses nor food trucks.
 5. Notwithstanding anything in the UDO to the contrary, no individual parcel of the Real Estate shall be required to have a minimum size of at least 2 acres and no individual parcel of the Real Estate shall be subject to any Minimum Parent Tract requirements.
 6. Notwithstanding anything in this Ordinance to the contrary, any individual parcel of the Real Estate may be developed for a single use without the requirement of any mixed-use component, whether it be commercial, retail, residential so long as such use is permitted under this Ordinance.
 7. It is agreed and acknowledged that the Real Estate constitutes a large-scale unified development meeting the requirements for zoning approval under the provisions of Section 10.2.16 of the UDO.
 8. It is agreed and acknowledged that (a) the 27-acre site located adjacent to the Navient Site and (b) the nine-acre site north of the Lifetime Fitness facility, shall be allowed to be used for industrial purposes, which sites may also be developed for a single use without the requirement of any mixed-use component.
 9. As of the date this Ordinance shall become effective, the Mayor and/or the Mayor's designee shall be deemed to have approved, and no further approvals shall thereafter be required, for up to four (4) drive-up or drive-through windows located on the Real Estate; provided, however, no more than (a) three (3) of such drive-up or drive-through windows may be constructed with respect to commercial establishments located on those parcels of the Real Estate located south of 116th Street and one (1) of such drive-ups must only be for pickups; and (b) one (1) of such drive-up or drive-through windows may be constructed with respect to commercial establishments located on those parcels of the Real Estate located north of 116th Street, in locations as the owner of such Real Estate may designate.
 10. With respect to any industrial or multi-family uses allowed pursuant to this Ordinance, the maximum impervious area shall be 80%.
 11. Any ponds or water bodies located within the Real Estate, as well as any permanent landscaping and buffer yards installed therein, shall be considered as part of any open space required under the UDO with respect to the Real Estate.

1.2. Concept Plan

Prior to issuance of an improvement location permit for a parcel or site that is part of the Real Estate, the developer shall submit a Concept Plan for development of such parcel to City Council for review and approval, which approval shall not be unreasonably withheld, conditioned or delayed so long as the

Minimum Standards (as herein defined) are met and which Concept Plan shall apply to the portion of the Real Estate being developed and shall not be required to apply to the entirety of the Real Estate. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required. The Real Estate's development plan may vary from the Concept Plan; however, per *Sec.10.2.16. (M)(3) PUD District Ordinance Requirements*, the Concept Plan shall show in general terms the following: major circulation; generalized location and dimensions of buildings, structures, and Parking Areas; Open Space areas; Conservation and/or Preservation areas; recreation facilities; and other details to indicate the character of the proposed development. For clarity, the Real Estate shall be developed and maintained in such a manner that design character and design standards are, at a minimum, at least as high as the design character and standards for the Fishers District (commercial) and Slate (residential); provided, however such requirement shall not require the use of the same materials or designs (the "Minimum Standard").

1.3 Development

Notwithstanding anything included in this Ordinance or the UDO to the contrary, when determining the infrastructure improvements, including but not limited to road, traffic, stormwater and sanitary sewer improvements (the "Infrastructure Improvements"), necessary to support development on the Real Estate, such evaluation shall be made as if development has not and will not occur within the Yard II PUD; meaning, in no instance shall greater or additional Infrastructure Improvements be required on the Real Estate also including, without limitation, increased trip numbers, stormwater or sewer demand resulting from development or potential development within the Yard II PUD.

