

**Board of Public Works and Safety** 

Agenda Item

**Cover Sheet** 

## MEETING DATE: March 11, 2025

- $\boxtimes$  Consent Agenda Item
- $\Box$  New Item for Discussion
- □ Previously Discussed Item
- $\Box$  Miscellaneous

# ITEM #: <u>4</u>

# INITIATED BY: Amy Steffens

- $\boxtimes$  Information Attached
- □ Verbal
- □ No Paperwork at Time of Packets



Date: February 25, 2025

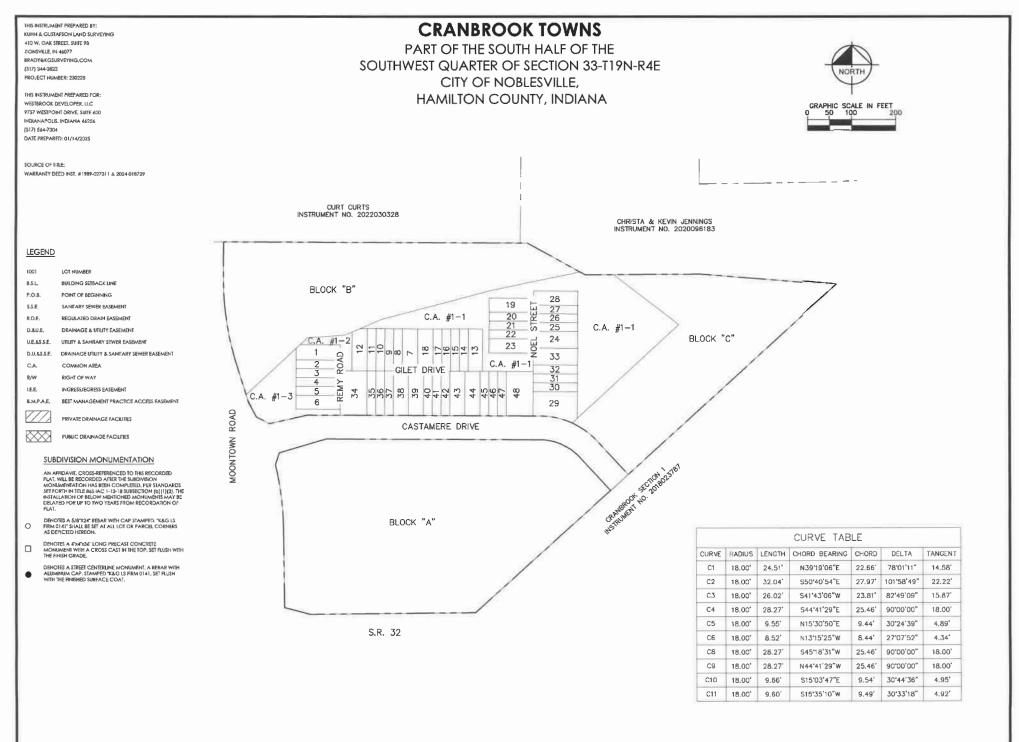
To: Board of Public Works

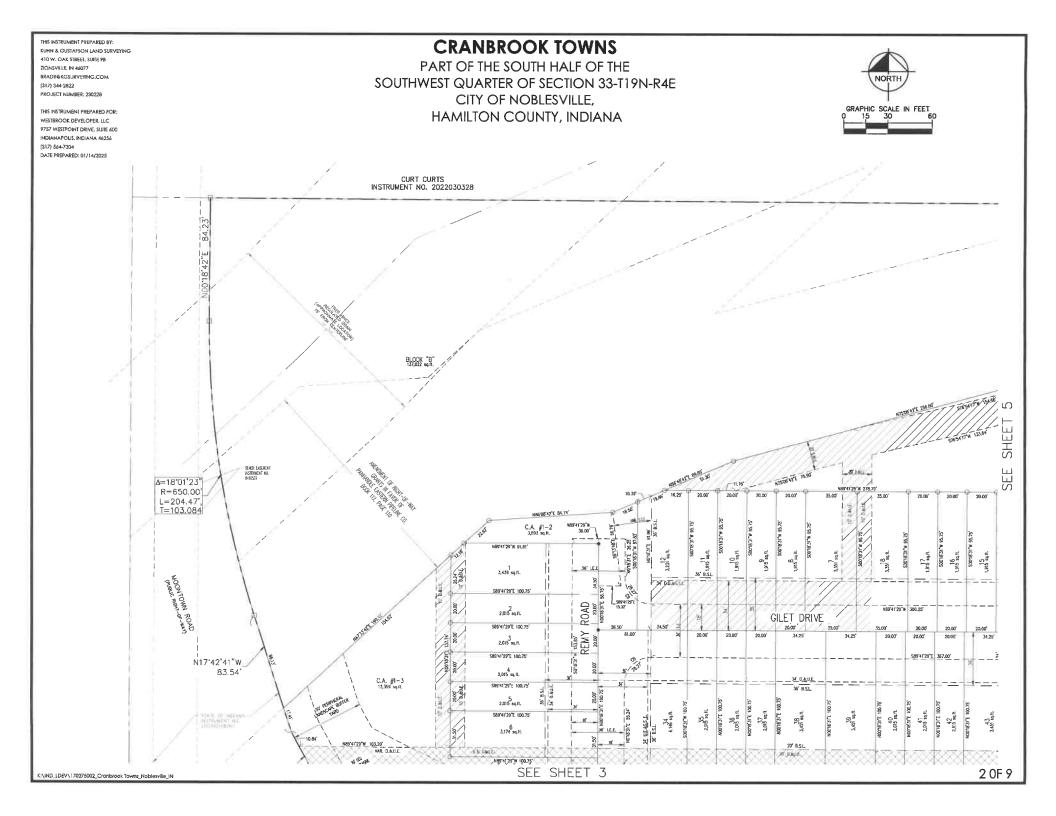
From: Amy Steffens, AICP, Senior Planner

