

ELKHART COUNTY PLAT COMMITTEE

Public Service Building
MEETING ROOMS A & B
4230 Elkhart Road, GOSHEN, INDIANA

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

9:00 A.M.

- A. Petitioner: Chad A. Rohrer Trustee of the Chad A. Rohrer Trust (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 **KENO MINOR SUBDIVISION**.
Location: south side of Greenleaf Blvd., 700 ft. east of homeland Rd. south of CR 10 (E. Bristol St.), common address of 23146 Greenleaf Blvd. in Osolo Township.
(MI-0644-2025)

B. Petitioner: Gwen S. Turk & Diana L. Gibson (page 2)
represented by Jones Petrie Rafinski
Petition: for primary approval of a 2-lot minor subdivision to be known as **RORCO MINOR SUBDIVISION**.
Location: south side of CR 4, 2,540 ft. east of CR 13, common address of 23522 CR 4 in Osolo Township.
(MI-0645-2025)

C. Petitioner: Warner Farms (page 3)
represented by INNOVATIVE COMMUNITIES, INC. & LAND &
BOUNDARY, LLC
Petition: for secondary approval of a 6-lot major subdivision to be known as **ROCK
POINTE SECOND.**

Location: east side of CR 29, 2,140 ft. north of CR 34, CR 29 in Elkhart Township.
(MA-0635-2025)

Phil Barker – County Surveyor: no term

Steven Edwards – Appointed by Commissioners: term 1/1/23 – 12/31/26

Steve Warner - Appointed by Commissioners: term 1/1/23 – 12/31/26

Lori Snyder - Appointed by Commissioners: term 1/1/25 – 12/31/28

Steven Clark – County Council Liaison: no term

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 9TH DAY OF OCTOBER 2025 AT 9:00 A.M. IN THE
MEETING ROOM OF THE PUBLIC SERVICE BUILDING
4230 ELKHART RD., 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; Danielle Richards, Planner; Danny Dean, Planner; Laura Gilbert, Administrative Coordinator and Don Shuler, Attorney for the Board.

Roll Call.

Present: Philip Barker, Steve Warner, Lori Snyder, Steve Clark.

Absent: Steven Edwards.

2. A motion was made and seconded (*Snyder/Barker*) that the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 11th day of September, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Clark/Barker*) 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 3-lot minor subdivision to be known as GONGWER FARM MINOR SUBDIVISION, for Wayne Lamar Gongwer & Doris Joan Gongwer Trustees of the Gongwer Family Trust represented by Village Land Surveying, LLC, on property located on the east side of CR 3, 1,500 ft. south of CR 28, in Olive 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-0561-2025*.

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

Motion: Action: Approve, **Moved by** Steve Clark, **Seconded by** Lori Snyder that this request for primary approval of a 3-lot minor subdivision to be known as GONGWER FARM MINOR SUBDIVISION be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

5. The application for primary approval of a 2-lot minor subdivision to be known as FUENTES CR 115 MINOR, for Robert Fuentes & Edith A. Fuentes, Husband & Wife represented by B. Doriot & Associates, Inc., on property located on the east side of CR 115, 1,500 ft. north of CR 20, common address of 58826 CR 115 in Concord 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-0562-2025*.

Mr. Clark asked if both lots will share one entrance. Mrs. Richards confirmed that it was correct. She further explained that it is an existing driveway, and it will become a shared driveway. Mr. Warner inquired if there were any concerns with utility easements. Mrs. Richards stated there

were none.

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

Motion: Action: Approve, **Moved by** Steve Clark, **Seconded by** Philip Barker that this request for primary approval of a 2-lot minor subdivision to be known as FUENTES CR 115 MINOR be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

6. The meeting was adjourned at 9:04 A.M.

Respectfully submitted,

Amber Weiss, Recording Secretary

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: November 13, 2025

Transaction Number: MI-0644-2025.

Parcel Number(s): 20-02-35-476-032.000-026.

Existing Zoning: R-1.

Petition: For primary approval of a 2-lot minor subdivision to be known as KENO MINOR SUBDIVISION.

Petitioner: Chad A. Rohrer, Trustee of the Chad A. Rohrer Trust, represented by Advanced Land Surveying of Northern Indiana, Inc.

Location: South side of Greenleaf Blvd., 700 ft. east of Homeland Rd., south of CR 10 (E. Bristol St.), in Osolo Township.

Site Description: Proposed lot 1 is 0.61 acres and irregular in shape with an existing residence. Proposed lot 2 is 1.03 acres and irregular in shape with an existing residence.

History and General Notes:

- A Developmental Variance is being approved with this primary for lack of road frontage on proposed lot 1, ordinance requires 80 ft.
- A Developmental Variance is being approved with this primary for a 3.5 ft. west side setback for the existing residence being 6.5 ft. as the ordinance requires a 10 ft. side setback, on proposed lot 2.

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

Date: 10/06/2025 Meeting Date: November 13, 2025 Transaction #: MI-0644-2025
Plan Commission Hearing (Subdivision)

Description: for primary approval of a 2-lot minor subdivision to be known as KENO MINOR SUBDIVISION

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Chad A Rohrer Trustee Of The Chad A. Rohrer Trust 23146 Greenleaf Blvd. Elkhart, IN 46514	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 23146 Greenleaf Blvd Elkhart, IN 46514	Parcel Number: 20-02-35-476-032.000-026
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Township: Osolo
Location: South Side Of Greenleaf Blvd, 130 ft. West Of Holiday Drive

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

Legal Description:

Comments: Lot 1: Developmental Variance for a 16 ft. lot-width Developmental Variance (Ordinance requires 80 ft.) to allow for an existing residence
Lot 2: Developmental Variance for a 4 (Ordinance requires 10 ft.) to allow for a residence 6.5 ft. from the east property line and 1 ft. from the west property line

Applicant Signature:

Department Signature:



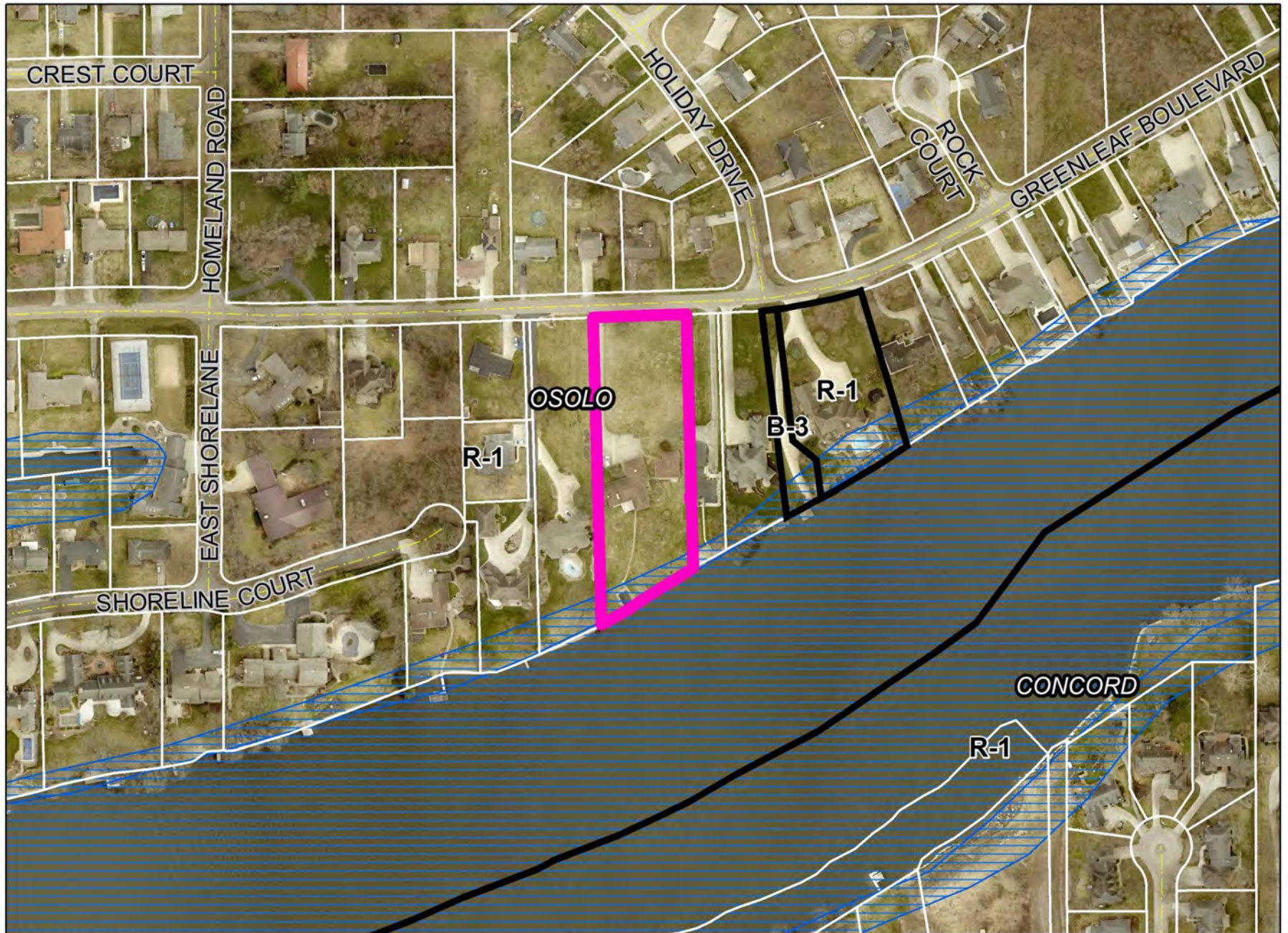
GREENLEAF BOULEVARD

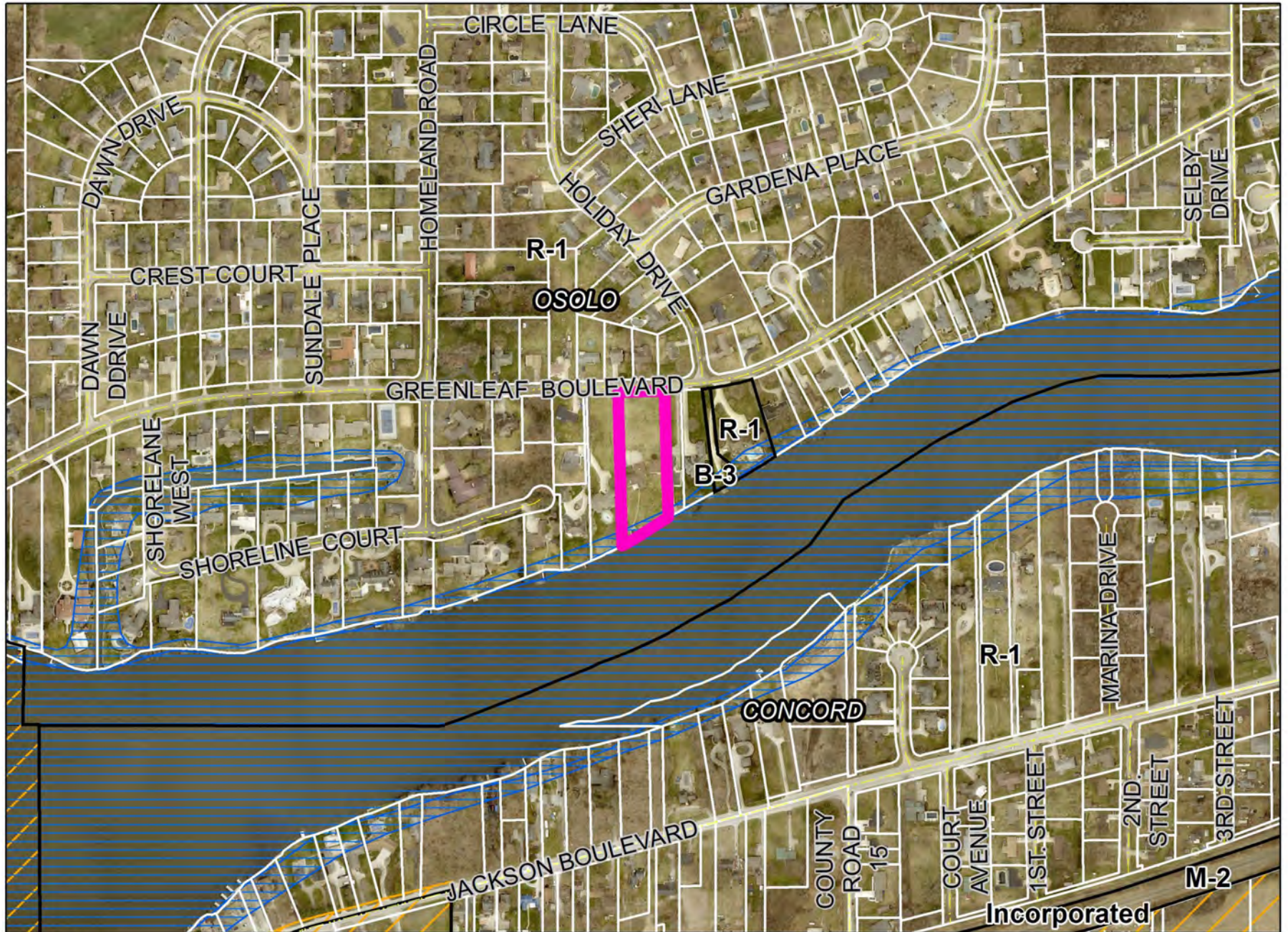
R-1

OSOLO

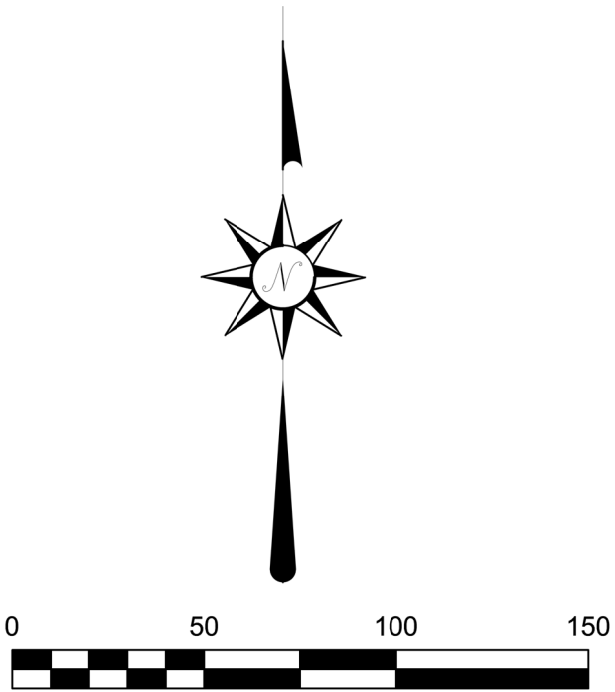
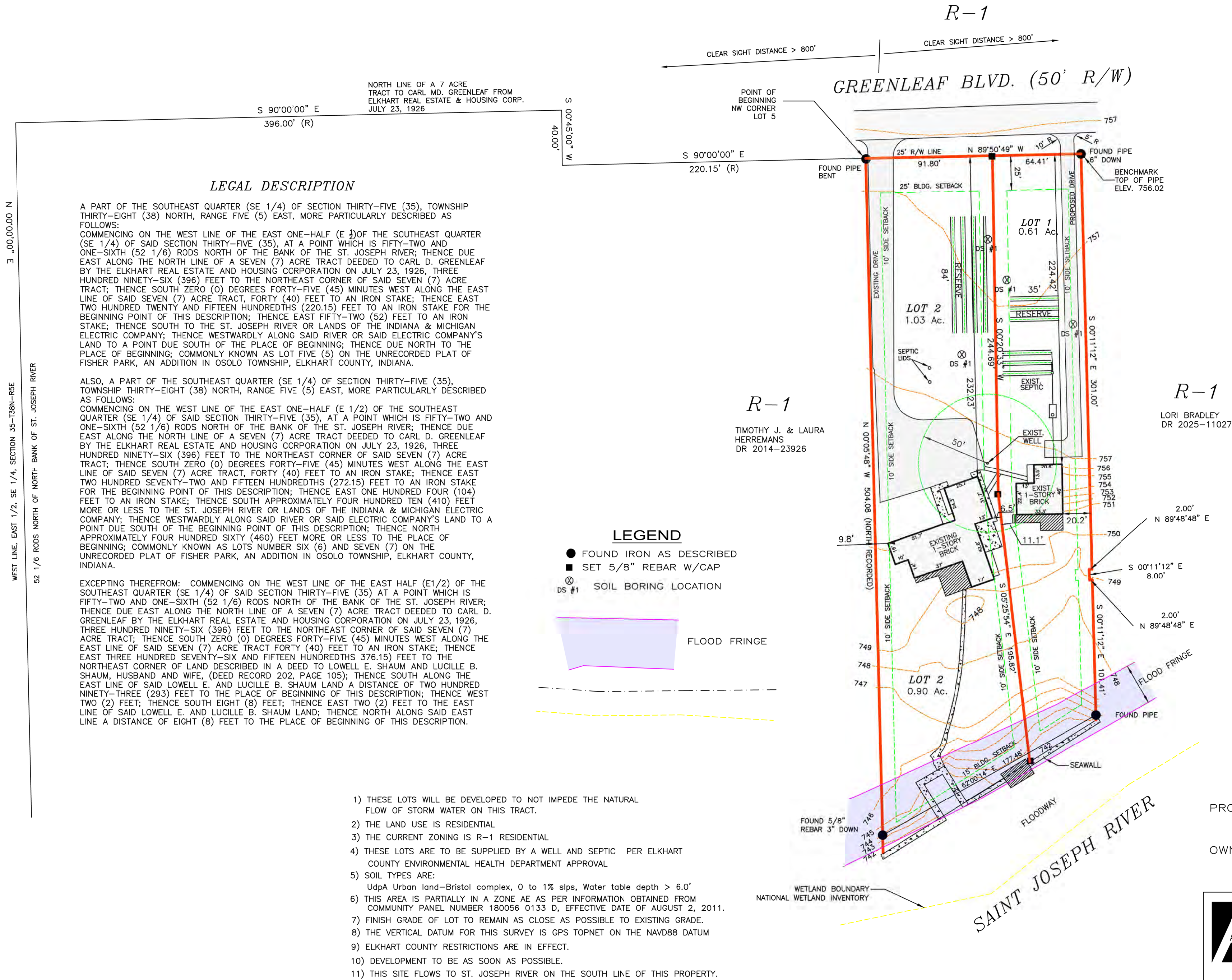
R-1

B-3





KENO MINOR SUBDIVISION
A 2 LOT MINOR SUBDIVISION LOCATED IN THE SOUTHEAST 1/4 OF SECTION 35 TOWNSHIP 38
NORTH, RANGE 5 EAST OSOLO TOWNSHIP, ELKHART COUNTY, INDIANA



ADVANCED LAND SURVEYING OF NORTHERN INDIANA, INC.
17120 COUNTY ROAD 46, NEW PARIS, INDIANA 46553
(574) 849-4728
Email= ron@advancedlandsurveying.net
RONNIE L. JUSTICE PS

SCALE: 1" = 50'	DRAWN BY: RLJ	PROJECT NUMBER: 250715
DATE: 08/01/2025	APPROVED BY: RLJ	SHEET NUMBER: 1 OF 2

KENO MINOR SUBDIVISION
A 2 LOT MINOR SUBDIVISION LOCATED IN THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 38
NORTH, RANGE 5 EAST OSOLO 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 _____ 2025.

ELKHART COUNTY PLAN COMMISSION

BY: _____
MAE KRATZER, PLAN DIRECTOR

RECORDER

RECEIVED FOR RECORD THIS _____ DAY OF _____ 2025
AT ____:____ AND RECORDED IN PLAT BOOK _____ PAGE _____

KAALA BAKER — RECORDER OF ELKHART COUNTY

AUDITOR

DULY ENTERED FOR TAXATION THIS _____ DAY OF _____ 2025

PATRICIA A. PICKENS — AUDITOR OF ELKHART COUNTY

DEED OF DEDICATION and OWNERS 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 KENO 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.

CHAD A. ROHRER, TRUSTEE OF THE CHAD A. ROHRER TRUST DATED JANUARY
14, 2022

STATE OF INDIANA)
)SS:
COUNTY OF ELKHART)

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,
PERSONALLY APPEARED CHAD A. ROHRER 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 _____ 2025.

