

**FAYETTE COUNTY AREA PLAN COMMISSION
STAFF REPORT AND FINDINGS**

June 27, 2024

Petition Number: #SD20240627-1

Case Name / Petitioner: Lucas Subdivision, John Lucas, Lucas Investors, LLC

Petition Requested Action: Minor Residential Subdivision, primary and secondary approval, three single family replat of Conwell's NE Lot #1 Block #5 221 W 9th Street

Parcel Numbers: 21-05-24-410-001.000-003

Parcel Description: Pt NE Lot #1 Block #5 221 W 9th Street. .31 acres

Zoning District: General Business (GB)

Parcel Address: 221 W 9th Street

Property, Area and Project Description

The property included in the petition includes one 0.31 acre lot with no dwellings. Historically there were two addresses associated with this parcel, no dwellings exist on this parcel. North and south property lines are 165 feet in length. The east and west property lines are 82.5 feet in length. The west property line abuts a north south alley. The south property line abuts a residential property line. The north property line abuts the West Ninth Street right-of-way. The east property line abuts the Conwell Street right-of-way. The sidewalks along Conwell Street and West Ninth Street have deteriorated to the point that they are not functional and in some locations little more than a hint of a sidewalk.

CONWELLS NE BLOCK # 5 219 - 221 W. 9TH STREET is unusual in that each lot consists of one half of a block. Lot#4 was split into three residential parcels. Lot#3 was split into two residential parcels. Lot#3 was split into three residential properties with currently two dwellings on two of the three parcels. Lot #7 was split into two residential parcels with one dwelling remaining with the north third of the lot being part of the C0-Alliance fuel center operation. Lot #8 was split into four residential lots with all four dwellings standing and used. Lot #7 Block #6 is occupied by the American Legion. Lots #2 and #3 of Block #5 is occupied by Bam Fitness facility and parking.

The lot size of 0.103 acres proposed by the petitioner is reasonably consistent with the existing residential lot sizes which range from 0.078 acres to 0.18 acres. The proposed axis of the dwellings is consistent the axis of existing dwellings in the neighborhood. The proposed dwellings meet the minimum square footage requirements of the zoning code.

The project is an infill project which focuses on developing land in locations which already have street access, city water, and city sewer. The petitioner is proposing to install sidewalks which are located in the City right-of-way that are consistent with the new city and county development standards. This includes an ADA consistent ramp located at the intersection of West Ninth Street and Conwell Street which will help with Connersville progress in meeting The City ADA Transition Plan.

Petition Submission

An application for the above noted "subdivision approval" for Connersville Commons was filed on *June 6, 2024* in the office of the Fayette County Area Plan Commission (FCAPC). The application requested a public hearing for a "subdivision approval" for a replat of Pt NE Lot #1 Block #5 221 W 9th Street, a 0.31 acre three lot minor subdivision.

Acting in its role as staff to the FCAPC, the FCAPC staff subsequently created a file containing all documentation of the request within the file which is available for public inspection in the Area Planning office located on the first floor of the Fayette County Court House Annex, 111 West 4th Street, Connersville, Indiana.

In accordance with IC 5-3-1 and IC 36-7-4-604 and Article 5 of the Rules of Procedure of the FCAPC the petitioner published a legal notice in the Connersville News Examiner on *June 13, 2024*. This notice advertised a public hearing conducted by the FCAPC that included this petition heard on Thursday, June 27, 2024 beginning at 7:30 P.M.

In accordance with IC 36-7-4-604, Article 5 of the Rules of Procedure of the FCAPC, the petitioner also sent notices by certified mail to the owners of all property abutting the parcels included in the petition. The file contains a copy of this notice and a list of all those property owners sent certified letters including copies of the certified letter receipts and the certified mail return receipts.

The Fayette County Area Plan Commission conducted a hearing on Thursday, June 27, 2024 as advertised.

In accordance with IC 36-7-4-605, Article 6 of the Rules of Procedure of the FCAPC, a motion to _____ was made by _____ and seconded by _____, the motion _____ by of vote of to.

Board members present at the Thursday, June 27, 2024 Fayette County Area Plan Commission meeting:

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Board Member Present	Vote on motion
Gary Naylor	
Deron Price	
Dale Munson	
Bob Stewart	
Brian Robb	
Darrell Drew	
Bill Free	
Tim Sparks	
Bill Macke	

Fayette County Area Plan Commission Staff present at this public hearing held Thursday, June 27, 2024:
 Bev Rude, Secretary
 Bill MacDaniel, AICP, Executive Director
 Geoff Wesling, Attorney

INDIANA PLANNING LAW, I.C. 36-7-4, 700 series – Subdivision Control

IC 36-7-4-702 Subdivision control; primary approval of plat; standards of ordinance; requisites; compliance

- (a) In determining whether to grant primary approval of a plat, the plan commission (or plat committee acting on the commission's behalf) shall determine if the plat or subdivision qualifies for primary approval under the standards prescribed by the subdivision control ordinance.
- (b) The subdivision control ordinance must specify the standards for determining whether a plat qualifies for primary approval. The ordinance must include standards for:
 - (1) minimum width, depth, and area of lots in the subdivision;
 - (2) public way widths, grades, curves, and the coordination of subdivision public ways with current and planned public ways; and
 - (3) the extension of water, sewer, and other municipal services.
- (c) The standards fixed in the subdivision control ordinance under subsection (b) may be waived at the discretion of the plan commission (or plat committee acting on the commission's behalf); however, to be approved, the plat must still meet all applicable standards prescribed in the zoning ordinance (other than standards modified by variance in accordance with the 900 series of this chapter). As a condition of granting a waiver under this subsection, the commission or committee may allow or require a commitment to be made under section 1015 of this chapter.
- (d) As a condition of primary approval of a plat, the commission or committee may specify:
 - (1) the manner in which public ways shall be laid out, graded, and improved;
 - (2) a provision for water, sewage, and other utility services;
 - (3) a provision for lot size, number, and location;
 - (4) a provision for drainage design; and
 - (5) a provision for other services as specified in the subdivision control ordinance.
- (e) The subdivision control ordinance may not regulate condominiums regulated by IC 32-25.
As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1982, P.L.211, SEC.6; P.L.2-2002, SEC.109; P.L.126-2011, SEC.17

IC 36-7-4-703 Subdivision control; application for approval of plat; procedure

A person desiring the approval of a plat shall submit a written application for approval in accordance with procedures prescribed by the legislative body in the subdivision control ordinance. *As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1981, P.L.310, SEC.35; Acts 1982, P.L.211, SEC.7.*

IC 36-7-4-704 Subdivision control; fees; uniform schedule; payment The plan commission shall establish a uniform schedule of fees proportioned to the cost of checking and verifying the proposed plats. An applicant shall pay the specified fee upon the filing of an application for approval. *As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1981, P.L.310, SEC.36; Acts 1982, P.L.211, SEC.8.*

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IC 36-7-4-705 Subdivision control; primary approval of plat; review of application; hearing date. Upon receipt of an application for primary approval, the plan commission staff shall review the application for technical conformity with the standards fixed in the subdivision control ordinance. Within thirty (30) days after receipt, the staff shall announce the date for a hearing before the plan commission or plat committee and provide for notice in accordance with section 706 of this chapter. The plan commission shall, by rule, prescribe procedures for setting hearing dates and for the conduct of hearings. *As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1981, P.L.310, SEC.37; Acts 1982, P.L.211, SEC.9.*

IC 36-7-4-706 Subdivision control; application for primary approval; notice of hearing After the staff has announced a date for a hearing before the plan commission or plat committee, it shall:

(1) notify the applicant in writing;

(2) give notice of the hearing by publication in accordance with IC 5-3-1; and

(3) provide for due notice to interested parties at least ten (10) days before the date set for the hearing. The plan commission shall, by rule, determine who are interested parties, how notice is to be given to them, and who is required to give that notice. *As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1981, P.L.310, SEC.38; Acts 1982, P.L.211, SEC.10.*

IC 36-7-4-707 Subdivision control; primary approval of plat; findings and decision

(a) If, after the hearing, the plan commission or plat committee determines that the application and plat comply with the standards in the subdivision control ordinance, the commission or committee shall make written findings and a decision granting primary approval to the plat. This decision, which must also specify any condition imposed or waiver granted under section 702 of this chapter, must be signed by an official designated in the subdivision control ordinance.