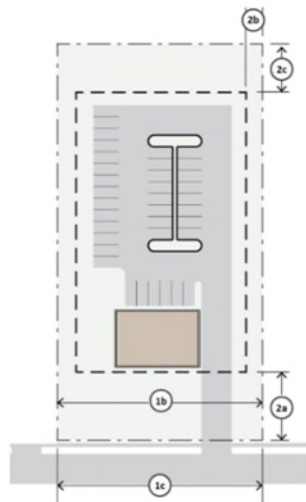
1.4. Development Standards

A. Cross Reference

The regulations of *Chapter 6: Development Standards* shall apply, except as modified by this Ordinance

B. Development Standards: *Sec. 3.3.3.C3 Commercial* shall apply, except as modified below.

1. Minimum Lot Dimensions	
1a. Lot area	n/a
1b. Lot width	n/a
1c. Lot frontage – Public access shall be provided to each lot through an adjoining access easement or public right-of-way	n/a
2. Minimum Building Setbacks*	
2a. Front	20'
2b. Side / aggregate	10' / 20'
2c. Rear	20'
2c. Internal	Zero
3. Maximum Building Height	
3a. Primary structure	120'
3b. Adjacent to residential zones or uses	n/a
4. Building Floor Area	
4a. Main Floor Area (min)	n/a
5. Other	
5a. Requires municipal water and sewer hookup	
5b. Impervious area of lot (max)	90%
*Setbacks shall only be taken from the overall perimeter property lines and shall not apply to individual lots within the overall development.	



- C. General Provisions UDO Article 6.1:** Shall apply.
- D. Accessory Structure Standards UDO Article 6.2:** Shall apply, except as modified below:
 - 1. Minimum setbacks for accessory structures shall be the same as those of primary structures.
- E. Architectural Design Standards UDO Article 6.3:** Shall apply. Additionally, alternative architectural exhibits that do not meet UDO Article 6.3 may be submitted for review and approval to the PUD Committee that may vary from the Architectural Design Standards as long as the architecture is in keeping with the quality and character of the property development.
- F. Entrances & Driveways UDO Article 6.4:** Shall apply, except as modified below:
 - 1. Section 6.4.3.C.1. Shall not apply. Driveway width at the right of way line shall be approved by the Engineering Department.
- G. Exterior Lighting Standards UDO Article 6.5:** Shall apply.
- H. Height Standards UDO Article 6.6:** Shall apply.
- I. Landscaping Standards UDO Article 6.7:** Shall apply, except as modified below:
 - 1. Section 6.7.2.E. Alternative Landscaping Plan shall apply and shall generally be as shown on the concept plan.
- J. Lot Standards UDO Article 6.8:** Shall not apply.
- K. Non-Residential Open Space UDO Article 6.9:** Shall not apply. Open space shall be depicted in the Concept Plan
- L. Outdoor Display & Storage Standards UDO Article 6.10:** Shall apply.
 - 1. 6.10.3.B.1 shall not apply.
- M. Parking & Loading Standards UDO Article 6.11:** Shall apply, except as modified below:
 - 1. 6.11.3.A.3. Shall not apply. Parking of motor vehicles is permitted on lawns for overflow parking.
 - 2. 6.11.5.B. Shall not apply.
 - 3. Sec. 6.11.8. Off-Street Parking Schedule shall not apply.
 - 4. Sec. 6.11.4. Parking Area Landscaping shall not apply. Rather parking lot landscaping shall be as generally shown on the concept plan.
 - 5. Parking lot setbacks shall only be taken from the overall perimeter property lines and shall not apply to individual lots within the overall development
 - 6. 6.11.10.A. Shall not apply. Any loading berth shall be a minimum of 150 feet from any residential property line.
- N. Pedestrian Accessibility Standards UDO Article 6.12:** Shall apply.
 - 1. 6.12.3.C. Shall apply. Additionally, The Mayor or Mayor's Designee may allow a reduction in sidewalk width and planting bed width for individual buildings as long as the sidewalk adjacent to the building is connected to the overall pedestrian network.
- O. Permitted Nonresidential Structure Standards UDO Article 6.13:** Shall not apply.
- P. Property Identification Standards UDO Article 6.14:** Shall apply.
- Q. Public Art Standards UDO Article 6.15:** Shall apply.
- R. Setback Standards UDO Article 6.16:** Shall apply.

