

1 **#REZ-2022-0043**

2 **BILL NO. Z-22-08-14**

3
4 **ZONING MAP ORDINANCE NO. Z-_____**

5 **AN ORDINANCE amending the City of Fort Wayne**
6 **Zoning Map No. J-07 (Sec. 15 of Wayne Township)**

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

9 SECTION 1. That the area described as follows is hereby designated a C3 (General
10 Commercial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
11 Wayne, Indiana:

12 203118415:
13 LOTS 93 AND 94 IN RIVERSIDE TERRACE ADDITION TO THE CITY OF FORT WAYNE, ALSO THE
14 EAST HALF OF THE VACATED STREET LYING ADJACENT TO AND WEST OF SAID LOT 94.
15 TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 30
16 NORTH, RANGE 12 EAST, SITUATED IN FORT WAYNE, INDIANA, BEING DESCRIBED AS
17 FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF KINSMOOR AVENUE AND
18 PIEDMONT AVENUE IN THE CITY OF FORT WAYNE; THENCE WEST ALONG THE SOUTH LINE
19 OF KINSMOOR AVENUE, A DISTANCE OF 187 FEET; THENCE SOUTH PARALLEL TO THE WEST
20 LINE OF KINSMOOR AVENUE, A DISTANCE OF 256 FEET TO A POINT ON THE NORTH LINE OF
21 NUTTMAN AVENUE; THENCE EAST ALONG THE NORTH LINE OF NUTTMAN AVENUE, A
22 DISTANCE OF 187 FEET TO THE NORTHWEST CORNER OF NUTTMAN AVENUE AND
23 PIEDMONT AVENUE; THENCE NORTH ALONG THE WEST LINE OF NUTTMAN AVENUE A
24 DISTANCE OF 256 FEET TO THE POINT OF BEGINNING, SAID IN PREVIOUS DEED TO CONTAIN
25 1.07 ACRES OF LAND, MORE OR LESS, TOGETHER WITH THE WEST HALF OF VACATED
26 PIEDMONT AVENUE ADJOINING SAID PARCEL ON THE EAST.

27 and the symbols of the City of Fort Wayne Zoning Map No. J-07 (Sec. 15 of Wayne
28 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
29 Wayne, Indiana is hereby changed accordingly.

30 SECTION 2. If a written commitment is a condition of the Plan Commission's
 recommendation for the adoption of the rezoning, or if a written commitment is modified and
 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
2 SECTION 3. That this Ordinance shall be in full force and effect from and after its
3 passage and approval by the Mayor.
4

5 _____
Council Member

6 APPROVED AS TO FORM AND LEGALITY:
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8 _____
Malak Heiny, City Attorney
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City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2022-0043
Bill Number: Z-22-08-14
Council District: 4-Jason Arp

Introduction Date: August 23, 2022

Plan Commission
Public Hearing Date: September 12, 2022 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 0.44 acres from R1/Single Family Residential to C3/General Commercial.

Location: Lots 93 and 94 of Riverside Terrace Addition, and 1810 Nuttman Avenue (Lot 92)

Reason for Request: To allow for the expansion of surface parking for the Clyde Theatre, along with the property at 1833 Kinsmoor Avenue.

Applicant: Sweet Real Estate, LLC

Property Owner: Sweet Real Estate, LLC

Related Petitions: Special Use Approval from the Board of Zoning Appeals for a parking lot adjacent to residential

Effect of Passage: Property will be rezoned to the C3/General Commercial district, which, with a Special Use Approval, will allow for an expansion of surface parking.

Effect of Non-Passage: The property will remain zoned R1/Single Family Residential, which would not permit a parking lot for commercial uses.

**Department of Planning Services
Rezoning Petition Application**

Applicant
Applicant Sweet Real Estate, LLC
Address 7100 W. Jefferson Blvd.
City Fort Wayne State IN Zip 46804
Telephone 260-432-0370 E-mail jerry.noble@surack.com

Contact Person
Contact Person Andrew Boxberger
Address 301 W. Jefferson Blvd. Suite 200
City Fort Wayne State IN Zip 46802
Telephone 260-423-9411 E-mail aboxberger@carsonllp.com

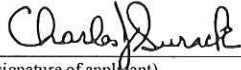
All staff correspondence will be sent only to the designated contact person.

Request
☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction
Address of the property Lots 93 & 94 Riverside Terrace Add. and 1810 Nuttman Ave.
Present Zoning R1 Proposed Zoning C3 Acreage to be rezoned .44
Proposed density NA units per acre
Township name Wayne Township section # 15
Purpose of rezoning (attach additional page if necessary) To create conformity with adjacent owned by applicant which is zoned C3, and to facilitate permissible off-site parking a special use approval from BZA in conjunction with the use of the adjacent parcel.
Sewer provider NA Water provider NA

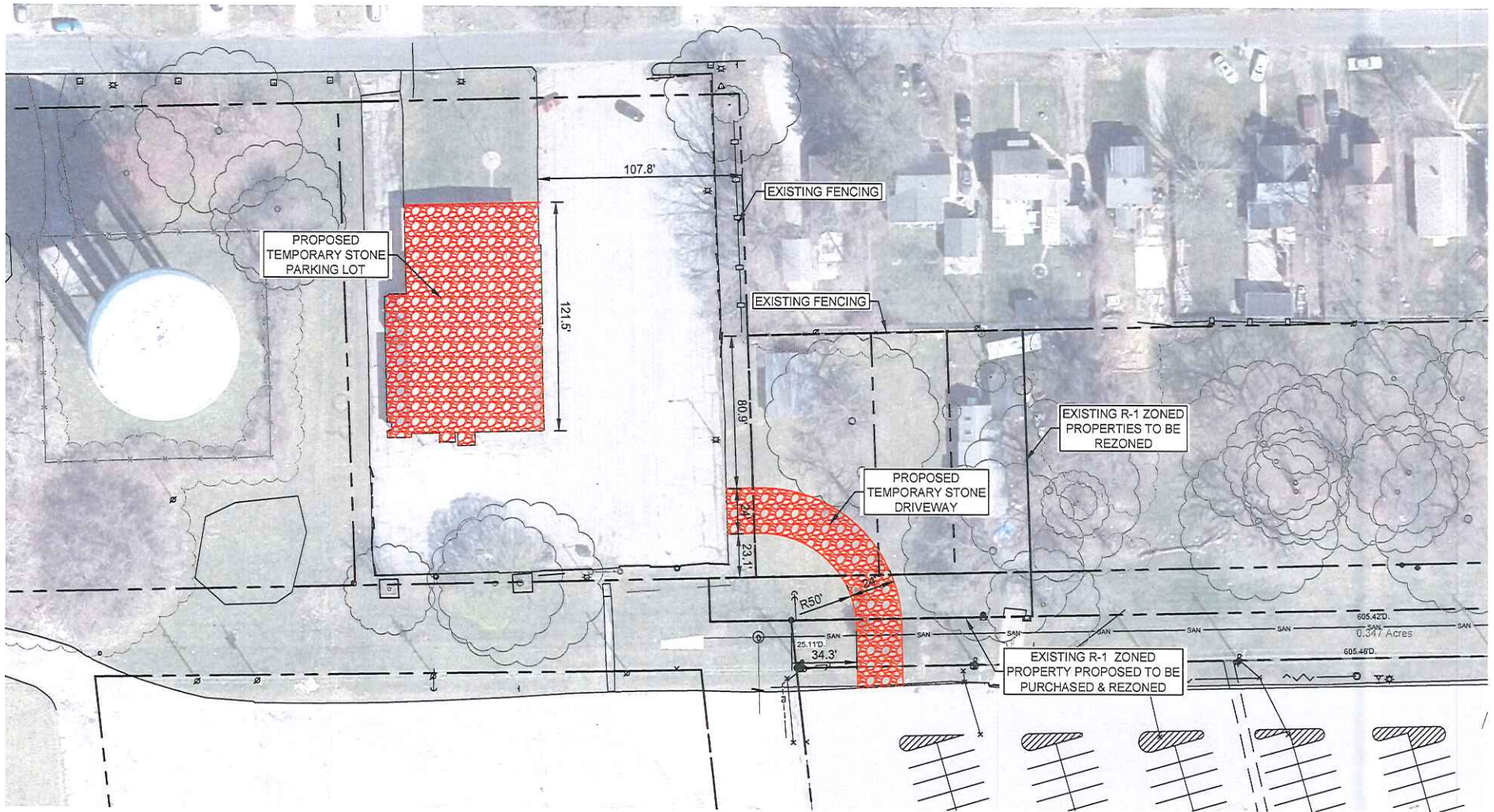
Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.

