

ORDINANCE NO. 03-2024 (3rd Amended)

AN ORDINANCE

**TRANSFERRING CERTAIN LAND AND ACCEPTING CERTAIN LAND IN THE CITY
OF WEST LAFAYETTE, INDIANA**

AND

VACATING PORTIONS OF HOWARD AVENUE AND BROWN STREET

WHEREAS, after due Notice and Public Hearing, the Common Council of the City of West Lafayette did consider on the 1st day of April 2024, the following questions set forth in the Petition for Transfer of Real Estate; Petition to Vacate Right-of-Way filed by Landmark Properties, Inc., an Indiana corporation ("Landmark") as the designated and duly authorized representative for the following entities and/or persons: 300 Brown, LLC, an Indiana limited liability company ("300 Brown"); B.T.O., LLC, an Indiana limited liability company ("BTO"); Bruno's Swiss Inn, Inc., an Indiana corporation ("Swiss Inn"); Howard Avenue Partners LLC, an Indiana limited liability company ("HAP"); Naresh M. Vashi ("Vashi"); and OB Irish LLC, an Indiana limited liability company ("Nine Irish");

1. transferring certain real estate located in West Lafayette, Indiana consisting of approximately **0.045 acres** and having **State Identification No. 79-07-20-300-005.000-026** ("Transfer Real Estate 1"), which said Transfer Real Estate 1 is labeled as 15 on the Transfer and Vacation Exhibit (defined below) and is more particularly described in the deed attached hereto and made a part hereof as **EXHIBIT 1**, to 300 Brown, LLC, an Indiana limited liability company, an affiliate of Landmark;
2. transferring certain real estate located in West Lafayette, Indiana consisting of approximately **0.0367 acres** and having **State Identification No. 79-07-20-306-009.000-026** ("Transfer Real Estate 2"), which said Transfer Real Estate 2 is labeled 2 on the Transfer and Vacation Exhibit and is more particularly described in the deed attached hereto and made a part hereof as **EXHIBIT 2**, to Landmark State Street Surplus, LLC, an Indiana limited liability company, an affiliate of Landmark ("LSSS");

3. transferring certain real estate located in West Lafayette, Indiana located near the intersection of N River Road and State Street (“Transfer Real Estate 3”), which said real estate is described and depicted in **EXHIBIT 6** attached hereto and made a part hereof.
4. vacating a portion of Howard Avenue (“Vacated Howard Avenue”) more particularly described in **EXHIBIT 3** attached hereto and made a part hereof and depicted in **EXHIBIT 4** attached hereto and made a part hereof (“Transfer and Vacation Exhibit”);
5. vacating a portion of Brown Street (“Vacated Brown Street”) depicted on the Transfer and Vacation Exhibit;
6. vacating a portion of the public alley (“Alley”) owned by the City described in **EXHIBIT 5** attached hereto and made a part hereof and depicted on the Transfer and Vacation Exhibit; and
7. accepting for public use the Relocated Right-of-Way (defined below) depicted in the Transfer and Vacation Exhibit.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of West Lafayette, Indiana, that:

Section 1. The City is the owner of certain real estate located in West Lafayette, Indiana having State Identification No. 79-07-20-300-005.000-026 and identified above as the Transfer Real Estate 1. For several reasons, the City no longer wishes to own the Transfer Real Estate 1. As a result of numerous factors, the City believes that the Transfer Real Estate 1 has a value of less than \$25,000.00. The City hereby agrees to transfer, set over, and convey the Transfer Real Estate 1 to 300 Brown, LLC, an Indiana limited liability company, via a quit claim deed for no monetary consideration. The Transfer Real Estate 1 shall become a part of the Landmark on the Levee Planned Development (“Planned Development”).

Section 2. The City is the owner of certain real estate located in West Lafayette, Indiana having State Identification No. 79-07-20-306-009.000-026 and identified above as the Transfer Real Estate 2. For several reasons, the City no longer wishes to own the Transfer Real Estate 2. As a result of numerous factors, the City believes that the Transfer Real Estate 2 has a value of less than \$25,000.00. The City hereby agrees to transfer, set over, and convey the

Transfer Real Estate 2 to Landmark State Street Surplus, LLC, an Indiana limited liability company, via a quit claim deed for no monetary consideration. The Transfer Real Estate 2 shall become a part of the Planned Development.

Section 3. The City is the owner of certain real estate located in West Lafayette, Indiana and identified above as the Transfer Real Estate 3. For several reasons, the City no longer wishes to own the Transfer Real Estate 3. As a result of numerous factors, the City believes that the Transfer Real Estate 3 has a value of less than \$25,000.00. The City hereby agrees to transfer, set over, and convey the Transfer Real Estate 3 to Naresh M. Vashi, via a quit claim deed for no monetary consideration. The Transfer Real Estate 3 shall become a part of the Planned Development.

Section 4. 300 Brown is the owner of the property commonly known as 300 Brown Street, having State Identification No. 79-07-20-300-002.000-026 (“300 Brown Real Estate”). The 300 Brown Real Estate is labeled 14 on the Transfer and Vacation Exhibit.

Section 5. BTO is the owner of the property commonly known as 212 Brown Street, having State Identification No. 79-07-20-305-005.000-026 (“BTO Real Estate”). The BTO Real Estate is labeled 12 on the Transfer and Vacation Exhibit.

Section 6. Swiss Inn is the owner of the property commonly known as 224 E State Street, having State Identification No. 79-07-20-306-004.000-026 (“Swiss Inn Real Estate”). The Swiss Inn Real Estate is labeled 1 on the Transfer and Vacation Exhibit.

Section 7. HAP is the owner of the property commonly known as 140 Howard Avenue, having State Identification No. 79-07-20-301-002.000-026 (“HAP Real Estate”). The HAP Real Estate is labeled 13 on the Transfer and Vacation Exhibit.

Section 8. Vashi is the owner of the property commonly known as 200 Brown Street, having State Identification No. 79-07-20-305-001.000-026 (“Vashi Real Estate”). The Vashi Real Estate is labeled 6 on the Transfer and Vacation Exhibit.

Section 9. Nine Irish is the owner of the property commonly known as 119 Howard Avenue, having State Identification No. 79-07-20-305-002.000-026 (“Nine Irish Real Estate”).

Section 10. The 300 Brown Real Estate, BTO Real Estate, Swiss Inn Real Estate, HAP Real Estate, and Vashi Real Estate are intended to be a part of the Planned Development. For the

avoidance of doubt, it is understood that the Nine Irish Real Estate will not be a part of the Planned Development.

Section 11. The portion of Howard Avenue lying between the Nine Irish Real Estate and the HAP Real Estate and shown on the Transfer and Vacation Exhibit is hereby vacated. The area labeled A on the Transfer and Vacation Exhibit shall be transferred and attach to the Nine Irish Real Estate. The area labeled B on the Transfer and Vacation Exhibit shall be transferred and attach to the HAP Real Estate (part of this area to be transferred to the HAP Real Estate also lies to the east of the BTO Real Estate).

Section 12. The portion of Howard Avenue lying between the BTO Real Estate and the HAP Real Estate and the 300 Brown Real Estate and shown on the Transfer and Vacation Exhibit is hereby vacated. The area labeled C on the Transfer and Vacation Exhibit shall be transferred and attach to the BTO Real Estate. The area labeled D on the Transfer and Vacation Exhibit shall be transferred and attach to the 300 Brown Real Estate.

Section 13. The portion of Brown Street lying between the BTO Real Estate and the Swiss Inn Real Estate and shown on the Transfer and Vacation Exhibit is hereby vacated. The area labeled E on the Transfer and Vacation Exhibit shall be transferred and attach to the BTO Real Estate. The area labeled F on the Transfer and Vacation Exhibit shall be transferred and attach to the Swiss Inn Real Estate.

Section 14. The portion of the Alley lying adjacent to the eastern boundary of the Vashi Real Estate and shown on the Transfer and Vacation Exhibit is hereby vacated. The area labeled G on the Transfer and Vacation Exhibit shall be transferred and attach to the Vashi Real Estate.

Section 15. The portion of Brown Street located adjacent to the southern boundary of the Vashi Real Estate and shown on the Transfer and Vacation Exhibit is hereby vacated. The area labeled H on the Transfer and Vacation Exhibit shall be transferred and attach to the Vashi Real Estate.

Section 16. As part of the Planned Development, Howard Avenue shall be relocated (and potentially renamed) ("Relocated Right-of-Way"). The Relocated Right-of-Way shall be dedicated to the public upon the recording of the final plat for the Planned Development.

Section 17. The purpose of the vacations, transfer and dedication is to facilitate the construction of the Planned Development. In connection with the Planned Development the developer of the Planned Development shall be responsible for constructing the Relocated Right-of-Way. The Relocated Right-of-Way shall be dedicated to the public and shall connect Brown Street and a new east-west right-of-way connecting to North River Road. The Relocated Right-of-Way shall be constructed in compliance with all City specifications and regulations and all applicable State and Federal laws, rules and regulations.

