

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 March 1st, 2022

8:30 AM

1. Roll call
2. Approval of Minutes: February 4th, 2022
3. Old Business: None
4. New Business:

Petition #22-08 Kipp R Griffin requesting a 1 Lot Minor Subdivision known as Kipp R. Griffin Subdivision. The proposed 1 lot subdivision will be a total of 6.788 net acres. The subdivision will be used for a single family residence. The property is located on the east side of County Road 11A, approximately 400 feet north of the intersection of County Road 60 & County Road 11A, Auburn, Indiana

Petition #22-09 Zachary Newcomer & Allison Loy requesting a 1 Lot Minor Subdivision known as Loy-Newcomer Subdivision. The proposed 1 lot subdivision will be a total of 5 net acres. The subdivision will be used for a single family residence. The property is located on the north side of County Road 40, approximately 1,500 feet west of the intersection of County Road 40 & State Road 1, Butler, Indiana.

Petition #22-10 James & Jackie Pfefferkorn and Andrew & Sheena Miller requesting to vacate the minor subdivisions of Westwood Estate & Westwood Estate, RePlat Lot 1. The properties are located at 5504 County Road 35 and 5552 County Road 35, Auburn, Indiana.

Petition #22-11 James & Jackie Pfefferkorn and Andrew & Sheena Miller requesting a 3 Lot Minor Subdivision known as Pfefferkorn Estate. The proposed 3 lot subdivision will be a total of 23.83 net acres. The subdivision will be used for a single family residence. The properties are located at 5504 County Road 35 and 5552 County Road 35, Auburn, Indiana.

5. Reports of Planning Staff, Officers, of Committees
6. Comments from Public in attendance
7. Adjournment

Next Meeting: April 5th, 2022 @ 8:30 AM

**If you cannot attend, please contact Alicia Shackelford:
AShackelford@co.dekalb.in.us or 260-925-1923**

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

****No cellphones, tablets, laptops or weapons permitted.**

MINUTES
DEKALB COUNTY PLAT COMMITTEE
Friday February 4th, 2022 @ 8:00 A.M

The Regular Meeting of the DeKalb County Plat Committee was called to order at 8:13 a.m. in the DeKalb County Commissioner's Court by Chris Gaumer.

ROLL CALL:

Members Present: Mike Watson, Jason Carnahan, and Frank Pulver

Members Absent: Bill Van Wye, Sandy Harrison, Elysia Rogers

Staff Present: Director/Zoning Administrator Chris Gaumer, Secretary Alicia Shackelford

Staff Absent:

Public in Attendance: Angie Wallace, Chuck Henry, and Ty Fritz

APPROVAL OF MINUTES: January 4th, 2022. Mike Watson moved to approve the Minutes of January 4th, 2022, seconded by Jason Carnahan. None opposed. Motion carried.

OLD BUSINESS: None

NEW BUSINESS:

Petition #22-05 – David & Kristin Houser, requesting a 1 Lot Minor Subdivision- Woodview Acres. The property is located on the east side of County Road 11A, approximately 600 feet south of the intersection of County Road 68 & County Road 11A, Auburn and is zoned A2, Agricultural.

Chris Gaumer read the staff report and asked if there was any questions.

Ty Fritz questioned why 1 Lot Subdivision was called a subdivision and why it had to be given a name, and if any future homes were going on this said property.

Chris Gaumer explained that the county policies required that subdivisions be named and that currently the only plan for this property to build a single family home.

Angela Wallace confirmed that at this time, only a single family home was being built on the property by the landowners.

Chuck Henry asked what was going to be done with the surrounding farmland.

Mike Watson stated that the landowners own all the land, so what they do with the land is up to them.

Ty Fritz & Chuck Henry vocalized concerned about frequent accidents that have occurred along CR 11A at or near their property. Both stated that no speed limit signs are posted between their property all the way to Coldwater, MI, and then requested that speed limit signs be posted.

Chris Gaumer stated he will forward the request to Ben Parker @ the Highway Department.

Chris Gaumer asked if there were any further questions. There were none.

Chris Gaumer closed the public hearing.

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 **January 7, 2022**
2. Legal notice published in The Star on **January 26, 2022** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **January 24, 2022**
5. Letter from County Highway dated **January 10, 2022**
6. Report from the DeKalb County Soil & Water Conservation District, dated **January 10, 2022**

7. Letter from the Drainage Board, dated **January 20, 2022**
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 minor subdivision will be used for a 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 11A with dedication of right of way. Applicant or buyer will need to apply for and receive a Driveway Permit from the DeKalb County Highway Department.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. Private Septic System will be utilized. Applicant or buyer will need to apply for and receive a permit for a Residential Onsite Sewage System from the Health Department.*
 - 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 shall be on the plat, if required.
5. The appropriate drainage covenants shall be on the plat, if required.
6. The appropriate airport zone covenants shall be on the plat, if required.
- 7.

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, if required.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant for compliance with Airport Board requirements, if required.
6. No Certificate of Occupancy or Certificate of Completion shall be issued 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, or other agency as applicable. Further, where 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 #22-05, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL/DENIAL ON THIS 4th DAY OF FEBRUARY 2022.

Motion made by Mike Watson, Seconded by Jason Carnahan

Vote tally: Yes: 3 No: 0

Frank Pulver

Mike Watson

Jason Carnahan

Petition #22-06 – Aaron Jay & Delila Lengacher, requesting a 1 Lot Minor Subdivision- Lengacher Estates. The property is located on the west side of County Road 39, approximately one-half mile north of the intersection of County Road 39 & County Road 68, Auburn and is zoned A2, Agricultural.

Noted that no one present to represent Petition.

Chris Gaumer read staff report.

Concerns raised by the committee regarding the “tool shed” actually being used as a tool shed and not an Amish Church.

Chris Gaumer stated that staff will look into the uses of the out buildings. He noted that no one present in the audience to answer the questions/concerns.

Approve Petition #22-06 with condition to get additional information regarding the out buildings/tool shed.

Mike Watson granted approval with standard conditions and 2 other conditions added.

Chris Gaumer asked if there were any additional questions. There were none. Chris Gaumer closed the public hearing.

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 **January 21, 2022**
2. Legal notice published in The Star on **January 26, 2022** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.

4. Letter from the County Board of Health, dated **January 24, 2022**
5. Letter from County Highway dated **January 24, 2022**
6. Report from the DeKalb County Soil & Water Conservation District, dated **January 21, 2022**
7. Letter from the Drainage Board, dated **February 10, 2022**
8. Airport Board report, if applicable: **not applicable**
9. Plat prepared by **Donovan Engineering**
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?
 - a. *Yes, the minor subdivision will be used for a 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.*
 - e. 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 39 with dedication of right of way. Applicant or buyer will need to apply for and receive a Driveway Permit from the DeKalb County Highway Department.*
 - f. The extension of water, sewer & other municipal services, if applicable or required. *None Required. Private Septic System will be utilized. Applicant or buyer will need to apply for and receive a permit for a Residential Onsite Sewage System from the Health Department.*
 - g. 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 shall be on the plat, if required.
5. The appropriate drainage covenants shall be on the plat, if required.
6. The appropriate 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, if required.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant for compliance with Airport Board requirements, if required.
6. No Certificate of Occupancy or Certificate of Completion shall be issued 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, or other agency as applicable. Further, where 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 #22-06, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL/DENIAL ON THIS 4th DAY OF FEBRUARY 2022.

Motion made by Mike Watson, Seconded by Jason Carnahan

Vote tally: Yes: 3 No: 0

Frank Pulver

Mike Watson

Jason Carnahan

There being no further business to come before the Plat Committee, the meeting was adjourned at 8:43 a.m.

Plat Committee Member

Committee Member

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: _____

Date Application Filed: _____

Fee Paid: _____

Application for SUBDIVISION

Minor X 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: **Kipp R. Griffin**
Mailing Address: **6018 CR 11A**
Auburn, IN 46706
Telephone Number: **260-249-5437** E-Mail: **kipppgriffin@me.com**

OWNER INFORMATION (if different from applicant information)

Owner's Name: _____
Address: _____
Telephone Number: _____ E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: **Todd Jordan - Gouloff-Jordan Surveying and Design, Inc.**
Address: **1133 Broadway**
Fort Wayne, IN 46802
Telephone Number: **260-424-5362** E-Mail: **todd@gouloffjordan.com**

Name of Proposed Subdivision: **KIPP R. GRIFFIN SUBDIVISION**

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

One lot consisting of 7.122 Ac.+/-

Address or common description of property:

Parcel No. 01-09-14-400-007 located on east side of CR 11A, north of CR 60.

