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September 15, 2022

**Via Certified Mail  
Return Receipt Requested  
And USPS Regular Mail**

Keystone Homeowner's Association  
P.O. Box 8101  
Evansville, IN 47716

**RE: Petition for Special Use Designation  
Evansville-Vanderburgh Convention & Visitors Commission Building Corporation (the  
"CVB"); Docket No. SPU2022-022**

Dear Neighbor:

Please excuse this impersonal legal notice, but the County's zoning code requires us to send you this notice letter by certified mail. Additionally, we are also hoping to send you this same notice electronically, via the neighborhood association's e-mail list, and by regular USPS "snail" mail to ensure the ease of a timely delivery. So, please know you may receive duplicate copies of this letter.

This letter's purpose is to notify you about our request under the County's zoning code to apply for a Special Use designation at 3808 Heckel Road, 3816 Heckel Road, 3824 Heckel Road, 3900 Heckel Road, 3908 Heckel Road, 3916 Heckel Road, 4404 Heckel Road, 6316 Vieth Lane, 6332 Vieth Lane, 6416 Vieth Lane, 6434 Vieth Lane, 6500 Vieth Lane, 6514 Vieth Lane, 6536 Vieth Lane, 6610 Vieth Lane, and 6630 Vieth Lane, Evansville, Indiana 47725. These tracts of land are located next to the current Deaconess Sports Park to allow for the planned expansion of this park complex. Enclosed is a proposed Site Plan of the expansion being considered. An aerial view of said proposed tracts is also enclosed in this letter. This is essentially the same tracts of land that were recently rezoned for a "failed" apartment complex. The purpose for this process is because the CVB would like to expand next to the present Deaconess Sports Park and Goebel Soccer sites for added similar recreational uses, including constructing added baseball and softball fields, parking, and related training facilities. The current plans provide this expanded park complex to be funded solely with innkeeper's tax revenues that are generated from guests staying in our local hotels (not property or income taxes). By law, said innkeeper's tax funds may be spent only on tourism related capital improvements, like this park complex.

The property described is currently zoned R-1, R-3 or C-4 for single-family housing, multi-family housing, condominiums, or commercial uses. Under the currently applicable R-1, R-3 or C-4 zoning categories, the County's zoning code also requires a Special Use designation to use the property as a public park or public recreational facility. As we have already discussed with some of your neighbors, this proposed expansion of the Deaconess Sports Complex should be a better fit for the area and will help preserve the market values of your residential neighborhood, versus the prior apartment complex proposed. Like it did with its adjoining Deaconess Sports Park, the CVB is again filing for said SU-7 Special Use designation to allow for the planned new park and recreational uses. Along with said Special Use designation, the CVB is filing for this special use subject to largely the identical Use and Development Commitment that it entered for the existing Deaconess Sports Park.

Do please understand, even though it is not required for the CVB to again file and agree to be bound by said attached Use and Development Commitment, which legally limits how this expanded park complex can be used under this SU-7 designation, the CVB would prefer to offer your neighborhood said written Commitment with the same lighting, sound system, fence buffer, and curfew covenants and

restrictions as was agreed to with the Keystone Homeowner's Association on the existing Deaconess Sports Park.

Enclosed are copies of the following documents the CVB has filed regarding the proposed Special Use designation of this property:

1. Verified Application for a Special Use Permit, including Proposed Site Plan of the expanded park complex planned and Notice of Public Hearing; and
2. Said added SU-7 Use and Development Commitment extending said existing restrictions to this real estate expansion being acquired.

The Vanderburgh County Zoning Code requires that within this notice letter we provide you the following information as to the currently scheduled hearing. The hearing for our Special Use Petition filed with the Area Plan Commission will be before the Board of Zoning Appeals ("BZA") at a hearing to be held on **Thursday, October 20, 2022, at 3:00p.m.** in Room 301 (County Council Chambers) of the City-County Administration Building, Civic Center Complex, Evansville, Indiana.

Additionally, your input and participation in this process is important, so the CVB will be again voluntarily holding in advance of said public hearing an informal meeting of the above hearing on **Tuesday, September 27, 2022, at 5:30p.m.** at Faith Bible Church, at 5601 Oak Hill Rd., Evansville, IN 47711. At this informal meeting, you will have the opportunity to raise any concerns, as well as ask any questions you have, with this proposed park complex expansion.

While you are not required to attend this meeting or the hearing, we do greatly value your opinion on this matter. If you know you are unable to make the October 27 meeting, please do not hesitate to call or e-mail me at [aberggren@visitevansville.com](mailto:aberggren@visitevansville.com) and (812) 435-5770 (ext. 204) or Tim Fulton at [tfulton@evansvillesportscomplex.com](mailto:tfulton@evansvillesportscomplex.com) and (812) 401-1890. Additionally, you may call our attorney Mike Schopmeyer at Kahn, Dees, Donovan & Kahn, LLP at (812) 423-3183 ext. 2210 or e-mail him at [mschopmeyer@kddk.com](mailto:mschopmeyer@kddk.com). Each one of us on our CVB team will be glad to hear from you, and answer all your questions and hear your perspective on the proposed project and the land use issues relating thereto.

Your support of this project is genuinely sought and greatly appreciated.

Sincerely,

**EVANSVILLE-VANDERBURGH  
CONVENTION AND VISITORS  
COMMISSION BUILDING CORPORATION**



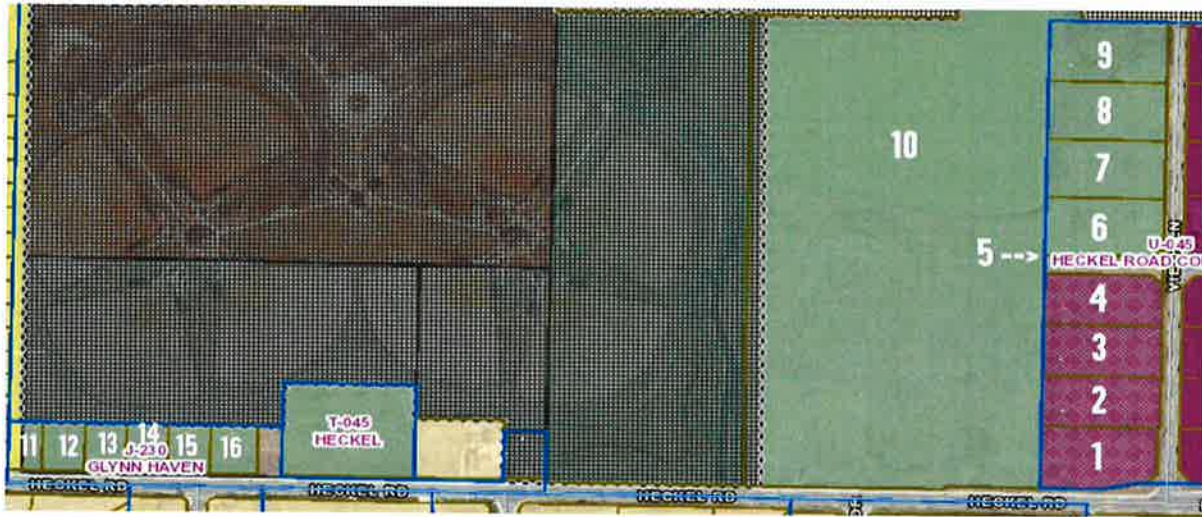
Alexis Berggren, President

Enclosures:      Site Plan  
                         Zoning Map  
                         Special Use Application  
                         Use and Development Commitment

