

PRELIMINARY PLAN REQUIREMENTS

§ 154.40 PRELIMINARY PLAN CONTENT.

A preliminary plan shall consist of the following:

- (A) A preliminary plan statement;
- (B) A preliminary site sketch;
- (C) A preliminary plat drawing; and
- (D) A preliminary cross-section plan. (Ord. 1978-6, passed 4-4-78)

§ 154.41 PRELIMINARY PLAN STATEMENT.

A preliminary plan statement shall be typewritten, on 8 ½ inch x 11 inch bond paper, double spaced, dated and signed by the subdivider, and containing the following information in clear and concise language:

- (A) The name of the proposed subdivision, which name shall be different from any existing subdivision in the city.
- (B) A metes and bounds or other legal description of the tract of land to be subdivided.
- (C) The names, addresses, and telephone numbers of the owner or owners of the land, the subdivider, and the engineer or surveyor who will be responsible for the designing of the subdivision lay-out.
- (D) The proposed restrictive covenants, if any, and any proposed homeowner's or landowner's association declaration.
- (E) A description of the types of structures proposed to be constructed in the subdivision, for example, single-family residences, duplexes, apartments, etc.
- (F) If the subdivision is proposed incidental to or involves participation by the subdivider in any federal housing program, a statement describing the project, its intended purpose, the federal administrative agencies involved, and the federal law and administrative rules pertaining thereto.
- (G) If the subdivision, or a portion thereof is intended for occupancy by individuals or families of a certain income group pursuant to a federal housing project or program, a complete description and explanation from which it can be determined whether the proposed subdivision conforms to the master plan and general zoning ordinance of the city.

(H) A statement of the total acreage of the proposed subdivision to the nearest half-acre, and the percentage of the total subdivision area which will be devoted to lots, streets, common area, and to any other type of specific use.

(I) Reports concerning streams, lakes, topography, vegetation, and geologic characteristics which significantly affect the land use of the area which the proposed subdivision would comprise and showing the impact of such characteristics on the proposed subdivision. Maps and tables concerning the suitability of types of soil in the subdivision area in accordance with the national cooperative soil survey shall be appended to comprise a part of the preliminary plan statement. (Ord. 1978-6, passed 4-4-78)

§ 154.42 PRELIMINARY SITE SKETCH.

The preliminary site sketch shall be legibly drawn to a scale of 100 feet to one inch except that, when use of this scale results in a drawing having a dimension in excess of 30 inches, a scale of 200 feet to one inch may be used, showing the following:

(A) The location of the proposed subdivision in relation to contiguous property and identifying the location of the subdivision by section, township, and range.

(B) North point and scale references.

(C) Location, names, present width and grades of adjacent or abutting roads, streets highways and public ways or railroads.

(D) Existing features pertaining to the subdivision area, particularly, the following shall be shown:

(1) The location of all existing structures, with an indication as to whether they are to remain on the property or are to be removed.

(2) The location of all easements, telephone lines, gas lines, power lines, and other features located within the proposed subdivision and within 500 feet of its boundaries.

(3) The location of all sewer lines, water mains, culverts, or other underground facilities within the subdivision tract or within 500 feet thereof, indicating the pipe size, grades, and exact locations as obtained from public records.

(4) The location of boundary lines of adjacent tracts of unsubdivided and subdivided land, showing the owner's names as shown from public records.

(E) The approximate location of all areas subject to inundation by the regulatory flood or storm water overflow and the location, width, and direct flow of all water sources. (Ord. 1978-6, passed 4-4-78; Am. Ord. 1981-5, passed 6-16-81)

§ 154.43 PRELIMINARY PLAT.

The preliminary plat shall be legibly drawn to a scale of 100 feet to one inch, except that, when the use of this scale results in a drawing have a dimension in excess of 30 inches, a scale of 200 feet to one inch may be used, showing the following:

(A) The boundary lines of the subdivision tract, together with accurate distances and angles, and the exact location of all existing and recorded streets intersecting the boundary of the tract.

(B) Angles or referenced bearings (true north, grid north, magnetic north, or assumed bearing) and distances to the nearest established street line or existing official monuments which shall be accurately described.

