

CITY OF SHELBYVILLE

Adam M. Rude
Director



Allan Henderson
Deputy Director

PLAN COMMISSION

MEETING DATE: 6/28/2021

Case Number & Name:	PC 2021-12: Sariana Road Rezone			
Petitioner's Name:	Paul Corya/ Residential Development LLC			
Owner's Name:	Reainco Development Corporation			
Petitioner's Representative:	Matt Oman; RQAW			
Address of Property:	Sariana Road			
Subject Property Zoning Classification:	Current: BH – Business Highway Proposed: R2 – Two-family Residential			
Comprehensive Future Land use:	Single-family Residential			
	North	East	South	West
Surrounding Properties' Zoning Classifications:	BH – Business Highway	IL – light Industrial	RM – Multiple-family Residential	R1 – Single-family Residential
Surrounding Properties' Comprehensive Future Land Use	Single-family Residential	Single-family Residential	Single-family Residential	Single-family Residential
History:	The property subject to rezone is mostly surrounded by residential development; single family residential to the west, multifamily residential to the south, potential single family residential to the east and commercial development to the north.			
Vicinity Map:				
Action Requested:	A formal request to rezone a property from BH – Business Highway to R2 – Two-family Residential.			

1. This project involves rezoning the property along Sariana Road from BH – Business Highway to R2 – Two-family Residential. The petitioner would like to construct twelve (12) duplex buildings, a total of twenty-four (24) units on the property.
2. The Unified Development Ordinance (Section 9.10 (K)) requires the Plan Commission pay reasonable regard to the following decision criteria:

a. Relation to the Comprehensive Plan:

The planning staff has determined that the proposed zoning classification of R2 – Two-family Residential is generally consistent with the City’s Comprehensive Plan and the future land use map. The subject property is surrounded by R1 - single family residential and RM – Multiple-family Residential. The future land use map shows the areas for residential development. The rezone petition would help create an area of mixed use housing; ranging from Single family residential, to Two-family Residential, to Multiple-family residential. The petition is also aligned with the Comprehensive Plan’s Built Environment Objectives including:

- BE Objective #2: Guide healthy development patterns using future land use mapping.
- BE Objective #3: Transform the City’s Current Housing Stock and Neighborhoods.

b. Current Conditions:

The subject property sits on Sariana Road approximately 1000 feet south of Michigan Road. The property is currently used for agricultural purposes. The property was rezoned to BH – Business Highway with the Zoning Map adoption in 2014, because it is close to other commercial development along Sariana Road and Michigan Road. The property is currently surrounded by residential development.

c. Desired Use:

The City’s Comprehensive Plan has identified this area for residential growth. As the remaining lots in Central Park are sold and the single-family residences at The Pointe at Central Park come online, the proposed development will increase the housing options in that area of the city. The property to the east and to the southeast of the petitioner’s parcel are also slated for residential development. The requested rezone is consistent with residential growth within the surrounding neighborhood, as there are already numerous different housing developments in this area. After reviewing the City's Comprehensive Plan and considering the existing site constraints, the most desirable use would be achieved through this proposed rezone.

d. Property Values:

The planning staff has determined that the proposed rezoning should not have any adverse impact on neighboring property values. The surrounding area is a mix of single family residential and apartments. The proposed duplexes on the site will increase the diversity of the housing stock in the neighborhood, provide greater housing options and help to stabilize property values.

e. Responsible Growth:

The planning staff has determined that the public infrastructure is in place and has sufficient capacity for the proposed rezone. Infill projects are more sustainable to develop because they use the land more efficiently and require little to no improvements to the public infrastructure when compared to new development on a vacant site that might require extensions of infrastructure and utilities. Currently, all needed utility connections are located along Sariana Road.

STAFF RECOMMENDATION: Favorable recommendation on the proposed rezoning from BH – Business Highway to R2 – Two Family Residential.

Rezone (Zoning Map Amendment): PC 2021-12: Sariana Road Rezone

FINDINGS OF FACT BY THE SHELBYVILLE PLAN COMMISSION

Staff Prepared

Motion:

(I) would like to make a motion to forward a favorable recommendation for the rezone petition presented before this body, rezoning from BH – Business Highway to R2 – Two-family Residential, pursuant to the planning staff's report and Findings of Fact.

1. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **is not** consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.
2. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is complimentary to the current conditions and the character of current structures and uses in this zoning district.
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **is not** complimentary to the current conditions and the character of current structures and uses in this zoning district.
3. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone will allow for the most desirable use of the subject land, pursuant to the planning staff's report.
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **will not** allow for the most desirable use of the subject land, pursuant to the planning staff's report.
4. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone will not have an adverse negative effect on the conservation of property values throughout the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **will** have an adverse negative effect on the conservation of property values throughout the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.
5. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is a responsible growth and development strategy for the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is not a responsible growth and development strategy for the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.

Shelbyville Plan Commission

By: _____

Attest: _____

Chairperson

Secretary



REZONING APPLICATION

Shelbyville Planning & Building Department
44 West Washington Street
Shelbyville, IN 46176
P: 317.392.5102

For Office Use Only:

Case #: PC _____ - _____

Hearing Date: _____

Fees Paid: \$ _____

Final Decision: _____

Approved _____

Denied _____

1.

Applicant

Name: Paul D Corya / Residential Development LLC

Address: 1226 N County Road 500 W
Greensburg, IN 47240-9334

Phone Number: 812-663-6900

Fax Number: _____

Email: david.corya@coryaresidential.com

Property Owners Information (if different than Applicant)

Name: Reainco Development Corporation

Address: 8515 Wolf Pen Branch Rd
Prospect, KY 40059

Phone Number: _____

Fax Number: _____

Email: _____

2.

Applicant's Attorney/Representative

Name: Matt Oman / RQAW

Address: 8770 North St., Ste. 110
Fishers, IN 46038

Phone Number: 317-366-2012

Fax Number: _____

Email: moman@rqaw.com

Project Engineer

Name: Same as Representative

Address: _____

Phone Number: _____

Fax Number: _____

Email: _____

3. Project Information:

General Location of Property (and address is applicable): Approximately 1,000 feet south of Michigan Road on the east side of Saraina Road

Current Zoning: B-H

Proposed Zoning: R-2

Existing Use of Property: Vacant / Open Field

Proposed Use: Duplex Homes / Multi Family

4. Attachments

- ☒ Affidavit and Consent of Property Owner (if applicable)
- ☒ Proof of Ownership (copy of deed, recent property card)
- ☒ Letter of Intent
- ☒ Site Plan

- ☒ Vicinity Map
- ☒ Application Fee
- ☒ Legal Description
- ☒ Findings of Fact

The undersigned states the above information is true and correct as s/he is informed and believes.

Applicant: _____

Residential Development LLC

Paul D Corya, Manager

Date: 5/27/2021

State of INDIANA
County of Decatur SS:

Subscribed and sworn to before me this 27th day of May, 2021.

Linda Abrams
Notary Public

Linda Abrams
Printed

Residing in Shelby County.

My Commission Expires: 5/10/2023

LINDA ABRAMS
NOTARY PUBLIC

SEAL

SHELBY COUNTY, STATE OF INDIANA
MY COMMISSION EXPIRES MAY 10, 2023
COMMISSION NUMBER NP0667384

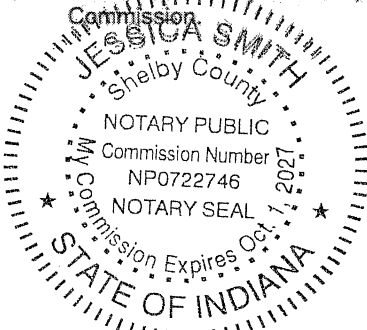
Revised 05/2019

AFFIDAVIT & CONSENT OF PROPERTY OWNER
APPLICATION TO THE SHELBYVILLE PLAN COMMISSION

STATE OF Indiana
COUNTY OF Shelby) SS:

I, REAINCO DEVELOPMENT CORP., AFTER BEING DULY SWORN, DEPOSE AND SAY THE
(Name of property owner)
FOLLOWING:

1. That I am the owner of real estate located at SARAINA ROAD, SHELBYVILLE, IN 46176
(Address of subject property)
2. That I have read and examined the Application made to the Shelbyville Plan Commission by:
Paul D Corya / Residential Development LLC
(Name of applicant)
3. That I have no objections to, and consent to the request(s) described in the Application made to the Shelbyville Plan Commission.



