

#REZ 2024 0048

BILL NO. Z-24-12-05

ZONING MAP ORDINANCE NO. Z-_____

**AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. B-15 (Sec. 24 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:

Lot 5, Hillside Acres Addition, Amended, as recorded in Plat Record 16,
page

and the symbols of the City of Fort Wayne Zoning Map No. B-15 (Sec. 24 of Aboite
Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
Wayne, Indiana is hereby changed accordingly.

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.

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

Council Member

APPROVED AS TO FORM AND LEGALITY:

Malak Heiny, City Attorney

City of Fort Wayne Common Council

DIGEST SHEET

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2024-0048
Bill Number: Z-24-12-05
Council District: 4 – Dr. Scott Myers

Introduction Date: November 26, 2024

Plan Commission
Public Hearing Date: December 9, 2024 (not heard by Council)

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

Synopsis of Ordinance: To rezone 1.01 acres from R1/Single Family Residential to C1/Professional Office and Personal Services

Location: 4331 Cadillac Drive (Section 24 of Aboite Township)

Reason for Request: To permit a mixed-use development with office and residential

Applicant: JSK Hospitality, LLC

Property Owner: Daystar Development Inc.

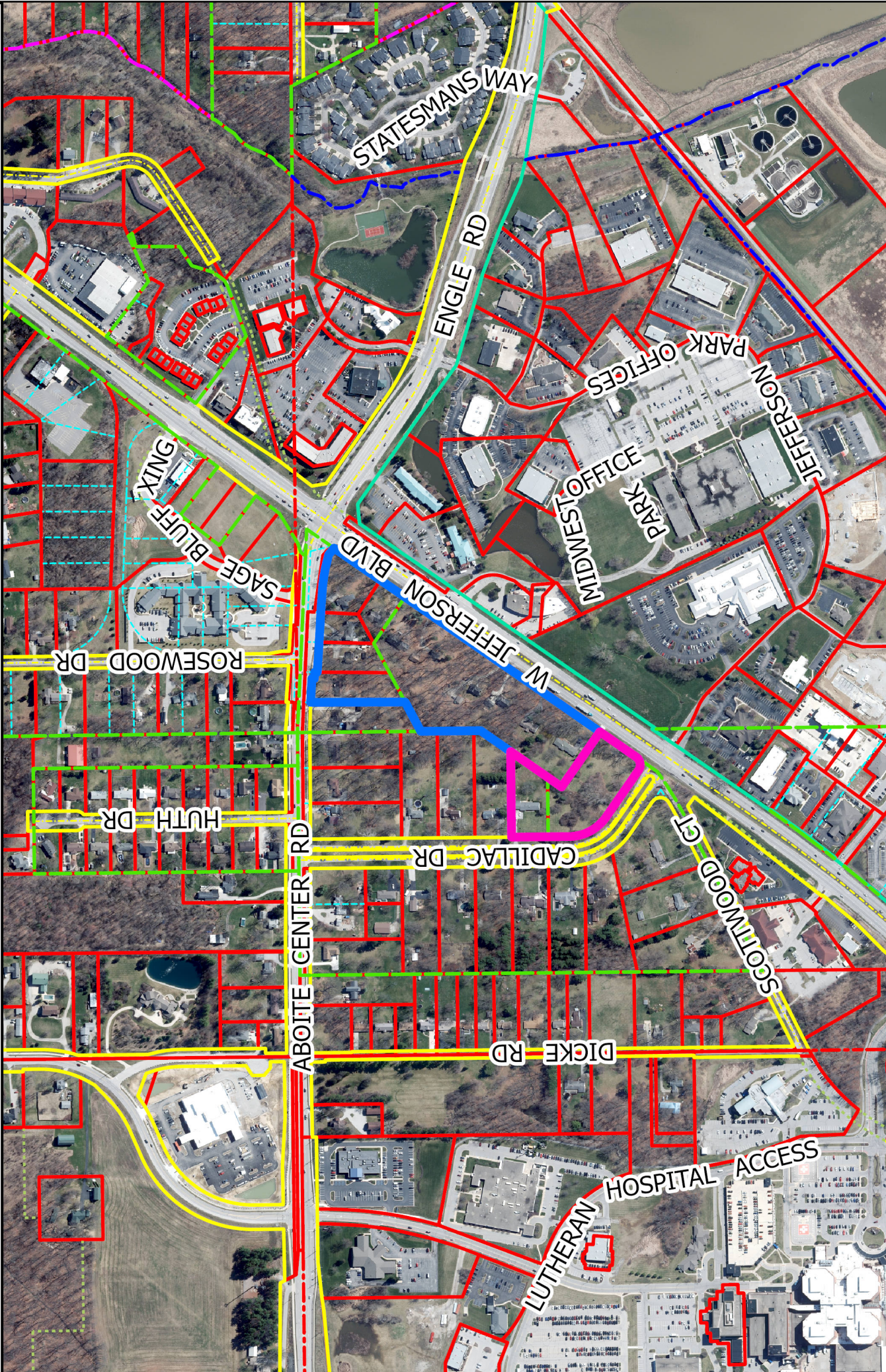
Related Petitions: REZ-2024-0046, PDP-2024-0053 – JSK Hospitality

Effect of Passage: Property will be rezoned to the C1/Professional Office and Personal Services zoning district, which permits a mixture of office and residential uses.

Effect of Non-Passage: Property will remain zoned R1/Single Family Residential and may continue with existing single family residential uses.



Rezoning Petition REZ-2024-0046 and Primary Development Plan PDP-2024-0053 - JSK Hospitality



