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#REZ 2024 0052

BILL NO. Z-25-01-03

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB-11 (Sec. 15 of Aboite Township)

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

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

Part of the Southeast Quarter of Section 15, Township 30 North, Range 11 East, Allen County, Indiana, being more particularly described as follows, to-wit:

Beginning at the Center of said Section 15, being marked by a stone, also being the Northeast corner of The Coves at Westlakes, Section II, as recorded in Plat Cabinet E, page 18, in the Office of the Recorder of Allen County, Indiana; thence South 00 degrees 25 minutes 03 seconds East (GPS grid bearing and basis of all bearings in this description), on and along the West line of said Southeast Quarter and the East line of said Coves at Westlakes, Section II, a distance of 430.77 feet to a #5 rebar at the point of intersection of said West line with the North line of Aspen Village, Section II, as recorded in Plat Record 39, pages 92-96, in the Office of said Recorder; thence South 89 degrees 56 minutes 46 seconds East, on and along the North line of said Aspen Village, Section II, a distance of 1042.09 feet to the Northeast corner thereof, also being the Northwest corner of Aspen Village, Section I, as recorded in Plat Record 39, pages 14-17, in the Office of said Recorder; thence North 89 degrees 16 minutes 07 seconds East, on and along the North line of said Aspen Village, Section I, a distance of 278.00 feet to a #5 rebar at the Northeast corner thereof, being a point on the West line of Aboite Meadows, Section "C", Block 5, as recorded in Plat Record 37, pages 85-87, in the Office of said Recorder: thence North 00 degrees 10 minutes 46 seconds West, on and along said West line, a distance of 425.36 feet to an iron rail post at the Northwest corner thereof, being a South corner of Emerald Lake of Covington, as recorded in Plat Record 48, pages 155-157, in the Office of said Recorder; thence North 89 degrees 52 minutes 38 seconds West, on and along the South line of said Emerald Lake of Covington, a distance of 1321.88 feet to the point of beginning, containing 13.027 acres of land, and subject to all easements of record.

EXCEPTING THEREFROM:

Part of the Southeast Quarter of Section 15, Township 30 North, Range 11 East, Allen County, Indiana, being more particularly described as follows, to-wit: Commencing at the Center of said Section 15, being marked by a stone, also being the Northeast corner of The Coves at Westlakes, Section II, as recorded in Plat Cabinet E, page 18, in the Office of the Recorder of Allen County, Indiana; thence South 00 degrees 25 minutes 03 seconds East (GPS grid bearing and basis of all bearings in this description), on and along the West line of said Southeast Quarter and the East line of said Coves at Westlakes, Section II, a distance of 430.77 feet to a #5 rebar at the point of intersection of said West line with the North line of Aspen Village, Section II, as recorded in Plat Record 39, pages 92-96, in the Office of said Recorder; thence South 89 degrees 56 minutes 46 seconds East, on and along the North line of said Aspen Village, Section II, a distance of 879.66 feet; thence North 00 degrees 28 minutes 50 seconds West, a distance of 166.80 feet to a #5 rebar at the true point of beginning; thence North 01 degrees 28 minutes 20 seconds West, a distance of 159.10 feet to a #5 rebar; thence North 88 degrees 37 minutes 12 seconds East, a distance of 67.31 feet to a #5 rebar; thence South 00 degrees 33 minutes 00 seconds East, a distance of 19.82 feet to a #5 rebar; thence South 89 degrees 34 minutes 57 seconds East, a distance of 145.32 feet to a #5 rebar; thence South 00 degrees 02 minutes 22 seconds West, a distance of 199.78 feet to a #5 rebar; thence North 89 degrees 33 minutes 37 seconds West, a distance of 50.00 feet to a #5 rebar; thence North 69 degrees 23 minutes 54 seconds West, a distance of 169.41 feet to the true point of beginning, containing 0.885 acres of land, and subject to all easements of record.

and the symbols of the City of Fort Wayne Zoning Map No. BB-11 (Sec. 15 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.

