

ORDINANCE NO. 45, 2006

**AN ORDINANCE REZONING PROPERTY FROM C-3 GENERAL COMMERCIAL TO PUD
PLANNED UNIT DEVELOPMENT DISTRICT TO BE KNOWN AS
"FAIRFIELD GREENS PUD"**

WHEREAS, a petition was presented by Capstone Development LLC on behalf of the owner Southpoint Partners LLC to rezone approximately 13 acres of land located at the west end of Ore Street off of Marsh Street, and to the north of the Essex Park subdivision Road to a Planned Unit Development (PUD) zoning; and

WHEREAS, the Plan Commission duly advertised and held a public hearing per IC 5-3-1 on the proposed PUD on October 10, 2006; and

WHEREAS, the general public was given an opportunity to comment on the proposed PUD; and

WHEREAS, the Plan Commission voted to recommend approval of the PUD by a 7-0 vote.

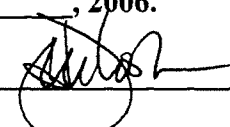
NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Valparaiso as follows:

1) The following described real estate in the City of Valparaiso be given the Planned Unit Development (PUD) zoning classification accompanied by the required development plan and concept plan pursuant to IC 36-7-4-1403 as Exhibit A to wit:

SEE ATTACHED LEGAL DESCRIPTION (EXHIBIT B)

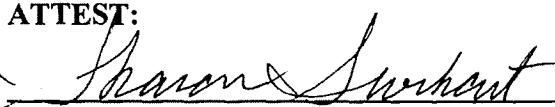
2) This ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a ⁵⁻¹ vote of all members present and voting this 13th day of Nov, 2006.



Jon Costas, Mayor

ATTEST:



Sharon Swihart, Clerk-Treasurer

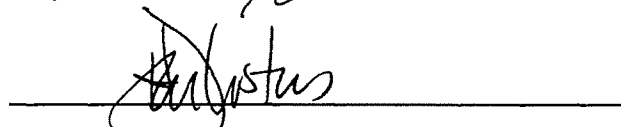
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 13th day of Nov., 2006, at 8:15 o'clock p.m.

A handwritten signature in cursive script, appearing to read "Sharon Swihart", written over a horizontal line.

Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 13th day of Nov., 2006, at 8:15 o'clock p.m.

A handwritten signature in cursive script, appearing to read "Jon Costas", written over a horizontal line.

Jon Costas, Mayor

Development Plan
Pursuant to Indiana Code 36-7-4-1403
and Article VIII, Section 800 *et seq.* Of the Valparaiso Zoning Ordinance

Fairfield Greens Planned Unit Development

1. Property. The property is approximately 13 +/- acres located south of Southpoint Commercial Park and east of Essex Park, Phase 3. Orr Street terminates at the northwest corner of the property. The property is more particularly described as follows:

The South 120.56 feet of the East 3/4 of Block 65 in Council's Addition of 1883 to the City of Valparaiso, as per plat thereof, recorded in Miscellaneous Record "E", page 535, in the Office of the Recorder of Porter County, Indiana. Said parcel also being in the S.W. 1/4 of Section 26, Township 35 North, Range 6 West of the 2nd P.M. in Porter County, Indiana

ALSO:

Block 66 in Council's Addition of 1883 to the City of Valparaiso, as shown on plat in Miscellaneous Record "E", page 535, in the Office of the Recorder of Porter County, Indiana.

2. Current and Proposed Zoning Of Property. The Property is currently zoned C-3 under the City's Zoning Ordinance. The Property will be zoned PUD.

3. Proposed Use of the Property. The proposed use of the Property is for sixty eight (68) residential units.

A. Greens Cottages. The Greens Cottages area is proposed for the easterly approximate four and one-half (4.5) acres of the Property and may have up to and including thirty six (36) single family residential units.

B. Detached Cottages. The Detached Cottages area is located along the western portion of the Property consisting of approximately one and eighth tenths (1.8) acres and may have up to and including eight (8) single family residential units and a community center/clubhouse. The lots in the Detached Cottages shall be approximately fifty six (56) feet wide and one hundred fifteen (115) feet deep.

