

AGENDA

ELKHART COUNTY PLAT COMMITTEE

December 12, 2024
9:00 A.M.

ADMINISTRATION BUILDING
MEETING ROOMS 104, 106, & 108
117 N. 2nd STREET, GOSHEN, INDIANA

Call to Order

Roll Call

Approval of the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 14th day of November 2024.

Acceptance of the Elkhart County Development Ordinance, and Staff Report materials as evidence for today's hearings.

PRIMARY APPROVALS

9:00 A.M.

- A. Petitioner: Clinton & Patricia G. Meade Co-Trustees **(page 1)**
of the Clinton & Patricia Meade Trust
represented by Advanced Land Surveying of Northern Indiana, Inc.
Petition: for primary approval of a 2-lot minor subdivision to be known as **REPLAT OF LOT 9 OF PLEASANT PRAIRIE SUBDIVISION.**
Location: north side of CR 40, 1,685 ft. east of SR 15, common address of 18641 CR 40 in Elkhart Township. *(MI-0808-2024)*
- B. Petitioner: Glen J. Riegsecker, Trustee **(page 2)**
of the Glen J. Riegsecker Revocable Trust
represented by Advanced Land Surveying of Northern Indiana, Inc.
Petition: for primary approval of a 1-lot minor subdivision to be known as **GLEN & JEANNE RIEGSECKER MINOR.**
Location: south side of the easement, east side of CR 33, 1,685 ft. north of CR 26, common address of 59730 CR 33 in Middlebury Township. *(MI-0814-2024)*
- C. Petitioner: Catherine S. Sailor Trustee **(page 3)**
of the Catherine S. Sailor Revocable Trust
represented by Danch, Harner & Associates
Petition: for primary approval of a 2-lot minor subdivision to be known as **SAILOR'S CR 12 MINOR SUBDIVISION.**

Location: south side of CR 12, 410 ft. west of CR 3, common address of 28812 CR 12
in Cleveland Township. *(MI-0810-2024)*

The Elkhart County Plat Committee is meeting on Thursday December 12, 2024, at **9:00 am** in Rooms 104, 106 & 108 of the Administration Building, Goshen, Indiana. Pursuant to advice of the Indiana Public Access Counselor, general public comment will not be permitted at this public meeting on non-public hearing matters. To the extent you wish to make comment remotely during any public hearings scheduled during this public meeting, please call (574) 971-4678 to learn how to remotely submit your public comment for the public hearing. The public is encouraged to attend the meeting remotely by going to www.elkhartcountyplanninganddevelopment.com at **9:00 am** on December 12, 2024. If you have further questions regarding how to remotely attend the public meeting please call (574) 971-4678.
<https://elkhartcountyin.webex.com/elkhartcountyin/j.php?MTID=me49879b63106858c7c77adf3968bb0b2>

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 14TH DAY OF NOVEMBER 2024 AT 9:00 A.M. IN THE
MEETING ROOM OF THE ADMINISTRATION BUILDING
117 N. 2ND ST., GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plat Committee was called to order by the Chairman, Steve Warner. The following staff members were present: Mae Kratzer, Plan Director; Jason Auvil, Planning Manager; Danielle Richards, Planner; Danny Dean, Planner; Laura Gilbert, Administrative Manager; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Steve Edwards, Steve Warner, Lori Snyder, Steven Clark.

Absent: Phil Barker.

2. A motion was made and seconded (*Edwards/Warner*) that the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 10th day of October 2024, be approved as corrections are made to the minutes as discussed with staff. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Edwards/Clark*) that the Elkhart County Development Ordinance be accepted as evidence for today's hearings. The motion was carried with a unanimous vote.

4. The application for primary approval of a 1-lot minor subdivision to be known as DOGWOOD HILLS MINOR SUBDIVISION, for Todd C. Lederman (Land Contract Holder), Cynthia J. Lederman (Land Contract Holder) & Curtis J. Bontrager & Melody J. Bontrager, Husband & Wife (Land Contract Purchaser) represented by Hand to the Plow Surveying, on property located on the west side of CR 39, 3,315 ft. north of CR 10, common address of 53945 CR 39 in York Township, zoned A-1, was presented at this time.

Danny Dean presented the request to withdraw *Case #MI-0645-2024*.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Withdraw, Moved by Steven Clark, **Seconded by** Steve Warner that this request for primary approval of a 1-lot minor subdivision to be known as DOGWOOD HILLS MINOR SUBDIVISION be withdrawn at the request of staff. The motion was carried with a unanimous vote.

