

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

AGENDA

DeKalb County Plan Commission

Plat Committee

Commissioners Court – 2nd Floor DeKalb County Court House

Tuesday, January 6, 2026

8:30 AM

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

1. Roll call
2. Prayer
3. Nomination of Officers
 - Chairperson:
 - Vice Chairperson:
 - Secretary: Meredith Reith
4. Approval of Minutes: December 2, 2025
5. Old Business: None
6. New Business:

Petition #26-01 – Alisa McDowell requesting a RePlat of Baron Estates, Lot 3. The purpose of the replat is to decrease the acreage of Lot 3. No new buildable lots are being created. The subdivision will be used for single family residence. The property is located on the north side of County Road 60, approximately one-tenth of a mile east of the intersection of County Road 60 and County Road 35, Auburn, Indiana and is zoned A2, Agricultural.

Petition #26-02 – Dennis J. & Malinda E. Schwartz requesting a Minor Subdivision known as Jay Acres. The proposed 1 lot subdivision will be a total of 12.62 acres. The subdivision will be used for single family residence. The property is located on the east side of County Road 71, approximately one-half of a mile south of the intersection of County Road 71 and County Road 64, St. Joe, Indiana and is zoned A1, Conservation Agricultural.

Petition #26-03 – Stanley & Mary Delagrange, James & Mary Mae Witmer & Johnathan & Amanda Zehr requesting a RePlat of Strong's Subdivision, Section II, Lot 2 & 3. The purpose of the replat is to redraw interior lot lines. No new buildable lots are being created. The subdivision will be used for single family residence. The properties are located at 6889 County Road 45, Spencerville, Indiana and 4629 County Road 68, Spencerville, Indiana and are zoned A2, Agricultural.

7. Adjournment

Next Meeting: February 3, 2026

If you cannot attend, please contact Meredith Reith:

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, December 2, 2025 @ 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 Suzanne Davis.

ROLL CALL:

Members Present: Suzanne Davis, Jerry Yoder and Jason Carnahan

Members Absent: Elysia Rodgers and Sandra Harrison

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:

Jason Carnahan moved to approve the minutes from November 4, 2025; seconded by Jerry Yoder. None Opposed. Motion carried.

OLD BUSINESS:

None

NEW BUSINESS:

Petition #25-36 — James & Mary Kay Schmucker requesting a Replat of Elia Acres, Section IV, Lot 7, 8 & 9. The purpose of the RePlat is to combine 3 lots into 2. No new buildable lots are being created. The property is located on the north side of County Road 72 approximately one-third of a mile from the corner of County Road 72 and County Road 71, Spencerville, Indiana and is zoned A1, Conservation Agricultural.

Suzanne Davis read the proposed petition.

Chris Gaumer stated that the aerial map and plat show the proposed location. He explained that the property originally consisted of three lots, and the proposed change will combine Lots 6 and 7 while reducing the acreage of Lot 8. No new buildable lots will be created. He reviewed the staff report and he will answer any questions the board may have. He also noted that Joe Herendeen, who typically represents these projects, was unable to attend.

Mrs. Davis asked if there were any questions or comments from the board.

Jerry Yoder asked what Sauer Land Surveying has pictured on the plat where the dotted lines are on Lot 8.

Mr. Gaumer answered that this is a stormwater detention easement. This is where the original plat showed the small pond and this can be seen on the aerial map. They can't build within this area per the original plat as an easement.

Mr. Yoder asked about the one out front on Lot 7 the borings are shown for the septic and you're basically saying they can't build out there either.

Mr. Gaumer answered, these are the original dash lines shown for Lot 6. This just shows what the original lot lines looked like before combining them.

Mrs. Davis asked if there were any further questions or comments from the board. Hearing none. She noted that no members of the public were present; therefore, the public portion of the hearing was not opened.

Mr. Gaumer moved onto the Findings of Fact.

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 **November 3, 2025**
2. Legal notice published in The Star on **November 21, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **December 2, 2025**
5. Letter from County Highway dated **November 4, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **November 3, 2025**
7. Letter from the Drainage Board, dated **November 20, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Sauer Land Surveying**
10. The real estate to be developed is in Zoning District A1 which permits the requested development.

FINDINGS OF FACT:

1. Does the proposed Minor Subdivision (RePlat) 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 (RePlat) 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 72 with dedication of right of way where required. The driveway locations have been staked and approved by the Highway Dept.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
Not applicable. Private septic systems will be utilized.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, 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 #25-36, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 2nd DAY OF DECEMBER 2025.

Motion made by Jason Carnahan, Seconded by Jerry Yoder.

Vote tally: Yes: 3 No: 0

Jason Carnahan

Jerry Yoder

Suzanne Davis

Petition #25-37 — Christopher Merlin Jordan & Michaela Isaac requesting a Minor Subdivision known as Cattell Acres, Section II. The proposed 1 lot subdivision will be a total of 6.929 acres. The subdivision will be used for single family residence. The property is located on the west side of County Road 3, approximately one-tenth of a mile south of the intersection of County Road 3 and State Road 8, Avilla, Indiana and is zoned A2, Agricultural.

Mrs. Davis read the proposed petition.

Mr. Gaumer explained that the remaining parcel to the south and west is considered the parent parcel 001. This is the fourth final split from the parent parcel, and no new splits can be created. The three lots to the north are the existing lots that were split out originally. He reviewed the staff report and he will answer any questions the board may have.

Mrs. Davis asked if there were any questions or comments from the board. Hearing none. She noted that no members of the public were present; therefore, the public portion of the hearing was not opened.

Mr. Gaumer moved onto the Findings of Fact.

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 **November 13, 2025**
2. Legal notice published in The Star on **November 21, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.

4. Letter from the County Board of Health, dated **November 19, 2025**
5. Letter from County Highway dated **November 17, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **November 13, 2025**
7. Letter from the Drainage Board, dated **November 20, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Sauer Land Surveying**
10. 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 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 3 with dedication of right of way. Driveway location has been permitted by the Highway Dept.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
Not applicable. Private septic system will be utilized.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, 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 MINOR SUBDIVISION PETITION #25-37, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 2nd DAY OF DECEMBER 2025.

Motion made by Jerry Yoder, Seconded by Jason Carnahan.

Vote tally: Yes: 3 No: 0

Jason Carnahan

Jerry Yoder

Suzanne Davis

ADJOURNMENT:

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

Suzanne Davis

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: 26-01
Date Application Filed: 12/3/25
Fee Paid: ck 1522
1219

**Application for REPLAT
(Section 9.24)**

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
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: Alisa McDowell
Address: 6015 County Road 56
Auburn, Indiana 46706
Telephone Number: 260-927-5912 E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: _____
Address: _____
Telephone Number: _____ E-Mail: _____

Legal Ad Payment & Public Hearing Notifications: Applicant ☒ Owner ☐ Representative ☐

Number of Parcels & Total Area (square feet or acreage):
1 Parcel & 3.64 Acres

Name of Subdivision and Address or Parcel # of property:
Replat of Lot 3 in Baron Estates

Legal description of property affected:
Lot 3 in the Plat of Baron Estates

Reason for the Proposed Replat:

Reducing the size of the Lot for a building lot in the SW corner due to most of the original lot 3 in not buildable due to possible wetlands, woods, and pond.

