

ORDINANCE NO. 2018 - 14

**An Ordinance Amending Ordinances Numbered 2001-41 and 2004-34  
As to Permitted Uses in a Planned Unit Development District for Southlake Mall**

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") has received the recommendation of the City Plan Commission ("Commission") after public hearing, dated July 5, 2018, to amend the permitted uses in the Planned Unit Development ("PUD") District comprising the commercial entity known as Southlake Mall, as previously enacted in City Zoning Ordinance 93-59 as amended and thereafter readopted as amended in Ordinance 2001-41, and further amended by Ordinance No. 2004-34 on October 19, 2004; and

WHEREAS, the uses permitted within said PUD as adopted and recommended by the Commission, and the exact legal description of the areas in which they apply, are attached hereto and made a part hereof as Exhibit "A;" and

WHEREAS, the Council has been duly advised that said amended uses address the changing nature of large retail properties of this type, and that the proposed updated list of uses will allow re-purposing of some of the buildings in the development to more timely and economically viable uses consistent with the City's Comprehensive Plan and zoning requirements; and

WHEREAS, the Council desires to adopt, approve and make said new list of uses effective through the passage of this Ordinance.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana as follows:

*SECTION ONE.* The Planned Unit Development District Ordinances governing Southlake, the same being City Zoning Ordinance 93-59 as amended and thereafter readopted as amended in Ordinance 2001-41, and further amended by Ordinance No. 2004-34 are further amended to strike out the list of permitted uses contained therein, and inserting the following PUD Regulations and Permitted Uses with the area legally described in the attached description, all included as Exhibit "A" attached hereto and made a part hereof.

*SECTION TWO:* All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 12<sup>th</sup> day of AUGUST, 2018.

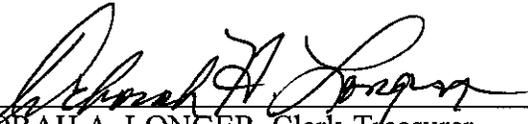
  
PRESIDING OFFICER

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ATTEST:

  
DEBORAH A. LONGIER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 1<sup>st</sup> day of August, 2018 at the hour of 6:45 pm.

  
DEBORAH A. LONGIER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 1<sup>st</sup> day of August, 2018.

  
BRIAN K. SNEDECOR, Mayor

ATTEST:

  
DEBORAH A. LONGIER, Clerk-Treasurer

**EXHIBIT A**  
**SOUTHLAKE MALL PUD REGULATIONS AND PERMITTED USE**  
**11TH AMENDED FINAL DEVELOPMENT PLAN FOR**  
**WESTFIELD**  
**SHOPPINGTOWN SOUTHLAKE**  
**CITY OF HOBART, LAKE COUNTY, INDIANA**

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**PARCEL 1:** PART OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN HOBART-ROSS TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 24 SECONDS EAST, 40.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF MISSISSIPPI STREET; THENCE NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, ALONG THE EASTERLY RIGHT-OF-WAY OF MISSISSIPPI STREET, 376.01 FEET; THENCE NORTH 68 DEGREES 21 MINUTES 41 SECONDS EAST, 904.18 FEET TO THE POINT OF BEGINNING; THENCE NORTH 21 DEGREES 38 MINUTES 19 SECONDS WEST, 71.31 FEET; THENCE ALONG THE ARC OF A 350 FOOT RADIUS CURVE, CONCAVE TO THE NORTHEAST, WHOSE CHORD BEARS NORTH 58 DEGREES 57 MINUTES 55 SECONDS WEST, 188.62 FEET; THENCE SOUTH 46 DEGREES 40 MINUTES 00 SECONDS WEST, 251.51 FEET; THENCE NORTH 43 DEGREES 20 MINUTES 00 SECONDS WEST, 334.48 FEET; THENCE NORTH 46 DEGREES 40 MINUTES 00 SECONDS EAST, 255.69 FEET; THENCE ALONG THE ARC OF A 350 FOOT RADIUS CURVE, CONCAVE TO THE NORTHEAST, WHOSE CHORD BEARS NORTH 26 DEGREES 43 MINUTES 53 SECONDS WEST, A CHORD DISTANCE OF 94.17 FEET; THENCE NORTH 19 DEGREES 00 MINUTES 00 SECONDS WEST, 78.00 FEET; THENCE ALONG THE ARC OF A 350 FOOT RADIUS CURVE, CONCAVE TO THE EAST, WHOSE CHORD BEARS NORTH 4 DEGREES 42 MINUTES 06 SECONDS WEST, A CHORD DISTANCE OF 172.88 FEET; THENCE NORTH 9 DEGREES 35 MINUTES 46 SECONDS EAST, 177.00 FEET; THENCE ALONG THE ARC OF A 35 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHWEST, WHOSE CHORD BEARS NORTH 35 DEGREES 24 MINUTES 14 SECONDS WEST, A CHORD DISTANCE OF 49.50 FEET; THENCE NORTH 80 DEGREES 24 MINUTES 14 SECONDS WEST, 103.84 FEET; THENCE ALONG THE ARC OF A 370 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS NORTH 86 DEGREES 33 MINUTES 07 SECONDS WEST, A CHORD DISTANCE OF 79.25 FEET; THENCE SOUTH 87 DEGREES 18 MINUTES 00 SECONDS WEST, 225.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF MISSISSIPPI STREET; THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF MISSISSIPPI STREET NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 80.00 FEET; THENCE NORTH 87 DEGREES 18 MINUTES 00 SECONDS EAST, 225.00 FEET; THENCE ALONG THE ARC OF A 450 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS SOUTH 86 DEGREES 33 MINUTES 07 SECONDS EAST, A CHORD DISTANCE OF 96.39 FEEL; THENCE SOUTH 80 DEGREES 24 MINUTES 14 SECONDS EAST, 103.84 FEET; THENCE ALONG THE ARC OF A 35 FOOT RADIUS CURVE, CONCAVE TO THE NORTHEAST, WHOSE CHORD BEARS NORTH 57 DEGREES 16 MINUTES 30 SECONDS EAST, A CHORD

