



# Town of Plainfield

## Petition for Vacation of Plat

<b>FOR OFFICE USE ONLY:</b>	
Petition VAC-	_____ - _____
Public Hearing Date	_____
Fees \$	_____
Date of Approval	_____

San Pablo Estates: Lots 1 through 7 and

1. **NAME OF PLAT:** Restrictive Covenants as relating to Lots 1 through 7

Common addresses of Lots 1 through 7 of San Pablo Estates:

2. **ADDRESS OF PROJECT:** 3871, 3901, 3911, 3919, 4001, 4011, 4021 S. Six Points Road

### 3. APPLICANT/PROPERTY OWNER:

#### Applicant:

Ambrose Plainfield Industrial IV, LLC  
 Name: by: Brian J. Tuohy, Attorney  
 Address: 50 S. Meridian Street, Suite 700  
Indianapolis, IN 46204  
 Phone Number: 317-638-2400  
 Fax Number: 317-633-6618  
 E-Mail: btuohy@dtblegal.com

#### Owner:

Name: Reagan Crossing, LLC  
 Address: 1100 Southfield Road, suite 1240  
Planfield, IN 46168  
 Phone Number: \_\_\_\_\_  
 Fax Number: \_\_\_\_\_  
 E-Mail: \_\_\_\_\_

### 4. PROJECT INFORMATION:

Existing Use of Property: Unimproved Current Zoning: CI pending Town Council approval of PUD Zoning

Description of Requested Vacation, including reasons for such vacation (use additional pages, if necessary):

Lots 1 through 7 of San Pablo Estates are part of approximately 34.8 acres requested to be rezoned to PUD in 2018 under Case # PUD-18-002. The Planned Unit Development Statement filed in connection with the rezoning allows for certain uses, including commercial and industrial uses. Petitioner respectfully requests the vacation of Lots 1 through 7 of San Pablo Estates and the restrictive covenants relating to Lots 1 through 7 of San Pablo Estates to allow for development consistent with the site's proposed PUD zoning.

The undersigned, having been duly sworn on oath states the above information is true and correct as (s)he is informed and believes.

Signature of Applicant: *Brian J. Tuohy* Date: 7/25/18

Printed Name & Title: Brian J. Tuohy, Attorney for Applicant

State of Indiana )  
County of Hendricks ) SS:

Subscribed and sworn to before me this 25th day of July, 2018.

Notary Public Signature



Residing in \_\_\_\_\_ County

My Commission expires \_\_\_\_\_

# Vacation of Plat Checklist & Contact Information

(Please COMPLETE this form and file with the Petition for Vacation of Plat)

## Checklist:

An application packet for a Zone Map Change shall include the following items:

- Completed, Notarized Vacation of Plat Petition.
- Legal Description of Property.
- Proof of Ownership (*Warranty Deed*).
- Authorization from Owner (*if Applicant is not the Owner*).
- List of Interested Parties (*This is a list of all persons or groups who own property within six-hundred (600) feet or two ownerships from the property, whichever is less AND all owners within the plat.*)
- 10 **folded** copies of the Preliminary Site Plan **or** 10 copies of Written Documentation sufficient to demonstrate the nature and scope of the proposed vacation and a CD containing a digital copy of all plans in: (i) DWG format; and, (ii) either JPEG, TIFF or PDF format.
- 1 copy of proposed written Findings of Fact
- Proof of Notification to Checkpoint Agencies.
- Filing Fee (*Make checks payable to the Town of Plainfield – See Fee Schedule for applicable filing fee.*)

## Contact Information

(Please provide contact information on person to be contacted regarding notices, additional filing requirements and staff comments.):

### Attorney/Contact Person:

Ambrose Plainfield Industrial IV, LLC

Name: by Brian J. Tuohy, Attorney

Address: 50 S. Meridian Street, Suite 700

Indianapolis, IN 46204

Phone Number: 317-638-2400

Fax Number: 317-633-6618

E-Mail: btuohy@dtblegal.com

### Project Engineer:

Name: Bryan Sheward, P.E., Kimley-Horn

Address: 250 E, 96th Street, Suite 580

Indianapolis, IN 46240

Phone Number: 317-218-9563

Fax Number: \_\_\_\_\_

E-Mail: bryan.sheward@kimley-horn.com

Andrew Churchill, JRA Architecture  
7222 N. Shadeland Ave., #200  
Indianapolis, IN 46250-2063  
Phone: 317.806.1060  
achurchill@jra-arch.com

## Legal Description

Lots Numbered 1,2,3,4,5,6 and 7 In San Pablo Estates First Section, a subdivision in Guilford Township, Hendricks County, Indiana, as per plat thereof, recorded in Plat Book 7 Page 86 and re-recorded in Plat Book 8, pages 1 and 1A, all in the Office of the Recorder of Hendricks County, Indiana.

