

FULTON COUNTY
AREA PLAN COMMISSION
FULTON COUNTY OFFICE BUILDING
COMMISSIONERS/COUNCIL ROOM
Meeting will be held in person and virtual.

January 25, 2021
7:00 P.M.

CALL TO ORDER

ELECTION OF OFFICERS

COMMITTEES

ADOPTION OF MEETING RESOLUTION

RULES OF PROCEDURE

PUBLIC COMMENTS
(Comments Not To Pertain To Agenda Items)

OLD BUSINESS:

NEW BUSINESS:
Gaerte's Monroe Street Replat
Blacketor Drive (#200420 & #200421)

PLAN DIRECTOR REPORT:

PUBLIC COMMENTS:

BOARD COMMENTS

ADJOURNMENT

FCAPC January 2021

Mon, Jan 25, 2021 7:00 PM - 10:00 PM (EST)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/414288501>

You can also dial in using your phone.

United States: [+1 \(408\) 650-3123](tel:+14086503123)

Access Code: 414-288-501

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 414 288 501

Or dial directly: [414288501@67.217.95.2](tel:414288501@67.217.95.2) or 67.217.95.2##414288501

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/414288501>

FULTON COUNTY AREA PLAN COMMISSION
November 23, 2020

**FULTON COUNTY
AREA PLAN COMMISSION
MEETING**

WEDNESDAY, NOVEMBER 23, 2020

**7:00 P.M.
COMMISSIONERS/COUNCIL ROOM
& VIRTUAL**

CALL TO ORDER

AREA PLAN COMMISSION MINUTES FOR:
February 24, 2020

PUBLIC COMMENT (Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS:
Richard Stone/Deborah Yoder (#200733)

PLAN DIRECTOR REPORT:

PUBLIC COMMENTS

**BOARD COMMENTS
ADJOURNMENT**

FULTON COUNTY AREA PLAN COMMISSION

November 23, 2020

The Fulton County Area Plan Commission met on Wednesday the 23rd of November 2020, at 7:00 P.M. in the Commissioners/Council Room located within the Fulton County Office Building, as well as, virtual. Chairperson, Duane Border called the meeting to order at 7:00 P.M. The following members were present: David Roe, Rick Ranstead, Ruth Gunter and Duane Border. Also in attendance were: Plan Director, Casi Cowles; Administrative Secretary, and Heather Redinger

The following were present virtually: Mark Kepler, Debbie Barts, Crystal Weida, Phil Miller and Board Attorney, Andy Perkins.

It is duly noted the following were absent: Cathy Miller, Rachael Moore, Kathy Hobbs Randy Sutton and Seth White.

IN RE: MINUTES

February 24, 2020

Duane Border asked for any additions, deletions or corrections to be made to the February 24, 2020 minutes. David Roe stated Randy Sutton was absent, but he was mentioned on pages 2&3. Changes were noted. Rick O'Neill moved to approve the February 24, 2020 minutes with the stated changes. David Roe seconded the motion. Motion carried as follows: Mark Kepler, Debbie Barts, Crystal Weida, Phil Miller, David Roe, Rick Ranstead, Ruth Gunter and Duane Border being in favor and no one opposing.

IN RE: NEW BUSINESS

Richard Stone/Deborah Yoder (#200733)
Zone Map Amendment

Mr. Stone is requesting a zone map amendment of property located at 181 W Olson, Rochester. He would like the lot to be allowed a single family dwelling. The Highway Commercial (HC) does not allow dwellings. Therefore, the request for the zone map amendment of 181 W Olson Road, Rochester, 9.48 acres changed from Highway Commercial (HC) to Agricultural (AG). The adjoining districts are the Agricultural District and River Residential.

The zoning ordinance requires a zone map amendment to be reviewed by the Plan Commission based on the Comprehensive Plan. The zone map amendment is then forwarded to the County Commissioners where they review the application, all supportive material and the Plan Commission's recommendation.

Typically, it is stressed that a property that is rezoned can be many uses and therefore the Plan Commission needs to ensure the compatibility of all the uses within the requested district and how it complies with the Fulton County Comprehensive Plan.

Duane Border asked for any Board questions or comments at this time. Being none, he then entertained a motion to open the public hearing. David Roe moved to open the public hearing. Rick O'Neill seconded the motion. Motion carried as follows: Mark Kepler, Debbie Barts, Crystal Weida, Phil Miller, David Roe, Rick Ranstead, Ruth Gunter and Duane Border being in favor and no one opposing.

Duane asked if anyone would like to speak for or against the request.

Frank Vojtasek, 224 Reed Lane, asked if the request would allow for a housing development, mobile homes or a single family home.

FULTON COUNTY AREA PLAN COMMISSION

November 23, 2020

Casi stated single family homes and mobile homes are allowed in the Ag district, she then stated only one dwelling per tract of land is allowed.

Being no further public comment, Duane entertained a motion to close the public hearing. David Roe moved to close the public hearing. Rick O'Neill seconded the motion. Motion carried as follows: Mark Kepler, Debbie Barts, Crystal Weida, Phil Miller, David Roe, Rick Ranstead, Ruth Gunter and Duane Border being in favor and no one opposing.

Duane asked for any Board comments or questions.

The Board discussed any commitments for the petition. They agreed to add the commitment of only one single family home is allowed.

Duane Border entertained a motion. Ruth Gunter moved to approve Richard Stone (#200733) zone map amendment of property located at 181 W Olson, Rochester, with the commitment only one single family home is allowed. Rick Ranstead seconded the motion. Motion carried as follows: Mark Kepler, Debbie Barts, Crystal Weida, Phil Miller, David Roe, Rick Ranstead, Ruth Gunter and Duane Border being in favor and no one opposing.

IN RE: PLAN DIRECTOR REPORT

IN RE: BOARD COMMENTS

IN RE: ADJOURNMENT

With no further business to come before the Board, Duane Border entertained a motion to adjourn the November 23, 2020 meeting. David Roe moved to adjourn the November 23, 2020 Fulton County Area Plan Commission Board at 7:55 P.M. Rick Ranstead seconded the motion. Motion carried as follows: Mark Kepler, Debbie Barts, Crystal Weida, Phil Miller, David Roe, Rick Ranstead, Ruth Gunter and Duane Border being in favor and no one opposing.

Heather Redinger, Administrative Secretary

ORDINANCE NO _____

**ORDINANCE EXTENDING THE AGRICULTURAL EXTENSION AGENT VOTING
AUTHORITY ON THE FULTON COUNTY AREA PLAN COMMISSION**

WHEREAS, the General Assembly of the State of Indiana did enact certain amendments to Indiana Code 36-7-4-208 effective July 1, 2020 requiring the county agricultural extension educator to be a resident of the county in order to serve in the capacity of a voting member of any area plan commission; and,

WHEREAS, the membership configuration of the Fulton County Plan Commission was established by an ordinance created under IC 36-7-4-211; and,

WHEREAS, all legislative bodies of the Fulton County Area Plan Participants did pass and adopt said ordinance stipulating the Fulton County Area Plan Commission (hereinafter "FCAPC") Board membership configuration; and,

WHEREAS, as mandated by said FCAPC Board membership configuration, the Fulton County Agricultural Extension Educator (hereinafter Extension Educator) is a required member of the FCAPC; and

WHEREAS, the Fulton County Commissioners recognize the value of maintaining the knowledge and expertise of the current personnel serving as the Extension Educator as a voting member of the FCAPC,

THEREFORE, BE IT ORDAINED THAT:

The Fulton County Commissioners do hereby certify that the current personnel holding the position of the Extension Educator as of July 1, 2020 may remain as a voting member on the FCAPC as adopted by the FCAPC Board Membership ordinance until October 1, 2021 as stipulated and allowed in IC 36-7-4-208.

Notwithstanding, if at any time between July 1, 2020 and October 1, 2021 the current personnel holding the position of the Extension Educator is vacated, then this ordinance is null and void and the full effect of IC 36-7-4-208 will be effective.

Adopted by a vote of _____ aye _____ nay _____ not present, this _____ day of _____, 2020.