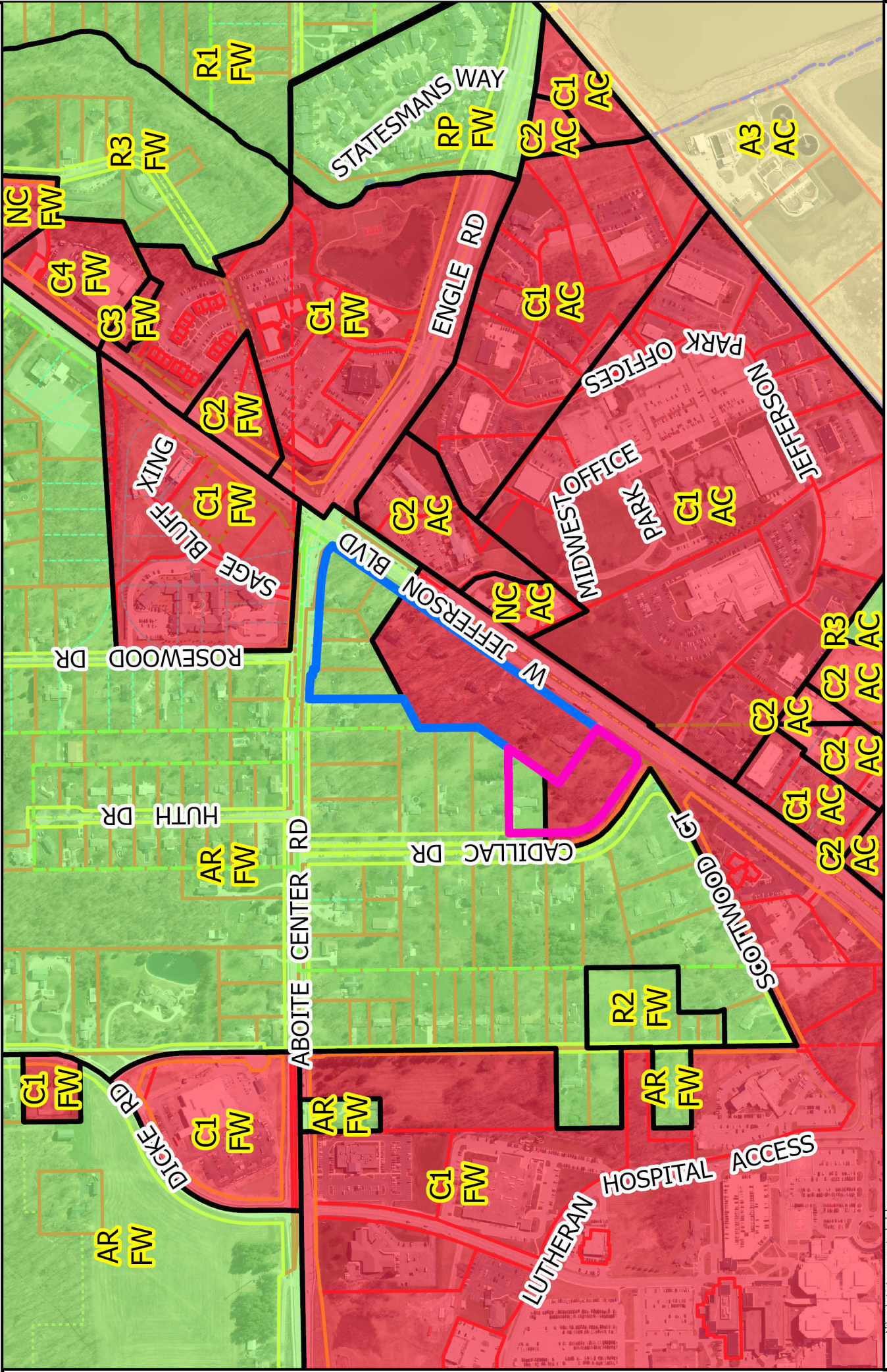
- JSK Rezone C1
- JSK Rezone C2

Although every effort has been made to ensure the accuracy of this map, the County of Allen 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.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/25/2024



Rezoning Petition REZ-2024-0046 and Primary Development Plan PDP-2024-0053 - JSK Hospitality

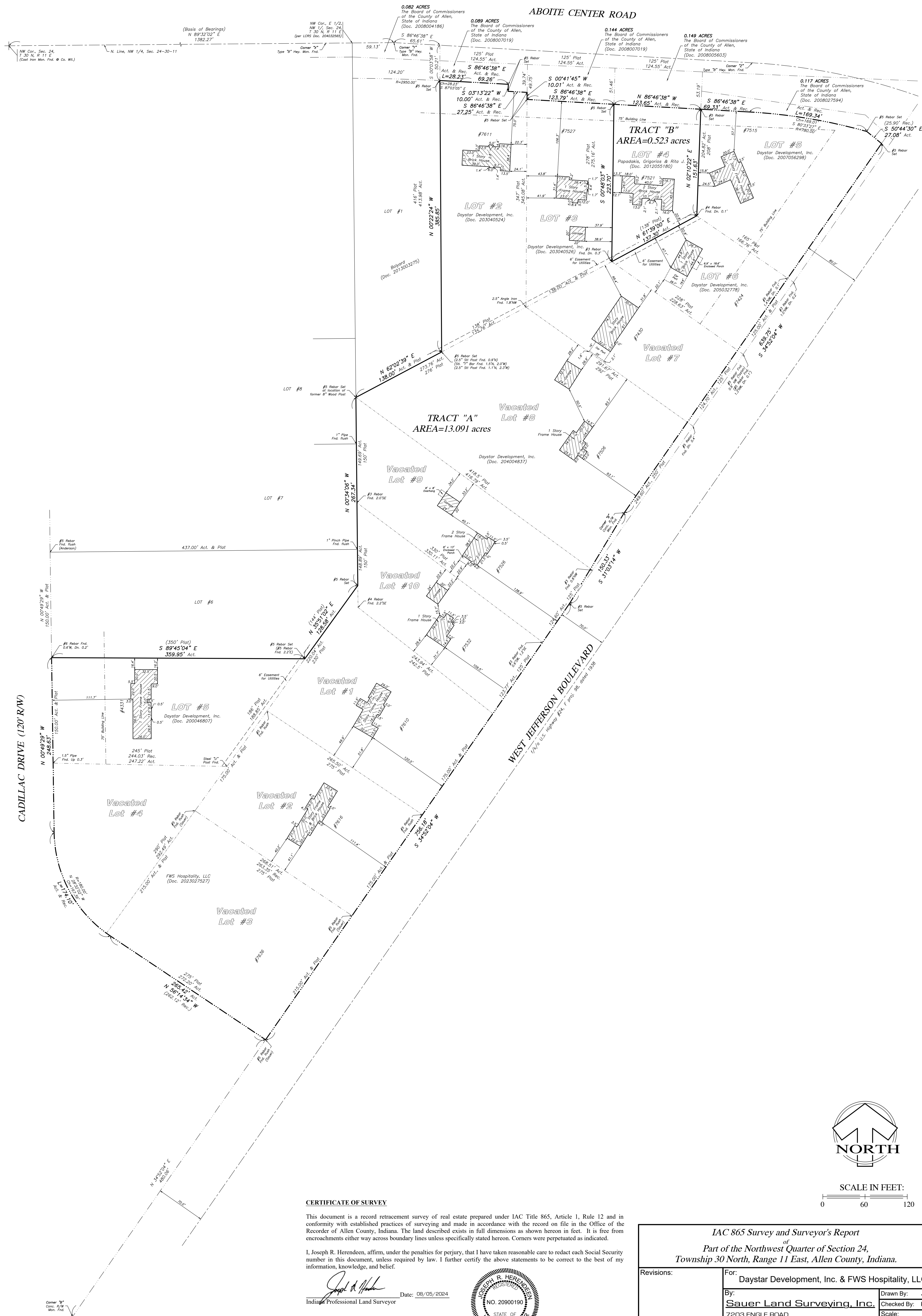


- JSK Rezoning C1
- JSK Rezoning C2

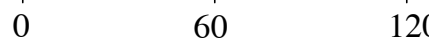
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 11/25/2024

PLAT OF SURVEY



SCALE IN FEET:



CERTIFICATE OF SURVEY

This document is a record retracement survey of real estate prepared under IAC Title 865, Article 1, Rule 12 and in conformity with established practices of surveying and made in accordance with the record on file in the Office of the Recorder of Allen County, Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments either way across boundary lines unless specifically stated hereon. Corners were perpetuated as indicated.

I, Joseph R. Herendeen, affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. I further certify the above statements to be correct to the best of my information, knowledge, and belief.

 Date: 08/05/2024
Indiana Professional Land Surveyor



IAC 865 Survey and Surveyor's Report
of
Part of the Northwest Quarter of Section 24,
Township 30 North, Range 11 East, Allen County, Indiana.

Revisions:	For: Daystar Development, Inc. & FWS Hospitality, LLC	
	By: Sauer Land Surveying, Inc.	Drawn By: JRI
	7203 ENGLE ROAD FORT WAYNE, IN 46804 TEL: 260/469-3300 / FAX: 260/469-3301	Checked By: KN Scale: 1" = 60'
	Date: August 5, 2024	Job No. 148-164

RECORD DESCRIPTIONS

TRACT "A": (as described in Document Number 200406807)

Lot Number 5 in Hillside Acres Addition Amended, as recorded in Plat Record 16, page 144.

TOGETHER WITH: (as described in Document Number 203040524)

Lot Number 2 in Hillside Heights Addition, to the City of Fort Wayne, as recorded in Plat Record 15, page 53, EXCEPTING therefrom that portion condemned for the purpose of widening the Abbot Center Road by Circuit Court Cause No. CC-81-811.