Section 18. The vacated rights-of-way and alley shall each be closed as a public way upon vacation pursuant to this Ordinance. Upon completion, the Relocated Right-of-Way shall be opened and ready as a public way.

Section 19. None of the above transferees or their respective assigns or successors shall be required to compensate the City further for the fair market value of the rights-of-way being vacated other than transferring to the City the land to be a part of the Relocated Right-of-Way since the value received is deemed to be equal to or greater than the value given.

Section 20. The Clerk of the City Council is directed to furnish a copy of this Ordinance, duly executed, to the Recorder of Tippecanoe County for recording, and to the Auditor of Tippecanoe County.

Section 21. Attached hereto and made a part hereof as **EXHIBIT 7** are legal descriptions for and depictions of the portions of Howard Avenue and Brown Street that will be vacated and transferred to the adjacent property owner.

[The remainder of this page intentionally left blank]

INTRODUCED ON FIRST READING ON THE 5 DAY OF FEBRUARY 2024, WITH A SECOND READING ON THE 4 DAY OF MARCH 2024.


MOTION TO ADOPT THE THIRD AMENDED VERSION MADE BY COUNCILOR Blanco AND SECONDED BY COUNCILOR Bellisario.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 28 DAY OF March 2024, HAVING BEEN PASSED BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bellisario	✓			
Blanco	✓			
Burr	✓			
Dennis	✓			
Lee	✓			
Leverenz	✓			
Parker	✓			
Sanders	✓			
Veidemanis	✓			

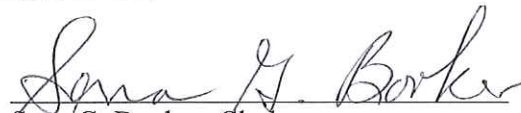

Larry J. Leverenz, Presiding Officer

Attest:


Sana G. Booker, Clerk



PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE 28 DAY OF March 2024.


Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 28 DAY OF March 2024.

Erin R. Easter

Erin R. Easter, Mayor

Attest:

Sana G. Booker

Sana G. Booker, Clerk



[The remainder of this page intentionally left blank]

EXHIBIT 1

DULY ENTERED FOR RECORD
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

DEC 08 1999

9932723 12/08/1999 09:51A 1 of 1
Pamela K. Berglund, Tippecanoe County Recorder

[Signature]
AUDITOR OF TIPPECANOE COUNTY

Tax Duplicate Nos. 164-02500-0480
164-02500-0491

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, That Wabash Landing, L.L.C. ("Grantor"), a limited liability corporation organized and existing under the laws of the State of Indiana CONVEYS AND WARRANTS to City of West Lafayette, Tippecanoe County, Indiana ("Grantee"), for the sum of ten and no/100 dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Tippecanoe County, State of Indiana:

A strip of land fourteen (14) feet in even width off of the entire southern end of the Robert W. Bibler Trust real estate described in Document Number 9708504 in the Office of the Recorder of Tippecanoe County, Indiana, said strip of land being located on a part of Lot 1 in David M. Vaughan's First Addition to the City of West Lafayette, and a part of Lot 12 in Chauncey's Plat of Bottom Lands in the City of West Lafayette, Wabash Township, Tippecanoe County, Indiana, containing 1960 square feet from tax key number 164-02500-0480, containing 155 square feet from tax key number 164-02500-0491 and containing a total of 2115 square feet, more or less.

The above described strip of land is intended to be adjacent to

and contiguous with the northern right-of-way line of Brown Street as per a plat of survey by Ticen Surveying recorded as Document Number 99-19612 in the aforesaid Office of the Recorder.

Subject to all easements, rights-of-way and restrictions of record.

This conveyance is an exempt transaction pursuant to exemption D of the Unified Subdivision Ordinance of Tippecanoe County.

The Grantor hereby certifies that there is no Indiana gross income tax due with respect to this transfer.

The undersigned person executing this deed on behalf of Grantor represent and certify that they are duly elected officers of Grantor and have been fully empowered, by proper resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has executed this deed this 28th day of NOV
November, 1999.

Wabash Landing, L.L.C.

By: H. F. Renfro
Herznan F. Renfro, Partner

STATE OF INDIANA)
COUNTY OF Tippecanoe) SS:

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

appeared Wabash Landing, L.L.C., by Herman F. Renfro, partner, an Indiana Limited Liability corporation, who acknowledged the execution of the foregoing Corporate Warranty Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 8th day of December 1999.

My Commission Expires:

Oct. 11, 2007

SEND TAXES TO:

Signature: Sharon K. Baer

Printed: Sharon K. Baer

Notary Public residing in
Tippecanoe County, IN.

This instrument prepared by:
Joseph T. Bumbleburg, of the firm of
BALL, EGGLESTON, BUMBLEBURG, McBRIDE
WALKEY & STAPLETON, PC
810 Bank One Building P.O. Box 1535
Lafayette, Indiana 47902
Telephone: (765) 742-9046
Attorney # 2987-79

EXHIBIT 2

* 2 0 1 6 1 6 0 0 7 4 6 9 9 *

201616007469
FILED FOR RECORD IN
TIPPECANOE COUNTY, IN
SHARON WITBERS, RECORDER
05/09/2016 01:10:09PM
DEED 33.00

Tax ID Nos. 79-07-20-306-001.000-026
79-07-20-308-013.000-026
79-07-20-377-005.000-026

QUITCLAIM DEED


THIS INDENTURE WITNESSETH, That the WEST LAFAYETTE REDEVELOPMENT COMMISSION, governing body of the City of West Lafayette Department of Redevelopment ("Grantor") QUITCLAIMS to INTERLOCAL COOPERATION BOARD OF THE CITY OF WEST LAFAYETTE, INDIANA AND THE TRUSTEES OF PURDUE UNIVERSITY ("Grantee"), established under the Interlocal Cooperation Agreement, dated as of May 19, 2015, by and between the City of West Lafayette, Indiana and The Trustees of Purdue University, for NO consideration, the receipt and sufficiency of which are hereby acknowledged, the real estate in Tippecanoe County, in the State of Indiana more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

The undersigned persons executing this Quitclaim Deed on behalf of Grantor represent and certify that such persons are duly authorized to execute and deliver this Quitclaim Deed pursuant to Resolution RC 2016-5 approved on February 17, 2016 and Resolution RC 2016-6 approved on March 10, 2016; that Grantor has full organizational capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

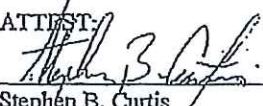
IN WITNESS WHEREOF, Grantor has executed this deed this 10th day of March, 2016.

WEST LAFAYETTE REDEVELOPMENT
COMMISSION

By: _____

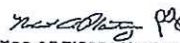

Lawrence T. Oates

ATTEST:


Stephen B. Curtis

DULY ENTERED FOR TAXATION AND IN
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

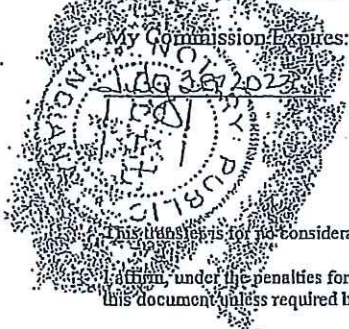
MAY 09 2016

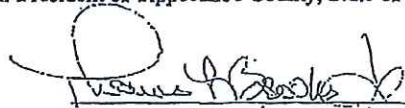

AUDITOR OF TIPPECANOE CO.

STATE OF INDIANA)
) SS:
TIPPECANOE COUNTY)

Before me, a Notary Public in and for said County and State, this 10th day of March, 2016, personally appeared the within named LAWRENCE T. OATES and STEPHEN B. CURTIS, who acknowledged the execution of the foregoing Quitclaim Deed as their free act and deed, for the intents and purposes therein contained and swore to the truth of the matters contained therein.

WITNESS: my hand and Notarial Seal. I am a resident of Tippecanoe County, State of Indiana.





Thomas L. Brooks, Jr.
NOTARY PUBLIC

This instrument is for no consideration and a disclosure form is not necessary.

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. Thomas L. Brooks, Jr.

This instrument prepared by: Thomas L. Brooks, Jr., of the firm MAYFIELD AND BROOKS, 8 North Third St., Suite 405, P.O. Box 650, Lafayette, IN 47902; Telephone: (765) 423-5454; Fax: (765) 420-8114

EXHIBIT "A"

Project: Re-State
Parcel: 125 Fee Simple
Tax ID: 79-07-20-306-001.000-026

Sheet 1 of 2

One Hundred thirteen (113) feet off the west end of Lot 13 of the Chauncey Plat of Bottom Lands to the now City of West Lafayette, Tippecanoe County, Indiana.

EXCEPT: A part of Lot 13 in Chauncey's Plat of Bottom Lands to the Town of Chauncey, now West Lafayette, Indiana, the plat of which subdivision is recorded in Deed Record 48, page 278, in the Office of the Recorder of Tippecanoe County, Indiana, described as follows: Beginning at the west corner of said lot; thence North 88 degrees 41 minutes 52 seconds East 40.99 feet along the north line of said lot; thence South 56 degrees 34 minutes 12 seconds East 65.95 feet to the east line of the owner's land; thence South 17 degrees 41 minutes 01 second West 7.66 feet along said east line to the southwestern line of said lot; thence North 65 degrees 29 minutes 53 seconds West 102.96 feet along said southwestern line to the point of beginning and containing 0.027 acres, more or less.

