

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, April 4, 2023

8:30 AM

1. Roll call
2. Approval of Minutes: March 7, 2023
3. Old Business: None
4. New Business:

Petition #23-06 – Westrick, LLC requesting a 3 Lot Minor Subdivision known as Rotondo Estates. The proposed 3 lot subdivision will be a total of 32.797 acres. The subdivision will be used for single family residences. The property is located on the northwest corner of County Road 17 and County Road 66, Auburn, Indiana and is zoned A2, Agricultural.

Petition #23-07 – Westrick, LLC requesting a 3 Lot Minor Subdivision known as Pietrelcina Estates. The proposed 3 lot subdivision will be a total of 35.833 acres. The subdivision will be used for single family residences. The property is located on the west side of County Road 17, approximately ½ miles north of the intersection of County Road 17 and County Road 66, Auburn, Indiana and is zoned A2, Agricultural.

5. Adjournment

Next Meeting: May 2, 2023

If you cannot attend, please contact Andrea Noll:

Anoll@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, March 7, 2023 @ 8:30 AM

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

ROLL CALL:

Members Present: Mike Watson, Sandy Harrison, Elysia Rodgers, Jason Carnahan

Members Absent: Jerry Yoder

Staff Present: Director/Zoning Administrator Chris Gaumer and Secretary Andrea Noll

Staff Absent: None

Public in Attendance: Brian Phillips, Connie Phillips, Angie Wallace, and Nolan Mark (On the Mark Surveying).

APPROVAL OF MINUTES: Mike Watson moved to approve the Minutes from February 7,2023; seconded by Jason Carnahan. None opposed. Motion carried.

OLD BUSINESS:

None.

NEW BUSINESS:

Petition #23-04 – Dan & Rose Dickerhoof and Darrin & Jennifer Dickerhoof requesting a Replat of Dickerhoof Subdivision, Lot 1. This replat will be increasing the acreage of Lot 1 to 5.83 acres. The property is located at 3387 County Road 39, Waterloo, Indiana and is zoned A2, Agricultural.

Chris Gaumer read the Staff Report.

Elysia Rodgers determined that there were no further questions or comments from the board and from the audience. Ms. Rodgers closed the public portion of the petition.

Chris Gaumer read 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 **January 31, 2023**.
2. Legal notice published in The Star on **February 24, 2023** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **February 3, 2023**.
5. Letter from County Highway dated **February 1, 2023**.
6. Report from the DeKalb County Soil & Water Conservation District, dated **February 1, 2023**.
7. Letter from the Drainage Board, dated **February 25, 2023**.
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 39 with dedication of right of way where required.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. Existing Private Septic System is being utilized. Health Department does recommend that a soil evaluation be performed to ensure adequate area and soil conditions are available on the property for the instillation of a replacement residential onsite sewage system if and when determined necessary.*
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required. *None required.*

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 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. Provide covenant for compliance with Airport Board requirements, if required.
5. 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 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 #23-04, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 7TH DAY OF MARCH, 2023.

Motion made by Sandy Harrison, Seconded by Mike Watson.

Vote tally: Yes: 4 No: 0

Mike Watson

Jason Carnahan

Elysia Rodgers

Sandy Harrison

Petition #23-05 – Phillips Farms LLC, Brian Phillips, President, requesting a 1 Lot Minor Subdivision known as B&C Phillips. The proposed 1 lot subdivision will be a total of 3 acres. The subdivision will be used for a single-family residence. The property is located on the west side of County Road 27, approximately one-quarter mile north of the intersection of County Road 27 and County Road 28, Waterloo, Indiana and is zoned A1, Conservation Agricultural.

Chris Gaumer read the Staff Report.

Elysia Rodgers invited anyone from the public in attendance to speak at the podium.

Nolan Mark (On the Mark Land Surveying) approached the podium and corrected that Brian Phillips is not the President of Phillips Farms LLC. Brian’s father, John Phillips, is the President.

Mr. Gaumer acknowledged the correction and verified that Mr. Mark will make the appropriate revisions on the plat and return it back to Mr. Gaumer.

Elysia Rodgers determined that there were no further questions or comments from the board and from the audience. Ms. Rodgers closed the public portion of the petition.

Mr. Gaumer read 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 **February 15, 2023**.
2. Legal notice published in The Star on **February 24, 2023** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **February 22, 2023**.
5. Letter from County Highway dated **February 16, 2023**.
6. Report from the DeKalb County Soil & Water Conservation District, dated **February 16, 2023**.
7. Letter from the Drainage Board, dated **March 3, 2023**.
8. Airport Board report, if applicable: **not applicable**.
9. Plat prepared by **On the Mark 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 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 27 with dedication of right of way. The applicant or buyer(s) will need to apply for and receive a driveway permit from the DeKalb County Highway Dept.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for a residential onsite sewage system from the DeKalb County Board of Health*
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required. *None required.*

PLANNING STAFF RECOMMENDATIONS/COMMENTS:

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

Standard Conditions to be recorded on or with the plat:

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

Conditions that will not be recorded but must be met:

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. Provide covenant for compliance with Airport Board requirements, if required.
5. 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 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 #23-05, IS HEREBY GRANTED PRIMARY AND SECONDARY REPLAT APPROVAL ON THIS 7TH DAY OF MARCH, 2023.

Motion made by: Jason Carnahan, Seconded by: Sandy Harrison.

Vote tally: Yes: 4 No: 0

Mike Watson

Jason Carnahan

Elysia Rodgers

Sandy Harrison

ADJOURNMENT:

There being no further business to come before the Plat Committee, the meeting was adjourned at 8:48 a.m.

Elysia Rodgers

Andrea Noll - 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: 23-04
Date Application Filed: 3/3/23
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: Jason Holman
Mailing Address: 5471 State Road 101
Saint Joe, IN 46782
Telephone Number: (260) 466-9644 E-Mail: jason@ecovantagewood.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: Michael Westrick, Westrick, LLC
Address: 105 Twin Eagles Boulevard West
Huntertown, IN 46748
Telephone Number: (260) 433-5835 E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: Joseph R. Herendeen, PS, Sauer Land Surveying, Inc.
Address: 14033 Illinois Road, Suite C
Fort Wayne, IN 46814
Telephone Number: (260) 469-3300 E-Mail: joe@sauersurveying.com

Name of Proposed Subdivision: Rotondo Estates

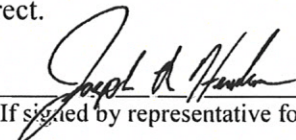
Number of Parcels & Total Area (square feet or acreage):
3 lots, 32.797 acres

Address or common description of property:
Northwest corner of County Road 17 and County Road 66

Legal description of property affected:
Part of the Northwest Quarter of Section 26 Township 33 North, Range 12 East, containing 32.797 acres.

