N/C

2003R-007966

BETTY NIEMEYER
WARRICK COUNTY RECORDER

RECORDED ON
05/16/2003 09:20:35AM
REC FEE: 0.00
PAGES: 2

STATE OF INDIANA)
) SS:
COUNTY OF WARRICK)

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF WARRICK COUNTY, INDIANA

IN THIS MATTER OF THE PETITION TO VACATE)
A 12' DRAINAGE EASEMENT ON LOT 4 IN WARRICK) ORDINANCE NO. 2003-09
PLACE III SUBDIVISION IN WARRICK COUNTY, INDIANA)

AN ORDINANCE TO VACATE A TWELVE (12) FOOT DRAINAGE EASEMENT ON LOT 4 IN WARICK PLACE III SUBDIVISION AS RECORDED IN DOCUMENT NO. 1996R-009982 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 to wit:

Section 1. Pursuant to IC 36-7-3-12, 1 petition was presented to the Board of County Commissioners of Warrick County, Indiana requesting that the twelve (12) foot easement on Lot 4 of Warrick Place III Subdivision be vacated.

Section 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 persons were permitted to address said Board.

Section 3. That the Board of County Commissioners of Warrick County, Indiana, after due investigation and consideration, have determined that a new twelve (12) foot drainage easement will be established for replacement of the existing easement on Lot 4 that it is in the public's interest to vacate said existing twelve (12) foot drainage easement on Lot 4 of Warrick Place III subdivision as recorded in Document No. 1996R-009982, in the Office of the Recorder of Warrick County, Indiana, and is hereby vacated.

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

Section 5. This Ordinance shall be in full force and effect from and after its passage by the Board of County Commissioners of Warrick County, Indiana.

Approved this 14th day of May, 2003.

BOARD OF COUNTY COMMISSIONERS
OF WARRICK COUNTY, INDIANA

Cari Conner, President

Don Williams, Vice-President

Phillip Baxter, Member

ATTEST:
Richard Kixmiller, Auditor

2003R-006013

X REF . 2003R-006015

DOC NO: 1996R-009982
DATE: 1996-10-18 TIME: 08:39 AM
WARRICK COUNTY RECORDER, SHARON KENNETT Pages: 1

WARRICK PLACE III

A SUBDIVISION OF A PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 23. T6S. R9W. OHIO CIVIL TOWNSHIP. WARRICK COUNTY. INDANA

NOTICE

"Street, Road, and other minimum improvements have not been made and the public is notified that Warrick County, Indiana will not accept the same for maintenance until the owners of the various lots herein improve the same up to said minimum standards."

1996R-009982

SCALE 1"=60'
AUGUST 30. 1996

SITE LOCATION MAP
SCALE: NONE

INDIANA STATE HIGHWAY NO. 261

INDIANA STATE HWY. 66

FRUITWOOD DRIVE

S 25°58'20.3"W 248.32

BM 1 RIM SANITARY MH
ELEV. 402.14
BM 2 RIM SANITARTY MH
ELEV. 405.68

BASIS OF BEARING
WARRICK PLACE II

NOTE AREA NOT IN FLOOD PLAIN
AS PER PANEL 180418 0175 B
DATE MAY 17 1982

ALL LOT AND BOUNDARY CORNER SET 5/8" IP

NOTICE
NOTE: LOTS 1, 2, 3, 5, 6, 7, & 8 ARE SUBJECT, TO STORM WATER RETENTION FINAL DESIGN APPROVED BY DRAINAGE BOARD PRIOR TO THE ISSUANCE OF ANY IMPROVEMENT LOCATION PERMITS.

NOTE: ALL LOTS IN THIS DEVELOPMENT SHALL RESERVE AN AREA FOR STORM WATER RETENTION IN THE FINAL DESIGN THAT WILL RESTRICT DISCHARGE TO NO GREATER THAN 2.5" PER HOUR WITH A 0.35 RUN OFF COEFFICIENT.

LEGAL DESCRIPTION
A part of the East Half of the Southwest Quarter Section Twenty-Three (23) Township Six (6) South Range Nine (9) West in Ohio Civil Township, Warrick County, Indiana and more particularly described as follows.