Legal description of property affected:

21.4 Ac.+/- in the E 1/2, SE 1/4 of Sec. 14, T 33 N, R 12 E, Butler Twsp.

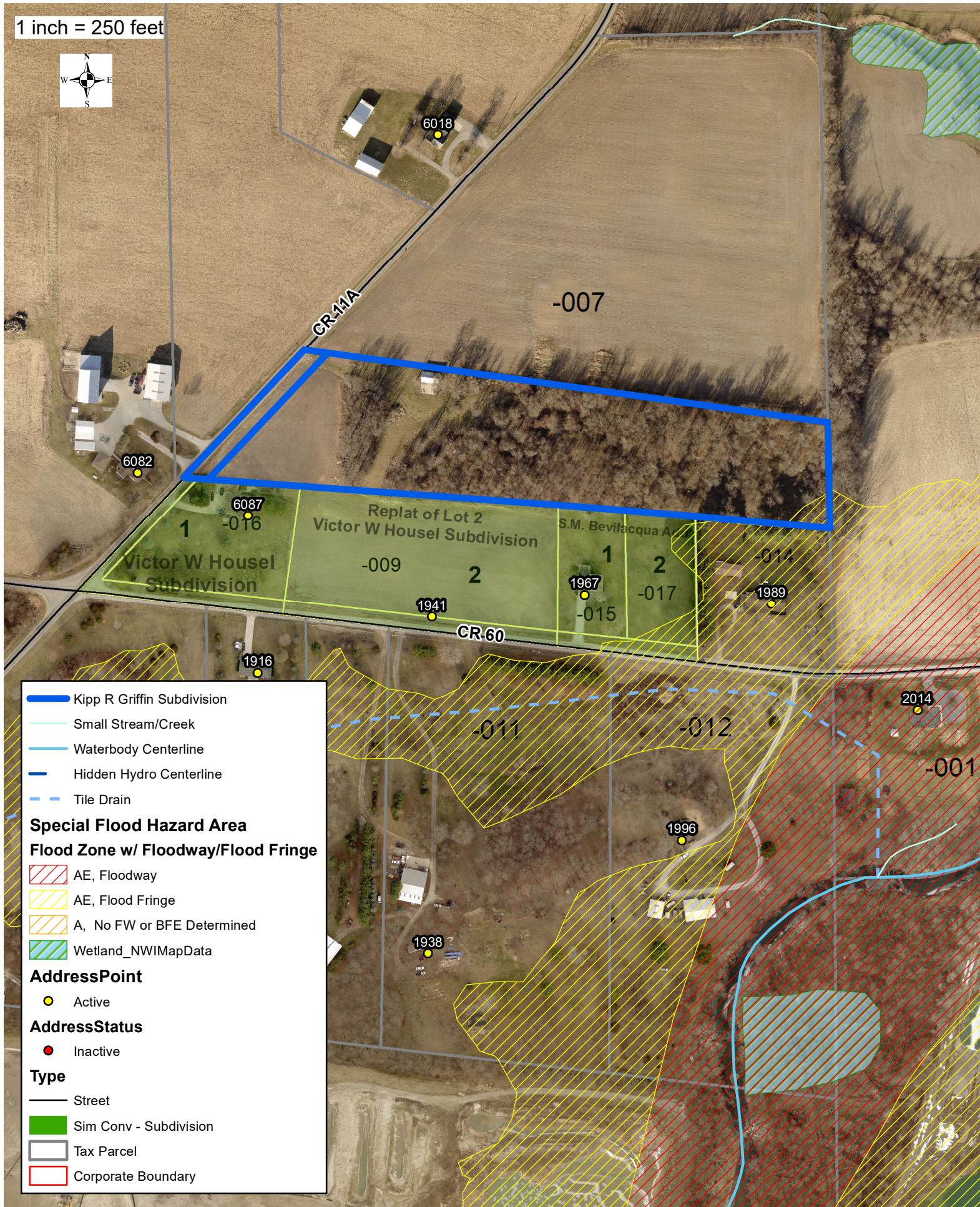
Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)

Single Family Residential

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

Applicant's Signature: 
(If signed by representative for applicant, state capacity)
as representative of Kipp R. Griffin

1 inch = 250 feet



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SURVEYOR'S REPORT

This report and the accompanying survey plat have been prepared in accordance with Title 865, Article 1, Rule 12, Sec 1-29, and all amendments thereto, of the Indiana Administrative Code, which establishes the minimum standards for the practice of land surveying.

Monuments set are 5/8-inch round by 24-inch long steel rebars with yellow plastic caps stamped "GOU LS 29500017" and are set flush with the ground surface unless otherwise noted. Found monument types and their depths are shown on the survey drawing.

A current title commitment or search report was not provided at time of survey.
A title search could reveal easements or other matters of public record not depicted hereon.

PURPOSE: The purpose of this survey is to split subject parcel of land from the parent parcel as described in Document 201200657 in the Office of the Recorder of DeKalb County, Indiana.

CONTROLLING SECTION CORNERS:
SE corner, SE 1/4, Sec. 14-33-12: Harrison monument found
SW corner, SE 1/4, Sec. 14-33-12: Harrison monument found
NE corner, SE 1/4, Sec. 14-33-12: railroad rail post found (history unknown)

THEORY OF LOCATION:
The south line of subject parcel of land was established on the north line of the subdivision plats as depicted on the drawing.
The east line of subject parcel of land was established on the east line of the Southeast 1/4 of said Section 14 holding the above described section corners.
The west line of subject parcel of land was established on the center line of C.R. 11A between found PK nails as depicted on the drawing.
The North line of subject parcel of land was established per the owner's request.

The uncertainty in the lines and corners found or established by this survey are as follows:

(A) Availability and condition of reference monuments:
Reference monuments found on the subject property and on adjacent properties are shown on the survey drawing. Due to variations in the type of said reference monuments and/or variations depicted on the survey drawing as "measured" versus "recorded" angular or distance measurements, uncertainty in said reference monuments is 0.25 feet +/-.

(B) Occupation or possession lines:
Uncertainty created by visible occupation lines that were evident at the time of the survey is 4.5 feet +/- . See fence type and location the the drawing. Fence ownership is unknown.

(C) Clarity or ambiguity of the record description and or adjoiner's descriptions:
No uncertainty was created by the above-mentioned documents.

(D) The Relative Positional Accuracy of this survey falls under the classification of a "Suburban" survey. Random errors in measurement = 0.13 feet (40 millimeters) plus 100 parts per million as specified in Section 7 of said Rule 12.

LAND DESCRIPTION

Part of the Southeast Quarter of Section 14, Township 33 North, Range 12 East, Butler Township, DeKalb County, Indiana, more particularly described as follows:

Commencing at a Harrison monument found marking the southeast corner of the Southeast Quarter of said Section 14; thence North 01 degree 00 minutes 46 seconds West (bearing based on the State Plane Coordinate System (NAD83)(2011), Indiana East zone) on the east line of said Southeast Quarter, a distance of 311.30 feet to the northeast corner of a parcel of land described in Document 202005226 in the Office of the Recorder of DeKalb County and the POINT OF BEGINNING; thence North 85 degrees 07 minutes 31 seconds West on the north line of said parcel of land, a distance of 274.89 feet to the northeast corner of Lot 2 in the S.M. Bevilacqua Subdivision (Plat Record 5, page 159); thence North 85 degrees 15 minutes 32 seconds West on the north line of said subdivision, a distance of 293.90 feet to the northwest corner thereof and a 5/8" rebar with TRI-COUNTY cap found marking the northeast corner of Lot 2 in the Replat of Lot 2, in Victor W. Housel Subdivision (Doc. 202105248); thence North 85 degrees 47 minutes 17 seconds West on the north line and the westerly projection thereof, a distance of 783.71 feet to the center line of County Road 11A; thence North 43 degrees 21 minutes 49 seconds East on the center line of County Road 11A, a distance of 366.00 feet; thence South 82 degrees 07 minutes 40 seconds East 1103.58 feet to the east line of the Southeast Quarter of said Section 14; thence South 01 degree 00 minutes 46 seconds East on said east line, a distance of 220.18 feet to the point of beginning, containing 7.122 acres of land, more or less.

LEGEND
(m) MEASURED
(r) RECORDED
(c) CALCULATED
(p) PLATTED
POB Point of Beginning
5/8" REBAR SET
GOU LS29500017 CAP
MAG NAIL SET

DEED OF DEDICATION

I, the undersigned, Kipp R. Griffin, owner of the real estate shown and described hereon, do hereby certify that I have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat. This Subdivision shall be known and designated as KIPP R. GRIFFIN SUBDIVISION, a subdivision of 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 street, there shall be erected or maintained no building or structure.
There may be strips of ground as shown on this plat and marked "Easement", reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected 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".

Witness my hand and seal this _____ day of _____, 20____.