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:  Joseph R. Herendeen, PS, as agent
(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: Westrick LLC

SUBJECT SITE: northwest corner of County Road 17 and County Road 66, Auburn

REQUEST: 3 Lot Minor Subdivision – Rotondo Estates

EXISTING ZONING: A2: Agricultural

SURROUNDING LAND USES AND ZONING: North: Agricultural (A2)
 South: Single Family Homes (A2)
 East: Single Family Homes (A2)
 West: Agricultural (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 6.05 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract

- Parcel 01-09-26-100-004 is considered the parent parcel. This is the 1st, 2nd and 3rd buildable split from parent parcel -004.
- The Petitioner is meeting the standards of the UDO as follows:
 - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
 - Proposed Lot 1 Area: 15.563 net acres
 - Proposed Lot 2 Area: 6 net acres
 - Proposed Lot 3 Area: 9.688 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 884.06 feet
 - Proposed Lot 2 Width: 479.56 feet
 - Proposed Lot 3 Width: 954.57 feet
 - *Minimum Lot Frontage: 120 Feet*
 - Proposed Lot 1 Frontage: 310.12 feet
 - Proposed Lot 2 Frontage: 479.56 feet

- Proposed Lot 3 Frontage: 470 feet (CR 66) & 954.58 feet (CR 17)
- This division of land fronts the following roads:
 - County Road 66 and County Road 17 are considered “County Local” roads with projected total right-of-way widths 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 **March 3, 2023**
2. Legal notice published in The Star on **March 24, 2023** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **March 17, 2023**
5. Letter from County Highway dated **March 24, 2023**
6. Report from the DeKalb County Soil & Water Conservation District, dated **March 6, 2023**
7. Letter from the Drainage Board, dated **March 24, 2023**
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.

PROPOSED FINDINGS OF FACT:

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

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the minor subdivision will be used for residential uses, 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 66 and County Road 17 with dedication of right of way. The driveways have been staked and approved by the DeKalb County Highway Dept. The applicant or buyer(s) will need to receive a driveway permit from the Highway Dept.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for a residential onsite sewage system from the DeKalb County Board of Health*
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required. *None required.*

PLANNING STAFF RECOMMENDATIONS/COMMENTS:

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

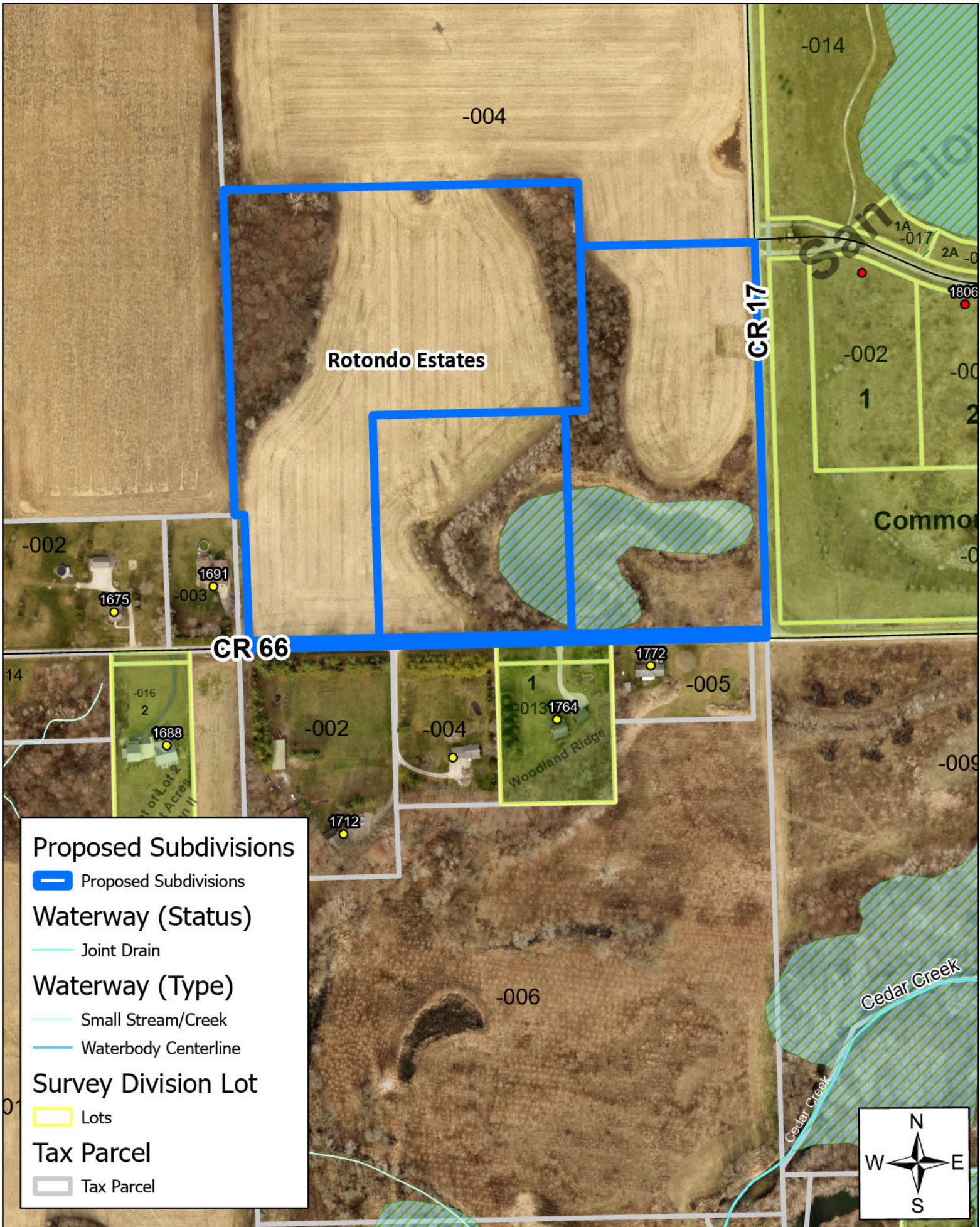
Standard Conditions to be recorded on or with the plat:

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

3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.
5. The covenants from the Drainage Board letter dated March 24, 2023 requiring a minimum flood protection grade (MFPG) on Lots 2 & 3 of 838 feet and “Owner of Lot 2 agrees that the pond will be used by Lots 1, 2, and 3 for storm water drainage”.