ALSO: (as described in Document Number 203040526)

Lot Number 3 in Hillside Heights Addition, to the City of Fort Wayne, as recorded in Plat Record 15, page 53, EXCEPTING therefrom that portion condemned for the purpose of widening the Abbot Center Road by Circuit Court Cause No. CC-81-811.

EXCEPTING THEREFROM: (as described in Document Number 200807019)

A part of Lot 2 in Hillside Heights Addition, a subdivision in Abbot Township, Allen County, Indiana, the plat of which is recorded in Plat Record 15A, page 53, in the Office of the Recorder of 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: Beginning at the northwest corner of said lot; thence South 87 degrees 35 minutes 44 seconds East 124.55 feet (125.00 feet by Plat Record 15A, Page 53) along the north line of said lot to the northeast corner of said lot; thence South 0 degrees 40 minutes 45 seconds West 39.74 feet along the east line of said lot to the line between the point designated "868" and the point designated "867"; on said Exhibit "B", thence North 86 degrees 47 minutes 38 seconds West 27.25 feet to said point "867"; thence North 3 degrees 12 minutes 22 seconds East 10.00 feet to the point designated "866"; on said Exhibit "B", thence North 86 degrees 47 minutes 38 seconds West 69.26 feet to the point designated "865"; on said Exhibit "B", thence Westerly 28.23 feet along an arc to the left having a radius of 2,950.00 feet and subtended by a long chord having a bearing of North 87 degrees 04 minutes 05 seconds West and a length of 28.23 feet to the west line of said lot; thence North 0 degrees 02 minutes 38 seconds East 28.15 feet along said west line to the point of beginning and containing 0.089 acres, more or less.

TOGETHER WITH

A part of Lot 3 in Hillside Heights Addition, a subdivision in Abbot Township, Allen County, Indiana, the plat of which is recorded in Plat Record 15A, page 53, in the Office of the Recorder of 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: Beginning at the northwest corner of said lot; thence South 87 degrees 35 minutes 44 seconds East 124.55 feet (125.00 feet by Plat Record 15A, Page 53) along the north line of said lot to the northeast corner of said lot; thence South 0 degrees 40 minutes 45 seconds West 39.74 feet along the east line of said lot to the line between the point designated "868" and the point designated "867"; on said Exhibit "B", thence North 86 degrees 47 minutes 38 seconds West 27.25 feet to said point "867"; thence North 3 degrees 12 minutes 22 seconds East 10.00 feet to the point designated "866"; on said Exhibit "B", thence North 86 degrees 47 minutes 38 seconds West 69.26 feet to the point designated "865"; on said Exhibit "B", thence Westerly 28.23 feet along an arc to the left having a radius of 2,950.00 feet and subtended by a long chord having a bearing of North 87 degrees 04 minutes 05 seconds West and a length of 28.23 feet to the west line of said lot; thence North 0 degrees 02 minutes 38 seconds East 28.15 feet along said west line to the point of beginning and containing 0.089 acres, more or less.

ALSO TOGETHER WITH: (as described in Document Number 204004837)

Lots #1 and #2 in Hillside Acres Amended to the City of Fort Wayne, Indiana as recorded in Plat Book 16, page 130 together with Lots #7, #8, #9 and #10 in Hillside Heights Addition, a subdivision in Abbot Township, Allen County, Indiana, the plat of which is recorded in Plat Record 15A, page 53, in the Office of the Recorder of 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: Beginning at the northwest corner of said lot; thence South 87 degrees 35 minutes 44 seconds East 124.55 feet (125.00 feet by Plat Record 15A, Page 53) along the north line of said lot to the northeast corner of said lot; thence South 0 degrees 40 minutes 45 seconds West 39.74 feet along the east line of said lot to the line between the point designated "868" and the point designated "867"; on said Exhibit "B", thence North 86 degrees 47 minutes 38 seconds West 27.25 feet to said point "867"; thence North 3 degrees 12 minutes 22 seconds East 10.00 feet to the point designated "866"; on said Exhibit "B", thence North 86 degrees 47 minutes 38 seconds West 69.26 feet to the point designated "865"; on said Exhibit "B", thence Westerly 28.23 feet along an arc to the left having a radius of 2,950.00 feet and subtended by a long chord having a bearing of North 87 degrees 04 minutes 05 seconds West and a length of 28.23 feet to the west line of said lot; thence North 0 degrees 02 minutes 38 seconds East 28.15 feet along said west line to the point of beginning and containing 0.135 acres, more or less, inclusive of the presently existing right-of-way, which contains 0.009 acres, more or less, for a net additional taking of 0.135 acres, more or less.

ALSO TOGETHER WITH: (as described in Document Number 2007056298)

Lot No. Six (6) in Hillside Heights, a subdivision of Allen County, Indiana.

PARCEL I: Vacated Lot Number 1 in the partially vacated plat of Hillside Acres Addition Amended, as recorded in Plat Record 16, page 144.

PARCEL II: Vacated Lot Number 2 in the partially vacated plat of Hillside Acres Addition Amended, as recorded in Plat Record 16, page 144.

PARCEL III: Vacated Lot Number 7 in the partially vacated plat of Hillside Heights Addition as recorded in Plat Record 15, page 53.

PARCEL IV: Vacated Lot Number 8 in the partially vacated plat of Hillside Heights Addition as recorded in Plat Record 15, page 53.

PARCEL V: Vacated Lot Number 9 in the partially vacated plat of Hillside Heights Addition as recorded in Plat Record 15, page 53.

PARCEL VI: Vacated Lot Number 10 in the partially vacated plat of Hillside Heights Addition as recorded in Plat Record 15, page 53.

ALSO TOGETHER WITH: (as described in Document Number 205032778)

Lot No. Six (6) in Hillside Heights, a subdivision of Allen County, Indiana.

ALSO: (as described in Document Number 2007056298)

Lot Number 5 in Hillside Heights Addition, in Township 30 North, Range 11 East, Allen County, Indiana, as recorded in Plat Record 15, page 53, in the Office of the Recorder of Allen county, Indiana.

Except the following parcel taken for Abbot Center Road right-of-way:

Part of the East Half of the Northwest Quarter of Section 24, Township 30 North, Range 11 East, Allen County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northwest Quarter of said section; thence East along the South line of said East Half 500.74 feet; thence South 3 degrees 08 minutes 09 seconds West 45.43 feet to the Northwest corner of Lot Number 5, Hillside Heights Addition and the point of beginning; thence South 86 degrees 51 minutes 51 seconds East, 231.52 feet to the Northeast corner of said lot; thence South 19 degrees 38 minutes 38 seconds East, 85.07 feet to the most Easterly corner of said lot; thence North 48 degrees 08 minutes 09 seconds West 38.81 feet to the point of beginning; thence North 0 degrees 02 minutes 38 seconds East 28.15 feet to the point of beginning; thence North 3 degrees 08 minutes 09 seconds East, 27.50 feet along said West line to the point of beginning, containing 9861 square feet, more or less.

