

PREPARED BY:
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HAMILTON DESIGNS, LLC

CURRENT OWNER:
BDH REALTY, LLC
8220 S. US 31
INDIANAPOLIS, IN 46227

SOURCE OF TITLE:
INSTRUMENT #2019-019191, #2019-003349,
#2019-003350
(AS REFERENCED FROM ORIGINAL SURVEY)

SECONDARY PLAT FOR BDH REALTY COMMERCIAL SUBDIVISION

A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 12 NORTH, RANGE 4 EAST
IN JOHNSON COUNTY, CITY OF FRANKLIN, INDIANA

LAND DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, FRANKLIN TOWNSHIP, JOHNSON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE EAST ON AND ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER SECTION A DISTANCE OF 569.04 FEET; THENCE NORTH 00 DEGREES 41 MINUTES 16 SECONDS EAST (BASIS OF BEARINGS ARE REFERENCED TO GRID BEARINGS BASED ON NAD 83 INDIANA STATE PLANE COORDINATE SYSTEM, EAST ZONE PER INDIANA DEPARTMENT OF TRANSPORTATION, (INDOT) CONTINUOUSLY OPERATING REFERENCE STATIONS (INCORS) REAL-TIME KINEMATIC (RTK) CORRECTION SERVICE JULY 2019) ALONG THE WEST LINE (AND THE EXTENSION THEREOF) OF DEER TRACE SUBDIVISION SECTION ONE AS RECORDED IN PLAT CABINET C, PAGE 518A IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA A DISTANCE OF 1352.86 FEET TO THE NORTHWEST CORNER OF SAID DEER TRACE SUBDIVISION SECTION ONE, ALSO BEING THE CENTERLINE OF COUNTY ROAD 175 NORTH (SIMON ROAD) ALSO BEING PARALLEL AND 35 FEET SOUTH OF THE SOUTH LINE OF MELIER FRANKLIN SUBDIVISION, PHASE II AND REPLAT OF LOT 3 AND BLOCK 1 AS RECORDED AS INSTRUMENT NUMBER 2016-007279 IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA; THENCE NORTH 82 DEGREES 55 MINUTES 30 SECONDS EAST ALONG SAID CENTERLINE A DISTANCE OF 302.84 FEET TO THE NORTHEAST CORNER OF SAID DEER TRACE SECTION ONE; THENCE SOUTH 00 DEGREES 42 MINUTES 47 SECONDS WEST A DISTANCE OF 20.19 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTHERN RIGHT OF WAY OF SIMON ROAD PER BOOK 264 PAGE 97 IN THE OFFICE OF THE RECORDER, JOHNSON COUNTY, INDIANA; THENCE 82 DEGREES 55 MINUTES 30 SECONDS EAST A DISTANCE OF 473.40 FEET ALONG SAID SOUTH RIGHT OF WAY LINE OF SIMON ROAD TO THE EXISTING SOUTHWEST RIGHT-OF-WAY LINE AS SHOWN ON INDOT RIGHT-OF-WAY PLANS FOR U.S. 31, DIVISION 4, IND., 9/4) REV. 1946 MARKED BY A REBAR AND CAP SET; THENCE SOUTH 55 DEGREES 30 MINUTES 26 SECONDS EAST ALONG SAID RIGHT-OF-WAY A DISTANCE 50.17 FEET TO A REBAR AND CAP SET AT A RIGHT-OF-WAY MARKER; THENCE SOUTH 16 DEGREES 19 MINUTES 45 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 491.32 FEET TO A POINT ON THE NORTH LINE OF INSTRUMENT 2019-003349 PASSING A RIGHT-OF-WAY MARKER 1.8 FEET NORTH OF SAID NORTH LINE MARKED BY A REBAR AND CAP SET; THENCE NORTH 87 DEGREES 45 MINUTES 18 SECONDS EAST A DISTANCE OF 4.12 FEET; THENCE SOUTH 16 DEGREES 19 MINUTES 45 SECONDS EAST ALONG THE WEST RIGHT OF WAY OF US 31 A DISTANCE OF 568.31 FEET TO THE NORTH RIGHT OF WAY OF RANSELL DRIVE; THENCE SOUTH 87 DEGREES 02 MINUTES 34 SECONDS WEST A DISTANCE OF 321.00 FEET ALONG THE NORTH RIGHT OF WAY OF RANSELL DRIVE; THENCE NORTH 00 DEGREES 46 MINUTES 58 SECONDS WEST A DISTANCE OF 12.00 FEET; THENCE NORTH 81 DEGREES 09 MINUTES 21 SECONDS WEST A DISTANCE OF 138.11 FEET; THENCE SOUTH 86 DEGREES 42 MINUTES 07 SECONDS WEST A DISTANCE OF 97.25 FEET TO THE EAST BOUNDARY OF SAID DEER TRACE SECTION 2; THENCE NORTH 00 DEGREES 10 MINUTES 52 SECONDS EAST A DISTANCE OF 418.24 FEET ALONG THE EAST BOUNDARY OF DEER TRACE SECTION 2; THENCE SOUTH 88 DEGREES 23 MINUTES 23 SECONDS WEST A DISTANCE OF 264.72 FEET TO THE EAST BOUNDARY OF SAID DEER TRACE SUBDIVISION SECTION 1; THENCE NORTH 00 DEGREES 42 MINUTES 47 SECONDS EAST A DISTANCE OF 464.98, SAID LINE BEING ALONG THE EAST BOUNDARY OF DEER TRACE SECTION 1, TO THE POINT OF BEGINNING, CONTAINING 11.855 ACRES MORE OR LESS.