C. Multi-Family. The Multi-Family area is proposed for the northerly approximate one and six tenths (1.6) acres of the Property and may have up to and including twenty four (24) residential units.

4. Compatible With Adjoining Property Uses. The proposed use of the property is

compatible with the uses of the adjoining parcels in that the adjoining parcel are developed and used as follows:

A. North. The property located north of the proposed development is developed as commercial property separated by an existing wetland.

B. South. The property located to the south of the Property is developed as single family residential with slightly larger lots.

C. East. The property located east of the Property is developed as commercial property separated by an existing wetland.

D. West. The property to the west of the Property is developed as single family residential with comparable lot sizing.

5. Availability and Coordination of Utilities.

A. Sewer. City of Valparaiso sanitary sewer service is available to the Property , and the City has capacity to accept the volume of wastewater expected from the proposed use.

B. Water. City of Valparaiso water service is available to the Property , and the City has sufficient water supply to provide acceptable water service for the proposed use.

C. Storm Water. The Property will have a storm water management system and will utilize the existing wetlands on and adjacent to the Property as part of its storm water management system. The storm water management system will be designed in accordance with the City's ordinances with detailed calculations and designs being submitted, reviewed and approved as part of the primary plat review process. The common grassed areas located in the Greens Cottages will be utilized as part of the storm water management process.

D. Other Utilities. NIPSCO, Verizon and other public utilities will be provided necessary and appropriate easements throughout the Property for the proposed use.

E. Garbage and Recycling. The City will provide garbage and recycling services for the Property.

F. Snow Removal. The City shall provide snow removal services for the Property.

6. Traffic.

A. Entrances. There will be two (2) access points to existing and/or proposed City streets. On the northeast corner, an extension to Orr Street into the Southpoint Commercial Park shall be provided. Along the southern property line, an extension of the road to Essex Park, Phase 3 shall be provided. No other points of vehicular traffic connectivity shall be made.

B. Streets and Alleys. All streets and alleys shall be public streets or alleys. The right-of-way and road widths shall be substantially as depicted on the concept plan. Traffic calming through several intersections shall be provided.

C. On Street Parking. Parking on one side is permitted if the street width is greater than twenty six (26) feet but less than thirty (30) feet, and parking on both sides shall be permitted if the street width is thirty (30) feet or greater.

D. Off Street Parking.

I. Greens Cottages. A minimum of four (4) off street parking spaces shall be provided for each residential unit in the Greens Cottages. The off street parking may be accessed either from the public street or alley. Garage spaces shall be included as part of the off street parking spaces.

II. Detached Cottages. A minimum of four (4) off street parking spaces shall be provided for each residential unit in the Detached Cottages. Garage spaces shall be included as part of the off street parking spaces.

III. Multi-Family. A minimum of two (2) off street parking spaces shall be provided for each residential unit in the Multi-Family. The off street parking shall be primarily located on the west side of the Multi-Family structures. Garage spaces shall be included as part of the off street parking spaces.

7. Building Set Backs.

A. Greens Cottages. The units in the Greens Cottages shall be oriented such that the front of each unit shall face the grassed common areas, to the extent such unit directly adjoins such areas, and otherwise shall face toward the grassed common areas. The front yard setback shall be eight (8) feet measured from the edge of the sidewalk closest to the dwelling. The aggregate side yard setback shall be ten (10) feet of which neither side can be less than five (5) feet. The rear yard set back shall be based on whether the rear yard faces a street or an alley. In the case of a rear yard facing a street, the rear yard setback shall be ten (10) feet due to the fact that no sidewalks shall be located along the streets where the rear of the dwelling faces the street and a portion of the driveway parking area shall be located in the right-of-way of the street. In the case of a rear yard facing any alley, the rear yard setback shall be twenty (20) feet due to the fact that no sidewalks shall be located along the alleys. This area may be developed as a condominium regime, and in such event, although no property lines will be established, the structures shall be situated such that the above-referenced setbacks shall be maintained.

B. Detached Cottages. The front yard setback shall be ten (10) feet. The aggregate side yard setback shall be twelve (12) feet of which neither side can be less than six (6) feet. The rear yard set back shall be thirty five (35) feet. This area may be developed as a condominium regime, and in such event, although no property lines will be established, the structures shall be

situated such that the above-referenced setbacks shall be maintained.