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| 2 | SECTION 3. That this Ordinance shall be in full force and effect from and after its | | | | | |
| 3 | passage and approval by the Mayor. | | | | | |
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| 6 | | Council Member | | | | |
| 7 | APPROVED AS TO FORM AND LEGALITY: | <i>7</i> . | | | | |
| 8 | ALLINOVED AG TO FORM AND LEGALITY. | | | | | |
| 9 | 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-2024-0052
Bill Number: Z-25-01-03
Council District: 4 – Scott Myers

Introduction Date: January 14, 2025

Plan Commission

Public Hearing Date: January 13, 2025 (not heard by Council)

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

Plan Commission

Synopsis of Ordinance: To rezone 12.04 acres from AR/Low Intensity Residential to R1/Single

Family Intensity Residential

Location: 9800 block of Bronco Drive

Reason for Request: To allow for a 33-lot single family expansion of Aboite Meadows

subdivision.

Applicant: Springmill Woods Development, LLC

Property Owner: City of Fort Wayne

Related Petitions: Primary Plat – Aboite Meadows, Section D

Effect of Passage: Property will be rezoned to the R1/Single Family Residential zoning

district, which permits a platted subdivision.

Effect of Non-Passage: Property will remain zoned AR/Low Intensity Residential, which

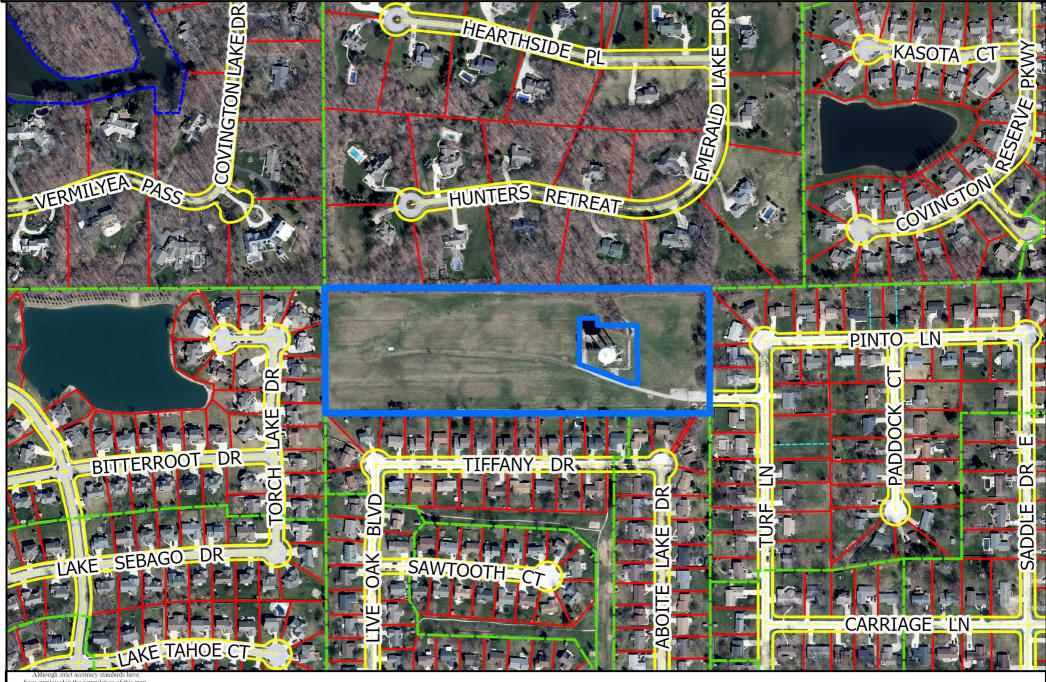
permits housing, but does not allow platted subdivisions.

