NC

2003R-016849

BETTY NIEMEYER
WARRICK COUNTY RECORDER

RECORDED ON
09/25/2003 03:20:27PM
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)
TEN (10) FOOT PUBLIC UTILITY EASEMENT)
ON LOT 13 IN A REPLAT OF 12, 13, & 14 OF)
HERITAGE PLACE 3RD ADDTION AS RECORDED IN)
PLAT FILE #1 CARD #258 AND A VACATED)
RIGHT-OF-WAY OF BOSTON DRIVE AS RECORDED)
IN DOC. NO. 2001R-007234 IN THE OFFICE OF THE)
RECORDER OF WARRICK COUNTY, INDIANA AS)
RECORDED IN DOC. NO. 2001R-009116 IN THE)
OFFICE OF THE RECORDER OF WARRICK COUNTY)
INDIANA)

VACATION NO. 2003-17

AN ORDINANCE TO VACATE
A TEN (10) FOOT PUBLIC UTILITY EASEMENT ON LOT 13 IN A REPLAT OF 12, 13, & 14 OF HERITAGE PLACE 3RD ADDTION AS RECORDED IN PLAT FILE #1 CARD #258 AND A VACATED RIGHT-OF-WAY OF BOSTON DRIVE AS RECORDED IN DOC. NO. 2001R-007234 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA AS RECORDED IN DOC. NO. 2001R-009116 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA 23520

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 a TEN (10) FOOT PUBLIC UTILITY EASEMENT ON LOT 13 IN A REPLAT OF 12, 13, & 14 OF HERITAGE PLACE 3RD ADDTION AS RECORDED IN PLAT FILE #1 CARD #258 AND A VACATED RIGHT-OF-WAY OF BOSTON DRIVE AS RECORDED IN DOC. NO. 2001R-007234 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA AS RECORDED IN DOC. NO. 2001R-009116 IN THE OFFICE OF THE RECORDER OF 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 a TEN (10) FOOT PUBLIC UTILITY EASEMENT ON LOT 13 IN A REPLAT OF 12, 13, & 14 OF HERITAGE PLACE 3RD ADDTION AS RECORDED IN PLAT FILE #1 CARD #258 AND A VACATED RIGHT-OF-WAY OF BOSTON DRIVE AS RECORDED IN DOC. NO. 2001R-007234 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA AS RECORDED IN DOC. NO. 2001R-009116 IN THE OFFICE OF THE RECORDER OF 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 TEN (10) FOOT PUBLIC UTILITY EASEMENT ON LOT 13 IN A REPLAT OF 12, 13, & 14 OF HERITAGE PLACE 3RD ADDTION AS RECORDED IN PLAT FILE #1 CARD #258 AND A VACATED RIGHT-OF-WAY OF BOSTON DRIVE AS RECORDED IN DOC. NO. 2001R-007234 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA AS RECORDED IN DOC. NO. 2001R-009116 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA

4. The Legal Description of said easement is Part of Lot 13 in a Replat of Lots 12, 13 & 14 of Heritage Place 3rd Addition as recorded in Plat File #1, Card #258 and as Recorded in Doc. No. 2001R-009116 in the Recorder's Office of Warrick County, Indiana more particularly described as follows:

> COMMENCING at the Southwest corner of said Lot 13; thence South 89 Degrees, 05 Minutes, 01 Seconds East - 10.0 feet to the POINT OF BEGINNING, thence South 89 Degrees, 05 Minutes, 01 Seconds East - 99.54 feet; thence North 00 Degrees, 10 Minutes, 00 Seconds West - 10.0 feet; thence South 89 Degrees, 05 Minutes, 01 Seconds West - 99.54 feet; thence South 89 Degrees, 10 Minutes, 00 Seconds East - 10.0 feet to the POINT OF BEGINNING.

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

PASSED this 24th day of September, 2003.

