

#REZ-2020-0044

BILL NO. Z-20-11-07

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A-11 (Sec. 14 of Aboite Township)**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated an R1 (Single
Family Residential) District under the terms of Chapter 157 Title XV of the Code of the City
of Fort Wayne, Indiana:

A tract of land located in the Southeast Quarter of Section 11, T30N, R11E, in Allen
County, the State of Indiana, more fully described as follows:

COMMENCING at a Harrison Marker situated in the Southwest corner of said
Southeast Quarter; Thence North 89 Degrees 17 Minutes 35 Seconds East (Indiana
State Plane Coordinate System East Zone-GPS Grid Basis of Bearings), a distance of
330.55 feet along the South line of said Southeast Quarter to the Southeast corner of
the tract of land described in the conveyance to The Board of Commissioners of the
County of Allen, State of Indiana in Allen County Document No. 2008058909;
Thence North 00 Degrees 41 Minutes 03 Seconds West, a distance of 73.26 feet
along the East line of said Board of Commissioners tract to a Rebar stake with cap
(FIRM 0042) in the Northwest corner of Tract 10T (Permanent Right of Way - In
Fee) as described in the Finding and Judgment for Allen Superior Court No. 3 Cause
No. 6463 (State of Indiana v Sutorius) as recorded on November 8, 1961; Thence
North 00 Degrees 41 Minutes 03 Seconds West, a distance of 586.74 feet along the
East line of the tract of land described in the conveyance to Yellow Retirement, LLC
to a Rebar stake with cap (FIRM 0042) in the Northeast corner thereof; Thence
South 89 Degrees 17 Minutes 35 Seconds West, a distance of 330.00 feet along the
North line of said Yellow Retirement tract to a Rebar stake with cap (FIRM 0042) in
the Northwest corner thereof; Thence North 00 Degrees 41 Minutes 03 Seconds
West, a distance of 362.49 feet along the East line of Heather Ridge Section I as
recorded in Allen County Document No. 780001570 to a Rebar stake with cap
(FIRM 0042); Thence North 00 Degrees 41 Minutes 03 Seconds West, a distance of
967.02 feet along the East line of said Heather Ridge Section I as recorded in Allen
County Document No. 780001570 to the Southwest corner of Lot #219 in Heather
Ridge Section II as recorded in Allen County Document No. 780015240; Thence
North 89 Degrees 12 Minutes 39 Seconds East, a distance of 1183.79 feet along the

1 South line of said Heather Ridge Section II and along the South line of Oak Borough
2 Section III as re-recorded in Allen County Document No. 870008624 to the
3 Northeast corner of a Railroad Tie corner post the Southeast corner of Block G
4 therein; Thence South 17 Degrees 29 Minutes 04 Seconds West, a distance of 8.58
5 feet along the West right-of-way line of Highway I-69 to a Rebar stake with cap
6 (FIRM 0042) in the beginning of a non-tangent circular arc; Thence Southerly, a
7 distance of 1030.42 feet along said non-tangent circular arc (also being the West
8 right-of-way line of Highway I-69) that is concave Easterly, having a radius
9 measuring 4006.53 feet, having a central angle measuring 14 Degrees 44 Minutes 08
10 Seconds, and having a long chord bearing South 16 Degrees 56 Minutes 18 Seconds
11 West and measuring 1027.59 feet to a Rebar stake with cap (FIRM 0042) in the
12 beginning of a non-tangent line; Thence North 80 Degrees 25 Minutes 46 Seconds
13 West, a distance of 84.63 feet along said non-tangent line to a Rebar stake with cap
14 (FIRM 0042); Thence South 74 Degrees 20 Minutes 24 Seconds West, a distance of
15 329.65 feet to a Rebar stake with cap (FIRM 0042); Thence North 63 Degrees 45
16 Minutes 41 Seconds West, a distance of 195.33 feet to a Rebar stake with cap (FIRM
17 0042); Thence South 89 Degrees 18 Minutes 57 Seconds West, a distance of 294.13
18 feet to the **POINT OF BEGINNING**, said tract containing 22.896 Acres, more or
19 less, and being subject to all public road rights-of-way and to all easements of
20 record. A survey of said tract being represented by Plat of Survey #30-11-14-01 as
21 prepared by D.A. Brown Engineering Consultants, Inc., 5419 County Road 427,
22 Suite C, Auburn, Indiana 46706.

23
24 and the symbols of the City of Fort Wayne Zoning Map No. A-11 (Sec. 14 of Aboite
25 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
26 Wayne, Indiana is hereby changed accordingly.

27
28 SECTION 2. If a written commitment is a condition of the Plan Commission's
29 recommendation for the adoption of the rezoning, or if a written commitment is modified and
30 approved by the Common Council as part of the zone map amendment, that written
commitment is hereby approved and is hereby incorporated by reference.

1 SECTION 3. That this Ordinance shall be in full force and effect from and after its
2 passage and approval by the Mayor.

