

# DEKALB COUNTY DEPARTMENT OF DEVELOPMENT SERVICES

PLANNING • BUILDING • GIS

301 S. Union St., Auburn IN 46706

Planning: 260.925.1923 • Building: 260.925.3021 • GIS: 260.927.2356 • Fax: 260.927.4791

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## AGENDA

### DeKalb County Plan Commission

#### Plat Committee

Commissioners Court – 2<sup>nd</sup> Floor DeKalb County Court House

Tuesday, July 2, 2024

8:30 AM

To view the livestream, click here: <https://tinyurl.com/YouTubeDCPC>

1. Roll call
2. Prayer
3. Approval of Minutes: June 4, 2024
4. Old Business: None
5. New Business:

Petition #24-15 – CCF Land LLC requesting a 1 Lot Minor Subdivision known as CCF Place. The proposed 1 lot subdivision will be a total of 87.163 acres. The subdivision will be used for a single-family residence. The property is located on County Road 56, approximately one-tenth of a mile west of the intersection of County Road 56 and State Road 1, St. Joe and is zoned A2, Agricultural.

Petition #24-16 – Southeast DeKalb School requesting a 1 Lot Subdivision known as Southeast DeKalb Parochial School. The proposed 1 lot subdivision will be a total of 3.059 acres. The subdivision will be used for an Amish Parochial School as approved by the Board of Zoning Appeals on May 13, 2024. The property is located on the west side of County Road 75, approximately one-tenth of a mile south of the intersection of County Road 75 and County Road 68, Spencerville, Indiana and is zoned A1, Conservation Agricultural.

Petition #24-17 – Ryan & Jamie Miller requesting a 1 Lot Subdivision known as Miller Homestead. The proposed 1 lot subdivision will be a total of 20.233 acres. The subdivision will be used for a single-family residence. The property is located on the south side of County Road 8, approximately four-tenths of a mile west of the intersection of County Road 8 and County Road 9A, Corunna, Indiana and is zoned A2, Agricultural.

Petition #24-18 – Michael S. & Marlene R. Eicher requesting a 1 Lot Subdivision known as Green Acres. The proposed 1 lot subdivision will be a total of 35.37 acres. The subdivision will be used for a single-family residence. The property is located on the south side of County Road 64, approximately one-tenth of a mile west of the intersection of County Road 64 and County Road 55, Spencerville, Indiana and is zoned A2, Agricultural.

6. Adjournment

Next Meeting: August 6, 2024

**If you cannot attend, please contact Meredith Reith:**

**[mreith@co.dekalb.in.us](mailto:mreith@co.dekalb.in.us) or (260) 925-1923**

**\*PLEASE ENTER THROUGH THE NORTH DOOR OF  
COURTHOUSE LOCATED ON SEVENTH STREET\***

**\*\*Cellphones, tablets, laptops, & weapons are prohibited\*\***

**MINUTES**  
**DEKALB COUNTY PLAT COMMITTEE**  
**Tuesday, June 4, 2024 @ 8:30 AM**

The Regular Meeting of the DeKalb County Plat Committee was called to order at 8:30 a.m. in the DeKalb County Commissioner's Court by Elysia Rodgers.

**ROLL CALL:**

Members Present: Elysia Rodgers, Sandra Harrison, Jason Carnahan, and Jerry Yoder

Members Absent: Suzanne Davis

Staff Present: Director/Zoning Administrator Chris Gaumer and Secretary Meredith Reith

Staff Absent: None

Public in Attendance: None

**PRAYER:**

Jerry Yoder led prayer.

**APPROVAL OF MINUTES:**

Sandy Harrison moved to approve the minutes from May 7, 2024; seconded by Jason Carnahan.

None opposed. Motion carried.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Petition #24-12 – Reiley & Amanda Pugh requesting a 1 Lot Subdivision known as Mira Timbers. The proposed 1 lot subdivision will be a total of 12.50 acres. The subdivision will be used for a single-family residence. The property is located on the south side of County Road 16, approximately one-half mile east of the intersection of County Road 16 and County Road 71, Butler, Indiana and is zoned A1, Conservation Agricultural.

Chris Gaumer read the staff report.

Elysia Rodgers asked if there were any questions or comments from the board or public. Seeing no one in attendance she closed the public portion of the hearing.

Mr. Gaumer went over the proposed findings.

**JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **April 22, 2024**
2. Legal notice published in The Star on **May 24, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **April 26, 2024**
5. Letter from County Highway dated **April 23, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **April 23, 2024**
7. Letter from the Drainage Board, dated **April 26, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Compass Land Surveying**

The real estate to be developed is in Zoning District A1 which permits the requested development.

**FINDINGS OF FACT:**

1. Does the proposed Conservation Agriculture Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the conservation agriculture subdivision will be used for residential use, which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 16 with dedication of right of way. The driveway has been staked and approved by the DeKalb County Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for a residential onsite sewage system from the DeKalb County Board of Health.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required.  
*None required.*

**Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.

IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS CONSERVATION AGRICULTURAL SUBDIVISION PETITION #24-12, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 4<sup>TH</sup> DAY OF JUNE 2024.

Motion made by Jason Carnahan, Seconded by Jerry Yoder.

Vote tally:     Yes:     4                 No:             0

\_\_\_\_\_  
Elysia Rodgers

\_\_\_\_\_  
Sandra Harrison

\_\_\_\_\_  
Jason Carnahan

\_\_\_\_\_  
Jerry Yoder

Petition #24-12 – Jonathan & Kasie Milk requesting a RePlat of Shook’s Acres Section II, Lot 3. The proposed replat will be enlarging Lot 3 by combining it with the parcel to the west. No new buildable lots are being created. The property will continue to be used as a single-family residence. The property is located at 3815 County Road 56, Auburn, Indiana and is zoned A2, Agricultural.

Mr. Gaumer read the staff report stating the property changes.

Mrs. Rodgers asked if there were any questions or comments from the board or public. Seeing no one in attendance she closed the public portion of the hearing.

Mr. Gaumer went over the proposed findings.

**JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **May 6, 2024**
2. Legal notice published in The Star on **May 24, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **May 30, 2024**
5. Letter from County Highway dated **May 15, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **May 16, 2024**
7. Letter from the Drainage Board, dated **May 23, 2024**
8. Airport Board report, if applicable: **not applicable**
9. Plat prepared by **Compass Land Surveying**  
The real estate to be developed is in Zoning District A2, which permits the requested development.

**FINDINGS OF FACT:**

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the minor subdivision/replat will be used for residential use, which is compatible to the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.

Adequate access off County Road 56. The right of way has been dedicated per the original Shook's Acres Section II, Lot 3. Additional right of way has been dedicated where required. The existing two driveway for Lot 3 will be utilized.

- c. The extension of water, sewer & other municipal services, if applicable or required. None Required. The existing Private Septic System is being utilized. The Health Department does recommend that a soil evaluation for Lot 3 be performed to ensure adequate area and soil conditions are available on the property for the installation of a replacement residential onsite sewage system if and when determined necessary.
- d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required. None required.

**Standard Conditions to be recorded on or with the plat:**

- 1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
- 2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
- 3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
- 4. The appropriate agricultural covenants, Drainage Board covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

- 1. Comply with the Staff Report.
- 2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
- 3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
- 4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.

IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS REPLAT PETITION #24-13, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 4<sup>TH</sup> DAY OF JUNE 2024.

Motion made by Sandy Harrison, Seconded by Jerry Yoder.

Vote tally:      Yes:      4                      No:              0

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Elysia Rodgers

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Sandra Harrison

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Jason Carnahan

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Jerry Yoder

**ADJOURNMENT:**

There being no further business to come before the Plat Committee, the meeting was adjourned at 8:50 a.m.

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Elysia Rodgers

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Meredith Reith - Secretary

DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:

File Number: 24-15  
Date Application Filed: 5/20/2024  
Fee Paid: 300 ✓

**Application for SUBDIVISION**

Conservation Agricultural (A1 only) \_\_\_ Minor   
Conventional \_\_\_ Conservation \_\_\_ Traditional \_\_\_  
Strip \_\_\_ Commercial District \_\_\_ Industrial Park \_\_\_  
(Section 9.22)

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: Mark Graber  
Mailing Address: 6341 County Road 56, St. Joe, Indiana

Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: CCF Land LLC  
Address: 14225 Page Road, Grabill, Indiana 46741

Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: Joe Gabet - Foresight Consulting  
Address: 1910 St. Joe Center Road, Fort Wayne, Indiana 46825

Telephone Number: 260-760-3873 E-Mail: joe@4site.biz

Legal Ad Payment & Public Hearing Notifications: Applicant \_\_\_ Owner \_\_\_ Representative \_\_\_

Name of Proposed Subdivision: CCF Place

Number of Parcels & Total Area (square feet or acreage): 1 Parcel 87.163 Acres

Address or Parcel ID # of property: 6341 County Road 56

Legal description of property affected: Part of the south half of Section 10, Township 33 North, Range 14 East, Dekalb County, Indiana.

Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)  
Single Family

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: Mark Graber 5-17-24

(If signed by representative for applicant, state capacity)

*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

**APPLICANT:** CCF Land LLC

**SUBJECT SITE:** County Road 56, approximately one-tenth of a mile west of the intersection of County Road 56 and State Road 1, St. Joe

**REQUEST:** 1 Lot Minor Subdivision – CCF Place

**EXISTING ZONING:** A2: Agricultural

**SURROUNDING LAND USES AND ZONING:** North: Single Family Residential/Farm Ground (A2)  
South: Single Family Residential/Farm Ground (A2)  
East: Single Family Residential/Farm Ground (A2)  
West: Single Family Residential/Farm Ground (A2)

**ANALYSIS:**

**Definition of Subdivision:** *The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - *No structure shall be permitted on a lot unless the lot:*

- A. *Resulted from a legal subdivision of land approved by the Plan Commission, or*
- B. *Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.*
- C. *Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.*

***Minor Subdivision Standards:***

**UDO 6.08 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract.**

- Parcel 02-11-10-400-001 is considered the parent parcel. This is the 2<sup>nd</sup> buildable split from parent parcel -001.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 78.656 acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 1,447.03 feet
  - *Minimum Lot Frontage: 120 Feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production.*
    - Proposed Lot 1 Frontage: 1,466.01 feet
- This division of land fronts the following roads:
  - County Road 56 is considered a County Collector Road with a projected total right-of-way width of 80 feet.
    - Proposed right-of-way dedication: 40 feet

## **JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing the appropriate documents:

1. Application completed and filed on **May 20, 2024**
2. Legal notice published in The Star on **June 21, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **May 30, 2024**
5. Letter from County Highway dated **May 21, 2024**
6. Letter from the DeKalb County Soil & Water Conservation District, dated **May 22, 2024**
7. Letter from the Drainage Board, dated **May 23, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **ForeSight Consulting**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

## **PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the minor subdivision will be used for residential use, which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 56 with dedication of right of way. The driveway has been staked and approved by the DeKalb County Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for a residential onsite sewage system from the DeKalb County Board of Health.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required.  
*None required.*

## **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

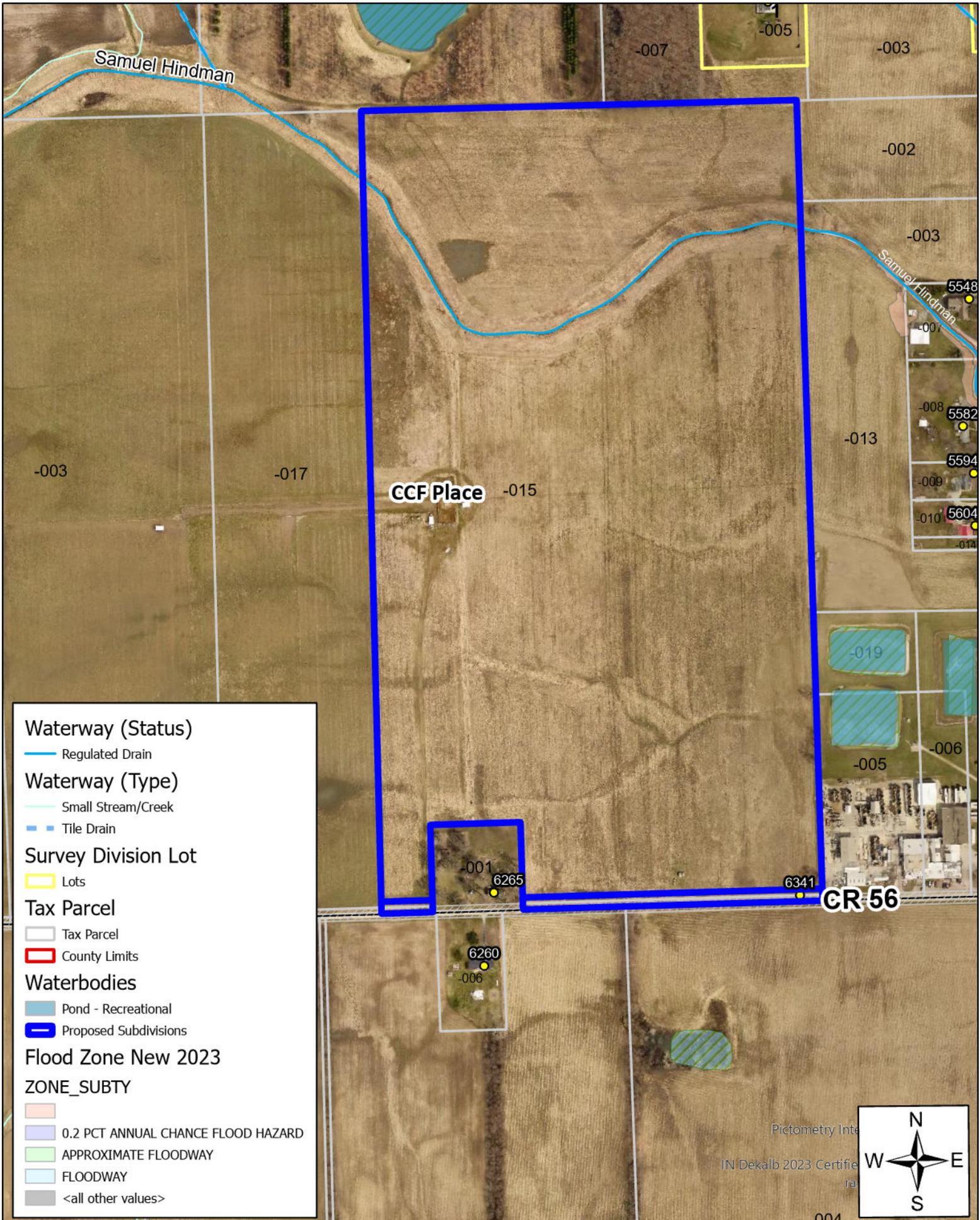
### **Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.

4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.



**Waterway (Status)**

— Regulated Drain

**Waterway (Type)**

— Small Stream/Creek

— Tile Drain

**Survey Division Lot**

— Lots

**Tax Parcel**

— Tax Parcel

— County Limits

**Waterbodies**

— Pond - Recreational

— Proposed Subdivisions

**Flood Zone New 2023**

**ZONE\_SUBTY**

- 
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- APPROXIMATE FLOODWAY
- FLOODWAY
- <all other values>

**PROJECT LAND SURVEYOR:**  
**ForeSight Consulting, LLC**  
 1910 St. Joe Center Road Suite 61  
 Fort Wayne, IN 46825  
 260.484.9900 phone  
 260.484.9900 fax  
 www.4site.biz

# Minor Plat of: CCF Place

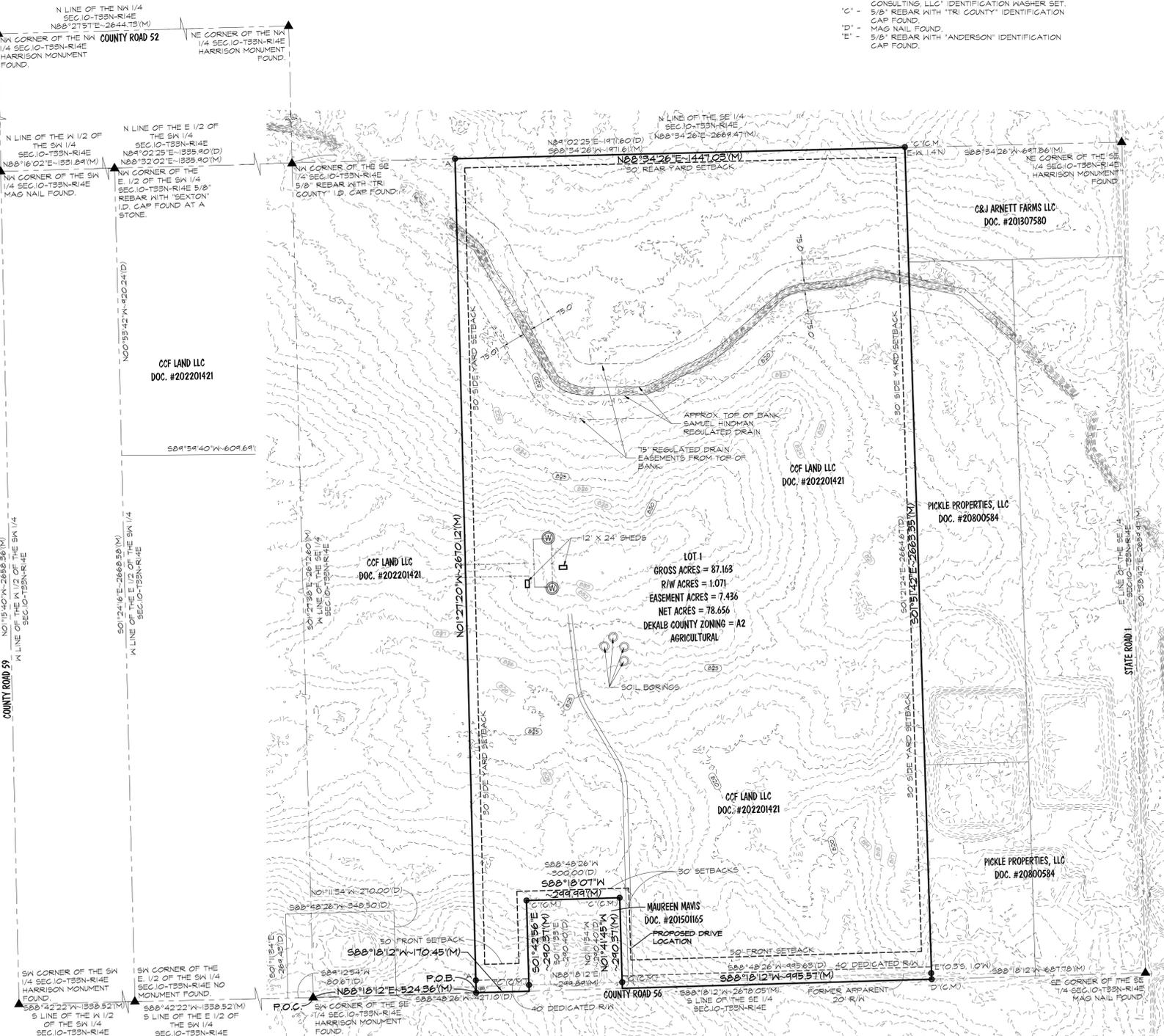
Residential Subdivision  
 6341 County Road 56, Saint Joe, Indiana 46785

