

BERNE PLAN COMMISSION

**158 East Franklin Street
Berne, In 46711
March 21, 2024**

**LEGAL NOTICE OF A PUBLIC HEARING
Berne Plan Commission**

Notice is hereby given that the Berne Plan Commission will hold two (2) public hearings **Tuesday, May 14, 2024 at 6:00 p.m.** in Council Chambers of the Berne City Building, 158 West Franklin Street, Berne, Indiana.

At that time, the Plan Commission will hear Request number one for a minor Subdivision to have three (3) lots on the parcel of ground owned by Bank of Geneva, C/O Bob Rhoades with Farmers and Merchants Bank. Filed by Brett Miller with Miller Land Surveying Inc. The land is described in the following:

123RD ADD W 198' OF E 350' OF O L 5 OF 65TH ADD SEC 32 (.59A) & O L 5 65TH ADD EX E 350' & EXC S MID PT SEC 32 (.92A) & S/2 81ST ADD SEC 32 (.56A) containing 7.097 acres more or less, and subject to all legal easements. The new subdivision will divide the lots into three (3) separate lots. Tract 1 5.243 acres, Tract 2 0.846 acres, Tract 3 1.008 acres.

New Original Legal Descriptions

Tract 1 – 5.243 Ac.: Part of the Southeast Quarter of Section 32, Township 26 North, Range 14 East of the Second Principal Meridian, Monroe Township in Adams County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number 20300059 of Miller Land Surveying, Inc., Survey No. 23117172.b, dated March 11, 2024, revised April 4, 2024 and being more particularly described as follows:

Commencing at a Harrison Marker marking the Northeast corner of said Southeast Quarter; thence South 00 degrees 03 minutes 58 seconds East (Indiana East SPC, 1983 bearing and basis of bearings to follow), a distance of 512.73 feet (522.00 feet deed) along the East line of said Southeast Quarter the South line of an existing 2.268 acre tract described in Deed Record 200, page 60 in the Office of the Recorder of Adams County, Indiana; thence South 86 degrees 48 minutes 20 seconds West, a distance of 630.38 feet (631.50 feet deed) along said South line to the West line of said 2.268 acre tract, referenced by a 1/2" Steel Rebar with a "Tazian" identification cap 0.73 feet East, said point being the POINT OF BEGINNING of the herein described tract; thence South 00 degrees 03 minutes 58 seconds East, a distance of 162.45 feet along the Southerly extension of the West line of said 2.268 acre tract to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the North line of an existing 10 acre tract described in Deed Record 128, page 62 in the Office of said Recorder; thence South 86 degrees 22 minutes 18 seconds West, a distance of 709.67 feet along said North line to the West line of the East half of said Southeast Quarter, referenced by a 1" steel pipe 0.44 feet East; thence North 00 degrees 16 minutes 39 seconds West, a distance of 321.30 feet (324.00 feet deed) along said West line to the South line of an existing 6.00 acre tract described in Deed Record 226, page 49 in the Office of said Recorder, referenced by a 12" wood post 0.4 feet North and 1.4 feet East; thence North 86 degrees 14 minutes 37 seconds East, a distance of 710.96 feet (710.00 feet deed) along said South line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the West line of said 2.268 acre tract; thence South 00 degrees 03 minutes 58 seconds East, a distance of 160.51 feet (162.00 feet deed) along said West line to the Point of Beginning. Containing 5.243 acres, more or less. Subject to easements of record.

Tract 2 – 1.008 Ac.: Part of the Southeast Quarter of Section 32, Township 26 North, Range 14 East of the Second Principal Meridian, Monroe Township in Adams County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number 20300059 of Miller Land Surveying, Inc., Survey No. 23117172.b, dated March 11, 2024, revised April 4, 2024 and being more particularly described as follows:

Commencing at a Harrison Marker marking the Northeast corner of said Southeast Quarter; thence South 00 degrees 03 minutes 58 seconds East (Indiana East SPC, 1983 bearing and basis of bearings to follow), a distance of 512.73 feet (522.00 feet deed) along the East line of said Southeast Quarter and within the right-of-way of U.S. Highway #27 to the South line of an existing 2.268 acre tract described in Deed Record 200, page 60 in the Office of the Recorder of Adams County, Indiana, said point being the POINT OF BEGINNING of the herein described tract; thence continuing South 00 degrees 03 minutes 58 seconds East, a distance of 107.67 feet to the North line of an existing tract described in Deed Record 6, page 122 in the Office of said Recorder; thence South 86 degrees 22 minutes 18 seconds West, a distance of 250.00 feet (deed) along said North line to a Dura Nail with a "Miller Surveying Firm #0095" identification ring on the West line of said existing tract; thence South 00 degrees 03 minutes 58 seconds East, a distance of 50.00 feet (deed) along said West line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the North line of an existing 10 acre tract described in Deed Record 128, page 62 in the Office of said Recorder; thence South 86 degrees 22 minutes 18 seconds West, a distance of 99.00 feet along said North line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the East line of an existing 0.17 acre tract described in Document Number 2008004635 in the Office of said Recorder; thence North 03 degrees 37 minutes 42 seconds West, a distance of 50.00 feet (deed) along said East line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the North line of said 0.17 acre tract; thence North 05 degrees 48 minutes 33 seconds West, a distance of 110.20 feet to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the South line of said 2.268 acre tract; thence North 86 degrees 48 minutes 20 seconds East, a distance of 363.00 feet along said South line to the Point of Beginning. Containing 1.008 acres, more or less. Subject to the right-of-way U.S. Highway #27, and subject to easements of record.

Tract 3 – 0.846 Ac.: Part of the Southeast Quarter of Section 32, Township 26 North, Range 14 East of the Second Principal Meridian, Monroe Township in Adams County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number 20300059 of Miller Land Surveying, Inc., Survey No. 23117172.b, dated March 11, 2024, revised April 4, 2024 and being more particularly described as follows:

Commencing at a Harrison Marker marking the Northeast corner of said Southeast Quarter; thence South 00 degrees 03 minutes 58 seconds East (Indiana East SPC, 1983 bearing and basis of bearings to follow), a distance of 512.73 feet (522.00 feet deed) along the East line of said Southeast Quarter the South line of an existing 2.268 acre tract described in Deed Record 200, page 60 in the Office of the Recorder of Adams County, Indiana; thence South 86 degrees 48 minutes 20 seconds West, a distance of 363.00 feet along said South line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap at the POINT OF BEGINNING of the herein described tract; thence South 05 degrees 48 minutes 33 seconds East, a distance of 110.20 feet to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the North line of an existing 0.17 acre tract described in Document Number 2008004635 in the Office of said Recorder; thence South 86 degrees 22 minutes 18 seconds West, a distance of 150.00 feet (deed) along said North line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the West line of said 0.17 acre tract; thence South 03 degrees 37 minutes 42 seconds East, a distance of 50.00 feet (deed) along said West line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the North line of an existing 10 acre tract described in Deed Record 128, page 62 in the Office of said Recorder; thence South 86 degrees 22 minutes 18 seconds West, a distance of 131.66 feet along said North line to a 5/8"Steel Rebar with a "Miller Land Surveying Firm #0095" identification cap on the Southerly extension of the West line of said 2.268 acre tract; thence North 00 degrees 03 minutes 58 seconds West, a distance of 162.45 feet along said Southerly extension to the South line of said 2.268 acre tract, referenced by a 1/2" Steel Rebar with a "Tazian" identification cap 0.73 feet East; thence North 86 degrees 48 minutes 20 seconds East, a distance of 267.38 feet along said South line to the Point of Beginning. Containing 0.846 acres, more or less. Subject to easements of record.

Survey Job #23117172.b
Date: March 11, 2024
Revised: April 4, 2024
For: Bank of Geneva
Miller Land Surveying, Inc.

The second hearing will be a request for a major subdivision (Primary Plat) filed by Brett Miller of Miller Land Surveying on behalf of Zane Martens, JMZ Development, LLC for a primary plat subdivision consisting of 28.061 acres and subdividing into a 14-lot subdivision. The property is located in the SW corner of County Road 700 South and County Road 150 West, Section 8, Wabash Township, in Adams County, Indiana, and the City of Berne Fringe area, and subject to all legal easements. The land is described in the following legal description.

Record Description – Doc.#2011004215

Part of the Northwest Quarter of Section 8, Township 25 North, Range 14 East of the Second Principal Meridian, Wabash Township in Adams County, Indiana, more particularly described as follows:

Commencing at a Harrison Marker at the Northeast corner of said Northwest Quarter; thence South 00 degrees 15 minutes 18 seconds East (GPS Grid bearing and basis of bearings to follow), a distance of 300.00 feet (deed) along the East line of said Northwest Quarter and within the right-of-way of County Road 150 West to a DuraNail with a "Miller" identification ring set on the South line of an existing tract described in Deed Record 145, Page 248 in the Office of the Recorder of Adams County, Indiana, said point being the POINT OF BEGINNING of the herein described tract; thence continuing South 00 degrees 15 minutes 18 seconds East, a distance of 984.00 feet along said East line and within said right-of-way to a point on the South line of an existing tract described in Deed Record 134, Page 479 in the Office of the Recorder of Adams County, Indiana, said point being referenced by a Mag Nail found 0.63 feet South and 0.22 feet West; thence South 88 degrees 24 minutes 48 seconds West, a distance of 1027.00 feet along said South line and along the South line of an existing tract described in Deed Record 233, Page 168 in the Office of the Recorder of Adams County, Indiana to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the West line of said Deed Record 233, Page 168; thence North 00 degrees 15 minutes 18 seconds West, a distance of 1284.00 feet (deed) along said West line to a DuraNail with a "Miller" identification ring set on the North line of said Northwest Quarter; thence North 88 degrees 24 minutes 48 seconds East, a distance of 707.00 feet along said North line and within the right-of-way of County Road 700 South to a DuraNail with a "Miller" identification ring set on the West line of said Deed Record 145, Page 248; thence South 00 degrees 15 minutes 18 seconds East, a distance of 300.00 feet (deed) along said West line to a 5/8" steel rebar with a "Miller Firm #0095" identification cap set on the South line of said Deed Record 145, Page 248; thence North 88 degrees 24 minutes 48 seconds East, a distance of 320.00 feet (deed) along said South line to the Point of Beginning. Containing 28.061 Acres, more or less. Subject to the right-of-way of County Road 150 West, County Road 700 South and subject to easements of record.

Survey Job #11071741
Date: January 11, 2024
For: Sprunger
Miller Land Surveying, Inc.

Shannon Smitley, Director
Berne Plan Commission
5-1-2024