- ☒ 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 Plan 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 persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

Charles Surack, Manager		8/2/22
(printed name of applicant)	(signature of applicant)	(date)
Charles Surack, Manager		8/2/22
(printed name of property owner)	(signature of property owner)	(date)
(printed name of property owner)	(signature of property owner)	(date)
(printed name of property owner)	(signature of property owner)	(date)

Received 8/2/22	Receipt No. 141065	Hearing Date 9-12-22	Petition No. REZ-2022-0049
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Quimby Village Parking Lot Improvements

08/01/2022



Proposed Site Plan

SCALE: 1" = 30'

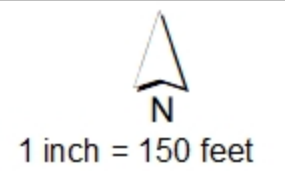
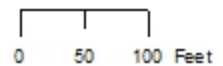
**ENGINEERING
RESOURCES, INC.**

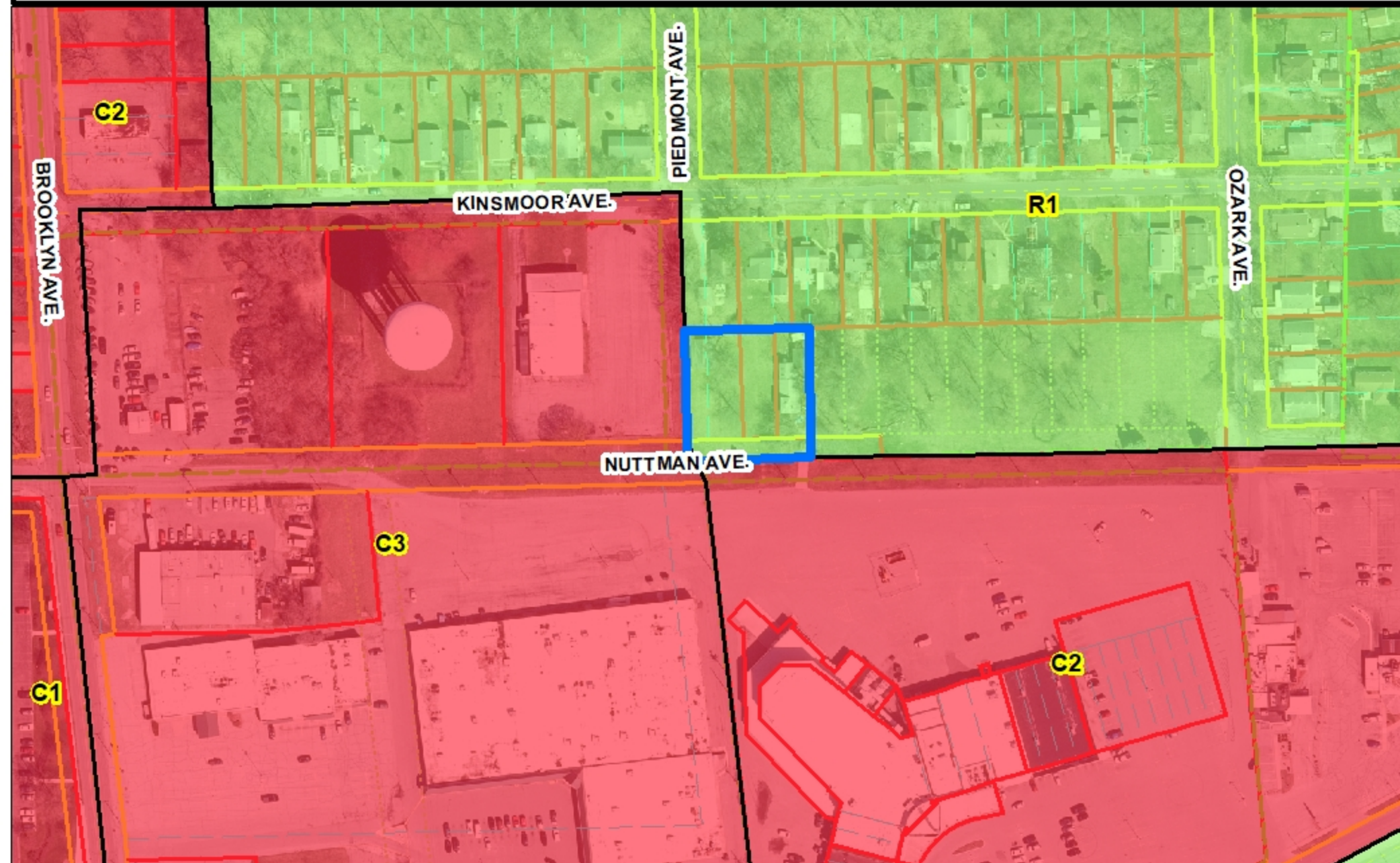
4175 New Vision Dr., Fort Wayne, IN 46845
Ph: (260) 490-1025 Fax: (260) 490-1026
www.eri.consulting



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.

© 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: 8/17/2022





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© 2004 Board of Commissioners of the County of Allen
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Photos and Contours: Spring 2009
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0 50 100 Feet



