

#REZ-2023-0056

BILL NO. Z-23-11-28

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. DD-02 (Sec. 09 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 a C1
(Professional Office and Personal Services) District under the terms of Chapter 157 Title XV
of the Code of the City of Fort Wayne, Indiana:

TITLE DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY
OF ALLEN, STATE OF INDIANA, AND IS DESCRIBED IN AS FOLLOWS:

PART OF THE NORTHEAST QUARTER SECTION 9, TOWNSHIP 30 NORTH,
RANGE 11 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY
DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE
EAST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 48
MINUTES WEST (DEED BEARING AND IS USED AS THE BASIS OF THE
BEARINGS IN THIS DESCRIPTION), ON AND ALONG THE CENTERLINE OF
ILLINOIS ROAD (STATE ROAD #14), A DISTANCE OF 40.0 FEET; THENCE
SOUTH 01 DEGREES 07 MINUTES 10 SECONDS WEST, A DISTANCE OF 40.0
FEET TO THE MOST EASTERLY CORNER OF A 0.095 ACRE TRACT OF LAND
CONVEYED TO THE STATE OF INDIANA BY DEED RECORDED IN DOCUMENT
CABINET NUMBER 8-22072 IN THE OFFICE OF THE RECORDER OF ALLEN
COUNTY, INDIANA, THAT BEING SAID THE TRUE POINT OF BEGINNING;
THENCE NORTH 89 DEGREES 48 MINUTES EAST, A DISTANCE OF 10.0 FEET TO
A 5/8 INCH ROD SET; THENCE SOUTH 00 DEGREES 54 MINUTES 06 SECONDS
WEST, A DISTANCE OF 363.3 FEET TO A 5/8 INCH ROD SET ON THE NORTH
LINE OF SYCAMORE HILLS, SECTION 10, IN THE PLAT OF WHICH IS
RECORDED IN PLAT CABINET "B", PAGE 148 IN THE OFFICE OF SAID
RECORDER; THENCE SOUTH 88 DEGREES 58 MINUTES 14 SECONDS WEST, ON
THE ALONG THE NORTH LINE OF SAID RECORDED SYCAMORE HILLS,
SECTION 10, A DISTANCE OF 240.6 FEET TO A 5/8 INCH ROD FOUND; THENCE
NORTH 00 DEGREES 59 MINUTES 6 SECONDS EAST, ON AND ALONG THE EAST
LINE OF SAID SYCAMORE HILLS, SECTION 10, AND THE NORTHERLY

1 PROJECTION THEREOF, A DISTANCE OF 336.8 FEET (RECORDED 330.0 FEET)
2 TO THE SOUTHWEST CORNER OF SAID 0.095 ACRE TRACT OF LAND; THENCE
3 NORTH 89 DEGREES 48 MINUTES EAST, ON AND ALONG THE SOUTH LINE OF
4 SAID 0.095 ACRE TRACT AND PARALLEL TO THE CENTERLINE OF ILLINOIS
5 ROAD, A DISTANCE OF 44.6 FEET (RECORDED 44.95 FEET); THENCE NORTH 80
6 DEGREES 38 MINUTES 16 SECONDS EAST, CONTINUING ALONG SAID SOUTH
7 LINE, A DISTANCE OF 188.4 FEET TO THE TRUE POINT OF BEGINNING,
8 CONTAINING 1.918 ACRE OF LAND.

9 SAVE AND EXCEPT:

10 A PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 30 NORTH,
11 RANGE 11 EAST, ALLEN COUNTY, INDIANA, AND BEING THAT PART OF THE
12 GRANTOR'S LAND LYING WITHIN THE RIGHT-OF-WAY LINES DEPICTED ON
13 THE ATTACHED RIGHT-OF-WAY PARCEL PLAT MARKED EXHIBIT "B",
14 DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF
15 SAID QUARTER SECTION DESIGNATED AS POINT "253" ON THE LOCATION
16 CONTROL ROUTE SURVEY PLAT RECORDED AS INSTRUMENT NUMBER
17 2008057627 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE
18 SOUTH 00 DEGREES 17 MINUTES 05 SECONDS EAST A DISTANCE OF 17.16
19 FEET, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER SECTION, TO
20 THE CENTERLINE OF STATE ROAD 14; THENCE ALONG SAID CENTERLINE
21 SOUTHEASTERLY 213.65 FEET ALONG AN ARC TO THE LEFT HAVING A
22 RADIUS 2,865.07 FEET AND SUBTENDED BY A LONG CHORD HAVING A
23 BEARING OF SOUTH 82 DEGREES 46 MINUTES 14 SECONDS WEST AND A
24 LENGTH OF 213.60 FEET; THENCE SOUTH 82 DEGREES 46 MINUTES 24
25 SECONDS WEST A DISTANCE OF 85.38 FEET CONTINUING ALONG SAID
26 CENTERLINE; THENCE CONTINUING ALONG SAID CENTERLINE
27 SOUTHEASTERLY 388.52 FEET ALONG AN ARC TO THE RIGHT HAVING A
28 RADIUS 2,864.72 FEET AND SUBTENDED BY A LONG CHORD HAVING A
29 BEARING OF SOUTH 84 DEGREES 31 MINUTES 14 SECONDS WEST AND A
30 LENGTH OF 388.03 FEET; THENCE SOUTH 88 DEGREES 24 MINUTES 07
SECONDS WEST A DISTANCE OF 323.65 FEET, CONTINUING ALONG SAID
CENTERLINE; THENCE SOUTH 00 DEGREES 16 MINUTES 36 SECONDS EAST A
DISTANCE OF 40.00 FEET, TO THE NORTHEAST CORNER OF A 0.095 ACRE
TRACT OF LAND CONVEYED TO THE STATE OF INDIANA AS DESCRIBED IN
INSTRUMENT T NUMBER 82-22072 IN THE OFFICE OF THE RECORDER OF SAID
COUNTY AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE
NORTH 88 DEGREES 24 MINUTES 14 SECONDS EAST A DISTANCE OF 10.00
FEET, ALONG THE SOUTHERN BOUNDARY OF STATE ROAD 14, TO THE EAST
LINE OF THE GRANTOR'S LAND; THENCE SOUTH 0 DEGREES 29 MINUTES 40
SECONDS EAST A DISTANCE OF 40.41 FEET ALONG SAID GRANTOR'S EAST
LINE; THENCE WESTERLY 236.49 FEET ALONG AN ARC TO THE RIGHT
HAVING A RADIUS OF 8,065.00 FEET AND BEING SUBTENDED BY A LONG
CHORD HAVING A BEARING OF SOUTH 88 DEGREES 15 MINUTES 56 SECONDS
WEST AND A LENGTH OF 236.48 FEET TO THE POINT DESIGNATED "451" OF
SAID PARCEL PLAT; THENCE SOUTH 86 DEGREES 33 MINUTES 02 SECONDS
WEST A DISTANCE OF 3.58 FEET TO THE WEST LINE OF THE GRANTOR'S

1 LAND; THENCE NORTH 0 DEGREES 24 MINUTES 40 SECONDS WEST A
2 DISTANCE OF 11.09 FEET, ALONG SAID GRANTOR'S TEST LINE, TO THE
3 SOUTHERN BOUNDARY OF STATE ROAD 14; THENCE NORTH 88 DEGREES 24
4 MINUTES 14 SECONDS EAST A DISTANCE OF 44 60 FEET ALONG SAID
5 SOUTHERN BOUNDARY, THENCE NORTH 79 DEGREES 14 MINUTES 29
6 SECONDS EAST A DISTANCE OF 188.40 FEET, CONTINUING ALONG SAID
7 SOUTHERN BOUNDARY, TO THE POINT OF BEGINNING AND CONTAINING
8 0.133 ACRES, MORE OR LESS.

9 and the symbols of the City of Fort Wayne Zoning Map No. DD-02 (Sec. 09 of Aboite
10 Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
11 Wayne, Indiana is hereby changed accordingly.

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

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

18
19 _____
Council Member

20
21
22 APPROVED AS TO FORM AND LEGALITY:

23 _____
24 Malak Heiny, City Attorney
25
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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-2023-0056
Bill Number: Z-23-11-28
Council District: 4-Jason Arp

Introduction Date: November 28, 2023

Plan Commission
Public Hearing Date: December 11, 2023 (not heard by Council)

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

Synopsis of Ordinance: To rezone approximately 1.92 acres from AR/Low Intensity Residential to C1/Professional Office and Personal Services

Location: 11309 W SR 14 / Illinois Road (Section 9 of Aboite Township)