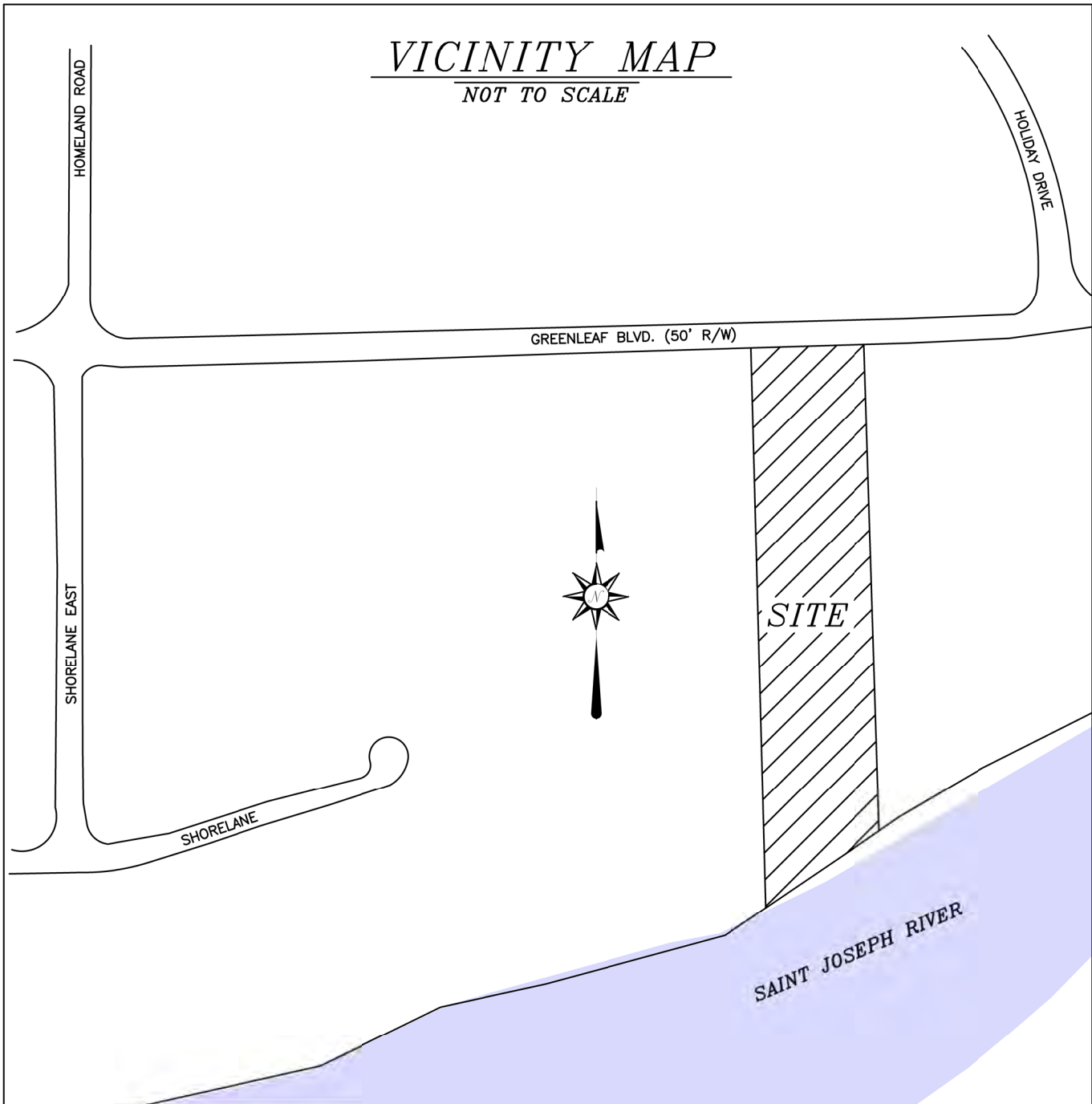
NOTARY

JENNIFER L. JUSTICE
RESIDENT OF ELKHART COUNTY
MY COMMISSION EXPIRES MAY 30, 2030

SURVEYOR'S REPORT

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 29 OF THE
INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED
REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS
ESTABLISHED ON THIS SURVEY.
THE RELATIVE POSITIONAL ACCURACY OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED
THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A SUBURBAN (0.13 FEET PLUS 100 PARTS
PER MILLION) SURVEY. THE PURPOSE OF THIS SURVEY IS TO PERFORM A RESURVEY OF A
PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 5 EAST,
OSOLO TOWNSHIP, ELKHART COUNTY, INDIANA AND BEING LOTS 5, 6 AND 7 IN THE
UNRECORDED PLAT OF FISHER PARK. THIS SURVEY IS TO PLAT SAID PROPERTY INTO 2 LOTS.
THIS SURVEY IS BASED ON DEEDS OF THE SUBJECT PROPERTY AND ADJOINING PROPERTIES.
SEVERAL IRONS OF THIS LOT WERE FOUND AND HELD AS THE BOUNDARY OF THIS SURVEY.
THE DEED FOR THIS PROPERTY HAS AN AMBIGUOUS COMMENCING POINT WHICH IS THE NORTH
BANK OF THE RIVER. SECTION LINE IS RETRACED FROM PLAT OF WOODED ACRES RECORDED IN
PLAT BOOK 7, PAGE 71 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.
FOUND IRONS WERE ACCEPTED AS THE BOUNDARY OF THIS SURVEY.
NO SURVEY MATTERS OF THESE SURVEYS HAS CHANGED

BASIS OF BEARINGS IS NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ON THE WEST LINE
OF THE EAST HALF SOUTHEAST QUARTER OF SECTIO 35, TOWNSHIP 38 NORTH, RANGE 5 EAST.



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 COMMENCED IN ELKHART
COUNTY, INDIANA.

PROPERTY ADDRESS: 23146 GREENLEAF BLVD.
ELKHART, INDIANA 46514

OWNER: CHAD A. ROHRER, TRUSTEE



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 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

SIGNATURE _____
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

SCALE: 1" = 50'	DRAWN BY: RLJ	PROJECT NUMBER: 250715
DATE: 08/01/2025	APPROVED BY: RLJ	SHEET NUMBER: 2 OF 2

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: November 13, 2025

Transaction Number: MI-0645-2025.

Parcel Number(s): 20-02-23-126-006.000-026, 20-02-23-126-008.000-026, 20-02-23-126-011.000-026.

Existing Zoning: A-1.

Petition: For primary approval of a 2-lot minor subdivision to be known as RORCO MINOR SUBDIVISION.

Petitioner: Gwen S. Turk & Diana L. Gibson, represented by Jones Petrie Rafinski.

Location: South side of CR 4, 2,540 ft. east of CR 13, in Osolo Township.

Site Description: Proposed lot 1 is 1.24 acres, rectangular in shape, with a 3,880 sq. ft. commercial building and access to CR 4 via an existing driveway on proposed lot 2. Proposed lot 2 is 16.68 acres, flag shaped, with an existing home and accessory structures.

History and General Notes:

- **December 20, 1984** – The BZA approved a 3:1 Developmental Variance to allow the construction of a residence. (The staff report noted the presence of an existing metal building used to store plant nursery stock.)
- **January 15, 1987** – The BZA approved a Special Use to allow the construction of an addition to an existing building to be used for a commercial landscaping business.
- **May 20, 1993** – A petition for a Special Use for warehousing and storage was withdrawn.
- **August 18, 1994** – The BZA approved a Use Variance to allow the operation of a distributorship for business forms.
- **October 19, 2000** – The BZA approved a Special Use to allow a church in an existing building.
- **July 15, 2004** – The BZA approved a Special Use to allow a church school in an existing building.
- **September 18, 2014** – The BZA approved a Use Variance to allow an office and dispatch for a heating, AC, and refrigeration business.
- **November 21, 2018** – The heating business announced via letter that it had relocated and there was no more need for the Use Variance.
- This minor subdivision includes a 50 ft. lot width Developmental Variance (Ordinance requires 100 ft.) for lot 2.
- After secondary submittal, the secondary plat will not be released for recording until the building on lot 1 meets the standards of the Development Ordinance and Building Code Ordinance.

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

Date: 10/06/2025 Meeting Date: November 13, 2025 Transaction #: MI-0645-2025
Plan Commission Hearing (Subdivision)

Description: for primary approval of a 2-lot minor subdivision to be known as RORCO MINOR SUBDIVISION

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Jones Petrie Rafinski 325 S Lafayette Blvd South Bend, IN 46601	Gwen S Turk & Diana L Gibson 23522 County Road 4 Elkhart, IN 46514	Jones Petrie Rafinski 325 S Lafayette Blvd South Bend, IN 46601

Site Address: 23522 County Road 4 Elkhart, IN 46514	Parcel Number: 20-02-23-126-006.000-026 20-02-23-126-008.000-026 20-02-23-126-011.000-026
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Township: Osolo
Location: South Side of CR 4, 2,540 ft. East of CR 13