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. 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 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.



Proposed Subdivisions

Proposed Subdivisions

Waterway (Status)

Joint Drain

Waterway (Type)

Small Stream/Creek

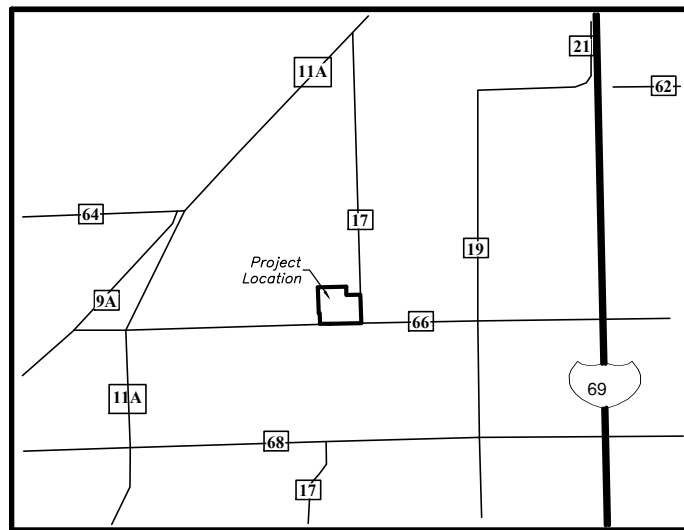
Waterbody Centerline

Survey Division Lot

Lots

Tax Parcel

Tax Parcel



Location Map

Zone A2: Agricultural

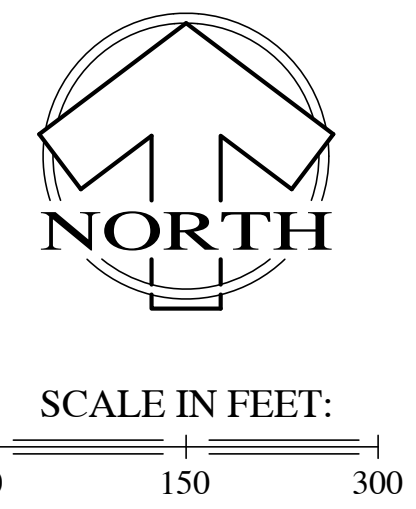
Setbacks:
 Front: 50'
 Side: 30' for primary structure, 10' for accessory structure.
 Rear: 30' for primary structure, 10' for accessory structure.

PLAT LEGEND

- Plot Boundary Line
- - - - - Dedicated Road Right-of-Way Line
- Building Set-back Line
- Lot line

AREAS:

Lot #1	Net Area: 15.563 acres
	Easements: 0.000 acres
	Dedicated Right-of-Way: 0.214 acres
	Total Gross Area: 15.777 acres
Lot #2	Net Area: 6.000 acres
	Easements: 0.000 acres
	Dedicated Right-of-Way: 0.330 acres
	Total Gross Area: 6.330 acres
Lot #3	Net Area: 9.688 acres
	Easements: 0.000 acres
	Dedicated Right-of-Way: 1.002 acres
	Total Gross Area: 10.690 acres
Overall Gross Area:	32.797 acres



Primary & Secondary Plat of:
ROTONDO ESTATES

A subdivision of part of the Northwest Quarter of Section 26,
 Township 33 North, Range 12 East, DeKalb County, Indiana.

Owner & Developer:
 Westrick, LLC
 105 Twin Eagles Boulevard West
 Huntertown, IN 46748
 Tel: (260) 433-5835

Surveyor - Planner:
 Sauer Land Surveying, Inc.
 14033 Illinois Road, Suite C
 Fort Wayne, IN 46814
 Tel: 260/469-3300

DESCRIPTION:

Part of the Northwest Quarter of Section 26, Township 33 North, Range 12 East, DeKalb County, Indiana, being more particularly described as follows, to-wit:

Beginning at the Center of said Section 26, being marked by a cast iron monument; thence North 01 degrees 47 minutes 12 seconds West (GPS grid bearing and basis of all bearings in this description), on and along the East line of said Northwest Quarter, being within the right-of-way of County Road 17, a distance of 984.58 feet to a survey nail; thence South 88 degrees 44 minutes 23 seconds West and parallel with the South line of said Northwest Quarter, a distance of 435.00 feet to a #5 rebar; thence North 01 degrees 47 minutes 12 seconds West and parallel with the East line of said Northwest Quarter, a distance of 159.37 feet to a #5 rebar; thence South 88 degrees 44 minutes 23 seconds West and parallel with the South line of said Northwest Quarter, a distance of 884.06 feet to a #5 rebar on the West line of the East Half of said Northwest Quarter; thence South 02 degrees 00 minutes 43 seconds East, on and along said West line, a distance of 810.00 feet to a #4 rebar at the Northeast corner of a 1.34 acre tract of real estate described in a deed to Sarah Rozema in Document Number 202207024 in the Office of the Recorder of DeKalb County, Indiana; thence North 88 degrees 24 minutes 44 seconds East, a distance of 25.00 feet to a #5 rebar; thence South 02 degrees 00 minutes 43 seconds East and parallel with the West line of the East Half of said Northwest Quarter, a distance of 334.14 feet to a survey nail on the South line of said Northwest Quarter; thence North 88 degrees 44 minutes 23 seconds East, on and along said South line, being within the right-of-way of County Road 66, a distance of 1289.56 feet to the point of beginning, containing 32.797 acres of land, subject to legal right-of-way for County Road 17 and County Road 66, and subject to all easements of record.

DEED OF DEDICATION

We, the undersigned, Micheal D. Westrick, member of Westrick, LLC, and owner of said 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 the "ROTONDO ESTATES", an addition to DeKalb County, Indiana. All streets shown and not heretofore dedicated are hereby dedicated to the public. Front, side, and rear yard building setback lines are hereby established as shown on this plat, between which lines and property lines of the streets, there shall be erected or maintained no building or structure. 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 all easements of record.

Witness our Hand and Seal this ____ day of _____, 2023.