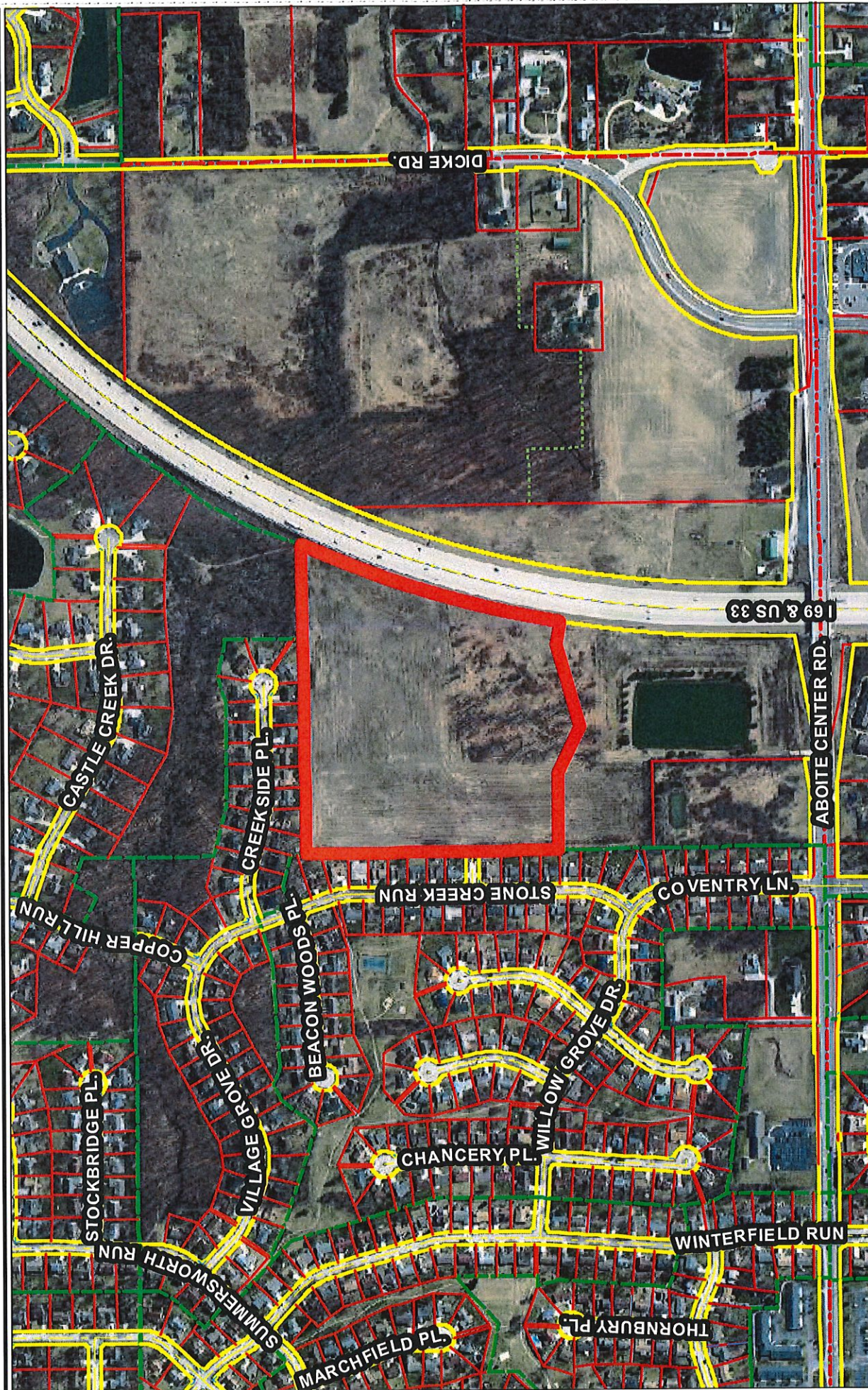
3
4 _____
Council Member

5
6 APPROVED AS TO FORM AND LEGALITY:

7 
8 _____
Carol T. Helton, City Attorney

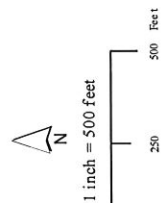


Rezoning Petition REZ-2020-0044 and Primary Plat PP-2020-0025 - Lakes at Heathers Ridge



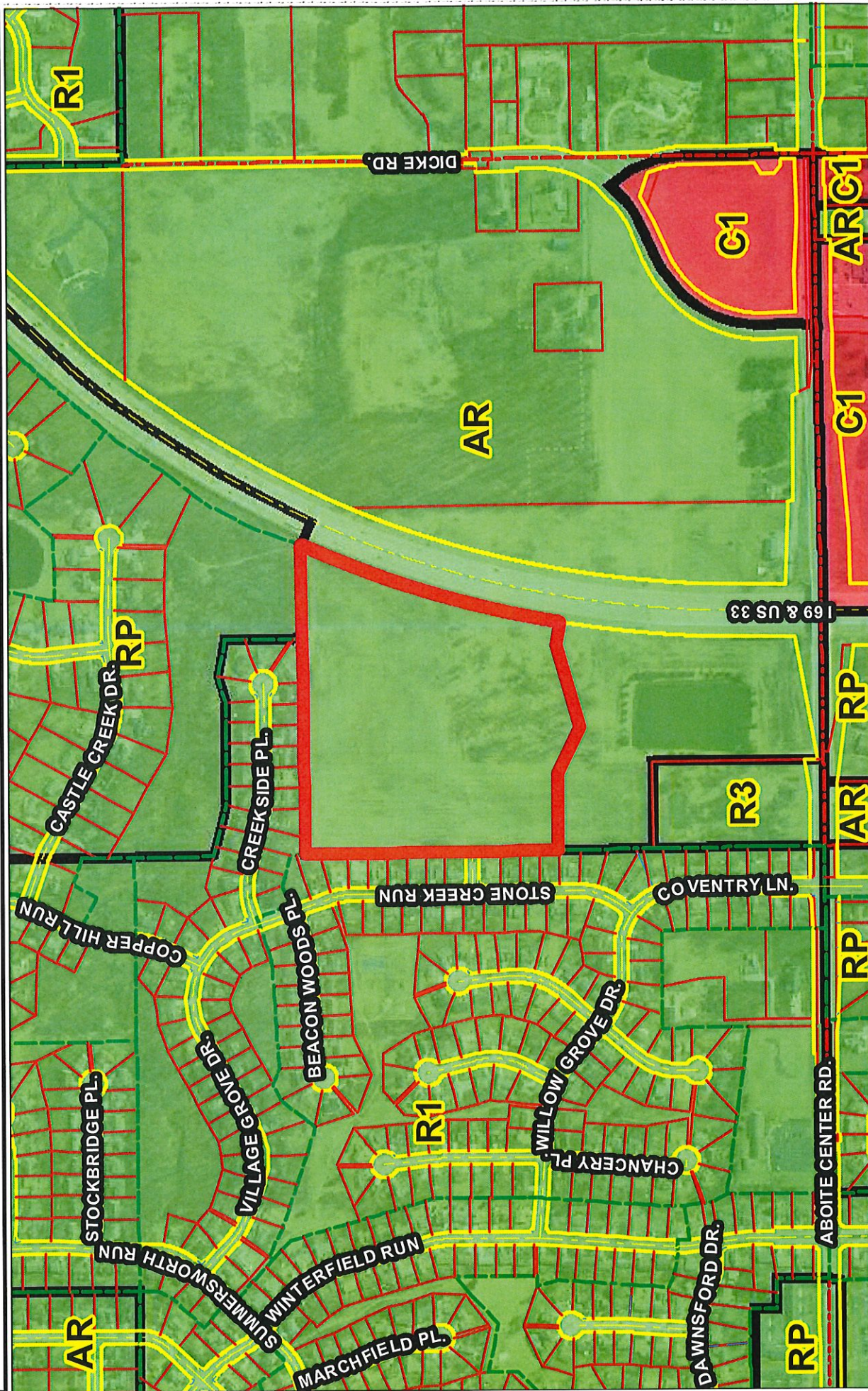
Although strict accuracy standards have been employed in the compilation of this map, the County of Allen does not warrant the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