Department of Planning Services Rezoning Petition Application

| | Applicar | nt Springmill Woods | Development, LLC | | |
|---|---|---|--|--|--|
| Applicant | Address | 9430 Lima Road | | - | |
| | City Fo | rt Wayne | State IN | Zin 46818 | |
| | Telephor | ne 260-489-4433 | State IN E-mail 9430@land | ciahomes.com | |
| Contact Person | Address City | | State | Zip | |
| | 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 9800 Block of Bronco Drive Present Zoning AR Proposed Zoning R1 Acreage to be rezoned 12.036 acres | | | | |
| | Proposed | l density 2.7 | | units per acre | |
| | | | | Township section #15 | |
| | Purpose of rezoning (attach additional page if necessary) To permit the platting of a 33 lot subdivision named Aboite Meadows, Section "D" | | | | |
| | Sewer pr | _{ovider} Aqua Indiana | Water | provider City of Fort Wayne | |
| | | | ess the following filing requ ie filing fees and plan/survey | irements are submitted with this application. y submittal requirements. | |
| Filing Requirements | ■ Applicable filing fee ■ Applicable number of surveys showing area to be rezoned (plans must be folded) ■ Legal Description of parcel to be rezoned □ Rezoning Questionnaire (original and 10 copies) County Rezonings Only | | | | |
| property de Ordinance a to the handl /we agree t | scribed in the as well as all ing and dispo | is application; that I/we agre procedures and policies of the osition of this application; that County the cost of notifying the | e to abide by all provisions of Allen County Plan Commission the above information is true | am/we are the owner(s) of more than 50 percent of the of the Allen County Zoning and Subdivision Control ion as those provisions, procedures and policies related and accurate to the best of my/our knowledge; and that at the rate of \$0.85 per notice and a public notice fee of | |
| Springn | nill Wood | ls Development, (LLC | (signature apaphicant) | 12/2/24 | |
| | | | (signature at applicant) | (dale) | |
| City of Fort Wayne, Indiana printed name of property owner) | | (signature of property own | 12/9/24 (date) | | |
| printed name of property owner) | | (signature of property owner | er) (date) | | |
| printed name of property owner) | | (signature of property owns | er) (date) | | |
| U/3/ |)((| 146765 | Hearing Date | REZ -2024-0052 | |