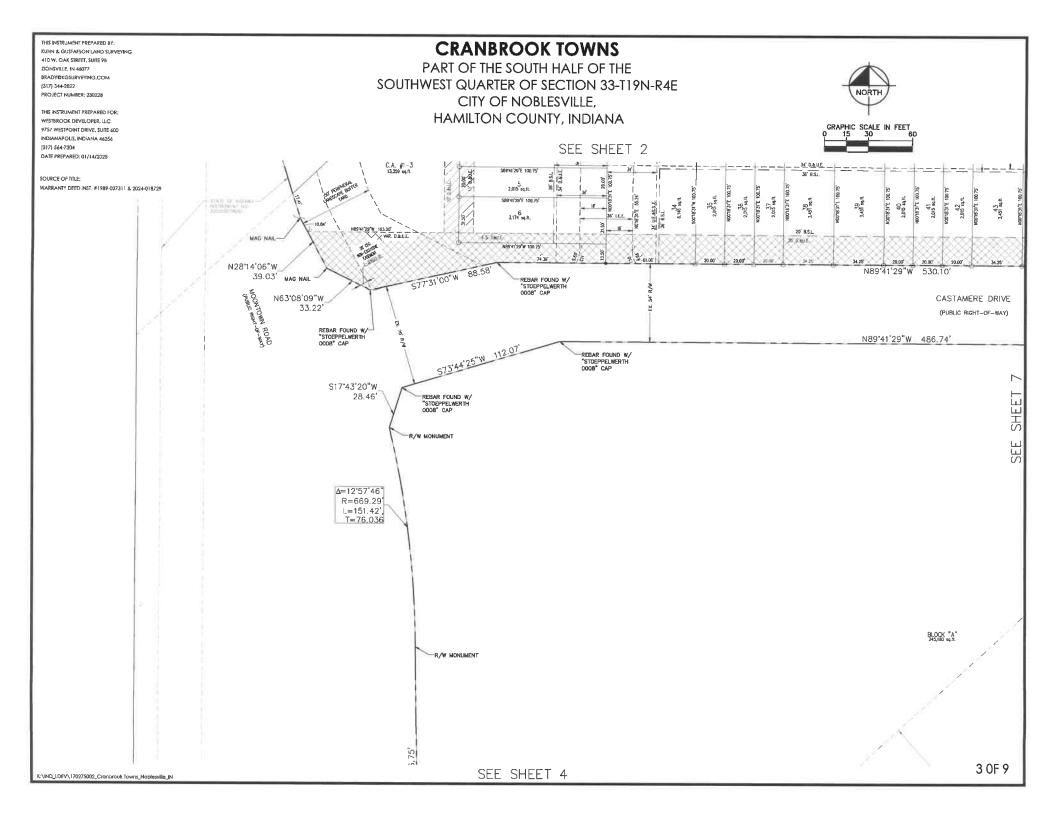
RE: Secondary plat approval (PLAT-000063-2024)

