



**GOSHEN REDEVELOPMENT COMMISSION  
AGENDA FOR THE SPECIAL MEETING OF October 20, 2023**

*To access online streaming of the meeting, go to <https://us02web.zoom.us/j/81223011833>*

The Goshen Redevelopment Commission will meet for a Special Meeting on October 20, 2023 at 7:00 a.m. in the Conference Room at the Goshen Annex Building, 204 East Jefferson Street, Goshen, Indiana.

**1. CALL TO ORDER/ROLL CALL**

**2. NEW BUSINESS**

**Resolution 41-2023** – Acceptance of Cherry Creek, LLC's Proposal and Authorization for Execution of Purchase Agreement and Transfer Documents

**Resolution 42-2023** – Award Bid and Authorize Negotiation and Execution of Agreement for Elkhart County Courts Consolidation Public Infrastructure Improvements – ***Resolution to follow***

**3. OPEN FORUM**

The open forum is for the general discussion of items that are not otherwise on the agenda. The public will also be given the opportunity at this time to present or comment on items that are not on the agenda.

**4. ANNOUNCEMENTS**

Next Regular Meeting – November 14, 2023 at 3:00 p.m.

**RESOLUTION 41-2023**

**Acceptance of Cherry Creek, LLC's Proposal and Authorization for  
Execution of Purchase Agreement and Transfer Documents**

WHEREAS the City of Goshen, Indiana, Department of Redevelopment acquired titled to the real estate generally located east and south of Regent Street, north of Waterford Mills Parkway, and west of Dierdorff Road by Warranty Deed dated August 7, 2023 and recorded September 13, 2023 as Instrument Number 2023-15274;

WHEREAS, the Goshen Redevelopment Commission issued a Request for Proposals for the sale of the subject real estate pursuant to Ind. Code § 36-7-14-22 on August 15, 2023;

WHEREAS, no proposal was received that met the minimum offer price by September 16, 2023, additional proposals were received on October 16, 2023;

WHEREAS, one (1) proposal was received for the purchase of the subject real estate from Cherry Creek, LLC;

WHEREAS, Cherry Creek, LLC's proposal, which includes relocation of existing trailway and construction of new trailway on the subject real estate is consistent with the goals and purposes stated in the Request for Proposals;

WHEREAS, Cherry Creek, LLC's proposal also includes transfer to the City of Goshen, Indiana, Department of Redevelopment, of adjacent real estate and the Goshen Redevelopment Commission desires to accept transfer of said adjacent real estate to be held and disposed of under Ind. Code § 36-7-14-22;

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that Goshen Redevelopment Director is authorized to negotiate a purchase agreement on behalf of the City of Goshen, Indiana, Department of Redevelopment with Cherry Creek, LLC for the sale of the subject real estate and to execute said purchase agreement and all additional documents necessary to effectuate transfer of the subject real estate.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Goshen Redevelopment Commission that the Goshen Redevelopment Commission accepts transfer of and control of the adjacent real estate as stated in Cherry Creek, LLC's proposal.

PASSED AND ADOPTED on October 20, 2023.

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Brian Garber, President

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Brianne Brenneman, Secretary



**Department of Community Development**  
**CITY OF GOSHEN**

204 East Jefferson Street, Suite 2 • Goshen, IN 46528-3405

Phone (574) 537-3824 • Fax (574) 533-8626 • TDD (574) 534-3185  
communitydevelopment@goshencity.com • www.goshenindiana.org

# Memorandum

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TO: Redevelopment Commission Members

FROM: Becky Hutsell, Redevelopment Director

RE: Acceptance of Cherry Creek, LLC's Proposal and Authorization for Execution of Purchase Agreement and Transfer Documents

DATE: October 20, 2023

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In response to the Request for Proposals to Purchase Real Property for the Regent Square Court Redevelopment Property, one (1) proposal was received from Cherry Creek, LLC at Monday's Board of Public Works and Safety meeting. Cherry Creek's proposal is summarized as follows:

1. Offered Purchase Price of \$100.00 for the 7.15 acres (Tract 2A & 2B);
2. Donation of 1.07 acres of land to the City (Tract 3A);
3. Commitment to relocate existing trailway within the land to be retained by the City of Goshen;
4. Commitment to construct and dedicate as "public" 11,900 linear feet of trailway within the Cherry Creek Development as part of the development plan;
5. Commitment to clear debris (ie – snow) from the trailway to ensure it's an acceptable school route indefinitely; and
6. Commitment to maintain all retention/detention basins indefinitely, including those located on the City's land that are associated with the development.

Acceptance of the offer is being recommended. The land transfer will allow for the Cherry Creek PUD to be filed with the Planning & Zoning Department by November 1<sup>st</sup>. The overall development project will still be required to go through all the standard reviews and approvals with the additional of having the trailway plan formally approved by the Parks Board prior to construction. They've approved the concept but will grant formal approval once more detail is available.

## AGREEMENT FOR THE SALE AND PURCHASE OF REAL ESTATE

THIS AGREEMENT is made and entered into on October \_\_\_\_, 2023, which is the last signature date set forth below, by and between Cherry Creek, LLC (“Cherry Creek”), and the City of Goshen, Indiana, a municipal corporation and political subdivision of the State of Indiana, acting by and through the Goshen Redevelopment Commission (“Goshen”).

### 1. Real Estate.

In consideration of the purchase price and on the terms, covenants, and conditions to be kept and performed by the respective parties, Goshen agrees to sell and Cherry Creek agrees to purchase the following real estate located in Elkhart County, Indiana, consisting of part of Parcel Nos. 20-11-27-426-027.000-015 and 20-11-27-326-003.000-015, consisting of approximately 7.15 acres in Goshen, Indiana, as depicted as Tract 2A and Tract 2B on the map attached to this Agreement as Exhibit A and as more particularly described as set forth in Exhibit B.

The above-described real estate is hereinafter referred to as the “Real Estate.”

### 2. Purchase Price.

The compensation for the purchase of said Real Estate consists of several components, identified below.

#### 2.1. Cash Payment.

Cherry Agrees to pay to Goshen the sum of One Hundred Dollars (\$100.00).

#### 2.2. Trailway Relocation, Construction, and Maintenance.

Cherry Creek will construct an estimated 11,900 linear feet or approximately two and one-quarter (2 ¼) miles of trailway for public use on the Real Estate. These totals include the relocation of existing trail to accommodate the Cherry Creek Development and to connect with the Cherry Creek Trail, which shall be constructed. The relocated and new trail shall be designed and constructed to connect the relocated existing trail and the Cherry Creek Trail to the Maple City Greenway adjacent to Bethany Christian School on the west side of the Norfolk Southern Railroad. The preliminary construction costs estimate for new trail construction is approximately Four Hundred Thousand Dollars (\$400,000.00).

Cherry Creek will use its best efforts to assist Goshen in keeping all public trailway that is relocated or constructed on the Real Estate free of debris, snow, and ice. In addition,

Cherry Creek shall maintain all water retentions ponds on the Real Estate, pursuant to a maintenance/drainage agreement to be executed between the parties.

2.3. Property Transfer.

Cherry Creek will transfer to Goshen real estate located in Elkhart County, Indiana, consisting of part of Parcel No. 20-11-27-426-036.000-015, consisting of approximately 1.07 acres in Goshen, Indiana, as depicted as Tract 3A on the map attached to this Agreement as Exhibit A and as more particularly described as set forth in Exhibit C.

This real estate to be transferred from Cherry Creek to Goshen is hereinafter referred to as "Transfer Real Estate."

3. Taxes and Assessments.

Goshen shall be responsible for the real estate taxes and assessments for the Real Estate for 2022 due and payable in 2023. The taxes and assessments for the Real Estate for 2023, due and payable in 2024, shall be prorated as of the date of closing between Goshen and Cherry Creek. Cherry Creek shall pay all taxes and assessments for the Real Estate for 2024 due and payable 2025 and thereafter.

