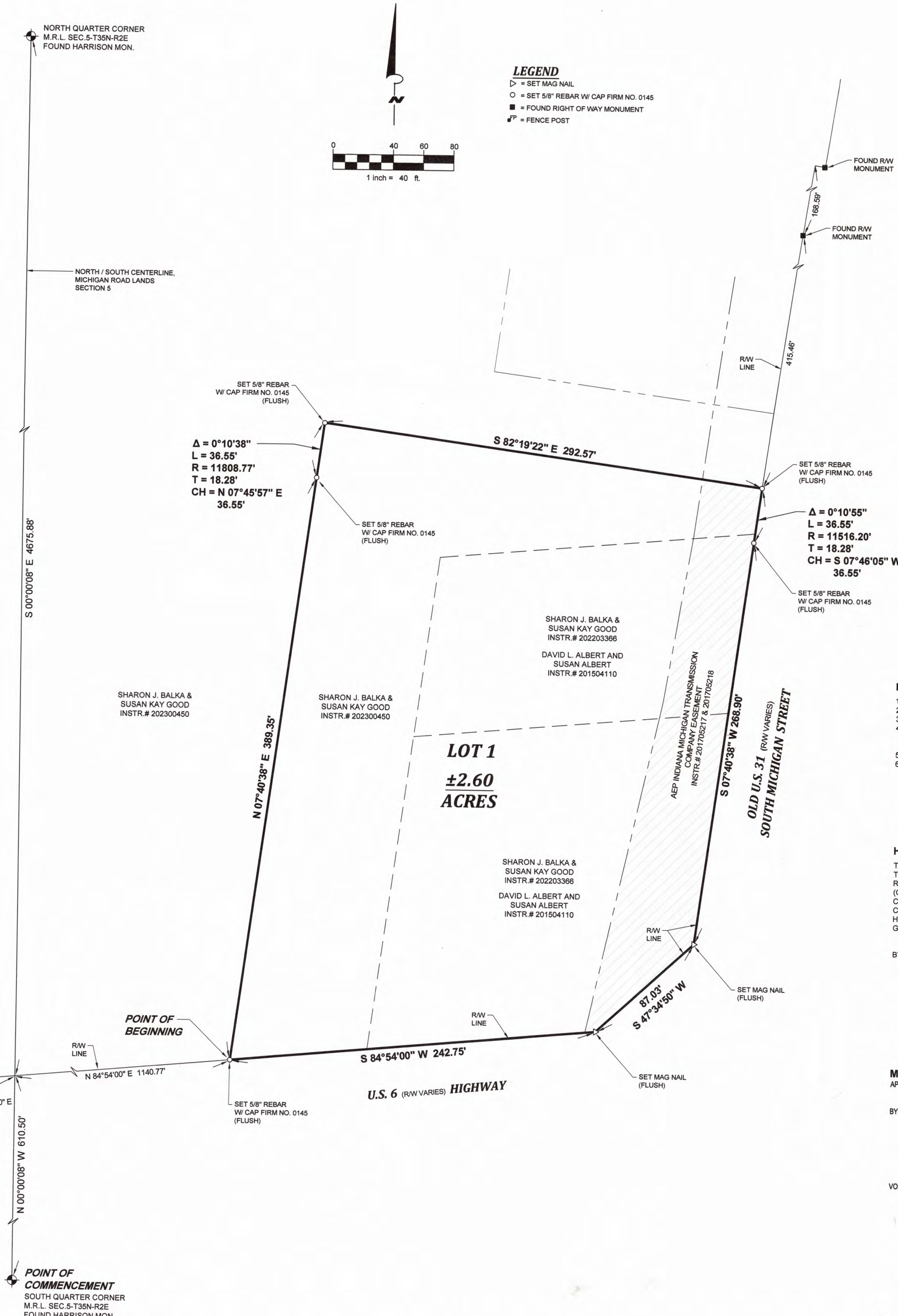

202302241
JANET HOWARD
MARSHALL COUNTY RECORDER
05/31/2023 09:42 AM
REC FEE: 25.00 PGS: 1
PLAT SIZE: 24 X 36
Recorded as Presented

"ALBERT MICHIGAN ROAD MINOR SUBDIVISION"

SOUTHEAST QUARTER OF M.R.L. SECTION 5, TOWNSHIP 35 NORTH, RANGE 2 EAST, NORTH TOWNSHIP, MARSHALL COUNTY, INDIANA

SURVEYOR'S REPORT:

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12, OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF VARIANCES IN REFERENCE MONUMENTS, DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS, INCONSISTENCIES IN LINES OF OCCUPATION AND RANDOM ERRORS IN MEASUREMENT (RELATIVE POSITIONAL ACCURACY).