### Annotation Legend

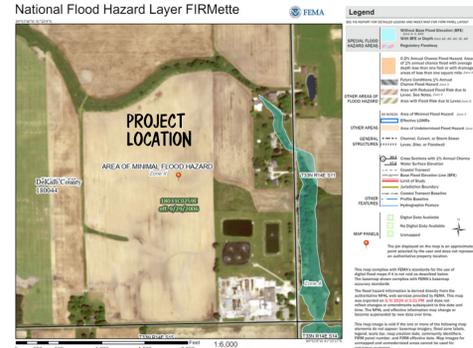
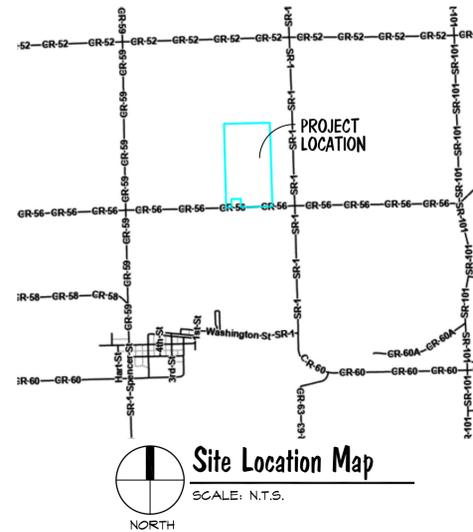
- P = FLATTED DIMENSION
- D = DEED DIMENSION
- M = MEASURED DIMENSION
- S = RECORD SURVEY DIMENSION
- DR = DEED RECORD
- TR = PLAT RECORD
- DOC = DOCUMENT
- PG = PAGE NUMBER
- RC = REFERENCE CORNER
- C.M. = CONTROLLING MONUMENT
- +/- = INDICATES HEIGHT OR DEPTH OF MONUMENT FOUND
- FFFF = FARM FIELD TYPE FENCE
- G.L. = CENTERLINE OF ROADWAY
- R/W = RIGHT OF WAY LINE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- SFC = INDIANA STATE PLANE ZONE EAST COORDINATES FOR MONUMENT
- O.L. = ON LINE

### Monument Legend

- 'A' = 5/8" BY 24" REBAR WITH FORESIGHT CONSULTING, LLC - BOUNDARY IDENTIFICATION CAP SET
- 'B' = SURVEY MARKER NAIL WITH FORESIGHT CONSULTING, LLC IDENTIFICATION WASHER SET
- 'C' = 5/8" REBAR WITH 'TRI COUNTY' IDENTIFICATION CAP FOUND
- 'D' = MAG NAIL FOUND
- 'E' = 5/8" REBAR WITH 'ANDERSON' IDENTIFICATION CAP FOUND



**The Minor Plat of CCF Place**  
 SCALE: 1" = 200'



### Real Estate Description - CCF Place

A PORTION OF THE LANDS OF CCF LAND LLC AS DESCRIBED IN DOCUMENT NUMBER 202201421 WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 33 NORTH, RANGE 14 EAST, DEKALB COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT MARKING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, THENCE NORTH 88 DEGREES 18 MINUTES 12 SECONDS EAST, ON AND ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 10, A DISTANCE OF 524.36 FEET TO A MAG NAIL WITH FORESIGHT CONSULTING, LLC - BOUNDARY IDENTIFICATION WASHER MARKING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND, THENCE NORTH 01 DEGREES 21 MINUTES 20 SECONDS WEST, A DISTANCE OF 2610.12 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, SAID POINT BEING MARKED BY A 5/8" REBAR WITH FORESIGHT CONSULTING, LLC - BOUNDARY IDENTIFICATION CAP, THENCE NORTH 88 DEGREES 34 MINUTES 26 SECONDS EAST, ON AND ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 1447.08 FEET TO THE NORTHEAST CORNER OF SAID LANDS OF CCF LAND LLC, SAID CORNER BEING ONE AND THE SAME AS A WESTERN CORNER OF THE LANDS OF C&J ARNETT FARMS LLC AS RECORDED IN DOCUMENT NUMBER 201807580 IN SAID RECORDERS OFFICE, SAID CORNER BEING REFERENCED BY A 5/8" REBAR WITH 'TRI COUNTY' IDENTIFICATION CAP FOUND 1.4 FEET NORTH, THENCE SOUTH 01 DEGREES 51 MINUTES 42 SECONDS EAST, ON AND ALONG THE EAST LINE OF SAID LANDS OF CCF LAND LLC, THE WEST LINE OF SAID LANDS OF C&J ARNETT FARMS LLC, AND THE WEST LINE OF THE LANDS OF PICKLE PROPERTIES, LLC AS RECORDED IN DOCUMENT NUMBER 20200584 WITH THE OFFICE OF SAID RECORDER, A DISTANCE OF 266.93 FEET TO THE SOUTHEAST CORNER OF SAID LANDS OF CCF LAND LLC, AND THE SOUTHWEST CORNER OF SAID LANDS OF PICKLE PROPERTIES, LLC, SAID CORNER BEING ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10 AND BEING MARKED BY A MAGNAIL, THENCE SOUTH 88 DEGREES 18 MINUTES 12 SECONDS WEST, A DISTANCE OF 915.51 FEET TO THE SOUTHEAST CORNER OF THE LANDS OF MAUREEN MAVIS AS RECORDED IN DOCUMENT NUMBER 201501165 WITH THE OFFICE OF SAID RECORDER, SAID CORNER BEING SOUTHERN CORNER OF SAID LANDS OF CCF LAND LLC;

THE FOLLOWING 3 COURSES ARE ON AND ALONG THE PERIMETER LINES OF SAID LANDS OF MAUREEN MAVIS AND ALONG THE SOUTHERN LINES OF SAID LANDS OF CCF LAND LLC:

THENCE NORTH 01 DEGREES 41 MINUTES 45 SECONDS WEST, A DISTANCE OF 290.37 FEET TO A 5/8" REBAR WITH 'TRI COUNTY' IDENTIFICATION CAP, THENCE SOUTH 88 DEGREES 18 MINUTES 01 SECONDS WEST, A DISTANCE OF 299.99 FEET TO A 5/8" REBAR WITH 'TRI COUNTY' IDENTIFICATION CAP, THENCE SOUTH 01 DEGREES 42 MINUTES 56 SECONDS EAST, A DISTANCE OF 290.37 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, THENCE SOUTH 88 DEGREES 18 MINUTES 12 SECONDS WEST, ON AND ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 170.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 87.161 ACRES OF LANDS, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

### DEED OF DEDICATION

I, THE UNDERSIGNED, MARK GRABER, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "CCF PLACE" AN ADDITION TO DEKALB COUNTY, ALL STREETS AND ALLEYS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC. FRONT AND SIDE YARD BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE STREETS, THERE SHALL BE ERRECTED OR MAINTAINED NO BUILDING OR STRUCTURE. THERE ARE STRIPS OF GROUND AS (N/A) FEET IN WIDTH AS SHOWN ON THIS PLAT AND MARKED "EASEMENT," RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF WATER AND SEWER MAINS, POLES, DIGITS, LINES AND WIRES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED, NO PERMANENT OR OTHER STRUCTURES NOW TO BE ERRECTED OR MAINTAINED UPON SAID STRIPS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES, AND THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THIS SUBDIVISION.

WITNESS OUR HANDS AND SEALS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

CCF LAND LLC, MARK GRABER (OWNER)

WITNESS (SIGN & PRINT NAME)

STATE OF INDIANA  
 COUNTY OF DEKALB

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED MARK GRABER AND (WITNESS) ACKNOWLEDGING THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_, NOTARY PUBLIC

PRINT NAME \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

### RESTRICTIONS

- THE OWNERS OF THE LOTS IN THIS SUBDIVISION AGREE TO RECOGNIZE THE EXISTING AGRICULTURAL LAND USAGE SURROUNDING THE SUBDIVISION AND FURTHER AGREE TO NOT OBJECT TO THE SURROUNDING AGRICULTURAL USE OR CHANGES THEREIN AS PERMITTED BY LAW, I.E. 94-1-52-4.
- THIS LOT SHALL BE INCLUDED IN ANY SUBDIVISION ARISING FROM ANY FUTURE DEVELOPMENT OF THE LAND INVOLVED. HOWEVER, THERE IS NO INTENTION THAT ANY TERMS, CONDITIONS, OR RESTRICTIONS ON A FUTURE PLAT WOULD HAVE ANY RETROACTIVE APPLICABILITY TO THIS DIVISION OF LAND.
- THERE SHALL BE COMPLIANCE WITH THE LAWS AND REGULATIONS OF ANY FEDERAL, STATE OR LOCAL AGENCY.
- NO OFF SITE DRAINAGE, EXISTING SURFACE WATER OR EXISTING TILLED WATER DRAINAGE, CROSSING OVER SAID REAL ESTATE SHALL BE OBSTRUCTED BY ANY DEVELOPMENT ON THIS SITE, THE PLAN COMMISSION MAY ENFORCE THESE CONDITIONS BY INJUNCTIVE RELIEF WITH ATTORNEY FEES.

### COMMISSION CERTIFICATE

UNDER AUTHORITY PROVIDED BY CHAPTER 174 - ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ALL ACTS AMENDATORY THERETO, AND AN ORDINANCE ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DEKALB COUNTY, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE COUNTY OF DEKALB AS FOLLOWS:

APPROVED BY THE COUNTY PLAN COMMISSION AT A MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

CHAIRPERSON \_\_\_\_\_ CHRIS GAUMER, ZONING ADMINISTRATOR

### DRAINAGE COVENANT

- NO PRIVATE OR MUTUAL DRAIN OF ANY TYPE SHALL BE CONNECTED FROM WITHIN ANY LOT WITHIN THE SUBDIVISION TO THE SAMUEL HINDMAN DRAIN NO. 185-00-0 WITHOUT FIRST SUBMITTING WRITTEN REQUEST, ALONG WITH PLANS AND SPECIFICATIONS FOR SAID CONNECTION, AND OBTAINING THE WRITTEN APPROVAL OF THE DEKALB COUNTY SURVEYOR FOR SAID DRAIN CONNECTION.
- NO PERMANENT STRUCTURE OF ANY TYPE SHALL BE PLACED WITHIN THE RIGHT OF WAY OF THE SAMUEL HINDMAN DRAIN NO. 185-00-0 WITHOUT FIRST ENTERING INTO A CONSENT FOR VARIANCE FOR PERMANENT STRUCTURE WITHIN THE RIGHT-OF-WAY OF A REGULATED DRAIN BY AND BETWEEN THE OWNER OF THE LAND UPON WHICH THE PERMANENT STRUCTURE IS TO BE LOCATED AND THE DEKALB COUNTY DRAINAGE BOARD.
- NO PRIVATE CROSSING CONTROL DAM OR OTHER PERMANENT STRUCTURE SHALL BE PLACED ON, OVER, OR THROUGH THE SAMUEL HINDMAN DRAIN NO. 185-00-0 WITHOUT FIRST SUBMITTING A WRITTEN REQUEST, ALONG WITH PLANS AND SPECIFICATIONS FOR SAID PERMANENT STRUCTURE, AND OBTAINING THE WRITTEN APPROVAL OF THE DEKALB COUNTY SURVEYOR FOR SAID PERMANENT STRUCTURE.