(b) If, after the hearing, the plan commission or plat committee disapproves the plat, the commission or committee shall make written findings that set forth its reasons and a decision denying primary approval and shall provide the applicant with a copy. This decision must be signed by the official designated in the subdivision control ordinance.

(c) This section applies to any subdivision of land, whether or not it is exempted from the notice and hearing requirements of this series under section 701(d) of this chapter.

As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1982, P.L.211, SEC.11; P.L.126-2011, SEC.18.

IC 36-7-4-708 Subdivision control; primary approval or disapproval of plat; appeal to plan commission; procedure; review

(a) An applicant or other interested party may appeal to the plan commission the primary approval or disapproval of a plat, or the imposition of a condition on primary approval by the plat committee, in accordance with section 402(d) of this chapter. However, if the plat committee grants primary approval for the subdivision of land without public notice and hearing under section 701(d) of this chapter, an interested party may appeal the approval to the plan commission by filing a notice of appeal with the plan commission not more than five (5) days after a copy of the plat committee's action is mailed to the interested party. Notice shall be given and a hearing held by the commission in the same manner as in the case of the plat committee.

(b) The commission has the same power as the plat committee to approve, disapprove, or impose conditions on the approval of plats.

(c) The primary approval by the commission of a plat must be certified on behalf of the commission by an official designated in the subdivision control ordinance.

As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1982, P.L.211, SEC.12; P.L.320-1995, SEC.11; P.L.126-2011, SEC.19.

IC 36-7-4-709 Subdivision control; secondary approval of plat; proof of financial responsibility; rule for determination of completion of improvements and installations. Not required for minor subdivision, all utilities and streets are installed.

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- (a) Secondary approval under section 710 of this chapter may be granted to a plat for a subdivision in which the improvements and installments have not been completed as required by the subdivision control ordinance, if:
- (1) the applicant provides a bond, or other proof of financial responsibility as prescribed by the legislative body in the subdivision control ordinance, that:
 - (A) is an amount determined by the plan commission or plat committee to be sufficient to complete the improvements and installations in compliance with the ordinance; and
 - (B) provides surety satisfactory to the plan commission or plat committee; or
 - (2) with respect to the installation or extension of water, sewer, or other utility service:
 - (A) the applicant shows by written evidence that it has entered into a contract with the political subdivision or utility providing the service; and
 - (B) the plan commission or plat committee determines based on written evidence that the contract provides satisfactory assurance that the service will be installed or extended in compliance with the subdivision control ordinance.
- (b) Any money received from a bond or otherwise shall be used only for making the improvements and installments for which the bond or other proof of financial responsibility was provided. This money may be used for these purposes without appropriation. The improvement or installation must conform to the standards provided for such improvements or installations by the municipality in which it is located, as well as the subdivision control ordinance.
- (c) The plan commission shall, by rule, prescribe the procedure for determining whether all improvements and installations have been constructed and completed as required by the subdivision control ordinance. The rule must designate the person or persons responsible for making the determination.

As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1982, P.L.211, SEC.13; P.L.337-1985, SEC.1; P.L.126-2011, SEC.20.

IC 36-7-4-710 Subdivision control; secondary approval of plat; authority to grant; time; prerequisites for legal effect of plat

- (a) The plan commission may grant secondary approval of a plat under this section or may delegate to the plat committee or staff the authority to grant such secondary approvals.
- (b) Secondary approval may be granted, after expiration of the time provided for appeal under section 708 of this chapter.
- (c) No notice or hearing is required, and the provisions of this series concerning notice and hearing do not apply to secondary approvals.
- (d) A plat of a subdivision may not be filed with the auditor, and the recorder may not record it, unless it has been granted secondary approval and signed and certified by the official designated in the subdivision control ordinance governing the area. The filing and recording of the plat is without legal effect unless approved by the commission, committee, or staff.

As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1981, P.L.310, SEC.39; Acts 1982, P.L.211, SEC.14; P.L.126-2011, SEC.21.

APC Findings

IC 36-7-4-702 Subdivision control; primary approval of plat; standards of ordinance; requisites; compliance

Staff Recommendation

For the reasons included in the findings section Area Plan Commission staff recommends the Area Plan Commission grant primary and secondary approval (financial surety not required) for **Petition Number: #SD20240627-1**

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For all of the foregoing reasons, the Fayette County Area Plan Commission, on Thursday, June 27, 2024 _____
(approved / disapproved) **Petition Number: #SD20240627-1**
to _____ primary subdivision approval and to _____ secondary subdivision approval.

The findings of fact contained herein are adopted by the Fayette County Area Plan Commission on Thursday *June 27, 2024*.

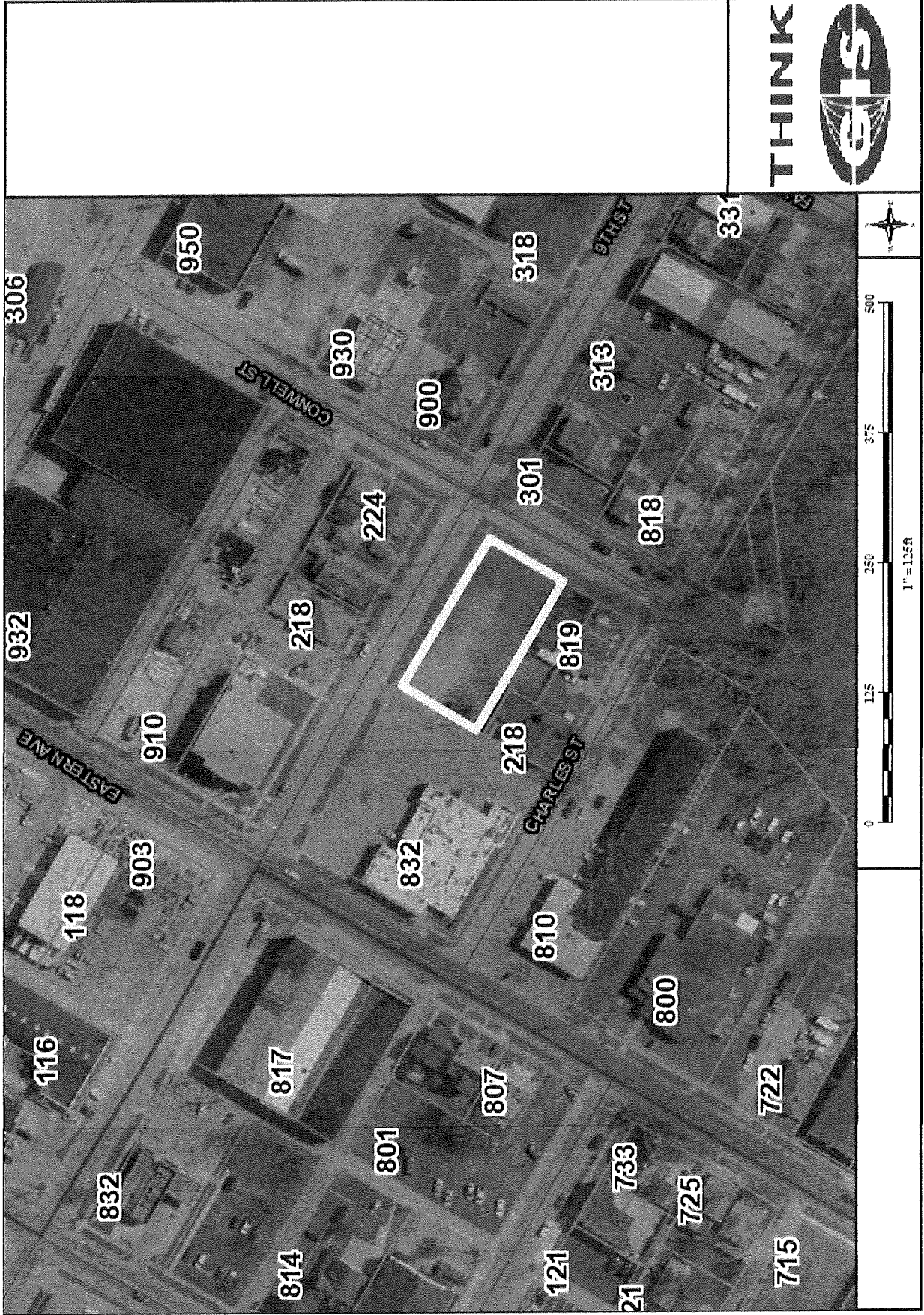
President
Fayette County Area Plan Commission

