

AGENDA
ELLETTSVILLE PLAN COMMISSION
Town Hall
1150 W. Guy McCown Drive
Ellettsville, Indiana
Thursday, October 2, 2025 - 6:00 P.M.

Pledge of Allegiance

Roll Call

Approval of Minutes – August 7, 2025

Monthly Conflict of Interest Statement

Old Business

New Business

Voluntary Annexation of 5711 N. Union Valley Road, 4.10 Acres - Parcel No. 53-04-11-100-010.000-011, and 4601 W. McNeely Street, all located in Bloomington (three {3} parcels totaling 71.93 Acres); Petitioners: Michael & Megan Ripley; Case No. PC 25-25

Resolution 03-2025 PC, A Resolution of the Ellettsville Plan Commission Approving a Declaratory Resolution of the Ellettsville Redevelopment Commission to Amend the Ellettsville Riverfront Economic Development District; Case No. 2025-24

Planning Department Update

Next Meeting – November 6, 2025

Privilege of the Floor – Non-Agenda Items

Plan Commission Comments

Adjournment

Appointing Authority Disclosure:

Town Council President Appointments:

- David Drake – Current Term: 1/8/24 – 12/31/27
- Stephen Hale – Current Term: 1/9/23 – 12/31/26
- Ryan Staggs – Current Term: 7/10/23 – 12/31/26
- Pat Wesolowski – Current Term: 1/8/24 – 12/31/27

Members from Government Appointed by Council Vote:

- Zach Michaels – Current Term: 1/22/24 – 12/31/27

Town Council Representatives:

- Pamela Samples – Current Term: 1/9/23 – 12/31/26
- Dan Swafford – Current Term: 1/9/23 – 12/31/26

Planning Commission meetings are wheelchair accessible. The accessible entrance is located on the east side of the building. Accessible visitor parking spaces are located on the north side of the building. The Town further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. Close captioning of the public meetings is broadcast on Community Access Television Series.

The Town of Ellettsville Plan Commission is inviting you to a scheduled Zoom meeting.

Topic: Ellettsville Plan Commission

Time: October 2, 2025 06:00 PM Indiana (East)

Join Zoom Meeting

<https://us02web.zoom.us/j/89710583327?pwd=aumojdxw5Gytt4TtCwv6cRCqPqRvW5.1>

Meeting ID: 897 1058 3327

Passcode: 822480

One tap mobile

+13052241968,,89710583327#,,,822480# US

+13092053325,,89710583327#,,,822480# US

Join instructions

https://us02web.zoom.us/join/89710583327/invitations?signature=YFMz_uOYRiHYSRbZSdk7TterjCXN84M4GdXLn71rrXs

August 7, 2025

The Town of Ellettsville, Indiana, Plan Commission met in regular session on Thursday, August 7, 2025, at Town Hall. David Drake called the meeting to order at 6:01 p.m. and Dan Swafford led the Pledge of Allegiance.

Roll Call: Members participating were David Drake, President; Dan Swafford, Pat Wesolowski; Zach Michael and Steve Hale. Absent were Pamela Samples and Ryan Skaggs. Denise Line, Planning Director, Renee Jones, Secretary, and Darla Brown, Town Attorney, were also present.

Approval of the Minutes

David Drake entertained a motion to approve the minutes for the regular meeting on July 10, 2025. Steve Hale made a motion to approve the minutes for July 10, 2025. Dan Swafford seconded the motion. Motion carried.

New Business

Voluntary Annexation of 3750 W. State Road 46, Bloomington (1.003 Acres); Petitioner: Blackwell Contractors, Inc.; Case No. PC 25-19

Denise Line, Planning Director, explained the Petitioner, Blackwell Contractors, Inc, requested to annex one parcel totaling approximately 1.003 acres at 3750 West State Road 46. The proposed annexation area is 71 percent contiguous to the Town of Ellettsville and is currently zoned CD, Community Development Residential and is recommended to be designated Commercial 2, General Business, upon annexation.

Steve Hale made a motion to give a favorable recommendation to the Town Council to approve the annexation. Pat Wesolowski seconded the motion. Roll call vote: David Drake-yes; Dan Swafford-yes; Steve Hale-yes; Zach Michael-yes; and Pat Wesolowski-yes. Motion carried.

Voluntary Annexation of 4599 N. Thomas Road, Bloomington (3.33 Acres); Petitioner: Ernest Xi, Valu-built Construction LLC.; Case No. PC 25-20

Denise Line, Planning Director, explained the Petitioner, Ernest Xi, Value Built Construction LLC, requested to annex two parcels, totaling approximately 3.33 acres of land, located at 4599 W Thomas Road. The proposed annexation area is 38.7 percent contiguous to the Town of Ellettsville. The properties are currently zoned CD, Community Development Residential, and it is recommended to be designated as Residential 1, single Family Residential, upon annexation.

Ernest Xi, Petitioner, owner of Value Built Construction LLC, explained the property lines on the GIS are complex and the survey is correct.

Mike Moorison, local neighbor, had questions concerning what it means to annex and what the Petitioner was going to develop in the 3.3 acres.

David Drake made a motion to give a favorable recommendation to the Town Council to approve the annexation. Steve Hale seconded the motion. Roll call vote: David Drake-yes; Dan Swafford-yes; Steve Hale-yes; Zach Michael-yes; and Pat Wesolowski-yes. Motion carried.

Planning Department Updates

Next Meeting will be September 4, 2025

Privilege of the Floor

None

Plan Commission Comments

None

Adjournment

David Drake adjourned the meeting at 6:17 p.m.

<div>David Drake, President</div>	<div>Dan Swafford, Vice President</div>
<div>Steve Hale</div>	<div>Zach Michael</div>
<div>Pamela Samples</div>	<div>Ryan Skaggs</div>
<div>Pat Wesolowski</div>	<div>Renee Jones, Secretary</div>



Town of Ellettsville

Department of Planning & Development

PC 25-25 – Voluntary Annexation Petition Staff Report

Petition

Case - PC 25-25 - Ripley Annexation. A request by Michael & Megan Ripley to voluntarily annex three (3) parcels totaling approximately 71.93 acres of land. The subject parcels are located at 5711 N. Union Valley Road, 4601 W. McNeely Street and 4.10 acres, Parcel No. 53-04-11-100-010.000-011.

Surrounding Zoning Districts & Uses



	Zoning District	Property Use
North:	Agricultural Residential (AGR); Monroe County	Single Family Residential
South:	Agricultural Residential (AGR); Monroe County Residential 1 (R-1)	Single Family Residential
East:	Agricultural Residential (AGR) & Residential 1 (RES); Monroe County	Single Family Residential
West:	Residential 1 (R-1)	Single Family Residential

Considerations

The Petitioners are requesting to annex three (3) parcels totaling approximately 71.93 acres of land, located at 5711 N. Union Valley Road, 4601 W. McNeely Street and 4.10 acres, Parcel No. 53-04-11-100-010.000-011.

1. Indiana Code requirements (IC 36-4-3-5.1) for super voluntary annexation are:
 - a. Consent of 100% of the property owners within the area to be annexed.
 - b. At least one-eighth (1/8 or 12.5%) of the aggregate external boundary of the proposed annexation area must be contiguous with the existing city limits. A strip of land less than one hundred fifty (150) feet wide is not considered contiguous. (IC 36-4-3-1.5)
2. The proposed annexation areas contiguity are as follows: 5711 N. Union Valley Road is 20% contiguous, 4.10 Acres, Parcel No. 53-04-11-100-010.000-011, is 49% contiguous and 4601 W. McNeely Street is 34% contiguous to the Town of Ellettsville and 100% of the property owners are parties to the petition.
3. The properties are currently zoned Agricultural Residential (AGR) by Monroe County and is recommended to be designated as Agricultural (AG) upon annexation.
4. The properties will be located in Council Ward 3.
5. The properties are serviced by water. The annexations should not require any capital projects to extend services and any cost for extension of utilities is borne by the developer.
6. The Town will provide police, fire, EMS and other governmental services immediately upon annexation.

Plan Commission Action

The Plan Commission action shall be in the form of a *favorable, unfavorable, or no recommendation* to Town Council, which takes final action on the annexation petition.