- S. **Signage Standards UDO Article 6.17:** Shall apply. Additionally, a comprehensive sign package may be submitted for review and approval to the Mayor or Mayor's Designee that may vary from the sign code as long as it is in keeping with the quality and character of the property development.
- T. **Wall & Fence Standards UDO Article 6.18:** Shall apply. Additionally, fencing within the buffer yards may be permitted up to eight (8) feet in height.
- U. **Water & Sewer Standards UDO Article 6.19:** Shall apply.
- V. **Vision Clearance Standards UDO Article 6.20:** Shall apply.

1.5. Planned Unit Development Design Standards

- A. **Cross Reference:** The regulations of *Chapter 8: Subdivision and Planned Unit Development Design Standards* shall apply, except as modified below.
- B. **General Provisions UDO Article 8.1:** Shall apply.
- C. **Block, Lot & Access Standards UDO Article 8.2:** Shall apply. Additionally, the overall pedestrian network shall be installed as otherwise approved by the PUD Committee or Mayor or Mayor's Designee.
- D. **Street & Alley Standards UDO Article 8.3:** Shall apply.
- E. **Open Space, Common Area & Amenity Standards UDO Article 8.4:** Shall apply, except as modified below:
 - 1. Section 8.4.6. Open Space shall not apply. Open space shall be provided as shown on the Concept Plan.
- F. **Other Design Standards UDO Article 8.5:** Shall apply.

1.6 Procedures

The procedures set forth in *Sec. 10.2.16. Planned Unit Development* shall apply. Additionally, the PUD Committee and Mayor or Mayor's Designee shall have discretion and flexibility to consider and approve modifications pertaining to any development and design standards established or referenced by this Ordinance if the Committee or Mayor or Mayor's Designee determine such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance.

1.7. Real Estate

See "Exhibit A" attached hereto.

1.8. Adoption

SO ORDAINED by the Common Council of the City of Fishers, Indiana, on this 14th day of November 2022.

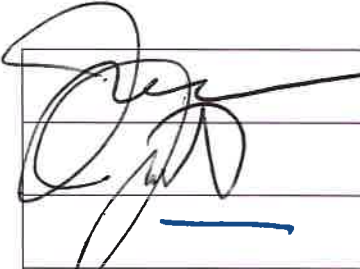
COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA

1010222D

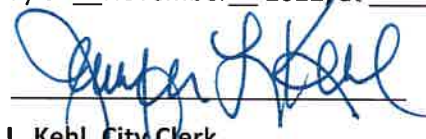
YAY

NAY

ABSTAIN

	Todd Zimmerman, President		
	John Weingardt, Vice President		
	C. Pete Peterson, Member		
	Cecilia C. Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Jocelyn Vare, Member		
	Crystal Neumann, Member		
	David Giffel, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 14th day of November 2022, at 8:30 P m.

ATTEST: 
Jennifer L. Kehl, City Clerk





Scott A. Fadness, Mayor

MAYOR'S APPROVAL

November 14, 2022
DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Christopher P. Greisl, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"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." Christopher P. Greisl

Exhibit A
[Legal Description]