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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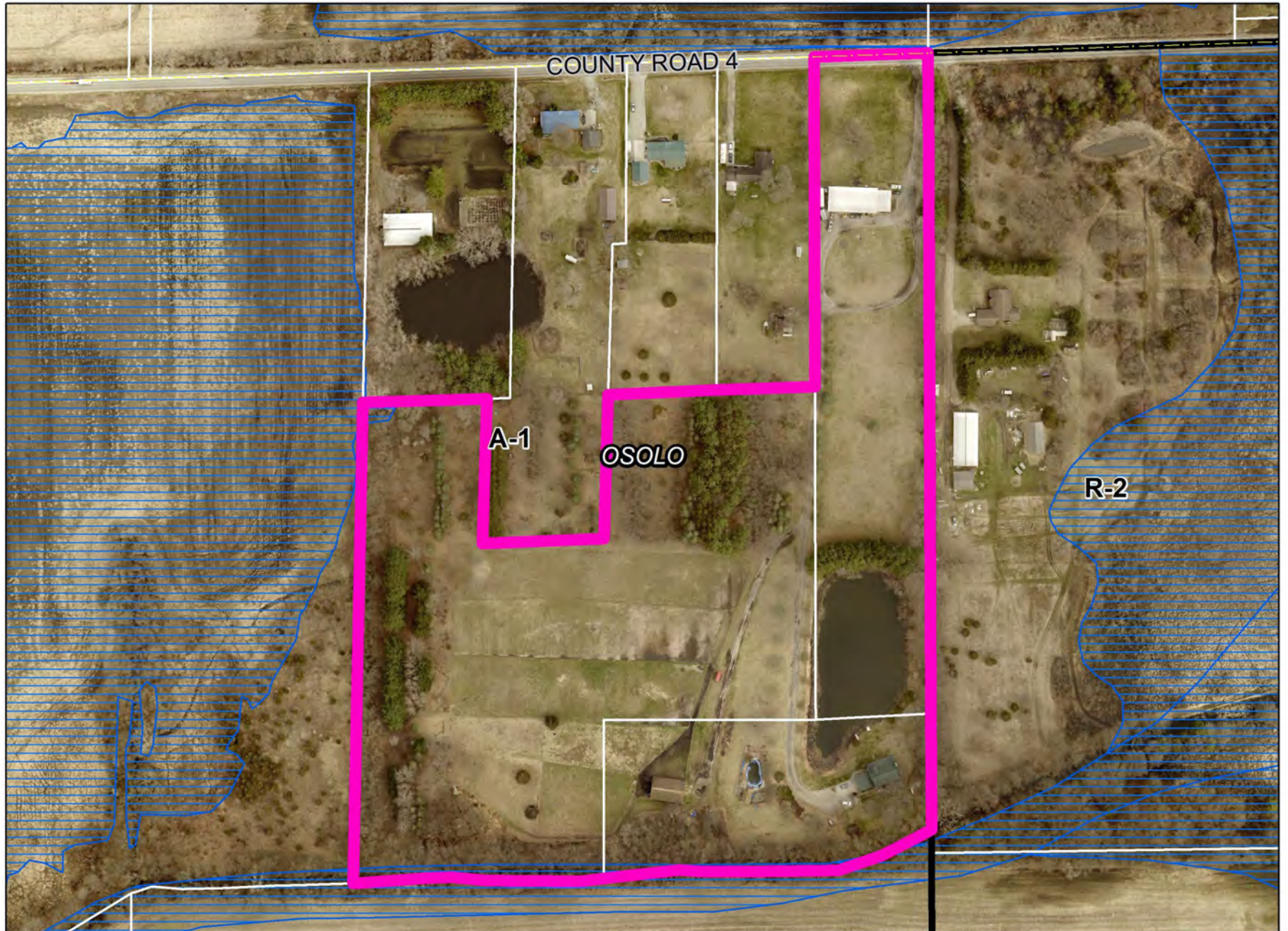
Zoning: A-1	NPO List:
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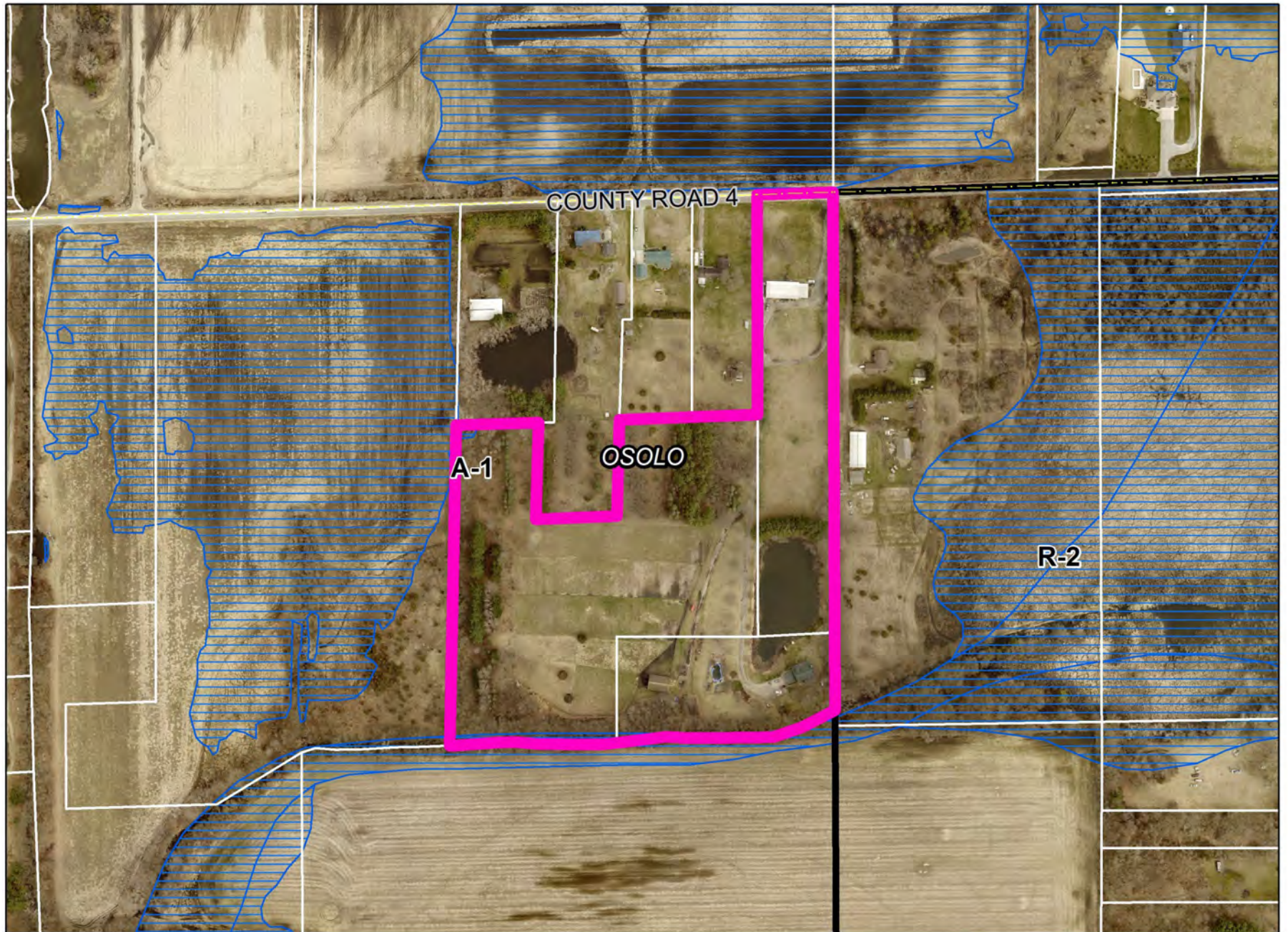
Present Use of Property:

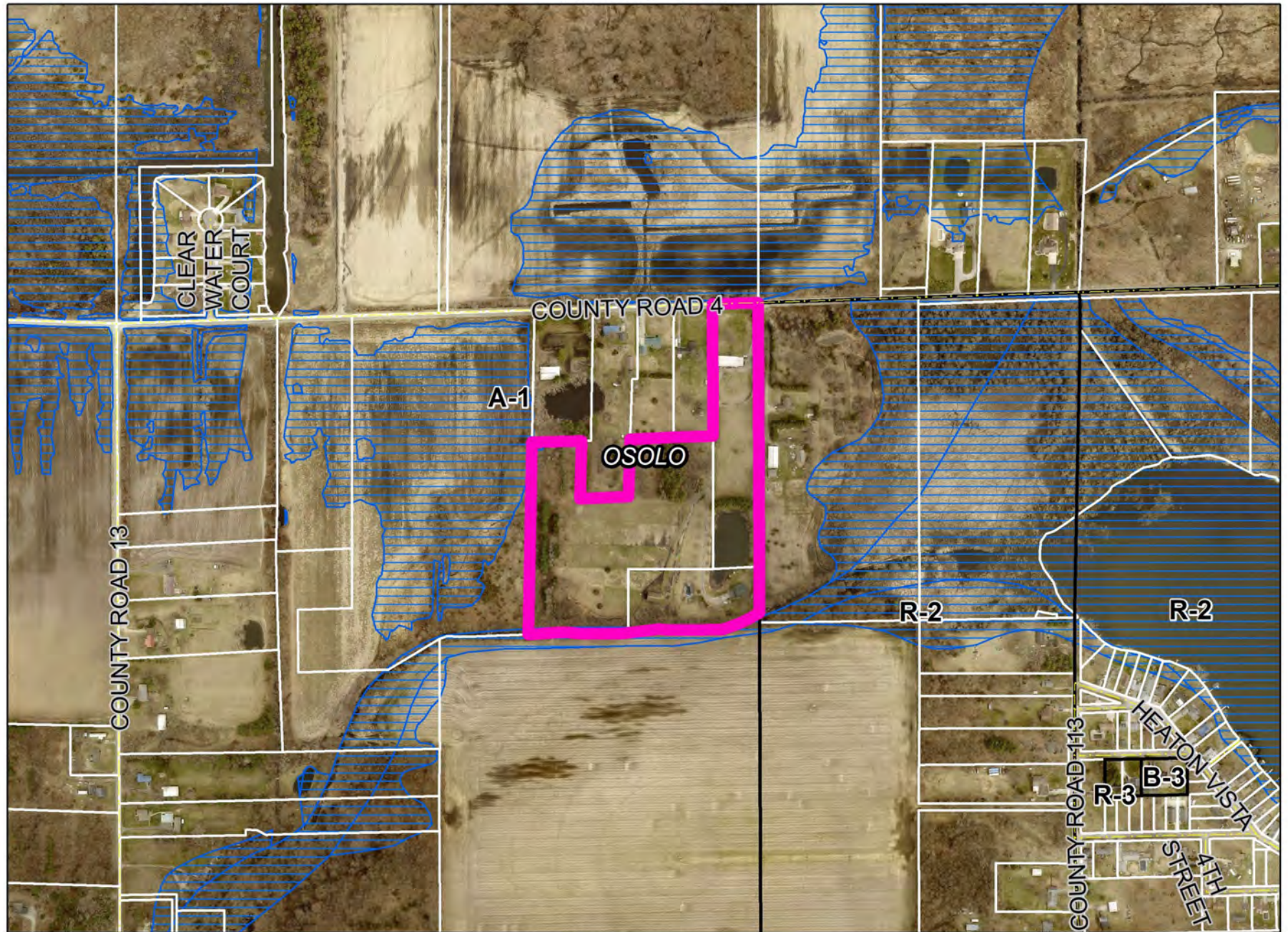
Legal Description:

Comments: for a 50 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for an existing residence

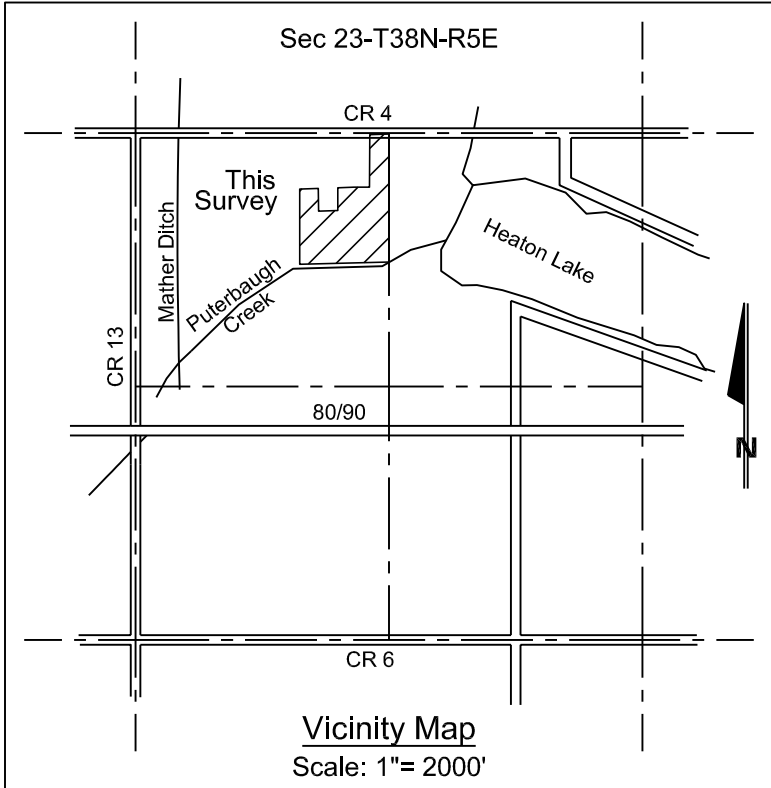
Applicant Signature:	Department Signature:
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File: J:\Projects\2025 Projects\2025-07\07102_Survey\Subdivision Plat\G-1755P.dwg Saved By:jbarnes Plotted: 2025-10-23 3:15 PM



Record Legal Description

per Deed Record 2023-07991
TRACT I: 28 Acres off and from the East side of the North 1/2 of the East 1/2 of the Northwest Quarter of Section 23, Township 38 North, Range 5 East, in Osolo Township, Elkhart County, Indiana.