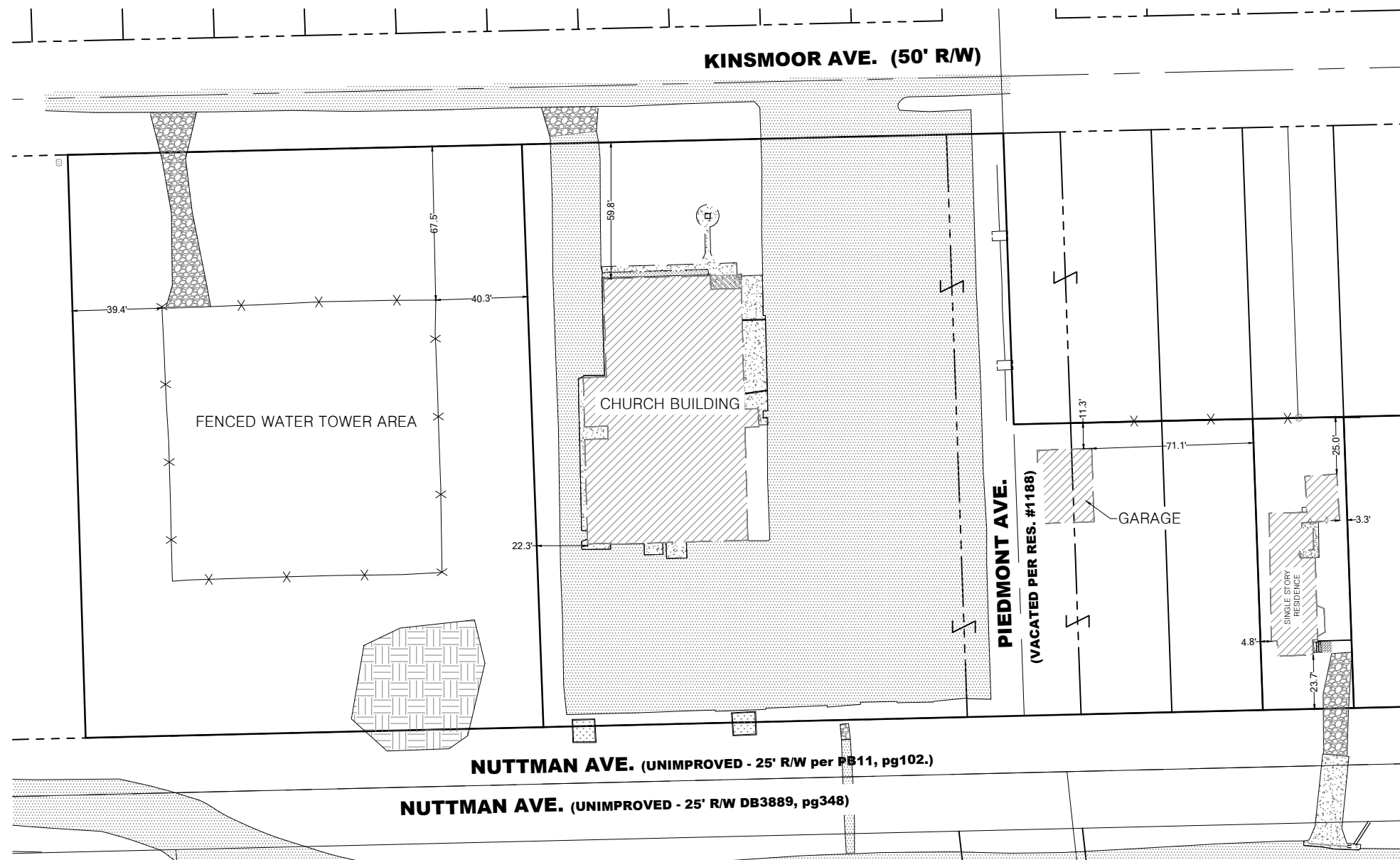
1 inch = 150 feet

MONUMENT LEGEND

- "A" - 5/8" REBAR WITH BERTSCH-FRANK IDENTIFICATION CAP SET FLUSH.
"B" - 5/8" REBAR WITH ANDERSON ID FOUND 0.4' BELOW GRADE; 0.3' EAST & 0.2' SOUTH OF ESTABLISHED CORNER.
"C" - 5/8" REBAR FOUND 0.3' BELOW GRADE; 0.7' WEST & 0.1' NORTH OF ESTABLISHED CORNER.
"D" - 5/8" REBAR FOUND 0.2' BELOW GRADE; 0.3' NORTH OF ESTABLISHED LINE.
"E" - 5/8" REBAR IN CONCRETE FOUND 0.4' BELOW GRADE; 0.3' NORTH OF ESTABLISHED LINE.
"F" - 5/8" REBAR FOUND 0.2' BELOW GRADE; 0.3' NORTH OF ESTABLISHED LINE.
"G" - 5/8" REBAR FOUND 0.2' BELOW GRADE; 0.3' NORTH OF ESTABLISHED LINE.
"H" - 5/8" REBAR IN CONCRETE FOUND 0.3' BELOW GRADE; 0.5' NORTH OF ESTABLISHED LINE.
"I" - 5/8" REBAR FOUND 0.8' BELOW GRADE; 0.5' NORTH OF ESTABLISHED LINE.
"J" - 1" PIPE FOUND 0.8' BELOW GRADE; 0.5' WEST & 0.6' SOUTH OF ESTABLISHED CORNER.
"K" - 5/8" REBAR FOUND 0.4' BELOW GRADE; 0.2' SOUTH OF ESTABLISHED LINE.
"L" - 1/2" REBAR FOUND FLUSH; 0.8' NORTH OF ESTABLISHED LINE.
"M" - 1/2" REBAR FOUND 0.3' BELOW GRADE; 1.1' SOUTH OF ESTABLISHED LINE.
"N" - 5/8" REBAR WITH ANDERSON ID FOUND FLUSH; 1.1' SOUTH OF ESTABLISHED LINE.
"O" - 5/8" REBAR WITH ANDERSON ID FOUND FLUSH; 0.9' NORTH OF ESTABLISHED LINE.
"P" - 5/8" REBAR WITH KARST ID FOUND FLUSH 0.3' NORTH OF ESTABLISHED LINE.
"Q" - 1/2" REBAR FOUND 0.5' BELOW GRADE; 0.8' NORTH OF ESTABLISHED LINE.
"R" - 1/2" REBAR IN CONCRETE FOUND FLUSH; IN AGREEMENT WITH ESTABLISHED CORNER.
"S" - 5/8" REBAR FOUND 0.1' BELOW GRADE; 0.1' WEST & 0.3' NORTH OF ESTABLISHED CORNER.
"T" - 1/2" REBAR IN CONCRETE FOUND FLUSH; IN AGREEMENT WITH ESTABLISHED CORNER.
"U" - 1/2" REBAR FOUND 0.1' BELOW GRADE; 0.8' WEST & 0.5' SOUTH OF ESTABLISHED CORNER.
"V" - 5/8" REBAR FOUND 0.1' BELOW GRADE; 0.1' WEST & 0.3' NORTH OF ESTABLISHED CORNER.
"W" - 5/8" REBAR WITH PC50920011 ID FOUND 0.4' BELOW GRADE; 0.1' WEST & 0.2' SOUTH OF ESTABLISHED CORNER.
"X" - 1/2" REBAR FOUND FLUSH; IN AGREEMENT WITH ESTABLISHED CORNER.
"Y" - 5/8" REBAR FOUND FLUSH; 0.1' EAST & 0.1' NORTH OF ESTABLISHED CORNER.
"Z" - 1/2" REBAR FOUND 0.4' BELOW GRADE; 0.3' EAST & 0.5' NORTH OF ESTABLISHED CORNER.
"AA" - 1" PIPE FOUND 0.3' BELOW GRADE; 0.4' NORTH OF ESTABLISHED LINE.
"BB" - 5/8" REBAR FOUND 0.2' BELOW GRADE; 0.4' NORTH OF ESTABLISHED LINE.
"CC" - 5/8" REBAR FOUND 0.2' BELOW GRADE; 0.4' NORTH OF ESTABLISHED LINE.
"DD" - 1" PIPE FOUND 0.4' BELOW GRADE; 0.2' NORTH OF ESTABLISHED LINE.
"EE" - 1/2" REBAR FOUND FLUSH; 0.1' NORTH OF ESTABLISHED LINE.
"FF" - 1/2" REBAR FOUND 0.2' BELOW GRADE; 0.3' NORTH OF ESTABLISHED LINE.
"GG" - 1.5" PIPE FOUND 0.1' BELOW GRADE; 0.2' SOUTH OF ESTABLISHED LINE.
"HH" - 2" PIPE FOUND FLUSH.
"II" - 1/2" REBAR FOUND 0.4' ABOVE GRADE; 2.2' WEST OF ESTABLISHED LINE.
"JJ" - 1/2" REBAR FOUND 0.2' BELOW GRADE; 0.2' WEST OF ESTABLISHED LINE.
"KK" - 5/8" REBAR FOUND 0.1' BELOW GRADE; 0.4' SOUTH OF ESTABLISHED LINE.
"LL" - 5/8" REBAR FOUND 0.4' BELOW GRADE; 0.6' SOUTH OF ESTABLISHED LINE.
"MM" - 5/8" REBAR FOUND 0.1' BELOW GRADE; 0.2' NORTH OF ESTABLISHED LINE.
"NN" - 1/2" REBAR FOUND 0.3' BELOW GRADE; 0.3' NORTH OF ESTABLISHED LINE.
"OO" - 1/2" REBAR FOUND 0.2' BELOW GRADE; 0.5' NORTH OF ESTABLISHED LINE.
"PP" - 5/8" REBAR FOUND FLUSH; 0.7' NORTH OF ESTABLISHED LINE.
"QQ" - 1/2" REBAR FOUND FLUSH; 0.2' NORTH OF ESTABLISHED LINE.
"RR" - 5/8" REBAR FOUND 0.2' BELOW GRADE; IN AGREEMENT WITH ESTABLISHED LINE.
"SS" - 1/2" REBAR FOUND 0.4' BELOW GRADE; 0.3' NORTH OF ESTABLISHED LINE.
"TT" - 1/2" REBAR FOUND 0.3' BELOW GRADE; 0.1' SOUTH OF ESTABLISHED LINE.
"UU" - 1" PIPE FOUND FLUSH; 0.7' SOUTH OF ESTABLISHED LINE.
"VV" - 1/2" REBAR FOUND 0.2' BELOW GRADE; 0.3' NORTH OF ESTABLISHED LINE.
"WW" - 1/2" REBAR FOUND 0.1' BELOW GRADE; 0.3' NORTH OF ESTABLISHED LINE.
"XX" - 1" PIPE FOUND 0.4' BELOW GRADE; 0.3' SOUTH OF ESTABLISHED LINE.
"YY" - 1" SQUARE BAR FOUND 0.3' BELOW GRADE; 0.3' WEST & 0.5' NORTH OF ESTABLISHED CORNER.
"ZZ" - 1/2" REBAR FOUND 0.1' BELOW GRADE; 0.1' WEST OF ESTABLISHED LINE.
"AA" - 1/2" REBAR FOUND 0.5' BELOW GRADE; 0.4' WEST OF ESTABLISHED LINE.
"AC" - 1/2" REBAR FOUND 1.0' BELOW GRADE; 0.2' EAST OF ESTABLISHED LINE.
"AD" - 5/8" REBAR WITH KARST ID FOUND FLUSH.
"AE" - 1/2" REBAR FOUND FLUSH.
"AF" - 5/8" REBAR FOUND 0.2' BELOW GRADE; 0.3' NORTH & 0.4' EAST OF ESTABLISHED LINE.