(C) The location, names, widths, and approximate grades of all roads, streets, highways, public ways, and rights-of-way in the proposed subdivision or to be offered for dedication.

(D) The location and proposed width of all easements for drainage, sewer, and public utilities. In the event there is intended to be any limitations on any easements, such limitations shall be described in the preliminary plan statement.

(E) The location and dimensions of all lots and lot numbers.

(F) The location and dimension of all property which is proposed to be offered for dedication for public use and the description and location of any property that may be reserved by deed, covenant, or restrictions for the common use of property owners of the subdivision.

(G) The location of building setback for front, side, and rear yards, showing dimensions and location.

(H) Location of street lights.

(I) The name of the proposed subdivision.

(J) The name and address of the subdivider.

(K) Certificate by a registered professional engineer or registered land surveyor. (Ord. 1978-6, passed 4-4-78)

§ 154.44 PRELIMINARY CROSS-SECTION PLAN.

The preliminary cross-section plan shall be legibly drawn and shall show the typical cross-sections and proposed grades for streets, highways, and alleys and the details of all curbs, gutters, sidewalks, and other improvements proposed to be located within the subdivision. Such drawings shall be of such scale to show all details clearly. (Ord. 1978-6, passed 4-4-78)

IMPROVEMENT PLAN REQUIREMENTS

§ 154.50 PLAN REQUIREMENTS.

- (A) A complete final grading plan of the portion of the subdivision to be recorded;
- (B) Profiles drawn to scale showing ground and grade elevations of all streets, highways, walkways, alleys, sanitary and storm sewers, and drainage ways;
- (C) Detailed plans and specifications for street grading and construction of pavement section, curbs, gutters, and sidewalks where required;
- (D) Detailed plans and specifications for drainage structures and flood-control provisions;
- (E) Detailed plans and specifications for sewer lines and water lines;
- (F) Detailed plans and specifications for power systems, including location and easements to be used. (Ord. 1978-6, passed 4-4-78)

FINAL PLAT REQUIREMENTS

§ 154.60 DRAWING AND INFORMATION REQUIREMENTS.

The final plat shall be drawn in india ink or other substantial solution on a reproducible medium with outer dimensions of 24 inches by 36 inches, and shall be at a scale of 100 feet to one inch or larger. The final plat shall show the following:

- (A) The boundary lines of the subdivided tract, together with accurate distances and angles, and the exact location of all existing and recorded streets intersecting the boundary of the tract.
- (B) Angles or referenced bearings, (true north, grid north, magnetic north, or assumed bearing) and distances to the nearest established street line or existing official monuments, which shall be accurately described on the plat.
- (C) An accurate metes and bounds description of the tract.
- (D) Street names.
- (E) The length of all arcs and radii, central angles, internal angles, points of curvature and tangency, and the length of all tangents.
- (F) All easements for rights-of-way for public services and utilities and any limitations on such easements.
- (G) Lot numbers and dimensions.
- (H) Street lines with accurate dimensions in feet and hundredths and with angles to street, alley and lot lines.

(I) Location, type, material, and size of all monuments and lot markers.

(J) The accurate outline of all property offered for dedication for public use with the purpose indicated. All property that may be reserved by deed, covenant, or restrictions for the common use of property owners of the subdivision.

(K) Building setback line locations, and dimensions with regard to front, side, and rear yards.

(L) Restrictions of all types which run with the land.

(M) Name of the subdivision.

(N) Name and address of the subdivider.

(O) North point, scale, and date.

(P) Certification of title showing that the subdivider is the landowner.

(Q) Certificate by a registered professional engineer or registered land surveyor.

(R) Certificate of dedicator of public lands.

(S) Certificate for approval by the city plan commission and board of public works.

(T) Other data: A notation stating total acreage, benchmarks, and date of survey. (Ord. 1978-6, passed 4-4-78)

§ 154.61 SUPPLEMENTARY MATERIAL.

(A) Perpetual drainage easements and protective covenants in form for recording, if required.

(B) Other data, certificates, affidavits or documents as may be required by the plan commission in the enforcement of these regulations. (Ord. 1978-6, passed 4-4-78)

§ 154.62 FINAL PLAT SECTIONS.