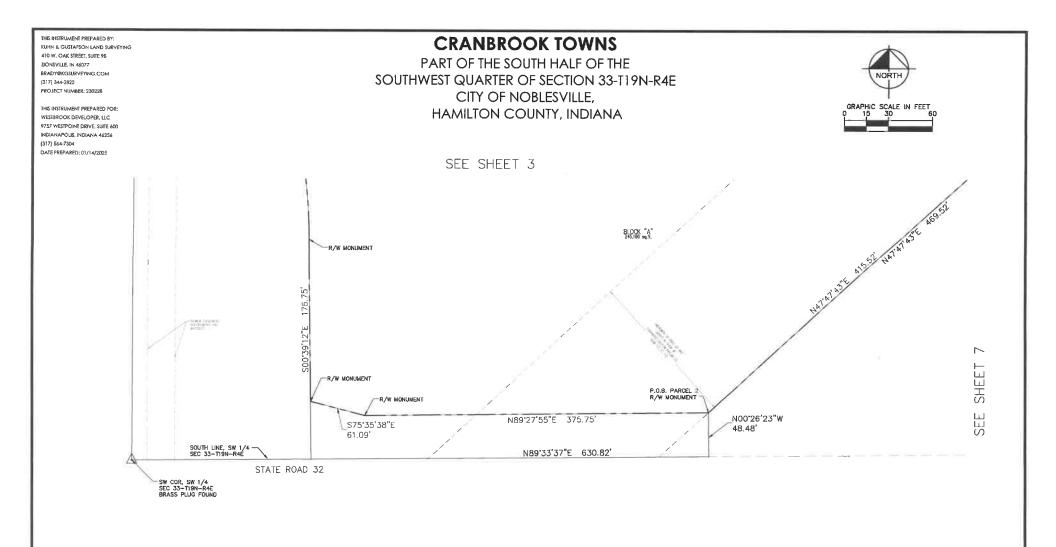
Proposed is the secondary plat for a 48-lot townhome development to be known as Cranbrook Towns. Staff recommends approval.

