



Elkhart County Planning & Development

Administrative Subdivision Checklist

These 7 items are due at submittal:

☐ Detailed improvement site plan ¹

Deed-of-dedication packet:

☐ Deed of dedication ^{2, 3}

☐ Dedication legal description (exhibit A)

☐ Dedication site plan / survey (exhibit B) ¹

☐ Drainage covenant (exhibit C) ^{2, 3}

☐ Recorded deed of the building-site tract (exhibit D)

☐ Method of payment

1 These may be presented on a single sheet, if desired.

2 Blank copies are supplied at back.

3 The landowner names (or name) shown on these documents **MUST** match how they are shown on the recorded deed of the building-site tract.

DEED OF DEDICATION

The landowner names (or name) shown here **MUST** match how they are shown on the recorded deed of the building-site tract

THIS INDENTURE WITNESSETH, that John C. and Jane C. Landowner (“Grantor”) of Elkhart County, State of Indiana, **conveys, warrants, grants, and dedicates** to THE BOARD OF COMMISSIONERS OF THE COUNTY OF ELKHART, INDIANA for and on behalf of the County of Elkhart, Indiana, and its successors and assigns (“Grantee”), of Elkhart County, State of Indiana, whose mailing address is 117 North Second Street, Goshen, Indiana 46526, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate located in Elkhart County, State of Indiana, to-wit:

See Exhibit A for the Legal Description and;
See Exhibit B for the Site Diagram of the Real Estate constituting the “Dedicated Area” and;
See Exhibit C for the Drainage/Water Covenants
See Exhibit D for the Property Deed

Being part of tax code number: 20-XX-XX-XXX-XXX.XXX-XXX

The Dedicated Area is being conveyed to Grantee, and its successors and assigns, free and clear of all mortgages, liens, or encumbrances of any type or character.

The Dedicated Area has been conveyed and dedicated to Grantee for purposes of a public road and related public uses and purposes known or to be known as “Right of Way” situated in Olive Township, Elkhart County, Indiana.

The Dedicated Area forms a part of the real estate conveyed to Grantor by Deed recorded as Instrument Number XXXX-XXXXX in the Office of the Elkhart County Recorder.

Grantee in accepting this dedication agrees to and assumes no liability or responsibility for making improvements to the Dedicated Area upon any required or established schedule; Grantor acknowledges that any improvements by Grantee will be made as, when, and if determined by Grantee.

The undersigned, as Grantor or on behalf of Grantor, represents and warrants that the undersigned has the capacity and authority to execute this instrument and convey the real estate interests described herein.

IN WITNESS WHEREOF, the undersigned has executed this Deed of Dedication this
 X day of Month , 20 XX.

Each individual landowner signature
MUST match how the landowner is
shown on the recorded deed of the
building-site tract. First name, middle
initial (if included), last name.

John C. Landowner

John C. Landowner
(Printed or Typed Name)

Jane C. Landowner

Jane C. Landowner
(Printed or Typed Name)

The landowner names (or name)
shown here **MUST** match how
they are shown on the recorded
deed of the building-site tract

STATE OF INDIANA)
)SS:
COUNTY OF ELKHART)

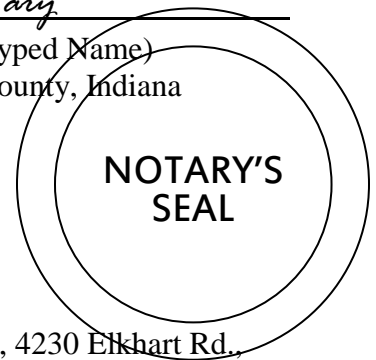
Before me, a Notary Public in and for said County and State, this X day of
 Month , 20XX, personally appeared John C. and Jane C. Landowner and
acknowledged the execution of the foregoing Deed of Dedication, for the uses and purposes
therein mentioned, and that he/she was authorized so to do.

WITNESS my hand and notarial seal.

John C. Notary
Notary Public

John C. Notary
(Printed or Typed Name)
Residing in Elkhart County, Indiana

My Commission Expires: September 20, 20XX



Prepared by H. Jason Auvil, Elkhart County Planning & Development, 4230 Elkhart Rd.,
Goshen, IN 46526

ACCEPTANCE OF DEED OF DEDICATION

The undersigned, to-wit: Elkhart County Plan Director on behalf of the Board of Commissioners of the County of Elkhart, Indiana hereby acknowledges receipt and acceptance of this Deed of Dedication this ____ day of _____, 20____.