Said legal being described by a modern survey by Anderson Surveying, Inc. dated February 13, 2006 as follows:

Part of Lot Number 5 in Hillside Heights Addition, as recorded in Plat Record 15, page 53, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Beginning at a 1/2 inch diameter rebar monumenting the Southwest corner of said Lot Number 5; thence North 03 degrees 10 minutes 51 seconds East a recorded bearing of South 86 degrees 51 minutes 51 seconds East for the North line of the East Half of the Northwest Quarter of Section 24, Township 30 North, Range 11 East, Allen County, Indiana, as shown on the right-of-way exception plans of the Abbot Center Road is utilized as the basis for all bearings relative this description), along the Westerly line of said Lot Number 5, 183.00 feet to a 1/2 inch diameter rebar on the Southerly right-of-way line of Abbot Center Road; thence South 81 degrees 52 minutes 22 seconds East along said Southerly right-of-way line, 229.87 feet to a point, said point being monumented by a 1/2 inch diameter rebar 4.9 feet South and 0.7 feet East; thence South 45 degrees 54 minutes 25 seconds West along said Southerly right-of-way line, 49.46 feet to a 3/8 inch diameter rebar with an orange identification cap stamped "ANDERSON FRM #29A" on the north side of said rebar; thence South 86 degrees 51 minutes 51 seconds East for the North line of the East Half of the Northwest Quarter of Section 24, Township 30 North, Range 11 East, Allen County, Indiana, as shown on the right-of-way exception plans of the Abbot Center Road is utilized as the basis for all bearings relative this description), along the Westerly line of said Lot Number 5, 251.68 feet to a 5/8 inch diameter rebar with an orange identification cap stamped "ANDERSON FRM #29A" on the north side of said rebar; thence North 5 degrees 58 minutes 09 seconds West along said Southerly line, 155.41 feet to the point of beginning, containing 1.085 acres of land, more or less.

EXCEPTING THEREFROM: (as described in Document Number 2008027594)

A part of Lot 5 in Hillside Heights Addition, a subdivision in Abbot Township, Allen County, Indiana, the plat of which is recorded in Plat Book 15A, page 53, in the Office of the Recorder of 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: Beginning on the west line of said lot; South 2 degrees 36 minutes 36 minutes West 27.50 feet (distance quoted from Instrument #87-008377) from the northwest corner of said lot; said lot to the point of beginning is also the northwest corner of the grantor's land; thence South 81 degrees 44 minutes 43 seconds East 235.04 feet (230.66 feet by Instrument #87-008377) along the northern line of the grantor's land to the northeast corner of the grantor's land; thence South 48 degrees 05 minutes 14 seconds East 41.32 feet along the northeastern line of the grantor's land to the northwestern boundary of U.S. 24; thence South 34 degrees 49 minutes 34 seconds West 14.92 feet along the boundary of U.S. 24 to the point designated "1701" on said Exhibit "B"; thence North 50 degrees 45 minutes 30 seconds West 25.90 feet to the point designated "1702" on said Exhibit "B"; thence Westerly 169.34 feet along an arc to the left having a radius of 169.00 feet and subtended by a long chord having a bearing of North 86 degrees 47 minutes 38 seconds West and a length of 169.01 feet to the point designated "9722" on said Exhibit "B"; thence North 86 degrees 47 minutes 38 seconds West 69.33 feet to said west line; thence North 2 degrees 36 minutes 24 seconds East 25.69 feet along said west line to the point of beginning and containing 0.117 acres, more or less.

(continued on right)

SURVEYOR'S REPORT

Prepared as a part of the foregoing survey.

Addresses: 4331 Cadillac Drive, 7515, 7521, 7527, 7611 Abbot Center Road; and 7424, 7430, 7506, 7532, 7610, 7616 & 7636 West Jefferson Boulevard, Fort Wayne, IN 46804

This survey is intended to retrace the remainders of the record boundaries of thirteen tracts of real estate described in the following deeds in the Office of the Recorder of Allen County, Indiana:

1. A Warranty Deed from Bradley J. Bloomfield and Janice M. Bloomfield to Dystar Development, Inc., dated July 25, 2000, in Document Number 200046807.
2. A Warranty Deed from Judy Homett n/k/a Judy Springer, to Dystar Development, Inc., dated April 16, 2003, in Document Number 200056298.
3. A Warranty Deed from Steven R. Bree and Carole Bree to Dystar Development, Inc., dated April 16, 2003, in Document Number 203040426.
4. A Quitclaim Deed from Dystar Development, LLC, to Dystar Development, Inc., dated January 20, 2004, in Document Number 204004837.
5. A Warranty Deed from Mable F. Robnette aka Mabel F. Robnette, as Trustee of the Mabel F. Robnette Trust Under Deed of Trust Dated October 17, 2001, to Dystar Development, Inc., dated May 26, 2005, in Document Number 203032778.
6. A Quitclaim Deed from William L. Smits to Dystar Development, Inc., dated September 28, 2007, in Document Number 2007056298.
7. A Special Warranty Deed from Francis M. A/K/A Federal National Mortgage Association, to Grigorio Papadakis and Rita J. Papadakis, dated September 17, 2012, in Document Number 2012055180.
8. A Warranty Deed from Dawn M. Praker to FWS Hospitality, LLC, dated June 27, 2023, in Document Number 2023027527.

In Accordance with Title 865, Article 1, Chapter 12, Sec. 1 et seq. of the Indiana Administrative Code, the following observations and opinions are submitted regarding various (a) reference monuments, (b) lines of occupation, (c) record descriptions, and (d) those uncertainties due to random errors in measurement ("relative positional accuracy"). There may be unwritten rights associated with these uncertainties.

REFERENCES: Copies of the following documents were reviewed in completion of this survey:

- The deeds of the subject tract and the adjoining tracts, as shown on the plat of this survey;
- Allen County Surveyor's Section Corner Records.
- The plat of Hillside Heights Addition, Plat Record 15, page 53.
- A survey of a part of Lot 5 in Hillside Hgs. Add. by Anderson Surveying, Inc., Survey No. 06-01-152, dated February 13, 2006.
- A survey of Lots 3 and 4 in Hillside Hgs. Add. by Sauer Land Surveying, Inc., Document Number 204021966.
- A survey of Lot 9 in Hillside Hgs. Add. by Anderson Surveying, Inc., Survey No. 97-01-122, dated January 15, 1997.
- A location control route survey for Abbot Center Road by JALZ Indiana, LLC, Document Number 20405266.
- INDOT highway plans and grants for U.S. Highway 92A, F project 9A, dated 1938.

(A) AVAILABILITY OF REFERENCE MONUMENTS:

The existing monuments of the Public Land Survey corners were held as controlling corners and were used as the basis for this survey. The found monuments are considered by the undersigned surveyor to be "local corners" which are subject to undiscovered evidence regarding the true location of said corners. The corners of subject tract are marked as shown on the survey certificate in conformity with said survey monuments. Uncertainties based on existing monuments are not readily determinable due to the use of said local corners. The following monuments were accepted as the location of the Public Land Survey corners:

- The Northwest corner of Section 24,.....County witnessed east iron monument found.
- The North Quarter corner of Section 24,.....No monument evidence found.