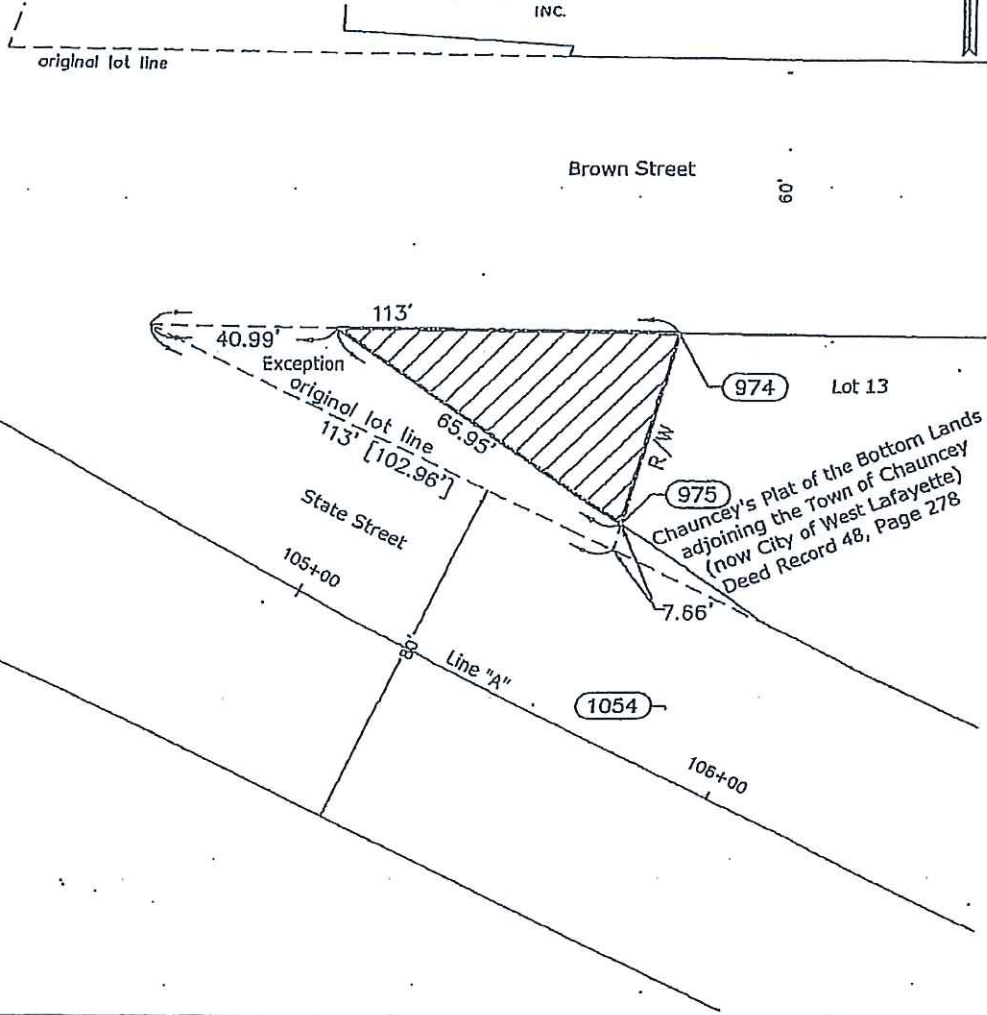
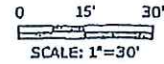
This description was prepared for the City of West Lafayette, Indiana by Jessica L. Stapleton, Indiana Professional Surveyor, License Number LS20600032, on the 11th day of February, 2016.

Jessica L. Stapleton



EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT
 Prepared for the City of West Lafayette, Indiana
 by: AMERICAN
STRUCTUREPOINT
 INC.

SHEET 1, OF 3



HATCHED AREA IS THE APPROXIMATE TAKING	
OWNER: WEST LAFAYETTE REDEVELOPMENT COMMISSION	DRAWN BY: CMM
PARCEL: 125	CHECKED BY: JLS
CODE: N/A	DES. NO.: N/A
PROJECT: RE-STATE	
ROAD: STATE STREET	
COUNTY: TIPPECANOE	
SECTION: 20	
TOWNSHIP: 23 NORTH	
RANGE: 4 WEST	
INSTRUMENT NUMBER 9621057, DATED SEPTEMBER 25, 1996 INSTRUMENT NUMBER 9621058, DATED SEPTEMBER 25, 1996 INSTRUMENT NUMBER 9824841, DATED SEPTEMBER 15, 1998	
THIS PLAT WAS PREPARED FROM PUBLIC DOCUMENTS AND NOT CHECKED BY A FIELD SURVEY.	

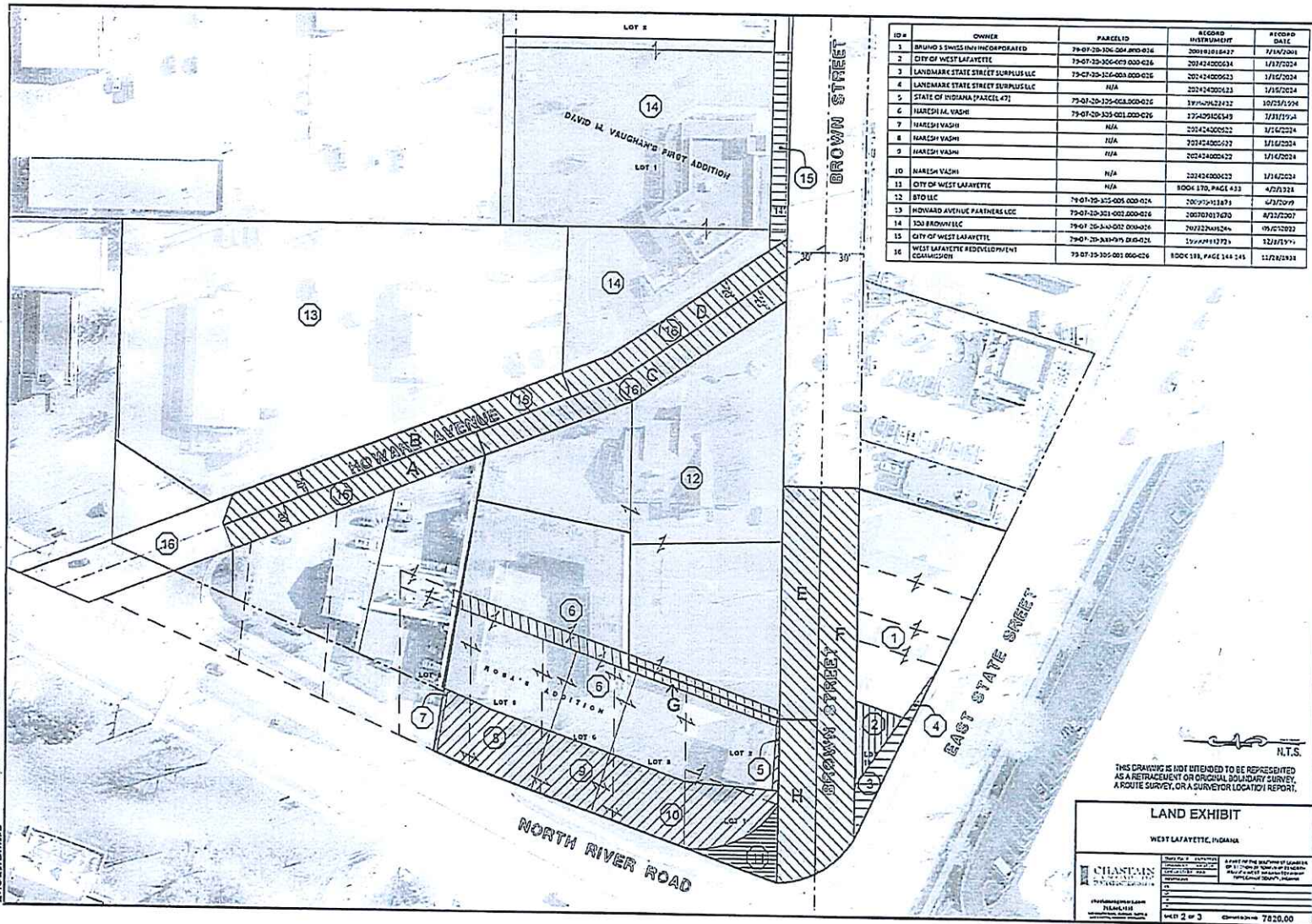
EXHIBIT 3

VACATION OF HOWARD AVENUE-LEGAL DESCRIPTION [REDACTED]