The Replat should include (check all that apply):

- () All of the Platted Area (x) All recorded restrictive covenants
(x) Part of the Platted Area as shown in the attached documents () None of the restrictive covenants
() Those restrictive covenants specifically listed in the attached documents

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 12/04/2025
(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: Alisa McDowell

SUBJECT SITE: north side of County Road 60, approximately one-tenth of a mile east of the intersection of County Road 60 and County Road 35, Auburn

REQUEST: RePlat of Baron Estates, Lot 3

EXISTING ZONING: A2: Agricultural

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

- Lot 3 (Parcel Number: 06-10-15-300-003) will be reduced in acreage from 24.1 acres to 3.364 acres. No new buildable lots are being created.
- 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 3 Area: 3.57 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 3 Width: 320.63 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 3 Frontage: 320.63 feet
- This division of land fronts the following roads:
 - County Road 60 is considered County Collector Road with a projected total right-of-way width of 80 feet.
 - Right of Way has been dedicated per the original Baron Estates Subdivision. No additional right of way has been dedicated.

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 **December 3, 2025**
2. Legal notice published in The Star on **December 26, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated _____
5. Letter from County Highway dated **December 23, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **December 4, 2025**
7. Letter from the Drainage Board, dated **December 18, 2025**
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 (RePlat) 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 (RePlat) 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 60 with dedication of right of way where required. The driveway location has been staked and approved by the Highway Dept.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
Not applicable. A private septic system will be utilized.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, 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:

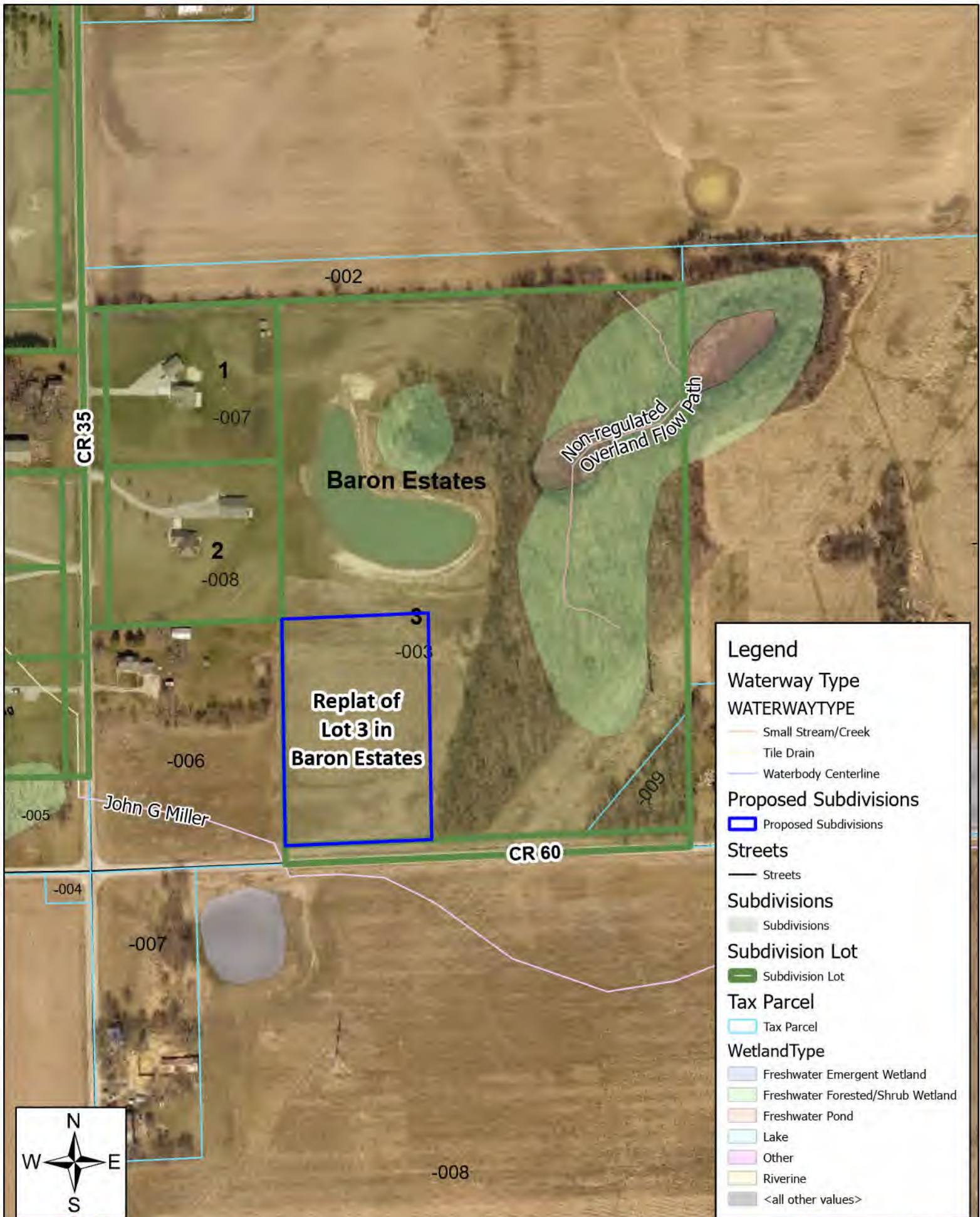
Standard Conditions to be recorded on or with the plat:

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.
5. Letter of non-objection is needed from the DeKalb County Board of Health before the plat is recorded.



ZONING
ZONING DISTRICT:
AGRICULTURAL (A2)
SETBACKS:
PRIMARY
FRONT: 50'
SIDE: 30'
REAR: 30'
ACCESSORY STRUCTURE
FRONT: 50'
SIDE: 10'
REAR: 10'

LOT AREA
LOT 1 TOTAL AREA: 3.64 ACRES
LEGAL DRAIN: 0.07 ACRE
BUILDABLE AREA: 3.57 ACRES

REPLAT OF LOT 3 IN BARON ESTATES

A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP
34 NORTH, RANGE 14 EAST, JACKSON TOWNSHIP, DEKALB COUNTY, INDIANA

OWNER & DEVELOPER

ALISA MCDOWELL
6015 COUNTY ROAD 35
AUBURN, INDIANA 46706

SURVEYOR

COMPASS LAND SURVEYING, INC
1710 N. MAIN STREET, SUITE D
AUBURN, IN 46706
TEL: 760-417-3643

OWNER DEDICATION

I, THE UNDERSIGNED, ALISA MCDOWELL, OWNER 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 REPLAT OF LOT 3 IN BARON ESTATES, IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 33 NORTH, RANGE 13 EAST, JACKSON TOWNSHIP, DEKALB COUNTY, INDIANA.