The following monuments were accepted and held as non-PLS corners:

- The most Southerly corner of Lot 1, Hillside Acres Amended,.....#5 rebar found.
- The most Westerly corner of Lot 1, Hillside Acres Amended,.....#5 rebar found.
- The most Southerly corner of Lot 2, Hillside Acres Amended,.....#5 rebar found with Sauer cap.
- The most Westerly corner of Lot 2, Hillside Acres Amended,.....#5 rebar found with Sauer cap.
- The Southeast corner of Lot 3, Hillside Acres Amended,.....#5 rebar found with Sauer cap.
- The Northwest corner of Lot 4, Hillside Acres Amended,.....1.5 inch diameter pipe found.
- The Northeast corner of Lot 4, Hillside Acres Amended,.....Steel "U" post found.
- The Northeast corner of Lot 5, Hillside Acres Amended,.....#5 rebar found 2.2 feet East of corner.
- The Northeast corner of Lot 6, Hillside Acres Amended,.....#5 rebar found with Anderson cap.
- The Northeast corner of Lot 7, Hillside Acres Amended,.....1 inch diameter pinched pipe found.
- The Southeast corner of Lot 1, Hillside Heights Addition,.....2.5 inch steel post found 0.9 feet North of corner.
- The Southeast corner of Lot 2, Hillside Heights Addition,.....#4 rebar found.
- The most Southerly corner of Lot 7, Hillside Heights Addition,.....#5 rebar found.
- The Southwest corner of Lot 9, Hillside Heights Addition,.....#5 rebar found 2.0 feet Southeast of corner.
- Corner "A",.....Concrete right-of-way monument found.
- Corner "B",.....Concrete right-of-way monument found.
- Corner "X",.....Type "B" Highway monument found.
- Corner "Y",.....Type "B" Highway monument found.
- Corner "Z",.....Type "B" Highway monument found.

Due to a lack of found monuments at the North Quarter corner of Section 24, the North line of the Northwest Quarter of Section 24 was established using the above-referenced Northwest corner of Section 24, found monuments in Abbot Center Road, and plan geometry as stated in the above-referenced location control route survey. Uncertainties due to variances between found controlling monuments and record descriptions were determined to be a maximum of 15.42 feet in any direction. Uncertainties due to variances between all found monuments and record descriptions were determined to be 15.42 feet in any direction.

(B) OCCUPATION AND/OR POSSESSION LINES:

Occupation and/or possession lines near the perimeter of subject tract are shown on the plat of survey with the variances from the established boundaries of subject tract. No occupation and/or possession lines were observed or otherwise obscured by natural or man-made obstructions. There are no observable uncertainties in occupation and/or possession lines.

(C) AMBIGUITY OF RECORD DESCRIPTIONS:

Upon review of the most current deeds of record, the base tract description does not contain any ambiguity with any of the adjointers' descriptions. Therefore, there are no uncertainties based upon record descriptions.

(D) RELATIVE POSITIONAL ACCURACY:

The relative positional accuracy representing the uncertainty due to random errors in measurements of the corners, established in this survey is less than or equal to the specifications for a Suburban Survey (0.13 feet plus 100 ppm) as defined by IAC 865.

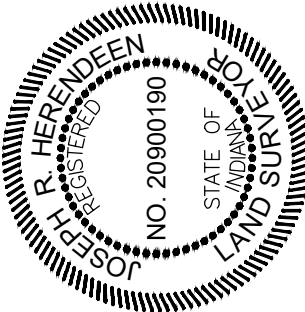
(E) ESTABLISHMENT OF LINES AND CORNERS:

1. The most Northerly lines of subject tract were all established on and along the South right-of-way lines of Abbot Center Road, using record and plan geometry and found monuments at the Northwest corner of Section 24-30-11 and Corners "X", "Y", and "Z".
2. The Southeasterly lines of subject tract were established on and along the plan right-of-way of West Jefferson Boulevard, using INDOT plan geometry and grants, concrete right-of-way monuments at Corners "A" and "B" and found monuments at the most Southerly corners of Lots 1, 2, and 3 in Hillside Acres Amended Addition and the most Southerly corners of Lot 7 in Hillside Acres Amended Addition.
3. The Southwest and West lines of Lots 3, 4, 5, and 6 in Hillside Acres Amended Addition were established using plat and survey geometry and found monuments at the most Southerly corner of Lot 3 and the Northwest corners of Lots 4 and 6 in Hillside Acres Amended Addition. The Northwest corner of Lot 5 in Hillside Acres Amended Addition was established at the midpoint of a line between said Lots 4 and 6 in Hillside Acres Amended Addition.
4. The Northwest lines of Lots 1, 2, and 3 in said Hillside Acres Amended Addition was established using a line of found monuments at the most Westerly corners of Lots 1 and 2 and the Northeast corner of Lot 4 in said Hillside Acres Amended Addition.
5. The North line of Lot 5 in Hillside Acres Amended Addition was established between its above-established Northwest corner and a monument found near the Northeast corner of said Lot 5, terminating at the Northwest lines of Lots 1, 2, and 3 in said Hillside Acres Amended Addition.
6. The West line of the plat of Hillside Heights Addition was established from the plan location of the Northwest corner of the East half of the Northwest Quarter of Section 24, through a line of found monuments at the Northeast corners of Lots 6 and 7 in Hillside Acres Amended Addition.
7. The Southwest corner of Lot 1 in Hillside Heights Addition was established at the location of a former wood post, using survey geometry.
8. The South lines of Lots 1, 2, 3 and 4 in Hillside Heights Addition was established using found monuments and/or their original locations at the Southwest corner of Lot 1 and the Southeast corners of Lots 3 and 4 in said Hillside Heights Addition. The Southwest corner of Lot 2 was established on and along said West line, at a pit distance from said Southwest corner of Lot 1.
9. The West line of Hillside Heights Addition was established on and along said West line, at a pit distance from said Southwest corner of Lot 1.
10. The East line of Lot 3 in Hillside Heights Addition was established between the above-established Southwest corner of Lot 2 and a record point on the South right-of-way line of Abbot Center Road.
11. The East line of Lot 3 in Hillside Heights Addition was established between the above-referenced Southeast corner of Lot 3 and a record point on the South right-of-way line of Abbot Center Road.
12. The East line of Lot 4 in Hillside Heights Addition was established between the above-referenced Southeast corner of Lot 4 and a record point on the South right-of-way line of Abbot Center Road.

SURVEYOR'S REPORT

(F) NOTES:

1. This survey is an opinion of a licensed land surveyor of the State of Indiana as to the actual location of the lines and corners outlined in the deed description. This opinion is based on logic, relevant field and research evidence, and established surveying principles. However, this opinion is subject to the interpretation of its deed description, and the boundaries of adjacent tracts may not be consistent with the boundaries of the subject tract. As a consequence, another surveyor may arrive at a different conclusion and different location of the boundaries.
2. A survey cannot resolve uncertainties in the position of the original boundaries that exist. Only courts may establish property lines. The surveyor is not a court and is not to be substituted for a court. No title commitment can be issued by the surveyor. The surveyor's title commitment is limited to the accuracy of the survey. No title commitment can be issued by the surveyor. No title commitment can be issued by the surveyor.
3. The flood statement hereon is for informational purposes only. As of this date, no title commitment has been provided for review. The flood statement hereon is for informational purposes only. As of this date, no title commitment has been provided for review.
4. No attempt has been made to review or come to an opinion on the title or marketability of the title. Any appearance of an opinion on the title is unintentional.
5. Unplatted easements, setback lines, restrictive covenants, or land use regulations affecting the subject tract are shown only when documentation of such matters has been furnished by the client.
6. All deed records and information from other public sources referred to in this survey are hereby incorporated as part of this survey as fully, fairly, and accurately as the same appear in the public records. No warranty is made by the surveyor as to the accuracy of such records.
7. No attempt has been made to determine the zoning status of the property. It is the responsibility of the parties involved in the real estate transaction to determine compliance with zoning regulations.
8. Any fence or other evidence of possession which varies from the written title lines may constitute adverse possession or prescriptive rights.
9. Subsurface and environmental conditions were not examined or considered as a part of this survey.
10. Any acreage shown is based on the boundaries established from the deed description and no certification is made that the land area shown on the survey is the exact acreage owned by the client.
11. No distances or dimensions of any kind are shown on this survey. The survey is solely to minimize errors introduced by rounding. Neither distances nor bearings can be used to the degree of precision implied by the stated units. No dimension on the survey can be interpreted to be of greater precision than the theoretical uncertainty stated in Part (D) of the Surveyor's Report.
12. Since the last date of fieldwork for this survey, conditions beyond the knowledge or control of Sauer Land Surveying, Inc. may have altered the validity and circumstances of matters shown or noted hereon.
13. Declaration is made to original purchaser of the survey, and is not transferable to additional institutions or subsequent owners. This survey is valid only with the surveyor's original or electronic signature and seal. Full payment of invoice, and complete with all pages of the survey.
14. No statement made by any employee or agent of Sauer Land Surveying, Inc. is valid unless written herein.



