CO.V CC-13-20-21

ORDINANCE TO VACATE CERTAIN PUBLIC UTILITY EASEMENTS AND RIGHT-OF-WAYS IN PARADISE PARK

WHEREAS, a sworn petition was presented to the Board of Commissioners of Warrick County, Indiana requesting that certain public utility easements, drainage easements and right-of-ways described on Exhibit "A" attached hereto and by this reference made a part hereof and located on real estate commonly known as 7007, 7022, 7033, 7110, 7111 7155, 7160 and 7190 Parker Drive, Newburgh, Indiana, as shown on the drawing attached here as Exhibit "B", be vacated by the Board of Commissioners of Warrick County, Indiana; and

WHEREAS, after due and proper notice, a timely public hearing was convened by the Board of Commissioners of Warrick County, Indiana, at which time all interested persons were permitted to address the Board of Commissions of Warrick County, Indiana, regarding said vacation.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Warrick County, Indiana as follows:

SECTION 1. FINDINGS.

The Board of Commissioners of Warrick County, Indiana, after due investigation and consideration has determined that the nature and extent of the public use and public interest to be subserved is such as to warrant the vacation of certain public utility easements, drainage easements and right-of-ways located on real estate commonly known as 7007, 7022, 7033, 7110, 7111 7155, 7160 and 7190 Parker Drive, Newburgh, Indiana, and more particularly described on Exhibits "A" and "B" attached hereto and by this reference made a part hereof and further indicated by the word "to be vacated" on the drawings attached hereto.

SECTION 2. VACATION.

The Board of Commissioners of Warrick County, Indiana does hereby find that the above-described public utility easements, drainage easements and right-of-ways located on real estate commonly known as 7007, 7022, 7033, 7110, 7111 7155, 7160 and 7190 Parker Drive, Newburgh, Indiana is no longer required for public use and the public interest will be served by such vacation, and the Board of Commissioners of Warrick County, Indiana, does hereby vacate that public way or place described above.

SECTION 3. EASEMENTS. The public easements and right-of-ways vacated as described above will remain subject to the following easements:

(a) A public utility easement in favor of the Town of Newburgh across following:

Part of Lot 4, 5 and 6 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 4; thence along the east line of said Lot 4, North 00 degrees 08 minutes 08 seconds West 15.00 feet to the point of beginning; thence parallel with the south line of said Lot 4, South 89 degrees 55 minutes 34 seconds West 10.00 feet; thence North 00 degrees 08 minutes 08 seconds West 528.13 feet to a point on the northeast line of said Lot 6; thence along the northeast line of said Lot 6, South 15 degrees 46 minutes 43 seconds East 37.09 feet to the northeast corner of said Lot 5; thence along the east line of said Lot 5 and Lot 4, South 00 degrees 08 minutes 08 seconds East 492.42 feet to the point of beginning and containing a gross area of 5103 square feet, more or less.

(b) An easement in favor of Chandler Utilities across all easements until such time as the water mains located within said easements are relocated, at which time this easement may be released by Chandler Utilities and new easement are provided in favor of Chandler Utilities.

SECTION 4. RECORDING.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of Warrick County and following publication as provided in I.C. 5-3-1.

First pass following public hearing by the Board of Commissioners of Warrick County, Indiana this 12th day of August, 2013.

Final passage by the Board of Commissioners of Warrick County, Indiana this 12th day of August, 2013.

BOARD OF COMMISSIONERS
WARRICK COUNTY, INDIANA

Rick Reid

Marlin Weisheit

Don Williams

ATTEST:

L.B. "Dixie" Dugan
Warrick County Auditor

This instrument was prepared by Krista B. Lockyear, **RUDOLPH, FINE, PORTER & JOHNSON, LLP,** 221 N.W. Fifth Street, P.O. Box 1507, Evansville, IN 47706-1507, Telephone (812) 422-9444

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.

Krista B. Lockyear

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Exhibit "A"

See attached.

Easement and Right-of-Way Vacation Descriptions

Easement #1 – 15' Underground Storm Drainage Easement:
Part of Lot 2 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 2; thence along the south line of said Lot 2, South 89 degrees 55 minutes 34 seconds West 20.50 feet; thence North 00 degrees 04 minutes 26 seconds West 10.00 feet to a point on the north line of and existing 10-foot Drainage Easement and Public Utility Easement and being the point of beginning; thence along the north line of said 10-foot Drainage Easement and Public Utility Easement, South 89 degrees 55 minutes 34 seconds West 15.65 feet; thence parallel with the east line of said Lot 2, North 16 degrees 30 minutes 22 seconds East 212.39 feet to a point on the south line of an existing 12-foot Sanitary Sewer Easement; thence along the south line of said 12-foot Sanitary Sewer Easement, South 81 degrees 28 minutes 20 seconds East 10.03 feet to the beginning of a curve to the right, having a central angle of 01 degree 58 minutes 37 seconds, a radius of 148.00 feet and a chord dimension of South 80 degrees 29 minutes 01 second East 5.11 feet; thence continue along the south line of said 12-foot Sanitary Sewer Easement and along the arc of said curve 5.11 feet; thence parallel with the east line of said Lot 2, South 16 degrees 30 minutes 22 seconds West 209.93 feet to the point of beginning and containing a gross area of 3168 square feet, more or less.

Easement #2 – 10' by 10' Drainage Easement:
Part of Lot 3 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southwest Corner of said Lot 3; thence along the south line of said Lot 3, North 89 degrees 55 minutes 34 seconds East 227.26 feet; thence North 00 degrees 37 minutes 46 seconds West 109.11 feet to the point of beginning; thence North 27 degrees 40 minutes 05 seconds East 10.00 feet to a point on the south line of an existing 12-foot Sanitary Sewer Easement; thence along the south line of said 12-foot Sanitary Sewer Easement, South 62 degrees 19 minutes 55 seconds East 10.00 feet; thence South 27 degrees 40 minutes 05 seconds West 10.00 feet; thence North 62 degrees 19 minutes 55 seconds West 10.00 feet to the point of beginning and containing a gross area of 100 square feet, more or less.

Easement #3 – 10' Drainage Easement:
Part of Lot 4 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 4; thence along the south line of said Lot 4, South 89 degrees 55 minutes 34 seconds West 311.99 feet; thence North 00 degrees 04 minutes 26 seconds West 154.86 feet to the northwest side of a 10-foot Sanitary Sewer Easement to be vacated and being the point of beginning; thence North 87 degrees 16 minutes 28 seconds West 20.72 feet to a point on the southeast side of a 10-foot Public Utility Easement to be vacated and being the beginning of a curve to the left, having a central angle of 03 degrees 58 minutes 04 seconds, a radius of 240.00 feet and a chord dimension of North 55 degrees 43 minutes 35 seconds East 16.62 feet; thence along the southeast side of said 10-foot Public Utility Easement and along the arc of said curve 16.62 feet; thence South 87 degrees 16 minutes 28 seconds East 16.82 feet to the northwest side of said 10-foot Sanitary Sewer Easement; thence along the northwest side of said easement, South 45 degrees 51 minutes 30 seconds West 13.70 feet to the point of beginning and containing a gross area of 186 square feet, more or less.