Date

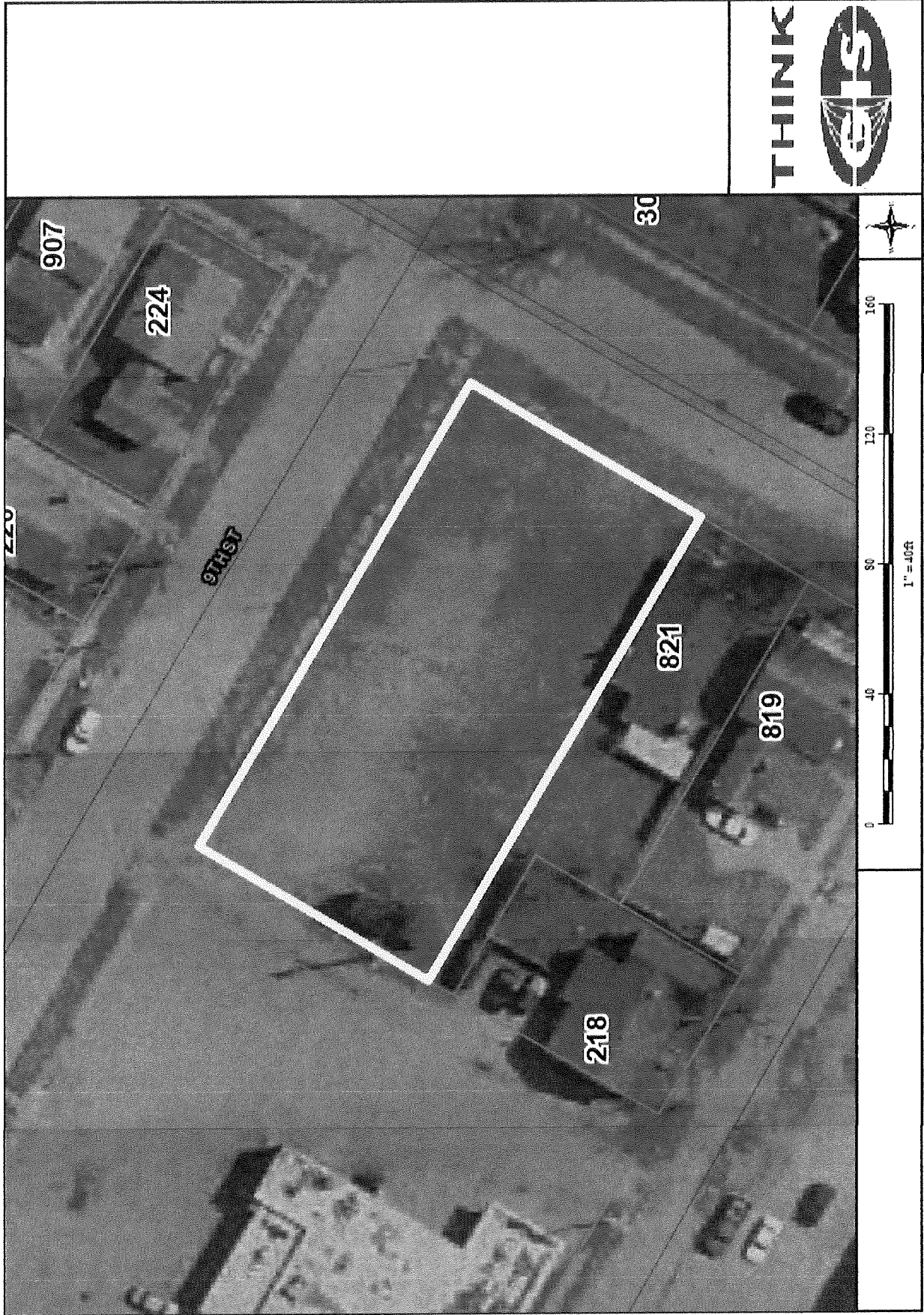
Secretary
Fayette County Area Plan Commission

Date

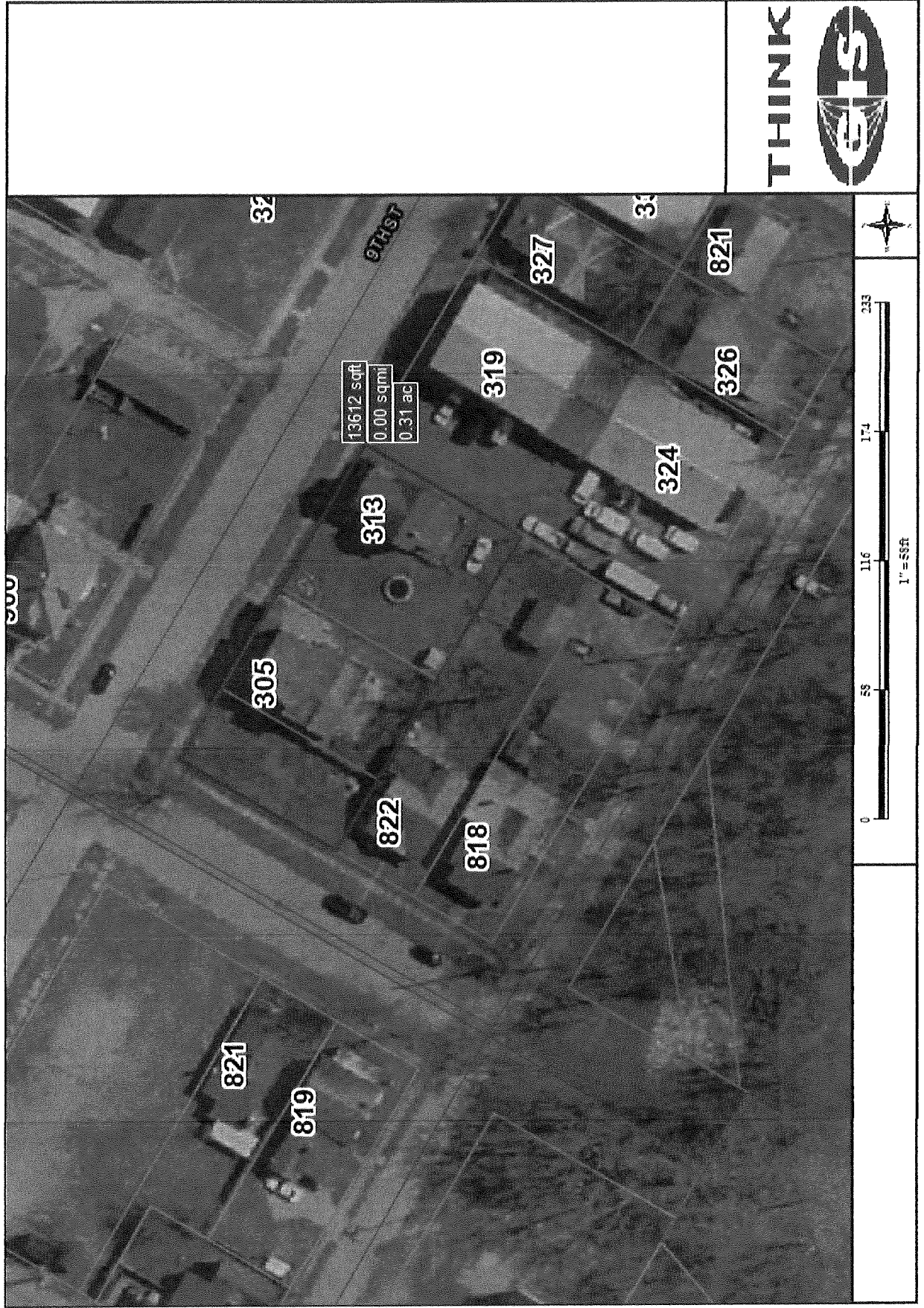
Lucas Minor Subdivision of CONWELLS NE LOT # 1
BLOCK # 5 219 - 221 W. 9TH STREET