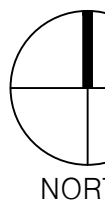
OWNERSHIP LEGEND

- 1 LANDS OF THE CITY OF FORT WAYNE PER BK449, PG427, RECORDED DEC. 21, 1951.
2 LANDS OF IGLESIA EVANGELICA CHRISTIANA PER DOC. #203118415, RECORDED NOV. 14, 2003.
3 LANDS OF RYAN D. RAMEY PER DOC. #2009025344, RECORDED MAY 22, 2009.
4 LANDS OF CITY OF FORT WAYNE PER DOC. #2018009856, RECORDED FEB. 22, 2018.
5 LANDS OF CITY OF FORT WAYNE PER DOC. #2017057741, RECORDED NOV. 1, 2017.
6 LANDS OF CITY OF FORT WAYNE PER DOC. #2018021178, RECORDED MAY 2, 2018.
7 LANDS OF KAREN ROLLINS PER DOC. #2021005512, RECORDED JAN. 26, 2021.
8 LANDS OF CURTIS W. & KATRINA I. KAUFMANN, PER DOC. #204092531, RECORDED AUG. 23, 2004.
9 LANDS OF ALLIANCE PROPERTY MANAGEMENT LTD. PER DOC. #2019055003, RECORDED OCT. 25, 2019.
10 LANDS OF GARY ELMER BENNETT SR., PER DOC. #20090985895, RECORDED DEC. 29, 2009.
11 LANDS OF DENNIS M. & MAY R. DAHMAN, PER DOC. #760013646, RECORDED JUNE 14, 1976.
12 LANDS OF DAVID W. BOLINGER, PER DOC. #204034589, RECORDED MAY 11, 2004.
13 LANDS OF DAVID A. & ROZANNA F. NIMAN, PER DOC. #960052674, RECORDED SEPT. 23, 1996.
14 LANDS OF LILLIE R. ROBINSON, PER DOC. #2013015489, RECORDED MAR. 14, 2013.
15 LANDS OF CARLA E. PIERPIT, PER DOC. #206017666, RECORDED APR. 3, 2006.
16 LANDS OF SWEET REAL ESTATE, LLC PER DOC. #202003828, RECORDED JUL. 27, 2020.
17 LANDS OF FOSTER PARK PLAZA, LLC, PER DOC. #2020002829, RECORDED JAN. 15, 2020.
18 LANDS OF BUDGET BUILDER SUPPLIES, INC. PER DOC. #2013054164, RECORDED SEP. 19, 2013.
19 LANDS OF J & J AUTO SALES & JOHN ROBINSON PER DOC. #2018010992, RECORDED MAR. 2, 2018.
20 LANDS OF CITY OF FORT WAYNE PER DB389 PG348, RECORDED JULY 8, 1946.
21 LANDS OF CITY OF FORT WAYNE PER DB389 PG349, RECORDED JULY 8, 1946.
E1 EASEMENT IN FAVOR OF NORTHERN INDIANA PUBLIC SERVICE COMPANY PER DB699, PG 575-577, RECORDED DEC. 20, 1967.
E1 PLAT OF RIVERSIDE TERRACE ADDITION SHOWS "CORPORATION STRIP" 5' WIDE ON EITHER SIDE OF LOT LINES. OVERHEAD UTILITIES EXIST IN THIS AREA.
1 RIVERSIDE TERRACE ADDITION PER PB.11, PG102, RECORDED OCT. 19, 1925.



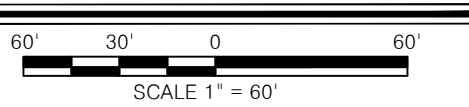
POSSESSION LEGEND

- 1 EARTHEN PILE: 9'± SOUTH OF ESTABLISHED LINE.
2 LANDSCAPE PLANTER: 7'± SOUTH OF ESTABLISHED LINE.
3 LANDSCAPE PLANTER: 7'± SOUTH OF ESTABLISHED LINE.
4 CONCRETE AND GRAVEL DRIVE: 62'± SOUTH OF ESTABLISHED LINE.
5 6" WOODEN FENCE: 3'± WEST OF ESTABLISHED LINE.
6 CHAIN-LINK FENCE: VARIES 1'± TO 4'± NORTH TO 1'± SOUTH OF ESTABLISHED LINE.
7 6" WOODEN FENCE: VARIES 1'± TO 4'± NORTH OF ESTABLISHED LINE.
8 CHAIN-LINK FENCE: VARIES 1'± TO 4'± NORTH OF ESTABLISHED LINE.
9 UNDERGROUND GAS LINE: 10'± WEST OF EASEMENT



Improvement Detail

SCALE: 1" = 60'



ACERAGE LEGEND

- 1 1.179 AC. MEASURED
2 1.551 AC. MEASURED
3 0.117 AC. MEASURED
4-6 1.408 AC. MEASURED

LEGEND

M. = MEASURED
C. = CALCULATED
D. = DEED
R. = RECORD
P. = PLAT
1" = U.S. SURVEY FEET (UNIT)
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT

LAND SURVEYOR'S REPORT

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, RULE 12, SECTIONS 1 THROUGH 30 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING REPORT IS SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS PARCEL AS A RESULT OF:
(A) VARIANCES IN REFERENCE MONUMENTS;
(B) DISCREPANCIES IN RECORD DESCRIPTIONS AND/OR PLATS;
(C) INCONSISTENCIES IN LINES OF OCCUPATION AND/OR POSSESSION;
(D) RANDOM ERRORS IN MEASUREMENT (THEORETICAL UNCERTAINTY);

PURPOSE OF SURVEY

THE PURPOSE OF THIS SURVEY WAS TO RETRACE THE FOLLOWING:
- THE LANDS OF THE CITY OF FORT WAYNE, AS DESCRIBED IN THE FOLLOWING DOCUMENTS:
DEED BOOK 449, PAGE 427, DOC. #2018009856, DOC. #2017057741, DOC. #2018021178
- THE LANDS OF RYAN D. RAMEY AS DESCRIBED IN DOC. #2009025344
- THE LANDS OF IGLESIA EVANGELICA CHRISTIANA AS DESCRIBED IN DOC. #203118415

BASIS OF BEARINGS

IN ADDITION TO THE RECORDS SHOWN IN THE OWNERSHIP LEGEND, THE FOLLOWING DOCUMENTS WERE USED IN THE COMPLETION OF THIS SURVEY:

AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS

THE MOST RECENT RECORDS OF THE ALLEN COUNTY SURVEYOR DO NOT REFERENCE MONUMENTS ALONG THE SOUTH LINE OF THE NORTH HALF OF SECTION 15, T30N, R12E AND THE PLAT OF RIVERSIDE TERRACE ADDITION DOES NOT REFERENCE THE TYPE OF ORIGINAL MONUMENTATION (IF ANY). THEREFORE, THE EXISTING MONUMENTATION FOUND WAS UTILIZED BASED ON THE ACCEPTANCE OF COMMON REPORT AS THE BEST AVAILABLE EVIDENCE. MONUMENTATION WAS FOUND ALONG THE SOUTHERN ADJOINING PROPERTY IN AGREEMENT WITH THE BELOW REFERENCED ANDERSON AND KARST SURVEYS.