Kipp R. Griffin

State of Indiana
County of DeKalb

Before me the undersigned Notary Public, in and for the County and State, personally appeared Kipp R. Griffin, who acknowledged the execution of the foregoing instrument as his voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this day of _____, 20____.

Notary Public

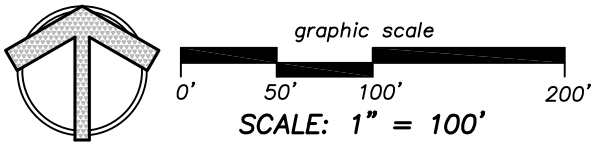
Printed Name

My Commission Expires _____

KIPP R. GRIFFIN SUBDIVISION

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF
SECTION 14, TOWNSHIP 33 NORTH, RANGE 12 EAST
BUTLER TOWNSHIP, DEKALB COUNTY, INDIANA

Owner and Developer:
Kipp R. Griffin
6018 C.R. 11A, Auburn, IN 46706



ZONING DISTRICT: A2
AGRICULTURAL
Minimum Front Yard Setback: 50' Primary and Accessory Structures
Minimum Side Yard Setback: 30' Primary-10' Accessory Structures
Minimum Rear Yard Setback: 30' Primary-10' Accessory Structures

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 34-1-52-4. This lot 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 any further plat would have any retroactive applicability to this division of land. There shall be compliance with the laws of any applicable federal, State or local agency.

AIRPORT COMPATIBILITY ZONE (AC2 THROUGH AC6):

This development lies within Airport Compatibility Zone AC6. 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-Remonstrance 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.

FLOOD NOTE:

By graphic plotting only and subject to map scale uncertainties, a portion of the real estate described and depicted hereon (SE corner) appears to lie in Zone "AE" (considered a special flood hazard area) on FIRM Map Number 18033C0240E, effective 9/29/2006 for DeKalb County, Indiana.

CERTIFICATE OF APPROVAL:

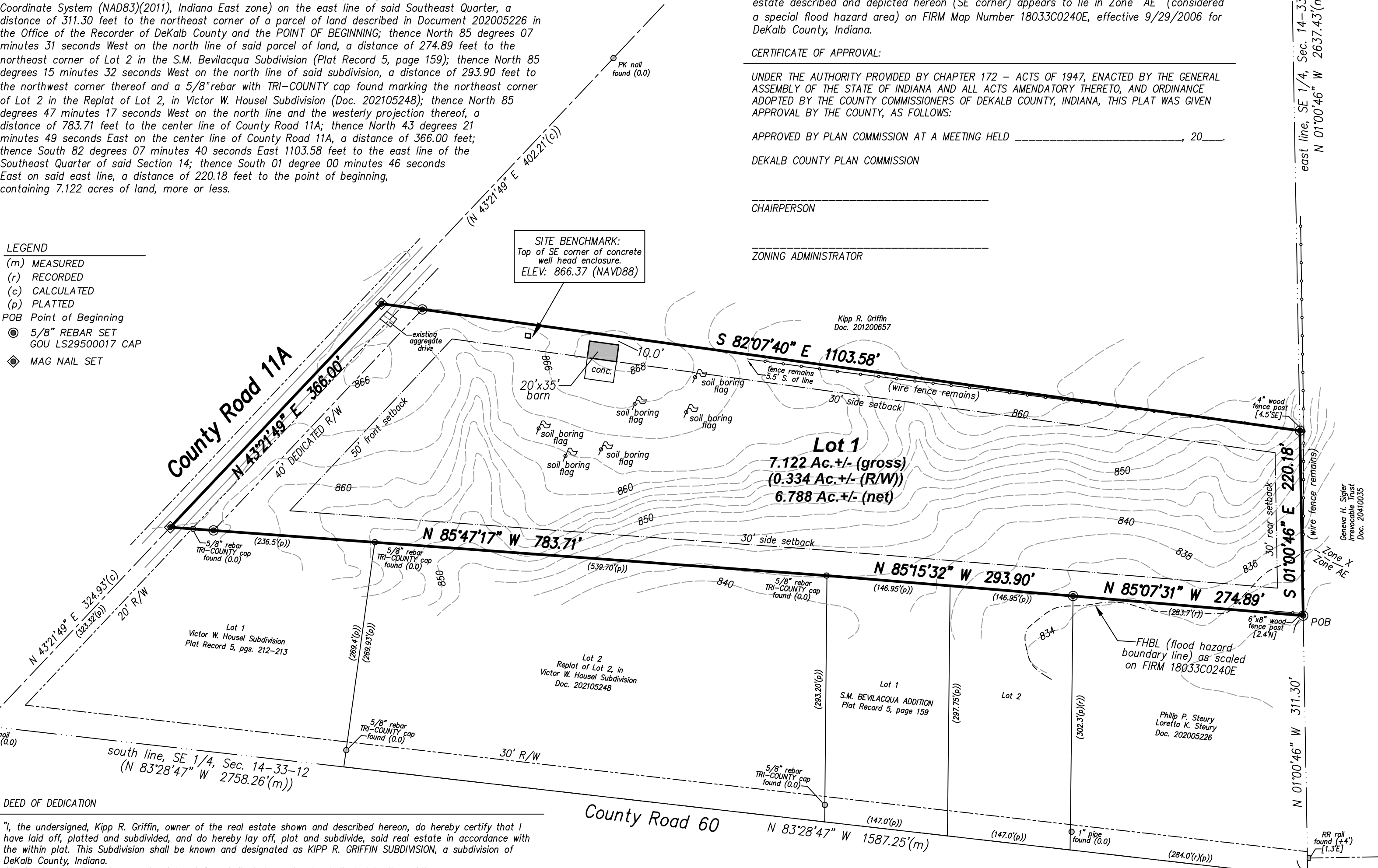
UNDER THE AUTHORITY PROVIDED BY CHAPTER 172 - ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ALL ACTS AMENDATORY THERETO, AND ORDINANCE ADOPTED BY THE COUNTY COMMISSIONERS OF DEKALB COUNTY, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE COUNTY, AS FOLLOWS:

APPROVED BY PLAN COMMISSION AT A MEETING HELD _____, 20____.

DEKALB COUNTY PLAN COMMISSION

CHAIRPERSON

ZONING ADMINISTRATOR



The source of contour lines depicted hereon is the DeKalb County Beacon GIS site.

Basis of Bearings: State Plane Coordinate System (NAD83)(2011), Indiana East Zone.

SURVEYOR'S CERTIFICATION

I, the undersigned Registered Land Surveyor licensed in compliance with the laws of the state of Indiana, hereby certify the hereon Plat to correctly represent a Survey of the real estate described above as made under my direction, that all the monuments shown thereon actually exist, that lots and streets shown in the Plat have been established in accordance with true and established boundaries of said Survey, and that this Survey and accompanying report has been completed in accordance with Title 865-IAC 1-12 and all other amendments thereto.

I hereby certify that to the best of my knowledge the above Plat and Survey are correct.

DATE: _____, 2022

Timothy C. Gouloff, R.L.S. 29500017

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 - Timothy Gouloff.

GOULOFF - JORDAN
SURVEYING AND DESIGN, INC.
1133 BROADWAY FORT WAYNE, IN 46802
PH (260) 424-5362 FAX (260) 424-4916

DRAWING NUMBER
20220019

Sheet: 1 of 1

FOR OFFICE USE ONLY:
 File Number: 22-03
 Date Application Filed: 2/7/22
 Fee Paid: 150 LL
2-522

Applicant's Signature: Jan Newcomer Alison Joy
(If signed by representative for applicant, state capacity)

1 inch = 250 feet



-001

6697

CR 40

-002

-004

— Loy-Newcomer Subdivision

Special Flood Hazard Area

Flood Zone w/ Floodway/Flood Fringe

▨ A, No FW or BFE Determined

▨ Wetland_NWIMapData

Type

— Street

▭ Tax Parcel

LOY - NEWCOMER SUBDIVISION

PART OF THE SOUTHEAST QUARTER OF SECTION 23,
TOWNSHIP 34 NORTH, RANGE 14 EAST, DEKALB COUNTY, INDIANA

Performed for: Catherine A. Newcomer

Current owner of record:
Catherine A. Newcomer
Property Address:
6585 County Road 40, Butler, IN 46721

LEGAL DESCRIPTION

Part of the Southeast Quarter of Section 23, Township 34 North, Range 14 East, Dekalb County, Indiana, being a 5.00-acre parcel surveyed by Timothy C. Gouloff, L.S. #29500017 and depicted on Gouloff-Jordan Surveying & Design, Inc. survey #20210156-2, dated January 28, 2022, described as follows:

Commencing at a mag nail marking the Southeast corner of the Southeast Quarter of said Section 23; thence South 88 degrees 09 minutes 09 seconds West (bearings based on Indiana East State Plane Coordinate System (NAD83)(2011)), on the South line of said Southeast Quarter, 1,405.00 feet, thence continuing South 88 degrees 09 minutes 09 seconds West, on said South line, 484.00 feet; thence North 01 degree 50 minutes 51 seconds West, 50.00 feet to a 5/8" rebar capped "GOU" at the Point of Beginning; thence continuing North 01 degree 50 minutes 51 seconds West, 450.00 feet to a 5/8" rebar capped "GOU"; thence North 88 degrees 09 minutes 09 seconds East, parallel with the South line of said Southeast Quarter, 484.00 feet to a 5/8" rebar capped "GOU"; thence South 01 degree 50 minutes 51 seconds East, 450.00 feet to a 5/8" rebar capped "GOU"; thence South 88 degrees 09 minutes 09 seconds West, parallel with 50.00 feet North of the South line of said Southeast Quarter, 484.00 feet to the Point of Beginning, containing 5.00 acres, more or less, and subject to easements and rights of way of record.