1 DISTANCE OF 47.13 FEET; THENCE ALONG THE ARC OF A 340 FOOT RADIUS  
2 CURVE, CONCAVE TO THE SOUTHEAST, WHOSE CHORD BEARS NORTH 32  
3 DEGREES 13 MINUTES 26 SECONDS EAST, A CHORD DISTANCE OF 201.90 FEET;  
4 THENCE ALONG THE ARC OF A 450 FOOT RADIUS CURVE, CONCAVE TO THE  
5 NORTHWEST, WHOSE CHORD BEARS NORTH 39 DEGREES 44 MINUTES 54  
6 SECONDS EAST, A CHORD DISTANCE OF 152.39 FEET; THENCE NORTH 60 DEGREES  
7 00 MINUTES 00 SECONDS WEST, 185.00 FEET; THENCE NORTH 30 DEGREES 00  
8 MINUTES 00 SECONDS EAST, 552.88 FEET TO A POINT ON THE SOUTHERLY RIGHT-  
9 OF-WAY LINE OF U.S. ROUTE #30; THENCE ALONG THE ARC OF A 53,617.23 FOOT  
10 RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS NORTH 88  
11 DEGREES 30 MINUTES 23 SECONDS EAST, A CHORD DISTANCE OF 3.03 FEET;  
12 THENCE SOUTH 1 DEGREE 21 MINUTES 47 SECONDS EAST, 29.84 FEET TO A POINT  
13 OF CURVE; THENCE ALONG THE ARC OF A 300.68 FOOT RADIUS CURVE, CONCAVE  
14 TO THE EAST, WHOSE CHORD BEARS SOUTH 19 DEGREES 45 MINUTES 47  
15 SECONDS EAST, A CHORD DISTANCE OF 189.82 FEET; THENCE ALONG THE ARC OF  
16 A 35 FOOT RADIUS CURVE, CONCAVE TO THE WEST, WHOSE CHORD BEARS  
17 SOUTH 4 DEGREES 04 MINUTES 54 SECONDS EAST, A CHORD DISTANCE OF 39.23  
18 FEET; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, 154.98 FEET;  
19 THENCE SOUTH 17 DEGREES 52 MINUTES 00 SECONDS EAST, 416.47 FEET; THENCE  
20 NORTH 72 DEGREES 08 MINUTES 00 SECONDS EAST, 292.00 FEET; THENCE SOUTH  
21 62 DEGREES 52 MINUTES 00 SECONDS EAST, 105.36 FEET; THENCE NORTH 72  
22 DEGREES 08 MINUTES 00 SECONDS EAST, 355.70 FEET; THENCE NORTH 17  
23 DEGREES 52 MINUTES 00 SECONDS WEST, 95.71 FEET; THENCE NORTH 72  
24 DEGREES 08 MINUTES 00 SECONDS EAST, 222.80 FEET; THENCE NORTH 17  
25 DEGREES 52 MINUTES 00 SECONDS WEST, 312.59 FEET; THENCE SOUTH 88  
26 DEGREES 38 MINUTES 13 SECONDS WEST, 179.55 FEET; THENCE NORTH 1 DEGREE  
27 21 MINUTES 47 SECONDS WEST, 48.50 FEET; THENCE NORTH 88 DEGREES 38  
28 MINUTES 13 SECONDS EAST, 105.80 FEET; THENCE ALONG THE ARC OF A 35FOOT  
29 RADIUS CURVE, CONCAVE TO THE NORTHWEST, WHOSE CHORD BEARS NORTH  
30 43 DEGREES 38 MINUTES 13 SECONDS EAST, A CHORD DISTANCE OF 49.50 FEET;  
31 THENCE NORTH 1 DEGREE 21 MINUTES 47 SECONDS WEST, 78.93 FEET; THENCE  
32 SOUTH 88 DEGREES 38 MINUTES 13 SECONDS WEST, 100.00 FEET; THENCE NORTH  
33 1 DEGREE 21 MINUTES 47 SECONDS WEST, 30.00 FEET TO THE SOUTH RIGHT-OF-  
34 WAY LINE OF U. S. ROUTE #30; THENCE NORTH 88 DEGREES 38 MINUTES 13  
35 SECONDS EAST, 180.00 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF U.  
36 S. ROUTE #30; THENCE SOUTH 1 DEGREE 21 MINUTES 47 SECONDS EAST, 108.93  
37 FEET; THENCE ALONG THE ARC OF A 35 FOOT RADIUS CURVE, CONCAVE TO THE  
38 NORTHEAST, WHOSE CHORD BEARS SOUTH 46 DEGREES 21 MINUTES 47 SECONDS  
39 EAST, A CHORD DISTANCE OF 49.50 FEET; THENCE NORTH 88 DEGREES 38  
40 MINUTES 13 SECONDS EAST, 196.21 FEET; THENCE SOUTH 17 DEGREES 52  
41 MINUTES 00 SECONDS EAST, 392.71 FEET; THENCE SOUTH 72 DEGREES 08  
42 MINUTES 00 SECONDS WEST, 254.00 FEET; THENCE SOUTH 17 DEGREES 52  
43 MINUTES 00 SECONDS EAST, 666.70 FEET; THENCE NORTH 72 DEGREES 08  
44 MINUTES 00 SECONDS EAST, 736.50 FEET; THENCE ALONG THE ARC OF A 712 FOOT  
45 RADIUS CURVE, CONCAVE TO THE WEST, WHOSE CHORD BEARS NORTH 6  
46 DEGREES 49 MINUTES 08 SECONDS WEST, A CHORD DISTANCE OF 322.07 FEET;

1 THENCE NORTH 87 DEGREES 14 MINUTES 16 SECONDS EAST, 83.44 FEET; THENCE  
2 DUE SOUTH 353.91 FEET; THENCE SOUTH 9 DEGREES 47 MINUTES 44 SECONDS  
3 WEST, 174.01 FEET; THENCE SOUTH 68 DEGREES 21 MINUTES 41 SECONDS WEST,  
4 700.00 FEET; THENCE SOUTH 21 DEGREES 38 MINUTES 19 SECONDS EAST, 210.00  
5 FEET; THENCE SOUTH 68 DEGREES 21 MINUTES 41 SECONDS WEST, 130.00 FEET;  
6 THENCE NORTH 21 DEGREES 38 MINUTES 19 SECONDS WEST, 210.00 FEET; THENCE  
7 SOUTH 68 DEGREES 21 MINUTES 41 SECONDS WEST, 48.58 FEET; THENCE NORTH  
8 17 DEGREES 52 MINUTES 00 SECONDS WEST, 479.41 FEET; THENCE SOUTH 72  
9 DEGREES 08 MINUTES 00 SECONDS WEST, 73.73 FEET; THENCE NORTH 17  
10 DEGREES 52 MINUTES 00 SECONDS WEST, 120.00 FEET; THENCE SOUTH 72  
11 DEGREES 08 MINUTES 00 SECONDS WEST, 270.00 FEET; THENCE SOUTH 17  
12 DEGREES 52 MINUTES 00 SECONDS EAST, 116.00 FEET; THENCE SOUTH 72  
13 DEGREES 08 MINUTES 00 SECONDS WEST, 87.86 FEET; THENCE SOUTH 20 DEGREES  
14 19 MINUTES 09 SECONDS WEST, 100.51 FEET; THENCE SOUTH 72 DEGREES 08  
15 MINUTES 00 SECONDS WEST, 451.23 FEET; THENCE SOUTH 17 DEGREES 52  
16 MINUTES 00 SECONDS EAST, 466.71 FEET; THENCE SOUTH 68 DEGREES 21  
17 MINUTES 41 SECONDS WEST, 183.84 FEET TO THE POINT OF BEGINNING.

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19 ALSO COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE  
20 NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 2402.02 FEET ALONG THE  
21 WEST LINE OF SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 28 SECONDS  
22 EAST, 330.00 FEET; THENCE NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST,  
23 200.93 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE  
24 #30; THENCE ALONG THE ARC OF A 53, 617.23 FOOT RADIUS CURVE, CONCAVE TO  
25 THE SOUTH, WHOSE CHORD BEARS NORTH 88 DEGREES 11 MINUTES 44 SECONDS  
26 EAST, A CHORD DISTANCE OF 510.01 FEET; THENCE CONTINUING ALONG SAID  
27 RIGHT-OF-WAY LINE, ALONG THE ARC OF A 53,617.23 FOOT RADIUS CURVE,  
28 CONCAVE TO THE SOUTH WHOSE CHORD BEARS NORTH 88 DEGREES 28 MINUTES  
29 52 SECONDS EAST, A CHORD DISTANCE OF 24.63 FEET; THENCE CONTINUING  
30 ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC OF A 53,617.23 FOOT RADIUS  
31 CURVE, CONCAVE TO THE SOUTH WHOSE CHORD BEARS NORTH 88 DEGREES 30  
32 MINUTES 23 SECONDS EAST, A CHORD DISTANCE OF 3.03 FEET; THENCE  
33 CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC OF A 53,617.23  
34 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS NORTH  
35 88 DEGREES 32 MINUTES 52 SECONDS EAST, A CHORD DISTANCE OF 80.00 FEET TO  
36 THE POINT OF BEGINNING, BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF  
37 U. S. ROUTE #30; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG  
38 THE ARC OF A 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE  
39 CHORD BEARS NORTH 88 DEGREES 36 MINUTES 33 SECONDS EAST, A CHORD  
40 DISTANCE OF 50.24 FEET; THENCE NORTH 88 DEGREES 38 MINUTES 13 SECONDS  
41 EAST, 49.76 FEET; THENCE SOUTH 1 DEGREE 21 MINUTES 47 SECONDS EAST, 30.00  
42 FEET; THENCE SOUTH 88 DEGREES 38 MINUTES 13 SECONDS WEST, 100.00 FEET;  
43 THENCE NORTH 1 DEGREE 21 MINUTES 47 SECONDS WEST, 29.98 FEET TO THE  
44 POINT OF BEGINNING. (THE TOTAL AREA OF THIS NON-CONTIGUOUS PARCEL IS  
45 39.858 ACRES).