Parcel 1 Description

A part of the Southeast Quarter of Section 31, Township 18 North, Range 5 East, in Delaware Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at the Southeast corner of the Southeast Quarter of said Section 31; thence South 88 degrees 39 minutes 12 seconds West (assumed bearing) along the South line of said Southeast Quarter a distance of 1611.31 feet; thence North 01 degrees 20 minutes 48 seconds West a distance of 74.10 feet to the North right-of-way line of 116th Street as recorded in Instrument Number 1997010391 in the Office of the Recorder of Hamilton County, Indiana and being the POINT OF BEGINNING; thence South 88 degrees 39 minutes 12 seconds West along said North right-of-way line a distance of 138.58 feet to a point on the North right-of-way line of 116th Street as recorded in Instrument Number 2016039613 in said Recorder's Office (the next 11 courses along said right-of-way); (1) thence North 87 degrees 04 minutes 01 seconds West a distance of 300.84 feet; (2) thence South 88 degrees 39 minutes 12 seconds West a distance of 205.00 feet; (3) thence North 48 degrees 17 minutes 22 seconds West a distance of 43.17 feet; (4) thence North 01 degrees 19 minutes 36 seconds West a distance of 100.00 feet; (5) thence North 04 degrees 39 minutes 55 seconds West a distance of 424.06 feet; (6) thence North 01 degrees 24 minutes 45 seconds East a distance of 92.74 feet; (7) thence North 11 degrees 54 minutes 20 seconds East a distance of 95.68 feet; (8) thence South 76 degrees 26 minutes 24 seconds East a distance of 15.00 feet; (9) thence North 15 degrees 07 minutes 21 seconds East a distance of 26.45 feet; (10) thence North 73 degrees 18 minutes 53 seconds West a distance of 20.00 feet; (11) thence North 19 degrees 20 minutes 05 seconds East a distance of 16.77 feet to the South line of Lot One in Custom Floors Subdivision as recorded in Plat Cabinet 3, Slide 742, Instrument Number 2005067396 and per a Certificate of Correction recorded in Instrument Number 2005080703 in said Recorder's Office (the next 4 courses along said Lot One); (1) thence North 88 degrees 40 minutes 24 seconds East a distance of 700.14 feet; (2) thence North 25 degrees 18 minutes 54 seconds East a distance of 225.71 feet; (3) thence North 06 degrees 22 minutes 55 seconds East a distance of 97.09 feet; (4) thence North 01 degrees 19 minutes 36 seconds West a distance of 326.36 feet to the South line of a tract of land described in Instrument Number 2007028777 in said Recorder's Office; thence North 88 degrees 40 minutes 24 seconds East along the South line of said tract a distance of 665.91 feet to the Southeast corner thereof, said point also being on the West line of an Ingress Easement as recorded in Instrument Number 2008035681 in said Recorder's Office (the next 3 courses along said easement); (1) thence North 00 degrees 03 minutes 57 seconds West along the West line of said easement a distance of 1139.62 feet to the Northwest corner of said easement, said point also being on curve having a radius of 840.00 feet on the South right-of-way line of Exit Five Parkway as recorded in Instrument Number 2003013289 in said Recorder's Office; (2) thence Northeasterly along said curve and South right-of-way line an arc distance of 50.11 feet, said curve being subtended by a long chord having a bearing of North 86 degrees 31 minutes 29 seconds East and a length of 50.10 feet; (3) thence South 00 degrees 03 minutes 57 seconds East along the East line of said easement a distance of 1192.77 feet to the North line of said tract of land described in Instrument Number 1999074328; thence North 88 degrees 39 minutes 12 seconds East along the North line of said tract a distance of 708.67 feet to the West right-of-way of Cumberland Road; thence South 00 degrees 03 minutes 54 seconds East along said right-of-way a distance of 339.81 feet to the Northeast corner of a tract of land described in Instrument Number 2014007268 in said Recorder's Office (the next 3 courses along said tract); (1) thence South 88 degrees 39 minutes 12 seconds West a distance of 80.79 feet; (2) thence South 01 degrees 20 minutes 48

seconds East a distance of 41.00 feet; (3) thence South 88 degrees 39 minutes 12 seconds West along the North line of said tract and the Westerly extension thereof a distance of 1084.40 feet to the West line of said tract of land described in Instrument Number 1999074328; thence South 01 degrees 20 minutes 48 seconds East along the West line of said tract a distance of 680.76 feet; thence South 88 degrees 39 minutes 12 seconds West parallel with the South line of said Southeast Quarter a distance of 400.94 feet; thence South 01 degrees 20 minutes 48 seconds East a distance of 315.46 feet to the POINT OF BEGINNING, containing 32.822 acres, more or less.