Date: 08/05/2024
Indiana Professional Land Surveyor

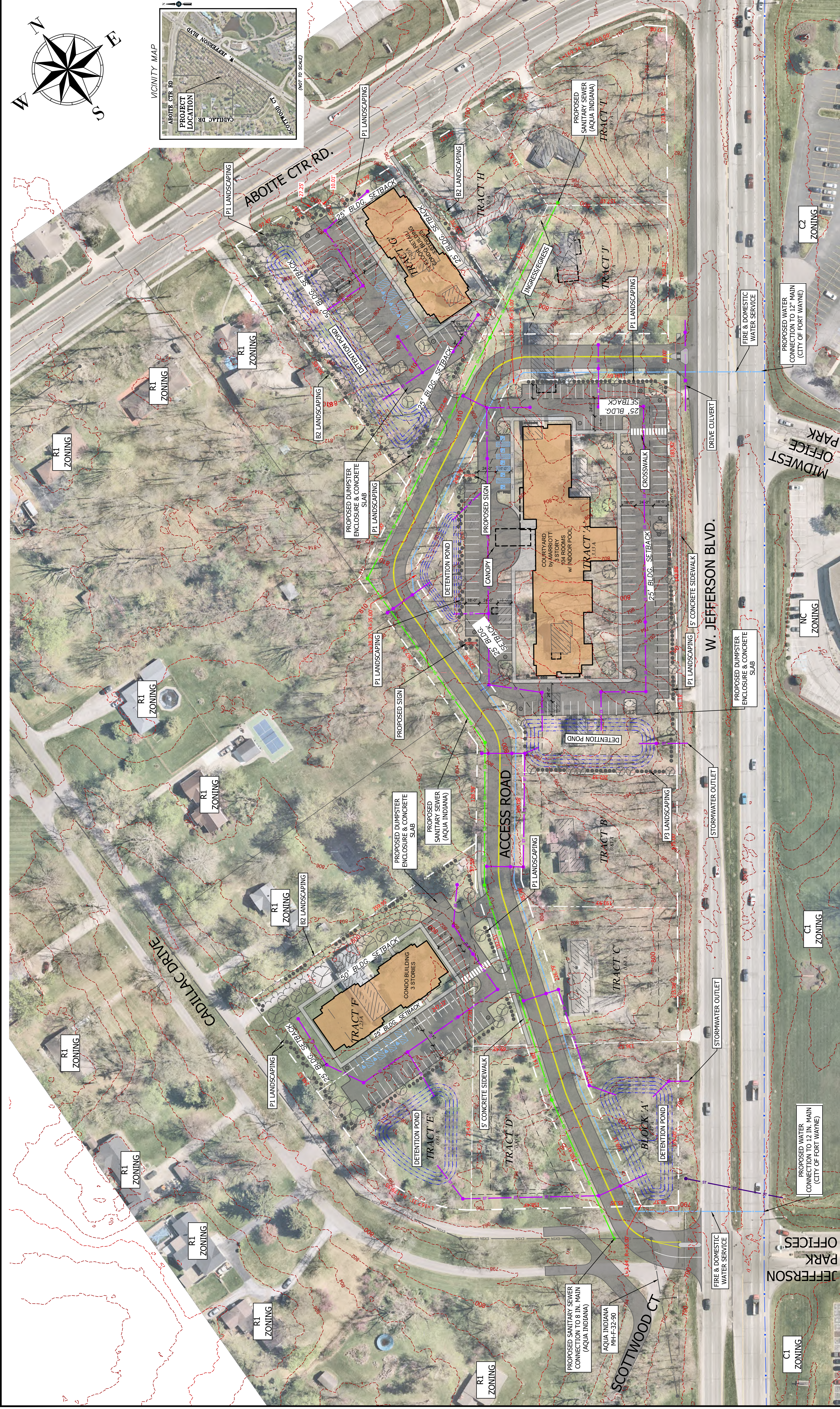
CERTIFICATE OF SURVEY

This document is a record retracement survey of real estate prepared under IAC Title 865, Article 1, Rule 12 and in conformity with established surveying principles. The survey was conducted by the undersigned surveyor, the Office of the Recorder of Allen County, Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments either way across boundary lines unless specifically stated herein. Corners were perpetuated as indicated.

I, Joseph R. Herendend, affirm, under the penalties for perjury, that I have taken reasonable care to reduce each Social Security number in this document, unless required by law. I further certify the above statements to be correct to the best of my information, knowledge, and belief.

<i>IAC 865 Survey and Surveyor's Report</i> <i>Part of the Northwest Quarter of Section 24,</i> <i>Township 30 North, Range 11 East, Allen County, Indiana.</i>	
Revisions:	For: Daystar Development, Inc. & FWS Hospitality, LLC
By:	Checked By: JRH
	Scale:
	Sauer Land Surveying, Inc.
	7203 ENGLE ROAD
	FORT WAYNE, IN 46804
	TEL: 260 / 469-3300 / FAX: 260 / 469-3301
	1" = 60'
Date: August 5, 2024	Page 2 of 2 148-164

S:\2024 Projects\24-2020 FMS Hospitality - W Jefferson Rezoning\CAD\24-2020 Design\dwg--11/25/2024--1" = 60'--Landscape.dwg



PRIMARY DEVELOPMENT PLAN

Scale: 1" = 60'

LEGEND	
	PROPOSED ASPHALT PAVEMENT
	PROPOSED CONCRETE PAVEMENT
	PROPOSED STORM SEWER
	EXISTING STORM SEWER
	PROPOSED SANITARY SEWER
	PROPOSED WATER LINE
	EXISTING WATER LINE
	PROPOSED DECIDUOUS TREE
	PROPOSED CONIFEROUS TREE
	PROPOSED SHRUB

GENERAL NOTE

FOR EXISTING PROPERTY LINES AND BEARING & DISTANCES, SEE BOUNDARY SURVEY PERFORMED AUGUST 5TH OF 2024 BY SAUER LAND SURVEYING, INC.