BOARD OF COUNTY COMMISSIONERS OF
WARRICK COUNTY, INDIANA

By_____
Carl Conner-Commissioner

By Don Williams
Don Williams-Commissioner

By Phillip H. Baxter
Phil Baxter - Commissioner

Richard J. Kirmiller
Secretary

EXHIBIT "A"

2001R-009116
WARRICK COUNTY RECORDER
RECORDED ON
07-27-2001 11:32 AM

2003R-026849

REC FEE: 20.00
COPY FEE:
PAGES: 1

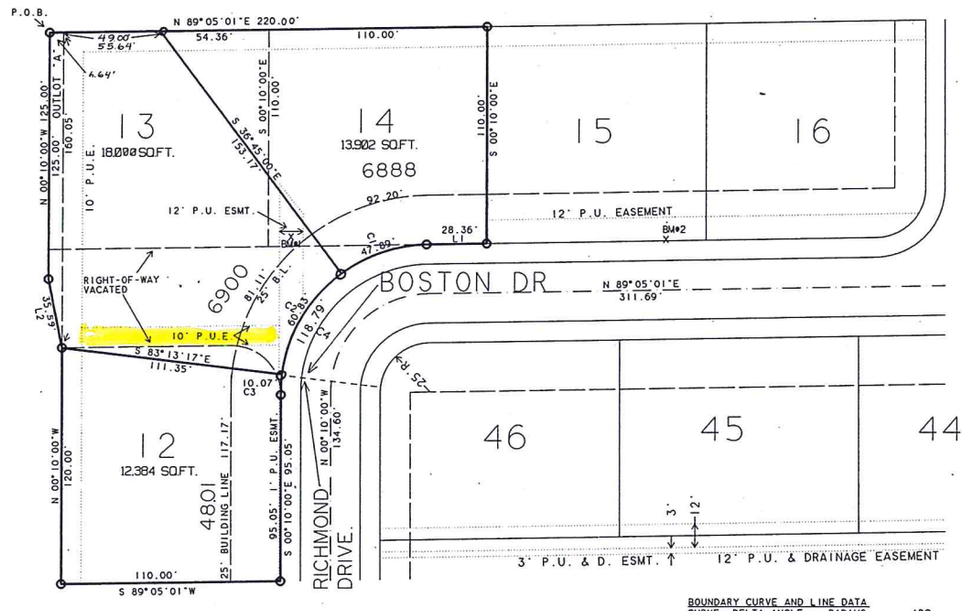
BETTY NIEMEYER
WARRICK COUNTY RECORDER

RECORDED ON
09/25/2003 03:20:27PM
REC FEE: 0.00
PAGES: 4

A REPLAT OF 12, 13, & 14 OF HERITAGE PLACE 3RD ADDITION AS RECORDED IN PLAT FILE #1 CARD #258 AND A VACATED RIGHT-OF-WAY OF BOSTON DRIVE AS RECORDED IN DOC. # 2001R-007234 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA

WARRICK COUNTY
ELIZABETH NIEMEYER
DOC NO: 2001R-009116
DATE 7-27-2001 TIME 11:32
PAGES 1

SCALE 1"=30'



DEDICATION CERTIFICATE

We, the undersigned owners of the real estate shown and described herein, do lay off, plat and subdivide said real estate in accordance with the herein plat.
This subdivision shall be known and designated as HERITAGE PLACE 3rd ADDITION an addition to the OHIO CITY 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 record 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 7th day of May 2001.

DAYWEY LLC
By: John W. Weyerbacher

LAND SURVEYORS CERTIFICATE

I Douglas J. McDonald hereby state 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 MAY 7, 2001. That all monuments thereon actually exist, and that their location, size, type and material are accurately shown as of this date, and comply with all of the Subdivision Control Ordinance

5-7-01

DOUGLAS J. McDONALD
REGISTERED
S-0543
STATE OF INDIANA
LAND SURVEYOR

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 Daywey LLC by John W. Weyerbacher and each seperately and severally ackowledged 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 7th day of May 2001.

My Commission Expires: 7/6/2007
I reside in Vanderburgh County, Indiana.