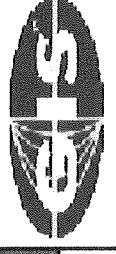
CONWELLS NE LOT # 1 BLOCK # 5 219 - 221 W. 9TH STREET



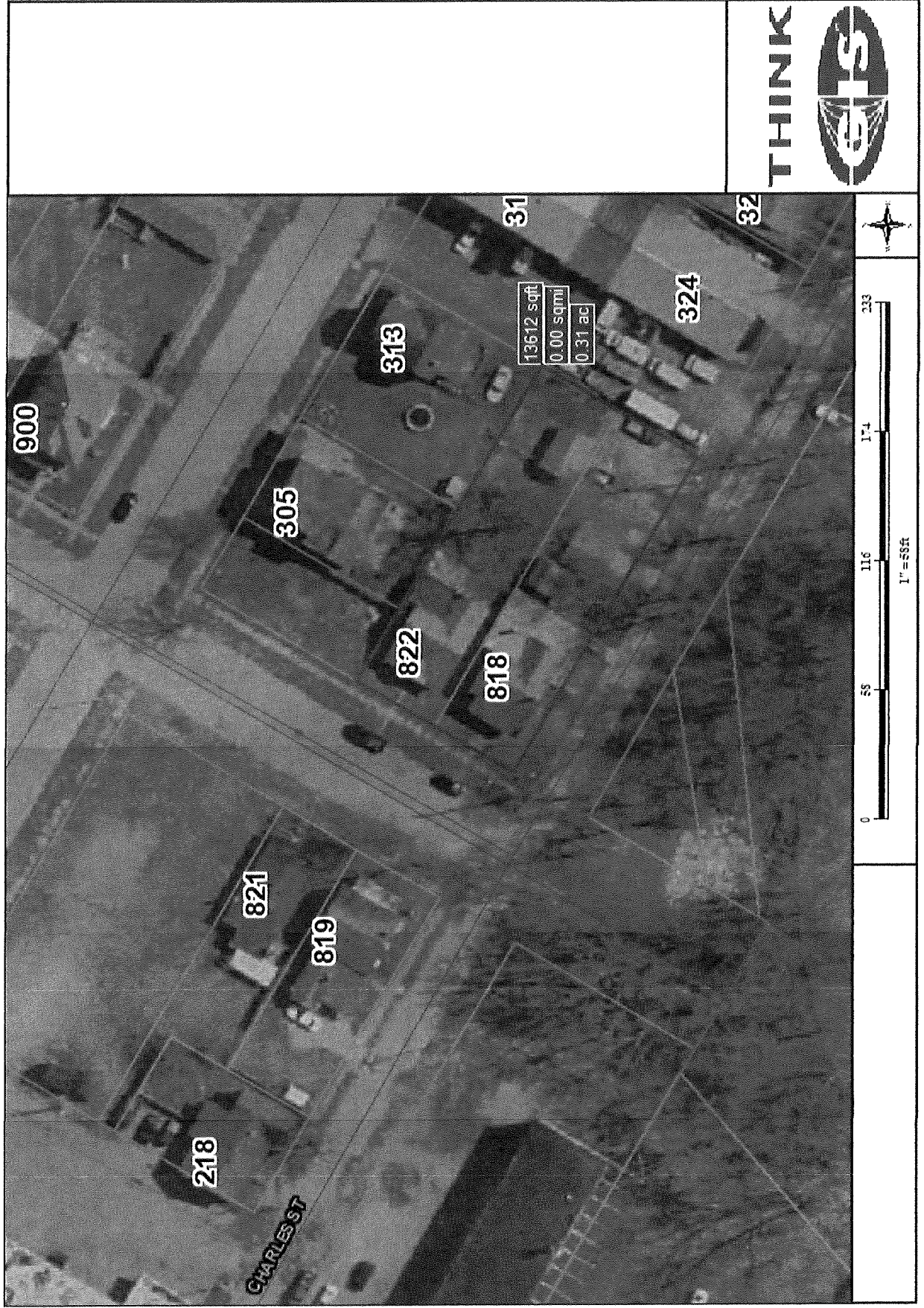
Conwells Ne Lot # 2



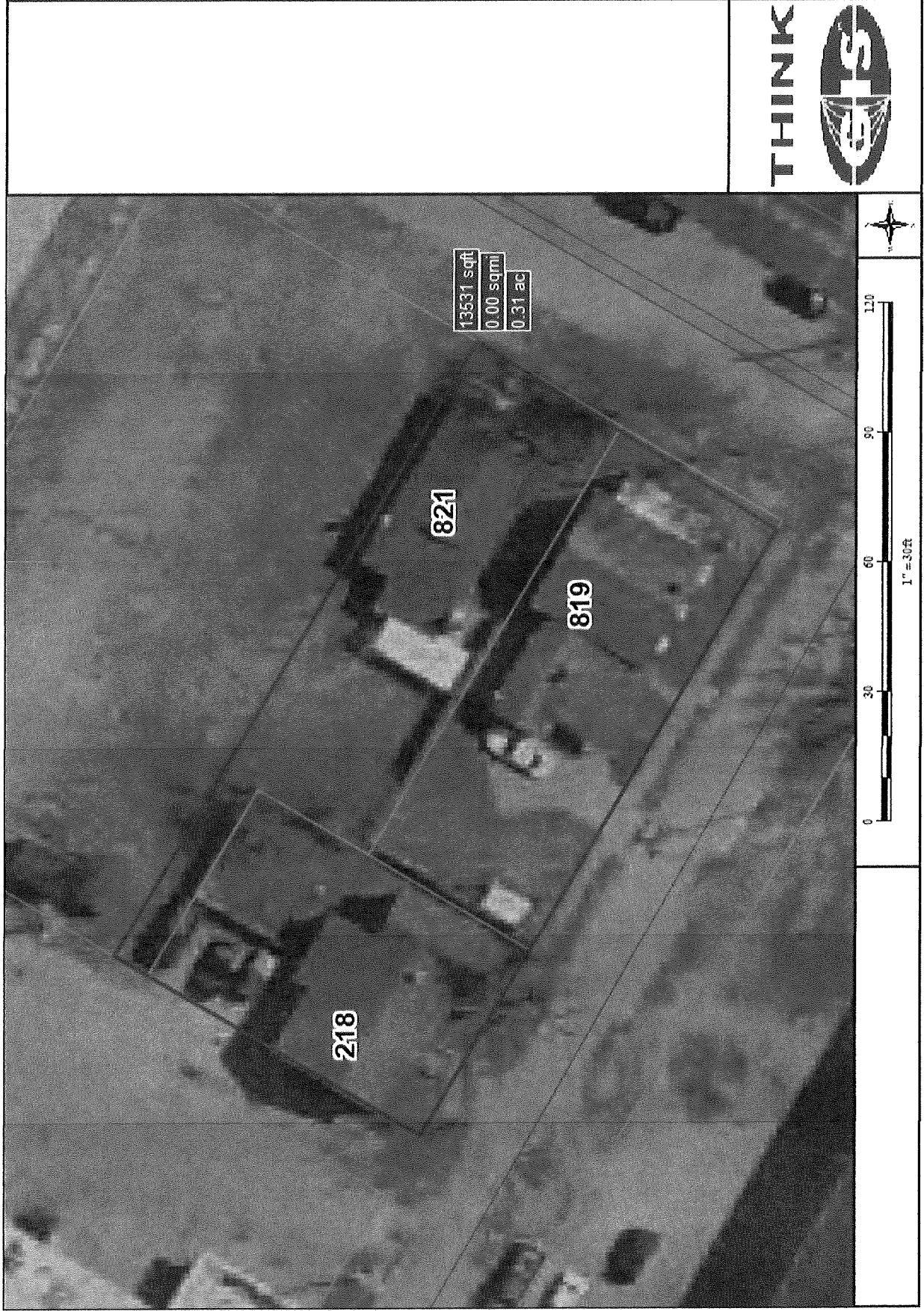
THINK



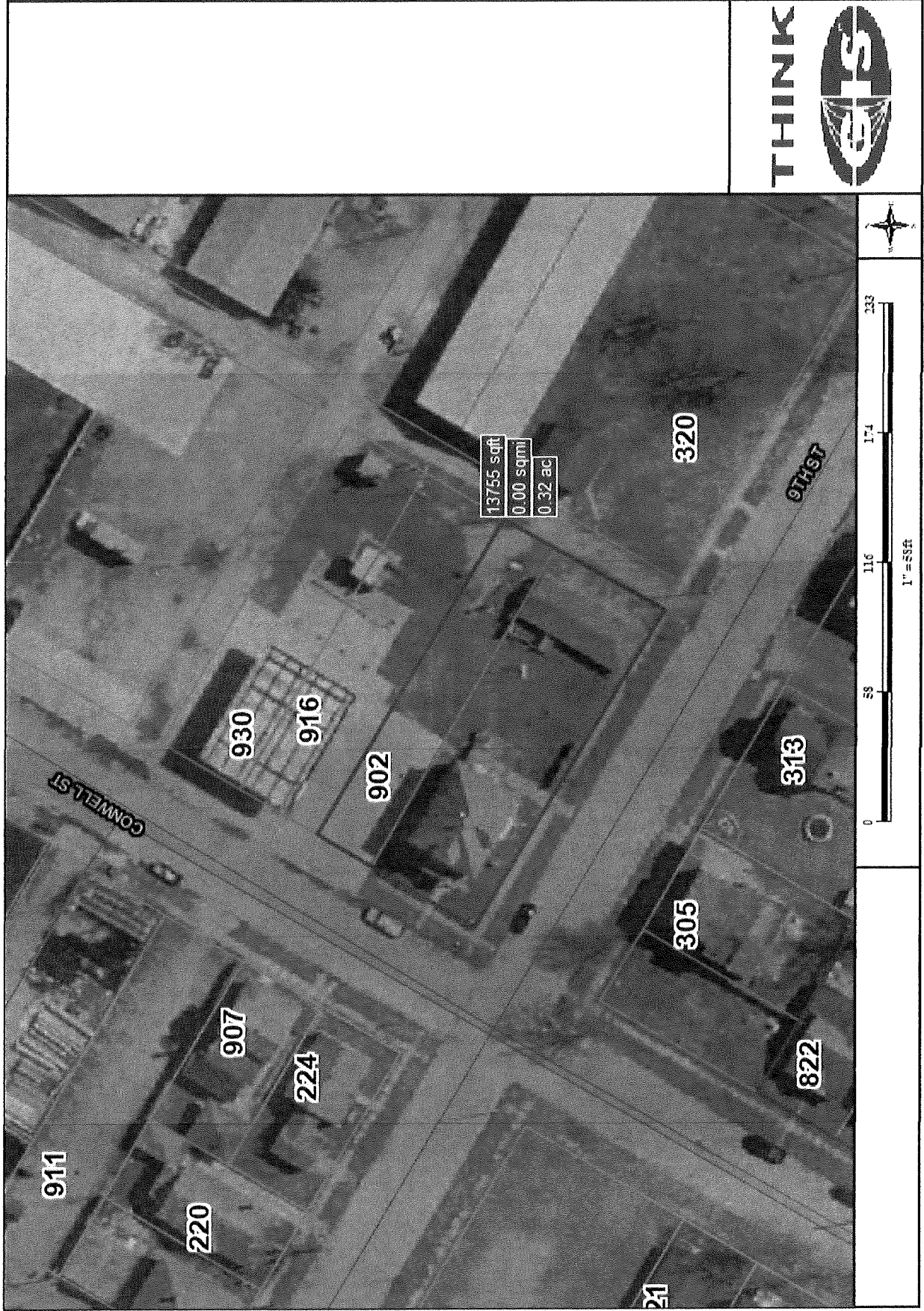
Conwells Ne Pt. Lot # 3



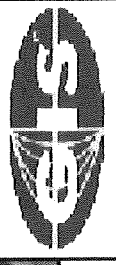
CONWELLS NE PT. LOT # 4



