



<b>City of La Porte Plan Commission Meeting Agenda</b>	
<b>Tuesday, May 9, 2023 at 6:00 PM</b>	
<b>City Hall Council Chambers, 801 Michigan Ave.</b>	
<a href="http://www.cityoflaporte.com">www.cityoflaporte.com</a>	<b>(219) 362-8260</b>

**MEETING NOTES:**

*Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the City of La Porte Office of Community Development & Planning at (219) 362-8260 by 10:00 am, Friday, preceding the meeting to make any necessary arrangements.*

**Regular Meeting Agenda Items**

*Members of the public should understand the Plan Commission members may be unable to thoroughly review and consider materials delivered by the day of the public hearing. The order of business shall be:*

- A. Staff Report
- B. Applicant Presentation
- C. Public Comment
- D. Applicant Response
- E. Board Discussion/Action

ITEM 1. Call Meeting to Order

ITEM 2. Roll Call & Determination of Quorum

ITEM 3. Approval of Minutes: March 14, 2023 Meeting Minutes

ITEM 4. **PRELIMINARY PLAT #23-01 PETITION TO CREATE A TWO (2) LOT SUBDIVISION TO BE CALLED ZAYO SUBDIVISION**

Petitioner: Zayo Group LLC

Property Owner: same

Location: 195 Larson Street

Staff Report: David Heinold

ITEM 5. **FINAL PLAT #23-01 PETITION TO CREATE A TWO (2) LOT SUBDIVISION TO BE CALLED ZAYO SUBDIVISION**

Petitioner: Zayo Group LLC

Property Owner: same

Location: 195 Larson Street

Staff Report: David Heinold

ITEM 6. Old Business

- a. Trails, Greenways, & Blueways Master Plan Update (*Informational only*)

ITEM 7. New Business

ITEM 8. Other Business

- a. Public Comments on Non-Agenda Items

ITEM 9. Adjournment

## **Plan Commission**

The Plan Commission of the City of La Porte held a meeting on March 14th, 2023, at 6:00 p.m. with Chairperson Jerry Jackson presiding and the following in attendance:

David Porter

Miles Fettinger

Vickie Gushrowski

### **Public Comments on Non-Agenda Items**

Chairperson Jerry Jackson asked the public if there were any non-agenda items. There were no comments.

### **Approval of Minutes**

Chairperson Jerry Jackson asked the board if they had reviewed the minutes from the December 13<sup>th</sup>, 2022, meeting and if there were corrections or additions. Hearing none he asked for a motion to approve the minutes. Miles Fettinger made a motion to approve the minutes and David Porter 2<sup>nd</sup> the motion. Motion carried 4 to 0 and minutes were approved.

### **Old Business**

- A. Resolution Number 1-2023 of the City of LaPorte Plan Commission Approving an Amendment to a Declaratory Resolution Approved and Adopted by the City of LaPorte Redevelopment Commission.

Bert Cook approached to explain. He talked about how this will improve the community and the process.

Jerry asked about how this would declare the parcel and Bert Explained.

Jerry asked the board if they have had time to review the approval and asked for any comments or questions.

Miles Fettinger motioned to approve and Vickie Gushrowski 2<sup>nd</sup> the motion. Motion passed 4 to 0.

**New Business**

No new Business

**Other Business**

No Other Business

**Adjournment**

Vickie Gushrowski made a motion to adjourn, Miles Fettinger 2<sup>nd</sup> the motion. The meeting was adjourned.

Respectfully Submitted,  
Jerry Jackson, Chairperson

Nickolas Owens, Secretary



<b>ITEM 4. Preliminary Plat # 23-01 Petition</b> to Allow Two (2) Lot Subdivision to be called Zayo Subdivision
<b>Type of Request:</b> Preliminary Plat
<b>Staff Report:</b> David Heinold

**APPLICANT**

Name – Zayo Group LLC
-----------------------

**PROPERTY OWNER**

Name – same
-------------

**PREMISES AFFECTED**

Parcel Number - 46-06-25-454-001.000-043				
Actual/approximate address or location from major streets – 195 Larson Street				
Subdivision – Zayo Subdivision			Lot Number(s) – Lots 1 and 2	
Total Acreage – 65,000 square feet		Flood Zone on Site? – no		
Zoning of Subject Property – M2		Use of Subject Property – Two Industrial Buildings		
Proposed Zoning – same as existing		Proposed Land Use – same as existing		
Zoning of Adjacent Properties	North: R1D	South: M2	East: M2	West: R1D
Land Use of Adjacent Properties	North: Residential	South: Industrial	East: Industrial	West: Residential

**SUMMARY:** The petitioner proposes to re-subdivide the existing lots into two (2) lots that will allow the smaller building and surrounding property to be split off and sold to another party.

**CONCURRENCE:** Chapter 82, Article V, Subdivisions of the City of La Porte Municipal Code allows the subdivider to present a preliminary plat to the Plan Commission and to the Board of Public Works and Safety. The rules and regulations contained in this article are adopted to secure and provide for:

- (1) The proper arrangement of streets or highways in relation to existing or planned streets or highways;

- (2) Adequate and convenient open spaces for traffic, utilities and access for firefighting apparatus, recreation, light and air; and
- (3) The avoidance of congestion of population; and the establishment of standards for the construction of any and all improvements as required in this article.

The petitioner is seeking approval from the Board of Zoning Appeals to allow a reduction in the minimum lot area of two (2) lots less than 80,000 square feet and allow a lot with no road frontage. Staff suggests that the Plan Commission approve the Preliminary Plat contingent upon approval of the Board of Zoning Appeals for the Variance of Development Standards.

**HISTORY OF SITE:** Per the site aerial image, the total area of the parcel is about 65,000 square feet and currently zoned within the M2 Heavy Industrial District. Currently, the property is subdivided as three separate lots with the two existing buildings on the main lot.

**SITE REVIEW FINDINGS:** Site Review was not required due to the current status of the site with utilities and infrastructure already in place. The comments received from utilities and engineering were made to insure that the easement for both of the lots was shown on the final plat drawing and described in the legal description for the subdivision plat document.