Reason for Request: To allow for a child care center

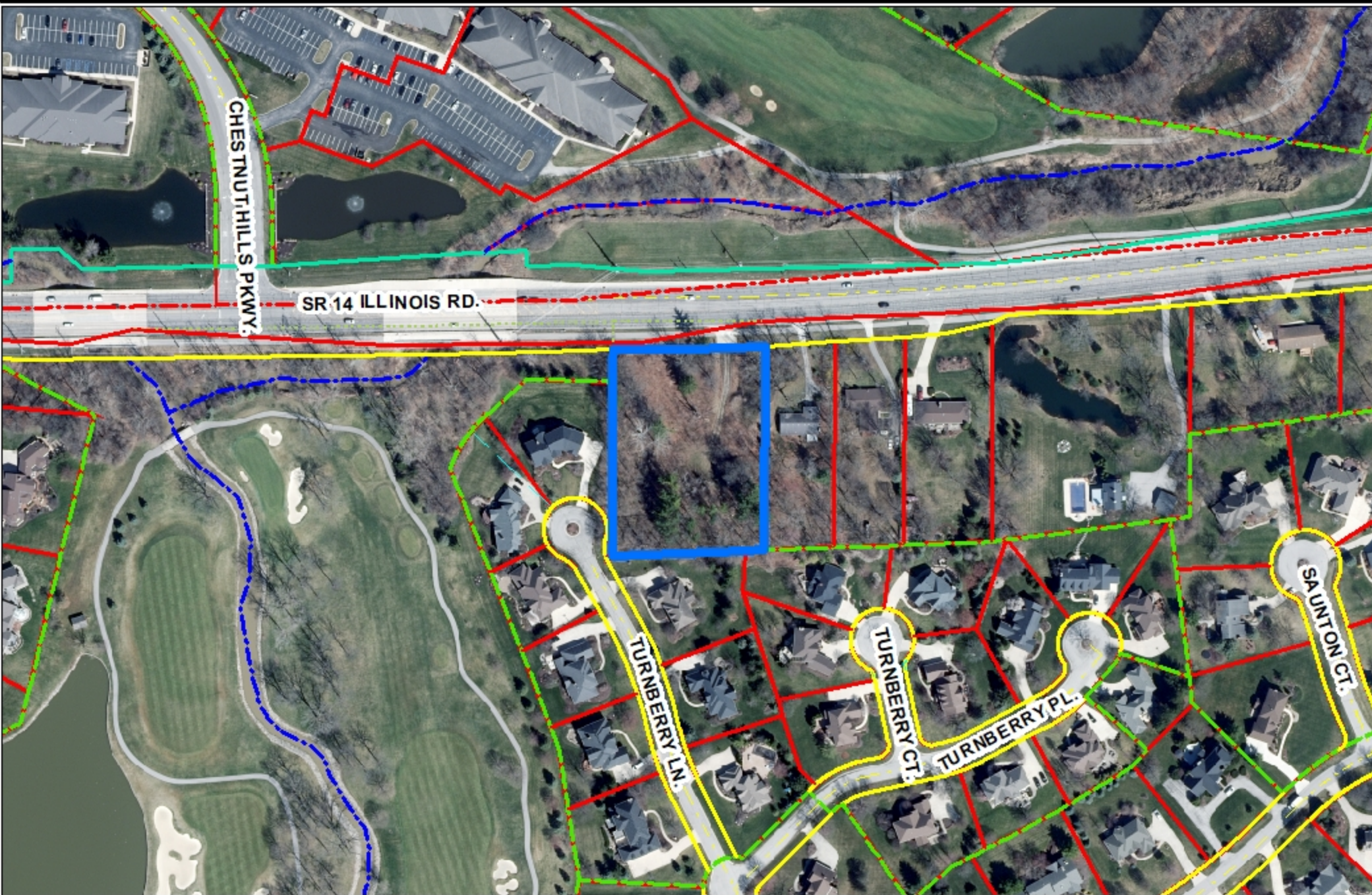
Applicant: Darci Pellom

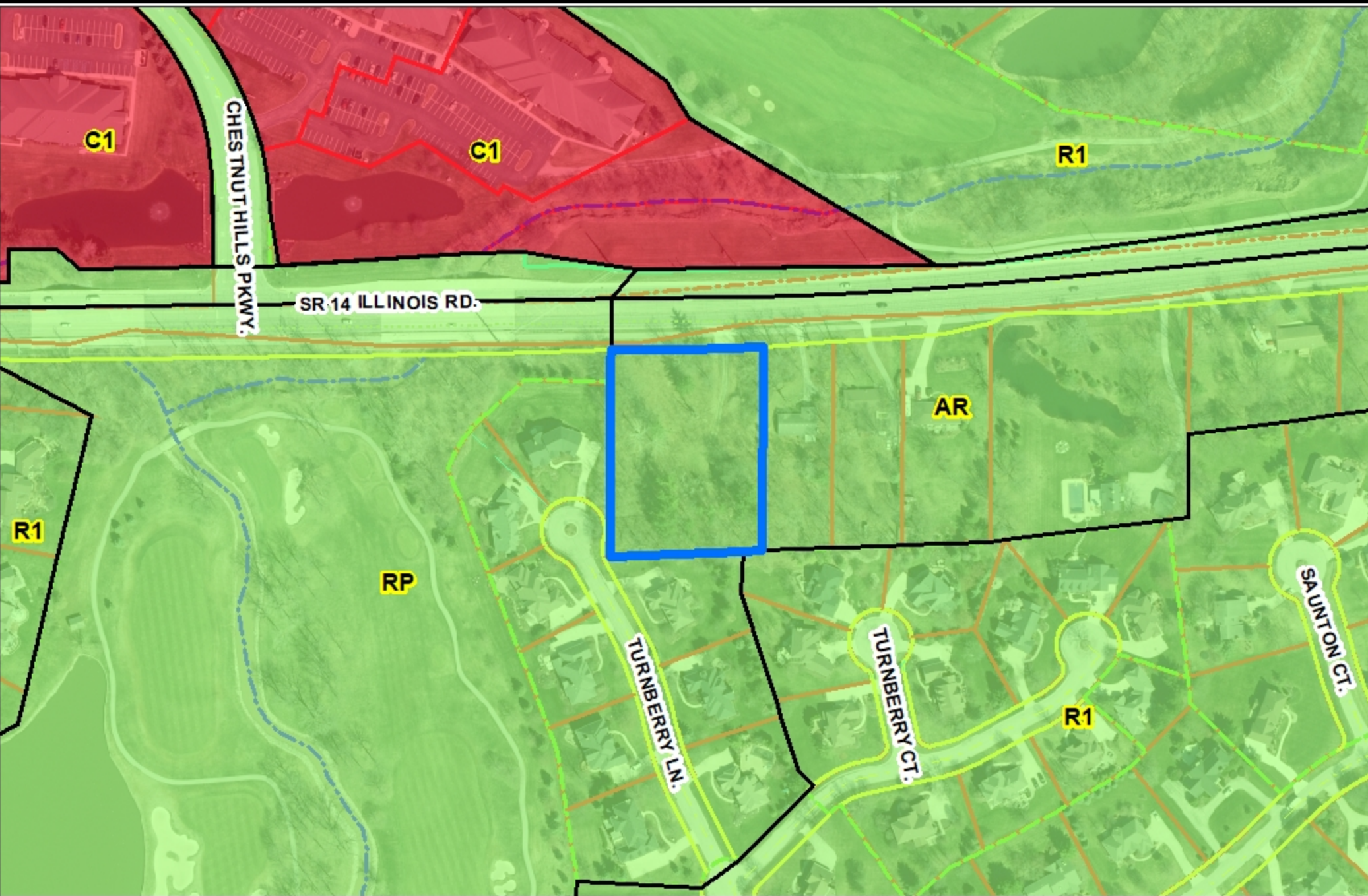
Property Owner: Shakeel Ahmed, M.D. and Sobia Ahmed

Related Petitions: Primary Development Plan - Goddard School

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services zoning district, which will allow for a child care center, along with existing and future professional office and personal service uses.

Effect of Non-Passage: The property will remain zoned AR/Low Intensity Residential, which does not permit child care center. The site may be redeveloped with the continuation of agricultural land uses while also allowing low intensity residential uses.





Department of Planning Services Rezoning Petition Application

Applicant
Applicant Darci Pello
Address 530 East Ohio Street
City Indianapolis State IN Zip 46204
Telephone 317-223-9375 E-mail dpello@cecinc.com

Property Ownership
Property Owner Shakeel Ahmed, M.D. and Sobia Ahmed
Address 8766 Coldwater Road
City Fort Wayne State IN Zip 46825
Telephone 260-207-4044 E-mail fortwayneIN@goddardschools.com

Contact Person
Contact Person same as applicant
Address _____
City _____ State _____ Zip _____
Telephone _____ E-mail _____

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 11309 State Road 14/Illinois Road Township and Section _____
Present Zoning AR Proposed Zoning C1 Acreage to be rezoned 1.918
Purpose of rezoning (attach additional page if necessary) _____
To allow for a child care center use
Sewer provider City of Fort Wayne Water provider City of Fort Wayne

Filing Checklist
Applications will not be accepted unless the following filing requirements are submitted with this application.
☒ Filing fee \$1000.00
☒ Surveys showing area to be rezoned
☒ Legal Description of parcel to be rezoned
☒ Rezoning Criteria (please complete attached document)

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 Fort Wayne and Allen County Plan Commissions 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

Darci Pello
(printed name of applicant)
Pello, Darci
(signature of applicant)
10-20-2023
(date)
Shakeel Ahmed
(printed name of property owner)
Shakeel Ahmed
(signature of property owner)
10-20-2023
(date)



Received	Receipt No.	Hearing Date	Petition No.
11-7-23	144401	12-11-23	RE2-2023

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org



Department of Planning Services Rezoning Questionnaire

When making recommendations on rezoning requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

(1) The Comprehensive Plan;

The site is at the west edge of the comprehensive plan and is located in an urban infill area which has existing infrastructure with a focus on re-investment. The future land use has this parcel as Suburban Neighborhood adjacent to a Town Center designation on the west side of Sycamore Hills Parkway.

(2) Current conditions and the character of current structures and uses in the district;

The adjacent structures on the south side of the street are single family residential zoned XX. Single story brick office buildings are existing on the north side of the street. About 1200' west is the AEP Illinois Road Substation and about 3800' 3/4 mile east is South Scott Road commercial area.

(3) The most desirable use for which the land in the district is adapted;

Illinois Road/SR16 is a state road and a main route to I-69 and eventually into downtown Fort Wayne from the west. Frontage along the roadway with the traffic counts would be highly desirable for commercial development. The density of residential development makes this a prime location to integrate a child care center use in the neighborhood. The conversion of the use of the land will allow development in a desired area by the Comprehensive Plan to the benefit of the community.

(4) The conservation of property values throughout the jurisdiction;

The low intensity use and architecture style compliments the residential use. Child care centers located within or adjacent to neighborhoods are highly desirable.

(5) Responsible development and growth.

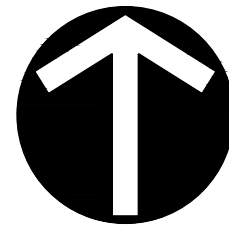
Affordable land for a child care center is necessary to provide high quality care. The use is a natural transition from lower intensity uses to high intensity uses and can act a buffer from the road for the homes behind. The size and location of the site is ideal for the needs of a child care facility The development along the State Road is a higher use of the land to benefit the needs of a growing community by services and taxes of the changed use.

COMPLETE FILING TO INCLUDE:

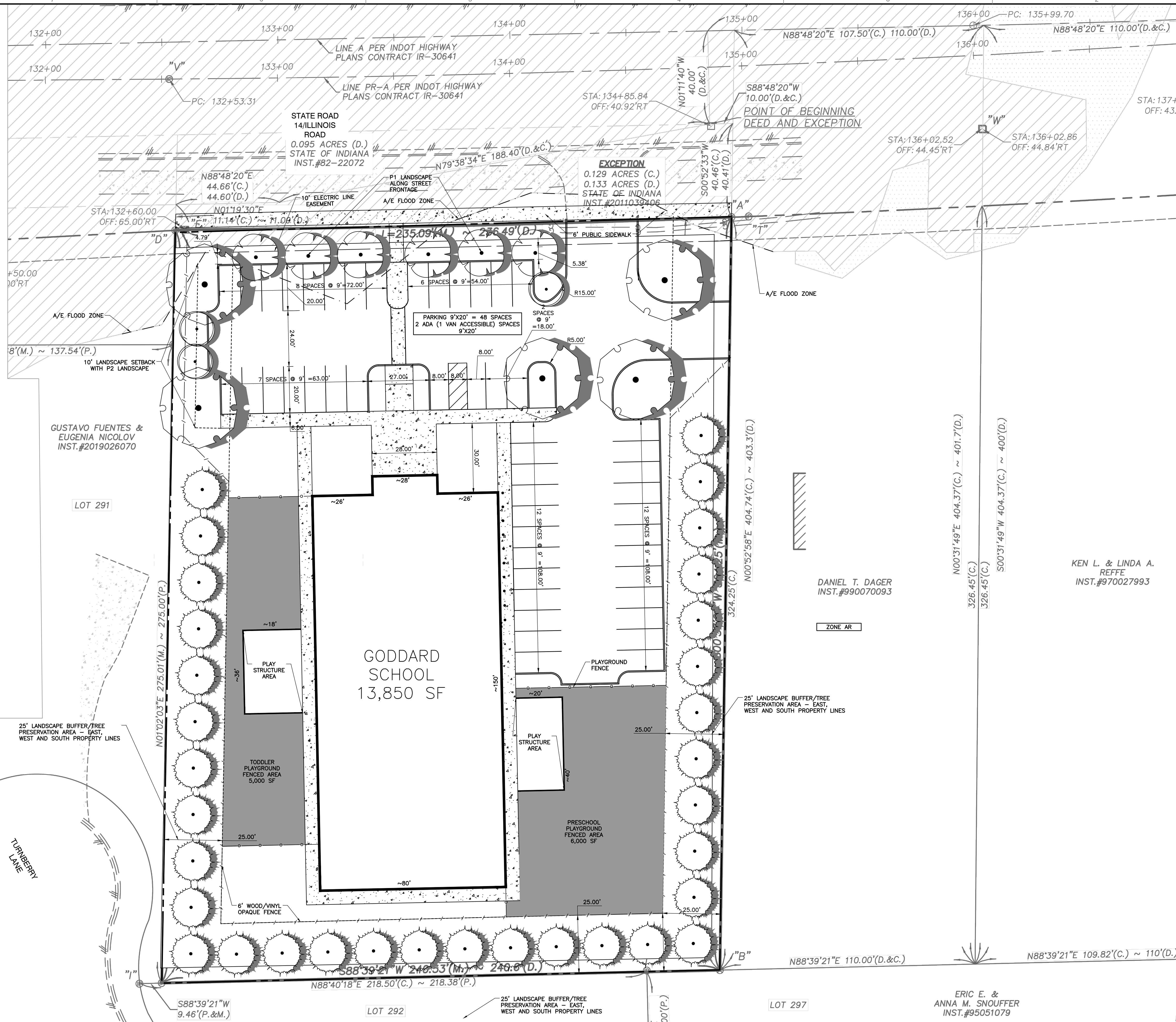
- ☐ Filing Fee
- ☐ Complete application signed by property owner*
- ☐ Legal description (in Word document format)*
- ☐ Boundary/Utility Survey*
- ☐ Rezoning Criteria *
- ☐ Written Commitment (if applicable)*