(A) In the event that the plan commission has authorized the subdivider, pursuant to §154.16, to submit a final plat in sections for final approval, the final plat requirements of §154.60 shall be complied with in full at the time the subdivider requests final approval of the first section. However, the final plat drawing shall clearly indicate and identify each section.

(B) In addition to the complete final plat plan described in §154.62 (A), such final plat drawing shall be accompanied by a separate drawing of the individual section for which final approval is sought and the drawing shall be in the same manner and form described in §154.60

and shall contain the same information required therein.

(C) After the first final plat section has been approved, when final approval of the remaining sections is desired, the subdivider shall file only a final plat for the section for which final approval is sought. It shall clearly identify the section and shall be drawn in the same manner and form described in §154.60 and shall contain the information required therein. (Ord. 1978-6, passed 4-4-78)

IMPROVEMENTS REQUIRED

§ 154.70 IMPROVEMENTS TO CONFORM TO REQUIREMENTS OF CHAPTER.

The subdivider shall install improvements described in this chapter and the improvements shall be constructed and installed in the manner described in this chapter. (Ord. 1978-6, passed 4-4-78)

§ 154.71 STREET GRADING AND SURFACING.

Streets and other open ways shall be brought to grades as shown on plans and profiles prepared by the subdivider and surfaced in accordance with the requirements and specifications of this chapter. (Ord. 1978-6, passed 4-4-78)

§ 154.72 CURBS, GUTTERS, AND SIDEWALKS.

Concrete curbs, gutters, and sidewalks shall be required by the plan commission where the density and use warrant such improvements. (Ord. 1978-6, passed 4-4-78)

§ 154.73 WATER SUPPLY AND SEWAGE DISPOSAL.

Wherever there is, within a reasonable distance, a sanitary sewer outlet and a connection is feasible, the subdivision shall be provided with a complete public sewer system which shall connect with such outlet. The installation is to be done in accordance with plans and specifications prepared by a registered professional engineer or licensed land surveyor and shall be subject to the approval of the board of public works and safety of the city. In the absence of such sewer mains, proper provisions shall be made for the disposal of sanitary sewage according to requirements of the county and state board of health. Similar requirements shall apply to the provisions for a proper water supply for the subdivision. (Ord. 1978-6, passed 4-4-78)

§ 154.74 STORM DRAINAGE.

The subdivider shall install storm sewers with the approval of the board of public works and safety if natural surface drains are determined inadequate by the commission. No storm sewers shall ever be connected to sanitary sewers. (Ord. 1978-6, passed 4-4-78)

§ 154.75 STREET SIGNS.

The subdivider shall erect standard city street signs at the intersection of all streets. (Ord. 1978-6, passed 4-4-78)

§ 154.76 STREET LIGHTING.

The subdivider shall install adequate street lights at locations approved and required by the plan commission. (Ord. 1978-6, passed 4-4-78)

§ 154.77 MONUMENTS.

The subdivider shall install permanent reference monuments, and lot and block monuments as required in §154.98. (Ord. 1978-6, passed 4-4-78)

§ 154.78 REVEGETATION AND LANDSCAPING.

The subdivider shall restore all substantial disturbances of the land created by construction of structures, roads, water or sewer facilities, drainage control systems, installation of utilities, or other improvements, by proper grading and filling, reseeding and revegetation of the affected area with native plant materials. (Ord. 1978-6, passed 4-4-78)

§ 154.79 FLOODPLAINS AND OTHER HAZARDS.

If the subdivision or a portion thereof is to be located in a flood hazard area, the commission shall forward pertinent plans and materials to the Indiana department of natural resources for review and comment. The plan commission may require appropriate changes and modifications in order to minimize flood damages. All public utilities and facilities, such as

sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage. Adequate drainage shall be provided so as to reduce exposure to flood hazards. On-site waste disposal systems, if provided, shall be located to avoid impairment to or contamination from them during the occurrence of any regulatory flood. (Ord. 1978-6, passed 4-4-78)

§ 154.80 FIRE PROTECTION.

Provision shall be made for an adequate fire protection system. Such system shall meet the standards and approval of the fire department and any fire code or regulations adopted by the city. (Ord. 1978-6, passed 4-4-78)

§ 154.81 PARKS AND PUBLIC AREAS.