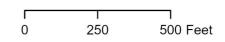






Although stret accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

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





State Plane Coordinate System, Indiana East Photos and Contours: Spring 2009

Symbol Legend Primary Plat of: Covington Rd. **DESCRIPTION:** ABOITE MEADOWS, SECTION "D" Part of the Southeast Quarter of Section 15, Township 30 North, Range 11 East, Allen County, Indiana, being more particularly described as follows, ‡ Fire Hydrant Proposed Lake Beginning at the Center of said Section 15, being marked by a stone, also being the Northeast corner of The Coves at Westlakes, Section II, as recorded in Plat Cabinet E, page 18, in the Office of the Recorder of Allen County, Indiana; thence South 00 degrees 25 minutes 03 seconds East A subdivision of part of the West Half of the Southeast Quarter of Section 15, Proposed Street Light (GPS grid bearing and basis of all bearings in this description), on and along the West line of said Southeast Quarter and the East line of said Coves at Township 30 North, Range 11 East, Allen County, Indiana. Westlakes, Section II, a distance of 430.77 feet to a #5 rebar at the point of intersection of said West line with the North line of Aspen Village, Section II, as recorded in Plat Record 39, pages 92-96, in the Office of said Recorder; thence South 89 degrees 56 minutes 46 seconds East, on and along the North line of said Aspen Village, Section II, a distance of 1042.09 feet to the Northeast corner thereof, also being the Northwest corner of Aspen Village, Section I, as recorded in Plat Record 39, pages 14-17, in the Office of said Recorder; thence North 89 degrees 16 minutes 07 seconds East, on and along the North line of said Aspen Village, Section I, a distance of 278.00 feet to a #5 rebar at the Northeast corner thereof, being a point on the West line of Aboite Meadows, Section "C", Block 5, as recorded in Plat Record 37, pages 85-87, in the Office of said Recorder; thence North 00 Springmill Woods Development, LLC Sauer Land Surveying, Inc. -----w---- Existing Water Lines degrees 10 minutes 46 seconds West, on and along said West line, a distance of 425.36 feet to an iron rail post at the Northwest corner thereof, being 9430 Lima Road 7203 Engle Road a South corner of Emerald Lake of Covington, as recorded in Plat Record 48, pages 155-157, in the Office of said Recorder; thence North 89 degrees **Location Map** 52 minutes 38 seconds West, on and along the South line of said Emerald Lake of Covington, a distance of 1321.88 feet to the point of beginning, Fort Wayne, IN 46818 Fort Wayne, IN 46804 containing 13.027 acres of land, and subject to all easements of record. Tel: 260/489-4433 Tel: 260/469-3300 Part of the Southeast Quarter of Section 15, Township 30 North, Range 11 East, Allen County, Indiana, being more particularly described as follows, AREA TABLE Commencing at the Center of said Section 15, being marked by a stone, also being the Northeast corner of The Coves at Westlakes, Section II, as recorded in Plat Cabinet E, page 18, in the Office of the Recorder of Allen County, Indiana; thence South 00 degrees 25 minutes 03 seconds East LOT AREA 1 6062 (GPS grid bearing and basis of all bearings in this description), on and along the West line of said Southeast Quarter and the East line of said Coves at Westlakes, Section II, a distance of 430.77 feet to a #5 rebar at the point of intersection of said West line with the North line of Aspen Village, Section 2 6467 3 6250 II, as recorded in Plat Record 39, pages 92-96, in the Office of said Recorder; thence South 89 degrees 56 minutes 46 seconds East, on and along the North line of said Aspen Village, Section II, a distance of 879.66 feet; thence North 00 degrees 28 minutes 50 seconds West, a distance of 166.80 feet 4 6250 5 6250 to a #5 rebar at the true point of beginning; thence North 01 degrees 28 minutes 20 seconds West, a distance of 159.10 feet to a #5 rebar; thence North 88 degrees 37 minutes 12 seconds East, a distance of 67.31 feet to a #5 rebar; thence South 00 degrees 33 minutes 00 seconds East, a distance of 19.82 6 6250 7 6250 8 6500 9 6500 10 6500 feet to a #5 rebar; thence South 89 degrees 34 minutes 57 seconds East, a distance of 145.32 feet to a #5 rebar; thence South 00 degrees 02 minutes 22 seconds West, a distance of 199.78 feet to a #5 rebar; thence North 89 degrees 33 minutes 37 seconds West, a distance of 50.00 feet to a #5 rebar; thence North 69 degrees 23 minutes 54 seconds West, a distance of 169.41 feet to the true point of beginning, containing 0.885 acres of land, and subject to all easements of record. 11 6250 12 6250 13 6250 14 6206 15 6221 16 13030 18 13030 17 6962 18 17798 19 24501 20 10657 21 10354 22 12963 23 7108 24 12784 25 10702 26 10836 27 10790 28 10193 Lot #13 Lot #12 NE Cor., W 1/2, SE 1/4, Sec. 15 T 30 N, R 11 E (Iron Rail Post Fnd.) N 89°13'49" W 1321.88' Act. & Rec. _____w___106'___w____w 25' U.&S.D.E. 30' Utility Easement (Deed Rec. 646, pp. 376–377) 28 10193 29 12874 25' U.&S.D.E. 25' U.&S.D.E. 30 7108 31 12368 32 9975 33 10591 BLOCK A 24020 Lot #69 BLOCK B 111411 STREET 87399 S 00°33'00" E,\19.82' N 88°37'12" E S 89°34'57" E BLOCK "B" SZS----N 89°33'37" V 14' U.&S.D.E. ─ Lot #72 BRONCO DRIVE BLOCK "A 50' 50' 50' 50' 50' Lot #134 278.00' Act. & Rec. S 89°17'58" [N 89°54′56" E (1043.2' Rec.) Lot #81 Lot #80 Lot #78 Lot #79 Lot #71 Lot #73 Lot #74 Lot #70 Lot #75 Lot #82 Note: U.&S.D.E. denotes Utility & Surface Drainage Easement SCALE IN FEET: Note: All sidewalks though driveways shall

TYPICAL STREET CROSS-SECTION

Original Map Scale: 1"=50'

Date: December 2, 2024

FACT SHEET

Case #REZ-2024-0052 Bill # Z-25-01-03 Project Start: January 2025

APPLICANT: Springmill Woods Development, LLC

REQUEST: To rezone property from AR/Low Intensity Residential to

R1/Single Family Residential and to approve a 33-lot primary plat.