**All documents may be digital*



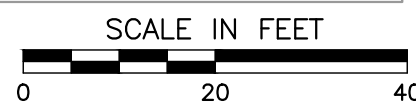


NORTH



REFERENCE

1. TOPOGRAPHIC INFORMATION BASED UPON TOPOGRAPHIC SURVEY CONDUCTED BY ON THE MARK LAND SURVEYING IN SEPTEMBER 15, 2023.



REVISION RECORD

NO.	DATE	DESCRIPTION



Civil & Environmental Consultants, Inc.
700 Cherrington Parkway - Moon Township, PA 15108
412-425-2324 - 800-365-2324
www.cecinc.com

MIDWEST DESIGN GROUP

GODDARD SCHOOL
11309 STATE ROAD 14/ILLINOIS ROAD
FORT WAYNE, IN

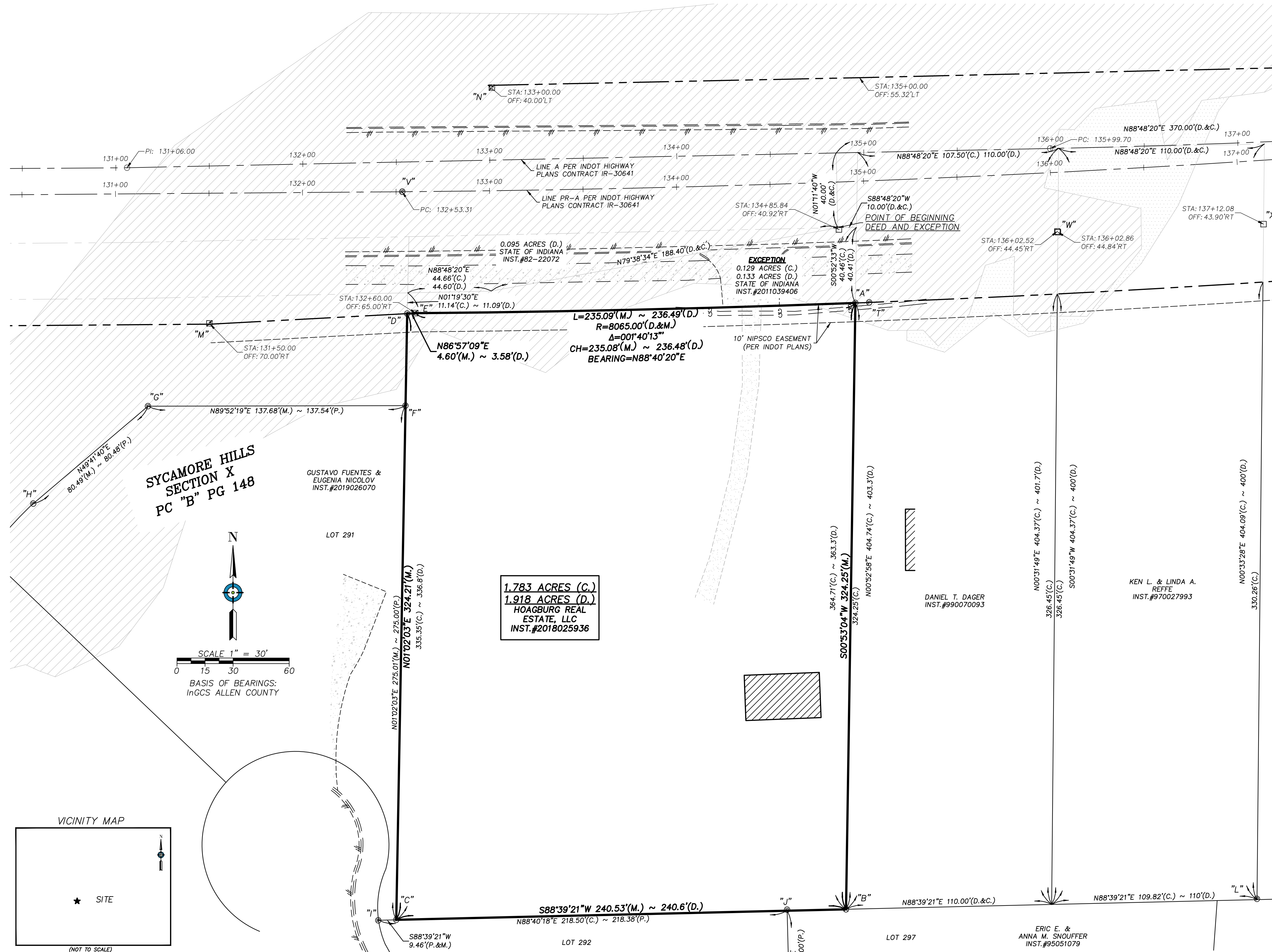
CONCEPTUAL
SITE PLAN

DATE:	NOVEMBER 2, 2023	DRAWN BY:	DJP
DWG SCALE:	1"=20'	CHECKED BY:	DRAFT
PROJECT NO:	334-838	APPROVED BY:	DRAFT

DRAWING NO.:

EXH 1.0

SHEET 1 OF 1



MONUMENT LEGEND

- "A" ~ 5/8"x24" REBAR W/ "MARK LS21900003" ID. CAP SET (FLUSH)
"B" ~ 5/4" PIPE W/ "DAY 6066" ID. CAP FOUND (FLUSH) - C.M.
"C" ~ 5/8" REBAR FOUND (FLUSH) - C.M.
"D" ~ 5/8"x24" REBAR W/ "MARK LS21900003" ID. CAP SET (FLUSH)
"E" ~ CONCRETE RIGHT-OF-WAY MARKER FOUND 0.3'E. OF ACTUAL (+2.3')
"F" ~ 5/8" REBAR W/ "OWENS" ID. CAP FOUND (+0.2') - C.M.
"G" ~ 5/8" REBAR W/ "KARST" ID. CAP FOUND (FLUSH)
"H" ~ 5/8" REBAR W/ "KARST" ID. CAP FOUND (FLUSH)
"I" ~ 5/8" REBAR FOUND W/ ILLEGIBLE FIRM ID CAP FOUND (FLUSH)
"J" ~ 5/8" REBAR W/ "TAZIAN" ID. CAP FOUND 0.52'N. OF ACTUAL (FLUSH)
"K" ~ 5/8" REBAR W/ BROKEN ID. CAP FOUND (FLUSH)
"L" ~ 5/8" REBAR FOUND 0.43'N. OF ACTUAL (FLUSH)
"M" ~ CONCRETE RIGHT-OF-WAY MARKER FOUND 0.4'N. & 0.3'W. OF ACTUAL (+1.9')
"N" ~ CONCRETE RIGHT-OF-WAY MARKER FOUND 1.2'S. & 1.9'E. OF ACTUAL (-0.1')
"O" ~ CONCRETE RIGHT-OF-WAY MARKER FOUND 0.2'S. OF ACTUAL (+2.0')
"P" ~ CONCRETE RIGHT-OF-WAY MARKER FOUND 0.7'S. & 2.6'W. OF ACTUAL (+2.0')
"Q" ~ CONCRETE RIGHT-OF-WAY MARKER FOUND (FLUSH)
"R" ~ CONCRETE RIGHT-OF-WAY MARKER FOUND (FLUSH)
"S" ~ CONCRETE RIGHT-OF-WAY MARKER FOUND (-0.1')
"T" ~ 5/8" REBAR FOUND 7.41'E. 0.33'N. OF ACTUAL (FLUSH)
"U" ~ 1" BAR IN MONUMENT BOX FOUND (-0.4') - C.M.
"V" ~ 1" BAR IN MONUMENT BOX FOUND (-0.3') - C.M.
"W" ~ RECORD STATION AND OFFSET OF FOUND MONUMENT (SEE REPORT) - C.M.
"X" ~ RECORD STATION AND OFFSET OF FOUND MONUMENT (SEE REPORT) - C.M.

ALTA TABLE A NOTES:

- 1 - SEE SHEET 1 FOR FOUND MONUMENTS
- 2 - THE ADDRESS OF THE PROPERTY IS 11309 ILLINOIS ROAD FORT WAYNE, INDIANA 46814
- 3 - SEE FLOODPLAIN CERTIFICATION ON SHEET 2
- 4 - THE GROSS LAND AREA IS 1.783± ACRES
- 5 - SEE SHEET 2 FOR VERTICAL RELIEF INFORMATION
- 6(a)/6(b) - NO ZONING REPORT PROVIDED BY CLIENT AT TIME OF SURVEY
- 7(a) - SEE SHEET 1 FOR BUILDING DIMENSIONS AT GROUND LEVEL
- 8 - SEE SHEET 2 FOR IMPROVEMENTS
- 9 - THERE ARE NO MARKED PARKING SPACES ON SITE
- 10 - THERE ARE NO DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES
- 11(a)/11(b) - SEE SHEET 2 FOR UNDERGROUND UTILITIES
- 12 - NO HUD INFORMATION PROVIDED BY CLIENT AT TIME OF SURVEY
- 13 - SEE SHEET 1 FOR ADJOINING PROPERTY OWNERS
- 14 - IT IS APPROXIMATELY 760± FEET WEST TO THE INTERSECTION OF ILLINOIS ROAD AND CHESTNUT HILLS PARKWAY FROM THE DRIVEWAY.