1 **PARCEL 2:** PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 35  
2 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN HOBART-ROSS  
3 TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:  
4 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE  
5 NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 361.86 FEET ALONG THE WEST  
6 LINE OF SECTION 23; THENCE NORTH 68 DEGREES 21 MINUTES 41 SECONDS EAST,  
7 1,425.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 68  
8 DEGREES 21 MINUTES 41 SECONDS EAST, 700.00 FEET; THENCE SOUTH 21  
9 DEGREES 38 MINUTES 19 SECONDS EAST, 210.00 FEET; THENCE SOUTH 68  
10 DEGREES 21 MINUTES 41 SECONDS WEST, 700.00 FEET; THENCE NORTH 21  
11 DEGREES 38 MINUTES 19 SECONDS WEST, 210.00 FEET TO THE POINT OF  
12 BEGINNING. (PARCEL CONTAINS 3.374 ACRES).  
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14 **PARCEL 3:** PART OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE  
15 WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH,  
16 RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN HOBART-ROSS  
17 TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:  
18 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE  
19 NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 361.86 FEET ALONG THE WEST  
20 LINE OF SECTION 23; THENCE NORTH 68 DEGREES 21 MINUTES 41 SECONDS EAST,  
21 2,255.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 68  
22 DEGREES 21 MINUTES 41 SECONDS EAST, 670.00 FEET; THENCE SOUTH 21  
23 DEGREES 38 MINUTES 19 SECONDS EAST, 210.00 FEET; THENCE SOUTH 68  
24 DEGREES 21 MINUTES 41 SECONDS WEST, 670.00 FEET; THENCE NORTH 21  
25 DEGREES 38 MINUTES 19 SECONDS WEST, 210.00 FEET TO THE POINT OF  
26 BEGINNING. (PARCEL CONTAINS 3.230 ACRES).  
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28 **PARCEL 4:** PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 35  
29 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN HOBART-ROSS  
30 TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:  
31 BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE NORTH  
32 87 DEGREES 54 MINUTES 24 SECONDS EAST, 40.00 FEET TO THE EASTERLY RIGHT-  
33 OF-WAY LINE OF MISSISSIPPI STREET; THENCE NORTH 2 DEGREES 42 MINUTES 00  
34 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MISSISSIPPI  
35 STREET, 376.01 FEET; THENCE NORTH 68 DEGREES 21 MINUTES 41 SECONDS EAST,  
36 904.18 FEET; THENCE NORTH 21 DEGREES 38 MINUTES 19 SECONDS WEST, 71.31  
37 FEET; THENCE ALONG THE ARC OF A 350 FOOT RADIUS CURVE, CONCAVE TO THE  
38 NORTHEAST, WHOSE CHORD BEARS NORTH 58 DEGREES 57 MINUTES 55 SECONDS  
39 WEST, A CHORD DISTANCE OF 188.62 FEET; THENCE SOUTH 48 DEGREES 40  
40 MINUTES 00 SECONDS WEST, 251.51 FEET; THENCE NORTH 43 DEGREES 20  
41 MINUTES 00 SECONDS WEST, 334.48 FEET TO THE PLACE OF BEGINNING; THENCE  
42 NORTH 46 DEGREES 40 MINUTES 00 SECONDS EAST, 255.69 FEET; THENCE ALONG  
43 THE ARC OF A 350 FOOT RADIUS CURVE, CONCAVE TO THE NORTHEAST, WHOSE  
44 CHORD BEARS NORTH 26 DEGREES 43 MINUTES 53 SECONDS WEST, A CHORD  
45 DISTANCE OF 94.17 FEET; THENCE NORTH 19 DEGREES 00 MINUTES 00 SECONDS  
46 WEST, 78.00 FEET; THENCE ALONG THE ARC OF A 350 FOOT RADIUS CURVE,

1 CONCAVE TO THE EAST, WHOSE CHORD BEARS NORTH 11 DEGREES 32 MINUTES  
2 20 SECONDS WEST, A CHORD DISTANCE OF 90.90 FEET; THENCE SOUTH 46  
3 DEGREES 40 MINUTES 00 SECONDS WEST, 362.64 FEET; THENCE SOUTH 43  
4 DEGREES 20 MINUTES 00 SECONDS EAST, 238.58 FEET TO THE PLACE OF  
5 BEGINNING. (PARCEL CONTAINS 1.637 ACRES).  
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7 **PARCEL 5:** PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 35  
8 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN HOBART-ROSS  
9 TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:  
10 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE  
11 NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 2,402.02 FEET ALONG THE  
12 WEST LINE OF SAID SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 28  
13 SECONDS EAST, 330.00 FEET; THENCE NORTH 2 DEGREES 42 MINUTES 00 SECONDS  
14 WEST, 200.93 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S.  
15 ROUTE #30; THENCE ALONG THE ARC OF A 53,617.23 FOOT RADIUS CURVE,  
16 CONCAVE TO THE SOUTH, WHOSE CHORD BEARS NORTH 88 DEGREES 11  
17 MINUTES 44 SECONDS EAST, A CHORD DISTANCE OF 510.01 FEET; THENCE  
18 CONTINUING ALONG SAID RIGHT OF WAY LINE, ALONG THE ARC OF A 53,617.23  
19 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH WHOSE CHORD BEARS NORTH 88  
20 DEGREES 28 MINUTES 52 SECONDS EAST, A CHORD DISTANCE OF 24.63 FEET;  
21 THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG AN ARC OF A  
22 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS  
23 NORTH 88 DEGREES 30 MINUTES 23 SECONDS EAST, A CHORD DISTANCE OF 3.03  
24 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC  
25 OF A 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD  
26 BEARS NORTH 88 DEGREES 32 MINUTES 52 SECONDS EAST, A CHORD DISTANCE  
27 OF 80.00 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG  
28 THE ARC OF A 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE  
29 CHORD BEARS NORTH 88 DEGREES 36 MINUTES 33 SECONDS EAST, A CHORD  
30 DISTANCE OF 50.24 FEET; THENCE NORTH 88 DEGREES 38 MINUTES 13 SECONDS  
31 EAST, 49.76 FEET TO THE POINT OF BEGINNING, BEING ON THE SOUTHERLY  
32 RIGHT-OF-WAY LINE OF U.S. ROUTE #30; THENCE SOUTH 1 DEGREE 21 MINUTES 47  
33 SECONDS EAST, 30.00 FEET; THENCE SOUTH 88 DEGREES 38 MINUTES 13 SECONDS  
34 WEST, 100.00 FEET; THENCE ALONG THE ARC OF A 220.68 FOOT RADIUS CURVE,  
35 CONCAVE TO THE EAST, WHOSE CHORD BEARS SOUTH 18 DEGREES 34 MINUTES  
36 00 SECONDS EAST, A CHORD DISTANCE OF 130.54 FEET; THENCE ALONG THE ARC  
37 OF A 35 FOOT RADIUS CURVE, CONCAVE TO THE NORTH, WHOSE CHORD BEARS  
38 SOUTH 75 DEGREES 53 MINUTES 48 SECONDS EAST, A CHORD DISTANCE OF 45.11  
39 FEET; THENCE ALONG THE ARC OF A 250 FOOT RADIUS CURVE, CONCAVE TO THE  
40 SOUTH, WHOSE CHORD BEARS NORTH 76 DEGREES 18 MINUTES 24 SECONDS  
41 EAST, A CHORD DISTANCE OF 106.77 FEET; THENCE NORTH 88 DEGREES 38  
42 MINUTES 13 SECONDS EAST, 570.53 FEET; THENCE ALONG THE ARC OF A 35 FOOT  
43 RADIUS CURVE, CONCAVE TO THE NORTHWEST WHOSE CHORD BEARS NORTH 43  
44 DEGREES 38 MINUTES 13 SECONDS EAST, A CHORD DISTANCE OF 49.50 FEET;  
45 THENCE NORTH 1 DEGREE 21 MINUTES 47 SECONDS WEST, 78.93 FEET; THENCE  
46 SOUTH 88 DEGREES 38 MINUTES 13 SECONDS WEST, 100.00 FEET; THENCE NORTH

1 1 DEGREE 21 MINUTES 47 SECONDS WEST, 30.00 FEET TO A POINT ON THE  
2 SOUTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE #30; THENCE SOUTH 88  
3 DEGREES 38 MINUTES 13 SECONDS WEST, 591.93 FEET ALONG THE SOUTHERLY  
4 RIGHT-OF-WAY LINE OF U.S. ROUTE #30 TO THE POINT OF BEGINNING. (PARCEL  
5 CONTAINS 2.487 ACRES).

