

Secondary Plat The Graber Commons

A Site Located in the Southwest Quarter and in the Northwest Quarter of Section 7, Township 33 North, Range 13 East.

DeKalb County, Indiana

Owner/Developer:
Heron Development, LLC
5491 County Road 427
Auburn, IN 46706
Tel: (260) 920-8121

201706942 12/21/2017 AT 3:03:39 PM RECORDER OF DEKALB CO, IN KATIE FIRESTONE Fee Amount: 30.00



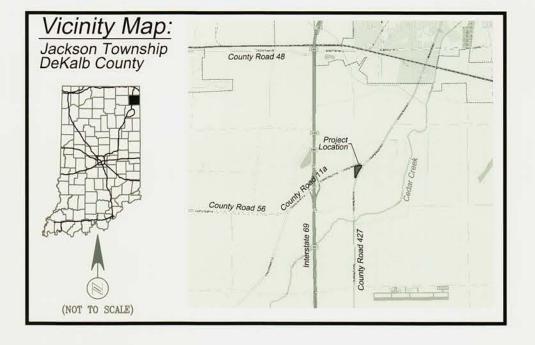
D.A. Brown Engineering Consultants 5491 County Road 427, P.O. Box 389, Auburn, IN 46706 Phone: (260) 925 - 2020 Fax: (260) 925 - 1212 www.dabrownengineering.com

> Job# 1310-01A December 20, 2017 Page 1 of 2

Legal Description

A tract of land located in the Southwest Quarter and in the Northwest Quarter of Section 7, T33N, R13E, in DeKalb County, the State of Indiana, more fully described as follows:

COMMENCING at a Marker Spike with tag (FIRM 0042) situated in the Northwest corner of said Southwest Quarter; Thence South 00 Degrees 34 Minutes 27 Seconds East (Indiana State Plane Coordinate System East Zone-GPS Grid Basis of Bearings), a distance of 141.24 feet along the West line of said Southwest Quarter to a Marker Spike with tag (FIRM 0042) in the TRUE POINT OF BEGINNING; Thence North 89 Degrees 25 Minutes 33 Seconds East, a distance of 25.00 feet along the South right-of-way line of County Road 11A as described in the conveyance to the Board of County Commissioners of DeKalb County, Indiana in DeKalb County Document No. 201400325 to a Rebar stake with cap (FIRM 0042); Thence North 13 Degrees 27 Minutes 40 Seconds East, a distance of 112.73 feet along said South right-of-way line to a Rebar stake with cap (FIRM 0042); Thence North 65 Degrees 45 Minutes 02 Seconds East, a distance of 197.48 feet along said South right-of-way line to a Rebar stake with cap (FIRM 0042) in the beginning of a tangent circular arc; Thence Easterly, a distance of 322.47 feet along said South right-of-way line (being a circular arc that is concave Southerly, having a radius measuring 422.20 feet, having a central angle measuring 43 Degrees 45 Minutes 42 Seconds, and having a long chord bearing North 87 Degrees 37 Minutes 53 Seconds East and measuring 314.69 feet) to a Rebar stake with cap (FIRM 0042) in the beginning of a tangent line; Thence South 70 Degrees 29 Minutes 16 Seconds East, a distance of 7.68 feet along said South right-of-way line to a Rebar stake with cap (FIRM 0042); Thence South 14 Degrees 54 Minutes 01 Seconds West, for a distance of 97.67 feet along the West right-of-way line of County Road 427 to a Rebar stake with cap (FIRM 0042) in the beginning of a nontangent circular arc; Thence Southwesterly, a distance of 906.68 feet along said West right-of-way line (being a circular arc that is concave Southeasterly, having a radius measuring 2914.79 feet, having a central angle measuring 17 Degrees 49 Minutes 21 Seconds, and having a long chord bearing South 27 Degrees 31 Minutes 39 Seconds West and measuring 903.03 feet) to a Rebar stake with cap (FIRM 0042) in the beginning of a nontangent line; Thence North 71 Degrees 23 Minutes 02 Seconds West, a distance of 83.36 feet along said West right-of-way line as described in the conveyance to the Board of County Commissioners referenced above to a Rebar stake with cap (FIRM 0042): Thence South 89 Degrees 26 Minutes 56 Seconds West, a distance of 25.00 feet to a Marker Spike with tag (FIRM 0042); Thence North 00 Degrees 33 Minutes 04 Seconds West, a distance of 502.05 feet along the West line of said Southwest Quarter to a Harrison Marker situated in the Northeast corner of the Southeast Quarter of Section 12, T33N, R12E; Thence North 00 Degrees 34 Minutes 27 Seconds West, a distance of 165.35 feet along the West line of said Southwest Quarter to the POINT OF BEGINNING, said tract containing 6.163 Acres, more or less, and being subject to all public road rights-of-way and to all easements of record. A survey of said tract being represented by Plat of Survey #33-13-07-03 as prepared by D.A. Brown Engineering Consultants, Inc., 5419 County Road 427, Suite C, Auburn, Indiana 46706.