# DEACONESS SPORTS PARK – SITE PLAN







Map Key

Number on Map	Color on Map	Zoning Classification	Property Address
1	Purple	C-4	6316 Vieth Lane
2	Purple	C-4	6332 Vieth Lane
3	Purple	C-4	6416 Vieth Lane
4	Purple	C-4	6434 Vieth Lane
5	Green	R-3	6500 Vieth Lane
6	Green	R-3	6514 Vieth Lane
7	Green	R-3	6536 Vieth Lane
8	Green	R-3	6610 Vieth Lane
9	Green	R-3	6630 Vieth Lane
10	Green	R-3	4404 Heckel Road
11	Green	R-3	3808 Heckel Road
12	Green	R-3	3816 Heckel Road
13	Green	R-3	3824 Heckel Road
14	Green	R-3	3900 Heckel Road
15	Green	R-3	3908 Heckel Road
16	Green	R-3	3916 Heckel Road

APPLICATION FOR SPECIAL USE

APC FORM 1101SPU

STATE OF INDIANA )
) SS:
COUNTY OF VANDERBURGH )

Date: September 12, 2022

Special Use Docket No.: SPU 2022-012

BZA Meeting Date: October 20, 2022

OWNER'S CERTIFICATE:

I, THE UNDERSIGNED OWNER, HEREBY CERTIFY that I own 50% or more of the real estate described hereon, and do hereby make application for a special use.

I HEREBY AFFIRM, under penalty of perjury, that the information and representations within this application are true and correct. All attachments are adopted by reference as part of the application for special use.

Evansville-Vanderburgh Convention and Visitors
Commission Building Corporation as contract
purchaser from James K. Johnston and Jacqueline
L. Johnston & J.J. Brodi, LLC

(Printed Name Of The Owner Of Record)

c/o (812) 423-3183
(Phone Number)

mschopmeyer@kddk.com
(E-mail Address)

20 NW 3rd Street, Suite 410
(Mailing Address Of The Owner)

Evansville
(City)

Indiana
(State)

47708
(Zip)

Alexis Berggren, President

September 12, 2022
(Date Signed)

OWNER'S ACKNOWLEDGEMENT OF AUTHORIZED AGENT OR PETITIONER: (optional)

I DO HEREBY FURTHER ACKNOWLEDGE that by signing this affidavit below, that the following named person will be my legal council or professional representative and has been authorized to act and engage with this application on my behalf.

Alexis Berggren, President

Kahn, Dees, Donovan & Kahn, LLP
G. Michael Schopmeyer, Esq.

(Printed Name Of Authorized Agent Or Applicant)

(812) 423-3183
(Phone)

mschopmeyer@kddk.com
(E-mail Address)

501 Main Street, Suite 305
(Mailing Address Of Authorized Agent Or Applicant)

Evansville
(City)

Indiana
(State)

47708
(Zip)

RECEIVED
SEP 13 2022
AREA PLAN COMMISSION

APPLICATION FOR SPECIAL USE  
(Continued Page 2 of 2)

APC FORM 11015PU

INFORMATION REGARDING THE AFFECTED PREMISES:

Address of property for the special use: See attached Exhibit "A", which is made a part hereof.

82-04-35-002-886.014-019; 82-04-35-002-886.015-019; 82-04-35-002-886.016-019; 82-04-35-002-886.017-019; 82-04-35-002-419.016-019; 82-04-35-002-419.007-019;  
82-04-35-002-145.014-019; 82-04-35-002-886.009-019; 82-04-35-002-886.010-019; 82-04-35-002-886.011-019; 82-04-35-002-886.012-019; 82-04-35-002-886.013-019;  
82-04-35-002-419.008-019; 82-04-35-002-419.009-019; 82-04-35-002-419.010-019; 82-04-35-002-419.011-019.

Parcel Identification Number: \_\_\_\_\_

Subdivision: See attached Exhibit "A", which is made a part hereof. Block No.: See Exhibit "A", which is made a part hereof. Lot No.: See Exhibit "A", which is made a part hereof.

Legal Description: See attached Exhibit "A", which is made a part hereof.

\_\_\_\_\_, situated in Vanderburgh County, Indiana.

Current Zoning: C-4 and R-3 Lot Size: See Exhibit "A", which is made a part hereof.  
(Specify Acreage)

Current Land Use: Vacant

A site plan, drawn to scale, has been submitted with this application:  Yes  No

REGISTERED NEIGHBORHOOD ASSOCIATIONS: None, but the Keystone Neighborhood Association, Blue Grass/Pigeon Neighborhood Association, and Oak Hill Neighborhood Association are nearby.

APPLICATION IS HEREBY MADE FOR SPECIAL USE:

(Attach Additional Sheets To This Application If More Space Is Required)

Special Use Ordinance Number: \_\_\_\_\_

Description of special use request: SU-7, for expansion of the existing Owner's Deaconess Sports Park. In conjunction, this special use request is subject to the Use and Development Commitment ("UDC"), which is attached to Exhibit "C" and made a part hereof. This UDC is virtually identical to the existing UDC on Owner's adjoining Deaconess Sports Park.

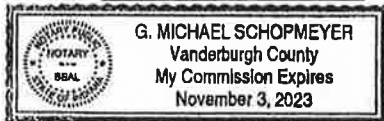
NOTARY CERTIFICATE:

Subscribed and sworn to before me, a Notary Public in and for said County and State this 13th day of September, 2022.

  
(Signature Of Notary)

G. Michael Schopmeyer  
(Printed Name Of Notary)

My Commission Expires November 3, 2023 Notary Resides in Vanderburgh County, State of Indiana.



(Notary Seal)

DUTY TO DISCLOSE: the Area Plan Commission may rely on the truth of all representations in the application. If any condition exists or arises or if any event occurs after filing the application which makes any representation false, inaccurate, misleading or incomplete, and such fact is known by the owner, applicant, his attorney or other representative, if any (collectively, the "applicant"), it is the responsibility of the applicant to disclose such fact promptly to the Area Plan Commission or its staff at or before beginning the public hearing on the application. Failure to make such disclosure shall result in denial of or delay in acting on the application in addition to other consequences, and shall subject the applicant to legal (including civil and criminal) remedies, penalties, and fines which the Area Plan Commission or other governmental agencies may pursue against the applicant as provided by law.