Easement #4 – 10' by 10' Drainage Easement:
Part of Lot 4 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 4; thence along the south line of said Lot 4, South 89 degrees 55 minutes 34 seconds West 285.95 feet; thence North 00 degrees 04 minutes 26 seconds West 149.44 feet to the point of beginning; thence North 44 degrees 08 minutes 30 seconds West 10.00 feet to a point on the southeast side of a 10-foot Sanitary Sewer Easement to be vacated; thence along the southeast side of said easement, North 45 degrees 51 minutes 30 seconds East 10.00 feet; thence South 44 degrees 08 minutes 30 seconds East 10.00 feet; thence South 45 degrees 51 minutes 30 seconds West 10.00 feet to the point of beginning and containing a gross area of 100 square feet, more or less.

Easement #5 – 10' Sanitary Sewer Easement:
Part of Lot 4 and Lot 5 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Northeast Corner of said Lot 4; thence along the north line of said Lot 4, North 59 degrees 32 minutes 02 seconds West 234.78 feet to the point of beginning; thence South 45 degrees 51 minutes 30 seconds West 202.77 feet to a corner of an existing Sanitary Sewer Easement; thence North 00 degrees 04 minutes 26 seconds West 5.68 feet; thence North 86 degrees 13 minutes 43 seconds West 10.67 feet to a corner of an existing Sanitary Sewer Easement; thence North 45 degrees 51 minutes 30 seconds East 216.95 feet to a corner of an existing Sanitary Sewer Easement; thence South 04 degrees 14 minutes 13 seconds West 3.25 feet; thence South 23 degrees 30 minutes 40 seconds East 10.52 feet; thence South 45 degrees 51 minutes 30 seconds West 4.85 feet to the point of beginning and containing a gross area of 2509 square feet, more or less.

Easement #6 – 10' Public Utility Easement:
Part of Lot 4, 5 and 6 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 4; thence along the east line of said Lot 4, North 00 degrees 08 minutes 08 seconds West 15.00 feet to the point of beginning; thence parallel with the south line of said Lot 4, South 89 degrees 55 minutes 34 seconds West 10.00 feet; thence North 00 degrees 08 minutes 08 seconds West 528.13 feet to a point on the northeast line of said Lot 6; thence along the northeast line of said Lot 6, South 15 degrees 46 minutes 43 seconds East 37.09 feet to the northeast corner of said Lot 5; thence along the east line of said Lot 5 and Lot 4, South 00 degrees 08 minutes 08 seconds East 492.42 feet to the point of beginning and containing a gross area of 5103 square feet, more or less.

Easement #7 – 10' Public Utility Easement:
Part of Lot 6 and 7 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Beginning at the northeast corner of said Lot 6; thence along the east line of said Lot 6, South 15 degrees 46 minutes 43 seconds East 10.38 feet; thence parallel with the north line of said Lots 6 and 7, South 89 degrees 51 minutes 17 seconds West 437.11 feet; thence North 48 degrees 17 minutes 22 seconds East 15.07 feet to a point on the north line of said Lot 7; thence along the north line of said Lots 7 and 6, North 89 degrees 51 minutes 17 seconds East 423.04 feet to the point of beginning and containing a gross area of 4301 square feet, more or less.

Easement #8 – Waterline Easement
Part of Lot 6 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northeast corner of said Lot 6; thence along the north line of said Lot, South 89 degrees 51 minutes 17 seconds West 324.36 feet to the point of beginning; thence South 20 degrees 09 minutes 47 seconds East 239.08 feet; thence South 83 degrees 07 minutes 39 seconds East 98.05 feet to a point on the extended east line of an existing 12-foot Sanitary Sewer Easement; thence along said extended east line, South 04 degrees 14 minutes 13 seconds West 10.01 feet to the northeast corner thereof; thence along the north line of said 12-foot Sanitary Sewer Easement, North 83 degrees 07 minutes 39 seconds West 12.01 feet; thence along the west line of said 12-foot Sanitary Sewer Easement, South 04 degrees 14 minutes 13 seconds West 50.85 feet to a point on the northeast side of a 10-foot public utility easement to be vacated and being the beginning of a curve to the left, having a central angle of 108 degrees 53 minutes 40 seconds, a radius of 65.00 feet and a chord dimension of North 55 degrees 42 minutes 52 seconds West 105.77 feet; thence along the northeast side of a 10-foot public utility easement and along the arc of said curve 123.54 feet; thence North 20 degrees 09 minutes 47 seconds West 251.20 feet to a point on the north line of said Lot 6; thence along the north line of said Lot 6, North 89 degrees 51 minutes 17 seconds East 10.64 feet to the point of beginning and containing a gross area of 3862 square feet, more or less.

Easement #9 – Lake Maintenance and Storm Drainage Easement
Part of Lot 6 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northeast corner of said Lot 6; thence along the north line of said Lot, South 89 degrees 51 minutes 17 seconds West 335.00 feet to the point of beginning; thence South 20 degrees 09 minutes 47 seconds East 251.20 feet to a point on the north side of a 10-foot public utility easement to be vacated and being the beginning of a curve to the left, having a central angle of 21 degrees 24 minutes 52 seconds, a radius of 65.00 feet and a chord dimension of South 59 degrees 07 minutes 52 seconds West 24.15 feet; thence along the north side of a 10-foot public utility easement and along the arc of said curve 24.29 feet; thence North 12 degrees 39 minutes 22 seconds West 141.87 feet; thence North 21 degrees 17 minutes 46 seconds West 117.80 feet to a point on the north line of said Lot 6; thence along the north line of said Lot 6, North 89 degrees 51 minutes 17 seconds East 8.01 feet to the point of beginning and containing a gross area of 2702 square feet, more or less.

Easement #10 – 10' Public Utility Easement
Part of Lot 4, 5, 6 and 7 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Beginning at the southwest corner of said Lot 5 that is common to the northernmost corner of said Lot 4 which is the beginning of a curve to the right having a central angle of 36 degrees 32 minutes 18 seconds, a radius of 35.00 feet and a chord dimension of North 40 degrees 36 minutes 17 seconds East 21.94 feet; thence along the boundary of said Lot 5 and along the arc of said curve 22.32 feet to the beginning of a curve to the left having a central angle of 265 degrees 59 minutes 38 seconds, a radius of 55.00 feet and a chord dimension of North 74 degrees 07 minutes 23 seconds West 80.45 feet; thence along the boundary of said Lot 5 and Lot 6 and along the arc of said curve 255.34 feet to the beginning of a curve to the right having a central angle of 55 degrees 45 minutes 12 seconds, a radius of 35.00 feet and a chord dimension of South 00 degrees 45 minutes 24 seconds West 32.73 feet; thence along the boundary of said Lot 6 and along the arc of said curve 34.06 feet to the beginning of a curve to the right having a central angle of 62 degrees 44 minutes 46 seconds, a radius of 170.00 feet and a chord dimension of South 60 degrees 00 minutes 23 seconds West 177.01 feet; thence along the boundary of said Lot 6 and Lot 7 and along the arc of said curve 186.17 feet; thence North 01 degree 22 minutes 46 seconds East 10.00 feet to the beginning of a curve to the left having a central angle of 62 degrees 44 minutes 46 seconds, a radius of 160.00 feet and a chord dimension of North 60 degrees 00 minutes 23 seconds East 166.59 feet; thence along the arc of said curve 175.22 feet to the beginning of a curve to the left having a central angle of 55 degrees 45 minutes 12 seconds, a radius of 25.00 feet and a chord dimension of North 00