©2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contour: Spring 2009
Date: 11/16/2020





Rezoning Petition REZ-2020-0044 and Primary Plat PP-2020-0025 - Lakes at Heathers Ridge



Although strict accuracy standards have been applied in the preparation of this map, the County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

©2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contour: Spring 2009
Date: 11/16/2020

Applicant North Eastern Development Corp
 Address 10808 LaCabreah Lane
 City Fort Wayne State IN Zip 46845
 Telephone 260-489-7950 E-mail riczehr@northeasterngroup.com

Contact Person	Contact Person	David D. Brown		
	Address	P.O. Box 389 / 5491 County Road 427		
	City	Auburn	State	IN Zip 46706
	Telephone	260-925-2020	E-mail	davidb@dabrownengineering.com

Request

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction

Address of the property 8500 Aboite Center Road, Fort Wayne, IN 46804

Present Zoning AR Proposed Zoning R1 Acreage to be rezoned 22.896 ac

Proposed density 2.14 _____ units per acre

Township name Aboite Township section # 14

Purpose of rezoning (attach additional page if necessary) To enable construction of a residential single family subdivision

Sewer provider Aqua Indiana Water provider City of Fort Wayne

Filing Requirements

- ☐ Applicable filing fee
- ☐ Applicable number of surveys showing area to be rezoned (plans must be folded)
- ☐ Legal Description of parcel to be rezoned
- ☐ Rezoning Questionnaire (original and 10 copies) County Rezonings Only

We understand and agree, upon review and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Plan Commission and its provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required Interested Parties at the rate of \$0.85 per notice and a public notice fee of \$50.00 per notice code.

North Eastern Development
Joseph L Zehner, Pres
(printed name of applicant)

X CAROL McDEVITT
(printed name of property owner)

(printed name of property owner)

x Robert McDEVITT
(printed name of property owner)

(printed name of property owner)

~~Signature of applicant~~

(signature of property owner)

Robert J. McDevitt
(signature of property owner)

(signature of property owner)

(printed name of property owner)

(signature of property owner)

(date)

10-28-20

11. 18.23

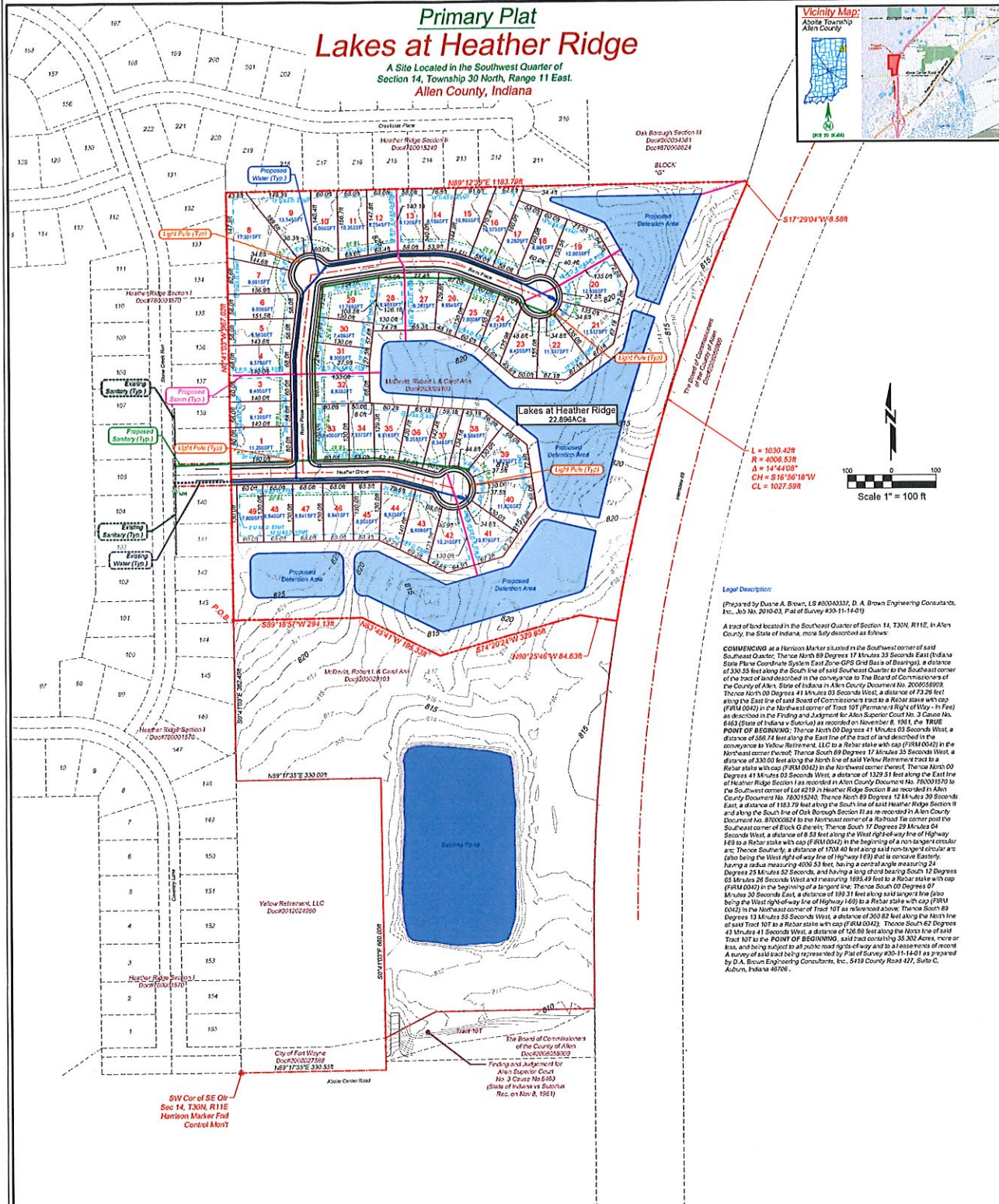
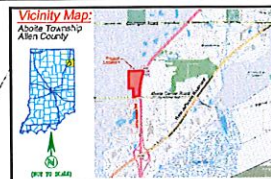
Idate)