DEDICATION CERTIFICATE

WE, THE UNDERSIGNED, OWNERS OF REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO CERTIFY THAT THEY DO HEREBY LAYOFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT HEREIN.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS BDH REALTY COMMERCIAL SUBDIVISION. AN ADDITION TO THE CITY OF FRANKLIN, JOHNSON COUNTY, STATE OF INDIANA. ALL STREETS, ALLEYS AND PUBLIC OPEN SPACES SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC.

FRONT AND SIDE YARD SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND THE RIGHT-OF-WAY LINES OF THE STREET THERE SHALL BE ERRECTED OR MAINTAINED NO BUILDING OR STRUCTURE.

SIDEWALK EASEMENT - SIDEWALK EASEMENTS ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF A 5-FOOT CONCRETE SIDEWALK OVER AND ACROSS THE LOTS SHOWN HEREON.

UTILITY EASEMENTS - UTILITY EASEMENTS SHALL BE RESERVED FOR THE INSTALLATION OF PUBLIC AND PRIVATE UTILITIES AS SHOWN HEREON. WITHIN THE EASEMENTS, NO STRUCTURES, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF THE UTILITIES. THE EASEMENT AREA OF EACH LOT OR BLOCK AND ALL IMPROVEMENTS THEREON SHALL BE MAINTAINED BY THE OWNERS OF THE LOTS AND BLOCKS, EXCEPT FOR THOSE IMPROVEMENTS FOR WHICH A PUBLIC AUTHORITY IS RESPONSIBLE.

DRAINAGE COVENANT - THIS SUBDIVISION IS SUBJECT TO ALL DRAINAGE SYSTEM DESIGN AND CONSTRUCTION STANDARDS OF THE FRANKLIN SUBDIVISION CONTROL ORDINANCE, ALL OTHER APPLICABLE ADOPTED STANDARDS OF THE CITY OF FRANKLIN, AND THE REQUIREMENT OF THE CITY ENGINEER THAT PROVIDE FOR THE REPAIR AND MAINTENANCE OF THE SYSTEM.

DRAINAGE EASEMENT - DRAINAGE EASEMENTS SHALL BE RESERVED FOR THE INSTALLATION OF STORM SEWERS, DRAINAGE STRUCTURES, STORM WATER QUALITY BEST MANAGEMENT PRACTICES (BMP'S), DRAINAGE CHANNELS AND/OR STORMWATER DETENTION/RETENTION FACILITIES IN THE LOCATIONS SHOWN HEREON. WITHIN THESE EASEMENTS, NO STRUCTURES, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION OFR MAINTENANCE OF THE UTILITIES OR WHICH MAY CHANGE THE DIRECTION OF FLOW OF THE DRAINAGE CHANNELS IN THE EASEMENTS OR WHICH MAY RETARD THE FLOW OF WATER THROUGH THE DRAINAGE CHANNEL IN THE EASEMENT. THE EASEMENT AREA OF EACH LOT OR BLOCK AND ALL IMPROVEMENTS THEREON SHALL BE MAINTAINED BY THE OWNERS OF THE LOTS AND BLOCKS. THE FUNCTION AND MAINTENANCE OF DRAINAGE EASEMENTS ARE THE RESPONSIBILITY OF THE OWNERS OF THE LOTS AND BLOCKS FOR THE SUBDIVISION IN WHICH THEY ARE LOCATED. HOWEVER, THE CITY OF FRANKLIN RESERVES THE RIGHT TO MAKE REPAIRS AND MODIFICATION AS DEEMED NECESSARY. ALL DRAINAGE EASEMENTS HEREBY PROVIDED BY THE CITY OF FRANKLIN THE RIGHT OF ACCESS, BUT SHALL NOT RUN TO THE CITY OR ANY OF ITS DEPARTMENTS.