Bearings based on Indiana State Plane Coordinate System (NAD83)(2011) East Zone

SURVEYOR'S REPORT

GOULOFF-JORDAN SURVEYING AND DESIGN, INC.

FOR THE EXCLUSIVE USE OF: Loy / Newcomer

DATE: January 28, 2022
JOB NO: 20210156-2

This report and the accompanying survey plat have been prepared in accordance with Title 865, Article 1, Rule 12, Sec 1-29, and all amendments thereto, of the Indiana Administrative Code, which establishes the minimum standards for the practice of land surveying.

Monuments set are 5/8-inch round by 24-inch long steel rebars with yellow plastic caps stamped "GOU LS 29500017" and are set flush with the ground surface unless otherwise noted. Found monument types and their depths are shown on the survey drawing.

Title report was not provided at time of survey. A title search could reveal easements or rights of way not shown on the survey drawing.

The subject survey is a split from a parent parcel described in Document #XXXXXXX as found in the Office of the Recorder of Dekalb County, Indiana.

THEORY OF LOCATION:

The bearings for the subject survey are based on Indiana East State Plane Coordinate System (NAD83) (2011). The base line for the subject survey being the South line of the Southeast Quarter of Section 23, Township 34 North, Range 14 East as established between mag nails found at the Southwest and Southeast corners of said Southeast Quarter. The East, North and West lines of the subject 5.00-acre parcel were established per owner's request.

The uncertainty in the lines and corners found or established by this survey are as follows:

- (A) Availability and condition of reference monuments: Reference monuments found on the subject property and on adjacent properties are shown on the survey drawing. Due to variations in the type of said reference monuments and/or variations depicted on the survey drawing as "measured" versus "recorded" angular or distance measurements, uncertainty in said reference monuments is 0.25 feet.
- (B) Occupation or possession lines: No uncertainty was created by visible occupation lines (fences, hedge rows, etc.) that were evident at the time of the survey.
- (C) Clarity or ambiguity of the record description and or adjoiner's descriptions: No uncertainty was created by the above-mentioned documents.
- (D) The Relative Positional Precision of this survey falls under the classification of a "Rural" survey. Random errors in measurement = 0.26 feet (79 millimeters) plus 200 parts per million as specified in Section 7 of said Rule 12.

SW Cor. S6 1/4,
Sec. 23 - T34N - R14E
Mag Nail Fnd. (0.0)

County Road 40

apparent Centerline

CERTIFICATE OF APPROVAL

UNDER THE AUTHORITY PROVIDED BY CHAPTER 172, ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ALL ACTS AMENDATORY THERETO, AND ORDINANCE ADOPTED BY THE COUNTY COMMISSIONERS OF DEKALB COUNTY, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE COUNTY, AS FOLLOWS:

APPROVED BY PLAN COMMISSION AT A MEETING HELD _____, 20__.

DEKALB COUNTY PLAN COMMISSION

CHAIRPERSON _____

ZONING ADMINISTRATOR _____

DEED OF DEDICATION

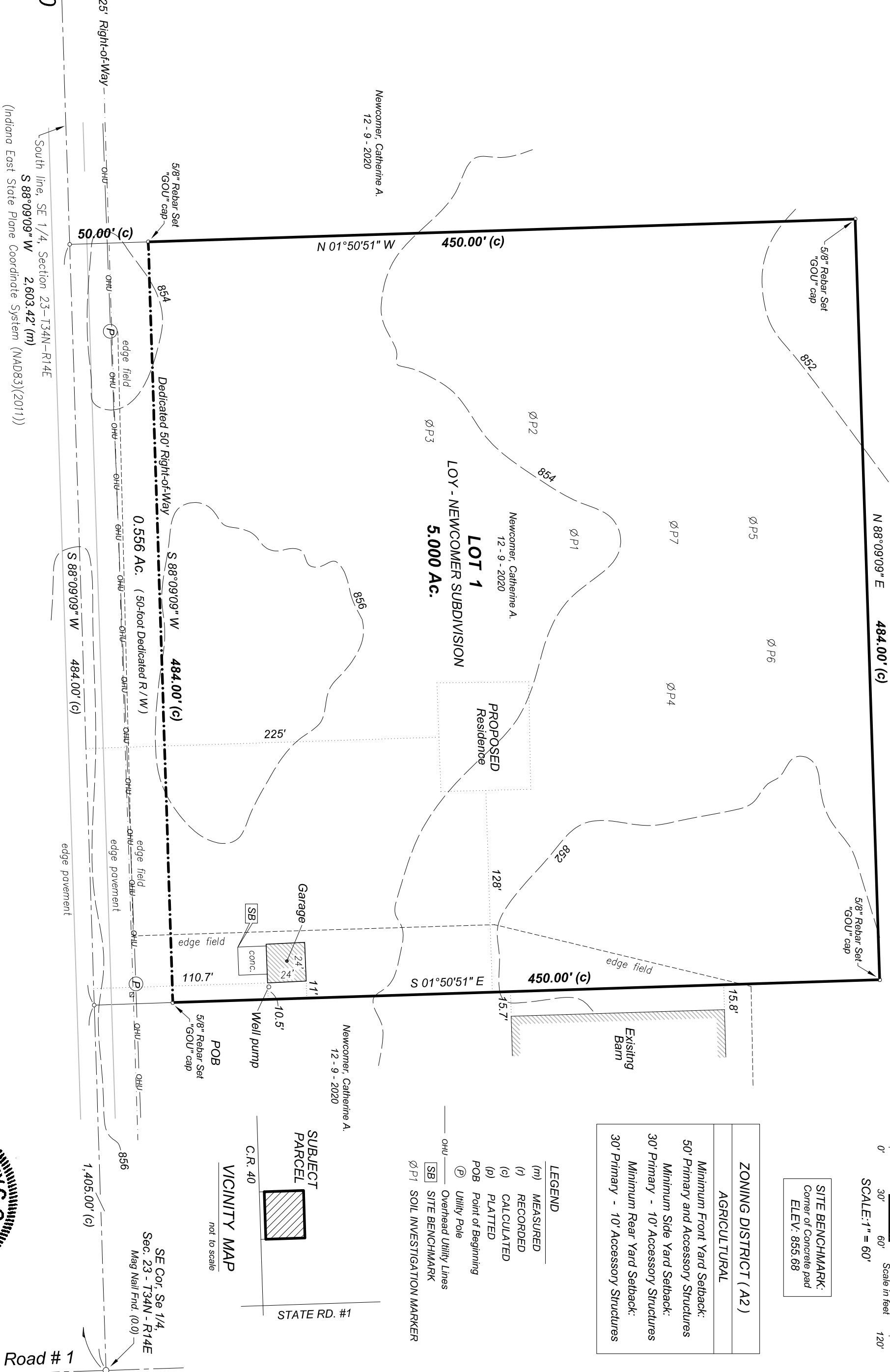
"I, the undersigned, Catherine A. Newcomer, owner of the real estate shown, described hereon, do hereby certify that we have laid out, platted and subdivided, and do hereby lay out, plat and subdivide, said real estate in accordance with the within plat. This Subdivision shall be known and designated as Loy - Newcomer Subdivision, a subdivision of 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 street, there shall be erected or maintained no building or structure. There may be strips of ground as shown on this plat and marked "Easement", reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected 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."

Witness my Hand and Seals this _____ day of _____, 20__.

Catherine A. Newcomer

Newcomer, Catherine A.
12 - 9 - 2020



State of Indiana
County of Dekalb

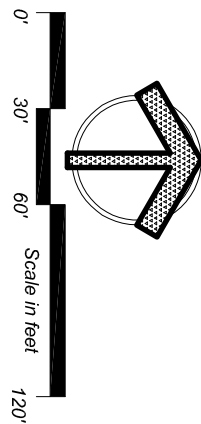
Before me the undersigned Notary Public, in and for the County and State, personally appeared _____, who acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this day of _____, 20__.