EXHIBIT A TO  
USE AND DEVELOPMENT COMMITMENT

**Parcel 1: 6316 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.009-019

Lot Nine (9) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 2: 6332 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.010-019

Lot Ten (10) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 3: 6416 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.011-019

Lot Eleven (11) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 4: 6434 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.012-019

Lot Twelve (12) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 5: 6500 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.013-019

Lot Thirteen (13) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 6: 6514 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-886.014-019

Lot Fourteen (14) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 7: 6536 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-886.0115-019

Lot Fifteen (15) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 8: 6610 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-886.016-019

Lot Sixteen (16) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 9: 6630 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-886.017-019

Lot Seventeen (17) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 10: 4404 Heckel Road, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-145.014-019

A part of the Southeast Quarter of Section 35, Township 5 South, Range 10 West, Center Township, Vanderburgh County, Indiana, and more particularly described as follows:

Commencing at the southeast corner of Section 35, Township 5 South, Range 10 West; thence North 88 degrees 56 minutes 12 seconds West 1471.92 feet along the south line of said quarter section; thence North 00 degrees 55 minutes 13 seconds East 40.00 feet to the POINT OF BEGINNING; being a point where the Owner's west line intersects the north right-of-way of Heckel Road; thence continue North 00 degrees 55 minutes 13 seconds East 1288.48 feet to a point on the north line of the Southeast Quarter of the Southeast Quarter of said section; thence South 88 degrees 53 minutes 25 seconds East 516.59 feet along said quarter quarter section line; thence North 02 degrees 29 minutes 38 seconds West 204.39 feet; thence South 87 degrees 47 minutes 47 seconds East 328.15 feet; thence South 02 degrees 11 minutes 42 seconds West 197.75 feet to a point on the north line of the Southeast Quarter of the Southeast Quarter of said section; Thence North 88 degrees 53 minutes 25 seconds West 78.25 feet along the north line of said quarter quarter section; thence South 01 degree 02 minutes 44 seconds West 1287.87 feet to a point on the north right-of-way of Heckel Road; thence North 88 degrees 56 minutes 12 seconds West 747.01 feet to the POINT OF BEGINNING.



**Parcel 11: 3808 Heckel Road, Evansville, Indiana 47725**  
Tax Parcel ID #: 82-04-35-002-419.016-019

A part of Lot 6 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southeast corner of said Lot 6; thence North 88 degrees 53 minutes 12 seconds West 89.88 feet along the south line of said lot to the southwest corner of the grantors' land; thence North 1 degree 10 minutes 15 seconds East 5.85 feet along the west line of the grantors' land to point "722" designated on said Right-of-Way Parcel Plat; thence South 88 degrees 55 minutes 14 seconds East 89.89 feet to the east line of said Lot 6; thence South 1 degree 12 minutes 42 seconds West 5.90 feet along the east line of said lot to the point of beginning and containing 528 square feet, more or less.

**Parcel 12: 3816 Heckel Road, Evansville, Indiana 47725**  
Tax Parcel ID #: 82-04-35-002-419.007-019

A part of Lot 7 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southwest corner of said Lot 7; thence North 1 degree 12 minutes 42 seconds East 5.90 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 105.00 feet to the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 5.96 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 105.00 feet along the south line of said lot to the point of beginning and containing 623 square feet, more or less.

**Parcel 13: 3824 Heckel Road, Evansville, Indiana 47725**  
Tax Parcel ID #: 82-04-35-002-419.008-019

A part of Lot 8 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southwest corner of said Lot 8; thence North 1 degree 12 minutes 42 seconds East 5.96 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 105.00 feet to the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 6.03 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 105.00 feet along the south line of said lot to the point of beginning and containing 630 square feet, more or less.

**Parcel 14: 3900 Heckel Road, Evansville, Indiana 47725**  
Tax Parcel ID #: 82-04-35-002-419.009-019

A part of Lot 9 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southwest corner of said Lot 9; thence North 1 degree 12 minutes 42 seconds East 6.03 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 105.00 feet to the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 6.09 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 105.00 feet along the south line of said lot to the point of beginning and containing 636 square feet, more or less.

**Parcel 15: 3908 Heckel Road, Evansville, Indiana 47725**  
Tax Parcel ID #: 82-04-35-002-419.010-019

A part of Lot 10 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southwest corner of said Lot 10; thence North 1 degree 12 minutes 42 seconds East 6.09 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 105.00 feet to the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 6.15 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 105.00 feet along the south line of said lot to the point of beginning and containing 643 square feet, more or less.

**Parcel 16: 3916 Heckel Road, Evansville, Indiana 47725**  
Tax Parcel ID #: 82-04-35-002-419.011-019

A part of Lot 11 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors'

land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southwest corner of said Lot 11; thence North 1 degree 12 minutes 42 seconds East 6.15 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 120.00 feet to point "728" designated on said Right-of-Way Parcel Plat, which point is on the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 6.22 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 120.00 feet along the south line of said lot to the point of beginning and containing 743 square feet, more or less.

**EXHIBIT "B" - SPECIAL USE PERMIT - ADJOINING PROPERTIES**

OWNER	ADDRESS	CITY	STATE	ZIP	PARCEL NO	MAILING ADDRESS	CITY	STATE	ZIP
<b>PROPERTIES BEING REZONED</b>									
J J Brodi, LLC	4404 Heckel Road	Evansville	IN	47725	82-04-35-002-145.014-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6316 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.009-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6332 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.010-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6416 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.011-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6434 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.012-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6500 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.013-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6514 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.014-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6536 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.015-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6610 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.016-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6630 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.017-019	6340 Lincoln Ave	Evansville	IN	47715
James & Jacqueline Johnston	3808 Heckel Road	Evansville	IN	47725	82-04-35-002-419.016-019	6340 Lincoln Ave	Evansville	IN	47715
James & Jacqueline Johnston	3816 Heckel Road	Evansville	IN	47725	82-04-35-002-419.007-019	6340 Lincoln Ave	Evansville	IN	47715
James & Jacqueline Johnston	3824 Heckel Road	Evansville	IN	47725	82-04-35-002-419.008-019	6340 Lincoln Ave	Evansville	IN	47715
James & Jacqueline Johnston	3900 Heckel Road	Evansville	IN	47725	82-04-35-002-419.009-019	6340 Lincoln Ave	Evansville	IN	47715
James & Jacqueline Johnston	3908 Heckel Road	Evansville	IN	47725	82-04-35-002-419.010-019	6340 Lincoln Ave	Evansville	IN	47715
James & Jacqueline Johnston	3916 Heckel Road	Evansville	IN	47725	82-04-35-002-419.011-019	6340 Lincoln Ave	Evansville	IN	47715