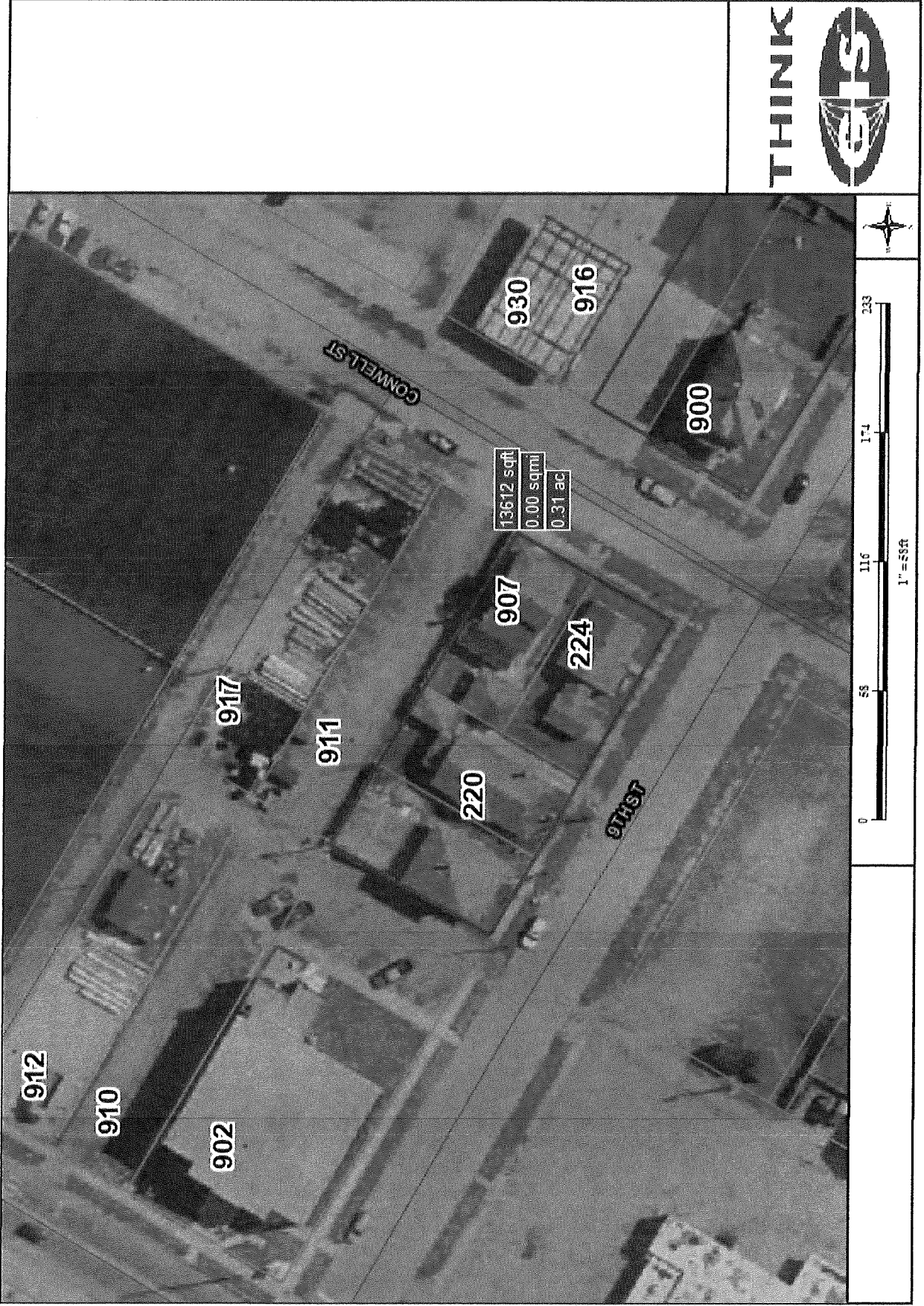
Conwells Ne Pt. Lot # 7

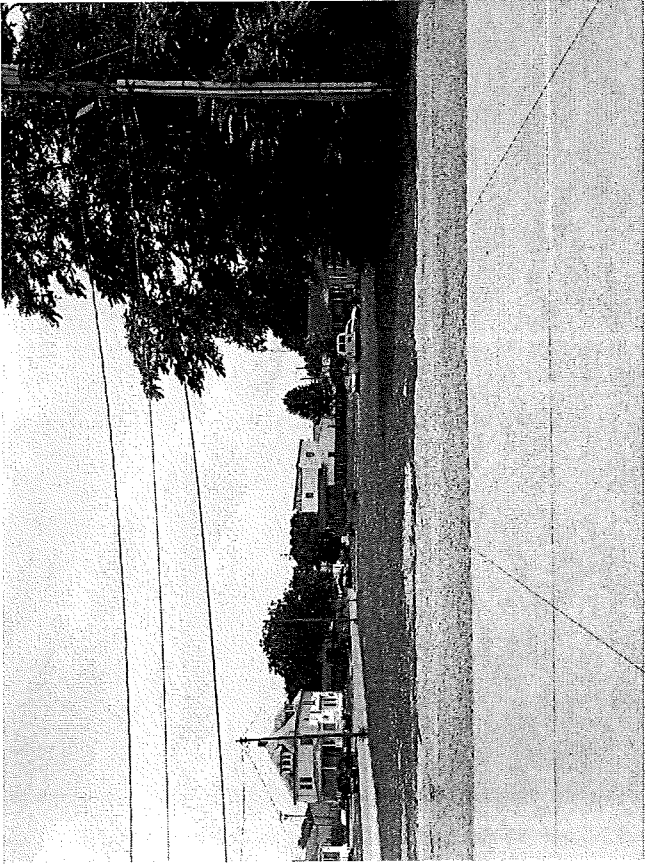


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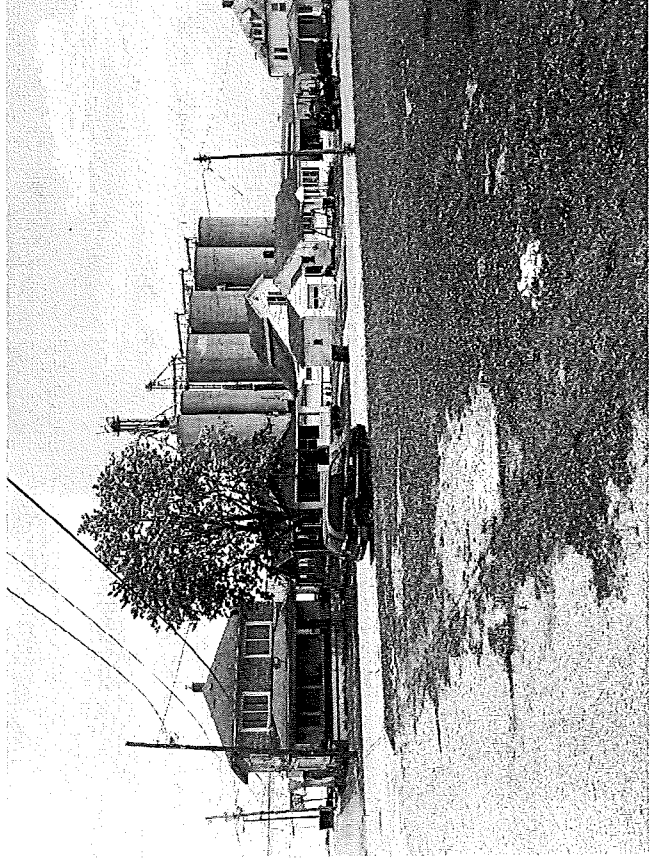


Conwells Ne Pt. Lot # 8





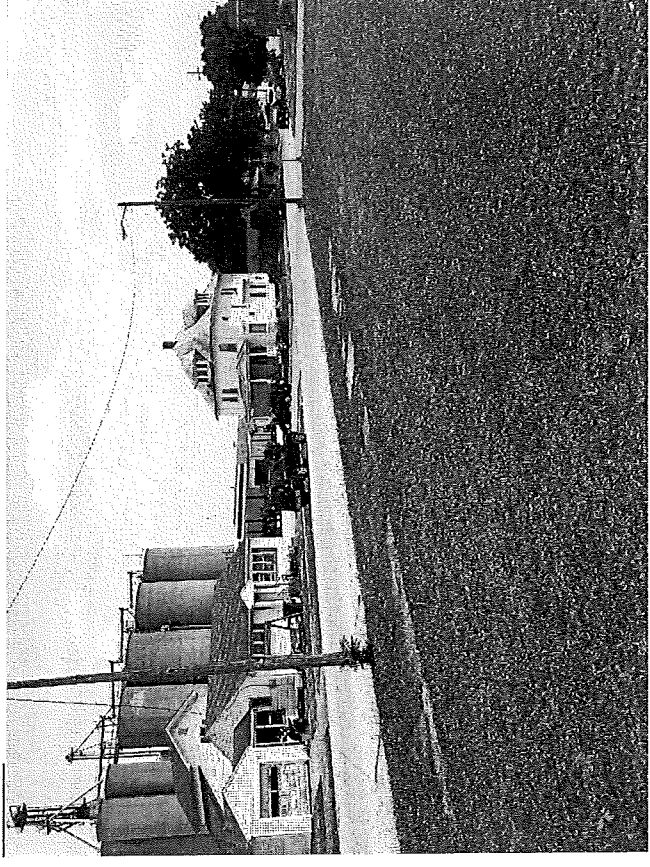
View of petitioner's property to east from BAM parking lot.



