N/C

2003R-007964

BETTY NIEMEYER
WARRICK COUNTY RECORDER

RECORDED ON
05/16/2003 09:15:00AM
REC FEE: 0.00
PAGES: 4

STATE OF INDIANA)
) SS:
COUNTY OF WARRICK)

BEFORE THE BOARD OF COMMISSIONERS

OF WARRICK COUNTY, INDIANA

IN THE MATTER OF THE PETITION TO VACATE A)
FIFTEEN (15) FOOT PUBLIC UTILITY EASEMENT)
ON LOTS 3 AND 4 IN LAKEVALE ESTATES SECTION)
"D" SUBDIVISION AND LOT 3 OF THE REPLAT OF)
LOTS 3, 4, 13, AND 14 IN LAKEVALE ESTATES)
SECTION "D" IN WARRICK COUNTY, INDIANA)

VACATION NO. 2003-08

AN ORDINANCE TO VACATE
A FIFTEEN (15) FOOT PUBLIC UTILITY EASEMENT ON LOTS 3 AND 4 IN LAKEVALE ESTATES SECTION "D" SUBDIVISION AND LOT 3 OF THE REPLAT OF LOTS 3, 4, 13, AND 14 IN LAKEVALE ESTATES SECTION "D" IN WARRICK COUNTY, INDIANA AS RECORDED IN DOC. NO. 1999R-006192 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA

Be it ordained by the Board of County Commissioners of Warrick County, Indiana as follows:

1. Pursuant to IC 36-7-3-12 & 16, a petition was presented to the Board of County Commissioners of Warrick County, Indiana, requesting that the FIFTEEN (15) FOOT PUBLIC UTILITY EASEMENT ON LOTS 3 AND 4 IN LAKEVALE ESTATES SECTION "D" SUBDIVISION AND LOT 3 OF THE REPLAT OF LOTS 3, 4, 13, AND 14 IN LAKEVALE ESTATES SECTION "D" IN WARRICK COUNTY, INDIANA. be vacated.

2. That after due and proper notice, a public hearing was held by the Board of County Commissioners of Warrick County, Indiana, at which time all interested were permitted to address said Board.

3. That the Board of County Commissioners of Warrick County, Indiana after due investigation and consideration, have determined that the FIFTEEN (15) FOOT PUBLIC

UTILITY EASEMENT ON LOTS 3 AND 4 IN LAKEVALE ESTATES SECTION "D" SUBDIVISION AND LOT 3 OF THE REPLAT OF LOTS 3, 4, 13, AND 14 IN LAKEVALE ESTATES SECTION "D" IN WARRICK COUNTY, INDIANA is not being used and is not necessary, nor required and that it is in the public's interest to vacate said FIFTEEN (15) FOOT PUBLIC UTILITY EASEMENT ON LOTS 3 AND 4 IN LAKEVALE ESTATES SECTION "D" SUBDIVISION AND LOT 3 OF THE REPLAT OF LOTS 3, 4, 13, AND 14 IN LAKEVALE ESTATES SECTION "D" IN WARRICK COUNTY, INDIANA

4. The County Auditor shall furnish a copy of the ordinance to the County Recorder to record.

PASSED this 14th day of May, 2003.

BOARD OF COUNTY COMMISSIONERS OF
WARRICK COUNTY, INDIANA

By Carl Conner
Carl Conner-Commissioner

By Don Williams
Don Williams-Commissioner

By Phillip H. Baxter
Phil Baxter - Commissioner

Richard J. Kiesmiller
Secretary

LEGAL DESCRIPTION
15 FOOT PUBLIC UTILITY EASEMENT VACATED ON
LOT 3 OF REPLAT OF LOTS 3, 4, 13 AND 14 IN LAKEVALE ESTATES
SUBDIVISION SECTION "D"