By _____
Chris Godlewski, Plan Director

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 laws. H. Jason Auvil, 4230 Elkhart Rd., Goshen, IN 46526

Exhibit A

DEDICATION DESCRIPTION

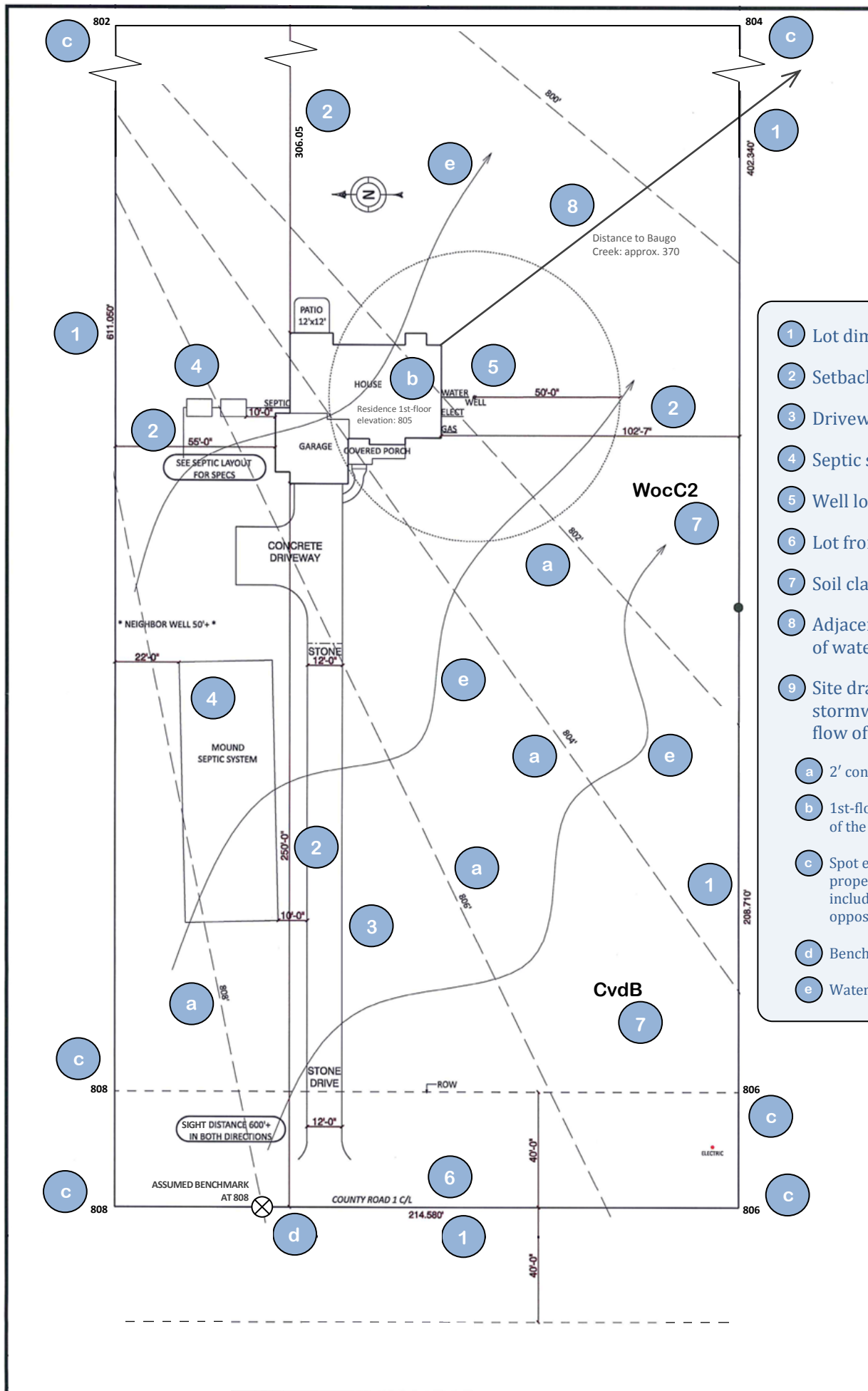
The west 40.00 feet by parallel lines from the following described tract