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7 **PARCEL 6:** PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 35  
8 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN HOBART-ROSS  
9 TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:  
10 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE  
11 NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 2,402.02 FEET ALONG THE  
12 WEST LINE OF SAID SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 28  
13 SECONDS EAST 330.00 FEET; THENCE NORTH 2 DEGREES 42 MINUTES 00 SECONDS  
14 WEST, 200.93 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S.  
15 ROUTE #30; THENCE ALONG THE ARC OF A 53,617.23 FOOT RADIUS CURVE,  
16 CONCAVE TO THE SOUTH, WHOSE CHORD BEARS NORTH 88 DEGREES 11  
17 MINUTES 44 SECONDS EAST, A CHORD DISTANCE OF 510.01 FEET; THENCE  
18 CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC OF A 53,617.23  
19 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS NORTH  
20 88 DEGREES 28 MINUTES 52 SECONDS EAST, A CHORD DISTANCE OF 24.63 FEET;  
21 THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC OF A  
22 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS  
23 NORTH 88 DEGREES 30 MINUTES 23 SECONDS EAST, A CHORD DISTANCE OF 3.03  
24 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC  
25 OF A 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD  
26 BEARS NORTH 88 DEGREES 32 MINUTES 52 SECONDS EAST, A CHORD DISTANCE  
27 OF 80.00 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ALONG THE  
28 ARC OF A 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE  
29 CHORD BEARS NORTH 88 DEGREES 36 MINUTES 33 SECONDS EAST, A CHORD  
30 DISTANCE OF 50.24 FEET; THENCE NORTH 88 DEGREES 38 MINUTES 13 SECONDS  
31 EAST, 821.69 FEET TO THE POINT OF BEGINNING BEING ON THE SOUTHERLY  
32 RIGHT-OF-WAY LINE OF U.S. ROUTE #30; THENCE SOUTH 1 DEGREE 21 MINUTES 47  
33 SECONDS EAST, 108.93 FEET; THENCE ALONG THE ARC OF A 35 FOOT RADIUS  
34 CURVE, CONCAVE TO THE NORTHEAST, WHOSE CHORD BEARS SOUTH 46  
35 DEGREES 21 MINUTES 47 SECONDS EAST, A CHORD DISTANCE OF 49.50 FEET;  
36 THENCE NORTH 88 DEGREES 38 MINUTES 13 SECONDS EAST, 573.00 FEET; THENCE  
37 ALONG THE ARC OF A 400 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH,  
38 WHOSE CHORD BEARS SOUTH 82 DEGREES 56 MINUTES 47 SECONDS EAST, A  
39 CHORD DISTANCE OF 117.10 FEET; THENCE ALONG THE ARC OF A 35.00 FOOT  
40 RADIUS CURVE, CONCAVE TO THE NORTHWEST, WHOSE CHORD BEARS NORTH  
41 62 DEGREES 43 MINUTES 12 SECONDS EAST, A CHORD DISTANCE OF 47.52 FEET;  
42 THENCE ALONG THE ARC OF A 385.68 FOOT RADIUS CURVE, CONCAVE TO THE  
43 WEST, WHOSE CHORD BEARS NORTH 9 DEGREES 18 MINUTES 10 SECONDS EAST,  
44 A CHORD DISTANCE OF 142.77 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-  
45 WAY LINE OF U.S. ROUTE #30; THENCE SOUTH 88 DEGREES 38 MINUTES 13  
46 SECONDS WEST, 793.00 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF

1 U.S. ROUTE #30 TO THE POINT OF BEGINNING. (PARCEL CONTAINS 2.613 ACRES).  
2

3 **PARCEL 7:** PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER  
4 AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23,  
5 TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN  
6 HOBART-ROSS TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED  
7 AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23;  
8 THENCE NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 2,402.02 FEET ALONG  
9 THE WEST LINE OF SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 28  
10 SECONDS EAST, 330.00 FEET; THENCE NORTH 2 DEGREES 42 MINUTES 00 SECONDS  
11 WEST, 200.93 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S.  
12 ROUTE #30; THENCE ALONG THE ARC OF A 53,617.23 FOOT RADIUS CURVE,  
13 CONCAVE TO THE SOUTH, WHOSE CHORD BEARS NORTH 88 DEGREES 11  
14 MINUTES 44 SECONDS EAST, A CHORD DISTANCE OF 510.01 FEET; THENCE  
15 CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC OF A 53,617.23  
16 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH WHOSE CHORD BEARS NORTH 88  
17 DEGREES 28 MINUTES 52 SECONDS EAST, A CHORD DISTANCE OF 24.63 FEET;  
18 THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG AN ARC OF A  
19 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS  
20 NORTH 88 DEGREES 30 MINUTES 23 SECONDS EAST, A CHORD DISTANCE OF 3.03  
21 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC  
22 OF A 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD  
23 BEARS NORTH 88 DEGREES 32 MINUTES 52 SECONDS EAST, A CHORD DISTANCE  
24 OF 80.00 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG  
25 THE ARC OF A 53,617.23 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE  
26 CHORD BEARS NORTH 88 DEGREES 36 MINUTES 33 SECONDS EAST, A CHORD  
27 DISTANCE OF 50.24 FEET; THENCE NORTH 88 DEGREES 38 MINUTES 13 SECONDS  
28 EAST, 1,694.69 FEET TO THE PLACE OF BEGINNING BEING ON THE SOUTHERLY  
29 RIGHT-OF-WAY LINE OF U.S. ROUTE #30; THENCE NORTH 88 DEGREES 38 MINUTES  
30 13 SECONDS EAST, 160.00 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF  
31 U.S. ROUTE #30; THENCE SOUTH 1 DEGREE 21 MINUTES 47 SECONDS EAST, 296.44  
32 FEET; THENCE SOUTH 88 DEGREES 38 MINUTES 13 SECONDS WEST, 87.90 FEET;  
33 THENCE NORTH 54 DEGREES 36 MINUTES 32 SECONDS WEST, 122.00 FEET; THENCE  
34 ALONG THE ARC OF A 35 FOOT RADIUS CURVE, CONCAVE TO THE EAST, WHOSE  
35 CHORD BEARS NORTH 16 DEGREES 30 MINUTES 01 SECOND WEST, A CHORD  
36 DISTANCE OF 43.20 FEET; THENCE ALONG THE ARC OF A 465.68 FOOT RADIUS  
37 CURVE, CONCAVE TO THE WEST, WHOSE CHORD BEARS NORTH 10 DEGREES 07  
38 MINUTES 22 SECONDS EAST, A CHORD DISTANCE OF 185.45 FEET TO THE PLACE  
39 OF BEGINNING. (PARCEL CONTAINS 1.135 ACRES).  
40

41 **PARCEL 8:** PART OF THE WEST HALF OF THE WEST HALF OF THE SOUTHEAST  
42 QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND  
43 PRINCIPAL MERIDIAN, IN HOBART-ROSS TOWNSHIP, LAKE COUNTY, INDIANA,  
44 BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST  
45 CORNER OF SAID SECTION 23; THENCE NORTH 02 DEGREES 42 MINUTES 00  
46 SECONDS WEST, 361.86 FEET ALONG THE WESTERLY LINE OF SECTION 23;

1 THENCE NORTH 68 DEGREES 21 MINUTES 41 SECONDS EAST, 2,955.90 FEET;  
2 THENCE NORTH 09 DEGREES 47 MINUTES 44 SECONDS EAST, 174.01 FEET; THENCE  
3 NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 275.87 FEET TO THE POINT OF  
4 BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00 DEGREES 00  
5 MINUTES 00 SECONDS WEST, 219.13 FEET; THENCE NORTH 17 DEGREES 52  
6 MINUTES 00 SECONDS WEST, 245.70 FEET; THENCE NORTH 54 DEGREES 36  
7 MINUTES 33 SECONDS WEST, 44.97 FEET; THENCE NORTH 88 DEGREES 38 MINUTES  
8 13 SECONDS EAST, 87.90 FEET; THENCE NORTH 01 DEGREE 21 MINUTES 47  
9 SECONDS WEST, 296.44 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY  
10 LINE OF U.S. ROUTE #30; THENCE NORTH 88 DEGREES 38 MINUTES 13 SECONDS  
11 EAST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE #30, 130.00  
12 FEET; THENCE SOUTH 01 DEGREE 21 MINUTES 47 SECONDS EAST, 53.02 FEET;  
13 THENCE SOUTH 61 DEGREES 21 MINUTES 47 SECONDS EAST, 98.97 FEET; THENCE  
14 NORTH 88 DEGREES 38 MINUTES 13 SECONDS EAST, 255.33 FEET TO THE  
15 EASTERLY LINE OF THE WEST HALF OF THE WEST HALF OF THE SOUTHEAST  
16 QUARTER OF SECTION 23; THENCE SOUTH 02 DEGREES 45 MINUTES 44 SECONDS  
17 EAST ALONG THE EASTERLY LINE OF THE WEST HALF OF THE WEST HALF OF  
18 THE SOUTHEAST QUARTER OF SECTION 23, 675.70 FEET; THENCE SOUTH 88  
19 DEGREES 38 MINUTES 13 SECONDS WEST, 474.83 FEET TO THE POINT OF  
20 BEGINNING OF THIS DESCRIPTION. (PARCEL CONTAINS 7.845 ACRES).