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH 02° 21' 36" EAST, ALONG THE WEST LINE THEREOF, 249.29 FEET TO THE POINT OF BEGINNING; THENCE WITH A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 65.0 FEET AND AN ARC LENGTH OF 171.08 FEET; THENCE WITH A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 40.0 FEET HAVING AN ARC LENGTH OF 48.88 FEET; THENCE SOUTH 88° 52' 43" WEST - 15.0 FEET; THENCE WITH A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.0 FEET AND AN ARC LENGTH OF 30.55 FEET; THENCE WITH A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 50.0 FEET AND AN ARC LENGTH OF 131.60 FEET TO THE WEST LINE OF SAID LOT 3; THENCE SOUTH 02° 21' 36" WEST, ALONG SAID WEST LINE, 15.0 FEET TO THE POINT OF BEGINNING

DOC NO: 1999R-006192
DATE: 1999-05-14 TIME: 10:59 AM
WARRICK COUNTY RECORDER, SHANNON WEIBRECT Pages: 1

A REPLAT OF LOTS 3, 4, 13, & 14 OF LAKEVALE ESTATES-SECTION "D" AS RECORDED IN PLAT FILE I CARD 466 AT THE OFFICE OF THE RECORDER WARRICK COUNTY, INDIANA.

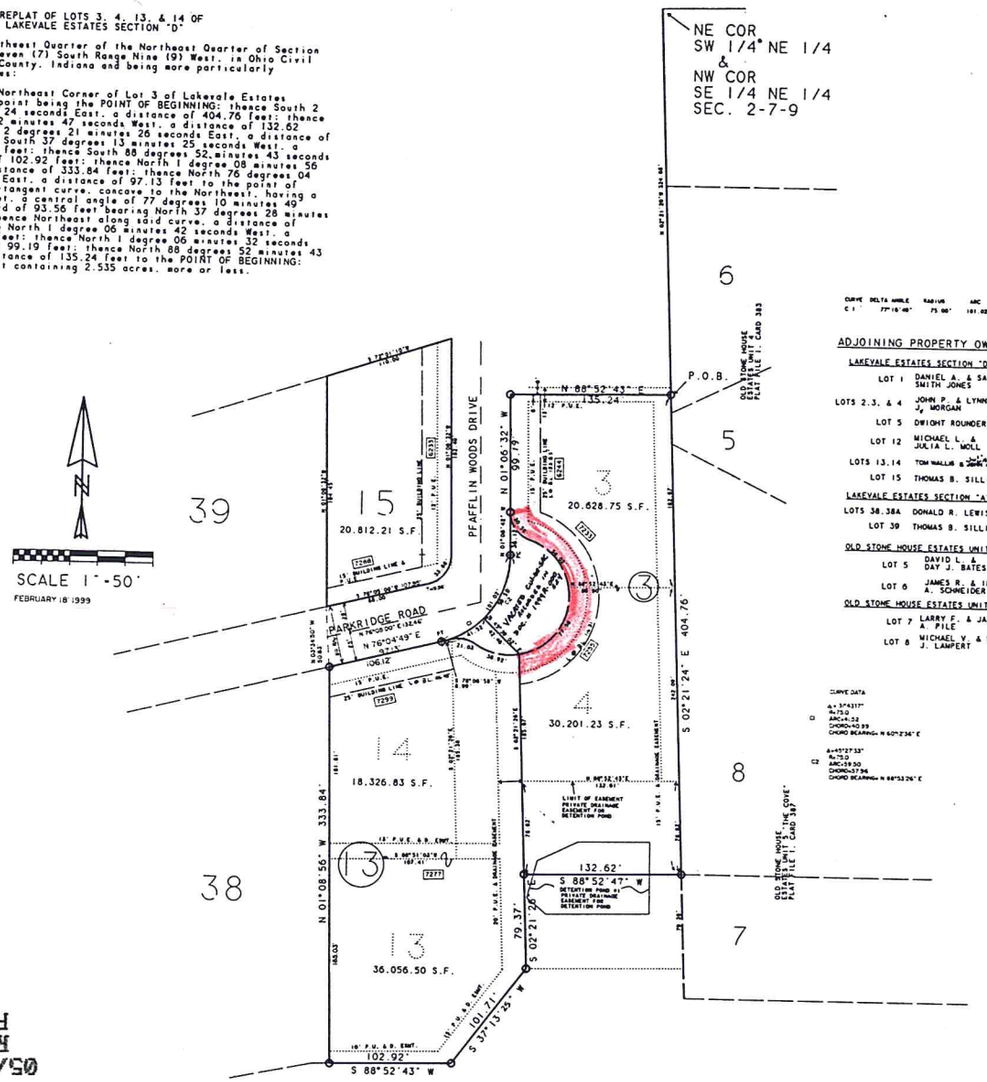
WARRICK COUNTY
SHANNON WEIBRECT, RECORDER
DOC NO 1999R-006192
DATE 5-14-99 TIME 10:59 AM
PAGES 1