A part of the Northwest Quarter of Section 23, Township 36 North, Range 4 East, Second Principal Meridian, Olive Township, Elkhart County, Indiana, more particularly described as follows;

Commencing at a Harrison Monument at the Southwest corner of said Northwest Quarter of Section 23; thence North 00 degrees 00 minutes 00 seconds West (Record Bearing Deed Record 2015-24936), along the West line of said Northwest Quarter of Section 23, a distance of 208.71 feet to a mag nail with washer (DORIOT) at the POINT OF BEGINNING of this description; thence continuing North 00 degrees 00 minutes 00 seconds West, along said West line of the Northwest Quarter of Section 23, a distance of 214.58 feet to a mag nail with washer (DORIOT); thence South 89 degrees 29 minutes 17 seconds East, a distance of 611.05 feet to an iron rebar capped (DORIOT); thence South 00 degrees 00 minutes 00 seconds East, parallel to said West line of the Northwest Quarter of Section 23, a distance of 214.58 feet to an iron rebar capped (DORIOT); thence North 89 degrees 29 minutes 17 seconds West, a distance of 611.05 feet to the POINT OF BEGINNING; said above described tract contains 3.01 acres more or less.

Subject to all easements, restrictions, drain tiles, public highways and right of ways of record.

Exhibit B



- 1 Lot dimensions
- 2 Setbacks of buildings
- 3 Driveway location
- 4 Septic system location
- 5 Well location
- 6 Lot frontage
- 7 Soil classifications
- 8 Adjacent bodies of water
- 9 Site drainage and/or stormwater runoff or flow of water:
 - a 2' contours (topos)
 - b 1st-floor elevation of the residence
 - c Spot elevations at property corners, including road shots opposite the corners
 - d Benchmark (assumed)
 - e Water flow, with arrows

Exhibit C

The landowner names (or name) shown here **MUST** match how they are shown on the recorded deed of the building-site tract

DRAINAGE/WATER COVENANTS

WHEREAS, John C. and Jane C. Landowner (hereinafter "Developer") is the owner of real estate in Elkhart County, State of Indiana, described in Exhibit D attached hereto and incorporated herein by reference (hereinafter "Real Estate");

WHEREAS, the Real Estate is located at/near the bottom of a localized watershed and presents unique development issues because of such location, and Developer desires to construct certain improvements on the Real Estate despite said unique development conditions; and

WHEREAS, the Developer desires to subject the Real Estate to the covenants hereinafter set forth, to insure proper and appropriate development and improvement of each building site therein; to protect the owners of surrounding real estate; and to insure adequate provisions for drainage of water on the Real Estate.

NOW, THEREFORE, the Developer, hereby declares that the Real Estate is and shall be held, transferred, sold, conveyed and occupied subject to the covenants hereinafter set forth:

1. Developer shall be solely responsible for handling of all drainage on the Real Estate, stormwater and otherwise, any issues relating to flooding on the Real Estate, and any other water related issues that may exist and/or result from constructing improvements on the Real Estate.

2. The covenants set forth herein shall run with the land and bind the present owner, its successors and assigns, and all parties claiming by, thru, or under them.

IN WITNESS WHEREOF, the Developer has caused this instrument to be executed this X day of Month , 20 XX .

Each individual landowner signature **MUST** match how the landowner is shown on the recorded deed of the building-site tract. First name, middle initial (if included), last name.

John C. Landowner

John C. Landowner
(Printed or Typed Name)

Jane C. Landowner

Jane C. Landowner
(Printed or Typed Name)

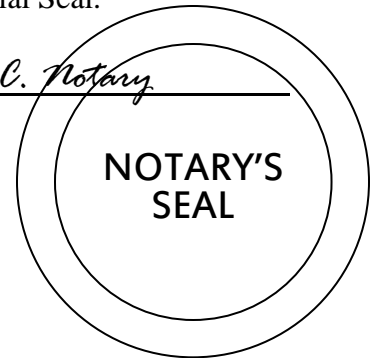
STATE OF INDIANA)
) SS
COUNTY OF ELKHART)