THE RELATIVE POSITIONAL ACCURACY DUE TO RANDOM ERRORS IN MEASUREMENT OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED IN THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A SUBURBAN SURVEY AS DEFINED IN IAC 865.

REFERENCE SURVEYS:
1) SURVEY BY PLYMOUTH LAND SURVEYING & DESIGN INC. DATED 9-08-05, JOB. NO. 05-353.
2) SURVEY BY PLYMOUTH LAND SURVEYING & DESIGN INC. AS RECORDED IN INSTRUMENT NO. 200607728 IN THE OFFICE OF THE MARSHALL COUNTY RECORDER.

COMMENTS:
THIS IS AN ORIGINAL SURVEY OF THE TRACT OF LAND AS SHOWN HEREON.

BASIS OF BEARINGS FOR THIS SURVEY WERE BASED ON STATE PLANE COORDINATES AS DERIVED FROM THE INCORS NETWORK.

FIELDWORK COMPLETED ON 2-28-22

THE NORTH RIGHT-OF-WAY OF US HIGHWAY 6 WAS ESTABLISHED PER INDOT PLANS FOR PROJECT NO. 209(5) DATED AND POSITIONED USING FOUND R/W MARKERS AS SHOWN HEREIN.

THE WEST RIGHT-OF-WAY OF OLD US 31 WAS ESTABLISHED PER INDOT PLANS FOR PROJECT NO. 10(12) DATED 1954 AND POSITIONED USING FOUND R/W MARKERS AS SHOWN HEREIN.

THE NORTH AND WEST LINES OF THE PARCEL WERE ESTABLISHED PER THE CLIENT'S REQUEST.

AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT THE UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS OF THE SUBJECT TRACT ARE AS FOLLOWS:

DUE TO VARIANCES IN REFERENCE MONUMENTS: AS NOTED
DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION: NONE
DUE TO INCONSISTENCIES IN LINES OF OCCUPATION: NONE

NOTES

1. BUILDING SETBACKS SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE.
2. THERE EXISTS NO ENCHROACHEMNTS OF EXISTING BUILDING SETBACK LINES.
3. THERE EXIST A BUILDING STRUCTURE ON SITE.
4. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 18099C0035C WITH AN EFFECTIVE DATE OF NOVEMBER 16, 2011, INDICATES THIS AREA TO BE DESIGNATED ZONE X, AREAS OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.
5. THIS LOT SHALL BE SERVICED BY PRIVATE WELLS & SEPTIC SYSTEMS
6. SOIL BORINGS SHALL BE PERFORMED TO DETERMINE SOIL TYPE LIMITATIONS.

HEALTH DEPARTMENT CERTIFICATION:

THE MARSHALL COUNTY HEALTH DEPARTMENT HAS NO INFORMATION REGARDING THE SOIL TYPES OR TOPOGRAPHICAL LIMITATIONS OF THIS SITE AND NO REVIEW HAS BEEN MADE REGARDING THE GENERAL SUITABILITY OF THIS SUBDIVISION FOR ON-SITE SEWAGE SYSTEMS (OSS). IDENTIFICATION AND DESCRIPTION OF THE SOIL ABSORPTION FIELD BY A CERTIFIED/REGISTERED SOIL SCIENTIST IS REQUIRED TO BE SUBMITTED TO THE MARSHALL COUNTY HEALTH DEPARTMENT FOR THIS DETERMINATION TO BE MADE. THE MARSHALL COUNTY HEALTH DEPARTMENT HAS NO OBJECTION TO THE SUBDIVISION OF THE PARCEL BUT MAKES NO GUARANTEE AS TO INDIVIDUAL LOT SUITABILITY OR QUALIFICATIONS FOR AN OSS PERMIT.