A REPLAT OF LOTS 3, 4, 13, & 14 OF LAKEVALE ESTATES SECTION "D"

A part of the Southwest Quarter of the Northeast Quarter of Section Two (2) Township Seven (7) South Range Nine (9) West, in Ohio Civil Township, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Northeast Corner of Lot 3 of Lakevale Estates Section "D", said point being the POINT OF BEGINNING; thence South 2 degrees 21 minutes 24 seconds East, a distance of 404.76 feet; thence South 88 degrees 52 minutes 47 seconds West, a distance of 132.62 feet; thence South 2 degrees 21 minutes 26 seconds East, a distance of 79.37 feet; thence South 37 degrees 13 minutes 25 seconds West, a distance of 101.71 feet; thence South 88 degrees 52 minutes 43 seconds West, a distance of 102.92 feet; thence North 1 degree 08 minutes 56 seconds West, a distance of 333.84 feet; thence North 76 degrees 04 minutes 49 seconds East, a distance of 97.13 feet to the point of curvature of a non-tangent curve, concave to the Northwest, having a radius of 75.00 feet, a central angle of 77 degrees 10 minutes 49 seconds, and a chord of 93.56 feet bearing North 37 degrees 28 minutes 58 seconds East; thence Northeast along said curve, a distance of 101.02 feet; thence North 1 degree 06 minutes 42 seconds West, a distance of 36.12 feet; thence North 1 degree 06 minutes 32 seconds West, a distance of 99.19 feet; thence North 88 degrees 52 minutes 43 seconds East, a distance of 135.24 feet to the POINT OF BEGINNING; said described tract containing 2.535 acres, more or less.

(lake.dsc)



CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	77°10'49"	75.00'	101.02'	58.85'	93.56'	N 37°28'58" E

ADJOINING PROPERTY OWNERS

LAKEVALE ESTATES SECTION "D"

- LOT 1 — DANIEL A. & SANDY SMITH JONES
- LOTS 2,3, & 4 — JOHN P. & LYNN J. MORGAN
- LOT 5 — DWIGHT ROUNDER
- LOT 12 — MICHAEL L. & JULIA L. MOLL
- LOTS 13,14 — TOM WALLIS & JULIA WALLIS
- LOT 15 — THOMAS B. SILLIMAN

LAKEVALE ESTATES SECTION "A"