Gayle A.W. Peters
Notary Public - Signature
Gayle A.W. Peters
Notary Public - Printed Name

DRAINAGE BOARD CERTIFICATE

I Jack Pike hereby certify that I am the Secretary of the Warrick County Drainage Board that on N/A 20 the drainage plan for N/A subdivision was presented before the Board and that on N/A 20 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 July 17, 2001
Date
Jack Pike Secretary
JACK PIKE

CERTIFICATE OF APPROVAL

Under the authority provided Title 36, Article 7, Chapter 4, Section 700 ET SEC. of the Indiana code and all acts amendatory thereto, a majority of the members of this Warrick County Area Plan Commission have given PRIMARY approval to this plat in the manner prescribed in the Warrick County Subdivision Control Ordinance, at a meeting held on the 10th day of MAY, 1978

Warrick County Area Planning Commission

SEAL

Doris Horn
PRESIDENT

Sherri Phillips
SECRETARY

PLAT RELEASE:

July 26, 2001
DATE

Sherri Phillips
SECRETARY

PLANNING DIRECTOR OFFICIAL SEAL

Legal Description
A Replat of lots 12, 13, & 14 of
Heritage Place 3rd Addition

A part of the Southwest Quarter of Section Twenty-Five (25) Township Six (6) South, Range Nine (9) West also being a part of Heritage Place 3rd Addition as recorded in Plat File #1 Card #258 in the Office of the Recorder, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Northwest Corner of said Subdivision, said point being the POINT OF BEGINNING: thence North 89 degrees 05 minutes 01 second East, a distance of 220.00': thence South 0 degrees 10 minutes 00 seconds East, a distance of 110.00': thence South 89 degrees 04 minutes 45 seconds West, a distance of 28.36' to the point of curvature of a non-tangent curve, concave to the southeast, having a radius of 75.00', a central angle of 90 degrees 44 minutes 59 seconds, and a chord of 106.76' bearing South 44 degrees 27 minutes 32 seconds West: thence southwesterly along said curve, a distance of 118.79': thence South 0 degrees 10 minutes 00 seconds East, a distance of 95.05': thence South 89 degrees 05 minutes 01 second West, a distance of 110.00': thence North 0 degrees 10 minutes 00 seconds West, a distance of 120.00': thence North 10 degrees 55 minutes 17 seconds West, a distance of 35.59': thence North 0 degrees 10 minutes 00 seconds West, a distance of 125.00' to the POINT OF BEGINNING: said described tract containing 1.0167 acres, more or less.
(hereplat.dsc)

BOUNDARY CURVE AND LINE DATA

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 4	90°44'59"	75.00'	118.79'	73.02'	106.76'	S 44°27'32"W

LINE	BEARING	DISTANCE
L 1	S 89°04'45"W	28.36'
L 2	N 10°55'17"W	35.59'

RIGHT-OF-WAY CURVE DATA

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	36°35'00"	75.00'	47.89'	24.79'	47.08'	S 71°32'30"W
C 2	46°28'17"	75.00'	60.83'	32.20'	59.18'	S 30°00'51"W
C 3	07°41'42"	75.00'	10.07'	5.04'	10.07'	S 02°55'52"W

LEGEND

- LOT LINES & RIGHT-OF-WAY LINES
- BOUNDARY OF PROPERTY
- EASEMENTS
- BUILDING LINE
- CENTER LINE ROAD

P.U. ESMT.- PUBLIC UTILITIES EASEMENT
PU & D. ESMT.-PUBLIC UTILITES & DRAINAGE EASEMENT
C/L- CENTER LINE
B.L. - BUILDING LINE

ALL PROPERTY CORNERS LOCATED WITH 5/8" IP UNLESS OTHERWISE NOTED

BM#1- RM M-H#18 LOCATED APPROX. 32' NORTHWEST AND 10' SOUTHWEST OF THE SOUTHEAST CORNER OF LOT #13 ALSO BEING THE SOUTHWEST CORNER OF LOT #14

BM#2- RM M-H#24A LOCATED APPROX. 20' WEST OF THE SOUTHEAST CORNER OF LOT #15

NONE OF THE SUBJECT PROPERTY IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN AS PER PANEL# 180418 0075 B DATED: MAY 17, 1982

BASIS OF BEARING:
HERITAGE PLACE 1st DIVISION
PLAT FILE #1 CARD #125

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By Don Williams
Don Williams-Commissioner

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Richard J. Kirmiller
Secretary