**ADJOINING PROPERTIES**

J J Brodi, LLC	6631 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.008-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6611 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.007-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6535 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.006-019	6340 Lincoln Ave	Evansville	IN	47715
Buggy Bath, LLC	6515 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.005-019	P.O. Box 458	Mt. Carmel	IL	62863
J J Brodi, LLC	6433 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.004-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6415 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.003-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6333 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.002-019	6340 Lincoln Ave	Evansville	IN	47715
J J Brodi, LLC	6315 Vieth Lane	Evansville	IN	47725	82-04-35-002-886.001-019	6340 Lincoln Ave	Evansville	IN	47715
Jane Diehl	4546 Langly Court	Evansville	IN	47711	82-06-02-002-752.020-019	4546 Langly Court	Evansville	IN	47711
John & Kelly McClarnon	4530 Langly Court	Evansville	IN	47711	82-06-02-002-752.019-019	4530 Langly Court	Evansville	IN	47711
Sarah Cardwell & Jonathan Negrn	4514 Langly Court	Evansville	IN	47711	82-06-02-002-752.018-019	4514 Langly Court	Evansville	IN	47711
Yueying Yang & Qi Xin Zheng	4504 Langly Court	Evansville	IN	47711	82-06-02-002-752.017-019	4504 Langly Court	Evansville	IN	47711
Doylyn Neiswinger	4444 Langly Court	Evansville	IN	47711	82-06-02-002-752.016-019	4444 Langly Court	Evansville	IN	47711
Tinsley & Mary Northington	4434 Langly Court	Evansville	IN	47711	82-06-02-002-752.015-019	4434 Langly Court	Evansville	IN	47711
Robert & Janet Werner	6230 Deik Drive	Evansville	IN	47711	82-06-02-002-752.014-019	6230 Deik Drive	Evansville	IN	47711
Kathy Agnew	6217 Eastbourne Drive	Evansville	IN	47711	82-06-02-002-703.011-019	6217 Eastbourne Drive	Evansville	IN	47711
Betty Nordhaus, Trustee	6227 Eastbourne Drive	Evansville	IN	47711	82-06-02-002-821.029-019	6227 Eastbourne Drive	Evansville	IN	47711
Farley Jr and Berna O'Neal	4724 Old Tyme Court	Evansville	IN	47711	82-06-02-002-821.029-019	4724 Old Tyme Court	Evansville	IN	47711
Rebecca Andrews	4728 Old Tyme Court	Evansville	IN	47711	82-06-02-002-821.030-019	4728 Old Tyme Court	Evansville	IN	47711
Dwayne & Tracy Brazelton	4736 Old Tyme Court	Evansville	IN	47711	82-06-02-002-821.031-019	4736 Old Tyme Court	Evansville	IN	47711
Robert Morris	4740 Old Tyme Court	Evansville	IN	47711	82-06-02-002-821.032-019	102 Holmard Street	Gaithersburg	MD	20878
Pinnacle Properties Partners, LLC	4800 Old Tyme Court	Evansville	IN	47711	82-06-02-002-821.033-019	8320 Blessing Way	Evansville	IN	47712
Pinnacle Properties Partners, LLC	4812 Old Tyme Court	Evansville	IN	47711	82-06-02-002-821.033-019	7625 State Route 56	Owensboro	KY	42301
Pinnacle Properties Partners, LLC	4812 Old Tyme Court	Evansville	IN	47711	82-06-02-002-821.034-019	7625 State Route 56	Owensboro	KY	42301
Pinnacle Properties Partners, LLC	4816 Old Tyme Court	Evansville	IN	47711	82-06-02-002-821.035-019	7625 State Route 56	Owensboro	KY	42301
Evansville Vanderburgh County	4816 Old Tyme Court	Evansville	IN	47711	82-06-02-002-821.036-019	7625 State Route 56	Owensboro	KY	42301



Convention & Visitor City of Evansville Dept of Parks & Recreation	4300 Heckel Road	Evansville	IN	47725	82-04-35-002-145.003-019	401 SE Riverside Drive	Evansville	IN	47713
Taylor & Alyssa Hall	6600 N Green River Road	Evansville	IN	47725	82-04-35-002-145.007-019	1 NW MLK, Jr. Blvd	Evansville	IN	47708
Joshua & Sara Johnson	6303 Kinway Drive	Evansville	IN	47725	82-04-35-002-874.001-019	6303 Kinway Drive	Evansville	IN	47725
Robert & Amanda Hill	6323 Kinway Drive	Evansville	IN	47725	82-04-35-002-874.002-019	6323 Kinway Drive	Evansville	IN	47725
Sherry & Rick Wells	6333 Kinway Drive	Evansville	IN	47725	82-04-35-002-874.003-019	6333 Kinway Drive	Evansville	IN	47725
Margaret & Robert Calvert	3808 Sandstone Court	Evansville	IN	47711	82-06-02-002-732.023-019	3808 Sandstone Court	Evansville	IN	47711
Sean Nance & Lindsay Benedyk	3800 Sandstone Court	Evansville	IN	47711	82-06-02-002-732.022-019	3800 Sandstone Court	Evansville	IN	47711
Vernon Roberts & Ethelda Ryan	3750 Sandstone Court	Evansville	IN	47711	82-06-02-002-732.021-019	3750 Sandstone Court	Evansville	IN	47711
Gene & Priscilla Nail	3742 Sandstone Court	Evansville	IN	47711	82-06-02-002-732.020-019	3742 Sandstone Court	Evansville	IN	47711
Clifford Dotson & Arlicia Biggers-Dotson	6236 Flagstone Drive	Evansville	IN	47711	82-06-02-002-710.037-019	6236 Flagstone Drive	Evansville	IN	47711
Bruce & Ann Williams	6235 Flagstone Drive	Evansville	IN	47711	82-06-02-002-710.038-019	6235 Flagstone Drive	Evansville	IN	47711
Center Township	4101 Heckel Road	Evansville	IN	47725	82-06-02-002-151.015-019	4101 Heckel Road	Evansville	IN	47725
	4100 Heckel Road	Evansville	IN	47725	82-04-35-002-860.001-019	3026 N. Fulton Avenue	Evansville	IN	47710

**NEIGHBORHOOD ASSOCIATIONS**

Blue Grass/Pigeon Neighborhood  
Association  
ATTN: Russell Hubbert  
Oak Hill Neighborhood Association  
ATTN: Jonah Hust  
Keystone Homeowner's Association

5525 Heerdink Lane  
Evansville IN 47725

2515 Glenn Avenue  
Evansville IN 47711

P.O. Box 8101  
Evansville IN 47715

## EXHIBIT "C" to the SPECIAL USE APPLICATION

### USE AND DEVELOPMENT COMMITMENT

Evansville-Vanderburgh Convention & Visitors Commission Building Corporation is the petitioner ("Petitioner") to apply for Special Use certain real estate situated in Evansville, Vanderburgh County, Indiana, more particularly described on Exhibit "A," attached hereto and by this reference made a part hereof (the "Real Estate"); and

WHEREAS, the Real Estate is currently classified as R-1, R-3 & C-4 zoning districts under the Vanderburgh County Zoning Code and is so indicated on the zoning maps maintained by the staff of the Evansville-Vanderburgh County Area Plan Commission; and

WHEREAS, Petitioner has requested that the Real Estate be reclassified to zoning district SU-7; and

WHEREAS, Petitioner wish to accommodate possible concerns of surrounding property owners by making a written commitment concerning the use and development of the Real Estate pursuant to I.C. 36-7-4-1015;

NOW, THEREFORE, in consideration of the foregoing, Petitioner and Owner make the following use and development commitments concerning the use of the Real Estate:

1. Use. This Use and Development Commitment shall not prevent or be construed to prevent future rezoning of the Real Estate or amendment of this Use and Development Commitment in the manner provided by law.