Michael D. Westrick, Member

State of Indiana)
) §
 County of _____)

Before me the undersigned Notary Public, in and for the County and State, personally appeared MICHAEL D. WESTRICK, 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 _____, 2023.

Notary Public

Printed Name _____
 Resident of _____ County

My commission expires: _____

RESTRICTIVE COVENANTS:

The owner(s) of the lot within this subdivision agrees to recognize the existing agricultural land usage surrounding this subdivision and further agrees to not object to the surrounding agricultural land use or changes therein as permitted by law, i.e., I.C. 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 a future plat would have any retroactive applicability to this division of land.

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

No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on this site. The plan commission may enforce these conditions by injunctive relief with attorney fees. No manufactured or mobile homes are permitted on these lots.

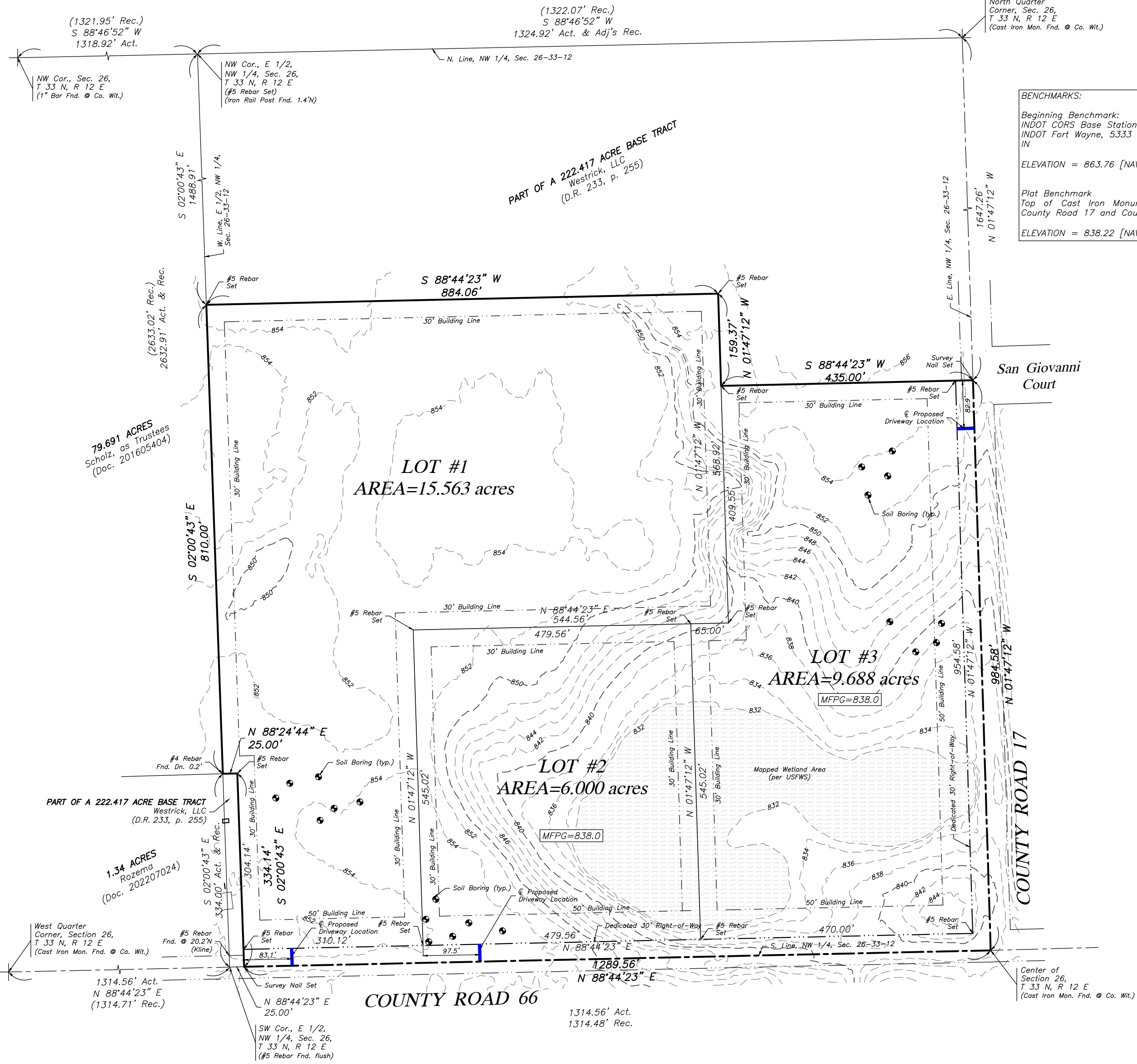
No commercial livestock farming of any kind is permitted on these lots.

DRAINAGE COVENANT:

The Owner of Lot 2 agrees that the pond will be used by Lots 1, 2, and 3 for storm water drainage.

AVIATION COVENANT:

Airport Zone: 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.



BENCHMARKS:

Beginning Benchmark:
 INDOT CORS Base Station RCTM0009, located at
 INDOT Fort Wayne, 5333 Hatfield Road, Fort Wayne,
 IN
 ELEVATION = 863.76 [NAVD '88]

Plot Benchmark
 Top of Cast Iron Monument at the Intersection of
 County Road 17 and County Road 66
 ELEVATION = 838.22 [NAVD '88]

NOTE:
 1. Boxed elevation indicates minimum flood protection grade

SURVEYOR'S REPORT

Prepared as a part of the foregoing survey.

Address: County Road 17 & County Road 66, Auburn, IN 46706

This survey is intended to create a new tax parcel lying entirely within the record boundaries of a tract of real estate described in a Quit-Claim Deed from Michael Westrick to Westrick, LLC, dated October 25, 2001, and recorded in Deed Record 233, page 255, in the Office of the Recorder of DeKalb County, Indiana:

In Accordance with Title 865, Article 1.1, Chapter 12, Sec. 1 et. seq. of the Indiana Administrative Code, the following observations and opinions are submitted regarding various uncertainties in (a) reference monuments, (b) lines of occupation, (c) record descriptions, and (d) those uncertainties due to random errors in measurement ("relative positional accuracy"). There may be unwritten rights associated with these uncertainties.

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

- The deeds of the subject tract and the adjoining tracts, as shown on the plat of survey.
- DeKalb County Surveyor's Section Corner Records.
- A survey of the base tract by Michael C. Kline Associates, Inc., Survey Record 4, page 199.