INGRESS/EGRESS EASEMENT - THE OWNERS, THEIR AGENTS, EMPLOYEES, CONTRACTORS, TENANTS, INVITEES AND LICENSEES OF LOTS 1, 2, 3, 4 AND 5 SHOWN HEREON SHALL BE RESERVED AND GRANTED PERPETUAL, NONEXCLUSIVE INGRESS/EGRESS EASEMENTS OVER AND ACROSS THE PRIVATE DRIVE ON LOTS 2, 3, 4 AND 5, FROM THE SOUTHERN RIGHT OF WAY OF SIMON ROAD, ALONG THE WESTERN BOUNDARY OF LOTS 2, 3, 4 AND 5 SUBSTANTIALLY AS LOCATED AND DEPICTED HEREON, IN ORDER TO PERMIT THE INGRESS AND EGRESS OF PERSONS AND VEHICLES, TO THE WESTERN RIGHT OF WAY OF US HIGHWAY 31 ALONG THE SOUTHERN BOUNDARY OF LOT 4 AND NORTHERN BOUNDARY OF LOT 5. THE IMPROVEMENTS IN THE FORM OF THE PRIVATE DRIVES SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNER OF LOT 5. THE LOCATIONS OF CURB CUTS FROM LOTS 1, 2, 3 AND 4 SHALL BE SUBJECT TO THE OWNER OF LOT 5'S REASONABLE REVIEW AND APPROVAL, WITH THE UNDERSTAND THAT, AS INFORMED BY SAFETY CONCERNS AND PLANNING FOR A WELLCOORDINATED ACCESS DRIVE, THE LOTS MAY EACH HAVE MULTIPLE CURB CUTS TO THE PRIVATE DRIVE. SUCH APPROVAL SHALL NOT BE UNREASONABLE WITHHELD, CONDITIONED OR DELAYED. MAINTENANCE OF SAID INGRESS/EGRESS EASEMENT SHALL BE IN ACCORDANCE WITH THE AGREEMENT BETWEEN THE OWNERS OF LOT 1, 2, 3, 4 AND 5.

STREET TREE EASEMENT - STREET TREE EASEMENTS SHALL BE RESERVED FOR THE INSTALLATION OF THE LANDSCAPING REQUIREMENTS OF THIS SUBDIVISION PER THE CITY OF FRANKLIN SUBDIVISION CONTROL ORDINANCE AND PLANNING DEPARTMENT. WITHIN THESE EASEMENTS, NO STRUCTURES, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF THE UTILITIES. THE OWNER OF EACH LOT AND BLOCK, SHALL BE RESPONSIBLE FOR THE INSTALLATION, CONTINUED MAINTENANCE AND OR REPLACEMENT OF LANDSCAPING INSTALLED AS PART OF THE APPROVED PLANS FOR THIS SUBDIVISION.

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 EASEMENTS. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS THEREON SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOTS, EXCEPT FOR THOSE IMPROVEMENTS FOR WHICH A PUBLIC AUTHORITY UTILITY IS RESPONSIBLE.

COVENANTS AND RESTRICTIONS AFFECTING THIS SUBDIVISION CAN BE FOUND IN A RECIPROCAL EASEMENT AGREEMENT, DATED _____, 2021, AND RECORDED AS INSTRUMENT # _____ AND IN THE AMENDMENT(S) TO SAID AGREEMENTS IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA.

THE FOREGOING COVENANTS AND RESTRICTIONS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND PERSON CLAIMING UNDER THEM IN PERPETUITY, UNLESS BY WRITTEN CONSENT OF THE THEN CURRENT OWNERS OF THE SITES, IT IS AGREED TO CHANGE SUCH COVENANTS AND RESTRICTIONS IN WHOLE OR PART. INVALIDATION OF ANY OF THE FOREGOING COVENANTS AND RESTRICTIONS BY JUDGEMENT OR COURT ORDER SHALL IN NO WAY AFFECT REMAINING PORTIONS NOT SO AFFECTED.

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 ERRECTED OR MAINTAINED IN VIOLATION HEREOF, IS RESERVED TO THE SEVERAL OWNERS OF THE SEVERAL LOTS, BLOCKS, AND/OR OUTLOTS IN THIS SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 20_21_.