Cherry Creek shall be responsible for the real estate taxes and assessments for the Transfer Real Estate for 2022 due and payable in 2023. The taxes and assessments for the Transfer Real Estate for 2023, due and payable in 2024, shall be prorated as of the date of closing between Goshen and Cherry Creek. Goshen shall be responsible for all taxes and assessments for the Transfer Real Estate for 2024 due and payable 2025 and thereafter.

4. Warranty Deed.

Goshen shall deliver to Cherry Creek a warranty deed conveying merchantable title to the Real Estate free and clear of all liens and encumbrances, except conditions of record, including but not limited to zoning restrictions, taxes, easements, rights-of-way, and assessments.

Cherry Creek shall deliver to Goshen a warranty deed conveying merchantable title to the Transfer Real Estate free and clear of all liens and encumbrances, except conditions of record, including but not limited to zoning restrictions, taxes, easements, rights-of-way, and assessments.

5. Closing.

A closing shall be held as soon as possible between the parties to effectuate the transfer of the Real Estate and Transfer Real Estate as contemplated herein, but in no event later than November 22, 2023. Parties will equally share in any costs associated with the closing.

6. Possession.

Possession and occupancy of the Real Estate will be delivered to Cherry Creek at closing. Possession and occupancy of the Transfer Real Estate will be delivered to Goshen at closing. Goshen and Cherry Creek shall maintain the Real Estate and the Transfer Real Estate, respectively, in its present condition, until closing.

7. Condition of Real Estate.

Goshen makes no warranty, express or implied, that the Real Estate is suitable for any particular purpose, and Cherry Creek accepts the Real Estate as is.

8. Amendment.

Any amendment or modification to the terms and conditions of the agreement shall not be binding unless made in writing and signed by both parties. Any verbal representations or modifications concerning the agreement shall be of no force and effect.

9. Miscellaneous.

This Agreement shall be construed in accordance with and governed by the laws of the State of Indiana.

In the event legal action is brought to enforce or interpret the terms of and conditions of this agreement, the proper venue for such action will be in a court of competent jurisdiction in Elkhart County, Indiana.

In the event that either party brings an action to enforce any right conferred by this agreement or to force the other party to fulfill any obligation imposed by this agreement, the prevailing party of such action shall be entitled to recover all costs of that action, including reasonable attorneys' fees.

All provisions, covenants, terms, and conditions of this agreement apply to and bind the parties and their legal heirs, representatives, successors, and assigns.

10. Authority to Execute.

The undersigned affirm that all steps have been taken to authorize execution of this agreement, and upon the undersigned's execution, bind their respective organizations to the terms of this agreement.

Cherry Creek, LLC

City of Goshen, Indiana

By: \_\_\_\_\_  
Tonya Detweiler, Member

By: \_\_\_\_\_  
Becky Hutsell, Redevelopment Director  
Goshen Redevelopment Commission

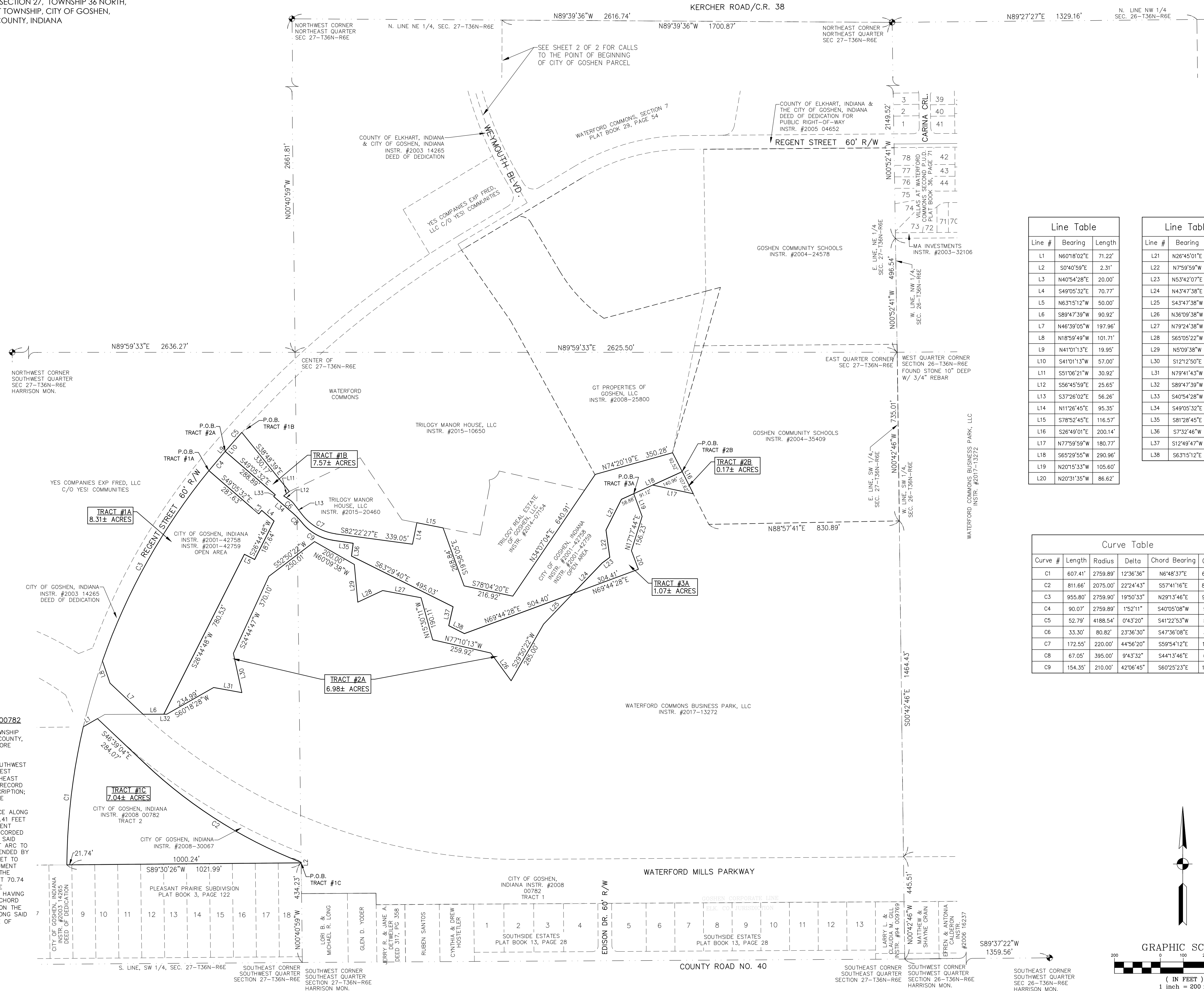
documents on behalf of the submitting entity and has obtained all necessary or applicable approvals to make this submission on behalf of entity when his or her signature is affixed to the proposal.