**STATEMENT OF COMPLIANCE:** Section 27.12 of the 2017 Revised Joint Zoning Ordinance states that the Plan Commission shall be guided by and give consideration to the general policy and pattern of development set out in the Countywide Land Development Plan.

**STAFF ANALYSIS:**

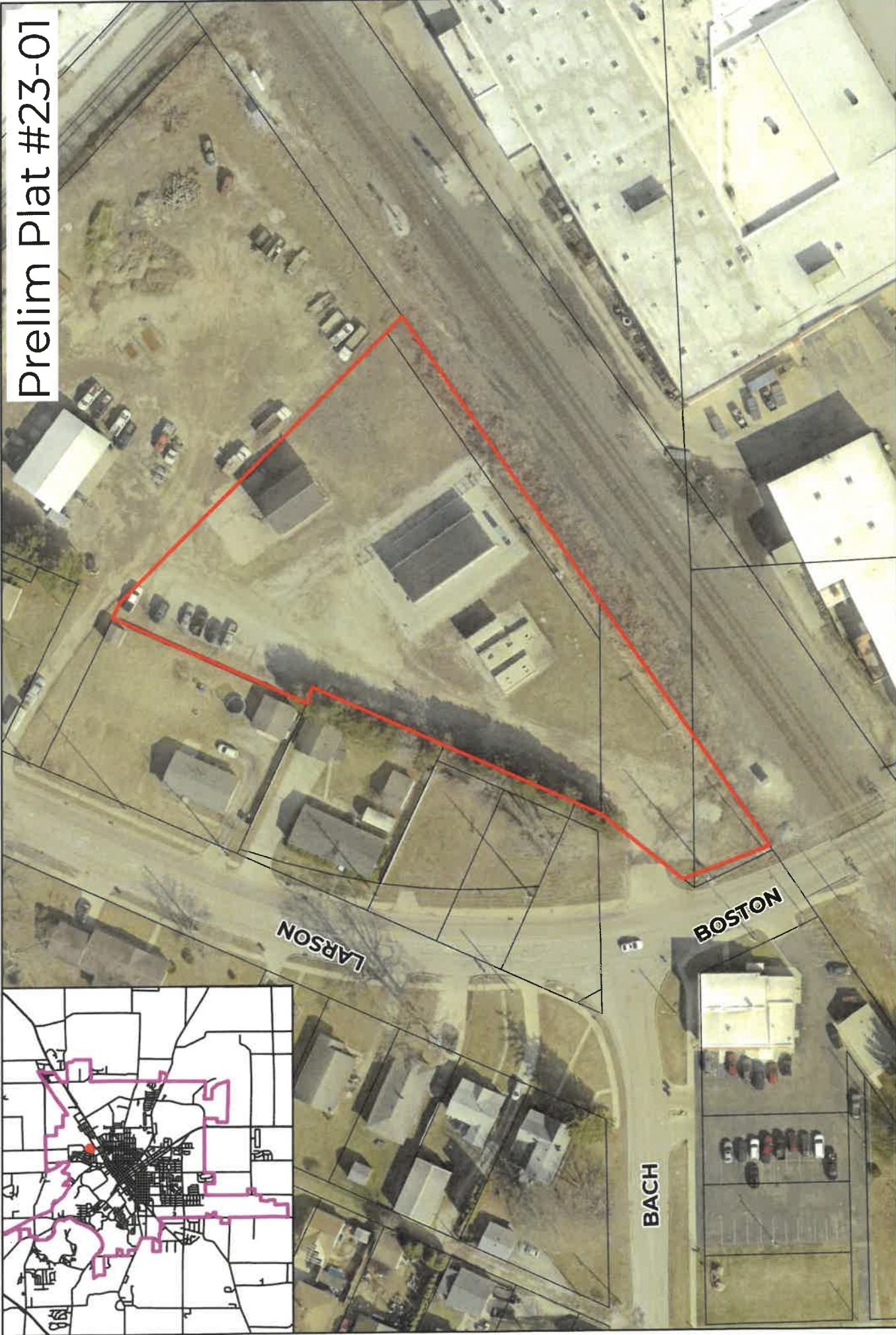
Zayo Group LLC is presenting a Preliminary Plat for Plan Commission approval to allow a Two (2) Lot Subdivision in order to separate the existing buildings for resale of the proposed lot with the smaller building to another party. The two lots will share a mutual access easement with direct access to Larson Street to the southwest at the intersection of Boston, Larson, and Bach Streets. The access and public utility easement shows a 15-foot wide easement across the northwestern edge of Lot 1 to provide legal access to the proposed Lot 2. The total square feet for Lot 1 is 49,166 square feet and Lot 2 is 21,822 square feet. The proposed subdivision is properly arranged for legal access to the two lots, which allows for adequate provisions for traffic safety and access for fire protection as well as public utility coordination.

**STAFF RECOMMENDATION:**

Staff finds that the proposed two lot subdivision conforms to the guidelines set forth in Chapter 82, Article V, Subdivisions of the City of La Porte Municipal Code. Staff recommends **approval** of Preliminary Plat #23-01 Petition to Allow a Two (2) Lot Subdivision to be called Zayo Subdivision contingent upon approval of the Board of Zoning Appeals for the Variance of Development Standards to allow reduction in the minimum lot area of two (2) lots less than 80,000 square feet and allow a lot with no road frontage.

Submitted to the City of La Porte Plan Commission on May 4<sup>th</sup>, 2023.