Notary Public

Printed Name

My Commission Expires _____

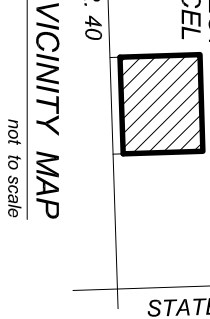


SITE BENCHMARK-
Corner of Concrete pad
ELEV: 855.68

ZONING DISTRICT (A2)	
AGRICULTURAL	
Minimum Front Yard Setback:	50' Primary and Accessory Structures
Minimum Side Yard Setback:	30' Primary - 10' Accessory Structures
Minimum Rear Yard Setback:	30' Primary - 10' Accessory Structures

LEGEND

- (m) MEASURED
- (r) RECORDED
- (c) CALCULATED
- (p) PLATTED
- POB Point of Beginning
- Utility Pole
- Overhead Utility Lines
- SITE BENCHMARK
- SOIL INVESTIGATION MARKER



SURVEYOR'S CERTIFICATION

I, the undersigned Registered Land Surveyor licensed in compliance with the laws of the state of Indiana, hereby certify the hereon Plat to correctly represent a survey of the real estate described above as made under my direction, that all the monuments shown thereon actually exist, that lots and streets shown in the Plat have been established in accordance with true and established boundaries of said Survey, and that this Survey and accompanying report has been completed in accordance with Title 865-AC 1-12 and all other amendments thereto.

I hereby certify that to the best of my knowledge the above Plat and Survey are correct.

DATE: January 28, 2022

I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each Social Security number in this document, unless required by law - Timothy Gouloff.

Timothy C. Gouloff, R.L.S. 29500017

GOULOFF - JORDAN
SURVEYING AND DESIGN, INC.
1133 BROADWAY FORT WAYNE, IN 46802
PH (260) 424-5362 FAX (260) 424-4916

DATE:		PROJECT NUMBER	
January 28, 2022		20210156	
Scale: 1" = 60'		DRAWING NUMBER	
Scale: 1" = 60'		20210156 PLAT 2	
M/C		Sheet: 1 of 1	

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: 22-10
Date Application Filed: 2/7/22
Fee Paid: 150 ck#
4671

**Application for PLAT VACATION
(Section 9.25)**

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: James Pfeffer Korn
Address: 5504 County Rd 35 Auburn, IN 46706
Telephone Number: 260.908.7614 E-Mail: pfefferbean@hotmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: _____
Address: _____
Telephone Number: _____ E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: Joshua P. Lash
Address: 124 E. Albion St. Avilla, IN 46710
P.O. Box 295
Telephone Number: 260.897.3232 E-Mail: midwestlandsurveying@gmail.com

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

3 Lots, 23.83 acres

Name of Subdivision and Address or common description of property:

PFEFFERKORN ESTATE

Legal description of property affected:

WESTWOOD ESTATE Plat Book 47, Pg. 44
REPLAT OF LOT 1, WESTWOOD ESTATES Doc. No. 20120743

Reason for the Proposed Vacation:

To clean up past Subdivision lot lines and create a
new 3 lot Subdivision

The Plat Vacation should include (check all that apply):

- ☐ All of the Platted Area ☐ All recorded restrictive covenants
☐ 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.

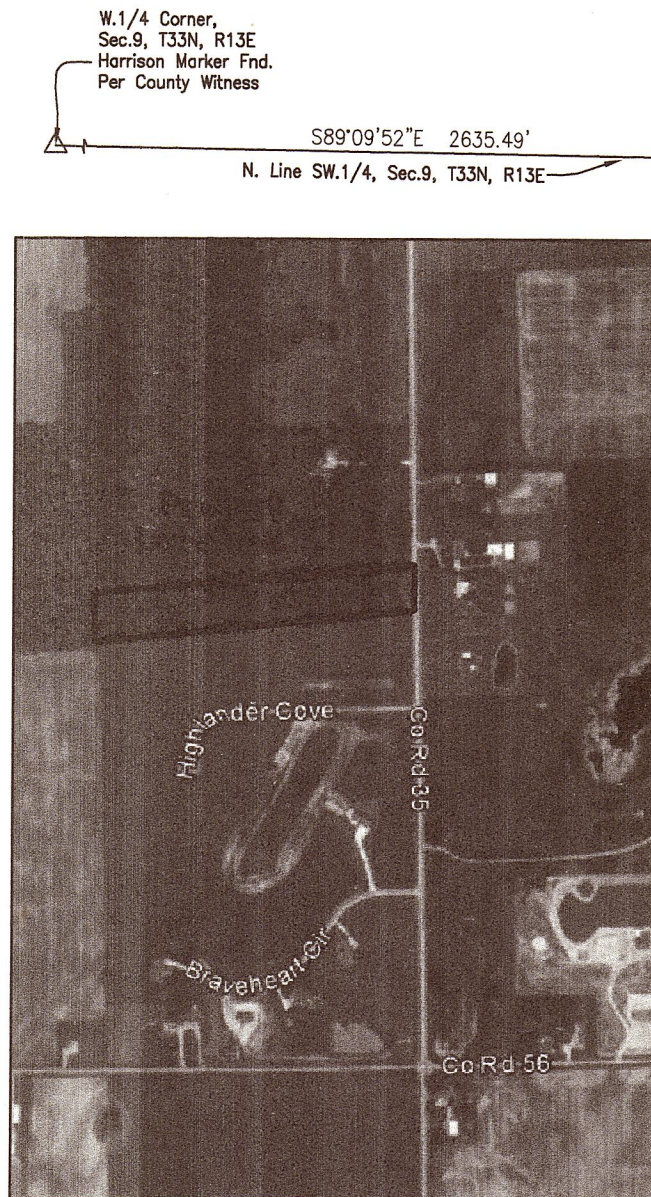
Applicant's Signature: _____

(If signed by representative for applicant, state capacity)

Joshua P. Lash

Replat of Lot 1, Westwood Estate

A Residential Addition to
Jackson Township, Section 9, T33N, R13E
DeKalb County, Indiana



VICINITY MAP
Not To Scale

Scale 1" = 100 ft

● - Denotes: 5/8" x 24" Steel Rebar
W/"Karst Firm #0073" id Cap
Set Flush Unless Noted Otherwise

SURVEYOR



**Karst Surveying
Services, Inc.**

1310 Progress Road Fort Wayne, IN 46808
Voice: 260-426-3336 Fax: 260-426-3337

OWNER

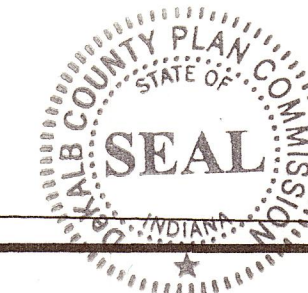
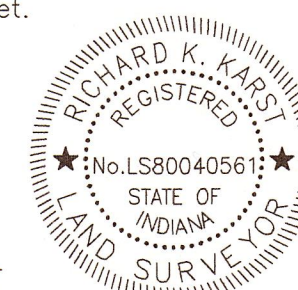
James A. & Jackie L. Pfefferkorn
5504 CR 35
Auburn, IN 46706

S. 1/4 Corner,
Sec. 9, T33N, R13E
Harrison Marker Fnd.
Per County Witness

REGISTERED LAND SURVEYOR CERTIFICATE

I, Richard K. Karst, hereby certify that I am a Registered Land Surveyor licensed in compliance with the laws of the State of Indiana, that this plat correctly represents a survey completed by me on June, 2012; that all the monuments shown thereon actually exist; and that all requirements specified herein, done by me, have been met.