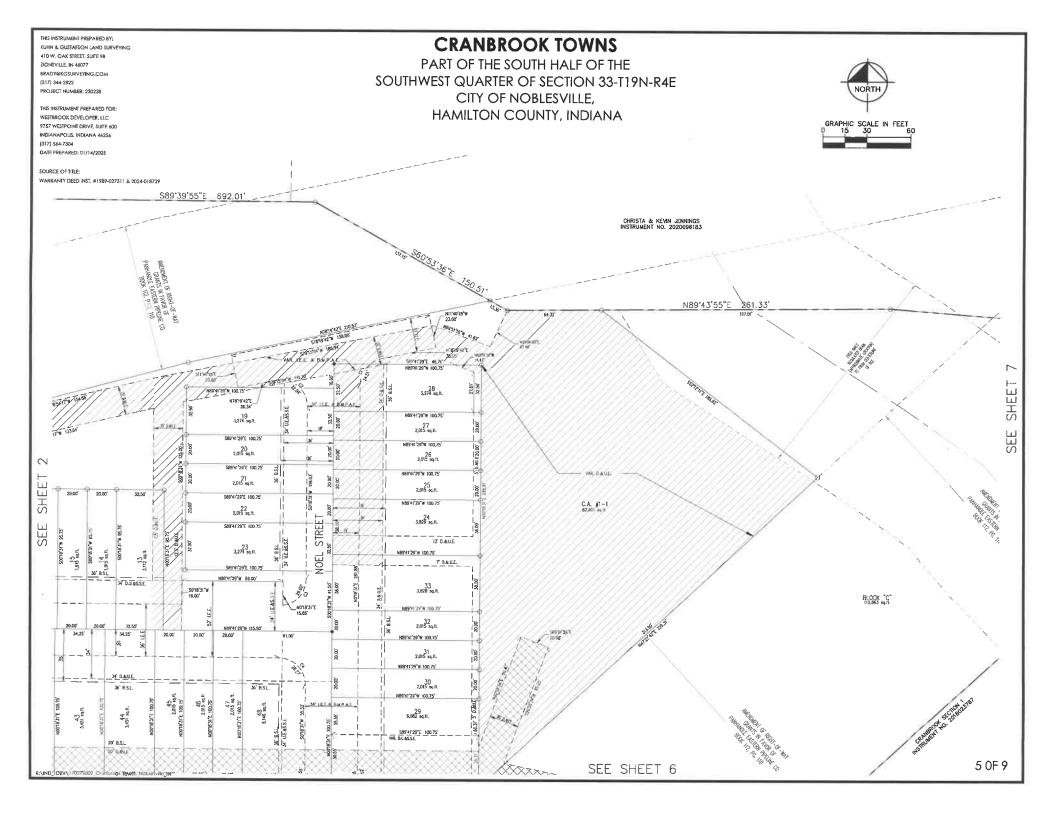


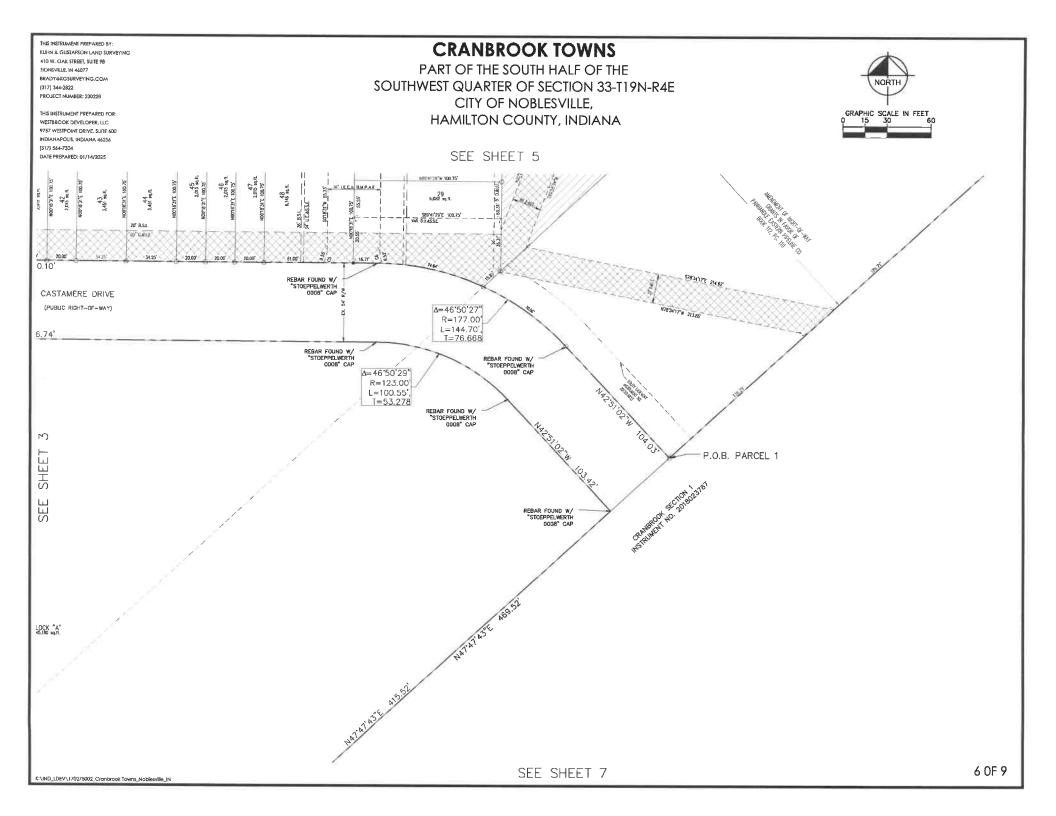


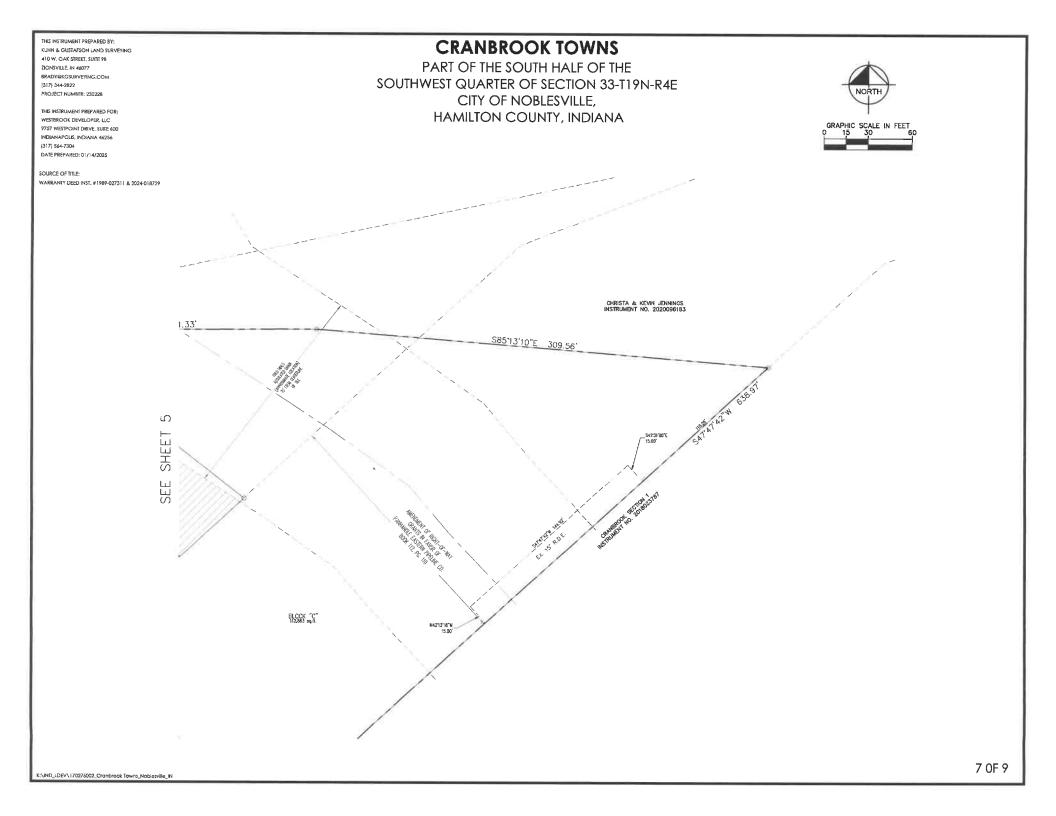












THIS INSTRUMENT PREFARED BY: KUHN & GUSTAFSON LAND SURVEYING 410 W. OAK STREET, SUITE 98 ZIONSVILLE, IN 46077 BRADYBKGSURVEYING.COM (317) 34-42822 PROJECT NUMBER: 230228