# Prelim Plat #23-01



LARSON

BACH

BOSTON



**City of La Porte**  
Plan Commission  
**Location Map**

 Subject Property  
 City Limits

0 25 50 100 Feet



Date Created: April 21, 2023  
Created By: David Heinold  
Document Path: \\CityPlanner\GIS\Map Requests\Plan Commission\2023\PP\_23-01  
This map was prepared for the City of La Porte, Indiana, and is intended for use only for the purposes stated. It is not to be used for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

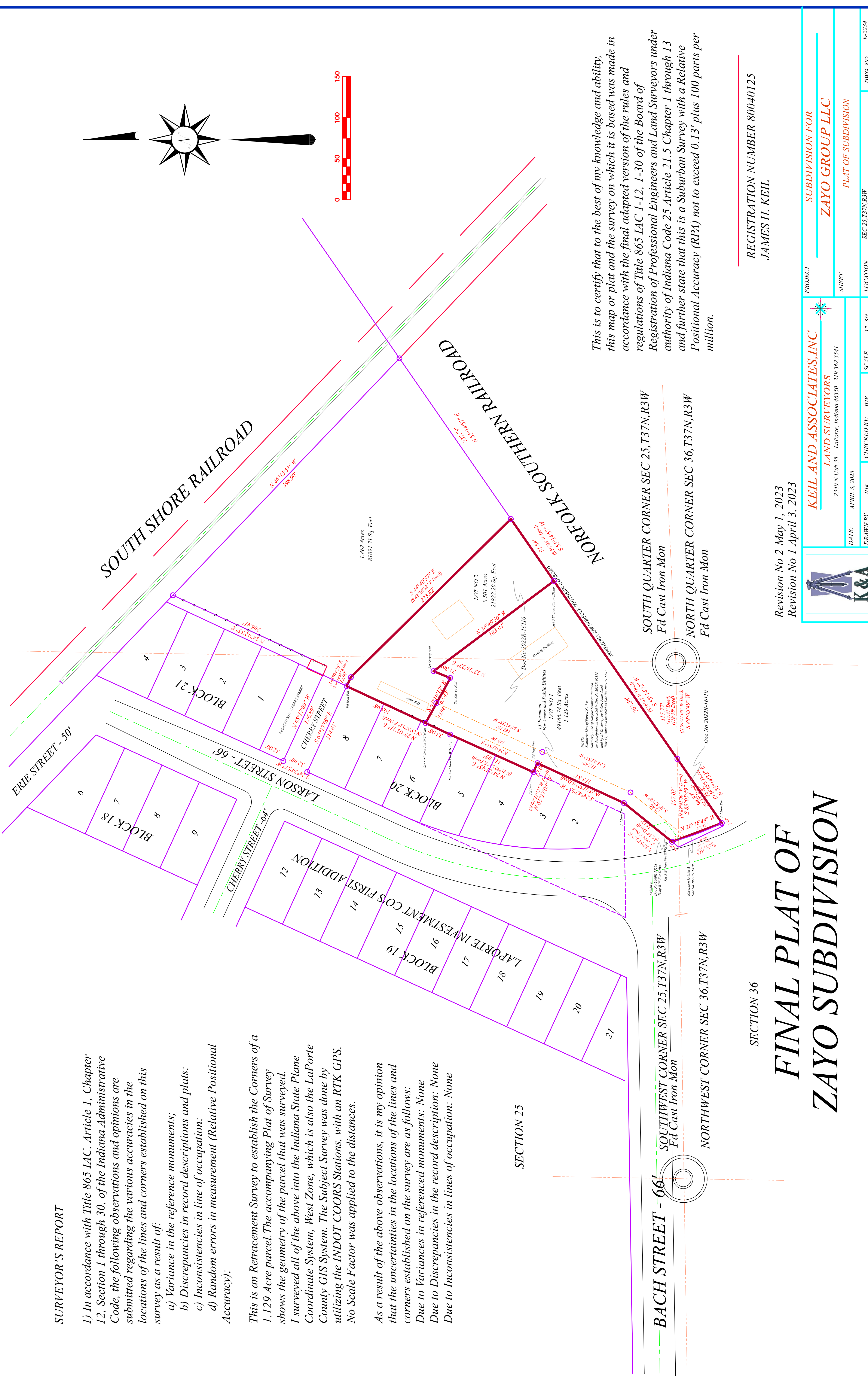
**SURVEYOR'S REPORT**

1) In accordance with Title 865 IAC, Article 1, Chapter 12, Section 1 through 30, of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various accuracies in the locations of the lines and corners established on this survey as a result of:

- a) Variance in the reference monuments;
- b) Discrepancies in record descriptions and plats;
- c) Inconsistencies in line of occupation;
- d) Random errors in measurement (Relative Positional Accuracy);

This is an Retracement Survey to establish the Corners of a 1.129 Acre parcel. The accompanying Plat of Survey shows the geometry of the parcel that was surveyed. I surveyed all of the above into the Indiana State Plane Coordinate System, West Zone, which is also the LaPorte County GIS System. The Subject Survey was done by utilizing the INDOT COORS Stations, with an RTK GPS. No Scale Factor was applied to the distances.

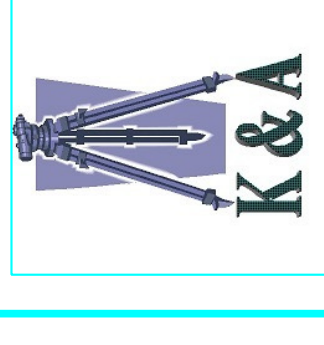
As a result of the above observations, it is my opinion that the uncertainties in the locations of the lines and corners established on the survey are as follows:  
 Due to Variances in referenced monuments: None  
 Due to Discrepancies in the record description: None  
 Due to Inconsistencies in lines of occupation: None



This is to certify that to the best of my knowledge and ability, this map or plat and the survey on which it is based was made in accordance with the final adapted version of the rules and regulations of Title 865 IAC 1-12, 1-30 of the Board of Registration of Professional Engineers and Land Surveyors under authority of Indiana Code 25 Article 21.5 Chapter 1 through 13 and further state that this is a Suburban Survey with a Relative Positional Accuracy (RPA) not to exceed 0.13' plus 100 parts per million.