EXHIBIT A



**EXHIBIT SKETCH**

A PART OF SOUTH HALF OF SECTION 27, TOWNSHIP 36 NORTH,  
RANGE 6 EAST, ELKHART TOWNSHIP, CITY OF GOSHEN,  
ELKHART COUNTY, INDIANA



**Line Table**

Line #	Bearing	Length
L1	N60°18'02"E	71.22'
L2	S0°40'59"W	2.31'
L3	N40°54'28"E	20.00'
L4	S49°05'32"E	70.77'
L5	N63°15'12"W	50.00'
L6	S89°47'39"W	90.92'
L7	N46°39'05"W	197.96'
L8	N18°59'49"W	101.71'
L9	N41°01'13"E	19.95'
L10	S41°01'13"W	57.00'
L11	S51°06'21"W	30.92'
L12	S56°45'59"E	25.65'
L13	S37°26'02"E	56.26'
L14	N11°26'45"E	95.35'
L15	S78°52'45"E	116.57'
L16	S26°49'01"E	200.14'
L17	N77°59'59"W	180.77'
L18	S65°29'55"W	290.96'
L19	N20°15'33"W	105.60'
L20	N20°31'35"W	86.62'

**Line Table**

Line #	Bearing	Length
L21	N26°45'01"E	150.00'
L22	N75°59'59"W	120.00'
L23	N53°42'07"E	40.41'
L24	N43°47'38"E	185.14'
L25	S43°47'38"W	184.69'
L26	N36°09'38"W	150.00'
L27	N79°24'38"W	170.00'
L28	S65°05'22"W	120.00'
L29	N5°09'38"W	165.00'
L30	S12°12'50"E	175.01'
L31	N79°41'43"W	125.01'
L32	S89°47'39"W	12.96'
L33	S40°54'28"W	10.00'
L34	S49°05'32"E	103.84'
L35	S81°28'45"E	90.76'
L36	S73°32'46"W	56.04'
L37	S12°49'47"W	84.58'
L38	S63°15'12"E	76.55'

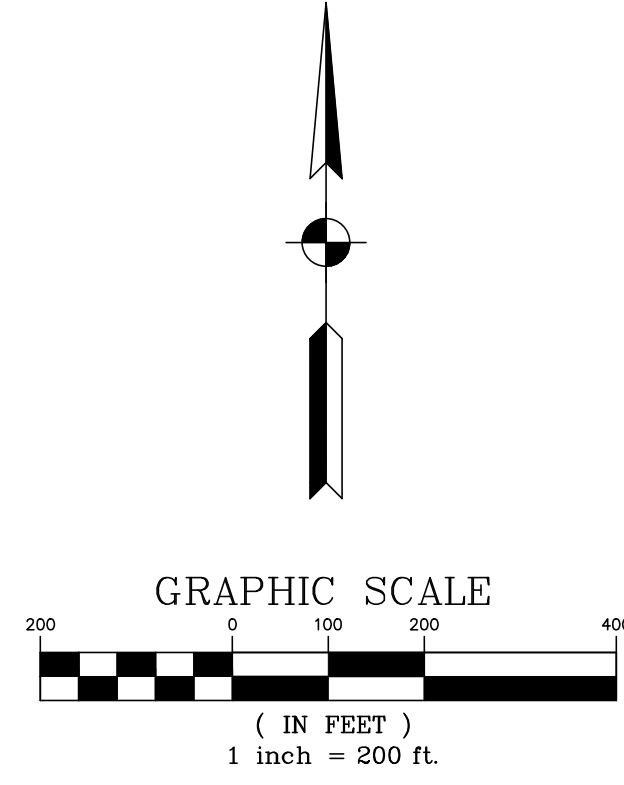
**Curve Table**

Curve #	Length	Radius	Delta	Chord Bearing	Chord
C1	607.41'	2759.89'	123°36'36"	N6°48'37"E	606.19'
C2	811.66'	2075.00'	22°24'43"	S57°41'16"E	806.49'
C3	955.80'	2759.90'	195°03'33"	N29°13'46"E	951.03'
C4	90.07'	2759.89'	1°52'11"	S40°05'08"W	90.06'
C5	52.79'	4188.54'	0°43'20"	S41°22'53"W	52.79'
C6	33.30'	80.82'	23°36'30"	S47°36'08"E	33.07'
C7	172.55'	220.00'	44°56'20"	S59°54'12"E	168.16'
C8	67.05'	395.00'	9°43'32"	S44°13'46"E	66.97'
C9	154.35'	210.00'	42°06'45"	S60°25'23"E	150.90'

**TRACT 1C  
LEGAL DESCRIPTION PER INSTR. NUMBER 2008-00782**

A PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AS DEPICTED ON THE ATTACHED PARCEL PLAT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER; THENCE ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER NORTH 1°02'18" WEST 434.20 FEET TO THE NORTHEAST CORNER OF PLEASANT PRAIRIE SUBDIVISION, RECORDED IN RECORD 3, PAGE 122, AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE ALONG THE NORTH LINE OF SAID PLEASANT PRAIRIE SUBDIVISION SOUTH 89°09'13" WEST 1000.35 FEET TO THE NORTHEAST CORNER OF LOT 8 IN SAID SUBDIVISION; THENCE ALONG THE SOUTHEAST LINE OF SAID LOT 8 SOUTH 89°09'13" WEST 21.41 FEET TO A POINT ON THE CURVED EASTERLY BOUNDARY OF REGENT STREET, AS DEDICATED AND DESCRIBED BY INSTRUMENT RECORDED IN DEED RECORD 2003-14265; THENCE NORTHERLY ALONG SAID EASTERLY BOUNDARY 607.90 FEET ALONG A NON-TANGENT ARC TO THE RIGHT HAVING A RADIUS OF 2,759.89 FEET AND SUBTENDED BY A LONG CHORD BEARING NORTH 06°26'03" EAST 606.67 FEET TO THE SOUTH CORNER OF THAT TRACT DESCRIBED BY INSTRUMENT RECORDED IN DEED RECORD 2001-42759; THENCE ALONG THE SOUTHEAST LINE OF SAID TRACT NORTH 59°55'11" EAST 70.74 FEET; THENCE SOUTH 46°52'10" EAST 284.07 FEET; THENCE SOUTHEASTERLY 812.30 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 2,075.00 FEET AND SUBTENDED BY A LONG CHORD BEARING SOUTH 58°05'03" EAST 807.12 FEET TO A POINT ON THE SAID EAST LINE OF THE SOUTHWEST QUARTER; THENCE ALONG SAID EAST LINE SOUTH 01°02'18" EAST 2.31 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 7,035 ACRES.



**ABONMARCHÉ**  
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 Engineering - Architecture - Land Surveying

PROJECT:  
**A PART OF THE SOUTH HALF OF SECTION 27-T36N-R6E, ELKHART TWP., ELKHART CO., IN**

**EXHIBIT SKETCH**

SHEET TITLE:  
 DRAWN BY: **TRM**  
 DESIGNED BY:  
 PM REVIEW: **BEM**  
 QA/QC REVIEW: **CSB**  
 DATE: **07/14/2023**  
 SEAL:

SIGNATURE:  
 DATE:

HARD COPY IS INTENDED TO BE 24" X 36" WHEN PLOTTED. SCALE(S) INDICATED AND GRAPHIC QUALITY MAY NOT BE ACCURATE FOR ANY OTHER SIZES.  
 SCALE:  
 HORZ: **1" = 200'**  
 VERT:  
 ACI JOB #: **22-1784**  
 SHEET NO. **1 of 2**

NO.	REVISION DESCRIPTION:	BY:	DATE:

EXHIBIT SKETCH

A PART OF SOUTH HALF OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, CITY OF GOSHEN, ELKHART COUNTY, INDIANA

KERCHER ROAD/C.R. 38

N89°39'36"W 1700.87' N. LINE NE 1/4, SEC. 27-136N-R6E

P.O.C. NORTHEAST CORNER NORTHEAST QUARTER SEC. 27-136N-R6E

E. LINE, NE 1/4 SEC. 27-136N-R6E

LEGAL DESCRIPTION - TRACT 1A

A PART OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 39' 36" WEST, 1700.87 FEET, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 06' 15" WEST, 211.71 FEET, ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 770.0 FEET AND A DELTA ANGLE OF 14 DEGREES 29' 29"; THENCE SOUTHWARDLY AND SOUTHWESTWARDLY, 194.75 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 14 DEGREES 35' 44" WEST, 319.31 FEET, ALONG SAID CENTERLINE, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1546.92 FEET AND A DELTA ANGLE OF 45 DEGREES 19' 09"; THENCE SOUTHWARDLY, SOUTHWARDLY, AND SOUTHEASTWARDLY, 1223.57 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 30 DEGREES 43' 25" EAST, 128.90 FEET, ALONG SAID CENTERLINE, TO THE POINT OF INTERSECTION OF THE CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES 07' 27" WEST, 330.06 FEET, ALONG THE CENTERLINE OF REGENT STREET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 4218.54 FEET AND A DELTA ANGLE OF 00 DEGREES 17' 17"; THENCE SOUTHWESTWARDLY, 21.20 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 31 DEGREES 09' 50" EAST, 30.00 FEET, ALONG A LINE RADIAL TO SAID CURVE, TO A REBAR ON THE SOUTHEASTERLY RIGHT-OF-WAY OF REGENT STREET, MARKING THE NORTHERNMOST CORNER OF WATERFORD CROSSING, THENCE SOUTHWESTWARDLY, 1249.72 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 17 DEGREES 05' 43", TO A REBAR MARKING THE WESTERNMOST CORNER OF WATERFORD CROSSING AND THE NORTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF GOSHEN AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2001-42758 & #2001-42759; THENCE CONTINUING ALONG THE WEST LINE OF SAID CITY OF GOSHEN PARCEL AND THE EAST LINE OF THE RIGHT OF WAY OF REGENT STREET ALONG SAID 4188.54 FOOT RADIUS CURVE, 52.79 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 41 DEGREES 01' 13" WEST, 78.95 FEET TO THE POINT OF CURVATURE OF A 2759.89 FOOT RADIUS CURVE TO THE LEFT, 90.07 FEET (CHORD BEARING SOUTH 40 DEGREES 05' WEST, CHORD DISTANCE 90.06 FEET) TO THE POINT OF BEGINNING; THENCE SOUTH 49 DEGREES 05' 32" EAST, 287.63 FEET; THENCE NORTH 40 DEGREES 54' 28" EAST, 20.00 FEET; THENCE SOUTH 49 DEGREES 05' 32" EAST, 70.77 FEET; THENCE SOUTH 26 DEGREES 44' 48" WEST, 187.64 FEET; THENCE NORTH 63 DEGREES 15' 12" WEST, 50.00 FEET; THENCE SOUTH 26 DEGREES 44' 48" WEST, 780.53 FEET TO THE SOUTH LINE OF AFORESAID CITY OF GOSHEN PARCEL; THENCE SOUTH 89 DEGREES 47' 39" WEST ALONG SAID SOUTH LINE, 90.92 FEET TO A REBAR ON THE NORTH RIGHT OF WAY LINE OF WATERFORD MILLS PARKWAY; THENCE NORTH 46 DEGREES 39' 05" WEST ALONG SAID NORTH RIGHT OF WAY OF WATERFORD MILLS PARKWAY, 197.96 FEET TO A REBAR; THENCE NORTH 18 DEGREES 59' 49" WEST ALONG SAID NORTH RIGHT OF WAY OF WATERFORD MILLS PARKWAY, 101.71 FEET TO A REBAR ON THE EAST RIGHT OF WAY LINE OF REGENT STREET BEING A POINT ON A 2759.90 FOOT RADIUS CURVE TO THE RIGHT; THENCE 955.80 FEET ALONG SAID CURVE (CHORD BEARING NORTH 29 DEGREES 13' 46" EAST, CHORD DISTANCE 951.03 FEET) TO THE POINT OF BEGINNING. CONTAINING 8.31 ACRES, MORE OR LESS.

LEGAL DESCRIPTION - TRACT 3A

A PART OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 39' 36" WEST, 1700.87 FEET, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 06' 15" WEST, 211.71 FEET, ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 770.0 FEET AND A DELTA ANGLE OF 14 DEGREES 29' 29"; THENCE SOUTHWARDLY AND SOUTHWESTWARDLY, 194.75 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 14 DEGREES 35' 44" WEST, 319.31 FEET, ALONG SAID CENTERLINE, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1546.92 FEET AND A DELTA ANGLE OF 45 DEGREES 19' 09"; THENCE SOUTHWARDLY, SOUTHWARDLY, AND SOUTHEASTWARDLY, 1223.57 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 30 DEGREES 43' 25" EAST, 128.90 FEET, ALONG SAID CENTERLINE TO THE POINT OF INTERSECTION OF THE CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES 07' 27" WEST, 330.06 FEET, ALONG THE CENTERLINE OF REGENT STREET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 4218.54 FEET; THENCE SOUTHWESTWARDLY, 21.20 FEET, ALONG SAID CURVE AND CENTERLINE, THENCE SOUTH 31 DEGREES 09' 50" EAST, 30.00 FEET, ALONG A LINE RADIAL TO SAID CURVE, TO A REBAR ON THE SOUTHEASTERLY RIGHT-OF-WAY OF REGENT STREET, MARKING THE NORTHERNMOST CORNER OF WATERFORD CROSSING AND THE NORTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF GOSHEN AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2001-42758 & #2001-42759; THENCE CONTINUING ALONG THE WEST LINE OF SAID CITY OF GOSHEN PARCEL AND THE EAST LINE OF THE RIGHT OF WAY OF REGENT STREET ALONG SAID 4188.54 FOOT RADIUS CURVE, 52.79 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 41 DEGREES 01' 13" WEST, 78.95 FEET TO THE POINT OF CURVATURE OF A 2759.89 FOOT RADIUS CURVE TO THE LEFT, 90.07 FEET (CHORD BEARING SOUTH 40 DEGREES 05' WEST, CHORD DISTANCE 90.06 FEET) TO THE POINT OF BEGINNING; THENCE SOUTH 49 DEGREES 05' 32" EAST, 287.63 FEET; THENCE NORTH 40 DEGREES 54' 28" EAST, 20.00 FEET; THENCE SOUTH 49 DEGREES 05' 32" EAST, 70.77 FEET; THENCE SOUTH 26 DEGREES 44' 48" WEST, 187.64 FEET; THENCE NORTH 63 DEGREES 15' 12" WEST, 50.00 FEET; THENCE SOUTH 26 DEGREES 44' 48" WEST, 780.53 FEET TO THE SOUTH LINE OF AFORESAID CITY OF GOSHEN PARCEL; THENCE SOUTH 89 DEGREES 47' 39" WEST ALONG SAID SOUTH LINE, 90.92 FEET TO A REBAR ON THE NORTH RIGHT OF WAY LINE OF WATERFORD MILLS PARKWAY; THENCE NORTH 46 DEGREES 39' 05" WEST ALONG SAID NORTH RIGHT OF WAY OF WATERFORD MILLS PARKWAY, 197.96 FEET TO A REBAR; THENCE NORTH 18 DEGREES 59' 49" WEST ALONG SAID NORTH RIGHT OF WAY OF WATERFORD MILLS PARKWAY, 101.71 FEET TO A REBAR ON THE EAST RIGHT OF WAY LINE OF REGENT STREET BEING A POINT ON A 2759.90 FOOT RADIUS CURVE TO THE RIGHT; THENCE 955.80 FEET ALONG SAID CURVE (CHORD BEARING NORTH 29 DEGREES 13' 46" EAST, CHORD DISTANCE 951.03 FEET) TO THE POINT OF BEGINNING. CONTAINING 1.07 ACRES, MORE OR LESS.

