

# AGENDA

## ELKHART COUNTY PLAT COMMITTEE

September 12, 2024  
9:00 A.M.

ADMINISTRATION BUILDING  
MEETING ROOMS 104, 106, & 108  
117 N. 2<sup>nd</sup> 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 8th day of August 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: Lloyd E. & Rhoda A. Troyer (page 1)  
represented by Advanced Land Surveying of Northern Indiana, Inc.  
Petition: for primary approval of a 2-lot minor subdivision to be known as **LLOYD & RHODA TROYER SUBDIVISION**.  
Location: south side of CR 8, 1,200 ft. northwest of CR 35, common address of 13708 CR 8 in York Township. (MI-0549-2024)
- B. Petitioner: Jerry W. Weldy and Yvonna A. Weldy, Husband and Wife (page 2)  
represented by Danch, Harner & Associates  
Petition: for primary approval of a 2-lot minor subdivision to be known as **WELDY COUNTY ROAD 1 MINOR SUBDIVISION**.  
Location: east side of CR 1, 1,735 ft. north of CR 144, common address of 68362 CR 1 in Locke Township. (MI-0545-2024)
- C. Petitioner: Montana Street Holdings Minor Subdivision (page 3)  
represented by Wightman  
Petition: for primary approval of a 2-lot minor subdivision to be known as **MONTANA STREET HOLDINGS MINOR SUBDIVISION**.  
Location: north side of CR 20, 425 ft. east of CR 100, common address of 30627 CR 20 in Baugo Township. (MI-0540-2024)

**SECONDARY APPROVAL**

- D. Petitioner: Albert Reasonover & Carmen E. Reasonover, Husband & Wife (page 4)  
represented by Wightman
- Petition: for secondary approval of a 5-lot major subdivision to be known as  
***RESONOVER’S ASH ROAD SUBDIVISION.***
- Location: east side of Ash Rd., 950 ft. north of Lincolnway East (Old US 33), common  
address of 56974 Ash Rd. in Baugo Township. (MA-0487-2024)

The Elkhart County Plat Committee is meeting on Thursday September 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](http://www.elkhartcountyplanninganddevelopment.com) at **9:00 am** on September 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 11TH DAY OF APRIL 2024 AT 9:00 A.M.**  
**MEETING ROOMS 104, 106, & 108 – ADMINISTRATION BUILDING**  
**117 N. 2<sup>nd</sup> STREET, 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; Laura Gilbert, Administrative Manager; Danny Dean, Planner; Adam Coleson, Planner; and James W. Kolbus, Attorney for the Board.

**Roll Call.**

**Present:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Steven Clark.

2. A motion was made and seconded (*Edwards/Clark*) that the minutes of the regular meeting of the Elkhart County Plat Committee held on the 14th day of March 2024, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Edwards/Barker*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control 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 2-lot minor subdivision to be known as PEACEFUL MEADOW, for Tri-County Land Trustee Corporation (Land Contract Holder) & Marcus & Ruth Ann Miller (Land Contract Purchasers) represented by Advanced Land Surveying of Northern Indiana, Inc., on property located on the south side of CR 4, 1,700 ft. east of CR 29, common address of 15638 CR 4 in York Township, zoned A-1, was presented at this time.

Adam Coleson presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0123-2024*.

Steve Clark asked Mr. Coleson to indicate which lot would not have road frontage. Mr. Coleson stated there is an easement for a driveway to the lot without frontage.

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 PEACEFUL MEADOW be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

5. The application for primary approval of a 1-lot minor subdivision to be known as SR 13 & 120 MINOR SUBDIVISION, for Legacy Buildings LLC represented by Land and Boundary LLC, on property located on the south side of SR 120, 955 ft. west of SR 13, common address of 11482 SR 120 in York Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0121-2024*.

Mrs. Snyder asked what type of business is on this parcel. Mr. Dean stated he is unsure of the business type.

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

**Motion: Action:** Approve, **Moved by** Steve Edwards, **Seconded by** Steven Clark that this request for primary approval of a 1-lot minor subdivision to be known as SR 13 & 120 MINOR SUBDIVISION 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 LAMBRIGHT'S COUNTY ROAD 39 MINOR SUBDIVISION, for Eric J. Lambright & Jenean F. Lambright, Husband & Wife represented by Land and Boundary LLC, on property located on the west side of CR 39, 3,990 ft. north of CR 32, common address of 60727 CR 39 in Middlebury Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0120-2024*.

Mr. Warner pointed out that the wetlands seem to cover over 50% of the property. He then inquired about any potential issues related to setbacks or septic. In response, Mr. Dean mentioned that the project has already received primary approval from Bill Hartsuff, Environmental Health Department, and any concerns raised by him would be addressed in the secondary process.

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

**Motion: Action:** Approve, **Moved by** Steve Warner, **Seconded by** Phil Barker that this request for primary approval of a 1-lot minor subdivision to be known as LAMBRIGHT'S COUNTY ROAD 39 MINOR SUBDIVISION be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

7. The application for primary approval of a 1-lot minor subdivision to be known as CLEVELAND RETREAT, for Todd M. Cleveland & Melissa K. Cleveland, Husband & Wife represented by Abonmarche Consultants, on property located on the east side of CR 9, 850 ft. north of CR 52, in Union Township, zoned A-1, was presented at this time.

Adam Coleson presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0110-2024*.

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 1-lot minor subdivision to be known as CLEVELAND RETREAT be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

8. The meeting was adjourned at 9:09 A.M.

Respectfully submitted,

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Amber Weiss, Recording Secretary

# ***Plat Committee Staff Report***

*Prepared by the Department of Planning and Development*

*Hearing Date:* September 12, 2024

*Transaction Number:* MI-0549-2024.

*Parcel Number(s):* 20-04-33-101-001.000-032.

*Existing Zoning:* A-1.

*Petition:* for primary approval of a 2-lot minor subdivision to be known as LLOYD & RHODA TROYER SUBDIVISION.

*Petitioner:* Lloyd E. & Rhoda A. Troyer, represented by Advanced Land Surveying of Northern Indiana, Inc.

*Location:* south side of CR 8, 1,200 ft. northwest of CR 35, in York Township.

*Site Description:* The subject property is 20.549 acres, irregular in shape Proposed Lot 1 will be 10.72 acres with a 3,144 ft<sup>2</sup> single-family dwelling and four agricultural buildings (1,920 ft<sup>2</sup>, 864 ft<sup>2</sup>, 864 ft<sup>2</sup>, & 720 ft<sup>2</sup>). Proposed Lot 2 will be 9.79 acres with a proposed single-family residence and accessory structures.

*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-0549-2024

Date: 08/05/2024

Meeting Date:

September 12, 2024

Plan Commission Hearing (Subdivision)

Transaction #:

MI-0549-2024

Description: for primary approval of a 2-lot minor subdivision to be known as LLOYD & RHODA TROYER  
SUBDIVISION

Contacts: Applicant

Advanced Land Surveying Of  
Northern Indiana, Inc.  
17120 County Road 46  
New Paris, IN 46553

Land Owner

Lloyd E & Rhoda A Troyer  
13708 Cr 8  
Middlebury, IN 46540

Private Surveyor

Advanced Land Surveying Of  
Northern Indiana, Inc.  
17120 County Road 46  
New Paris, IN 46553

Site Address:

13708 Cr 8  
Middlebury, IN 46540

Parcel Number:

Part of 20-04-33-101-001.000-032

Township: York

Location: SOUTH SIDE OF CR 8, 1,200 FT. NORTHWEST OF CR 35

Subdivision:

Lot #

Lot Area:

Frontage:

Depth:

Zoning: A-1

NPO List:

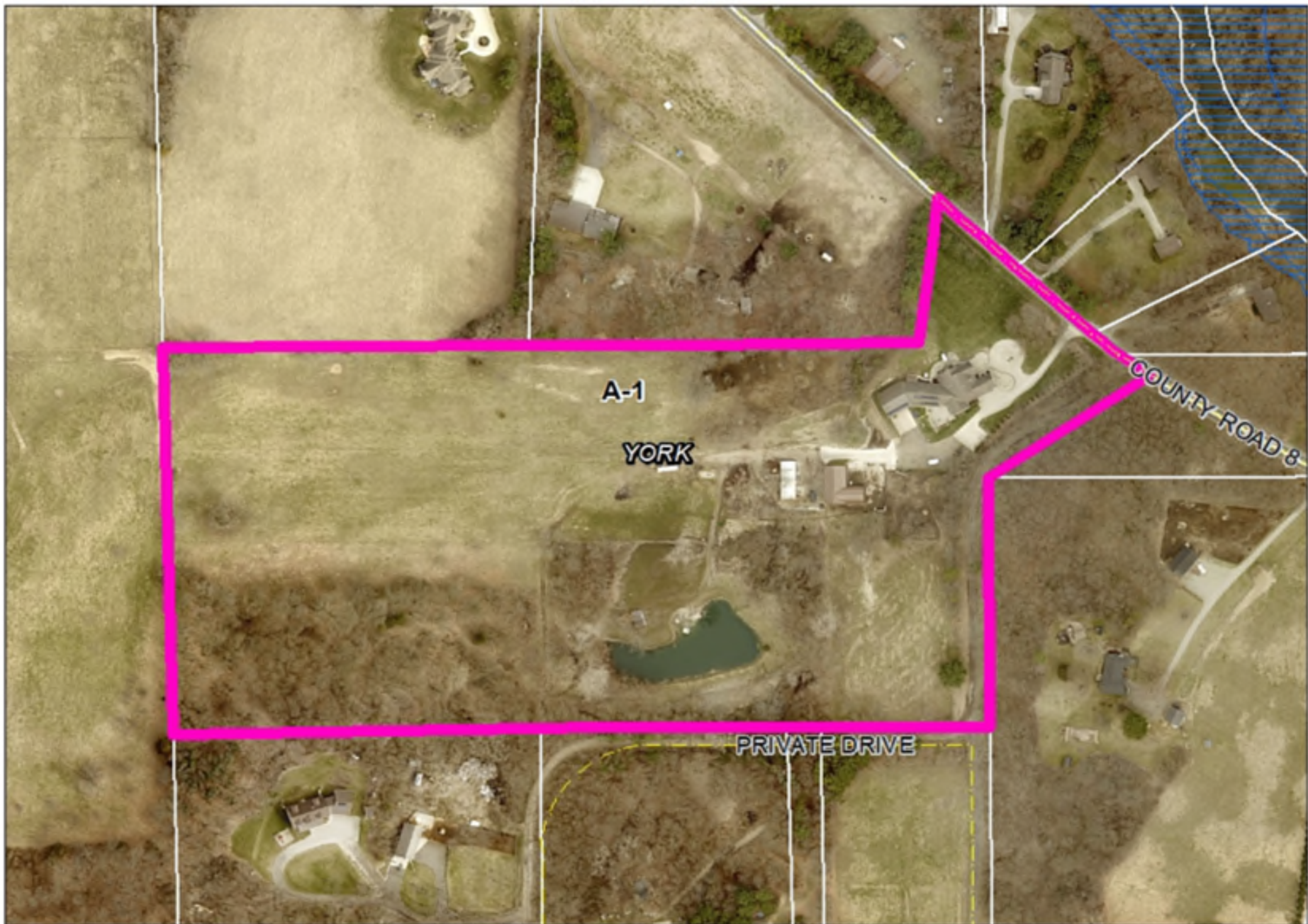
Present Use of Property:

Legal Description:

Comments: OPEN PERMIT #BR-1092-2018 WHICH NEEDS FINAL PLUMBING INSPECTION (MAYBE???)