Fulton County Commissioners

Bryan Lewis

Rick Ranstead

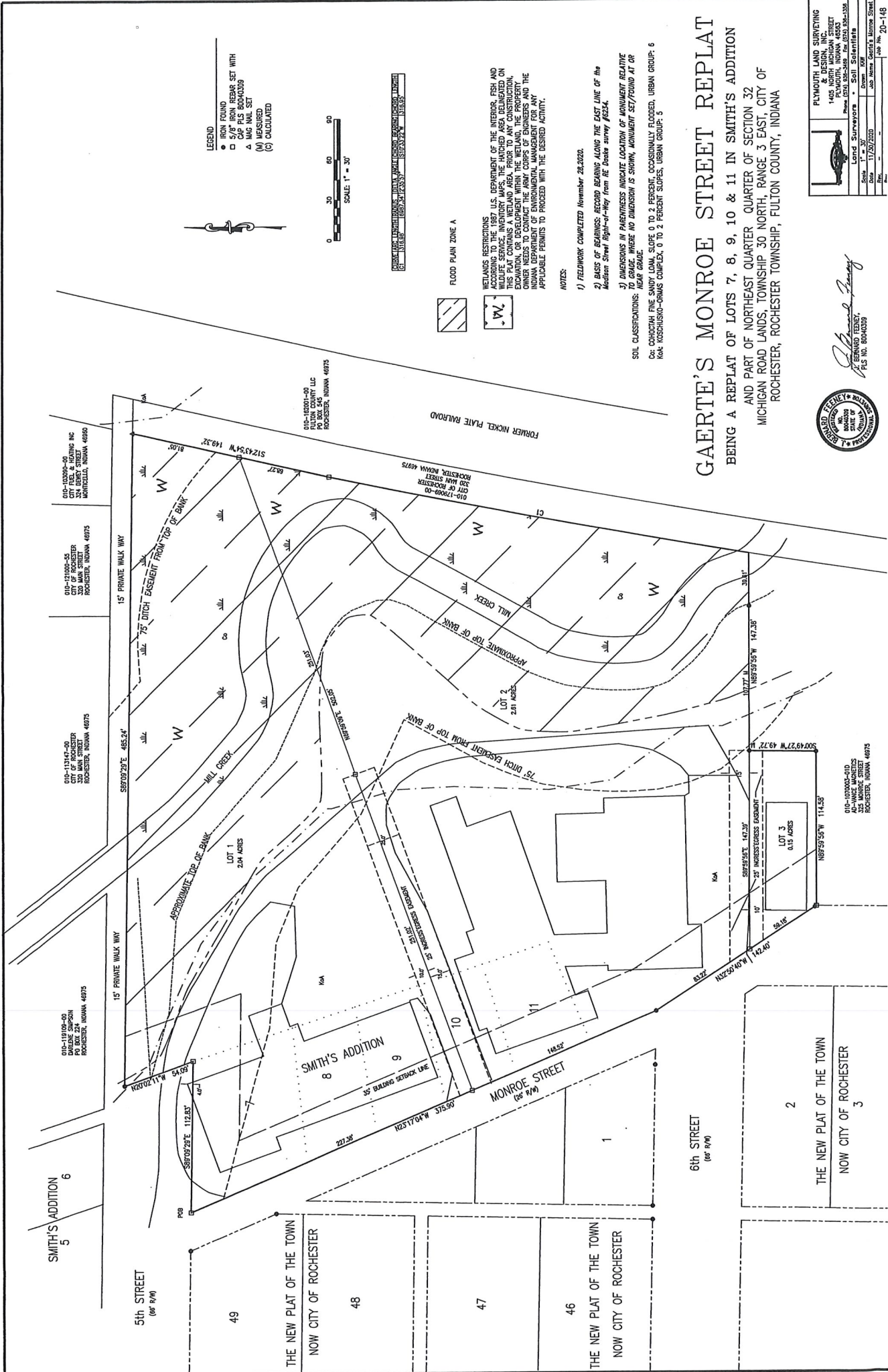
Steve Metzger

ATTEST:

Christina Sriver, Fulton County Auditor

Gaerte's Monroe Street Replat

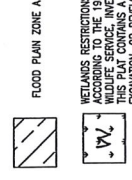
Gaerte's is located on Monroe Street and currently has 5 platted lots. They would like to replat into 3 lots, so all buildings will be sitting on their own lot. Attached is the map and survey of the replat.



- LEGEND**
- IRON FOUND
 - 5/8" IRON REBAR SET WITH CAP PLS 80040309
 - ▲ 1/2" IRON NAIL SET
 - (M) MEASURED
 - (C) CALCULATED



FOR MORE INFORMATION, VISIT www.plymouthland.com OR CALL 317.297.2020



FLOOD PLAIN ZONE A

WETLANDS RESTRICTIONS
 THE U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDERNESS SERVICE, WETLANDS MAPS, THE HATCHED AREA DELINEATED ON THIS PLAT CONTAINS A WETLAND AREA. PRIOR TO ANY CONSTRUCTION, EXCAVATION, OR DEVELOPMENT WITHIN THE WETLAND, THE PROPERTY OWNER MUST OBTAIN A PERMIT FROM THE U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT FOR ANY APPLICABLE PERMITS TO PROCEED WITH THE DESIRED ACTIVITY.

NOTES:

- 1) FIELDWORK COMPLETED November 28, 2020.
 - 2) BASIS OF BEARINGS: RECORD BEARINGS ALONG THE EAST LINE OF THE Monroe Street Right-of-Way from RE Deeds survey #2234.
 - 3) DIMENSIONS IN PARENTHESES INDICATE LOCATION OF MONUMENT RELATIVE TO NEAR CORNER.
- SOIL CLASSIFICATIONS:**
 CO: CHOCOTUH FINE SANDY LOAM, SLOPE 0 TO 2 PERCENT, OCCASIONALLY FLOODED, URBAN GROUP: 6
 KOA: KOSCHUSKO-GRAUS COMPLEX, 0 TO 2 PERCENT SLOPES, URBAN GROUP: 5

GAERTE'S MONROE STREET REPLAT

BEING A REPLAT OF LOTS 7, 8, 9, 10 & 11 IN SMITH'S ADDITION AND PART OF NORTHEAST QUARTER QUARTER OF SECTION 32 MICHIGAN ROAD LANDS, TOWNSHIP 30 NORTH, RANGE 3 EAST, CITY OF ROCHESTER, ROCHESTER TOWNSHIP, FULTON COUNTY, INDIANA

PLYMOUTH LAND SURVEYING
 1405 NORTH MICHIGAN STREET
 ROCHESTER, INDIANA 46203
 Phone: 317.297.2020
 Fax: 317.297.2021
 Land Surveyors • Soil Scientists
 Scott A. Smith, L.S. 11/29/2020
 Job Name: Gaerte's Monroe Street
 Job No. 20-148



Scott A. Smith
 Licensed Land Surveyor
 PLS NO. 80040309

GAEARTE'S MONROE STREET REPLAT
BEING A REPLAT OF LOTS 7, 8, 9, 10 & 11 IN SMITH'S ADDITION
AND PART OF NORTHEAST QUARTER 32
MICHIGAN ROAD LANDS, TOWNSHIP 30 NORTH, RANGE 3 EAST, CITY OF
ROCHESTER, ROCHESTER TOWNSHIP, FULTON COUNTY, INDIANA

LEGAL DESCRIPTION:

LOTS 7, 8, 9, 10 & 11 IN SMITH'S ADDITION AND PART OF THE NORTHEAST QUARTER OF SECTION 32, MICHIGAN ROAD LANDS, TOWNSHIP 30 NORTH, RANGE 3 EAST, CITY OF ROCHESTER, ROCHESTER TOWNSHIP, FULTON COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: 8040309 BEING THE NORTHWEST CORNER OF LOT 7 IN SMITH'S ADDITION FOR THE POINT OF BEGINNING; THENCE SOUTH 89°09'29" EAST, TO THE NORTHEAST CORNER OF SAID LOT 7, A DISTANCE OF 112.83 FEET; TO A 5/8" REBAR SET WITH CAP CAP 8800024; THENCE SOUTH 89°09'29" EAST, TO A 5/8" REBAR FOUND WITH PRIVATE WALK TO THE WEST LINE OF A PARCEL CONVEYED TO THE CITY OF ROCHESTER BY DEED DATED 12/24/14, BEING THE WEST LINE OF SAID CITY OF ROCHESTER PARCEL, A DISTANCE OF 148.32 FEET TO A 5/8" REBAR SET WITH CAP PLS 80040309; THENCE SOUTHWESTERLY CONTINUING ALONG SAID CAP PLS 80040309 TO THE POINT OF BEGINNING; THENCE SOUTH 89°09'29" EAST, TO A CHORD BEARING SOUTH 1°33'23" WEST AND A CHORD DISTANCE OF 316.09 FEET; CHORD BEARING SOUTH 89°59'45" WEST, A DISTANCE OF 147.39 FEET TO A 5/8" REBAR FOUND WITH CAP 8800024; THENCE SOUTH 0°48'22" WEST, A DISTANCE OF 49.72 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°09'29" EAST, A DISTANCE OF 114.59 FEET TO THE EASTERLY RIGHT OF WAY OF MONROE STREET, A DISTANCE OF 114.59 FEET TO A 2 1/2" REBAR SET WITH CAP PLS 80040309; THENCE NORTH 32°50'40" WEST ALONG THE EASTERLY RIGHT OF WAY OF SAID MONROE STREET, A DISTANCE OF 231.7244 WEST, CONTINUING ALONG THE EASTERLY RIGHT OF WAY OF SAID MONROE STREET, A DISTANCE OF 375.90 FEET TO THE POINT OF BEGINNING, CONTAINING 4.80 ACRES, MORE OR LESS, SUBJECT TO A ALL LEGAL EASEMENTS, RIGHT OF WAYS, COVENANTS AND REFERENCES OF RECORD.