BY: ______________________ ______________
HEALTH OFFICER DATE

MARSHALL COUNTY PLAN COMMISSION APPROVAL

APPROVED BY THE MARSHALL COUNTY PLAN COMMISSION IN ACCORDANCE WITH THE SUBDIVISION CONTROL ORDINANCE.

BY: David Hostetler 3/23/23 — Craig Cultice 03/23/23
PRESIDENT (SIGNATURE) DATE — SECRETARY (SIGNATURE) DATE

DAVID HOSTETLER — CRAIG CULTICE
PRESIDENT (PRINT) — SECRETARY (PRINT)

VOID UNLESS RECORDED BEFORE 3/23/24.

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER
5-31-2023
MARSHALL COUNTY AUDITOR (CS)

PARCEL NO.
50-52-95-404-416.001-010
Part of 50-52-95-404-416.000-010
and 50-52-95-404-417.000-010 Deleted
and 50-52-95-404-418.000-010 Deleted

AS PRESENTED
MAY 22 2023
JANET HOWARD, RECORDER
MARSHALL COUNTY, INDIANA

AS PRESENTED
MAY 05 2023
JANET HOWARD, RECORDER
MARSHALL COUNTY, INDIANA

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF M.R.L. SECTION 5, TOWNSHIP 35 NORTH, RANGE 2 EAST, NORTH TOWNSHIP, MARSHALL COUNTY, INDIANA, DESCRIBED AS:

COMMENCING AT THE SOUTH QUARTER CORNER OF MICHIGAN ROAD LANDS SECTION 5 AS EVIDENCED BY A FOUND HARRISON MONUMENT; THENCE NORTH 00° 00' 08" WEST ALONG THE NORTH/SOUTH CENTERLINE OF SAID M.R.L. SECTION 5, A DISTANCE 610.50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF U.S. 6 HIGHWAY; THENCE NORTH 84° 54' 00" EAST ON SAID NORTH RIGHT-OF-WAY LINE 1140.77 FEET TO A 5/8" REBAR SET WITH CAP FIRM NO. 0145, SAID POINT BEING THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 07° 40' 38" EAST 389.35 FEET TO A SET 5/8" REBAR WITH CAP FIRM NO. 0145; THENCE NORTHEASTERLY 36.55 FEET ON A 11808.77 FOOT RADIUS TANGENT CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 07° 45' 57" EAST 36.55 FEET, TO A SET 5/8" REBAR WITH CAP FIRM NO. 0145; THENCE SOUTH 82° 19' 22" EAST 292.57 FEET TO A SET 5/8" REBAR WITH CAP FIRM NO. 0145 ON THE WEST RIGHT-OF-WAY LINE OF SOUTH MICHIGAN STREET (OLD U.S. 31); THENCE SOUTHWESTERLY 36.55 FEET ON SAID RIGHT-OF-WAY LINE AND ON A 11516.20 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 07° 46' 05" WEST 36.55 FEET, TO A SET 5/8" REBAR WITH CAP FIRM NO. 0145; THENCE SOUTH 07° 40' 38" WEST ON SAID RIGHT-OF-WAY LINE 268.90 FEET TO A SET MAG NAIL; THENCE SOUTH 47° 34' 50" WEST ON SAID RIGHT-OF-WAY LINE 87.03 FEET TO A SET MAG NAIL ON THE NORTH RIGHT-OF-WAY LINE OF U.S. 6 HIGHWAY; THENCE SOUTH 84° 54' 00" WEST ON SAID RIGHT-OF-WAY LINE 242.75 FEET TO THE POINT OF BEGINNING. CONTAINING 2.60 ACRES MORE OR LESS.