DEVELOPER		CIVIL ENGINEER		HOTEL PARKING SUMMARY		FLOOD INSURANCE RATE MAP (FIRM)	
FMS HOSPITALITY LLC 121 S. Doctor MLK Jr. Blvd SOUTH BEND, IN 46601 PH: (574) 320-2784 CONTACT: AJ PATEL EMAIL: ajpatel@fmshospitality.com	A&Z ENGINEERING LLC 1220 Rushton Pass FT. WAYNE, IN 46825 PH: (260) 485-7077 CONTACT: LANDON GROGG EMAIL: lgrogg@a-z-engineering.net	ARCHITECT	MAUSET ARCHITECTURAL SERVICES 112 N. MAIN ST. GOSHEN, IN 46526 PH: (574) 537-8500 CONTACT: MICHAEL MAUSET EMAIL: michaelmauset@mausetarchitects.com	1 SPACE PER SLEEPING ROOM 104 ROOMS CONDO/COMMERCIAL PARKING SUMMARY 1 SPACE PER 400 SQFT (CONDO) & 1 SPACE PER 1-2 BEDROOM UNIT (CONDO)	TOTAL PARKING REQUIRED 104 SPACES TOTAL PARKING 40 SPACES	ALLEN COUNTY, INDIANA AND INCORPORATED AREAS FIRM MAP NUMBER: 18003C0386G PANEL 286 OF 495 DATED AUGUST 3, 2009	
SURVEYOR		ARCHITECT		9600 SQFT & 16 UNITS CONDO PARKING SUMMARY 1 SPACE PER 1-2 BEDROOM UNIT (CONDO)	44 SPACES TOTAL PARKING 24 SPACES	ZONING SUMMARY	
SAUER LAND SURVEYING, INC. 7203 ENGLE ROAD FT. WAYNE, IN 46804 PH: (260) 469-3300 CONTACT: JOSEPH HERENDEN		ARCHITECT		1 SPACE PER 1-2 BEDROOM UNIT (CONDO)	50 SPACES	EXISTING ZONING	
				24 UNITS		PROPOSED ZONING	
						CURRENT USE	
						HOTEL & CONDOS W/ 1ST FLOOR RETAIL	

PRIMARY DEVELOPMENT PLAN

7532 W. JEFFERSON BLVD.

REZONING

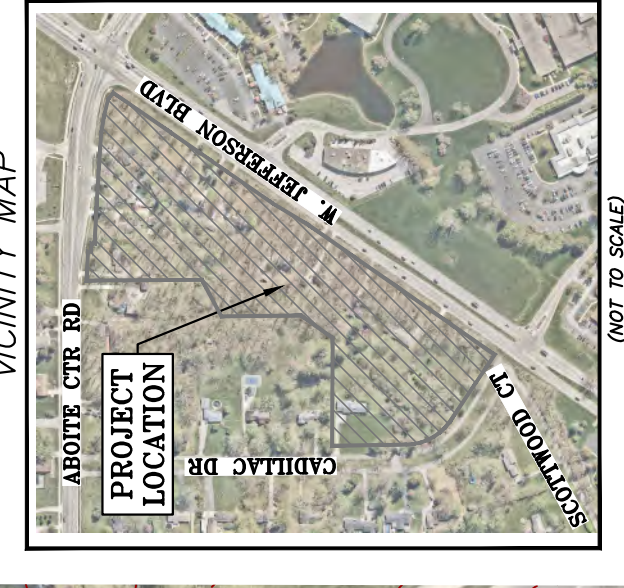
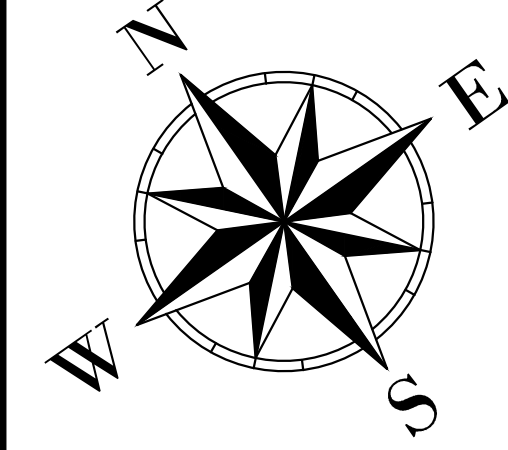
APPROVED BY:	XXXX
CHECKED BY:	XXXX
DRAWN BY:	XXXX
DESIGNED BY:	XXXX
SURVEYED BY:	XXXX

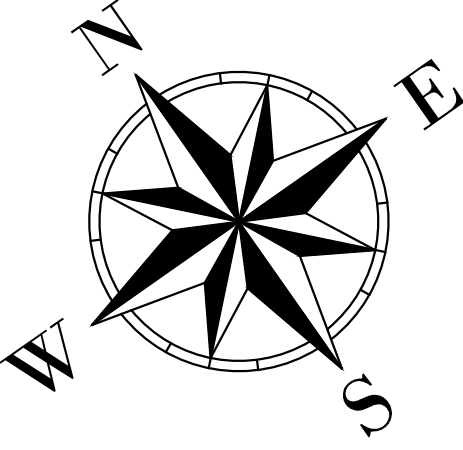
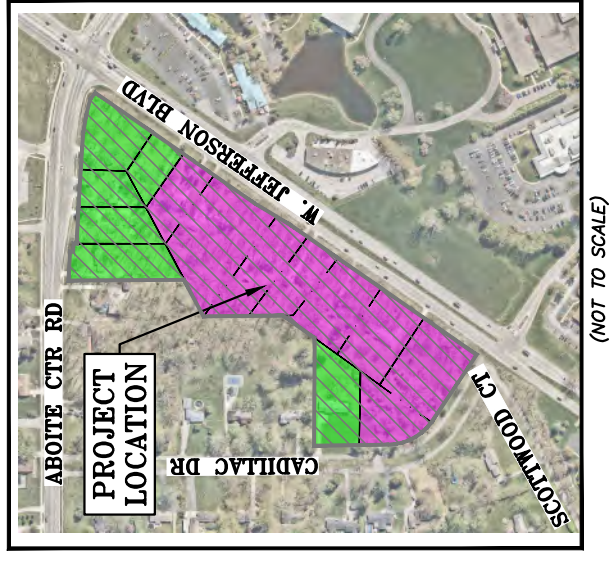
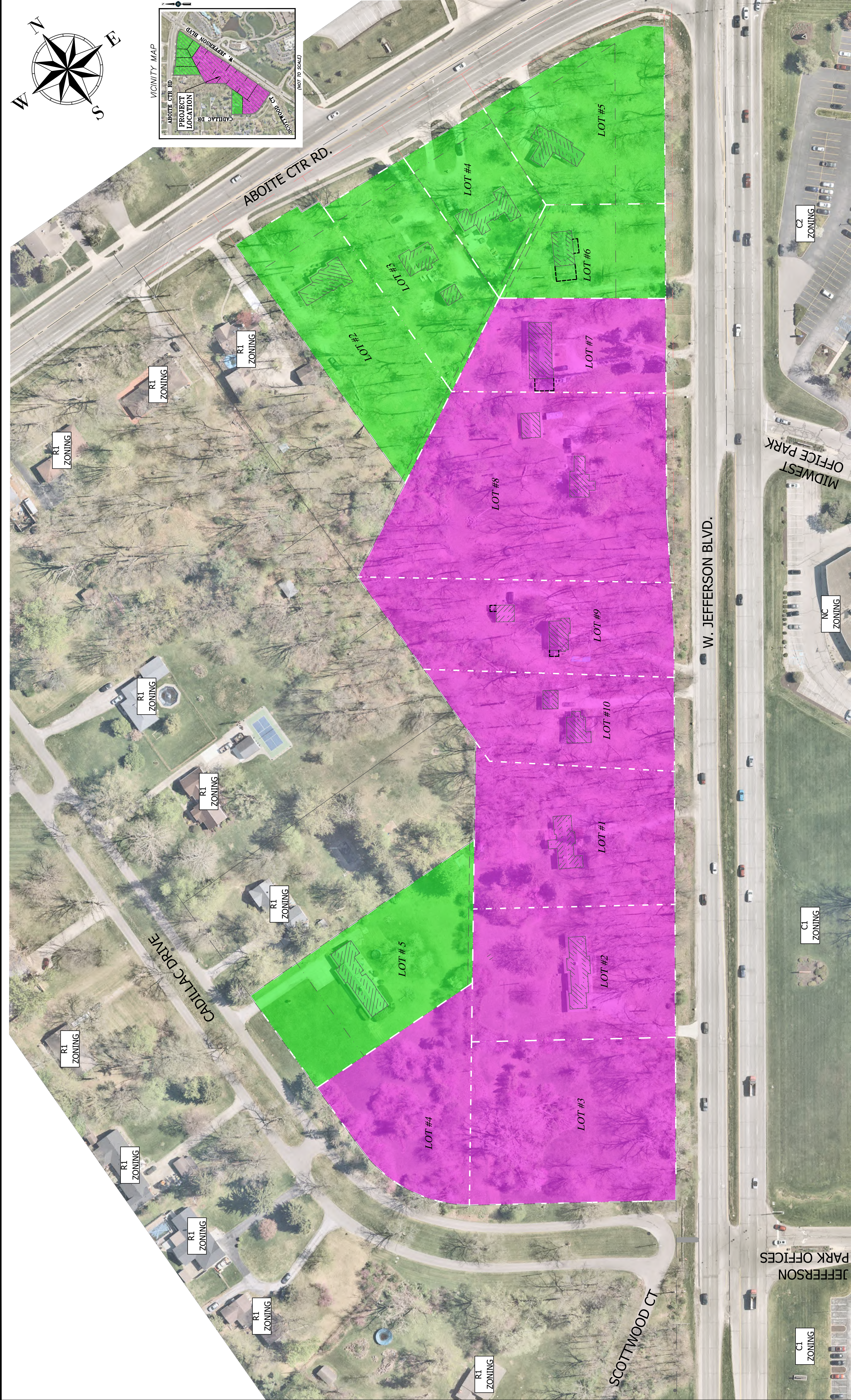
DATE: 11/05/2024