### LAND SURVEYOR CERTIFICATION:

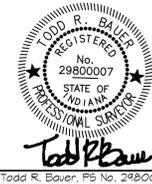
THE UNDERSIGNED LAND SURVEYOR, REGISTERED UNDER THE LAWS OF THE STATE OF INDIANA, CERTIFIES THAT HE HAS MADE A SURVEY AND PLAT OF THE REAL ESTATE DEPICTED AND DESCRIBED THEREON. MEASUREMENTS WERE MADE AND MONUMENTS WERE AS SHOWN ON THE RECORDED "RETRACEMENT" SURVEY FOR 2024 AS RECORDED IN DOCUMENT NUMBER XXXXX IN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA. NO ENCROACHMENTS EXIST, EXCEPT AS SHOWN THEREON. I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS PLAT REPRESENTS A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH TITLE 865, ARTICLE 1, RULE 12, SECTIONS 1 THROUGH 30 OF THE INDIANA ADMINISTRATIVE CODE.

DECLARATION/CERTIFICATION 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 THE INVOICE, AND COMPLETE WITH ALL PAGES OF SURVEY.

COMMISSION NUMBER: 245859  
 CLIENT: MARK GRABER  
 DATE OF FIELD WORK: MAY 8TH, 2024  
 FIELD WORK COMPLETED: MAY 8TH, 2024

IN WITNESS WHEREOF, I HERETO PLACE MY HAND AND SEAL THIS 16TH DAY OF MAY 2024.

I 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.



**ForeSight Consulting, LLC**  
 Professional Engineers & Surveyors  
 1910 St. Joe Center Road, Suite #61  
 Fort Wayne, Indiana 46825  
 260.484.9900 phone  
 260.484.9900 fax  
 www.4site.biz



THE PLAT OF EVERY SURVEY, BUT NOT LIMITED TO PLANS AND NOTES, SYMBOLS, LEGENDS, REPORTS, CERTIFICATIONS AND ANY RELATED PRODUCTS, IS AN ORIGINAL CREATIVE WORK PRODUCT UNDER THE COPYRIGHT LAWS OF THE UNITED STATES OF AMERICA. THIS ORIGINAL CREATIVE WORK PRODUCT IS THE SOLE PROPERTY OF FORESIGHT CONSULTING, LLC. ANY REPRODUCTION, COPIING, OR DISSEMINATION OF ANY PART OF THIS PLAT OR SURVEY OR ANY INFORMATION SHOWN HEREIN, SHALL BE PROHIBITED WITHOUT THE WRITTEN PERMISSION OF FORESIGHT CONSULTING, LLC. ADDITIONALLY, THE SURVEY, CERTIFICATION AND DECLARATION MADE HEREIN ARE LIMITED TO THE IDENTIFIED PARTIES ONLY AND ARE NOT TO BE USED FOR ANY OTHER PURPOSES. ANY UNAUTHORIZED USE OF THIS PLAT OR SURVEY FOR ANY PURPOSES OTHER THAN THE IDENTIFIED PARTIES IS PROHIBITED. THE USER OF THIS PLAT OR SURVEY SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES. THE USER OF THIS PLAT OR SURVEY SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES. THE USER OF THIS PLAT OR SURVEY SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.

Performed for:

Minor Plat for:  
**CCF Place**  
 6341 County Road 56, Saint Joe, IN 46785

Drawing Revisions

Commission Number  
 243839

Date  
 May 16th, 2024

Title

Sheet Number  
**S1.1**  
 SHEET 1 OF 1

EXPERIENCE. INNOVATION. RESULTS.

DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:  
File Number: 24-16  
Date Application Filed: 6/6/2024  
Fee Paid: pd ck 41786

**Application for SUBDIVISION**  
**Conservation Agricultural (A1 only)  Minor**   
**Conventional  Conservation  Traditional**   
**Strip  Commercial District  Industrial Park**   
**(Section 9.22)**

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: SOUTH EAST DEKALB SCHOOL BEN SCHMUCKER  
Mailing Address: 12808 PARENT RD  
NEW HAVEN IN 46774  
Telephone Number: 260-410-3054 E-Mail: MALINDA@BENSCHMUCKER  
CONSTRUCTION.COM

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: SOUTH EAST DEKALB SCHOOL  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: SAME AS ABOVE  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Legal Ad Payment & Public Hearing Notifications: Applicant  Owner  Representative**

**Name of Proposed Subdivision:** SOUTH EAST DEKALB SCHOOL

**Number of Parcels & Total Area (square feet or acreage):**  
1 parcel - 4 acres

**Address or Parcel ID # of property:**  
4 acres split out of 08-12-31-200-012

**Legal description of property affected:**

**Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)**

AMISH SCHOOL

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: Ben Schmuicker  
(If signed by representative for applicant, state capacity)

*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

<b>APPLICANT:</b>	Southeast DeKalb School
<b>SUBJECT SITE:</b>	west side of County Road 75, approximately one-tenth of a mile south of the intersection of County Road 75 and County Road 68, Spencerville
<b>REQUEST:</b>	1 Lot Conservation Agricultural Subdivision – Southeast DeKalb Parochial School
<b>EXISTING ZONING:</b>	A1: Conservation Agricultural
<b>SURROUNDING LAND USES AND ZONING:</b>	North: Single Family Residential/Farm Ground (A1) South: Single Family Residential (A1) East: Single Family Residential/Farm Ground (A1) West: Single Family Residential/Farm Ground (A1)

**ANALYSIS:**

**Definition of Subdivision:** *The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - *No structure shall be permitted on a lot unless the lot:*

- A. *Resulted from a legal subdivision of land approved by the Plan Commission, or*
- B. *Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.*
- C. *Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.*

***Minor Subdivision Standards:***

**UDO 6.08 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract.**

- Parcel 08-12-31-200-012 is considered the parent parcel. This is the 2<sup>nd</sup> and final buildable split from parent parcel -012.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 2.782 acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 402 feet
  - *Minimum Lot Frontage: 120 Feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production.*
    - Proposed Lot 1 Frontage: 402 feet
- This division of land fronts the following roads:
  - County Road 75 is considered a County Local Road with a projected total right-of-way width of 60 feet.
    - Proposed right-of-way dedication: 30 feet

- The Committee should note that the Board of Zoning Appeals approved the proposed use of a school at their May 13, 2024 meeting. A covenant has been added to the plat with language regarding the approval.
- The Drainage Board required a 20' drainage easement to the southwest onto land owned by James and Mary Mae Witmer. The easement is to be recorded and submitted to the County Surveyor. The committee may add a condition of approval that the easement be recorded prior to the plat being recorded.

**JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **June 6, 2024**
2. Legal notice published in The Star on **June 21, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **June 21, 2024**
5. Letter from County Highway dated **June 19, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **June 7, 2024**
7. Letter from the Drainage Board, dated **June 13, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Abonmarche-Donovan**
10. The real estate to be developed is in Zoning District A1 which permits the requested development.

**PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for a school per the BZA approval on May 13, 2024. The BZA deemed the school use compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 75 with dedication of right of way. The driveways have been staked and approved by the DeKalb County Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for an onsite sewage system from the DeKalb County Board of Health.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required.  
*None required.*

**PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

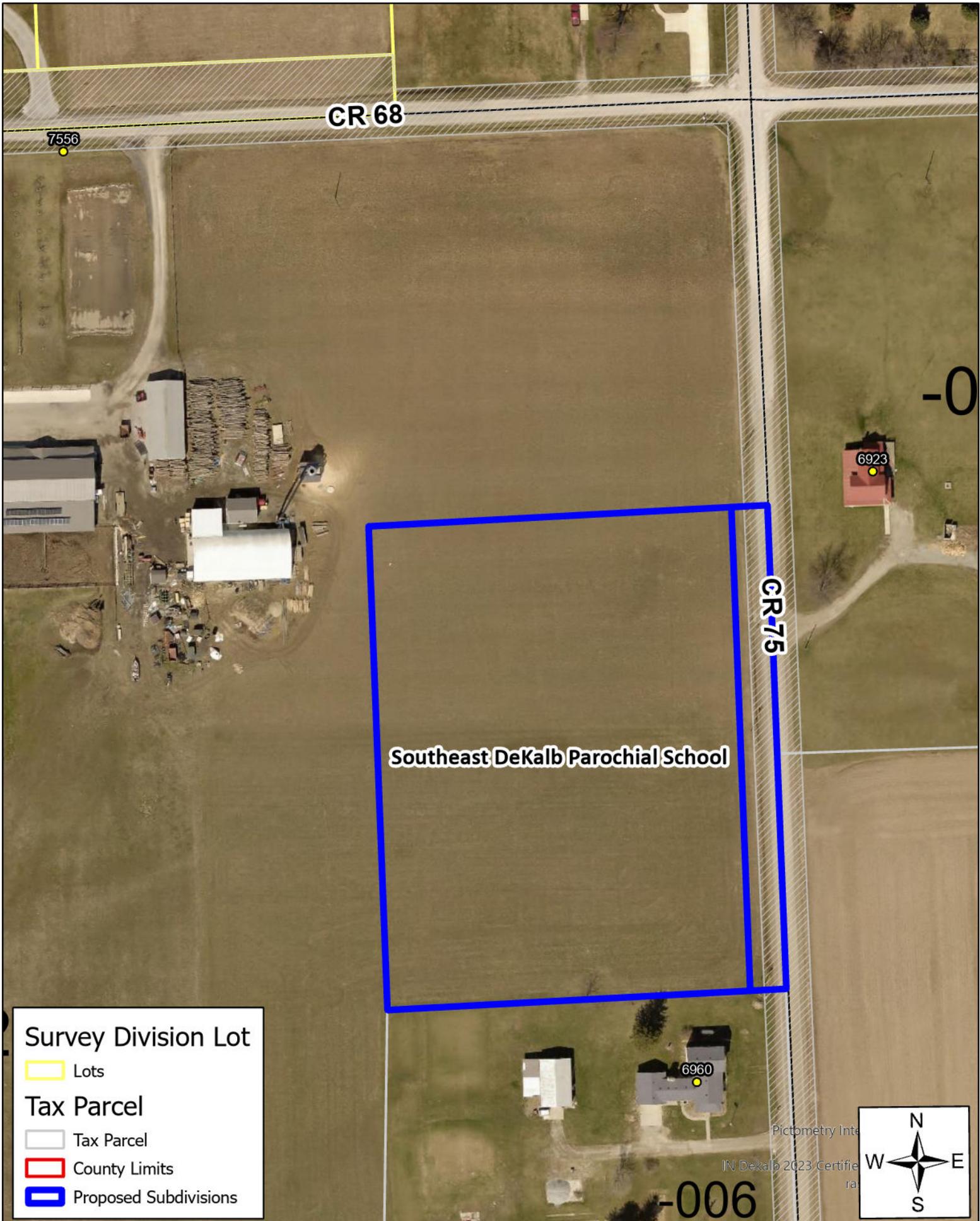
**Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.