The plan commission shall require adequate provisions for suitable areas for parks and playgrounds, as well as measures which will preserve and enhance the scenic values of the city and conditions making for excellence of residential, commercial, or industrial development. Such provisions shall not be construed to be an obligation on the part of the city to maintain such park or playground areas, until such time as they are dedicated to and accepted by the city. (Ord. 1978-6, passed 4-4-78)

§ 154.82 OFFER OF DEDICATION.

An offer of dedication of all parcels of land intended and designated to be used for public purposes shall be made to the city or other appropriate governing body. Such offer of dedication shall be by certificate on the final plat or by other appropriate acts. (Ord. 1978-6, passed 4-4-78)

DESIGN STANDARDS

§ 154.90 GENERAL STANDARDS.

(A) A subdivision shall comply substantially with the master plan and the zoning ordinance of the city, with particular respect to street right-of-way, utility easements, and public open space.

(B) A subdivision shall be designed so as to avoid casting an undue burden on the street system, storm drainage system or other municipal facilities, utilities, and services on or adjacent to the tract.

(C) A proposed subdivision shall be designed so as to be coordinated with adjoining subdivisions with respect to alignment of streets and utility and drainage easement rights-of-way and reservation of open space.

(D) Subdivision design and layout shall give consideration to the preservation of wooded areas, streams, unusually attractive topography, and other desirable natural landscaped features. (Ord. 1978-6, passed 4-4-78)

§ 154.91 STREETS.

(A) The width of the local streets shall be at least 30 feet and shall meet the standards of construction as prescribed herein.

(B) The minimum right-of-way width of streets shall be 60 feet.

(C) Alleys shall be discouraged in residential districts but should be included in commercial areas where needed for loading and unloading or access purposes and where platted shall have right-of-way of at least 20 feet in width.

(D) The center lines of streets should intersect as nearly at right angles as possible.

(E) At intersections of streets and alleys, property line corners shall be rounded by arcs of at least 25 feet of radii.

(F) At intersections of streets, the property line corners shall be rounded by arcs with radii of not less than 25 feet.

(G) The smaller angle or intersection of two streets shall not be less than 60 degrees.

(H) Intersections of more than 2 streets at one point shall be prohibited and intersections shall not be located closer than 200 feet from each other.

(I) Cul-de-sac streets may be permitted when they form a part of a logical design. They shall terminate in a circle with a minimum property line diameter of 120 feet, and a minimum pavement diameter of 90 feet or other open terminal area providing equivalent turning space. Any street over 1000 feet in length, as measured to the center of the Cul-de-sac, that terminates in a circle, shall have a minimum property line of 140 feet and a minimum pavement diameter of 110 feet or other open terminal area providing equivalent turning space. No parking allowed in the Cul-de-sac. Greenspace may be permitted in the center of the cul-de-sac. The greenspace to be maintained by the developer or homeowner's association.

(J) Where limited access or parkways or other special type of designed streets are involved, the commission may apply special standards to be followed in their design.

(K) Visibility on curved streets may be maintained along the center line as follows:

(1) Primary arterials: To be determined by the commission, but generally not less than 400 feet.

(2) Secondary arterials: 300 feet.

(3) Collector streets: 250 feet.

(4) Local streets: 200 feet.

(L) Curvature measured along the center line shall have a minimum radius as follows:

- (1) Primary arterialize: 1000 feet.
- (2) Secondary arterials: 800 feet.
- (3) Collector streets: 600 feet.
- (4) Local streets: 500 feet.

(M) No residential driveways shall connect to existing collector streets.
(Ord. 2000-05, passed 4/4/00)

§ 154.92 STREET NAMES.

Names of new streets shall not duplicate names of existing streets. New streets which are extensions of or in alignment with existing streets shall bear the names of such existing streets.
(Ord. 1978-6, passed 4-4-78)

§ 154.93 SIDEWALKS, CURBS AND GUTTERS.

Where required, sidewalks, curbs, and gutters shall be constructed according to current city standards and subject to the following general specifications:

(A) Sidewalks 8 feet in width are required along all business streets.