NOTES:

1. ALL EASEMENTS THAT ARE INDICATED ON DOCUMENTATION PROVIDED BY THE PROPERTY OWNER ARE SHOWN ON THE DRAWING.
2. ALL SETBACKS SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE.
3. 2 1/2" REBAR WITH PLASTIC CAP SHALL BE PLACED AT ALL LOT CORNERS.
4. THERE ARE NO ENCROACHMENTS UPON EXISTING BUILDING SETBACK LINES AND/OR EASEMENTS.
5. ALL SECONDARY STRUCTURES EXIST WITHOUT A PRIMARY STRUCTURE.
6. STREET CLASSIFICATION: MONROE STREET - 26' R/W - LOCAL.
7. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 180600154C WITH AN EFFECTIVE DATE OF 10/16/12, INDICATES THIS PARCEL TO BE DESIGNATED AS A FLOOD HAZARD AREA IN THE FLOOD PLAIN, FLOOD ZONE A. THE FLOOD CONTROL ACT, IC 14-28-3, REQUIRES THE PRIOR WRITTEN APPROVAL OF THE TOWN FOR ANY TYPE OF CONSTRUCTION, EXCAVATION OR FLOOD WORK. THE APPLICANT MUST FIRST OBTAIN A PERMIT FROM THE TOWN PRIOR TO THE START OF ANY DEVELOPMENT ACTIVITY.
8. THESE LOTS SHALL BE SERVED BY MUNICIPAL WATER AND SANITARY SEWER.
9. ALL CHANGED OVERS AND EASEMENTS SHALL BE SHOWN WITHIN THE PLAN. ALL CHANGED OVERS SHALL BE PERFORMED TO DETERMINE THESE SLL TYPE LIMITATIONS.
11. EXISTING PREDEVELOPMENT SOIL CONDITIONS CONTAIN HISTORICAL WETNESS INDICATIONS AND THEREFORE THE SOIL CONDITIONS SHOULD BE DETERMINED BY SPECIAL CONSIDERATION SHOULD BE GIVEN TO SOIL CONDITIONS.

DRAINAGE STATEMENT

DRAINAGE SWALES (DITCHES) ALONG DEDICATED ROWWAYS AND WITHIN THE RIGHT-OF-WAY OR ON DEDICATED DRAINAGE EASEMENTS, ARE NOT TO BE ALTERED, DUG OUT, FILLED IN, TILED, OR OTHERWISE CHANGED WITHOUT WRITTEN PERMISSION OF THE MARSHALL COUNTY SURVEYOR. NON-EXISTING SURFACES, WATER FROM ROOFS OR PARKING AREAS MUST BE CONTAINED ON THE PROPERTY LONG ENOUGH SO THAT SAID DRAINAGE SWALES OR DITCHES WILL NOT BE DAMAGED BY SUCH WATER. DRAINWAYS MAY BE CONSTRUCTED OVER THESE SWALES OR DITCHES ONLY IF THE SURVEYOR IS SATISFIED THAT SUCH DRAINWAYS WILL NOT CAUSE DAMAGE TO THESE DRAINAGE SWALES OR DITCHES. IN ADDITION, ANY PROPERTY OWNER ALTERING, CHANGING OR DAMAGING THESE DRAINAGE SWALES OR DITCHES WILL BE HELD RESPONSIBLE FOR SUCH ACTION AND WILL BE OBLIGED TO OBTAIN WRITTEN PERMISSION FROM THE SURVEYOR. ANY SUCH ACTION WILL BE OBLIGED TO OBTAIN NOTICE BY REGISTERED MAIL TO REPAIR SAID DAMAGE, AFTER WHICH TIME, IF NECESSARY, THE SURVEYOR SHALL OBTAIN A COURT ORDER TO REPAIR SAID DAMAGE. THE COST OF SUCH REPAIRS WILL BE BORNE BY THE AFFECTED PROPERTY OWNERS FOR IMMEDIATE PAYMENT.

SURVEYOR'S REPORT:

In accordance with Title 86.5, Article 1, Chapter 12, of the Indiana Administrative Code, the following lines and corners established on this survey as a result of variance in lines of occupation and random errors in measurement (Relative Positional Accuracy).

The Relative Positional Accuracy due to random errors in measurement of the corners of the subject tract established in this survey is within the specifications for a Urban Survey as defined in IAC 86.5.

REFERENCE SURVEYS:

RE Drake & Associates - 1/15/2015 - #6014 - BS subject tract
RE Drake & Associates - 1/15/2015 - #6234 - BS subject tract

COMMENTS:

This survey was performed for the purpose of subdividing the property into three parcels of land containing three buildings. Survey work for this subdivision relied heavily on pre-lit work performed by the City of Rochester. Corners were found on the subject tracts as indicated. The corners checked with information provided by the Drake surveys. Missing corners were replaced at the correct locations and additional corners were added as necessary to reflect the new boundaries created with the new property lines. It is the Surveyor's opinion that the inaccuracies in the locations of the lines and corners of the subject tract are as follows:

Due to variance in reference monuments: None were noted based on the corners found from the plan.
Due to discrepancies in the record description: Because of the vague nature of some of the calls used in the legal descriptions, it is difficult to be certain if the intent of the author is being observed. Additionally, it appears from the language used, that the author wrote the legal descriptions near the beginning of the 20th century. This makes interpretation of the author's intent slightly more difficult.

Due to inconsistencies in lines of occupation: The presence of the legal drain (ditch) on and through this property creates difficulties in determining occupation in this instance. The current owners of this property have occupied the property predominantly West of the creek, however, it appears on the plat that the property was occupied by the City of Rochester, which lies immediately West and the Westerly line of a tract of land owned by the City of Rochester which lies immediately West of and adjacent to the Former Nickel Plate Railroad.

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 THEREOF, AND AN ORDINANCE ADOPTED BY THE BOARD OF TRUSTEES OF THE CITY OF ROCHESTER, INDIANA, THIS PLAT WAS GIVEN APPROVAL AS FOLLOWS:

APPROVED BY THE FULTON COUNTY PLAN COMMISSION AT A MEETING HELD ON THIS _____ DAY OF _____, 2020.

FULTON COUNTY PLAN COMMISSION

PRESIDENT

SECRETARY

AUTHOR: _____ DAY OF _____, 2020.

DEED OF DEDICATION
THE UNDERSIGNED, GAERTE ENTERPRISES, LLC, OWNER OF THE REAL ESTATE SHOWN AND THE UNDERSIGNED, GAERTE ENTERPRISES, LLC, PRESIDENT OF SAID ENTERPRISES, HEREBY ACKNOWLEDGE AND ADOPT THE PLAT UNDER THE SEAL AND TITLE THEREON INDICATED, IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF FULTON COUNTY, INDIANA. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS GAERTE'S MONROE STREET REPLAT. ALL STREETS, ALLEYS, RIGHTS-OF-WAY, FUTURE ROADWAY EASEMENTS AND PUBLIC OPEN SPACES SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND THE RIGHT-OF-WAY LINES OF THE AREAS OF THESE SHALL BE ERRECTED OR MAINTAINED NO BUILDING OR STRUCTURE, THE AREAS OF THE AREAS OF THE PUBLIC UTILITIES INCLUDING BUT NOT LIMITED TO THE INSTALLATION OF THE WATER MAINS, POLES, DUCTS, LINES AND WIRES, DRAINAGE FACILITIES, AND ACCESS FOR PRESENT OR FUTURE DEVELOPMENT SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT RIGHTS OF THE PUBLIC UTILITIES AND TO THE RIGHTS OF THE OWNERS OF THE LOTS SHOWN UPON SAID EASEMENTS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEM UPON SAID SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND TO THE RIGHTS OF THE OWNERS OF THE OTHER LOTS IN THIS SUBDIVISION.

OWNERS CERTIFICATION

THIS IS TO CERTIFY THAT THE UNDERSIGNED, GAERTE ENTERPRISES, LLC ARE THE OWNER OF THE REAL ESTATE SHOWN AND THE UNDERSIGNED, GAERTE ENTERPRISES, LLC, PRESIDENT OF SAID ENTERPRISES, HEREBY ACKNOWLEDGE AND ADOPT THE PLAT UNDER THE SEAL AND TITLE THEREON INDICATED.

GAERTE ENTERPRISES, LLC
BY BRENDA GAERTE, PRESIDENT
ROCHESTER, INDIANA 46775

STATE OF INDIANA

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GAERTE ENTERPRISES, LLC BY GAERTE ENTERPRISES, LLC BY BRENDA GAERTE, PRESIDENT AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGE THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSE THEREIN SET FORTH. WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2020.