DISCREPANCIES IN RECORD DESCRIPTIONS AND/OR PLATS

NO DISCREPANCIES WERE FOUND IN THE PLAT OF RIVERSIDE TERRACE ADDITION OR THE DESCRIPTIONS FOR THE PARCELS WEST OF PIEDMONT AVENUE (1, 2, & 19).
DISCREPANCIES IN LINES OF OCCUPATION AND/OR POSSESSION
DISCREPANCIES IN LINES OF OCCUPATION OR POSSESSION WERE FOUND DURING THE COMPLETION OF THIS SURVEY AS SHOWN ON THE POSSESSION LEGEND HEREON. NUTTMAN AVENUE IS UNDEVELOPED AND A CONCRETE DRIVE THAT APPARENTLY PROVIDES ACCESS TO LOT 90 OF RIVERSIDE TERRACE ADDITION EXISTS ACROSS NUTTMAN AVENUE ONTO THE SOUTHERLY ADJOINING PARCEL. OTHER DISCREPANCIES IN OCCUPATION EXIST, AS SHOWN ON THE POSSESSION LEGEND HEREON.

THEORY OF LOCATION

THE LINES OF THE SUBJECT PARCELS WERE RE-ESTABLISHED BY PROPORTIONAL MEASUREMENT FROM THE LINES AS DETERMINED BY THE SURROUNDING STREETS. BROOKLYN AVENUE WAS RE-ESTABLISHED BASED ON THE EXISTING STREET IMPROVEMENTS AND MONUMENTATION FOUND ALONG THE WEST LINE THEREOF. KINSMOOR AVENUE WAS RE-ESTABLISHED BASED ON THE EXISTING MONUMENTATION FOUND ALONG THE NORTH AND SOUTH LINES THEREOF. OZARK AVENUE WAS RE-ESTABLISHED BASED ON THE EXISTING MONUMENTATION FOUND ALONG THE EAST AND WEST LINES THEREOF. THE CENTERLINE OF NUTTMAN AVENUE IS COINCIDENT WITH THE SOUTH LINE OF THE NORTH HALF OF SECTION 15, TOWNSHIP 30 NORTH, RANGE 12 EAST, AS DISCLOSED ABOVE. THE CORNERS OF THIS LINE ARE NOT REFERENCED BY THE CURRENT RECORDS OF THE ALLEN COUNTY SURVEYOR. THIS LINE WAS RE-ESTABLISHED AS 25 FEET SOUTHERLY OF A LINE OF LEAST LINEAR REGRESSION OF THE MONUMENTATION FOUND ALONG THE NORTH LINE OF NUTTMAN AVENUE. THIS RE-ESTABLISHED LINE IS IN RELATIVE AGREEMENT WITH THE RECORD PLAT DIMENSIONS AND DESCRIPTIONS OF THE ADJOINING PARCELS. THE ABOVE REFERENCED ORIGINAL ANDERSON SURVEY UTILIZED MONUMENTATION ALONG THE NORTH LINE OF QUIMBY VILLAGE TO RE-ESTABLISH THIS LINE, WHICH CREATES A DISCREPANCY BETWEEN THE NORTHWEST CORNER THEREOF (N) OF 1.1' TO THE SOUTH AND THE NORTHWEST CORNER THEREOF (O) OF 0.9' TO THE NORTH.

RELATIVE POSITIONAL ACCURACY

THE RELATIVE POSITIONAL ACCURACY, DUE TO RANDOM ERRORS IN MEASUREMENT, OF THE CORNERS OF THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR AN URBAN SURVEY (0.07 FEET PLUS 50 PARTS PER MILLION), AS DEFINED BY TITLE 865, ARTICLE 1, RULE 12, SECTION 7 OF THE INDIANA ADMINISTRATIVE CODE.

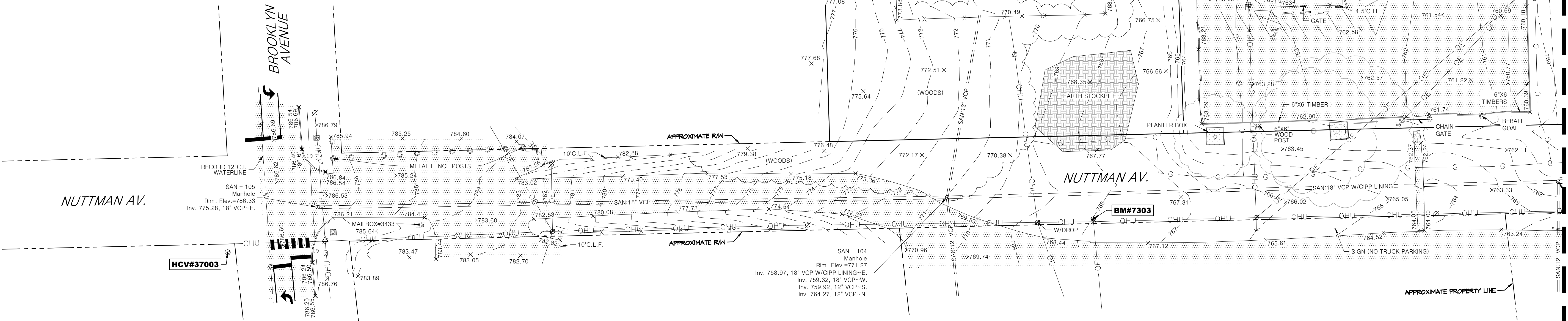
GENERAL NOTES:

- A FULL AND COMPLETE COMMITMENT OF TITLE FOR THE SUBJECT PARCEL MAY PROCURE ADDITIONAL EASEMENT AND/OR RIGHT-WAY DOCUMENTATION NOT PRESENTED TO BERTSCH-FRANK & ASSOCIATES, LLC AT THE TIME OF THIS SURVEY.
- THE DELINEATION OF WETLANDS OR OTHER ENVIRONMENTAL CONDITIONS WERE NOT CONSIDERED AS A PART OF THIS SURVEY.
- SEE SHEETS CO.1 THRU CO.3 FOR INFORMATION RELATED TO EXISTING TOPOGRAPHY, IMPROVEMENTS, & UTILITIES.

RECORD LEGAL DESCRIPTIONS

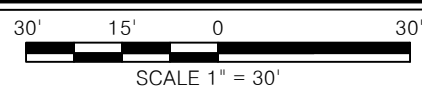
- 1 BK449, PG427:
A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 30 NORTH, RANGE 12 EAST IN ALLEN COUNTY, INDIANA, BEING THE WEST 200.0 FEET OF THE EAST 387.0 FEET OF A TRACT OF LAND, DESCRIBED AS FOLLOWS, TO-WIT:
COMMENCING AT THE INTERSECTION OF THE WEST LINE OF PIEDMONT AVENUE AND THE SOUTH LINE OF ORGAN AVENUE (KINSMOOR AVENUE) 687 FEET TO THE EAST LINE OF BROOKLYN AVENUE; THENCE SOUTH ALONG THE EAST LINE OF BROOKLYN AVENUE 256 FEET TO THE NORTH LINE OF NUTTMAN AVENUE; THENCE EAST ALONG THE SAID NORTH LINE OF NUTTMAN AVENUE 679 FEET TO THE WEST LINE OF PIEDMONT AVENUE; THENCE NORTH ALONG THE WEST LINE OF PIEDMONT AVENUE 256 FEET TO THE PLACE OF BEGINNING, SAID IN PREVIOUS DEED TO CONTAIN 1.17 ACRES, MORE OR LESS.
- 2 203118415:
LOTS 93 AND 94 IN RIVERSIDE TERRACE ADDITION TO THE CITY OF FORT WAYNE, ALSO THE EAST HALF OF THE VACATED STREET LYING ADJACENT TO AND WEST OF SAID LOT 94.
- 3 2009025344:
LOT 92 IN RIVERSIDE TERRACE ADDITION AS RECORDED IN PLAT RECORD 11, PG 102 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA.
- 4 2018009856:
LOTS 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 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Horizontal & Vertical Control				
Point #	Northing	Easting	Elev. (NAVD88)	Description
DNR TBM STMRS	2114419.5±	468275.9±	770.42 (NAVD 88)	IN ALLEN COUNTY, FORT WAYNE WEST QUAD., IN THE NE 1/4 OF SECTION 15, T. 30N., R. 12E., 2ND P.M.: AT FORT WAYNE- AT BLUFFTON ROAD BRIDGE OVER THE ST. MARY'S RIVER, SET IN THE TOP OF THE NORTHWEST CONCRETE ABUTMENT OF THE BRIDGE, 22.0 FEET NORTH OF THE CENTERLINE OF THE WEST BOUND LANES OF THE ROAD, 11.0 FEET WEST OF THE EAST END OF THE ABUTMENT, 2.7 FEET EAST-SOUTHEAST OF A METAL LIGHT POLE #K11144, 1.0 FEET ABOVE THE NORTH EDGE OF THE ROAD, 0.85 FEET EAST OF THE WEST END OF THE ABUTMENT, 0.5 FOOT SOUTH OF THE NORTH FACE OF THE ABUTMENT: A CUT TRIANGLE
BM#7301	2114756.7±	468296.2±	759.06	RAILROAD SPIKE IN W. FACE OF POWER POLE @ NUTTMAN/VESEY
BM#7302	2114746.9±	467876.2±	760.40	RAILROAD SPIKE IN NORTH FACE OF POWER POLE "A504 770"
BM#7303	2114727.6±	466980.6±	769.57	RAILROAD SPIKE IN NORTH FACE OF POWER POLE "AL504-1399"
BM#7304	2115064.8±	466527.1±	786.72	CHISELED "X" IN SE. BONNET BOLT OF FIRE HYDRANT @ KINSMOOR/BROOKLYN
BM#7305	2115092.7±	467866.1±	759.24	RAILROAD SPIKE IN SE. FACE OF POWER POLE "A504 432"
HCV#37001	2114562.82	468232.11	762.27	5/8"BAR W/BUE USI CAP IN GRASS ISLAND
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HCV#37005	2115063.47	467292.71	758.57	DIMPLE IN WEST RIM OF MANHOLE IN CENTERLINE OF KINSMOOR AV.