TITLE DESCRIPTION

The Land referred to herein below is situated in the County of Allen, State of Indiana, and is described as follows:

PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 30 NORTH, RANGE 11 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 48 MINUTES WEST (DEED BEARING AND IS USED AS THE BASIS OF THE BEARINGS IN THIS DESCRIPTION), ON AND ALONG THE CENTERLINE OF ILLINOIS ROAD (STATE ROAD #14), A DISTANCE OF 370.0 FEET; THENCE SOUTH 01 DEGREES 07 MINUTES 10 SECONDS WEST, A DISTANCE OF 40.0 FEET TO THE MOST EASTERLY CORNER OF A 0.095 ACRE TRACT OF LAND CONVEYED TO THE STATE OF INDIANA BY DEED RECORDED IN DOCUMENT NUMBER 82-22072 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, THIS BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 48 MINUTES EAST, A DISTANCE OF 10.0 FEET TO A 5/8 INCH ROD SET; THENCE SOUTH 00 DEGREES 54 MINUTES 06 SECONDS WEST, A DISTANCE OF 363.3 FEET TO A 5/8 INCH ROD SET ON THE NORTH LINE OF SYCAMORE HILLS, SECTION 10, IN THE PLAT OF WHICH IS RECORDED IN PLAT CABINET "B", PAGE 148 IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 88 DEGREES 58 MINUTES 14 SECONDS WEST, ON THE ALONG THE NORTH LINE OF SAID RECORDED SYCAMORE HILLS, SECTION 10, A DISTANCE OF 240.6 FEET TO A 5/8 INCH ROD FOUND; THENCE NORTH 00 DEGREES 59 MINUTES 06 SECONDS EAST, ON AND ALONG THE EAST LINE OF SAID SYCAMORE HILLS, SECTION 10 AND THE NORTHERLY PROJECTION THEREOF, A DISTANCE OF 336.8 FEET (RECORDED 330.0 FEET) TO THE SOUTHWEST CORNER OF SAID 0.095 ACRE TRACT OF LAND; THENCE NORTH 89 DEGREES 48 MINUTES EAST, ON AND ALONG THE SOUTH LINE OF SAID 0.095 ACRE TRACT AND PARALLEL TO THE CENTERLINE OF ILLINOIS ROAD, A DISTANCE OF 44.6 FEET (RECORDED 44.95 FEET); THENCE NORTH 80 DEGREES 38 MINUTES 16 SECONDS EAST, CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 188.4 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1.918 ACRE OF LAND.

SAVE AND EXCEPT:

A PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 30 NORTH, RANGE 11 EAST, ALLEN COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT-OF-WAY LINES DEPICTED ON THE ATTACHED RIGHT-OF-WAY PARCEL PLAT MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION DESIGNATED AS POINT "253" ON THE LOCATION CONTROL ROUTE SURVEY PLAT RECORDED AS INSTRUMENT NUMBER 2008057627 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 00 DEGREES 17 MINUTES 05 SECONDS EAST A DISTANCE OF 17.16 FEET, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER SECTION, TO THE CENTERLINE OF STATE ROAD 14; THENCE ALONG SAID CENTERLINE SOUTHWESTERLY 213.95 FEET ALONG AND ARC TO THE LEFT HAVING A RADIUS 2,865.07 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 82 DEGREES 48 MINUTES 24 SECONDS WEST AND A LENGTH OF 213.60 FEET; THENCE SOUTH 80 DEGREES 38 MINUTES 14 SECONDS WEST A DISTANCE OF 85.38 FEET CONTINUING ALONG SAID CENTERLINE; THENCE CONTINUING ALONG SAID CENTERLINE SOUTHWESTERLY 388.32 FEET ALONG AND ARC TO THE RIGHT HAVING A RADIUS 2,864.72 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 84 DEGREES 31 MINUTES 14 SECONDS WEST AND A LENGTH OF 388.03 FEET; THENCE SOUTH 88 DEGREES 24 MINUTES 07 SECONDS WEST A DISTANCE OF 323.65 FEET, CONTINUING ALONG SAID CENTERLINE; THENCE SOUTH 00 DEGREES 16 MINUTES 36 SECONDS EAST A DISTANCE OF 40.00 FEET, TO THE NORTHEAST CORNER OF A 0.095 ACRE TRACT OF LAND CONVEYED TO THE STATE OF INDIANA AS DESCRIBED IN INSTRUMENT NUMBER 82-22072 IN THE OFFICE OF THE RECORDER OF SAID COUNTY AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 88 DEGREES 24 MINUTES 14 SECONDS EAST A DISTANCE OF 10.00 FEET, ALONG THE SOUTHERN BOUNDARY OF STATE ROAD 14, TO THE EAST LINE OF THE GRANTOR'S LAND; THENCE SOUTH 00 DEGREES 29 MINUTES 40 SECONDS EAST A DISTANCE OF 40.41 FEET ALONG SAID GRANTOR'S EAST LINE; THENCE SOUTHWESTERLY 236.49 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 8,065.00 FEET AND BEING SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 88 DEGREES 15 MINUTES 56 SECONDS WEST AND A LENGTH OF 236.48 FEET TO THE POINT DESIGNATED "451" ON SAID PARCEL PLAT; THENCE SOUTH 86 DEGREES 33 MINUTES 02 SECONDS WEST A DISTANCE OF 3.58 FEET TO THE WEST LINE OF THE GRANTOR'S LAND; THENCE NORTH 00 DEGREES 24 MINUTES 40 SECONDS WEST A DISTANCE OF 11.09 FEET, ALONG SAID GRANTOR'S WEST LINE, TO THE SOUTHERN BOUNDARY OF STATE ROAD 14; THENCE NORTH 88 DEGREES 24 MINUTES 14 SECONDS EAST A DISTANCE OF 44.60 FEET ALONG SAID SOUTHERN BOUNDARY; THENCE NORTH 79 DEGREES 14 MINUTES 29 SECONDS EAST A DISTANCE OF 188.40 FEET, CONTINUING ALONG SAID SOUTHERN BOUNDARY, TO THE POINT OF BEGINNING AND CONTAINING 0.133 ACRES, MORE OR LESS.

TITLE COMMITMENT - SCH. B - FILE #NCS-1188880-INDY

PART ONE:

- ITEM 1 - ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I--REQUIREMENTS ARE MET.
- ITEM 2 - ANY DISCREPANCIES OR CONFLICTS IN BOUNDARY LINES, ANY SHORTAGES IN AREA, OR ANY ENCROACHMENT OR OVERLAPPING IN IMPROVEMENTS.
- ITEM 3 - ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN ACCURATE SURVEY OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION OF THE LAND.
- ITEM 4 - EASEMENTS, LIENS OR ENCUMBRANCES OR CLAIMS THEREOF, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
- ITEM 5 - ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR, MATERIAL OR EQUIPMENT, UNLESS SUCH LIEN IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY AND NOT OTHERWISE EXCEPTED FROM COVERAGE HEREIN.
- ITEM 6-7 - NOT SURVEY ITEMS

PART TWO:

- ITEM 1-2 - NOT SURVEY ITEMS
- ITEM 3 - TERMS, PROVISIONS AND CONDITIONS OF EASEMENT IN FAVOR OF INDIANA & MICHIGAN ELECTRIC COMPANY RECORDED JUNE 05, 1984 AS DOCUMENT NO. 84-012990. **(NOT IN SURVEY AREA - FALLS IN NEW RIGHT OF WAY PURCHASE)**
- ITEM 4 - TERMS, PROVISIONS AND CONDITIONS OF TEMPORARY HIGHWAY EASEMENT GRANT IN FAVOR OF STATE OF INDIANA RECORDED SEPTEMBER 01, 2011 AS DOCUMENT NO. 2011039407. **(DOES NOT EFFECT - CONSTRUCTION FOR PROJECT HAS BEEN FINISHED)**
- ITEM 5 - RIGHTS OF THE PUBLIC, THE STATE OF INDIANA AND THE MUNICIPALITY IN AND TO THAT PART OF THE LAND, IF ANY, TAKEN AND USED FOR ROAD PURPOSES, INCLUDING UTILITY RIGHTS OF WAY.
- ITEM 6 - RIGHTS OF WAY FOR DRAINAGE TILES, DITCHES, FEEDERS AND LATERALS, IF ANY.
- ITEMS 7-8 - NOT SURVEY ITEMS

SURVEYOR'S CERTIFICATE

TO: SHAKEEL AHMED, M.D. AND SOBIA AHMED
HOAGBURG REAL ESTATE, LLC AN INDIANA LIMITED LIABILITY COMPANY
FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES

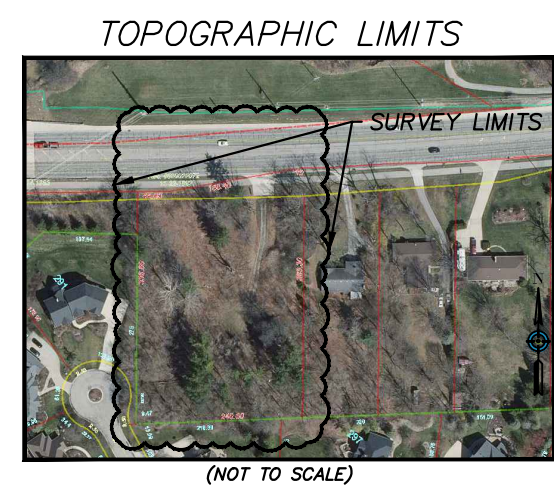
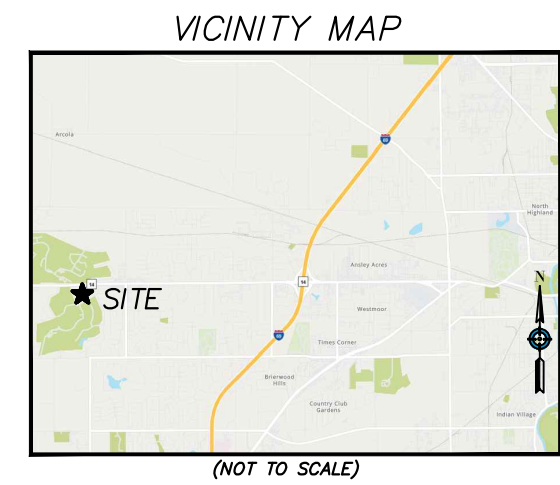
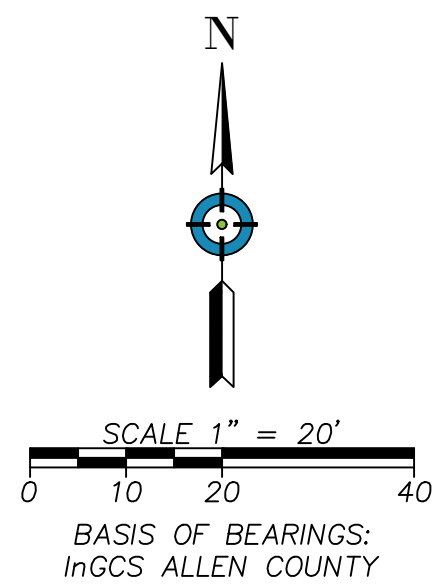
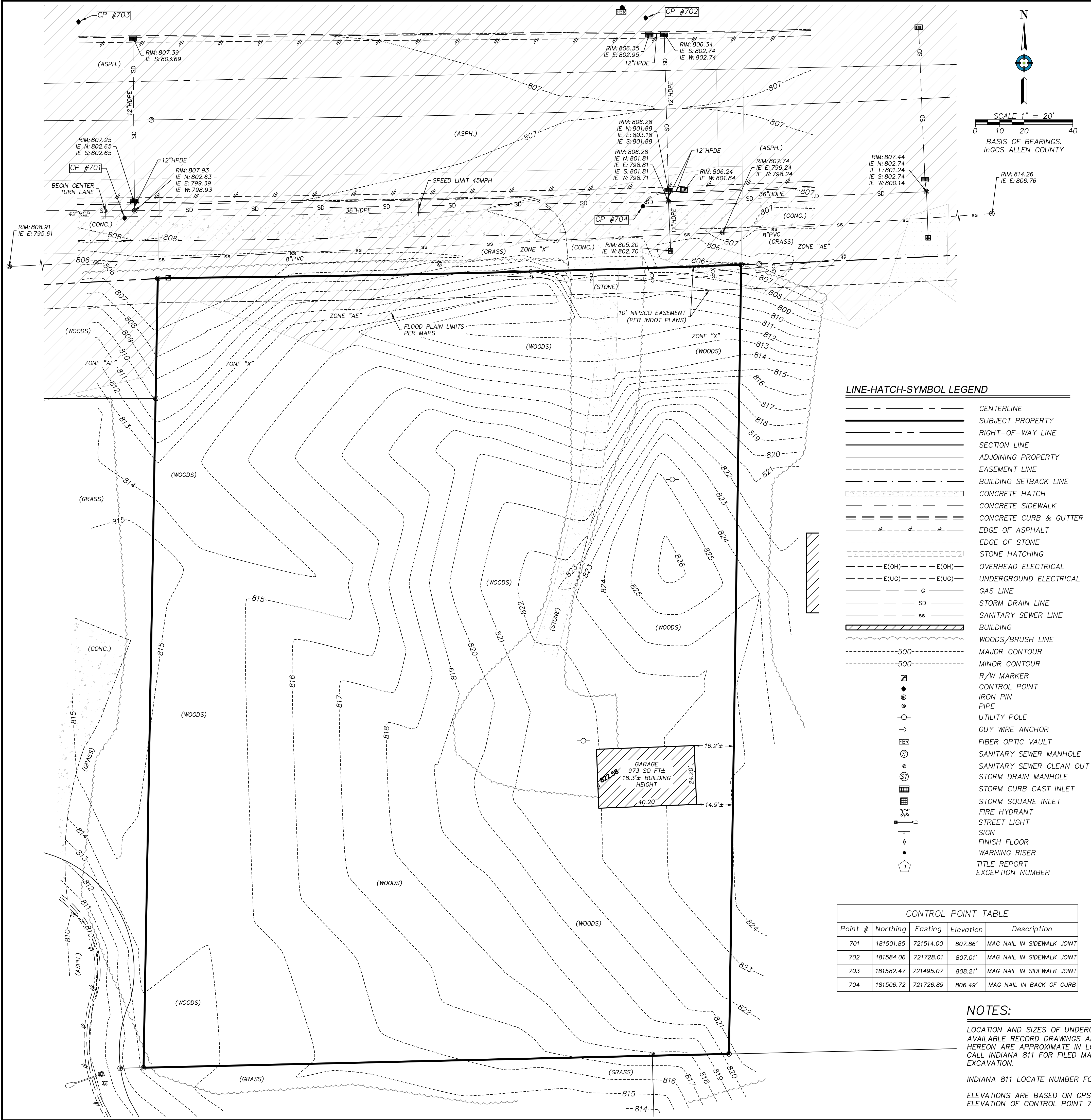
FILE NO: NCS-1188880-INDY
EFFECTIVE DATE: AUGUST 9, 2023 @ 7:30 AM