Staff Recommendation

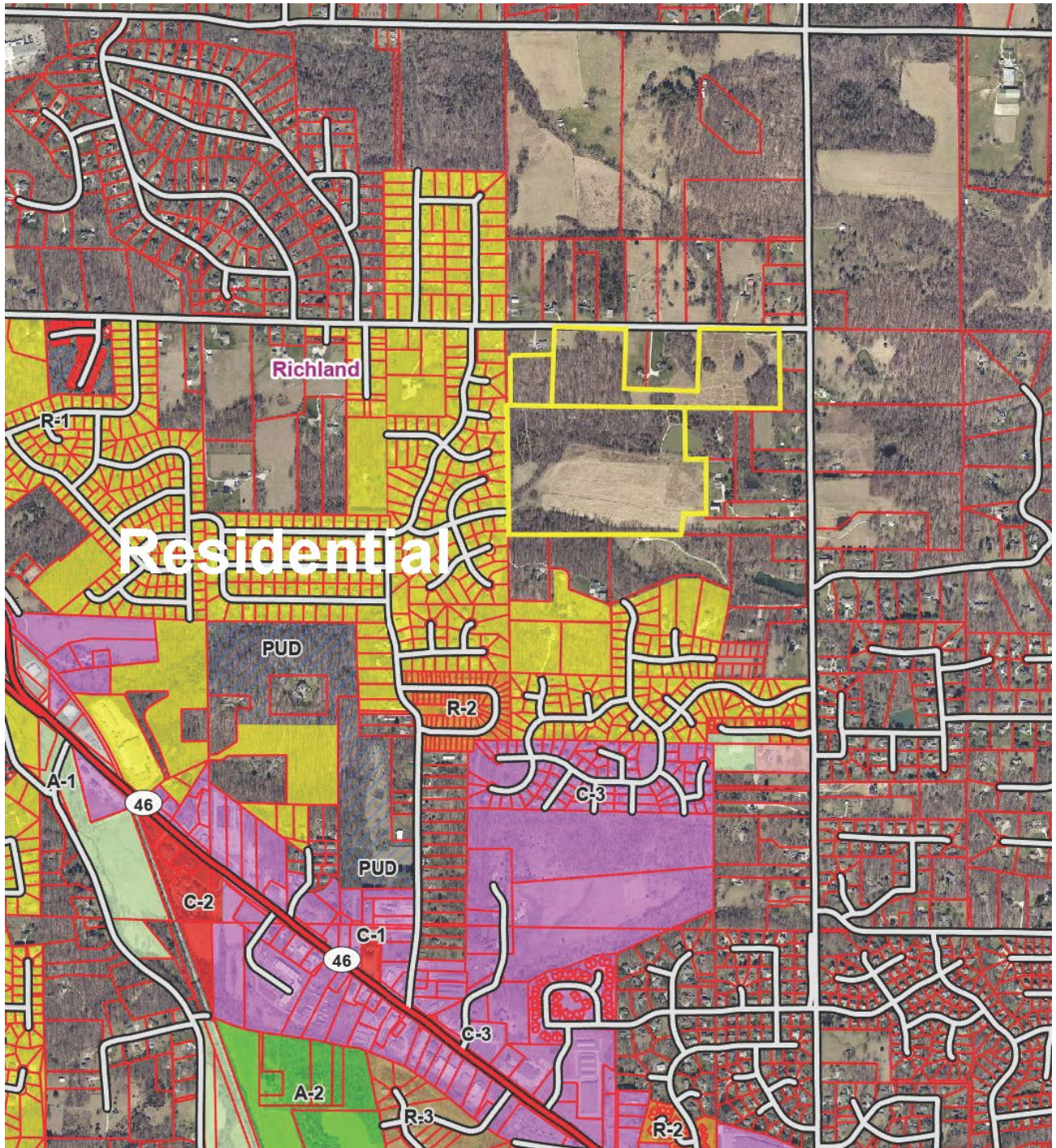
Staff recommends a *favorable recommendation* be forwarded to Town Council, with a recommended zoning of Agricultural (AG) for all three (3) parcels upon annexation.

Submitted by Denise Line
Director, Ellettsville Planning
October 2, 2025

GIS Aerial Photo



Zoning Map





Town of Ellettsville

Department of Planning & Development

FISCAL PLAN

Ripley Annexation

Project Description No. 1

Location: 5711 N. Union Valley Road
Size: +/- 42.26 acres
Number of Parcels: 1
Current Zoning (Monroe County): Agricultural Residential (AGR)
Proposed Zoning: Agricultural (AG)

Project Description No. 2

Location: McNeely Street, Parcel No. 53-04-11-100-010.000-011
Size: +/- 4.10 acres
Number of Parcels: 1
Current Zoning (Monroe County): Agricultural Residential (AGR)
Proposed Zoning: Agricultural (AG)

Project Description No. 3

Location: 4601 W. McNeely Street
Size: +/- 25.57 acres
Number of Parcels: 1
Current Zoning (Monroe County): Agricultural Residential (AGR)
Proposed Zoning: Agricultural (AG)

State Law Requirements

When pursuing an annexation, a municipality must comply with State law, as established in the statutes at I.C. 36-4-3 et seq., as amended. I.C. 36-4-3-1.5 sets forth the requirements for contiguity:

1. The aggregate external boundaries of the territory sought to be annexed are seventy-one percent (71%) contiguous to the boundaries of the municipality;

Additionally, Indiana Statute (IC 36-4-3-3.1) requires the Town of Ellettsville, the annexing municipality, to develop and adopt by resolution, a fiscal plan for extension of municipal services to the annexed area.

In the preparation of the annexation fiscal plan, as required by Indiana Code, the Town of Ellettsville has determined and compared the cost of providing non-capital and capital services to the annexation area, with the potential tax revenue generated by the developed parcels. The fiscal plan shall identify the following:

1. The cost estimates for planned services to be furnished to the property to be annexed;
2. The method or methods of financing the planned services;

3. The organization and extension of services;
4. That planned services of a non-capital nature, including police protection, fire protection, street and road maintenance, and other non-capital services normally provided within the corporate boundaries will be provided within one (1) year after the effective date of annexation;
5. Those services requiring capital improvements, including street construction, sewer facilities, water facilities, and stormwater drainage facilities, will be provided within three (3) years after the effective date of the annexation;
6. The estimated effect on taxpayers in the Town of Ellettsville;
7. The effect of annexation on the Town of Ellettsville finances;
8. The effect of annexation on other political subdivisions and taxpayers that are not part of the annexation; and
9. A list of the property, property owner, parcel identification number and most recent assessed value.

Contiguity

The properties to be annexed by the Town of Ellettsville have the following borders:

- (1) 5711 N. Union Road has a border of 5,561.97 feet and is contiguous along 1,129.44 feet. The total percentage contiguous is 20%, meeting contiguity requirements of Indiana Code and will be zoned Agricultural.
- (2) 4.10 Acres, Parcel No. 53-04-11-100-010.000-011 has a border of 1,627.89 feet and is contiguous along 797.95 feet. The total percentage contiguous is 49%, meeting contiguity requirements of Indiana Code and will be zoned Agricultural.
- (3) 4611 W. McNeely Street has a border of 5,975.43 feet and is contiguous along 2,033.72 feet. The total percentage contiguous is 34%, meeting contiguity requirements of Indiana Code and will be zoned Agricultural.

Cost of Services Provided by the Town of Ellettsville to the Annexed Property

This report has been created for the purpose of estimating the potential fiscal impact of new development and annexations to the Town of Ellettsville. It is not intended to serve a specific budgetary purpose, but rather express estimated costs and benefits based on a set of level-of-service related assumptions.

Organization and Extension of Services

The Town of Ellettsville is committed to providing capital and non-capital services to the land proposed for annexation in the same manner as areas currently within Town limits, regardless of similarity. Non-capital services will be provided within one year of the completion of the annexation. Capital improvements, if any, will be provided within three years of the completion of the annexation. Any monetary figures presented here are merely estimates, subject to change. Many variables, including the rate and extent of future development, future property assessments, and fluctuations in the cost of providing various services are expected to have an influence.

1. Non-Capital Improvements:

The Town of Ellettsville Departments of Planning, Utilities, Stormwater, Police, Fire, EMS, Clerk/Treasurer, and Street will assume and retain immediate responsibility. There are little to no

actual anticipated costs with the extension of these services and each of these services will be readily available within the one (1) year requirement.

2. Capital Improvements:

Capital improvements are those such as water, sanitary sewer, storm sewer and street maintenance projects that would be required for further development. Each of these utilities are currently located on or near the property and will not require any capital projects. Any new development of the property requiring utilities will be the responsibility of the developer. Other utilities such as natural gas, electric, cable, and telephone services are provided by private companies.

Financial Recommendations

The purpose of this section is to review and discuss the potential revenues for funding the increased costs for providing services to the annexation area.

1. Real Property Tax

- a. The net assessed valuations of the parcels as of April 11, 2025, are: 5711 N. Union Valley Road is \$700; 4.10 Acres, Parcel No. 53-04-11-100-010.000-011, is \$100 and 4601 W. McNeely Street is \$100 and will have very little impact on the tax rate throughout town, and will have little effect on revenue. See 'Effect of Annexation' section for further information.