Applicant Signature:

Department Signature:



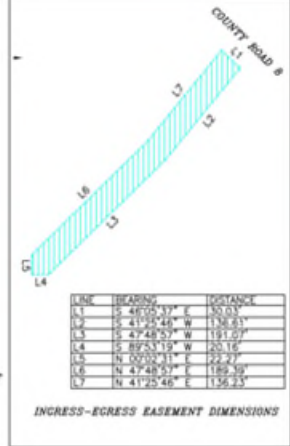
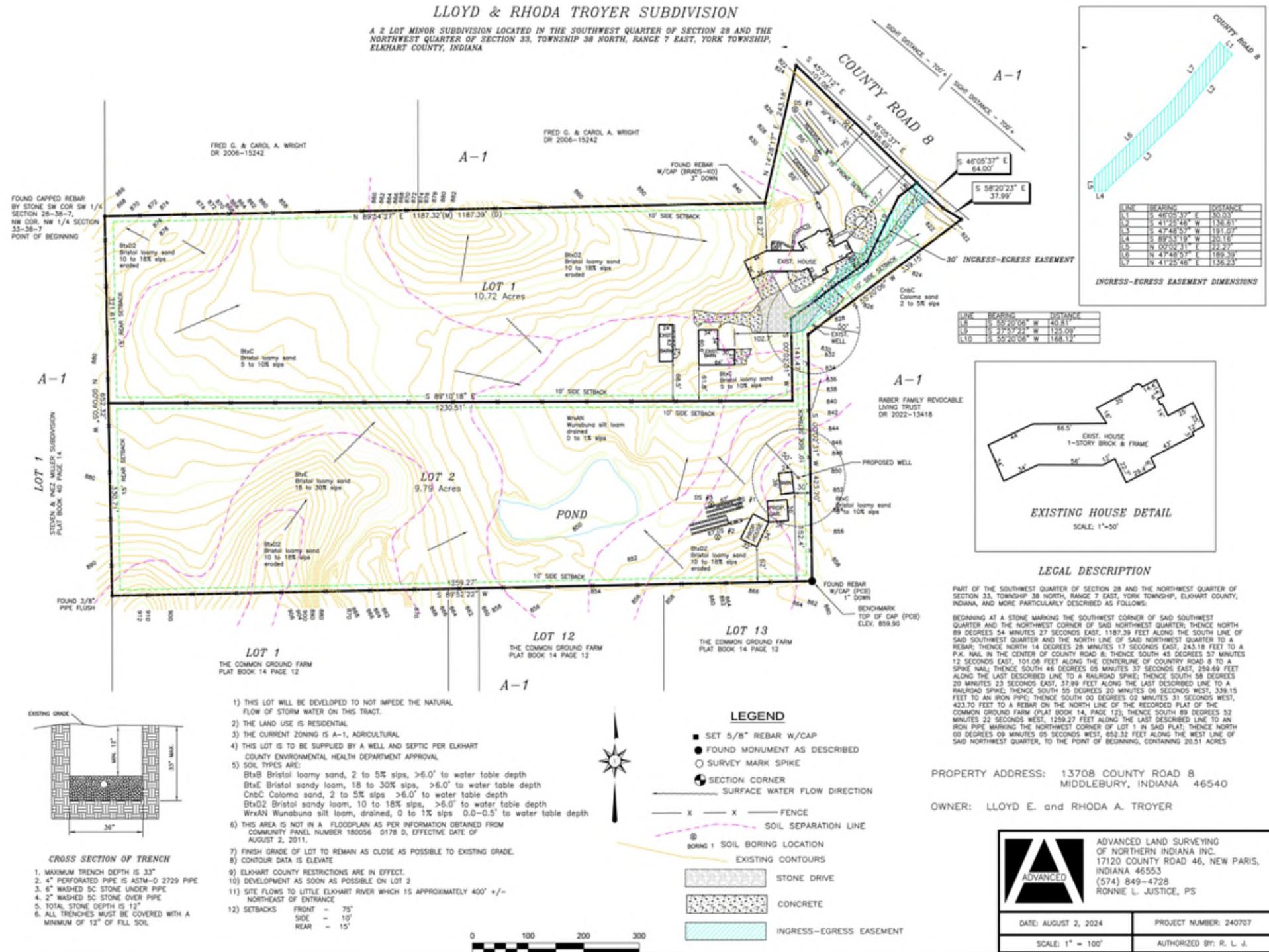




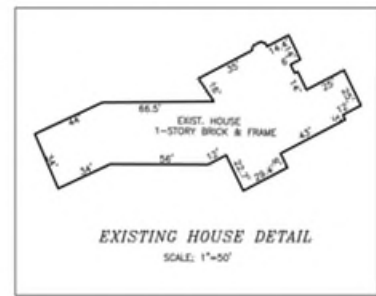


# LLOYD & RHODA TROYER SUBDIVISION

A 2 LOT MINOR SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28 AND THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 7 EAST, YORK TOWNSHIP, ELKHART COUNTY, INDIANA



LINK	BEARING	DISTANCE
L8	S 55°20'06" W	40.81'
L9	S 27°57'22" W	125.00'
L10	S 52°20'06" W	166.12'



### LEGAL DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 28 AND THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 7 EAST, YORK TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE MARKING THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER AND THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 89 DEGREES 54 MINUTES 27 SECONDS EAST, 1187.39 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND THE NORTH LINE OF SAID NORTHWEST QUARTER TO A REBAR; THENCE NORTH 14 DEGREES 28 MINUTES 17 SECONDS EAST, 243.18 FEET TO A P.V. NAIL IN THE CENTER OF COUNTY ROAD 8; THENCE SOUTH 45 DEGREES 57 MINUTES 12 SECONDS EAST, 101.08 FEET ALONG THE CENTERLINE OF COUNTY ROAD 8 TO A SPIKE NAIL; THENCE SOUTH 46 DEGREES 05 MINUTES 37 SECONDS EAST, 259.69 FEET ALONG THE LAST DESCRIBED LINE TO A RAILROAD SPIKE; THENCE SOUTH 56 DEGREES 20 MINUTES 23 SECONDS EAST, 37.99 FEET ALONG THE LAST DESCRIBED LINE TO A RAILROAD SPIKE; THENCE SOUTH 55 DEGREES 20 MINUTES 05 SECONDS WEST, 339.15 FEET TO AN IRON PIPE; THENCE SOUTH 02 DEGREES 02 MINUTES 31 SECONDS WEST, 423.70 FEET TO A REBAR ON THE NORTH LINE OF THE RECORDED PLAT OF THE COMMON GROUND FARM (PLAT BOOK 14, PAGE 12); THENCE SOUTH 89 DEGREES 52 MINUTES 22 SECONDS WEST, 1259.27 FEET ALONG THE LAST DESCRIBED LINE TO AN IRON PIPE MARKING THE NORTHWEST CORNER OF LOT 1 IN SAID PLAT; THENCE NORTH 00 DEGREES 05 MINUTES 05 SECONDS WEST, 652.32 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, TO THE POINT OF BEGINNING, CONTAINING 20.51 ACRES

PROPERTY ADDRESS: 13708 COUNTY ROAD 8  
MIDDLEBURY, INDIANA 46540  
OWNER: LLOYD E. and RHODA A. TROYER

FRED C. & CAROL A. WRIGHT  
DR 2006-15242

FRED C. & CAROL A. WRIGHT  
DR 2006-15242

RABER FAMILY REVOCABLE  
LIVING TRUST  
DR 2022-13418

LOT 1  
THE COMMON GROUND FARM  
PLAT BOOK 14 PAGE 12

LOT 2  
9.79 Acres

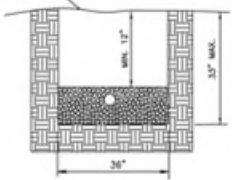
LOT 12  
THE COMMON GROUND FARM  
PLAT BOOK 14 PAGE 12

LOT 13  
THE COMMON GROUND FARM  
PLAT BOOK 14 PAGE 12

- 1) THIS LOT WILL BE DEVELOPED TO NOT IMPEDE 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 ELKHART COUNTY ENVIRONMENTAL HEALTH DEPARTMENT APPROVAL
- 5) SOIL TYPES ARE:  
BtB Bristol loamy sand, 2 to 5% slips, >6.0' to water table depth  
BtE Bristol sandy loam, 18 to 30% slips, >6.0' to water table depth  
CnC Coloma sand, 2 to 5% slips >6.0' to water table depth  
BtD2 Bristol sandy loam, 10 to 18% slips, >6.0' to water table depth  
WrsAN Wurnubuna silt loam, drained, 0 to 1% slips 0.0-0.5' to water table depth
- 6) THIS AREA IS NOT IN A FLOODPLAIN AS PER INFORMATION OBTAINED FROM COMMUNITY PANEL NUMBER 180056 0178 D, EFFECTIVE DATE OF AUGUST 2, 2011.
- 7) FINISH GRADE OF LOT TO REMAIN AS CLOSE AS POSSIBLE TO EXISTING GRADE.
- 8) CONTOUR DATA IS ELEVATE
- 9) ELKHART COUNTY RESTRICTIONS ARE IN EFFECT.
- 10) DEVELOPMENT AS SOON AS POSSIBLE ON LOT 2
- 11) SITE FLOWS TO LITTLE ELKHART RIVER WHICH IS APPROXIMATELY 400' +/- NORTHEAST OF ENTRANCE
- 12) SETBACKS  
FRONT - 75'  
SIDE - 10'  
REAR - 15'

### LEGEND

- SET 5/8" REBAR W/CAP
- FOUND MONUMENT AS DESCRIBED
- SURVEY MARK SPIKE
- SECTION CORNER
- SURFACE WATER FLOW DIRECTION
- X — X — FENCE
- SOIL SEPARATION LINE
- ⊙ SOIL BORING 1 SOIL BORING LOCATION
- EXISTING CONTOURS
- STONE DRIVE
- CONCRETE
- INGRESS-EGRESS EASEMENT



1. MAXIMUM TRENCH DEPTH IS 33"
2. 4" PERFORATED PIPE IS ASTM-D 2729 PIPE
3. 6" WASHED 5C STONE UNDER PIPE
4. 2" WASHED 5C STONE OVER PIPE
5. TOTAL STONE DEPTH IS 12"
6. ALL TRENCHES MUST BE COVERED WITH A MINIMUM OF 12" OF FILL SOIL



**ADVANCED**  
ADVANCED LAND SURVEYING  
OF NORTHERN INDIANA INC.  
17120 COUNTY ROAD 46, NEW PARIS,  
INDIANA 46553  
(574) 849-4728  
RONNIE L. JUSTICE, PS

DATE: AUGUST 2, 2024	PROJECT NUMBER: 240707
SCALE: 1" = 100'	AUTHORIZED BY: R. L. J.