degrees 45 minutes 24 seconds East 23.38 feet; thence along the arc of said curve 24.33 feet to the beginning of a curve to the right having a central angle of 265 degrees 59 minutes 38 seconds, a radius of 65.00 feet and a chord dimension of South 74 degrees 07 minutes 23 seconds East 95.08 feet; thence along the arc of said curve 301.76 feet to the beginning of a curve to the left having a central angle of 36 degrees 32 minutes 18 seconds, a radius of 25.00 feet and a chord dimension of South 40 degrees 36 minutes 17 seconds West 15.67 feet; thence along the arc of said curve 15.94 feet to the beginning of a curve to the right having a central angle of 47 degrees 48 minutes 15 seconds, a radius of 240.00 feet and a chord dimension of South 46 degrees 14 minutes 16 seconds West 194.48 feet; thence along the arc of said curve 200.24 feet to the beginning of a curve to the left having a central angle of 55 degrees 47 minutes 43 seconds, a radius of 30.00 feet and a chord dimension of South 42 degrees 14 minutes 32 seconds West 28.07 feet; thence along the arc of said curve 29.21 feet to a point on the north side of an existing 12-foot Sanitary Sewer Easement; thence along the north side of said Sanitary Sewer Easement, North 86 degrees 13 minutes 43 seconds West 10.13 feet to the boundary of said Lot 4 and being the beginning of a curve to the right having a central angle of 58 degrees 27 minutes 31 seconds, a radius of 40.00 feet and a chord dimension of North 40 degrees 54 minutes 38 seconds East 39.06 feet; thence along the boundary of said Lot 4 and along the arc of said curve 40.81 feet to the beginning of a curve to the left having a central angle of 47 degrees 48 minutes 15 seconds, a radius of 230.00 feet and a chord dimension of North 46 degrees 14 minutes 16 seconds East 186.38 feet; thence along the boundary of said Lot 4 and along the arc of said curve 191.90 feet to the point of beginning and containing a gross area of 7387 square feet, more or less.

R/W #11 – Parker Drive Right-of-Way

Part of the Right-of-Way for Parker Drive granted in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Beginning at the southwest corner of Lot 5 in said Paradise Park that is common to the northernmost corner of Lot 4 in said subdivision and which is the beginning of a curve to the right having a central angle of 47 degrees 48 minutes 15 seconds, a radius of 230.00 feet and a chord dimension of South 46 degrees 14 minutes 16 seconds West 186.38 feet; thence along the boundary of said Lot 4 and along the arc of said curve 191.90 feet to the beginning of a curve to the left having a central angle of 59 degrees 58 minutes 23 seconds, a radius of 40.00 feet and a chord dimension of South 40 degrees 09 minutes 12 seconds West 39.98 feet; thence along the boundary of said Lot 4 and along the arc of said curve 41.87 feet to the beginning of a curve to the right having a central angle of 00 degrees 28 minutes 51 seconds, a radius of 710.00 feet and a chord dimension of North 10 degrees 24 minutes 27 seconds East 5.96 feet; thence along the arc of said curve 5.96 feet to the beginning of a curve to the left having a central angle of 99 degrees 16 minutes 06 seconds, a radius of 60.00 feet and a chord dimension of North 38 degrees 59 minutes 11 seconds West 91.43 feet; thence along the arc of said curve 103.95 feet to a point on the boundary of Lot 7 in said Paradise Park and being the beginning of a curve to the left having a central angle of 62 degrees 44 minutes 46 seconds, a radius of 170.00 feet and a chord dimension of North 60 degrees 00 minutes 23 seconds East 177.01 feet; thence along the boundary of Lot 7 and Lot 6 in said Paradise Park and along the arc of said curve 186.17 feet to the beginning of a curve to the left having a central angle of 55 degrees 45 minutes 12 seconds, a radius of 35.00 feet and a chord dimension of North 00 degrees 45 minutes 24 seconds East 32.73 feet; thence along the boundary of said Lot 6 and along the arc of said curve 34.06 feet to the beginning of a curve to the right having a central angle of 265 degrees 59 minutes 38 seconds, a radius of 55.00 feet and a chord dimension of South 74 degrees 07 minutes 23 seconds East 80.45 feet; thence along the boundary of Lot 6 and Lot 5 in said Paradise Park and along the arc of said curve 255.34 feet to the beginning of a curve to the left having a central angle of 36 degrees 32 minutes 18 seconds, a radius of 35.00 feet and a chord dimension of South 40 degrees 36 minutes 17 seconds West 21.94 feet; thence along the boundary of said Lot 5 and along the arc of said curve 22.32 feet to the point of beginning and containing a gross area of 21,600 square feet, more or less.

Easement #12 – Lake Maintenance and Storm Drainage Easement

Part of Lot 7 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northwest corner of said Lot 7; thence along the west line of said Lot, South 12 degrees 07 minutes 46 seconds West 20.47 feet to a point on the south side of an existing 20-foot Drainage Easement and Public Utility Easement; thence parallel with the north line of said Lot 7, North 89 degrees 51 minutes 17 seconds East 98.76 feet to a point on the west side of an existing Lake Maintenance and Storm Drainage Easement and being the point of beginning; thence along the west side of said Lake Maintenance and Storm Drainage Easement, North 00 degrees 08 minutes 43 seconds West 10.00 feet to a point on the south side of an existing 10-foot Public Utility Easement; thence along the south side of said 10-foot Public Utility Easement, North 89 degrees 51 minutes 17 seconds East 75.69 feet; thence South 48 degrees 17 minutes 22 seconds West 82.61 feet; thence South 00 degrees 08 minutes 43 seconds East 86.73 feet to a point on the west side of an existing Lake Maintenance and Storm Drainage Easement; thence along the west side of an existing Lake Maintenance and Storm Drainage Easement, North 32 degrees 56 minutes 33 seconds West 25.62 feet; thence continue along the west side of an existing Lake Maintenance and Storm Drainage Easement, North 00 degrees 08 minutes 43 seconds West 110.00 feet to the point of beginning and containing a gross area of 3509 square feet, more or less.

Easement #13 – Drainage Easement
Part of Lot 7 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northwest corner of said Lot 7; thence along the west line of said Lot, South 12 degrees 07 minutes 46 seconds West 20.47 feet to a point on the south side of an existing 20-foot Drainage Easement and Public Utility Easement and being the point of beginning; thence parallel with the north line of said Lot 7, North 89 degrees 51 minutes 17 seconds East 98.76 feet to a point on the west side of a Lake Maintenance and Storm Drainage Easement to be vacated; thence along the west side of said Lake Maintenance and Storm Drainage Easement, South 00 degrees 08 minutes 43 seconds East 70.00 feet; thence North 54 degrees 48 minutes 54 seconds West 121.05 feet to the point of beginning and containing a gross area of 3457 square feet, more or less.