Parcel 2 Description

A part of the Northeast Quarter of Section 6, Township 17 North, Range 5 East, in Delaware Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at the Northwest corner of said Northeast Quarter; thence South 00 degrees 02 minutes 34 seconds West (assumed bearing) along the West line of said Northeast Quarter a distance of 775.77 feet; thence North 89 degrees 00 minutes 42 seconds East a distance of 123.05 feet to the East right-of-way of USA Parkway as recorded in Instrument Number 1990018977 in the Office of the Recorder for Hamilton County, Indiana and being the POINT OF BEGINNING (the next 3 courses along said right-of-way) ; (1) thence South 00 degrees 29 minutes 02 seconds West a distance of 110.45 feet to a curve to the left, having a radius of 307.80 feet; (2) thence along said curve to the left 76.99 feet, subtended by a chord bearing of South 06 degrees 40 minutes 55 seconds East 76.79 feet; (3) thence South 13 degrees 50 minutes 53 seconds East a distance of 62.56 feet to the North right-of-way line of IKEA Way as recorded in Instrument Number 2016039613 in said Recorder's Office (the next 4 courses along said right-of-way); (1) thence North 76 degrees 09 minutes 07 seconds East a distance of 25.06 feet; (2) thence South 89 degrees 02 minutes 13 seconds East a distance of 49.46 feet; (3) thence North 69 degrees 02 minutes 15 seconds East a distance of 69.45 feet to a curve to the left, having a radius of 285.50 feet; (4) thence along said curve to the left 300.59 feet, subtended by a chord bearing North 38 degrees 52 minutes 32 seconds East 286.90 feet to the South line of a tract of land described in Deed Record 326, Page 136 in said Recorder's Office; thence South 89 degrees 00 minutes 36 seconds West along the South line of said tract a distance of 341.74 feet to the POINT OF BEGINNING, containing 1.493 acres, more or less.

Parcel 3 Description

A part of the Southwest Quarter of Section 6, Township 17 North, Range 5 East, in Delaware Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Southwest Quarter; thence North 00 degrees 00 minutes 19 seconds West (assumed bearing) along the West line of said Southwest Quarter a distance of 84.84 feet to the Southeast corner of the Southeast Quarter of Section 1; thence North 00 degrees 08 minutes 40 seconds East along the West line of said Southwest Quarter a distance of 753.03 to the POINT OF BEGINNING; thence North 00 degrees 08 minutes 40 seconds East along the West line of said Southwest Quarter a distance of 751.31 feet to the Southwest corner of a tract of land described in Instrument Number 9558783 in the Office of the Recorder for Hamilton County, Indiana; thence South 88 degrees

51 minutes 20 seconds East along the South line of said tract a distance of 378.78 feet to the Southeast corner of said tract; thence North 00 degrees 08 minutes 40 seconds East along the East line of said tract a distance of 0.80 feet to the North line of a tract of land described in Instrument Number 8821079 in said Recorder's Office; thence South 88 degrees 25 minutes 22 seconds East along the North line of said tract a distance of 1172.50 feet to the West line of Summerfield Section 2 per Secondary Plat recorded in Plat Cabinet 1, Slide 689, as Instrument Number 1996028576 in said Recorder's Office; thence South 00 degrees 08 minutes 40 seconds West along the West line of said subdivision a distance of 740.28 feet; thence North 88 degrees 57 minutes 55 seconds West parallel with the South line of said Southwest Quarter a distance of 1551.04 feet to the POINT OF BEGINNING, containing 26.613 acres, more or less.