**LEJN MINOR SUBDIVISION**

A 3 LOT MINOR SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

STATEMENT OF COMPLIANCE

THIS SUBDIVISION 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 PLAN COMMISSION

BY: \_\_\_\_\_  
MAE KRATZER, PLAN DIRECTOR

RECORDER

RECEIVED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024

AT \_\_\_\_\_ AND RECORDED IN PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

KALA 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 IMPED 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 COMMENCED 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 IN 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 LEJN MINOR SUBDIVISION, 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.

LOREN D. BEACHY, MEMBER  
LEJN, LLC

STATE OF INDIANA )  
COUNTY OF ELKHART ) SS:

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED LOREN D. BEACHY 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

JENNIFER L. JUSTICE

RESIDENT OF ELKHART COUNTY

MY COMMISSION EXPIRES MAY 30, 2030



PROPERTY ADDRESS: 55171 & 55215 STATE ROAD 13  
MIDDLEBURY, INDIANA 46540

OWNER: LEJN, LLC

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 86.5, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 41 OF THE INDIANA ADMINISTRATIVE CODE, THAT ALL MONUMENTS ARE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF ELKHART COUNTY, INDIANA.



SIGNATURE \_\_\_\_\_

Ronnie L. Justice  
RONNIE L. JUSTICE, PS  
IN. REG. NO. 80900004

	ADVANCED LAND SURVEYING OF NORTHERN INDIANA INC. 17120 COUNTY ROAD 46, NEW PARIS, INDIANA 46553 (574) 849-4728 RONNIE L. JUSTICE, PS	
	DATE: JUNE 30, 2024	PROJECT NUMBER: 240610
SCALE: 1" = 60'	AUTHORIZED BY: R. L. J.	

# ***Plat Committee Staff Report***

*Prepared by the Department of Planning and Development*

***Hearing Date:*** September 12, 2024

***Transaction Number:*** MI-0545-2024.

***Parcel Number(s):*** 20-13-11-100-007.000-020.

***Existing Zoning:*** A-1.

***Petition:*** For primary approval of a 2-lot minor subdivision to be known as WELDY COUNTY ROAD 1 MINOR SUBDIVISION.

***Petitioner:*** Jerry W. Weldy and Yvonna A. Weldy, Husband and Wife, represented by Danch, Harner & Associates.

***Location:*** East side of CR 1, 1,735 ft. north of CR 144, in Locke Township.

***Site Description:*** Proposed lot 1 is 114.35 acres, L shaped, with an existing residence and farm structures. Proposed lot 2 is 3 acres, rectangular in shape, with a proposed residence.

***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-0545-2024

Date: 08/02/2024 Meeting Date: September 12, 2024 Transaction #: MI-0545-2024  
Plan Commission Hearing (Subdivision)

Description: for primary approval of a 2-lot minor subdivision to be known as WELDY COUNTY ROAD 1 MINOR SUBDIVISION

<u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Danch, Harner & Associates 1643 Commerce Drive South Bend, IN 46628	Jerry W. Weldy And Yvonna A. Weldy Weldy, Husband And Wife 68362 County Road 1 Wakarusa, IN 46573	Danch, Harner & Associates 1643 Commerce Drive South Bend, IN 46628

Site Address: 68362 Cr 1 WAKARUSA, IN 46573	Parcel Number: Part of 20-13-11-100-007.000-020
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Township: Locke  
Location: EAST SIDE OF CR 1, 1,735 FT NORTH OF CR 144

Subdivision: WELDY COUNTY ROAD 1 MINOR SUBDIVISION	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning: A-1	NPO List:
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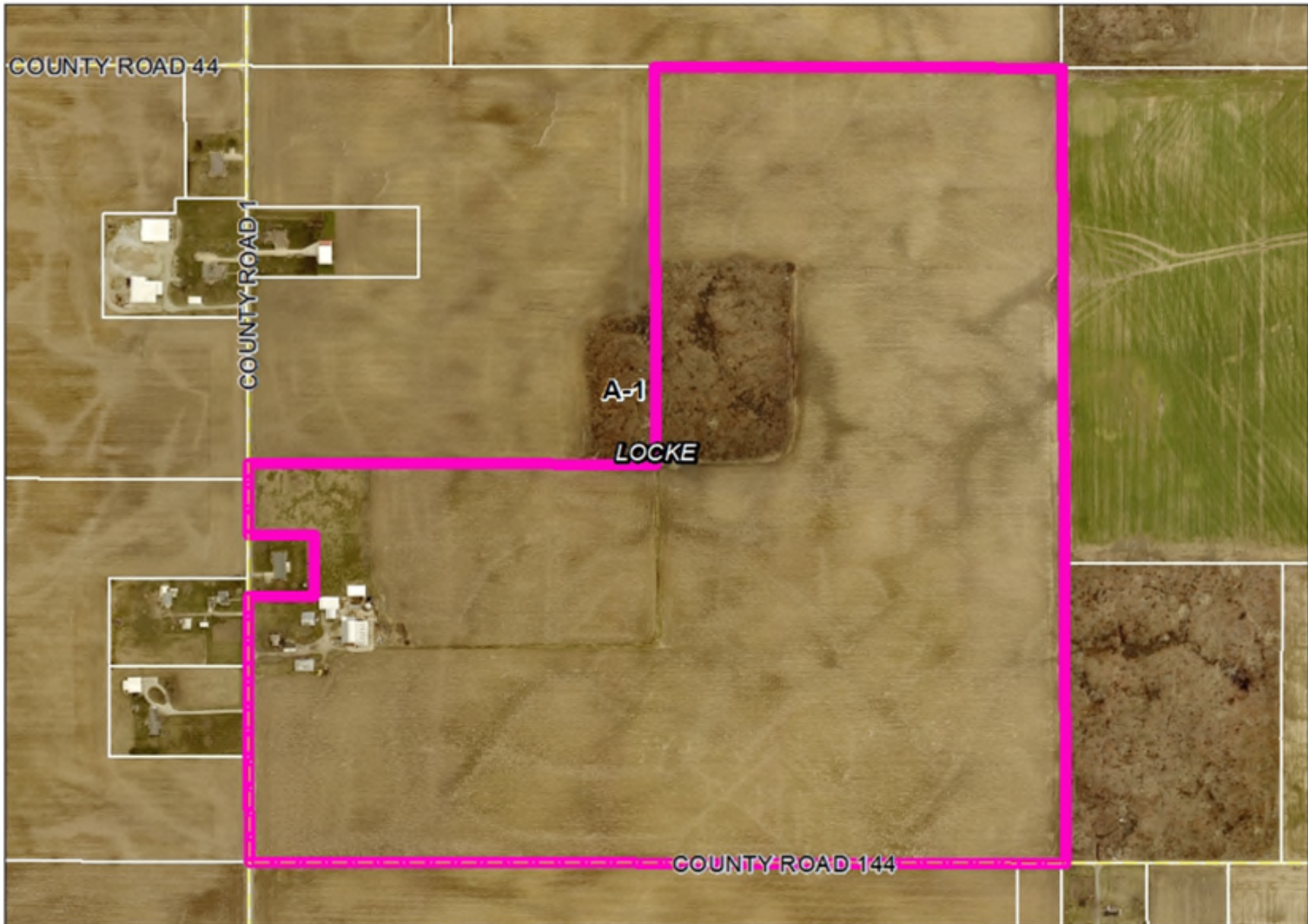
Present Use of Property:

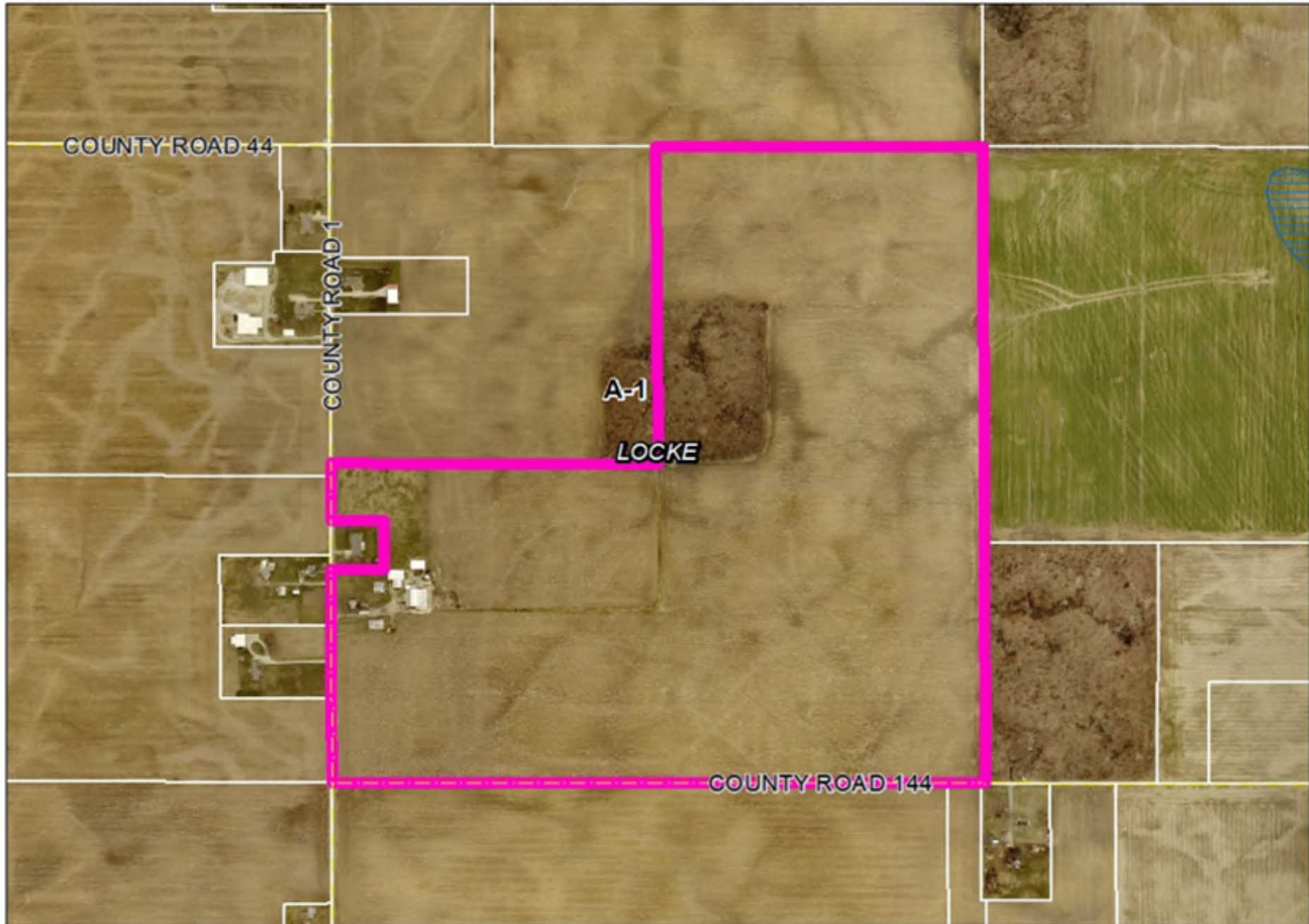
Legal Description:

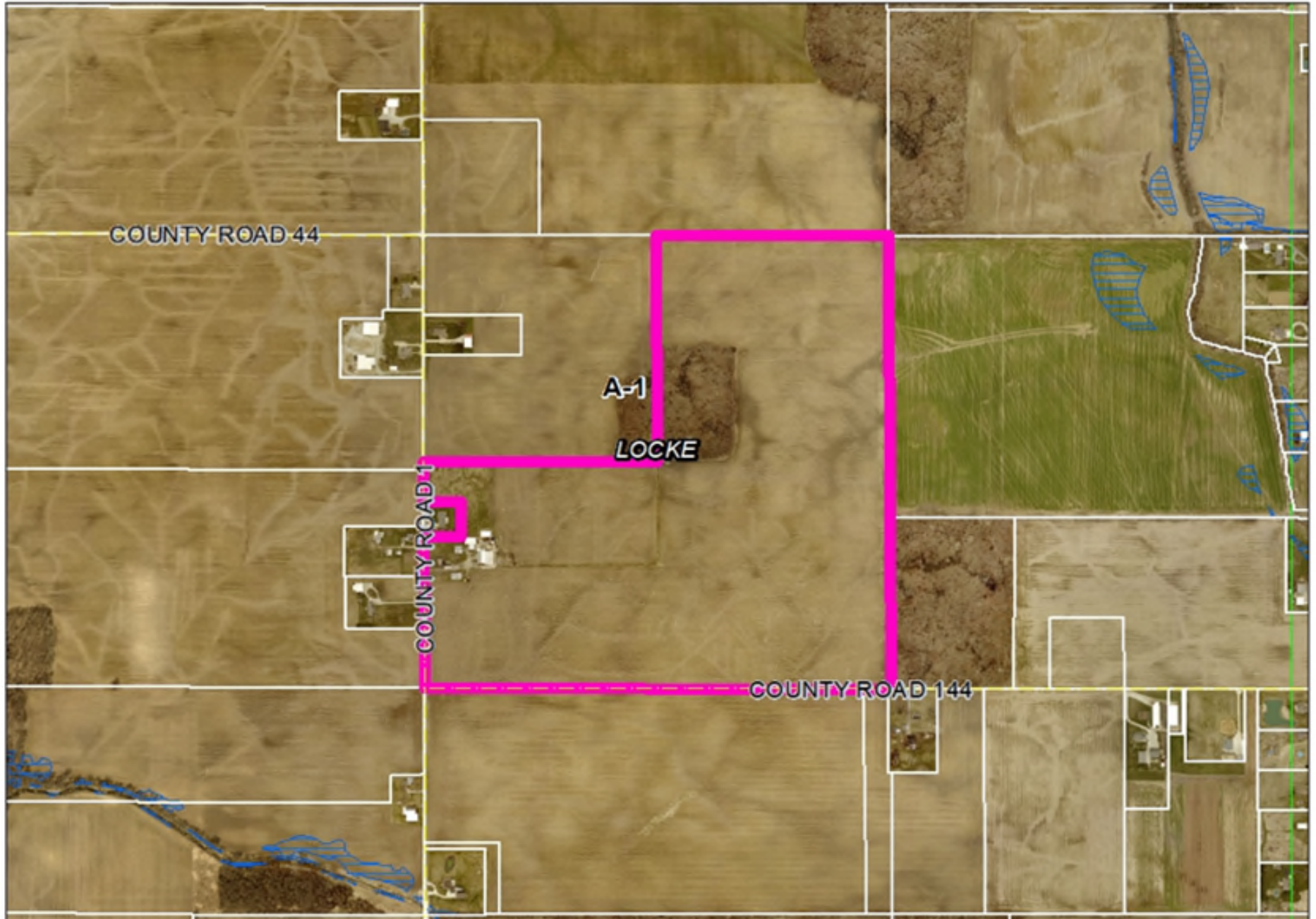
Comments:

Applicant Signature:

Department Signature:









# WELDY COUNTY ROAD 1 MINOR SUBDIVISION

PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 35 NORTH, RANGE 4 EAST,  
LOCKE TOWNSHIP, ELKHART COUNTY, INDIANA.



**LEGAL DESCRIPTION:**  
A PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 35 NORTH, RANGE 4 EAST, LOCKE TOWNSHIP, ELKHART COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 11; THENCE N 00°14'22" W ALONG THE WEST LINE OF SAID QUARTER SECTION AND THE CENTERLINE OF COUNTY ROAD 1, A DISTANCE OF 884.95 FEET (REC. N 00°00'00" E, 884.95 FEET); THENCE N 89°45'17" E, 209.04 FEET (REC. N 90°00'00" E, 209.00 FEET); THENCE N 00°14'23" W, 210.00 FEET (REC. N 00°00'00" W, 210.00 FEET); THENCE S 89°45'46" W, 209.05 FEET (REC. S 90°00'00" W, 209.00 FEET) TO THE WEST LINE OF SAID QUARTER SECTION AND CENTERLINE OF SAID COUNTY ROAD 1; THENCE N 00°14'24" W ALONG SAID WEST LINE AND CENTERLINE A DISTANCE OF 229.00 FEET (REC. N 00°00'00" E, 228.99 FEET) THENCE S 89°53'45" E ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID QUARTER SECTION, A DISTANCE OF 1313.94 FEET (REC. S 89°39'26" W, 1313.93 FEET) THENCE N 00°14'32" W ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11, A DISTANCE OF 1323.69 FEET (REC. N 00°00'16" W, 1323.68 FEET) TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE S 89°53'11" E ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1313.68 FEET (REC. S 89°38'45" E, 1313.83 FEET) TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE S 00°14'59" W ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2646.94 FEET (REC. S 00°00'31" E, 2646.84 FEET) TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE N 89°54'25" W ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER AND THE CENTERLINE OF COUNTY ROAD 144, A DISTANCE OF 2628.01 FEET (REC. N 80°40'07" W, 2628.05 FEET) TO THE POINT OF BEGINNING.

CONTAINING 118.76 ACRES MORE OR LESS AND COMPRISED OF TWO (2) LOTS.

SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

**ZONING SUBJECT PROPERTY:**

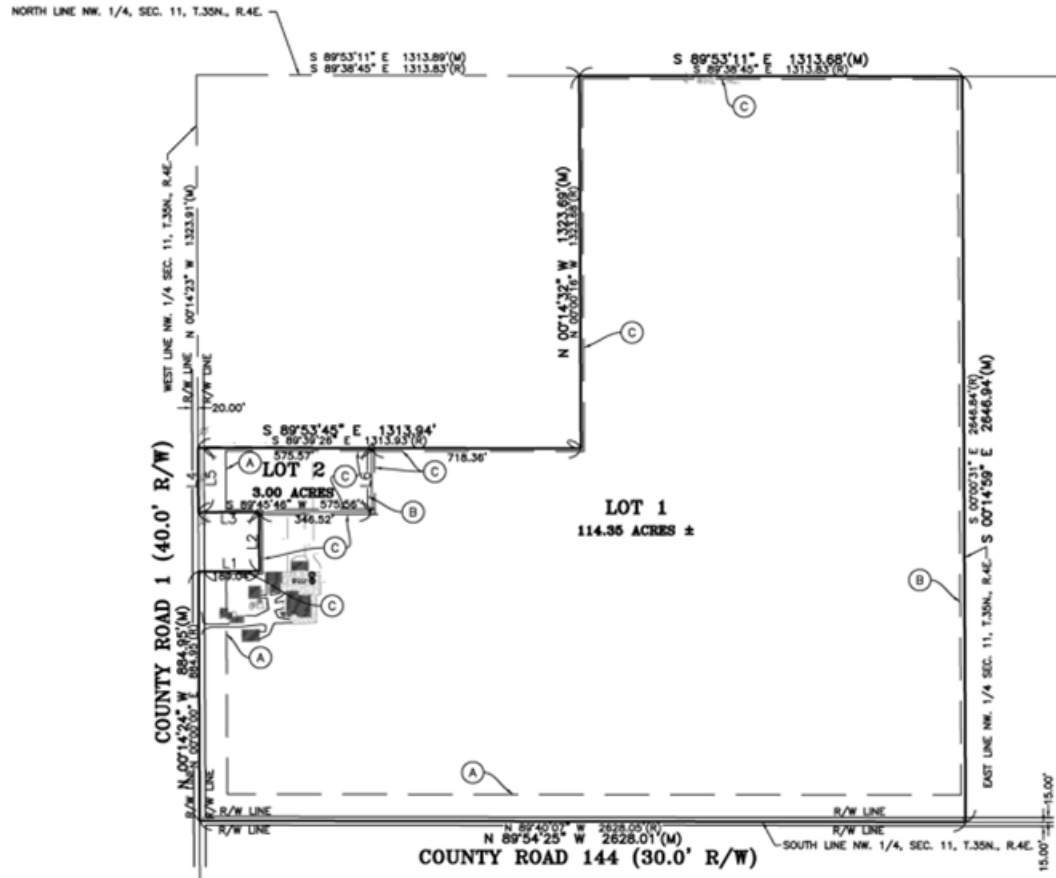
A-1 AGRICULTURAL DISTRICT

**ZONING ADJACENT PROPERTIES:**

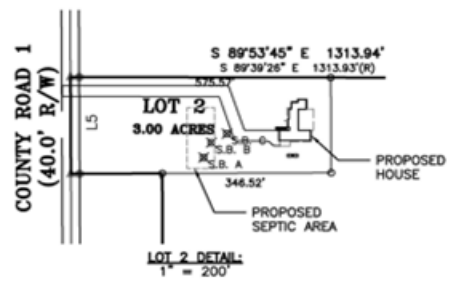
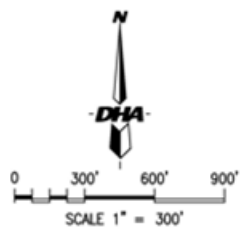
A-1 AGRICULTURAL DISTRICT

**SETBACKS:**

- (A) 75 FT. FRONT-YARD BUILDING SETBACK
- (B) 15 FT. REAR-YARD BUILDING SETBACK
- (C) 10 FT. SIDE-YARD BUILDING SETBACK



LINE TABLE		
LINE	BEARING	DISTANCE
L1 M	N 89°45'17" E	209.05
L1 R	N 90°00'00" E	209.00
L2 M	N 00°14'23" W	210.00
L2 R	N 00°00'00" W	210.00
L3 M	S 89°45'46" W	209.05
L3 R	S 90°00'00" W	209.00
L4 M	N 00°14'24" W	229.00
L4 R	N 00°00'00" E	228.99
L5	N 00°14'24" W	228.76
L6	S 00°14'23" E	225.33



ANY INFORMATION ON THIS DRAWING IS NOT INTENDED TO BE SUITABLE FOR RELIEF BY ANY PERSON, FIRM OR CORPORATION OR ANY OTHERS ON EXTENSION OF THIS PROJECT OR FOR ANY USE ON ANY OTHER PROJECT. ANY RELIEF WITHOUT WRITTEN VERIFICATION AND APPROVAL BY THE ENGINEER, ARCHITECT OR SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE ENGINEER, ARCHITECT OR SURVEYOR.