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a)/6(b), 7(a), 8, 9, 10, 11, 12, 13, 14, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 9/7/2023

DATE: 9/15/2023

PRO FORMA

NOLAN R. MARK, PS INDIANA NO. 21900003



FLOOD PLAIN CERTIFICATION

THIS PROPERTY IS WITHIN ZONE "AE" (AREAS DETERMINED TO HAVE A BASE FLOOD ELEVATION BETWEEN 805 AND 807 FEET) AND ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), FOR THE CITY OF FORT WAYNE, INDIANA, COMMUNITY NO.180003, PANEL NO.18003C0260G, DATED SEPTEMBER 3, 2009.

SURVEYOR'S REPORT

PURPOSE OF SURVEY:
THE PURPOSE OF THIS SURVEY WAS TO RETRACE AN EXISTING TRACT OF LAND AS DESCRIBED IN INSTRUMENT NUMBER 2018025936 FOR AN ALTA/NSPS LAND TITLE SURVEY IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA. THE PROPERTY ADDRESS BEING (ADDRESS).

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, RULE 12, SECTION 1 THROUGH 30 OF THE INDIANA ADMINISTRATIVE CODE, THE BELOW THEORY OF LOCATION WAS BASED UP THE FOLLOWING OPINIONS AND OBSERVATIONS A RESULT OF UNCERTAINTIES IN LINES AND CORNERS BECAUSE OF THE FOLLOWING:

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY ARE BASED ON THE MEASURED BEARING AND DISTANCE ALONG THE WEST LINE OF THE OF THE SUBJECT TRACTS DEED. THE RECORD BEARING FOR THIS LINE PER THE SUBJECT DEED IS BEARING NORTH 00 DEGREES 59 MINUTES 06 SECONDS EAST. THE MEASURED BEARING OF THIS LINE IN INDIANA GEOSPATIAL COORDINATE SYSTEM - ALLEN COUNTY IS NORTH 1 DEGREE 02 MINUTES 03 SECONDS EAST.

DISCREPANCIES IN MEASUREMENTS:
MONUMENTS WERE FOUND WITHIN THE RELATIVE POSITIONAL ACCURACY FOR THE USE OF THE PROPERTY. MONUMENT'S LOCATIONS THAT WERE NOT ARE SHOWN IN RELATION TO THE THEORETICAL CORNER. THERE IS MORE WEIGHT THROWN IN TO FOUND MONUMENTS THAN THE RECORD DEED DISTANCES. THE MEASURED AND CALCULATED DISTANCES ARE SHOWN IN RELATION TO EACH.

A) . . . AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS
THE MONUMENTS FOUND ARE SHOWN ON THE SURVEY AND LISTED ON THE SURVEY UNDER MONUMENT LEGEND.

OTHER CONTROLLING MONUMENTS INCLUDE:

- MONUMENT "B" - 3/4" PIPE WITH "DAY" IDENTIFICATION CAP FOUND FLUSH - THIS MONUMENT WAS FOUND IN THE RELATIVE LOCATION OF THE ACCEPTED PROPERTY CORNER
- MONUMENT "C" - 5/8" REBAR FOUND FLUSH - THIS MONUMENT WAS FOUND IN THE RELATIVE LOCATION OF THE ACCEPTED LOT CORNER
- MONUMENT "U" - 1" BAR FOUND IN MONUMENT BOX 0.4 FEET BELOW GRADE -
- MONUMENT "F" - 5/8" REBAR WITH OWENS IDENTIFICATION CAP FOUND 0.2 FEET ABOVE GRADE - THIS MONUMENT WAS FOUND IN THE RELATIVE LOCATION OF THE ACCEPTED LOT CORNER
- MONUMENT "U" - 1" BAR FOUND IN MONUMENT BOX 0.4 FEET BELOW GRADE - THIS MONUMENT IS A CENTERLINE MONUMENT FOR STATE ROAD 14 PR-A LINE
- MONUMENT "V" - 1" BAR FOUND IN MONUMENT BOX 0.3 FEET BELOW GRADE - THIS MONUMENT IS A CENTERLINE MONUMENT FOR STATE ROAD 14 PR-A LINE
- MONUMENT "W" - RECORD STATION AND OFFSET OF MONUMENTATION FOUND FOR EAST ADJOINER PRIOR TO STATE ROAD 14 EXPANSION
- MONUMENT "X" - RECORD STATION AND OFFSET OF MONUMENTATION FOUND FOR EAST ADJOINER PRIOR TO STATE ROAD 14 EXPANSION

B) . . . OCCUPATION OR POSSESSION LINES
THERE WERE NO UNCERTAINTIES FOUND ON VISUAL INSPECTION OF OCCUPATION OR POSSESSION LINES.

C) . . . CLARITY OR AMBIGUITY OF DESCRIPTIONS
THERE WERE NO AMBIGUITIES FOUND WITHIN THE DESCRIPTIONS USED FOR THE SURVEY. DOCUMENTS USED INCLUDE:

- 1) INSTRUMENT NUMBER 202018025936 (WARRANTY DEED) - SUBJECT PARCEL
- 2) INSTRUMENT NUMBER 2011039406 (WARRANTY DEED) - SUBJECT PARCEL EXCEPTION
- 3) INSTRUMENT NUMBER 82-22072 (WARRANTY DEED) - RIGHT-OF-WAY TAKE
- 4) INSTRUMENT NUMBER 990070093 (WARRANTY DEED) - EAST ADJOINER
- 5) INSTRUMENT NUMBER 970027993 (WARRANTY DEED) - EAST ADJOINER
- 6) INSTRUMENT NUMBER 95051079 (WARRANTY DEED) - SOUTH ADJOINER
- 7) INSTRUMENT NUMBER 2022054622 (WARRANTY DEED) - SOUTH ADJOINER
- 8) INSTRUMENT NUMBER 2019026070 (WARRANTY DEED) - WEST ADJOINER
- 9) RECORDED PLAT OF SYCAMORE HILLS SECTION X AS RECORDED IN PLAT CABINET "B" PAGE 148
- 10) RECORD INDOT HIGHWAY PLANS FOR CONTRACT IR-30641 DATED JUNE 27, 2012
- 11) RECORDED LOCATION CONTROL ROUTE SURVEY PLAT BY TRENT NEWPORT DATED OCTOBER 20, 2008 AND RECORDED AS INSTRUMENT NUMBER 2008057627

D) . . . RELATIVE POSITIONAL ACCURACY OF THE MEASUREMENTS
BASED ON THE USE OF THE PROPERTY (URBAN - COMMERCIAL PROPERTY, INDUSTRIAL PROPERTY, CONDOMINIUMS, TOWNHOUSES, APARTMENTS, MULTIUNIT DEVELOPMENTS--SUBURBAN - SINGLE FAMILY RESIDENTIAL SUBDIVISION LOTS--RURAL SURVEY - REAL ESTATE LYING IN RURAL AREAS) THE ACCEPTABLE RELATIVE POSITIONAL ACCURACY IS URBAN SURVEY 0.07 FEET (21 MILLIMETERS) PLUS 50 PPM AND ALTA/NSPS STANDARD.

THEORY OF LOCATION:
THE WEST (324.21 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED BY MONUMENTS "C" AND "F". THESE MONUMENTS ESTABLISHED THE BEARING FOR THIS LINE AND THE BASIS OF BEARINGS FOR THIS SURVEY. THE DISTANCE TO THE NORTH IS CONTROLLED BY THE RIGHT-OF-WAY OF STATE ROAD 14.

THE SOUTH (240.53 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED BY MONUMENTS "B" AND "C". THESE MONUMENTS CONTROLLED BOTH THE BEARING AND DISTANCE FOR THIS LINE.

THE NORTH (235.09 FEET AND 4.60 FEET) LINES OF THE SUBJECT TRACT WERE ESTABLISHED BY MONUMENTS "U", "V" AND PLAN STATION AND OFFSETS. MONUMENTS "U" AND "V" WERE USED TO PLACE THE RECORD PR-A CENTERLINE FOR STATE ROAD 14. THE RECORD STATION AND OFFSETS WERE THEN USED TO ESTABLISH THE RIGHT-OF-WAY OF STATE ROAD 14.

THE EAST (234.25 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED BY MONUMENT "B" AND RECORD DEED BEARINGS AND DEFLECTIONS. THE RECORD DEED DEFLECTIONS AND DISTANCES WERE HELD AT 40 FEET PERPENDICULAR FROM LINE A OF STATE ROAD 14 AND 10 FEET PARALLEL HEADING EAST. THE RECORD DISTANCES ALSO CHECKED WITH THE RIGHT-OF-WAY TAKE DESCRIPTION FROM INSTRUMENT NUMBER 82-22072.