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

ALISA MCDOWELL

NOTARY

STATE OF INDIANA }
COUNTY OF DEKALB } SS:

WITNESS OUR HAND AND SEAL THIS _____ DAY OF JANUARY, 2016.

ALISA MCDOWELL

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, THIS _____ DAY OF JANUARY, 2016, PERSONALLY APPEARED ALISA MCDOWELL, ACKNOWLEDGING THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSE THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF JANUARY, 2016.

NOTARY PUBLIC (SEAL)

CHARITY L. WISEL

MY COMMISSION EXPIRES: DECEMBER 10, 2016

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, I.E. IC 34-1-51-4.

AVIATION COVENANTS

AIRPORT ZONE: THIS DEVELOPMENT LIES WITHIN AIRPORT COMPATIBILITY ZONE AC4. THE OWNERS OF ANY TRACT OF LAND IN THIS DEVELOPMENT AGREE TO RECOGNIZE THE EXISTING AND ESTABLISHED NOISE SENSITIVE ZONE AND UNDERSTAND THAT A "NOISE SENSITIVE USE AND NON-REMEDIATION AGAINST AIRPORT DEVELOPMENT WAIVER", ACKNOWLEDGING THE PREEXISTING NOISE CONDITION IN THE AREA AND THE ABILITY OF THE AIRPORT TO EXPAND AS ALLOWED BY LAW, SHALL BE EXECUTED BY THE OWNER AND FILED WITH THE DEKALB COUNTY BOARD OF AVIATION BEFORE THE ISSUANCE OF ANY IMPROVEMENT LOCATION PERMIT BY THE ZONING ADMINISTRATOR FOR A NOISE SENSITIVE USE INCLUDING BUT NOT LIMITED TO RESIDENTIAL USES.

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.

DRAINAGE BOARD COVENANTS

WHEN ANY REGULATED DRAIN AND/OR ITS ASSOCIATED RIGHT-OF-WAY EXTENDS WITHIN THE BOUNDS OF THE SUBDIVISION, THE FOLLOWING COVENANTS SHALL BE PLACED ON THE PLAT:

- NO PRIVATE OR MUTUAL DRAIN OF ANY TYPE SHALL BE CONNECTED FROM WITHIN ANY LOT WITHIN THIS SUBDIVISION TO THE JOHN G. MILLER DRAIN NO. 26-00-0 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 JOHN G. MILLER DRAIN NO. 26-00-0 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 JOHN G. MILLER DRAIN NO. 26-00-0 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.

PLAN COMMISSION CERTIFICATE OF APPROVAL

APPROVED BY THE DEKALB COUNTY PLAN COMMISSION THIS _____ DAY OF JANUARY, 2016.

ELYSIA RODGERS, CHAIRPERSON

CHRISTOPHER GAUMER, 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 DECEMBER 3RD, 2015 AND RECORDED IN DOCUMENT NUMBER _____ WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA THAT WAS COMPLETED BY ME IN ACCORDANCE WITH TITLE 36S 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.

PROJECT NO.: 25-305
DATE: DECEMBER 3RD, 2015

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.



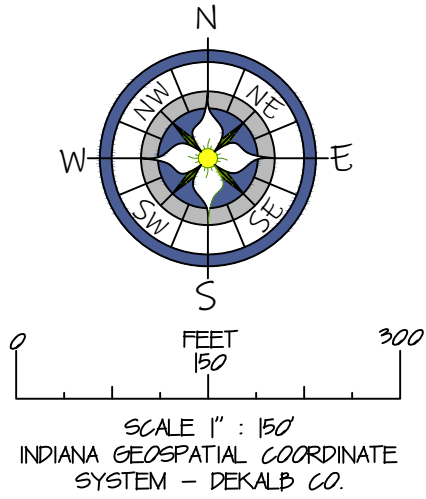
Angela D. Wallace
ANGELA D. WALLACE, PS #LS21200016

AUDITOR'S STAMP

RECORDER'S STAMP

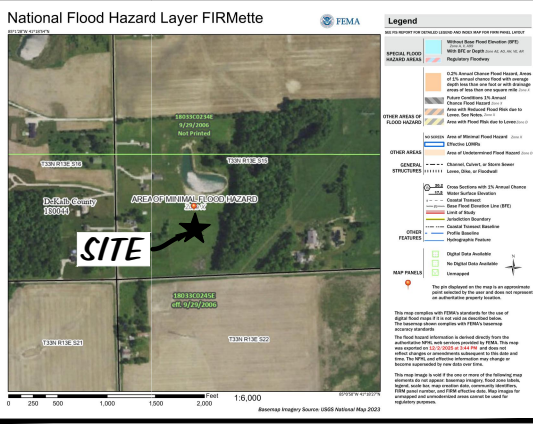
ZONING

LOT AREA



FLOODPLAIN CERTIFICATION

REPLAT OF LOT 3 IN BARON ESTATES LIES WITHIN ZONE X BASED ON THE NATIONAL FLOOD HAZARD MAP, COMMUNITY: DEKALB COUNTY, NUMBER: 180044, PANEL: 0245 E, EFFECTIVE DATE: SEPTEMBER 29, 2006, MAP NUMBER: 180993C0245E.



NFHL FIRMETTE NOT TO SCALE



VICINITY MAP NOT TO SCALE

SEILER FARMS, INC.
DOC. #201003656

BARON ESTATES
DOC. 20510111

LOT 3

LOT 3
3.64 ACRES
MCDOWELL
DOC. #202204476

SOIL BORINGS

JOHN G. MILLER
DRAIN #26-00-0

LEGEND

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

MONUMENT LEGEND

- "A" ~ 5/8"x24" REBAR WITH "WALLACE-LS21200016" IDENTIFICATION CAP SET
- "C" ~ 5/8" REBAR WITH "TRI COUNTY" IDENTIFICATION CAP FOUND
- "D" ~ 5/8" REBAR WITH "TRI COUNTY" IDENTIFICATION CAP FOUND
- "E" ~ 5/8" REBAR FOUND
- "F" ~ 5/8" REBAR FOUND 40.01N
- "G" ~ MAG NAIL FOUND
- "H" ~ 5/8" REBAR WITH "TRI COUNTY" IDENTIFICATION CAP FOUND 27NE
- "I" ~ LEANING 5/8" REBAR 05S & 03W
- "J" ~ 5/8" REBAR WITH "TRI COUNTY" IDENTIFICATION CAP FOUND