5. The application for primary approval of a 3-lot minor subdivision to be known as REPLAT OF LOT 1 MAPLECREST FARMS, for Miller Family Revocable Living Trust represented by Advanced Land Surveying of Northern Indiana, Inc, on property located on the south side of CR 126, 865 ft., east of SR 15, in Jefferson Township, zoned A-1, was presented at this time.

Dany Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0694-2024*.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, Moved by Lori Snyder, **Seconded by** Steven Clark that this request for

primary approval of a 3-lot minor subdivision to be known as REPLAT OF LOT 1 MAPLECREST FARMS be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

6. The application for primary approval of a 1-lot minor subdivision to be known as OAK HILLS FARM, for Robert T. McCartney & Heather A. McCartney, Husband & Wife represented by Advanced Land Surveying of Northern Indiana, Inc., on property located on the west end of the easement, west of SR 13, 1,400 ft. south of SR 120, in York Township, zoned A-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0693-2024*.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Steve Edwards, **Seconded by** Lori Snyder that this request for primary approval of a 1-lot minor subdivision to be known as OAK HILLS FARM be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

7. The application for primary approval of a 2-lot minor subdivision to be known as CARPENTER'S CORNER, for Richard A. Carpenter & Carpenter Family Farm East LLC. represented by Advanced Land Surveying of Northern Indiana, Inc., on property located on the southeast corner of CR 33 & CR 42, common address of 14966 CR 42 in Benton Township, zoned A-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0695-2024*.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Lori Snyder, **Seconded by** Steve Edwards that this request for primary approval of a 2-lot minor subdivision to be known as CARPENTER'S CORNER be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

8. The meeting was adjourned at 9:07 A.M.

Respectfully submitted,

Amber Weiss, Recording Secretary

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 12, 2024

Transaction Number: MI-0808-2024.

Parcel Number(s): 20-11-27-376-009.000-014.

Existing Zoning: A-1.

Petition: for primary approval of a 2-lot minor subdivision to be known as REPLAT OF LOT 9 OF PLEASANT PRAIRIE SUBDIVISION.

Petitioner: Clinton & Patricia G. Meade, Co-Trustees of the Clinton & Patricia Meade Trust, represented by Advanced Land Surveying of Northern Indiana, Inc.

Location: North on CR 40, 1,685 ft. East of SR 15, in Elkhart Township.

Site Description: Proposed lot 9A is 0.5 acres (21,897 sq. ft.) and is rectangle in shape with an existing single-family residence and detached accessory structure. Proposed lot 9B is 0.433 acres (18,887 sq. ft.) and is rectangle in shape with a proposed single-family residence and detached accessory structure.

History and General Notes:

- **August 6, 1948** – PLEASANT PRAIRIE SUBDIVISION was recorded at the Elkhart County Recorder's office.
- **December 18, 2024** – Elkhart County Hearing Officer will hear a petition for a Developmental Variance for proposed lot 9B being under the allowed lot square footage.

Staff Analysis: The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, finds that this primary approval request meets the requirements of the Development Ordinance.

Staff therefore recommends **APPROVAL** of this primary.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

MI-0808-2024

Minor Subdivision - Primary

Date: 11/04/2024 Meeting Date: December 12, 2024 Transaction #: MI-0808-2024
Plan Commission Hearing (Subdivision)

Description: for primary approval of a 2-lot minor subdivision to be known as REPLAT OF LOT 9 OF PLEASANT PRAIRIE SUBDIVISION

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	The Clinton & Patricia G. Co-Trustees (Life Estate) 18641 Cr 40 Goshen, IN 46526	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 18641 County Road 40 Goshen, IN 46526	Parcel Number: 20-11-27-376-009.000-014
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Township: Elkhart
Location: NORTH ON CR 40, 1,685 FT EAST OF SR 15

Subdivision: PLEASANT PRARIE	Lot # 9
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Lot Area:	Frontage:	Depth:
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Zoning:	NPO List:
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Present Use of Property:

Legal Description:

Comments:

Applicant Signature:

Department Signature:



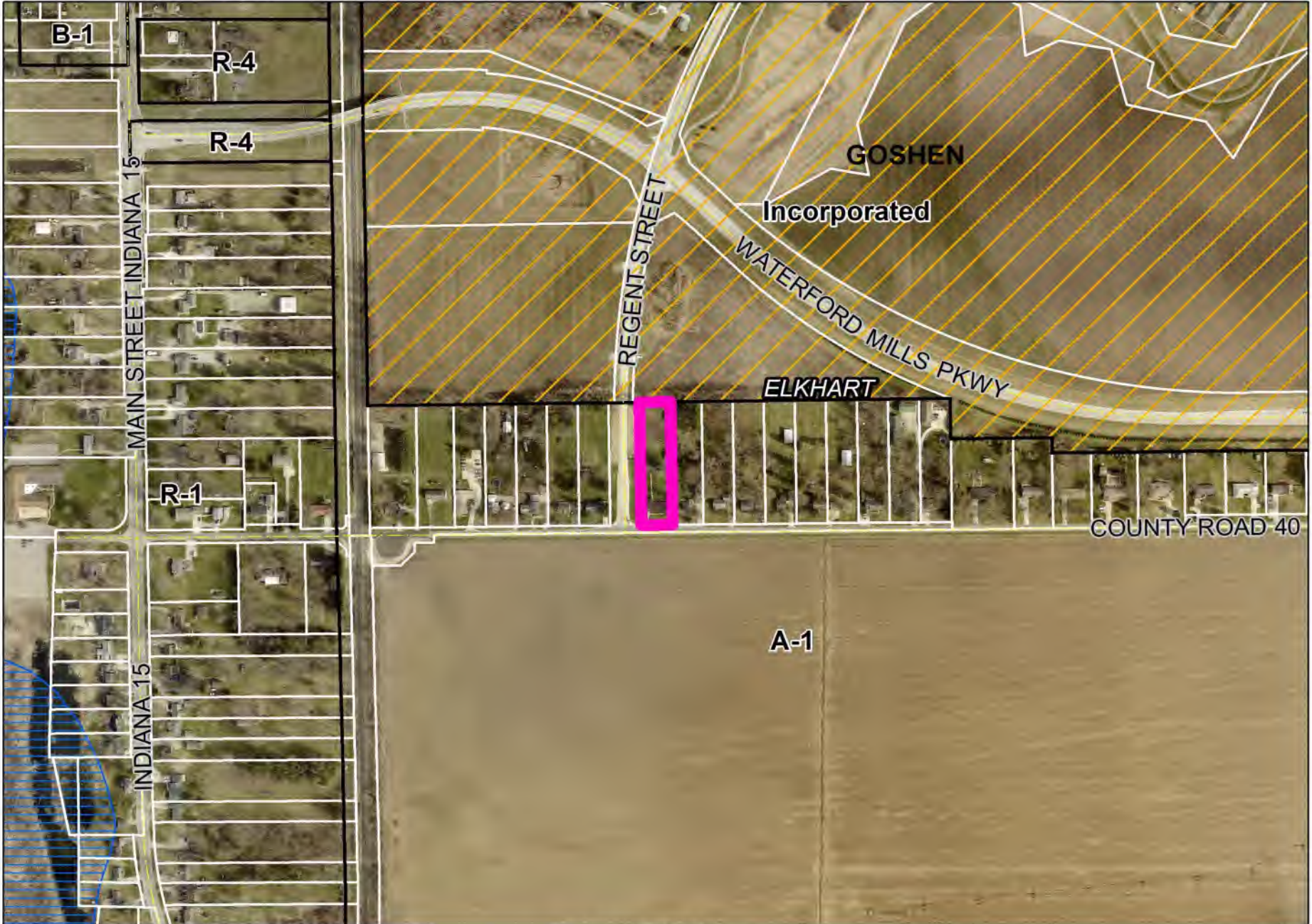
Incorporated

ELKHART

REGENT STREET

A-1





Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 12, 2024

Transaction Number: MI-0814-2024.

Parcel Number(s): 20-08-29-301-005.000-034.

Existing Zoning: A-1.

Petition: for primary approval of a 1-lot minor subdivision to be known as GLEN & JEANNE RIEGSECKER MINOR.

Petitioner: Glen J. Riegsecker, Trustee of the Glen J. Riegsecker Revocable Trust, represented by Advanced Land Surveying of Northern Indiana, Inc.

Location: South side of the easement, East side of CR 33, 1,685 ft. North of CR 26, in Middlebury Township.

Site Description: Proposed lot 1 is 2 acres and square in shape, with a proposed single-family residence and detached accessory structure.

History and General Notes:

- **November 20, 2024** – The Hearing Officer heard and approved a petition for access of a lot by an access easement due to no road frontage (DV-0765-2024).

Staff Analysis: The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, finds that this primary approval request meets the requirements of the Development Ordinance.