Use of the Real Estate shall be limited to the following uses permitted in the SU-7 zoning districts, as described below effective as of the date of this Use and Development Commitment and as approved by the Vanderburgh County Area Plan Commission, and use of the Real Estate shall also include all other reasonable and necessary uses allowed in SU-7.

The Petitioner:

(a) Shall construct and maintain the improvements upon the Real Estate in a design similar to that shown in the Project Summary attached hereto as Exhibit "B". Without limitation, the Petitioner shall maintain the existing park trail, and shall allow access to neighbors each day to and from the park trail and any green space and play areas (other than the softball/baseball play fields and surrounding areas that are shown as separately fenced on Exhibit "B") on the softball and baseball complex through a man gate accessible from Heckel Road from dawn to the later of dusk or the time that the lights for the fields are turned off, provided however, that during tournaments at the Real Estate vendors and team use of the green space and park trail may limit neighbors use. Further, the parking lots shall be located to the north of the fields;

(b) Shall abide by the following as it relates to lighting:

(i) Lighting for all field areas shall be Musco Light-Structure Green with full shielding or similar lighting, but in any case, all field, parking lot area and other lighting shall be fully shielded and horizontal light trespass shall not exceed .5 foot candles along the north side of

Heckel Road as that road exists as of September 13, 2022. Internal optics and external visors shall be used on all sports lights fixtures to reduce spill and glare issues and shall be as dark-skies friendly as technologically practical;

(ii) No lighting shall be turned on more than 30 minutes prior to dusk. Field Lighting shall be turned off by 10:30 PM and all lighting shall be turned off by 11:00 PM on any night for which school is scheduled to be in session on the following day in the Evansville Vanderburgh School Corporation (or any successor that serves students in what is the Oak Hill elementary school district at the time of the filing of this Use and Development Commitment) (a "School Night"). On nights other than School Nights, field lighting shall be turned off by 11:00 PM and all lighting shall be turned off by 11:30 PM. Despite the foregoing, the following exceptions shall exist. In the event that there is a delay in a game caused by weather (other than heat and/or heat index), the lights are permitted to remain on until the earlier of the conclusion of the game or one hour after the time that the lights would otherwise be required to be turned off. The Petitioner may from time to time designate up to a total of 25 nights each year as a Permitted Late Tournament Night. Permitted Late Tournament Nights may only be on Friday or Saturday nights. During Permitted Late Tournament Nights, field lighting shall be turned off by 1:00 AM the next morning and all lighting shall be turned off by 1:30 AM the next morning. The Petitioner may also from time to time designate up to ten School Nights as Late School Nights. During Late School Nights field lighting shall be turned off by 11:00 PM and all lighting shall be turned off by 11:30 PM.

(iii) In order to keep game activity as far north as possible after dusk, during any time that field lights are permitted to be on, if at any time not all of the fields of play are required for game use, the Petitioner shall cause the fields to be taken out of play in a south to north order. When a field is not being played upon, the field lights on it shall be turned off.

(c) Shall install all stadium speakers to face inward toward the northeast direction within the complex, and all noise from any speaker or other amplified sound source shall not exceed 70 decibels as measured from any point along the north side of Heckel Road as that road exists as of September 13, 2022. Access to the sound and speaker system shall be limited to tournament play, and no speakers or other sound amplification device shall be used after the time that field lights are required to be turned off above;

(d) Shall maintain a six foot (6') privacy fence along the entire south side of the complex; and

(e) Shall not sell alcohol upon the Real Estate during any youth tournament in which the fields are fully occupied by youth players and shall not sell recreational drugs (even if it becomes legal to do so) upon the Real Estate.

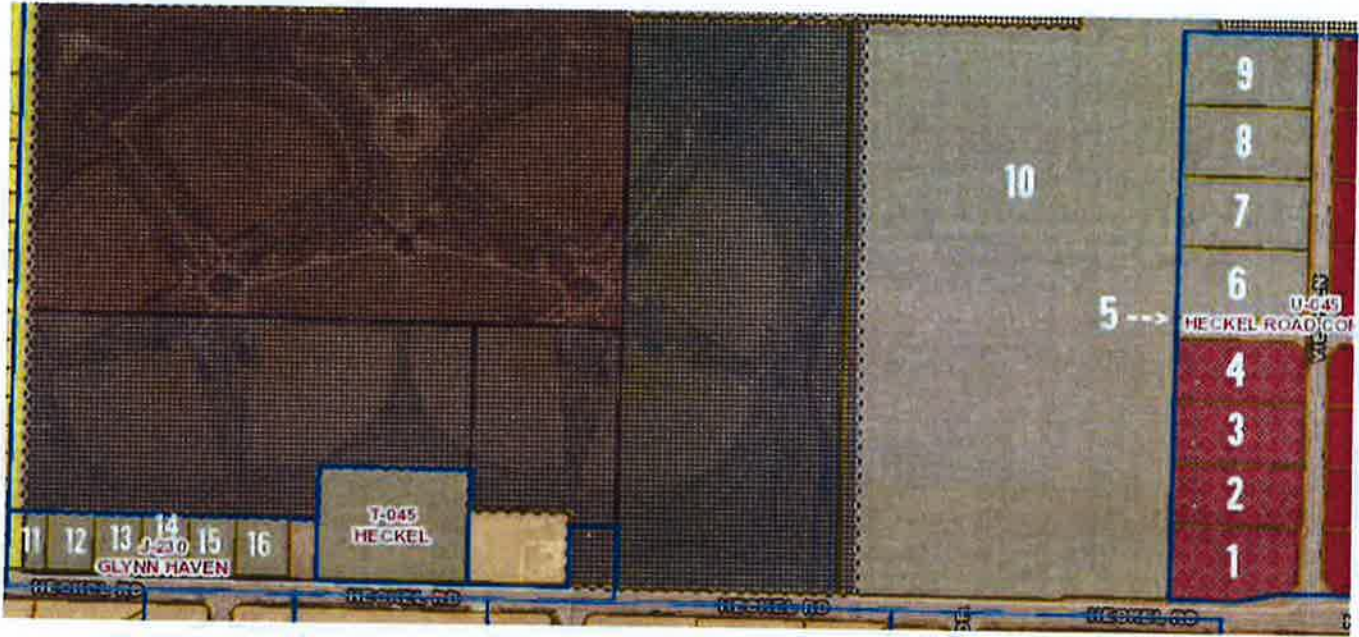
2. Enforcement. All commitments and undertakings herein expressed shall be binding upon Petitioner, its successors and assignees, and shall run in favor of the Area Plan Commission of Evansville-Vanderburgh County and all Owners of the real estate lying within the radius of one (1) mile from the Real Estate and may be enforced by any of the foregoing invoking any legal, equitable or special remedy, including specific performance, injunction or equitable relief pursuant to the manner of enforcement as set forth in 36-7-4-1015, 36-7-4-1013 and 36-7-4-1014. If it is necessary to initiate administrative or judicial proceedings to enforce any such commitment or undertaking, the





