HP N/C

2006R-012143

PATRICIA A BROOKS
WARRICK COUNTY RECORDER

RECORDED ON
10/13/2006 02:32:16PM
REC FEE: 0.00
PAGES: 4

STATE OF INDIANA)
)SS:
COUNTY OF WARRICK)

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY

IN THE MATTER OF THE PETITION TO VACATE A PORTION OF THE LAKE NEWBURGH DRIVE PUBLIC RIGHT-OF-WAY, SAME BEING A PORTION OF THE PROPERTY ON THE NORTH SIDE OF THE PRESENT RIGHT-OF-WAY OF LAKE NEWBURGH DRIVE LOCATED WITHIN LAKE NEWBURGH SUBDIVISION AS RECORDED IN DOC. NO. 1995R-8520 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, INDIANA.

Ordinance No 2006-17

An Ordinance to Vacate Part of a Public Right of Way in Lake Newburgh Subdivision.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR WARRICK COUNTY, INDIANA, as follows, to-wit:

SECTION 1.

It is in the best interest of Warrick County that a portion of the dedicated right of way commonly known as Lake Newburgh Drive, within Lake Newburgh Subdivision, a subdivision located in Warrick County Indiana, being more particularly described as follows:

Legal Description

Part of the Southwest Quarter of the Northeast Quarter of Section 34, Township 6 south, range 9 West lying in Ohio Township, Warrick County Indiana also being a portion of the Right-of Way of Lake Newburgh Drive in Lake Newburgh Subdivision as per Document No 1995R-8520 in the Office of the Recorder of Warrick County, Indiana and more particularly described as follows:

Commencing at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of said Section 34; thence North 89 Degrees 34 Minutes 19 Seconds West 18.46 feet to the TRUE Point of Beginning; Thence

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Sherri Rector

1st Westerly 144.24 feet along a curve to the left, through a central angle of 07 Degrees 15 Minutes 57 seconds having a radius of 1137.42 feet and a chord bearing and distance of South 86 Degrees 20 Minutes 47 Seconds West 144.14 feet; thence

2nd South 82 Degrees 42 Minutes 49 Seconds West 210.82 feet; thence

3rd Northwest along a curve to the right 26.53 feet, through a central angle of 40 Degrees 46 Minutes 07 Seconds having a radius of 37.28 feet and a chord bearing and distance of North 76 Degrees 54 Minutes 08 Seconds West 25.97feet; thence

4th North 56 Degrees 31 Minutes 05 Seconds West 32.65 feet to a point on the East Right-of-Way of State Road 261; thence along said East Right-of-Way

5th North 33 Degrees 28 Minutes 55 Seconds West 17.96 feet to the Northwest Corner of Lake Newburgh Subdivision as per Document No. 1995R-8520 in the Office of the Recorder for Warrick County, Indiana; thence along the North line of said subdivision; thence

6th South 89 Degrees 34 Minutes 19 Seconds East 395.60 feet to the TRUE Point of Beginning and containing 7144.9890 square feet or 0.1640 acres more or less.

and the same is hereby vacated, and shall be denoted as "Out Lot B" of Lake Newburgh Subdivision.

Section 2.

Southern Indiana Gas and Electric Company d/b/a Vectren Energy Delivery of Indiana, hereinafter referred to as Company, reserves the following easement rights:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more electric lines above or below ground, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission or electricity and one or more natural gas pipelines, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of natural gas energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees located within said strips of land, and the right to remove brush or other obstructions from said strip of land.

Section 3.

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

So approved this 11th day of OCTOBER, 2006.