Staff therefore recommends **APPROVAL** of this primary.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

MI-0814-2024

Minor Subdivision - Primary

Date: 11/04/2024 Meeting Date: December 12, 2024 Transaction #: MI-0814-2024
Plan Commission Hearing (Subdivision)

Description: for primary approval of a 1-lot minor subdivision to be known as GLEN & JEANNE RIEGSECKER MINOR

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Glen J. Riegsecker, Trustee Of Glen J. Riegsecker Rev Tr 59530 County Road 33 Middlebury, IN 46540	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 59730 County Road 33 Middlebury, IN 46540	Parcel Number: 20-08-29-301-005.000-034
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Township: Middlebury
Location: East Side Of County Road 33, 2,800 Feet North Of County Road 26

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning:	NPO List:
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Present Use of Property:

Legal Description:

Comments: SEE DV-0765-2024. AW

Applicant Signature:

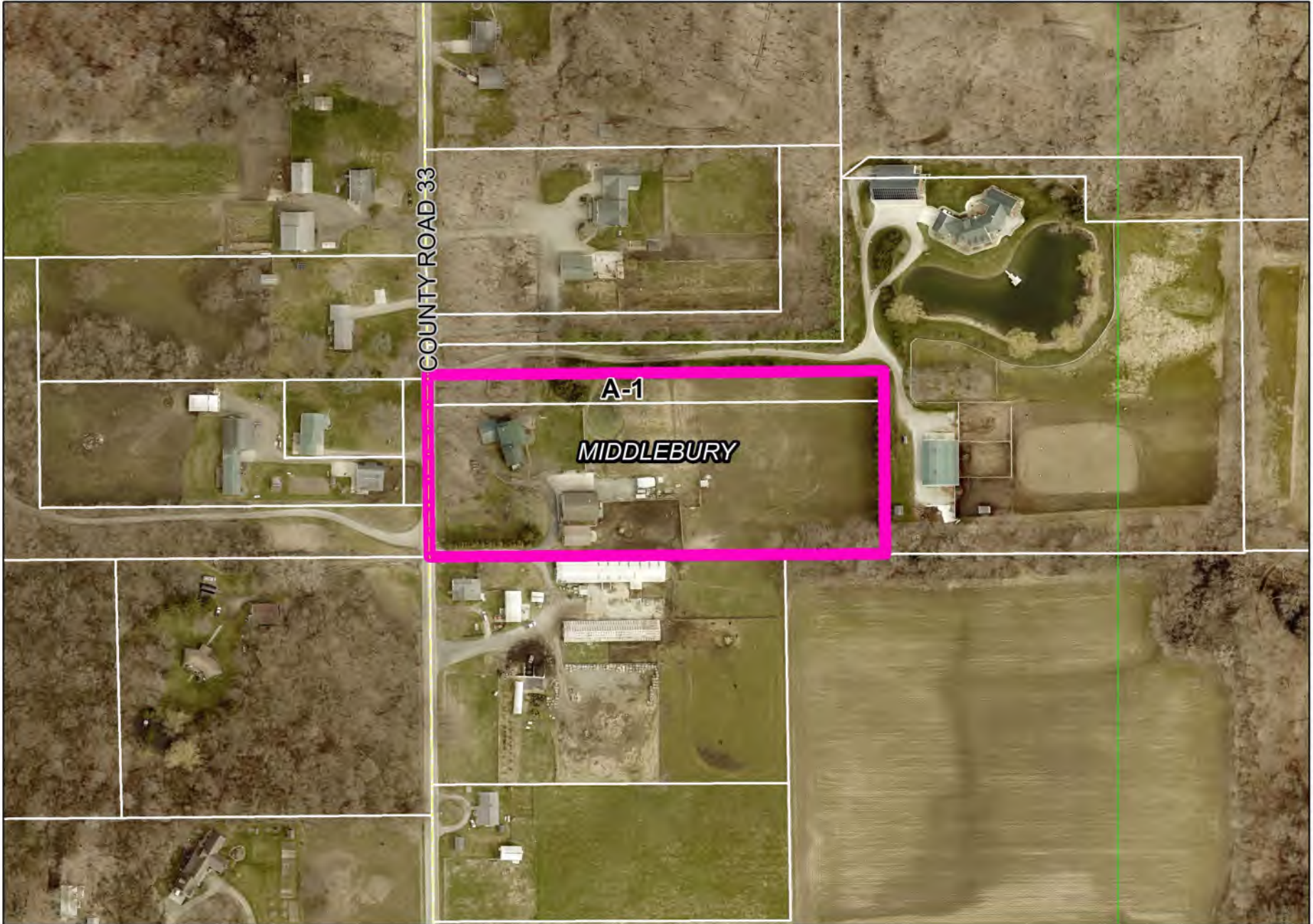
Department Signature:

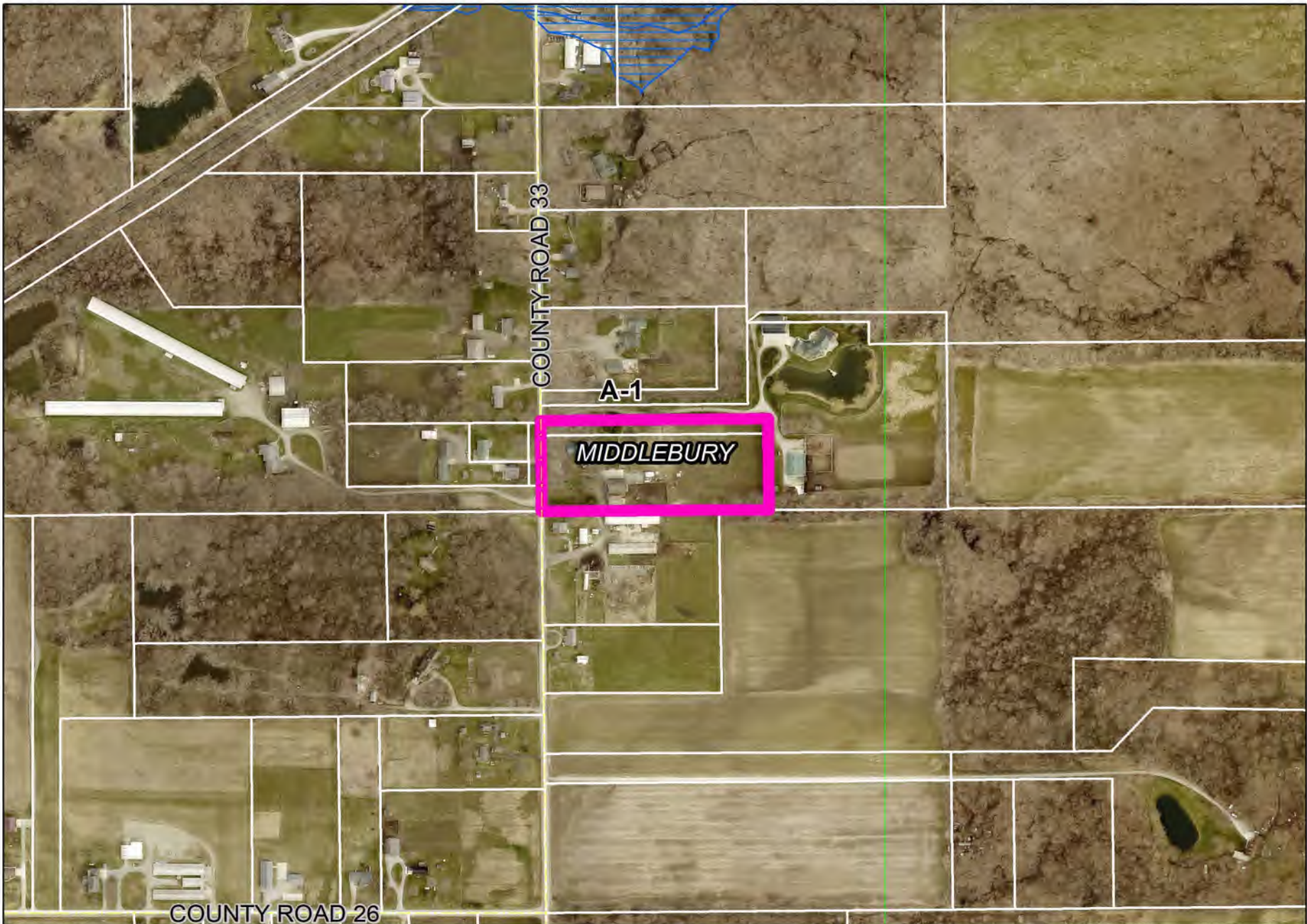


COUNTY ROAD 33

A-1

MIDDLEBURY





FOUND HARRISON MON.
NW COR., SW 1/4,
SEC. 29-137N-87E.