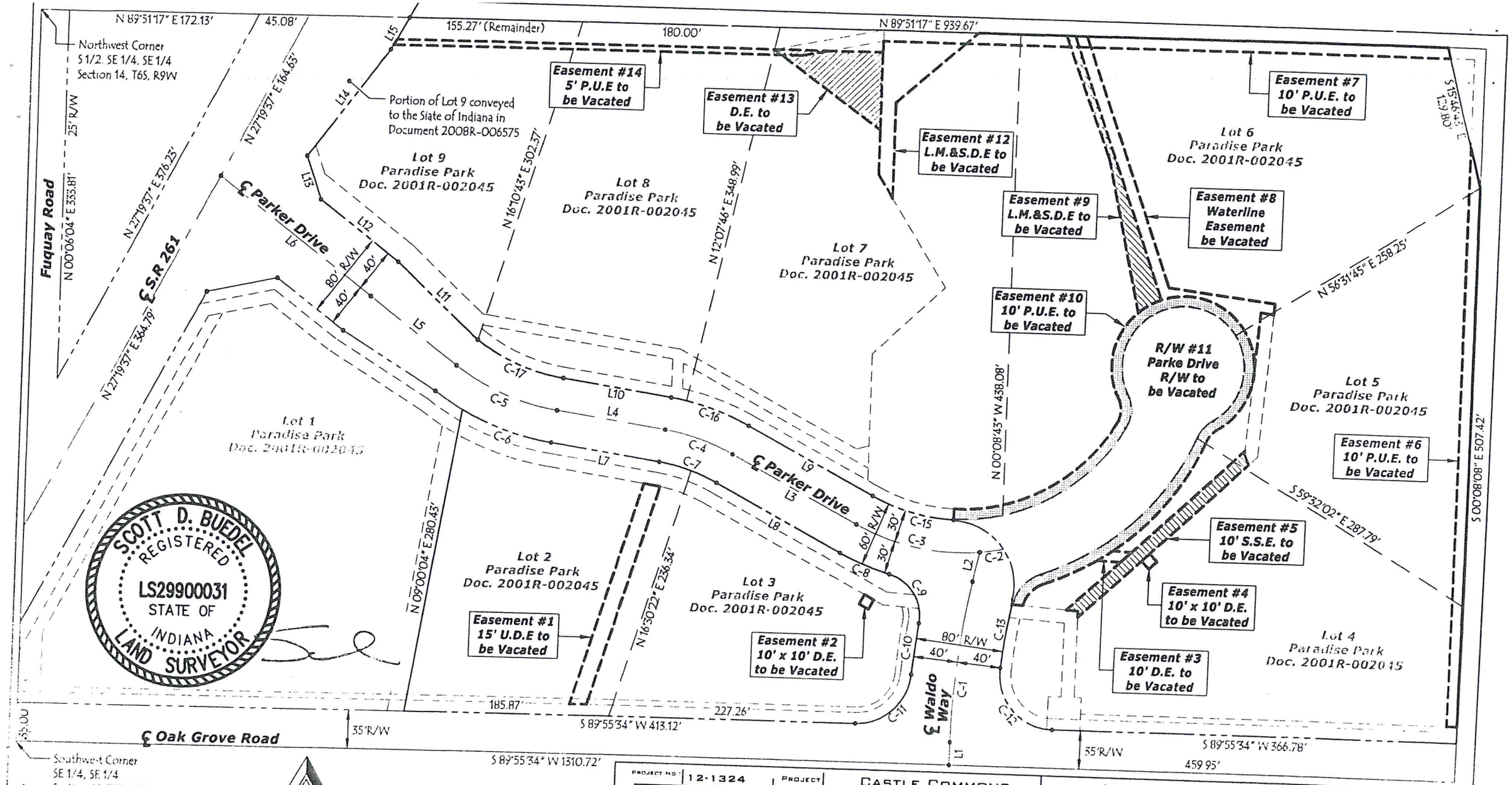
Easement #14 – 5' Public Utility Easement
Part of Lot 7, 8 and 9 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northwest corner of said Lot 7; thence along the west line of said Lot, South 12 degrees 07 minutes 46 seconds West 20.47 feet to a point on the south side of an existing 20-foot Drainage Easement and Public Utility Easement and being the point of beginning; thence parallel with the north line of said Lot 7, North 89 degrees 51 minutes 17 seconds East 49.88 feet; thence South 78 degrees 17 minutes 26 seconds West 24.94 feet; thence parallel with the north line of said Lot 7, Lot 8 and Lot 9, South 89 degrees 51 minutes 17 seconds West 370.16 feet to a point on the east side of a tract of land conveyed to the State of Indiana in Document 2008R-006575 in the office of the Recorder of Warrick County, Indiana; thence along the east side of said tract, North 28 degrees 44 minutes 12 seconds East 5.71 feet to a point on the south side of an existing 20-foot Drainage Easement and Public Utility Easement; thence along the south side of said easement, North 89 degrees 51 minutes 17 seconds East 341.95 feet to the point of beginning and containing a gross area of 1905 square feet, more or less.

Scott D. Buedel, PLS

Exhibit "B"

See attached.


N 89°51'17" E 172.13'
45.08'
155.27' (Remainder)
180.00'
N 89°51'17" E 939.67'
Northwest Corner
S 1/2, SE 1/4, SE 1/4
Section 14, T6S, R9W
25' R/W
Fuquay Road
N 00°06'04" E 335.81'
N 27°19'57" E 164.63'
N 27°19'57" E 576.25'
℄ S.R 261
N 27°19'57" E 364.79'
Portion of Lot 9 conveyed to the State of Indiana in Document 2008R-006575
Easement #14 5' P.U.E to be Vacated
Easement #13 D.E. to be Vacated
Easement #12 L.M.&S.D.E to be Vacated
Easement #7 10' P.U.E. to be Vacated
Lot 9 Paradise Park Doc. 2001R-002045
Lot 8 Paradise Park Doc. 2001R-002045
Lot 7 Paradise Park Doc. 2001R-002045
Lot 6 Paradise Park Doc. 2001R-002045
N 16°10'43" E 302.37'
N 12°07'46" E 348.99'
Easement #9 L.M.&S.D.E to be Vacated
Easement #8 Waterline Easement be Vacated
S 15°46'45" E 129.80'
℄ Parker Drive
80' R/W
40'
40'
Easement #10 10' P.U.E. to be Vacated
R/W #11 Parke Drive R/W to be Vacated
N 56°31'45" E 258.25'
N 00°08'43" W 438.08'
Lot 5 Paradise Park Doc. 2001R-002045
Easement #6 10' P.U.E. to be Vacated
S 00°08'08" E 507.42'
Lot 1 Paradise Park Doc. 2001R-002045
N 09°00'04" E 280.43'
Lot 2 Paradise Park Doc. 2001R-002045
N 16°30'22" E 236.34'
Lot 3 Paradise Park Doc. 2001R-002045
60' R/W
30'
30'
S 59°32'02" E 287.79'
Easement #5 10' S.S.E. to be Vacated
Easement #4 10' x 10' D.E. to be Vacated
Easement #1 15' U.D.E to be Vacated
Easement #2 10' x 10' D.E. to be Vacated
80' R/W
40'
40'
Easement #3 10' D.E. to be Vacated
Lot 4 Paradise Park Doc. 2001R-002045
℄ Waldo Way
185.87'
227.26'
S 89°55'34" W 413.12'
℄ Oak Grove Road
35' R/W
35' R/W
S 89°55'34" W 366.78'
459.95'
Southwest Corner
SE 1/4, SE 1/4
Section 14, T6S, R9W
S 89°55'34" W 1310.72'
SCOTT D. BUEDEL
REGISTERED
LS29900031
STATE OF
INDIANA
LAND SURVEYOR
N
0 100 200
LINEAR SCALE 1" = 100'
PROJECT NO: 12-1324
DRAWN BY: BUEDEL
FILENAME: VACATION PARADISE PARK
SCALE: 1" = 100'
DATE: 1/7/2013
PROJECT: CASTLE COMMONS
CLIENT: KENDALL PROPERTY GROUP
SHEET TITLE: EASEMENT AND R/W VACATION EXHIBIT NEWBURGH, IN 47630
CASH WAGGNER & ASSOCIATES, PC
CONSULTING ENGINEERS • LAND SURVEYORS
WWW.CASHWAGGNER.COM
414 CITADEL CIRCLE
SUITE B
EVANSVILLE, IN 47715
PH: 812.401.5561
FAX: 812.401.5563

SHEET 1 OF 9

Centerline Line Table

NUMBER	DIRECTION	DISTANCE
L1	N 00°04'26" W	20.74'
L2	N 11°14'10" E	27.71'
L3	N 62°19'55" W	130.66'
L4	N 81°28'20" W	99.93'
L5	N 52°40'23" W	101.02'
L6	N 52°40'23" W	175.00'

Centerline Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-1	11°18'36"	N 05°34'52" E	74.27	750.00	148.05	147.81
C-2	06°30'53"	N 80°43'17" E	11.38	200.00	22.74	22.73
C-3	33°41'21"	N 79°10'36" W	60.55	200.00	117.60	115.91
C-4	19°08'25"	N 71°54'07" W	33.72	200.00	66.81	66.50
C-5	28°47'57"	N 67°04'21" W	51.35	200.00	100.53	99.47

Project Boundary Line Table

NUMBER	DIRECTION	DISTANCE
L7	S 81°28'20" E	99.93'
L8	S 62°19'55" E	130.66'
L9	N 62°19'55" W	130.66'
L10	N 81°28'20" W	99.93'
L11	N 47°01'11" W	101.51'
L12	N 52°40'23" W	90.66'
L13	N 19°12'17" W	41.36'
L14	N 36°46'23" E	121.88'
L15	N 28°44'12" E	33.23'

Project Boundary Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-6	21°22'00"	S 70°47'20" E	43.39	230.00	85.77	85.28
C-7	19°08'25"	S 71°54'07" E	28.66	170.00	56.79	56.53
C-8	12°22'14"	S 68°31'02" E	24.93	230.00	49.66	49.56
C-9	82°26'31"	S 33°28'54" E	35.04	40.00	57.56	52.72
C-10	03°25'34"	S 06°01'35" W	23.63	790.00	47.24	47.23
C-11	85°36'46"	S 47°07'11" W	46.31	50.00	74.71	67.95
C-12	95°35'13"	N 42°16'49" W	55.13	50.00	83.42	74.07
C-13	05°08'05"	N 08°04'50" E	31.84	710.00	63.63	63.61
C-14	99°16'06"	N 38°59'11" W	70.59	60.00	103.95	91.43
C-15	26°17'19"	N 75°28'35" W	39.70	170.00	78.00	77.32
C-16	19°08'25"	N 71°54'07" W	38.78	230.00	76.83	76.48
C-17	28°47'57"	N 67°04'21" W	43.65	170.00	85.45	84.55

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Flood Information
According to the Flood Insurance Rate Map for Warrick County, Indiana, Community Panel Number 18173C0210D, dated August 2, 2012, the subject property does not lie within the limits of the 100 year flood zone (Zone A).

Bearing Basis
Bearings used this exhibit are based on the recorded plat of Paradise Park.

SHEET 2 OF 9

PROJECT NO:	12-1324	PROJECT	CASTLE COMMONS
DRAWN BY:	BUEDEL	CLIENT	KENDALL PROPERTY GROUP
FILENAME:	VACATION PARADISE PARK	SHEET TITLE	EASEMENT AND R/W VACATION EXHIBIT NEWBURGH, IN 47630
SCALE			
DATE	1/7/2013		

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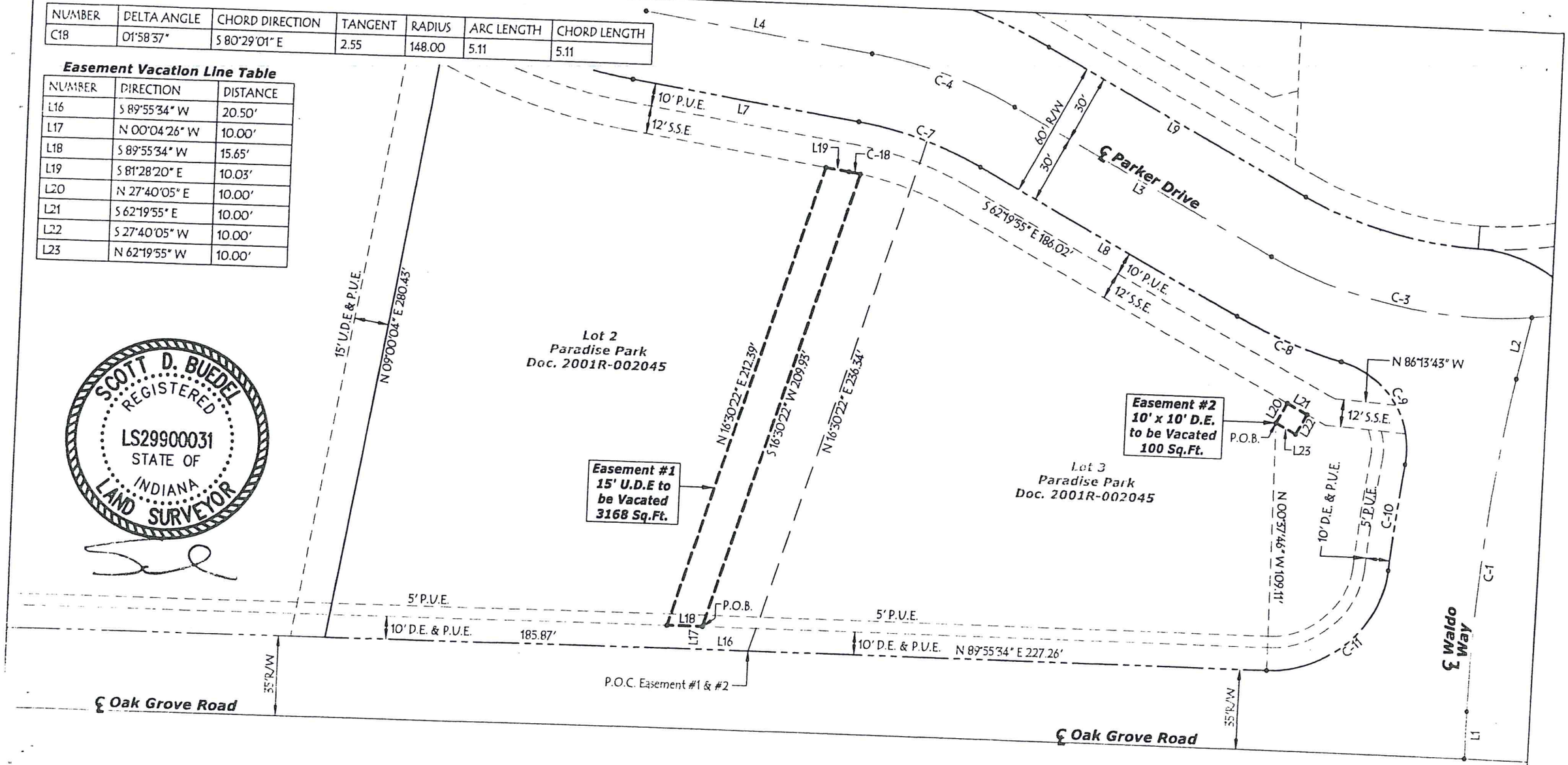
PH: 812.401.5561
FAX: 812.401.5563