C. Multi-Family. The front yard setback shall be twenty (20) feet. The side yard setback along the south property line shall not be less than twenty five (25) feet and along the extension of Orr Street not less than twenty five (25) feet. This area may be developed as a condominium regime, and in such event, although no property lines will be established, the structures shall be situated such that the above-referenced setbacks shall be maintained.

8. Pedestrian Circulation. Sidewalks shall be provided (i) along all streets where the houses front the streets, or (ii) in the grassed common areas where houses front on such common areas.

9. Landscaping.

A. Overall Site Landscaping. The Developer shall submit a landscape plan in compliance with City ordinances to the City for review and approval prior to issuance of building permits for the Property. The overall site landscaping plan while in compliance with City ordinance shall be determined by the Developer. A tree survey and replacement schedule shall be provided in accordance with City ordinance. Trees shall be incorporated along all streets and alleys.

10. Improvements. The proposed use of the Property as set forth above is comprised of a variety of different building products and shall be determined by the developer based on the developer's understanding of demand for certain types of unit.

A. Greens Cottages. Single family residences ranging from one thousand (1,000) square feet and greater.

B. Detached Cottages. Single family residences ranging from one thousand (1,000) square feet and greater.

C. Multi-Family. Each unit in the Multi-Family shall be a minimum of seven hundred fifty (750) square feet.

11. Signage. The development may have an entrance subdivision sign located at each entrance in accordance with the City's sign ordinance. Other directional and similar types of signage in and about the development may be installed on an as needed basis for traffic safety and similar protection in accordance with City ordinance.

12. Recreation Space.

A. Greens Cottages. A common area of grassed open space shall be provided within the internal area of the Greens Cottages.

B. Open Space. Open space shall be provided along the wetland areas located on the

northerly portion of the development including a pergola/viewing area, as well as the commons area within the Greens Cottages.

C. Club House. A club house and six (6) parking spaces may be provided at the north end of the Detached Cottages area. The club house shall conform with the set backs for the Detached Cottages and may include a community room, a kitchenette, an outdoor entertaining area, exercise area and/or lap pool.

13. Outdoor Lighting. Traditional dusk-to-dawn outdoor lighting associated with residential dwelling units may be included as part of the development. Reasonable and appropriate lighting shall be provided for the open space areas as determined by the developer to protect the health, safety and welfare of the residents and guests of the Property.

14. Fire Safety. There shall be suitable and sufficient fire hydrant connections for the City of Valparaiso Fire Department to serve all units to be located in the development. The location, number and suitability of fire hydrants shall be approved by the City of Valparaiso Fire Department .

15. Construction Schedule. It is anticipated that the infrastructure may commence in the spring of 2007, with the first units for occupancy expected in summer of 2007.

16. Ownership. The ownership of units in the Development shall be single family detached, townhome and/or condominium. The Development shall be subjected to covenants, restrictions, conditions, reservations, easements, charges and liens that shall provide for the establishment of an organization of the homeowners with direct responsibility to, and control by, the property owners in the Property for the operation and maintenance of any and all private common facilities jointly owned and/or shared by such property owners all of which is and are for the benefit of the individual lots and real estate comprising the development.

This Development Plan is agreed upon and approved this ____ day of _____, 2006.

Developer:

Valparaiso Plan Commission:

Capstone Development, LLC

By: _____

By: _____

Printed: _____

Printed: _____

Title: _____

Title: _____

EXHIBIT B

LEGAL DESCRIPTION FOR FAIRFIELD GREENS

The South 120.56 feet of the East $\frac{3}{4}$ of Block 65 in Council's Addition of 1883 to the City of Valparaiso, as per plat thereof, recorded in Miscellaneous Record "E", Page 535, in the Office of the Recorder of Porter County, Indiana. Said parcel also being in the SW $\frac{1}{4}$ of Section 26, Township 35 North, Range 6 West of the 2nd P.M. in Porter County, Indiana

ALSO:

Block 66 in Council's Addition of 1883 to the City of Valparaiso, as shown on plat in Miscellaneous Record "E", page 535, in the Office of the Recorder of Porter County, Indiana.