GLEN & JEANNE RIEGSECKER MINOR
A 1 LOT MINOR SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA, SURVEYED BY RONNIE L. JUSTICE, REGISTRATION NUMBER 80900004, WITH ADVANCED LAND SURVEYING OF NORTHERN INDIANA INC., AS SHOWN ON PROJECT NUMBER 241013 CERTIFIED ON NOVEMBER 1, 2024 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST, THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF THE S40 SOUTHEAST QUARTER AND COUNTY ROAD 33, A DISTANCE OF 1058.00 FEET TO A MAG SPIKE, THENCE NORTH 89 DEGREES 37 MINUTES 01 SECONDS EAST, 58.81 FEET TO A REBAR WITH CAP (BRADS-KO); THENCE SOUTH 89 DEGREES 54 MINUTES 12 SECONDS EAST, 391.48 FEET TO A REBAR WITH CAP (ALS FIRM 0135) AT THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE CONTINUING SOUTH 89 DEGREES 54 MINUTES 12 SECONDS EAST, 287.16 FEET TO A REBAR WITH CAP (BRADS-KO); THENCE SOUTH 00 DEGREES 04 MINUTES 17 SECONDS WEST, WITH THE WEST LINE OF A TRACT OF LAND CONVEYED TO CURTIS L. AND HEATHER C. RIEGSECKER IN ELKHART COUNTY DEED RECORD 2005-25158, A DISTANCE OF 304.21 FEET TO A REBAR WITH CAP (BRADS-KO); THENCE NORTH 89 DEGREES 34 MINUTES 38 SECONDS WEST, WITH RIEGSECKER LAND LAND RECORDED IN ELKHART COUNTY DEED RECORD 2008-24781 AND THE NORTH LINE OF A TRACT OF LAND CONVEYED TO AUTUMN BLAZE INVESTMENTS, LLC IN ELKHART COUNTY DEED RECORD 2018-07172, A DISTANCE OF 287.16 FEET TO A REBAR WITH CAP (ALS FIRM 0135), THENCE NORTH 00 DEGREES 04 MINUTES 17 SECONDS EAST, 302.57 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION SAID TRACT CONTAINING 2.00 ACRES, MORE OR LESS.

CURTIS L. & HEATHER C. RIEGSECKER
DR 2005-25158

A-1

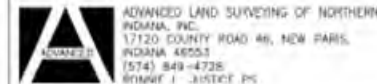
INGRESS-EGRESS DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA, SURVEYED BY RONNIE L. JUSTICE, REGISTRATION NUMBER 80900004, WITH ADVANCED LAND SURVEYING OF NORTHERN INDIANA INC., AS SHOWN ON PROJECT NUMBER 241013 CERTIFIED ON NOVEMBER 1, 2024 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST, ALONG THE WEST LINE OF THE SAID SOUTHWEST QUARTER, 986.81 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 55 MINUTES 08 SECONDS EAST, 733.69 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 50.00 FEET TO A REBAR WITH CAP (BRADS-KO); THENCE NORTH 89 DEGREES 54 MINUTES 13 SECONDS WEST, 678.64 FEET TO A REBAR WITH CAP (BRADS-KO); THENCE SOUTH 89 DEGREES 57 MINUTES 01 SECONDS WEST, 58.81 FEET TO A MAG SPIKE ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 70.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

PROPERTY ADDRESS: 39730 COUNTY ROAD 33
MIDDLEBURY, INDIANA 46540

OWNER: GLEN J. RIEGSECKER AS TRUSTEE OF THE GLEN J. RIEGSECKER REVOCABLE TRUST



SCALE: 1" = 30'
DATE: NOV. 1, 2024
DRAWN BY: RLJ
APPROVED BY: RLJ
PROJECT NUMBER: 241013
SHEET NUMBER: 1 OF 2

COUNTY ROAD 33

ALLEN A. & LOI ANNA YOEKER
DR 2005-30260

A-1

GLEN J. RIEGSECKER, AS TRUSTEE OF THE GLEN J. RIEGSECKER REVOCABLE TRUST
ON 2024-10-03

A-1

A-1

CURTIS L. & HEATHER C. RIEGSECKER
DR 2008-24781



LEGEND

- FOUND REBAR W/CAP (BRADS-KO)
- SET 3/8" REBAR W/CAP (ALS FIRM 0135)
- SET SURVEY MARK SPIKE
- ⊕ SECTION CORNER



SOIL BORING LOCATION



GRAVEL

NOTES:

- 1) THIS LOT WILL BE DEVELOPED TO NOT IMPERE THE NATURAL FLOW OF STORM WATER ON THIS TRACT.
- 2) THE LAND USE IS RESIDENTIAL.
- 3) THE CURRENT ZONING IS A-1, AGRICULTURAL.
- 4) THIS LOT IS TO BE SUPPLIED BY A WELL AND SEPTIC PER DEDICATED COUNTY ENVIRONMENTAL HEALTH DEPARTMENT APPROVAL.
- 5) SOIL TYPE IS:
 - Cl&A Crsler loam, 0 to 1% silt, 0.5-2.0' to water table depth
 - Rigid Ridges-Darwin fine sandy loam, 1 to 5% silt, >8.0' to water table depth
 - Weda Willamstown loam, 0 to 1% silt, 1.5' to 2.5' to water table depth
- 6) THIS AREA IS NOT IN A FLOODPLAIN AS PER INFORMATION OBTAINED FROM COMMUNITY PANEL NUMBER 180258 0168 D, DATED DATE OF AUGUST 2, 2011.
- 7) BASEMENT ELEVATIONS SHOULD BE KEPT ABOVE SEASONAL HIGH WATER TABLE. DEVELOPER SHOULD CONSULT WITH A SOIL SCIENTIST TO DETERMINE BASEMENT ELEVATIONS.
- 8) CONTIGUOUS DATA OBTAINED UTILIZING GPS (POCKET CORNS) ON THE ADJACENT DATA.
- 9) ELKHART COUNTY RESTRICTIONS ARE IN EFFECT.
- 10) DEVELOPMENT TIME TO BE AS SOON AS POSSIBLE.
- 11) SITE FLOWS TO SOUTH FINE OF PINE CREEK WHICH IS APPROXIMATELY 1400 +/- NORTH OF NORTH PROPERTY LINE.