REAL ESTATE DESCRIPTION

PART OF LOT NUMBER 3 IN THE PLAT OF BARON ESTATES AS RECORDED IN DOCUMENT NUMBER 20510111 WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA, BEING IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 33 NORTH, RANGE 13 EAST, JACKSON TOWNSHIP, DEKALB COUNTY, INDIANA, AS SURVEYED BY AND SHOWN ON A PLAT OF SURVEY CERTIFIED BY ANGELA D. WALLACE LS #21200016 ON DECEMBER 3RD, 2015, AS PROJECT NUMBER 25-305, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT HARRISON MONUMENT AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 33 NORTH, RANGE 13 EAST; THENCE NORTH 87 DEGREES 37 MINUTES 16 SECONDS EAST, (INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB CO. BASIS OF BEARINGS), ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 427.45 FEET TO A MAG NAIL ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT NUMBER 3 IN SAID PLAT; THENCE NORTH 00 DEGREE 49 MINUTES 13 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 40.01 FEET TO A 5/8" REBAR WITH TRI-COUNTY IDENTIFICATION CAP AT THE SOUTHWEST CORNER OF SAID LOT NUMBER 3 AT THE POINT OF BEGINNING; THENCE NORTH 87 DEGREES 37 MINUTES 16 SECONDS EAST, ON THE SOUTH LINE OF SAID LOT NUMBER 3 BEING PARALLEL WITH AND 40 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 320.63 FEET TO A 5/8"x24" REBAR WITH WALLACE IDENTIFICATION CAP; THENCE NORTH 00 DEGREES 49 MINUTES 13 SECONDS WEST, A DISTANCE OF 494.02 FEET TO A 5/8"x24" REBAR WITH WALLACE IDENTIFICATION CAP; THENCE SOUTH 87 DEGREES 37 MINUTES 16 SECONDS WEST, A DISTANCE OF 320.63 FEET TO A 5/8" REBAR ON THE WEST LINE OF SAID LOT NUMBER 3; THENCE SOUTH 00 DEGREE 49 MINUTES 13 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 494.02 FEET TO THE POINT OF BEGINNING, CONTAINING 3.64 ACRES OF LAND, MORE OR LESS, SUBJECT TO THE RIGHT OF WAY OF COUNTY ROAD 60, THE RIGHT OF WAY OF THE JOHN MILLER LEGAL DRAIN, AND ALL OTHER RIGHTS OF WAY AND EASEMENTS.

FOR OFFICE USE ONLY:
File Number: 26-02
Date Application Filed: 12/3/2025
Fee Paid: CK 1522
12/9

Applicant's Signature: Angela D. Wallace Professional Surveyor 12/02/2025
(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: Dennis J. & Malinda E. Schwartz

SUBJECT SITE: east side of County Road 71, approximately one-half of a mile south of the intersection of County Road 71 and County Road 64, St. Joe

REQUEST: 1 Lot Minor Subdivision – Jay Acres

EXISTING ZONING: A1: Conservation Agricultural

SURROUNDING LAND USES AND ZONING: North: Farm Ground (A1)
South: Single Family Residential (A1)
East: Farm Ground (A1)
West: 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 08-12-30-100-008 is considered the parent parcel. This is the 1st buildable split from parent parcel -008. One additional buildable split may be created.
- 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: 11.78 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 421.85 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: 421.85 feet
- This division of land fronts the following roads:
 - County Road 71 is considered 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 **December 3, 2025**
2. Legal notice published in The Star on **December 26, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **December 8, 2025**
5. Letter from County Highway dated **December 8, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **December 8, 2025**
7. Letter from the Drainage Board, dated **December 18, 2025**
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 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 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 71 with dedication of right of way. Driveway location has been permitted by the Highway Dept.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
Not applicable. A private septic system will be utilized.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, 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:

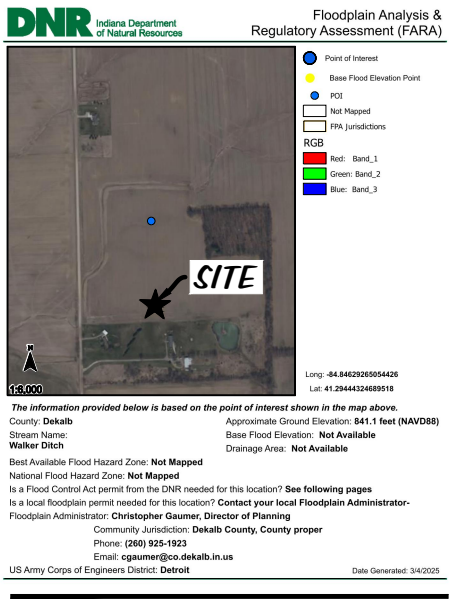
1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with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



ZONING		
ZONING DISTRICT: AGRICULTURAL (A)		
SETBACKS: PRIMARY FRONT: 50' SIDE: 30' REAR: 30'	SETBACKS: ACCESSORY STRUCTURE FRONT: 50' SIDE: 10' REAR: 10'	



INFIP MAP NOT TO SCALE

LOT AREA	
TOTAL AREA:	12.62 ACRES
20' R/W:	0.20 ACRE
LEGAL DRAINS:	0.64 ACRE
BUILDABLE AREA:	11.78 ACRES

PLAT OF JAY ACRES

A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 30,
TOWNSHIP 33 NORTH, RANGE 15 EAST, NEWVILLE TOWNSHIP,
DEKALB COUNTY, INDIANA

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 MARCH 28TH, 2025 AND RECORDED IN DOCUMENT NUMBER 202501979 WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA THAT WAS COMPLETED BY ME IN ACCORDANCE WITH TITLE 36S 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.

PROJECT NO.: 25-958
DATE: DECEMBER 2ND, 2025

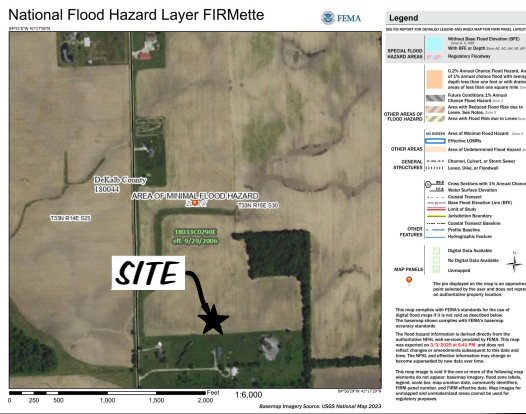
I, ANGELA D. WALLACE, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REPEAT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.