ALL UNDERGROUND UTILITIES MUST BE FIELD VERIFIED BY THE CONTRACTOR BEFORE ANY CONSTRUCTION MAY BEGIN.

**SUBMITTER:**  
JERRY W WELDY AND YVONNA A WELDY  
68362 CR1  
WAKARUSA, IN 46573

**SURVEYORS & ENGINEERS:**  
DANICH, HARNER & ASSOCIATES, INC.  
1643 COMMERCE DRIVE  
SOUTH BEND, IN. 46528  
(374) 234-4003  
ATTN: MICHAEL DANICH

DATE	REVISIONS	
8/29/24	DATE	BY
SCALE		
1" = 300'		
FILE #		
240173.4		

**Danich, Harner & Associates, Inc.**  
 Land Surveyors • Professional Engineers  
 Landscape Architects • Land Planners  
 Office: (374) 234-4003 / (302) 984-4003 • Fax: (374) 234-4119  
 1643 Commerce Drive • South Bend, IN 46528

DHA

# WELDY COUNTY ROAD 1 MINOR SUBDIVISION

PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 35 NORTH, RANGE 4 EAST,  
LOCKE TOWNSHIP, ELKHART COUNTY, INDIANA.

**STATEMENT OF COMPLIANCE**

THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE ELKHART COUNTY SUBDIVISION CONTROL ORDINANCE AND THE DEDICATIONS SHOWN ON THE PLAT ARE HEREBY APPROVED AND ACCEPTED TO THE BENEFIT OF ELKHART COUNTY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024.

BY \_\_\_\_\_  
MAE KRATZER, PLAN DIRECTOR

**RECORDER**

RECEIVED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024 AT \_\_\_\_\_  
AND RECORDED IN PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ DOCUMENT NO: \_\_\_\_\_

KAALA BAKER, RECORDER OF ELKHART COUNTY

**AUDITOR**

DULY ENTERED FOR TAXATION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024 AT \_\_\_\_\_

KAALA BAKER, RECORDER 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 IMPEDED THE FLOW OF WATER ACROSS OF THROUGH SAID FACILITIES.

IN THE EVENT ANY SUCH FACILITIES BECOME DAMAGED OR IN DISREPAIR, IT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER TO REPAIR SUCH FACILITIES AT OWNER'S EXPENSE. IN THE EVENT THE 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 ALL LOT OWNER'S REAL ESTATE FOR THE PURPOSES 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 OF 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 MORTGAGE 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 COMMENCED IN ELKHART COUNTY, INDIANA.

THE BOUNDARY SURVEY FOR THIS PROPERTY IS RECORDED IN ELKHART COUNTY INSTRUMENT NUMBER:

**DEED OF DEDICATION AND OWNER'S CERTIFICATION**

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED, ARE THE OWNERS 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 WELDY COUNTY ROAD 1 MINOR SUBDIVISION, 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.

\_\_\_\_\_  
JERRY W WELDY  
68362 COUNTY ROAD 1  
WAKARUSA, IN 46573

\_\_\_\_\_  
YVONNA A WELDY  
68362 COUNTY ROAD 1  
WAKARUSA, IN 46573

**NOTARIZATION STATEMENT**

STATE OF INDIANA )  
                                  ) SS:  
COUNTY OF ST. JOSEPH)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED \_\_\_\_\_

AND ACKNOWLEDGED THE EXECUTION OF THIS PLAT.  
IN WITNESS WHEREOF, I HEREINTO SET MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

MY COMMISSION EXPIRES JANUARY 7, 2032.

\_\_\_\_\_  
ANGELA M. FUREORE-SMITH  
NOTARY PUBLIC  
RESIDING IN ST. JOSEPH COUNTY.

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.  
RON L. HARNER.

I, RON L. HARNER, 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 865, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 41 OF THE INDIANA ADMINISTRATIVE CODE, THAT ALL MONUMENTS ARE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF ELKHART COUNTY, INDIANA.

\_\_\_\_\_  
R.L. HARNER  
REGISTERED LAND SURVEYOR #910032

**SUBDIVIDER:**

JERRY W WELDY AND YVONNA A WELDY  
68362 CRT  
WAKARUSA, IN 46573

**SURVEYORS & ENGINEERS:**

DANCH, HARNER & ASSOCIATES, INC.  
1643 COMMERCE DRIVE  
SOUTH BEND, IN. 46628  
(574) 234-4003  
ATTN: MICHAEL DANCH

**FLOOD INFORMATION:**

THIS PARCEL DOES NOT FALL WITHIN THE FLOOD HAZARD AREA AS DEFINED ON AND SCALED FROM THE COMMUNITY PANEL MAPS ESTABLISHED BY H.U.D. FOR FLOOD INSURANCE. COMMUNITY PANEL NUMBER 180390C1280, DATED AUGUST 02, 2011

**GENERAL NOTES:**

- 1) ALL STORM WATER WILL BE CONTAINED ON SITE.
- 2) THE LAND USE FOR LOT 1 WILL BE AGRICULTURAL WITH A SINGLE-FAMILY HOME. THE LAND USE FOR LOT 2 WILL BE A SINGLE-FAMILY HOME.
- 3) THE CURRENT ZONING IS "A-1" AGRICULTURAL DISTRICT
- 4) EXISTING PUBLIC STREET SHALL REMAIN AS CLOSE AS POSSIBLE TO EXISTING GRADES.

REVISIONS			
DATE	DATE	BY	
2/14/24			
SCALE			
N.T.S.			
FILE #			
230262.4			

**Danch, Harner & Associates, Inc.**  
Land Surveyors - Professional Engineers  
Landscape Architects - Land Planners  
Office: (574)234-4003 / (800)294-4003 • Fax: (574)234-4119  
1643 Commerce Drive • South Bend, IN 46628

DHA

SHEET

2

OF

2

# ***Plat Committee Staff Report***

*Prepared by the Department of Planning and Development*

*Hearing Date:* September 12, 2024

*Transaction Number:* MI-0540-2024.

*Parcel Number(s):* 20-05-15-176-015.000-001.

*Existing Zoning:* R-1.

*Petition:* for primary approval of a 2-lot minor subdivision to be known as MONTANA STREET HOLDINGS MINOR SUBDIVISION.

*Petitioner:* Montana Street Holdings Minor Subdivision, represented by Wightman.

*Location:* north side of CR 20, 425 ft. east of CR 100, in Baugo Township.

*Site Description:* Proposed lot 1 is 0.60 acres and rectangular in shape, with an existing residence. Proposed lot 2 is 0.57 acres, rectangular in shape, with a proposed residence.

*History and General Notes:*

- **September 18, 2024** – The Hearing Officer will hear a petition to allow proposed lot 2 to not have road frontage and be served by an access easement (DV-0546-2024).

*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

Minor Subdivision - Primary

MI-0540-2024

Date: 08/01/2024 Meeting Date: September 12, 2024  
Plan Commission Hearing (Subdivision) Transaction #: MI-0540-2024

Description: for primary approval of a 2-lot minor subdivision to be known as MONTANA STREET HOLDINGS MINOR SUBDIVISION.

<u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Wightman 1402 E. Mishawaka Ave. South Bend, IN 46615	Montana Street Holdings, Llc 544 Montana St Pasadena, CA 91103	Wightman 1402 E. Mishawaka Ave. South Bend, IN 46615

Site Address: 30627 Cr 20 ELKHART, IN 46517	Parcel Number: 20-05-15-176-015.000-001
--	---

Township: Baugo  
Location: NORTH SIDE OF COUNTY ROAD, 425 FT EAST OF COUNTY ROAD 100

Subdivision: MONTANA STREET HOLDINGS MINOR SUBDIVISI	Lot # 1-2
--	-----------

Lot Area:	Frontage:	Depth:
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Zoning: R-1	NPO List:
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Present Use of Property:

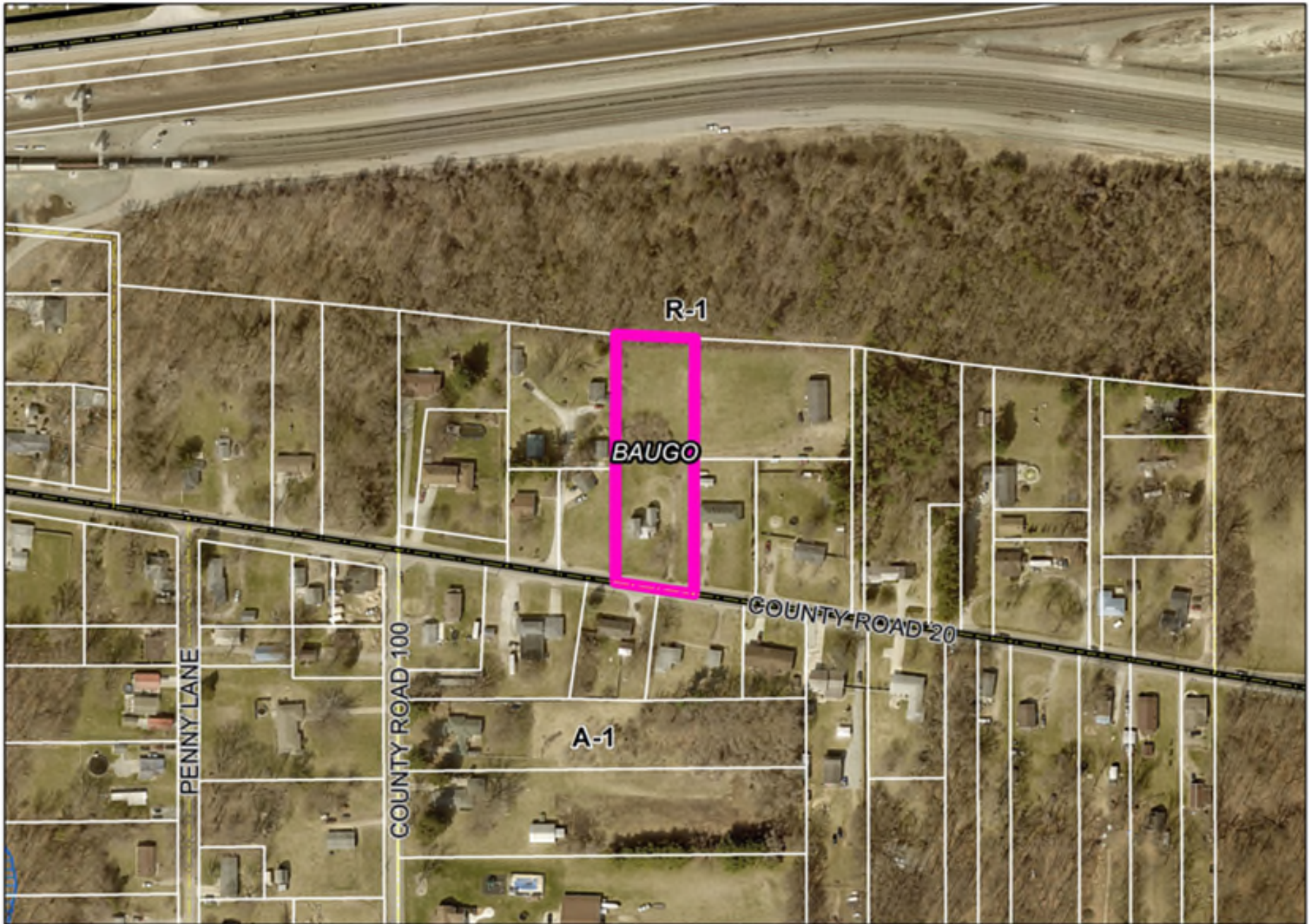
Legal Description:

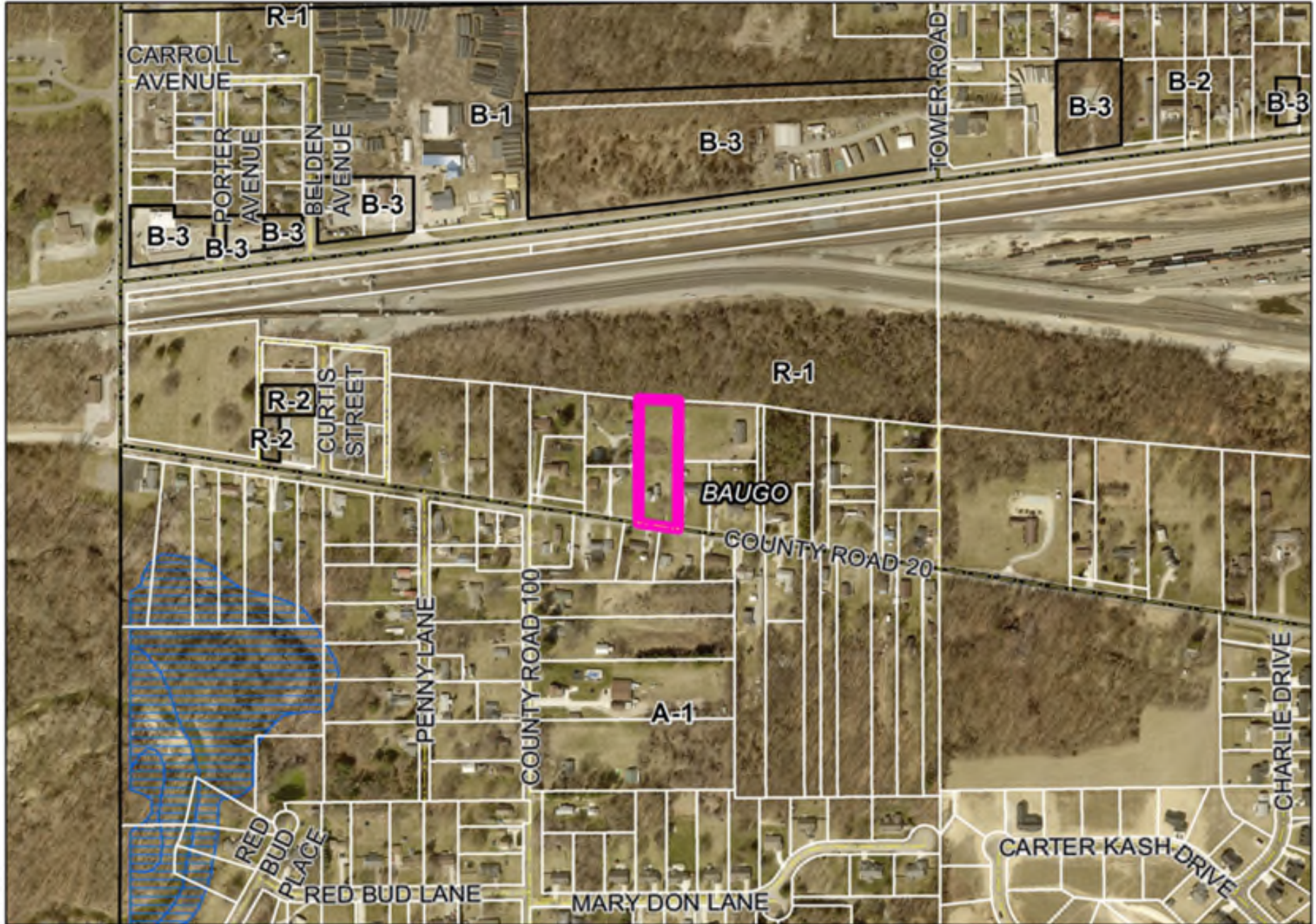
Comments: DEVELEOPMENTAL VARIANCE FOR LOT 2- NO ROAD FRONTAGE WILL BE SUBMITTED AT A LATER DATE ONCE SIGNATURES ARE ACQUIRED. ES  
SEE DV #0546-2024 FOR NO ROAD FRONTAGE, SCHEDULED FOR 9/18/2024

Applicant Signature:

Department Signature:







# MONTANA STREET HOLDINGS MINOR SUBDIVISION

IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 4 EAST,  
BAUGO TOWNSHIP, ELKHART COUNTY, INDIANA



VICINITY MAP

05-15-503-002-001  
NORFOLK SOUTHERN RAILWAY COMPANY  
650 E PEACHTREE STREET NW  
ATLANTA, GA 30308

05-15-176-002-001  
GILBERT & DONNA MARTENS  
54000 IDA ROAD  
ELKHART, IN 46514-3036

05-15-176-012-001  
BRETT STROUP & AMY E. NEICE  
30609 COUNTY ROAD 20  
ELKHART, IN 46517-9757

ADJACENT ZONING: ALL ADJACENT  
PROPERTY NORTH OF COUNTY ROAD  
20 IS R-1 SINGLE FAMILY DISTRICT.

05-15-176-004-001  
GILBERT & DONNA  
MARTENS  
54000 IDA ROAD  
ELKHART, IN 46514-3036

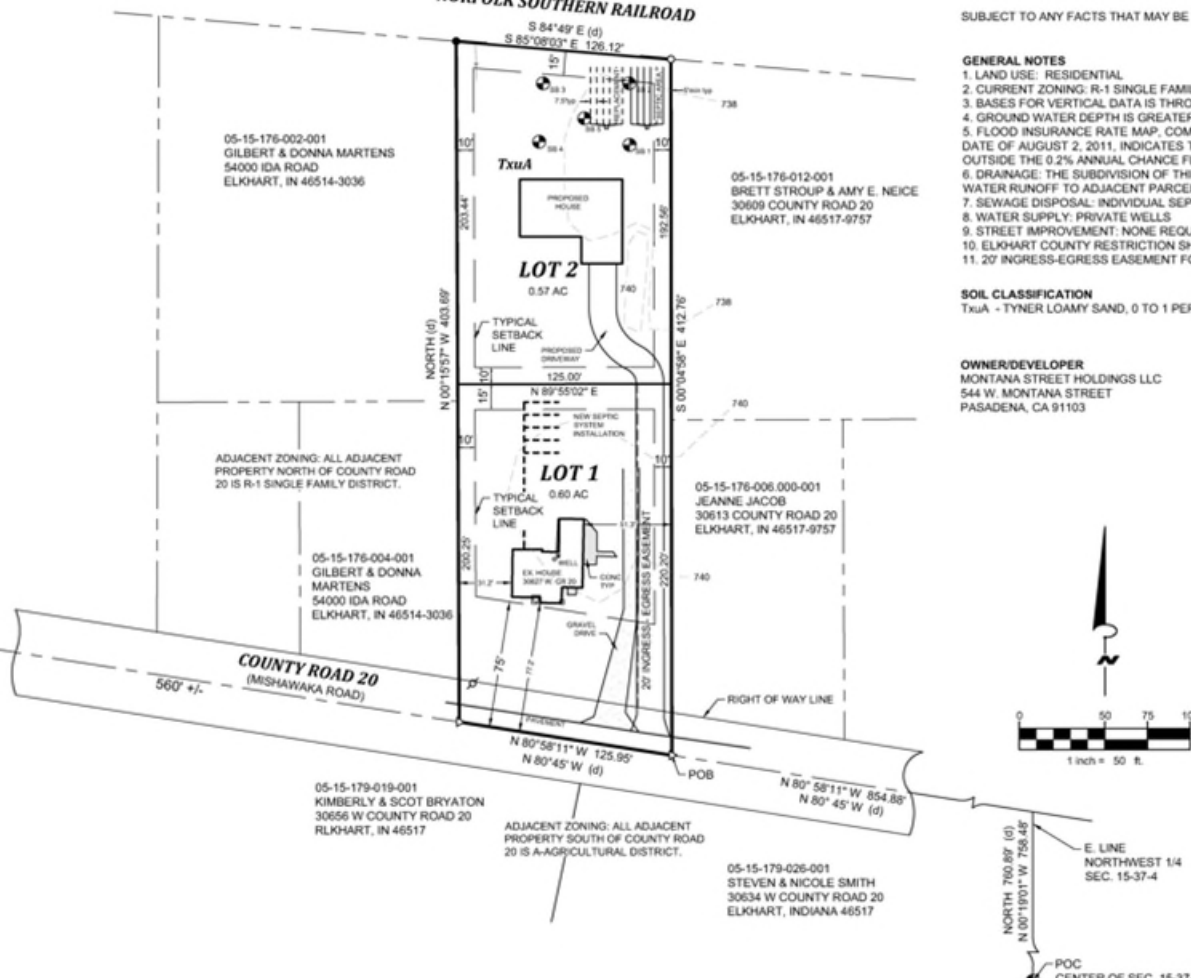
05-15-176-006-000-001  
JEANNE JACOB  
30613 COUNTY ROAD 20  
ELKHART, IN 46517-9757

05-15-179-019-001  
KIMBERLY & SCOT BRYATON  
30656 W COUNTY ROAD 20  
ELKHART, IN 46517

ADJACENT ZONING: ALL ADJACENT  
PROPERTY SOUTH OF COUNTY ROAD  
20 IS A-AGRICULTURAL DISTRICT.