EXCEPTING THE FOLLOWING: Commencing at the Northeast corner of the Northwest Quarter of said Section 23; thence Westwardly along the North line of said Quarter Section, a distance of 200 feet to the place of beginning of this description; thence continuing Westwardly along the North line of said Quarter Section to a point where said line is intersected by the West line of the East 28 acres of the North 1/2 of the East 1/2 of the said Quarter Section; thence southwardly, along the West line of said 28 acre tract, a distance of 542 feet; thence Eastwardly, parallel with the North line of said Quarter Section, to a point that is 200 feet West of the East line of said Quarter Section; thence Northwardly, parallel with the 200 feet West of the East line of said Quarter Section, a distance of 542 feet to the place of beginning.

EXCEPTING THEREFROM: Part of the North 1/2 of the East 1/2 of the Northwest Quarter of Section 23, Township 38 North, Range 5 East, situate in Osolo Township, Elkhart County, State of Indiana, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section, and assuming the North line of said Quarter Section to have a bearing of due East and West; thence due West along the North line of said Quarter Section 510 feet, to the Northeast corner of land conveyed to Harry and Jann Charlston in Document Number 2002-19290; thence South 1 degree 50 minutes West, along the East line of said Charlston land, parallel with the East line of said Quarter Section 290.4 feet; thence due West, along a line of said Charlston land, parallel with the North line of said Quarter Section 23.13 feet; thence South 1 degree 50 minutes West, along the East line of said Charlston land, parallel with the East line of said Quarter Section 251.6 feet to the Southeast corner of said Charlston land and the place of beginning of this description; thence due West, along the South line of said Charlston land, and said line extended, parallel with the North line of said Quarter Section 200.36 feet to an inch iron pipe set with cap "MBW13"; thence South 1 degree 41 minutes 53 seconds West a distance of 238.50 feet to an inch iron pipe set with a cap "MBW13"; thence due East parallel with the North line of said Quarter Section 201 feet to an inch iron pipe set with cap "MBW13"; thence North 1 degree 32 minutes 23 seconds West a distance of 238.47 feet to the place of beginning. Containing 1.1 Acre more or less.

ALSO: EXCEPTING THERFROM: A part of 28 Acres off of and from the East side of the North half of the East half of the Northwest Quarter of Section 23, Township 38 North, Range 5 East, 2nd Principal Meridian, Osolo Township, Elkhart County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter of Section 23; thence South along the East line of said Northwest Quarter of Section 23, a distance of 1089 feet to the point of beginning of this description; thence continuing along said East line of said Northwest Quarter of Section 23, a distance of 190 feet more or less to the centerline of Putterbaugh Creek, a legal drain of Elkhart County, Indiana; thence Westsouthwest along said centerline of Putterbaugh Creek, a distance of 160 feet more or less; thence Westerly along said centerline of Putterbaugh Creek, a distance of 394 feet more or less; thence North parallel with said East line of the said Northwest Quarter of Section 23, a distance of 250 feet more or less to a point being 1089 feet South of the North line of said Northwest Quarter of Section 23; thence East parallel with said North line of the said Northwest Quarter of Section 23, a distance of 550 feet to the point of beginning. Said described tract containing 3.01 Acres, more or less.

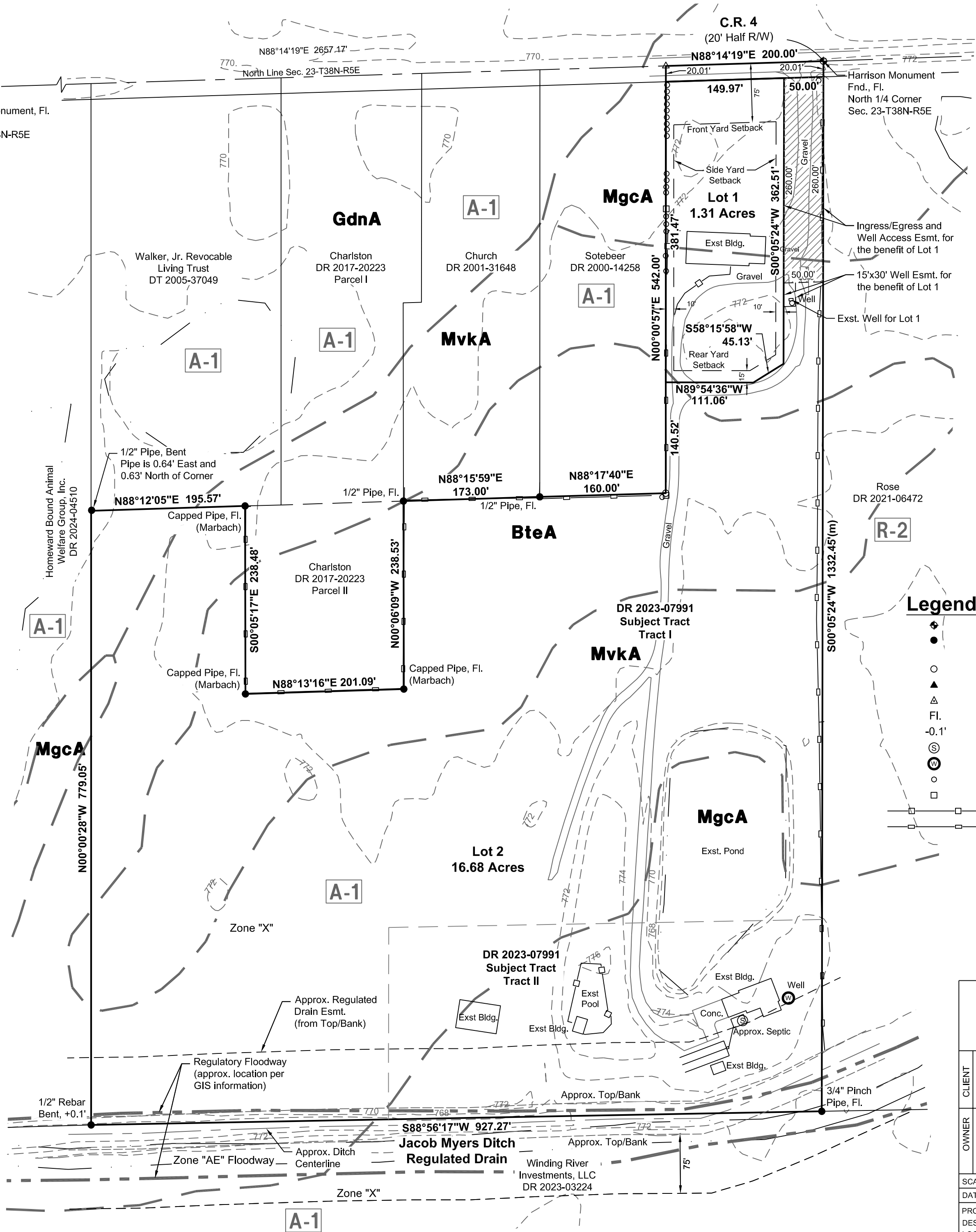
TRACT II: A part of 28 Acres off of and from the East side of the North half of the East half of the Northwest Quarter of Section 23, Township 38 North, Range 5 East, 2nd Principal Meridian, Osolo Township, Elkhart County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter of Section 23; thence South along the East line of said Northwest Quarter of Section 23, a distance of 1089 feet to the point of beginning of this description; thence continuing along said East line of said Northwest Quarter of Section 23, a distance of 190 feet more or less to the centerline of Putterbaugh Creek, a legal drain of Elkhart County, Indiana; thence Westsouthwest along said centerline of Putterbaugh Creek, a distance of 160 feet more or less; thence Westerly along said centerline of Putterbaugh Creek, a distance of 394 feet more or less; thence North parallel with said East line of the said Northwest Quarter of Section 23, a distance of 250 feet more or less to a point being 1089 feet South of the North line of said Northwest Quarter of Section 23; thence East parallel with said North line of the said Northwest Quarter of Section 23, a distance of 550 feet to the point of beginning. Said described tract containing 3.01 Acres, more or less.

Above described tract has an easement for ingress and egress along and across the driveway being 20 feet wide that services the improvements on above tract. ALSO an easement to maintain use and rebuild existing utilities that service above tract.

RORCO MINOR SUBDIVISION

A Part of the Northwest Quarter of Section 23 Township 38 North, Range 5 East,
Osolo Township, Elkhart County, Indiana



General Notes

The proposed subdivision is currently zoned A-1. Adjoining parcels are either zoned A-1 or R-2. Refer to the drawing.

A-1
75' Front Yard (from centerline of Right of Way)
10' Side Yard
15' Rear Yard

Access to the proposed Lots will be from C.R. 4.

The proposed Lots will be serviced by private well and septic.

The existing well for Lot 1 is located on Lot 2 near the existing drive. An agreement will be put in place to allow access to said well for maintenance and upkeep until such time the well needs to be replaced. At such time the well needs to be replaced the owner of Lot 1 shall install the new well on Lot 1.

Contours and soils are depicted per the Elkhart County GIS.

Intended land use is residential.

Elkhart County Restrictions are in effect, no other restrictions.

Note: The use of the existing structure on Lot 1 is not validated by this subdivision and must meet development ordinance requirements.

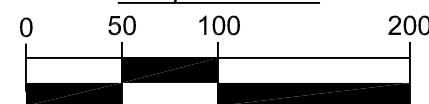
Flood Classification

Portions of this property is located within the floodplain as per information obtained from Flood Insurance Rate Map, National Flood Insurance Program, Community-Panel Number 18039C0135D, effective date August 2, 2011, Zone X, area of minimal flood hazard and Zone AE, Regulatory Floodway.

Legend

- Existing Monument (Origin Unknown Unless Otherwise Noted)
- 5/8" Capped Rebar Set (Barnes 20200084)
- PK Nail Found
- Mag Nail Set
- Mon. Flush with Ground
- Elev. of Mon. above Ground (Typ.)
- Approximate Septic Tank Location
- Well
- Post
- RR Tie Post
- Wood Fence
- Farm Field Type Fence

Graphic Scale



(In Feet)
1 inch = 100 ft.