(B) Sidewalks 5 feet in width are required on both sides of all residential streets. Sidewalks shall be constructed adjacent to the outer edge of the right-of-way. (Ord. 2000-05, passed 4-4-00)

(C) Sidewalks of a width acceptable to the plan commission shall also be required through the center of long blocks, to connect cul-de-sac streets, and to provide access to school, park, playground, and river areas.

(D) If approved by the plan commission, sidewalks may be eliminated on one or both sides of streets in subdivisions with lots larger than one acre or where the plan commission finds them impractical. (Ord. 1978-6, passed 4-4-78)

§ 154.94 BLOCKS.

(A) Blocks shall not exceed 1,320 feet in length unless unusual instances justify greater length.

(B) Blocks shall be of sufficient width to allow 2 tiers of lots of appropriate depth.

(C) In blocks of over 750 feet in length, the commission may require at or near the

middle of the block, a public walk connecting adjacent streets or other public areas. Such walks shall be at least 5 feet in width and shall be intended for the use of pedestrians only. (Ord. 1978-6, passed 4-4-78)

§ 154.95 LOTS.

(A) All lots shall abut on a street.

(B) Side lines generally shall be at right angles to straight street lines and radial to curved street lines.

(C) Lot dimensions and areas shall not be less than the minimum required by the zoning or land use ordinance for the district in which the subdivision is located.

(D) Where lots are to be used for commercial purposes, provisions shall be made in the subdivision for off-street parking as required by the zoning ordinance.

§ 154.96 EASEMENTS.

Where alleys are not provided, easements shall be provided for utilities. Such easements shall generally be located along rear or side lot lines, in which case a minimum width of 20 feet, 10 feet on either side of the lot line shall be provided, or if such easement is within a lot, total minimum width of 20 feet shall be provided. Easements shall be laid out so that a proper continuity may be had for utilities from block to block. (Ord. 1978-6, passed 4-4-78)

§ 154.97 BUILDING SETBACK LINES.

Building setback lines shall conform to those established by the zoning ordinance except that the commission may approve greater setbacks. (Ord. 1978-6, passed 4-4-78)

§ 154.98 MONUMENTS AND LINE MARKERS.

(A) Monuments shall be of bronze encased in concrete. The minimum monument shall be standard weight ½ inch nominal diameter pipe, 30 inches long, driven with the ground and surrounded on all sides by not less than 5 inches of concrete to a depth of not less than 12 inches. In soft, marsh ground and other unusual conditions or locations, the city engineer may prescribe special monuments to be installed. The top of any pipe may be open or sheared but must be cut off perpendicular to its length and driven without being seriously deformed or battered on top. On all pipe monuments, the center of the pipe will be considered the center of the monument.

(B) Monuments shall be placed:

(1) So that the center of the monument coincides exactly with the intersection of the lot or property line at that point and shall be set so that the top of the monument is level with the surface of the surrounding ground.

(2) At the intersection of all angles in the boundary line of the survey.

(3) At the intersection of street property lines.

(4) At the beginning and ending of all curves where streets and alleys are so laid out.

(5) At all angles in property lines of streets and alleys.

(C) The corners of all lots not marked by monuments shall be marked by galvanized or wrought iron pipe or iron or steel bars at least 2 feet in length and not less than ½ inch in diameter, the top of the pipe or bar to be set level with the surrounding ground.

(D) All monuments shall be subject to the inspection and approval of the city engineer and shall be installed prior to recording of the final plat, or guaranteed by a bond as provided in §154.15. (Ord. 1978-6, passed 4-4-78)

§ 154.99 PARK PRINCIPLES AND STANDARDS.

It is the policy of the city to cooperate with other government entities, subdividers, or groups of residents to secure adequate recreational opportunities for the neighborhood and the city.

(A) Relation of land dedication to population. The amount and location of land to be dedicated, or the fees to be paid, shall bear a reasonable relationship to the use of park and recreation facilities by the future inhabitants of the subdivision. They shall be based on population densities characteristic for the several types of current residential development as determined by the plan commission.

(1) Basic formula for parks and recreation:

(a) Single family residences - 3.5 persons - 610 square feet per dwelling unit.

(b) Duplexes and town houses - 3.2 persons - 553 square feet per dwelling unit.

(c) Multifamily apartments - 2.4 persons - 419 square feet per dwelling unit.