REGISTRATION NUMBER 80040125  
 JAMES H. KEIL

Revision No 2 May 1, 2023  
 Revision No 1 April 3, 2023



**KEIL AND ASSOCIATES, INC.**  
 LAND SURVEYORS  
 2340 N USF 35, LaPorte, Indiana 46350 219.362.3541

PROJECT: SUBDIVISION FOR  
**ZAYO GROUP LLC**  
 SHEET: PLAT OF SUBDIVISION

DATE: APRIL 3, 2023	CHECKED BY: JHK	SCALE: 1"=50'	LOCATION: SEC 25, T37N, R3W CITY OF LAPORTE, INDIANA	DWG. NO. E-2284
DRAWN BY: JHK				Sheet No. 1 of 2

**FINAL PLAT OF  
 ZAYO SUBDIVISION**

SECTION 36

**BACH STREET - 66'**  
 SOUTHWEST CORNER SEC 25, T37N, R3W  
 Fd Cast Iron Mon  
 NORTHWEST CORNER SEC 36, T37N, R3W

SOUTH QUARTER CORNER SEC 25, T37N, R3W  
 Fd Cast Iron Mon  
 NORTH QUARTER CORNER SEC 36, T37N, R3W  
 Fd Cast Iron Mon

DESCRIPTION OF SURVEY FOR

ZAYO SUBD

PARCEL NO. 1

A parcel of land situated in the South Half of the South Half of Section 25, Township 37 North, Range 3 West, and the Northwest Quarter of Section 36, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana, and being more particularly described as follows:

Commencing at a cast iron monument marking the South Quarter Corner of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana;

Thence: S 89° 05' 49" W, along the South Line of said Section 25, a distance of 117.77' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad for the point of beginning;

Thence: S 55° 14' 32" W, along said Right-of-Way, a distance of 94.87' to an iron pin;

Thence: N 20° 36' 48" W, a distance of 64.70' to an iron pin;

Thence: N 38° 52' 38" E, a distance of 85.36' to an iron pin;

Thence: N 24° 42' 55" E, a distance of 115.81' to an iron pin;

Thence: N 65° 17' 05" W, a distance of 12.00' to an iron pin;

Thence: N 24° 21' 45" E, a distance of 111.03';

Thence: N 25° 02' 11" E, a distance of 33.06' to an iron pin;

Thence: S 61° 10' 12" E, a distance of 62.43' to a survey nail;

Thence: N 22° 16' 23" E, a distance of 21.86' to a survey nail;

Thence: S 36° 49' 50" E, a distance of 183.04' to an iron pin, on the Northerly Right-of-Way Line of the Norfolk Southern Railroad;

Thence: S 55° 14' 32" W, along said Right-of-Way Line, a distance of 263.58' to the point of beginning;

Containing 1.129 Acres, and subject to all legal easements.

Also, subject to a 15' wide easement for ingress, egress, and Public Utilities across the Northerly Side of said property, being more particularly described as follows:



Commencing at a cast iron monument marking the South Quarter Corner of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana;

- Thence: S 89° 05' 49" W, along the South Line of said Section 25, a distance of 117.77' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad;
- Thence: S 55° 14' 32" W, along said Right-of-Way, a distance of 94.87';
- Thence: N 20° 36' 48" W, a distance of 47.37' for the point of beginning;
- Thence: N 20° 36' 48" W, a distance of 17.33';
- Thence: N 38° 52' 38" E, a distance of 85.36';
- Thence: N 24° 42' 55" E, a distance of 115.81';
- Thence: N 24° 42' 55" E, a distance of 143.18';
- Thence: S 61° 10' 12" E, a distance of 15.04';
- Thence: S 24° 42' 55" W, a distance of 142.10';
- Thence: S 24° 42' 55" W, a distance of 117.67';
- Thence: S 38° 52' 38" W, a distance of 85.86' to the point of beginning;

KEIL AND ASSOCIATES, INC.  
LAND SURVEYORS  
2340 N. US HWY 35  
LAPORTE, IN 46350

PHONE: (219) 362-3541

CELL: (219) 363-3541

EMAIL: [JIM@KEILANDASSOCS.COM](mailto:JIM@KEILANDASSOCS.COM)

Friday, August 26, 2022

DESCRIPTION OF SURVEY FOR

ZAYO SUBD

PARCEL NO. 2

A parcel of land situated in the South Half of the South Half of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana, and being more particularly described as follows:

Commencing at a cast iron monument marking the South Quarter Corner of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana;

Thence: S 89° 05' 49" W, along the South Line of said Section 25, a distance of 117.77' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad;

Thence: S 55° 14' 32" W, along said Right-of-Way, a distance of 94.87' to an iron pin;

Thence: N 20° 36' 48" W, a distance of 64.70' to an iron pin;

Thence: N 38° 52' 38" E, a distance of 85.36' to an iron pin;

Thence: N 24° 42' 55" E, a distance of 115.81' to an iron pin;

Thence: N 65° 17' 05" W, a distance of 12.00' to an iron pin;

Thence: N 24° 21' 45" E, a distance of 111.03';

Thence: N 25° 02' 11" E, a distance of 33.06' to an iron pin, for the point of beginning;

Thence: N 25° 02' 11" E, a distance of 105.96';

Thence: S 65° 04' 36" E, a distance of 12.00';

Thence: S 44° 40' 57" E, a distance of 273.82' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad;

Thence: S 55° 14' 57" W, along said Right-of-Way Line, a distance of 91.84' to an iron pin;

Thence: N 36° 49' 50" W, a distance of 183.04' to a survey nail;

Thence: S 22° 16' 23" W, a distance of 21.86' to a survey nail;

Thence: N 61° 10' 12" W, a distance of 62.43' to the point of beginning;

Containing 0.501 Acres.

