

PETITION TO VACATE ALLEY

Comes now petitioner, Stadium Capital, LLC, an Indiana limited liability company (“Stadium”), who respectfully requests that a certain alley that is fifteen (15) feet in width and running between and contiguous with Lots 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 in Harvey’s Evergreen Plat of West Lafayette, in the City of West Lafayette, Indiana, together with any public easements therein, situated upon said real estate (the “Proposed Vacated Real Estate”) be vacated under the procedures set forth in Indiana Code 36-7-3-12 and that the proper authorities schedule a public hearing on this petition, give proper notice of said public hearing at the expense of the petitioner, and duly adopt an ordinance in the form and substance submitted herewith. The legal description of the Proposed Vacated Real Estate is marked Exhibit A, attached hereto and made a part hereof.

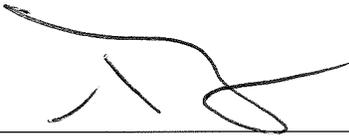
Stadium is the owner of Lots 24, 25, 26, 27 and 28 (Key Numbers 164-01400-0744; 164-01400-0755; 164-01400-0766; and 164-01400-0777) in Harvey’s Evergreen Plat of West Lafayette, in the City of West Lafayette, Indiana (“Stadium Real Estate”). Union Planters Bank, National Association, n/k/a Regions Bank (“Regions”) is the owner of Lots 20, 21, 22 and 23 (Key Numbers 164-01400-0678; 164-01400-0689; 164-01400-0690; 164-01400-0700; 164-01400-0711; 164-01400-0722; and 164-01400-0733) in Harvey’s Evergreen Plat of West Lafayette, in the City of West Lafayette, Indiana (“Regions Real Estate”). General Campus VII, LLC (“General Campus”) is the owner of Lots 18, 19 and 29 (Key Numbers 164-01400-0656; 164-01400-0667; and 164-01400-0788) in Harvey’s Evergreen Plat of West Lafayette, in the City of West Lafayette, Indiana (“General Campus Real Estate”). The proposed Vacated Real Estate, the Stadium Real Estate, the Regions Real Estate and the General Campus Real Estate, together with any public easements therein, are shown on a drawing prepared by TBird Design

Services Corporation, dated June 1, 2012, a copy of which is marked Exhibit B, attached hereto and made a part hereof (“Drawing”). Stadium desires to acquire the Regions Real Estate, the General Campus Real Estate and the Proposed Vacated Real Estate, and develop all said real estate for commercial and residential purposes pursuant to Zoning #2494, CBW to PDMX, a zoning case filed before the Area Plan Commission of Tippecanoe County, Indiana. It is further requested that the legal title to the Proposed Vacated Real Estate be transferred to Stadium, Regions and General Campus, the abutting landowners.

All of the above is requested for the good and benefit of the City of West Lafayette, Indiana.

STADIUM CAPITAL, LLC

By:



(written)

Greg Foery

(printed)