(2) The total acreage of park and recreation space needed to meet the standards set forth shall be the cumulative amount of square feet or acres determined for the respective number of dwelling units in each category which are included in the final subdivision plat filed with the plan commission for approval. (Ord. 1978-6, passed 4-4-78)

§ 154.100 FEE IN LIEU OF LAND DEDICATION.

(A) Amount of fee. Where fees are required to be paid in lieu of land dedication, such

fees shall be based on the current market value of land in that subdivision as determined by an appraisal acceptable to the plan commission or by agreement at the time of the preliminary plan approval. The amount of such fees shall be a sum equal to the fair market value of the amount of land which would otherwise be required for dedication according to the foregoing formula. In the case of a combination of fee payment and land dedication, the amount of fee shall represent a sum equal to the fair market value of that land portion which remains after the acreage of dedicated land is deducted from the total acreage requirement which has been determined by the plan commission.

(B) Content of appraisal. If the subdivider objects to the appraisal, he may, at his expense, obtain an appraisal of the property by a qualified real estate appraiser which may be accepted by the plan commission if found reasonable.

(C) Use of fees for smaller subdivisions. Dedication of land for park or recreational purposes may not be required in subdivisions containing 20 parcels or less, but payment of fees in lieu thereof may be required. Fees shall be applied to acquisition of park and recreational facilities in the city. (Ord. 1978-6, passed 4-4-78)

§ 154.101 LIMITATION ON PARK.

The park land, fees or combination thereof are to be used only for the purpose of providing park or recreational sites and facilities which serve present and future residents of the city. (Ord. 1978-6, passed 4-4-78)

IMPROVEMENT INSPECTIONS

§ 154.110 INSPECTIONS.

The city engineer or other person designated by the board of public works, shall make inspections of all improvements installed in any subdivision. In such regard, no water mains, sewer lines, or other lines which shall be connected to any city water main, sewer line or other drain, shall be covered until such have been inspected as herein provided. The subdivider shall notify the city engineer as hereinafter provided. (Ord. 1978-6, passed 4-4-78)

§ 154.111 NOTIFICATION.

The subdivider shall notify the city engineer upon completion of each stage of subdivision construction and he shall not proceed with further construction until he has received authorization from the city engineer. Any required inspections shall be made by the city engineer not later than one week following the notification. (Ord. 1978-6, passed 4-4-78)

§ 154.112 INSPECTION FEES.

All inspection services shall be paid by the subdivider at the actual cost to the city of such inspection and shall be deposited in the city general fund. Fees shall be based on the following standards unless additional inspections are required due to negligence on the part of the

subdivider:

(A) Improvement plans for subdivision of 5 acres - \$10.

(B) Improvement plans for subdivision over 5 acres - \$25. (Ord. 1978-6, passed 4-4-78)

CERTIFICATES

§ 154.120 CERTIFICATE FORMS.

In order to provide uniformity in the processing of subdivision plats, the following forms shall be used on final plats which will then be used for record plats:

(A) City plan commission approval This plat was given approval by the city plan commission of the city, at a meeting held this _____ day of _____, 20____.

President

Secretary

(B) Board of public works and safety approval. Approval by the board of public works and safety of the city, at a meeting held this _____ day of _____, 20____.

Chairman

Member

Member

(C) Registered engineer or surveyor's certificate. Each final plat submitted to the commission for approval shall carry a certificate signed by a registered engineer or registered land surveyor in substantially the following form:

I hereby certify that I am a (registered professional engineer/registered land surveyor) licensed in compliance with the laws of the State of Indiana; that this plat correctly represents a survey completed by me on this _____ day of _____,20____; that all monuments shown thereon actually exist; and that their location, size, type and material are accurately shown.

(SEAL)

(D) Certificate of dedication. Each final plat submitted to the commission shall include a dedication form in substantially the following form:

We, the undersigned _____ (Names) _____, owners of the real estate shown and described herein certify that we have laid off, platted and subdivided said real estate in accordance with the within plat.

This subdivision shall be known and designated as _____ (Name of subdivision) _____, an addition to the City of Decatur, Indiana.

All streets, alleys, and other land proposed to be but not yet dedicated and shown hereon are hereby dedicated to the public.