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE AND SEAL, FULL PAYMENT OF INVOICE, AND COMPLETE WITH ALL PAGES OF SURVEY. THE INFORMATION SHOWN ON THE SURVEY DOCUMENTS IS INTENDED FOR THIS TRANSACTION ONLY AS DATED ON SAID SURVEY DOCUMENTS. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTATION BY THE LAND SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USERS' SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE LAND SURVEYOR.

SINCE THE LAST DATE OF FIELD WORK OF THIS SURVEY, CONDITIONS BEYOND THE KNOWLEDGE OR CONTROL OF ON THE MARK LAND SURVEYING, LLC. MAY HAVE ALTERED THE VALIDITY AND CIRCUMSTANCES SHOWN OR NOTED HEREON.

PRO FORMA

CERTIFICATION

I, NOLAN R. MARK, CERTIFY THAT I AM A LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT TO THE BEST OF MY KNOWLEDGE INFORMATION AND BELIEF ALL INFORMATION SHOWN HEREON IS TRUE AND ACCURATE:

Nolan R. Mark, P.S. No.LS21900003

LINE-HATCH-SYMBOL LEGEND

---	CENTERLINE
---	SUBJECT PROPERTY
---	RIGHT-OF-WAY LINE
---	SECTION LINE
---	ADJOINING PROPERTY
---	EASEMENT LINE
---	BUILDING SETBACK LINE
---	CONCRETE HATCH
---	CONCRETE SIDEWALK
---	CONCRETE CURB & GUTTER
---	EDGE OF ASPHALT
---	EDGE OF STONE
---	STONE HATCHING
---	OVERHEAD ELECTRICAL
---	UNDERGROUND ELECTRICAL
---	GAS LINE
---	STORM DRAIN LINE
---	SANITARY SEWER LINE
---	BUILDING
---	WOODS/BRUSH LINE
---	MAJOR CONTOUR
---	MINOR CONTOUR
---	R/W MARKER
---	CONTROL POINT
---	IRON PIN
---	PIPE
---	UTILITY POLE
---	GUY WIRE ANCHOR
---	FIBER OPTIC VAULT
---	SANITARY SEWER MANHOLE
---	SANITARY SEWER CLEAN OUT
---	STORM DRAIN MANHOLE
---	STORM CURB CAST INLET
---	STORM SQUARE INLET
---	FIRE HYDRANT
---	STREET LIGHT
---	SIGN
---	FINISH FLOOR
---	WARNING RISER
---	TITLE REPORT
---	EXCEPTION NUMBER

Point #	Northing	Easting	Elevation	Description
701	181501.85	721514.00	807.86'	MAG NAIL IN SIDEWALK JOINT
702	181584.06	721728.01	807.01'	MAG NAIL IN SIDEWALK JOINT
703	181582.47	721495.07	808.21'	MAG NAIL IN SIDEWALK JOINT
704	181506.72	721726.89	806.49'	MAG NAIL IN BACK OF CURB

NOTES:

LOCATION AND SIZES OF UNDERGROUND UTILITIES ARE SHOWN FROM BEST AVAILABLE RECORD DRAWINGS AND/OR FIELD MARKINGS. UTILITY LINES SHOWN HEREON ARE APPROXIMATE IN LOCATION AND INTENDED FOR REFERENCE ONLY. CALL INDIANA 811 FOR FILED MARKED LOCATION OF UTILITIES PRIOR TO ANY EXCAVATION.

INDIANA 811 LOCATE NUMBER FOR THIS PROJECT - 2308172929

ELEVATIONS ARE BASED ON GPS OBSERVATION OF CONTROL POINT 701. THE ELEVATION OF CONTROL POINT 701 IS 807.86 FEET.

2305 CENTRALYARD CT, SUITE B
FORT WAYNE, IN 46818
260-338-2052
info@onthe-mark-land-surveying.com
www.onthe-mark-land-surveying.com



A PART OF THE NORTHEAST
QUARTER OF SECTION 9,
TOWNSHIP 30 NORTH, RANGE
11 EAST, ABOITE TOWNSHIP,
ALLEN COUNTY, INDIANA

TOPOGRAPHIC SURVEY
HOAGBURG REAL ESTATE, LLC
11309 ILLINOIS ROAD, FORT WAYNE, INDIANA 46814

JOB NO. 23.0132
FIELDWORK
COMPLETED
DATE: 9/7/2023
CREW: BLW/BEC
DRAWING
DATE: 9/15/2023
DRAWN BY: NRM
APPROVED BY: NRM
DATE: 9/15/2023
2
SHEET
OF 2 SHEETS

TITLE DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ALLEN, STATE OF INDIANA, AND IS DESCRIBED IN AS FOLLOWS:

PART OF THE NORTHEAST QUARTER SECTION 9, TOWNSHIP 30 NORTH, RANGE 11 EAST, ALLEN COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 48 MINUTES WEST (DEED BEARING AND IS USED AS THE BASIS OF THE BEARINGS IN THIS DESCRIPTION), ON AND ALONG THE CENTERLINE OF ILLINOIS POAD (STATE ROAD #14), A DISTANCE OF 40.0 FEET; THENCE SOUTH 01 DEGREES 07 MINUTES 10 SECONDS WEST, A DISTANCE OF 40.0 FEET TO THE MOST EASTERLY CORNER OF A 0.095 ACRE TRACT OF LAND CONVEYED TO THE STATE OF INDIANA BY DEED RECORDED IN DOCUMENT CABINET NUMBER 8-22072 IN THE OFFICE OF THE RECORDER OF ALLEN COUNTY, INDIANA, THAT BEING SAID THE TRUE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 48 MINUTES EAST, A DISTANCE OF 10.0 FEET TO A 5/8 INCH ROD SET; THENCE SOUTH 00 DEGREES 54 MINUTES 06 SECONDS WEST, A DISTANCE OF 363.3 FEET TO A 5/8 INCH ROD SET ON THE NORTH LINE OF SYCAMORE HILLS, SECTION 10, IN THE PLAT OF WHICH IS RECORDED IN PLAT CABINET "B", PAGE 148 IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 88 DEGREES 58 MINUTES 14 SECONDS WEST, ON THE ALONG THE NORTH LINE OF SAID RECORDED SYCAMORE HILLS, SECTION 10, A DISTANCE OF 240.6 FEET TO A 5/8 INCH ROD FOUND; THENCE NORTH 00 DEGREES 59 MINUTES 6 SECONDS EAST, ON AND ALONG THE EAST LINE OF SAID SYCAMORE HILLS, SECTION 10, AND THE NORTHERLY PROJECTION THEREOF, A DISTANCE OF 336.8 FEET (RECORDED 330.0 FEET) TO THE SOUTHWEST CORNER OF SAID 0.095 ACRE TRACT OF LAND; THENCE NORTH 89 DEGREES 48 MINUTES EAST, ON AND ALONG THE SOUTH LINE OF SAID 0.095 ACRE TRACT AND PARALLEL TO THE CENTERLINE OF ILLINOIS ROAD, A DISTANCE OF 44.6 FEET (RECORDED 44.95 FEET); THENCE NORTH 80 DEGREES 38 MINUTES 16 SECONDS EAST, CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 188.4 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1.918 ACRE OF LAND.

SAVE AND EXCEPT:

A PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 30 NORTH, RANGE 11 EAST, ALLEN COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND LYING WITHIN THE RIGHT-OF-WAY LINES DEPICTED ON THE ATTACHED RIGHT-OF-WAY PARCEL PLAT MARKED EXHIBIT "B", DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION DESIGNATED AS POINT "253" ON THE LOCATION CONTROL ROUTE SURVEY PLAT RECORDED AS INSTRUMENT NUMBER 2008057627 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 00 DEGREES 17 MINUTES 05 SECONDS EAST A DISTANCE OF 17.16 FEET, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER SECTION, TO THE CENTERLINE OF STATE ROAD 14; THENCE ALONG SAID CENTERLINE SOUTHEASTERLY 213.65 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS 2,865.07 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 82 DEGREES 46 MINUTES 14 SECONDS WEST AND A LENGTH OF 213.60 FEET; THENCE SOUTH 82 DEGREES 46 MINUTES 24 SECONDS WEST A DISTANCE OF 85.38 FEET CONTINUING ALONG SAID CENTERLINE; THENCE CONTINUING ALONG SAID CENTERLINE

SOUTHEASTERLY 388.52 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS 2,864.72 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 84 DEGREES 31 MINUTES 14 SECONDS WEST AND A LENGTH OF 388.03 FEET; THENCE SOUTH 88 DEGREES 24 MINUTES 07 SECONDS WEST A DISTANCE OF 323.65 FEET, CONTINUING ALONG SAID CENTERLINE; THENCE SOUTH 00 DEGREES 16 MINUTES 36 SECONDS EAST A DISTANCE OF 40.00 FEET, TO THE NORTHEAST CORNER OF A 0.095 ACRE TRACT OF LAND CONVEYED TO THE STATE OF INDIANA AS DESCRIBED IN INSTRUMENT T NUMBER 82-22072 IN THE OFFICE OF THE RECORDER OF SAID COUNTY AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 88 DEGREES 24 MINUTES 14 SECONDS EAST A DISTANCE OF 10.00 FEET, ALONG THE SOUTHERN BOUNDARY OF STATE ROAD 14, TO THE EAST LINE OF THE GRANTOR'S LAND; THENCE SOUTH 0 DEGREES 29 MINUTES 40 SECONDS EAST A DISTANCE OF 40.41 FEET ALONG SAID GRANTOR'S EAST LINE; THENCE WESTERLY 236.49 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 8,065.00 FEET AND BEING SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 88 DEGREES 15 MINUTES 56 SECONDS WEST AND A LENGTH OF 236.48 FEET TO THE POINT DESIGNATED "451 " OF SAID PARCEL PLAT; THENCE SOUTH 86 DEGREES 33 MINUTES 02 SECONDS WEST A DISTANCE OF 3.58 FEET TO THE WEST LINE OF THE GRANTOR'S LAND; THENCE NORTH 0 DEGREES 24 MINUTES 40 SECONDS WEST A DISTANCE OF 11.09 FEET, ALONG SAID GRANTOR'S TEST LINE, TO THE SOUTHERN BOUNDARY OF STATE ROAD 14; THENCE NORTH 88 DEGREES 24 MINUTES 14 SECONDS EAST A DISTANCE OF 44.60 FEET ALONG SAID SOUTHERN BOUNDARY, THENCE NORTH 79 DEGREES 14 MINUTES 29 SECONDS EAST A DISTANCE OF 188.40 FEET, CONTINUING ALONG SAID SOUTHERN BOUNDARY, TO THE POINT OF BEGINNING AND CONTAINING 0.133 ACRES, MORE OR LESS.

FACT SHEET

Case #REZ-2023-0056

Bill # Z-23-11-28

Project Start: November 2023

APPLICANT:	Darci Pellom
REQUEST:	To rezone approximately 1.92 acres from AR/Low Intensity Residential to C1/Professional Office and Personal Services to allow for a child care center
LOCATION:	11309 W SR 14 / Illinois Road (Section 9 of Aboite Township)
LAND AREA:	1.92 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	C1/Professional Office and Personal Services
COUNCIL DISTRICT:	4 – Jason Arp
SPONSOR:	Fort Wayne Plan Commission

December 11, 2023 Public Hearing

- Six property owners/neighborhood representatives spoke with support or stated concerns
- Twelve correspondence were received stating concerns.
- Tom Freistroffer and Ryan Neumeister were absent.