Topographic Survey

SCALE: 1" = 30'



	COMMUNICATION UTILITIES VAULT		POST INDICATOR VALVE		HORIZONTAL CONTROL POINT		WATER LEVEL
	COMMUNICATION BOX		IRRIGATION CONTROL VALVE		BENCHMARK		CONCRETE MATERIAL
	COMMUNICATION UTILITIES PEDESTAL		YARD HYDRANT		BOUNDARY MONUMENT		PAVEMENT MATERIAL
	COMMUNICATION UTILITIES MANHOLE		WATER UTILITIES MANHOLE		ADA SYMBOL		GRAVEL/STONE MATERIAL
	BURIED LINE - WARNING RISER		WATER UTILITIES VAULT		FINISHED FLOOR ELEVATION		BUILDING (ENCLOSED)
	TRAFFIC UTILITIES MANHOLE/HAND HOLE		WELL		POST/FENCE GATE		BUILDING (OPEN-AIR CANOPY)
	TRAFFIC UTILITIES VAULT		IRRIGATION SIDEWALK CROSSING		BOLLARD		TUNNEL (EXST.)
	STRAIN POLE		LAWN SPRINKLER HEAD		MAILBOX		TUNNEL (RECORD)
	TRAFFIC CONTROLS CABINET/ PEDESTAL		SINGLE-POST SIGN		DOUBLE-POST SIGN		SANITARY SEWER (EXST.)
	GAS METER		TRANSFORMER PAD		MONITORING WELL		SANITARY SEWER (RECORD)
	GAS VALVE (TYP.)		ELECTRICAL HANDHOLE		PARKING BLOCK		STORM SEWER (EXST.)
	GAS CURB STOP		ELECTRICAL BOX		RIGHT OF WAY MARKER		STORM SEWER (RECORD)
	GAS UTILITIES VAULT		AIR CONDITIONING UNIT		SOIL BORING		OVERHEAD ELECTRIC LINE (EXST.)
	WATER METER		ELECTRIC UTILITIES PEDESTAL		ADA DOOR BUTTON		OVERHEAD ELECTRIC LINE (RECORD)
	WATER VALVE (TYP.)		ELECTRICAL METER		FLAGPOLE		UNDERGROUND PRIMARY ELECTRIC LINE (EXST.)
	WATER CURB STOP		GUY ANCHOR				UNDERGROUND PRIMARY ELECTRIC LINE (RECORD)
	FIRE HYDRANT						UNDERGROUND ELECTRIC LINE (EXST.)

GENERAL NOTES:

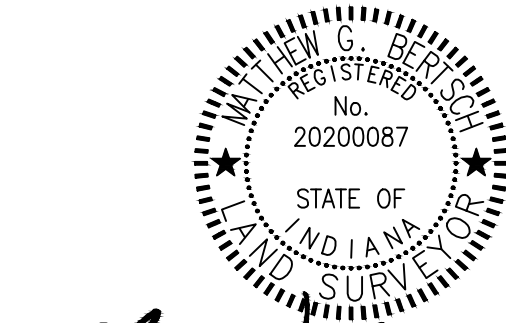
- THIS SURVEY WAS PERFORMED FOR THE EXPRESS PURPOSE OF MAPPING THE EXISTING TOPOGRAPHIC FEATURES FOR THE PROJECT SITE ALONG NUTTMAN AVENUE BETWEEN BROOKLYN AVENUE TO THE ST. MARY'S RIVER.
- THE UNDERGROUND UTILITY INFORMATION REPRESENTED ON THIS DRAWING WAS DELINEATED USING RECORD INFORMATION, BY FIELD MEASUREMENTS OF VISUAL APPEARANCES, AND BY A SITE UTILITY-LOCATION SURVEY CONDUCTED BY INDIANA UNDERGROUND PLANT PROTECTION. (800) 582-5544. ADDITIONAL UNDERGROUND UTILITIES MAY EXIST, THE LOCATIONS OF WHICH WERE NOT DETERMINED AT THE TIME OF THIS SURVEY. ALL UTILITY LOCATIONS ARE APPROXIMATE ONLY.
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- THE HORIZONTAL COORDINATES REPRESENTED HEREIN ARE PROJECTED TO NGS NAD 83, INDIANA STATE PLANE EAST. VERTICAL COORDINATES REPRESENTED HEREIN ARE PROJECTED TO NAVD 88.
- THE DELINEATION OF WETLANDS OR OTHER ENVIRONMENTAL CONDITIONS WERE NOT CONSIDERED AS A PART OF THIS SURVEY.
- THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RE-TRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY OR A SURVEYOR LOCATION REPORT.

CERTIFICATION:

THE UNDERSIGNED LAND SURVEYOR, REGISTERED UNDER THE LAWS OF THE STATE OF INDIANA, HEREBY CERTIFIES THAT HE HAS MADE A TOPOGRAPHICAL AND UTILITY SURVEY OF THE AREA DEPICTED. I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS PLAN REPRESENTS A TOPOGRAPHIC AND UTILITY SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION.

PROJECT NO.: 21209.100
SURVEYED FOR: ENGINEERING RESOURCES
DATE(S) OF FIELDWORK: JULY 2, 28, 29, & 30, 2021
AUGUST 2, 4, 5, & 9, 2021

IN WITNESS THEREOF, I HERETO PLACE MY HAND AND SEAL THIS 9TH DAY OF AUGUST, 2021.



MATTHEW G. BERTSCH
INDIANA REGISTERED LAND SURVEYOR NO. 20200087

Topographic Survey For:
Sweet Real Estate, LLC
1808 Bluffton Rd
Fort Wayne, Indiana