2. Personal Property Tax

- a. There will likely not be personal property taxes associated with development of this parcel.

3. Local Income Tax (LIT)

- a. On July 1st of each year, the Indiana Department of Revenue certifies a distribution of the Local Income Tax (LIT) for Monroe County. LIT is distributed based upon the proportionate share of the Town's budget levy in relation to the civil taxing units and school corporations within the county and is dependent on a number of variables including the budget levies of other taxing units in Monroe County and the estimated county income tax collection. The estimated LIT revenues to the Town attributable to the annexation cannot be determined.

4. Water/Sewer

- a. There are no expected cost increases to the Town to provide these services.

Effect of Annexation

1. Estimated Effect on Taxpayers in Ellettsville

- a. The estimated tax rate would increase from 0.5673 to 0.5645 in the year 2025 - 2026, and would be expected to remain relatively similar for the next four (4) years.
- b. The estimated change in tax levy per taxpayer will be minimal. The tax rate drop of 0.056 would amount to approximately \$11.00 per year for a \$200,000 home. The amount over four (4) years would be negligible.
- c. The annexation will not require any increase in expenditures.
- d. The annexation of these parcels should have no noticeable effects on service levels.

- e. The annexation will have minimal to no effect on annual debt service payments.
- 2. Estimated Effect on Municipal Finances
 - a. The estimated levy increase due to the annexation is \$1.43. Estimated levy increases contributed to this annexation and a constant growth rate of 4.3% over the next four (4) years would be an increase of \$25 over this time period compared to the growth rate without annexation.
 - b. Any lowering of the tax levy will result in a slight reduction in the number of properties reaching the tax caps, and increase receivable revenue for the Town.
- 3. Estimated Effect on Other Political Subdivisions
 - a. There is no outstanding Monroe County debt tied to income taxes to consider.
 - b. The annexation will not be taking possession of any Monroe County infrastructure currently with outstanding debt.
 - c. Richland Township does not currently have an outstanding debt spread.
 - d. The circuit breaker does not come into effect for this annexation.

Parcels to be Annexed

- 1. Parcel ID No. 53-04-11-100-020.004-011
 - a. Property Owner – Michael Ryan & Megan J. Ripley
 - b. Property Address – 5711 N. Union Valley Road
 - c. Assessed Value (2025) - \$700
- 2. Parcel ID No. 53-04-11-100-010.000-011
 - a. Property Owner – Michael Ryan & Megan J. Ripley
 - b. Property Address – 4.10 Acres; Parcel No. 53-04-11-100-010.000-011
 - c. Assessed Value (2025) - \$100
- 3. Parcel ID No. 53-04-11-100-025.000-011
 - a. Property Owner – Michael Ryan & Megan J. Ripley
 - b. Property Address – 4601 W. McNeely Street
 - c. Assessed Value (2025) - \$400

Other Considerations

- 1. All parcels are currently zoned Agricultural Residential (AGR) by Monroe County and will be designated as Agricultural (AG).
- 2. The property will be assigned to Council Ward 3.

Summary

The purpose of this annexation is to bring three (3) parcels into the jurisdiction of the Town of Ellettsville. The fiscal plan for this property shows little impact on Town revenue, and the costs associated with this annexation are negligible. Overall, there should be a small, positive effect on Town finances. The effects on taxpayers outside of Ellettsville will be minimal. Therefore, Staff recommends that the Plan

Commission send a favorable recommendation to Town Council for annexation with a recommended zoning of Agricultural (AG) for all parcels.

Legal Descriptions

5711 N. Union Valley Road

A part of the Northeast quarter of Section 11, Township 9 North, Range 2 West, Monroe County, Indiana, being more particularly described as follows:

Commencing at a rebar found marking the Northwest corner of the Northeast quarter of said Section 11; thence South 00 degrees 25 minutes 13 seconds East along the west line of said quarter section for a distance of 722.41 feet to an axle found marking the point of beginning, said point being the northwest corner of lot 4 of Moriarty Minor Subdivision; thence the following 7 courses along the north line of said lot 4:

- 1) South 89 degrees 23 minutes 10 seconds East for a distance of 192.01 feet;
- 2) South 89 degrees 25 minutes 22 seconds East for a distance of 235.91 feet;
- 3) South 89 degrees 30 minutes 33 seconds East for a distance of 219.56 feet;
- 4) South 89 degrees 24 minutes 13 seconds East for a distance of 143.07 feet;
- 5) South 89 degrees 08 minutes 47 seconds East for a distance of 307.11 feet;
- 6) South 89 degrees 24 minutes 28 seconds East for a distance of 260.09 feet;
- 7) South 89 degrees 08 minutes 07 seconds East for a distance of 222.70 feet to a rebar stamped "Deckard"; thence South 00 degrees 50 minutes 21 seconds East along the east line of said lot 4 for a distance of 451.97 feet to rebar stamped "Deckard"; thence South 89 degrees 48 minutes 58 seconds East for a distance of 182.18 feet to a rebar stamped "Deckard"; thence South 00 degrees 08 minutes 20 seconds East for a distance of 50.00 feet to a rebar stamped "Bledsoe Tapp"; thence South 00 degrees 08 minutes 20 seconds East for a distance of 409.07 feet to a rebar stamped "Bledsoe Tapp"; thence North 89 degrees 04 minutes 04 seconds West for a distance of 193.00 feet to a rebar stamped "Deckard"; thence South 08 degrees 53 minutes 56 seconds West for a distance of 207.74 feet to a rebar stamped "Deckard"; thence North 89 degrees 32 minutes 52 seconds West for a distance of 1527.45 feet to a rebar stamped "Bledsoe Tapp"; thence North 00 degrees 55 minutes 52 seconds West for a distance of 621.50 feet to a rebar stamped "Bledsoe Tapp"; thence North 01 degrees 24 minutes 43 seconds West along an existing fence for a distance of 9.59 feet; thence North 01 degrees 08 minutes 25 seconds West for a distance of 318.35 feet; thence North 00 degrees 21 minutes 32 seconds West for a distance of 170.76 feet to the point of beginning, containing 42.26 acres more or less.

4601 W. McNeely Street & 4.1 Acres on McNeely Street (Parcel No. 53-04-11-100-010.000-011)

Parcel 1: A part of the Northeast quarter of Section 11, Township 9 North, Range 2 West, Monroe County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Quarter Section; thence South 88 degrees 02 minutes 11 seconds East along the North line of said Section 418.64 feet to the point of beginning; thence South 88 degrees 02 minutes 11 seconds East along said North line 2006.93 feet; thence leaving said North line South 00 degrees 34 minutes 25 seconds