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

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

DEED OF DEDICATION

THE UNDERSIGNED, DAVID L. ALBERT, SUSAN ALBERT, SHARON J. BALKA , AND SUSAN K. GOOD, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON, DO HEREBY LAYOFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF MARSHALL COUNTY, INDIANA. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS: ALBERT MICHIGAN ROAD MINOR SUBDIVISION. ALL STREETS, ALLEYS, RIGHTS-OF-WAY, FUTURE ROADWAY EASEMENTS AND PUBLIC OPEN SPACES SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC FOR THE USES DESIGNATED HEREIN. FRONT BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND THE RIGHT-OF-WAY LINES OF THE STREETS THERE SHALL BE ERECTED OR MAINTAINED NO BUILDING OR STRUCTURE. THE AREAS OF GROUND DESIGNATED ON THE PLAT AND MARKED "EASEMENT" ARE RESERVED FOR THE DESIGNATED USES BY THE PUBLIC UTILITIES, INCLUDING BUT NOT LIMITED TO THE INSTALLATION OF WATER AND SEWER MAINS, POLES, DUCTS, LINES AND WIRES, DRAINAGE FACILITIES, AND ACCESS FOR PRESENT OR FOR FUTURE DEVELOPMENT SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERECTED OR MAINTAINED UPON SAID EASEMENTS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND TO THE RIGHTS OF THE OWNERS OF THE OTHER LOTS IN THIS SUBDIVISION.

OWNERS CERTIFICATION

THIS IS TO CERTIFY THAT THE UNDERSIGNED, DAVID L. ALBERT, SUSAN ALBERT, SHARON J. BALKA, AND SUSAN K. GOOD, ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT HEREIN AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE PLAT UNDER THE STYLE AND TITLE THEREON INDICATED.

David L. Albert — DAVID L. ALBERT
Susan Albert — SUSAN ALBERT
Sharon J. Balka — SHARON J. BALKA
Susan K. Good — SUSAN K. GOOD

STATE OF INDIANA SS:
COUNTY OF MARSHALL
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, DAVID L. ALBERT, SUSAN ALBERT, SHARON J. BALKA, AND SUSAN K. GOOD, 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 29th DAY OF March, 2023.

Mary Lynn England
MARY LYNN ENGLAND, NOTARY PUBLIC
EXPIRATION DATE: JANUARY 25, 2029.
NOTARY IS A RESIDENT OF MARSHALL COUNTY, INDIANA.

NOTARY PUBLIC SEAL INDIANA

MARY LYNN ENGLAND
Marshall County
NOTARY PUBLIC
Commission Number
NP0731215
NOTARY SEAL
My Commission Expires 01-25-2029
STATE OF INDIANA

SURVEYOR'S CERTIFICATION

I, J. BERNARD FEENEY , HEREBY CERTIFY THAT I AM A PROFESSIONAL SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED OR CERTIFIED BY ME ON FEBRUARY 28, 2023. THAT THE LOCATION, SIZE, TYPE AND MATERIAL OF ALL MONUMENTS ARE ACCURATELY SHOWN, AND THAT THE MONUMENTS WILL BE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF THE MARSHALL COUNTY, INDIANA. 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.

J. Bernard Feeney
J. BERNARD FEENEY, PS No. 80040309

J. BERNARD FEENEY REGISTERED NO. 80040309 STATE OF INDIANA PROFESSIONAL SURVEYOR

AS PRESENTED
APR 13 2023
JANET HOWARD, RECORDER
MARSHALL COUNTY, INDIANA

WIGHTMAN
1405 N. MICHIGAN ST.
PLYMOUTH, IN. 46563
574.936.3469
www.gowightman.com

PROJECT NAME:
ALBERT MICHIGAN ROAD MINOR SUBDIVISION
LAPAZ, IN 46537

SHARON J. BALKA, AND SUSAN K. GOOD
P.O. BOX 850
LAPAZ, IN 46537

REVISIONS
P:\South Bend\236039 Albert, David 750 S. Michigan st., Lapaz - Minor Sub\B50 AutoCAD\236039 Minor Sub.dwg 1 OF 1 3/1/2023 2:40:46 PM

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DATE: 2/28/2023
SCALE: 1" = 40'
DRAWN BY: SSH
CHECKED BY: MSL

MINOR SUBDIVISION

JOB No. 236039
1 OF 1