21  
22 **PARCEL 9:** PART OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF  
23 SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL  
24 MERIDIAN, IN HOBART-ROSS TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED  
25 AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF  
26 SAID SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 24 SECONDS EAST,  
27 3,323.36 FEET *ALONG* THE SOUTH LINE OF SECTION 23; THENCE NORTH 2 DEGREES  
28 45 MINUTES 44 SECONDS WEST, 2554.45 *FEET* ALONG THE EAST LINE OF THE  
29 WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 23 TO A POINT ON  
30 THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE CHESAPEAKE & OHIO  
31 RAILROAD AND THE POINT OF BEGINNING; THENCE NORTH 62 DEGREES 41  
32 MINUTES 15 SECONDS WEST, 30.34 FEET ALONG THE SOUTHWESTERLY RIGHT-OF-  
33 WAY LINE OF THE CHESAPEAKE & OHIO RAILROAD TO A POINT ON THE  
34 SOUTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE #30; THENCE SOUTH 88  
35 DEGREES 38 MINUTES 13 SECONDS WEST, 312.27 FEET ALONG THE SOUTHERLY  
36 RIGHT-OF-WAY LINE OF U.S. ROUTE #30; THENCE SOUTH 01 DEGREE 21 MINUTES  
37 47 SECONDS EAST, 53.02 FEET; THENCE SOUTH 61 DEGREES 21 MINUTES 47  
38 SECONDS EAST, 98.97 FEET; THENCE NORTH 88 DEGREES 38 MINUTES 13 SECONDS  
39 EAST, 255.33 FEET TO THE EASTERLY LINE OF THE WEST 1/2 OF THE WEST 1/2 OF  
40 THE SOUTHEAST 1/4 OF SECTION 23; THENCE NORTH 02 DEGREES 45 MINUTES 44  
41 SECONDS WEST ALONG THE EAST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF THE  
42 SOUTHEAST 1/4 OF SECTION 23, 87.97 FEET TO THE POINT OF BEGINNING. (PARCEL  
43 CONTAINS 0.747 ACRES).

44  
45 **PARCEL 10:** PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 35  
46 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN HOBART-ROSS

1 TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:  
2 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE  
3 NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 361.86 FEET ALONG THE WEST  
4 LINE OF SECTION 23; THENCE NORTH 68 DEGREES 21 MINUTES 41 SECONDS EAST,  
5 513.42 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE ARC OF A 350  
6 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHWEST, WHOSE CHORD BEARS  
7 NORTH 66 DEGREES 43 MINUTES 26 SECONDS WEST, A CHORD DISTANCE OF  
8 148.83 FEET; THENCE ALONG THE ARC OF A 200 FOOT RADIUS CURVE, CONCAVE  
9 TO THE NORTHEAST, WHOSE CHORD BEARS NORTH 51 DEGREES 45 MINUTES 00  
10 SECONDS WEST, A CHORD DISTANCE OF 183.15 FEET; THENCE NORTH 24  
11 DEGREES 30 MINUTES 00 SECONDS WEST, 110.44 FEET; THENCE NORTH 46  
12 DEGREES 40 MINUTES 00 SECONDS EAST, 176.65 FEEL; THENCE SOUTH 43  
13 DEGREES 20 MINUTES 00 SECONDS EAST, 334.48 FEET; THENCE NORTH 46  
14 DEGREES 40 MINUTES 00 SECONDS EAST, 251.51 FEET; THENCE ALONG THE ARC  
15 OF A 350 FOOT RADIUS CURVE, CONCAVE TO THE NORTHEAST, WHOSE CHORD  
16 BEARS SOUTH 58 DEGREES 57 MINUTES 55 SECONDS EAST, A CHORD DISTANCE  
17 OF 188.62 FEET; THENCE SOUTH 21 DEGREES 38 MINUTES 19 SECONDS EAST, 71,31  
18 FEET; THENCE SOUTH 68 DEGREES 21 MINUTES 41 SECONDS WEST, 433.05 FEET TO  
19 THE POINT OF BEGINNING. (PARCEL CONTAINS 3.110 ACRES).

20  
21 **Parcel 11:** PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23,  
22 TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN IN  
23 HOBART -ROSS TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED  
24 AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23;  
25 THENCE NORTH 87 DEGREES 54 MINUTES 24 SECONDS EAST, 40.00 FEET TO THE  
26 EASTERLY RIGHT-OF-WAY OF MISSISSIPPI STREET; THENCE NORTH 2 DEGREES 42  
27 MINUTES 00 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY OF  
28 MISSISSIPPI STREET 763.68 FEET TO THE POINT OF BEGINNING; THENCE  
29 CONTINUING NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 287,04 FEET;  
30 THENCE NORTH 87 DEGREES 18 MINUTES 00 SECONDS EAST, 38.88 FEET; THENCE  
31 NORTH 46 DEGREES 40 MINUTES 00 SECONDS EAST, 95.27 FEET; THENCE SOUTH 43  
32 DEGREES 20 MINUTES 00 SECONDS EAST, 238.58 FEET; THENCE SOUTH 46  
33 DEGREES 40 MINUTES 00 SECONDS WEST, 176.65 FEET; THENCE SOUTH 65  
34 DEGREES 30 MINUTES 00 SECONDS WEST, 142.69 FEET TO THE POINT OF  
35 BEGINNING. (PARCEL CONTAINS 1.286 ACRES).

36  
37 **PARCEL 12:** PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE  
38 SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF  
39 THE SECOND PRINCIPAL MERIDIAN, IN HOBART-ROSS TOWNSHIP, LAKE COUNTY,  
40 INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE  
41 SOUTHWEST CORNER OF SAID SECTION 23; THENCE NORTH 87 DEGREES 54  
42 MINUTES 24 SECONDS EAST, 40.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF  
43 MISSISSIPPI STREET; THENCE ALONG SAID RIGHT-OF-WAY OF MISSISSIPPI  
44 STREET, NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, 1,050.72 FEET TO THE  
45 POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 2  
46 DEGREES 42 MINUTES 00 SECONDS WEST, 448,35 FEET; THENCE NORTH 44

1 DEGREES 10 MINUTES 00 SECONDS EAST, 260.33 FEET; THENCE NORTH 87  
2 DEGREES 18 MINUTES 00 SECONDS EAST, 35.02 FEET; THENCE ALONG THE ARC OF  
3 A 370 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS  
4 SOUTH 86 DEGREES 33 MINUTES 07 SECONDS EAST, A CHORD DISTANCE OF 79,25  
5 FEET; THENCE SOUTH 80 DEGREES 24 MINUTES 14 SECONDS EAST, 103.84 FEET;  
6 THENCE ALONG THE ARC OF A 35 FOOT RADIUS CURVE, CONCAVE TO THE  
7 SOUTHWEST, WHOSE CHORD BEARS SOUTH 35 DEGREES 24 MINUTES 14 SECONDS  
8 EAST, A CHORD DISTANCE OF 49.50 FEET; THENCE SOUTH 9 DEGREES 35 MINUTES  
9 46 SECONDS WEST, 177.00 FEET; THENCE ALONG THE ARC OF A 350 FOOT RADIUS  
10 CURVE, CONCAVE TO THE EAST, WHOSE CHORD BEARS SOUTH 2 DEGREES 45  
11 MINUTES 34 SECONDS WEST, A CHORD DISTANCE OF 83,33 FEET; THENCE SOUTH  
12 48 DEGREES 40 MINUTES 00 SECONDS WEST, 457.91 FEET; THENCE SOUTH 87  
13 DEGREES 18 MINUTES 00 SECONDS WEST, 38.88 FEET TO THE EASTERLY RIGHT-  
14 OF-WAY LINE OF MISSISSIPPI STREET AND THE POINT OF BEGINNING. (PARCEL  
15 CONTAINS 4.090 ACRES).  
16

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17 **PARCEL 13:** PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION  
18 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN,  
19 IN HOBART-ROSS TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND  
20 DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID  
21 SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 24 SECONDS EAST, 40,00  
22 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MISSISSIPPI STREET; THENCE  
23 NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST ALONG THE EASTERLY RIGHT-  
24 OF-WAY LINE OF MISSISSIPPI STREET, 1,757.06 FEET; THENCE NORTH 87 DEGREES  
25 18 MINUTES 00 SECONDS EAST, 225.00 FEET; THENCE ALONG THE ARC OF A 450  
26 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS SOUTH  
27 86 DEGREES 33 MINUTES 07 SECONDS EAST, A CHORD DISTANCE OF 96.39 FEET;  
28 THENCE SOUTH 80 DEGREES 24 MINUTES 14 SECONDS EAST, 41.83 FEET TO THE  
29 POINT OF BEGINNING OF THIS DESCRIPTION; THENCE ALONG THE ARC OF A  
30 235.52 FOOT RADIUS CURVE, CONCAVE TO THE EAST, WHOSE CHORD BEARS  
31 NORTH 20 DEGREES 15 MINUTES 39 SECONDS EAST, A CHORD DISTANCE OF 349.78  
32 FEAT; THENCE SOUTH 60 DEGREES 00 MINUTES 00 SECONDS EAST, 167.50 FEET;  
33 THENCE ALONG THE ARC OF A 450 FOOT RADIUS CURVE, CONCAVE TO THE  
34 NORTHWEST, WHOSE CHORD BEARS SOUTH 44 DEGREES 13 MINUTES 15  
35 SECONDS WEST, A CHORD DISTANCE OF 82.74 FEET; THENCE ALONG THE ARC OF  
36 A 340 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST, WHOSE CHORD  
37 BEARS SOUTH 32 DEGREES 13 MINUTES 26 SECONDS WEST, A CHORD DISTANCE  
38 OF 201.90 FEET; THENCE ALONG THE ARC OF A 35 FOOT RADIUS CURVE,  
39 CONCAVE TO THE NORTHWEST, WHOSE CHORD BEARS SOUTH 57 DEGREES 16  
40 MINUTES 30 SECONDS WEST, A CHORD DISTANCE OF 47.13 FEET; THENCE NORTH  
41 80 DEGREES 24 MINUTES 14 SECONDS WEST, 62.01 FEET TO THE POINT OF  
42 BEGINNING. (PARCEL CONTAINS 1.280 ACRES).  
43