52-B-4



2009-015395

FILED FOR RECORD

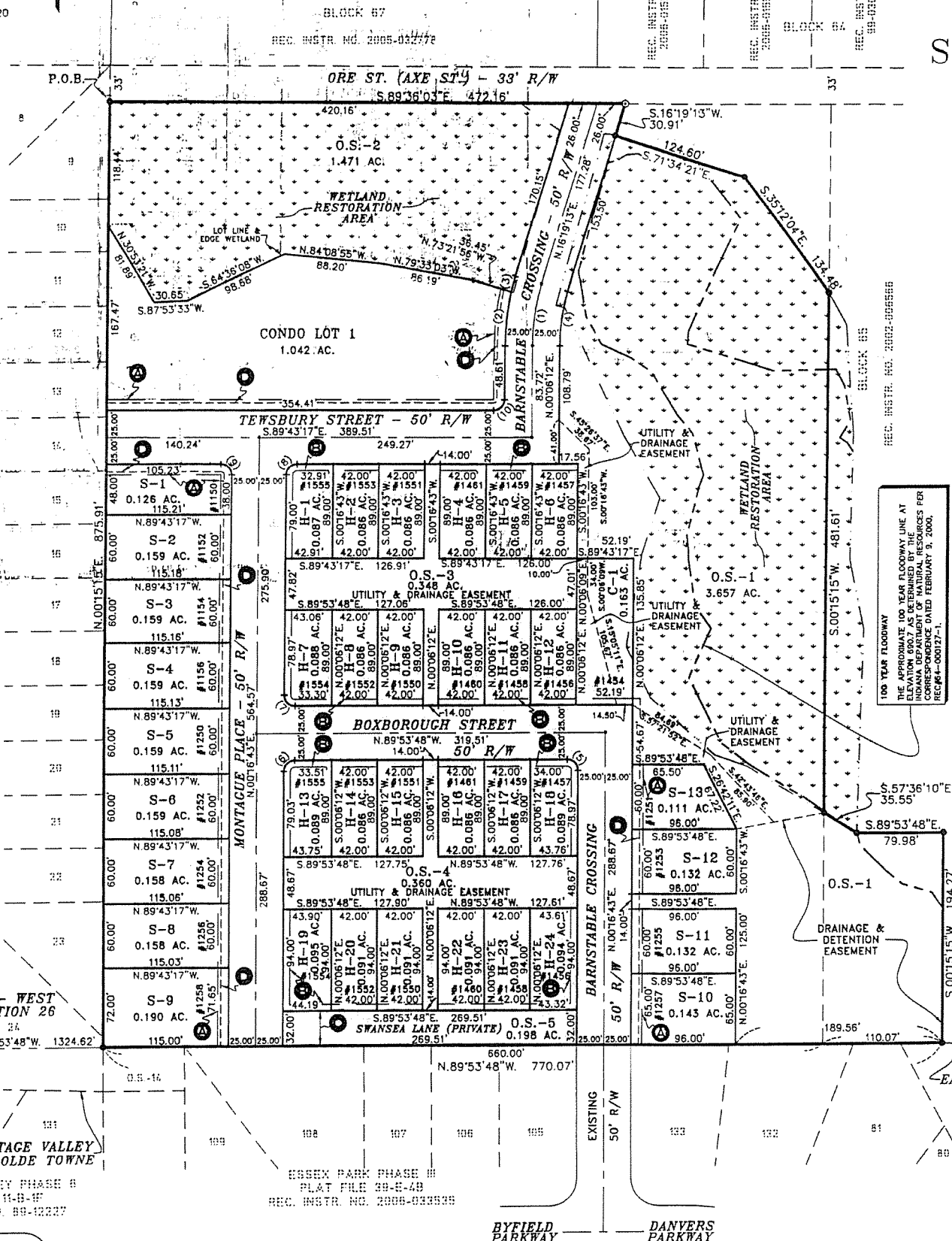
JUN 12 2009
10:02 AMPORTER COUNTY RECORDER
Kim V. Smith