Parcel 4 Description

A part of the Southwest Quarter of Section 6, Township 17 North, Range 5 East, in Delaware Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest corner of said Southwest Quarter; thence South 88 degrees 57 minutes 55 seconds East (assumed bearing) along the South line of said Southwest Quarter a distance of 549.11 feet; thence North 00 degrees 08 minutes 40 seconds East a distance of 63.50 feet to the North right-of-way line of 106th Street as recorded in Instrument Number 9558783 in the Office of the Recorder for Hamilton County, Indiana and being the POINT OF BEGINNING; thence North 00 degrees 08 minutes 40 seconds East parallel with the West line of said Southwest Quarter a distance of 436.50 feet; thence North 88 degrees 57 minutes 55 seconds West parallel with the South line of said Southwest Quarter a distance of 489.34 feet to a point of the right-of-way for USA Parkway as recorded in Instrument Number 2011016499 in said Recorder's Office (the next 5 courses along said right-of-way); (1) thence South 01 degrees 11 minutes 40 seconds East a distance of 214.29 feet; (2) thence South 08 degrees 23 minutes 15 seconds East a distance of 101.12 feet; (3) thence South 48 degrees 14 minutes 33 seconds East a distance of 54.23 feet; (4) thence South 75 degrees 45 minutes 41 seconds East a distance of 205.78 feet; (5) thence South 66 degrees 49 minutes 18 seconds East a distance of 106.59 feet to the said North right-of-way of 106th Street; thence South 88 degrees 57 minutes 55 seconds East along said North right-of-way a distance of 131.06 feet to the POINT OF BEGINNING, containing 4.371 acres, more or less.

Parcel 5 Description

A part of the North Half of Section 6, Township 17 North, Range 5 East, in Delaware Township, Hamilton County, Indiana, being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 1 of IKEA Fishers Secondary Plat per Plat Cabinet 5, Slide 517, as Instrument Number 2016034889 in the Office of the Recorder for Hamilton County, Indiana, also being a point on the West right-of-way of USA Parkway as described in Instrument Number 2016022977 in said Recorder's Office and being a point on a curve to the right, having a radius of 924.66 feet (the next 10 courses along said right-of-way); (1) thence Southwesterly along said curve to the right 385.90 feet subtended by a chord bearing of South 13 degrees 31 minutes 53 seconds West 383.11 feet to a

point of a compound curve to the right, having a radius of 1925.00 feet; (2) thence Southwesterly along said curve to the right 839.94 feet subtended by a chord bearing of South 37 degrees 59 minutes 02 seconds West 833.29 feet; (3) thence South 50 degrees 29 minutes 02 seconds West a distance of 216.69 feet to a curve to the right, having a radius of 50.00 feet; (4) thence Westerly along said curve to the right 59.17 feet subtended by a chord bearing of South 84 degrees 23 minutes 09 seconds West 55.78 feet to a reverse curve to the left, having a radius of 175.00 feet; (5) thence Westerly along said curve to the left 110.18 feet subtended by a chord bearing of North 79 degrees 44 minutes 59 seconds West 108.37 feet to a reverse curve to the right, having a radius of 50.00 feet; (6) thence Westerly along said curve to the right 61.08 feet subtended by a chord bearing of North 62 degrees 47 minutes 33 seconds West 57.35 feet; (7) thence North 27 degrees 47 minutes 53 seconds West a distance of 129.94 feet to a curve to the right, having a radius of 450.00 feet; (8) thence Northerly along said curve to the right 192.18 feet subtended by a chord bearing of North 15 degrees 33 minutes 48 seconds West 190.73 feet; (9) thence North 03 degrees 19 minutes 43 seconds West a distance of 169.34 feet to a curve to the left, having a radius of 515.00 feet; (10) thence Northerly along said curve to the left 238.29 feet subtended by a chord bearing of North 16 degrees 35 minutes 03 seconds West 236.17 feet to the Southern corner of said Lot 1; thence North 56 degrees 25 minutes 12 seconds East along the South line of Lot 1 a distance of 204.44 feet to a Southern corner of said Lot 1; thence North 72 degrees 17 minutes 00 seconds East along the South line of Lot 1 a distance of 1051.35 feet to the POINT OF BEGINNING, containing 17.637 acres, more or less.

Exhibit B
Location Map