FOUND HARRISON MON.
SW COR., SW 1/4,
SEC. 29-137N-87E.

GLEN & JEANNE RIEGSECKER MINOR
 A 2 LOT MINOR SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

STATEMENT OF COMPLIANCE

THIS SURVEYOR IS FOUND TO BE IN COMPLIANCE WITH THE ELKHART COUNTY DEVELOPMENT ORDINANCE AND THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED TO THE BENEFIT OF ELKHART COUNTY THIS _____ DAY OF _____, 2024

ELKHART COUNTY PLAIN COMMISSION

BY _____
 MAE KRATZER, PLAIN DIRECTOR

RECORDER

RECEIVED FOR RECORD THIS _____ DAY OF _____, 2024
 AT _____ AND RECORDED IN PLAT BOOK _____ PAGE _____

KAALA BAKER - RECORDER OF ELKHART COUNTY

AUDITOR

DULY ENTERED FOR TAXATION THIS _____ DAY OF _____, 2024

PATRICIA A. PICKENS - AUDITOR OF ELKHART COUNTY

DRAINAGE MAINTENANCE CERTIFICATION

THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING CULVERTS AND SWALES SHALL BE THE RESPONSIBILITY OF EACH LOT OWNER, AND NO OWNER SHALL PERMIT, ALLOW OR CAUSE ANY OF SAID FACILITIES TO BE OBSTRUCTED OR REMOVED OR TO IN ANY WAY IMPEDE THE FLOW OF WATER ACROSS OR THROUGH SAID FACILITIES.

IN THE EVENT ANY SUCH FACILITIES BECOMES DAMAGED OR IN DISREPAIR, IT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER TO REPAIR SUCH FACILITIES AT OWNER'S EXPENSE. IN THE EVENT OF OWNER'S FAILURE TO MAINTAIN SUCH DRAINAGE FACILITIES IN GOOD ORDER AND REPAIR, APPROPRIATE GOVERNMENTAL AUTHORITY OF ELKHART COUNTY, INDIANA, MAY REPAIR SUCH DRAINAGE FACILITIES AND INVOICE THE COSTS OF SUCH REPAIR TO THE LAST OWNER. ELKHART COUNTY, INDIANA, IS GRANTED AN EASEMENT ACROSS A LOT OWNER'S REAL ESTATE FOR THE PURPOSE OF REPAIRING ANY DRAINAGE FACILITIES ON SAID LOT OWNER'S REAL ESTATE. THE AMOUNT OF ANY ASSESSMENT FOR THE COSTS OF SUCH REPAIR, AS ASSESSED BY SAID GOVERNMENTAL AUTHORITY SHALL CONSTITUTE A LIEN UPON THE REAL ESTATE OF THE LOT OWNER AND AN ENCUMBRANCE UPON THE TITLE TO SAID LOT.

ELKHART COUNTY, INDIANA, IS FURTHER GRANTED A RIGHT OF ACTION FOR THE COLLECTION OF SAID INDEBTEDNESS FROM THE LOT OWNER AND FOR THE FORECLOSURE OF SAID LIEN IN THE MANNER IN WHICH MORTGAGES ARE FORECLOSED UNDER THE LAWS OF THE STATE OF INDIANA. ANY SUCH COLLECTION AND/OR FORECLOSURE ACTION SHALL BE MAINTAINED IN THE COURTS OF GENERAL JURISDICTION OF THE STATE OF INDIANA, AND SHALL BE COMVENED IN ELKHART COUNTY, INDIANA.

THIS SURVEY IS LOCATED IN AN AREA THAT IS CURRENTLY ZONED A-1 (AGRICULTURAL). AS SUCH NORMAL AGRICULTURAL OPERATION INCLUDING THE OPERATION OF MACHINERY, THE PRIMARY PROCESSING OF AGRICULTURAL PRODUCTS, AND ALL NORMAL AGRICULTURAL OPERATIONS PERFORMED IN ACCORDANCE WITH GOOD HUSBANDRY PRACTICES ARE PERMITTED TO BE CONDUCTED ON ADJOINING PROPERTIES.