Angela D. Wallace

FLOODPLAIN CERTIFICATION

THE LOT 1 LIES WITHIN ZONE X BASED ON THE NATIONAL FLOOD HAZARD MAP, COMMUNITY: DEKALB COUNTY, NUMBER: 180044, PANEL: 0130 E, EFFECTIVE DATE: SEPTEMBER 29, 2006, MAP NUMBER: 1803C0130E.



NFHL FIRMETTE NOT TO SCALE

OWNER & DEVELOPER

DENNIS J. & MALINDA E. SCHWARTZ
17324 EHLE RD
WOODBURN, IN 46797

SURVEYOR

COMPASS LAND SURVEYING, INC
1710 N. MAIN STREET, SUITE D
AUBURN, IN 46706
TEL: 260-417-3643

REAL ESTATE DESCRIPTION

PART OF DEED RECORD 224, PAGE 321 AS RECORDED WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA BEING IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 33 NORTH, RANGE 15 EAST, NEWVILLE TOWNSHIP, DEKALB COUNTY, INDIANA, NOW BEING SUBDIVIDED AND SHOWN ON A PLAT OF SURVEY CERTIFIED BY ANGELA D. WALLACE LS #21200016 ON MARCH 28TH, 2025, AS PROJECT NUMBER 25-254A, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT HARRISON MONUMENT AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 33 NORTH, RANGE 15 EAST; THENCE SOUTH 01 DEGREES 13 MINUTES 06 SECONDS EAST, (INDIANA STATE PLANE ZONE EAST BASIS OF BEARINGS), ALONG THE RUSSELL SURVEY WEST LINE, A DISTANCE OF 1978.43 FEET TO A 5/8"X12" REBAR WITH "WALLACE" IDENTIFICATION CAP BEING THE POINT OF BEGINNING; THENCE NORTH 87 DEGREES 56 MINUTES 05 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF DEED RECORDED 224, PAGE 321 AS RECORDED WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA, A DISTANCE OF 1,302.80 FEET TO A 5/8"X12" REBAR WITH "WALLACE" IDENTIFICATION CAP ON THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREE 22 MINUTES 30 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 421.85 FEET TO A SPIKE NAIL WITH "RUSSELL" IDENTIFICATION CAP IN A TREE ROOT; THENCE SOUTH 87 DEGREES 56 MINUTES 05 SECONDS WEST, PARALLEL WITH SAID SOUTH LINE OF DEED RECORDED 224, PAGE 321 AND ALONG THE NORTH LINE OF DOCUMENT NUMBER 201900821 & 201600648 AS RECORDED IN SAID OFFICE, A DISTANCE OF 1,303.34 FEET TO THE RUSSELL SURVEY WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 01 DEGREE 13 MINUTES 06 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 421.85 FEET TO THE POINT OF BEGINNING, CONTAINING 12.62 ACRES OF LAND, MORE OR LESS, SUBJECT TO THE RIGHT OF WAY OF COUNTY ROAD 71, THE LEGAL DRAIN RIGHT OF WAY OF SHERMAN MECKS LATERAL 7 AND THE LEGAL DRAIN RIGHT OF WAY OF SHERMAN MECKS LATERAL 7 SPUR 1, AND ALL OTHER RIGHTS OF WAY AND EASEMENTS OF RECORD.

OWNER DEDICATION

WE, THE UNDERSIGNED, DENNIS J. & MALINDA E. SCHWARTZ, 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 PLAT OF JAY ACRES, IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 33 NORTH, RANGE 15 EAST, NEWVILLE TOWNSHIP, DEKALB COUNTY, INDIANA.

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

DENNIS J. SCHWARTZ

MALINDA E. SCHWARTZ

NOTARY

STATE OF INDIANA)
COUNTY OF DEKALB) SS:

WITNESS OUR HAND AND SEAL THIS _____ DAY OF JANUARY, 2026.

DENNIS J. SCHWARTZ

MALINDA E. SCHWARTZ

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, THIS _____ DAY OF JANUARY, 2026, PERSONALLY APPEARED DENNIS J. & MALINDA E. SCHWARTZ, ACKNOWLEDGING THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSE THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF JANUARY, 2026.

NOTARY PUBLIC (SEAL)

CHARITY L. WISEL

MY COMMISSION EXPIRES: DECEMBER 10, 2026

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.

DRAINAGE BOARD COVENANTS

WHEN ANY REGULATED DRAIN AND/OR ITS ASSOCIATED RIGHT-OF-WAY EXTENDS WITHIN THE BOUNDS OF THE SUBDIVISION, THE FOLLOWING COVENANTS SHALL BE PLACED ON THE PLAT:

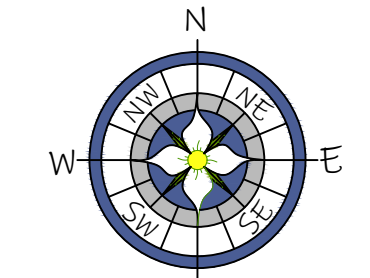
- NO PRIVATE OR MUTUAL DRAIN OF ANY TYPE SHALL BE CONNECTED FROM WITHIN ANY LOT WITHIN THIS SUBDIVISION TO THE SHERMAN MECKS LATERAL 7 DRAIN NO. 126-07-0 AND THE SHERMAN MECKS LATERAL 7 SPUR 1 DRAIN NO. 126-07-1 WITHOUT FIRST SUBMITTING WRITTEN REQUEST, ALONG WITH PLANS AND SPECIFICATIONS FOR SAID CONNECTION, 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 SHERMAN MECKS LATERAL 7 DRAIN NO. 126-07-0 AND THE SHERMAN MECKS LATERAL 7 SPUR 1 DRAIN NO. 126-07-1 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 SHERMAN MECKS LATERAL 7 DRAIN NO. 126-07-0 AND THE SHERMAN MECKS LATERAL 7 SPUR 1 DRAIN NO. 126-07-1 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.

PLAN COMMISSION CERTIFICATE OF APPROVAL

APPROVED BY THE DEKALB COUNTY PLAN COMMISSION THIS _____ DAY OF JANUARY, 2026.