CITY OF VALPARAISO, CENTER TOWNSHIP, PORTER COUNTY, INDIANA SECTION 26, TOWNSHIP 35 NORTH, RANGE 6 WEST

SCALE IN FEET:
0 60 120
SCALE: 1" = 60'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	200.00'	161°3'01"	56.61'	28.49'	56.42'	N.08°12'42"E
2	225.00'	123°0'26"	49.12'	24.66'	49.02'	N.06°21'25"E
3	225.00'	03°42'35"	14.57'	7.29'	14.57'	N.14°27'56"E
4	175.00'	161°3'01"	49.53'	24.83'	49.37'	N.08°12'42"E
5	100.00'	90°10'31"	15.74'	10.03'	14.68'	N.44°48'32"W
6	100.00'	89°49'29"	15.68'	9.97'	14.12'	S.45°11'28"W
7	100.00'	90°10'31"	15.74'	10.03'	14.16'	N.44°48'32"W
8	100.00'	90°00'00"	15.71'	10.00'	14.14'	N.45°15'43"E
9	100.00'	90°00'00"	15.71'	10.00'	14.14'	N.44°43'17"W
10	100.00'	90°10'31"	15.74'	10.03'	14.16'	N.45°11'28"E



DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 35 NORTH, RANGE 6 WEST, CITY OF VALPARAISO, CENTER TOWNSHIP, PORTER COUNTY, INDIANA, AND BEING A PART OF BLOCKS NUMBERED 85 AND 86 IN COUNCIL'S ADDITION TO THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN MISCELLANEOUS RECORD "E", PAGE 835 IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE "POINT OF BEGINNING" BEING A 5/8" IRON BAR WITH CAP MARKING THE NORTHWEST CORNER OF SAID BLOCK 86:

THENCE SOUTH 89°35'03" EAST, ALONG THE NORTH LINE OF BLOCK 66 A DISTANCE OF 472.16 FEET TO A NAIL WITH DISC;

THENCE SOUTH 16°19'13" WEST A DISTANCE OF 30.91 FEET TO A 5/8" IRON BAR WITH CAP;

THENCE SOUTH 71°34'21" EAST A DISTANCE OF 124.60 FEET TO A 5/8" IRON BAR WITH CAP;

THENCE SOUTH 35°12'04" EAST A DISTANCE OF 134.48 FEET TO A 5/8" IRON BAR WITH CAP ON THE WEST LINE OF SAID BLOCK 65 (ALSO BEING THE EAST LINE OF BLOCK 85);

THENCE SOUTH 00°15'15" WEST, ALONG SAID WEST LINE A DISTANCE OF 481.61 FEET TO A 5/8" IRON BAR WITH CAP;

THENCE SOUTH 87°36'10" EAST A DISTANCE OF 35.55 FEET TO A 5/8" IRON BAR WITH CAP;

THENCE SOUTH 89°35'48" EAST A DISTANCE OF 79.98 FEET TO A 5/8" IRON BAR WITH CAP;

THENCE SOUTH 00°15'15" WEST A DISTANCE OF 194.27 FEET TO A 5/8" IRON BAR WITH CAP ON THE SOUTH LINE OF BLOCK 65;

THENCE NORTH 89°35'48" WEST, ALONG SAID SOUTH LINE A DISTANCE OF 110.07 FEET TO A 5/8" IRON BAR WITH CAP MARKING THE SOUTHWEST CORNER OF BLOCK 65 (ALSO BEING THE SOUTHEAST CORNER OF BLOCK 66);

THENCE NORTH 89°35'48" WEST, ALONG THE SOUTH LINE OF BLOCK 66 A DISTANCE OF 660.00 FEET TO A 5/8" IRON BAR WITH CAP MARKING THE SOUTHWEST CORNER OF BLOCK 66;

THENCE NORTH 00°15'15" EAST, ALONG THE WEST LINE OF BLOCK 66 (ALSO BEING THE EAST LINE OF OLDE TOWNE WHICH IS RECORDED IN PLAT FILE 11-1-A IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA) A DISTANCE OF 875.91 FEET TO THE "POINT OF BEGINNING", CONTAINING 13.393 ACRES, MORE OR LESS.