Also, together with a 15' wide easement for ingress, egress, and Public Utilities across the Northerly Side of a 1.129 Acre Parcel, being more particularly described as follows:

Commencing at a cast iron monument marking the South Quarter Corner of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana;

- Thence: S 89° 05' 49" W, along the South Line of said Section 25, a distance of 117.77' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad;
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Friday, August 26, 2022

BOM E-2234-2

Page 2 of 2



# Plan Commission Application PRELIMINARY PLAT

City Planner  
David Heinold, AICP  
[dheinold@cityoflaportein.gov](mailto:dheinold@cityoflaportein.gov)  
[www.cityoflaporte.com](http://www.cityoflaporte.com)

City Hall  
801 Michigan Ave.  
La Porte, IN 46350  
(219) 362-8260

<b>For Office Use Only</b>	
Fee: 320 <sup>00</sup>	Receipt: 480
File Date: 4/17/2023	File #: 2023-PP-01
Site Review: n/a	
Date of PC mtg: 5/9/2023	
Decision: _____	
Date of BOPW mtg: _____	
Decision: _____	

This application is being submitted for a Preliminary Plat

### Applicant

Name <b>Zayo Group LLC</b>	
Street Address <b>195 Larson Street</b>	
City, State, Zip <b>LaPorte, IN 46350</b>	
Primary Contact regarding this petition <b>Andrew Wert</b>	
Phone <b>317.776.5262</b>	Email <b>awert@cchalaw.com</b>
Engineer Preparing Plans <b>James H. Keil, PS</b>	Email <b>jim@keilandassoc.com</b>
Others to be Notified	Email
Applicant is (check one): <input checked="" type="checkbox"/> Sole Owner <input type="checkbox"/> Joint Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	

### Property Owner (if different than above)

Name <b>Zayo Group LLC</b>	
Street Address <b>1401 Wynkoop St Ste 500</b>	Phone <b>720.797.5923</b>
City, State, Zip <b>Denver, CO 80202</b>	Email <b>brittany.mcnamara@zayo.com</b>

### Premises Affected

Parcel ID Number <b>46-06-25-387-006.000-043, 46-06-25-454-001.000-043, 46-06-36-129-001.000-043</b>	
Address or General Location <b>195 Larson Street, LaPorte, IN 46350</b>	
Legal Description <b>see attached</b>	
Total Acreage <b>1.63</b>	Flood Zone? <b>X</b>
Current Zoning <b>M2</b>	Land Use <b>Industrial</b>



<b>ITEM 5. Final Plat # 23-01 Petition to Allow Two (2) Lot Subdivision to be called Zayo Subdivision</b>
<b>Type of Request: Final Plat</b>
<b>Staff Report: David Heinold</b>

**APPLICANT**

Name – Zayo Group LLC
-----------------------

**PROPERTY OWNER**

Name – same
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**PREMISES AFFECTED**

Parcel Number - 46-06-25-454-001.000-043				
Actual/approximate address or location from major streets – 195 Larson Street				
Subdivision – Zayo Subdivision			Lot Number(s) – Lots 1 and 2	
Total Acreage – 65,000 square feet		Flood Zone on Site? – no		
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**SUMMARY:** The petitioner proposes to re-subdivide the existing lots into two (2) lots that will allow the smaller building and surrounding property to be split off and sold to another party.

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**HISTORY OF SITE:** Per the site aerial image, the total area of the parcel is about 65,000 square feet and currently zoned within the M2 Heavy Industrial District. Currently, the property is subdivided as three separate lots with the two existing buildings on the main lot.

**SITE REVIEW FINDINGS:** Site Review was not required due to the current status of the site with utilities and infrastructure already in place. The comments received from utilities and engineering were made to insure that the easement for both of the lots was shown on the final plat drawing and described in the legal description for the subdivision plat document.

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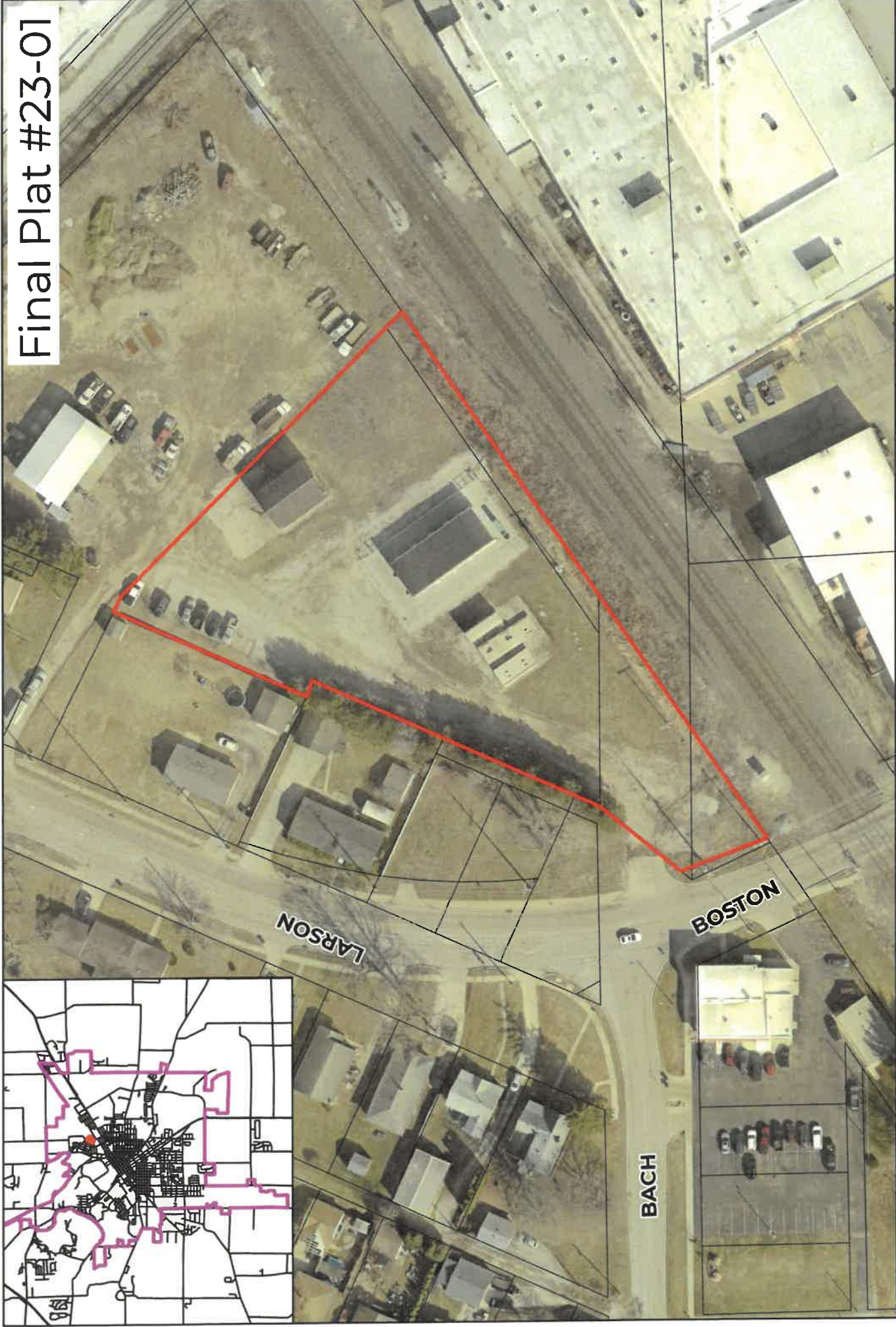
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**STAFF RECOMMENDATION:**