ELYSIA RODGERS, CHAIRPERSON

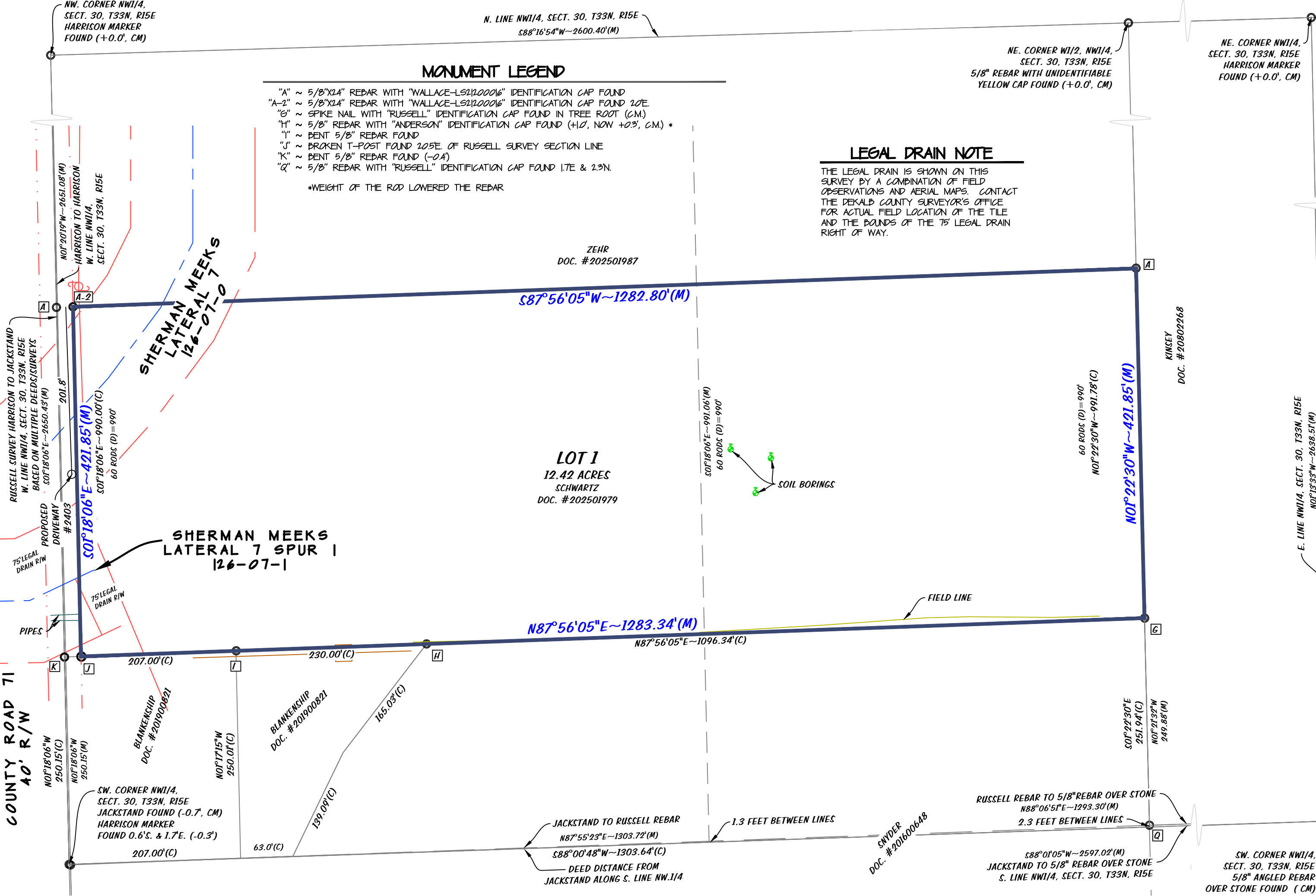
CHRISTOPHER GAUMER, ZONING ADMINISTRATOR



SCALE 1" = 100'
INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB CO.

AUDITOR'S STAMP

RECORDER'S STAMP



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: 24-03
Date Application Filed: 12/8/2025
Fee Paid: CK #1522
12/9

Application for REPLAT (Section 9.24)

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
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: Stanley & Mary Delagrang, James & Mary Mae Witmer, & Johnathan & Amanda Zehr
Address: 6665 County Road 47 6889 County Road 45
Spencerville, Indiana 46788 Spencerville, Indiana 46788
Telephone Number: 260-438-5129 E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: _____
Address: _____
Telephone Number: _____ E-Mail: _____

Legal Ad Payment & Public Hearing Notifications: Applicant ☒ Owner ☐ Representative ☐

Number of Parcels & Total Area (square feet or acreage):
2 Parcels & 13.75 Acres

Name of Subdivision and Address or Parcel # of property:
Replat of Strong's Subdivision, Section II, Lot 2 & Lot 3

Legal description of property affected:
Lot 2 & Lot 3 in the Plat of Strong's Subdivision, Section II

Reason for the Proposed Replat:
Lot 2 has been split and was not done by the Replat process

The Replat should include (check all that apply):

- () All of the Platted Area (x) All recorded restrictive covenants
(x) Part of the Platted Area as shown in the attached documents () None of the restrictive covenants
() Those restrictive covenants specifically listed in the attached documents

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 12/09/2025
(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: Stanley & Mary Delagrang, James & Mary Mae Witmer & Johnathan & Amanda Zehr

SUBJECT SITE: 6889 County Road 45 and 4629 County Road 68, Spencerville

REQUEST: RePlat of Strong's Subdivision, Section II, Lot 2 & 3

EXISTING ZONING: A2: Agricultural

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

- Lots 2 & 3 (Parcel Number: 06-10-25-400-007, -008 & -011) will have the interior lot lines redrawn to decrease the acreage of Lot 2 & increase the acreage of Lot 3. No new buildable lots are being created.
- 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 2 Area: 3.33 net acres
 - Proposed Lot 3 Area: 8.40 net acres
 - Minimum Lot Width: 160 feet
 - Proposed Lot 2 Width: 508.09 feet
 - Proposed Lot 3 Width: 276.89 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 2 Frontage: 570.50 feet
 - Proposed Lot 3 Frontage: 220.40 feet (CR 68) & 804.86 feet (CR 45)

- This division of land fronts the following roads:
 - County Road 68 is considered County Collector Road with a projected total right-of-way width of 80 feet.
 - County Road 45 is considered a County Local Road with the projected total right-of-way width of 60 feet.
 - Right of Way has been dedicated per the original Strong's Subdivision Section II. No additional right of way has been dedicated.

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 **December 8, 2025**
2. Legal notice published in The Star on **December 26, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **December 15, 2025**
5. Letter from County Highway dated **December 9, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **December 10, 2025**
7. Letter from the Drainage Board, dated **December 18, 2025**
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 (RePlat) 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 (RePlat) 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 68 & County Road 45 with dedication of right of way where required. The existing driveway locations will be utilized.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
Not applicable. The existing private septic systems will be utilized.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, 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:

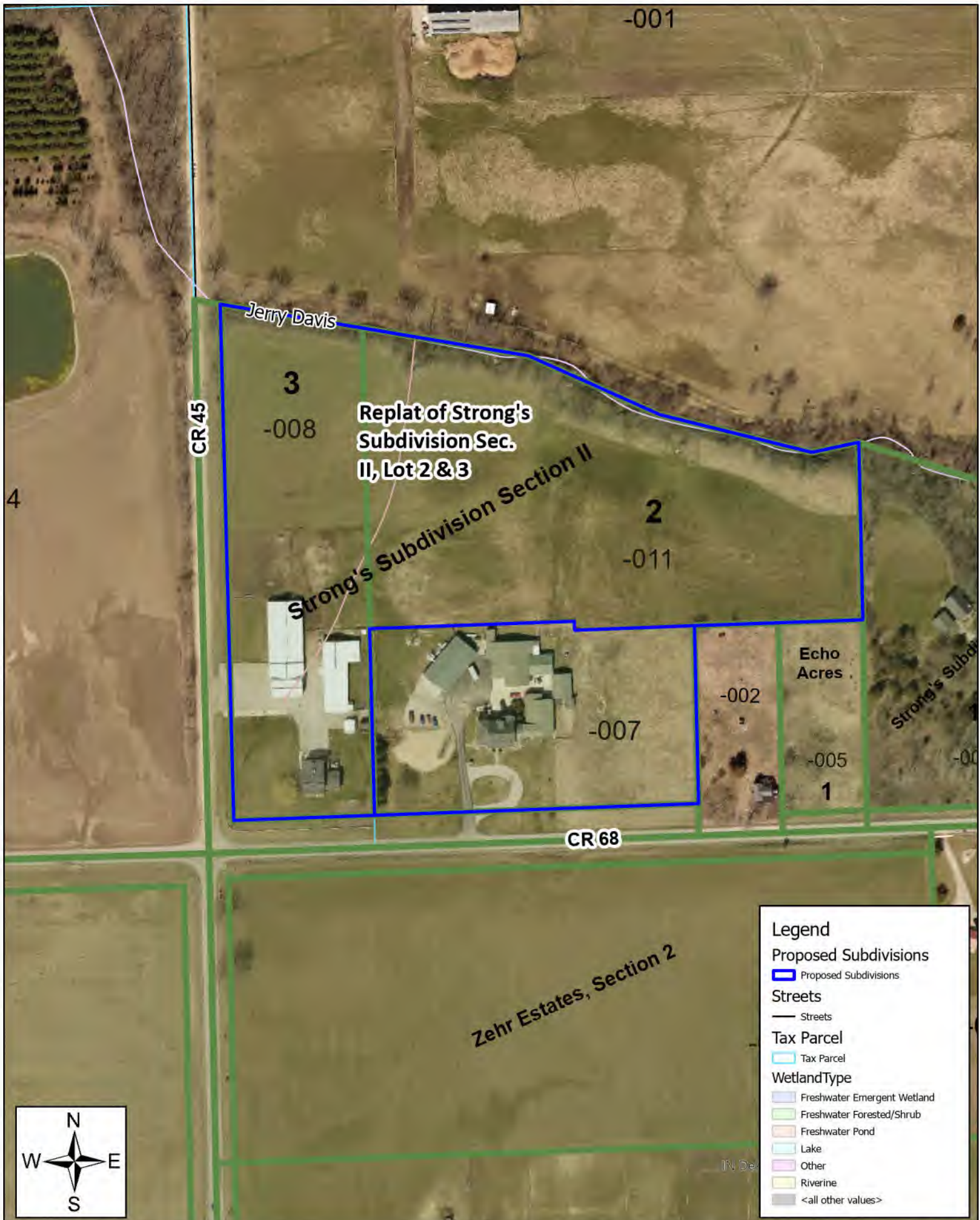
Standard Conditions to be recorded on or with the plat:

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.



ZONING		LOT AREAS	
ZONING DISTRICT: AGRICULTURAL (A2)		LOT 2 AREA:	3.33 ACRES
SETBACKS: PRIMARY FRONT: 50' SIDE: 30' REAR: 30'		LOT 3 AREA:	10.42 ACRES
ACCESSORY STRUCTURE FRONT: 50' SIDE: 10' REAR: 10'		LEGAL DRAIN:	2.02 ACRES
		BUILDABLE AREA:	8.40 ACRES

REPLAT OF STRONG'S SUBDIVISION SECTION II, LOT 2 & LOT 3

A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 33 NORTH, RANGE 13 EAST, JACKSON TOWNSHIP, DEKALB COUNTY, INDIANA

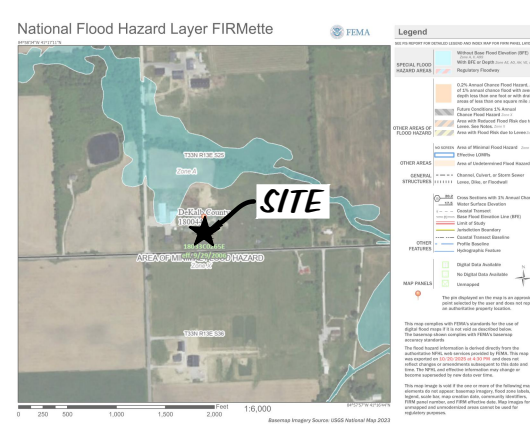
REAL ESTATE DESCRIPTION

LOT NUMBER 3 AND PART OF LOT NUMBER 2 IN THE PLAT OF STRONG'S SUBDIVISION SECTION II AS RECORDED IN PLAT BOOK 10, PAGE 15 WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA, AS SURVEYED BY AND SHOWN ON A PLAT OF SURVEY CERTIFIED BY ANGELA D. WALLACE LS #21200016 ON DECEMBER 5TH, 2015, AS PROJECT NUMBER 25-897, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT HARRISON MONUMENT AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 33 NORTH, RANGE 13 EAST; THENCE NORTH 87 DEGREES 56 MINUTES 53 SECONDS EAST, (INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB CO. BASIS OF BEARINGS), ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 167.71 FEET TO THE EAST LINE OF SAID PLAT; THENCE NORTH 01 DEGREE 21 MINUTES 21 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 50.00 FEET TO A 5/8" REBAR WITH "KLINE" IDENTIFICATION CAP AT THE SOUTHEAST CORNER OF LOT 2 IN SAID PLAT BEING THE POINT OF BEGINNING; THENCE SOUTH 87 DEGREES 56 MINUTES 53 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2 AND LOT 3, A DISTANCE OF 72.90 FEET TO THE WEST LINE OF LOT 3 IN SAID PLAT; THENCE NORTH 01 DEGREE 30 MINUTES 12 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 804.86 FEET TO THE CENTER LINE OF THE JERRY DAVIS REGULATED DRAIN; THENCE ALONG SAID DRAIN FOR THE FOLLOWING 5 COURSES: SOUTH 80 DEGREES 31 MINUTES 31 SECONDS EAST, A DISTANCE OF 224.51 FEET; THENCE SOUTH 80 DEGREES 31 MINUTES 42 SECONDS EAST, A DISTANCE OF 264.78 FEET; THENCE SOUTH 16 DEGREES 07 MINUTES 22 SECONDS EAST, A DISTANCE OF 245.00 FEET; THENCE SOUTH 16 DEGREES 07 MINUTES 22 SECONDS EAST, A DISTANCE OF 245.00 FEET; THENCE NORTH 77 DEGREES 56 MINUTES 54 SECONDS EAST, A DISTANCE OF 75.00 FEET TO THE EAST LINE OF LOT 2 IN SAID PLAT; THENCE SOUTH 01 DEGREE 19 MINUTES 25 SECONDS EAST, A DISTANCE OF 276.89 FEET TO A JACKSTAND; THENCE SOUTH 88 DEGREES 02 MINUTES 27 SECONDS WEST, A DISTANCE OF 263.82 FEET TO A JACKSTAND; THENCE SOUTH 01 DEGREE 21 MINUTES 21 SECONDS EAST, ALONG AN EASTERLY LINE OF SAID LOT 2, A DISTANCE OF 271.97 FEET TO THE POINT OF BEGINNING, CONTAINING 13.75 ACRES OF LAND, MORE OR LESS, SUBJECT TO THE RIGHT OF WAY OF COUNTY ROAD 68, COUNTY ROAD 45, THE JERRY DAVIS LEGAL DRAIN, AND ALL OTHER RIGHTS OF WAY AND EASEMENTS.