JONES
PETRIE
RAFINSKI

South Bend, IN
p: 574.232.4388
Fort Wayne, IN
p: 260.422.2522

Gwen S. Turk & Diana L. Gibson
23522 C.R. 4
Elkhart, IN 46514

Gwen S. Turk & Diana L. Gibson
23522 C.R. 4
Elkhart, IN 46514

© 2025 JPR - All Rights Reserved		REF. DOC. NO.: 2023-07991	
SCALE: 1" = 100'	DRAWN BY: jsb	SURVEYED: Sept.-Oct., 2025	
DATE: 10/23/2025	CHECKED BY:	JOB NO. 2025-01707	
PROJ: 23522 C.R. 4			
DESC: Primary Plat			
LOC: NW 1/4 Sec. 23-T38N-R5E, Osolo Twp.			

RORCO MINOR SUBDIVISION

A Part of the Northwest Quarter of Section 23 Township 38 North, Range 5 East,
Osolo Township, Elkhart County, Indiana

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 become damaged or in disrepair, it shall be the responsibility of the lot owner to repair such facilities at the owner's expense.

In the event of 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 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 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 said 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.

Elkhart County 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 _____, 2025.

Mae Kratzer, Plan Director

Auditor

Duly entered for taxation this _____ day of _____ 2025.

Patricia A. Pickens Auditor, Elkhart County, Indiana

Recorder

Received for record this _____ day of _____, 2025, at _____
and recorded in Plat Book _____ Page _____, Instrument No. ____
_____.

Kaala Baker Recorder, Elkhart County, Indiana

Deed of Dedication

We the undersigned, owner(s) 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, Indiana, Development Ordinance. This subdivision shall be known as **RORCO MINOR SUBDIVISION**. All streets, alleys and public open spaces shown and not heretofore dedicated, are hereby dedicated to the public.

Owner's Certification

This is to certify that the undersigned is the owner of property herein described in the above caption, and have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, thereon indicated.

Dated this _____ day of _____, 2025.

Diana L. Gibson

Notary Public Certificate

State of Indiana)
) ss;
County of Elkhart)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared _____ and acknowledged the execution of this instrument.

Witness my hand and seal this _____ day of _____, 2025.

Notary Public, residing in _____ County

My commission expires: _____

Surveyor's Statement

This plat is in accordance with Title 865, Article 1, Chapter 12 of the Indiana Administrative Code with the lines of this plat conforming to a survey made under JPR supervision in August, 2023 and being recorded on xxxx, 2025 in the Office of the Recorder of Elkhart County in Instrument No. xxxxx.

Surveyor's Certificate

I, Jeffrey S. Barnes, hereby certify that I am a land surveyor, licensed in compliance with the laws of the State of Indiana, that all the monuments will be installed in accordance with the provisions of the platting ordinance; and that their location, size, type and material are accurately shown.

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.

Jeffrey S. Barnes PS 20200084 10/23/2025
Date



Owner's Certification

This is to certify that the undersigned is the owner of property herein described in the above caption, and have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, thereon indicated.

Dated this _____ day of _____, 2025.

Gwen S. Turk

Notary Public Certificate

State of Indiana)
) ss;
County of Elkhart)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared _____ and acknowledged the execution of this instrument.

Witness my hand and seal this _____ day of _____, 2025.

Notary Public, residing in _____ County

My commission expires: _____

JONES PETRIE RAFINSKI South Bend, IN p: 574.232.4388 Fort Wayne, IN p: 260.422.2522			
CLIENT	Gwen S. Turk & Diana L. Gibson 23522 C.R. 4 Elkhart, IN 46514		
	Gwen S. Turk & Diana L. Gibson 23522 C.R. 4 Elkhart, IN 46514		
OWNER	© 2025 JPR - All Rights Reserved REF. DOC. NO.: 2023-07991		
	SCALE: 1" = 30' DRAWN BY: jsb SURVEYED: Sept., 2025		
DATE: 10/23/2025		CHECKED BY:	JOB NO. 2025-01707
PROJ: 23522 C.R. 4 DESC: Primary Plat LOC: NW 1/4 Sec. 23-T38N-R5E, Osolo Twp.			C-1755P

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: November 13, 2025

Transaction Number: MA-0635-2025.

Parcel Number(s): 20-11-12-326-006.000-014, 20-11-12-400-001.000-014.

Existing Zoning: A-1.

Petition: For secondary approval of a 6-lot major subdivision to be known as ROCK POINTE SECOND.

Petitioner: Warner Farms, represented by Innovative Communities, Inc., & Land & Boundary, LLC.

Location: East side of CR 29, 2,140 ft. north of CR 34, in Elkhart Township.

Site Description: The subject property is the 36-acre second phase of Rock Pointe, which began with a first phase of 5 lots along CR 29. Rock Pointe Second contains 6 lots averaging 6 acres each. Access to CR 29 will be via private drive, and all 6 lots will be subject to a proposed agreement for the maintenance of the private drive and the easement that is established for it. Part of the original Rock Pointe drains to Hoover Ditch via existing tile that runs across proposed lots 1 through 3, and all 6 lots will be subject to a proposed agreement for the maintenance of the tile and the existing easement that is established for it. All agreements are referenced on the final plat. Slopes on the subject property direct surface water generally toward depressions at the east sides of lots 3 and 4.

History and General Notes:

- **September 29, 2011** – The original Rock Pointe was recorded.
- **August 14, 2025** – The Plan Commission granted primary approval of Rock Pointe Second and approved lot width variances for lots 1 and 6 and no-frontage variances for lots 2 through 5.

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

Date: 10/03/2025 Meeting Date: November 13, 2025 Transaction #: MA-0635-2025
Plan Commission Hearing (Subdivision)

Description: for secondary approval of a 6- lot major subdivision to be known as ROCK POINTE SECOND

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>	<u>Private Surveyor</u>
Warner Farms	Warner Farms	Innovative Communities, Inc	Land & Boundary Llc
17580 Sr 4	17580 Sr 4	697 Bungalow Dr	401 South 3Rd St
Goshen, IN 46528	Goshen, IN 46528	Nappanee, IN 46550	Goshen, IN 46526

Site Address: 00000 County Road 29 GOSHEN, IN 46528	Parcel Number: 20-11-12-326-006.000-014 20-11-12-400-001.000-014
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Township: Elkhart
Location: EAST SIDE OF CR 29, 2,140 FT. N OF CR 34

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning: A-1	NPO List:
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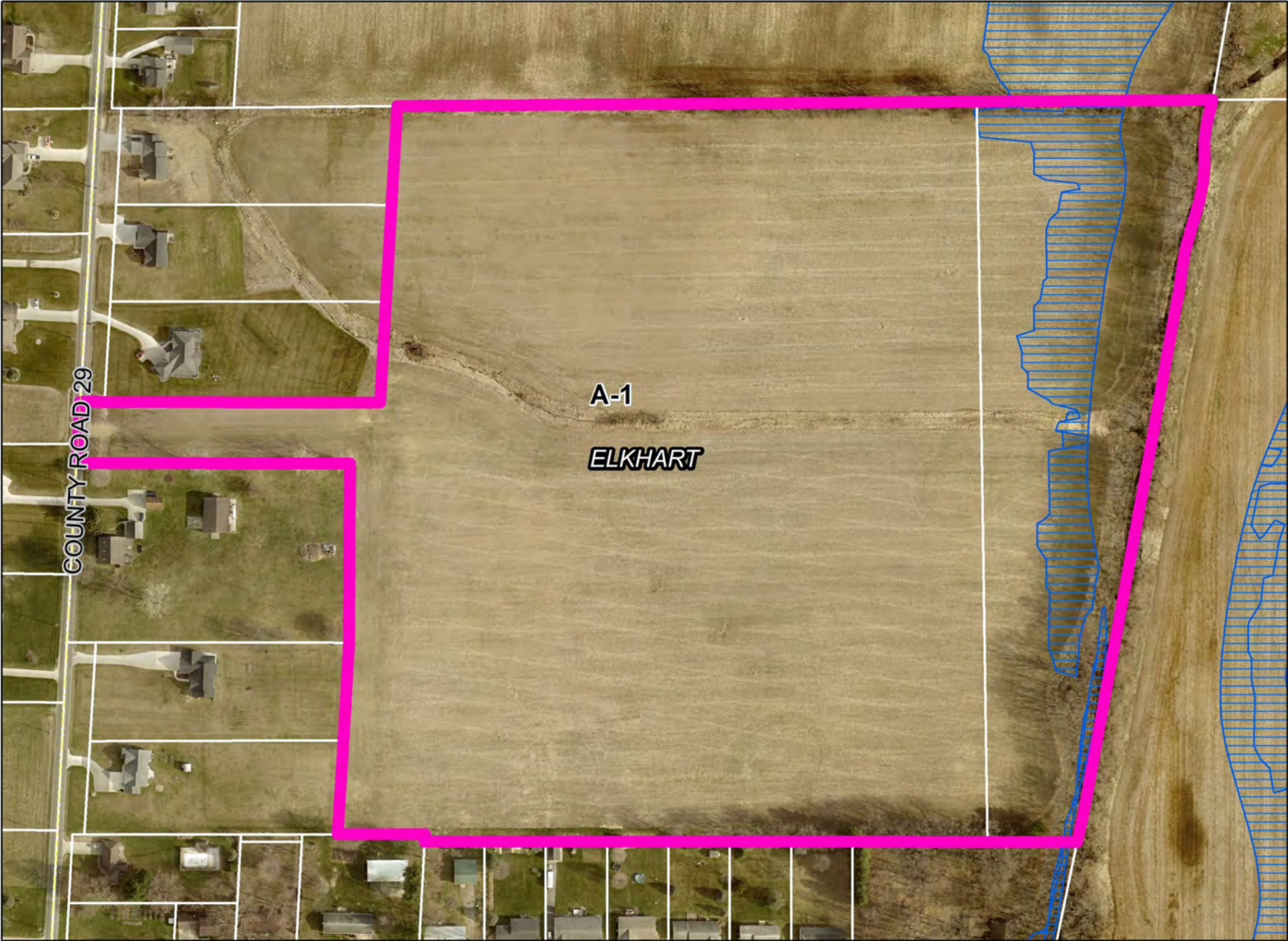
Present Use of Property:

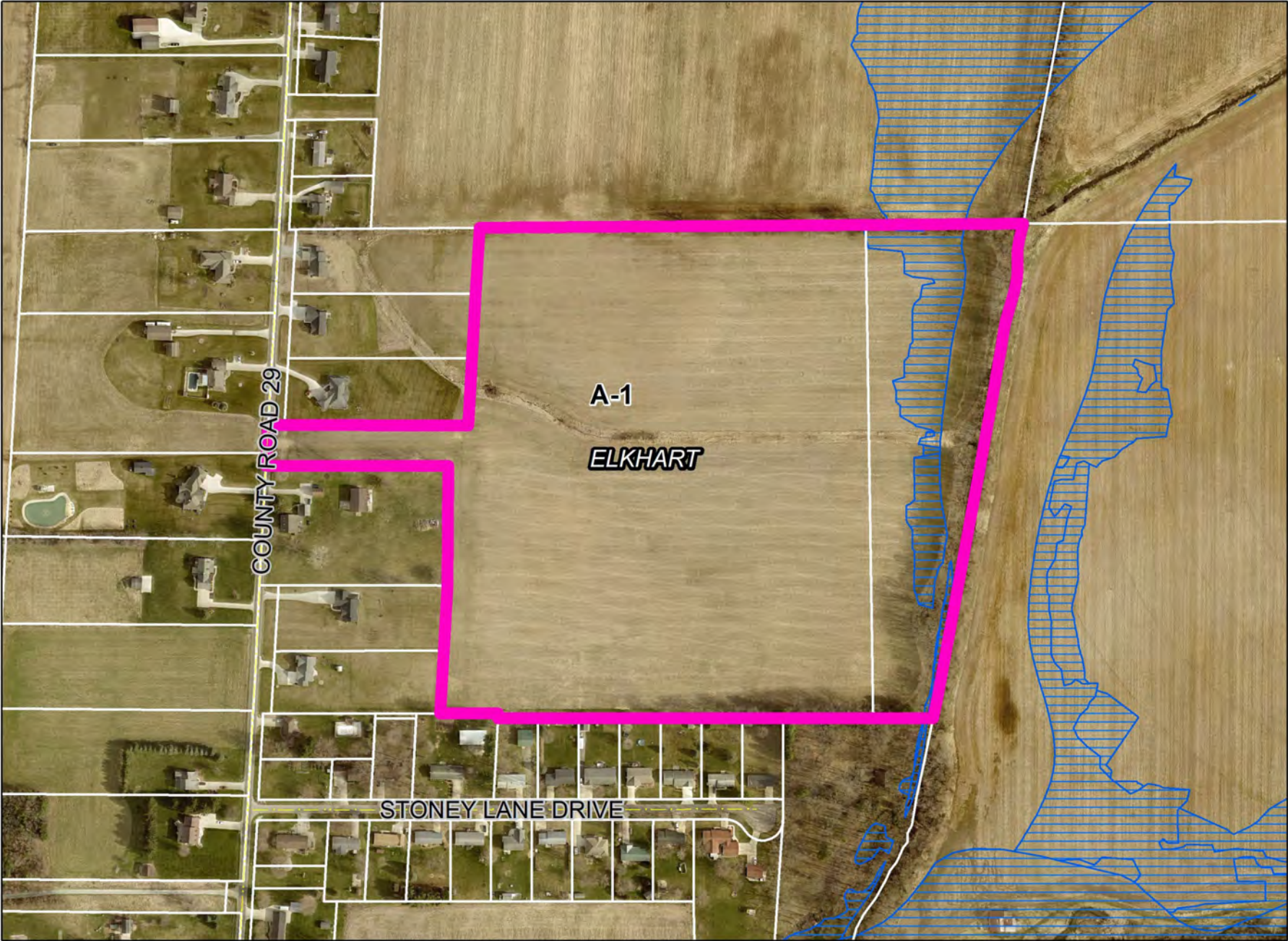
Legal Description:

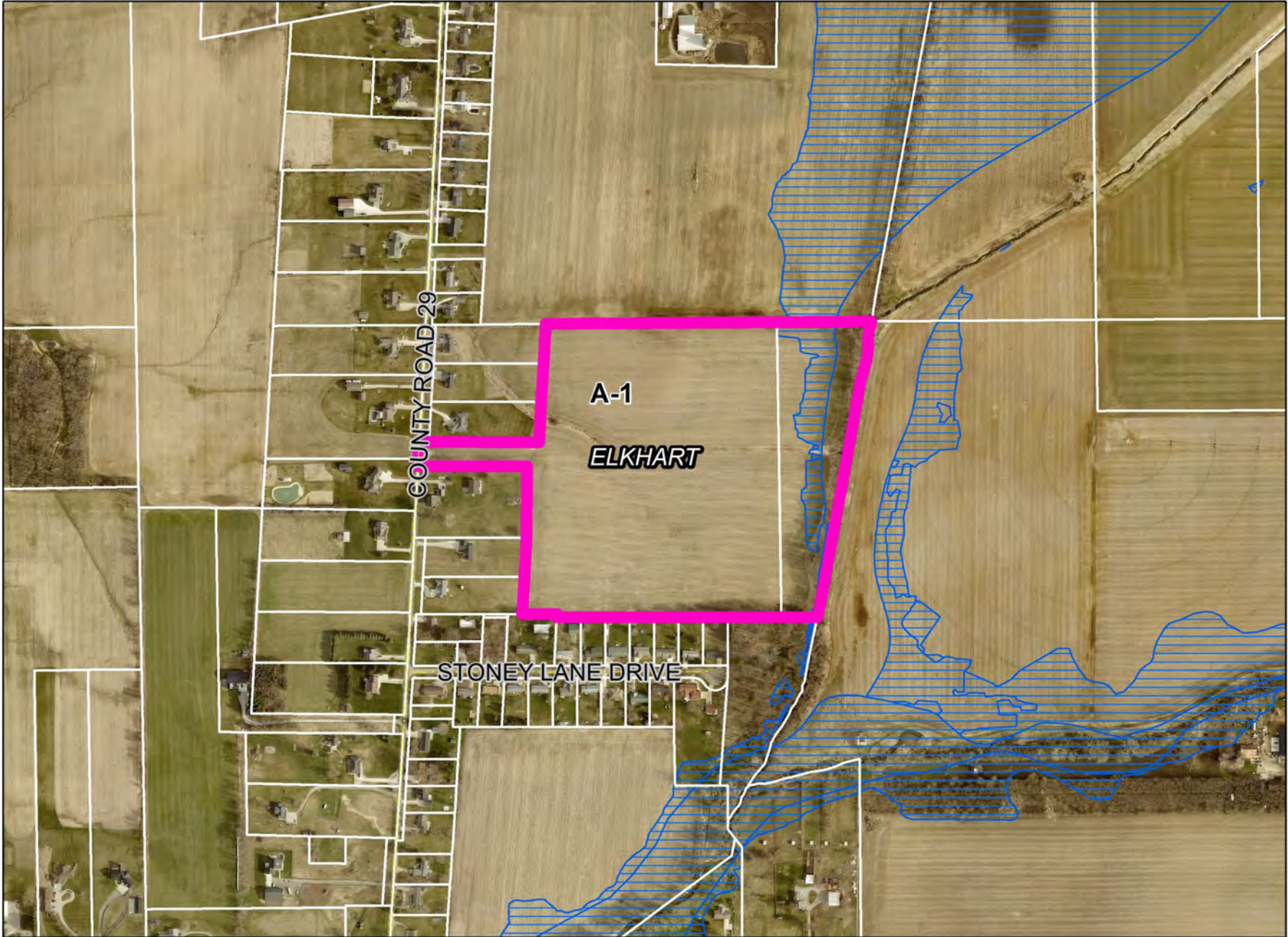
Comments: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement
SEE MA-0351-2025 BB

Applicant Signature:

Department Signature:









LEGEND

- REBAR FOUND
- IRON PIPE FOUND
- HARRISON MONUMENT FOUND
- STEEL POST
- 10' SIDE BUILDING SETBACK
- 15' REAR BUILDING SETBACK

LAND & BOUNDARY
The Land and Boundary Resource Office

401 SOUTH 3RD STREET GOSHEN, IN 46526
(574) 320-5514
INFO@LANDBRO.COM

DATE OF FIELD WORK: 8-8-2023
PROJECT NUMBER: 250801
AUTHORIZED BY: TRS
DRAFTING BY: LRR
SHEET 1 OF 2

Rock Pointe Second
Part of the South Half (S1/2) of Section 12,
Township 36 North, Range 6 East
Elkhart Township, Elkhart County
State of Indiana

A part of the South Half (S1/2) of Section 12, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, State of Indiana, surveyed by Travis R. Shetler of Land and Boundary LLC, registration number LS21400008, as shown on a survey dated August 9, 2023 for project number 211201, and being more particularly described as follows:

Containing 36.06 Acres of Land

AN EASEMENT FOR DRAINAGE PURPOSES 40 FEET WIDE LYING 20 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

A PART OF THE SOUTH HALF (S1/2) OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP
ELKHART COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

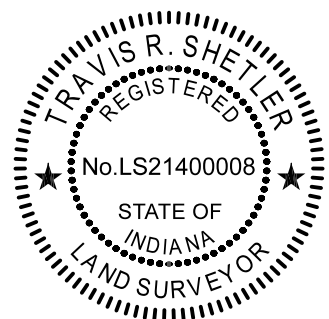
ASSUME THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, TO HAVE A BEARING OF SOUTH 89 DEGREES 58 MINUTES 51 SECONDS EAST.