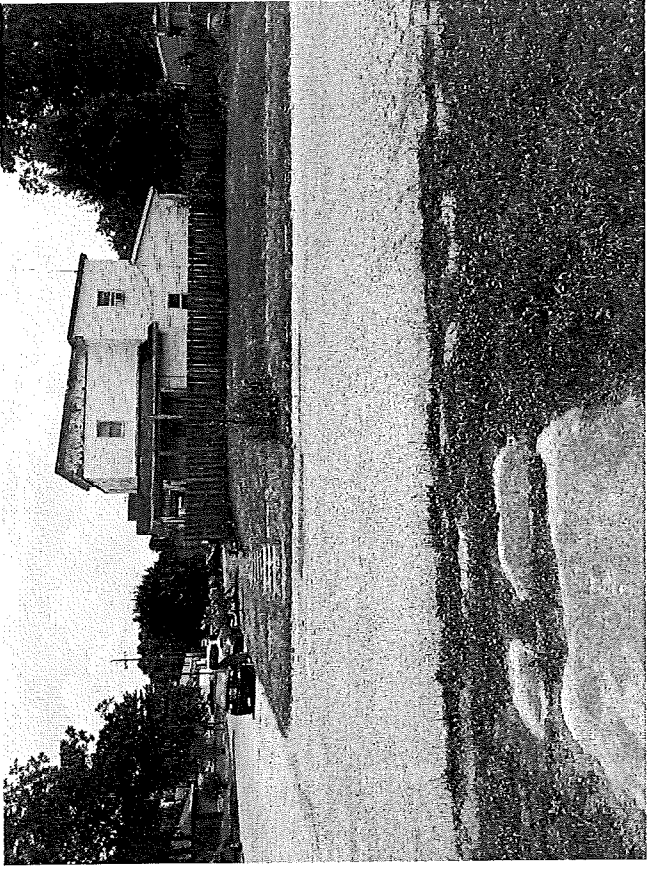
View from west side of petitioner's property to north.



View from 1020 Meyer Avenue parking to parking area at 508 Ariens.



View from west side of petitioner's property to northeast.



View from petitioner's property to east.



View of sidewalk along petitioner's east property line.