(A) AVAILABILITY OF REFERENCE MONUMENTS:

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

- The Center of Section 26.....County witnessed survey nail found.
- The North Quarter corner of Section 26.....County witnessed cast iron monument found.
- The Northwest corner of Section 26.....County witnessed 1 inch diameter bar found.
- The West Quarter corner of Section 26.....County witnessed cast iron monument found.
- The SW Cor., E 1/2, NW 1/4 of Section 26.....#5 rebar found.
- The NW Cor., E 1/2, NW 1/4 of Section 26.....#5 rebar set, deed-called iron rail post found 1.4 feet North.

The South and East lines of the Northwest Quarter and the West line of the East Half of the Northwest Quarter were established by using the above-referenced monuments. Uncertainties due to variances between found controlling monuments and record distances were determined to be a maximum of 0.11 feet in the North-South direction and 2.85 feet in the East-West direction. Uncertainties due to variances between all found monuments and record distances were determined to be 2.85 feet in any direction.

(B) OCCUPATION AND/OR POSSESSION LINES:

Occupation and/or possession lines near the perimeter of subject tract are shown on the plat of survey with the variances from the boundary lines as established in this survey. Encroachments and/or discrepancies may be buried or otherwise obscured by natural or man-made obstructions. There are no observable uncertainties in occupation and/or possession lines.

(C) AMBIGUITY OF RECORD DESCRIPTIONS:

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

(D) RELATIVE POSITIONAL ACCURACY:

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

(E) ESTABLISHMENT OF LINES AND CORNERS:

1. The East line of subject tract was established on and along the East line of the Northwest Quarter.
2. The South line of subject tract was established on and along the South line of the Northwest Quarter.
3. The most Westerly line of subject tract was established on and along the West line of the East Half of the Northwest Quarter.
4. The remaining lines of subject tract was established at the direction of the client.

(Continued on right)

SURVEYOR'S REPORT

(continued from left)

(F) NOTES:

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

Primary & Secondary Plat of:

ROTONDO ESTATES

A subdivision of part of the Northwest Quarter of Section 26, Township 33 North, Range 12 East, DeKalb County, Indiana.

*Owner & Developer:
Westrick, LLC
105 Twin Eagles Boulevard West
Huntertown, IN 46748
Tel: (260) 433-5835*

*Surveyor - Planner:
Sauer Land Surveying, Inc.
14033 Illinois Road, Suite C
Fort Wayne, IN 46814
Tel: 260/469-3300*

Note: An abstract or title search may reveal the existence of matters of ownership and rights of others not otherwise apparent. As of this date, no title commitment has been provided for review.

This property appears to lie within Zone X as the description plots by scale on Flood Insurance Rate Map Number 18033C 0240E, effective September 29, 2006.

PLAN 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 in ordinance adopted by the Board of County Commissioners of DeKalb County, Indiana, this plat was given approval by the County of DeKalb as follows:

Approved by the County Plan Commission at a meeting held on the ____ day of _____, 2023.

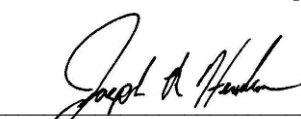
Chairman

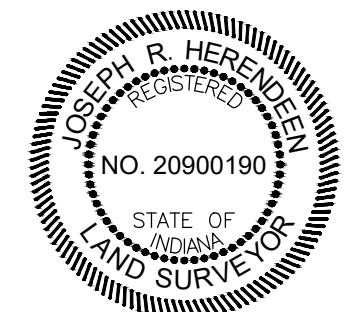
Zoning Administrator

CERTIFICATE OF SURVEYOR

I, Joseph R. Herendeen, hereby certify that I am a Land Surveyor registered in compliance with the laws of the State of Indiana; that based on my knowledge, experience and belief this plat and accompanying legal description accurately depicts a survey completed and certified by the undersigned; that all corners are marked with 24 inch long #5 rebars bearing plastic caps imprinted "SLSI Firm 048".

I, Joseph R. Herendeen, certify the above statements to be correct to the best of my information, knowledge, and belief. 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.


Joseph R. Herendeen, Indiana Professional Surveyor Date: 03/24/2023



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: 23-07
Date Application Filed: 3/3/23
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: Jason Holman
Mailing Address: 5471 State Road 101
Saint Joe, IN 46782
Telephone Number: (260) 466-9644 E-Mail: jason@ecovantagewood.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: Michael Westrick, Westrick, LLC
Address: 105 Twin Eagles Boulevard West
Huntertown, IN 46748
Telephone Number: (260) 433-5835 E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: Joseph R. Herendeen, PS, Sauer Land Surveying, Inc.
Address: 14033 Illinois Road, Suite C
Fort Wayne, IN 46814
Telephone Number: (260) 469-3300 E-Mail: joe@sauersurveying.com

Name of Proposed Subdivision: Pietrelcina Estates

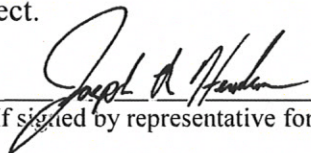
Number of Parcels & Total Area (square feet or acreage):
3 lots, 35.883 acres

Address or common description of property:
County Road 17, 1/2 mile North of County Road 66

Legal description of property affected:
Part of the Southwest Quarter of Section 23 Township 33 North, Range 12 East, containing 35.883 acres.

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:  Joseph R. Herendeen, PS, as agent
(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:** Westrick LLC
- SUBJECT SITE:** west side of County Road 17, approximately ½ miles north of the intersection of County Road 17 and County Road 66, Auburn
- REQUEST:** 3 Lot Minor Subdivision – Pietrelcina Estates
- EXISTING ZONING:** A2: Agricultural
- SURROUNDING LAND USES AND ZONING:** North: Agricultural (A2)
South: Agricultural (A2)
East: Agricultural (A2)
West: Agricultural (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 6.05 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract

- Parcel 01-09-23-300-017 is considered the parent parcel. This is the 1st, 2nd and 3rd buildable split from parent parcel -017.
- 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: 11.69 net acres
 - Proposed Lot 2 Area: 11.69 net acres
 - Proposed Lot 3 Area: 11.69 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 393.15 feet
 - Proposed Lot 2 Width: 392.95 feet
 - Proposed Lot 3 Width: 392.75 feet
 - *Minimum Lot Frontage: 120 Feet*
 - Proposed Lot 1 Frontage: 393.15 feet

- Proposed Lot 2 Frontage: 392.95 feet
- Proposed Lot 3 Frontage: 392.75 feet
- This division of land fronts the following roads:
 - County Road 17 is considered a “County Local” road with 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 **March 3, 2023**
2. Legal notice published in The Star on **March 24, 2023** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **March 17, 2023**
5. Letter from County Highway dated **March 24, 2023**
6. Report from the DeKalb County Soil & Water Conservation District, dated **March 6, 2023**
7. Letter from the Drainage Board, dated **March 17, 2023**
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.