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Subdivision Engineer:

AREA CONTROLL

Subdivision Engineer:

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5491 County Road 427, P.O. Box 389, Auburn, IN 46706
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City of Auburn Plan Commission Covenants

- The owners of the lots within this subdivision agree to recognize the existing agricultural land usage surrounding this subdivision and further agree to not object to the surrounding agricultural land use or changes therein as permitted by law, i.e., I.C. 34-1-52-4.
- 2. These lots shall be included in any subdivision arising from any further development of the land involved. However, there is no intention that any terms, conditions or restrictions on any future plat would have any retroactive applicability to this division of land.
- 3. There shall be compliance with the laws of any Federal, State or local agency.
- 4. This development lies within the Horizontal and Conical Zones 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 unless a variance is first obtained from the DeKalb County Board of Aviation Commissioners.
- For additional Covenants, Limitations, Conditions and Restrictions, see Doc # 2017 069 43 as recorded on Dec 21 2017 in the Recorder's Office of DeKalb County, Indiana.

Notes:

- All Right-of-Way intersection radii to be 20 feet.
- All Right-of-Ways to be dedicated to DeKalb County
- 3. All Cul-de-Sac Right-of-Way to be 60 foot radius.
- All Park Areas, Common Areas, or Block Areas to have a blanket Utility and Surface Drainage Easement.
- All buried utilities must allow for proposed Drainage Swale grades as found in plans.
- 6. FPG denotes Flood Protection Grade as defined in the City of Auburn Zoning Ordinance.
- Zoning Ordinance.
 U.&S.D. Esmt denotes Utility and Surface Drainage Easement.
- 8. BL denotes Building Line
- 9. Utility Esmt denotes Utility Easement.
- 10. SD Esmt denotes Surface Drainage Easement.
- 11. # denotes Property Address
- 12. All Lot corners and Plat corners monumented by a 5/8" x 24" rebar stake with cap (FIRM#0042) unless otherwise noted.
- 13. According to the Flood Insurance Rate Map (FIRM) Numbered 18033 C 0230E, Effective Date September 29, 2006, the herein described real estate is located in the unshaded Zone X, noted as areas determined to be outside of the 0.2% annual chance floodplain.

Benchmark Data:

BM #1 : Marker Spike w/ Tag (Firm 0042) in the intersection of County Road 11A and County Road 23 Elev: 866.33 [NAVD '88]

Land Surveyor Certification:

I, Duane A. Brown, hereby certify that I am a Land Surveyor registered in compliance with the laws of the State of Indiana; that to the best of my knowledge and belief this plat and accompanying legal description accurately represents a subdivision of real estate as described in Document No. 201405762 in the Office of the Recorder of DeKalb County, Indiana; that this plat was prepared under my direct supervision; that all markers shown thereon actually exist or will be set and that their locations, size, type and material are accurately shown; that this subdivision is within the tract of real estate shown on the retracement or original survey certified by Duane A. Brown as recorded in Document No. 201400248 in the Office of the Recorder of DeKalb County, Indiana as required by 865 IAC 1-12-12; and that there has been no change from the matters of survey revealed by the above referenced survey, or any prior subdivision plats contained therein, on any lines that are common with this subdivision.

Dated this 20th day of December, 2017

IGNED: Wwane G.B

Duane A. Brown Auburn, IN Indiana P.S. #LS80040337

No. S0337
STATE OF
VOIANA

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. Duane A. Brown Document Prepared By Duane A. Brown

Commission Certificate

Under authority provided by I. C. 36-7-4 et seq and an ordinance adopted by the Common Council of the City of Auburn. this Secondary Plat was given approval as follows:

Approved by the City of Auburn Plan Commission staff on the 21st day of **December**, 2017

Administration

Signed: <u>Amy M. Schweitzer</u> Printed: <u>Amy M. Schweitzer</u>

Administration

Signed: Amber K. Bassett

Printed: Amber K. Bassett

We, Heron Development, LLC, the undersigned owners by virtue of those certain deeds shown in Document #201405762, in the Office of the Recorder of DeKalb County, Indiana, of the real estate shown and described herein, do hereby lay off, plat dedicate and subdivide said real estate into Lots, Streets and Easements in accordance with the information shown on the Plat. Further, we hereby subject and impress all of said land in said addition with the limitations and easements attached hereto and made a part thereof by reference. This subdivision shall be known and designated as The Graber Commons, an addition to the County of DeKalb, Indiana.

In witness whereof, Heron Development, LLC, organized and existing under the laws of the State of Indiana, Owner of the real estate described in said Plat, has hereunto set its hand, by its duly authorized officer, this 20th day of December, 2017

Heron Development, LLC

Printed: Stephen D. Brown

SEAL PUBLIC

State of Indiana

County of DeKalb)

Before me, the undersigned Notary Public in and for Said county and state personally appeared Stephen D. Brown over the age of 21 and acknowledged the execution of the foregoing to be his free and voluntary act and deed for the use and purposes mentioned therein, this 20th day of December, 2017

Notary Public

My Commission Expires: May 6th, 2025

Resident of DeKalb County, Indiana

Non-Remonstrance Statement for Annexation:

The owner herein and for himself, his successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by the City of Auburn.

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