Front and side building setback lines are hereby established as shown on this plat. Between these lines and the property lines of the streets, no building or structure shall be erected or maintained other than an open one-story porch.

There are strips of ground 5 feet in width as shown on this plat and marked "easement," reserved for the use of the public utilities for the installation of mains, poles, duct lines, and wires, subject at all times to the proper authorities and to the easement herein reserved.

No permanent or other structures are to be erected or maintained on said strips of land. The owners of lots in this subdivision shall take their titles subject to the rights of the public utilities and to the rights of the owners of other lots in this subdivision.

(Additional dedications and protective covenants or private restrictions should be inserted here. These may include the use and intensity of use of property, character of homes, minimum floor areas of residences, off-street parking for motor vehicles and other desires of the owner which do not conflict with provisions of law.)

The foregoing covenants or restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 20____. (Usually a period of 25 years, at which time said covenants or restrictions shall be automatically extended for successive periods of 10 years unless by vote of the majority of the then owners of the building lots covered by these covenants or restrictions, it is agreed to change such covenants or restrictions in whole or in part. Invalidation of any one of the covenants or restrictions by judgment of a court of competent jurisdiction shall in no way affect any of the other covenants or restrictions which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal by due process of law of any structure or part thereof erected or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Witness our hands and seals this _____ day of _____, 20____.

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OWNERS

ESTATE OF INDIANA)

SS:

COUNTY OF ADAMS)

Before me, the undersigned, a Notary Public, in and for the aforesaid County and State, personally appeared (names of owners) and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed for the purposes therein expressed.

Witness my hand and Notarial Seal this _____ day of _____, 20____.

—

Notary Public

(Ord. 1978-6, passed 4-4-78)

DECATUR - SUBDIVISION CONTROL

MINIMUM STANDARDS FOR ROAD AND STREET CONSTRUCTION

§ 154.140 CLASSIFICATION SYSTEM.

Collector street. Serves internal traffic movement within an area of the city, such as a subdivision and connects this area with the major arterial system.

§ 154.141 GENERAL REQUIREMENTS.

(A) Minimum requirements for road and street improvements shall be in accordance with applicable provisions of current Standard Specifications of the Indiana State Highway Commission, or as approved by the City Engineer.

(B) The following are specifications for the three major types of construction materials for both types of streets:

<u>Rigid type pavement</u> (plain cement concrete)	<u>Collector (inches)</u>	<u>Local (inches)</u>
Uniform design thickness	7	6
<u>Flexible type pavement</u>		
Asphaltic surface course	1	1
Asphaltic binder course	3	3
Aggregate base	<u>14</u>	<u>10</u>
Total	18	14
<u>Deep strength asphalt</u>		
Uniform design thickness	9	8
See attached		

(C) (1) All curb and gutter construction shall be in conformity and compliance with the specifications shown in the following drawing and specifications, and methods, materials and workmanship, including subgrade, shall conform to all other applicable provisions thereof and all other applicable provisions contained in the city code of ordinances not in conflict with any provision of this section. (Reinforcing bars shall be overlapped a minimum of eight inches).

(2) Typical cross-section for combined concrete curb and gutter. Six-inch curb back height with four-inch radius.

(3) All construction methods, materials, and workmanship including subgrade shall conform to the city or the Indiana State Highway Standard Specifications. (Ord. 1978-6, passed 4-4-78; Am. Ord. 1979-2, passed 1-16-79)

DECATUR - SUBDIVISION CONTROL

VIOLATIONS

§ 154.150 VIOLATIONS DESIGNATED.

It is unlawful for any person to offer to sell, to contract to sell, or to sell any subdivision or any part thereof, until a final plat or record of survey has been duly recorded or filed in the office of the county recorder in full compliance with the provisions of this chapter and the statutes of the state. (Ord. 1978-6, passed 4-4-78)

§ 154.999 PENALTY.

(A) Any person, firm, or corporation owning any lands which have been sold in violation of the provisions of this chapter shall not be entitled to a building or improvement location permit for improvements erected on said lot, lots, or lands as required by the zoning ordinance of the city.

(B) Any person, firm, or corporation violating any of the provisions of this chapter upon conviction shall be fined in a sum not less than \$10 nor more than \$500. (Ord. 1978-6, passed 4-4-78)