2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.



CR-68

7556

6923

CR-75

Southeast DeKalb Parochial School

6960

-006

**Survey Division Lot**

- Lots
- Tax Parcel
- County Limits
- Proposed Subdivisions



# MINOR PLAT OF SOUTHEAST DEKALB PAROCHIAL SCHOOL

Part of the Northeast Quarter of Section 31, Township 33 North, Range 15 East, DeKalb County, Indiana.

## LEGAL DESCRIPTION

Part of the North half of the East half of the Northeast Quarter of Section 31, Township 33 North, Range 15 East, DeKalb County, Indiana, being part of the real estate conveyed to James Witmer and Mary Mae Witmer in the deed recorded in Document Number 201600024 in the Office of the Recorder of DeKalb County, Indiana, also being that 3.059-acre parcel surveyed by Michael W. Harris, Indiana Professional Surveyor No. 21100018 and shown on a Plat of Survey certified March 26, 2024 as Abonmarche-Donovan Job No. 24-0466, being more particularly described as follows:

Commencing at a Harrison Marker at the Northeast corner of the Northeast Quarter of said Section 31; thence South 00 degrees 00 minutes 00 seconds East (deed bearing and the basis of the bearings in this description) along the East line of the Northeast Quarter of said Section 31, a distance of 337.64 feet to a Mag Spike at the Point of Beginning; thence continuing South 00 degrees 00 minutes 00 seconds East along said East line, a distance of 402.00 feet to the Northeast corner of the real estate conveyed to Vincent D. Sutter and Denise M. Sutter in the deed recorded July 26, 2021; thence South 89 degrees 11 minutes 12 seconds West along the North line of said Sutter parcel, a distance of 331.50 feet to the Northwest corner thereof; thence North 00 degrees 00 minutes 00 seconds West, a distance of 402.00 feet to a 5/8-inch rebar (ABONMARCHE FIRM #0050 cap); thence North 89 degrees 11 minutes 12 seconds East, a distance of 331.50 feet to the point of beginning, containing 3.059 acres, subject to road rights-of-way and easements.

### TOGETHER WITH:

An easement for a tile drain, 20.0 feet in width, lying 10.0 feet on each side of the following described centerline:

Commencing at a Harrison Marker at the Northeast corner of the Northeast Quarter of said Section 31; thence South 00 degrees 00 minutes 00 seconds East (deed bearing and the basis of the bearings in this description) along the East line of the Northeast Quarter of said Section 31, a distance of 739.64 feet to the Northeast corner of the real estate conveyed to Vincent D. Sutter and Denise M. Sutter in the deed recorded July 26, 2021; thence South 89 degrees 11 minutes 12 seconds West along the North line of said Sutter parcel, a distance of 331.50 feet to the Northwest corner thereof; thence North 00 degrees 00 minutes 00 seconds West, a distance of 50.00 feet to the Point of Beginning; thence South 44 degrees 00 minutes 00 seconds West, a distance of 215.0 feet to a point the Point of Termination.

Said easement contains 0.098 acres.

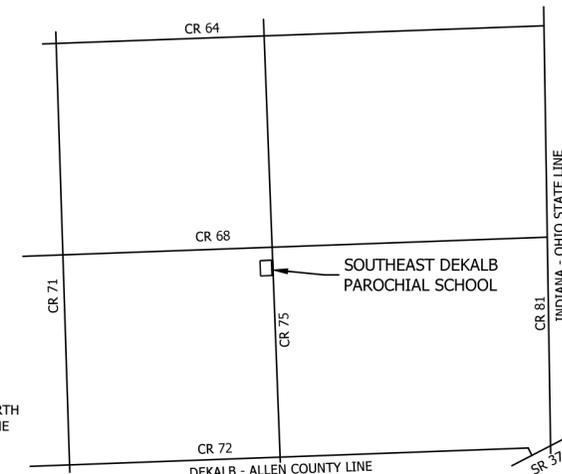
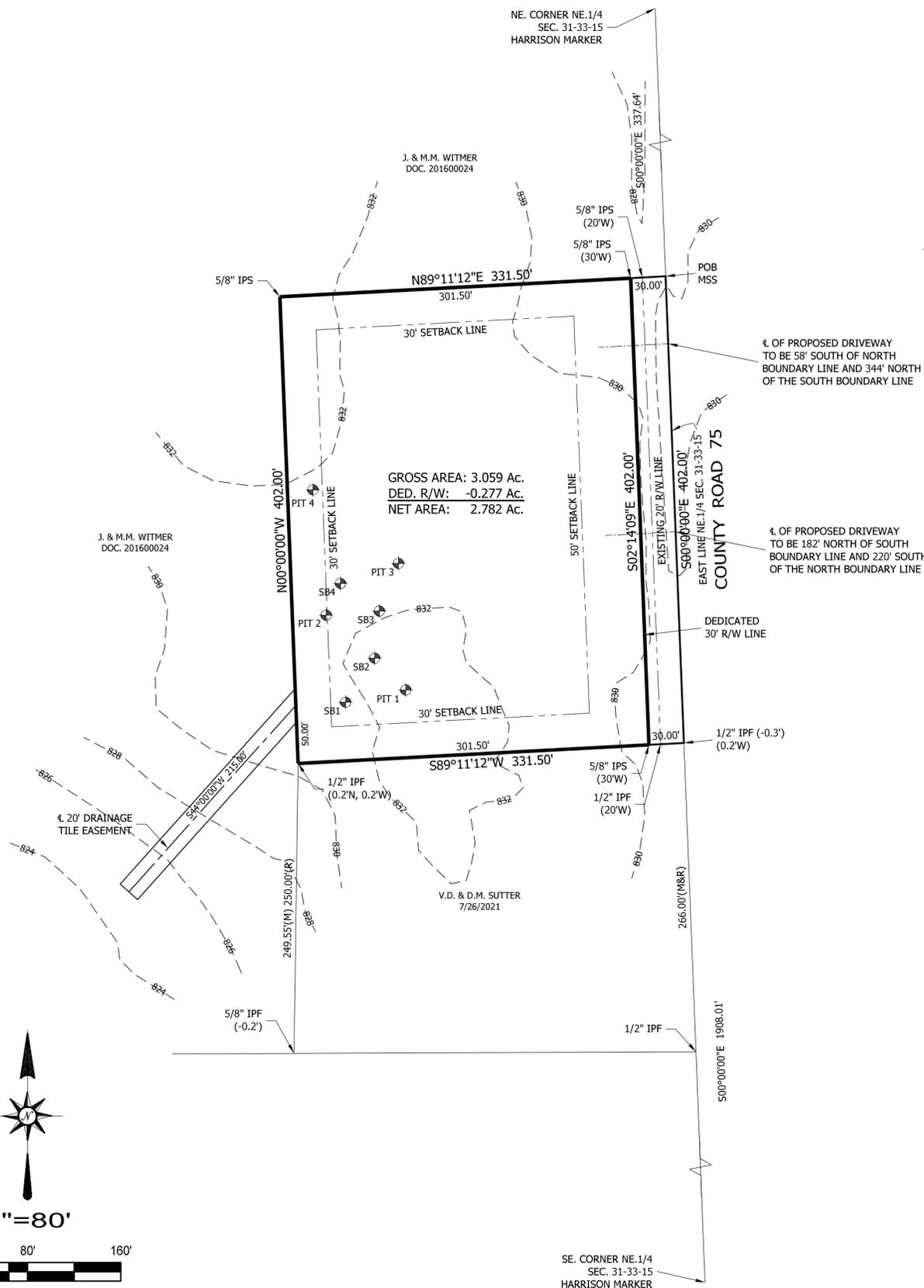
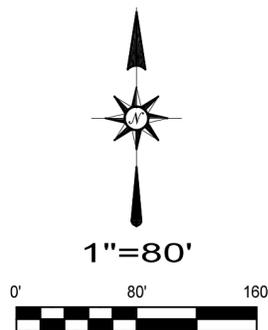
## SURVEY LEGEND:

- IPF Iron Pin (Rebar) Found
- PF Iron Pipe Found
- IPS 5/8"x 24" rebar set with cap imprinted "ABONMARCHE #0050"
- PKF P.K. Nail Found or (S) Set
- MNF Mag Nail Found or (S) Set
- MSF Mag Spike Found or (S) Set
- (M) Measured
- (R) Recorded
- (C) Calculated
- ⊕ Soil Boring Location
- - - - - DeKalb County GIS Contour Line

All monuments are at grade except as noted.

All Property line distances are recorded dimensions, except as noted.

Monuments found have no documented history, except as noted.



AREA MAP  
NOT TO SCALE

## FLOOD NOTE

According to the Flood Insurance Rate Map (FIRM) number 18033C0290E, dated September 29, 2006, the herein described real estate is located in Zone "X", and is not within a Special Flood Hazard Area. The accuracy of this flood hazard statement is subject to map scale uncertainty.

## OWNERS

SOUTHEAST DEKALB PAROCHIAL SCHOOL  
6900 CR 75  
SPENCERVILLE, IN 46788

## CERTIFICATION

I, Kenneth W. Harris, hereby certify that I am a registered Professional Surveyor, licensed in compliance with the laws of the State of Indiana.