(date)

Received 10/30/20	Receipt No 135670	Hearing Date 12-7-2020	Petition No. REZ-2020-0044
----------------------	----------------------	---------------------------	-------------------------------

Primary Plat Lakes at Heather Ridge

A Site Located in the Southwest Quarter of
Section 14, Township 30 North, Range 11 East.
Allen County, Indiana



Legal Description:
(Prepared by Duane A. Brown, LS #5004337, D.A. Brown Engineering Consultants, Inc., Job No. 2010-03, Plat of Survey 430-11-14-01)

A tract of land located in the Southwest Quarter of Section 14, T30N, R11E, in Allen County, the State of Indiana, more fully described as follows:

COMMENCE at a Harrison Marker Lined in the Southwest corner of said Southwest Quarter, Thence North 89 Degrees 17 Minutes 35 Seconds East (Indiana State Plane Coordinate System East Zone GRS Grid Basis of Bearings), a distance of 330.35 feet along the South line of said Southwest Quarter to the Southeast corner of the tract of land described in the conveyance to The Board of Commissioners of the County of Allen, State of Indiana in Allen County Document No. 200505899; Thence North 03 Degrees 41 Minutes 03 Seconds West, a distance of 73.28 feet along the East line of said Board of Commissioners tract to a Rebar stake with cap (FIRM 0042) in the Northwest corner of Tract 107 (Perrine & Right Way - In Fee) as described in the Finding and Judgment for Allen Superior Court No. 3 Cause No. 6463 (State of Indiana v. Superior) as recorded on November 8, 1991, the TRUE POINT OF BEGINNING; Thence North 00 Degrees 41 Minutes 03 Seconds West, a distance of 566.74 feet along the East line of the tract of land described in the conveyance to Yellow Retirement, LLC to a Rebar stake with cap (FIRM 0042) in the Northeast corner thereof; Thence South 69 Degrees 17 Minutes 35 Seconds West, a distance of 330.00 feet along the North line of said Yellow Retirement tract to a Rebar stake with cap (FIRM 0042) in the Northwest corner thereof; Thence North 00 Degrees 41 Minutes 03 Seconds West, a distance of 1329.51 feet along the East line of Heather Ridge Section 14 as recorded in Allen County Document No. 190001870 to the Southwest corner of Lot 219 in Heather Ridge Section 14 as recorded in Allen County Document No. 180015240; Thence North 69 Degrees 12 Minutes 39 Seconds East, a distance of 1183.79 feet along the South line of said Heather Ridge Section 14 and along the South line of Oak Borough Section 11 as re-recorded in Allen County Document No. 810000811 to the Northeast corner of a Subdivided Tract corner post the Southeast corner of Block G therein; Thence South 17 Degrees 29 Minutes 04 Seconds West, a distance of 8.54 feet along the West right-of-way line of Highway 146 to a Rebar stake with cap (FIRM 0042) in the beginning of a non-tangent circular arc; Thence South 17 Degrees 29 Minutes 04 Seconds West, a distance of 1708.40 feet along said non-tangent circular arc (also being the West right-of-way line of Highway 146) to a Rebar stake with cap (FIRM 0042) having a radius measuring 4006.53 feet, having a central angle measuring 24 Degrees 25 Minutes 52 Seconds, and having a long chord bearing South 12 Degrees 05 Minutes 26 Seconds West and measuring 1688.49 feet to a Rebar stake with cap (FIRM 0042) in the beginning of a tangent line; Thence South 00 Degrees 07 Minutes 30 Seconds East, a distance of 189.31 feet along said tangent line (also being the West right-of-way line of Highway 146) to a Rebar stake with cap (FIRM 0042) in the Northeast corner of Tract 107 as mentioned above; Thence South 69 Degrees 12 Minutes 39 Seconds West, a distance of 260.82 feet along the North line of said Tract 107 to a Rebar stake with cap (FIRM 0042); Thence South 62 Degrees 41 Minutes 41 Seconds West, a distance of 126.69 feet along the North line of said Tract 107 to the POINT OF BEGINNING; said tract containing 35.303 Acres, more or less, and being subject to all public road rights of way and to all easements of record. A survey of said tract being represented by Plat of Survey #50-11-14-01 as prepared by D.A. Brown Engineering Consultants, Inc., 5419 County Road 427, Suite C, Auburn, Indiana 46706.