THIS INSTRUMENT PREPARED FOR: WESTBROCK DEVELOPER, LLC 9757 WESTBROCK DEVELOPER, LLC (3)77 544-304 DATE PREPARED: 0/1/14/2025 SOURCE OF TILE: WARRANT DEED INST. #1989-027311 & 2024-018729

### **CRANBROOK TOWNS**

### PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33-T19N-R4E CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

#### LEGAL DESCRIPTION:

THE FOLLOWING LAND DESCRIPTION WAS PREPARED BY BRADY KUHN, LS #20500007 OF KUHN & GUSTAFSON LAND SURVEYING, INC., AS PART OF A BOUNDARY RETRACEMENT SURVEY PREPARED UNDER PROJECT NUMBER 230228 LAST REVISED JUNE 4, 2024 AND RECORDED AS INSTRUMENT NO. 2024/021161 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIAN.

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS PLUG MARKING THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE ALONG THE SOUTH LINE THEREOF NORTH 89 DEGREES 33 MINUTES 37 SECONDS EAST (BASIS OF BEARINGS) 630.82 FEET: THENCE NORTH 00 DEGREES 26 MINUTES 23 SECONDS WEST 48.48 FEET TO THE NORTH LINE OF STATE ROAD 32 PER RIGHT-OF-WAY GRANT FOR STATE OF INDIANA PROJECT NO. S-166(2), 1954 AS DESCRIBED IN BOOK 142, PAGE 347 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, SAID POINT BEING A SOUTHWESTERLY CORNER OF CRANBROOK SECTION 1 AS PER PLAT THEREOF RECORDED AS INSTRUMENTING 2018023787 IN SAID RECORDER'S OFFICE; THENCE ALONG THE WESTERLY LINE OF SAID CRANBROOK SECTION 1 NORTH 47 DEGREES 47 MINUTES 42 SECONDS EAST 469.52 FEET TO A REBAR WITH YELLOW PLASTIC CAP STAMPED "K&G LS FIRM 0141" (HEREINAFTER "CAPPED REBAR") ON THE NORTHERLY RIGHT-OF-WAY OF CASTAMERE DRIVE AND THE POINT OF BEGINNING: THENCE THE FOLLOWING FIVE [5] COURSES ALONG THE NORTHERLY RIGHT-OF-WAY OF CASTAMERE DRIVE; (1) NORTH 42 DEGREES 51 MINUTES 02 SECONDS WEST 104.03 FEET TO A REBAR WITH CAP STAMPED "STOEPPELWERTH 0008". SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTER'S HAVING A RADIUS OF 177.00 FEET AND A CHORD BEARING NORTH 66 DEGREES 16 MINUTES 15 SECONDS WEST 140.71 FEET; (2) NORTHWESTERLY ALONG SAID CURVE 144.70 FEET TO A REBAR WITH CAP STAMPED "STOEPPELWERTH 0008": (3) NORTH 89 DEGREES 41 MINUTES 29 SECONDS WEST 530 10 FEET TO A PERAR WITH CAP STAMPED "STOEPPELWERTH 0008"; (4) SOUTH 77 DEGREES 31 MINUTES 00 SECONDS WEST 88.58 FEET TO A REBAR WITH CAP STAMPED "STOEPPELWERTH 0008"; (5) NORTH 63 DEGREES 08 MINUTES 09 SECONDS WEST 33.22 FEET TO A MAG NAIL ON THE EASTERLY LINE OF THE LAND OF STATE OF INDIANA AS DESCRIBED IN INSTRUMENT NO, 200300118061 IN SAID RECORDER'S OFFICE: THENCE ALONG SAID FASTERI Y LINE NORTH 28 DEGREES 14 MINUTES 06 SECONDS WEST 39.03 FEET TO A MAG NAIL ON THE EASTERLY LINE OF MOONTOWN ROAD AS PER THE AFORESAID PLAT OF CRANBROOK SECTION 1; THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID EASTERLY LINE; (1) NORTH 17 DEGREES 42 MINUTES 41 SECONDS WEST 83.54 FEET TO A POINT ON A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 650.00 FEET AND A CHORD BEARINGS NORTH 08 DEGREES 41 MINUTES 59 SECONDS WEST 203.62 FEET; (2) NORTHERLY ALONG SAID CURVE 204.47 FEET; (3) THENCE NORTH 00 DEGREES 18 MINUTES 42 SECONDS EAST 84,23 FEET TO A "CAPPED REBAR" ON THE SOUTH LINE OF THE LAND OF CURT CURTS AS DESCRIBED IN INSTRUMENT NO. 2022030328 IN SAID RECORDER'S OFFICE: THENCE ALONG SAID SOUTH LINE AND THE SOUTH LINE OF THE LAND OF JENNINGS AS DESCRIBED IN INSTRUMENT NO. 2020096183 IN SAID RECORDER'S OFFICE SOUTH 89 DEGREES 39 MINUTES 55 SECONDS EAST 692.01 FEET TO A "CAPPED REBAR", THENCE CONTINUING ALONG THE SOUTH LINE OF SAID INSTRUMENT NO. 2020096183 THE FOLLOWING TWO [2] COURSES: (1) SOUTH 60 DEGREES 53 MINUTES 36 SECONDS EAST 150.51 FEET TO A "CAPPED REBAR"; (2) NORTH 89 DEGREES 43 MINUTES 55 SECONDS EAST 261.33 FEET TO THE SOUTHWEST CORNER OF COMMON AREA #1-3 IN THE AFORESAID CRANBROOK SECTION 1: THENCE ALONG THE SOUTH LINE OF SAID COMMON AREA #1-3 SOUTH 85 DEGREES 13 MINUTES 10 SECONDS EAST 309.56 FEET TO THE WESTERLY LINE OF SAID CRANBROOK SECTION 1; THENCE ALONG SAID WESTERLY LINE SOUTH 47 DEGREES 47 MINUTES 42 SECONDS WEST 638.97 FEET TO THE POINT OF BEGINNING, CONTAINING 10.64 ACRES, MORE OR LESS.