REAINCO DEVELOPMENT CORP.
Owner's Name (Please Print)
Amarjeet S. Luthra PRES.
Owner's Signature (AMARJEET S. LUTHRA)

Subscribed and sworn to before me this 1st day of June, 2021

Jessica Smith Notary Public
Jessica Smith Printed

Residing in Shelby County My Commission expires 10/01/2027



ZONING MAP AMENDMENT (“REZONING”) FINDINGS OF FACT

Petitioner's Name: Paul D Corya / Residential Development LLC
Location: Approximately 1,000 feet south of Michigan Road on the east side of Saraina Road
Variance for: Rezone property from B-H to R-2

The Shelbyville Board of Zoning Appeals must determine that the following criteria have been met in order to approve an application for a Development Standard Variance. Using the lines provided, please explain how your request meets each of these criteria.

1. **Comprehensive Plan:** The Comprehensive Plan and any other applicable adopted planning studies or reports.
The proposed development will help balance the diverse needs for large and small families, couples without children, empty nesters, and singles.
The duplex style home will provide an alternative to the single family detached home and multi-family apartment type homes.
2. **Current Conditions:** The current conditions and the character of current structures and uses in each district.
The existing site is an open field with an apartment complex to the south, single family to the west, open field to the east and commercial to the north. The proposed duplex style home development will fit in with the current conditions and character of the adjacent uses by providing an alternative type of residential home to the residents of Shelbyville.
3. **Desired Use:** The most desirable use for which the land in each district is adapted.
The parcel of land to be rezoned is located south of the E Michigan Road Business Highway Corridor and north of a multi-family use district. Providing a duplex style home development will be a desirable use for the property as it will fit in with the surrounding residential uses and provide the residents of Shelbyville another multi-family housing alternative.
4. **Property Values:** The conservation of property values throughout the City of Shelbyville's planning jurisdiction.
The proposed development should conserve the property values throughout the planning district as the duplex style home will be designed to be a high quality product and considered to be a flagship development for this type of housing unit.
5. **Responsible Growth:** Responsible Growth and Development.
Rezoning the property to R-2 will be a positive towards the responsible growth and development of Shelbyville and the Comprehensive Plan because, as noted earlier, the duplex style home will provide a good alternative to the detached single family or apartment style home.

Signature Page of Purchase Agreement
in lieu of Affidavit & Consent from Property Owner

X. **CONSULT YOUR ADVISORS:** Buyer and Seller acknowledge they have been advised that, prior to signing this document, they may seek the advice of an attorney for the legal or tax consequences of this document and the transaction to which it relates. In any real estate transaction, it is recommended that you consult with a professional, such as a civil engineer, environmental engineer, or other person, with experience in evaluating the condition of the Property.

Y. **EXPIRATION OF OFFER:** Unless accepted in writing by Seller and delivered to Buyer by 5:00 ☐ AM ☒ PM ☐ Noon on February 26, 2021, this Purchase Agreement shall be null and void and all parties shall be relieved and released of any and all liability or obligations.

This Agreement/contract together with any and all subsequent forms, amendments and addenda may be executed simultaneously or in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument. The parties agree that this Agreement, together with any and all subsequent forms, amendments and addenda may be transmitted between them electronically or digitally. The parties intend that electronically or digitally transmitted signatures constitute original signatures and are binding on the parties. The original documents shall be promptly delivered, if requested.

By signature below, the parties verify that they understand and approve this Purchase Agreement and acknowledge receipt of a signed copy.

[Signature] 2/22/2021 DATE BUYER'S SIGNATURE DATE

CR Development LLC PRINTED PRINTED

SELLER'S RESPONSE: (Check appropriate paragraph):

On February 25, 2021, at 6:48 ☐ AM ☒ PM ☐ Noon

☒ The above offer is Accepted.

☐ The above offer is Rejected.

☐ The above offer is Countered. See Counter Offer. Seller should sign both the Purchase Agreement and the Counter Offer.

By signature below, the parties verify that they understand and approve this Purchase Agreement and acknowledge receipt of a signed copy.