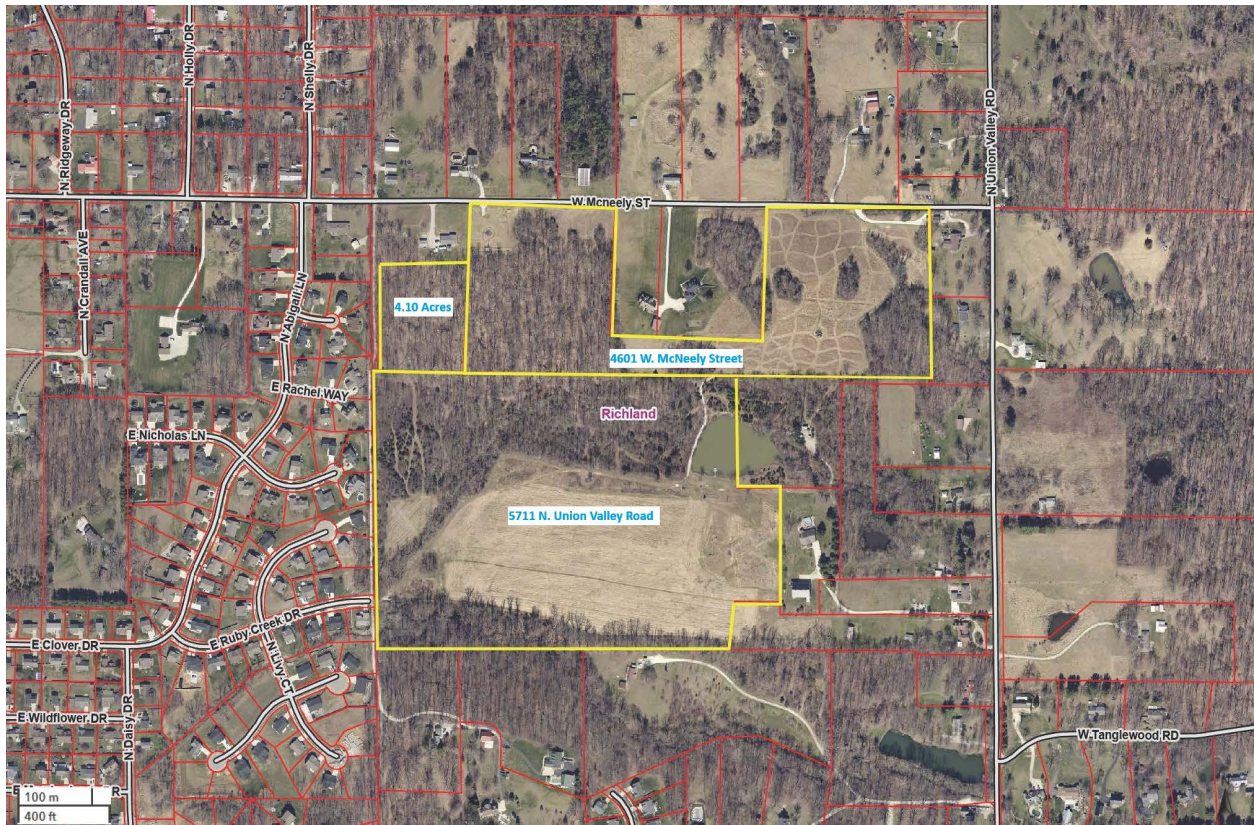
West 725.96 feet; thence North 88 degrees 02 minutes 11 seconds West 399.23 feet; thence the following eight (8) courses along an existing fence line; 1) North 87 degrees 37 minutes 35 seconds West 226.02 feet; 2) North 88 degrees 25 minutes 07 seconds West 211.66 feet; 3) North 88 degrees 06 minutes 42 seconds West 220.70 feet; 4) North 88 degrees 23 minutes 03 seconds West 260.09 feet; 5) North 88 degrees 07 minutes 22 seconds West 307.11 feet; 6) North 88 degrees 22 minutes 48 seconds West 143.07 feet; 7) North 88 degrees 29 minutes 08 seconds West 219.56 feet; 8) North 88 degrees 23 minutes 57 seconds West 37.29 feet; thence North 01 degrees 58 minutes 27 seconds East 731.55 feet to the point of beginning, containing 33.66 acres, more or less.

EXCEPTING THEREFROM: A part of the Northeast quarter of Section 11, Township 9 North, Range 2 West, Monroe County, Indiana more particularly described as follows: Commencing at the Northwest corner of said quarter section; thence South 88 degrees 02 minutes 11 seconds East along the North line of said Section 1245.09 feet to the point of beginning; thence continuing South 88 degrees 02 minutes 11 seconds East along said North line 450.04 feet; thence South 01 degree 58 minutes 27 seconds West 540.78 feet; thence North 88 degrees 02 minutes 11 seconds West 450.04 feet; thence North 01 degree 58 minutes 27 seconds East 540.78 feet to the point of beginning, containing in said exception 5.59 acres, more or less.

FURTHER EXCEPTING THEREFROM: A part of the Northeast quarter of Section 11, Township 9 North, Range 2 West, Monroe County, Indiana, more particularly described as follows: Commencing at the Northwest corner of said quarter Section; thence South 88 degrees 02 minutes 11 seconds East along the North line of said Section 1043.71 feet to the point of beginning; thence continuing South 88 degrees 02 minutes 11 seconds East along said North line 201.38 feet; thence South 01 degree 58 minutes 27 seconds West 540.78 feet; thence North 88 degrees 02 minutes 11 seconds West 201.38 feet; thence North 01-degrees 58 minutes 27 seconds East 540.78 feet to the point of beginning, containing in said exception 2.50 acres, more or less.

ALSO: A part of the Northeast quarter of Section 11, Township 9 North, Range 2 West, Monroe County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Quarter Section; thence South 88 degrees 02 minutes 11 seconds East along the North line of said Section 418.64 feet; thence leaving said North line South 01 degrees 58 minutes 27 seconds West 254.00 feet to the point of beginning; thence continuing South 01 degree 58 minutes 27 seconds West 477.55 feet; thence the following two (2) courses along an existing fence line; 1) North 88 degrees 23 minutes 57 seconds West 198.62 feet; 2) North 88 degrees 21 minutes 45 seconds West 166.60 feet; thence North 00 degrees 08 minutes 43 seconds East along a line parallel to and 29.98 feet East of the West line of said Quarter Section 479.99 feet; thence North 88 degrees 02 minutes 11 seconds East 380.52 feet to the point of beginning, containing 4.10 acres, more or less.



RESOLUTION 03-2025 PC

A RESOLUTION OF THE ELLETTSVILLE PLAN COMMISSION APPROVING A DECLARATORY RESOLUTION OF THE ELLETTSVILLE REDEVELOPMENT COMMISSION TO AMEND THE ELLETTSVILLE RIVERFRONT ECONOMIC DEVELOPMENT DISTRICT

WHEREAS, the Ellettsville Plan Commission (the “Plan Commission”) is the body charged with the duty of developing a general plan of development for the Town of Ellettsville, Indiana; and

WHEREAS, the Ellettsville Redevelopment Commission (the “Commission”), as the governing body of the Department of Redevelopment of the Town of Ellettsville (the “Department”), on August 11, 2025, approved and adopted its resolution 2025-01 entitled “A Declaratory Resolution of the Town of Ellettsville Redevelopment Commission Amending the Ellettsville Riverfront Economic Development District and Other Matters Related Thereto” (the “Declaratory Resolution”) for the purpose of clarifying the location, parcel numbers, and legal descriptions of all parcels in the existing Ellettsville Riverfront Economic Development Area, thereby creating the “Amended Ellettsville Riverfront Economic Development District”; and

WHEREAS, the Declaratory Resolution (i) designated and declared certain areas within the Town to be redevelopment areas and allocation areas for purposes of tax increment financing; (ii) clarified the legal descriptions and parcel numbers for the existing Ellettsville Riverfront Economic Development Area; and (iii) confirmed the previously adopted Economic Development Plan for the Ellettsville Riverfront Economic Development District; and

WHEREAS, the Plan Commission desires to approve Declaratory Resolution 2025-01; and

WHEREAS, the Commission has submitted Declaratory Resolution 2025-01 to the Plan Commission for approval pursuant to Indiana Code § 36-7-14, as amended (the “Act”) which Declaratory Resolution is attached hereto and made a part hereof; and

WHEREAS, pursuant to the provisions of the Act, the Plan Commission desires to issue its written order approving the Declaratory Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ELLETTSVILLE PLAN COMMISSION, THAT;

1. Declaratory Resolution 2025-01 conforms to the plan of the development for the Town.
2. Declaratory Resolution 2025-01 is in all respects approved, ratified, and confirmed.
3. This Resolution hereby constitutes the written order of the Plan Commission approving Declaratory Resolution 2025-01 pursuant to Indiana Code § 36-7-14-16.

4. The Secretary of the Plan Commission is hereby directed to file a copy of Declaratory Resolution 2025-01 with the minutes of this meeting.

SO RESOLVED AND APPROVED BY THE ELLETTSVILLE PLAN COMMISSION
this 2nd day of October, 2025.

David Drake

President
Ellettsville Plan Commission

ATTEST:

Mike Burns, Secretary

RESOLUTION NO. 2025-01 RDC

**A DECLARATORY RESOLUTION OF THE TOWN OF ELLETTSVILLE
REDEVELOPMENT COMMISSION AMENDING THE ELLETTSVILLE
RIVERFRONT ECONOMIC DEVELOPMENT DISTRICT AND
OTHER MATTERS RELATED THERETO**

The Town of Ellettsville, Indiana (“Town”) Redevelopment Commission (the “Commission”), met at a duly called and authorized meeting of the Commission held on the date set forth below, such meeting being called pursuant to a notice stating the time, place and purpose of the meeting received by all members of the Commission and others required by law, and the following resolutions were made, seconded, and adopted by a majority of the members of the Commission.