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C18	01°58'37"	S 80°29'01" E	2.55	148.00	5.11	5.11

Easement Vacation Line Table

NUMBER	DIRECTION	DISTANCE
L16	S 89°55'34" W	20.50'
L17	N 00°04'26" W	10.00'
L18	S 89°55'34" W	15.65'
L19	S 81°28'20" E	10.03'
L20	N 27°40'05" E	10.00'
L21	S 62°19'55" E	10.00'
L22	S 27°40'05" W	10.00'
L23	N 62°19'55" W	10.00'



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SHEET
3 OF 9

0 50 100
LINEAR SCALE 1"= 50'

PROJECT NO:	12-1324
DRAWN BY:	BUEDEL
FILENAME:	VACATION PARADISE PARK
SCALE:	1" = 50'
DATE:	1/7/2013
PROJECT	CASTLE COMMONS
CLIENT	KENDALL PROPERTY GROUP
SHEET TITLE	EASEMENT 1 & 2 VACATION EXHIBIT NEWBURGH, IN 47630

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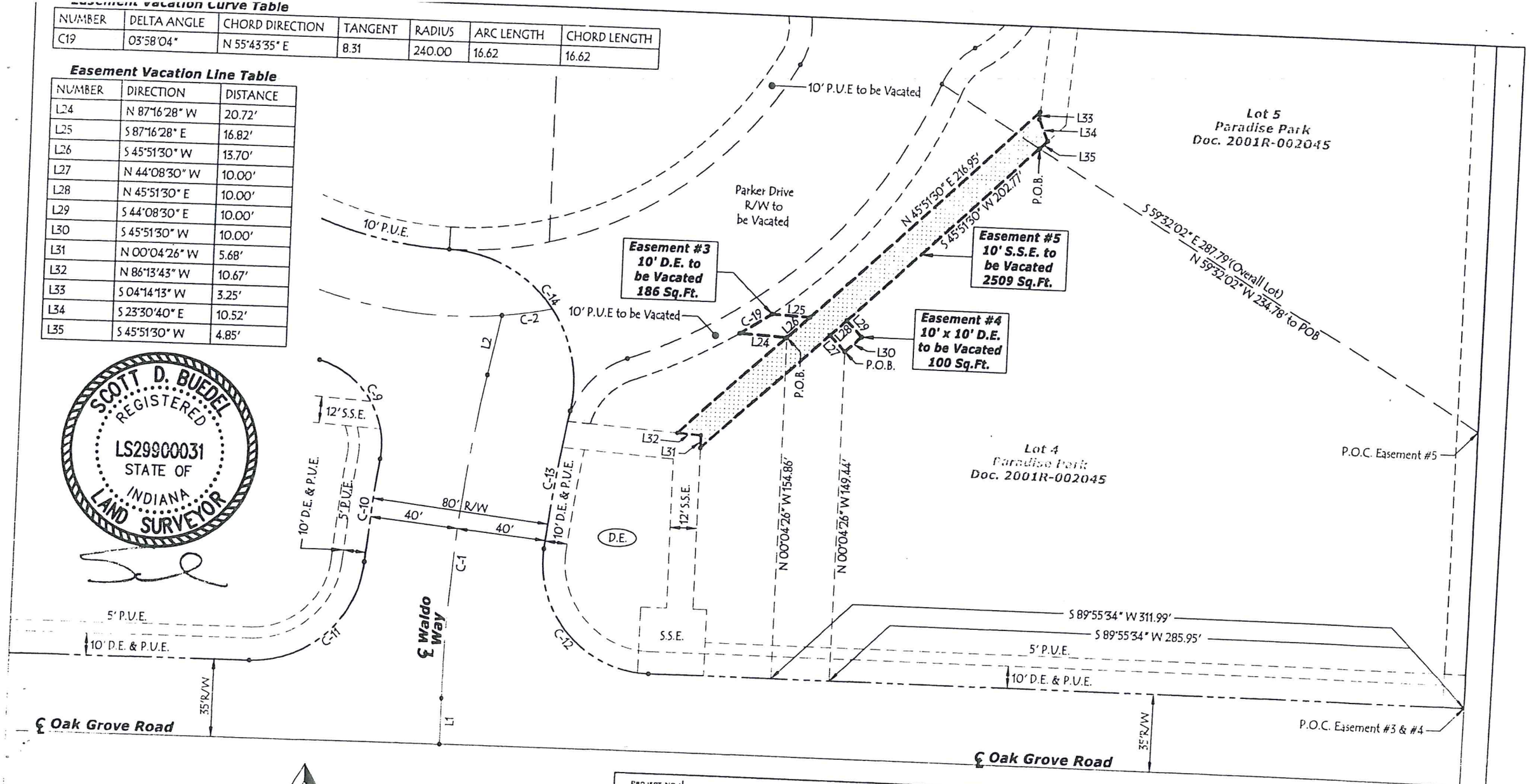
Easement Vacation Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C19	03°58'04"	N 55°43'35" E	8.31	240.00	16.62	16.62

Easement Vacation Line Table

NUMBER	DIRECTION	DISTANCE
L24	N 87°16'28" W	20.72'
L25	S 87°16'28" E	16.82'
L26	S 45°51'30" W	13.70'
L27	N 44°08'30" W	10.00'
L28	N 45°51'30" E	10.00'
L29	S 44°08'30" E	10.00'
L30	S 45°51'30" W	10.00'
L31	N 00°04'26" W	5.68'
L32	N 86°13'43" W	10.67'
L33	S 04°14'13" W	3.25'
L34	S 23°30'40" E	10.52'
L35	S 45°51'30" W	4.85'



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SHEET
4 OF 9

N

0 50 100
LINEAR SCALE 1" = 50'

PROJECT NO:	12-1324
DRAWN BY:	BUEDEL
FILENAME	VACATION PARADISE PARK
SCALE:	1" = 50'
DATE:	1/7/2013

PROJECT	CASTLE COMMONS
CLIENT	KENDALL PROPERTY GROUP
SHEET TITLE	EASEMENT 3, 4 & 5 VACATION EXHIBIT NEWBURGH, IN 47630

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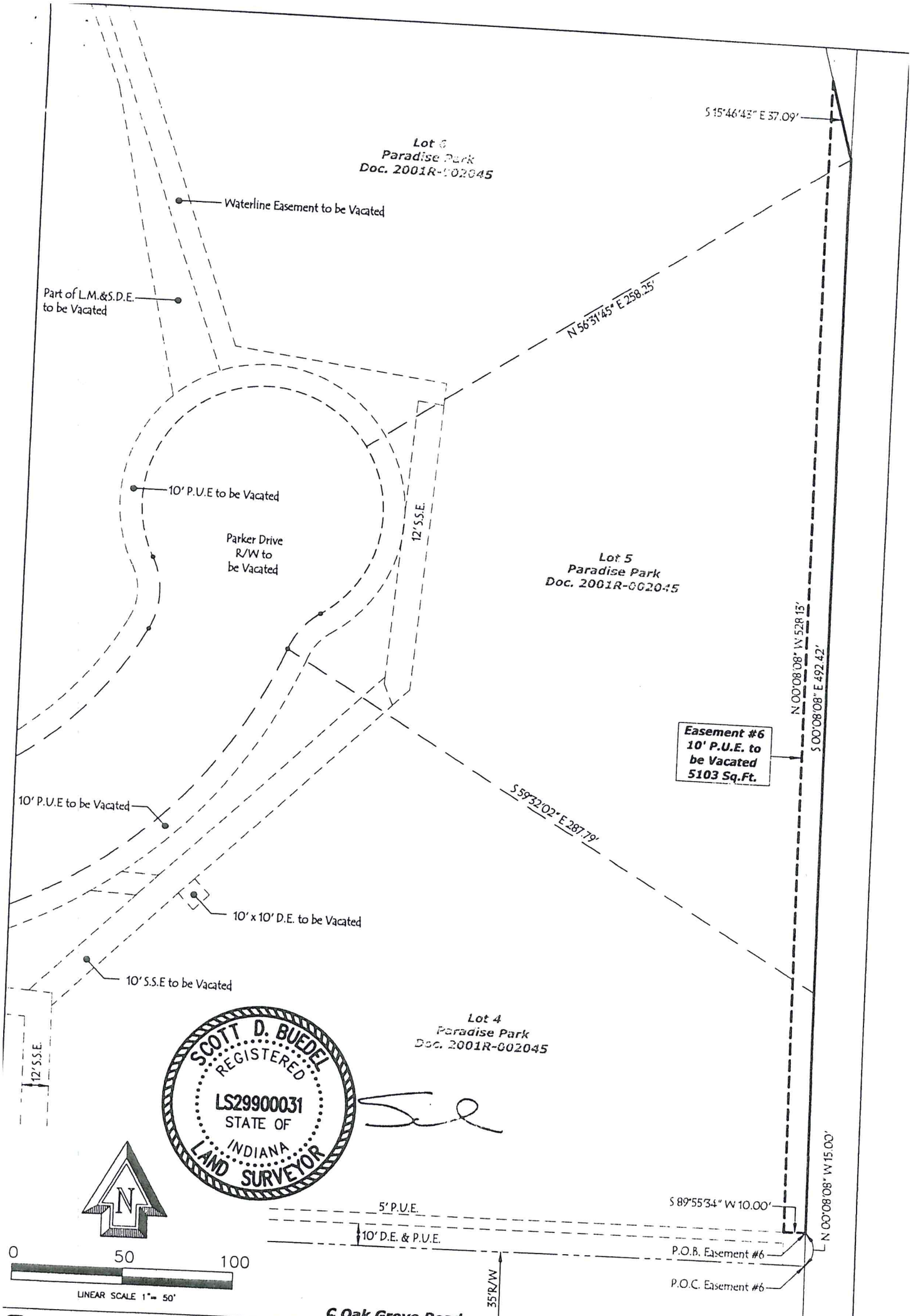
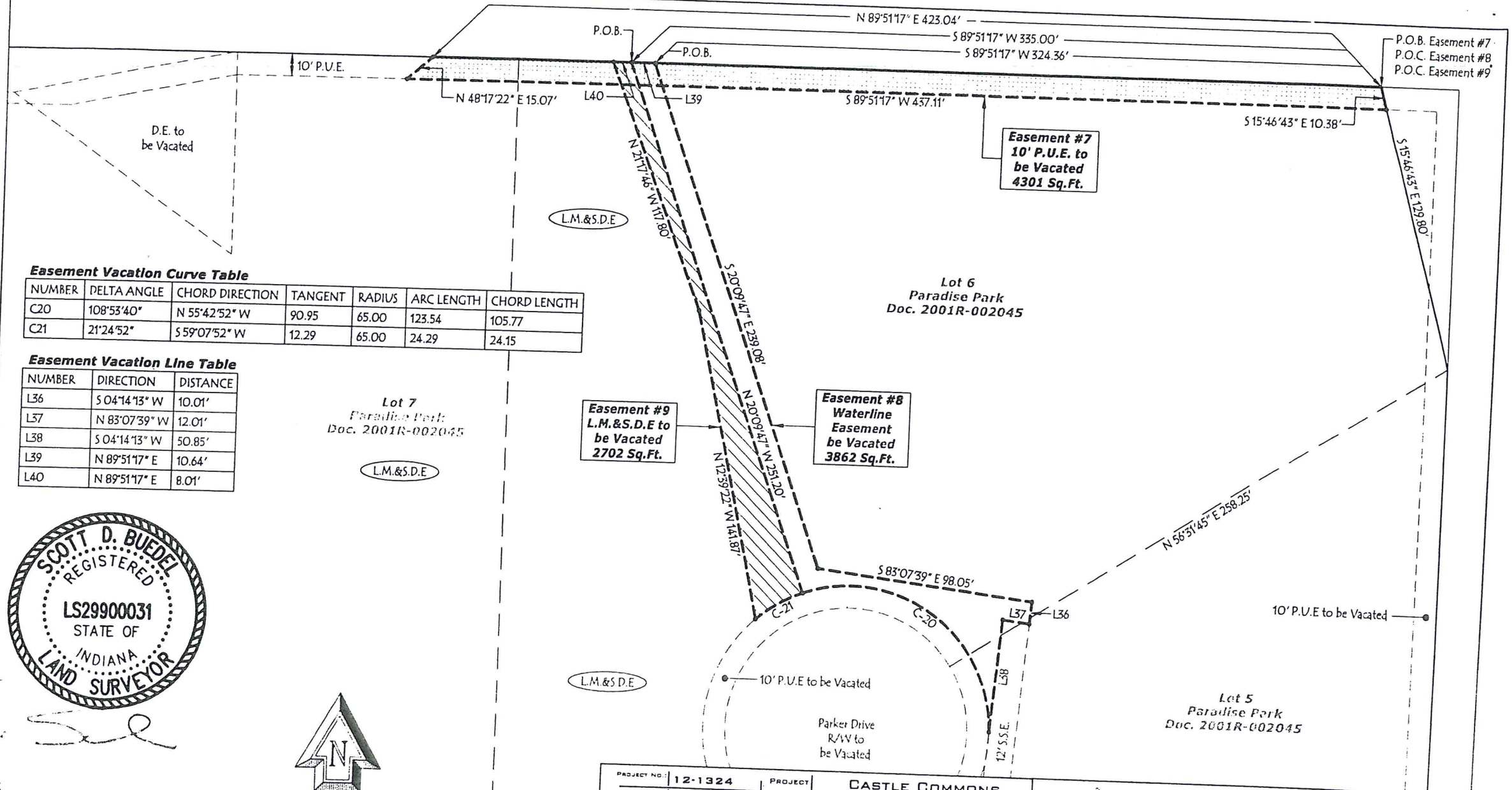