PROPOSED FINDINGS OF FACT:

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

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the minor subdivision will be used for residential uses, 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 17 with dedication of right of way. The driveways have been staked and approved by the DeKalb County Highway Dept. The applicant or buyer(s) will need to receive a driveway permit from the Highway Dept.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for a residential onsite sewage system from the DeKalb County Board of Health*
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required. *None required.*

PLANNING STAFF RECOMMENDATIONS/COMMENTS:

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

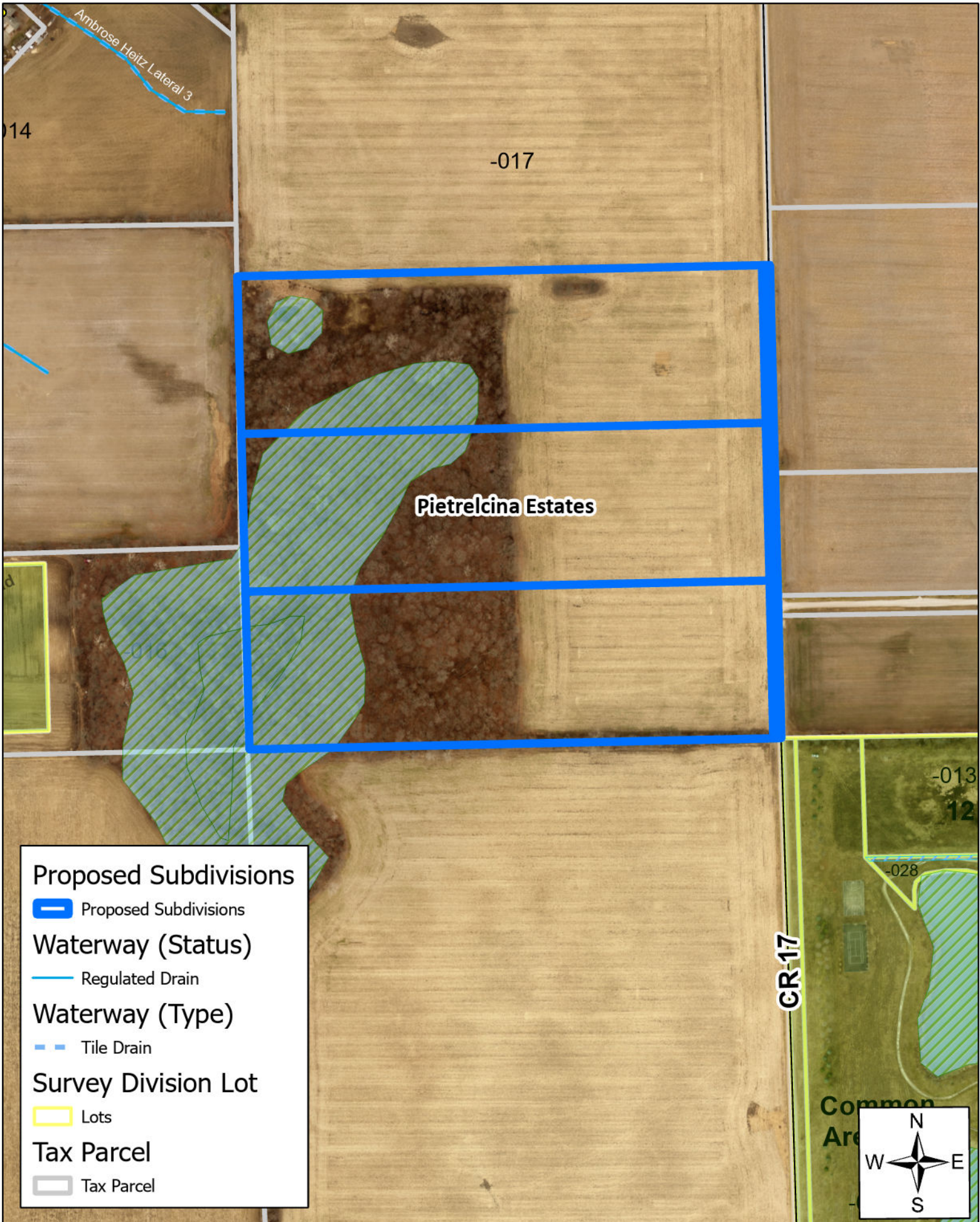
Standard Conditions to be recorded on or with the plat:

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

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


Conditions that will not be recorded but must be met:

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. 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 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.



Pietrelcina Estates

Proposed Subdivisions

 Proposed Subdivisions

Waterway (Status)

 Regulated Drain

Waterway (Type)

 Tile Drain

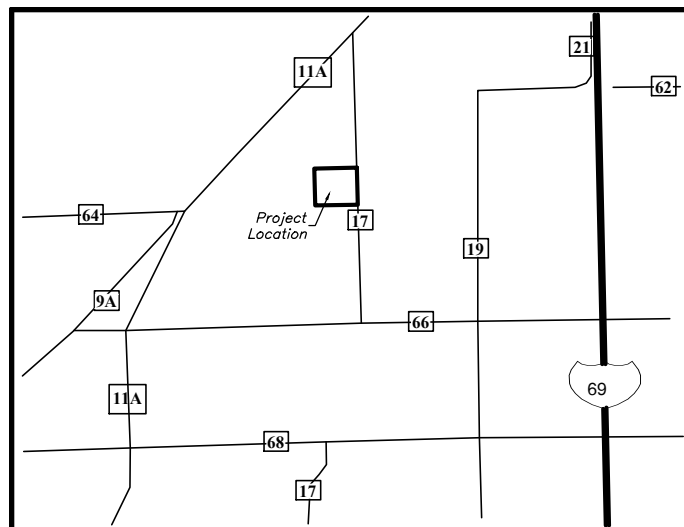
Survey Division Lot

 Lots

Tax Parcel

 Tax Parcel





Location Map

Zone A2: Agricultural

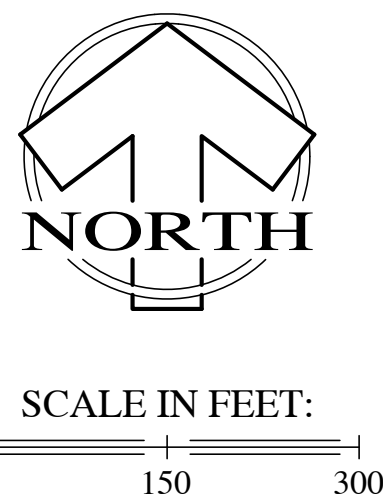
Setbacks:
 Front: 50'
 Side: 30' for primary structure, 10' for accessory structure.
 Rear: 30' for primary structure, 10' for accessory structure.