Commencing at the Southeast Corner of said half quarter section; thence South 88 degrees 55 minutes 41 seconds West, a distance of 441.97' to the POINT OF BEGINNING; thence continuing westerly along said line, a distance of 344.48' to the point of curvature of a nontangent curve, concave to the southeast, having a radius of 80.00', a central angle of 60 degrees 20 minutes 20 seconds, and a chord of 80.51' bearing North 48 degrees 54 minutes 47 seconds West; thence northwesterly along said curve, a distance of 63.19' to the point of curvature of a compound curve, concave to the south, having a radius of 2382.04', a central angle of 0 degrees 12 minutes 27 seconds, and a chord of 8.63' bearing North 79 degrees 41 minutes 11 seconds West; thence westerly along said curve, a distance of 8.63'; thence North 9 degrees 04 minutes 19 seconds West, a distance of 175.64'; thence South 88 degrees 54 minutes 05 seconds West, a distance of 178.60'; thence North 26 degrees 08 minutes 01 second East, a distance of 225.03'; thence South 88 degrees 55 minutes 41 seconds West, a distance of 360.99'; thence North 26 degrees 08 minutes 09 seconds East, a distance of 622.00'; thence North 26 degrees 28 minutes 36 seconds East, a distance of 922.93'; thence South 63 degrees 42 minutes 44 seconds East, a distance of 40.00'; thence South 9 degrees 12 minutes 53 seconds East, a distance of 457.84'; thence South 2 degrees 10 minutes 30 seconds East, a distance of 273.52'; thence South 9 degrees 23 minutes 23 seconds West, a distance of 120.42'; thence South 0 degrees 07 minutes 08 seconds East, a distance of 323.81'; thence South 0 degrees 00 minutes 34 seconds East, a distance of 171.75'; thence South 0 degrees 08 minutes 33 seconds East, a distance of 202.47'; thence continuing southerly along said line, a distance of 217.01' to the POINT OF BEGINNING; said described tract containing 687,963.3480 square feet (15.7935 acres), more or less.

P.U. EASEMENT= PUBLIC UTILITY EASEMENT

NOTE: LOTS 1, 2, 3, 5, 6, 7, 8 ARE OWNED BY H & H DEVELOPMENT L.L.C.

NOTE: LOT 4 IS OWNED BY B AND B PROPERTIES INDIANA GENERAL PARTNERSHIP

LOT 1 1.0920 AC
LOT 2 .0605 AC
LOT 3 .5499 AC 3955 202.05
LOT 4 7.1721 ACRES
LOT 5 .9785 AC
LOT 6 .8724 AC
LOT 7 1.0247 AC
LOT 8 .6467 AC

RETENTION AREA 2

HALEY DR

PEACHWOOD DR

25' PUBLIC UTILITY & DRAINAGE EASEMENT

10' PUBLIC UTILITY & DRAINAGE EASEMENT 3944

15' P.U. & D. EASEMENT 3800

15' PUBLIC UTILITY & DRAINAGE EASEMENT & NO ACCESS

10' DRAINAGE EASEMENT 3811

12' DRAINAGE EASEMENT

25' DRAINAGE EASEMENT DFB 3 CD.183

25' SANITARY SEWER EASEMENT REVERSIBLE RECORDED 1996R-006277 B-5-96

50' ASHLAND OIL EASEMENT RECORDED IN DFB 3 CARD 6752

ASHLAND PIPE LINE

NEWBURGH 12" SANITARY SEWER EASEMENT

BENCH MARK 1

BENCH MARK 2

P.O.B.

DEDICATION CERTIFICATE

We the undersigned, owners of the real estate shown and described hereon, do lay off, plat and subdivide said real estate in accordance with the hereon plat.
The subdivision shall be known and designated as Warrick Place II
an addition to the ____ 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 the plat between which lines and the property lines of the street, there shall be erected or maintained no building or structure.
Easement for the maintenance and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear 10 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 drainage channels in the easements. The permanent 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 dedicated to the public and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of August 19 96

B and B Properties, Indiana General Partnership
David Buehler, General Partner

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 Aug. 20, 1996. That all monuments thereon actually exist, and their location, size, type and material are accurately shown, and comply with all of the Subdivision Control Ordinance.

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

ELMO DOUGLAS DOCKERY REGISTERED LAND SURVEYOR STATE OF INDIANA 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 Allen Hohmeyer, Managing Member of H&H Developers L.L.C. and David Albers, Attorney in Fact for David Buehler, General Partner of B and B Properties, an Indiana General Partnership and each separately 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 25th day of August 1996

My Commission Expires: 07-27-98

Rebecca J. Pepper
Notary Public - Signature

I reside in Warrick County, Indiana.

Rebecca J. Pepper
Notary Public - Printed Name

NOTARY PUBLIC SEAL INDIANA

DRAINAGE BOARD CERTIFICATE

I, Jack Pike, hereby certify that I am Secretary of the Warrick County Drainage Board and that on Sept. 9 1996 the drainage plan for Warrick Place II was presented before this board and on Sept. 9, 1996 the drainage plan was approved by said Board.

Date: Oct 15, 1996 Jack Pike Secretary
JACK PIKE

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 amendatory 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 October 15, 1996

Warrick County Area Planning Commission

Plat Release Mike Frum President
Mike Frum
Date: October 15 1996 Phyllis Gagnon Secretary
Phyllis Gagnon
Phyllis Gagnon

WARRICK COUNTY AREA PLANNING COMMISSION OFFICIAL SEAL INDIANA

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