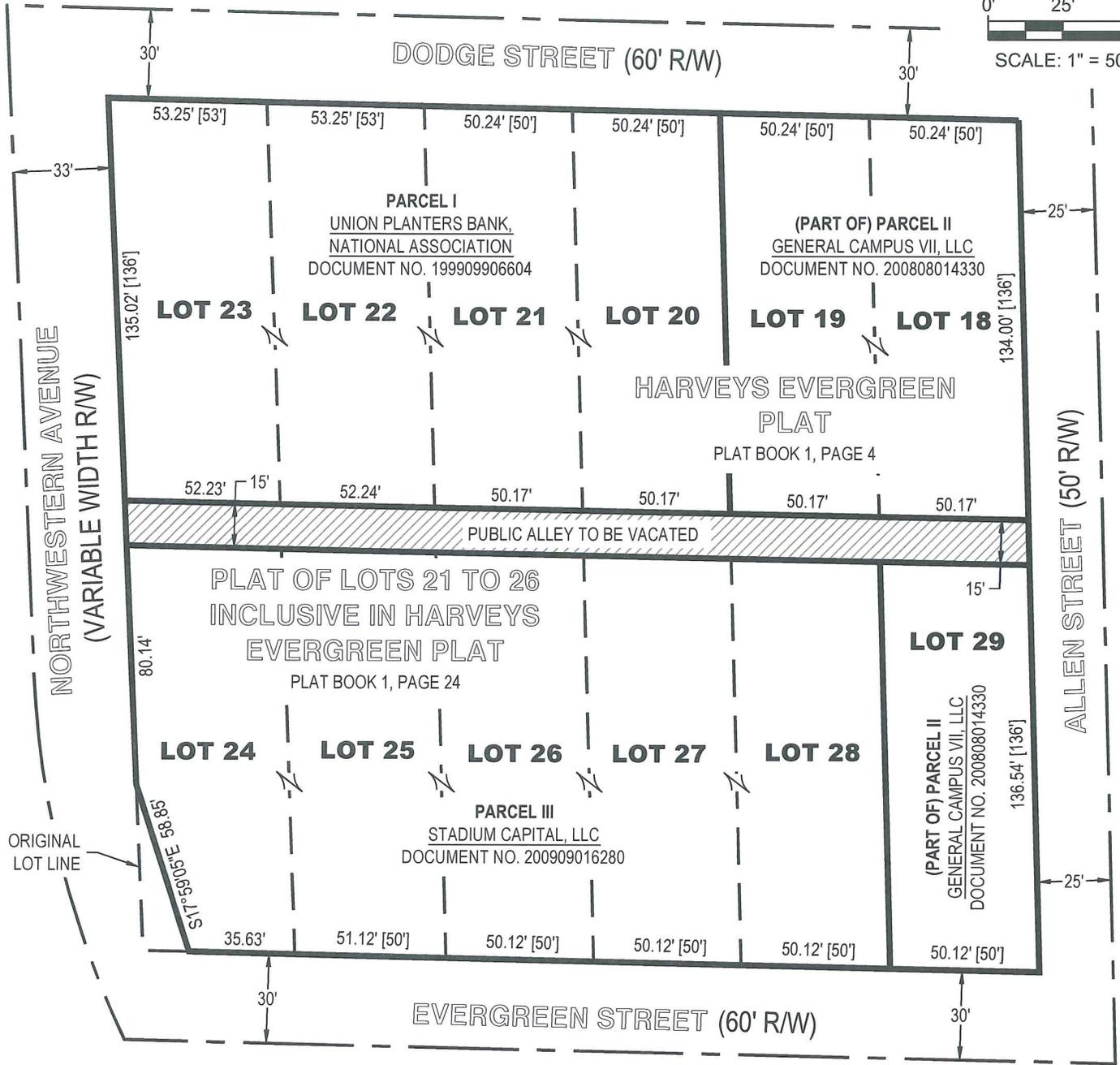
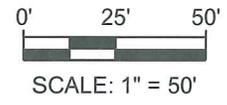
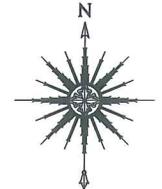
Member

EXHIBIT "A"

LEGAL DESCRIPTION – PUBLIC ALLEY VACATION

A part of the Southeast Quarter of Section 18, Township 23 North, Range 4 West, Wabash Township, Tippecanoe County, City of West Lafayette Indiana, being the 15 foot wide public alley running east and west from Northwestern Avenue to Allen Street as shown on the record plats for Harvey's Evergreen Plat recorded in Plat Book 1, Page 4 and for the Plat of Lots 21 to 26 Inclusive in Harvey's Evergreen Plat recorded in Plat Book 1, Page 24 in the Office of the Tippecanoe County Recorder, more completely described as follows:

The 15 foot wide public alley running east and west from the easterly right of way of Northwestern Avenue to the westerly right of way of Allen Street being adjacent to and southerly of Lots Numbered 18, 19, and 20 in said Harvey's Evergreen Plat and Lots Numbered 21, 22, and 23 in said Plat of Lots 21 to 26 Inclusive in Harvey's Evergreen Plat AND ALSO being adjacent to and northerly of Lots Numbered 27, 28, and 29 in said Harvey's Evergreen Plat and Lots Numbered 24, 25, and 26 in said Plat of Lots 21 to 26 Inclusive in Harvey's Evergreen Plat, containing 0.105 acres, more or less.



Tbird
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Construction Management
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EXHIBIT B

A PART OF THE SOUTHEAST QUARTER OF SECTION 18,
TOWNSHIP 23 NORTH, RANGE 4 WEST, WABASH TOWNSHIP,
TIPPECANOE COUNTY, INDIANA

PROJECT: 11038	DATE: 6/1/2012	CHECKED BY: ----	DRAWN BY: DLP	DRAWING FILE: 11038-ALLEY VACATION.DWG	SHEET: 1 of 1
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