OWNERS:

NAME: _____
TITLE: _____

STATE OF INDIANA)
COUNTY OF _____) SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____ AND ACKNOWLEDGED THE EXECUTION OF THIS SECONDARY PLAT AS THEIR VOLUNTARY ACT AND DEED AND AFFIXED HIS SIGNATURE THERETO.

WITNESS MY SIGNATURE AND SEAL THIS ____ DAY OF _____, 20_ ____.

NOTARY PUBLIC: _____

COUNTY OF RESIDENCE: _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL

AFTER HAVING GIVEN PUBLIC NOTICE OF THE TIME, PLACE AND NATURE OF HEARING ON THE APPLICATION FOR PRIMARY APPROVAL OF THIS SUBDIVISION BY PUBLICATION IN A NEWSPAPER OF LOCAL CIRCULATION MORE THAN TEN (10) DAYS BEFORE THE HEARING THEREON, UNDER AUTHORITY PROVIDED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY A MAJORITY OF MEMBER OF THE FRANKLIN PLAN COMMISSION AT A MEETING HELD ON THE 16TH DAY OF MARCH, 2021 AS PETITION PC 2021-05 (PP).

CITY OF FRANKLIN PLAN COMMISSION BY:

PRESIDENT - JIM MARTIN SECRETARY

THIS PLAT IS HEREBY RECOMMENDED FOR APPROVAL BY THE CITY OF FRANKLIN BY:

SENIOR PLANNER - JOANNA MYERS CITY ENGINEER - MARK RICHARDS

BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY, CITY OF FRANKLIN, JOHNSON COUNTY, INDIANA, THAT THE DEDICATIONS SHOWN ON THIS PLAT ARE HERBY APPROVED AND ACCEPTED THIS

____ DAY OF _____, 20_ ____.

MAYOR - STEVE BARNETT MEMBER - BOB SWINEHAMER

ATTEST:

MEMBER - LISA JONES CLERK-TREASURER - _____

LAND SURVEYOR CERTIFICATE

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, AND THAT I DO HEREBY FURTHER CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AND THAT I HAVE SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THE HERON DRAWN PLAT. THIS PLAT CORRECTLY REPRESENTS SAID SURVEY AND SUBDIVISION IN EVERY DETAIL. MONUMENTS SHOWN WILL BE SET AND ALL LOTS WILL BE STAKED WITHIN 60 DAYS AFTER CONSTRUCTION IS COMPLETED. DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

WITNESS MY SIGNATURE THIS ____ DAY OF _____, 20_ ____.

TERRY D. WRIGHT, PLS
PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. LS9700013, STATE OF INDIANA

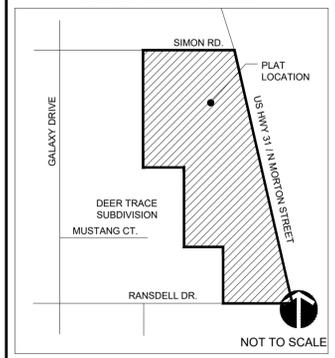
I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN RESPONSIBLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

SIGNATURE: _____
NAME: _____

ZONING NOTE

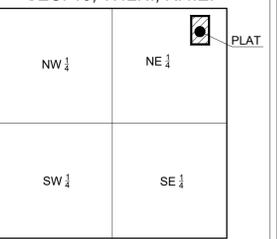
THIS SUBDIVISION AND ITS IMMEDIATE ADJOINERS ARE WITHIN ZONE "MXC" IN THE "GATEWAY OVERLAY ZONE" PER THE CURRENT ZONING MAP FOR THE CITY OF FRANKLIN, INDIANA.

LOCATION MAP



PLSS SECTION MAP

SEC. 10, T.12N., R.4E.



