Pier 35 Compliance

George & Mary Nelson

Robert Roberts Jr.

8231 E. Wade Ln

The EFAC Board is contacting you to notify you of non-compliance with the EFAC pier policies and the court orders. This notification serves as the first step of the Pier Violation Enforcement Policy approved by the Kosciusko County Circuit Court in 2014. The violation is as follows:

Expansion of your Pier 35 has negatively impacted the assignment of Pier 35A, shown in the Court approved Exhibit “E” document on your shoreline. There must be room for their assignment 35A within your property lines. EFAC is instructing assignment 35 be reduced on the east most side of the property to allow the off-shore assignment of 16ft for Pier 35A. Additional court rulings can be found on the efpier.org website clarifying the issue of a shared lake front and space requirements associated with on-shore & off-shore assignments.

Per the EF Pier Violation Enforcement Policy (Findings and Order – Jan 21, 2014 Page 6,7 g), you have 7 days to be in compliance. An inspection will take place after the 7 days.

If you are not in compliance after 7 days a second notice will be sent to you that will restate the violation and inform you of the fee that will be assessed if the pier is not brought back into compliance within the 7-day period (14 days from initial notification).

After an additional 7 days of not being in compliance, a fee/fine will be assessed to you and a third and final notice will be sent. Per the January 21, 2014 orders, if the pier is not brought into compliance after the additional 7 days (21 days from initial notification) and the fine paid, fines will continue to be assessed until you are in compliance. If fines are not paid, EFAC has the legal right to place a lien on your property.

If you feel this notification has been sent in error, please respond with an explanation to [efpier@gmail.com](mailto:efpier@gmail.com) for our review.

Refer to the following court documents;

January 21, 2014 Order

43C01-9109-CP-732

Findings

Section 3 – (5) - page 3 & 4

Further Finding and Orders

Item #2 – 4 – page 5

Item #6 – page 6

Item #9 – page 7

April 15, 2014 Order

43C01-9109-CP-00732

Section 14 sub-set (o) – page 5

September 9, 2017 Judgement

43C01-1602-MI-47

Finding of Fact

Section 5-7 and 10 – page 2

Section 11 to 16 – page 3

Section 19 to22 – page 4

Conclusions of Law

Item # 23 to 25 – page 4

Item # 26-27 – page 5

State of Indiana Court of Appeals

June 13, 2017

43A03-1610-MI-02332

Section 4 –[6] – page 6

Discussions and Decisions

Item # 11 – 12 – page 10 & 11

Item # 13 – page 11 & 12

Item # 14 – page 12

To reference any of the court approved documents/judgements governing EFAC, visit efpier.org

Thank you,

Approved by EFAC Board of Directors

Epworth Forest Administration Committee, inc.

PO Box 214, North Webster, in 46555

[www.efpier.org](http://www.efpier.org)

efpier@gmail.com