CARL ~~COONER~~ CONNER, COMMISSIONER

PHIL BAXTER, COMMISSIONER

DON WILLIAMS, COMMISSIONER

ATTESTED:

Allan James, First Deputy

RICHARD KIXMILLER, COUNTY AUDITOR

This Ordinance was prepared by Maurice Doll, Indiana Bar # 4554-42, Morrie Doll & Associates llc
Attorney at Law, P.O. Box 730, Newburgh, IN 47630 / 812-858-2933

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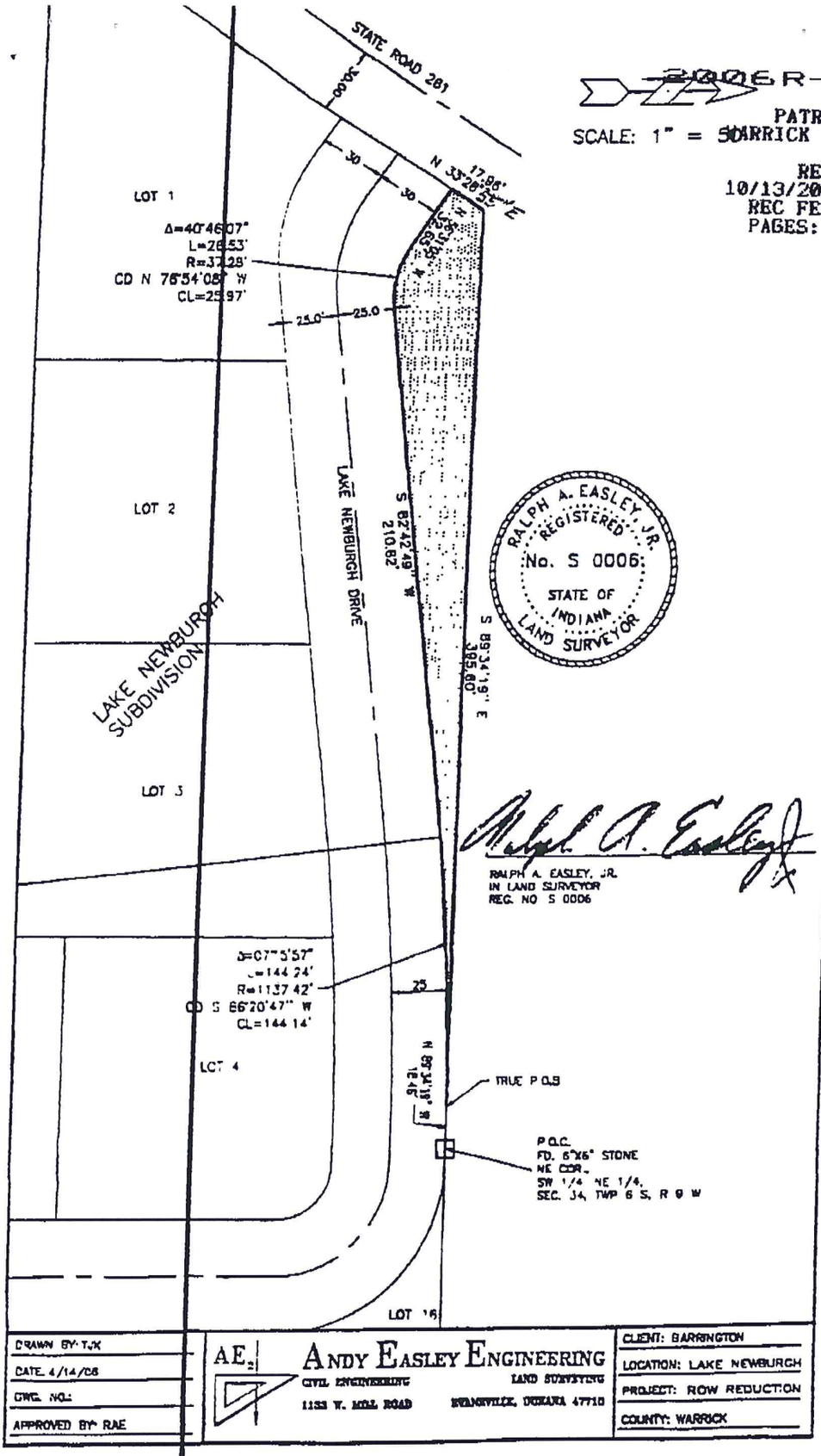

EXHIBIT R