A part of Lot Numbered 12 (twelve) in Chauncey's Plat of Bottom Lands, as per the plat thereof, Plat Book 48, Page 277 - 279, recorded January 15th/, 1866, in the Office of the Tippecanoe County Recorder, being platted on a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at a point on the south line of a tract of land described in a Corporate Deed to Weida Levee LLC, Document Number 200000005293, recorded March 16, 2000, in the Office of the Tippecanoe County Recorder; said point being North 00°29'59" East, 10.00 feet and South 89°44'13" East, 9.89 feet from the Northeast corner of Lot Numbered 1 in David M. Vaughan's First Addition to the City of West Lafayette, as per the plat thereof, Plat Book 8, Page 25, recorded January 9, 1962, in said Recorder's Office and marked by 5/8" rebar with a plastic cap stamped "Ticen"; thence parallel with the east line of said Lot 1 (being the basis of bearings of the herein described tract) , South 00°16'22" West, 213.95 feet to the North right-of-way of Brown Street, per the Final Plat of Wabash Landing, Phase 1, Part 2, as per the plat thereof, Plat Cabinet AA, Page 170, recorded March 3, 2000 in said Recorders Office; thence along said north right-of-way line North 89°16'56" West, 9.89 feet; thence South 00°15'47" West, 14.00 feet to the North right-of-way line of Brown Street per said Chauncey's Plat of Bottom Lands; thence along said north right-of-way line North 89°17'17" West, 139.93 feet to the Point of Beginning; thence North 89°17'17" West, along said north right -of-way line, 55.41 feet to the western right-of-way line of Howard Avenue; thence along said western right-of-way line for the following two (2) courses; 1) North 33°40'05" West, 145.76 feet; 2) thence North 21°05'35" West, 335.31 feet; thence North 68°54'20" East, 21.85 feet; thence South 70°56'57" East to the eastern right-of-way line of said Howard Avenue, 23.74 feet; thence along said eastern right-of-way line for the following two (2) courses; 1) South 21°05'35" East, 315.60 feet; 2) thence South 33°40'05" East, 151.83 feet; thence South 89°16'56" East, parallel with northerly of and 14.00 feet distant from said northern right-of-way line of Brown Street, 16.33 feet; thence South 00°06'45" West, along the western line said Lot Numbered 1, 13.94 feet to the Point of Beginning, containing 0.45 acres, more or less.

EXHIBIT 4



ID#	OWNER	PARCELID	RECORD INSTRUMENT	RECORD DATE
1	BRUNO'S SWISS INCORPORATED	79-01-20-106-000-0016	20040818627	7/14/2004
2	CITY OF WEST LAFAYETTE	79-01-20-106-000-0016	20242400024	1/18/2024
3	LANDMARK STATE STREET SURPLUS LLC	79-01-20-106-000-0016	20242400023	1/18/2024
4	LANDMARK STATE STREET SURPLUS LLC	N/A	20242400023	1/18/2024
5	STATE OF INDIANA (PARCEL 47)	79-01-20-106-000-0016	19740622412	10/25/1974
6	HARESH M. VASHI	79-01-20-106-000-0016	27242916543	1/11/1974
7	HARESH VASHI	N/A	20242400022	1/18/2024
8	HARESH VASHI	N/A	20242400022	1/18/2024
9	HARESH VASHI	N/A	20242400022	1/18/2024
10	HARESH VASHI	N/A	20242400022	1/18/2024
11	CITY OF WEST LAFAYETTE	N/A	BOOK 170, PAGE 433	4/21/2014
12	STO LLC	79-01-20-106-000-0016	20071011873	4/3/2007
13	HONARD AVENUE PARTNERS LLC	79-01-20-106-000-0016	20070101670	8/31/2007
14	SOI BROWN LLC	79-01-20-106-000-0016	20222401246	09/25/2022
15	CITY OF WEST LAFAYETTE	79-01-20-106-000-0016	19740622412	10/25/1974
16	WEST LAFAYETTE REDEVELOPMENT COMMISSION	79-01-20-106-000-0016	BOOK 183, PAGE 144 145	11/21/2013

H.T.S.
 THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.

LAND EXHIBIT
 WEST LAFAYETTE, INDIANA

CHILANSKY SURVEYING & ENGINEERING, INC.
 1111 W. STATE STREET, SUITE 100
 WEST LAFAYETTE, INDIANA 47996
 TEL: 765.855.1111
 FAX: 765.855.1112
 www.chilansky.com

DATE: 1/18/2024
 SHEET 2 OF 3
 \$700.00

EXHIBIT 5

ALLEY VACATION DESCRIPTION – ROSA’S ADDITION TO WEST LAFAYETTE

An Alley Twelve (12) feet in even width located along the entire east side of Rosa’s Addition to West Lafayette, as per the plat thereof, Plat Book 1, Page 2, and described in Deed Record 93, Page 253, recorded October 27, 1890, in the Office of the Tippecanoe County Recorder, being platted on a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot 2 (two) in said in said Rosa’s Addition, thence along the East line common to Lots Two (2) though Six (6) North 19°21’55” East 317.99 feet to the Northeast corner thereof; thence along the North line of said Rosa’s Addition South 89°58’32” East 12.72 feet to the East line thereof; thence along the East line of said Rosa’s Addition South 19°21’55” West 318.10 feet to the North line of Brown Street; thence along said North line North 89°29’39” West 12.68 feet to the Point of Beginning, containing 0.088 acres, more or less.

SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD

SURVEYOR’S CERTIFICATION:

I, Kyle K. Betz, a Registered Professional Land Surveyor in the State of Indiana, do hereby certify that the above description was prepared under my supervision.



KYLE K. BETZ (LS20400023)

08/25/2023

DATE



EXHIBIT 6

A part of Lot numbered One (1) in Rosa's Addition to the City of West Lafayette, Indiana, described as follows:

Commencing at the Northwest corner of said lot, and running thence southward along the east line of Ellsworth Street, and the west line of said lot, seventy eight and fifty hundredths (78.50) feet to the southwest corner thereof; thence east along the line of Brown Street Levee and along the south line of said lot sixty (60) feet, to the southeast corner thereof, thence in a northwesterly direction; following the line of a curve to the right, as described by a seventy five (75) foot radius, about eighty nine (89) feet to the place of beginning.

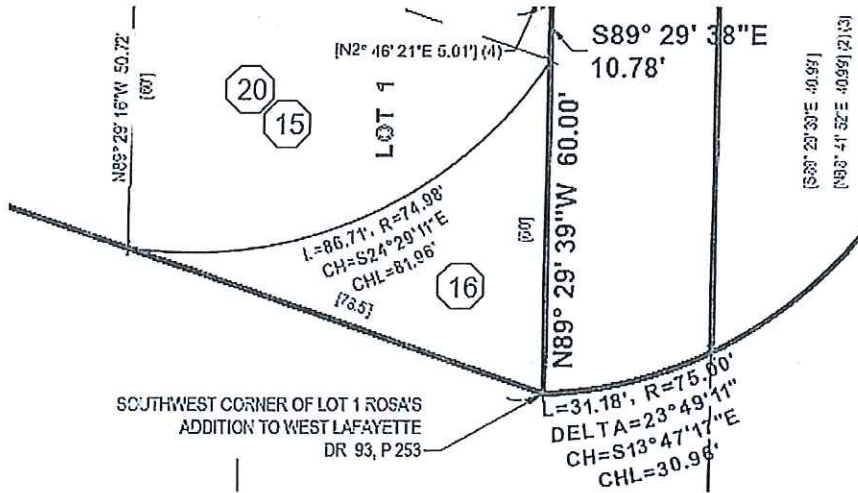
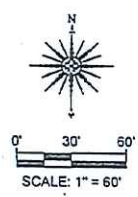
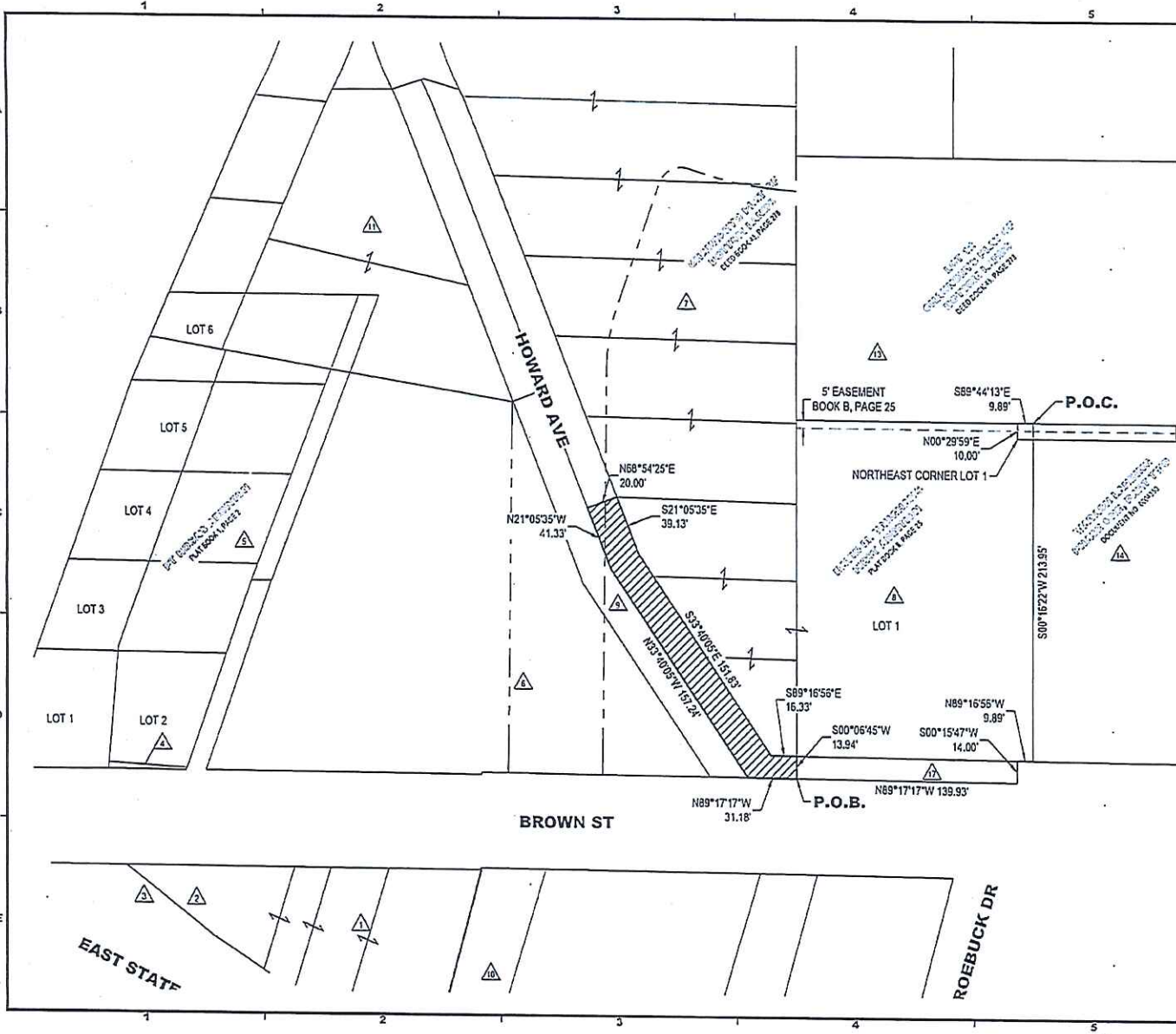