PLAT LEGEND

- Plot Boundary Line
- - - - - Dedicated Road Right-of-Way Line
- - - - - Building Set-back Line

AREAS:

Lot #1	Net Area	11.690 acres
	Easements:	0.000 acres
	Dedicated Right-of-Way:	0.271 acres
	Total Gross Area:	11.961 acres
Lot #2	Net Area	11.690 acres
	Easements:	0.000 acres
	Dedicated Right-of-Way:	0.271 acres
	Total Gross Area:	11.961 acres
Lot #3	Net Area	11.690 acres
	Easements:	0.000 acres
	Dedicated Right-of-Way:	0.271 acres
	Total Gross Area:	11.961 acres
Overall Gross Area:		35.883 acres



Primary & Secondary Plat of:
PIETRELCINA ESTATES

A subdivision of part of the Southwest Quarter of Section 23,
 Township 33 North, Range 12 East, DeKalb County, Indiana.

Owner & Developer:
 Westrick, LLC
 105 Twin Eagles Boulevard West
 Huntertown, IN 46748
 Tel: (260) 433-5835

Surveyor - Planner:
 Sauer Land Surveying, Inc.
 14033 Illinois Road, Suite C
 Fort Wayne, IN 46814
 Tel: 260/469-3300

DESCRIPTION:

Part of the Southwest Quarter of Section 23, Township 33 North, Range 12 East, DeKalb County, Indiana, being more particularly described as follows, to-wit:

Beginning at the South Quarter corner of said Section 23, being marked by a cast iron monument; thence North 01 degrees 22 minutes 28 seconds West (GPS grid bearing and basis of all bearings in this description), on and along the East line of said Southwest Quarter, being within the right-of-way of County Road 17, a distance of 1178.83 feet to a survey nail; thence South 88 degrees 46 minutes 52 seconds West and parallel with the South line of said Southwest Quarter, a distance of 1326.94 feet to a #5 rebar on the West line of an 80.64 acre base tract of real estate described in a deed to Westrick, LLC, in Deed Record 233, page 583, in the Office of the Recorder of DeKalb County, Indiana; thence South 01 degrees 28 minutes 22 seconds East, on and along said West line, a distance of 1178.84 feet to a #5 rebar at the Southwest corner of said 80.64 acre base tract; thence North 88 degrees 46 minutes 52 seconds East, on and along the South line of said Southwest Quarter, a distance of 1324.92 feet to the point of beginning, containing 35.883 acres of land, subject to legal right-of-way for County Road 17, and subject to all easements of record.

DEED OF DEDICATION

We, the undersigned, Micheal D. Westrick, member of Westrick, LLC, and owner of said 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 the "PIETRELCINA ESTATES", an addition to DeKalb County, Indiana. All streets shown and not heretofore dedicated are hereby dedicated to the public. Front, side, and rear yard building setback lines are hereby established as shown on this plat, between which lines and property lines of the streets, there shall be erected or maintained no building or structure. 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 all easements of record.

Witness our Hand and Seal this ____ day of _____, 2023.

Michael D. Westrick, Member

State of Indiana)
) §
 County of _____)

Before me the undersigned Notary Public, in and for the County and State, personally appeared MICHAEL D. WESTRICK, 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 _____, 2023.

Notary Public

Printed Name _____
 Resident of _____ County

My commission expires: _____

RESTRICTIVE COVENANTS:

The owner(s) of the lot within this subdivision agrees to recognize the existing agricultural land usage surrounding this subdivision and further agrees to not object to the surrounding agricultural land use or changes therein as permitted by law, i.e., I.C. 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 a future plat would have any retroactive applicability to this division of land.