SURVEYORS CERTIFICATE:

I, ROBERT D. PALM, HEREBY CERTIFY THAT I AM A LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, AND THAT TO THE BEST OF MY KNOWLEDGE, THIS PLAT CONFORMS TO THE REQUIREMENTS OF PART IV, ARTICLE XXVI OF THE CITY OF VALPARAISO ZONING ORDINANCE NO. 18, 1974, AS AMENDED; THAT THE MARKERS AND MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST; AND THAT THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN.

Robert D. Palm
REG. L.S. NO. 50307
STATE OF INDIANA

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.

PALM & ASSOCIATES, INC.
BY: ROBERT D. PALM

DEED OF DEDICATION:

WE, THE UNDERSIGNED, MARK J. FORSTZ AND MICHAEL J. FORSTZ, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF PLATTED AND SUBDIVIDED SAID REAL ESTATE IN ACCORDANCE WITH THE ATTACHED PLAT. THIS SUBDIVISION SHALL BE KNOWN AS FAIRFIELD GREENS ALL STREETS AND ALLEYS SHOWN AND DESIGNATED AS NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC. FRONT AND SIDE YARD BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT. THERE ARE STRIPS OF GROUND MARKED "EASEMENT", RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF 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 ERRECTED OR MAINTAINED UPON SAID STRIPS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND TO THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THIS SUBDIVISION.

THE REAL ESTATE SHOWN AND DESCRIBED HEREIN IS SUBJECT TO CERTAIN COVENANTS AND RESTRICTIONS KNOWN AS DECLARATION OF COVENANTS AND RESTRICTIONS FOR FAIRFIELD GREENS RECORDED ON THE DAY OF 2009, AS DOCUMENT NO. 2009-015395 IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, AND ANY AND ALL AMENDMENTS, REVISIONS, OR SUPPLEMENTS THERETO. SAID DECLARATION OF COVENANTS AND RESTRICTIONS ARE TO RUN WITH THE LAND AS SET FORTH THEREIN AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING BY, UNDER, OR THROUGH THEM.

IN ADDITION TO ALL RIGHTS, RESTRICTIONS, AND COVENANTS CONTAINED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR FAIRFIELD GREENS ("DECLARATION"), THE FOLLOWING ARE MADE A PART OF THIS PLAT:

1. CREATION OF THE ASSOCIATION: AS SOON AS IS PRACTICABLE FOLLOWING THE RECORDATION OF THE DECLARATION AND THIS PLAT, THE OWNER/DEVELOPER SHALL CREATE A PROPERTY OWNERS ASSOCIATION ("ASSOCIATION") AND SHALL CAUSE THE ASSOCIATION TO BE INCORPORATED AS AN INDIANA NOT-FOR-PROFIT CORPORATION.
2. MAINTENANCE AND OWNERSHIP OF OPEN SPACE LOTS: ACCORDING TO THE TERMS OF THE DECLARATION AND THIS PLAT, O.S.-1, O.S.-2, O.S.-3, O.S.-4, AND O.S.-5 (ALLEY - SWANSEA LANE) WILL BE CONVEYED TO AND OWNED BY THE ASSOCIATION. THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE FIVE (5) OPEN SPACE LOTS DEPICTED ON THIS PLAT AND THE FACILITIES LOCATED ON SAID OPEN SPACE LOTS, INCLUDING, BUT NOT LIMITED TO, SNOW PLOWING OF O.S.-5 (ALLEY - SWANSEA LANE). THE MAINTENANCE OF THE STORM WATER MANAGEMENT FACILITIES AND DETENTION BASINS LOCATED O.S.-1, O.S.-2, O.S.-3, O.S.-4, AND O.S.-5 SUCH MAINTENANCE IS TO INCLUDE THE MAINTENANCE AND REPAIR OF THE ALLEY (SWANSEA LANE), DRAINAGE CONTROL STRUCTURES AND CULVERTS ASSOCIATED THEREWITH. SHOULD THE CITY OF VALPARAISO OR ANY OF ITS DEPARTMENTS (COLLECTIVELY "CITY") DETERMINE THAT THE ASSOCIATION IS NOT FULFILLING ITS OBLIGATION WITH RESPECT TO SAID OPEN SPACE LOTS, THE CITY SHALL NOTIFY THE ASSOCIATION IN WRITING OF THE ALLEGED DEFICIENCY SPECIFICALLY SETTING FORTH THE ACTION DEEMED NECESSARY BY THE CITY TO CORRECT ANY SUCH ALLEGED DEFICIENCY. THE ASSOCIATION SHALL INSPECT SAID OPEN SPACE LOTS TO VERIFY THE ITEMS LISTED IN THE CITY'S WRITING AND SHALL IN GOOD FAITH PROCEED WITH CORRECTING THE SAME. SHOULD THE ASSOCIATION FAIL TO REMEDY THE ITEMS LISTED BY THE CITY, THE CITY SHALL HAVE THE RIGHT, AFTER WRITTEN NOTICE TO THE ASSOCIATION, TO ENTER SAID OPEN SPACE LOTS TO PERFORM THE NECESSARY MAINTENANCE FOR WHICH THE CITY SHALL BE ENTITLED TO RECOVER FROM THE OWNERS OF THE LOTS IN FAIRFIELD GREENS THE COSTS INCURRED IN PERFORMING SUCH WORK, INCLUDING ADMINISTRATIVE, LEGAL, AND ENGINEERING FEES, AND INTEREST COSTS. THE COSTS RECOVERABLE BY THE CITY AGAINST ANY OWNER MAY NOT EXCEED AND SHALL BE DETERMINED BY MULTIPLYING THE TOTAL COSTS INCURRED BY THE CITY BY A FRACTION OF WHICH THE NUMERATOR IS THE NUMBER OF LOTS OWNED BY THE OWNER IN FAIRFIELD GREENS AND THE DENOMINATOR IS THE TOTAL NUMBER OF RESIDENTIAL LOTS AND CONDOMINIUM UNITS IN FAIRFIELD GREENS.

WITNESS MY HAND AND SEAL THIS 13 DAY OF April 2009

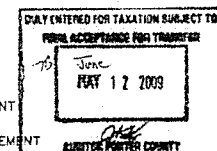
MARK J. FORSTZ & MICHAEL J. FORSTZ
1151 U.S. HWY 30
VALPARAISO, INDIANA 46385

BY: MARK J. FORSTZ

BY: MICHAEL J. FORSTZ

LEGEND

- A = 10' BUILDING SETBACK LINE
- B = 5' BUILDING SETBACK LINE & UTILITY EASEMENT
- C = 32' PRIVATE ALLEY, UTILITY & DRAINAGE EASEMENT
- D = 7' UTILITY EASEMENT
- E = EDGE OF WETLAND RESTORATION AREAS, AS SHOWN ON A DRAWING BY BENGAL ENGINEERING & SURVEYING, LTD. DATED 12-22-06. THESE AREAS ARE SUBJECT TO ALL LOCAL, STATE AND FEDERAL REGULATIONS PERTAINING TO WETLANDS. THE APPROPRIATE AUTHORITY TO CONTACT FOR WETLANDS RESTRICTIONS ARE:
- 1. ARMY CORPS OF ENGINEERS
- 2. INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
- 3. SET NAIL W/DISC
- 4. SET 5/8" IRON BAR W/CAP
- 5. ADDRESS PROVIDED BY CITY OF VALPARAISO



STATE OF INDIANA } SS:
COUNTY OF PORTER }

BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE SAID COUNTY AND STATE, PERSONALLY APPEARED MARK J. FORSTZ AND MICHAEL J. FORSTZ AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED OF THIS 13th DAY OF April 2009.

Notary Public
Julie A. Kocimarski
PRINTED NAME
MY COMMISSION EXPIRES: 03.07 2015

PLAN COMMISSION CERTIFICATE:

UNDER AUTHORITY PROVIDED BY INDIANA CODE 35-7-4-ETC. ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ORDINANCE ADOPTED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, THIS PLAT WAS GIVEN APPROVAL BY THE CITY AS FOLLOWS:

APPROVED BY THE VALPARAISO PLAN COMMISSION AT A REGULAR MEETING HELD ON April 14 2009.