- Legend**
- Existing
 - Water Line
 - Sanitary Line
 - Storm Line
 - Tree Line
 - High Tension Fence
 - Sanitary Manhole
 - Water Valve
 - Fire Hydrant
 - Proposed
 - Storm Line
 - Water Line
 - Building Line
 - Extra Line
 - Storm Pit
 - Sanitary Manhole
 - Light Pole

Note:
According to the Flood Insurance Rate Map (FIRM) Numbered 18003 C 0270G & Effective Date August 3, 2009, the herein described real estate is located in the unshaded Zone X, noted as areas determined to be outside of the 0.2% annual chance floodplain.

- General Notes:**
1. All Right-of-Way Intersection radii to be 20 feet.
 2. All Right-of-Way to be dedicated to Allen County.
 3. All Outside-Edge Right-of-Way to be 60' wide.
 4. All Park areas, Common areas, or Block areas to have a 10' wide utility and surface drainage easement.
 5. All proposed streets to be asphalt 27' wide back to back of concrete curb, Curb to be 2' wide.
 6. U.S.D. Easement, Avenue Utility and Surface Drainage Easement.
 7. B.L. denotes Building Line.
 8. Detention facilities to be wet.

Developer:
North Eastern Development Corp.
10808 LaCabraeh Lane
Fort Wayne, IN 46845
Tel: (260) 489-7950

Engineer:
DABEC
D.A. Brown Engineering Consultants
5419 County Road 427, P.O. Box 389, Auburn, IN 46706
Phone: (260) 925-2020 Fax: (260) 925-1212
www.dabecengineering.com

Revisions		Date	Description
10/20/2020	Drawn By:		
Scale:	Created By:		
As Noted			
Job No.	Sheet No.		
2010-03	1 of 1		



City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2020-0044
Bill Number: Z-20-11-07
Council District: 4-Jason Arp

Introduction Date: November 24, 2020

Plan Commission
Public Hearing Date: December 7, 2020 (not heard by Council)

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 26.9 acres from AR/Low Intensity Residential to R1/Single Family Residential.

Location: East of the 130 to 140 blocks of Stone Creek Run and west of Interstate 69, north of Aboite Center Road.

Reason for Request: To permit a 49 lot single family subdivision.

Applicant: North Eastern Development Corp.

Property Owner: Robert and Carol Ann McDevitt

Related Petitions: Primary Plat, Lakes at Heather Ridge

Effect of Passage: Property will be rezoned to the R1/Single Family Residential zoning district, which will allow the vacant property to be developed as a single family subdivision.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential and may develop with a single home or continue to be farmed.

FACT SHEET

Case #REZ-2020-0044 Bill # Z-20-11-07 Project Start: November 2020	
APPLICANT:	North Eastern Development Corp.
REQUEST:	To rezone property from AR/Low Intensity Residential to R1/Single Family Residential; and approve a primary plat for a 49-lot single family residential subdivision.
LOCATION:	The property is located to the east of Heather Ridge Section 1, south of Heather Ridge Section 2, and west of Interstate 69 (Section 14 of Aboite Township).
LAND AREA:	Approximately 22.9 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	R1/Single Family Residential
COUNCIL DISTRICT:	4-Jason Arp
ASSOCIATED PROJECT:	Primary Plat, Lakes at Heather Ridge
SPONSOR:	City of Fort Wayne Plan Commission

January 13, 2020 Public Hearing

- Two residents spoke at the hearing in support and with questions and/or requests.
- One resident spoke at the hearing with concerns and/or requests.
- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

January 13, 2020 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Ryan Neumeister and seconded by Paul Sauerteig to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

6-0 MOTION PASSED

- Tom Freistroffer, Justin Shurley and Rachel Tobin-Smith were absent.

Fact Sheet Prepared by:
Michelle B. Wood, Senior Land Use Planner
January 19, 2021

PROJECT SUMMARY

SITE HISTORY

- This property has historically been vacant.

STAFF DISCUSSION:

The applicant is proposing to rezone 22.9 acres from AR/Low Intensity Residential to R1/Single Family Residential for a 49-lot single family subdivision. The proposed rezoning parcel is located on the north side of Aboite Center Road, to the east of Heather Ridge subdivision, and west of I-69. The adjacent parcels surrounding the site to the north and west are developed subdivision lots (Heather Ridge) and zoned R1/Single Family Residential. The property is bordered by I-69 to the east and the ground beyond that is vacant and zoned AR/Low Intensity Residential. The ground to the south is AR/Low Intensity Residential and R3/Multiple Family Residential and is vacant.

The proposed zoning district can be supported by the Comprehensive Plan in that it will offer infill development and investment in the area. The single-family residential proposal will be compatible with surrounding land uses and provide additional living options within proximity to retail and services in the area. The comprehensive plan supports this development through the following objectives:

LU1. Encourage carefully planned growth by utilizing the conceptual development map as part of the community's land use decision-making process;

LU3. Use land resources efficiently by encouraging new development, revitalization and redevelopment in areas already served by infrastructure;

LU5. Encourage sustainable growth and quality development, revitalization and redevelopment by increasing and enhancing connectivity;

LU8. Use land resources efficiently by encouraging compact development alternatives in infill areas where utilities and other infrastructure currently exist.

The proposed plat will consist of 49 single family detached lots with lots sizes ranging from 7,500 square feet to 12,500 square feet and lot widths from 52 feet to 80 feet in width. Access to the site will be from an existing stub street from Heather Ridge to the west. Building setbacks are 25-foot front yards, 25-foot rear yards and 5-foot side yards.

Stormwater detention is proposed in a series of basins along the east and around the south side of the plat and will be developed in accordance with the requirements of the Stormwater Engineering Department. Sidewalks are proposed on both sides of the public streets and will connect to the existing walks on the stub street in Heather Ridge. Site lighting is provided and will meet the requirements of the Ordinance and will be typical of subdivision lighting with poles at intersections and at the ends of the cul-de-sacs.

All development standards for plats are being met with this proposed plat.

PUBLIC HEARING SUMMARY:

Presenter: Ric Zehr, North Eastern Development Corp, presented the proposal as outlined above.

Public Comments:

Vita McCray, 8604 Creekside Place – Pleased with sidewalk plan. Questions whether INDOT sound barrier will be continued.

Janet Bloomingdale, 8505 Creekside Place – not completely opposed. Concerns about: property values, drainage, noise, traffic, common area, builders, deer, and would like a buffer between properties.

Yvette Kleven, 3502 Stone Creek Run – In favor of rezoning. Would like to buffer area between properties. Concerned about traffic and drainage.

Rebuttal:

New construction will be a plus to property values in the area. Drainage will be handled on site and no new water will be directed toward the neighborhood. There will not be a buffer between subdivisions. This is not required or typical. Dues will be collected for a separate association for Lakes at Heather Ridge. INDOT would have to decide whether to continue the sound barrier.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

Rezoning Petition REZ-2020-0044

APPLICANT:	North Eastern Development Corp.
REQUEST:	To rezone property from AR/Low Intensity Residential to R1/Single Family Residential for a 49-lot single family residential subdivision.
LOCATION:	The property is located to the east of Heather Ridge Section 1, south of Heather Ridge Section 2, and west of Interstate 69 (Section 14 of Aboite Township).
LAND AREA:	Approximately 22.9 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	R1/Single Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2020-0044, be returned to Council with a "Do Pass" recommendation after considering the following:

1. Approval of the rezoning request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area. The general area has seen a mixture of land developments including medical, multiple family residential, and single-family residential land uses. This proposal will provide infill development using existing infrastructure.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. Site plan review from the Plan Commission, reviewing departments and staff will ensure a compatible development that complements the neighborhood. There is a mixture of residential uses in the area with multiple-family developments just south of this site on Aboite Center Road.
3. Approval is consistent with the preservation of property values in the area. This proposal provides another housing choice for residents who choose to live in the southwest community. The proposed lots are compatible with the adjacent subdivision lots.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Review by City engineering departments indicates that the site can be developed for residential uses. The development will use existing utilities and a stub street.

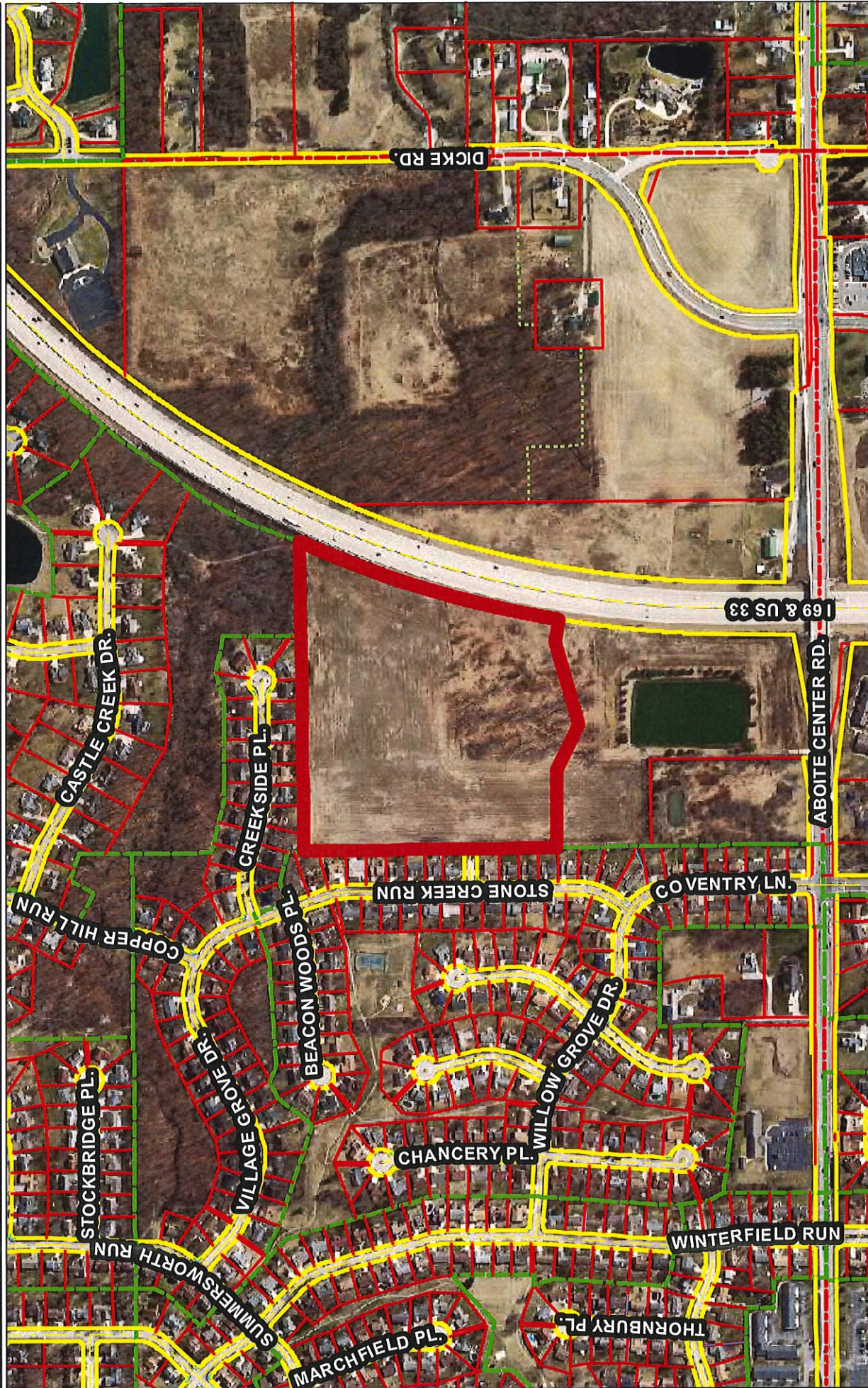
These findings approved by the Fort Wayne Plan Commission on January 13, 2021.



Kimberly R. Bowman, AICP
Executive Director
Secretary to the Commission

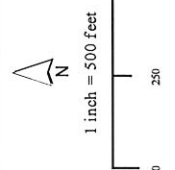


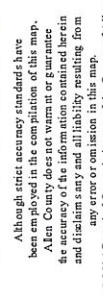
Rezoning Petition REZ-2020-0044 and Primary Plat PP-2020-0025 - Lakes at Heathers Ridge



Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983
Shoreline Contour System
Photos and Contour Survey 2019
Date: 11/16/2020





© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/16/2020

Department of Planning Services
Rezoning Petition Application

Applicant North Eastern Development Corp
Address 10808 LaCabreah Lane
City Fort Wayne State IN Zip 46845
Telephone 260-489-7950 E-mail riczehr@northeasterngroup.com

Contact Person David D. Brown
Address P.O. Box 389 / 5491 County Road 427
City Auburn State IN Zip 46706
Telephone 260-925-2020 E-mail davidb@dabrownengineering.com

All staff correspondence will be sent only to the designated contact person.

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property 8500 Aboite Center Road, Fort Wayne, IN 46804
Present Zoning AR Proposed Zoning R1 Acreage to be rezoned 22.896 ac
Proposed density 2.14 units per acre
Township name Aboite Township section # 14
Purpose of rezoning (attach additional page if necessary) To enable construction of a residential single family subdivision
Sewer provider Aqua Indiana Water provider City of Fort Wayne

Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.

- Filing Requirements
- ☐ Applicable filing fee
 - ☐ Applicable number of surveys showing area to be rezoned (plans must be folded)
 - ☐ Legal Description of parcel to be rezoned
 - ☐ Rezoning Questionnaire (original and 10 copies) (County Rezoning Only)

I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Planning Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested parties at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

NORTH EASTERN DEVELOPMENT
JOSEPH L ZEHNER, PRES
(printed name of applicant)

(signature of applicant)

(date)

X CAROL McDEVITT
(printed name of property owner)

(signature of property owner)

(date)

Robert McDevitt
(printed name of property owner)

(signature of property owner)

(date)

(printed name of property owner)

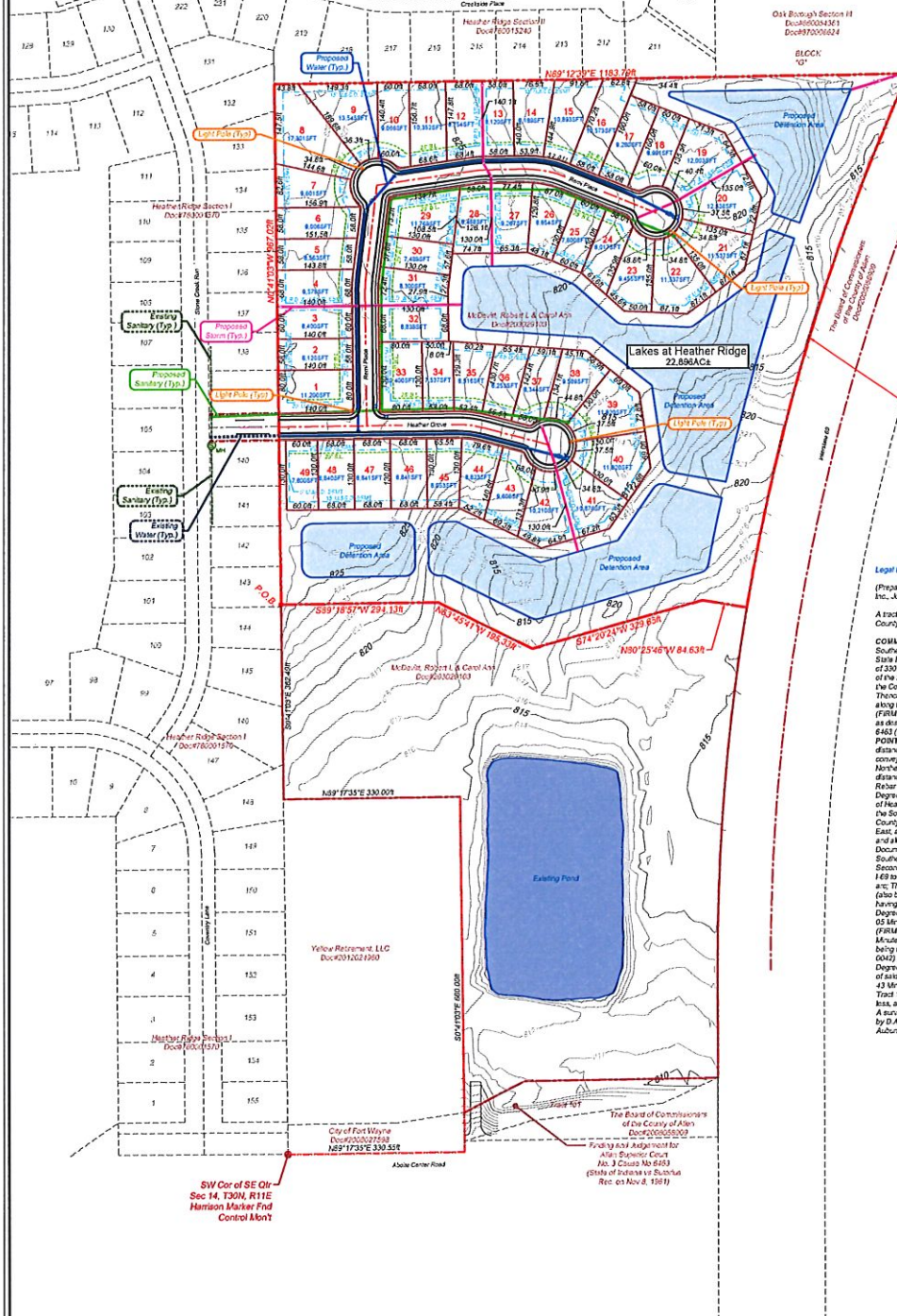
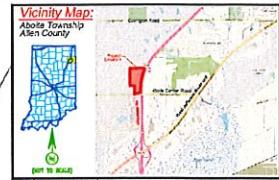
(signature of property owner)

(date)

Received	Receipt No	Hearing Date	Petition No.
<u>10/30/20</u>	<u>135670</u>	<u>12-7-2020</u>	<u>REZ-2020-0044</u>

Primary Plat Lakes at Heather Ridge

A Site Located in the Southwest Quarter of
Section 14, Township 30 North, Range 11 East,
Allen County, Indiana



L = 1030.429
R = 4006.538
Δ = 14°44'09"
CH = S16°36'18"W
CL = 1027.598

Legal Description:
(Prepared by Duane A. Brown, ES #0000337, D. A. Brown Engineering Consultants, Inc., July 16, 2010-03, Plat of Survey #20-11-14-01)

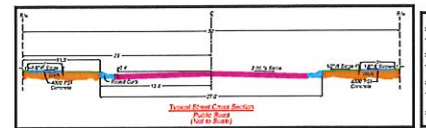
A tract of land located in the Southwest Quarter of Section 14, T30N, R11E, in Allen County, the State of Indiana, more fully described as follows:

COMMENCING at a Harrison Marker situated in the Southwest corner of said Southeast Quarter, Thence North 89 Degrees 17 Minutes 35 Seconds East (Indiana State Plane Coordinate System East Zone GCS Civil Data of Bearings), a distance of 330.55 feet along the South line of said Southeast Quarter to the Southeast corner of the tract of land described in the conveyance to The Board of Commissioners of the County of Allen, State of Indiana in Allen County Document No. 200505000, Thence North 00 Degrees 03 Minutes 03 Seconds West, a distance of 73.26 feet along the East line of said Board of Commissioners' tract to a Rebar stake with cap (FRM 0042) in the Northwest corner of Tract 107 (Premises Right of Way - in Fee) as described in the Finding and Judgment for Allen Superior Court No. 3 Cause No. 6463 (State of Indiana v. Superior) as recorded on November 1, 1981, the TRUE POINT OF BEGINNING; Thence North 00 Degrees 41 Minutes 03 Seconds West, a distance of 566.71 feet along the East line of the tract and described in the conveyance to Yellow Retirement, LLC to a Rebar stake with cap (FRM 0042) in the Northeast corner thereof; Thence South 89 Degrees 17 Minutes 35 Seconds West, a distance of 330.55 feet along the North line of said Yellow Retirement tract to a Rebar stake with cap (FRM 0042) in the Northwest corner thereof; Thence North 00 Degrees 41 Minutes 03 Seconds West, a distance of 1320.51 feet along the East line of Heather Ridge Section I as recorded in Allen County Document No. 780001579 to the Southwest corner of Lot 4219 in Heather Ridge Section II as recorded in Allen County Document No. 780015240, Thence North 89 Degrees 17 Minutes 35 Seconds East, a distance of 1183.79 feet along the South line of said Heather Ridge Section II and along the South line of Oak Branch Section II as recorded in Allen County Document No. 470000602 to the Northeast corner of a Railroad Tract corner post in the Southeast corner of Block G therein; Thence South 17 Degrees 29 Minutes 04 Seconds West, a distance of 6.58 feet along the West right-of-way line of Highway 148 to a Rebar stake with cap (FRM 0042) in the beginning of a non-tangent circular arc; Thence South 17 Degrees 29 Minutes 04 Seconds West, a distance of 1700.40 feet along said non-tangent circular arc (after being the West right-of-way line of Highway 148) to a Rebar stake with cap (FRM 0042) in the beginning of a tangent line; Thence South 00 Degrees 07 Minutes 30 Seconds East, a distance of 193.31 feet along said tangent line (also being the West right-of-way line of Highway 148) to a Rebar stake with cap (FRM 0042) in the Northeast corner of Tract 107 as referenced above; Thence South 89 Degrees 13 Minutes 55 Seconds West, a distance of 350.82 feet along the North line of said Tract 107 to a Rebar stake with cap (FRM 0042); Thence South 82 Degrees 41 Minutes 41 Seconds West, a distance of 106.66 feet along the North line of said Tract 107 to the POINT OF BEGINNING, said tract containing 28.302 Acres, more or less, and being subject to all public road right-of-way and to all easements of record. A survey of said tract being represented by Plat of Survey #20-11-14-01 as prepared by D.A. Brown Engineering Consultants, Inc., #119 County Road 427, Suite C, Auburn, Indiana 46706.



Note:
According to the Flood Insurance Rate Map (FIRM) Numbered 18003 C 0270G & Effective Date August 3, 2003, the herein described real estate is located in the unshaded Zone X, noted as areas determined to be outside of the 0.2% annual chance floodplain.

- General Notes:**
1. All Right-of-Way Intersection radii to be 20 feet.
 2. All Right-of-Way to be dedicated to Allen County.
 3. All Curb & Right-of-Way to be 50' radius.
 4. All Park areas, Common areas, or Block areas to have a blanket utility and surface drainage easement.
 5. All proposed streets to be asphalt, 27' wide back to back of easement curbs. Curb to be 2' wide.
 6. U.S.D. Erosion denotes Utility and Surface Drainage Easement.
 7. B.L. denotes Building Line.
 8. Detention facilities to be wet.



Developer:
North Eastern Development Corp.
10808 LaCabra Lane
Fort Wayne, IN 46845
Tel: (260) 489-7950

Engineer:
DABEC
D.A. Brown Engineering Consultants
5491 County Road 427, P.O. Box 399, Auburn, IN 46706
Phone: (260) 925-1200 Fax: (260) 925-1212
www.dabrownengineering.com

Revisions		Revisions	
Date	Drawn By	Date	Description
10/20/2020			
	Checked By		
As Noted			
Job No.	Sheet No.		
2010-03	1 of 1		