Richard K. Karst
Richard K. Karst, PLS #80040561
October 5, 2012
Revised: October 11, 2012
Revised: October 17, 2012



Legend

○ Bolt	● Mag Nail
⊙ Boundary Mon. - Pipe	⊙ PK Nail
⊕ Chiseled "X"	⊙ Post
⊞ Mailbox	⊙ Railroad Rail
⊞ Telephone Pedestal	⊙ Railroad Spike
⊞ I Beam Post	⊙ Survey Marker Nail
⊙ Iron Pin	⊙ T-Bar Post
⊙ Soil Boring	
---	Right-of-Way Line
---	Building Setback Line
---	Easement Line
---	Overhead Electric Line
---	Fence

SE. Cor. SE. 1/4,
Sec. 9, T33N, R13E
Harrison Marker Fnd.
Per County Witness

Replat of Lot 1, Westwood Estate

A Residential Addition to
Jackson Township, Section 9, T33N, R13E
DeKalb County, Indiana

Legal Description

Parts of Lot Number 1 Westwood Estate in part of the East Half of the Southeast Quarter of Section 9, Township 33 North, Range 13 East of the Second Principal Meridian in DeKalb County, Indiana, and recorded in Plat Book 7, page 44, more particularly described as follows:

Commencing at a Harrison mark marking the Northeast corner of the East Half of said Southeast Quarter; thence South 00 degrees 00 minutes 00 seconds West (plat bearing and basis of bearings to follow), a distance of 525.47 feet along the East line of said Southeast Quarter and within the right-of-way of County Road 35 to a 5/8" steel rebar set at the POINT OF BEGINNING of the herein described tract; thence continuing South 00 degrees 00 minutes 00 seconds West, a distance of 208.71 feet along said East line and within said right-of-way to a 5/8" rebar set on the South line of said Lot Number 1, also being the North line of The Highland Addition; thence South 86 degrees 14 minutes 46 seconds West, a distance of 1323.94 feet (1325.05 feet Deed) along said South and North line to a point on the West line of the East Half of said Southeast Quarter, said point being referenced by a 5/8" steel rebar with "Gulloff" identification cap found 0.4 feet West; thence North 00 degrees 10 minutes 25 seconds East, a distance of 208.75 feet along said West line and along the West line of said Lot Number 1 to a 5/8" rebar set; thence North 86 degrees 14 minutes 46 seconds East, a distance of 1323.30 feet to the Point of Beginning. Containing 6.33 gross acres, more or less (0.24 acres dedicated right-of-way and 6.09 net acres) and subject to all legal right-of-way and easements.

Surveyors Report

In accordance with Title 865, Article 1, Rule 12, Section 1 through 30 of the Indiana Administrative Code, the following report is submitted regarding the various uncertainties in the locations of the lines and corners established on this parcel as a result of:

- Variances in the reference monuments;
- Discrepancies in the record descriptions and plats;
- Inconsistencies in lines of occupation;

The acceptable relative positional accuracy for this subject tract is: Rural Survey: 0.26 feet (79 millimeters) plus 200 parts per million.

The purpose of this survey was to perform a subdivision for the subject tract. All corner markers of this subject tract were located as shown on the face of the plat. Found monuments at the Section Corners and mathematical splits by use of existing monumentation were used to establish the parent tract, unless otherwise noted. Reference subdivision prepared by Michael C Kline Associates, Inc. in Job #88098, dated 11-2-1998.

As a result of the above findings, it is my opinion that the uncertainties in the locations of the lines and corners of this surveyed parcel are as follows:

Due to Variances in reference monuments:	See Survey Plat
Due to Discrepancies in the record description:	None
Due to Inconsistencies in lines of occupation:	None

"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", Richard K. Karst.

The commitment for title insurance was not provided at the time of this report. An abstract or title search may reveal additional information affecting the property.

Flood Zone Designation

This property is within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain) as defined by the FIRM (Flood Insurance Rate Map) for DeKalb County, Indiana, and Unincorporated Areas on Map Number 18003C0234E and having the effective date of September 29, 2006.

Zoning:

Zone: R-1, Low Density Residential District
Setbacks: Front 35'
Side: 25' for Primary Structure
15' for Accessory Structures
Back: 25' for Primary Structure
15' for Accessory Structures

SURVEYOR



**Karst Surveying
Services, Inc.**

1310 Progress Road Fort Wayne, IN 46808
Voice: 260-426-3336 Fax: 260-426-3337

DRAINAGE COVENANTS:

- No private or mutual drain of any type shall be connected from any lot within this subdivision to the Alex Provines Drain No. 71-02-0 without first submitting a written request, along with plans and specifications for said connection, and obtaining the written approval of the DeKalb County Drainage Board for said drain connection.
- No permanent structure of any type shall be placed within the right-of-way of the Alex Provines Drain No. 71-02-0 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 Alex Provines Drain No. 71-02-0 without first submitting a written request, along with plans and specifications for said permanent structure, and obtaining the written approval of the DeKalb County Drainage Board for said permanent structure.

AIRPORT COVENANTS:

- Airport Zone:** This development lies within the Conical Zone and Horizontal 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 75 feet above ground level at the site unless a variance is first obtained from the DeKalb County Airport Authority.
- Airport Compatibility Zone (AC 2 through AC 6):** This development lies within Airport Compatibility Zone AC6 & A7. 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-Remonstrance 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 Airport Authority before the issuance of any Improvement Location Permit by the Zoning Administrator for a noise sensitive use including but not limited to residential uses.

Basis of Elevation

A Harrison Marker found at the Southeast Corner of the Southeast Quarter of Section 9, T33N, R13E. The Harrison Marker was held at the intersection of County Roads 35 & 56 for an elevation of 864 feet as shown on the Auburn, Indiana Quadrangle Map dated 1973.

OWNER

James A. & Jackie L. Pfefferkorn
5504 CR 35
Auburn, IN 46706



Future Subdivision & Development

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 any future plot 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.

The owners of the lot in this subdivision agree to recognize the existing agriculture land usage surrounding this subdivision, and further agrees to not object to the surrounding agriculture land use or changes therein as permitted by law, i.e., I.C. 34-1-52-4

Deed of Dedication

We, the undersigned, James A. Pfefferkorn and Jackie L. Pfefferkorn, owners of the real estate shown and described herein, do hereby layoff, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as **Replat of Lot 1, Westwood Estate** an addition to the DeKalb County. All streets and alleys shown are 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. No permanent or other structures now to be erected 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 to the rights of the owners of other lots in this subdivision.

Dated this 5th day of December, 2012.

James A. Pfefferkorn
James A. Pfefferkorn

Jackie L. Pfefferkorn
Jackie L. Pfefferkorn

Notary Public

STATE OF INDIANA:
COUNTY OF DEKALB

Before me, the undersigned Notary Public, personally appeared James A. Pfefferkorn and Jackie L. Pfefferkorn who each separately and severally acknowledged the execution of the foregoing instrument as his and her voluntary act and deed for the purposes therein expressed.

Witness my hand and notorial seal this 5th day of December, 2012.

My Commission Expires: 2-9-2019

Jessica Hypes
Notary Public



JESSICA HYPES
COUNTY OF RESIDENCE - DEKALB
Commission Expires 02-09-2019

Jessica Hypes
Hand Written or Typed Notary Public
Resident of DeKalb
County

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 14th Day of November, 2012.

Timothy B. Griffin
Chairman Timothy B. Griffin

Joyce Shopp
Secretary Joyce Shopp

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: 22-11
Date Application Filed: 2/7/22
Fee Paid: 150 CR#
4071

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: James Pfefferkorn
Mailing Address: 5504 County Rd. 35 Auburn, IN 46706
Telephone Number: 260.908.7614 E-Mail: pfefferbean@hotmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: _____
Address: _____
Telephone Number: _____ E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: Joshua P. Lash
Address: 124 E. Albion St. Avilla, IN 46710
P.O. Box 295
Telephone Number: 260.897.3232 E-Mail: midwestlandsurveying@gmail.com
Name of Proposed Subdivision: PFEFFERKORN ESTATE

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

3 lots, 23.835 acres

Address or common description of property:

5504 CR35 5552 CR35
Auburn IN. 46706 Auburn, IN. 46706

Legal description of property affected:

WESTWOOD ESTATE Plat Book 47, Pg. 44
Replat of Lot 1, WESTWOOD ESTATE Doc. No. 20120743
ESTATES