WHEREAS, the Commission previously established the Ellettsville Riverfront Economic Development District (the “Area”) pursuant to the Declaratory and Confirmatory Resolutions adopted (collectively the “Prior Resolutions”) and now desires to amend the Area pursuant to the provisions of Ind. Code § 36-7-14-17.5 and other applicable provisions of Ind. Code § 36-7-14 *et seq.* (collectively, the “Act”); and

WHEREAS, the Prior Resolutions established the Area depicted on Exhibit A and described on Exhibit B as an “Economic Development Area” in accordance with Ind. Code § 36-7-14-41, and further established the entire area as an “allocation area” in accordance with Ind. Code § 36-7-14-39 for the purpose of capturing real property taxes generated from an incremental assessed value in the Riverfront Economic Development Area; and

WHEREAS, the Commission previously approved an Economic Development Plan (the “Plan”) for the Area, which Plan was approved by passage of the Prior Resolutions; and

WHEREAS, after adoption of the Prior Resolutions, the Commission discovered that the legal description and the survey exhibit which contained the parcel numbers and maps contained some errors and inconsistencies which required clarification; and

WHEREAS, the Commission now desires to amend the Ellettsville Riverfront Economic Development District to show the correct location of all parcels and to clarify the legal descriptions and parcel numbers (“clarified parcels”) for the existing Area, which will create the “Amended Ellettsville Riverfront Economic Development District” as illustrated on the map attached hereto as Exhibit C and as described in the legal description attached hereto as Exhibit D, hereafter referred to as the “Amended Ellettsville Riverfront Economic Development District”; and

WHEREAS, the Commission has prepared or caused to be prepared, an amended legal description and parcel list for the Amended Ellettsville Riverfront Economic Development District; and

WHEREAS, the Amended Ellettsville Riverfront Economic Development District and the supporting data related thereto have been reviewed and considered at this meeting; and

WHEREAS, the clarified parcels shall have a base assessment date of January 1, 2025; and

WHEREAS, the parcels remaining in the current Ellettsville Riverfront Economic Development District shall maintain the same base assessment date as when originally created; and

WHEREAS, the Commission finds that the Plan is to be amended to continue to redevelop the entire as originally approved by this Commission by passage of the Prior Resolutions establishing the current Ellettsville Riverfront Economic Development District; and

WHEREAS, the Commission further finds that the entire area depicted and described in the attached Exhibit C and Exhibit D are to be part of the allocation area originally established for the current Ellettsville Riverfront Economic Development District; and

WHEREAS, the Commission now desires to adopt this Declaratory Resolution for the purposes described above, which Declaratory Resolution will be subject to the approval of the Ellettsville Plan Commission and the Ellettsville Town Council and the adoption of a Confirmatory Resolution by the Commission after publication of notice and the conducting of a public hearing thereon as required by the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE ELLETTSVILLE REDEVELOPMENT COMMISSION, AS FOLLOWS:

1. The recitals set forth above are hereby adopted and approved and incorporated into this Resolution as if set forth herein in full.

2. The Commission hereby finds that the (i) clarified parcels are made up of areas needing redevelopment; (ii) the conditions described in Ind. Code § 36-1-73 cannot be corrected in the Riverfront Economic Development District by regulatory processes or the ordinary operations of private enterprise without resort to provisions of the Act; (iii) the public health and welfare will be benefitted by amendment of the Riverfront Economic Development District; and (iv) the amendment of the current Ellettsville Riverfront Economic Development District is reasonable and appropriate when considered in relation to the Prior Resolutions, the Plan and the purposes of the Act.

3. The Commission further finds that no amendments are required to the Current Plan as a result of the amendment to the current Ellettsville Riverfront Economic Development District.

4. The Commission has reviewed the maps and plats showing the boundaries of the Amended Ellettsville Riverfront Economic Development District and the location of various parcels of property, streets, alleys, and other features of the Amended Ellettsville Riverfront Economic Development District affecting the planning and redevelopment of such allocation area

to be devoted to public ways, levies, sewerages, parks, playgrounds and other public purposes, and all other data required by Ind. Code § 36-7-14-15(b), all of which is hereby approved and incorporated as if set forth in full.

5. The Commission hereby amends the Ellettsville Riverfront Economic Development District, which is hereafter known as the Amended Ellettsville Riverfront Economic Development District, the entirety of which shall be an allocation area for the purposes of allocation and distributions of property taxes. The base assessment rate for the clarified parcels shall be January 1, 2025 and the base assessment rate for the remaining parcels shall maintain the same base assessment date as established in the Prior Resolutions. The foregoing allocation provisions shall expire with respect to the allocation area on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from the Allocation Area.

6. The Commission further determines that, upon adoption of a Confirmatory Resolution, the entire Amended Ellettsville Riverfront Economic Development District shall be designated as part of the allocation area of the current Ellettsville Riverfront Economic Development District in accordance with Ind. Code § 36-7-14-41. The approval of the Amended Ellettsville Riverfront Economic Development District shall be submitted to the Plan Commission and Town Council for approval as required by Ind. Code § 36-7-14-15(d) and Ind. Code § 36-7-14-41(c).

7. The Commission further finds that there are no additions to the list of projects in the Current Plan, and that the Current Plan need only to be amended to the extent necessary to continue to redevelop the entire Area.

8. In all other respects, the Amended Ellettsville Riverfront Economic Development District is hereby created, and the map attached hereto as Exhibit C and the legal description attached hereto as Exhibit D are approved and adopted by the Commission and shall be considered an integral part of the Amended Area.

9. The Prior Resolutions, as amended by this Resolution, conform to the comprehensive plan of the development for the Town.

10. This Resolution and the amendments described herein are reasonable and appropriate when considered in relation to the Prior Resolutions and the purposes of the Act.

11. The findings and determinations set forth in the Prior Resolutions, including the Development Plan, are hereby affirmed.

12. As required by Ind. Code § 36-7-14-15(d), the Commission hereby finds that it will be of public utility and benefit to amend the Prior Resolutions and the Plan for the Area in conformance with this Resolution and that any additional are to be acquired under this Amendment is designated as part of the existing redevelopment project. Therefore, the Prior Resolutions and Plan are hereby amended to the extent necessary to continue to redevelop the entire Area, subject to hearings and further approvals required by the Act.

13. In all other respects the amendment of the current Ellettsville Riverfront Economic Development District is hereby approved and adopted by the Commission.

14. The Commission finds that the adoption of the allocation provisions herein discussed is reasonably expected to result in new property taxes that would not have been generated but for adoption of the allocation provision.

15. The Commission finds that no residents of the Amended Ellettsville Riverfront Economic Development District will be displaced by any project resulting from the amendments described in this Resolution and therefore finds that it does not need to consider traditional and permanent provisions for adequate housing for the residents.

16. The amendments to the Ellettsville Riverfront Economic Development District is hereby approved in all respects.

17. The areas depicted and described in Exhibits C and D shall hereafter constitute the Amended Ellettsville Riverfront Economic Development District for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under Ind. Code § 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceed of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the redevelopment district and when collected paid into an allocation fund for the allocation area hereby designated as the “Ellettsville Westside Allocation Fund” that may be used by the redevelopment district to do one or more of the things specified in Section 39(b)(3) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(4) of the Act.

18. The presiding officer of the Commission is hereby authorized and directed to submit this Resolution and all supporting data to the Ellettsville Plan Commission and the Ellettsville Town Council, and to take all other action necessary to give effect to this Resolution. The Commission also directs the presiding officer to prepare or cause to be prepared a statement disclosing the impact of the allocation area, including the following: disclosing the impact of the Allocation Area which includes (a) the estimated economic benefits and costs incurred by the Allocation Area, as measured by increased employment and anticipated growth of real property,

personal property and inventory assessed values and (b) the anticipated impact on tax revenues of each taxing unit that is either wholly or partly located within the Allocation Area (a copy of this statement shall be filed with each such taxing unit with a copy of the notice required under Indiana Code 36-7-14-17 at least ten (10) days prior to the date of the hearing described in Section 13 hereof).

19. This Resolution shall be in full force and effect immediately upon its passage.

Passed and adopted at a meeting of the Town of Ellettsville Redevelopment Commission this 11th day of August, 2025 by a vote of ____ Ayes and ____ Nays.

Town of Ellettsville
Redevelopment Commission

Tom Cornman, President

Trevor Sager, Secretary

Andrew Henry, Member

Carl Thurman, Member

William Ellis, Member

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. /s/ Darla S. Brown.