EXHIBIT "A" TO  
USE AND DEVELOPMENT COMMITMENT

AERIAL PHOTO



Map Key

Number on Map	Color on Map	Zoning Classification	Property Address
1	Purple	C-4	6316 Vieth Lane
2	Purple	C-4	6332 Vieth Lane
3	Purple	C-4	6416 Vieth Lane
4	Purple	C-4	6434 Vieth Lane
5	Green	R-3	6500 Vieth Lane
6	Green	R-3	6514 Vieth Lane
7	Green	R-3	6536 Vieth Lane
8	Green	R-3	6610 Vieth Lane
9	Green	R-3	6630 Vieth Lane
10	Green	R-3	4404 Heckel Road
11	Green	R-3	3808 Heckel Road
12	Green	R-3	3816 Heckel Road
13	Green	R-3	3824 Heckel Road
14	Green	R-3	3900 Heckel Road
15	Green	R-3	3908 Heckel Road
16	Green	R-3	3916 Heckel Road

EXHIBIT "B" TO  
USE AND DEVELOPMENT COMMITMENT

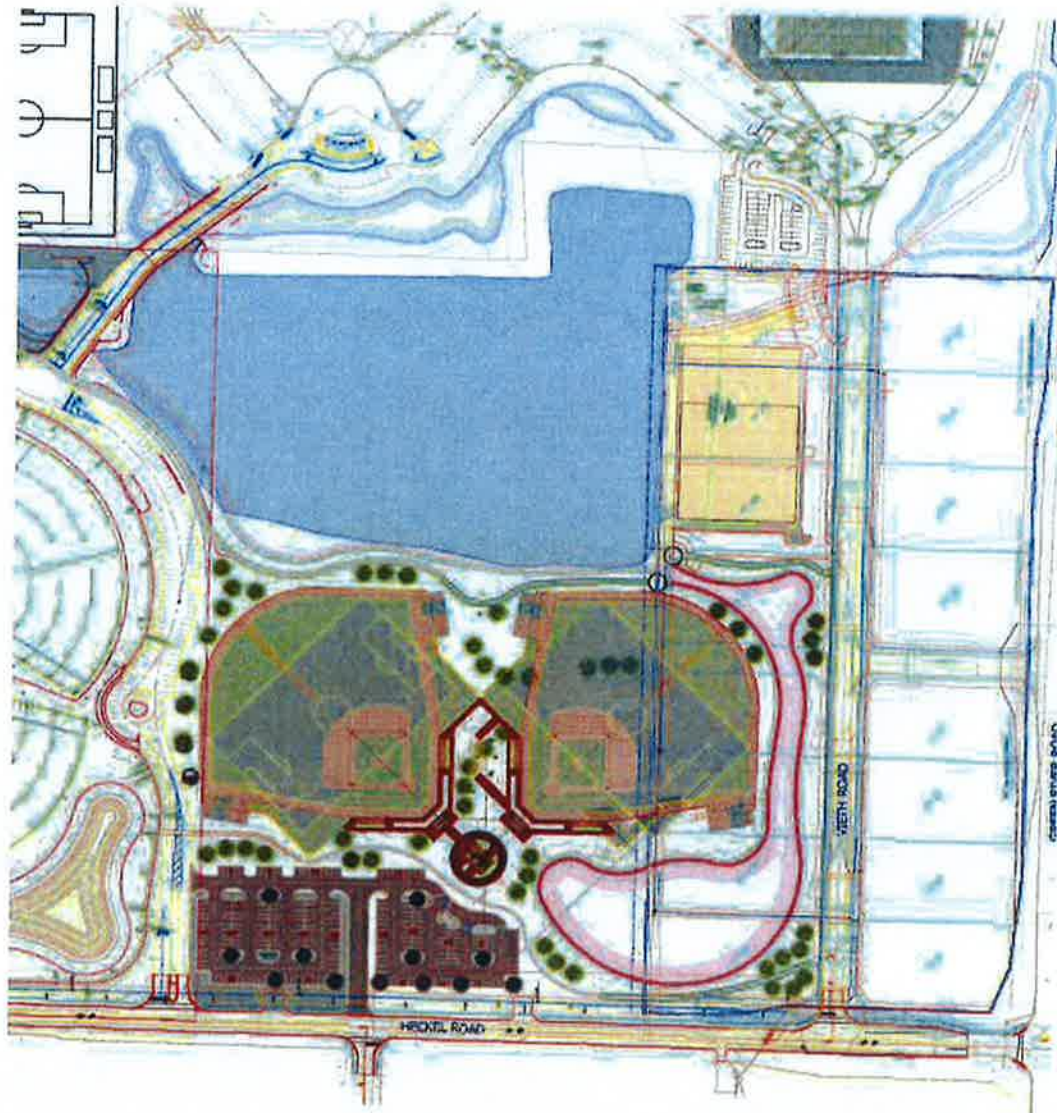


Exhibit "B" Special Use and Development

## EXHIBIT "C" to the SPECIAL USE APPLICATION

### USE AND DEVELOPMENT COMMITMENT

Evansville-Vanderburgh Convention & Visitors Commission Building Corporation is the petitioner ("Petitioner") to apply for Special Use certain real estate situated in Evansville, Vanderburgh County, Indiana, more particularly described on Exhibit "A," attached hereto and by this reference made a part hereof (the "Real Estate"); and

WHEREAS, the Real Estate is currently classified as R-1, R-3 & C-4 zoning districts under the Vanderburgh County Zoning Code and is so indicated on the zoning maps maintained by the staff of the Evansville-Vanderburgh County Area Plan Commission; and

WHEREAS, Petitioner has requested that the Real Estate be reclassified to zoning district SU-7; and

WHEREAS, Petitioner wish to accommodate possible concerns of surrounding property owners by making a written commitment concerning the use and development of the Real Estate pursuant to I.C. 36-7-4-1015;

NOW, THEREFORE, in consideration of the foregoing, Petitioner and Owner make the following use and development commitments concerning the use of the Real Estate:

1. Use. This Use and Development Commitment shall not prevent or be construed to prevent future rezoning of the Real Estate or amendment of this Use and Development Commitment in the manner provided by law.

Use of the Real Estate shall be limited to the following uses permitted in the SU-7 zoning districts, as described below effective as of the date of this Use and Development Commitment and as approved by the Vanderburgh County Area Plan Commission, and use of the Real Estate shall also include all other reasonable and necessary uses allowed in SU-7.