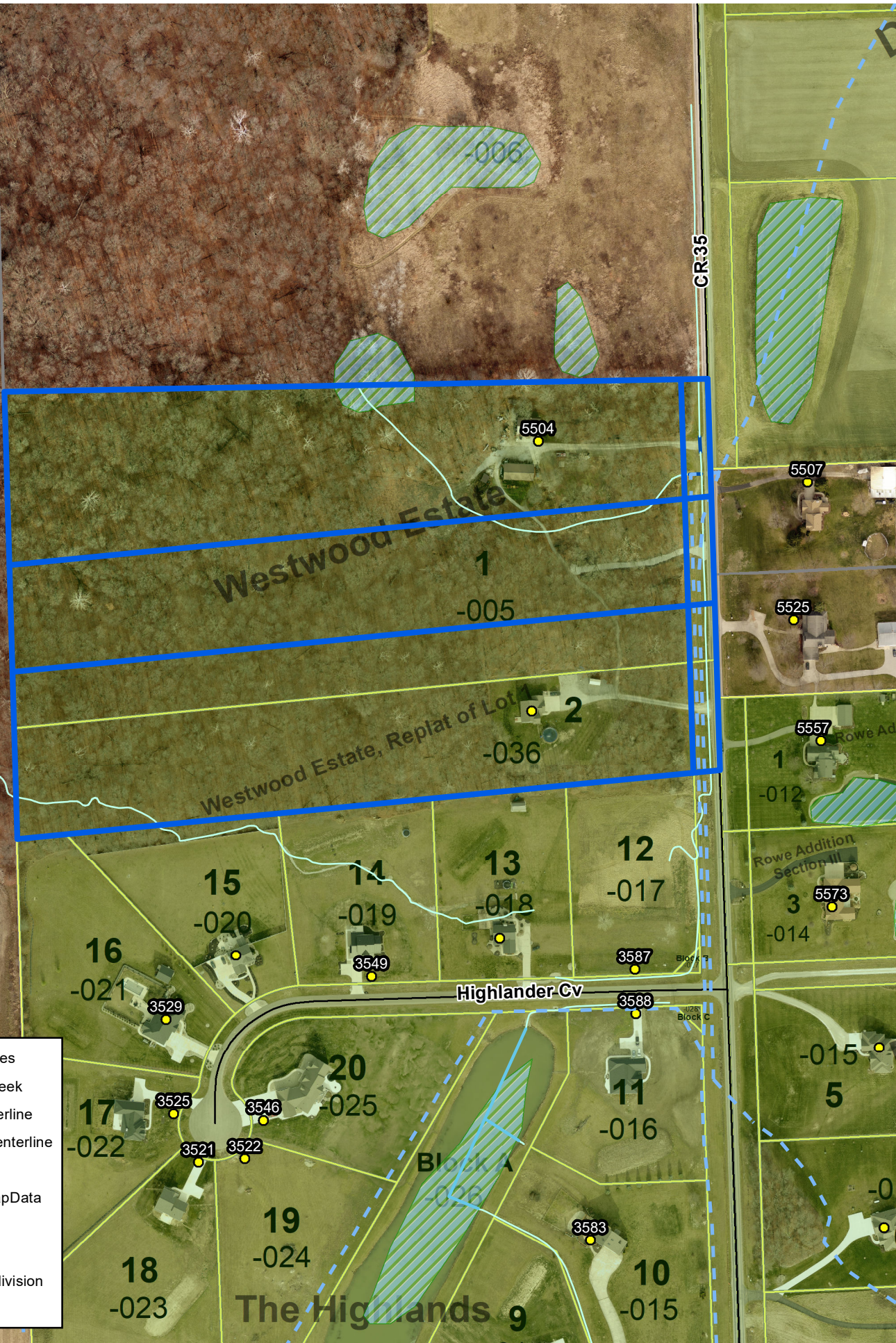
Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)

Single family dwellings

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

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

1 inch = 250 feet

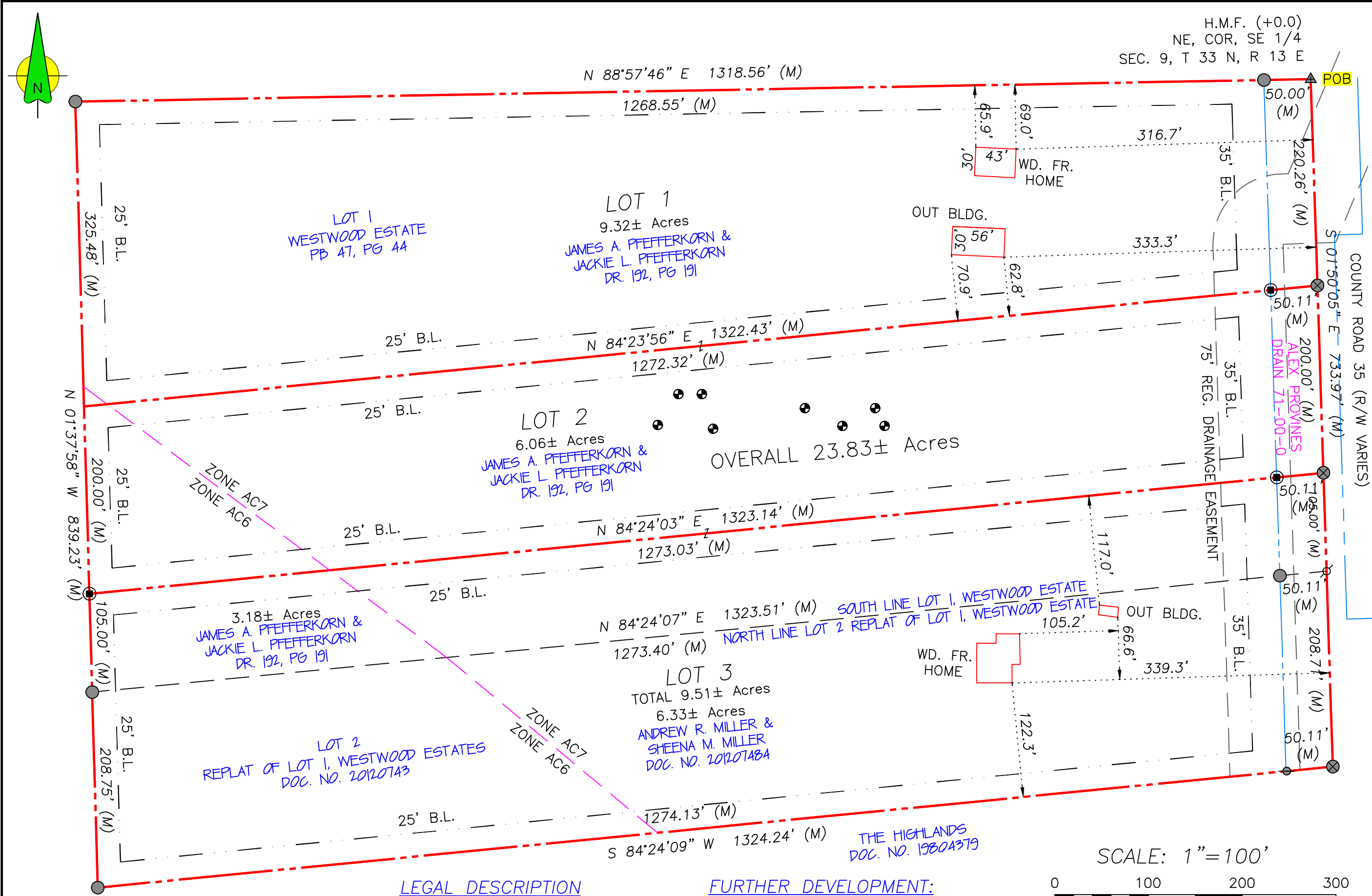


Legend

- Pfefferkorn Estates
- Small Stream/Creek
- Waterbody Centerline
- Hidden Hydro Centerline
- Tile Drain
- Wetland_NWIMapData

Type

- Street
- Sim Conv - Subdivision
- Tax Parcel



LOT 1
GROSS ACREAGE-9.32± ACRES
DEDICATED RIGHT-OF-WAY ACREAGE-0.26± ACRES
DRAINAGE EASEMENTS ACREAGE-0.30± ACRES
NET ACREAGE=8.76± ACRES

LOT 2
GROSS ACREAGE-6.06± ACRES
DEDICATED RIGHT-OF-WAY ACREAGE-0.23± ACRES
DRAINAGE EASEMENTS ACREAGE-0.28± ACRES
NET ACREAGE=5.55± ACRES

LOT 3
GROSS ACREAGE-9.51± ACRES
DEDICATED RIGHT-OF-WAY ACREAGE-0.36± ACRES
DRAINAGE EASEMENTS ACREAGE-0.43± ACRES
NET ACREAGE=8.72± ACRES

SURVEY LEGEND:

▲ H.M.F. = HARRISON MARKER FOUND
● R.B.F. = REBAR FOUND
● R.B.S. = REBAR SET
⊕ SB = SOIL BORING
⊗ M.N.F. = MAG NAIL FOUND
⊗ M.N.S. = MAG NAIL SET
+/- = MONUMENT FOUND ABOVE OR BELOW GRADE
(M) = MEASURED
(R) = RECORD MEASUREMENT
POC = POINT OF COMMENCEMENT
POB = POINT OF BEGINNING
B.L. = BUILDING LINE
DR = DEED RECORD
PB = PLAT BOOK
PG = PAGE
DOC.NO. = DOCUMENT NUMBER
--- = RIGHT-OF-WAY
--- = PROPERTY LINE
--- = BOUNDARY LINE
--- = SECTION LINE