COMMENCING AT A HARRISON MONUMENT FOUND FLUSH AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP ELKHART COUNTY, INDIANA: THENCE SOUTH 89 DEGREES, 56 MINUTES 51 SECONDS EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 12, A DISTANCE OF 986.22 FEET TO MAG NAIL SET ON THE MONUMENTED CENTERLINE OF COUNTY ROAD #29; THENCE NORTH 03 DEGREES 45 MINUTES 56 SECONDS EAST ALONG THE MONUMENTED CENTERLINE OF COUNTY ROAD #29, A DISTANCE OF 1460.29 FEET TO A 3/4 INCH IRON PIPE FOUND 3 INCHES BELOW THE PAVEMENT SURFACE; THENCE NORTH 03 DEGREES 21 MINUTES 41 SECONDS EAST ALONG SAID MONUMENTED CENTERLINE OF COUNTY ROAD #29, A DISTANCE OF 12.00 FEET TO A PK NAIL FOUND 2 INCHES BELOW THE PAVEMENT SURFACE AND MONUMENTING THE NORTHWEST CORNER OF A TWELVE FOOT (12') EASEMENT SHOWN ON THE RECORD PLAT OF "ROCK RUN ACRES SUBDIVISION" AS RECORDED IN PLAT BOOK 8, PAGE 92 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA: THENCE CONTINUING NORTH 03 DEGREES 21 MINUTES 41 SECONDS WEST ALONG SAID MONUMENTED CENTERLINE, A DISTANCE OF 706.54 FEET TO A MAG NAIL SET FLUSH: THENCE CONTINUING NORTH 03 DEGREES 21 MINUTES 41 SECONDS EAST ALONG SAID MONUMENTED CENTERLINE, A DISTANCE OF 474.15 FEET TO A POINT (SAID POINT BEING LOCATED 0.12 FEET NORTH OF A FOUND RAILROAD SPIKE: 3 INCHES BELOW THE PAVEMENT SURFACE) AND BEING THE SOUTHWEST CORNER OF THE RECORD PLAT OF "EAST GATE SECOND" AS RECORDED IN PLAT BOOK 16, PAGE 77, IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA, AND ALSO BEING A POINT LOCATED ON THE NORTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF AFOREMENTIONED SECTION 12: THENCE SOUTH 69 DEGREES 53 MINUTE 41 SECONDS EAST ALONG THE SOUTH OF THE SAID RECORD PLAT OF "EAST GATE SECOND" AND ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW1/4) AND BEING THE NORTH LINE OF A PARCEL OF LAND DESCRIBED IN INSTRUMENT NUMBER 90 009854 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA, (WARRANTY DEED FROM FIDLER TRUST TO WARNER FARMS, INC.), A DISTANCE OF 490.06 FEET TO A REBAR WITH CAP STAMPED "BRADS-KO 0041" SET FLUSH: THENCE SOUTH 03 DEGREES 21 MINUTES 41 SECONDS WEST, A DISTANCE OF 386.30 FEET TO THE POINT OF BEGINNING OF THIS CENTERLINE DESCRIPTION: THENCE SOUTH 74 DEGREES 49 MINUTES 20 SECONDS EAST, A DISTANCE OF 110.18 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET, AN ARC LENGTH OF 133.91 FEET, A CHORD BEARING OF SOUTH 65 DEGREES 13 MINUTES 54 SECONDS EAST, AND A CHORD DISTANCE OF 133.29 FEET TO A POINT ON A CURVE TO THE LEFT: THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 225.00 FEET, AN ARC LENGTH OF 117.36 FEET, A CHORD BEARING OF SOUTH 70 DEGREES 35 MINUTES 00 SECONDS EAST, AND A CHORD LENGTH OF 116.03 FEET TO A POINT: THENCE SOUTH 65 DEGREES 31 MINUTES 33 MINUTES EAST, A DISTANCE OF 46.61 FEET TO A POINT; THENCE NORTH 68 DEGREES 44 MINUTES 51 SECONDS EAST, A DISTANCE OF 138.48 FEET TO A POINT; THENCE SOUTH 89 DEGREES 35 MINUTES 05 SECONDS EAST, A DISTANCE OF 259.40 FEET TO A POINT; THENCE SOUTH 68 DEGREES 46 MINUTES 59 SECONDS EAST, A DISTANCE OF 360.46 FEET TO A POINT; THENCE SOUTH 82 DEGREES 38 MINUTES 03 SECONDS EAST, A DISTANCE OF 121.45 FEET TO A POINT ON THE CENTERLINE OF THE JOHN HOOVER DITCH (AN ELKHART COUNTY, INDIANA, REGULATED DRAIN) AND THE TERMINUS POINT OF THIS CENTERLINE DESCRIPTION.

I, TRAVIS R. SHETLER, 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, TRAVIS R. SHETLER, 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

10-1-2025
TRAVIS R. SHETLER, PS #LS21400008



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 BY THE BOARD OF COUNTY COMMISSIONERS, ELKHART COUNTY, INDIANA

THIS DAY OF 2025

BOB BARNES	BRAD ROGERS	SUZANNE WEIRICK
	RECORDER	

RECEIVED FOR RECORD THIS _____ DAY OF _____ 2025

AT ____; AND RECORDED IN PLAT BOOK _____ PAGE _____

KAALA BAKER, RECORDER OF ELKHART COUNTY

AUDITOR

DULY ENTERED FOR TAXATION THIS _____ DAY OF _____ 2025

PATRICIA A. PICKENS, AUDITOR OF ELKHART COUNTY

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 ALL 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 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 ROCK POINTE SECOND 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.

STEPHEN D. WARNER, PRESIDENT
WARNER FARMS, INC.

[illegible]

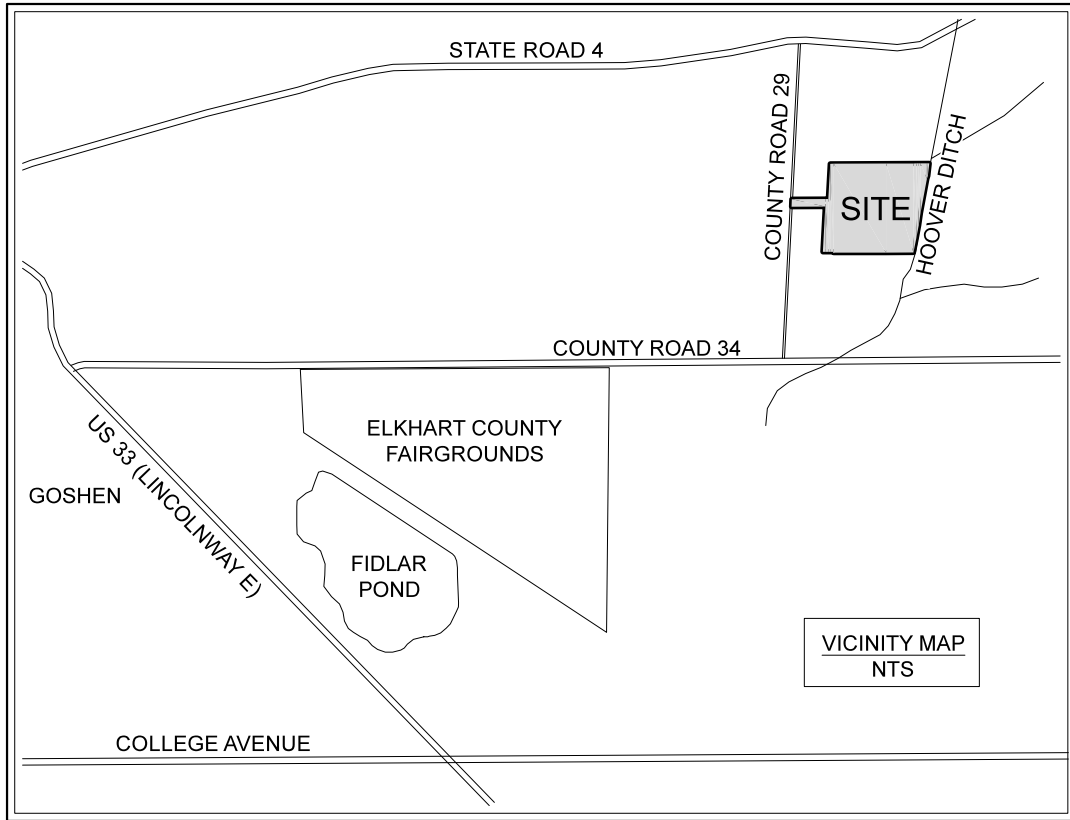
Before me, the undersigned Notary Public in and for said County and State, personally appeared **STEPHEN D. WARNER, PRESIDENT of WARNER FARMS, INC.** and as said **PRESIDENT** acknowledged the foregoing instrument as their voluntary act and deed for the purposes herein expressed.

Witness my hand and Notarial Seal this day of 2025.

NOTARY

[Notary Public's Printed Name]

Resident of _____ County. My Commission Expires _____



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

DATE _____ LORI SNYDER, CHAIRMAN

A NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO ELKHART COUNTY HIGHWAY DEPARTMENT AND PUBLIC UTILITY COMPANIES, INCLUDING NEW PARIS TELEPHONE AND NORTHERN INDIANA PUBLIC SERVICE COMPANY, SEVERALLY AND PRIVATE UTILITY COMPANIES WHERE THEY HAVE A CERTIFICATE OF TERRITORIAL AUTHORITY TO RENDER SERVICE AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, PLACE AND MAINTAIN SEWERS (STORM AND SANITARY), WATER MAINS, GAS MAINS, DRAINAGE SWALES, CONDUITS, CABLES, POLES AND WIRES UNDERGROUND WITH ALL NECESSARY BRACES, GUYS, ANCHORS, AND OTHER APPLIANCES IN, UPON, UNDER, OVER OR ALONG THE STRIPS OF LAND DESIGNATED ON THE PLAT AND MARKED "UTILITY EASEMENT" FOR THE PURPOSES OF SERVING ROCK POINT SECOND AND THE PUBLIC IN GENERAL WITH SEWER (STORM AND SANITARY), GAS, WATER, ELECTRIC AND TELEPHONE SERVICE, AND FOR THE PURPOSE OF HANDLING THE STORM WATER AND/OR SURFACE DRAINAGE RUNOFF, INCLUDING THE RIGHT TO USE THE STREETS AND/OR ROADWAY EASEMENT AREAS WHERE NECESSARY, TOGETHER WITH THE RIGHT TO ENTER UPON THE SAID EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE AT ALL TIMES FOR ANY AND ALL OF THE PURPOSES AFORESAID AND TO TRIM AND KEEP TRIMMED ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE WITH ANY SUCH UTILITY EQUIPMENT. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENT FOR SUCH PUBLIC UTILITY PURPOSES.

1. DECLARATION OF DRAINAGE EASEMENT, TO BE RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA, CONTEMPORANEOUSLY WITH THE RECORDING OF THIS PLAT. RECORDED IN ELKHART COUNTY INSTRUMENT NUMBER _____.
2. DECLARATION OF ROADWAY EASEMENT, TO BE RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA, CONTEMPORANEOUSLY WITH THE RECORDING OF THIS PLAT, ESTABLISHING A PRIVATE ROADWAY EASEMENT. SAID ROADWAY IS FOR PRIVATE USE AND SHALL NOT BE ACCEPTED INTO THE PUBLIC ROAD SYSTEM OR MAINTAINED BY ELKHART COUNTY. RECORDED IN ELKHART COUNTY INSTRUMENT NUMBER _____.
3. DECLARATION OF COVENANTS AND RESTRICTIONS OF ROCK POINT SECOND SUBDIVISION, TO BE RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA, CONTEMPORANEOUSLY WITH THE RECORDING OF THIS PLAT. RECORDED IN ELKHART COUNTY INSTRUMENT NUMBER _____.

SAID EASEMENTS, COVENANTS, AND TERMS, CONDITIONS, AND RESTRICTIONS SET FORTH IN SUCH RECORDED INSTRUMENTS ARE INCORPORATED HEREIN BY REFERENCE AS IF FULLY SET FORTH ON THIS PLAT.

THE BOUNDARY SURVEY FOR THIS PROPERTY IS RECORDED IN ELKHART COUNTY INSTRUMENT NUMBER 2023-13443 AND IS INCORPORATED HEREIN BY REFERENCE AS IF FULLY SET FORTH ON THIS PLAT.

PRINTED : 10/24/2025 1:15 PM FILE NAME: 250801.DWG

Rock Pointe Second
Part of the South Half (S1/2) of Section 12,
Township 36 North, Range 6 East
Elkhart Township, Elkhart County
State of Indiana



LAND & BOUNDARY
The Land and Boundary Resource Office