- LOTS 38,38A — DONALD R. LEWIS
- LOT 39 — THOMAS B. SILLIMAN

OLD STONE HOUSE ESTATES UNIT 4

- LOT 5 — DAVID L. & DAY J. BATES
- LOT 6 — JAMES R. & INGEBORG A. SCHNEIDER

OLD STONE HOUSE ESTATES UNIT 5

- LOT 7 — LARRY F. & JANIE A. PILE
- LOT 8 — MICHAEL V. & LEAH J. LAMPERT

CURVE DATA

C1 Δ=77°10'49" R=75.0 ARC=101.02 CHORD=93.55 CHORD BEARING= N 37°28'58" E

C2 Δ=45°27'33" R=75.0 ARC=59.50 CHORD=57.96 CHORD BEARING= N 88°53'26" E

DRAINAGE BOARD CERTIFICATE

I Jack Pike hereby certify that I am the Secretary of the Warrick County Drainage Board that on January 11 1999 the drainage plan for Replat Lots 3,4,13 & 14 Lakevale "D" subdivision was presented before the Board and that on January 11 1999 the drainage plan was approved by said Board. The drainage easements shown on the plat will not be under the continuing jurisdiction of this Board, which has no authority over the construction or subsequent maintenance of such drains. The drainage easements inure solely for the benefit of the landowners in the subdivision, and no dedication thereof to the County or this Board is to be implied by this approval.

Seal

Signature: Jack Pike

Date: March 12, 1999

Date: March 12, 1999 — JACK PIKE, Secretary

CERTIFICATE OF APPROVAL

Under the authority provided Title 36, Article 7, Chapter 4, Section 700 ET SEQ. enacted by the General Assembly of the State of Indiana, and all acts ammendatory thereto and after proper public notice of the hearing was published, the plat was given final approval by a majority of the members of the Warrick County Planning Commission at a meeting held on January 13, 1999

Warrick County Area Planning Commission

Plat Release

Date: May 13, 1999

BILL ABEL, President

SHERRI PHILLIPS, Secretary

SHERRI PHILLIPS, Secretary

OFFICIAL SEAL

LAND SURVEYORS CERTIFICATE

I ELMO D. DOCKERY hereby certify that I am a Registered Professional Land Surveyor, of the State of Indiana, and that this plat correctly represents a survey completed by me on DECEMBER 9th, 1998. That all monuments thereon actually exist, and that their location, size, type and material are accurately shown, and comply with all of the Subdivision Control Ordinance.

ELMO D. DOCKERY REGISTER 9920

Elmo D. Dockery, L.S.
104 State Street
Newburgh, IN 47630
IN REG #9920

ACKNOWLEDGEMENT CERTIFICATE

STATE OF INDIANA
COUNTY OF WARRICK

Before me, the undersigned a Notary Public, in and for said County and State, personally appeared the within named personally appeared DWIGHT ROUNDER & TOM WALLIS and each seperately and severally acknowledged the execution of the foregoing instrument to be their voluntary act and deed, for the purpose therein expressed.

WITNESS my hand and Notarial Seal this 9th day of December 1998

My Commission Expires: 7-27-01

I reside in Warrick County, Indiana.

Notary Public - Signature

Rebecca Biggerstaff
Notary Public - Printed Name

NOTARY PUBLIC SEAL INDIANA

DEDICATION CERTIFICATE

We, the undersigned, owners of the real estate shown and described herein, do replat said real estate in accordance with the herein plat.
This subdivision shall be known and designated as Lakevale Estates-Section "D" an addition to the Ohio-Civil Township, Warrick County, Indiana. All streets, alleys and public open spaces shown and not heretofore dedicated, are hereby dedicated to the public.
Front and side yard building set back lines are hereby established as shown on this plat between which lines and the property lines of the street, there shall be erected or maintained no building or structure.
Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear AS SHOWN feet of each lot. Within these easements no structure or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow of drainage channels in the easements, which may obstruct or retard the flow of water through the drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.
The right to enforce these provisions by injunction, together with the right to cause the removal by due process of law, of any structure or part thereof erected or maintained in violation hereof, is herbey dedicated to the public and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

WITNESS our Hands and seals this 9th day of December 19 98

JULIA WALLIS, Brandeugh Park, Princeton, IN, Lots 13,14

TOM WALLIS, Brandeugh Park, Princeton, IN, Lots 13,14

DWIGHT ROUNDER, 7400 Hillside Drive, Newburgh, IN 47630, Lots 3

JOHN P. MORGAN, 6222 Pfaffin Woods Drive, Newburgh, IN 47630, Lots 2,3,4

LYNN J. MORGAN, 6222 Pfaffin Woods Drive, Newburgh, IN 47630, Lots 2,3,4

LAKEVAL2

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