THE BOUNDARY SURVEY FOR THIS BOUNDARY IS RECORDED BY INSTRUMENT NUMBER 2024-_____ IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.

DEED OF DEDICATION and OWNERS CERTIFICATION

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED, ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE PLAT HEREIN, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE PLAT UNDER THE STYLE AND TITLE THEREON INDICATED.

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, AS PROPRIETORS, HAVE CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT OPPOSITE, THAT SAID SUBDIVISION IS TO BE KNOWN AS GLEN & JEANNE RIEGSECKER MINOR, THAT THE LOTS ARE NUMBERED AND HAVE THEIR RESPECTIVE DIMENSIONS GIVEN IN FEET AND DECIMAL PARTS THEREOF, AND THAT THE FACILITIES INCLUDED IN SAID SUBDIVISION ARE HEREBY DEDICATED FOR PUBLIC USE.

GLEN J. RIEGSECKER, TRUSTEE OF THE GLEN J. RIEGSECKER REVOCABLE TRUST

STATE OF INDIANA)
) SS:
 COUNTY OF ELKHART)

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GLEN J. RIEGSECKER, TRUSTEE OF THE GLEN J. RIEGSECKER REVOCABLE TRUST AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES HEREIN EXPRESSED. WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2024.

 NOTARY

RONNIE L. JUSTICE

RECORDER OF ELKHART COUNTY

MY COMMISSION EXPIRES MAY 30, 2030



PROPERTY ADDRESS: 59730 COUNTY ROAD 33
 MIDDLEBURY, INDIANA 46540

OWNER: GLEN J. RIEGSECKER AS "TRUSTEE OF THE GLEN J. RIEGSECKER REVOCABLE TRUST"

I, RONNIE L. JUSTICE, 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.

I, RONNIE L. JUSTICE, HEREBY CERTIFY THAT I AM A LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA. I CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH TITLE 88S, ARTICLE 1, CHAPTER 12, SECTIONS 1 THROUGH 41 OF THE INDIANA ADMINISTRATIVE CODE, THAT ALL WORKMAN'S ARE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF ELKHART COUNTY, INDIANA.

SIGNATURE _____
 RONNIE L. JUSTICE, P.S.
 IN REG. NO. 80900004



ADVANCED LAND SURVEYING OF NORTHERN INDIANA, INC. 17120 COUNTY ROAD 46, NEW PARS, INDIANA 46553 (574) 849-4728 6020011 JUSTICE PS	SCALE: 1" = 50'	DRAWN BY: RLJ	PROJECT NUMBER: 241013
	DATE: NOV 1, 2024	APPROVED BY: RLJ	SHEET NUMBER: 2 OF 2

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 12, 2024

Transaction Number: MI-0810-2024.

Parcel Number(s): 20-05-01-101-007.000-005.

Existing Zoning: R-1.

Petition: for primary approval of a 2-lot minor subdivision to be known as SAILOR'S CR 12 MINOR SUBDIVISION.

Petitioner: Catherine S. Sailor, Trustee of the Catherine S. Sailor Revocable Trust, represented by Danch, Harner & Associates.

Location: South side of CR 12, 410 ft. West of CR 3, in Cleveland Township.

Site Description: Proposed lot 1 is 0.76 acres and rectangular in shape with a proposed single-family residence. Proposed lot 2 is 0.97 acres and rectangular in shape with an existing single-family residence and detached accessory structure.

History and General Notes:

- None.

Staff Analysis: The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, finds that this primary approval request meets the requirements of the Development Ordinance.

Staff therefore recommends **APPROVAL** of this primary.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Minor Subdivision - Primary

MI-0810-2024

Date: 11/04/2024 Meeting Date: December 12, 2024
Plan Commission Hearing (Subdivision) Transaction #: MI-0810-2024

Description: for primary approval of a 2-lot minor subdivision to be known as SAILOR'S CR-12 MINOR SUBDIVISION

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Danch, Harner & Associates 1643 Commerce Drive South Bend, IN 46628	Catherine S. Sailor 28812 County Road 12 Elkhart, IN 46514	Danch, Harner & Associates 1643 Commerce Drive South Bend, IN 46628

Site Address: 28812 County Road 12 Elkhart, IN 46514	Parcel Number: 20-05-01-101-007.000-005
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Township: Cleveland
Location: SOUTH SIDE OF CR 12, 410 FT. WEST OF CR 3 N

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning:	NPO List:
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Present Use of Property:

Legal Description:

Comments:

Applicant Signature:

Department Signature:



