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2011R-004632
PATRICIA A BROOKS
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
06/16/2011 10:43 AM
REC FEE: 0.00
PAGES: 4

Ordinance No. CC-2011-13

AN ORDINANCE TO VACATE PUBLIC WAYS WITHIN WARRICK COUNTY, INDIANA:

BE IT ORDAINED by the Board of Commissioners of Warrick County, Indiana, as follows, to-wit:

Section I. A verified petition was presented to the Board of Commissioners of Warrick County requesting that the aforesaid Public Ways be vacated.

Section II. That after due and proper notice a timely public hearing was convened by the Board of Commissioners, at which time all interested persons were permitted to address regarding said vacation.

Section III. That the Board of Commissioners of Warrick County, after due investigation and consideration has determined that the nature and extent of public use and the public interest to be observed is such as to warrant the vacation of that part of the public ways or public places described as follows, and further described with the drawing hereto attached, which is made a part of this Ordinance.

a) All of a Temporary Offsite 18' D.E. being shown on the plat of Arbor Pointe Section 1, as per plat thereof, recorded in Document No. 2008R-000250 in the office of the Recorder of Warrick County, Indiana being part of the West Half of the Southwest Quarter of Section 21, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana and also being part of the Arbor Development, LLC tract recorded in Doc. # 2005R-011497 in said office of the Recorder being more particularly described as follows:

Commencing at the Southwest corner of said Quarter section; thence along the west line thereof, North 00 degrees 17 minutes 11 seconds East 1208.94 feet to the point of beginning; thence continuing along said west line, North 00 degrees 17 minutes 11 seconds East 25.32 feet; thence North 45 degrees 35 minutes 20 seconds East 56.27 feet to a point on the west line of Temporary Offsite 10' Public Utility Easement #16 identified on said plat of Arbor Pointe Section 1; thence along said west line, South 00 degrees 17 minutes 11 seconds West 25.32 feet; thence South 45 degrees 35 minutes 20 seconds West 56.27 feet to the Point of Beginning containing 1013 square feet (0.02 acres).

b) All of Temporary Offsite Lake Maintenance & Storm Drainage Easement #5 being shown on the plat of Arbor Pointe Section 1, as per plat thereof, recorded in Document No. 2008R-000250 in the office of the Recorder of Warrick County, Indiana being part of the West Half of the Southwest Quarter of Section 21, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana and also being part of the Arbor Development, LLC tract recorded in Doc. # 2005R-011497 in said office of the Recorder being more particularly described as follows:

Commencing at the Southwest corner of said Quarter section; thence along the west line thereof, North 00 degrees 17 minutes 11 seconds East 899.93 feet to a point on the north line of Stahl Road dedicated on said plat of Arbor Pointe Section 1; thence along the north line of Stahl Road, South 89 degrees 39 minutes 50 seconds East 40.00 feet to a point on the west line of Temporary Offsite 10' Public Utility Easement #16 identified on said plat of Arbor Pointe Section 1; thence along said west line, North 00 degrees 17 minutes 11 seconds East 272.01 feet to the point of beginning; thence continuing along said west line, North 00 degrees 17 minutes 11 seconds East 158.00 feet; thence South 89 degrees 39 minutes 20 seconds East 147.72 feet; thence South 00 degrees 20 minutes 10 seconds West 37.08 feet to the point of curvature of a curve to the left, concave Easterly, having a central angle of 32 degrees 19 minutes 35 seconds and a radius of 168.00 feet from which the chord bears South 15 degrees 49 minutes 37 seconds East 93.53 feet; thence along the arc of said curve 94.79 feet to a point on a northerly line of Temporary Offsite 10' Public Utility Easement #17 identified on said plat of Arbor Pointe Section 1; thence along said northerly line, South 45 degrees 22 minutes 50 seconds West 43.97 feet; thence continuing along a northerly line of said Easement #17, North 89 degrees 39 minutes 35 seconds West 142.50 feet to the Point of Beginning containing 24,406 square feet (0.56 acres).

Note: Per the plat of Arbor Pointe Section 1, Temporary Offsite Lake Maintenance & Storm Drainage Easement # 5 and Temporary Offsite Public Utility Easement # 16 overlap. It is the intent of this description to only vacate Easement # 5. No portion of Easement # 16 is to be vacated

c) All of Temporary Offsite Drainage Easement #8 being shown on the plat of Arbor Pointe Section 1, as per plat thereof, recorded in Document No. 2008R-000250 in the office of the Recorder of Warrick County, Indiana being part of the West Half of the Southwest Quarter of Section 21, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana and also being part of the Arbor Development,

LLC tract recorded in Doc. # 2005R-011497 in said office of the Recorder being more particularly described as follows:

Commencing at the Southwest corner of said Quarter section; thence along the west line thereof, North 00 degrees 17 minutes 11 seconds East 899.93 feet to a point on the north line of Stahl Road dedicated on said plat of Arbor Pointe Section 1; thence along the north line of Stahl Road, South 89 degrees 39 minutes 50 seconds East 50.00 feet to a point on the east line of Temporary Offsite 10' Public Utility Easement #16 identified on said plat of Arbor Pointe Section 1; thence along said east line, North 00 degrees 17 minutes 11 seconds East 430.01 feet to the north line of Temporary Offsite Lake Maintenance and Storm Drainage Easement #5 identified on said plat of Arbor Pointe Section 1; thence along said north line, South 89 degrees 39 minutes 20 seconds East 132.30 feet to the point of beginning; thence North 45 degrees 22 minutes 50 seconds East 33.09 feet to a point on the west line of Arbor Pointe Drive dedicated on said plat of Arbor Pointe Section 1; thence along said west line, South 00 degrees 20 minutes 10 seconds West 16.96 feet; thence South 45 degrees 22 minutes 50 seconds West 25.44 feet; thence North 00 degrees 20 minutes 10 seconds East 11.55 feet; thence North 89 degrees 39 minutes 20 seconds West 5.41 feet to the Point of Beginning containing 320 square feet (0.01 acres).

d) All of Temporary Offsite 10' Public Utility Easement #17 being shown on the plat of Arbor Pointe Section 1, as per plat thereof, recorded in Document No. 2008R-000250 in the office of the Recorder of Warrick County, Indiana being part of the West Half of the Southwest Quarter of Section 21, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana and also being part of the Arbor Development, LLC tract recorded in Doc. # 2005R-011497 in said office of the Recorder being more particularly described as follows:

Commencing at the Southwest corner of said Quarter section; thence along the west line thereof, North 00 degrees 17 minutes 11 seconds East 899.93 feet to a point on the north line of Stahl Road dedicated on said plat of Arbor Pointe Section 1; thence along the north line of Stahl Road, South 89 degrees 39 minutes 50 seconds East 50.00 feet to a point on the east line of Temporary Offsite 10' Public Utility Easement #16 identified on said plat of Arbor Pointe Section 1; thence along said east line, North 00 degrees 17 minutes 11 seconds East 262.01 feet to the point of beginning; thence continuing along said east line, North 00 degrees 17 minutes 11 seconds East 10.00 feet to a point on a south line of Temporary Offsite Lake Maintenance & Storm Drainage Easement #5 identified on said plat of Arbor Pointe Section 1; thence along said south line, South 89 degrees 39 minutes 35 seconds East 132.50 feet; thence continuing along a south line and a south line extended, North 45 degrees 22 minutes 50 seconds East 62.47 feet to a point on a non-tangent curve to the left, concave Northeasterly, having a central angle of 03 degrees 54 minutes 33 seconds and a radius of 150.00 feet from which the chord bears South 32 degrees 23 minutes 58 seconds East 10.23 feet, said point also being on the west line of Arbor Pointe Drive; thence along the west line of Arbor Pointe Drive and along the arc of said curve 10.23 feet; thence South 45 degrees 22 minutes 50 seconds West 64.45 feet; thence North 89 degrees 39 minutes 35 seconds West 136.64 feet to the Point of Beginning containing 1980 square feet (0.045 acres).

e) Part of Temporary Offsite 10' Public Utility Easement #22 and part of Temporary Offsite 4' Public Utility Easement #23 both being shown on the plat of Arbor Pointe Section 1, as per plat thereof, recorded in Document No. 2008R-000250 in the office of the Recorder of Warrick County, Indiana being part of the West Half of the Southwest Quarter of Section 21, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana and also being part of the Arbor Development, LLC tract recorded in Doc. # 2005R-011497 in said office of the Recorder being more particularly described as follows:

Commencing at the Southwest corner of said Quarter section; thence along the west line thereof, North 00 degrees 17 minutes 11 seconds East 899.93 feet to a point on the north line of Stahl Road dedicated on said plat of Arbor Pointe Section 1; thence along the north line of Stahl Road, South 89 degrees 39 minutes 50 seconds East 258.96 feet to the point of curvature of a curve to the left, concave Northwesterly, having a central angle of 90 degrees 02 minutes 59 seconds and a radius of 50.00 feet from which the chord bears North 45 degrees 18 minutes 41 seconds East 70.74 feet; thence along the arc of said curve 78.58 feet to a point on the west line of Arbor Pointe Drive dedicated on said Arbor Pointe Section 1; thence along said west line, North 00 degrees 17 minutes 11 seconds East 115.32 feet to the point of curvature of a curve to the left, concave Southwesterly, having a central angle of 34 degrees 38 minutes 25 seconds and a radius of 100.00 feet from which the chord bears North 17 degrees 02 minutes 02 seconds West 59.54 feet; thence continuing along the west line of Arbor Pointe Drive and along the arc of said curve 60.46 feet; thence continuing along said west line, North 34 degrees 21 minutes 14 seconds West 103.80 feet to the point of curvature of a curve to the right, concave easterly, having a central angle of 22 degrees 14 minutes 16 seconds and a radius of 150.00 feet from which the chord bears North 23 degrees 14 minutes 06 seconds West 57.85 feet; thence continuing along said west line and along the arc of said curve 58.22 feet to the point of beginning; thence North 89 degrees 21 minutes 54 seconds West 9.30 feet to the point of curvature of a curve to the left, concave Southerly, having a central angle of 00 degrees 22 minutes 07 seconds and a radius of 145.00 feet from which the chord bears North 89 degrees 32 minutes 58 seconds West 0.93 feet; thence along the arc of said curve

0.93 feet to the point of curvature of a non-tangent curve to the right, concave Easterly, having a central angle of 11 degrees 38 minutes 39 seconds and a radius of 160.00 feet from which the chord bears North 05 degrees 29 minutes 09 seconds West 32.46 feet; thence along the arc of said curve 32.52 feet; thence South 89 degrees 39 minutes 50 seconds East 6.00 feet; thence North 00 degrees 20 minutes 10 seconds East 128.16 feet; thence South 82 degrees 16 minutes 14 seconds East 4.03 feet to a point on said west line of Arbor Pointe Drive; thence the remaining calls along Arbor Pointe Drive, South 00 degrees 20 minutes 10 seconds West 127.64 feet to the point of curvature of a curve to the left, concave Easterly, having a central angle of 12 degrees 27 minutes 08 seconds and a radius of 150.00 feet from which the chord bears South 05 degrees 53 minutes 24 seconds East 32.54 feet; thence along the arc of said curve 32.60 feet to the Point of Beginning containing 837 square feet (0.02 acres)

See Exhibit "A" for Exhibit of Areas A-E being vacated.

Therefore, the Board of Commissioners of Warrick County, Indiana, does hereby find that the portions of the above described Public Ways are no longer required for public use and the public interest will be served by such vacation, and the Board of Commissioners of Warrick County does hereby vacate the Public Ways described in Section III above subject to the terms and conditions as stated in this Ordinance.

Board of Commissioners for Warrick County

Don Williams
President

Marli Weisheit

Tim Morley
Vice-President

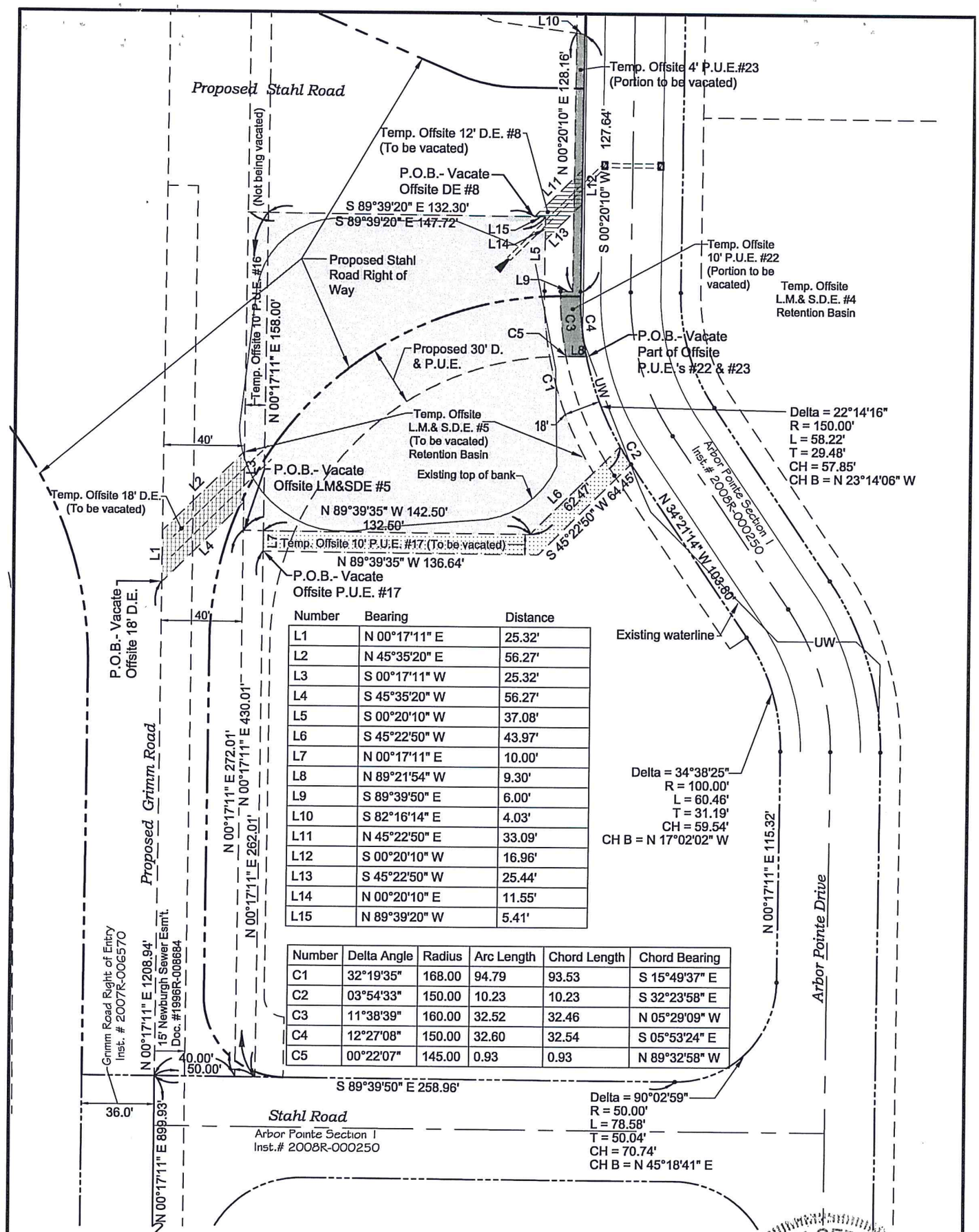
Attest:

H B Dugan
County Auditor

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.

Bret A. Sermersheim

This Document was prepared by: Bret A. Sermersheim of Morley and Associates, Inc.



Number	Bearing	Distance
L1	N 00°17'11" E	25.32'
L2	N 45°35'20" E	56.27'
L3	S 00°17'11" W	25.32'
L4	S 45°35'20" W	56.27'
L5	S 00°20'10" W	37.08'
L6	S 45°22'50" W	43.97'
L7	N 00°17'11" E	10.00'
L8	N 89°21'54" W	9.30'
L9	S 89°39'50" E	6.00'
L10	S 82°16'14" E	4.03'
L11	N 45°22'50" E	33.09'
L12	S 00°20'10" W	16.96'
L13	S 45°22'50" W	25.44'
L14	N 00°20'10" E	11.55'
L15	N 89°39'20" W	5.41'

Number	Delta Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	32°19'35"	168.00	94.79	93.53	S 15°49'37" E
C2	03°54'33"	150.00	10.23	10.23	S 32°23'58" E
C3	11°38'39"	160.00	32.52	32.46	N 05°29'09" W
C4	12°27'08"	150.00	32.60	32.54	S 05°53'24" E
C5	00°22'07"	145.00	0.93	0.93	N 89°32'58" W

Exhibit "A"

Bret Alan Sermersheim
May 24, 2011

Morley and Associates Inc.

Engineering
Surveying
Architecture
Construction Management

Evansville, In (812) 464-9585
Henderson, Ky (270) 830-0300
Jasper, In (812) 634-9990

www.morleyandassociates.com

Easement Vacate Exhibit

Offsite Easements in Arbor Pointe Section 1
For Future Stahl Road Extension

Designed By:	Job Number: 7640.4.002A
Drawn By: BAS	Date: 5/16/2011
Filename: 7640 vacate.dwg	