EXHIBIT 7

FILE: H:\Projects\2019\190919\190919.dwg USER: JACOBSON, J. DATE: 07/20/2019 10:45:10 AM



TITLE INDEX

ID	OWNER	PARCEL ID	RECORD INSTRUMENT
1	DRANIS DEVELOPMENT INCORPORATED	75-01-20-305-004-005-005	201010161427
2	METROLOGICAL COOPERATIVE BOARD OF THE CITY OF WEST LAFAYETTE, INDIANA AND THE TRUSTEES OF PURDUE UNIVERSITY	75-01-20-305-009-001-005	101610107425
3	STATE OF INDIANA	75-01-20-305-008-000-005	155120102912
4	STATE OF INDIANA	75-01-20-305-009-000-005	155120102913
5	WARESH WASH	75-01-20-305-001-001-005	155120102914
6	BIO LLC	75-01-20-305-005-001-005	200705111673
7	HOWARD AVENUE PARTNERS LLC	75-01-20-301-002-000-005	200710161570
8	XIO KROW LLC	75-01-20-301-002-000-005	200720102915
9	WEST LAFAYETTE REDEVELOPMENT COMMISSION	75-01-20-301-001-000-005	155120102916
10	SPARKLETON INC	75-01-20-305-009-000-005	BOOK 014 PAGE 1513
11	OSIRIS LLC	75-01-20-305-002-000-005	20141020012
12	DAVID ST JOHN	75-01-20-301-003-000-005	200410202925
13	WEIDA LEVEE LLC	75-01-20-303-001-000-005	200010202923
14	WABASH LAMPING LLC	75-01-20-303-005-000-005	200910201020
15	M GOLDEN LLC	75-01-20-305-007-000-005	201210102247
16	WEST LAFAYETTE RETAIL LLC	75-01-20-305-003-000-005	201610102528
17	CITY OF WEST LAFAYETTE	75-01-20-303-005-000-005	155120102923

LANDMARK PROPERTIES, INC.
 9333 N. MERIDIAN ST., SUITE 150
 INDIANAPOLIS, IN 46260
 Environmental • Civil/Structural Management
 Engineering • Surveying

LEVEE REDEVELOPMENT
 LANDMARK PROPERTIES, INC.
 9333 N. MERIDIAN ST., SUITE 150
 INDIANAPOLIS, IN 46260

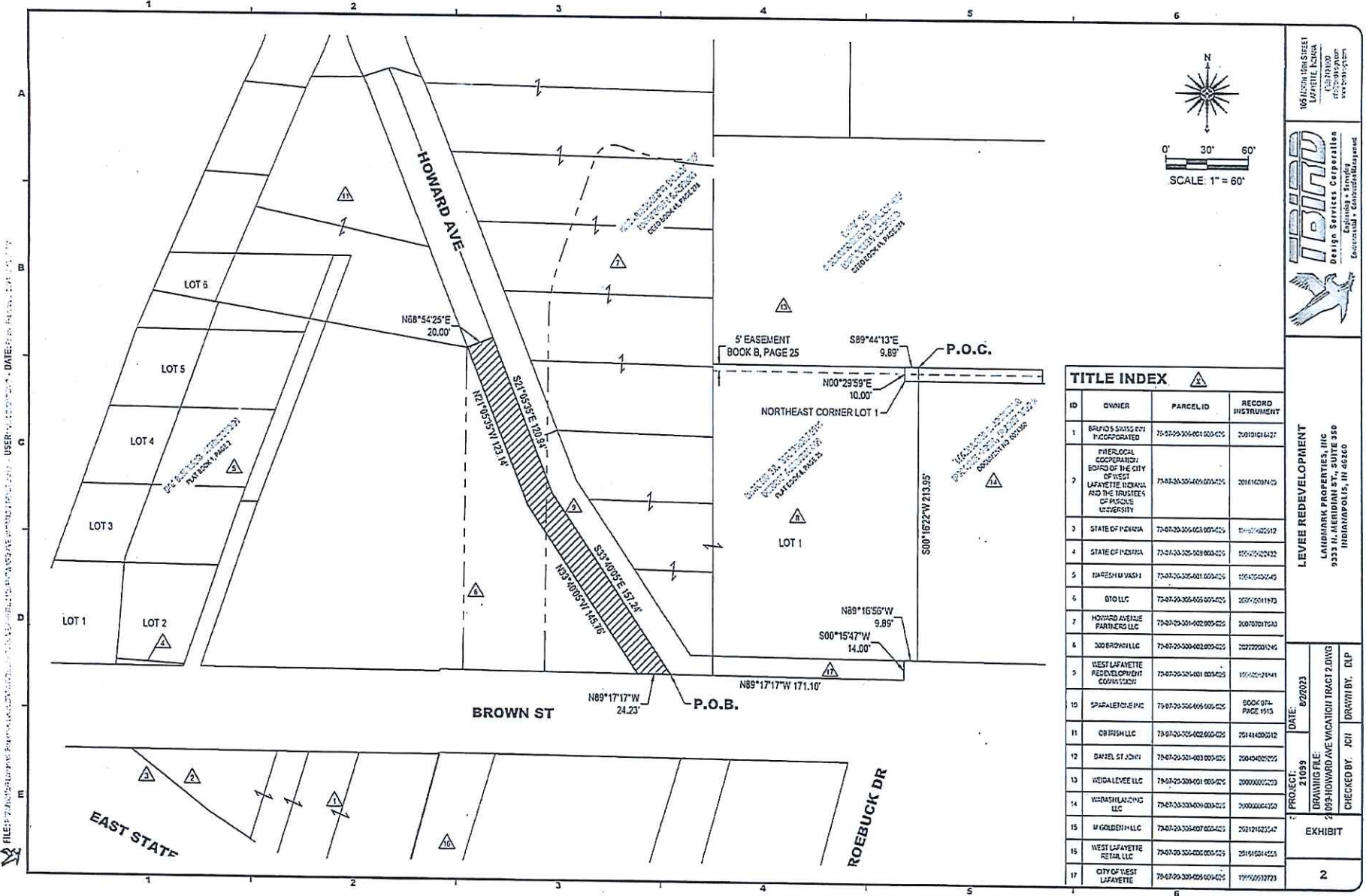
DATE: 07/20/23
 PROJECT: 21099
 DRAWING FILE: 099-HOWARD AVE VACATION TRACT LDWG
 CHECKED BY: JCH
 DRAWN BY: DEP