[Signature] 2/25/2021 DATE SELLER'S SIGNATURE DATE

Reainco Development Corporation PRINTED PRINTED



Prepared and provided as a member service by the Indiana Association of REALTORS®, Inc. (IAR). This form is restricted to use by members of IAR. This is a legally binding contract, if not understood seek legal advice.
Form #34. Copyright IAR 2021



0 Saraina Road, Shelbyville, Indiana - 4 Acres, Shelbyville, 46176

(Property Address)

Page 7 of 7 (Unimproved Purchase Agreement)

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Produced with Lene Wolf Transactions (zipForm Edition) 231 Shearson Cr. Cambridge, Ontario, Canada N1T 1J5 www.lwolf.com

Reainco-Tenant

Exhibit A of Purchase Agreement
in lieu of Affidavit & Consent from Property Owner

Exhibit A

- 1.) The parties acknowledge the following: (1) Jason L. Karmire ("Karmire") currently represents the Purchaser and Seller in certain legal matters; (2) Karmire will be preparing the documents for this transaction and perform other matters involved with the closing; (3) the circumstances described above may pose a potential conflict of interest for Karmire in this transaction; (4) the parties have discussed this potential conflict of interest with Karmire and nevertheless hereby waive the potential conflict of interest and consent to preparation of the documents by Karmire and Karmire's performance of other matters involved with closing this transaction; and (5) Seller and Purchaser have been advised to retain independent counsel should they wish to review this Agreement and any other agreements involved in the transaction contemplated herein.
- 2.) Property being sold subject to Buyer's due diligence period. Buyer to have 120 days for due diligence to include but not limited to, zoning change to multiple-family residential, approved drainage plan for the site, completed ALTA survey, phase one environmental, and approval from the City of Shelbyville for site plan. Buyer to have an additional 60-day extension if all due diligence is not completed by the 120-day period.
- 3) Buyer to pay the sum of Five Thousand Dollars (\$5,000.00) to Jason L. Karmire, Attorney at Law, toward Seller's attorney fees.
- 4) Buyer to pay the sum of Five Thousand Dollars (\$5,000.00) to LandProz of Indiana LLC for Buyer's professional fees.



Property Description in lieu of Deed

HIGHPOINTE - 4 ACRE TRACT
SHELBYVILLE, INDIANA

Part of the Southwest Quarter of Section 4, Township 12 North, Range 7 East of the Second Principal Meridian in the City of Shelbyville, Shelby County, Indiana, described as follows:

Commencing at the Southeast corner of the said Quarter Section; thence North 0 degrees 12 minutes 33 seconds East on and along the East line thereof 1022.39 feet to the Point of Beginning of this described tract; thence South 90 degrees 00 minutes 00 seconds West 251.04 feet; thence North 48 degrees 56 minutes 03 seconds West 135.74 feet; thence Northeasterly on a curve to the left which has a radius of 630.00 feet, a curved distance of 449.27 feet, said arc being subtended by a chord bearing North 20 degrees 38 minutes 11 seconds East 439.81 feet; thence North 00 degrees 12 minutes 33 seconds East 225.46 feet; thence South 89 degrees 33 minutes 53 seconds East 200.19 feet to the said East line; thence South 00 degrees 12 minutes 33 seconds West on and along the said East line 724.70 feet to the Point of Beginning, containing 4.000 acres, more or less.

RECORDED 9/14/95





Saraina Road Development Site Location Map

Printed
05/30/2021

The purpose of this map is to display the geographic location of a variety of data sources frequently updated from local government and other agencies. Neither WTH Technology nor the agencies providing this data make any warranty concerning its accuracy or merchantability. And no part of it should be used as a legal description or document.

June 1, 2021

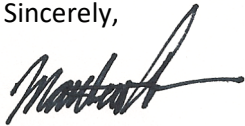
Letter of Intent to Rezone
Shelbyville, IN Plan Commission

Saraina Road Duplex Development

Corya Residential LLC (Developer) is proposing to rezone a four acre parcel of land from Business Highway (BH) to Two-family Residential (R2). The property is located approximately 1,000 feet south of Michigan Road on the east side of Saraina Road.

The developer is proposing construct 12 duplex buildings for a total of 24 dwelling units. In addition to the duplex units, the project will include at least one curb cut from Saraina Road and a new public road to serve the development that will be within a 50 foot right of way that will include sidewalks and all utilities necessary for the development.