Excepting therefrom: That portion of Lot 7 in San Pablo Estates as per plat thereof recorded in Plat Book 8, pages 1 and 1A in the Office of the Recorder of Hendricks County, Indiana, described as follows:

Beginning at the Northeast corner of said Lot 7; thence South 00 degrees 57 minutes 10 seconds East (bearing per record survey) along the East line thereof 52.00 feet to the South right of way line of Metropolis Boulevard per the Plat of Ronald Reagan Business Park, as per plat thereof recorded as Instrument Number 200907740 in said county records; thence South 89 degrees 03 minutes 00 seconds West along the Westerly extension of said right of way line 130.96 feet to the beginning of a tangent curve to the left having a radius of 35.00 feet and a central angle of 96 degrees 54 minutes 38 seconds; thence Westerly, Southwesterly, and Southerly along the arc of said curve 59.20 feet to the East right of way line of Ronald Reagan Parkway as described in Instrument Number 2005-20083 in said county records, said point being the beginning of a curve to the right having a radius of 6,488.18 feet, a central angle of 00 degrees 48 minutes 37 seconds, and a radial line passing through said point which bears South 82 degrees 20 minutes 55 seconds West; thence Northerly along said right of way line and the arc of said curve 91.77 feet to the North line of said Lot 7; thence North 89 degrees 03 minutes 00 seconds East along said North line 175.77 feet to the POINT OF BEGINNING.

TOWN OF PLAINFIELD

Department of Planning & Zoning

AUTHORIZATION FROM OWNER

The undersigned, Reagan Crossing LLC, being the Owner of the property commonly known as Approx. 12.82 acres at the southeast corner of Stout Heritage Pkwy & Ronald Reagan Pkwy, hereby authorizes Ambrose Plainfield Industrial IV, LLC and Brian J. Tuohy, Attorney to file a Zone Map Change (Development Plan / Primary Plat / Secondary Plat / Vacation / Variance / Special Exception petition (circle all that apply) for the aforementioned address.

This consent shall:

[X] remain in effect until revoked by a written statement filed with the Department of Planning & Zoning.

[ ] remain in effect until \_\_\_\_\_.

Reagan Crossing LLC

[Signature]
Signature

Printed: Dr. Scott Guenther

Title (if applicable): Manager and Member

Date: 7/24/18

STATE OF INDIANA, COUNTY OF Hendricks, SS:

Subscribed and Sworn to before me this 24 day of July, 2018.

[Signature]
Notary Public Signature

[Signature]
Printed

My Commission expires: Sept 16, 2023.

County of Residence: Marion

Signature

Printed:

Title (if applicable):

Date:

STATE OF INDIANA, COUNTY OF \_\_\_\_\_, SS:

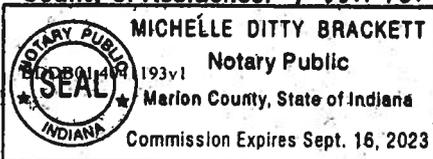
Subscribed and Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public Signature

Printed

My Commission expires: \_\_\_\_\_, 20\_\_.

County of Residence: \_\_\_\_\_



## List of Interested Parties

LIT INDUSTRIAL LIMITED PARTNERSHIP  
1717 Mckinney Ave Ste 1900  
Dallas, TX 75202

KNIGHT TRANSPORTATION INC  
20002 N 19th Ave  
Phoenix, AZ 85027

PLAINFIELD TOWN OF  
206 W Main St  
Plainfield, IN 46168

10 POINTS ASSOCIATES LLC  
6100 W 96th St Ste 150  
Indianapolis, IN 46278

SUNBEAM METRO LLC  
1401 79th Street Cswy  
Attn: President  
Miami Beach, FL 33141

STOUT NOBLE B & PATRICIA J UNDIV  
1/3 INT STOUT CHRIS E & KAREN B  
UNDIV 2/9 INT  
3714 S Ronald Reagan Pkwy  
Indianapolis, IN 46231

STOUT NOBLE B & PATRICIA J  
REVOCABLE TRUST  
3714 S Ronald Reagan Pkwy  
Indianapolis, IN 46231