LOCATION: 9800 Bronco Drive, 170 feet west of its intersection with Turf

Lane (Section 15 of Aboite Township)

LAND AREA: 12.036 acres

PRESENT ZONING: AR/Low Intensity Residential PROPOSED ZONING: R1/Single Family Residential

COUNCIL DISTRICT: 4 – Scott Myers

SPONSOR: Fort Wayne Plan Commission

January 13, 2025 Public Hearing

• 17 residents spoke in opposition or with concerns.

All members were present.

January 27, 2025 Business Meeting

Plan Commission Recommendation: DO PASS,

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

6-1 MOTION PASSED

- Ryan Neumeister and Patrick Zaharako were absent.
- Scott Myers voted nay

Fact Sheet Prepared by: Michelle Wood, Senior Land Use Planner February 5, 2025

PROJECT SUMMARY

The applicant is requesting to rezone 12.036 acres from AR/Low Intensity Residential to R1/Single-Family Residential and to approve a primary plat for a 33-lot single family subdivision. The site today is a grass field with a Fort Wayne water tower and associated infrastructure. The property is surrounded by single family subdivisions in all directions and are all zoned R1/Single Family Residential. The property is currently owned by City of Fort Wayne, but is proposed to be sold to the applicant for this development. The water tower and associated infrastructure will be carved out and be its own parcel with direct access to the proposed public street.

The submitted primary plat shows 33 lots off the Bronco Drive Stub Street to the east. The site features 3 cul-desacs, a detention pond on the northeast portion of the site, and 2 blocks of common area. The proposed plat is compatible in size to the subdivisions of Aspen Village (south) and Aboite Meadows (east). The proposed plat is an example of infill development that the comprehensive plan supports. The plat is located within Area 4 of the airport overlay district. This requires a special use approval by the Board of Zoning Appeals. The applicant has been notified of this requirement and will need this approval prior to secondary submittal.

COMPREHENSIVE PLAN REVIEW:

Future Growth and Development Map, Goals, and Strategies

• The project site is located within the Urban Infill Area.

The following Goal would be applicable:

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

Overall Land Use Policies

The following Land Use Policy would be applicable and supportive of this request:
 LUD Policy 1 – Support and promote a diversity of housing types within the applicable land use categories defined in this chapter.

Generalized Future Land Use Map

• The project site is located within the Utility land use category. The R1/Single Family Residential zoning district is considered compatible with the comprehensive plan. Adjacent properties are all Suburban Neighborhood and are fully developed.

Land Use Related Action Steps

• HN. 1.1.2 Encourage smart growth development practices to support efficient use of land and resources.

Compatibility Matrix

• This proposed use would fall into R1/Single Family Residential which is considered compatible with Suburban Neighborhood.

Other applicable plans: none

PUBLIC HEARING SUMMARY:

Presenter: Jamie Lancia, Springmill Woods Development, LLC, presented the request as outlined above.

Public Comments:

Diane Current, 4016 Turf Lane – Concern about increased traffic, lack of sidewalks, size of lots, maintenance of stormwater system.

Gerald Davis, 9915 Hunters Retreat – Overflow of drainage goes over his lot, concern about increased overflow. Nick Knappenberg, 10033 Hunters Retreat - Opposed

Ian Dick, 3223 Emerald Lake Drive – Ponds are expensive to maintain.

Brian Laipple, 9927 Hunters Retreat – Concern about ponds and safety.

Marcia Presser, 10017 Hunters Retreat – Concern about time for neighbors to learn their rights, more info may alleviate concerns.

Michael Parrot, 10333 Vermilyea Pass – Covington Lakes President, the average depth of their pond has decreased frim silting.

Richard Smith, 9548 Carriage Lane – Concern over and children playing in streets.