Sincerely,



Matt Oman
RQAW Corporation



Saraina Road Duplex Development

Site Layout Concept - 12 Lots

06/01/2021



Lot 5 of Highpointe Commercial Subdivision, Phase II final plat recorded as Instrument No. 9902592 in the Office of the Recorder of Shelby County, Indiana.

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Owner and General Parcel Information

Property Card	Show Property Card
Tax History Data	Show Tax History
Owner Name	Realinco Development Corporation
State Parcel Number	73-11-04-300-070.000-002
Parcel Number	73-11-04-300-070.000-002
Map Number	041-34106-20
Legal Description	HIGHPOINT COMMERCIAL PHASE II TR 5 4 12 7 4.00 AC
Acreage	4.000000
Instrument Number	
Book Number	
Page Number	
Location Address	SARAINA RD SHELBYVILLE ,IN 46176
Owner Address	8515 Wolf Pen Branch RD PROSPECT,KY 40059

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HIGHPOINTE COMMERCIAL

PHASE 2 FINAL PLAT

PART OF THE SW1/4 OF SEC. 4, T12N, R7E
ADDISON TOWNSHIP, SHELBY COUNTY, INDIANA

of approval imposed by the Plan Commission
meeting on January 25, 1999 and subsequent

entrances and lot access:

Lot 1 is allowed entrance/exit onto
Michigan Road.

Lot 1 is not allowed an access onto
Saraina Road within its platted frontage.
Lot 1 shall have a shared entrance into
Lot 1 within the easement shown on Lot 2.
Lot 3 and Lot 4 shall have one shared
entrance into both lots located at the
common front corner between these lots.

rainage facility maintenance:

Each lot shall be responsible for the
maintenance of open drainage swales
located within easements along the rear
and side yards of lots. Open swales may
consist of earthen graded swales or
concrete paved swales.

LEGAL DESCRIPTION

Part of the Southwest Quarter of Section 4, Township 12 North, Range 7 East of the Second
Principal Meridian in the City of Shelbyville, Shelby County, Indiana, described as follows:

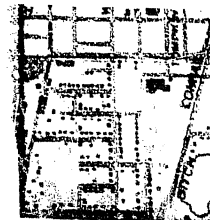
Commencing at the Southeast corner of the said Quarter Section; thence North 00 degrees 12
minutes 33 seconds East on and along the East line thereof 1022.39 feet to the Point of Beginning
of this described tract; thence South 90 degrees 00 minutes 00 seconds West 251.04 feet; thence
North 48 degrees 56 minutes 03 seconds West 195.74 feet; thence Northeasterly on a curve to the
left which has a radius of 570.00 feet, a curved distance of 406.48 feet, said arc being subtended by
a chord bearing North 20 degrees 38 minutes 11 seconds East 397.92 feet; thence North 00 degrees
12 minutes 33 seconds East 225.70 feet; thence South 89 degrees 33 minutes 53 seconds East 60.00
feet; thence North 00 degrees 12 minutes 33 seconds East 731.12 feet; thence North 56 degrees 31
minutes 42 seconds East 105.16 feet to the centerline of Michigan Road (Old U.S. #421); thence
South 69 degrees 32 minutes 33 seconds East along said centerline 120.10 feet to the East line of said
Quarter Section; thence South 00 degrees 12 minutes 33 seconds West along said East line 1473.36
feet to the Point of Beginning, containing 8.418 acres, more or less, subject however to all legal
rights-of-way and easements of record.

LAND SURVEYOR'S CERTIFICATE

I, Daniel L. Murray, hereby certify that I am a registered professional land surveyor of the State
of Indiana, that this plat correctly represents a survey completed by me on January 4, 1999, that
all the monuments shown thereon actually exist, and that their location, size, type, and material are
accurately shown

[Signature]

LEGAL DESCRIPTION



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Part of the Southwest Quarter of Section 4, Township 12 North, Range 7 East of the Second Principal Meridian in the City of Shelbyville, Shelby County, Indiana, described as follows:

Commencing at the Southeast corner of the said Quarter Section; thence North 00 degrees 12 minutes 33 seconds East on and along the East line thereof 1022.39 feet to the Point of Beginning of this described tract; thence South 90 degrees 00 minutes 00 seconds West 251.04 feet; thence North 48 degrees 56 minutes 03 seconds West 195.74 feet; thence Northeasterly on a curve to the left which has a radius of 570.00 feet, a curved distance of 406.48 feet, said arc being subtended by a chord bearing North 20 degrees 38 minutes 11 seconds East 397.92 feet; thence North 00 degrees 12 minutes 33 seconds East 225.70 feet; thence South 89 degrees 33 minutes 53 seconds East 60.00 feet; thence North 00 degrees 12 minutes 33 seconds East 731.12 feet; thence North 56 degrees 31 minutes 42 seconds East 105.16 feet to the centerline of Michigan Road (Old U.S. #421); thence South 69 degrees 32 minutes 33 seconds East along said centerline 120.10 feet to the East line of said Quarter Section; thence South 00 degrees 12 minutes 33 seconds West along said East line 1473.36 feet to the Point of Beginning, containing 8.418 acres, more or less, subject however to all legal rights-of-way and easements of record.

LAND SURVEYOR'S CERTIFICATE

I, Daniel L. Murray, hereby certify that I am a registered professional land surveyor of the State of Indiana, that this plat correctly represents a survey completed by me on January 4, 1999, that all the monuments shown thereon actually exist, and that their location, size, type, and material are accurately shown.


Daniel L. Murray, R. L. S. #S0098

CERTIFICATE OF DEDICATION

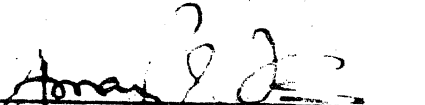
We the undersigned, Reainco Development Corporation, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide said real estate in accordance with the within plan.

This subdivision shall be known and designated as Highpointe Commercial Phase 2, an addition to the City of Shelbyville, Shelby County, State of Indiana. All streets, alleys, parks and other public lands shown and not heretofore dedicated are hereby dedicated to the City of Shelbyville.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the streets, there shall be no building or structure erected or maintained.

Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow of drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

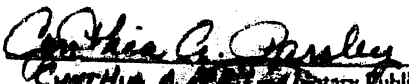

Witness our hands and seals this 1st day of MARCH, 1999.


Amarjeet S. Luthra, President
Reainco Development Corporation
2650 Fairview Place Suite "A"
Greenwood, Indiana 46142

Signed and sworn before me, a notary public, on MARCH 1, 1999.

My Commission Expires:
4-15-01

Resident of MADISON County

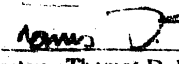

Cynthia A. Bradley, Notary Public


CERTIFICATE

I hereby certify that the su
Regulations for the City
noted in the minutes of th
of the City of Shelbyville


Approved this 25th


President, Christopher C.
City of Shelbyville Plan


Secretary, Thomas D. D
City of Shelbyville Plan

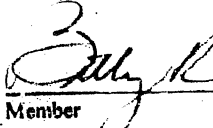
I hereby certify that the
Highpointe Commercial
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to assist completion of

Security presented and


President, Betty R. Ste
Shelbyville Board of Pu

I hereby certify that the s
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**BOARD OF PUBLIC
SHELBYVILLE INDI**


Member


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LOCATION MAP
1/1/2000


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CERTIFICATE OF APPROVAL OF THE FINAL PLAT

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for the City of Shelbyville, Indiana, with the exception of such variances, if any, as are noted in the minutes of the Plan Commission, and that it has been approved for recording in the office of the City of Shelbyville and Shelby County Clerks

Approved this 12th day of JANUARY, 1999

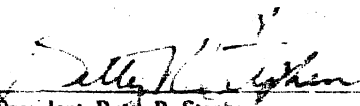

President, Christopher Gattis
City of Shelbyville Plan Commission


Secretary, Thomas D. DeBaun
City of Shelbyville Plan Commission

CERTIFICATE OF APPROVAL FOR DEDICATION OF STREETS AND UTILITIES

I hereby certify that the streets and utilities and other improvements shown on this plat, entitled Highpointe Commercial Phase 2, may be presented to the City for dedication upon the completion of construction in accordance with the City Specifications and Standards. A performance bond, or irrevocable letter of credit, in accordance with the City of Shelbyville Ordinance 151-029 as amended in Ordinance 98-2293, in the amount of \$ 8,916.00 has been posed with the Clerk-Treasurer to assure completion of all required improvements