44 **Parcel 14 (FRINGE LAND # 5):** PART OF THE WEST HALF OF THE SOUTHEAST  
45 QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND  
46 PRINCIPAL MERIDIAN, IN HOBART-ROSS TOWNSHIP, LAKE COUNTY, INDIANA,

1 DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID  
2 SECTION 23; THENCE NORTH 02 DEGREES 42 MINUTES 00 SECONDS WEST, 361.86  
3 FEET ALONG THE WESTERLY LINE OF SECTION 23; THENCE NORTH 68 DEGREES  
4 21 MINUTES 41 SECONDS EAST, 2,955.90 FEET TO THE POINT OF BEGINNING;  
5 THENCE NORTH 09 DEGREES 47 MINUTES 44 SECONDS EAST, 174.01 FEET; THENCE  
6 NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 275.87 FEET; THENCE NORTH  
7 88 DEGREES 38 MINUTES 13 SECONDS EAST, 474.83 FEET TO THE EASTERLY LINE  
8 OF THE WEST HALF OF THE WEST HALF OF THE: SOUTHEAST QUARTER OF  
9 SECTION 23; THENCE SOUTH ALONG THE EASTERLY LINE OF THE WEST HALF OF  
10 THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 23 TO A POINT  
11 1,536.76 FEET NORTH OF THE SOUTH LINE OF SECTION 23; THENCE SOUTH 68  
12 DEGREES 21 MINUTES 41 SECONDS WEST, 555.70 FEET TO THE PLACE OF  
13 BEGINNING. (PARCEL CONTAINS 3.873 ACRES.)  
14

15 **PARCEL 15:** PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION  
16 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN  
17 IN HOBART-ROSS TOWNSHIP, LAKE COUNTY, INDIANA, BOUNDED AND  
18 DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID  
19 SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 24 SECONDS EAST, 40.00  
20 FEET; THENCE NORTH 02 DEGREES 42 MINUTES 00 SECONDS WEST ALONG THE  
21 EASTERLY RIGHT-OF-WAY LINE OF MISSISSIPPI STREET 1,935.70 FEET; THENCE  
22 NORTH 06 DEGREES 45 MINUTES 44 SECONDS EAST ALONG THE EASTERLY  
23 RIGHT-OF-WAY LINE OF MISSISSIPPI STREET, A DISTANCE OF 13.26 FEET TO THE  
24 POINT OF BEGINNING, THENCE CONTINUING NORTH 06 DEGREES 45 MINUTES 44  
25 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY OF MISSISSIPPI STREET,  
26 A DISTANCE OF 77.98 FEET TO A POINT; THENCE NORTH 02 DEGREES 42 MINUTES  
27 00 SECONDS WEST ALONG SAID EAST RIGHT-OF-WAY LINE OF MISSISSIPPI  
28 STREET PARALLEL WITH THE WEST LINE OF SECTION 23, A DISTANCE OF 116.65  
29 FEET; THENCE, DEPARTING SAID EASTERLY RIGHT-OF-WAY NORTH 44 DEGREES  
30 39 MINUTES 48 SECONDS EAST, 25.61 FEET; THENCE NORTH 88 DEGREES 03  
31 MINUTES 13 SECONDS EAST, 211.59 FEET TO A POINT OF CURVE; THENCE, ALONG  
32 A 500.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHWEST, WHOSE CHORD  
33 BEARS SOUTH 75 DEGREES 58 MINUTES 23 SECONDS EAST, 275.19 FEET; THENCE  
34 SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, 20.00 FEET TO A POINT OF  
35 CURVE; THENCE ALONG A 235.52 FOOT RADIUS CURVE, CONCAVE TO THE  
36 SOUTHEAST, WHOSE CHORD BEARS SOUTH 46 DEGREES 13 MINUTES 11 SECONDS  
37 WEST, 176.39 FEET; THENCE SOUTH 88 DEGREES 03 MINUTES 13 SECONDS WEST,  
38 363.05 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MISSISSIPPI STREET AND  
39 THE POINT OF BEGINNING OF THIS DESCRIPTION. CONTAINED WITHIN SAID  
40 BOUNDS 1.988 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL HIGHWAYS  
41 AND ALL EASEMENTS OF RECORD.  
42

43 **PARCEL 16:** (KOHL'S PARCEL), PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST  
44 1/4 OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND  
45 PRINCIPAL MERIDIAN, IN HOBART-ROSS TOWNSHIP, LAKE COUNTY, INDIANA,  
46 BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST

1 CORNER OF SAID SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 24  
2 SECONDS EAST, 40.0 FEET TO THE EAST RIGHT-OF-WAY LINE OF MISSISSIPPI  
3 STREET; THENCE, NORTH 2 DEGREES 42 MINUTES 00 SECONDS WEST, ALONG  
4 SAID EAST RIGHT-OF-WAY LINE PARALLEL WITH THE WEST LINE OF SAID  
5 SECTION 23, A DISTANCE OF 1,935.70 FEET TO A POINT; THENCE NORTH 06  
6 DEGREES 45 MINUTES 44 SECONDS EAST ALONG SAID EAST RIGHT-OF-WAY LINE  
7 OF MISSISSIPPI STREET, A DISTANCE OF 91.24 FEET; THENCE NORTH 02 DEGREES  
8 42 MINUTES 00 SECONDS WEST ALONG SAID EAST RIGHT-OF-WAY LINE OF  
9 MISSISSIPPI STREET PARALLEL WITH SAID WEST LINE OF SECTION 23, A  
10 DISTANCE OF 115.65 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING  
11 NORTH 02 DEGREES 42 MINUTES 00 SECONDS WEST ALONG SAID EAST RIGHT-OF-  
12 WAY LINE OF MISSISSIPPI STREET PARALLEL WITH WEST LINE OF SECTION 23, A  
13 DISTANCE OF 369.35 FEET; THENCE NORTH 10 DEGREES 46 MINUTES 07 SECONDS  
14 EAST ALONG SAID EAST RIGHT-OF-WAY LINE OF MISSISSIPPI STREET, A  
15 DISTANCE OF 72.53 FEET; THENCE NORTH 65 DEGREES 48 MINUTES 32 SECONDS  
16 EAST ALONG SAID EAST RIGHT-OF-WAY LINE OF MISSISSIPPI STREET, A  
17 DISTANCE OF 53.76 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE  
18 30 (LINCOLN HIGHWAY); THENCE EASTERLY 742.70 FEET ALONG THE  
19 SOUTHERLY RIGHT-OF-WAY LINE OF SAID U.S. ROUTE 30, BEING A 53,617.23 FOOT  
20 RADIUS CURVE, CONCAVE TO THE SOUTH, WHOSE CHORD BEARS NORTH 88  
21 DEGREES 05 MINUTES 59 SECONDS EAST, A DISTANCE OF 742.70 FEET; THENCE  
22 SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 552.88 FEET;  
23 THENCE SOUTH 60 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF  
24 185.00 FEET TO A POINT OF CURVE; THENCE 70.28 FEET ALONG A 450.00 FOOT  
25 RADIUS CURVE, CONCAVE TO THE NORTHWEST, WHOSE CHORD BEARS SOUTH  
26 34 DEGREES 28 MINUTES 27 SECONDS WEST, A DISTANCE OF 70.21 FEET; THENCE  
27 NORTH 60 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 167.50 FEET;  
28 THENCE NORTH 30 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 20.00  
29 FEET; THENCE 278.79 FEET ALONG A 500.00 FOOT RADIUS CURVE, CONCAVE TO  
30 THE SOUTH, WHOSE CHORD BEARS NORTH 75 DEGREES 58 MINUTES 23 SECONDS  
31 WEST, A DISTANCE OF 275.19 FEET; THENCE SOUTH 88 DEGREES 03 MINUTES 13  
32 SECONDS WEST, A DISTANCE OF 211.59 FEET; THENCE SOUTH 44 DEGREES 39  
33 MINUTES 48 SECONDS WEST, A DISTANCE OF 25.61 FEET TO THE EAST RIGHT-OF-  
34 WAY LINE OF MISSISSIPPI STREET AND THE POINT OF BEGINNING. (PARCEL  
35 CONTAINS 7.428 ACRES MORE OR LESS).

36  
37 **PARCEL 17:** (EASEMENT ONLY – NOT PLOTTED) THE RECIPROCAL AND NON-  
38 EXCLUSIVE EASEMENTS AND RELATED REAL ESTATE RIGHTS FOR INGRESS,  
39 EGRESS, PEDESTRIAN AND VEHICULAR ACCESS, SUPPORT, ENCROACHMENTS,  
40 PARKING, UTILITY AND OTHER PURPOSES CREATED AND GRANTED AS AN  
41 APPURTENANCE TO PARCELS HEREIN ABOVE DESCRIBED PURSUANT TO THE  
42 FOLLOWING DOCUMENT (HEREINAFTER COLLECTIVELY CALLED "OPERATING  
43 AGREEMENTS"):

- 44  
45 1. EASEMENT, RESTRICTION AND OPERATING AGREEMENT DATED AS OF THE 27TH DAY OF JUNE, 1972  
46 BY AND BETWEEN GARY JOINT VENTURE, J. C. PENNEY COMPANY, INC., AND SEARS, ROEBUCK AND

- 1 CO. AND RECORDED NOVEMBER 8, 1972, AS DOCUMENT NO. 174993, IN THE LAKE COUNTY  
2 RECORDS, VOLUME 1316 AT PAGE 578 WITH THE RECORDER OF DEEDS, COUNTY OF LAKE, INDIANA.  
3
- 4 2. SUPPLEMENT TO SAID EASEMENT, RESTRICTION AND OPERATING AGREEMENT DATED AS OF THE  
5 27TH DAY OF JUNE, 1972 BY AND AMONG LIKE PARTIES, WHICH AGREEMENT IS NOT RECORDED, BUT  
6 INCORPORATED IN THE SAID EASEMENT, RESTRICTION AND OPERATING AGREEMENT FOR ALL  
7 PURPOSES.  
8
- 9 2.5. A TRANSFER OF INTEREST FROM J. C. PENNEY COMPANY TO CARSON PIRIE SCOTT AND COMPANY, A  
10 DELAWARE CORPORATION, WAS RECORDED NOVEMBER 8, 1972, AS DOCUMENT NO. 174995, IN  
11 LAKE COUNTY RECORDS.  
12
- 13 3. A FIRST AMENDMENT TO EASEMENT, RESTRICTION AND OPERATING AGREEMENT DATED AS OF THE  
14 16TH DAY OF APRIL, 1973 AND RECORDED AS DOCUMENT NO. 208331 IN LAKE COUNTY RECORDS.  
15
- 16 4. DECLARATION BY GARY JOINT VENTURE DATED THE 7TH DAY OF JUNE, 1973 AND FILED AS  
17 DOCUMENT NO. 208332 IN THE LAKE COUNTY RECORDS.  
18
- 19 5. DEED OF DECLARATION DATED JUNE 15, 1973, EXECUTED BY GARY JOINT VENTURE AND FILED AS  
20 DOCUMENT NO. 208333 IN THE LAKE COUNTY RECORDS.  
21
- 22 6. SECOND AMENDMENT TO EASEMENT, RESTRICTION AND OPERATING AGREEMENT, DATED AS OF  
23 DECEMBER 10, 1974 AND RECORDED AS DOCUMENT NO. 289791 IN THE LAKE COUNTY RECORDS.  
24
- 25 7. AMENDMENT TO DEED OF DECLARATION, DATED AS OF DECEMBER 19, 1974, EXECUTED BY GARY  
26 JOINT VENTURE AND FILED AS DOCUMENT NO. 289795 IN THE LAKE COUNTY RECORDS.  
27
- 28 7.5 DECLARATION DATED DECEMBER 10, 1974, MADE BY AND BETWEEN GARY  
29 JOINT VENTURE, A PARTNERSHIP, SEARS, ROEBUCK AND CO., A NEW YORK  
30 CORPORATION, AND J. C. PENNEY COMPANY, INC., A DELAWARE  
31 CORPORATION, AND FLIED FOR RECORD AS DOCUMENT NO. 289797.  
32
- 33 8. DECLARATION BY GARY JOINT VENTURE DATED AS OF JUNE 1, 1977 FILED AS  
34 DOCUMENT NO. 423317 IN THE LAKE COUNTY RECORDS.  
35
- 36 9. SECOND AMENDMENT TO DEED OF DECLARATION DATED AS OF JUNE 1, 1977,  
37 EXECUTED BY GARY JOINT VENTURE AND TILED FOR RECORD AS DOCUMENT  
38 NO. 423318 IN LAKE COUNTY RECORDS.  
39
- 40 10. EASEMENT, RESTRICTION AND OPERATING AGREEMENT DATED AS OF JUNE 1,  
41 1977, BY AND BETWEEN GARY JOINT VENTURE AND ADCOR REALTY  
42 CORPORATION AND FLIED FOR RECORD AS DOCUMENT NO. 423320 IN THE  
43 LAKE COUNTY RECORDS.  
44
- 45 11. SUPPLEMENT TO EASEMENT, RESTRICTION AND OPERATING AGREEMENT  
46 DATED AS OF JUNE 1, 1977, BY AND BETWEEN LIKE PARTIES, WHICH  
47 AGREEMENT IS NOT RECORDED, BUT IS INCORPORATED IN SAID EASEMENT,  
RESTRICTION AND OPERATING AGREEMENT FOR ALL PURPOSES.

1  
2 12. THIRD AMENDMENT TO EASEMENT, RESTRICTION AND OPERATING  
3 AGREEMENT DATED AS OF JUNE 1, 1977, BY AND AMONG GARY JOINT  
4 VENTURE, ADCOR REALTY CORPORATION, J. C. PENNEY COMPANY, INC.,  
5 SEARS, ROEBUCK AND CO., AND 1-65-US 30 CORP FILED AS DOCUMENT NO.  
6 423321 IN LAKE COUNTY RECORDS.

7  
8 13. THIRD AMENDMENT TO DEED OF DECLARATION BY GARY JOINT VENTURE  
9 DATED AS OF JUNE 24, 1991, FILED AS DOCUMENT NO. 91032353, IN THE LAKE  
10 COUNTY RECORDS.

11  
12 14. DECLARATION OF DRAINAGE EASEMENTS BY GARY JOINT VENTURE DATED  
13 AS OF JUNE 24, 1991, FILED AS DOCUMENT NO. 91031994, IN THE LAKE COUNTY  
14 RECORDS.

15  
16 ~~IN, ON, OVER, UPON AND UNDER CERTAIN ADJOINING REAL PROPERTY THEREIN~~  
17 ~~MORE PARTICULARLY DESCRIBED TOGETHER WITH ALL OF THE RIGHTS,~~  
18 ~~POWERS, PRIVILEGES AND BENEFITS UNDER SAID OPERATING AGREEMENTS~~  
19 ~~ACCRUING TO THE OWNER OR OWNERS OF THE PARCELS ABOVE DESCRIBED,~~  
20 ~~THEIR SUCCESSORS, LEGAL REPRESENTATIVES AND ASSIGNS.~~

21  
22 **PARCEL 18 (FRINGE LAND #2):** PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST  
23 1/4 OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND  
24 PRINCIPAL MERIDIAN IN HOBART-ROSS TOWNSHIP, LAKE COUNTY, INDIANA,  
25 BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST  
26 CORNER OF SAID SECTION 23; THENCE NORTH 87 DEGREES 54 MINUTES 24  
27 SECONDS EAST, A DISTANCE OF 40.00 FEET; THENCE NORTH 02 DEGREES 42  
28 MINUTES 00 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF  
29 MISSISSIPPI STREET, A DISTANCE OF 1,757.06 FEET TO THE POINT OF BEGINNING;  
30 THENCE CONTINUING ALONG SAID EASTERLY RIGHT- OF- WAY LINE NORTH 02  
31 DEGREES 42 MINUTES 00 SECONDS WEST, A DISTANCE OF 178.64 FEET; THENCE  
32 NORTH 06 DEGREES 45 MINUTES 44 SECONDS EAST ALONG THE EASTERLY  
33 RIGHT-OF-WAY LINE OF MISSISSIPPI STREET, A DISTANCE OF 13.26 FEET; THENCE  
34 NORTH 88 DEGREES 03 MINUTES 13 SECONDS EAST A DISTANCE OF 363.05 FEET  
35 TO A POINT ON A CURVE; THENCE ALONG A 235.52 FOOT RADIUS CURVE,  
36 CONCAVE TO THE SOUTHEAST, WHOSE CHORD BEARS SOUTH 01 DEGREES 43  
37 MINUTES 51 SECONDS EAST, A DISTANCE OF 206.18 FEET; THENCE NORTH 80  
38 DEGREES 24 MINUTES 14 SECONDS WEST, A DISTANCE OF 41.83 FEET TO A POINT  
39 OF CURVE; THENCE ALONG A 450.00 FOOT RADIUS CURVE, CONCAVE TO THE  
40 SOUTH, WHOSE CHORD BEAR NORTH 86 DEGREES 33 MINUTES 07 SECONDS WEST,  
41 A DISTANCE OF 96.39 FEET; THENCE SOUTH 87 DEGREES 18 MINUTES 00 SECONDS  
42 WEST, A DISTANCE OF 225.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF  
43 MISSISSIPPI STREET AND THE POINT OF BEGINNING OF THIS DESCRIPTION.  
44 CONTAINED WITHIN SAID BOUNDS 1.526 ACRES MORE OR LESS, AND SUBJECT TO  
45 ALL LEGAL HIGHWAYS AND ALL EASEMENTS OF RECORD.