05-15-179-026-001  
STEVEN & NICOLE SMITH  
30634 W COUNTY ROAD 20  
ELKHART, INDIANA 46517

NORFOLK SOUTHERN RAILROAD



**LEGAL DESCRIPTION AS SURVEYED**

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 4 EAST, BAUGO TOWNSHIP, ELKHART COUNTY, INDIANA, DESCRIBED AS: COMMENCING AT THE CALCULATED LOCATION OF THE CENTER OF SAID SECTION 15; THENCE NORTH 00° 19' 07" WEST (DEEDED NORTH) ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15 A DISTANCE OF 758.48 FEET (DEEDED 760.89 FEET) TO THE CENTERLINE OF COUNTY ROAD 20 (AKA MISHAWAKA ROAD); THENCE NORTH 80° 58' 11" WEST (DEEDED NORTH 80° 45' WEST) ON SAID CENTERLINE 854.88 FEET TO SET MAG NAIL WITH WASHER "0145" AT THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE CONTINUING NORTH 80° 58' 11" WEST (DEEDED NORTH 80° 45' WEST) ON SAID CENTERLINE 125.95 FEET TO A SET MAG NAIL WITH WASHER "0145"; THENCE NORTH 00° 15' 57" WEST (DEEDED NORTH) 403.69 FEET TO A FOUND PINCHED PIPE ON THE SOUTH LINE OF THE NEW YORK CENTRAL RAILROAD; THENCE SOUTH 85° 08' 03" EAST (DEEDED SOUTH 84° 49' EAST) ON SAID SOUTH LINE 126.12 FEET TO A SET CAPPED REBAR "0145"; THENCE SOUTH 00° 04' 58" EAST 412.76 FEET TO THE POINT OF BEGINNING, CONTAINING 1.17 ACRES MORE OR LESS.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

SUBJECT TO THE RIGHTS OF THE PUBLIC AND OF ANY GOVERNMENTAL UNIT IN ANY PART THEREOF TAKEN, USED, OR DEEDED FOR STREET, ROAD, OR HIGHWAY PURPOSES.

SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.

**GENERAL NOTES**

1. LAND USE: RESIDENTIAL
2. CURRENT ZONING: R-1 SINGLE FAMILY
3. BASES FOR VERTICAL DATA IS THROUGH NATIONAL USGS DATUM.
4. GROUND WATER DEPTH IS GREATER THAN 7 FEET.
5. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 18039C01160 WITH AN EFFECTIVE DATE OF AUGUST 2, 2011, INDICATES THIS AREA TO BE DESIGNATED ZONE X, AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN
6. DRAINAGE: THE SUBDIVISION OF THIS PARCEL SHALL NOT CONSTITUTE ANY MAJOR WATER RUNOFF TO ADJACENT PARCELS OR WITHIN THE PERIMETER OF THIS SITE.
7. SEWAGE DISPOSAL: INDIVIDUAL SEPTIC SYSTEMS
8. WATER SUPPLY: PRIVATE WELLS
9. STREET IMPROVEMENT: NONE REQUIRED
10. ELKHART COUNTY RESTRICTION SHALL BE IN EFFECT FOR THIS PROPERTY.
11. 20' INGRESS-EGRESS EASEMENT FOR THE USE OF LOT 2 TO ACCESS COUNTY ROAD 20.

**SOIL CLASSIFICATION**

TxuA - TYNER LOAMY SAND, 0 TO 1 PERCENT SLOPES

**OWNER/DEVELOPER**  
MONTANA STREET HOLDINGS LLC  
544 W. MONTANA STREET  
PASADENA, CA 91103

- LEGEND**
- FOUND IRON
  - SET 5/8" REBAR W/ CAP #0145
  - ▷ SET MAG NAIL
  - ≡ DEEDED
  - TELEPHONE BOX
  - WELL
  - UTILITY POLE
  - GAS METER
  - MANHOLE
  - SOIL BORING LOCATION



*Terance D. Lang*  
TERANCE D. LANG, PS #80040523

**W+**  
**WIGHTMAN**  
1402 MISHAWAKA AVE.  
SOUTH BEND, IN. 46615  
574.233.1841  
[www.gowightman.com](http://www.gowightman.com)

PROJECT NAME:  
**MONTANA STREET HOLDINGS MINOR SUBDIVISION**  
  
**MONTANA STREET HOLDINGS, LLC**  
544 W. MONTANA ST.  
PASADENA, CA 91103

05/19/24 TECH REV JMS  
**REVISIONS**  
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© 2024 WIGHTMAN & ASSOCIATES, INC.  
DATE: 07/30/24  
SCALE: 1" = 50'  
DRAWN BY: JMS  
CHECKED BY:

PRIMARY PLAT



# *Plat Committee Staff Report*

*Prepared by the Department of Planning and Development*

**Hearing Date:** September 12, 2024

**Transaction Number:** MA-0487-2024.

**Parcel Number(s):** 20-05-10-351-0111.000-001.

**Existing Zoning:** R-1.

**Petition:** for secondary approval of a 5-lot major subdivision to be known as RESONOVER'S ASH ROAD SUBDIVISION.

**Petitioner:** Albert Reasonover & Carmen E. Reasonover, Husband & Wife, represented by Wightman.

**Location:** east side of Ash Rd., 950 ft. north of Lincolnway East (Old US 33), in Baugo Township.

**Site Description:** The subject property consists of two parcels, totaling 4.83 acres, and is irregular in shape with a 1,358 ft<sup>2</sup> single-family residence and two (2) accessory structures (288 ft<sup>2</sup> & 240 ft<sup>2</sup>). The proposed subdivision will have five (5) residential lots.

**History and General Notes:**

- **August 19, 2024** - The Board of County Commissioner approved a zone map change from R-1 and B-1 to DPUD R-2 and for primary approval of a 5-lot major subdivision to be known as **REASONOVER'S ASH ROAD SUBDIVISION**.

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

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

# 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

Major Subdivision - Secondary

MA-0487-2024

Date: 07/15/2024 Meeting Date: September 12, 2024 Transaction #: MA-0487-2024  
Plan Commission Hearing (Subdivision)

Description: for secondary approval of a 5-lot major subdivision to be known as REASONOVER'S ASH ROAD  
SUBDIVISION

<u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Wightman 1402 E. Mishawaka Ave. South Bend, IN 46615	Albert Reasonover & Carmen E. Reasonover, Husband & Wife 56974 Ash Rd. Osceola, IN 46561	Wightman 1402 E. Mishawaka Ave. South Bend, IN 46615

Site Address: 56974 Ash Rd OSCEOLA, IN 46561	Parcel Number: 20-05-10-351-011.000-001
---	---

Township: Baugo  
Location: EAST SIDE OF ASH RD., 950 FT. NORTH OF LINCOLNWAY EAST (OLD US 33)

Subdivision: REASONOVER'S ASH ROAD SUB DPUD	Lot # 1-5
---	-----------

Lot Area:	Frontage:	Depth:
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Zoning: R-1	NPO List:
-------------	-----------

Present Use of Property:

Legal Description:

Comments: DPUD-0277-2024

Applicant Signature:

Department Signature:



MA-0487-2024



2021 Aerials

1 inch = 200 feet





# REASONOVER'S ASH ROAD SUBDIVISION DPUD

PART OF THE SOUTHWEST QUARTER OF SECTION 10 AND THE NORTHWEST QUARTER OF SECTION 15,  
ALL IN TOWNSHIP 37 NORTH, RANGE 4 EAST, BAUGO TOWNSHIP, ELKHART COUNTY, INDIANA.

**W+**  
**WIGHTMAN**  
1402 MISHAWAKA AVE.  
SOUTH BEND, IN. 46615  
574.233.1841

www.gowightman.com

PROJECT NAME:  
**REASONOVER'S  
ASH ROAD  
SUBDIVISION DPUD**

ALBERT & CARMEN R.  
REASONOVER  
56974 ASH ROAD  
OSCEOLA, IN 46561

SWISH REMOVE NON-ACCESS ESMT AND SWISH ADD MUNICIPAL WATER NOTE

REVISIONS

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DATE: 07/11/24  
SCALE:

SECONDARY  
PLAT

JOB No. 240367

1 of 2



VICINITY MAP  
NO SCALE

**GENERAL NOTES**

- BASES FOR VERTICAL DATA IS THROUGH NATIONAL USGS DATUM.
- GROUND WATER DEPTH IS GREATER THAN 7 FEET.
- FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 18039C0116D WITH AN EFFECTIVE DATE OF JANUARY 6, 2011, INDICATES THIS AREA TO BE DESIGNATED ZONE X, AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN
- STORMWATER DRAINAGE: THE SUBDIVISION OF THIS PARCEL SHALL NOT CONSTITUTE ANY MAJOR WATER RUNOFF TO ADJACENT PARCELS OR WITHIN THE PERIMETER OF THIS SITE.
- ASH ROAD IS UNDER ST. JOSEPH COUNTY JURISDICTION. FUTURE DRIVEWAY OPENINGS SHALL BE APPROVED BY THE DEPARTMENT OF ENGINEERING FOR ST. JOSEPH COUNTY, INDIANA.
- LOTS 1, 3-5 SHALL UTILIZE MUNICIPAL WATER.

**NOTE:**

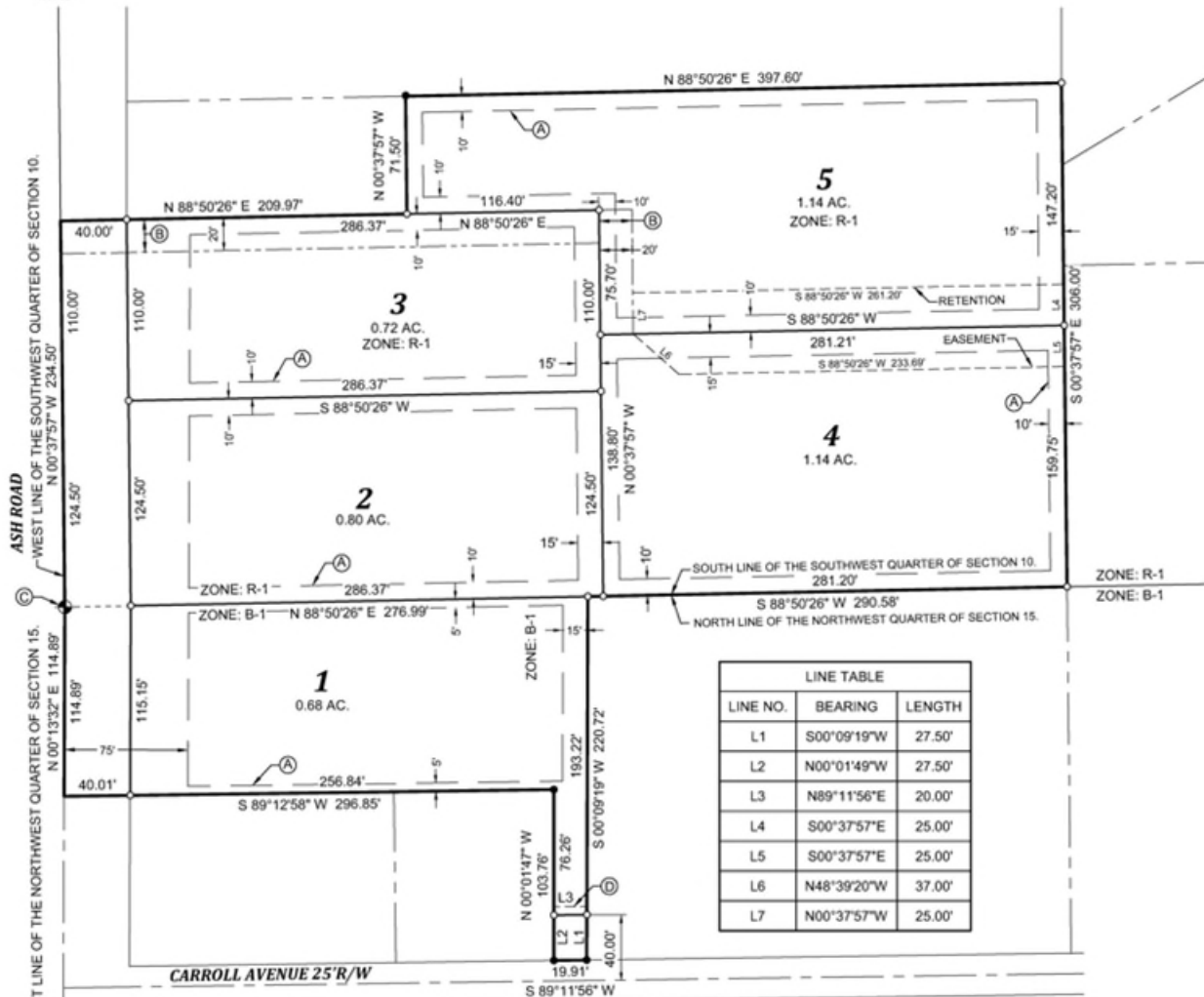
FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 18039C0116D WITH AN EFFECTIVE DATE OF JANUARY 6, 2011, INDICATES THIS AREA TO BE DESIGNATED ZONE X, AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN. THIS PARCEL IS NOT WITHIN A FLOOD PLAN.