LEGAL DESCRIPTION - TRACT 1B

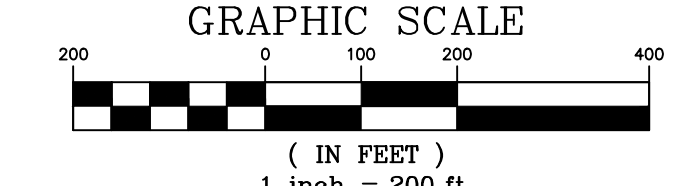
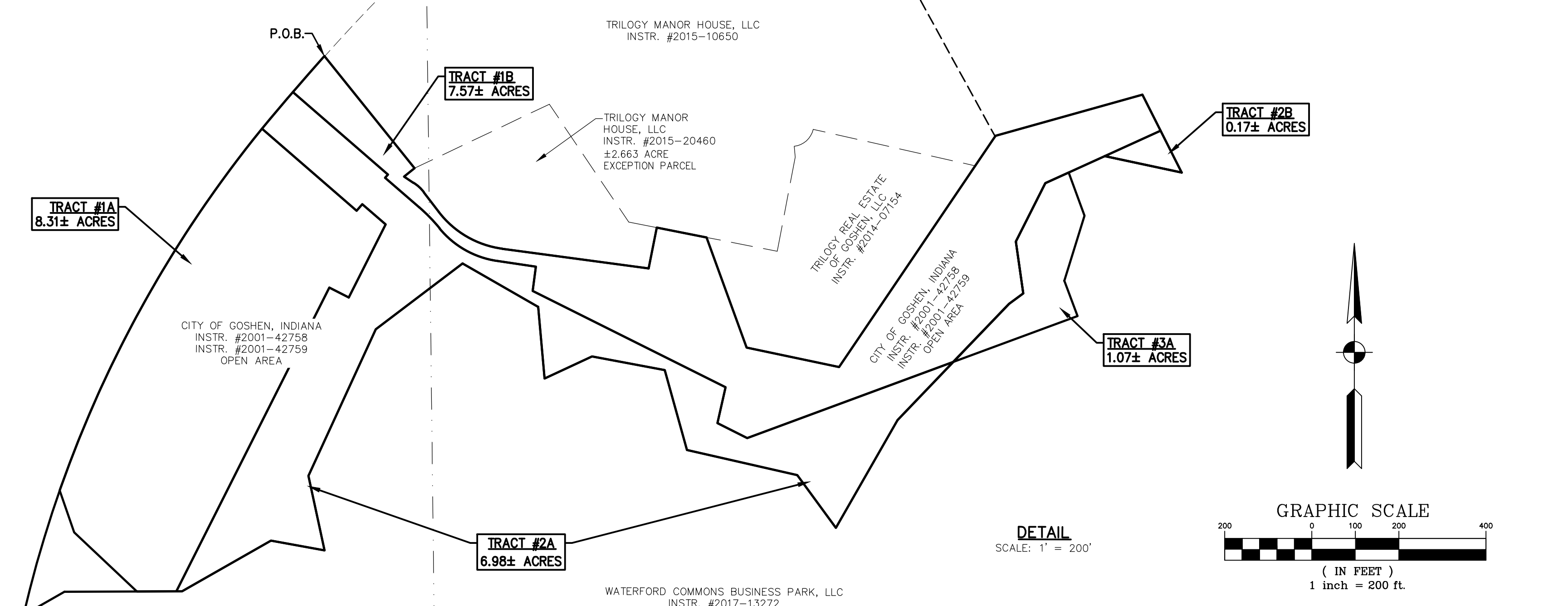
A PART OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 39' 36" WEST, 1700.87 FEET, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 06' 15" WEST, 211.71 FEET, ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 770.0 FEET AND A DELTA ANGLE OF 14 DEGREES 29' 29"; THENCE SOUTHWARDLY AND SOUTHWESTWARDLY, 194.75 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 14 DEGREES 35' 44" WEST, 319.31 FEET, ALONG SAID CENTERLINE, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1546.92 FEET AND A DELTA ANGLE OF 45 DEGREES 19' 09"; THENCE SOUTHWARDLY, SOUTHWARDLY, AND SOUTHEASTWARDLY, 1223.57 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 30 DEGREES 43' 25" EAST, 128.90 FEET, ALONG SAID CENTERLINE TO THE POINT OF INTERSECTION OF THE CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES 07' 27" WEST, 330.06 FEET, ALONG THE CENTERLINE OF REGENT STREET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 4218.54 FEET; THENCE SOUTHWESTWARDLY, 21.20 FEET, ALONG SAID CURVE AND CENTERLINE, THENCE SOUTH 31 DEGREES 09' 50" EAST, 30.00 FEET, ALONG A LINE RADIAL TO SAID CURVE, TO A REBAR ON THE SOUTHEASTERLY RIGHT-OF-WAY OF REGENT STREET, MARKING THE NORTHERNMOST CORNER OF WATERFORD CROSSING, THENCE SOUTHWESTWARDLY, 1249.72 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 17 DEGREES 05' 43", TO A REBAR MARKING THE WESTERNMOST CORNER OF WATERFORD CROSSING AND THE NORTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF GOSHEN AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2001-42758 & #2001-42759 AND THE POINT OF BEGINNING; THENCE SOUTH 38 DEGREES 48' 39" EAST ALONG THE NORTH LINE OF SAID CITY OF GOSHEN PARCEL, 330.17 FEET TO A REBAR ON THE WEST LINE OF A TRACT OF LAND DEEDED TO TRILOGY MANOR HOUSE, LLC AS DESCRIBED AND RECORDED IN INSTRUMENT #2015-20460; THENCE ALONG THE SOUTH LINE OF SAID TRILOGY MANOR HOUSE, LLC PARCEL THE NEXT 7 CALLS: 1) THENCE SOUTH 51 DEGREES 06' 21" WEST, 30.92 FEET TO A REBAR; 2) THENCE SOUTH 56 DEGREES 45' 59" EAST, 25.65 FEET TO A REBAR AND THE POINT OF CURVATURE OF AN 80.82 FOOT RADIUS CURVE TO THE RIGHT; 3) THENCE ALONG SAID CURVE, 33.30 FEET (CHORD BEARING SOUTH 47 DEGREES 36' 08" EAST, CHORD DISTANCE 33.07 FEET) TO A REBAR AND THE POINT OF TANGENCY OF SAID CURVE; 4) THENCE SOUTH 37 DEGREES 26' 02" EAST, 56.26 FEET TO A REBAR AND THE POINT OF CURVATURE OF A 220.00 FOOT RADIUS CURVE TO THE LEFT; 5) THENCE ALONG SAID CURVE 172.55 FEET (CHORD BEARING SOUTH 59 DEGREES 54' 12" EAST, CHORD DISTANCE 168.16 FEET) TO A REBAR AND THE POINT OF TANGENCY OF SAID CURVE; 6) THENCE SOUTH 82 DEGREES 22' 27" EAST, 339.05 FEET TO A REBAR; 7) THENCE NORTH 11 DEGREES 26' 45" EAST, 95.35 FEET TO A REBAR ON THE NORTH LINE OF THE CITY OF GOSHEN PARCEL; THENCE ALONG THE CITY OF GOSHEN PARCEL THE NEXT 6 CALLS: 1) THENCE SOUTH 78 DEGREES 04' 20" EAST, 216.92 FEET TO A REBAR; 2) THENCE SOUTH 78 DEGREES 04' 20" EAST, 216.92 FEET TO A REBAR; 3) THENCE SOUTH 78 DEGREES 04' 20" EAST, 216.92 FEET TO A REBAR; 4) THENCE NORTH 34 DEGREES 07' 04" EAST, 640.91 FEET TO A REBAR; 5) THENCE NORTH 74 DEGREES 20' 19" EAST, 350.28 FEET TO A REBAR; 6) THENCE SOUTH 26 DEGREES 49' 01" EAST, 92.52 FEET; THENCE SOUTH 65 DEGREES 29' 55" WEST, 232.08 FEET TO A POINT ON A SOUTHEASTERLY LINE OF SAID CITY OF GOSHEN PARCEL BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE AFORESAID CITY OF GOSHEN PARCEL FOR THE NEXT 5 CALLS: 1) THENCE SOUTH 65 DEGREES 29' 55" WEST, 58.88 FEET TO A REBAR; 2) THENCE SOUTH 26 DEGREES 45' 01" WEST, 150.00 FEET TO A REBAR; 3) THENCE SOUTH 07 DEGREES 59' 59" EAST, 120.00 FEET TO A REBAR; 4) THENCE SOUTH 53 DEGREES 42' 07" WEST, 40.41 FEET TO A REBAR; 5) THENCE SOUTH 43 DEGREES 47' 38" WEST, 185.14 FEET; THENCE NORTH 69 DEGREES 44' 28" EAST, 304.41 FEET; THENCE NORTH 20 DEGREES 31' 35" WEST, 86.62 FEET; THENCE NORTH 17 DEGREES 17' 44" EAST, 156.23 FEET; THENCE NORTH 20 DEGREES 15' 33" WEST, 105.60 FEET TO THE POINT OF BEGINNING. CONTAINING 7.57 ACRES, MORE OR LESS.