Security presented and approval granted this 7th day of March, 1999


President, Betty R. Stephen
Shelbyville Board of Public Works and Safety

ACCEPTANCE OF DEDICATION

I hereby certify that the streets, utilities and other improvements have been installed in an acceptable manner and according to City Specifications and Standards in the subdivision entitled Highpointe Commercial Phase 2. The performance bond or irrevocable letter of credit posted with the Clerk-Treasurer of the City of Shelbyville Ordinance 151-038 (B) (15) (b) has been presented to the Clerk-Treasurer and is effective this 16th day of January, 1999

BOARD OF PUBLIC WORKS AND SAFETY SHELBYVILLE INDIANA


Member


Member

Member

Engineers and Land Surveyors



Franklin Engineering Company

151 West Jefferson Street
Franklin, Indiana 46131

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January 4, 1999, that
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Mary Ann
Secretary Public



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We the undersigned, described in the plat an off, plat an

This subdivision of the City of lands show

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2650 Fair

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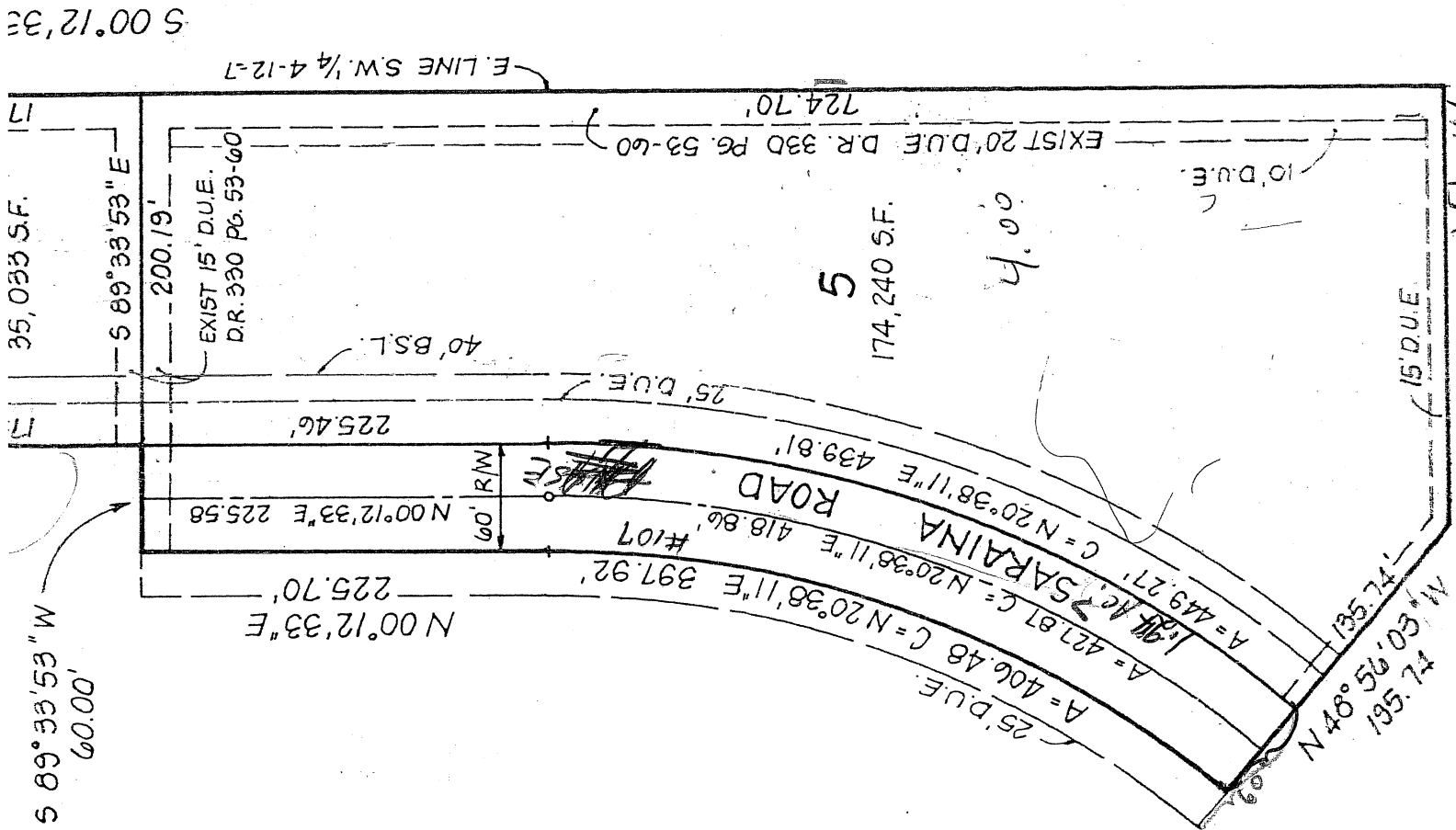
My Commission