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

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

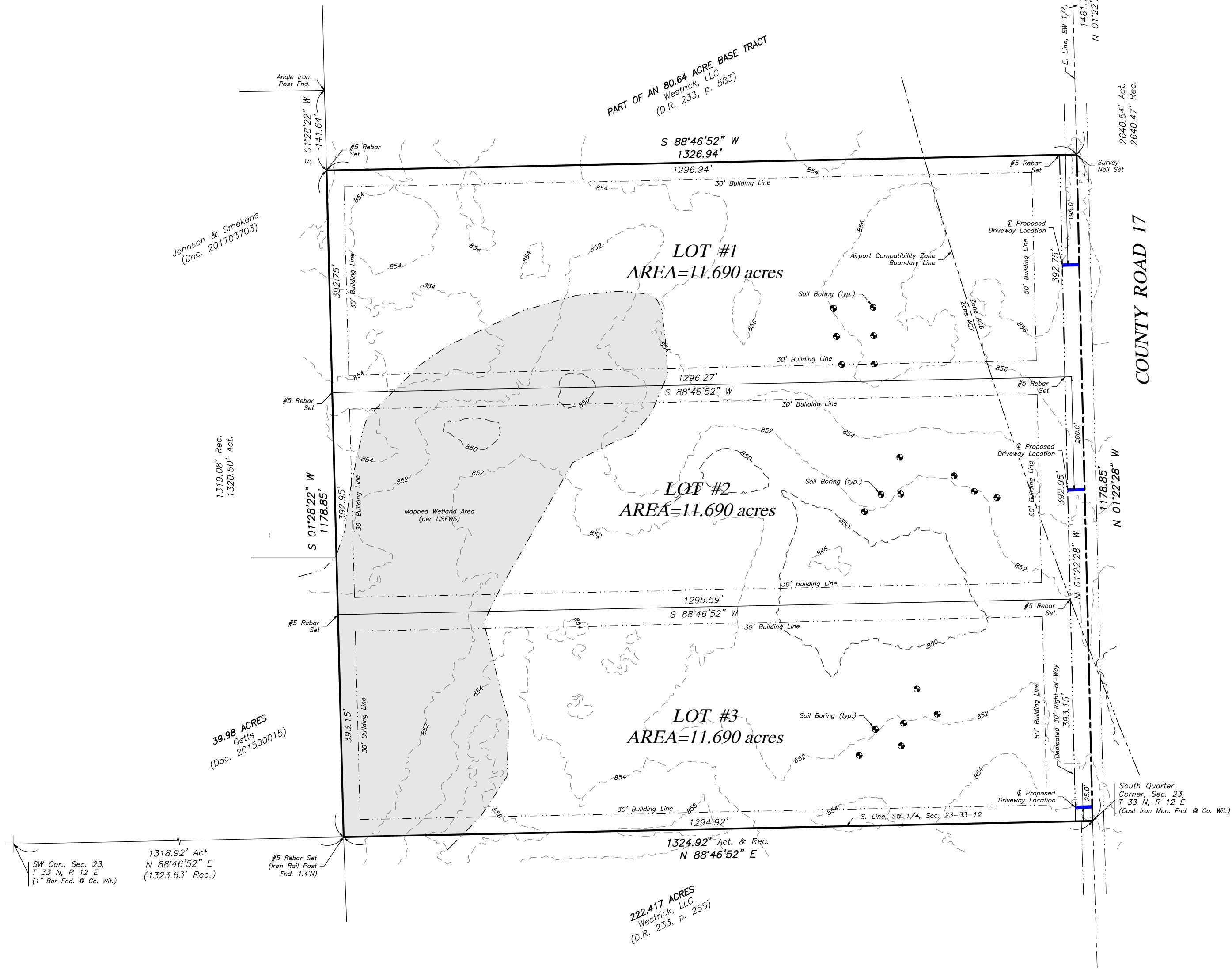
No manufactured or mobile homes are permitted on these lots.

No commercial livestock farming of any kind is permitted on these lots.

AVIATION COVENANTS:

Airport Zone: 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.

Airport Compatibility Zone: 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.



SURVEYOR'S REPORT

Prepared as a part of the foregoing survey.

Address: County Road 17, Auburn, IN 46706

This survey is intended to create a new tax parcel lying entirely within the record boundaries of a tract of real estate described in a Warranty Deed from Delbert E. Busche, Sr., to Westrick, LLC, dated January 28, 2002, and recorded in Deed Record 233, page 583, in the Office of the Recorder of DeKalb County, Indiana:

In Accordance with Title 865, Article 1.1, Chapter 12, Sec. 1 et. seq. of the Indiana Administrative Code, the following observations and opinions are submitted regarding various uncertainties in (a) reference monuments, (b) lines of occupation, (c) record descriptions, and (d) those uncertainties due to random errors in measurement ("relative positional accuracy"). There may be unwritten rights associated with these uncertainties.

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

- The deeds of the subject tract and the adjoining tracts, as shown on the plat of survey.
- DeKalb County Surveyor's Section Corner Records.
- A survey of the base tract by Russell Engineering Associates, Inc., Survey Record 1, page 512.

(A) AVAILABILITY OF REFERENCE MONUMENTS:

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

- The South Quarter corner of Section 23.....County witnessed cast iron monument found.
- The Center of Section 23.....County witnessed survey nail found.
- The Southwest corner of Section 23.....County witnessed 1 inch diameter bar found.

The South and East lines of the Southwest Quarter were established by using the above-referenced monuments. Uncertainties due to variances between found controlling monuments and record distances were determined to be a maximum of 1.42 feet in the North-South direction and 4.71 feet in the East-West direction. Uncertainties due to variances between all found monuments and record distances were determined to be 4.71 feet in any direction.

(B) OCCUPATION AND/OR POSSESSION LINES:

Occupation and/or possession lines near the perimeter of subject tract are shown on the plat of survey with the variances from the boundary lines as established in this survey. Encroachments and/or discrepancies may be buried or otherwise obscured by natural or man-made obstructions. There are no observable uncertainties in occupation and/or possession lines.

(C) AMBIGUITY OF RECORD DESCRIPTIONS:

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

(D) RELATIVE POSITIONAL ACCURACY:

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

(E) ESTABLISHMENT OF LINES AND CORNERS:

1. The East line of subject tract was established on and along the East line of the Southwest Quarter.
2. The South line of subject tract was established on and along the South line of the Southwest Quarter.
3. The West line of subject tract was established on and along the West line of the base tract, as established between found monuments.
4. The North line of subject tract was established at the direction of the client.

(Continued on right)

SURVEYOR'S REPORT

(continued from left)

(F) NOTES:

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

Primary & Secondary Plat of:

PIETRELCINA ESTATES

A subdivision of part of the Southwest Quarter of Section 23, Township 33 North, Range 12 East, DeKalb County, Indiana.

*Owner & Developer:
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105 Twin Eagles Boulevard West
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Tel: (260) 433-5835*

*Surveyor - Planner:
Sauer Land Surveying, Inc.
14033 Illinois Road, Suite C
Fort Wayne, IN 46814
Tel: 260/469-3300*

Note: An abstract or title search may reveal the existence of matters of ownership and rights of others not otherwise apparent. As of this date, no title commitment has been provided for review.

This property appears to lie within Zone X as the description plots by scale on Flood Insurance Rate Map Number 18033C 0240E, effective September 29, 2006.

PLAN 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 in ordinance adopted by the Board of County Commissioners of DeKalb County, Indiana, this plat was given approval by the County of DeKalb as follows:

Approved by the County Plan Commission at a meeting held on the ____ day of _____, 2023.

Chairman

Zoning Administrator

CERTIFICATE OF SURVEYOR

I, Joseph R. Herendeen, hereby certify that I am a Land Surveyor registered in compliance with the laws of the State of Indiana; that based on my knowledge, experience and belief this plat and accompanying legal description accurately depicts a survey completed and certified by the undersigned; that all corners are marked with 24 inch long #5 rebars bearing plastic caps imprinted "SLSI Firm 048".

I, Joseph R. Herendeen, certify the above statements to be correct to the best of my information, knowledge, and belief. 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.

Joseph R. Herendeen
Joseph R. Herendeen, Indiana Professional Surveyor Date: 03/24/2023