LEGAL DESCRIPTION - TRACT 2A

A PART OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 39' 36" WEST, 1700.87 FEET, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 06' 15" WEST, 211.71 FEET, ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 770.0 FEET AND A DELTA ANGLE OF 14 DEGREES 29' 29"; THENCE SOUTHWARDLY AND SOUTHWESTWARDLY, 194.75 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 14 DEGREES 35' 44" WEST, 319.31 FEET, ALONG SAID CENTERLINE, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1546.92 FEET AND A DELTA ANGLE OF 45 DEGREES 19' 09"; THENCE SOUTHWARDLY, SOUTHWARDLY, AND SOUTHEASTWARDLY, 1223.57 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 30 DEGREES 43' 25" EAST, 128.90 FEET, ALONG SAID CENTERLINE, TO THE POINT OF INTERSECTION OF THE CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES 07' 27" WEST, 330.06 FEET, ALONG THE CENTERLINE OF REGENT STREET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 4218.54 FEET AND A DELTA ANGLE OF 00 DEGREES 17' 17"; THENCE SOUTHWESTWARDLY, 21.20 FEET, ALONG SAID CURVE AND CENTERLINE; THENCE SOUTH 31 DEGREES 09' 50" EAST, 30.00 FEET, ALONG A LINE RADIAL TO SAID CURVE, TO A REBAR ON THE SOUTHEASTERLY RIGHT-OF-WAY OF REGENT STREET, MARKING THE NORTHERNMOST CORNER OF WATERFORD CROSSING, THENCE SOUTHWESTWARDLY, 1249.72 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 17 DEGREES 05' 43", TO A REBAR MARKING THE WESTERNMOST CORNER OF WATERFORD CROSSING AND THE NORTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF GOSHEN AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2001-42758 & #2001-42759; THENCE CONTINUING ALONG SAID 4188.54 RADIUS FOOT CURVE AND THE WEST LINE OF SAID CITY OF GOSHEN PARCEL AND THE EAST LINE OF THE RIGHT OF WAY OF REGENT STREET ALONG SAID 4188.54 FOOT RADIUS CURVE, 52.79 FEET (CHORD BEARING SOUTH 41 DEGREES 01' 13" WEST, CHORD DISTANCE 52.79 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 41 DEGREES 01' 13" WEST, ALONG SAID EAST LINE OF REGENT AND SAID WEST LINE OF THE CITY OF GOSHEN PARCEL, 57.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 49 DEGREES 05' 32" EAST, 288.89 FEET; THENCE SOUTH 40 DEGREES 54' 28" WEST, 10.00 FEET; THENCE SOUTH 49 DEGREES 05' 32" EAST, 103.84 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 49 DEGREES 05' 32" EAST, 288.89 FEET; THENCE SOUTH 40 DEGREES 54' 28" WEST, 10.00 FEET; THENCE SOUTH 49 DEGREES 05' 32" EAST, 103.84 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 49 DEGREES 05' 32" EAST, 288.89 FEET; THENCE SOUTH 40 DEGREES 54' 28" WEST, 10.00 FEET; THENCE SOUTH 49 DEGREES 05' 32" EAST, 103.84 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 49 DEGREES 05' 32" EAST, 288.89 FEET; THENCE SOUTH 40 DEGREES 54' 28" WEST, 10.00 FEET; THENCE SOUTH 49 DEGREES 05' 32" EAST, 103.84 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 49 DEGREES 05' 32" EAST, 288.89 FEET; THENCE SOUTH 40 DEGREES 54' 28" WEST, 10.00 FEET; THENCE SOUTH 49 DEGREES 05' 32" EAST, 103.84 FEET TO THE POINT OF BEGINNING. CONTAINING 6.98 ACRES, MORE OR LESS.

LEGAL DESCRIPTION - TRACT 2B

A PART OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 39' 36" WEST, 1700.87 FEET, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 06' 15" WEST, 211.71 FEET, ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 770.0 FEET AND A DELTA ANGLE OF 14 DEGREES 29' 29"; THENCE SOUTHWARDLY AND SOUTHWESTWARDLY, 194.75 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 14 DEGREES 35' 44" WEST, 319.31 FEET, ALONG SAID CENTERLINE, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1546.92 FEET AND A DELTA ANGLE OF 45 DEGREES 19' 09"; THENCE SOUTHWARDLY, SOUTHWARDLY, AND SOUTHEASTWARDLY, 1223.57 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 30 DEGREES 43' 25" EAST, 128.90 FEET, ALONG SAID CENTERLINE, TO THE POINT OF INTERSECTION OF THE CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES 07' 27" WEST, 330.06 FEET, ALONG THE CENTERLINE OF REGENT STREET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 4218.54 FEET; THENCE SOUTHWESTWARDLY, 21.20 FEET, ALONG SAID CURVE AND CENTERLINE, THENCE SOUTH 31 DEGREES 09' 50" EAST, 30.00 FEET, ALONG A LINE RADIAL TO SAID CURVE, TO A REBAR ON THE SOUTHEASTERLY RIGHT-OF-WAY OF REGENT STREET, MARKING THE NORTHERNMOST CORNER OF WATERFORD CROSSING, THENCE SOUTHWESTWARDLY, 1249.72 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 17 DEGREES 05' 43", TO A REBAR MARKING THE WESTERNMOST CORNER OF WATERFORD CROSSING AND THE NORTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF GOSHEN AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2001-42758 & #2001-42759; THENCE CONTINUING ALONG THE WEST LINE OF SAID CITY OF GOSHEN PARCEL, 330.17 FEET TO A REBAR ON THE WEST LINE OF A TRACT OF LAND DEEDED TO TRILOGY MANOR HOUSE, LLC AS DESCRIBED AND RECORDED IN INSTRUMENT #2015-20460; THENCE ALONG THE SOUTH LINE OF SAID TRILOGY MANOR HOUSE, LLC PARCEL THE NEXT 7 CALLS: 1) THENCE SOUTH 51 DEGREES 06' 21" WEST, 30.92 FEET TO A REBAR; 2) THENCE SOUTH 56 DEGREES 45' 59" EAST, 25.65 FEET TO A REBAR AND THE POINT OF CURVATURE OF AN 80.82 FOOT RADIUS CURVE TO THE RIGHT; 3) THENCE ALONG SAID CURVE, 33.30 FEET (CHORD BEARING SOUTH 47 DEGREES 36' 08" EAST, CHORD DISTANCE 33.07 FEET) TO A REBAR AND THE POINT OF TANGENCY OF SAID CURVE; 4) THENCE SOUTH 37 DEGREES 26' 02" EAST, 56.26 FEET TO A REBAR AND THE POINT OF CURVATURE OF A 220.00 FOOT RADIUS CURVE TO THE LEFT; 5) THENCE ALONG SAID CURVE 172.55 FEET (CHORD BEARING SOUTH 59 DEGREES 54' 12" EAST, CHORD DISTANCE 168.16 FEET) TO A REBAR AND THE POINT OF TANGENCY OF SAID CURVE; 6) THENCE SOUTH 82 DEGREES 22' 27" EAST, 339.05 FEET TO A REBAR; 7) THENCE NORTH 11 DEGREES 26' 45" EAST, 95.35 FEET TO A REBAR ON THE NORTH LINE OF THE CITY OF GOSHEN PARCEL; THENCE ALONG THE CITY OF GOSHEN PARCEL THE NEXT 6 CALLS: 1) THENCE SOUTH 78 DEGREES 04' 20" EAST, 216.92 FEET TO A REBAR; 2) THENCE SOUTH 78 DEGREES 04' 20" EAST, 216.92 FEET TO A REBAR; 3) THENCE SOUTH 78 DEGREES 04' 20" EAST, 216.92 FEET TO A REBAR; 4) THENCE NORTH 34 DEGREES 07' 04" EAST, 640.91 FEET TO A REBAR; 5) THENCE NORTH 74 DEGREES 20' 19" EAST, 350.28 FEET TO A REBAR; 6) THENCE SOUTH 26 DEGREES 49' 01" EAST, 92.52 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 26 DEGREES 49' 01" EAST ALONG SAID CITY OF GOSHEN PARCEL, 180.77 FEET TO A REBAR; THENCE NORTH 65 DEGREES 29' 55" EAST, 140.96 FEET TO THE POINT OF BEGINNING. CONTAINING 0.17 ACRES, MORE OR LESS.



I AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SURVEY SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

ABONMARCHÉ logo and contact information including address, phone, and website.

A PART OF THE SOUTH HALF OF SECTION 27-136N-R6E, ELKHART TWP., ELKHART CO., IN

EXHIBIT SKETCH

Table with columns for SHEET TITLE, DRAWN BY, DESIGNED BY, PM REVIEW, QA/QC REVIEW, DATE, and SEAL.

Table with columns for SIGNATURE, DATE, HARD COPY INTENTION, SCALE, ACI JOB #, and SHEET NO.

Table with columns for NO., REVISION DESCRIPTION, BY, and DATE.



## EXHIBIT B

A PART OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS :  
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 39' 36" WEST, 1700.87 FEET, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 06' 15" WEST, 211.71 FEET, ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 770.0 FEET AND A DELTA ANGLE OF 14 DEGREES 29' 29"; THENCE SOUTHWARDLY AND SOUTHWESTWARDLY, 194.75 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 14 DEGREES 35' 44" WEST, 319.31 FEET, ALONG SAID CENTERLINE, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1546.92 FEET AND A DELTA ANGLE OF 45 DEGREES 19' 09"; THENCE SOUTHWESTWARDLY, SOUTHWARDLY, AND SOUTHEASTWARDLY, 1223.57 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 30 DEGREES 43' 25" EAST, 128.90 FEET, ALONG SAID CENTERLINE, TO THE POINT OF INTERSECTION OF THE CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES 07' 27" WEST, 330.06 FEET, ALONG THE CENTERLINE OF REGENT STREET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 4218.54 FEET AND A DELTA ANGLE OF 00 DEGREES 17' 17"; THENCE SOUTHWESTWARDLY, 21.20 FEET, ALONG SAID CURVE AND CENTERLINE; THENCE SOUTH 31 DEGREES 09' 50" EAST, 30.00 FEET, ALONG A LINE RADIAL TO SAID CURVE, TO A REBAR ON THE SOUTHEASTERLY RIGHT-OF-WAY OF REGENT STREET, MARKING THE NORTHERNMOST CORNER OF WATERFORD CROSSING; THENCE SOUTHWESTWARDLY, 1249.72 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 17 DEGREES 05' 43", TO A REBAR MARKING THE WESTERNMOST CORNER OF WATERFORD CROSSING AND THE NORTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF GOSHEN AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2001-42758 & #2001-42759; THENCE CONTINUING ALONG SAID 4188.54 RADIUS FOOT CURVE AND THE WEST LINE OF SAID CITY OF GOSHEN PARCEL AND THE EAST LINE OF THE RIGHT OF WAY OF REGENT STREET, 52.79 FEET (CHORD BEARING SOUTH 41 DEGREES 22' 53" WEST, CHORD DISTANCE 52.79 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 41 DEGREES 01' 13" WEST, ALONG SAID EAST LINE OF REGENT AND SAID WEST LINE OF THE CITY OF GOSHEN PARCEL, 57.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 49 DEGREES 05' 32" EAST, 288.89 FEET; THENCE SOUTH 40 DEGREES 54' 28" WEST, 10.00 FEET; THENCE SOUTH 49 DEGREES 05' 32" EAST, 103.84 FEET TO THE POINT OF CURVATURE OF A 395.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE, 67.05 FEET (CHORD BEARING SOUTH 44 DEGREES 13' 46" EAST, CHORD DISTANCE 66.97 FEET) TO THE POINT OF REVERSE CURVATURE; THENCE ALONG A 210.00 FOOT RADIUS CURVE TO THE LEFT, 154.35 FEET (CHORD BEARING SOUTH 60 DEGREES 25' 23" EAST, CHORD DISTANCE 150.90 FEET) TO THE POINT OF TANGENCY; THENCE SOUTH 81 DEGREES 28' 45" EAST, 90.76 FEET; THENCE SOUTH 07 DEGREES 32' 46" WEST, 56.04 FEET; THENCE SOUTH 63 DEGREES 29' 40" EAST, 495.03 FEET; THENCE SOUTH 12 DEGREES 49' 47" WEST, 84.58 FEET; THENCE SOUTH 63 DEGREES 15' 12" EAST, 76.55 FEET; THENCE NORTH 69 DEGREES 44' 28" EAST, 504.40 FEET TO THE EAST LINE OF AFORESAID CITY OF GOSHEN PARCEL; THENCE ALONG THE SOUTH LINE OF SAID CITY OF GOSHEN PARCEL FOR THE NEXT 15 CALLS; 1) THENCE SOUTH 43 DEGREES 47' 38" WEST , 184.69 FEET TO A REBAR; 2) THENCE SOUTH 29 DEGREES 50' 22" WEST, 285.00 FEET TO A REBAR; 3) THENCE NORTH 36 DEGREES 09' 38" WEST, 150.00 FEET TO A REBAR; 4) THENCE NORTH 77 DEGREES 10' 13" WEST, 259.92 FEET TO A REBAR; 5) THENCE NORTH 15 DEGREES 30' 11" WEST, 190.11 FEET TO A REBAR ; 6) THENCE NORTH 79 DEGREES 24' 38" WEST, 170.00 FEET TO A REBAR ; 7) THENCE SOUTH 65 DEGREES 05' 22" WEST, 120.00 FEET TO A REBAR ; 8) THENCE NORTH 05 DEGREES 09' 38" WEST, 165.00 FEET TO A REBAR; 9) THENCE NORTH 60 DEGREES 09' 38" WEST, 200 FEET TO A REBAR ; 10) THENCE SOUTH 52 DEGREES 50' 22" WEST, 250.01 FEET TO A REBAR ; 11) THENCE SOUTH

24 DEGREES 44' 47" WEST, 370.10 FEET TO A REBAR ; 12) THENCE SOUTH 12 DEGREES 12' 50" EAST, 175.01 FEET TO A REBAR ; 13) THENCE NORTH 79 DEGREES 41' 43" WEST, 125.01 FEET TO A REBAR ; 14) THENCE SOUTH 60 DEGREES 18' 28" WEST, 234.99 FEET TO A REBAR ; 15) THENCE SOUTH 89 DEGREES 47' 39" WEST, 12.96 FEET; THENCE NORTH 26 DEGREES 44' 48" EAST, 780.53 FEET; THENCE SOUTH 63 DEGREES 15' 12" EAST, 50.00 FEET; THENCE NORTH 26 DEGREES 44' 48" EAST, 187.64 FEET; THENCE NORTH 49 DEGREES 05' 32" WEST, 70.77 FEET; THENCE SOUTH 40 DEGREES 54' 28" WEST, 20.00 FEET; THENCE NORTH 49 DEGREES 05' 32" WEST, 287.63 FEET TO THE EAST RIGHT OF WAY LINE OF REGENT STREET AND THE WEST LINE OF AFORESAID CITY OF GOSHEN PARCEL; THENCE ALONG THE EAST LINE OF REGENT STREET ALONG A 2759.89 FOOT RADIUS CURVE TO THE RIGHT, 90.07 FEET (CHORD BEARING NORTH 40 DEGREES 05' 08" EAST, CHORD DISTANCE 90.06 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 41 DEGREES 01' 13" EAST ALONG SAID EAST RIGHT OF WAY LINE OF REGENT STREET, 19.95 FEET TO THE POINT OF BEGINNING.  
CONTAINING 6.98 ACRES, MORE OR LESS.