The Petitioner:

(a) Shall construct and maintain the improvements upon the Real Estate in a design similar to that shown in the Project Summary attached hereto as Exhibit "B". Without limitation, the Petitioner shall maintain the existing park trail, and shall allow access to neighbors each day to and from the park trail and any green space and play areas (other than the softball/baseball play fields and surrounding areas that are shown as separately fenced on Exhibit "B") on the softball and baseball complex through a man gate accessible from Heckel Road from dawn to the later of dusk or the time that the lights for the fields are turned off, provided however, that during tournaments at the Real Estate vendors and team use of the green space and park trail may limit neighbors use. Further, the parking lots shall be located to the north of the fields;

(b) Shall abide by the following as it relates to lighting:

(i) Lighting for all field areas shall be Musco Light-Structure Green with full shielding or similar lighting, but in any case, all field, parking lot area and other lighting shall be fully shielded and horizontal light trespass shall not exceed .5 foot candles along the north side of

Heckel Road as that road exists as of September 13, 2022. Internal optics and external visors shall be used on all sports lights fixtures to reduce spill and glare issues and shall be as dark-skies friendly as technologically practical;

(ii) No lighting shall be turned on more than 30 minutes prior to dusk. Field Lighting shall be turned off by 10:30 PM and all lighting shall be turned off by 11:00 PM on any night for which school is scheduled to be in session on the following day in the Evansville Vanderburgh School Corporation (or any successor that serves students in what is the Oak Hill elementary school district at the time of the filing of this Use and Development Commitment) (a "School Night"). On nights other than School Nights, field lighting shall be turned off by 11:00 PM and all lighting shall be turned off by 11:30 PM. Despite the foregoing, the following exceptions shall exist. In the event that there is a delay in a game caused by weather (other than heat and/or heat index), the lights are permitted to remain on until the earlier of the conclusion of the game or one hour after the time that the lights would otherwise be required to be turned off. The Petitioner may from time to time designate up to a total of 25 nights each year as a Permitted Late Tournament Night. Permitted Late Tournament Nights may only be on Friday or Saturday nights. During Permitted Late Tournament Nights, field lighting shall be turned off by 1:00 AM the next morning and all lighting shall be turned off by 1:30 AM the next morning. The Petitioner may also from time to time designate up to ten School Nights as Late School Nights. During Late School Nights field lighting shall be turned off by 11:00 PM and all lighting shall be turned off by 11:30 PM.

(iii) In order to keep game activity as far north as possible after dusk, during any time that field lights are permitted to be on, if at any time not all of the fields of play are required for game use, the Petitioner shall cause the fields to be taken out of play in a south to north order. When a field is not being played upon, the field lights on it shall be turned off.

(c) Shall install all stadium speakers to face inward toward the northeast direction within the complex, and all noise from any speaker or other amplified sound source shall not exceed 70 decibels as measured from any point along the north side of Heckel Road as that road exists as of September 13, 2022. Access to the sound and speaker system shall be limited to tournament play, and no speakers or other sound amplification device shall be used after the time that field lights are required to be turned off above;

(d) Shall maintain a six foot (6') privacy fence along the entire south side of the complex; and

(e) Shall not sell alcohol upon the Real Estate during any youth tournament in which the fields are fully occupied by youth players and shall not sell recreational drugs (even if it becomes legal to do so) upon the Real Estate.

2. Enforcement. All commitments and undertakings herein expressed shall be binding upon Petitioner, its successors and assignees, and shall run in favor of the Area Plan Commission of Evansville-Vanderburgh County and all Owners of the real estate lying within the radius of one (1) mile from the Real Estate and may be enforced by any of the foregoing invoking any legal, equitable or special remedy, including specific performance, injunction or equitable relief pursuant to the manner of enforcement as set forth in 36-7-4-1015, 36-7-4-1013 and 36-7-4-1014. If it is necessary to initiate administrative or judicial proceedings to enforce any such commitment or undertaking, the



person or entity obtaining enforcement in such proceedings shall also recover its reasonable attorneys' fees and costs of suit from the undersigned.

3. Recording. This Commitment shall be recorded in the office of the Recorder of Vanderburgh County, Indiana, and shall take effect upon the adoption of the zoning Classification of the Real Estate to a SU-7 District with a Use and Development Commitment.

IN WITNESS WHEREOF, this Use and Development Commitment is hereby made and entered into this \_\_ day of \_\_\_\_\_, 2022, by the Evansville-Vanderburgh City Convention & Visitors Commission.

EVANSVILLE-VANDERBURGH  
CONVENTION & VISITORS COMMISSION

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF INDIANA )  
 ) SS:  
COUNTY OF VANDERBURGH )

BEFORE ME, the undersigned, a Notary Public in and for said County and State, personally appeared the above-named \_\_\_\_\_, who acknowledged the execution of the foregoing Use and Development Commitment to be his free and voluntary act and deed.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

My County of residence is \_\_\_\_\_  
\_\_\_\_\_ County, Indiana Signature of Notary Public

My Commission expires: \_\_\_\_\_  
\_\_\_\_\_ Printed Name of Notary Public

This Instrument Prepared by: G. Michael Schopmeyer, Esq.  
Kahn, Dees, Donovan & Kahn, LLP  
501 Main Street, Suite 305  
P.O. Box 3646  
Evansville, Indiana 47735-3646  
(812) 423-3183

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. \_\_\_\_\_

EXHIBIT A TO  
USE AND DEVELOPMENT COMMITMENT

**Parcel 1: 6316 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.009-019

Lot Nine (9) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 2: 6332 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.010-019

Lot Ten (10) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 3: 6416 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.011-019

Lot Eleven (11) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 4: 6434 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.012-019

Lot Twelve (12) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 5: 6500 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-886.013-019

Lot Thirteen (13) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 6: 6514 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-886.014-019

Lot Fourteen (14) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 7: 6536 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-886.0115-019

Lot Fifteen (15) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 8: 6610 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-886.016-019

Lot Sixteen (16) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 9: 6630 Vieth Lane, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-886.017-019

Lot Seventeen (17) in Heckel Road Commercial Subdivision, as per plat thereof, recorded in Plat Book U, Page 045, in the Office of the Recorder of Vanderburgh County, Indiana.

**Parcel 10: 4404 Heckel Road, Evansville, Indiana 47725**

Tax Parcel ID#: 82-04-35-002-145.014-019

A part of the Southeast Quarter of Section 35, Township 5 South, Range 10 West, Center Township, Vanderburgh County, Indiana, and more particularly described as follows:

Commencing at the southeast corner of Section 35, Township 5 South, Range 10 West; thence North 88 degrees 56 minutes 12 seconds West 1471.92 feet along the south line of said quarter section; thence North 00 degrees 55 minutes 13 seconds East 40.00 feet to the POINT OF BEGINNING; being a point where the Owner's west line intersects the north right-of-way of Heckel Road; thence continue North 00 degrees 55 minutes 13 seconds East 1288.48 feet to a point on the north line of the Southeast Quarter of the Southeast Quarter of said section; thence South 88 degrees 53 minutes 25 seconds East 516.59 feet along said quarter quarter section line; thence North 02 degrees 29 minutes 38 seconds West 204.39 feet; thence South 87 degrees 47 minutes 47 seconds East 328.15 feet; thence South 02 degrees 11 minutes 42 seconds West 197.75 feet to a point on the north line of the Southeast Quarter of the Southeast Quarter of said section; Thence North 88 degrees 53 minutes 25 seconds West 78.25 feet along the north line of said quarter quarter section; thence South 01 degree 02 minutes 44 seconds West 1287.87 feet to a point on the north right-of-way of Heckel Road; thence North 88 degrees 56 minutes 12 seconds West 747.01 feet to the POINT OF BEGINNING.