This instrument was prepared by Darla S. Brown, Darla Brown Law, P.C., 1451 W. Arlington Road, Bloomington, Indiana 47404

EXHIBIT A

Plat Map for Ellettsville Riverfront Economic Development District as Approved
by Confirmatory Resolution 2024-06

EXHIBIT B

Legal Description for Ellettsville Riverfront Economic Development District as
Approved by Confirmatory Resolution 2024-06

ELLETTSVILLE PROPOSED ECONOMIC DEVELOPMENT AREA

RIVERFRONT

A part of Section 10, Township 9 North, Range 2 West, Monroe County, Indiana, also including a part of the Original Town Plat of Ellettsville, a part of Beaman's Addition, a part of Sharp's First Addition, a part of Sharp's Second Addition, and a part of James Whitesell's Addition, all additions to the Town of Ellettsville and recorded in the Office of the Recorder of said county, also a part of Roy Wever Subdivision recorded in said Recorder's Office, and being more particularly described as follows:

Beginning at the intersection of the platted centerline of Cherry Street and the platted centerline of Association Street in said Sharp's Second Addition; thence in a Northeasterly direction (assumed basis of bearing) (North 36 degrees West per plat of said Sharp's Second Addition) the platted distance of 1023.00 feet along the said centerline of Cherry Street and Matthews Street and the extension thereof to the intersection of said Cherry Street and Matthews Street centerline extension and the Northeastern line of the plat of the Original Town of Ellettsville; thence leaving the said Cherry Street and Matthews Street centerline and extension thereof and in a Southeasterly direction (South 54 degrees East per said plat of the Original Town of Ellettsville) the platted distance of 594.50 feet to the intersection of said Northeastern line with the platted centerline of Sales Street (Cross Street per said plat of the Original Town of Ellettsville); thence leaving said Northeastern line and in a Southwesterly direction (South 36 degrees West per said plat of the Original Town of Ellettsville) the platted distance of 157.00 feet to intersection of the platted centerline of Sales Street (Cross Street per said plat of the Original Town of Ellettsville) with the platted centerline of Main Street in said plat of the Original Town of Ellettsville, also being P.I. Station 33+58.07 of Line "M" on the right of way plans of State Highway MANH Project Number 062-3(4)B having a LA Code of 3578 and a Des. Number of 9612540, approved January 26, 2006 (hereinafter referred to as "Highway Plans"); thence along said Line "M" in a Southeasterly direction (South 49 degrees 13 minutes 59 seconds East per said Highway Plans) 426.61 feet to P.C. Station 37+84.68 of Line "PR-M4" on said Highway Plans; thence Southeasterly 364.47 feet along a curve concave to the Southwest having a radius of 2864.75 feet (2864.79 feet per Highway Plans) to P.T. Station 41+49.64 (P.T. Station 41+49.15 on said Highway Plans) of said Line "PR-M4"; thence in a Southeasterly direction (South 41 degrees 56 minutes 37 seconds East per said Highway Plans) 8.08 feet (8.57 feet per said Highway Plans) along said Line "PR-M4" to P.C. Station 41+57.72 of said Line "PR-M4" on said Highway Plans; thence Southeasterly 373.74 feet along a curve concave to the Northeast having a radius of 7639.53 feet (7639.44 feet per said Highway Plans) to P.T. Station 45+31.54 (P.T. Station 45+31.46 per said Highway Plans) of said Line "PR-M4; thence in a Southeasterly direction (South 44 degrees 44 minutes 48 seconds East per said Highway Plans) 146.37 feet along Line "M" to P.O.T. Station 46+78.25 of Line "PR-M5" on said Highway Plans; thence continuing in a Southeasterly direction (South 44 minutes 44 seconds 48 seconds East per said Highway Plans) 195.61 feet along said Line "PR-M5 to its intersection with the North line of a 7.00 acre tract of land described in Deed Record 304, Page 65 recorded in the Office of the Recorder of said county; thence leaving said Line "PR-M5" and with said North line Easterly (South 88 degrees

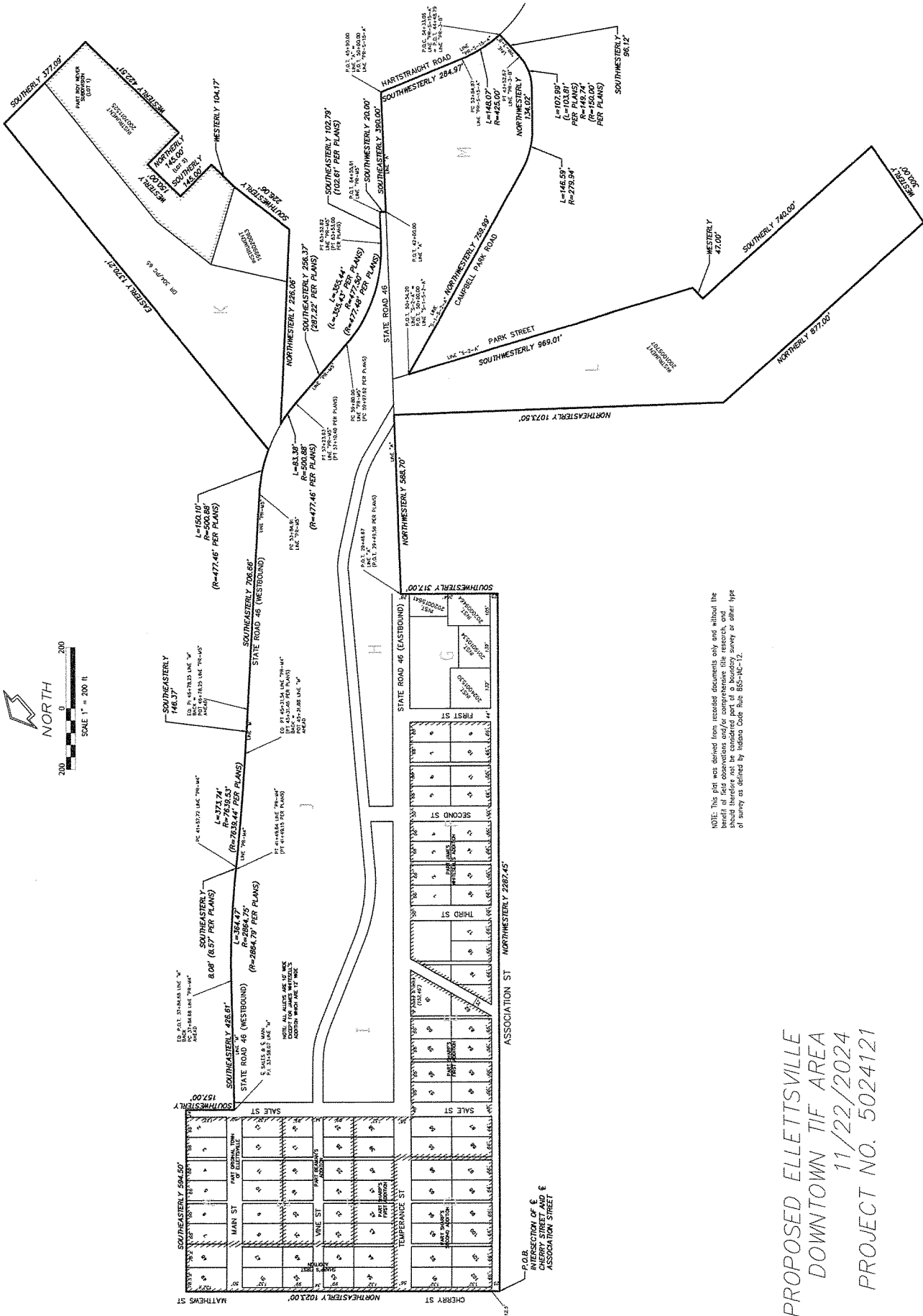
54 minutes 45 seconds per said 7.00 acre description) 1370.21 feet to the Northeast corner of said 7.00 acre tract; thence along the East line of said 7.00 acre tract and the East line of Lot 1 in Roy Wever Subdivision Final Plat, recorded at Instrument 2007011525 in said Recorder's Office Southerly (South 04 degrees 20 minutes 07 seconds per said subdivision plat) 377.09 feet to the Southeast corner of said Lot 1; thence along the South line of said Lot 1 Westerly (South 84 degrees 52 minutes 40 seconds West per said subdivision plat) 422.51 feet to the Southeast corner of Lot 2 in said subdivision; thence along the East line of said Lot 2 Northerly (North 05 degrees 07 minutes 20 seconds West per said subdivision plat) 145.00 feet to the Northeast corner of said Lot 2; thence along the North line of said Lot 2 Westerly (South 84 degrees 52 minutes 40 seconds West per said subdivision plat) 150.00 feet to the Northwest corner of said Lot 2; thence along the West line of said Lot 2 Southerly (South 05 degrees 07 minutes 20 seconds East per said subdivision plat) 145.00 feet to the Southwest corner of said Lot 2 and the South line of said Lot 1; thence leaving Lot 2 and with the said South line of said Lot 1 Westerly (South 84 degrees 52 minutes 40 seconds per said subdivision plat) 104.17 feet to the Southwest corner of Lot 1, also being the Southeast corner of a 1.13 acre tract of land described in Instrument 1999020063; thence leaving Lot 1 and with the South line of said 1.13 acre tract Southwesterly (South 77 degrees 51 minutes 28 seconds West per said Instrument 1999020063) 225.44 feet to the intersection of said South line with Line "PR-M5" on said Highway Plans; thence leaving said South line and along said Line "PR-M5" Southeasterly 107.82 feet along a curve concave to the Southwest having a radius of 500.88 feet (477.46 feet per said Highway Plans) to P.T. Station 57+23.63 (P.T. Station 57+10.40 per said Highway Plans) of said Line "PR-M5"; thence in a Southeasterly direction (South 07 degrees 23 minutes 00 seconds East per said Highway Plans) 256.37 feet (287.22 feet per said Highway Plans) along said Line "PR-M5" to P.C. Station 59+80.00 (P.C. Station 59+97.62 feet per said Highway Plans) of said Line "PR-M5"; thence Southeasterly 355.44 feet (355.43 feet per said Highway Plans) along said Line "PR-M5" and a curve concave to the Northeast having a radius of 477.50 feet (477.48 feet per said Highway Plans) to P.T. Station 63+52.82 (P.T. Station 63+53.00 per said Highway Plans) of said Line "PR-M5"; thence in a Southeasterly direction (South 48 degrees 20 minutes 21 seconds East per said Highway Plans) 102.79 feet (102.61 feet per said Highway Plans) along said Line "PR-M5" to P.O.T. Station 64+55.61 of said Line "PR-M5"; thence leaving said Line "PR-M5" in a Southwesterly direction, deflecting 90 degrees from the last described course 20.00 feet to P.O.T. Station 42+00.00 of Line "A" of said Highway Plans; thence along said Line "A" Southeasterly (South 50 degrees 02 minutes 07 seconds East per said Highway Plans) 390.00 feet to P.O.T. Station 45+90.00 on said Line "A" per said Highway Plans at its intersection with Line "PR-S-15-A" at P.O.T. Station 50+00.00 on said Line "PR-S-15-A" per said Highway Plans; thence leaving said Line "A" and along said Line "PR-S-15-A" Southwesterly (South 19 degrees 57 minutes 53 seconds West per said Highway Plans) 284.97 feet to P.C. Station 52+84.97 of said Line "PR-S-15-A"; thence continuing along said Line "PR-S-15-A" Southerly 148.07 feet along a curve concave to the Southeast having a radius of 425.00 feet to P.O.C. Station 54+33.06 on said Line "PR-S-15-A" at its intersection with Line "PR-3-B" per said Highway Plans at P.O.T. 44+48.79 of said Line "PR-3-B"; thence leaving said Line "PR-S-15-A" and along said Line "PR-3-B" Southwesterly (South 78 degrees 03 minutes 42 seconds West per said Highway Plans) 96.12 feet to Station P.T. 43+52.67 of said Line "PR-3-B" on said Highway