AND

A PART OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS :  
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 39' 36" WEST, 1700.87 FEET, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 00 DEGREES 06' 15" WEST, 211.71 FEET, ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 770.0 FEET AND A DELTA ANGLE OF 14 DEGREES 29' 29"; THENCE SOUTHWARDLY AND SOUTHWESTWARDLY, 194.75 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 14 DEGREES 35' 44" WEST, 319.31 FEET, ALONG SAID CENTERLINE, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1546.92 FEET AND A DELTA ANGLE OF 45 DEGREES 19' 09"; THENCE SOUTHWESTWARDLY, SOUTHWARDLY, AND SOUTHEASTWARDLY, 1223.57 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 30 DEGREES 43' 25" EAST, 128.90 FEET, ALONG SAID CENTERLINE, TO THE POINT OF INTERSECTION OF THE CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES 07' 27" WEST, 330.06 FEET, ALONG THE CENTERLINE OF REGENT STREET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 4218.54 FEET; THENCE SOUTHWESTWARDLY, 21.20 FEET, ALONG SAID CURVE AND CENTERLINE; THENCE SOUTH 31 DEGREES 09' 50" EAST, 30.00 FEET, ALONG A LINE RADIAL TO SAID CURVE, TO A REBAR ON THE SOUTHEASTERLY RIGHT-OF-WAY OF REGENT STREET, MARKING THE NORTHERNMOST CORNER OF WATERFORD CROSSING; THENCE SOUTHWESTWARDLY, 1249.72 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 17 DEGREES 05' 43", TO A REBAR MARKING THE WESTERNMOST CORNER OF WATERFORD CROSSING AND THE NORTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF GOSHEN AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2001-42758 & #2001-42759; THENCE SOUTH 38 DEGREES 48' 39" EAST ALONG THE NORTH LINE OF SAID CITY OF GOSHEN PARCEL, 330.17 FEET TO A REBAR ON THE WEST LINE OF A TRACT OF LAND DEEDED TO TRILOGY MANOR HOUSE, LLC AS DESCRIBED AND RECORDED IN INSTRUMENT #2015-20460; THENCE ALONG THE SOUTH LINE OF SAID TRILOGY MANOR HOUSE, LLC PARCEL THE NEXT 7 CALLS; 1) THENCE SOUTH 51 DEGREES 06' 21" WEST, 30.92 FEET TO A REBAR; 2) THENCE SOUTH 56 DEGREES 45' 59" EAST, 25.65 FEET TO A REBAR AND THE POINT OF CURVATURE OF AN 80.82 FOOT RADIUS CURVE TO THE RIGHT; 3) THENCE ALONG SAID CURVE, 33.30 FEET (CHORD BEARING SOUTH 47 DEGREES 36' 08" EAST, CHORD DISTANCE 33.07 FEET) TO A REBAR AND THE POINT OF TANGENCY OF SAID CURVE; 4) THENCE SOUTH 37 DEGREES 26' 02" EAST, 56.26 FEET TO A REBAR AND THE POINT OF CURVATURE OF A 220.00 FOOT RADIUS CURVE TO THE LEFT; 5) THENCE ALONG SAID CURVE 172.55 FEET (CHORD

BEARING SOUTH 59 DEGREES 54' 12" EAST, CHORD DISTANCE 168.16 FEET) TO A REBAR AND THE POINT OF TANGENCY OF SAID CURVE; 6) THENCE SOUTH 82 DEGREES 22' 27" EAST, 339.05 FEET TO A REBAR; 7) THENCE NORTH 11 DEGREES 26' 45" EAST, 95.35 FEET TO A REBAR ON THE NORTH LINE OF THE CITY OF GOSHEN PARCEL; THENCE ALONG THE CITY OF GOSHEN PARCEL THE NEXT 6 CALLS; 1) THENCE SOUTH 78 DEGREES 52' 45" EAST, 116.57 FEET TO A REBAR; 2) THENCE SOUTH 19 DEGREES 58' 05" EAST, 268.84 FEET TO A REBAR; 3) THENCE SOUTH 78 DEGREES 04' 20" EAST, 216.92 FEET TO A REBAR; 4) THENCE NORTH 34 DEGREES 07' 04" EAST, 640.91 FEET TO A REBAR; 5) THENCE NORTH 74 DEGREES 20' 19" EAST, 350.28 FEET TO A REBAR; 6) THENCE SOUTH 26 DEGREES 49' 01" EAST, 92.52 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 26 DEGREES 49' 01" EAST ALONG SAID CITY OF GOSHEN PARCEL, 107.62 FEET TO A REBAR; THENCE NORTH 77 DEGREES 59' 59" WEST ALONG SAID CITY OF GOSHEN PARCEL, 180.77 FEET TO A REBAR; THENCE NORTH 65 DEGREES 29' 55" EAST, 140.96 FEET TO THE POINT OF BEGINNING.  
CONTAINING 0.17 ACRES, MORE OR LESS.



**Engineering Department  
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## Memorandum

To: Goshen Redevelopment & Elkhart County Commissioners

From: Dustin K. Sailor, Director of Public Works

**RE: ELKHART COUNTY COURTS CONSOLIDATION  
PUBLIC INFRASTRUCTURE IMPROVEMENTS (JN: 2021-0014)**

Date: October 18, 2023

On Monday, October 16, 2023, the Goshen Board of Works and Safety received bids for the above-named project. Four (4) bids were received with the bidders and their bids listed in Table 1.

**Table 1 – Contractors and Bid Amounts**

	<b>Contractor</b>	<b>Bid Amount</b>
1.	Niblock Excavating	\$4,159,417.30
2.	C&E Excavating	\$4,867,150.00
3.	Milestone Construction	\$5,627,000.00
4.	Rieth-Riley Construction	\$6,678,833.74

Bid items that were negotiated with the contractor following the bid are listed in Table 2.

**Table 2 – Negotiated Bid Items**

<b>Item</b>	<b>Bid Item</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>Cost</b>
81	Pipe, A2000, PVC, 24" (removed)	277	LFT	\$80.00	(\$22,160.00)
82	Pipe, RCP, 24" (removed)	277	LFT	\$95.00	(\$26,315.00)
82	Pipe, RCP, 24" (new quantity)	596	LFT	\$95.00	\$56,620.00
169	Construction Notice Board (removed)	2	EA	\$1,250.00	(\$2,300.00)
169	Construction Notice Board / City Supplied	2	EA	\$350.00	\$700.00
<b>Negotiated Price Changes</b>					<b>\$6,545.00</b>

With review of the bid documentation, the city has found Niblock Excavating to be the lowest responsible and responsive bid. **Goshen Engineering recommends awarding the public works contract to Niblock Excavating for a negotiated contract price of \$4,165,962.30.**