VALPARAISO PLAN COMMISSION

PRESIDENT
EXECUTIVE DIRECTOR

BOARD OF PUBLIC WORKS AND SAFETY CERTIFICATION:

UNDER THE AUTHORITY OF ORDINANCE 18, 1974, AS AMENDED, THE PLAN WAS EXAMINED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF VALPARAISO AND APPROVED THIS 23rd DAY OF April 2009.

H. JONATHAN COSTAS, MAYOR

ATTEST: CHUCK WILLIAMS, MEMBER

JOHN HARDWICK, MEMBER

SHARON EMERSON SWIHART, CLERK-TREASURER

NOTES

1. A 7' UTILITY EASEMENT LIES ALONG AND ADJACENT TO THE INTERIOR STREET RIGHT-OF-WAY LINE FOR LOTS S-1, S-2, S-3, S-4, S-5, S-6, S-7, S-8, S-9, S-10, S-11, S-12 AND S-13.
2. A 6' UTILITY EASEMENT LIES ALONG AND ADJACENT TO INTERIOR STREET RIGHT-OF-WAY LINES FOR CONDO LOT 1, LOTS C-1, H-1, H-2, H-3, H-4, H-5, H-6, H-7, H-8, H-9, H-10, H-11, H-12, H-13, H-14, H-15, H-16, H-17, H-18, H-19, H-20, H-21, H-22, H-23 AND H-24.
3. FRONT BUILDING SETBACK LINES ON THIS SHEET ARE 10' FOR LOTS S-1, S-2, S-3, S-4, S-5, S-6, S-7, S-8, S-9, S-10, S-11, S-12 AND S-13, AND 8' FOR CONDO LOT 1, LOTS C-1, H-1, H-2, H-3, H-4, H-5, H-6, H-7, H-8, H-9, H-10, H-11, H-12, H-13, H-14, H-15, H-16, H-17, H-18, H-19, H-20, H-21, H-22, H-23 AND H-24 UNLESS OTHERWISE NOTED.
4. IF LOTS H-18, H-20, H-21, H-22, H-23, AND H-24 ARE TO RECEIVE TRASH/RECYCLING PICKUP AT THEIR RESPECTIVE DRIVES, A WAIVER WILL NEED TO BE SIGNED WITH THE PUBLIC WORKS DEPARTMENT ALLOWING THE CITY'S TRUCKS TO UTILIZE THE PRIVATE ALLEY (SWANSEA LANE).
5. LOT C-1 IS RESERVED FOR THE CONSTRUCTION OF A CLUB HOUSE.
6. THE BOUNDARY SURVEY FOR THIS SUBDIVISION IS SHOWN ON A PLAT OF SURVEY BY ROBERT D. PALM, REGISTERED LAND SURVEYOR, DATED OCTOBER 3, 2007 AND RECORDED AS INSTRUMENT NO. 2007-037653 IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.
7. ALL LOT CORNERS, UNLESS OTHERWISE NOTED, WILL BE MARKED WITH A 5/8" IRON BAR WITH SURVEYOR IDENTIFICATION CAP. ALL STREET CENTERLINE POINTS OF INTERSECTION, POINTS OF CURVATURE AND POINTS OF TANGENCY WILL BE MARKED WITH PAVEMENT NAIL WITH SURVEYOR IDENTIFICATION DISC.
8. WETLANDS BOUNDARY: AREAS DESIGNATED ON THIS PLAT AS WETLANDS WERE SHOWN ON A DRAWING BY BENGAL ENGINEERING & SURVEYING, TITLED "WETLAND DELINEATION FOR FORSTZ PROPERTIES PREPARED FOR SOIL SOLUTIONS INC.", AND DATED 12-22-06. THESE AREAS ARE SUBJECT TO ALL LOCAL, STATE AND FEDERAL REGULATIONS PERTAINING TO WETLANDS. THE APPROPRIATE AUTHORITY TO CONTACT FOR WETLANDS RESTRICTIONS ARE:

SECONDARY PLAT
APRIL 13, 2009

SHEET 1 OF 1



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