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Submitted to the City of La Porte Plan Commission on May 4<sup>th</sup>, 2023.

# Final Plat #23-01



**City of La Porte**  
Plan Commission  
Location Map

 Subject Property  
 City Limits



Date Created: April 21, 2023  
Created By: David Heintold  
Document Path: M:\City Planning\GIS\Map Documents\2023\23-01  
Map Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



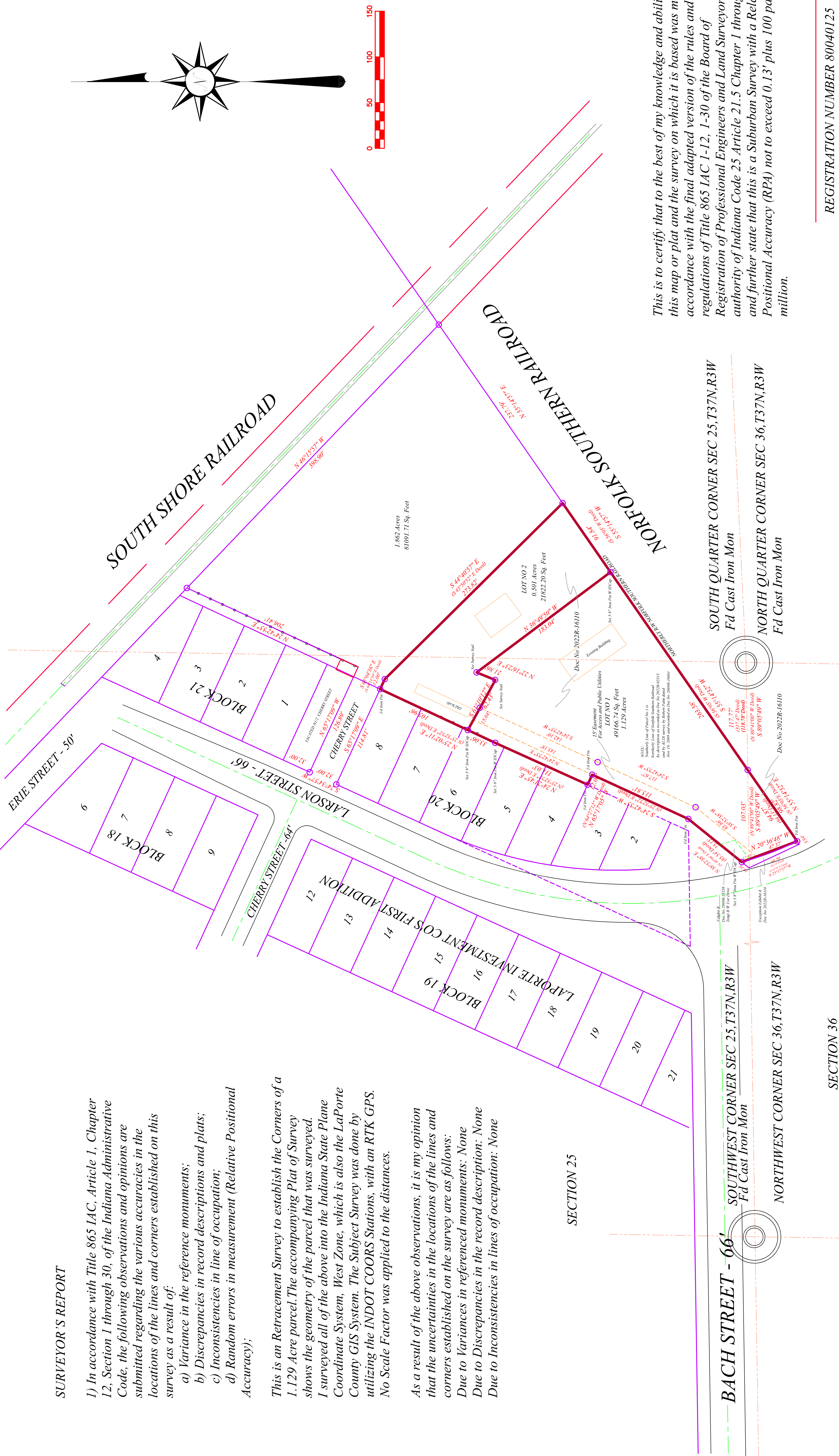
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- a) Variance in the reference monuments;
- b) Discrepancies in record descriptions and plats;
- c) Inconsistencies in line of occupation;
- d) Random errors in measurement (Relative Positional Accuracy);

This is an Retracement Survey to establish the Corners of a 1.129 Acre parcel. The accompanying Plat of Survey shows the geometry of the parcel that was surveyed. I surveyed all of the above into the Indiana State Plane Coordinate System, West Zone, which is also the LaPorte County GIS System. The Subject Survey was done by utilizing the INDOT COORS Stations, with an RTK GPS. No Scale Factor was applied to the distances.