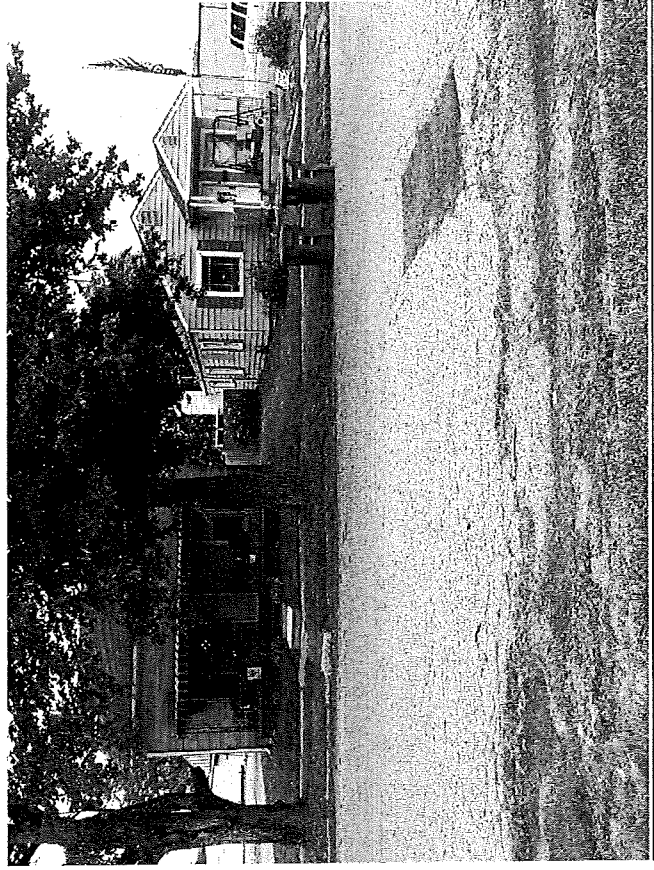
View from petitioner's to northwest



View of sidewalk along petitioner's north property line.



View of Lot#4 from southeast.



View of Lot#4 from east.



View of Lot #8.



View of Lot#3 from northeast.

**FAYETTE COUNTY AREA PLAN COMMISSION
PETITION APPLICATION
Subdivision**

Applicant Information

Name of property owner: (the owner does not include tenants or contract buyers) LUCAS Investors LLC	Address: 440 N 325 E Connersville IN 47331	Phone: 765 265-0562
Name of applicant JOHN LUCAS	Address: 440 N 325 E, Connersville	Phone: 765 265-0562

Project Information

Project address: 219-221 W 9th lot 1	Zoning District 003		
Township name: Connersville	Section number: 24	Township number:	Range number:
Parcel number(s): 21-05-24-410-001.000-003			
Legal Description(s): Conwells NE lot # 1 Block # 5 219-221 W 9th St.			
Subdivision type: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> Secondary <input type="checkbox"/> Residential <input type="checkbox"/> Nonresidential			
Name of subdivision: Lucas Subdivision			
Size of project area: 82.5' x 168' = 0.314 A			
Number of existing lots: <u>1</u> Number of proposed lots: <u>3</u>			

Proposed Lot Information

	Lot Address	Lot Size (in acres)
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

Professional Land Surveyor Information

Name: Andrew C. Murry

Address: 420 Court Street Brookville IN 47012
(number) (street) (city) (state) (zip)

Phone number: 765-647-4725 Fax Number: _____ email: meyerandmurry@gmail.com

Notification Information (The person to whom all correspondence regarding this application should be directed)

Name: LUCAS Investors LLC John Lucas

Address: 440 N 325 E Connersville IN 47331
(number) (street) (city) (state) (zip)

Phone number: 765 265 0562 Fax Number: _____ email: John.Lucas@REMAX.NET

Documentation

The following information must be submitted with the application in order for the application to be processed.

1. Complete application
2. All documents as required under the Fayette County/City of Connersville Area Subdivision Control Code.
3. Plat map showing all neighboring properties (includes the owners of property on the other side of any right-of-way including roads and railroads), the name and location of all right-of-ways including any road, alley or railroad).
4. The address of all abutting properties and the name and mailing address of the owners of all abutting properties.
5. A copy of all drive/curb cut permits and access agreements and easements.
6. A copy of water, sewer and drainage approvals.

1. The petitioner is responsible for providing an up-to-date list of abutting property owners. Property owner addresses are available from the Fayette County Assessor's office or from the Fayette County Assessor's website at: <http://in-fayette-assessor.governmaxa.com>.
2. The petitioner is responsible for ensuring notice of the "public hearing" is published in the local newspaper at least 10 days before the public hearing and is responsible for publication costs.
3. The petitioner is responsible for providing all documents in the quantities as required by the Subdivision Control Code.
4. The petitioner is responsible for ensuring that all abutting property owners receive notice of the "public hearing" by certified mail at least 10 days before the public hearing and is responsible for mailing costs.
5. The Area Plan Commission requests copies of all certified mail receipts and recommends that the "domestic return receipt" be addressed to the Fayette County Area Plan Commission.
6. If for any reason the petitioner wants to table the petition request for one month that request must be made prior to the meeting at which the petition will be heard. The request to table must be made in writing and must explain to the APC why the request to table is being made.
7. Failure to appear at the public hearing without a request to table being made will result in the petition being rejected. This will require that he petitioner repeat the entire including all fees, public notice requirements and certified mailings.

Applicant's Signature

[Handwritten Signature] 6/9/24
(Applicant's signature) *OF LUCAS INC.* (Date)

Owner's Signature)

[Handwritten Signature] 6/9/24
(Owner's signature) (Date)

(Owner's signature) (Date)

(Owner's signature) (Date)

(Owner's signature) (Date)

APC Staff

Bill MacDaid
(Print name)

[Handwritten Signature]
(Signature)

6/9/2024
(Date)

Property owner notification list

21-05-24-410-003.001-003
832 EASTERN AVE CONNERSVILLE,IN 47331
Owner: BAM Investments, LLC
1201 Main Street
Brookville,IN 47012

21-05-24-411-006.000-003
902 EASTERN AVE CONNERSVILLE,IN 47331
Owner: AMERICAN LEGION HOME, INC.
902 EASTERN AVE
CONNERSVILLE,IN 47331

21-05-24-411-007.000-003
218 E 9TH ST CONNERSVILLE,IN 47331
Owner: LUKING, JOHNNIE
218 E 9TH ST
CONNERSVILLE,IN 47331

21-05-24-411-008.000-003
220 E 9TH ST CONNERSVILLE,IN 47331
Owner: Abner, Dylan R.
220 E 9th St
Connerville,IN 47331

21-05-24-411-009.000-003
224 E 9TH ST CONNERSVILLE,IN 47331
Owner: Brandenburg, Melody J. and Joshua T.
430 North Central Ave, Apt 202
Connerville,IN 47331

21-05-24-412-001.000-003
313 E 9TH ST CONNERSVILLE,IN 47331
Owner: LEMEN, RICHARD A & JUANITA F
4747 N. NEUMAN LAKE RD
MILTON,IN 47357

21-05-24-412-007.000-003
818 CONWELL ST CONNERSVILLE,IN 47331
Owner: LEMEN, RICHARD A & JUANITA F
4747 N NEUMAN RD
MILTON,IN 47357

21-05-24-410-002.000-003
821 Conwell St Connerville,IN 47331
Owner: Hicks, Phillip M. & Kresha A
821 Conwell St
Connerville,IN 47331

ORIGINAL PLAT OF JOHN LUCAS' SUBDIVISION

FOR LUCAS INVESTORS, LLC

LOT ONE, BLOCK FIVE
CONWELL'S NORTHEAST ADDITION, CITY OF CONNERSVILLE, INDIANA

SOURCE DEED

INSTRUMENT 20180000934
PARCEL 21-05-24-410-001.000-003
"LUCAS INVESTORS, LLC"

SURVEYOR REPORT

This plat and descriptions are based on a survey completed on May 20, 2024, with M.J.M. doing the fieldwork and using a Javad Triumph-L5 rover and Triumph-3 base GNSS system. Grid bearings and distances are shown on the plat. The bearing system is based on the following:

INGCS "Fayette" ZONE (two adjacent zones having identical projection parameters)

Unless otherwise noted, all bearings, distances, area, and coordinates shown hereon are based upon the Indiana Geospatial Coordinate System (INGCS) "Fayette" zone per IAD 83(2011) epoch 2010.00 and are reported in U.S. Survey Feet and decimal parts thereof. The "Franklin", "Fayette" and "Union" zones have identical parameters. These zones were developed to minimize the difference between ground-measured horizontal distances and the corresponding grid coordinate (mag) distances within the counties bearing these zones' names.