EXHIBIT
 1

VACATION OF HOWARD AVENUE-LEGAL DESCRIPTION-TRACT 1

A part of Lot Numbered 12 (twelve) in Chauncey's Plat of Bottom Lands, as per the plat thereof, Plat Book 48, Page 277 - 279, recorded January 15th/, 1866, in the Office of the Tippecanoe County Recorder, being platted on a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at a point on the south line of a tract of land described in a Corporate Deed to Weida Levee LLC, Document Number 200000005293, recorded March 16, 2000, in the Office of the Tippecanoe County Recorder; said point being North 00°29'59" East, 10.00 feet and South 89°44'13" East, 9.89 feet from the Northeast corner of Lot Numbered 1 in David M. Vaughan's First Addition to the City of West Lafayette, as per the plat thereof, Plat Book 8, Page 25, recorded January 9, 1962, in said Recorder's Office and marked by 5/8" rebar with a plastic cap stamped "Ticen"; thence parallel with the east line of said Lot 1 (being the basis of bearings of the herein described tract) ; South 00°16'22" West, 213.95 feet to the North right-of-way of Brown Street, per the Final Plat of Wabash Landing, Phase 1, Part 2, as per the plat thereof, Plat Cabinet AA, Page 170, recorded March 3, 2000 in said Recorders Office; thence along said north right-of-way line North 89°16'56" West, 9.89 feet; thence South 00°15'47" West, 14.00 feet to the North right-of-way line of Brown Street per said Chauncey's Plat of Bottom Lands; thence along said north right-of-way line North 89°17'17" West, 139.93 feet to the Point of Beginning; thence North 89°17'17" West, along said north right -of-way line, 31.18 feet to the center line of Howard Avenue; thence along said center line for the following two (2) courses; 1) North 33°40'05" West, 157.24 feet; 2) thence North 21°05'35" West, 41.33 feet; thence North 68°54'25" East, 20.00 feet to the eastern right-of-way line of Howard Avenue; thence along said eastern right-of-way line following two (2) courses; 1) South 21°05'35" East 39.13 feet; 2) thence South 33°40'05" East, 151.83 feet; thence South 89°16'56" East, 16.33 feet; thence South 00°06'45" West, 13.94 feet to the Point of Beginning, containing 0.10 acres, more or less.



100 NICHOLS STREET
LAFAYETTE, INDIANA 47903
TEL: 765-853-1100
FAX: 765-853-1101
WWW: 765-853-1102

IBRD
Design Services Corporation
Engineering • Surveying
Environmental • Geotechnical Management

TITLE INDEX			
ID	OWNER	PARCELID	RECORD INSTRUMENT
1	BRAND'S SWISS CHEESE FACTORY INCORPORATED	75-87-29-305-001-003-025	20101014621
2	METROPOLITAN BOARD OF THE CITY OF WEST LAFAYETTE, INDIANA AND THE TRUSTEES OF PASQUEL UNIVERSITY	75-87-29-305-009-003-025	20161020145
3	STATE OF INDIANA	75-87-29-305-003-003-025	15-001-0025192
4	STATE OF INDIANA	75-87-29-305-009-003-025	15-001-0025192
5	DARSHAN VASHI	75-87-29-305-001-003-025	15-001-0025192
6	OTO LLC	75-87-29-305-009-003-025	15-001-0025192
7	HOWARD AVENUE PARTNERS LLC	75-87-29-301-002-003-025	20070701720
8	300 BROWN LLC	75-87-29-300-002-003-025	202222000145
9	WEST LAFAYETTE REDEVELOPMENT COMMISSION	75-87-29-305-001-003-025	15-001-0025192
10	SPARAFLEIGH INC	75-87-29-305-009-003-025	BOOK 074 PAGE 1915
11	GRISHAM LLC	75-87-29-305-002-003-025	20141400012
12	DANIEL ST JOHN	75-87-29-301-003-003-025	20040400005
13	WEIDALEVEE LLC	75-87-29-300-001-003-025	20000000003
14	WARRASH LARSON LLC	75-87-29-300-001-003-025	20000000003
15	W GOLDBETH LLC	75-87-29-305-007-003-025	20191020147
16	WEST LAFAYETTE RETAIL LLC	75-87-29-305-006-003-025	20160101453
17	CITY OF WEST LAFAYETTE	75-87-29-305-009-003-025	15-001-0025192

LEVEL REDEVELOPMENT
LAFAYETTE PROPERTIES, LLC
9523 N. MERIDIAN ST., SUITE 950
INDIANAPOLIS, IN 46260

PROJECT: 21093
DATE: 02/2023
DRAWING FILE: 21093-HOWARD AVE VACATION TRACT 2.DWG
CHECKED BY: JCH
DRAWN BY: DLP

EXHIBIT
2

FILE: P:\21093\HOWARD AVE VACATION TRACT 2.DWG - DATE: 02/2023 - USER: JCH

VACATION OF HOWARD AVENUE-LEGAL DESCRIPTION-TRACT 2

A part of Lot Numbered 12 (twelve) in Chauncey's Plat of Bottom Lands, as per the plat thereof, Plat Book 48, Page 277 - 279, recorded January 15th, 1866, in the Office of the Tippecanoe County Recorder, being platted on a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at a point on the south line of a tract of land described in a Corporate Deed to Weida Levee LLC, Document Number 200000005293, recorded March 16, 2000, in the Office of the Tippecanoe County Recorder; said point being North 00°29'59" East, 10.00 feet and South 89°44'13" East, 9.89 feet from the Northeast corner of Lot Numbered 1 in David M. Vaughan's First Addition to the City of West Lafayette, as per the plat thereof, Plat Book 8, Page 25, recorded January 9, 1962, in said Recorder's Office and marked by 5/8" rebar with a plastic cap stamped "Ticen"; thence parallel with the east line of said Lot 1 (being the basis of bearings of the herein described tract) , South 00°16'22" West, 213.95 feet to the North right-of-way of Brown Street, per the Final Plat of Wabash Landing, Phase 1, Part 2, as per the plat thereof, Plat Cabinet AA, Page 170, recorded March 3, 2000 in said Recorders Office; thence along said north right-of-way line North 89°16'56" West, 9.89 feet; thence South 00°15'47" West, 14.00 feet to the North right-of-way line of Brown Street per said Chauncey's Plat of Bottom Lands; thence along said north right-of-way line North 89°17'17" West, 171.10 feet to the centerline of Howard Avenue and the Point of Beginning; thence North 89°17'17" West, along said north right -of-way line, 24.23 feet to the western right-of-way line of Howard Avenue; thence along said western right-of-way line for the following two (2) courses; 1) North 33°40'05" West, 145.76 feet; 2) thence North 21°05'35" West, 123.14 feet; thence North 68°54'25" East, 20.00 feet to the center line of Howard Avenue; thence along said center line for the following two (2) courses; 1) South 21°05'35" East, 120.94 feet; 2) thence South 33°40'05" East, 157.24 feet to the Point of Beginning, containing 0.13 acres, more or less.

VACATION OF HOWARD AVENUE-LEGAL DESCRIPTION-TRACT 3

A part of Lot Numbered 12 (twelve) in Chauncey's Plat of Bottom Lands, as per the plat thereof, Plat Book 48, Page 277 - 279, recorded January 15th, 1866, in the Office of the Tippecanoe County Recorder, being platted on a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at a point on the south line of a tract of land described in a Corporate Deed to Weida Levee LLC, Document Number 200000005293, recorded March 16, 2000, in the Office of the Tippecanoe County Recorder; said point being North 00°29'59" East, 10.00 feet and South 89°44'13" East, 9.89 feet from the Northeast corner of Lot Numbered 1 in David M. Vaughan's First Addition to the City of West Lafayette, as per the plat thereof, Plat Book 8, Page 25, recorded January 9, 1962, in said Recorder's Office and marked by 5/8" rebar with a plastic cap stamped "Ticen"; thence parallel with the east line of said Lot 1 (being the basis of bearings of the herein described tract) , South 00°16'22" West, 213.95 feet to the North right-of-way of Brown Street, per the Final Plat of Wabash Landing, Phase 1, Part 2, as per the plat thereof, Plat Cabinet AA, Page 170, recorded March 3, 2000 in said Recorders Office; thence along said north right-of-way line North 89°16'56" West, 9.89 feet; thence South 00°15'47" West, 14.00 feet to the North right-of-way line of Brown Street per said Chauncey's Plat of Bottom Lands; thence along said north right-of-way line North 89°17'17" West, 195.34 feet to the western right-of-way line of Howard Ave; thence along said right-of-way line for the following two (2) courses; 1) North 33°40'05" West, 145.76 feet; 2) thence North 21°05'35" West, 123.14 feet to the Point of Beginning; thence continuing along said right-of-way line North 21°05'35" West, 212.17 feet; thence North 68°54'25" East, 20.00 feet to the centerline of Howard avenue; thence along said centerline South 21°05'35" East, 212.17 feet; thence South 68°54'25" West, 20.00 feet to the Point of Beginning, containing 0.10 acres, more or less.