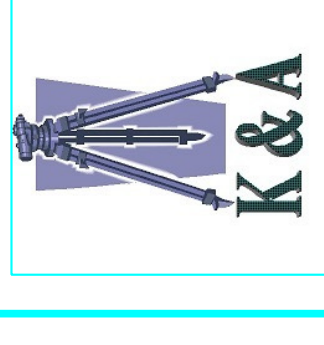
As a result of the above observations, it is my opinion that the uncertainties in the locations of the lines and corners established on the survey are as follows:  
 Due to Variances in referenced monuments: None  
 Due to Discrepancies in the record description: None  
 Due to Inconsistencies in lines of occupation: None



This is to certify that to the best of my knowledge and ability, this map or plat and the survey on which it is based was made in accordance with the final adapted version of the rules and regulations of Title 865 IAC 1-12, 1-30 of the Board of Registration of Professional Engineers and Land Surveyors under authority of Indiana Code 25 Article 21.5 Chapter 1 through 13 and further state that this is a Suburban Survey with a Relative Positional Accuracy (RPA) not to exceed 0.13' plus 100 parts per million.

REGISTRATION NUMBER 80040125  
 JAMES H. KEIL

Revision No 2 May 1, 2023  
 Revision No 1 April 3, 2023



**KEIL AND ASSOCIATES, INC.**  
 LAND SURVEYORS  
 2340 N USH 35, LaPorte, Indiana 46350 219.362.3541

PROJECT: SUBDIVISION FOR  
**ZAYO GROUP LLC**  
 SHEET: PLAT OF SUBDIVISION

DATE: APRIL 3, 2023	CHECKED BY: JHK	SCALE: 1"=50'	LOCATION: SEC 25, T37N, R3W CITY OF LAPORTE, INDIANA	DWG. NO. E-2284
DRAWN BY: JHK				Sheet No. 1 of 2

**FINAL PLAT OF  
 ZAYO SUBDIVISION**

SECTION 36

**BACH STREET - 66'**  
 SOUTHWEST CORNER SEC 25, T37N, R3W  
 Fd Cast Iron Mon  
 NORTHWEST CORNER SEC 36, T37N, R3W

SOUTH QUARTER CORNER SEC 25, T37N, R3W  
 Fd Cast Iron Mon  
 NORTH QUARTER CORNER SEC 36, T37N, R3W  
 Fd Cast Iron Mon



# ZAYO SUBDIVISION

An Addition to The City Of LaPorte, Indiana  
Situated in the S1/2 of the S1/4 of Section 25, T37N, R3W LaPorte County, Indiana

## BOARD OF PUBLIC WORKS CERTIFICATE

Under authority provided by Chapter 47, Acts of 1951, of the General Assembly of Indiana, this plat was given approval by the Board of Public Works of The City of LaPorte, Indiana at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_

BOARD OF PUBLIC WORKS

TOM DERMODY

JESSICA ROMINE

MARK KOSIOR

## COMMISSION CERTIFICATE

Under authority provided by Chapter 174-Acts of 1947, 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 LaPorte, Indiana, this plat was given approval by the City of LaPorte, Indiana as follows:  
Approval by the LaPorte City Plan Commission at a meeting held on \_\_\_\_\_

LAPORTE CITY PLAN COMMISSION

JERRY JACKSON, PRESIDENT

PETE SAUNDERS, VICE PRESIDENT  
SIGNED AND EXECUTED

## AUDITOR'S CERTIFICATE

State of Indiana ) SS  
County of LaPorte )

Duly entered for taxation this \_\_\_\_\_ of \_\_\_\_\_.

LAPORTE COUNTY AUDITOR

## RECORDER'S CERTIFICATE

STATE OF INDIANA ) SS  
COUNTY OF LAPORTE )

Filed for record at \_\_\_\_\_ o'clock this \_\_\_\_\_ day of \_\_\_\_\_,  
and recorded as Document Number \_\_\_\_\_,  
restrictions and covenants recorded as Document Number \_\_\_\_\_.

LAPORTE COUNTY RECORDER

### DESCRIPTION OF SURVEY FOR

ZAYO GROUP

LOT NO. 2

A parcel of land situated in the South Half of the South Half of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana, and being more particularly described as follows:

Commencing at a cast iron monument marking the South Quarter Corner of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana;

Thence: S 89° 05' 49" W, along the South Line of said Section 25, a distance of 117.77' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad;

Thence: S 55° 14' 32" W, along said Right-of-Way, a distance of 94.87' to an iron pin;

Thence: N 20° 36' 48" W, a distance of 64.70' to an iron pin;

Thence: N 38° 52' 38" E, a distance of 75.15' to an iron pin;

Thence: N 24° 42' 55" E, a distance of 115.81' to an iron pin;

Thence: N 65° 17' 05" W, a distance of 12.00' to an iron pin;

Thence: N 24° 21' 45" E, a distance of 111.03';

Thence: N 25° 02' 11" E, a distance of 33.06' to an iron pin, for the point of beginning;

Thence: N 25° 02' 11" E, a distance of 105.96';

Thence: S 65° 04' 36" E, a distance of 12.00';

Thence: S 44° 40' 57" E, a distance of 273.82' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad;

Thence: S 55° 14' 32" W, along said Right-of-Way Line, a distance of 91.84' to an iron pin;

Thence: N 36° 49' 50" W, a distance of 183.04' to a survey nail;

Thence: S 22° 16' 23" W, a distance of 21.86' to a survey nail;

Thence: N 61° 10' 12" W, a distance of 62.43' to the point of beginning;

Containing 0.501 Acres.