1 **I. USE AND BULK REGULATIONS.**  
2

- 3 (A) Use, bulk, and design regulations applying specifically to this PUD are set forth in this  
4 subchapter.  
5  
6 (B) Also applying this PUD are additional regulations set forth in other subchapters and  
7 sections of this chapter of the Hobart Municipal Code as follows:  
8  
9 (1) **Section 154.004, Zoning districts, establishment and application;**  
10  
11 (2) **Section 154.005, Rules and interpretation of district boundaries;**  
12  
13 (3) **Section 154.006, General provisions and supplementary district regulations;**  
14  
15 (4) **Section 154.007, Definitions;**  
16  
17 (5) **Sections 154.295 et seq., Planned Unit Development Districts;**  
18  
19 (6) **Sections 154.320 et seq., Mobile Homes and Mobile Home Parks;**  
20  
21 (7) **Sections 154.355 et seq., Off-Street Parking and Loading;**  
22  
23 (8) **Sections 154.375 et seq., Signs;**  
24  
25 (9) **Sections 154.420 et seq, Site Plan, Tree Preservation and Site Plan;**  
26  
27 (10) **Sections 154.460 et seq., Non-conforming Uses and Non-conforming Buildings;**  
28 And  
29  
30 (11) **Sections 154.480 et seq., Administration and Enforcement.**  
31  
32 (Prior Code, § 24-102) (Ord. 97-15; Ord. 2001-41)  
33

34 Citations to the Hobart Municipal Code above shall to apply to the version of the code in  
35 effect at the adoption date of this ordinance and to any revision of said code shall apply to the  
36 same or similar subject which may be in acted in the future.  
37

38 **II. PURPOSE.**

39 To develop and construct quality retailtainment and eatertainment areas with interactive  
40 retail, entertainment, employment centers, transit opportunities, with medical community.  
41 The area is to be managed and operated by SOUTHLAKE INDIANA LLC highly trained,  
42 and experienced individual(s) from STARWOOD CAPITAL GROUP and subsequent  
43 owners, shall not violate any standards identified in Section I. Use and Bulk Regulations and  
44 including any standards listed in the following sections:  
45

46 **III. PERMITTED USES.**

47 Permitted Uses are subject to the following:  
48

- 49 (A) **Billboards, off-site and on-site advertising.**  
50

1       **(B) Entertainment, Amusement, and Recreational;** indoor venues, attractions, and  
2       experience:

- 3  
4       (1) Arcades games; video, electro-mechanical, redemption, table, and similar  
5  
6       (2) Beer, wine, and distilled alcoholic beverages.  
7  
8       (3) Dance, and night clubs  
9  
10      (4) Hotels, and other lodging places accommodating temporary overnight stay  
11  
12      (5) Museums; art, historical, cultural, and similar.  
13  
14      (6) Party rooms and indoor family play zones/areas; arcades, ball/foam pit, bowling, go-  
15      cart, rock/rope climbing, and similar.  
16
- 
- 17      (7) Recreation sporting; basketball, hockey, soccer, and similar  
18  
19      (8) Restaurants, eatery, including outdoor dining.  
20  
21      (9) Theaters and cinema of motion picture and live acts or live music.  
22  
23      (10) Virtual-reality, simulators, and similar.  
24  
25      (11) Other Entertainment, Amusement, and Recreational as approved by the plan  
26      commission.  
27

28       **(C) Health Care and allied uses;** offices, centers, or clinics, for outpatient care only:  
29

- 30      (1) Fitness, gym, workout, and similar.  
31  
32      (2) Medical, surgical, dental, and similar.  
33  
34      (3) Physical rehabilitation.  
35  
36      (4) Spa/massage, and similar.  
37  
38      (5) Other miscellaneous Health Care services as approved by the plan commission.  
39

40       **(D) Professional and Office uses;** institutions, spaces, and agencies:  
41

- 42      (1) Architecture, accounting, engineering, legal, management consulting, research, and  
43      similar.  
44  
45      (2) Banking, depository, and savings; Federal, state, commercial, and similar.  
46

- 1 (3) Creditor, finance lessors, and loan brokers.
- 2
- 3 (4) Consultants, and stylists.
- 4
- 5 (5) Insurance agents and brokers; life, title, accident, casualty, and similar.
- 6
- 7 (6) Investment agents and brokers; real estate, commodity, trading, security, exchanges,
- 8 and similar.
- 9
- 10 (7) Social, and fraternal organizations.
- 11
- 12 (8) Software, integrated systems design, computer programming, data processing and
- 13 preparation.
- 14
- 15 (9) Other office, professional services as approved by the plan commission.
- 16

---

17 **(E) Retail, Sales, and Commerce;** stores/shops and non-store retailer/shops:

- 18
- 19 (1) Advertising, communications, telephone (land or wireless).
- 20
- 21 (2) Apparel, and accessory; women, men, children, pets, and family.
- 22
- 23 (3) Appliances, and electronics; home and personal.
- 24
- 25 (4) Art, hobby, toys, and games.
- 26
- 27 (5) Auto and home supplies; excluding automobile/vehicle lot sales, rental, and leasing.
- 28
- 29 (6) Automobile and truck gasoline service stations.
- 30
- 31 (7) Automotive repair, services, and parking.
- 32
- 33 (8) Computer, consumer electronics, and computer software.
- 34
- 35 (9) Department, big box and ancillary.
- 36
- 37 (10) Home furniture, furnishings, and equipment.
- 38
- 39 (11) Pharmaceutical, and proprietary medicine/drugs.
- 40
- 41 (12) Supermarket and grocery.
- 42
- 43 (13) Variety stores, and general merchandise.
- 44
- 45 (14) Other retail stores/shops as approved by the plan commission.
- 46

1       **(F) Training and Education;** indoor buildings, facilities, and areas:  
2

- 3           (1) Child care and daycare.  
4  
5           (2) Class and course testing  
6  
7           (3) Schools; higher learning, specialty training, trades, pre-schools, and similar (private  
8                or public).  
9  
10          (4) Other Training and Education buildings as approved by the plan commission.  
11

12       **(G) Transit Stations and Terminals.**  
13

14       **(H) Wholesale and Distribution;** centers, locations, and structures:  
15

- 16           (1) Apparel, and accessory; women, men, children, pet, and family.  
17  
18           (2) Beer, wine & distilled alcoholic beverages; production or processing in conjunction  
19                with sales and or consumption on site only.  
20  
21           (3) Computers, software, and peripheral equipment.  
22  
23           (4) Electrical equipment, wiring supplies, and appliances (personal or commercial).  
24  
25           (5) Electronic parts and equipment.  
26  
27           (6) Food, groceries and related products; no raw meats, poultry, and fish.  
28  
29           (7) Furniture and home furnishings.  
30  
31           (8) Jewelry, watches, precious stones and metals; no production or processing of raw  
32                metals, minerals petroleum, petroleum products, chemicals and allied products.  
33  
34           (9) Lumber and construction materials.  
35  
36           (10) Machinery, equipment and supplies; no production or processing.  
37  
38           (11) Medical, dental, and hospital equipment and supplies.  
39  
40           (12) Motor vehicles parts and supplies.  
41  
42           (13) Plumbing and heating; hardware, equipment, and supplies.  
43  
44           (14) Paper and paper products; no production or processing.  
45

- 1 (15) Pharmaceutical, medicinal, homeopathic drugs/plants, and sundries; production or
  - 2 processing in conjunction with sales and or consumption on site only.
  - 3
  - 4 (16) Other miscellaneous Wholesale and Distribution centers of durable and nondurable
  - 5 goods as approved by the plan commission.
  - 6
  - 7
-