FLOODPLAIN CERTIFICATION

REPLAT OF STRONG'S SUBDIVISION SECTION II, LOT 2 LIES WITHIN ZONE X BASED ON THE NATIONAL FLOOD HAZARD MAP, COMMUNITY: DEKALB COUNTY, NUMBER: 180044, PANEL: 0165 E, EFFECTIVE DATE: SEPTEMBER 23, 2006, MAP NUMBER: 18093C0165E.



NFHL FIRMETTE NOT TO SCALE

MONUMENT LEGEND

- "A" ~ 5/8"x24" REBAR WITH "WALLACE-LS#21200016" IDENTIFICATION CAP SET
"C" ~ 5/8" REBAR FOUND.
"D" ~ WOOD POST FOUND (C.M.)
"E" ~ JACKSTAND FOUND (C.M.)
"F" ~ 5/8" REBAR WITH "KLINE" IDENTIFICATION CAP FOUND (C.M.)
"G" ~ JACKSTAND FOUND (C.M.)
"H" ~ 5/8" REBAR WITH "KLINE" IDENTIFICATION CAP FOUND (C.M.)
"I" ~ 5/8" REBAR WITH "KLINE" IDENTIFICATION CAP FOUND (C.M.)

SURVEYOR

COMPASS LAND SURVEYING, INC.
1710 N. MAIN STREET, SUITE D
AUBURN, IN 46706
TEL: 260-417-3643

LEGEND

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

OWNER & DEVELOPER

STANLEY L. & MARY NAOMI DELAGRANGE
JAMES & MARY MAE WITMER
6665 COUNTY ROAD 47
SPENCERVILLE, INDIANA 46788
JONATHAN & AMANDA ZEHR
6889 COUNTY ROAD 45
SPENCERVILLE, IN 46788



VICINITY MAP NOT TO SCALE

OWNER DEDICATION

WE, THE UNDERSIGNED, STANLEY L. & MARY NAOMI DELAGRANGE, JAMES & MARY MAE WITMER, AND JONATHAN & AMANDA ZEHR, 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 REPLAT OF STRONG'S SUBDIVISION SECTION II, LOT 2 & LOT 3, IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 33 NORTH, RANGE 13 EAST, JACKSON TOWNSHIP, DEKALB COUNTY, INDIANA.

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

STANLEY L. DELAGRANGE MARY NAOMI DELAGRANGE JAMES WITMER
MARY MAE WITMER JONATHAN ZEHR AMANDA ZEHR
NOTARY
STATE OF INDIANA)
COUNTY OF DEKALB) SS:

WITNESS OUR HAND AND SEAL THIS _____ DAY OF JANUARY, 2016.

STANLEY L. DELAGRANGE MARY NAOMI DELAGRANGE JAMES WITMER

MARY MAE WITMER JONATHAN ZEHR AMANDA ZEHR

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, THIS _____ DAY OF JANUARY, 2016, PERSONALLY APPEARED STANLEY L. & MARY NAOMI DELAGRANGE, JAMES & MARY MAE WITMER, AND JONATHAN & AMANDA ZEHR, ACKNOWLEDGING THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSE THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF JANUARY, 2016.

NOTARY PUBLIC (SEAL)

CHARITY L. WISEL
MY COMMISSION EXPIRES: DECEMBER 10, 2016

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 34-1-52-4.

AVIATION COVENANTS

AIRPORT ZONE: THIS DEVELOPMENT LIES WITHIN THE ACT ZONE OF THE DEKALB COUNTY AIRPORT AND IS SUBJECT TO CERTAIN LIMITATIONS AND RESTRICTIONS AS SET OUT AND SPECIFIED IN THE DEKALB COUNTY AIRPORT ZONING ORDINANCE. THE MAXIMUM ALLOWABLE HEIGHT FOR ANY BUILDING, STRUCTURE OR TREE IN THIS DEVELOPMENT IS LIMITED TO 120 FEET ABOVE GROUND LEVEL AT THE SITE UNLESS A VARIANCE IS FIRST OBTAINED FROM THE DEKALB COUNTY BOARD OF AVIATION.

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.

DRAINAGE BOARD COVENANTS

WHEN ANY REGULATED DRAIN AND/OR ITS ASSOCIATED RIGHT-OF-WAY EXTENDS WITHIN THE BOUNDS OF THE SUBDIVISION, THE FOLLOWING COVENANTS SHALL BE PLACED ON THE PLAT:

- NO PRIVATE OR MUTUAL DRAIN OF ANY TYPE SHALL BE CONNECTED FROM WITHIN ANY LOT WITHIN THIS SUBDIVISION TO THE JERRY DAVIS DRAIN NO. 19-20-2 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 JERRY DAVIS DRAIN NO. 19-20-2 WITHOUT FIRST ENTERING INTO A COVENANT 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 JERRY DAVIS DRAIN NO. 19-20-2 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.

PLAN COMMISSION CERTIFICATE OF APPROVAL

APPROVED BY THE DEKALB COUNTY PLAN COMMISSION THIS _____ DAY OF JANUARY, 2016.

ELYSIA RODGERS, CHAIRPERSON

CHRISTOPHER GAUMER, ZONING ADMINISTRATOR

RECORDER'S STAMP

AUDITOR'S STAMP

PROJECT NO: 25-897
DATE: DECEMBER 5TH, 2015

I, ANGELA D. WALLACE, 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.

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 DECEMBER 5TH, 2015 AND RECORDED IN DOCUMENT NUMBER _____ WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA THAT WAS COMPLETED BY ME IN ACCORDANCE WITH TITLE 36 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.

ANGELA D. WALLACE, PS LS#21200016