#### ALSO:

THE FOLLOWING LAND DESCRIPTION WAS PREPARED BY BRADY KUHN, LS#20500007 OF KUHN & GUSTAFSON LAND SKRVEYING, INC, AS PART OF A BOUNDARY RETRACEMENT SURVEY REFPARED UNDER PROJECT NUMBER 230228 LAST REVISED JUNE 4, 2024 AND RECORDED AS INSTRUMENT NO. 2024/02161 IN THE OFFICE OF THE RECORDER OF HAMLTON COUNTY, INDIANA.

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS PLUG MARKING THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER: THENCE ALONG THE SOUTH LINE THEREOF NORTH 89 DEGREES 33 MINUTES 37 SECONDS EAST (BASIS OF BEARINGS) 630.82 FEET: THENCE NORTH 00 DEGREES 26 MINUTES 23 SECONDS WEST 48.48 FEET TO THE NORTH LINE OF STATE ROAD 32 PER RIGHT-OF-WAY GRANT FOR STATE OF INDIANA PROJECTING, S-166(2), 1954 AS DESCRIBED IN BOOK 142. PAGE 347 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, SAID POINT BEING A SOUTHWESTERLY CORNER OF CRANBROOK SECTION 1 AS PER PLAT THEREOF RECORDED AS INSTRUMENT NO. 2018023787 IN SAID RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE ALONG THE WESTERLY LINE OF SAID CRANBROOK SECTION 1 NORTH 47 DEGREES 47 MINUTES 42 SECONDS EAST 415.52 FEET TO A REBAR WITH CAP STAMPED "STOEPPELWERTH 0008" ON THE SOUTHERLY RIGHT-OF-WAY OF CASTAMERE DRIVE; THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE SOUTHERLY RIGHT-OF-WAY OF CASTAMERE DRIVE; (1) NORTH 42 DEGREES 51 MINUTES 02 SECONDS WEST 103.42 FEET TO A REBAR WITH CAP STAMPED "STOEPPELWERTH 0008" SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 123.00 FEET AND A CHORD BEARING NORTH 66 DEGREES 16 MINUTES 14 SECONDS WEST 97.78 FEET; [2] NORTHWESTERLY ALONG SAID CURVE 100.55 FEET TO A REBAR WITH CAP STAMPED "STOEPPELWERTH 0008"; (3) NORTH 89 DEGREES 41 MINUTES 29 SECONDS WEST 486.74 FEET TO A REBAR WITH CAP STAMPED "STOEPPELWERTH 0008"; (4) SOUTH 73 DEGREES 44 MINUTES 25 SECONDS WEST 112.07 FEET TO A REBAR WITH CAP STAMPED "STOEPPELWERTH 0008"; (5) SOUTH 17 DEGREES 43 MINUTES 20 SECONDS WEST 28.46 FEET TO THE EASTERLY LINE OF THE LAND OF STATE OF INDIANA AS DESCRIBED IN INSTRUMENT NO. 200300118061 IN SAID RECORDER'S OFFICE, SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 669 29 FEFT AND A CHORD REARING SOUTH 04 DEGREES 53 MINUTES 16 SECONDS EAST 151.10 FEET; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE EASTERLY LINES OF SAID INSTRUMENT NO. 200300118061; (1) SOUTHERLY ALONG SAID CURVE 151.42 FEET; (2) SOUTH 00 DEGREES 39 MINUTES 12 SECONDS EAST 176.75 FEET; (3) SOUTH 75 DEGREES 35 MINUTES 38 SECONDS EAST 61.09 FEET TO THE NORTH RIGHT-OF-WAY OF STATE ROAD 32: THENCE ALONG SAID NORTH RIGHT-OF-WAY NORTH 89 DEGREES. 27 MINUTES 55 SECONDS EAST 375.75 FEET TO THE POINT OF BEGINNING, CONTAINING 5.63 ACRES, MORE OR LESS