That this plat correctly represents a survey completed by me on April 8, 2024; that all the monuments shown thereon actually exist; and that their size, type and material are accurately shown.

I hereby certify that this survey was completed under my direct supervision and to the best of knowledge and belief was executed according to the requirements set forth in 865 IAC 1-12.

I 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.

THIS PLAT PREPARED BY Kenneth W. Harris, PS.



**ABONMARCHE-DONOVAN**  
229 W. Berry Street, Suite 100  
Fort Wayne, IN 46802  
T 260.424.7418  
abonmarche.com

MINOR PLAT OF  
**SOUTHEAST DEKALB  
PAROCHIAL SCHOOL**

Part of the Northeast Quarter of Section 31, Township 33 North, Range 15 East, DeKalb County, Indiana.

**DEED OF DEDICATION:**

"I, the undersigned, Ben Schmucker, representative of the owner of the real estate shown and described herein, do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as SOUTHEAST DEKALB PAROCHIAL SCHOOL, an addition located in the Northeast Quarter of Section 31, Township 33 North, Range 15 East, DeKalb County, Indiana. All streets and alleys shown and not heretofore dedicated are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the streets, there shall be erected or maintained no building or structure."

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Ben Schmucker

**ZONING:**

The described property is zoned A1, Agricultural.

**BZA APPROVAL:**

On May 13, 2024, the DeKalb County Board of Zoning Appeals approved case #24-05, a Use Variance to allow a school.

**RESTRICTIVE COVENANTS:**

Minimum Front Yard Setback is 50 feet from the dedicated right-of-way line. Minimum Side Yard Setback for Primary Structure is 30 feet from property line. Minimum Rear Yard Setback for Primary Structure is 30 feet from property line.

The owner(s) of the lots within this subdivision agree to recognize the existing agricultural land usage surrounding this subdivision and further agree to not object to the surrounding agricultural land use or changes therein as permitted by law, i.e. IC 34-1-52-4.

These lots shall be included in any subdivision arising from any further development of the land involved. However, there is no intention that any terms, conditions or restrictions on a future plat would have any retroactive applicability to this division of land.

There shall be compliance with the laws and regulations of any Federal, State, or local agency.

No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on this site. The Plan Commission may enforce this conditions by injunctive relief with attorney fees.

**NOTARY:**

State of Indiana )  
County of DeKalb )

Before me, the undersigned Notary Public, in and for the County and State, personally appeared Ben Schmucker, acknowledging the execution of the foregoing instrument as our voluntary act and deed, for the purposes therein expressed.

Witness my Hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
notary, resident of

\_\_\_\_\_ County, Indiana.

My commission expires: \_\_\_\_\_

**COMMISSION CERTIFICATE**

Under authority provided by Chapter 174 - Acts of 1947, enacted by the General Assembly of the State of Indiana and all Acts amendatory thereto, and an Ordinance adopted by the Board of County Commissioners of DeKalb County, Indiana, this Primary Plat was given general approval by the County of DeKalb as follows:

Approved by the County Plan Commission at a hearing held \_\_\_\_\_, 2024.

DeKalb County Plan Commission

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Zoning Administrator

**ABONMARCHE DONOVAN**  
229 W. Berry Street, Suite 100  
Fort Wayne, IN 46802  
T 260.424.7418  
abonmarche.com

DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:

File Number: 24-17  
Date Application Filed: 5/29/2024  
Fee Paid: BCC  
#5394825

**Application for SUBDIVISION**  
**Conservation Agricultural (A1 only) \_\_\_ Minor**   
**Conventional \_\_\_ Conservation \_\_\_ Traditional \_\_\_**  
**Strip \_\_\_ Commercial District \_\_\_ Industrial Park \_\_\_**  
**(Section 9.22)**

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: Ryan & Jaime Miller  
Mailing Address: 11233 N 650 W-1  
Ossian, IN 46777  
Telephone Number: 574-377-9011 E-Mail: Buckeyemillers@gmail.com

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: Ryan & Jaime Miller  
Address: \_\_\_\_\_  
Telephone Number: 574-377-9011 E-Mail: Buckeyemillers@gmail.com

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Legal Ad Payment & Public Hearing Notifications: Applicant  Owner \_\_\_ Representative \_\_\_

Name of Proposed Subdivision: Miller Homestead

Number of Parcels & Total Area (square feet or acreage):  
1 parcel - 20.3 Ac.

Address or Parcel ID # of property:  
part of 03-01-16-200-005  
South side of CR 8

Legal description of property affected:

Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)  
Single Family

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: Ryan Miller  
(If signed by representative for applicant, state capacity)

*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

- APPLICANT:** Ryan & Jamie Miller
- SUBJECT SITE:** south side of County Road 8, approximately four-tenths of a mile west of the intersection of County Road 8 and County Road 9A, Corunna
- REQUEST:** 1 Lot Minor Subdivision – Miller Homestead
- EXISTING ZONING:** A2: Agriculture
- SURROUNDING LAND USES AND ZONING:** North: Single Family Residential/Farm Ground (A1)  
South: Single Family Residential (A1)  
East: Single Family Residential/Farm Ground (A1)  
West: Single Family Residential/Farm Ground (A1)

**ANALYSIS:**

***Definition of Subdivision:** The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - No structure shall be permitted on a lot unless the lot:

- A. Resulted from a legal subdivision of land approved by the Plan Commission, or
- B. Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.
- C. Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.

**Minor Subdivision Standards:**

**UDO 6.08 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract.**

- Parcel 03-01-16-200-001 is considered the parent parcel. This is the 2<sup>nd</sup> buildable split from parent parcel -001.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 15.602 acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 933 feet
  - *Minimum Lot Frontage: 120 Feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production.*
    - Proposed Lot 1 Frontage: 458.20 feet
- This division of land fronts the following roads:
  - County Road 8 is considered a County Local Road with a projected total right-of-way width of 60 feet.
    - Proposed right-of-way dedication: 30 feet

## **JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **May 29, 2024**
2. Legal notice published in The Star on **June 21, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **May 30, 2024**
5. Letter from County Highway dated **May 30, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **May 29, 2024**
7. Letter from the Drainage Board, dated **June 10, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Gouloff-Jordan**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

## **PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 8 with dedication of right of way. The driveway has been staked and approved by the DeKalb County Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for an onsite sewage system from the DeKalb County Board of Health.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required.  
*None required.*

## **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

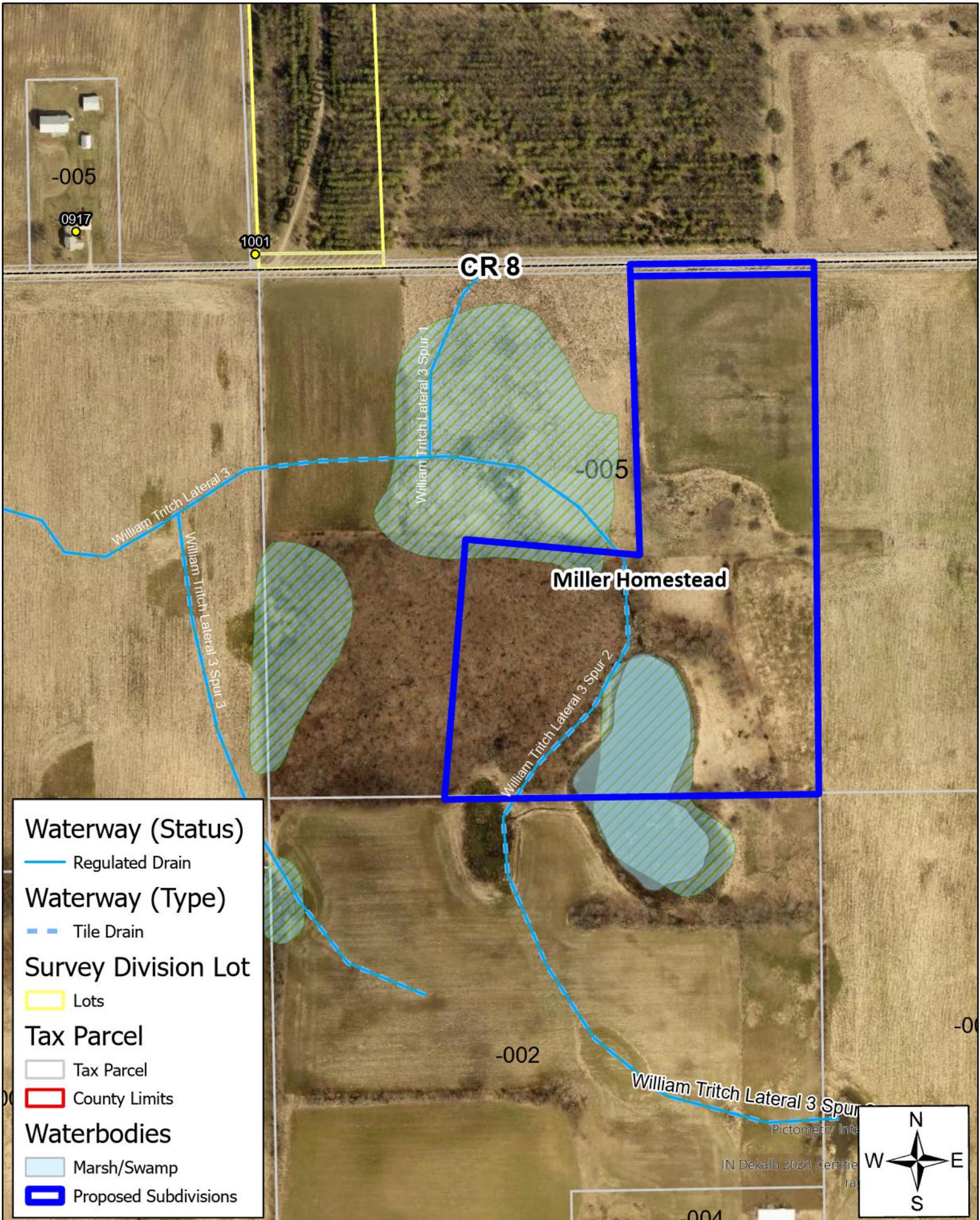
### **Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.

4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.





DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:  
File Number: 24-18  
Date Application Filed: 6/11/2024  
Fee Paid: \_\_\_\_\_

**Application for SUBDIVISION**

Minor  Conventional \_\_\_ Conservation \_\_\_ Traditional \_\_\_  
Strip \_\_\_ Commercial District \_\_\_ Industrial Park \_\_\_  
(Section 9.22)

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: Angela Wallace  
Mailing Address: 1710 N. Main Street, Suite D  
Auburn, IN 46706  
Telephone Number: 260-417-3643 E-Mail: angie@surveycls.com

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: Michael S. & Marlene R. Eicher  
Address: 6520 County Road 55  
Spencerville, IN 46788  
Telephone Number: 260-515-0786 E-Mail: \_\_\_\_\_

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Legal Ad Payment & Public Hearing Notifications:** Applicant  Owner \_\_\_ Representative \_\_\_

**Name of Proposed Subdivision:** Green Acres

**Number of Parcels & Total Area (square feet or acreage):**  
1 Parcel & 35.37 Total Acres, 34.60 Net Acres

**Address or Parcel ID # of property:**  
6520 County Road 55, Spencerville, IN

**Legal description of property affected:**  
The Northeast Quarter of the North Half of the East Half of Section 29, T33N, R14E

**Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)**  
Single Family

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: Angela D. Wallace Professional Surveyor 06/05/2024  
(If signed by representative for applicant, state capacity)

*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

**APPLICANT:** Michael S & Marlene Eicher

**SUBJECT SITE:** south side of County Road 64, approximately one-tenth of a mile west of the intersection of County Road 64 and County Road 55, Spencerville

**REQUEST:** 1 Lot Minor Subdivision – Green Acres

**EXISTING ZONING:** A2: Agriculture

**SURROUNDING LAND USES AND ZONING:** North: Single Family Residential (A2)  
South: Farm Ground (A2)  
East: Single Family Residential/Farm Ground (A1)  
West: Wooded Land (A2)

**ANALYSIS:**

**Definition of Subdivision:** *The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - *No structure shall be permitted on a lot unless the lot:*

- A. *Resulted from a legal subdivision of land approved by the Plan Commission, or*
- B. *Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.*
- C. *Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.*

***Minor Subdivision Standards:***

**UDO 6.08 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract.**

- Parcel 11-11-29-200-004 is considered the parent parcel. This is the 2<sup>nd</sup> buildable split from parent parcel -004.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 34.21 acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 1302.46 feet
  - *Minimum Lot Frontage: 120 Feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production.*
    - Proposed Lot 1 Frontage: 948.90 feet
- This division of land fronts the following roads:
  - County Road 64 & County Road 55 are considered County Local Roads with a projected total right-of-way width of 60 feet.
    - Proposed right-of-way dedication: 30 feet

## **JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **June 11, 2024**
2. Legal notice published in The Star on **June 21, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **June \_\_\_\_\_, 2024**
5. Letter from County Highway dated **June 13, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **June 14, 2024**
7. Letter from the Drainage Board, dated **June 21, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Compass Land Surveying**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

## **PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 64 & County Road 55 with dedication of right of way. The driveway has been staked and approved by the DeKalb County Highway Dept. on County Road 64.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for an onsite sewage system from the DeKalb County Board of Health.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required.  
*None required.*

## **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

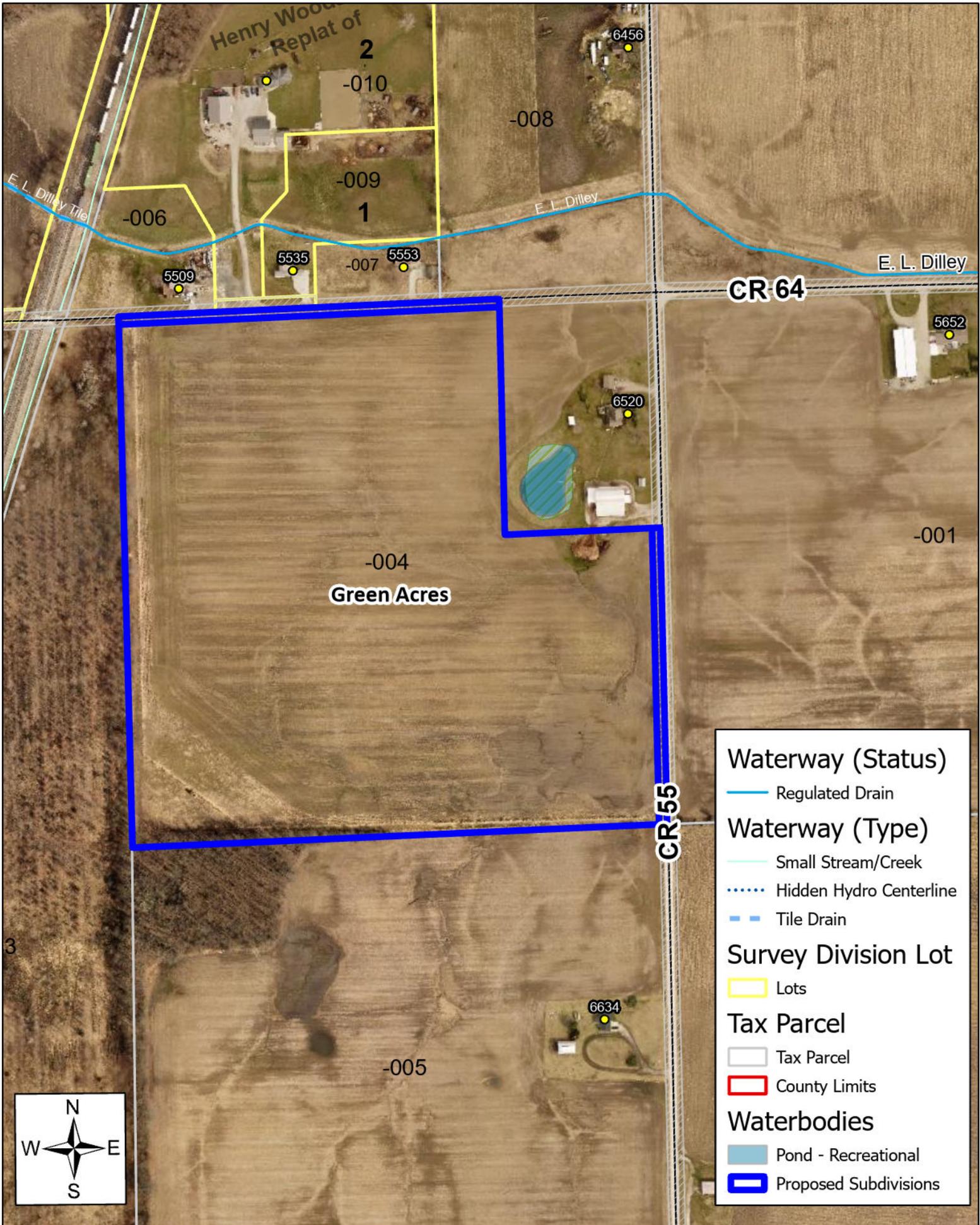
### **Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.

4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.



**Waterway (Status)**

— Regulated Drain

**Waterway (Type)**

— Small Stream/Creek

..... Hidden Hydro Centerline

— Tile Drain

**Survey Division Lot**

— Lots

**Tax Parcel**

— Tax Parcel

— County Limits

**Waterbodies**

— Pond - Recreational

— Proposed Subdivisions



ZONING

ZONING DISTRICT: AGRICULTURAL (A2)

SETBACKS: SETBACKS: PRIMARY ACCESSORY STRUCTURE FRONT: 50' FRONT: 50' SIDE: 30' SIDE: 10' REAR: 30' REAR: 10'