**DEVIATIONS FROM ZONING ORDINANCE STANDARDS**

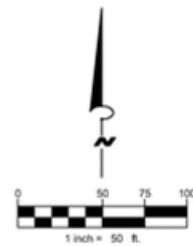
WE ARE PROPOSING LOT 4 TO HAVE DIRECT ACCESS ONTO CARROLL STREET. THIS DRIVEWAY SHALL CROSS INTO THE B-1 LIMITED BUSINESS DISTRICT. LOT 5 SHALL HAVE ZERO FRONTAGE WITH AN INGRESS-EGRESS EASEMENT PROVIDED FOR A DRIVEWAY ACROSS LOT 3.

**LEGEND**

- B-1 = ZONE: LIMITED BUSINESS DISTRICT
- R-1 = ZONE: SINGLE RESIDENTIAL DISTRICT
- = 5/8" REBAR IRON SET WITH WIGHTMAN 0145 CAP
- = IRON FOUND
- (A) = TYPICAL BUILDING SETBACK LINE
- (B) = 20' INGRESS EGRESS AND UTILITY EASEMENT FOR THE USE OF LOT 4 AND 5 TO ACCESS ASH ROAD AND EXTEND UTILITIES TO THE HOUSES.
- (C) = POB SOUTHWEST CORNER OF SECTION 10 AND THE NORTHWEST CORNER OF SECTION 15, BOTH IN TOWNSHIP 37 NORTH, RANGE 4 EAST. HARRISON MONUMENT FOUND



LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	S00°09'19"W	27.50'
L2	N00°01'49"W	27.50'
L3	N89°11'56"E	20.00'
L4	S00°37'57"E	25.00'
L5	S00°37'57"E	25.00'
L6	N48°39'20"W	37.00'
L7	N00°37'57"W	25.00'



*Terance D. Lang*  
TERANCE D. LANG, PS #80040523



# REASONOVER'S ASH ROAD SUBDIVISION DPUD

PART OF THE SOUTHWEST QUARTER OF SECTION 10 AND THE NORTHWEST QUARTER OF SECTION 15,  
ALL IN TOWNSHIP 37 NORTH, RANGE 4 EAST, BAUGO TOWNSHIP, ELKHART COUNTY, INDIANA.



1402 MISHAWAKA AVE.  
SOUTH BEND, IN. 46615  
574.233.1841

www.gowightman.com

PROJECT NAME:

**REASONOVER'S  
ASH ROAD  
SUBDIVISION DPUD**

**ALBERT & CARMEN R.  
REASONOVER  
56974 ASH ROAD  
OSCEOLA, IN 46561**

### REVISIONS

THE REPRODUCTION, COPYING OR OTHER  
USE OF THIS DRAWING WITHOUT WRITTEN  
CONSENT OF GOWIGHTMAN & ASSOCIATES, INC.

DATE: 07/11/24  
SCALE:

SECONDARY  
PLAT

JOB No. 240367

2 of 2

### OWNERS CERTIFICATION

THIS IS TO CERTIFY THAT THE UNDERSIGNED ARE THE OWNERS OF THE LAND DESCRIBED IN THIS DOCUMENT AND THAT WE HAVE CAUSED THE LAND DESCRIBED IN THIS DOCUMENT TO BE SURVEYED AND DO HEREBY ACKNOWLEDGE AND ADOPT THIS PLAN AND DEVELOPMENT PLAN AS SET FORTH BY THIS DRAWING AND DOCUMENT.

### DEED OF DEDICATION

THE UNDERSIGNED, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ELKHART COUNTY SUBDIVISION CONTROL ORDINANCE AND THIS PLAT / DEVELOPMENT PLAN SHALL BE KNOWN AS AND DESIGNATED AS REASONOVER'S ASH ROAD SUBDIVISION DPUD.

ALL STREETS, ALLEYS, EASEMENTS, AND PUBLIC-WAYS SHOWN AND NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC FOR THE DESIGNATED USE.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

ALBERT REASONOVER  
56974 ASH ROAD  
OSCEOLA, INDIANA 46561

CARMEN E. REASONOVER  
56974 ASH ROAD  
OSCEOLA, INDIANA 46561

STATE OF INDIANA SS:  
COUNTY OF ST. JOSEPH  
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ALBERT REASONOVER AND CARMEN E. REASONOVER AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGE THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSE THEREIN SET FORTH.

WITNESS MY HAND AND NOTARIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

DONNA R. SIMON, NOTARY PUBLIC  
EXPIRATION DATE: AUGUST 29, 2028  
NOTARY IS A RESIDENT OF ST. JOSEPH COUNTY, INDIANA.



### SURVEYOR'S CERTIFICATION

I, TERANCE D. LANG, HEREBY CERTIFY THAT I AM A LAND SURVEYOR, LICENSED TO PRACTICE IN THE STATE OF INDIANA AND I DO HEREBY FURTHER CERTIFY THAT I HAVE SURVEYED THE PROPERTY IN THE DESCRIBED CAPTIONED AND THAT I HAVE DIVIDED THE SAME INTO BLOCKS AND LOTS AS SHOWN ON THE HEREON DRAWN PLAT. THIS PLAT / DEVELOPMENT PLAN IS A TRUE REPRESENTATION OF SAID SURVEY AND DIVISION IN EVERY DETAIL WITH THE MONUMENTS SHOWN IN PLACE AS LOCATED, WITH CHANGES IN BEARINGS ON THE BOUNDARY OF THIS PLAT / DEVELOPMENT PLAN SHOWN AS A MONUMENT TO BE INSTALLED AFTER THE CONSTRUCTION OF ALL PUBLIC AND SITE IMPROVEMENTS. ALL CORNERS ARE MARKED WITH IRONS. DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. FURTHER, I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW. BY: TERANCE D. LANG.

*Terance D. Lang*  
TERANCE D. LANG, PS #80040523



### PLAN COMMISSION APPROVAL

THIS SUBDIVISION 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 PLAN COMMISSION

MAE KRATZER, PLAN DIRECTOR

### AUDITOR'S CERTIFICATE

DULY ENTERED FOR TAXATION THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

PATRICIA A. PICKENS, ELKHART COUNTY AUDITOR

### RECORDER'S CERTIFICATE

RECEIVED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024 AT \_\_\_\_\_ AND

RECORDED IN PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, INSTRUMENT NO. \_\_\_\_\_.

FEE: \_\_\_\_\_

KAALA BAKER, ELKHART COUNTY RECORDER

PLAT COMMITTEE APPROVAL  
APPROVED FOR RECORD BY THE ELKHART COUNTY PLAT COMMITTEE IN ACCORDANCE WITH THE ELKHART COUNTY DEVELOPMENT ORDINANCE.

\_\_\_\_ DAY OF \_\_\_\_\_, 2024

LORI SNYDER, PLAT COMMITTEE CHAIRMAN

### LEGAL DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 10 AND THE NORTHWEST QUARTER OF SECTION 15, ALL IN TOWNSHIP 37 NORTH, RANGE 4 EAST, BAUGO TOWNSHIP, ELKHART COUNTY, INDIANA AND BEING THAT 4.81 ACRE PARCEL SURVEYED BY WIGHTMAN, TERANCE D. LANG, INDIANA PROFESSIONAL SURVEYOR NO. 80040523 AND SHOWN ON A SUBDIVISION CERTIFIED ON APRIL 21, 2024 AS 240367 (ALL MONUMENTS REFERENCED HEREIN ARE SET OR FOUND ON THE AFORESAID LANG SURVEY), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT FOUND AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 10, THENCE NORTH 00°37'57" WEST ON THE WEST LINE SAID QUARTER, A DISTANCE OF 234.50 FEET, THENCE NORTH 88°50'26" EAST, A DISTANCE OF 209.57 FEET TO A 5/8" REBAR IRON SET WITH WIGHTMAN FIRM 0415 CAP, THENCE NORTH 00°37'57" WEST, A DISTANCE OF 71.40 FEET TO AN 1.5" PINCH TOP IRON FOUND, THENCE NORTH 88°50'26" EAST, A DISTANCE OF 397.60 FEET TO A 5/8" REBAR IRON SET WITH WIGHTMAN FIRM 0415 CAP, THENCE SOUTH 00°37'57" EAST, A DISTANCE OF 306.00 FEET TO A 5/8" REBAR IRON SET WITH WIGHTMAN FIRM 0415 CAP ON THE NORTH LINE OF THE SAID NORTHWEST QUARTER OF SECTION 15, THENCE SOUTH 88°50'26" WEST ON SAID LINE, A DISTANCE OF 290.58 FEET TO A 5/8" REBAR IRON SET WITH WIGHTMAN FIRM 0415 CAP, THENCE SOUTH 00°09'19" WEST, A DISTANCE OF 220.72 FEET TO A 5/8" IRON FOUND ON THE NORTH RIGHT OF WAY LINE OF CARROLL STREET, THENCE SOUTH 89°11'56" WEST ON SAID LINE, A DISTANCE OF 19.91 FEET TO AN 1" IRON FOUND, THENCE NORTH 00°01'47" WEST, A DISTANCE OF 103.76 FEET TO AN 1" IRON FOUND, THENCE SOUTH 89°12'58" WEST, A DISTANCE OF 296.85 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER, THENCE NORTH 00°13'32" EAST ON SAID WEST LINE, A DISTANCE OF 114.89 FEET TO THE POINT OF BEGINNING.

SUBJECT TO THE LEGAL RIGHTS OF A PUBLIC HIGHWAY, ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD.

### DRAINAGE MAINTENANCE CERTIFICATION

THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING CULVERTS AND SWALES, SHALL BE THE RESPONSIBILITY OF EACH 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 FACILITY AT OWNERS EXPENSE.

IN THE EVENT OF OWNERS FAILURE TO MAINTAIN 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 OWNERS REAL ESTATES 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 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 COMMENCED IN ELKHART COUNTY, INDIANA.

### DRAINAGE MAINTENANCE CERTIFICATION

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