PFEFFERKORN ESTATE
A SUBDIVISION IN THE SE 1/4, SEC 9, T 33 N, R 13 E,
DEKALB COUNTY, INDIANA

LEGAL DESCRIPTION

LOT ONE (1), WESTWOOD ESTATE, PER PLAT THEREOF, AS RECORDED IN DEKALB COUNTY PLAT BOOK 7, PAGE 44, AND LOT TWO (2), REPLAT OF LOT ONE (1), WESTWOOD ESTATE, PER PLAT THEREOF, AS RECORDED IN DEKALB COUNTY DOCUMENT NUMBER 201207343, ALSO DESCRIBED AS FOLLOWS:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 33 NORTH, RANGE 13 EAST, IN DEKALB COUNTY, THE STATE OF INDIANA, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER MARKED BY A HARRISON MARKER FOUND; THENCE S 01°50'05" E (STATE PLANE NAD83, INDIANA ZONE EAST), ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, FOR 733.97 FEET TO A MAG NAIL FOUND AT THE SOUTHEAST CORNER OF LOT TWO (2), REPLAT OF LOT ONE (1), WESTWOOD ESTATE; THENCE S 84°24'09" W, ALONG THE SOUTH LINE OF SAID LOT TWO (2), 1324.24 FEET TO A REBAR FOUND AT THE SOUTHWEST CORNER OF SAID LOT TWO (2) AND ON THE WEST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER; THENCE N 01°37'58" W, ALONG THE WEST LINE OF SAID EAST HALF, FOR 839.23 FEET TO A CAPPED REBAR FOUND AT THE NORTHEAST CORNER OF SAID EAST HALF; THENCE N 88°57'46" E, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, FOR 1318.56 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINING 23.83 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHTS-OF-WAY AND ALL EASEMENTS OF RECORD.

FURTHER DEVELOPMENT:

THIS LOT/THESE LOTS SHALL BE INCLUDED IN ANY SUBDIVISIONS FROM ANY FURTHER DEVELOPMENT OF THE LAND INVOLVED. HOWEVER, THERE IS NO INTENTION THAT ANY TERMS, CONDITIONS OR RESTRICTIONS ON ANY FUTURE PLAT WOULD HAVE ANY RETROACTIVE APPLICABILITY TO THIS DIVISION OF LAND.

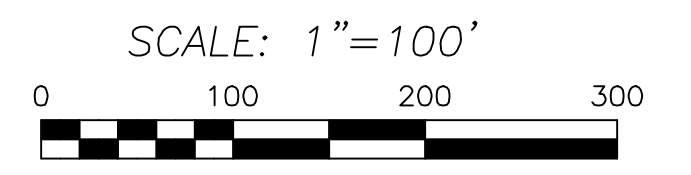
AGRICULTURAL COVENANT:

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 34-1-52-4.

AIRPORT ZONE AND COVENANT:

THIS DEVELOPMENT LIES WITHIN THE AC7 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 200 FEET ABOVE GROUND LEVEL AT THE SITE UNLESS A VARIANCE IS FIRST OBTAINED FROM THE DEKALB COUNTY BOARD OF AVIATION.

THIS DEVELOPMENT LIES WITHIN AIRPORT COMPATIBILITY ZONE AC6. 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-REMONSTRANCE 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.



ZONING DISTRICT (R1)
LOW DENSITY RESIDENTIAL DISTRICT

MINIMUM FRONT YARD SETBACK:
35' PRIMARY AND ACCESSORY STRUCTURES
MINIMUM SIDE YARD SETBACK:
25' PRIMARY STRUCTURES
10' ACCESSORY STRUCTURES
MINIMUM REAR YARD SETBACK:
25' PRIMARY STRUCTURES
10' ACCESSORY STRUCTURES

DRAINAGE BOARD COVENANTS:

NO PRIVATE OR MUTUAL DRAIN OF ANY TYPE SHALL BE CONNECTED FROM WITHIN ANY LOT WITHIN THIS SUBDIVISION TO THE ALEX PROVINES DRAIN NO. 71-00-0 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 ALEX PROVINES DRAIN NO. 71-00-0 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 ALEX PROVINES DRAIN NO. 71-00-0 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.

DEED OF DEDICATION

WE THE UNDERSIGNED JAMES A. PFEFFERKORN AND JACKIE L. PFEFFERKORN (OWNERS OF LOTS 1 AND 2) AND ANDREW R. MILLER AND SHEENA M. MILLER (OWNERS LOT 3), OWNERS 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 **PFEFFERKORN ESTATE** AN ADDITION TO DEKALB COUNTY, INDIANA. ALL STREETS AND ALLEYS SHOWN AND NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC. FRONT, REAR 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. THERE ARE STRIPS OF GROUND (NA) 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, DUCTS, LINES AND WIRES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERECTED 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 TO THE RIGHTS OF THE OWNER OF OTHER LOTS IN THIS SUBDIVISION.

JAMES A. PFEFFERKORN (LOT 1 & LOT 2)
5504 COUNTY ROAD 35
AUBURN, IN 46706

JACKIE L. PFEFFERKORN (LOT 1 & LOT 2)
5504 COUNTY ROAD 35
AUBURN, IN 46706

ANDREW R. MILLER (LOT 3)
5552 COUNTY ROAD 35
AUBURN, IN 46706

SHEENA M. MILLER (LOT 3)
5552 COUNTY ROAD 35
AUBURN, IN 46706

INDIANA NOTARIAL CERTIFICATE

STATE OF INDIANA,
COUNTY OF (-----)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED

AND ACKNOWLEDGING THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY _____, 20____.

(NOTARY PUBLIC)_____

PRINTED NAME_____

MY COMMISSION EXPIRES: _____

PLAN COMMISSION CERTIFICATE OF APPROVAL:

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

APPROVED BY PLAN COMMISSION AT MEETING HELD _____

CHAIRPERSON _____

ZONING ADMINISTRATOR _____



MIDWEST LAND SURVEYING, LLC
124 EAST ALBION STREET
PO BOX 295
260-897-3232
midwestlandsurveying@gmail.com

PROFESSIONAL SURVEYOR'S CERTIFICATION:

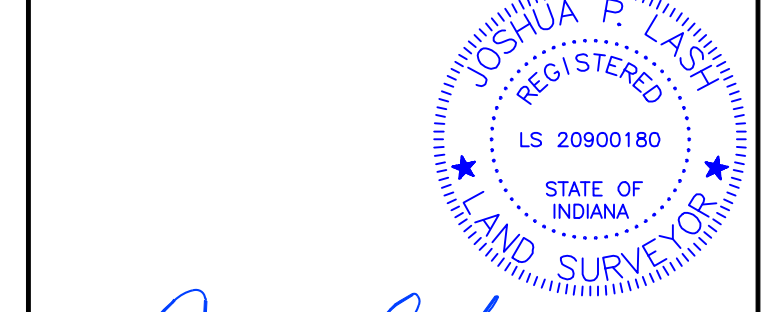
I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE ABOVE IS A CORRECT PLAT AND DESCRIPTION OF A SURVEY COMPLETED BY ME, OR UNDER MY DIRECT SUPERVISION, ON: AUGUST 5, 2021, AND WAS EXECUTED ACCORDING TO SURVEY REQUIREMENTS AS SET FORTH IN 865 IAC 1-12-13 (RETRACEMENT AND ORIGINAL SURVEY PLATS) AND 865 IAC 1-12-18 (ORIGINAL AND RETRACEMENT SURVEY MONUMENTATION). ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE TYPE, AND MATERIAL ARE ACCURATELY SHOWN; THE ACCEPTABLE RELATIVE POSITIONAL ACCURACIES FOR THIS ORIGINAL SURVEY PLAT IS 0.13 FEET PLUS OR MINUS 100 PARTS PER MILLION PER CLASSIFICATION AS A SUBURBAN SURVEY. THIS PLAT COMPLIES WITH THE PROVISIONS OF THE DEKALB COUNTY SUBDIVISION ORDINANCE.

THE BOUNDARY FOR THIS PLAT HAS BEEN PREVIOUSLY SURVEYED AND RECORDED PER DEKALB COUNTY DOCUMENT NUMBER _____

THE LOCATION OF THE BOUNDARY HAS REMAINED UNCHANGED FROM THE SURVEY IN THE RECORDED DOCUMENT.

SURVEY JOB NUMBER: 33-13-09-003
PREPARED FOR: JAMES A. & JACKIE L. PFEFFERKORN
5504 COUNTY ROAD 35
AUBURN, IN 46706

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.



SIGNED: Joshua P. Lash
JOSHUA P. LASH, PROFESSIONAL SURVEYOR LS20900180

PARCEL # 17-10-09-400-005.000-009
SECTION 9, TOWNSHIP 33 NORTH, RANGE 13 EAST
DEKALB COUNTY, INDIANA

2022 THREE LOT
SUBDIVISION
PFEFFERKORN
5504 COUNTY ROAD 35
AUBURN, IN 46706

SURVEY JOB NO. 33-13-09-003

REVISIONS		
NO.	DATE	REVISION