**Parcel 11: 3808 Heckel Road, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-419.016-019

A part of Lot 6 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southeast corner of said Lot 6; thence North 88 degrees 53 minutes 12 seconds West 89.88 feet along the south line of said lot to the southwest corner of the grantors' land; thence North 1 degree 10 minutes 15 seconds East 5.85 feet along the west line of the grantors' land to point "722" designated on said Right-of-Way Parcel Plat; thence South 88 degrees 55 minutes 14 seconds East 89.89 feet to the east line of said Lot 6; thence South 1 degree 12 minutes 42 seconds West 5.90 feet along the east line of said lot to the point of beginning and containing 528 square feet, more or less.

**Parcel 12: 3816 Heckel Road, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-419.007-019

A part of Lot 7 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southwest corner of said Lot 7; thence North 1 degree 12 minutes 42 seconds East 5.90 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 105.00 feet to the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 5.96 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 105.00 feet along the south line of said lot to the point of beginning and containing 623 square feet, more or less.

**Parcel 13: 3824 Heckel Road, Evansville, Indiana 47725**

Tax Parcel ID #: 82-04-35-002-419.008-019

A part of Lot 8 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:



Beginning at the southwest corner of said Lot 8; thence North 1 degree 12 minutes 42 seconds East 5.96 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 105.00 feet to the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 6.03 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 105.00 feet along the south line of said lot to the point of beginning and containing 630 square feet, more or less.

**Parcel 14: 3900 Heckel Road, Evansville, Indiana 47725**  
Tax Parcel ID #: 82-04-35-002-419.009-019

A part of Lot 9 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southwest corner of said Lot 9; thence North 1 degree 12 minutes 42 seconds East 6.03 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 105.00 feet to the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 6.09 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 105.00 feet along the south line of said lot to the point of beginning and containing 636 square feet, more or less.

**Parcel 15: 3908 Heckel Road, Evansville, Indiana 47725**  
Tax Parcel ID #: 82-04-35-002-419.010-019

A part of Lot 10 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors' land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southwest corner of said Lot 10; thence North 1 degree 12 minutes 42 seconds East 6.09 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 105.00 feet to the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 6.15 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 105.00 feet along the south line of said lot to the point of beginning and containing 643 square feet, more or less.

**Parcel 16: 3916 Heckel Road, Evansville, Indiana 47725**  
Tax Parcel ID #: 82-04-35-002-419.011-019

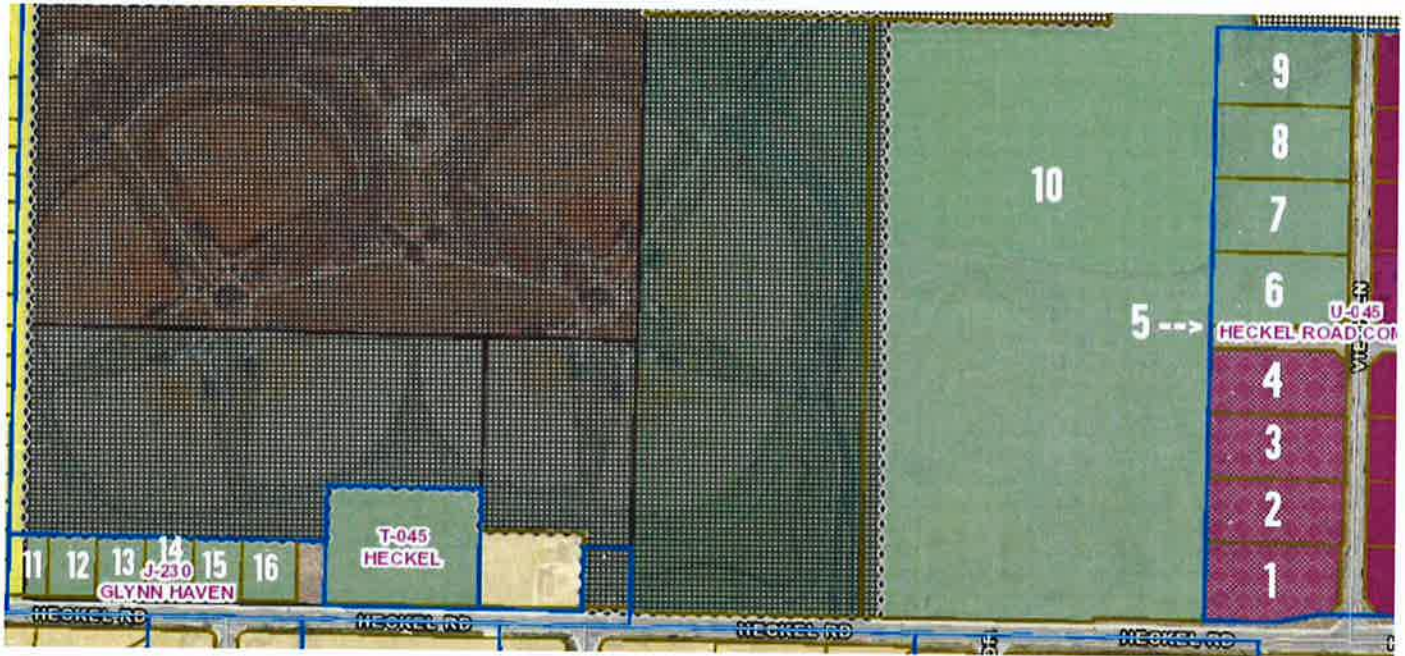
A part of Lot 11 of Glynn Haven, the plat of which is recorded in Plat Book J, page 230 in the Office of the Recorder of Vanderburgh County, Indiana, and being all that part of the grantors'

land lying within the right-of-way lines as depicted on the attached Right-of-Way Parcel Plat marked as Exhibit "B", also described as follows:

Beginning at the southwest corner of said Lot 11; thence North 1 degree 12 minutes 42 seconds East 6.15 feet along the west line of said lot; thence South 88 degrees 55 minutes 14 seconds East 120.00 feet to point "728" designated on said Right-of-Way Parcel Plat, which point is on the east line of said lot; thence South 1 degree 12 minutes 42 seconds West 6.22 feet along said east line to the southeast corner of said lot; thence North 88 degrees 53 minutes 12 seconds West 120.00 feet along the south line of said lot to the point of beginning and containing 743 square feet, more or less.

EXHIBIT "A" TO  
USE AND DEVELOPMENT COMMITMENT

AERIAL PHOTO



Map Key

Number on Map	Color on Map	Zoning Classification	Property Address
1	Purple	C-4	6316 Vieth Lane
2	Purple	C-4	6332 Vieth Lane
3	Purple	C-4	6416 Vieth Lane
4	Purple	C-4	6434 Vieth Lane
5	Green	R-3	6500 Vieth Lane
6	Green	R-3	6514 Vieth Lane
7	Green	R-3	6536 Vieth Lane
8	Green	R-3	6610 Vieth Lane
9	Green	R-3	6630 Vieth Lane
10	Green	R-3	4404 Heckel Road
11	Green	R-3	3808 Heckel Road
12	Green	R-3	3816 Heckel Road
13	Green	R-3	3824 Heckel Road
14	Green	R-3	3900 Heckel Road
15	Green	R-3	3908 Heckel Road
16	Green	R-3	3916 Heckel Road

EXHIBIT "B" TO  
USE AND DEVELOPMENT COMMITMENT