#### REGISTERED LAND SURVEYOR'S CERTIFICATE

LITHE UNDERSIGNED, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LANS OF THE STATE OF INDIANA AND THAT THE WITHIN FLAT ERPRENTS A SUBDIVISION OF THE LANDS SURVEYED WITHIN THE SURVEY RECORDED AS INSTRUMENT NUMBER 2024/2016 IN THE OFRICE OF THE RECORDER FOR HAMITON COUNTY, INDIANA, AND RECEPT AS NOTED. THER HAS BEEN NO CHANCE RROM THE MATTERS OF SURVEY REVEALED BY THE CROSS REFERENCES SURVEYOR ON ANY LINES THAT ARE COMMON WITH THE NEW SUBDIVISION. I FURTHER CERTIFY THAT THE SAD SUBDIVISION WAS PLATED UNDER MY DIRECT SUPERVISION AND CONTROL AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIF.

REDACTION STATEMENT:

"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." BRADY KUHN

INSTRUMENT PREPARED BY: BRADY KUHN

BRADY KUHN, PS

INDIANA REGISTRATION NO 20500007 DATE: JANUARY 14, 2025

THIS INSTRUMENT PREPARED BY KUHN & GUSTAFSON LAND SURVEYING 410 W. OAK STREET, SUITE 9B ZIONSVILLE, IN 46077 BRADY@KGSURVEYING.COM (317) 344-2822 PROJECT NUMBER: 230228

THIS INSTRUMENT PREPARED FOR: WESTBROOK DEVELOPER, LLC 9757 WESTPOINT DRIVE. SUITE 600 INDIANAPOUS, INDIANA 46256 (317) 564-7304 DATE PREPARED: 01/14/2025

SOURCE OF TITLE-WARRANTY DEED INST. #1989-027311 & 2024-018729

#### PLANNING AND DEVELOPMENT CERTIFICATE

I. CALEB P. GUISHALL, DIRECTOR OF PLANNING AND DEVELOPMENT FOR THE CITY OF NOBLESVILLE, HEREBY CERTIFY THAT THE APPLICATION FOR APPROVAL OF THIS PLAT MEETS ALL OF THE MINIMUM REQUIREMENTS SET FORTH IN THE COMPREHENSIVE PLAN OF NOBLESVILLE, INDIANA AND SUCH OTHER APPLICATION REGUREMENTS CONTAINED IN THE CODE OF ORDINANCES OF THE CITY OF NOBLESVILLE, DECEMBER 11, 1961 AS AMENDED.

CALES P. GUTSHALL DIRECTOR OF PLANNING AND DEVELOPMENT DATE:

#### COMMISSION CERTIFICATE

UNDER AUTHORITY PROVIDED BY THE ACTS OF 1981 P.C. 309 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ALL ACTS AMENDATORY THERETO AND AN ORDINANCE ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NOBLESVILLE, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE CITY OF NOBLESVILLE AS FOLLOWS:

ADOPTED BY THE CITY PLAN COMMISSION AT A MEETING HELD ON THIS , DAY OF . 2025

GRETCHEN & HANES

NOBLESVILLE PLAN COMMISSION

PRESIDENT

SECRETARY CALEB P. GUTSHALL

BOARD OF PUBLIC	WORKS AN	D \$AFETY	CERTIFICATE
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THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF PUBLIC WORK AND SAFETY OF THE CITY OF NOBLESVILLE AT A MEETING HELD ON THIS \_, DAY OF \_\_\_\_ 

LAURIE DYER, MEMBER

JACK MARTIN, PRESIDENT	ROBERT J. ELMER, MEMBER		
	RICK L. TAYLOR, MEMBER		

ATTEST:

EVELYN L. LEES, CLERK CITY OF NOBLESVILLE. INDIANA

# **CRANBROOK TOWNS**

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33-T19N-R4E CITY OF NOBLESVILLE. HAMILTON COUNTY, INDIANA

#### DEED OF DEDICATION

WE THE UNDERSIGNED 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 PLAT.

THIS SUBDIVISION CONSISTS OF 48 LOTS NUMBERED 1-48, 3 BLOCKS LABELED AS BLOCK A, BLOCK B, BLOCK C. AND 3 COMMON AREAS LABELED AS CA#1-1 - #1-3: SHALL BE KNOWN AND DESIGNATED AS CRANBROOK TOWNS. ALL RIGHTS-OF-WAY SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC.