RT AIRTECH LLC  
130 Jefferson St Ste 300  
Chicago, IL 60661

PROLOGIS THIRD US PROPERTIES LP  
C/O Prologis Tax Coordinator  
1800 Wazee St  
Denver, CO 80202

HENDRICKS COUNTY BOARD OF  
COMMISSIONERS  
355 S WASHINGTON ST  
Danville, IN 46122

Indianapolis Airport Authority  
7800 Col H Weir Cook Mem Dr  
Indianapolis, IN 46241

Foster Gary L & Nellie  
10779 Melody Ln  
Indianapolis, IN 46231

GRANITE I LLC ( 3870 SRR PYWY)  
C/O GRANITE REIT ATTN ASSET  
77 KING ST W  
TORONTO, ON M5K1H1

Matthews Donald  
1223 S County Road 525 E  
Avon, IN 46123

NORTH SOUTH CORRIDOR PROPERTY  
ALBERT LLC  
851 S Rangeline Rd  
Carmel, IN 46032

REAGAN CROSSING LLC  
1100 Southfield Rd Ste 1240  
Plainfield, IN 46168

**FINDINGS OF FACT**

**Petition for Vacation of Land in a Plat**

**Address:** Lots 1 through 7 of San Pablo Estates: 3871, 3901, 3911, 3919, 4001, 4011, 4021 S. Six Points Rd.

**Docket No.:** \_\_\_\_\_

The Plan Commission may approve a petition for the vacation of all or part of a plat upon finding that:

- 1. The conditions in the platted area have changed so as to defeat the original purpose of the plat because:

*The seven lots ("Lots") which are the subject of the requested vacation were originally platted as lots for single family residential buildings. Approximately ten years ago, the zoning for the lots was changed to the CI classification. The Lots are now part of a proposed rezoning to PUD to allow for certain industrial and commercial uses. Because the Lots are now zoned for industrial / commercial uses, the conditions in the platted area have changed so as to defeat the original purpose of the plat.*

- 2. It is in the public interest to vacate all or part of the plat because:

*It is in the public interest to vacate the Lots and the corresponding covenants relating to the Lots because the vacation is consistent with the proposed PUD zoning classification of the subject portion of the plat. Commercial and/or industrial development will allow for an increase in the tax base of Plainfield, Indiana and is consistent with surrounding industrial development in the area.*

- 3. The value of that part of the land in the plat not owned by the Petitioner will not be diminished by vacation because:

*The Lots are the only lots remaining within the San Pablo Estates Plat. In 2009, a substantial portion of the original Lots 8 through 23 of the San Pablo Estates Plat were included as part of the Ronald Reagan Business Park Plat as Block "A". Block "A" of the Ronald Reagan Business Park Plat is zoned CI and is also included as part of the approx. 34.8 acres proposed to be rezoned to PUD in 2018. The value of the land that was originally part of the San Pablo Estates Plat will not be diminished by the proposed vacation, as the vacation will allow replatting of the Lots for industrial / commercial development consistent with similar development on the other lots within the Plat.*

**PLAINFIELD PLAN COMMISSION**

The VACATION is hereby Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Bruce Smith  
President, Plainfield Plan Commission

**FINDINGS OF FACT**

**Petition for Vacation of Recorded Covenant Filed with Plat**

**Address:** Lots 1 through 7 of San Pablo Estates: 3871, 3901, 3911, 3919, 4001, 4011, 4021 S. Six Points Rd.

**Docket No.:** \_\_\_\_\_

The Plan Commission may approve a petition for the vacation of all or part of the recorded covenants filed with a plat upon finding that:

1. The platted area is within an area needing redevelopment and the covenant vacation would promote a recovery of property values in the area needing redevelopment by allowing or encouraging normal development and occupancy of the platted area because:

*The restrictive covenants are no longer appropriate for the site's zoning classification and such covenants may discourage normal development and occupancy of the subject portion of the platted area. The vacation of the restrictive covenants for Lots 1 through 7 of San Pablo Estates is consistent with the existing CI zoning classification and proposed PUD zoning classification of the lots and will allow and encourage the redevelopment of the property with uses (including certain commercial and industrial uses) permitted by the Planned Unit Development Statement filed in connection with the site's proposed rezoning to the PUD district. Additionally, the vacation of the restrictive covenants will allow and encourage industrial and/or commercial development which will enhance and promote recovery of property values in this area and will also allow normal development and occupancy of the vacated lots compatible with the existing uses allowed in adjoining real estate.*

**PLAINFIELD PLAN COMMISSION**

The VACATION is hereby Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Bruce Smith  
President, Plainfield Plan Commission