Eric George, 9720 Pinto Lane – Access to Aboite Center Road is dangerous.

Robert Homan, 3903 Live Oak Boulevard – Concern over stormwater.

Jason Combs, 9549 Carriage Lane – Concern over traffic at Aboite Center Road

Michael Arata, 2838 Little Turtle Trail – Concerned over stormwater.

Elizabeth Lothamer, 9916 Quachita Court – President of Aspen Village, opposed.

Adam Henderson, 9928 Tiffany Drive – Fences aren't allowed in their subdivision.

Gordon Londini, 9920 Tiffany Drive – Concern over lack of notification by developer.

Hermina Van Helfteren, 4823 Oak Mast Trail – The neighbors may have wanted to buy the land and save it.

Mark Shull, Hunters Retreat – Concern over how the property was appraised and sold.

Closing Comments:

The proposal will provide quality, affordable workforce housing, at \$300,000 to \$400,000 price point. The density is comparable to the typical single-family subdivision in Allen County. There will be an association to handle stormwater maintenance. The new stormwater system will detain the water currently allowed to sheetflow into other neighborhoods. They have to meet water quality and water quantity requirements and inspections by the Fort Wayne Development Services.

FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

Rezoning Petition REZ-2024-0052 - Aboite Meadows Section D

APPLICANT:

Springmill Woods Development, LLC

REQUEST:

To rezone property from AR/Low Intensity Residential to R1/Single Family

Residential and to approve a 33-lot primary plat.

LOCATION:

9800 Bronco Drive, 170 feet west of its intersection with Turf Lane (Section

15 of Aboite Township)

LAND AREA:

12.036 acres

PRESENT ZONING: PROPOSED ZONING:

AR/Low Intensity Residential R1/Single Family Residential

The Plan Commission recommends that Rezoning Petition REZ-2024-0052 be returned to Council, with a "Do Pass" recommendation after considering the following:

- Approval of the rezoning request will be in substantial compliance with the City of Fort
 Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area.
 The R1/Single Family Residential zoning will provide the opportunity for infill development
 while providing additional residential options in the southwest quadrant of Fort Wayne. The
 Comprehensive Plan supports development within the Urban Infill Area.
- 2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The property is adjacent to residential zoning directly to the north, south, east, and west. The rezoning is consistent with existing residential zoning in all directions. The surrounding area consists of fully developed subdivisions of various sizes.
- 3. Approval is consistent with the preservation of property values in the area. This proposal will allow reinvestment into the area and is adjacent to developed residential property. The new zoning gives the property owner flexibility to invest in the property residentially.
- 4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The site is completely surrounded by fully developed subdivisions. The Comprehensive Plan encourages adjacent development in areas already served by infrastructure.

These findings approved by the Fort Wayne Plan Commission on January 27, 2025.

Benjamin J. Roussel Executive Director

Secretary to the Commission

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N 89°13'49" W 1321.88' Act. & Rec. _____w___106'___w____w 25' U.&S.D.E. 30' Utility Easement (Deed Rec. 646, pp. 376–377) 28 10193 29 12874 25' U.&S.D.E. 25' U.&S.D.E. 30 7108 31 12368 32 9975 33 10591 BLOCK A 24020 Lot #69 BLOCK B 111411 STREET 87399 S 00°33'00" E,\19.82' N 88°37'12" E S 89°34'57" E BLOCK "B" SZS----N 89°33'37" V 14' U.&S.D.E. ─ Lot #72 BRONCO DRIVE BLOCK "A 50' 50' 50' 50' 50' Lot #134 278.00' Act. & Rec. S 89°17'58" [N 89°54′56" E (1043.2' Rec.) Lot #81 Lot #80 Lot #78 Lot #79 Lot #71 Lot #73 Lot #74 Lot #70 Lot #75 Lot #82 Note: U.&S.D.E. denotes Utility & Surface Drainage Easement SCALE IN FEET: Note: All sidewalks though driveways shall

TYPICAL STREET CROSS-SECTION

Original Map Scale: 1"=50'

Date: December 2, 2024