Plans; thence Northwesterly 107.99 feet (103.81 feet per said Highway Plans) along a curve concave to the Northeast having a radius of 149.74 feet (150.00 feet per said Highway Plans) to P.C. Station 42+48.86 of said Line "PR-3-B" per said Highway Plans; thence along the centerline of Campbell Park Road and leaving said Line "PR-3-B" Northwesterly (North 50 degrees 20 minutes 51 seconds West per said Highway Plans) 134.02 feet; thence continuing along said centerline Northwesterly 146.59 feet along a curve concave to the Northeast having a radius of 279.94 feet; thence continuing along said centerline Northwesterly 759.99 feet to P.O.T. Station 50+00.00 of Line "S-1-S-2-A" on said Highway Plans with its intersection of the centerline of Park Street at P.O.T. Station 50+54.20 of Line "S-2-A" on said Highway Plans; thence leaving the centerline of said Campbell Park Road and Line "S-1-S-2-A" and with Line "S-2-A" and the centerline of Park Street Southwesterly 969.01 feet to a corner of a 10 acre tract described in Instrument 2001009707 in the Recorder's Office of said county; thence Westerly (West per said Instrument 2001009707) 47.00 feet to a corner of said 10 acre tract; thence along the East line of said 10.00 acre tract Southerly (South per said Instrument 2001009707) 740.00 feet to the Southeast corner of said 10.00 acre tract; thence along the South line of said 10.00 acre tract Westerly (North 82 degrees West per said Instrument 2001009707) 300.00 feet to the Southwest corner of said 10.00 acre tract; thence along the West line of said 10.00 acre tract Northerly (North per said Instrument 2001009707) 877.00 feet to a corner of said 10.00 acre tract; thence continuing along said West line Northeasterly (North 40 degrees East per said Instrument 2001009707) 1073.50 feet to Line "A" on said Highway Plans; thence leaving said West line and along said Line "A" Northwesterly (North 50 degrees 20 minutes West per said Highway Plans) 588.70 feet to P.O.T. Station 29+46.67 (P.O.T. Station 29+49.58 per said Highway Plans) of said Line "A" and to the intersection of said Line "A" with the Southeastern lines of the properties described in Instrument 2020015641 and Instrument 2020009464 in said Recorder's Office and the extension thereof; thence leaving said Line "A" and in a Southwesterly direction (South 40 degrees West per said Instrument 2020015641) 317.00 feet along said Southeastern lines and the extension thereof to its intersection with the extension of the platted centerline of Association Street in the said plats of James Whitesell's Addition, Sharp's First Addition and Sharp's Second Addition, being 25 feet Southwesterly of the Southeasterly corner of the property described in said Instrument 2020009464; thence in a Northwesterly direction (North 54 degrees West per said plats) along the platted centerline of Association Street and its extension thereof 2287.45 feet to the point of beginning. Containing 84.82 acres, more or less.

The above description was derived from recorded documents only and without the benefit of field observations and/or comprehensive title research, and should therefore not be considered part of a boundary survey or other type of survey as defined by Indiana Code Rule 865-IAC-12.

EXHIBIT C

Plat Map and Parcel Numbers for Amended Ellettsville Riverfront Economic
Development District



PROPOSED ELLETTSVILLE
DOWNTOWN TIF AREA
11/22/2024
PROJECT NO. 5024121

PAGE ONE OF TWO

EXHIBIT D

Legal Description for Amended Ellettsville Riverfront Economic Development
District

Legal Description for Amended Ellettsville Riverfront Economic Development District

A part of Section 10, Township 9 North, Range 2 West, Monroe County, Indiana, also including a part of the Original Town Plat of Ellettsville, a part of Beaman's Addition, a part of Sharp's First Addition, a part of Sharp's Second Addition, and a part of James Whitesell's Addition, all additions to the Town of Ellettsville and recorded in the Office of the Recorder of said county, also a part of Roy Wever Subdivision recorded in said Recorder's Office, and being more particularly described as follows:

Beginning at the intersection of the platted centerline of Cherry Street and the platted centerline of Association Street in said Sharp's Second Addition; thence in a Northeasterly direction (assumed basis of bearing) (North 36 degrees West per plat of said Sharp's Second Addition) the platted distance of 1023.00 feet along the said centerline of Cherry Street and Matthews Street and the extension thereof to the intersection of said Cherry Street and Matthews Street centerline extension and the Northeastern line of the plat of the Original Town of Ellettsville; thence leaving the said Cherry Street and Matthews Street centerline and extension thereof and in a Southeasterly direction (South 54 degrees East per said plat of the Original Town of Ellettsville) the platted distance of 594.50 feet to the intersection of said Northeastern line with the platted centerline of Sales Street (Cross Street per said plat of the Original Town of Ellettsville); thence leaving said Northeastern line and in a Southwesterly direction (South 36 degrees West per said plat of the Original Town of Ellettsville) the platted distance of 157.00 feet to intersection of the platted centerline of Sales Street (Cross Street per said plat of the Original Town of Ellettsville) with the platted centerline of Main Street in said plat of the Original Town of Ellettsville, also being P.I. Station 33+58.07 of Line "M" on the right of way plans of State Highway MANH Project Number 062-3(4)B having a LA Code of 3578 and a Des. Number of 9612540, approved January 26, 2006 (hereinafter referred to as "Highway Plans"); thence along said Line "M" in a Southeasterly direction (South 49 degrees 13 minutes 59 seconds East per said Highway Plans) 426.61 feet to P.C. Station 37+84.68 of Line "PR-M4" on said Highway Plans; thence Southeasterly 364.47 feet along a curve concave to the Southwest having a radius of 2864.75 feet (2864.79 feet per Highway Plans) to P.T. Station 41+49.64 (P.T. Station 41+49.15 on said Highway Plans) of said Line "PR-M4"; thence in a Southeasterly direction (South 41 degrees 56 minutes 37 seconds East per said Highway Plans) 8.08 feet (8.57 feet per said Highway Plans) along said Line "PR-M4" to P.C. Station 41+57.72 of said Line "PR-M4" on said Highway Plans; thence Southeasterly 373.74 feet along a curve concave to the Northeast having a radius of 7639.53 feet (7639.44 feet per said Highway Plans) to P.T. Station 45+31.54 (P.T. Station 45+31.46 per said Highway Plans) of said Line "PR-M4"; thence in a Southeasterly direction (South 44 degrees 44 minutes 48 seconds East per said Highway Plans) 146.37 feet along Line "M" to P.O.T. Station 46+78.25 of Line "PR-M5" on said Highway Plans; thence continuing in a Southeasterly direction (South 44 minutes 44 seconds 48 seconds East per said Highway Plans) 706.66 feet along said Line "PR-M5" to P.C. Station 53+84.91 on said Highway Plans; thence 150.10 feet along an arc concave to the Southwest having a radius of 500.88 feet (477.46 per said Highway Plans) of said Line "PR-M5" to it's intersection with the North line of a 7.00 acre tract