December 18, 2023 Business Meeting

Plan Commission Recommendation: DO NOT PASS

A motion was made by Judy Wire and seconded by Karen Richards to return the ordinance with a Do Not Pass recommendation to Common Council for their final decision.

7-0 MOTION DO NOT PASS

- Paul Sauerteig and Rick Briley were absent.

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
December 18, 2023

PROJECT SUMMARY

- The property consists of a wooded lot zoned AR/Low Intensity Residential.

The applicant requests a rezoning from AR/Low Intensity Residential to C1/ Professional Office and Personal Services and approval of a primary development plan for a 13,850 square foot child care center. The property is located on the south side of West State Road 14 just north of the Sycamore Hills subdivision. The surrounding zoning districts consist of C1/Professional Office and Personal Services to the north, AR/Low Intensity Residential to the east, RP/Planned Residential to the south and west. A single-family residential subdivision is located to the west and south and single-family homes on metes and bounds lots are located to the east. On the north side of West State Road 14 there is an office park and the Chestnut Hills Golf Course.

The submitted development plan consists of a 13,850 square foot structure with two separate fenced outdoor play areas to the east and to the west. Access is located on W State Road 14 along the north side of the property. No access is proposed to Turnberry Lane in Sycamore Hills Neighborhood Association as they do not have any direct access to that right of way. Parking is located to the north and east side of the lot. The applicant submitted a landscape plan that provides the zoning ordinance required landscape screening of the northern portion of the parking lot. The applicant has labeled a 25-foot landscape buffer to the east, south, and west side of the property. Staff would require a more detailed landscaping plan during the permitting of the phase to determine what type of vegetation will be planted. The applicant did not apply for any development standard waivers for this project.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

- The project site is located within the Urban Infill Area. Development in urban infill areas should be focused on vacant lots within neighborhoods and commercial or industrial areas already served by infrastructure.
- The following Goal would be applicable and supportive of this request:
LUD1 – Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas

Overall Land Use Policies

- The following Land Use Policies would be applicable and supportive of this request:
LUD Policy 4 – Nonresidential development which is adjacent to residential neighborhoods should be limited to lower intensity neighborhood commercial uses.

Generalized Future Land Use Map

- The project site is located within Suburban Neighborhood generalized land use category.
- Similar Secondary Land Uses in this category are schools.
- Adjacent properties are categorized as Suburban Neighborhood and Business and Office Park.

Overall Land Use Related Action Steps

- **LUD Goal 1** Encourage compatible infill development and redevelopment in the Urban Infill and Priority Investment Areas.

Compatibility Matrix

- This proposed use is permitted in C1/Professional Office and Personal Services which is considered compatible with Suburban Neighborhood and Business and Office Park.

Other Applicable Plans: none

PUBLIC HEARING SUMMARY:

Presenter: Pat Hess, representing the property owner, presented the request as outlined above. Hatesh Batel, engineer, answered questions from staff and commissioners.

Public Comments:

Jeffery Duff (Representing Sycamore Hills Community Assn): Concerns with application; notification; noise, lighting, traffic; close proximity; spot zoning.

Caitlin Goodrich (1409 Turnberry Ln): Speaking for group - Concerns with traffic; lighting; exhaust; noise; property values; entrance.

Tom Gilbert (1410 Turnberry Ln): Concerns with noise; close proximity; previous development denied.

Richard Schuiteman (1226 Turnberry Ln): Concerns with traffic, lighting, noise, fence.

Daniel Boylan (1430 Turnberry Ct): Concerns with greenway trail; exhaust.

Jayanta Aditi (1312 Turnberry Ln): Concerns for family; noise; traffic; stormwater; lights.

Closing Comments:

Pat Hess stated that spot zoning is ok with state law. Historically, Sycamore Hills had been wooded and agricultural area prior to being developed into a subdivision. It is now wooded with many mature trees.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

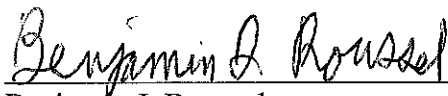
Rezoning Petition REZ-2023-0056

PROPOSAL:	Rezoning Petition REZ-2023-0056
APPLICANT:	Darci Pellom
REQUEST:	To rezone property from AR/Low Intensity Residential to C1/Professional Offices and Personal Services for a child care center.
LOCATION:	11309 W SR 14, 600 feet east of its intersection with Chestnut Hills Parkway (Section 9 of Aboite Township)
LAND AREA:	1.918 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING:	C1/Professional Office and Personal Services

The Plan Commission recommends that Rezoning Petition REZ-2023-0056 be returned to Council, with a “Do Not Pass” recommendation after considering the following:

1. Approval of the request will have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The use and site design is too intense for a predominately residential area. Traffic along West State Road 14 could cause congestion problems entering and exiting the site in a timely manner.
2. Approval is not consistent with the preservation of property values in the area. The proposed structure would be too close to existing residential homes within Sycamore Hills Neighborhood Association. The site as proposed could introduce noise and traffic impacts not commonly found within single family subdivisions.
3. Approval is not consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The proposed development would be too intense for the area and could potentially create traffic congestion on West State Road 14. The applicant did not supply sufficient evidence that traffic entering and exiting the site could do so in a safe way without impacting West State Road 14.

These findings approved by the Fort Wayne Plan Commission on December 18, 2023.

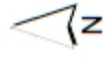


Benjamin J. Roussel
Executive Director
Secretary to the Commission

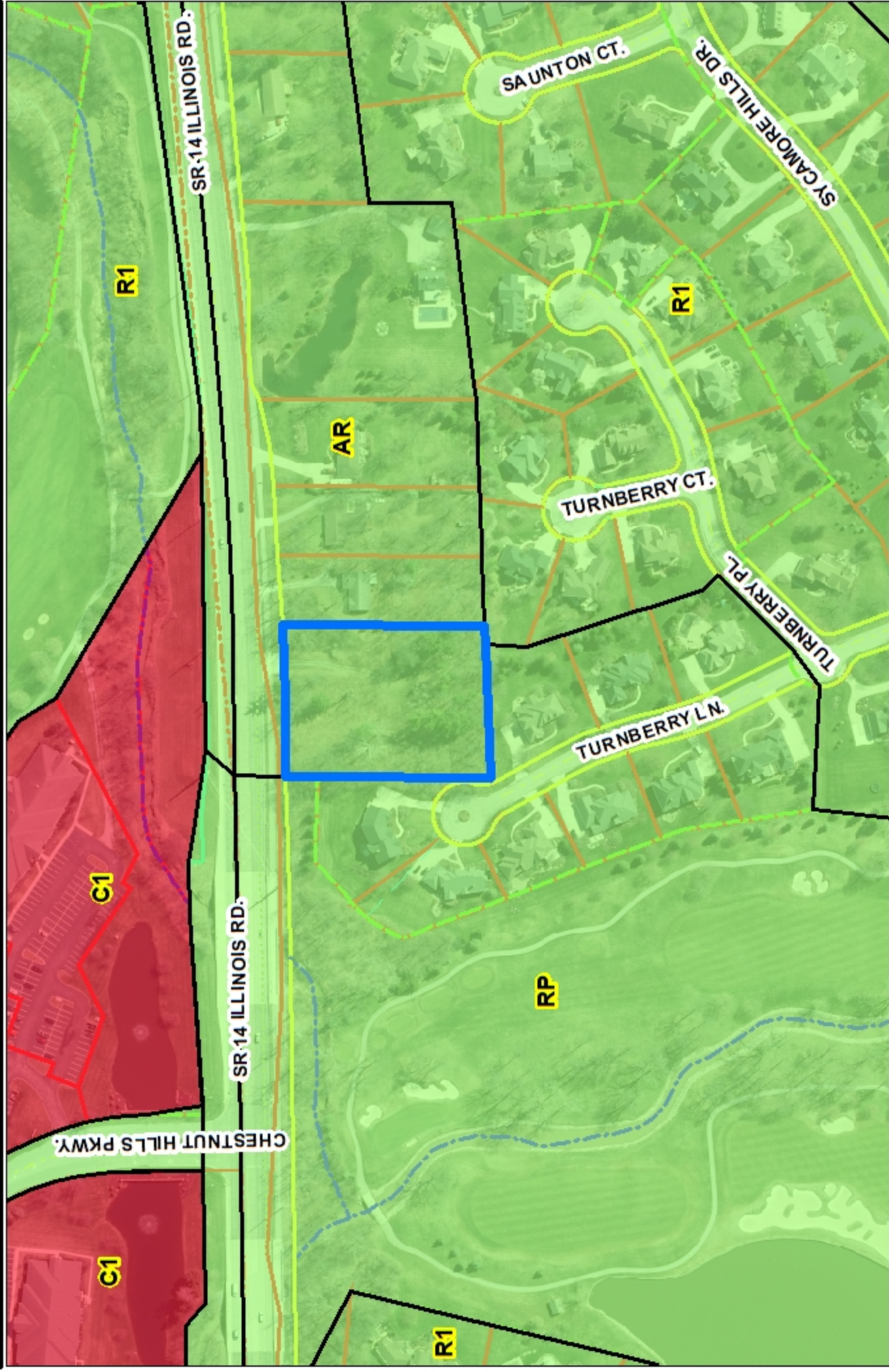


Although aerial accuracy standards have been met, the City of Goddard does not warrant the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983
State Plane, Central Indiana System, Indiana East
Photos and Contours: Spring 2019
Date: 12-4-2023



1 inch = 200 feet

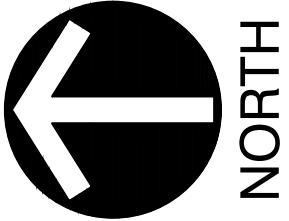


Although every effort has been made to ensure the accuracy of the information contained herein, the City of Allen is not responsible for any errors or omissions. The information is provided for informational purposes only and should not be used for any other purpose.