Also, together with a 15' wide easement for ingress, egress and public utilities across the Northerly side of a 1.129 acre parcel, being more particularly described as follows:

Commencing at a cast iron monument marking the South Quarter Corner of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana;

Thence: S 89° 05' 49" W, along the South Line of said Section 25, a distance of 117.77' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad;

Thence: S 55° 14' 32" W, along said Right-of-Way, a distance of 94.87';

Thence: N 20° 36' 48" W, a distance of 47.37' for the point of beginning;

Thence: N 20° 36' 48" W, a distance of 17.33';

Thence: N 38° 52' 38" E, a distance of 75.15';

Thence: N 24° 42' 55" E, a distance of 115.81';

Thence: N 24° 42' 55" E, a distance of 143.18';

Thence: S 61° 10' 12" E, a distance of 15.04';

Thence: S 24° 42' 55" W, a distance of 142.10';

Thence: S 24° 42' 55" W, a distance of 117.67';

Thence: S 38° 52' 38" W, a distance of 85.86' to the point of beginning;

### DESCRIPTION OF SURVEY FOR

ZAYO GROUP

LOT NO. 1

A parcel of land situated in the South Half of the South Half of Section 25, Township 37 North, Range 3 West, and the Northwest Quarter of Section 36, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana, and being more particularly described as follows:

Commencing at a cast iron monument marking the South Quarter Corner of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana;

Thence: S 89° 05' 49" W, along the South Line of said Section 25, a distance of 117.77' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad for the point of beginning;

Thence: S 55° 14' 32" W, along said Right-of-Way, a distance of 94.87' to an iron pin;

Thence: N 20° 36' 48" W, a distance of 64.70' to an iron pin;

Thence: N 38° 52' 38" E, a distance of 75.15' to an iron pin;

Thence: N 24° 42' 55" E, a distance of 115.81' to an iron pin;

Thence: N 65° 17' 05" W, a distance of 12.00' to an iron pin;

Thence: N 24° 21' 45" E, a distance of 111.03';

Thence: N 25° 02' 11" E, a distance of 33.06' to an iron pin;

Thence: S 61° 10' 12" E, a distance of 62.43' to a survey nail;

Thence: N 22° 16' 23" E, a distance of 21.86' to a survey nail;

Thence: S 36° 49' 50" E, a distance of 183.04' to an iron pin, on the Northerly Right-of-Way Line of the Norfolk Southern Railroad;

Thence: S 55° 14' 32" W, along said Right-of-Way Line, a distance of 263.58' to the point of beginning;

Containing 1.129 Acres, and subject to all legal easements.

Also, subject to a 15' wide easement for ingress, egress and public Utilities across the Northerly Side of said property, being more particularly described as follows:

Commencing at a cast iron monument marking the South Quarter Corner of Section 25, Township 37 North, Range 3 West, Center Township, LaPorte County, Indiana;

Thence: S 89° 05' 49" W, along the South Line of said Section 25, a distance of 117.77' to the Northerly Right-of-Way Line of the Norfolk Southern Railroad;

Thence: S 55° 14' 32" W, along said Right-of-Way, a distance of 94.87';

Thence: N 20° 36' 48" W, a distance of 47.37' for the point of beginning;

Thence: N 20° 36' 48" W, a distance of 17.33';

Thence: N 38° 52' 38" E, a distance of 75.15';

Thence: N 24° 42' 55" E, a distance of 115.81';

Thence: N 24° 42' 55" E, a distance of 143.18';

Thence: S 61° 10' 12" E, a distance of 15.04';

Thence: S 24° 42' 55" W, a distance of 142.10';

Thence: S 24° 42' 55" W, a distance of 117.67';

Thence: S 38° 52' 38" W, a distance of 85.86' to the point of beginning;

STATE OF INDIANA ) SS  
COUNTY OF LAPORTE )

Before me, the undersigned, a Notary Public in and for said County and State personally appeared Mitchell Feikes, President of Mich Feikes Builders, Inc. and for and on behalf of said parties acknowledged the execution of the foregoing instrument as the voluntary act and deed of said parties, and for the purpose herein expressed.

Witness my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_

NOTARY PUBLIC

My commission expires \_\_\_\_\_

## DEDICATION

The undersigned, Zayo Group LLC, owner of the real estate shown and described herein, does hereby certify that it has laid out, platted and does hereby lay off, plat and subdivide the real estate herein before described in accordance with this plat. The subdivision shall be known and designated as "ZAYO SUBDIVISION" to the City of the City of LaPorte, Indiana.

An easement is hereby granted to the heirs, assigns and successors, of Lot No 2 for access over and upon a 15' wide strip of land located on Lot No 1 and that the heirs, assigns, and successors of Lot No 1 are subject to said easement. Said easement is also hereby granted to the CITY OF LAPORTE, INDIANA, all public utility companies including VERIZON NORTH, INC, NORTHERN INDIANA PUBLIC SERVICE COMPANY, MULTIMEDIA CABLEVISION and COMCAST severally, and private utility companies where they have a certificate of territorial authority to render service, and their respective successors and assigns, to install, place and maintain sewers, water mains, gas mains, conduits, cables, poles and wires, either overhead or underground with all necessary braces, guys, anchors, and other appliances in, upon, along and over the strip of land 15' in width as designated on the plat and marked EASEMENT FOR PUBLIC UTILITIES, for the purpose of serving the public in general with access, sewer, water, gas, electric and telephone service, including the right to use the easement, where necessary, and to overhang lots, together with the right to enter upon the said easements for public utilities at all times for any and all of the purposes aforesaid and to trim and keep trimmed any trees, shrubs, saplings or underground root systems that interfere with any such utility equipment. No permanent buildings shall be placed on said easement and is an easement hereby granted to the City of LaPorte, Indiana and said Utilities for the purpose of maintaining said facilities.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_.

Mike Mooney

## SURVEYOR'S CERTIFICATE

I, JAMES H. KEIL, hereby certify that I am a professional land surveyor, licensed in compliance with the laws of the State of Indiana: That this plat correctly represents a survey completed by me on April 20, 2023. That all monuments thereon actually exist at such time after the plat becomes of record, and that their location, size and type of material are correctly shown.

JAMES H. KEIL  
Registered Professional Land Surveyor  
State of Indiana  
Registration No. 80040125

KEIL AND ASSOCIATES, INC.  
LAND SURVEYORS

2340 N SR#35 LaPorte, Indiana 46350 219.862.3541

DATE: MAY 1, 2023

DRAWN BY: JHK CHECKED BY: JHK

SCALE: 1"=60'

LOCATION: E17 E18 SECTIONS 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

PROJECT: SUBDIVISION FOR

ZAYO SUBDIVISION

SHEET

SECONDARY PLAT

Revision No 1 May 1, 2023

DATE: MAY 1, 2023

DRAWN BY: JHK

CHECKED BY: JHK

SCALE: 1"=60'

LOCATION: E17 E18 SECTIONS 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116