VACATION OF HOWARD AVENUE-LEGAL DESCRIPTION-TRACT 4

A part of Lot Numbered 12 (twelve) in Chauncey's Plat of Bottom Lands, as per the plat thereof, Plat Book 48, Page 277 - 279, recorded January 15th/, 1866, in the Office of the Tippecanoe County Recorder, being platted on a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows:

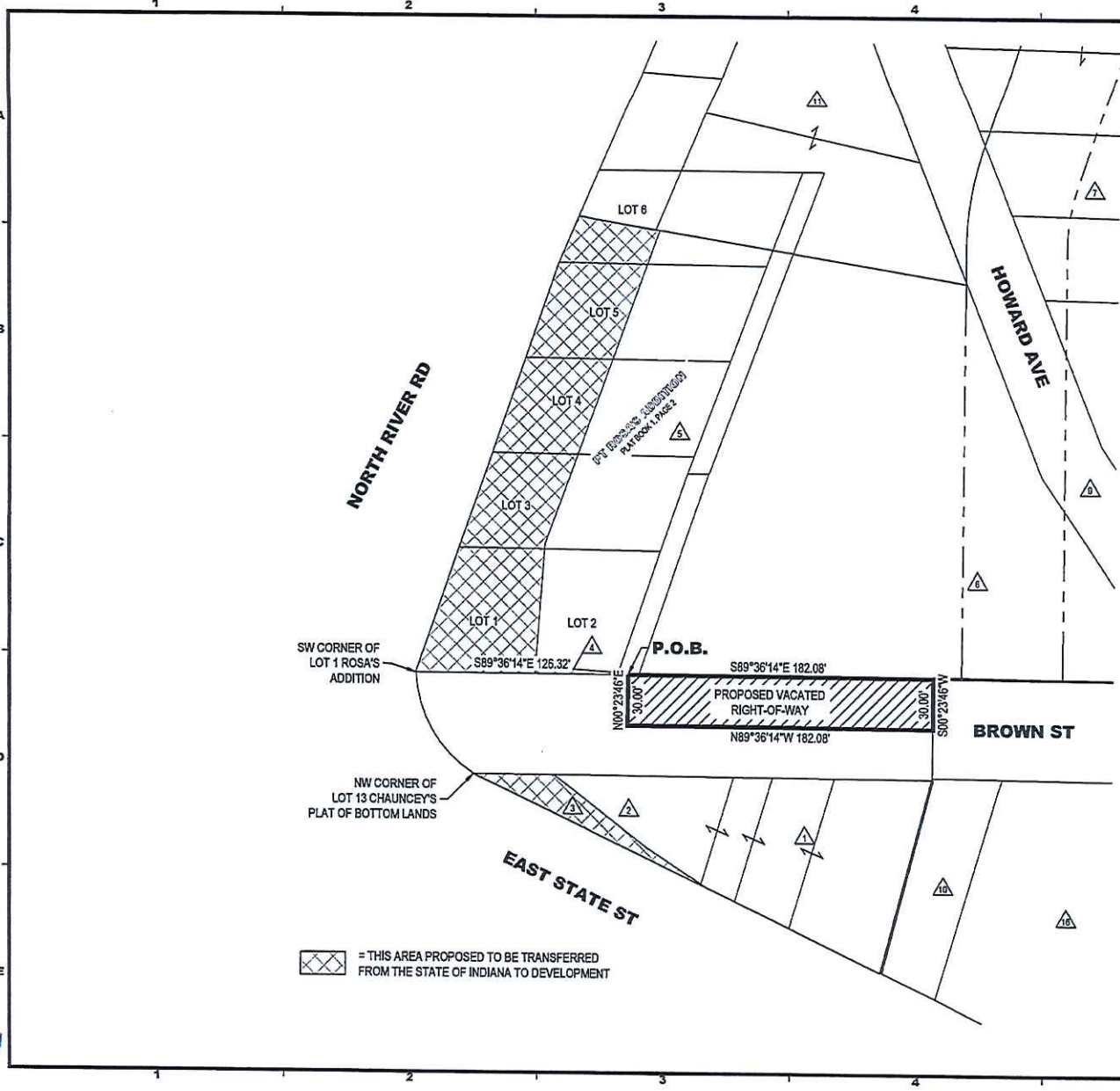
Commencing at a point on the south line of a tract of land described in a Corporate Deed to Weida Levee LLC, Document Number 200000005293, recorded March 16, 2000, in the Office of the Tippecanoe County Recorder; said point being North 00°29'59" East, 10.00 feet and South 89°44'13" East, 9.89 feet from the Northeast corner of Lot Numbered 1 in David M. Vaughan's First Addition to the City of West Lafayette, as per the plat thereof, Plat Book 8, Page 25, recorded January 9, 1962, in said Recorder's Office and marked by 5/8" rebar with a plastic cap stamped "Ticen"; thence parallel with the east line of said Lot 1 (being the basis of bearings of the herein described tract) , South 00°16'22" West, 213.95 feet to the North right-of-way of Brown Street, per the Final Plat of Wabash Landing, Phase 1, Part 2, as per the plat thereof, Plat Cabinet AA, Page 170, recorded March 3, 2000 in said Recorders Office; thence along said north right-of-way line North 89°16'56" West, 9.89 feet; thence South 00°15'47" West, 14.00 feet to the North right-of-way line of Brown Street per said Chauncey's Plat of Bottom Lands; thence along said north right-of-way line North 89°17'17" West, 195.34 feet to the western right-of-way line of Howard Ave; thence along said right-of-way line for the following two (2) courses; 1) North 33°40'05" West, 145.76 feet; 2) thence North 21°05'35" West, 335.31 feet; thence North 68°54'25" East, 20.00 feet to the centerline of Howard Avenue and the Point of Beginning; thence North 68°54'25" East, 1.85 feet; thence South 70°56'57" East, 23.74 feet to the eastern right-of-way line of Howard Avenue; thence along said right-of-way line South 21°05'35" East, 276.47 feet; thence South 68°54'25" West, 20.00 feet to the center line of Howard Avenue; thence along said centerline North 21°05'35 West, 291.78 feet to the Point of Beginning, containing 0.13 acres, more or less.

VACATION OF A PART OF BROWN STREET-LEGAL DESCRIPTION-VACATE 1

A part of Brown Street platted with Chauncey's Plat of Bottom Lands, as per the plat thereof, Plat Book 48, Page 277 - 279, recorded January 15th, 1866, in the Office of the Tippecanoe County Recorder, located in a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, City of West Lafayette, Tippecanoe County, Indiana, more particularly described as follows:

Beginning at the Southwest Corner of Lot 1 of said Rosa's Addition; thence along the northern right of way line of Brown Street, South $89^{\circ}36'14''$ East, 126.32 feet to the centerline of a previously vacated alley in said Rosa's Addition; thence South $00^{\circ}23'46''$ West, perpendicular from said northern right of way line, 30.00 feet to the centerline of Brown Street; thence along said centerline, North $89^{\circ}36'14''$ West, 118.68 feet; thence along a non-tangent curve to the right having a radius of 75.00 feet, a chord bearing of North $13^{\circ}53'54''$ East, 30.96 feet and an arc length of 31.18 feet to the Point of Beginning, containing 0.085 acres, more or less.

FILE: P:\2021\0229 LeveeMark Properties Level\2021\0229 VACATED ROW EXHIBITS (VACATE2).dwg - USER: HCC (6160009) - DATE: Thursday, March 21, 2021 4:53:52 AM



= THIS AREA PROPOSED TO BE TRANSFERRED FROM THE STATE OF INDIANA TO DEVELOPMENT



TITLE INDEX

ID	OWNER	PARCEL ID	RECORD INSTRUMENT
1	BRIJAY'S CIVISS INC INCORPORATED	78-07-20-300-004-000-020	200101018427
2	INTERLOCAL COOPERATION BOARD OF THE CITY OF WEST LAFAYETTE, INDIANA AND THE TRUSTEES OF PURDUE UNIVERSITY	78-07-20-300-009-000-020	201610027409
3	STATE OF INDIANA	78-07-20-300-008-000-020	19980202012
4	STATE OF INDIANA	78-07-20-300-008-000-020	199602022402
5	NARESH H VASH	78-07-20-300-001-000-020	102400405549
6	BTO LLC	78-07-20-300-000-000-020	200500111873
7	HOWARD AVENUE PARTNERS LLC	78-07-20-301-002-000-020	200707017870
8	300 BROWN LLC	78-07-20-300-002-000-020	202220020246
9	WEST LAFAYETTE REDEVELOPMENT COMMISSION	78-07-20-300-001-000-020	100800204841
10	SPARKLESTONE INC	78-07-20-300-000-000-020	DR 074- PAGE 1913
11	OB IRISH LLC	78-07-20-300-002-000-020	201414000012
12	DAHEL ST JOHI	78-07-20-301-003-000-020	200400002095
13	WEIDA LEEVEE LLC	78-07-20-300-001-000-020	200000000293
14	WABASH LANDING LLC	78-07-20-300-006-000-020	200000004350
15	M GOLDEN H LLC	78-07-20-300-007-000-020	202121023047
16	WEST LAFAYETTE RETAIL LLC	78-07-20-300-008-000-020	201610014556
17	CITY OF WEST LAFAYETTE	78-07-20-300-000-000-020	199902022723

105 WEST 10th STREET
LAFAYETTE, INDIANA
47903-0000
www.tbird.com



LEVEE REDEVELOPMENT
LANDMARK PROPERTIES, INC
9333 N. MERIDIAN BL., SUITE 350
INDIANAPOLIS, IN 46260

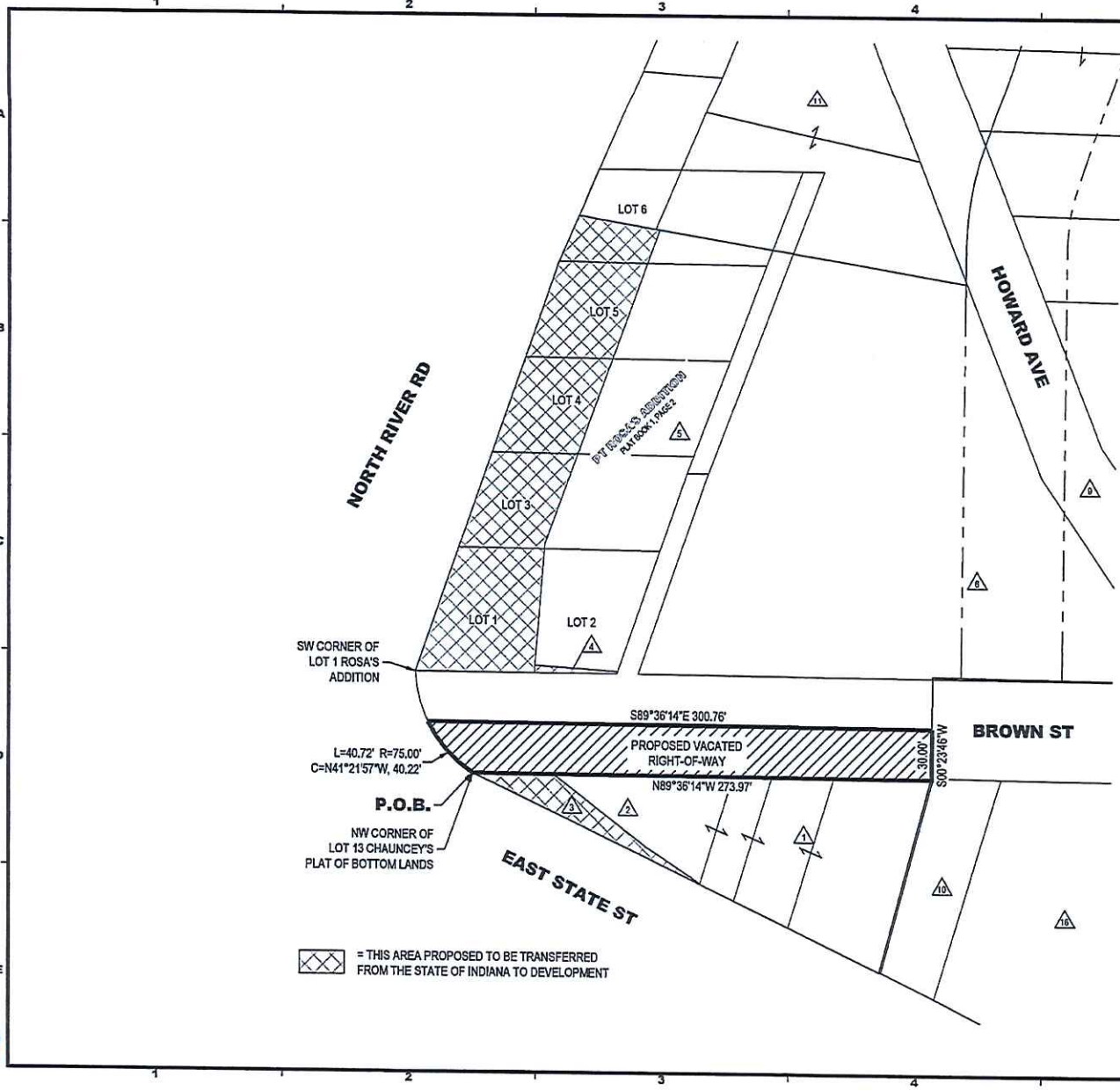
PROJECT: 21099
DRAWING FILE: 89-VACATED ROW EXHIBITS (VACATE2).DWG
CHECKED BY: JCH
DATE: 02/20/23
DRAWN BY: DLP
EXHIBIT

VACATION OF A PART OF BROWN STREET-LEGAL DESCRIPTION-VACATE 2

A part of Brown Street platted with Chauncey's Plat of Bottom Lands, as per the plat thereof, Plat Book 48, Page 277 - 279, recorded January 15th, 1866, in the Office of the Tippecanoe County Recorder, located in a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, City of West Lafayette, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at the southwest corner of Lot 1 of said Rosa's Addition; thence along the northern right of way line of Brown Street South $89^{\circ}36'14''$ East, 126.32 feet to the centerline of a previously vacated alley in said Rosa's Addition and the POINT OF BEGINNING; thence continuing along said northern right of way line South $89^{\circ}36'14''$ East, 182.08 feet; thence South $00^{\circ}23'46''$ West perpendicular from said right of way, 30.00 feet to the centerline of said Brown Street; thence with said centerline North $89^{\circ}36'14''$ West, 182.08 feet; thence North $00^{\circ}23'46''$ East, 30.00 feet to the POINT OF BEGINNING, containing 0.125 acres, more or less.

FILE: P:\2018\10231\cadd\Task Properties\level\2018\10231\10231.dwg - USER: SUEENR0218VNA - DATE: Wednesday, March 20, 2025 14:37:10



TITLE INDEX

ID	OWNER	PARCEL ID	RECORD INSTRUMENT
1	BRUNCO SIMS INC INCORPORATED	79-07-20-306-004.000-025	200101016427
2	INTERLOCAL COOPERATION BOARD OF THE CITY OF WEST LAFAYETTE, INDIANA AND THE TRUSTEES OF PURDUE UNIVERSITY	79-07-20-300-009.000-025	201616037409
3	STATE OF INDIANA	79-07-20-308-008.000-025	199607002612
4	STATE OF INDIANA	79-07-20-305-008.000-025	199205222432
5	NARESH M VASHI	79-07-20-305-001.000-025	1994050402545
6	BTO LLC	79-07-20-305-005.000-025	200005011873
7	HOWARD AVENUE PARTNERS LLC	79-07-20-301-002.000-025	200707017670
8	300 BROWN LLC	79-07-20-300-002.000-025	202222023545
9	WEST LAFAYETTE REDEVELOPMENT COMMISSION	79-07-20-300-001.000-020	1996082824841
10	SPARKLETCHE INC	79-07-20-306-005.000-025	DR 074 - PAGE 1913
11	CB PRISH LLC	79-07-20-305-002.000-025	201414000012
12	DANIEL ST JOHN	79-07-20-301-003.000-025	200404000225
13	WEDA LEEVE LLC	79-07-20-300-001.000-025	200000050250
14	WABASH LANDING LLC	79-07-20-300-006.000-025	200000040350
15	M GOLDEN H LLC	79-07-20-306-001.000-025	202121023547
16	WEST LAFAYETTE RETAIL LLC	79-07-20-306-006.000-025	201616014255
17	CITY OF WEST LAFAYETTE	79-07-20-300-006.000-025	199202022723

105 North 10th Street
Lafayette, Indiana
47904-1000
www.tbird.com



LEVEL REDEVELOPMENT
LANDMARK PROPERTIES, INC
9333 N. MERIDIAN ST., SUITE 350
INDIANAPOLIS, IN 46260

PROJECT:	21099
DATE:	02/2023
DRAWING FILE:	199-VACATED ROW EXHIBITS (VACATE-3).DWG
CHECKED BY:	JCN
DRAWN BY:	DUP
EXHIBIT	

VACATION OF A PART OF BROWN STREET-LEGAL DESCRIPTION-VACATE 3

A part of Brown Street platted with Chauncey's Plat of Bottom Lands, as per the plat thereof, Plat Book 48, Page 277 - 279, recorded January 15th, 1866, in the Office of the Tippecanoe County Recorder, located in a part of the Southwest Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West, Wabash Township, City of West Lafayette, Tippecanoe County, Indiana, more particularly described as follows:

Beginning at the Northwest Corner of Lot 13 of said Chauncey's Plat of Bottom Lands; thence northwesterly along a non-tangent curve to the right having a radius of 75.00 feet, a chord bearing of North $41^{\circ}21'57''$ West, 40.22 feet and an arc length of 40.72 feet to the centerline of Brown Street; thence along said centerline, South $89^{\circ}36'14''$ East, 300.76 feet; thence South $00^{\circ}23'46''$ West perpendicular to said centerline, 30.00 feet to the southerly right of way line of Brown Street and the northwest corner of Sparkleton Inc. real estate as described in Deed Record 74, Page 1913; thence along said southerly right of way line North $89^{\circ}36'14''$ West, 273.97 feet to the Point of Beginning, containing 0.20 acres, more or less.