INGCS "Franklin", "Fayette" and "Union" Zone Parameters
Geometric Datum: NAD 83(2011) epoch 2010.00
Projection Type: Transverse Mercator
Central Meridian: 85°03'00"W longitude
Central Meridian scale factor: 1.000033
Latitude of Grid Origin: 39°15'00"N latitude
False Northing: 36,000,000 m (118,161,020 U.S. ft.)
False Easting: 240,000,000 m (787,400,020 U.S. ft.)

The surveying techniques used are intended to produce a Suburban survey, Indiana Board of Registration (Surveyors) Standards. The relative positional accuracy (due to random errors in measurement) of this survey is within that allowable for a Suburban survey (1/3 feet plus 100 ppm). This survey is intended to comply with Indiana Administrative Code 865 IAC 1-12 (revised Rule 12) as an Original Survey.

The purpose of this survey is to divide the property described in Instrument #201800934 into (3) original buildable lots. This instrument describes Lot #1 in Block 5 in Conwell's Northeast Addition to the Town (now City) of Connersville, Indiana.

- A) VARIANCES IN THE REFERENCE MONUMENTS
 - B) INCONSISTENCIES IN LINES OF OCCUPATION
 - C) DISCREPANCIES IN THE RECORD DESCRIPTIONS AND PLATS
- Any differences between the record and measured dimensions are as shown on the adjoining plat. The actual uncertainty of these facts are equal to those differences.

Based on the Fayette County Flood Insurance Rate map #16341c 0231 d, no part of this plat lies within the special flood hazard areas "Zone A".

SURVEYOR CERTIFICATION

I certify that I am a Professional Land Surveyor, registered in compliance with the applicable laws of the State of Indiana.

I certify that this plat and descriptions are true and correct to the best of my knowledge.

I affirm, under penalty of perjury, that I have taken reasonable care to redact each social security number in this document unless required by law.

ZONING DESIGNATION:

GB - GENERAL BUSINESS

**SUBJECT TO VERIFICATION
BY AREA PLAN COMMISSION**

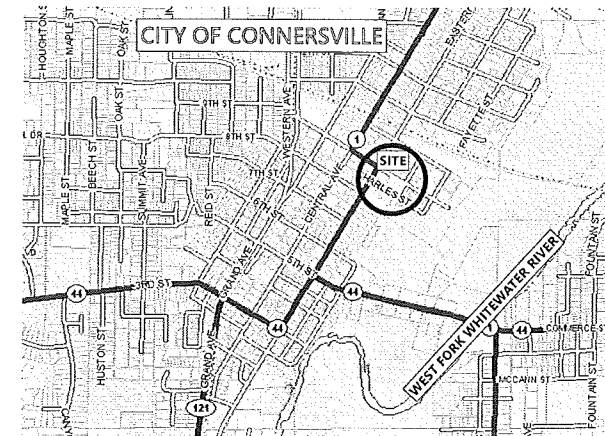
NOTES:

- 1) ORIGINAL PLAT OF CONWELL'S NE ADDITION LOCATED IN THE FAYETTE COUNTY SURVEYOR'S OFFICE, SURVEYED IN 1866 BY A.H. CAMPBELL.
- 2) CHARLES STREET NOT PLATTED ON THE ORIGINAL PLAT. SHOWS AN ALLEY WITH LOT 5 BEING A FRACTIONAL LOT. CURRENT GIS MAP DEPICTS LOT 5 BEING A STANDARD LOT AND CHARLES STREET APPROXIMATELY 40 FEET WIDE.
- 3) THIS PLAT PRODUCED FROM A SURVEY CONDUCTED ON THE GROUND, APRIL 22, 2024.
- 4) CONWELL STREET AND NINTH STREET ARE PLATTED 66 FEET WIDE.
- 5) ALLEYS ARE PLATTED 16.5 FEET WIDE.
- 6) STREET WIDTHS SHOWN INDICATES PAVEMENT WIDTH.
- 7) IRON PIPE MONUMENTS ARE CALLED OUT AROUND HICKS PROPERTY NONE WERE FOUND.
- 8) DATED AERIAL PHOTOS ON FAYETTE GIS INDICATE SUBJECT PROPERTY WAS A GRAVEL LOT WITH NO BUILDINGS AT LEAST TO 2005; VEGETATION IS MOSTLY CLOVER AND BROADLEAF WEEDS RATHER THAN GRASS.
- 9) THE PROPOSED DEVELOPMENT PLAN COVERS 35% OF EACH LOT.
- 10) EACH LOT SHALL HAVE DIRECT ACCESS TO E. NINTH STREET.

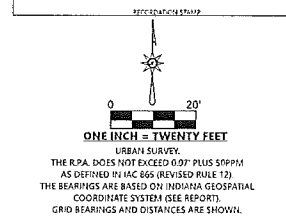
LEGEND

- X SPOT ELEVATION
- CALCULATED POINT
- CAPPED REBAR
- SET FLUSH
- BUILDING SETBACK

PLAT PREPARED BY:
ANDREW C. MURRAY
MEYER AND MURRAY LAND SURVEYORS
420 COURT STREET
BROOKVILLE, IN 47012
765-647-4725
meyerandmurray@gmail.com



VICINITY MAP
NOT TO SCALE



RECORDER CERTIFICATE

RECORDED THIS _____ DAY OF _____, 2024.

IN PLAT BOOK NO. _____ AT PAGE _____

PLAT INSTRUMENT _____

_____, RECORDER OF FAYETTE COUNTY, INDIANA

CERTIFICATE OF APPROVAL

UNDER THE AUTHORITY PROVIDED BY CHAPTER 138, ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THEREOF, THIS PLAT WAS GIVEN FINAL APPROVAL BY THE MAJORITY OF THE MEMBERS OF THE AREA PLAN COMMISSION OF FAYETTE COUNTY, AT A MEETING HELD _____, 2024.

_____, PRESIDENT

_____, SECRETARY

DULY OFFERED FOR TAXATION THIS _____ DAY OF _____, 2024.

_____, AUDITOR OF FAYETTE COUNTY, INDIANA

CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LOT OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE HEREIN PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS JOHN LUCAS' SUBDIVISION, A DIVISION OF LOT #1 IN BLOCK 5 OF CONWELL'S NORTHEAST ADDITION TO THE CITY OF CONNERSVILLE, INDIANA. ALL STREETS AND ALLEYS AND PUBLIC OPEN SPACES SHOWN AND NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC.

FRONT AND SIDE YARD BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE STREETS, THERE SHALL BE ERECTED OR MAINTAINED NO BUILDING OR STRUCTURE.

EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THIS PLAT AND OVER THE REAR SIX FEET OF EACH LOT. WITHIN THESE EASEMENTS, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN. DAMAGE OR INTERFERENCE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES OR WHICH MAY CHANGE THE DIRECTION OF FLOW OF DRAINAGE CHANNELS IN THE EASEMENT, 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 AND CONTRIBUTED BY THE OWNER OF THE LOT, EXCEPT FOR THOSE IMPROVEMENTS FOR WHICH PUBLIC AUTHORITY OR UTILITY IS RESPONSIBLE.

THE RIGHT TO ENFORCE THESE PROVISIONS BY INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL, BY DUE PROCESS OF LAW, OF ANY STRUCTURE OR PART THEREOF ERECTED OR MAINTAINED IN VIOLATION HEREOF, IS DEDICATED TO THE PUBLIC, AND RESERVED TO THE SEVERAL OWNERS OF THE SEVERAL LOTS IN THIS SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

WITNESS OUR HANDS AND DEALS THIS _____ DAY OF _____, 2024.

LUCAS INVESTORS, LLC (MANAGER) LUCAS INVESTORS, LLC (MEMBER)

PRINT PRINT

NOTARY CERTIFICATE

STATE OF _____

COUNTY OF _____

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE-NAMED INDIVIDUALS AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2024.

_____, COUNTY OF RESIDENCE _____

NOTARY PUBLIC (Signature)

FILE NAME	LUCAS SITE_CONWELL.TRV
SCALE	20 Ft/m
DATE	6-5-2024
JOB	REVISION
\$JOB	1/1
DRAWN BY	INSERT NAME
SHEET	1/1

This map drawn with TRAVERSE PC Software