EXPIRATION DATE: _____ NOTARY PUBLIC

NOTARY IS A RESIDENT OF _____ COUNTY, INDIANA.

CERTIFICATE OF PROOF

WITNESS TO THE SIGNATURE (S) EXECUTED AND DELIVERED IN MY PRESENCE ON THE FOREGOING INSTRUMENT TO WHICH THIS PROOF IS ATTACHED:

WITNESS SIGNATURE _____ WITNESS NAME PRINTED _____

STATE OF INDIANA SS _____

PUBLIC IN AND FOR SAID COUNTY AND STATE, ON _____ DAY OF _____, 2020, BEFORE ME, NOTARY PUBLIC, APPEARED _____ PERSONS INSTRUMENT WAS BEING BY ME FULLY SHOWN, I DO REFUSE AND SAY THAT I KNOW GAERTE ENTERPRISES, LLC BY BRENDA GAERTE, PRESIDENT TO BE THE INDIVIDUAL(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT; THAT SAID WITNESS WAS PRESENT AND SAID SAID GAERTE ENTERPRISES, LLC DESCRIBED INSTRUMENT WAS EXECUTED AND SAID SAID WITNESS AT THE SAME TIME THE SUBSCRIBED INSTRUMENT WAS AS A WITNESS THEREOF.

WITNESS MY HAND AND NOTARY SEAL THIS _____ DAY OF _____, 2020.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

NOTARY IS A RESIDENT OF _____ COUNTY, INDIANA.

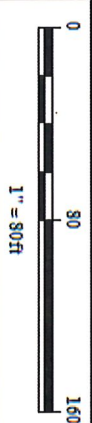
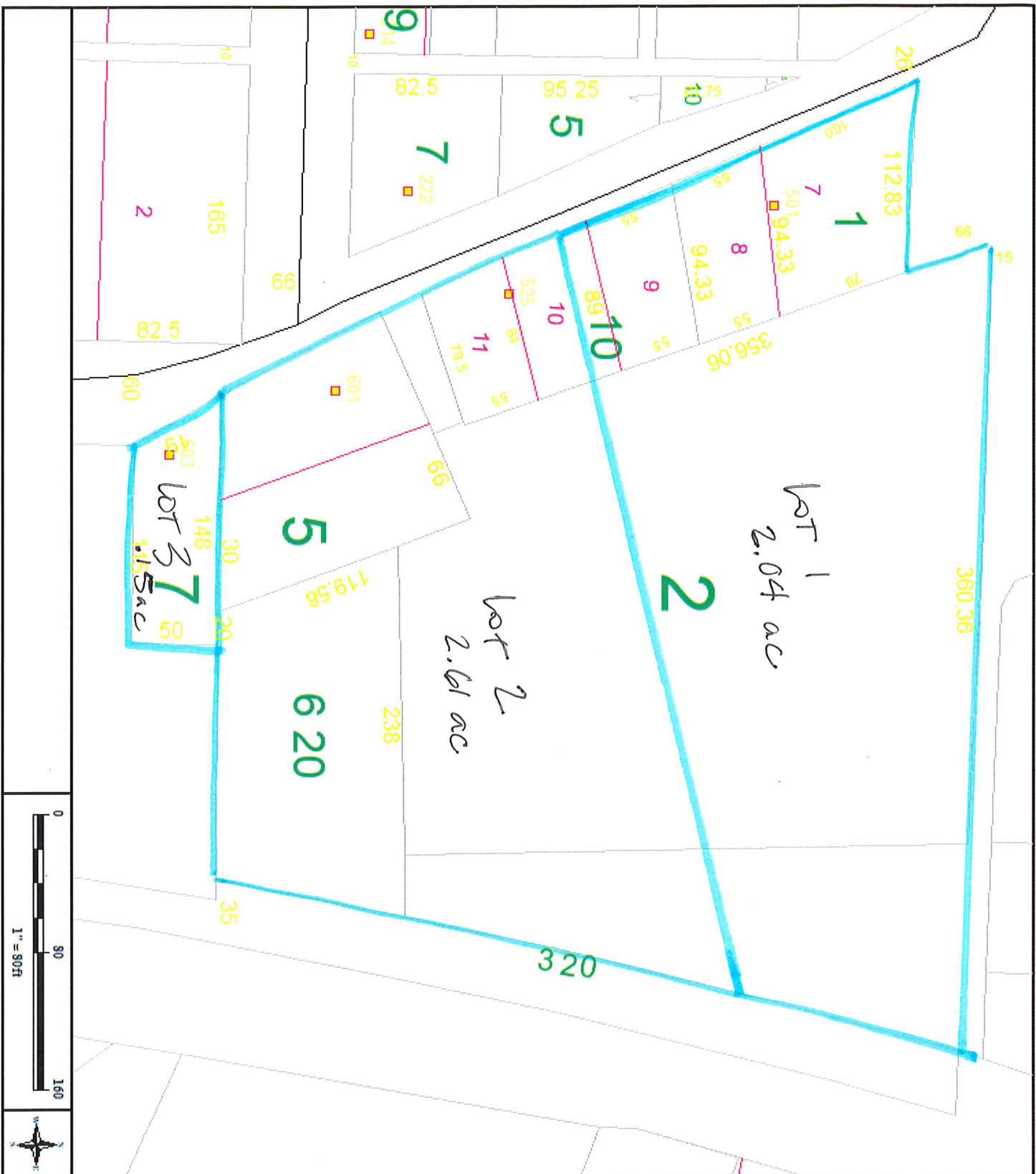
LAND SURVEYORS' CERTIFICATION:

I, L. BERNARD FERREY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, THAT THIS PLAT CORRECTLY DEPICTS THE SURFACE AS INTENDED OR CERTIFIED BY ME ON NOVEMBER 30, 2020, THAT THE MONUMENTS WILL BE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF FULTON COUNTY, INDIANA, FURTHER, I AFFIRM, UNDER THE SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW, OR, I, BERNARD FERREY.



L. Bernard Ferrey
L. BERNARD FERREY
PLS NO. 0040409

PLYMOUTH LAND SURVEYING
1405 NORTH WASHINGTON STREET
PLYMOUTH, INDIANA 46783
Phone: (317) 838-3333 Fax: (317) 838-3300
Leland Surveyors, Inc. is an Equal Opportunity Employer
Date: 11/30/2020 Owner: LMF
Job Name: Gaerte's Monroe Street
Ply. No. 0040409



THINK

- City Town Boundary
- Parcels
- Addresses
- Highways
- Roads
- Parcels
- Lots

City Town Boundary

Parcels


Addresses

Highways

Roads

Parcels

Lots





MADISON ST

6TH ST

INDIAN

Docket #PC 200420 & 200421
Blacketor Drive Section 1
Primary and Secondary Plat Approval
Industrial District & Agricultural District

Primary Plat and Secondary Plat Approval Request

FEDCO is requesting the approval of a primary and secondary plat application for the proposed ten (10) lot subdivision, the property is located at Blacketor Drive (009-102152-00 & 009-102151-00) Rochester containing approximately 55.57 acres.

Current Zoning

Industrial District & Agricultural District

Procedure

1. The petitioner obtains Drain Board approval on the Primary Plat from the Fulton County Drain Board.
2. The petitioner obtains Primary Plat approval with or without conditions from the Fulton County Plan Commission.
3. The petitioner obtains Secondary (final) Plat approval from the Fulton County Plan Commission after meeting all conditions of the Primary Plat approval (if any).

Adjacent Uses

Institutional Recreational, Industrial, Suburban Residential and Agricultural Districts.

In its review of subdivision plats, the Plan Commission shall consider the following criteria:

- A. The degree to which the application and plat meets the criteria for plat approval set forth in the Subdivision Control Ordinance and as determined by the reports of the Plan Director, Fulton County Surveyor and the Fulton County Drainage Board.*
- B. Consistency with the goals and objectives of the Comprehensive Plan.*
- C. Consistency with the intent of the zoning district in which it is located.*
- D. The presence or absence of any exceptions to the development standards for the zoning district in which it is located, any general development standards, site design and improvement standards; as evidenced by the listing of any exceptions in the primary plat application.*
- E. The presence or absence of any protective covenant for the subdivision which would alter its impact from what would typically be permitted in the zoning district in which it is located; as evidenced by the inclusion of any covenants in the primary plat application.*

Recommendations

Primary Plat

The proposed subdivision complies with all of the Fulton County Zoning Ordinances and Fulton County Subdivision Control Ordinances. I do not, at this time, see a reason to deny this application for a primary plat. Nor do I see a reason to deny the secondary (final) plat, if the primary plat is approved without conditions.



January 15, 2021

Casi Cowles
Fulton County Area Plan Commission
125 E 9th Street
Rochester, Indiana 46975

Re: Plat for Blacketor Industrial Park.

Dear Casi,

Please accept this regarding the request for new plat for Blacketor Industrial Park.

Infrastructure estimates:

Road:	\$308,650.00	
Waterline:	\$60,000.00	verbal not to exceed quote from Lewis Backhoe Services
Total:	\$368,650.00	
Total +25%	\$460,812.50	required for surety

Although we have an offer of credit for \$462,500.00 from Lake City Bank, we intend to fund Blacketor Drive extension and water line construction through sales of land of \$110,000.00, a low cost and low interest loan from Fulton County REMC for \$270,000.00 and cash on hand of \$81,000.00, a sum of \$461,000.00.

We hope this solidifies the requirement for surety going into the project. Thank you for your review.

Sincerely,

Terry Lee
Executive Director

BLACKETOR INDUSTRIAL PARK

PHASE I

PLAT NOTES, COVENANTS

Fulton Economic Development Corporation (FEDCO) by its Executive Director, upon approval of the Board hereby creates Phase I plat notes, filed with the Subdivision Plat, Instrument Number _____, recorded _____, and does hereby certify the subdivision of Phase I in accordance with the plat. This subdivision shall be known as Blacketor Industrial Park-Phase I in Rochester Township, Fulton County, Indiana. All public rights of way shown and not heretofore dedicated are hereby dedicated to the public.

Easement Covenants.

The owner expressly covenants and warrants on behalf of itself and all future owners of the lots within this Phase I subdivision the streets, driveways, sidewalks, landscape, and signs not located within public right of way are private and that all maintenance repairs and replacement now and forever shall be undertaken at the expense of the lot owners in accordance with the terms and conditions set forth as owners of the within described lot. No governmental entity has any duty or responsibility to maintain repair or replace any private street, driveway, sidewalk, landscaping, or sign not located within the public right of way.

Utility Easements.

There are strips of ground shown on the Plat marked "easement" which are reserved solely for the installation and maintenance of underground utilities for the non-exclusive use of the owners within Blacketor Industrial Park (all phases), and for utility companies for the installation and maintenance of underground mains, ducts, sewers and drainage, subject at all times to approval from the proper authorities and the provisions of any recorded easements. No permanent or other structures shall be erected or maintained on said strips including but not limited to fences, patios and decks.

Private Street Easement.

The private street easement is hereby established and shown on the plat, which shall be a non-exclusive irrevocable and perpetual easement appurtenant to the lots described in this sub division and for the benefit of the lots throughout Blacketor Industrial Park, inclusive of all future phases; and to a perpetual and non-exclusive easement in favor of

the owners and their successors, assignees or designees, including any owners association, for the maintenance, repair, and replacement of the private street easement. Private street easement, and all rights in and to the private street easement, is declared, created, made, and reserved for the purpose of ingress and egress by vehicles and pedestrians. No obstruction shall be placed within the private street easement.

The area shown on the plat as Private Street Easement shall be maintained as a private drive and the undersigned owners and their successors and assigns hereby waive all rights to petition the city of Rochester or Fulton County, to be responsible for the maintenance and ownership of such private streets, unless acting in concert and with the unanimous consent of all owners.

Industrial architecture.

Blacketor Industrial Park is intended for industrial and commercial purposes, no residential structures or residential appearing structures shall be constructed on any lot. Prior to construction, the owner of any lot shall submit to FEDCO the proposed architect or engineer diagrams reflecting the exterior of any proposed structure for approval of the general construction design. The FEDCO board may approve or reject the proposed diagrams, and no structure may be built without the board's approval.

Lots in Blacketor Industrial Park may not be divided or subdivided, without the prior approval or the FEDCO Board of Directors.

Design Covenants.

Primary buildings in Blacketor Industrial Park shall be not less than 5,000 square feet in size, under roof.

Buildings may be steel construction, or "pole building" construction, but all such buildings shall be finished construction with insulated walls and roofs, and full interior wall finishes or coverings of appropriate commercial materials.

Fencing of site must be constructed of a vinyl material, or it metal chain link, must be galvanized with privacy screening or slats.

Landscaping and grass must be properly maintained, at all times.

Signage shall be ground signs, or monument signs, if installed off of the building. Signs on buildings shall meet County sign standards. No pole mounted signs are permitted. No billboard signs of any kind are permitted.

Primary structures shall have a covered, designated entryway for customers visible from the front of the lot.

Ingress and egress for all purposes to the public street shall have paved surfaces, either concrete or asphalt, prior to occupancy of the primary building.

FULTON ECONOMIC DEVELOPMENT CORPORATION

BY: Terry W. Lee, Executive Director

STATE OF INDIANA, COUNTY OF FULTON, SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for said County and State, personally appeared Terry W. Lee, who acknowledged the execution of the foregoing Easement, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this _____ day of September 2020.

EXECUTED AND DELIVERED in my presence

_____, Witness

STATE OF INDIANA, COUNTY OF FULTON, SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for said State and County, personally appeared _____, being known to me to be the person who witnessed the above instrument, who being sworn by me, states that the above Easement was properly executed and delivered by Terry W. Lee in the witness's presence, and that the witness is not a party to the transactions considered by the instrument.

Witness my hand and Notarial Seal this _____ day of September 2020.

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. Ted A. Waggoner, attorney at law.

This instrument prepared by Ted A. Waggoner, Attorney at Law, Peterson Waggoner & Perkins, LLP, 125 E. Tenth St., Rochester, Indiana 46975.

Exhibit B

RESTRICTIONS
AND
COVENANTS

This conveyance is made subject to the following agreements, covenants conditions and restrictions agreed to by and between Fulton County Economic Development Corporation ("FEDCO") and _____ ("Buyer"). By this conveyance, FEDCO is conveying real estate to Buyer with the intent that Buyer will build an industrial building in Blacketor Industrial Park. The real estate improvements are intended to be a benefit to the Buyer, and Fulton County and the surrounding area. To that end the parties agree as follows:

1. Pursuant to negotiations the Buyer agrees that it shall construct an industrial building on the Lot purchased of a size not less than 5,000 square feet, with a design approved by the FEDCO board as the primary building. Building footprint, and structural materials shall be in substantial compliance with the approved design. Secondary buildings shall be subject to approval by the FEDCO board, with complimentary materials used in the construction. Restrictions and covenants in the Plat Notes of Blacketor Industrial Park are binding for the duration of Buyer's ownership.
2. In the event that Buyer makes no substantial improvements to the real estate for a period of two years, or if Buyer offers said real estate, or any portion thereof for sale to a third party, or accepts any offer to sell said real estate or any portion thereof, to a third party, then FEDCO shall have the Right to Repurchase such real estate from Buyer, or the portion of said real estate being offered for sale. In such event, the amount to be paid by FEDCO to the Buyer shall be as follows:
 - A. In the event that Buyer is selling all of the real estate to a third party, the amount to be paid by FEDCO to Buyer shall be the lesser of the amount paid by Buyer to FEDCO for this conveyance, or the amount for which Buyer is selling or has agreed to sell said real

estate to a third party.

- B. In the event that Buyer is selling or has agreed to sell a portion of the real estate to an independent third party the amount to be paid by FEDCO to Buyer for such portion shall be the lesser of the per acre price Buyer paid for the real estate that Buyer is selling or has agreed to sell to a third party, or the amount that Buyer has agreed to accept from the third party to sell such portion of the real estate to the third party.

This section 2 shall expire and be of no effect on the second anniversary of the date of the conveyance of the property. In the event that Buyer has made substantial permanent improvements to said real estate, or to a portion of said real estate, so they may offer it for sale to a third party, and such plan has been disclosed to FEDCO during their negotiations, this covenant shall be void.

3. Buyer agrees that, in the event it constructs a building on the real estate, such building site shall employ not fewer than ____ FTE employees, and that the compensation to be paid to such employees shall be not less agreed by Buyer and FEDCO, or than the average area wage for similar work as such average area wages may be established by generally available and acceptable reference material regarding income and wages for comparable types of employment in this area.

In the event that Buyer constructs a facility on the subject property and then fails to employ the agreed number of individuals, or fails to pay its employees' wages as outlined in this paragraph, then FEDCO shall have a cause of action against Buyer wherein FEDCO would have the right to recover from Buyer the difference between the wages that would have been paid by Buyer in accordance with the terms of this paragraph and the amount actually paid by Buyer for a period of two years. The terms of this paragraph shall expire five years after the execution of this Deed.

3. These Restrictive Covenants shall be made a part of the Purchase Agreement and attached to the Deed between the Parties.

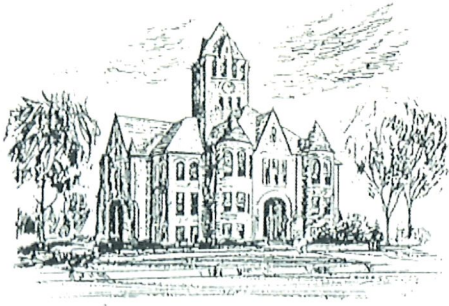
Agreed to by the parties to the attached Purchase Agreement.

FEDCO

Authorized Officer

BUYER

Authorized Agent



Fulton County Drainage Board

125 East Ninth Street

Rochester, Indiana 46975

Wyatt Huber,

The Blacketor Drive drainage pond plan presented to the Fulton County Drainage Board on July 13, 2020 was approved and granted a 60 foot easement.

Please keep this copy for your records. Feel free to contact my office at any time with questions, (574) 223-3317.

Thank you,

Elizabeth Williamson
Secretary, Fulton County
Drainage Board

cc: Area Plan Commission

Lewis Backhoe Inc.
1737 E. 700 N.
Rochester, Indiana 46975
574-223-6602

Quote

01/18/2021

FEDCO
822 Main Street
Rochester, IN 46975
574-721-3352
574-223-3326
TLee@fultondevelopment.org

Job: Water Main

- Bore approx. 1100' of 6" C900 water main with tracer wire
- Install 2 fire hydrants with valves
- Install expansion valve on the north end
- Install 2 shut off valves to isolate sections of the main for testing
- Install 2 45 degree elbows
- Install 2 taps for testing
- Pressure test the line
- Chemical test the line to pass for the city
- Backfill & level off
- Installation will be done to city specs

\$ 59850.00

- Lewis Backhoe is not responsible for obtaining or paying for any permits.
- Lewis Backhoe is not responsible for fixing any settling that may or may not occur.
- Lewis Backhoe is not responsible for any reseeding.

Quote prices are good for 30 days from the day of the quote.

Thank you
Ty J. Lewis
Lewis Backhoe Inc.
574-835-2400 - Cell
lewisbackhoeinc@gmail.com

Fulton County Plan Commission
 25 E. 9th Street
 Rochester, Indiana 46975
 Phone (219) 223.7667 / Fax (219) 223.2211
 plandirector@rtcwl.com

Fulton County Subdivision Primary Plat Application Project Routing Sign-Off Sheet

Property Owner:	Fulton Economic Development Corporation (FEDCO)
Address:	822 Main Street, Rochester, IN 46975
Developer/Agent:	Fulton Economic Development Corporation (FEDCO)
Address:	822 Main Street, Rochester, IN 46975
Project:	Blacketor Drive Section I - 10 Lot Industrial Subdivision
Project Location:	380 Blacketor Drive, Rochester, IN 46975

A routing system is needed in order to alert all agencies associated with the proposed subdivision project. Please inform each applicable department of the proposed project and obtain their signature verifying notification.

Certified Mail will be accepted as notification. Record the tracking numbers below in lieu of a signature and attach online delivery confirmation.

Fire Departments - Signature	
<i>Comments:</i>	
State/County Highway Superintendent - Signature	
<i>Comments:</i>	
911 Coordinator - Signature	
<i>Comments:</i>	
School Transportation Director - Signature	<i>Kiri Rous Trans Sec.</i>
<i>Comments:</i>	
Other - Signature	
<i>Comments:</i>	

Fulton County Plan Commission
 125 E. 9th Street
 Rochester, Indiana 46975
 Phone (219) 223.7667 / Fax (219) 223.2211
 plandirector@rtc.col.com

Fulton County Subdivision Primary Plat Application Project Routing Sign-Off Sheet

Property Owner:	Fulton Economic Development Corporation (FEDCO)
Address:	822 Main Street, Rochester, IN 46975
Developer/Agent:	Fulton Economic Development Corporation (FEDCO)
Address:	822 Main Street, Rochester, IN 46975
Project:	Blacketor Drive Section I - 10 Lot Industrial Subdivision
Project Location:	380 Blacketor Drive, Rochester, IN 46975

A routing system is needed in order to alert all agencies associated with the proposed subdivision project. Please inform each applicable department of the proposed project and obtain their signature verifying notification.

Certified Mail will be accepted as notification. Record the tracking numbers below in lieu of a signature and attach online delivery confirmation.

Fire Departments - Signature	9414 8118 9656 4692 7522 53 - Online Delivery Confirmation Attached
<i>Comments:</i>	
State/County Highway Superintendent - Signature	9414 8118 9956 4692 1380 40 - Online Delivery Confirmation Attached
<i>Comments:</i>	
911 Coordinator - Signature	9414 8118 9956 4692 1290 62 - Online Delivery Confirmation Attached
<i>Comments:</i>	
School Transportation Director - Signature	9414 8118 9956 4692 1881 06 - Online Delivery Confirmation Attached
<i>Comments:</i>	
Other - Signature	
<i>Comments:</i>	

Fulton County Subdivision Secondary Plat Application Project Routing Sign-Off Sheet

Property Owner:	Fulton Economic Development Corporation (FEDCO)
Address:	822 Main Street, Rochester, IN 46975
Developer/Agent:	Fulton Economic Development Corporation (FEDCO)
Address:	822 Main Street, Rochester, IN 46975
Project:	Blacketor Drive Section I - 10 Lot Industrial Subdivision
Project Location:	380 Blacketor Drive, Rochester, IN 46975

A routing system is needed in order to alert all agencies associated with the proposed subdivision project. Please inform each applicable department of the proposed project and obtain their signature verifying notification.

Certified Mail will be accepted as notification. Record the tracking numbers below in lieu of a signature and attach online delivery confirmation.

Electric Utility - Signature	
<i>Comments:</i>	
NIPSCO - Signature	
<i>Comments:</i>	
Phone Company - Signature	
<i>Comments:</i>	
Health Dept. - Signature	Shannon Shepherd
<i>Comments:</i>	to connect to Rochester Sewer System
Water Dept. - Signature	
<i>Comments:</i>	
Wastewater Dept. - Signature	
<i>Comments:</i>	
Stormwater Dept. - Signature	
<i>Comments:</i>	

December 28, 2020

RE: Blacketor Drive, Section I – Notification of Secondary Plat Information

To Whom it May Concern:

USI Consultants, Inc. is assisting the Fulton Economic Development Corporation (FEDCO) with the Primary and Secondary platting for Blacketor Drive, Section I, a proposed 10 lot industrial subdivision located at 380 Blacketor Drive, Rochester, Indiana 46975.

Per the Fulton County Area Plan Commission, a routing system has been developed to alert all agencies associated with the proposed subdivision project. Please treat this letter and its associated attachments as notification of this proposed subdivision project. Attached to this letter are the proposed Secondary Plat and Routing Sign-off Sheet.

If you have any questions, comments, or concerns with the attached items, please forward them to whuber@usiconsultants.com so that they may be addressed.

Sincerely,

USI Consultants, Inc.

A handwritten signature in black ink, appearing to read 'Wyatt A. Huber'.

Wyatt A Huber, EI
Roadway Design Engineer

Attachments:

- Blacketor Drive Section I – Secondary Plat
- Blacketor Drive Section I – Secondary Plat Routing Sign-off Sheet

Fulton County Plan Commission
 125 E. 9th Street
 Rochester, Indiana 46975
 Phone (219) 223.7667 / Fax (219) 223.2211
 plandirector@rtc.col.com

Fulton County Subdivision Secondary Plat Application Project Routing Sign-Off Sheet

Property Owner:	Fulton Economic Development Corporation (FEDCO)
Address:	822 Main Street, Rochester, IN 46975
Developer/Agent:	Fulton Economic Development Corporation (FEDCO)
Address:	822 Main Street, Rochester, IN 46975
Project:	Blacketor Drive Section I - 10 Lot Industrial Subdivision
Project Location:	380 Blacketor Drive, Rochester, IN 46975

A routing system is needed in order to alert all agencies associated with the proposed subdivision project. Please inform each applicable department of the proposed project and obtain their signature verifying notification.

Certified Mail will be accepted as notification. Record the tracking numbers below in lieu of a signature and attach online delivery confirmation.

Electric Utility - Signature	9414 8118 9956 4692 6025 96 - Online Delivery Confirmation Attached
<i>Comments:</i>	
NIPSCO - Signature	9414 8118 9956 4692 9753 17 - Online Delivery Confirmation Attached
<i>Comments:</i>	
Phone Company - Signature	9414 8118 9956 4692 9549 61 - Online Delivery Confirmation Attached
<i>Comments:</i>	
Health Dept. - Signature	9414 8118 9956 4692 9018 80 - Online Delivery Confirmation Attached
<i>Comments:</i>	
Water Dept. - Signature	9414 8118 9956 4699 0977 39 - Online Delivery Confirmation Attached
<i>Comments:</i>	
Wastewater Dept. - Signature	9414 8118 9956 4699 0655 16 - Online Delivery Confirmation Attached
<i>Comments:</i>	
Stormwater Dept. - Signature	9414 8118 9956 4699 0060 52 - Online Delivery Confirmation Attached
<i>Comments:</i>	



Commercial Banking

202 E Center St
PO Box 1387
Warsaw IN 46581
(574) 371-9212

November 23, 2020

Fulton Economic Development Corporation
Terry Lee
822 Main St.
Rochester, IN 46975

Dear Mr. Lee

Based on our review of the most recent financial information presented to us, we at Lake City Bank are pleased to inform you of our commitment to provide you with the following borrowing arrangement:

Loan Description	Letter-of-credit
Borrower	Fulton Economic Development Corporation
Loan Amount	Up to \$462,500
Loan Use	Support infrastructure development on Blacketor Dr. Rochester IN
Term	Expiration of two-years from issue
Prepayment Penalty	n/a
Rate	n/a
Collateral	Unsecured
Guarantee	n/a
Fees	1% annual fee
Initial Requirements	Letter-of-credit requirements from beneficiary Approval from the Board of Directors (copy of meeting minutes)
Ongoing Requirements	Annual submission of financial statements from borrower
Notes	

Other: Loan Application

Borrower agrees to work with the bank on a secured borrowing arrangement for repayment of the letter of credit if drawn upon.

Primary checking account/depository account to be opened and maintained with Lake City Bank for the life of the loan(s).

Any other financial or other information as may be reasonably requested from time to time will be submitted to Lake City Bank

As always, this commitment is contingent upon Lake City Bank's continuing review and satisfaction with your business affairs. In addition, by executing this letter you signify that there has been no material or adverse change in the financial information that you provided to Lake City Bank.

Notwithstanding the foregoing, a condition precedent to any obligation of the Bank to close or fund the loan pursuant to this commitment shall be that Borrower shall have demonstrated to the Bank's satisfaction in Bank's sole judgment, that the loan does not present environmental risks or liabilities that are unacceptable to the Bank.

Borrower further acknowledges and agrees that all information, responses, reporting or other documents provided to Bank as part of Borrower's Loan Application, including information and such documents with respect to environmental matters are submitted to induce Bank to extend the loan and Bank is relying on the contents and accuracy of such information and documents in evaluating whether to extend the loan.

Terry, it is our privilege to offer you this commitment. We hope to establish a long and mutually beneficial commercial lending relationship with you. If you have any questions, please feel free to call me at 574-376-7159.

Should you find that the above terms and conditions meet with your approval, please sign the enclosed copy of this letter and return it to our attention.

This commitment is valid when accepted prior to January 31, 2021 with an expiration date for its closing of February 28, 2021.

Sincerely,



Nathan R. Conley
Vice President
Commercial Banking

Agreed and accepted this _____ day of _____, 20_____.

Terry Lee
Executive Director

PRICING REPORT

Date: 09/08/2020
Time: 04:06:36

Project: **Blacketor Drive Extension**
Location: **0.27 Miles North of 4th Street**
County: **FULTON**
District: **La Porte**

Project ID: **2019-0011**
Bid Date: **/ /** State: **IN**
Route: **Blacketor Drive**

SortCd	Pay Item	Description	Quantity	Unit	Bid Price	Extension	Alt
1	105-06845	construction engineering	1.000	L.S.	8,500.00	8,500.00	
2	110-01001	mobilization and demobilization	1.000	L.S.	12,000.00	12,000.00	
3	201-52370	clearing right of way	1.000	L.S.	20,000.00	20,000.00	
4	203-02000	excavation, common	2,105.000	C.Y.	20.00	42,100.00	
5	205-06937	temporary silt fence	2,500.000	L.F.	2.00	5,000.00	
6	205-12109	swqcp preparation and implementation, level 1	1.000	L.S.	5,000.00	5,000.00	
7	207-09934	subgrade treatment, type ib	4,870.000	SYS	10.00	48,700.00	
8	401-07321	qc/qa-hma, 2, 64, surface, 9.5 mm	365.000	TON	85.00	31,025.00	
9	401-07390	qc/qa-hma, 2, 64, intermediate, 19.0 mm	430.000	TON	75.00	32,250.00	
10	401-07407	qc/qa-hma, 2, 64, base, 25.0 mm	1,030.000	TON	70.00	72,100.00	
11	406-05520	asphalt for tack coat	3.500	TON	650.00	2,275.00	
12	616-06405	riprap, revetment	70.000	TON	80.00	5,600.00	
13	616-12246	geotextile for riprap type 1a	113.000	SYS	4.00	452.00	
14	621-01004	mobilization and demobilization for seeding	1.000	EACH	600.00	600.00	
15	621-06559	mulched seeding r	9,185.000	SYS	1.50	13,777.50	
16	715-05121	pipe, type 1, circular, 18 in.	50.000	L.F.	75.00	3,750.00	
17	801-06640	construction sign, a	10.000	EACH	180.00	1,800.00	
18	801-06775	maintaining traffic	1.000	L.S.	3,000.00	3,000.00	
19	801-07118	barricade, iii-a	24.000	L.F.	15.00	360.00	
20	801-07119	barricade, iii-b	24.000	L.F.	15.00	360.00	

TOTALS	308,649.50
---------------	-------------------

+20% Contingency:	\$61,729.90
Total:	\$370,379.40
USE:	\$370,000.00



12-28-2020 *zh*

Casi Cowles, Executive Director
Fulton County Plan Commission
125 East 9th Street – Suite 012
Rochester, IN 46975

Re: Blacketor Plat, January 25, 2021.

Dear Casi,

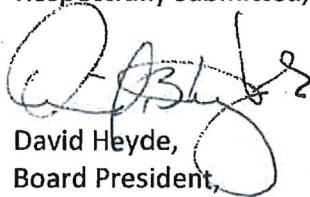
Please accept this as confirmation that while Fulton Economic Development Corporation (FEDCO) intends to complete roadway and other infrastructure required for the replat of approximately 32 acres at Blacketor Drive in Rochester, Fulton County through a loan process with Fulton County REMC and the United States Department of Agriculture (USDA) that if this product is not granted, then the FEDCO organization will follow through with conventional financing through a local bank loan as to meet the requirement of the Fulton County Area Plan Commission for replat of properties within the county.

We have included a copy of the Resolution from the Fulton County REMC showing their participation in the USDA REDLG program on behalf of the project and a copy of FEDCO minutes showing the board approval for match and for application for this program. The application for the program will be/ was submitted prior to December 31, 2020. It is unknown specifically when the announcement of award will be made but we anticipate it to be after the Plan Commission hearing of 1/25/2021.

Also, we have included an offer of letter of credit from Lake City Bank showing that we do have the means to enter into such an agreement, if necessary.

Hopefully, this answers your questions about our process for financing the costs of the infrastructure required for this re-plat. If not, please contact us for any additional information you need.

Respectfully submitted,



David Heyde,
Board President,

Fulton Economic Development Corporation

Meeting of the Board of Directors
Fulton Economic Development Corporation
November 20, 2020

President David Heyde called the November 20 Meeting of the Board of Directors of the Fulton Economic Development Corp. to order at 7:00 a.m. Present were directors:

David Heyde	Jim Showley	Jillian Smith	Bryan Lewis
Michelle Million	Mayor Ted Denton		

Also present was Terry Lee, Executive Director and Tiffany Futrell, Executive Assistant

Absent was Brian Goodman and Jane Murphy

Administrative

Current Projects

1. Blacketor – Terry provided the following outline for the meeting to all board members.

Outline for 11/20/2020 special meeting of the Fedco Board of Directors

Topic: Blacketor Drive.

Per our pre-bid estimate from USI Engineering, we need **\$370,000** to build 1100' cul de sac roadway and complete drainage features for re-plat and access to the 10 lots/32 acres of ground at the north end of Blacketor Drive.

Expenses that have not been budgeted for this would include:

- 1) Extension of waterline of approximately 1200'. Per city code, this would require 2 fire hydrants.
- 2) Temporary signage for sales/marketing of the property
- 3) Permanent entryway signage for the development

Fedco's current Community Investment Fund (CIF) account has \$85,218. This includes \$5,000 from WVPA received since the October financials were completed.

Our current liabilities against the CIF would be \$74,000 (engineering costs from USI). Of this, we have paid \$28,000 so the remaining liability is \$46,000. This will leave us with a CIF balance of \$39,218

We have two buyers of three lots. The three lots comprise 6.23 acres. At \$13,000/acre, this is a sum of \$80,990 less closing expenses.

CIF plus sales of land would equal **\$120,208** in CIF.

Fulton County REMC appears willing to apply to the USDA REDLG program on behalf of the project to extend the road and drainage features required. This would give REMC a future revolving loan fund (RLF) that is very attractive to them for future business needs in their territory in Fulton County.

The terms of the program to us would be as follows: 0% interest for up to 10 years. The program is competitive across the US and the upcoming application deadline is 12/31/2020. The

application deadline for the program after that is 3/31/2021. The competitive program gives extra points for matching dollars on this scale:

0-49% match	0 bonus points
50-99% match	5 bonus points
100-199% match	10 bonus points
>200% match	20 bonus points

Proposal: bring \$110,000 of CIF as match and encourage the REMC to bring \$80,000 match. This would be a total match of as much as \$190,000.00. This would give us +100% match and secure the 10 points.

If REMC approves moving forward and they are successful with the application to USDA, we would then be able to borrow as much as \$270,000 giving us \$380,000 total to work with. This should enable us to complete the road and should cover the costs of water line extension. Signage costs could come from our promotions budget of which \$1700 remains for 2020 and \$2500 is budgeted for 2021.

Another option is to propose a lesser amount of match (between 50% and 99%) which makes the application less competitive in securing the program but leaves Fedco less strapped for cash.

Repayment terms again are 0% interest for 10 years. The REMC can push the first payment back by as many as 24 months (although 12 months is more typical) from the time the loan is approved. If all lots (after the first three) are sold at \$13,000/acre, we should have \$335,010 to pay back the loan.

Specific requests from REMC thus far:

- 1- They will want 1st position on the real estate. They will need confirmation that there are no liens on the property from the city or county. This could be handled through title search and confirmation that sales of land are not tied to repayment of the TIF bond.
- 2- Confirmation of maintenance – will this be county or city? Depends on annexation and agreements to wit.

Timeline:

11/24/2020: Meet with REMC board and confirm match and movement forward.

12/31/2020: Submit grant/loan application by 12/31. REMC is the applicant. If we are not successful, the next application due date is 3/31/2021.

1/25/2021: complete final approvals with Area Plan Commission. If we do not have confirmation of the loan from REMC by this time, LCB is working up a letter of credit/abundance of caution letter that should meet requirements of the APC – if we do not have this in time, we will have to push the meeting with the APC back to February.

Following Area Plan Commission approval: Put project out to bid, focus on marketing other lots
Weather permitting 2021: construct drainage features and roadway. We have two years from the APC approval to complete the roadway as designed.

Goals of the project:

Open available land for new construction for Business Retention, Expansion and Attraction
Construction of 6-10 new buildings in the park
Retain minimum of 20 Fulton County Jobs
Attract minimum of 25 new Fulton County Jobs
Increase assessed value of the property by \$3million

There was discussion about the project and timeline. Annexation was discussed also, Mayor Ted Denton said the city is willing to annex the property and road into their inventory, they are currently working on other projects and don't see annexation happening until about a year from now. Terry currently has two buyers lined up to purchase three lots. He also has a list that he is waiting to get in touch with until we have a definite timeline for the road.

Bryan Lewis made a motion to commit \$110,000 to REMC for the USDA Grant application to obtain the loan funds. Jillian Smith 2nd, all in favor. The motion passed 6-0.

All present also agreed that they are okay with the purchase agreement and restrictions & covenants documents for the sale of land.

Terry will take this to REMC next Tuesday at 6:00 pm.

Mayor Ted Denton reported that he is appointing Rick Figlio to act as his proxy for FEDCO meetings, Rick was unable to attend this morning.

New Business

The meeting adjourned at 7:42 a.m.

Respectfully Submitted,


Terry Lee
Executive Director

Approved:

Jane Murphy, Secretary/Treasurer

Date: _____

**FULTON COUNTY REMC
RESOLUTION AUTHORIZING APPLICATION FOR
RURAL ECONOMIC DEVELOPMENT GRANT**

Whereas, Fulton County REMC has been actively involved in economic development in order to improve the economic well being of its membership as well as that of Fulton County as a whole; and

Whereas, Fulton Economic Development Corporation has proposed to extend Blacketer Drive in Fulton County Indiana so that the corporation can divide 32 acres into 10 separate lots to be made available for sale for the purpose of industrial business retention, expansion and attraction projects.

Whereas, the total project is estimated to be \$380,000.00 and the *Fulton Economic Development Corporation* is in need of an additional \$ 270,000.00 to fund the project; and

Whereas, the Rural Business-Cooperative Service has available an economic development program of financial assistance to intermediaries in the form of zero-interest Grants to assist in business and community development; and

Whereas, the project is in compliance with 7CFR 4280 subpart B and specifically the project is for eligible purposes and is not restricted (7 CFR 4280.27 and 7 CFR 4280.3); and resolves to carry out the proposed project with *Fulton Economic Development Corporation* according to 7 CFR 4280.

Whereas, the Board of Directors of Fulton County REMC has endorsed the proposed rural economic development project as described in the application and 4280.29 Supplemental Financing Required for the Ultimate Recipient project; and

Whereas, the Board of Directors of Fulton County REMC agrees to the provisions of the regulation 4280-A and the 4280-5 Grant agreement; and

Now therefore be it resolved, the Board of Directors of Fulton County REMC authorizes its Manager to submit an application of \$ 270,000.00 for a Rural Economic Development Grant; and

Be it further resolved, that the Board of Directors authorizes its Manager to compile, complete, and execute the information and forms necessary to support this application. Furthermore, the Board of Directors authorizes Joseph Koch to requisition the zero-interest Grant funds

I, Leander Hoover, Secretary of Fulton County REMC Board of Directors, do hereby certify that the above is a true and correct copy of the resolution as adopted by the Board of Directors of the Fulton County REMC at its meeting held on November 24, 2020 at which meeting a quorum was present, and that said resolution now appears in the records of the Cooperative's minutes book without changes or alterations.

I, Leander Hoover, Secretary of Fulton County REMC Board of Directors, do hereby certify that Fulton County REMC has the legal authority to enter into a Grant agreement under this program.

11-24-2020
November 24, 2020


Leander Hoover, Secretary



Commercial Banking

202 E Center St
PO Box 1387
Warsaw IN 46581
(574) 371-9212

November 23, 2020

Fulton Economic Development Corporation
Terry Lee
822 Main St.
Rochester, IN 46975

Dear Mr. Lee

Based on our review of the most recent financial information presented to us, we at Lake City Bank are pleased to inform you of our commitment to provide you with the following borrowing arrangement:

Loan Description	Letter-of-credit
Borrower	Fulton Economic Development Corporation
Loan Amount	Up to \$462,500
Loan Use	Support infrastructure development on Blacketor Dr. Rochester IN
Term	Expiration of two-years from issue
Prepayment Penalty	n/a
Rate	n/a
Collateral	Unsecured
Guarantee	n/a
Fees	1% annual fee
Initial Requirements	Letter-of-credit requirements from beneficiary Approval from the Board of Directors (copy of meeting minutes)
Ongoing Requirements	Annual submission of financial statements from borrower
Notes	

Other: Loan Application

Borrower agrees to work with the bank on a secured borrowing arrangement for repayment of the letter of credit if drawn upon.

Primary checking account/depository account to be opened and maintained with Lake City Bank for the life of the loan(s).

Any other financial or other information as may be reasonably requested from time to time will be submitted to Lake City Bank



Fee Summary Paid Totals

01/01/20 - 12/31/20

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
Group: 1001.03201.000.0036				
A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$10,987.90	133
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.03201.000.0036	\$2,456.42	85
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.03201.000.0036	\$1,680.00	42
A-2. County, Akron, & Town of Fulton Commercial - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$2,010.98	14
A-2. County, Akron, & Town of Fulton Commercial - Permit Fee		1001.03201.000.0036	\$2,552.50	13
Pre-October 2020 Akron Bulding Permit Fee	Enter Number of Inspections	1001.03201.000.0036	\$625.00	9
			\$20,312.80	296

Group Total: 6

Group: 1001.03203.000.0036

B. City of Rochester Residential Permit Fee		1001.03203.000.0036	\$2,450.65	149
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.03203.000.0036	\$5,103.60	153
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.03203.000.0036	\$400.00	20
B-3. City of Rochester Commercial Permit Fee		1001.03203.000.0036	\$1,062.03	22
B-4. City of Rochester		1001.03203.000.0036	\$1,840.00	24

Commercial- Inspection Fee				
			\$10,856.28	368

Group Total: 5

Group: 1001.07101.000.0036

BZA. Development Standard Variance		1001.07101.000.0036	\$3,850.00	22
BZA. Special Exception		1001.07101.000.0036	\$875.00	5
PC. Zone Map Amendment		1001.07101.000.0036	\$500.00	1
ZO. LIP		1001.07101.000.0036	\$16,800.00	336
ZO. LIP - Early Bird Fee	Enter Standard Permit Fee Amount	1001.07101.000.0036	\$150.00	1
ZO. Signs	Enter Square Feet	1001.07101.000.0036	\$1,895.70	13
ZO. Site Plan Review - TRC		1001.07101.000.0036	\$700.00	4
ZO. Solar Array- Small		1001.07101.000.0036	\$560.00	7
ZO. Telecommunications Tower		1001.07101.000.0036	\$500.00	1
			\$25,830.70	390

Group Total: 9

			\$56,999.78	1054
--	--	--	-------------	------

Total Records: 20

Page: 1 of 1

1/19/2021