Resident

LEGEND

D.U.E.	DRAINAGE & UTILITY EASEMENT
B.S.L.	BUILDING SETBACK LINE
S.S.E.	SANITARY SEWER EASEMENT
A =	ARC DISTANCE
C =	CHORD BEARING & DISTANCE
S.F.	SQUARE FEET
R/W	RIGHT-OF-WAY

NOTE: 5/8" DIAMETER x 24" LONG REBAR AT ALL LOT CORNERS.

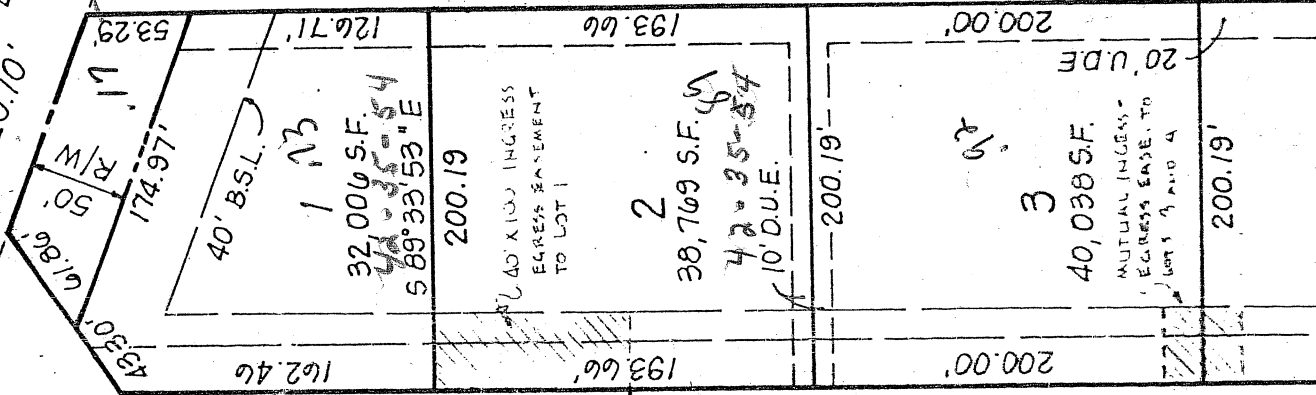
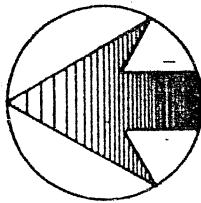


MICHIGAN RD.
STATE RD. 29 - U.S. 421

HIGHPOINT PHASE II

PART OF TOWNSHIP ADDISON

$S 69^{\circ} 32' 33'' E$
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 $42-35-53$
 $174.97'$
 $53.29'$
 $49.30'$
 $61.86'$
 $50' R/W$
 $N 56^{\circ} 31' 42'' E$
 $105.16'$



Conditions of approval imposed by the Plan Commission at a public meeting on January 25, 1999 and subsequent meetings.

(A) Entrances and lot access:

1. Lot 1 is allowed entrance/exit onto Michigan Road.
2. Lot 1 is not allowed an access onto Saraina Road within its platted frontage.
3. Lot 1 shall have a shared entrance into Lot within the easement shown on Lot 2.
4. Lot 3 and Lot 4 shall have one shared entrance into both lots located at the common front corner between these lots.

(B) Drainage facility maintenance:

1. Each lot shall be responsible for the maintenance of open drainage swales located within easements along the rear and side yards of lots. Open swales may consist of earthen graded swales or concrete paved swales.

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