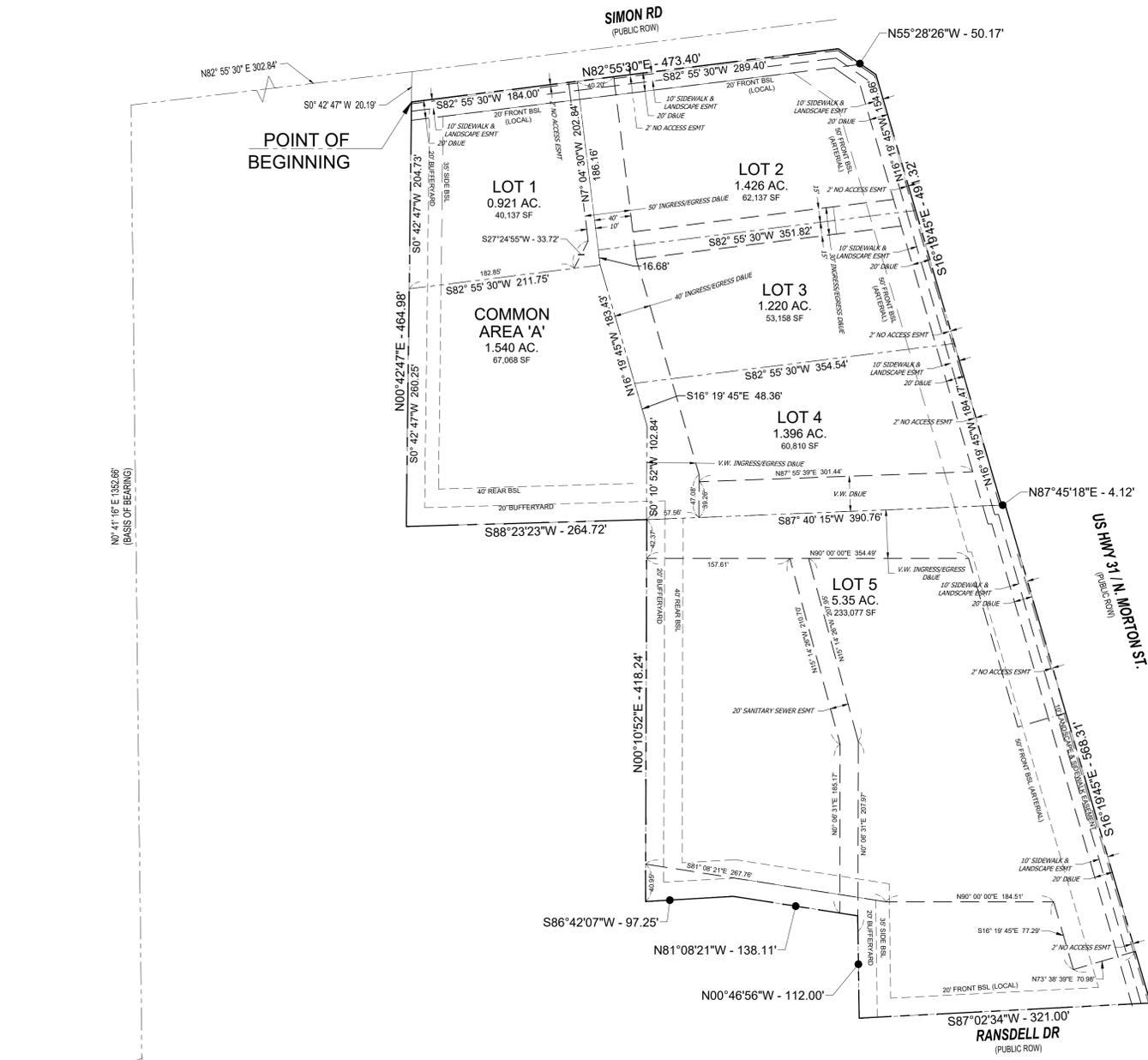
LEGEND

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
B.S.L. = BUILDING SETBACK LINE
ESMT. = EASEMENT
V.E. = VARIABLE WIDTH
EX. = EXISTING
R/W = RIGHT-OF-WAY

● PLAT BOUNDARY & LOT MONUMENTS
● SET BOUNDARY & LOT CORNER MONUMENTS TO BE: 24" x 5/8" REBAR WITH STAMPED CAP SET FLUSH WITH GROUND

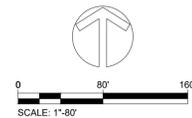
SET STREET CENTERLINE MONUMENTS TO BE: 5/8" x 7" ALUMINUM STAMPED ROD WITH 1-1/2" ALUMINUM CAP WITH "PUNCH HOLE" MARKING CENTERLINE

STAMPING FOR MONUMENTS:
"TERRA Site Dev." "FRM #0113"



SOUTH LINE OF NE 1/4 OF SECTION 10, TWP 12N, R 3E

SW 1/4 OF NE 1/4, SEC. 10, TWP 12N, R 3E



PROJECT NUMBER: 2006003	SUBDIVISION NAME:
PLAN DATE: 4/5/2020	BDH REALTY COMMERCIAL SUBDIVISION
PLAT PRODUCION BY: AF	
CHECK BY: --	
PLAN / SURVEY STATUS: FOR REVIEW ONLY	
PREPARED BY: TERRY D. WRIGHT, PLS HAMILTON DESIGNS, INC.	SHEET #: 1 OF 1