REVISIONS		
MARK	DATE	DESCRIPTION

CAD FILE: 21209_Surv.dwg
DRAWN BY: NJB/ZLS
CHECKED BY: MGB
DATE: 08/09/2021
PRJCT. NO.: 21209.100

C0.1

BFA
BFA
BFA

BERTSCH-FRANK & ASSOCIATES
LAND SURVEYING & CONSULTING

LAND PLANNING | LAND SURVEYING

811 LAWRENCE DRIVE
FORT WAYNE, IN 46804

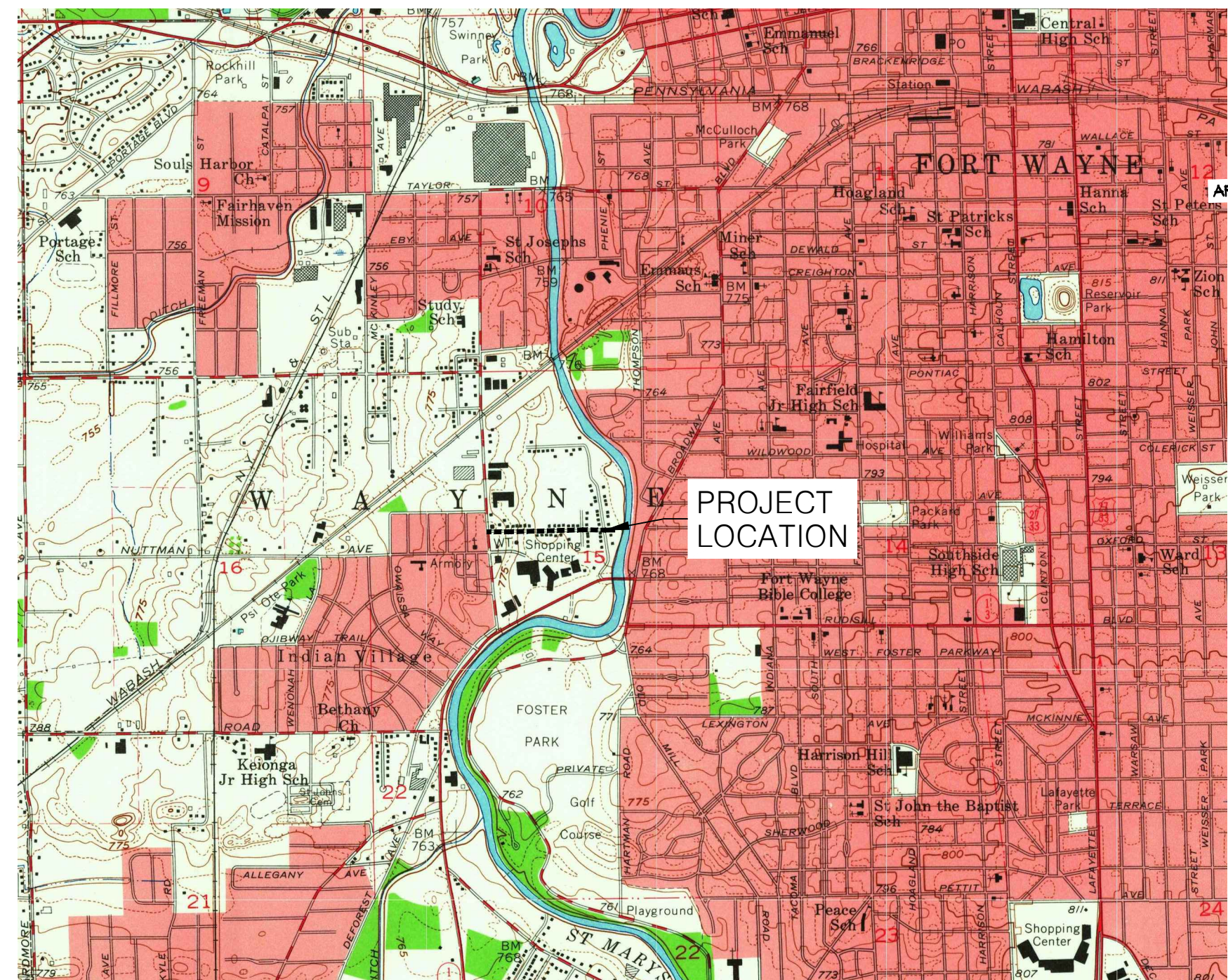
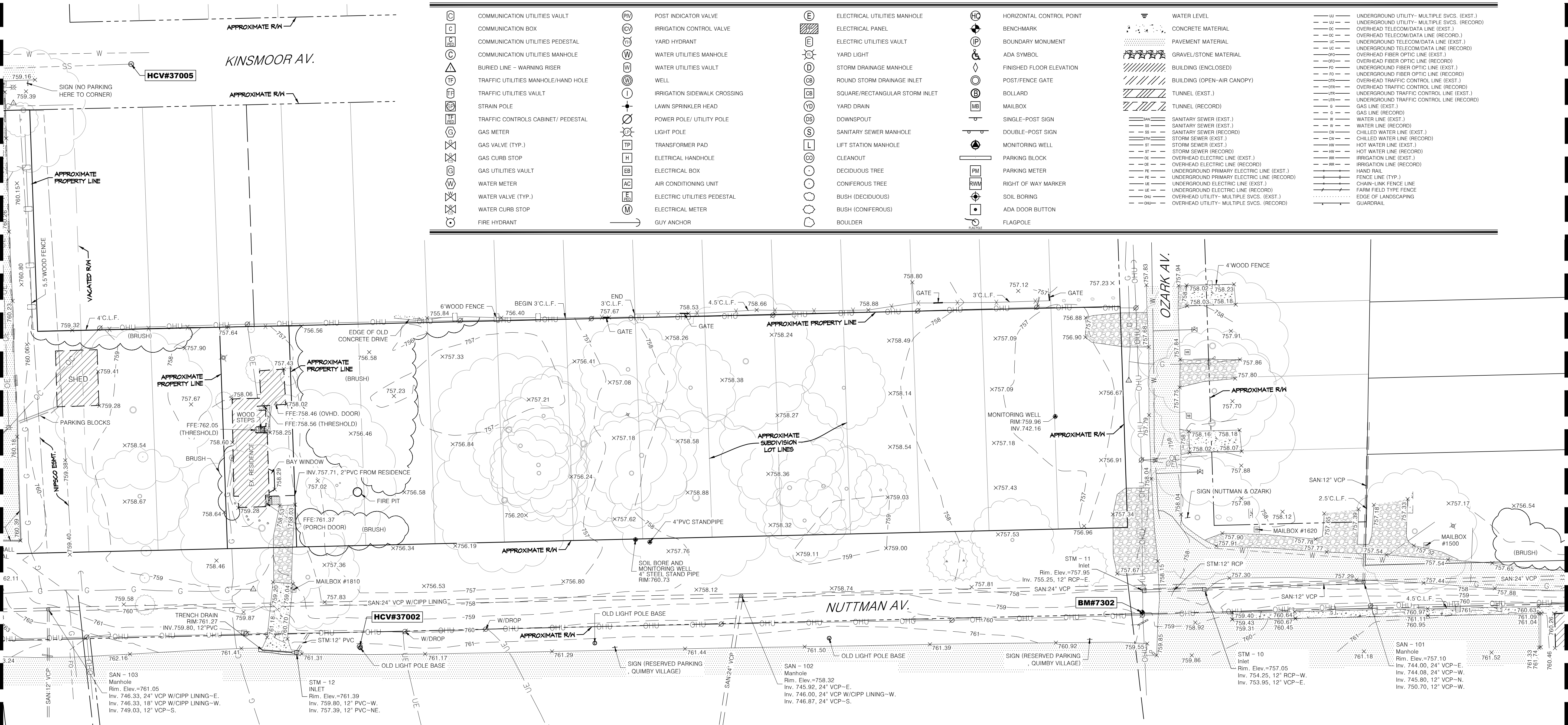
TELEPHONE: (260) 459-9393
FACSIMILE: (260) 459-9303

ENGINEERING RESOURCES, INC.

SEE SHEET C0.2

SEE SHEET C0.1

SEE SHEET C0.2



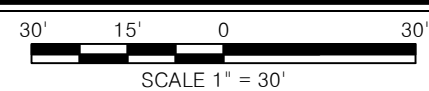
Site Location Map

SCALE 1" = 2,000'



Topographic Survey

SCALE: 1" = 30'



Horizontal & Vertical Control				
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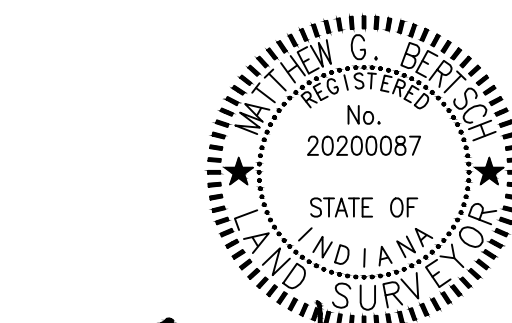
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PROJECT NO.: 21209.100
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REVISIONS		
MARK	DATE	DESCRIPTION

CAD FILE: 21209_Surv.dwg
DRAWN BY: NUBZLS
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DATE: 08/09/2021
PRJCT. NO.: 21209.100