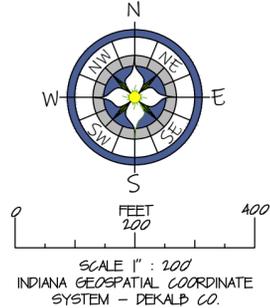
LOT 1 AREA

TOTAL AREA: 3537 ACRES 30 R/W: 116 ACRES NET AREA: 3421 ACRES

REAL ESTATE DESCRIPTION

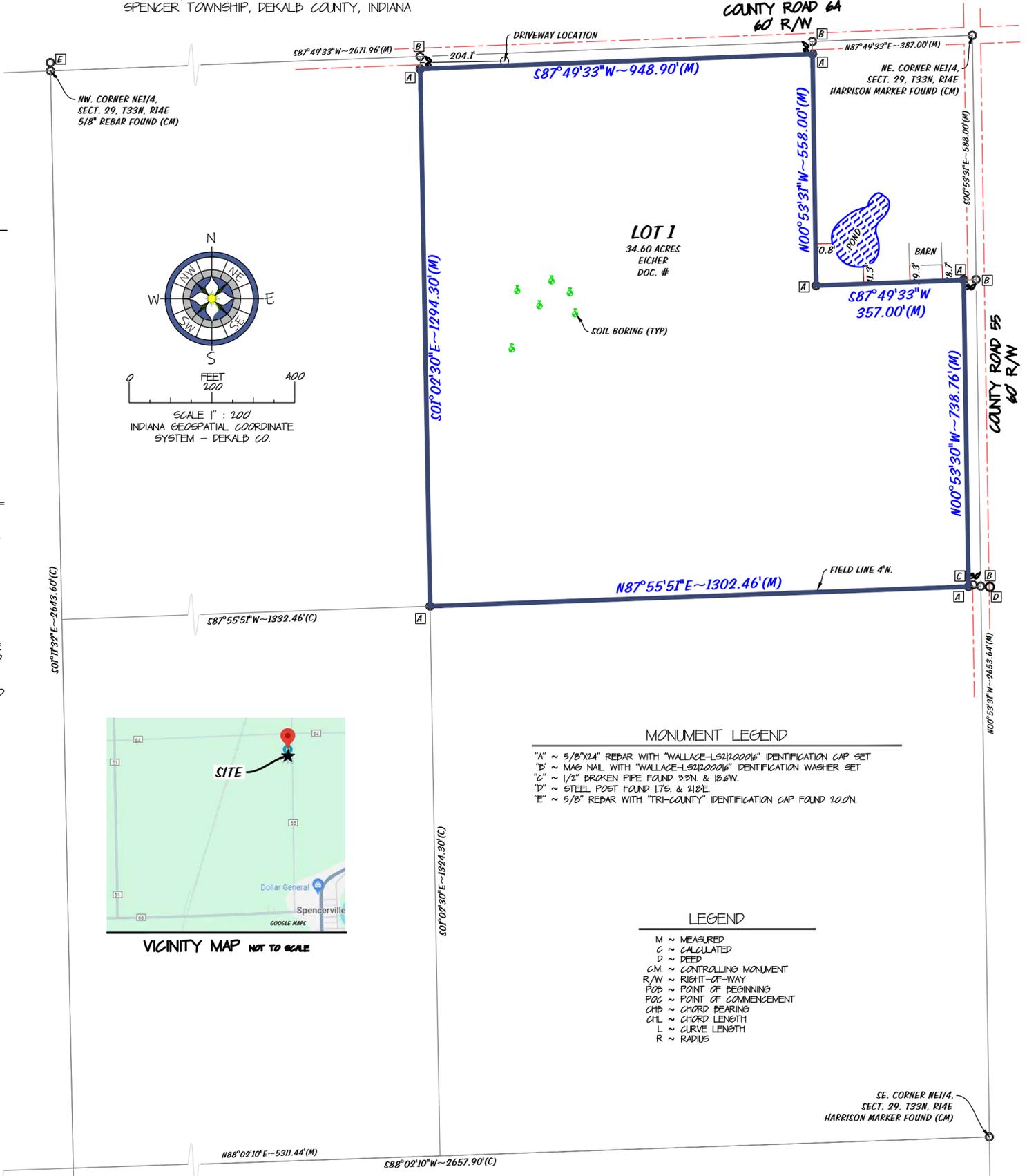
PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 33 NORTH, RANGE 14 EAST, SPENCER TOWNSHIP, DEKALD COUNTY, INDIANA, AS SURVEYED BY ANGELA D. WALLACE LS #1200016 ON JUNE 5TH, 2024, AS PROJECT NUMBER 24-716, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT HARRISON MONUMENT AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 33 NORTH, RANGE 14 EAST, THENCE SOUTH 87 DEGREES 49 MINUTES 33 SECONDS WEST, (INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALD CO BASIS OF BEARINGS), ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 387.00 FEET TO A MAG NAIL WITH WALLACE IDENTIFICATION WASHER AT THE POINT OF BEGINNING THENCE CONTINUING SOUTH 87 DEGREES 49 MINUTES 33 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 948.90 FEET TO A MAG NAIL WITH WALLACE IDENTIFICATION WASHER ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER, THENCE SOUTH 01 DEGREE 02 MINUTES 30 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 1324.30 FEET TO A 5/8"X1/4" REBAR WITH WALLACE IDENTIFICATION CAP (5/8" WALLACE) ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, THENCE NORTH 87 DEGREES 55 MINUTES 51 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1392.46 FEET TO A MAG NAIL WITH WALLACE IDENTIFICATION WASHER ON THE EAST LINE OF SAID NORTHEAST QUARTER, THENCE NORTH 00 DEGREE 53 MINUTES 31 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 738.76 FEET TO A 5/8" WALLACE, THENCE SOUTH 87 DEGREES 49 MINUTES 33 SECONDS WEST, A DISTANCE OF 387.00 FEET TO A 5/8" WALLACE, THENCE NORTH 00 DEGREE 53 MINUTES 31 SECONDS WEST, A DISTANCE OF 558.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3537 ACRES OF LAND, MORE OR LESS SUBJECT TO THE RIGHT OF WAY OF COUNTY ROAD 64 AND COUNTY ROAD 55, AND ALL OTHER RIGHTS OF WAY AND EASEMENTS.

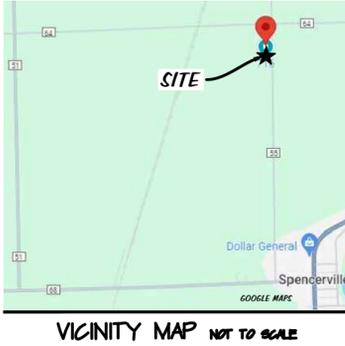


MINOR PLAT OF GREEN ACRES

A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 33 NORTH, RANGE 14 EAST, SPENCER TOWNSHIP, DEKALD COUNTY, INDIANA



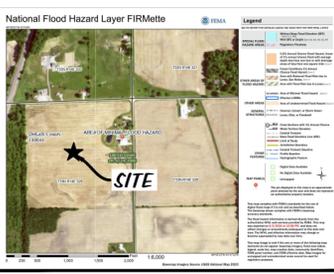
LOT 1 34.60 ACRES EICHER DOC. #



- MONUMENT LEGEND: A ~ 5/8"X1/4" REBAR WITH "WALLACE-LS1200016" IDENTIFICATION CAP SET, B ~ MAG NAIL WITH "WALLACE-LS1200016" IDENTIFICATION WASHER SET, C ~ 1/2" BROKEN PIPE FOUND 3.5N & 18.6W, D ~ STEEL POST FOUND 17.5 & 21.8E, E ~ 5/8" REBAR WITH "TRI-COUNTY" IDENTIFICATION CAP FOUND 20.0N.

LEGEND

- M ~ MEASURED, C ~ CALCULATED, D ~ DEED, CM ~ CONTROLLING MONUMENT, R/W ~ RIGHT-OF-WAY, POB ~ POINT OF BEGINNING, POC ~ POINT OF COMMENCEMENT, CHB ~ CHORD BEARING, CHL ~ CHORD LENGTH, L ~ CURVE LENGTH, R ~ RADIUS



NFL FIRMETTE NOT TO SCALE

FLOODPLAIN CERTIFICATION

LOT 1 LIES WITHIN ZONE X BASED ON THE NATIONAL FLOOD HAZARD MAP, COMMUNITY: DEKALD COUNTY, NUMBER: 180044, PANEL: 0266 E, EFFECTIVE DATE: SEPTEMBER 29, 2006, MAP NUMBER: 18099C0266E.

OWNER DEDICATION

WE, THE UNDERSIGNED, MICHAEL S. & MARLENE R. EICHER, OWNERS OF THE REAL ESTATE PLATTED AND DESCRIBED HEREIN CERTIFY THAT I HAVE LAID OFF, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OFF, PLAT AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT HEREIN.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS THE MINOR PLAT OF GREEN ACRES, IN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 33 NORTH, RANGE 14 EAST, SPENCER TOWNSHIP, DEKALD COUNTY, INDIANA.

THE UNDERSIGNED HEREBY IRRECOVERABLY OFFERS FOR DEDICATION TO DEKALD COUNTY ALL THE STREETS, LOCAL GOVERNMENT USES, EASEMENTS, PARKS AND REQUIRED UTILITIES SHOWN ON THE SUBDIVISION PLAT.

MICHAEL S. EICHER MARLENE R. EICHER

NOTARY

STATE OF INDIANA ) ) ss: COUNTY OF DEKALD ) WITNESS OUR HAND AND SEAL THIS \_\_\_\_ DAY OF JULY, 2024.

MICHAEL S. EICHER MARLENE R. EICHER

AGRICULTURAL COVENANT

THE OWNER(S) OF THE LOT(S) WITHIN THIS SUBDIVISION AGREE TO RECOGNIZE THE EXISTING AGRICULTURAL LAND USAGE SURROUNDING THIS SUBDIVISION AND FURTHER AGREE TO NOT OBJECT TO THE SURROUNDING AGRICULTURAL LAND USE OR CHANGES THEREIN AS PERMITTED BY LAW, IE, IC 34-1-92-4.

FURTHER DEVELOPMENT STANDARDS

FURTHER DEVELOPMENT: THIS LOT SHALL BE INCLUDED IN ANY SUBDIVISION ARISING FROM ANY FURTHER DEVELOPMENT FROM THE LAND INVOLVED. HOWEVER, THERE IS NO INTENTION THAT ANY TERMS, CONDITIONS, OR RESTRICTIONS ON A FUTURE PLAT WILL HAVE ANY RETROACTIVE APPLICABILITY TO THIS DIVISION OF LAND.

THERE SHALL BE COMPLIANCE WITH THE LAWS AND REGULATIONS OF ANY FEDERAL, STATE, OR LOCAL AGENCY.

NO OFFSITE DRAINAGE, EXISTING SURFACE WATER OR EXISTING TILED WATER DRAINAGE, CROSSING OVER SAID REAL ESTATE SHALL BE OBSTRUCTED BY ANY DEVELOPMENT ON THE SITE. THE PLAN COMMISSION MAY ENFORCE THESE CONDITIONS BY INJUNCTIVE RELIEF WITH ATTORNEY FEES.

PLAN COMMISSION CERTIFICATE OF APPROVAL

APPROVED BY THE DEKALD COUNTY PLAN COMMISSION THIS DAY OF JULY, 2024.

ELYSIA RODGERS, CHAIRPERSON

CHRISTOPHER GALMER, ZONING ADMINISTRATOR

PROFESSIONAL SURVEYOR'S CERTIFICATION

I, ANGELA D. WALLACE, HEREBY CERTIFY THAT I AM A PROFESSIONAL SURVEYOR REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT AND REAL ESTATE DESCRIPTION ACCURATELY DEPICTS AN ORIGINAL SURVEY COMPLETED ON JUNE 5TH, 2024 AND RECORDED IN DOCUMENT NUMBER \_\_\_\_\_ WITHIN THE OFFICE OF THE RECORDER OF DEKALD COUNTY, INDIANA THAT WAS COMPLETED BY ME IN ACCORDANCE WITH TITLE 36-5 IAC 1-12-1 THRU 30, AND THAT THERE HAS BEEN NO CHANGE FROM THE MATTERS OF SURVEY REVEALED BY THE ABOVE REFERENCED SURVEY OR ANY PRIOR SUBDIVISION PLATS CONTAINED THEREIN, ON ANY LINES THAT ARE COMMON WITH THIS SUBDIVISION.



Signature of Angela D. Wallace

PROJECT NO: 24-716 DATE: JUNE 5TH, 2024

I, ANGELA D. WALLACE, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REPEAT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

AUDITOR'S STAMP

RECORDER'S STAMP