ALL LOTS IN THIS PLAT ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF CRANBROOK PUD RECORDED AS INSTRUMENT NUMBER 2016068581 AND ANY AMENDMENTS THERETO.

THE FOREGOING COVENANTS, OR RESTRICTIONS, ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2049. AT WHICH TIME SAID COVENANTS, OR RESTRICTIONS, SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIOD OF TEN YEARS UNLESS CHANGED BY A VOTE OF A MAJORITY OF THE THEN OWNERS OF THE BUILDING SITES COVERED BY THESE COVENANTS, OR RESTRICTIONS, IN WHOLE OR PART. INVALIDATION OF ANY OF THE FOREGOING COVENANTS OR RESTRICTIONS WHICH SHALL REMAIN FULL FORCE AND FFFECT FRONT AND SIDE YARD BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT,

BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE STREET, THERE SHALL BE ERECTED OR MAINTAINED NO BUILDING OR STRUCTURE. THE STRIPS OF GROUND SHOWN ON THE PLAT AND MARKED "DRAINAGE EASEMENT", "DRAINAGE AND

UTILITY EASEMENT, ARE RESERVED FOR THE USE OF UTILITIES FOR THE INSTALLATION OF WATER MAINS, POLES, DUCTS, LINES AND WIRES. AND DRAINAGE FACILITIES THAT ARE LABELED AS "PUBLIC" ON THE PLAT ARE RESERVED FOR THE CITY OF NOBLESVILLE OR SUCCESSORS IN THE CITY'S INTEREST FOR THE INSTALLATION AND MAINTENANCE OF THESE ITEMS SUBJECT AT ALL TIMES TO PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED. DRAINAGE FACILITIES THAT ARE LABELED AS "PRIVATE" ON THE PLAT SHALL BE RESERVED FOR THE HOMEOWNERS' ASSOCIATION FOR THIS SUBDIVISION OR SUCCESSORS IN THE HOMEOWNERS' ASSOCIATION'S INTEREST FOR THE INSTALLATION AND MAINTENANCE OF THESE ITEMS SUBJECT AT ALL TIMES TO PROPERTY AUTHORITIES AND TO THE EASEMENTS HEREIN RESERVED.

THERE ARE STRIPS OF GROUND SHOWN ON THE PLAT MARKED "I.E.E." (INGRESS/EGRESS EASEMENT). THESE STRIPS ARE RESERVED FOR THE INSTALLATION OF ROADS AND WALKS ALLOWING ACCESS TO THE OWNERS OF LOTS WITHIN THE SUBDIVISION ACROSS THE PARCELS SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENTS HEREIN RESERVED. NO OTHER STRUCTURES ARE TO BE ERECTED OR MAINTAINED UPON SAID STRIPS OF LAND; BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THIS SUBDIVISION.

"SANITARY SEWER EASEMENTS" ARE HEREBY CREATED FOR THE USE OF THE DEVELOPER, AND OF THE UTILITY, PUBLIC OR PRIVATE, HAVING, JURISDICTION OVER THE SANITARY WASTE DISPOSAL SYSTEM SANITARY SEWER EASEMENTS SHALL BE USED TO CONSTRUCT, EXTEND OPERATE, INSPECT, MAINTAIN, RECONSTRUCT AND REMOVE MAINS, DUCTS, OR OTHER RELATED UTILITY STRUCTURES OF SANITARY SEWERS THAT ARE PART OF SAID SYSTEM, AND FOR INGRESS AND EGRESS THERETO.

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 HEREBY DEDICATED TO THE PUBLIC, AND RESERVED TO THE OWNERS OF THE LOTS IN THIS SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS

SANITARY SEWER PUMPS AND SANITARY FORCEMAINS SHALL BE PRIVATE AND THEREFORE NOT DEDICATED TO THE CITY.

IN TESTIMONY WHEREOF, WITNESS THE SIGNATURES OF OWNER AND DECLARANT ON THIS \_\_\_\_\_ DAY OF\_\_\_\_\_, 2025

#### OWNER

ESTATE OF THELMA CURTS

MY COMMISSION EXPIRES:

PRINTED NAME

STATE OF	)	
	) SS:	
COUNTY	)	
	NOTARY PUBLIC, IN AND F	D STATE, PERSONALLY APPEARED
VOLUNTARY ACT AND DEED.		
WITNESS MY HAND AND NOTA	ARY SEAL THIS DAY OF	2025.

COUNTY OF RESIDENCE:

IN TESTIMONY WHEREOF, WITNESS THE SIGNATURES OF OWNER AND DECLARANT ON THIS \_\_\_\_\_ DAY OF 2025

DEVELOPER

WESTBROOK DEVELOPER, LLC

TIM WALTER

STATE OF

COUNTY 1

)

) SS:

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED AND ACKNOWLEDGED THE EXECUTION OF THE FORGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND NOTARY SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2025

INATURE:	PRINTED NAME:

MY COMMISSION EXPIRES:

COUNTY OF RESIDENCE: