

**NEW ORIGINAL LEGAL DESCRIPTION**

Part of the Southwest Quarter and Southeast Quarter of Section 36, Township 32 North, Range 12 East of the Second Principal Meridian, Perry Township in Allen County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number 203000592 of Miller Land Surveying, Inc., Survey No. 21035932, dated March 30, 2021 and being more particularly described as follows:

**SURVEYOR'S REPORT**

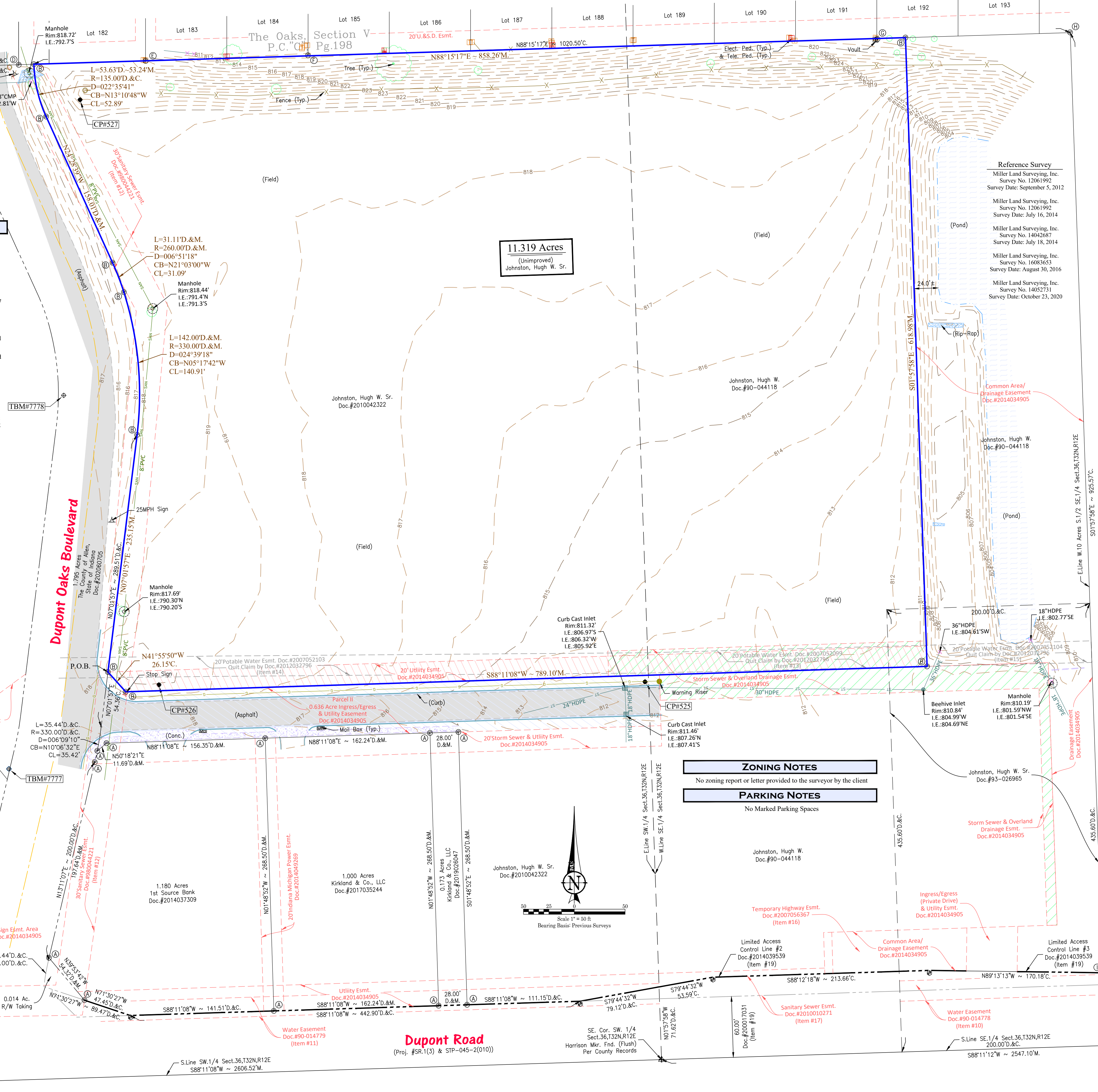
**PURPOSE OF SURVEY:**  
The purpose of this survey was to create an original survey of a 1.1319 acre tract from existing tracts described in Document Number 2010042322, Document Number 90-044118, and Document Number 93-026965 all in the Office of the Recorder of Allen County, Indiana.

**THEORY OF LOCATION:**

The western lines of the subject tract were established per the Easterly right-of-way lines of Dupont Oaks Boulevard as described in Document Number 2010042322, which was established by deed angles and distances. The North line of the subject tract was established per the South line of The Oaks, Section V as shown in Plat Cabinet "C", Page 198, which was established by found monuments bearing the original surveyor to The Oaks Section V identification caps.

**MONUMENT LEGEND**

- A = 5/8" Steel Rebar w/ "Miller Firm #0095" id. Cap Found (Flush)
- B = 5/8" Steel Rebar w/ "Miller Firm #0095" id. Cap Set (Flush)
- C = 1/2" Steel Rebar w/ "0027" id. Cap Found (Flush)
- D = 3/4" Steel Rebar Found (-0.2) No History
- E = 1/2" Steel Rebar w/ "0027" id. Cap Found (Flush)
- F = 5/8" Steel Rebar Found 0.52N of Actual (+0.27) No History
- G = 5/8" Steel Rebar Found 0.62S of Actual (-0.2) No History
- H = 5/8" Steel Rebar w/ "Sauer" id. Cap Found 0.23N & 0.17W of Actual (Flush)
- I = 5/8" Steel Rebar w/ "Sauer" id. Cap Found 0.25N of Actual (Flush)



**CONTROL TABLE**

Point #	Northing	Eastings	Elevation	Description
525	7303.518	12599.428	812.044'	5/8" Steel Rebar w/ "Miller" Control Cap id.
526	7300.551	12121.019	820.195'	5/8" Steel Rebar w/ "Miller" Control Cap id.
527	7876.216	12043.408	822.729'	5/8" Steel Rebar w/ "Miller" Control Cap id.
7777		819.239'		TBM - MUE "Bonnet Bolt" LLER on Fire Hydrant
7778		815.741'		TBM - MUE "Bonnet Bolt" LLER on Fire Hydrant

**SYMBOL AND LINE LEGEND**

Symbol/Line Style	Description
Circle with dot	Beehive Inlet
Circle with cross	Control Point
Circle with triangle	Curb Cast Inlet
Circle with square	Harrison Marker
Circle with diamond	Iron Pin
Circle with asterisk	Mailbox
Circle with X	Manhole
Circle with plus	Pest
Circle with dot and cross	Sign
Circle with vertical lines	Vault
Circle with horizontal lines	Warning Riser
Circle with diagonal lines	Electric Pedestal
Circle with diagonal lines (other)	Tree
Line with dots	Sanitary Line
Line with dashes	Storm Line
Line with circles	Gas Line
Line with squares	Major Contour
Line with triangles	Minor Contour
Line with crosses	Fence
Line with X's	Edge of Water
Line with dots (other)	Curb
Line with dashes (other)	Pavement
Line with squares (other)	Concrete
Line with triangles (other)	Easement
Line with crosses (other)	Right-of-Way Line
Line with dots (other)	Building Setback Line
Line with dashes (other)	Center Line
Line with squares (other)	Boundary

**NOTES**

Location and sizes of underground utilities are shown from best available record drawings and/or field markings. Utility lines shown hereon are approximate in location and intended for reference only. Call Indiana Underground Plant Protection Services (IUPPS) at 1-800-382-5544 for field marked location of utilities prior to any excavation.

**FLOOD PLAIN CERTIFICATION**

This property is within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain) as defined by the FIRM (Flood Insurance Rate Map) for Allen County, Indiana, Community No. 180302, Panel No. 0187G, dated August 3, 2009.

**TITLE COMMITMENT - SCH. B - # 2136455**

- Item #1 - Grant of Water Easement over a portion of insured real estate granted to Utility Center, Inc. by instrument recorded April 18, 1990 as Document Number 90-014778, subordinated by Subordination Agreement recorded October 22, 2009 as Document Number 2009054338
- Item #11 - Grant of Water Easement over a portion of insured real estate granted to Utility Center, Inc. by instrument recorded April 18, 1990 as Document Number 90-014779, subordinated by Subordination Agreement recorded October 22, 2009 as Document Number 2009054338
- Item #12 - Sewer Easement over a portion of insured real estate granted to The City of Fort Wayne by instrument recorded June 30, 1998 as Document Number 980044221.
- Item #13 - Grant of Potable Water Utility Easement over a portion of insured real estate granted to the City of Fort Wayne by instrument recorded September 14, 2007 as Document Number 2007052099 and the terms and provisions thereof as modified by Quit Claim of Potable Water Main and Easements recorded June 15, 2012 as Document Number 2012032796.
- Item #14 - Grant of Potable Water Utility Easement over a portion of insured real estate granted to the City of Fort Wayne by instrument recorded September 14, 2007 as Document Number 2007052103, and the terms and provisions thereof, as modified by Quit Claim of Potable Water Main and Easements recorded June 15, 2012 as Document Number 2012032796.
- Item #15 - Grant of Potable Water Utility Easement over a portion of insured real estate granted to the City of Fort Wayne by instrument recorded September 14, 2007 as Document Number 2007052099 and the terms and provisions thereof, as modified by Quit Claim of Potable Water Main and Easements recorded June 15, 2012 as Document Number 2012032796.
- Item #16 - Temporary Highway Easement over a portion of insured real estate granted to the State of Indiana by instrument recorded October 9, 2007 as Document Number 2007056367.
- Item #17 - Easement over a portion of insured real estate and terms and provisions of Private Sanitary Sewer Tap Easement Agreement by and between Hugh W. Johnston, Grantor and Hugh W. Johnston, Sr., Grantee dated February 17, 2010 and recorded March 10, 2010 as Document Number 2010010271.
- Item #18 - No Survey Item
- Item #19 - Any limitation of access to and from the land across the limited access right of way line of Dupont Road (also known as State Road 1) abutting the property, as established by instrument recorded March 22, 2009 as Document Number 2009017031 and by instrument recorded August 18, 2010 as Document Number 2010439539.
- Item #20 - #22 - Not Survey Items
- Item #23 - Easements over portions of insured real estate and terms and provisions of Declaration of Development Standards, Covenants and Protective Restrictions For Dupont Commons dated July 20, 2014, and recorded July 28, 2014 as Document Number 2014034905.
- Item #24 - #25 - Not Survey Items
- Item #26 - Rights of way for drainage lines, ditches, feeders and laterals, if any.
- Item #27 - Not Survey Item

**SURVEYOR'S CERTIFICATION**

To: Homestead Development, LLC, an Ohio limited liability company  
Hugh W. Johnston, Sr. aka Hugh W. Johnston  
Titan Title Services, LLC  
North American Title Insurance Company

File No: 2136455  
Effective Date: February 23, 2021 @ 7:00 am

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 3, 4, 5, 6(a), (7a), 8, 9, 11, 13, 16, 17, 18-, and 19 of Table A thereof. The fieldwork was completed on March 25, 2021.

Date: March 30, 2021  
By: Brett R. Miller, P.S. Registration No. 20300059

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 865 I-12-1 thru 30.

**PRELIMINARY**

Brett R. Miller, P.S. Registration No. 20300059  
SE. Cor. SE. 1/4 Sect. 36, T32N, R12E  
Harrison Mkr. Fnd. (Flush) Per County Records

**Legend**  
DOB - Point of Beginning  
M - Measured  
R - Record  
C - Calculated  
D - Deed  
RW - Right of Way (RW)  
--- Building Setback Line  
--- Center Line