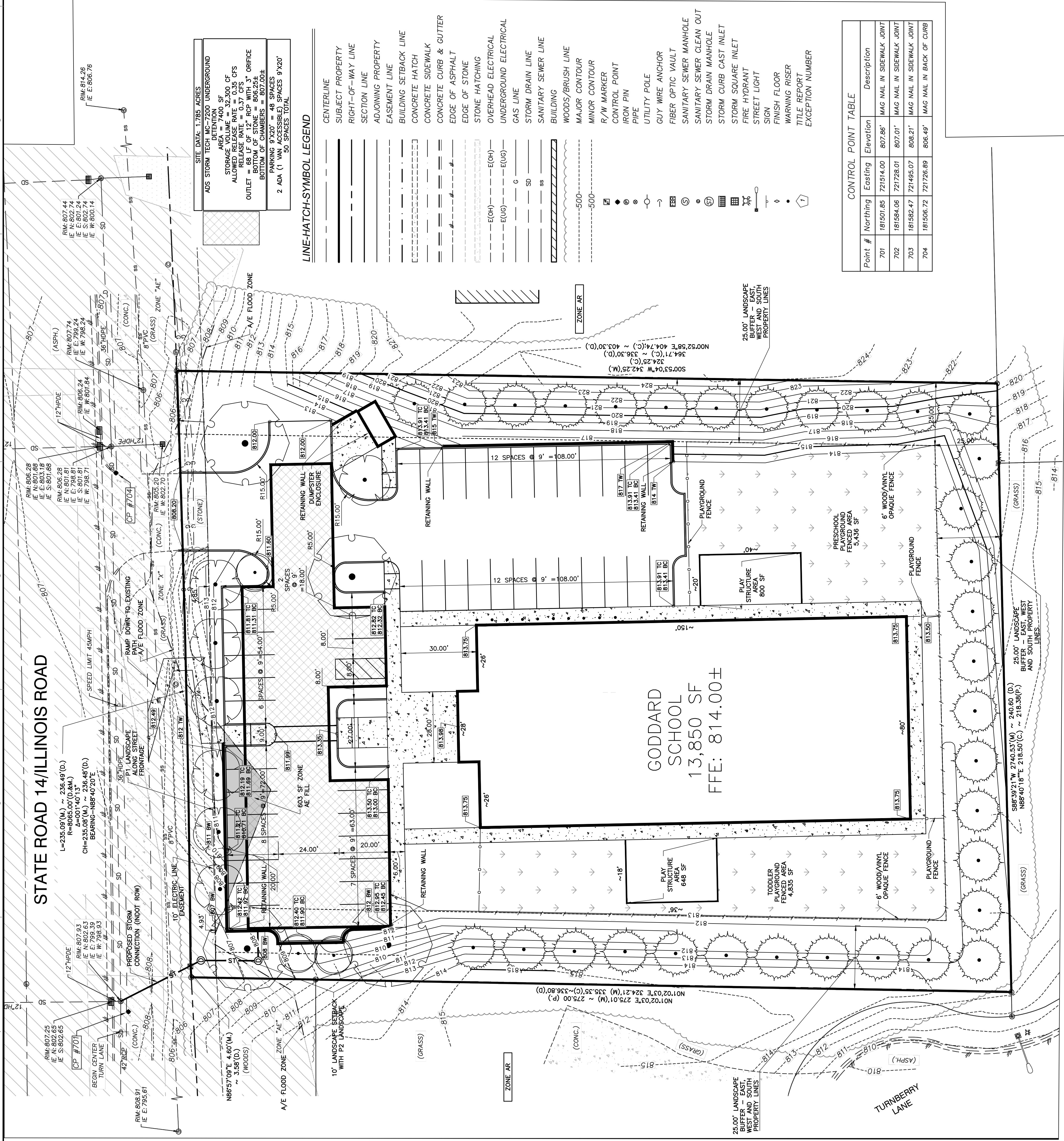
North American Datum 1983
State Plane, Central Indiana System, Indiana East
Photos and Contours: Spring 2009
Date: 12-4-2023



1 inch = 200 feet



STATE ROAD 14/ILLINOIS ROAD



Civil & Environmental Consultants, Inc.
700 Cherrington Parkway · Moon Township, PA 15108
412-429-2324 800-365-2324
www.cechinc.com



MIDWEST DESIGN GROUP
GODDARD SCHOOL
11309 STATE ROAD 14/ILLINOIS ROAD
FORT WAYNE, IN

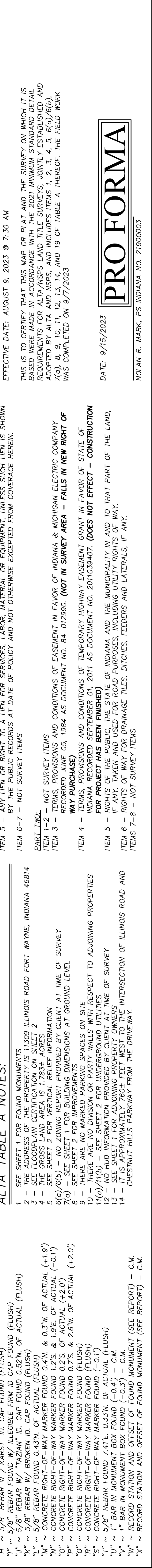
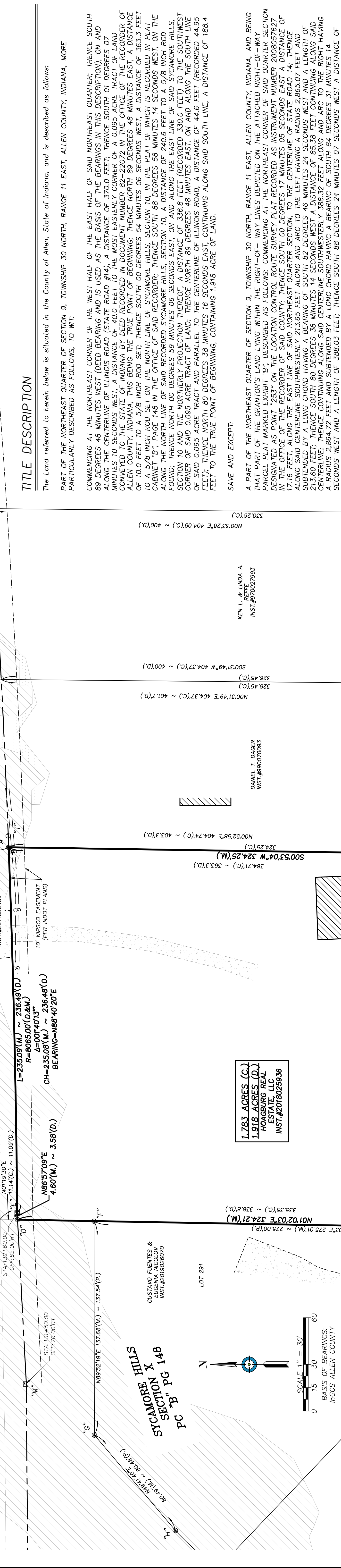
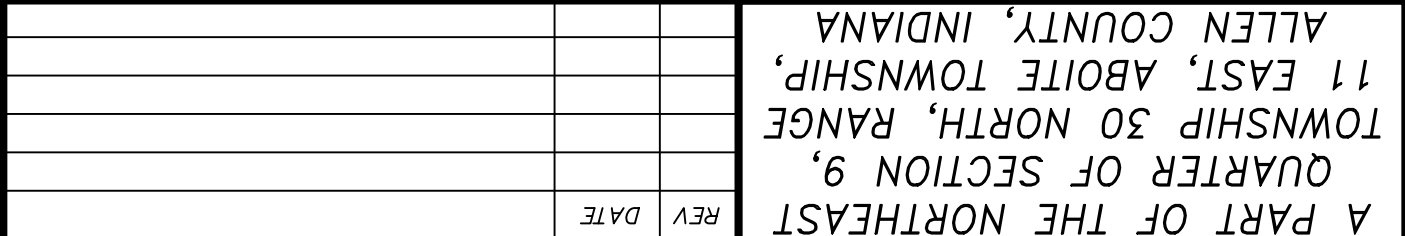
CONCEPTUAL
SITE PLAN

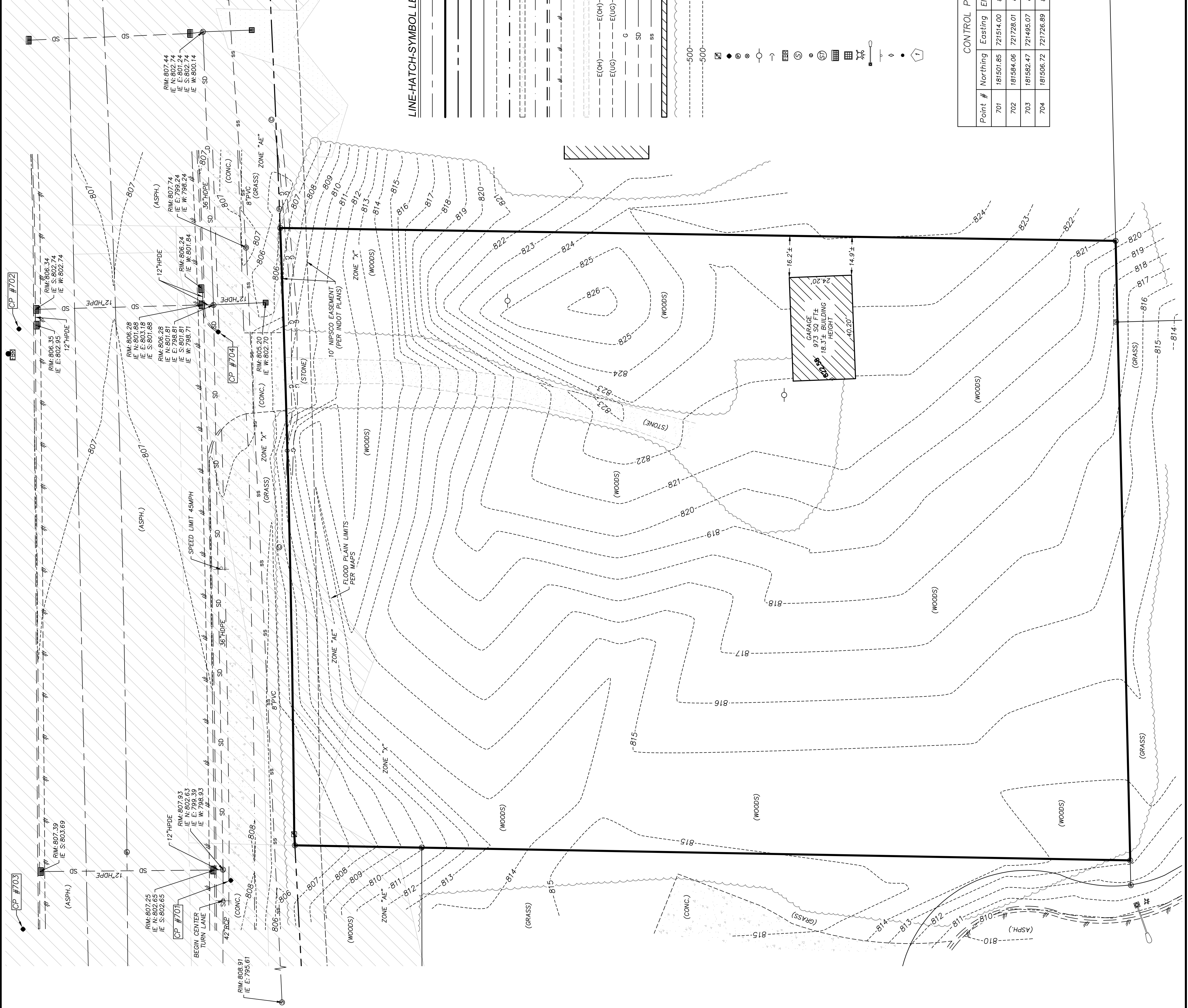
DATE: NOVEMBER 2, 2023 DRAWN BY: DJP
DWG SCALE: 1"=20' CHECKED BY: 334-838
PROJECT NO: 334-838
APPROVED BY: DRAFT

DRAWING NO.: **EXH 1.0**
SHEET 1 OF 1

REFERENCE
1. TOPOGRAPHIC INFORMATION BASED UPON TOPOGRAPHIC SURVEY CONDUCTED ON THE MARK LAND SURVEYING IN SEPTEMBER 13, 2023.







PRO FORMA

CERTIFICATION

I, NOLAN R. MARK, CERTIFY THAT I AM A LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT TO THE BEST OF MY KNOWLEDGE INFORMATION AND BELIEF ALL INFORMATION SHOWN HEREON IS TRUE AND ACCURATE.

Nolan R. Mark, P.S. No.LS21900003