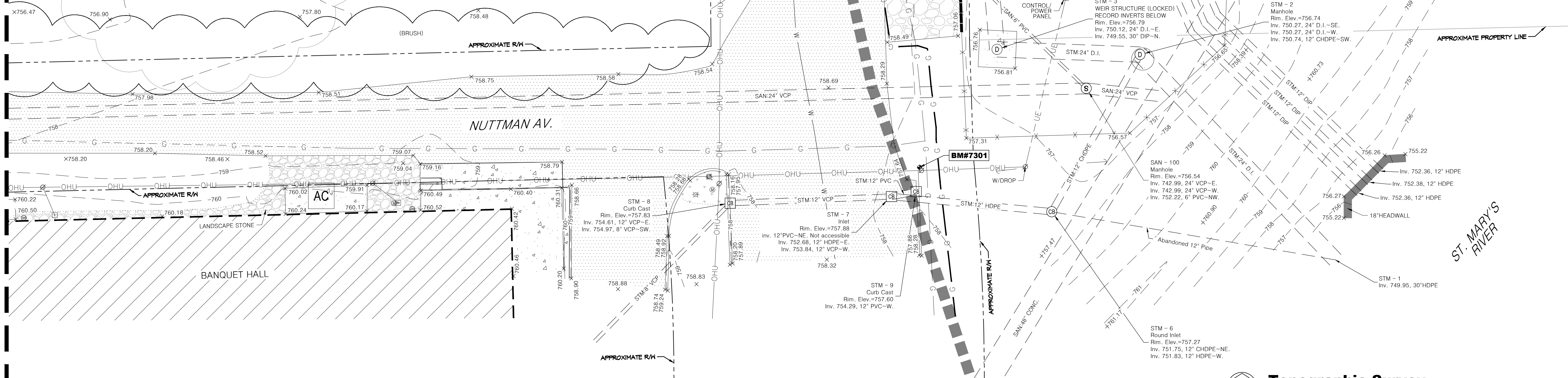
C0.2

BFA | **BERTSCH-FRANK & ASSOCIATES**
LAND SURVEYING & CONSULTING
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811 LAWRENCE DRIVE
FORT WAYNE, IN 46804
TELEPHONE: (260) 459-9393
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RESOURCES, INC.

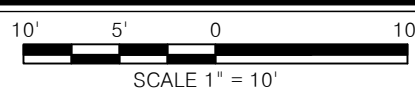
This aerial map illustrates the Project Alignment area, which is highlighted with a thick black line. The map includes several zoning districts: Zone AE (shaded with a blue dot pattern), Zone X (shaded with a black dot pattern), and Zone AS (shaded with a green dot pattern). Key streets shown include NE X Avenue, Brooklyn Avenue, Nuttman Avenue, Kinsmoor Avenue, Ozark Avenue, Wesley Avenue, Broadway Street, and Apache Court. The St. Marks River is visible on the right side of the map. A 'PROFILE BASELINE' is marked with a horizontal line across the center. A 'CLYDE THEATRE' is labeled in a specific area. The map also shows a '15' speed limit sign and a '760' road marker. The 'PROJECT ALIGNMENT' is clearly marked with a thick black line.

F.I.R.M. NO.18003C0291G



Topographic Survey

SCALE: 1" = 10'



COMMUNICATION UTILITIES VAULT		POST INDICATOR VALVE		ELECTRICAL UTILITIES MANHOLE		HORIZONTAL CONTROL POINT		WATER LEVEL		UNDERGROUND UTILITY- MULTIPLE SVCS. (EXST.)
COMMUNICATION BOX		IRRIGATION CONTROL VALVE		ELECTRICAL PANEL		BENCHMARK		CONCRETE MATERIAL		UNDERGROUND UTILITY- MULTIPLE SVCS. (RECORD)
COMMUNICATION UTILITIES PEDESTAL		YARD HYDRANT		ELECTRIC UTILITIES VAULT		BOUNDARY MONUMENT		PAVEMENT MATERIAL		OVERHEAD TELECOM/DATA LINE (EXST.)
COMMUNICATION UTILITIES MANHOLE		WATER UTILITIES MANHOLE		YARD LIGHT		ADA SYMBOL		GRAVEL/STONE MATERIAL		OVERHEAD TELECOM/DATA LINE (RECORD)
BURIED LINE - WARNING RISER		WATER UTILITIES VAULT		STORM DRAINAGE MANHOLE		FINISHED FLOOR ELEVATION		BUILDING (ENCLOSED)		UNDERGROUND FIBER OPTIC LINE (EXST.)
TRAFFIC UTILITIES MANHOLE/HAND HOLE		WELL		ROUND STORM DRAINAGE INLET		POST/FENCE GATE		BUILDING (OPEN-AIR CANOPY)		OVERHEAD FIBER OPTIC LINE (RECORD)
TRAFFIC UTILITIES VAULT		IRRAWATI SIDEWALK CROSSING		SQUARE/RECTANGULAR STORM INLET		BOLLARD		TUNNEL (EXST.)		UNDERGROUND FIBER OPTIC LINE (EXST.)
STRAIN POLE		LAWN SPRINKLER HEAD		YARD DRAIN		MAILBOX		TUNNEL (RECORD)		OVERHEAD TRAFFIC CONTROL LINE (RECORD)
TRAFFIC CONTROLS CABINET/ PEDESTAL		POWER POLE/ UTILITY POLE		DOWNSPOUT		SINGLE-POST SIGN		SANITARY SEWER (EXST.)		UNDERGROUND TRAFFIC CONTROL LINE (EXST.)
GAS METER		LIGHT POLE		SANITARY SEWER MANHOLE		DOUBLE-POST SIGN		SANITARY SEWER (RECORD)		UNDERGROUND TRAFFIC CONTROL LINE (RECORD)
GAS VALVE (TYP.)		TRANSFORMER PAD		LIFT STATION MANHOLE		MONITORING WELL		STORM SEWER (EXST.)		UNDERGROUND UTILITY- MULTIPLE SVCS. (EXST.)
GAS CURB STOP		ELECTRICAL HANDHOLE		CLEANOUT		PARKING BLOCK		STORM SEWER (RECORD)		UNDERGROUND UTILITY- MULTIPLE SVCS. (RECORD)
GAS UTILITIES VAULT		ELECTRICAL BOX		DECIDUOUS TREE		PARKING METER		OVERHEAD ELECTRIC LINE (EXST.)		UNDERGROUND PRIMARY ELECTRIC LINE (RECORD)
WATER METER		AIR CONDITIONING UNIT		CONIFEROUS TREE		RIGHT OF WAY MARKER		UNDERGROUND ELECTRIC LINE (RECORD)		UNDERGROUND PRIMARY ELECTRIC LINE (EXST.)
WATER VALVE (TYP.)		ELECTRIC UTILITIES PEDESTAL		BUSH (DECIDUOUS)		SOIL BORING		UNDERGROUND UTILITY- MULTIPLE SVCS. (EXST.)		UNDERGROUND UTILITY- MULTIPLE SVCS. (RECORD)
WATER CURB STOP		ELECTRICAL METER		BUSH (CONIFEROUS)		ADA DOOR BUTTON		CHAIN LINK FENCE LINE		FARM FIELD TYPE FENCE
FIRE HYDRANT		GUY ANCHOR		BOULDER		FLAGPOLE		EDGE OF LANDSCAPING GUARDRAIL		EDGE OF LANDSCAPING GUARDRAIL

CERTIFICATION:

THE UNDERSIGNED LAND SURVEYOR, REGISTERED UNDER THE LAWS OF THE STATE OF INDIANA, HEREBY CERTIFIES THAT HE HAS MADE A TOPOGRAPHICAL AND UTILITY SURVEY OF THE AREA DEPICTED. I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS PLAT REPRESENTS A TOPOGRAPHIC AND UTILITY SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION.

PROJECT NO.: 21209.100

SURVEYED FOR: ENGINEERING RESOURCES

DATE(S) OF FIELDWORK: JULY 2, 28, 29, & 30, 2021
AUGUST 2, 4, 5, & 9, 2021

IN WITNESS THEREOF, I HEREUNTO PLACE MY
HAND AND SEAL THIS 9TH DAY OF AUGUST, 2021.



Matthew G. Bertsch
MATTHEW G. BERTSCH
INDIANA REGISTERED LAND SURVEYOR NO. 202000087

REVISIONS		
MARK	DATE	DESCRIPTION

CAD FILE: 21209_Surv.dwg
DRAWN BY: NJB/ZLS
CHECKED BY: MGB
DATE: 08/09/2021
PRJCT. NO.: 21209.100

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