of land described in Deed Record 304, Page 65 recorded in the Office of the Recorder of said county; thence leaving said Line "PR-M5" and with said North line Easterly (South 88 degrees 54 minutes 45 seconds per said 7.00 acre description) 1370.21 feet to the Northeast corner of said 7.00 acre tract; thence along the East line of said 7.00 acre tract and the East line of Lot 1 in Roy Wever Subdivision Final Plat, recorded at Instrument 2007011525 in said Recorder's Office Southerly (South 04 degrees 20 minutes 07 seconds per said subdivision plat) 377.09 feet to the Southeast corner of said Lot 1; thence along the South line of said Lot 1 Westerly (South 84 degrees 52 minutes 40 seconds West per said subdivision plat) 422.51 feet to the Southeast corner of Lot 2 in said subdivision; thence along the East line of said Lot 2 Northerly (North 05 degrees 07 minutes 20 seconds West per said subdivision plat) 145.00 feet to the Northeast corner of said Lot 2; thence along the North line of said Lot 2 Westerly (South 84 degrees 52 minutes 40 seconds West per said subdivision plat) 150.00 feet to the Northwest corner of said Lot 2; thence along the West line of said Lot 2 Southerly (South 05 degrees 07 minutes 20 seconds East per said subdivision plat) 145.00 feet to the Southwest corner of said Lot 2 and the South line of said Lot 1; thence leaving Lot 2 and with the said South line of said Lot 1 Westerly (South 84 degrees 52 minutes 40 seconds per said subdivision plat) 104.17 feet to the Southwest corner of Lot 1, also being the Southeast corner of a 1.13 acre tract of land described in Instrument 1999020063 being on the East right of way of the L & N Railroad; thence along the said right of way and West lines of said 1.13 acre tract and said 7.00 acre tract Northwesterly (North 46 degrees 39 minutes 44 seconds West per said Instrument 1999020063 and North 48 degrees 45 minutes 36 seconds West per said Deed Record 304, page 65) 637.74 feet to the intersection of said right of way and West lines with Line "PR-M5" on said Highway Plans; thence leaving said right of way and West lines and along said Line "PR-M5" 83.38 feet Southeasterly along an arc concave to the Southwest having a radius of 500.88 feet (477.46 per said Highway Plans) to P.T. Station 57+23.63 (P.T. Station 57+10.40 per said Highway Plans) of said Line "PR-M5"; thence in a Southeasterly direction (South 07 degrees 23 minutes 00 seconds East per said Highway Plans) 256.37 feet (287.22 feet per said Highway Plans) along said Line "PR-M5" to P.C. Station 59+80.00 (P.C. Station 59+97.62 feet per said Highway Plans) of said Line "PR-M5"; thence Southeasterly 355.44 feet (355.43 feet per said Highway Plans) along said Line "PR-M5" and a curve concave to the Northeast having a radius of 477.50 feet (477.48 feet per said Highway Plans) to P.T. Station 63+52.82 (P.T. Station 63+53.00 per said Highway Plans) of said Line "PR-M5"; thence in a Southeasterly direction (South 48 degrees 20 minutes 21 seconds East per said Highway Plans) 102.79 feet (102.61 feet per said Highway Plans) along said Line "PR-M5" to P.O.T. Station 64+55.61 of said Line "PR-M5"; thence leaving said Line "PR-M5" in a Southwesterly direction, deflecting 90 degrees from the last described course 20.00 feet to P.O.T. Station 42+00.00 of Line "A" of said Highway Plans; thence along said Line "A" Southeasterly (South 50 degrees 02 minutes 07 seconds East per said Highway Plans) 390.00 feet to P.O.T. Station 45+90.00 on said Line "A" per said Highway Plans at its intersection with Line "PR-S-15-A" at P.O.T. Station 50+00.00 on said Line "PR-S-15-A" per said Highway Plans; thence leaving said Line "A" and along said Line "PR-S-15-A" Southwesterly (South 19 degrees 57 minutes 53 seconds West per said Highway Plans) 284.97 feet to P.C. Station 52+84.97 of said Line "PR-S-15-A"; thence continuing along said Line "PR-S-15-A" Southerly 148.07 feet along a curve concave to the Southeast having a radius of 425.00

feet to P.O.C. Station 54+33.06 on said Line "PR-S-15-A" at its intersection with Line "PR-3-B" per said Highway Plans at P.O.T. 44+48.79 of said Line "PR-3-B"; thence leaving said Line "PR-S-15-A" and along said Line "PR-3-B" Southwesterly (South 78 degrees 03 minutes 42 seconds West per said Highway Plans) 96.12 feet to Station P.T. 43+52.67 of said Line "PR-3-B" on said Highway Plans; thence Northwesterly 107.99 feet (103.81 feet per said Highway Plans) along a curve concave to the Northeast having a radius of 149.74 feet (150.00 feet per said Highway Plans) to P.C. Station 42+48.86 of said Line "PR-3-B" per said Highway Plans; thence along the centerline of Campbell Park Road and leaving said Line "PR-3-B" Northwesterly (North 50 degrees 20 minutes 51 seconds West per said Highway Plans) 134.02 feet; thence continuing along said centerline Northwesterly 146.59 feet along a curve concave to the Northeast having a radius of 279.94 feet; thence continuing along said centerline Northwesterly 759.99 feet to P.O.T. Station 50+00.00 of Line "S-1-S-2-A" on said Highway Plans with its intersection of the centerline of Park Street at P.O.T. Station 50+54.20 of Line "S-2-A" on said Highway Plans; thence leaving the centerline of said Campbell Park Road and Line "S-1-S-2-A" and with Line "S-2-A" and the centerline of Park Street Southwesterly 969.01 feet to a corner of a 10 acre tract described in Instrument 2001009707 in the Recorder's Office of said county; thence Westerly (West per said Instrument 2001009707) 47.00 feet to a corner of said 10 acre tract; thence along the East line of said 10.00 acre tract Southerly (South per said Instrument 2001009707) 740.00 feet to the Southeast corner of said 10.00 acre tract; thence along the South line of said 10.00 acre tract Westerly (North 82 degrees West per said Instrument 2001009707) 300.00 feet to the Southwest corner of said 10.00 acre tract; thence along the West line of said 10.00 acre tract Northerly (North per said Instrument 2001009707) 877.00 feet to a corner of said 10.00 acre tract; thence continuing along said West line Northeasterly (North 40 degrees East per said Instrument 2001009707) 1073.50 feet to Line "A" on said Highway Plans; thence leaving said West line and along said Line "A" Northwesterly (North 50 degrees 20 minutes West per said Highway Plans) 588.70 feet to P.O.T. Station 29+46.67 (P.O.T. Station 29+49.58 per said Highway Plans) of said Line "A" and to the intersection of said Line "A" with the Southeastern lines of the properties described in Instrument 2020015641 and Instrument 2020009464 in said Recorder's Office and the extension thereof; thence leaving said Line "A" and in a Southwesterly direction (South 40 degrees West per said Instrument 2020015641) 317.00 feet along said Southeastern lines and the extension thereof to its intersection with the extension of the platted centerline of Association Street in the said plats of James Whitesell's Addition, Sharp's First Addition and Sharp's Second Addition, being 25 feet Southwesterly of the Southeasterly corner of the property described in said Instrument 2020009464; thence in a Northwesterly direction (North 54 degrees West per said plats) along the platted centerline of Association Street and its extension thereof 2287.45 feet to the point of beginning. Containing 85.40 acres, more or less.

The above description was derived from recorded documents only and without the benefit of field observations and/or comprehensive title research, and should therefore not be considered part of a boundary survey or other type of survey as defined by Indiana Code Rule 865-IAC-12.