The landowner names (or name)
shown here **MUST** match how
they are shown on the recorded
deed of the building-site tract

Before me, a Notary Public, in and for said County and State, personally appeared John C. and Jane C. Landowner this X day of Month, 20XX, and who acknowledged execution of the foregoing instrument to be a free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

John C. Notary
Notary Public



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 laws. H. Jason Auvil, 4230 Elkhart Rd., Goshen, IN 46526

ELKHART COUNTY RECORDER
JENNIFER L. DORIOT
FILED FOR RECORD ON
AS PRESENTED
09/27/2017 11:17 AM

Property Address: [REDACTED] Mail Tax Statements To: [REDACTED]
Return to: [REDACTED] Parcel No.: 20-[REDACTED]

an Indiana Limited Liability Company

CONVEYS AND WARRANTS TO:

of Elkhart County, in the State of Indiana, for and in consideration of One (\$1.00) Dollar and other good and valuable consideration, including the Grantees' cooperation in qualifying this transaction as a tax deferred exchange under Section 1031 of the Internal Revenue Code, the following real estate in, Elkhart County, Indiana also known as the relinquished property, to-wit:

A part of the Northwest Quarter of Section 23, Township 36 North, Range 4 East, Second Principal Meridian, Olive Township, Elkhart County, Indiana, more particularly described as follows:

Commencing at a Harrison Monument at the Southwest corner of said Northwest Quarter of Section 23; thence North 00 degrees 00 minutes 00 seconds West (Record Bearing Deed Record 2015-24936); along the West line of said Northwest Quarter of Section 23, a distance of 208.71 feet to a mag nail with washer (DORIOT) at the POINT OF BEGINNING of this description; thence continuing North 00 degrees 00 minutes 00 seconds West, along said West line of the Northwest Quarter of Section 23, a distance of 214.58 feet to a mag nail with washer (DORIOT); thence South 89 degrees 29 minutes 17 seconds East, a distance of 611.05 feet to an iron rebar capped (DORIOT); thence South 00 degrees 00 minutes 00 seconds East, parallel to said West line of the Northwest Quarter of Section 23, a distance of 214.58 feet to an iron rebar capped (DORIOT); thence North 89 degrees 29 minutes 17 seconds West, a distance of 611.05 feet to the POINT OF BEGINNING, said above described tract contains 3.01 acres, more or less.

Subject to any and all easements, current taxes, assessments, restrictions and rights of way of record.

TAXES PAID

Part Of
PP

DISCLOSURE FEE PAID
DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER
Sep 27 2017
PAULINE GRAFF, AUDITOR
5.00
05471

The undersigned person executing this Deed on behalf of the Grantor represents that he is a member of the Grantor and has been fully empowered to execute and deliver this Deed; that Grantor has full capacity to convey the real estate herein described; and that all necessary action for the making of such conveyance has been taken or done.

IN WITNESS WHEREOF, Grantor has executed this Deed this 20th day of September, 2017.

██████████ an Indiana Limited Liability Company

BY: ██████████

Member

STATE OF INDIANA

COUNTY OF ELKHART

)
) SS:
)

Before me, the undersigned Notary Public in and for said county and State, this 20th day of September, 2017, personally appeared ██████████, Member of ██████████ an Indiana Limited Liability Company and acknowledged the execution of the foregoing Deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

██████████
Residing in Elkhart County, Indiana

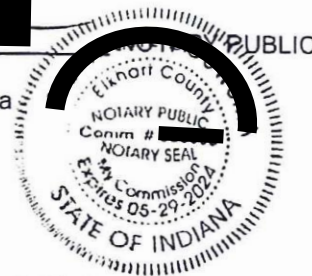
My Commission Expires: May 29, 2024

Grantee Address:

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.