BY:

A&Z ENGINEERING

1220 Rushton Pass
Fort Wayne, IN 46825
260.485.7077
www.a-z-engineering.net





GENERAL NOTE
FOR EXISTING PROPERTY LINES AND BEARINGS & DISTANCES, SEE BOUNDARY SURVEY PERFORMED AUGUST 5TH OF 2024 BY SAUER LAND SURVEYING, INC.

EXISTING ZONING
Scale: 1" = 60'

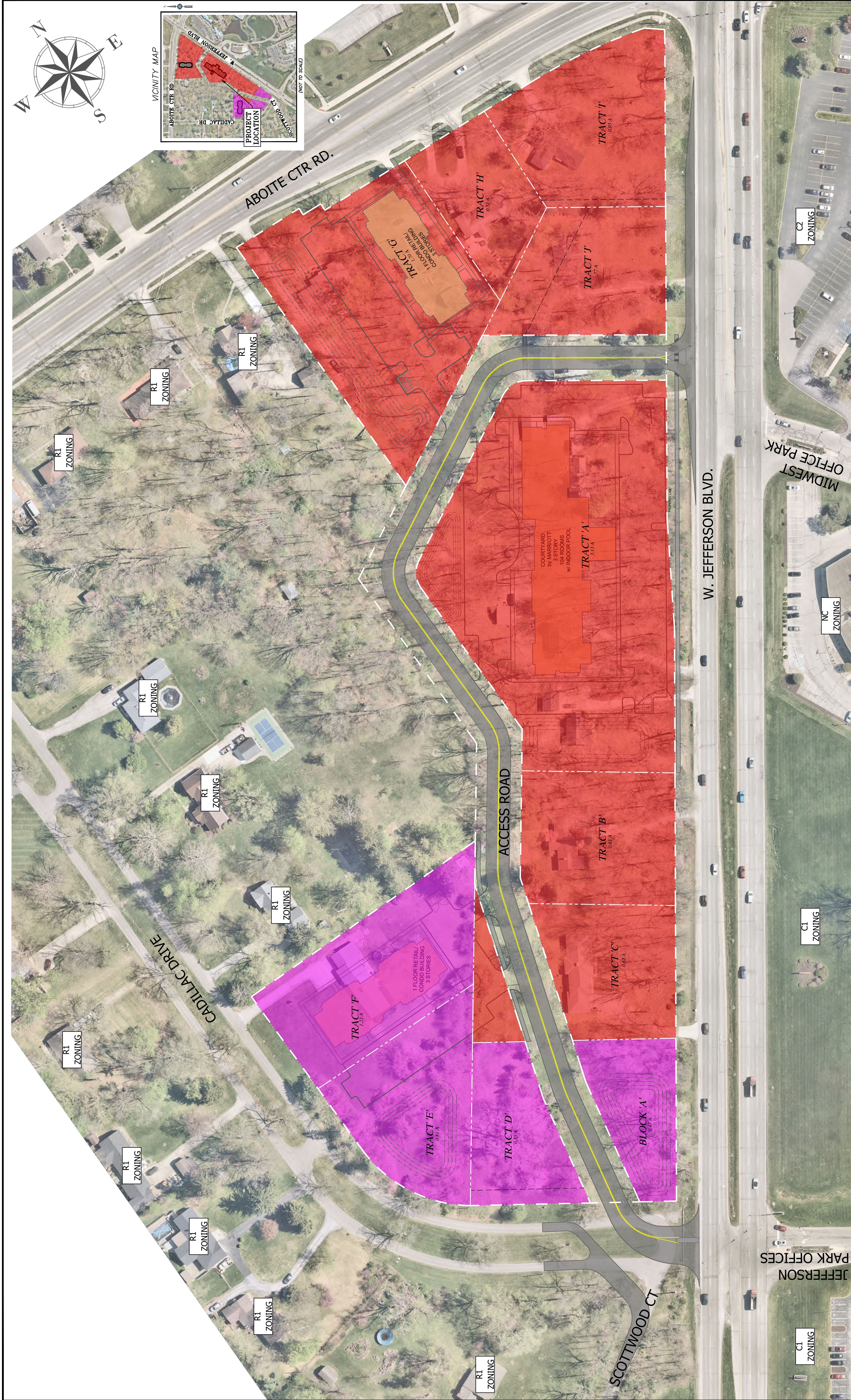


- LEGEND**
- EXISTING C1 ZONING
 - EXISTING R1 ZONING

PROJECT		7532 W. JEFFERSON BLVD. REZONING	
SHEET TITLE		EXISTING ZONING	
APPROVED BY:		XXX	
CHECKED BY:		XXX	
DRAWN BY:		XXX	
DESIGNED BY:		XXX	
SURVEYED BY:		XXX	
DATE:		11/05/2024	
BY:		[Signature]	
PROJECT NO:		24-2020	
DRAWING FILE NAME:		24-2020 ExistZoning	
SCALE:		1" = 60'	
SHEET NUMBER		2 of 3	
TOTAL SHEETS		3	

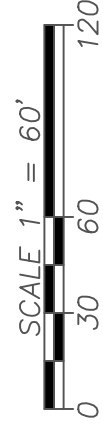
A&Z ENGINEERING
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 A & Z ENGINEERING LLC 1220 Ruston Pass Fort Wayne, IN 46825 260.485.7077 www.az-engineering.net DATE: 11/05/2024 BY: <i>Glenn H. Smith</i>				APPROVED BY: XXX CHECKED BY: XXX DRAWN BY: XXX DESIGNED BY: XXX SURVEYED BY: XXX		7532 W. JEFFERSON BLVD. REZONING		PROJECT		SHEET TITLE		PROPOSED ZONING PLAN									
												PROJECT NO.: 24-2020 DRAWING FILE NAME: 24-2020 Rezoning SCALE: 1" = 60' SHEET NUMBER: 3 OF 3 TOTAL SHEETS: 3									



PROPOSED ZONING PLAN

Scale: 1" = 60'



LEGEND

	PROPOSED C1 ZONING
	PROPOSED C2 ZONING