██████████

This instrument prepared by ██████████



DEED OF DEDICATION

THIS INDENTURE WITNESSETH, that _____ (“Grantor”) of Elkhart County, State of Indiana, **conveys, warrants, grants, and dedicates** to THE BOARD OF COMMISSIONERS OF THE COUNTY OF ELKHART, INDIANA for and on behalf of the County of Elkhart, Indiana, and its successors and assigns (“Grantee”), of Elkhart County, State of Indiana, whose mailing address is 117 North Second Street, Goshen, Indiana 46526, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate located in Elkhart County, State of Indiana, to-wit:

See Exhibit A for the Legal Description and;
See Exhibit B for the Site Diagram of the Real Estate constituting the “Dedicated Area” and;
See Exhibit C for the Drainage/Water Covenants
See Exhibit D for the Property Deed

Being part of tax code number: _____

The Dedicated Area is being conveyed to Grantee, and its successors and assigns, free and clear of all mortgages, liens, or encumbrances of any type or character.

The Dedicated Area has been conveyed and dedicated to Grantee for purposes of a public road and related public uses and purposes known or to be known as “Right of Way” situated in _____ Township, Elkhart County, Indiana.

The Dedicated Area forms a part of the real estate conveyed to Grantor by Deed recorded as Instrument Number _____ in the Office of the Elkhart County Recorder.

Grantee in accepting this dedication agrees to and assumes no liability or responsibility for making improvements to the Dedicated Area upon any required or established schedule; Grantor acknowledges that any improvements by Grantee will be made as, when, and if determined by Grantee.

The undersigned, as Grantor or on behalf of Grantor, represents and warrants that the undersigned has the capacity and authority to execute this instrument and convey the real estate interests described herein.

IN WITNESS WHEREOF, the undersigned has executed this Deed of Dedication this
____ day of _____, 20____.

(Printed or Typed Name)

(Printed or Typed Name)

STATE OF INDIANA)
)SS:
COUNTY OF ELKHART)

Before me, a Notary Public in and for said County and State, this ____ day of
_____, 20____, personally appeared _____ and
acknowledged the execution of the foregoing Deed of Dedication, for the uses and purposes
therein mentioned, and that he/she was authorized so to do.

WITNESS my hand and notarial seal.

Notary Public

(Printed or Typed Name)
Residing in Elkhart County, Indiana

My Commission Expires:_____

Prepared by H. Jason Auvil, Elkhart County Planning & Development, 4230 Elkhart Rd.,
Goshen, IN 46526

ACCEPTANCE OF DEED OF DEDICATION

The undersigned, to-wit: Elkhart County Plan Director on behalf of the Board of Commissioners of the County of Elkhart, Indiana hereby acknowledges receipt and acceptance of this Deed of Dedication this ____ day of _____, 20____.

By _____
Chris Godlewski, Plan Director

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DRAINAGE/WATER COVENANTS

WHEREAS, _____ (hereinafter "Developer") is the owner of real estate in Elkhart County, State of Indiana, described in Exhibit D attached hereto and incorporated herein by reference (hereinafter "Real Estate");

WHEREAS, the Real Estate is located at/near the bottom of a localized watershed and presents unique development issues because of such location, and Developer desires to construct certain improvements on the Real Estate despite said unique development conditions; and

WHEREAS, the Developer desires to subject the Real Estate to the covenants hereinafter set forth, to insure proper and appropriate development and improvement of each building site therein; to protect the owners of surrounding real estate; and to insure adequate provisions for drainage of water on the Real Estate.

NOW, THEREFORE, the Developer, hereby declares that the Real Estate is and shall be held, transferred, sold, conveyed and occupied subject to the covenants hereinafter set forth:

1. Developer shall be solely responsible for handling of all drainage on the Real Estate, stormwater and otherwise, any issues relating to flooding on the Real Estate, and any other water related issues that may exist and/or result from constructing improvements on the Real Estate.

2. The covenants set forth herein shall run with the land and bind the present owner, its successors and assigns, and all parties claiming by, thru, or under them.

IN WITNESS WHEREOF, the Developer has caused this instrument to be executed this _____ day of _____, 20____.

(Printed or Typed Name)

(Printed or Typed Name)

Prepared by H. Jason Auvil, Elkhart County Planning & Development, 4230 Elkhart Rd.,
Goshen, IN 46526

STATE OF INDIANA)
) SS
COUNTY OF ELKHART)

Before me, a Notary Public, in and for said County and State, personally appeared _____ this ____ day of _____, 20____, and who acknowledged execution of the foregoing instrument to be a free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

Notary Public

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 laws. H. Jason Auvil, 4230 Elkhart Rd., Goshen, IN 46526