SHEET
5 OF 9

PROJECT NO.: 12-1324	PROJECT	CASTLE COMMONS	CASH WAGGNER & ASSOCIATES, PC CONSULTING ENGINEERS • LAND SURVEYORS WWW.CASHWAGGNER.COM
DRAWN BY: BUEDEL	CLIENT	KENDALL PROPERTY GROUP	414 CITADEL CIRCLE SUITE B EVANSVILLE, IN 47715 PH. 812.401.5561 FAX 812.401.5563
FILENAME: VACATION PARADISE PARK	SHEET TITLE	EASEMENT 6 VACATION EXHIBIT NEWBURGH, IN 47630	
SCALE: 1" = 50'			
DATE: 1/7/2013			



Easement Vacation Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C20	108°53'40"	N 55°42'52" W	90.95	65.00	123.54	105.77
C21	21°24'52"	S 59°07'52" W	12.29	65.00	24.29	24.15

Easement Vacation Line Table

NUMBER	DIRECTION	DISTANCE
L36	S 04°14'13" W	10.01'
L37	N 83°07'39" W	12.01'
L38	S 04°14'13" W	50.85'
L39	N 89°51'17" E	10.64'
L40	N 89°51'17" E	8.01'

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SHEET 6 OF 9

PROJECT NO.:	12-1324	PROJECT	CASTLE COMMONS
DRAWN BY:	BUEDEL	CLIENT	KENDALL PROPERTY GROUP
FILENAME:	VACATION PARADIBE PARK	SHEET TITLE	EASEMENT 7, 8 & 9 VACATION EXHIBIT NEWBURGH, IN 47630
SCALE:	1" = 50'		
DATE:	1/7/2013		

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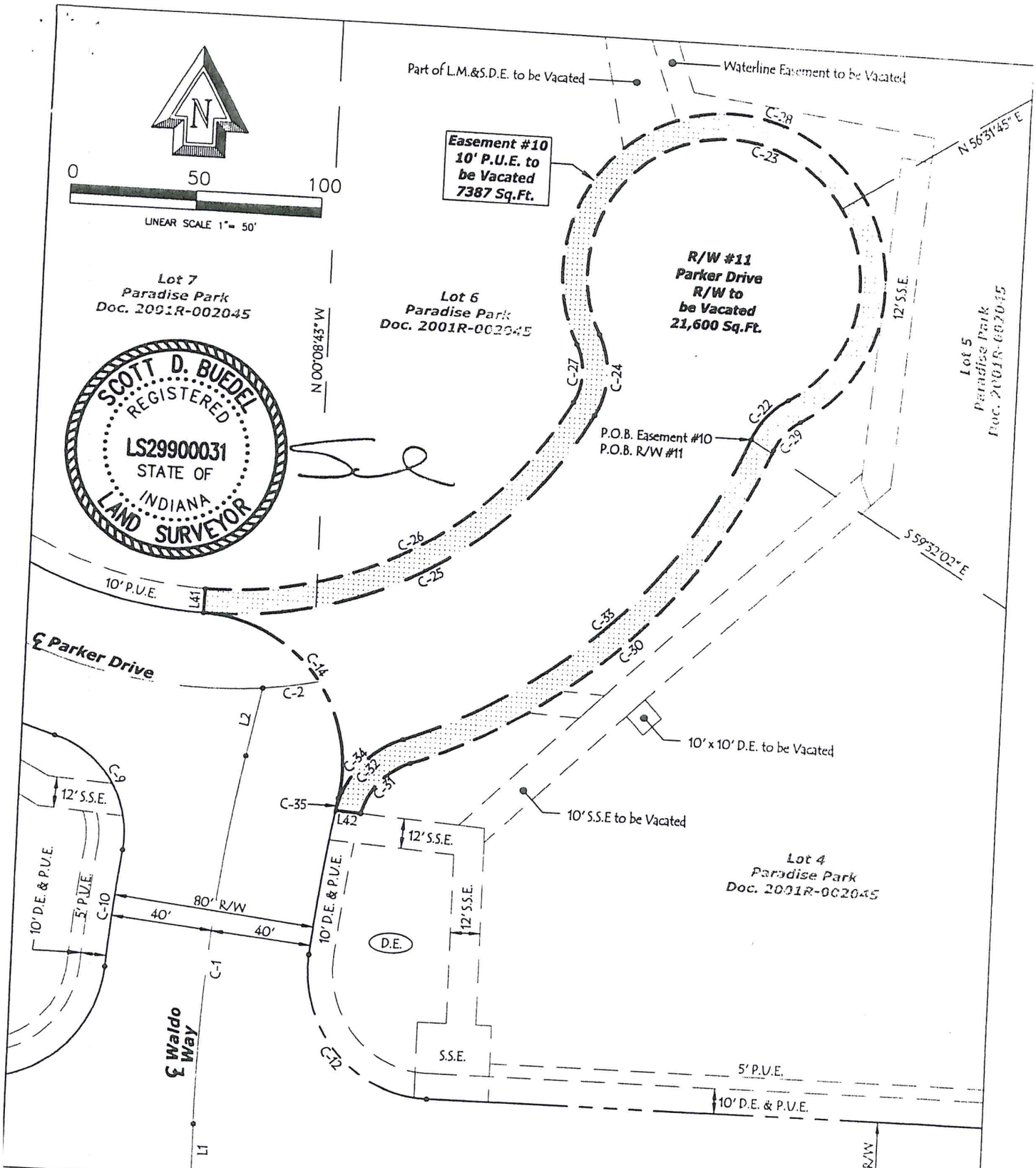

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Easement Vacation Line Table

NUMBER	DIRECTION	DISTANCE
L41	N 01°22'46" E	10.00'
L42	N 86°13'43" W	10.13'

Easement Vacation Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C22	36°32'18"	N 40°36'17" E	11.55	35.00	22.32	21.94
C23	265°59'38"	N 74°07'23" W	-58.99	55.00	255.34	80.45
C24	55°45'12"	S 00°45'24" W	18.51	35.00	34.06	32.73
C25	62°44'46"	S 60°00'23" W	103.66	170.00	186.17	177.01
C26	62°44'46"	N 60°00'23" E	97.56	160.00	175.22	166.59
C27	55°45'12"	N 00°45'24" E	13.22	25.00	24.33	23.38
C28	265°59'38"	S 74°07'23" E	-69.71	65.00	301.76	95.08
C29	36°32'18"	S 40°36'17" W	8.25	25.00	15.94	15.67
C30	47°48'15"	S 46°14'16" W	106.36	240.00	200.24	194.48
C31	55°47'43"	S 42°14'32" W	15.88	30.00	29.21	28.07
C32	58°27'31"	N 40°54'38" E	22.38	40.00	40.81	39.06
C33	47°48'15"	N 46°14'16" E	101.93	230.00	191.90	186.38
C34	59°58'23"	S 40°09'12" W	23.08	40.00	41.87	39.98
C35	00°28'51"	N 10°24'27" E	2.98	710.00	5.96	5.96
C-14	99°16'06"	N 38°59'11" W	70.59	60.00	103.95	91.43

SHEET
7 OF 9

PROJECT NO.	12-1324
DRAWN BY	BUEDEL
FILENAME	VACATION PARADISE PARK
SCALE	1" = 50'
DATE	1/7/2013

PROJECT: CASTLE COMMONS
CLIENT: KENDALL PROPERTY GROUP
SHEET TITLE: EASEMENT 10 & R/W 11 VACATION EXHIBIT NEWBURGH, IN 47630

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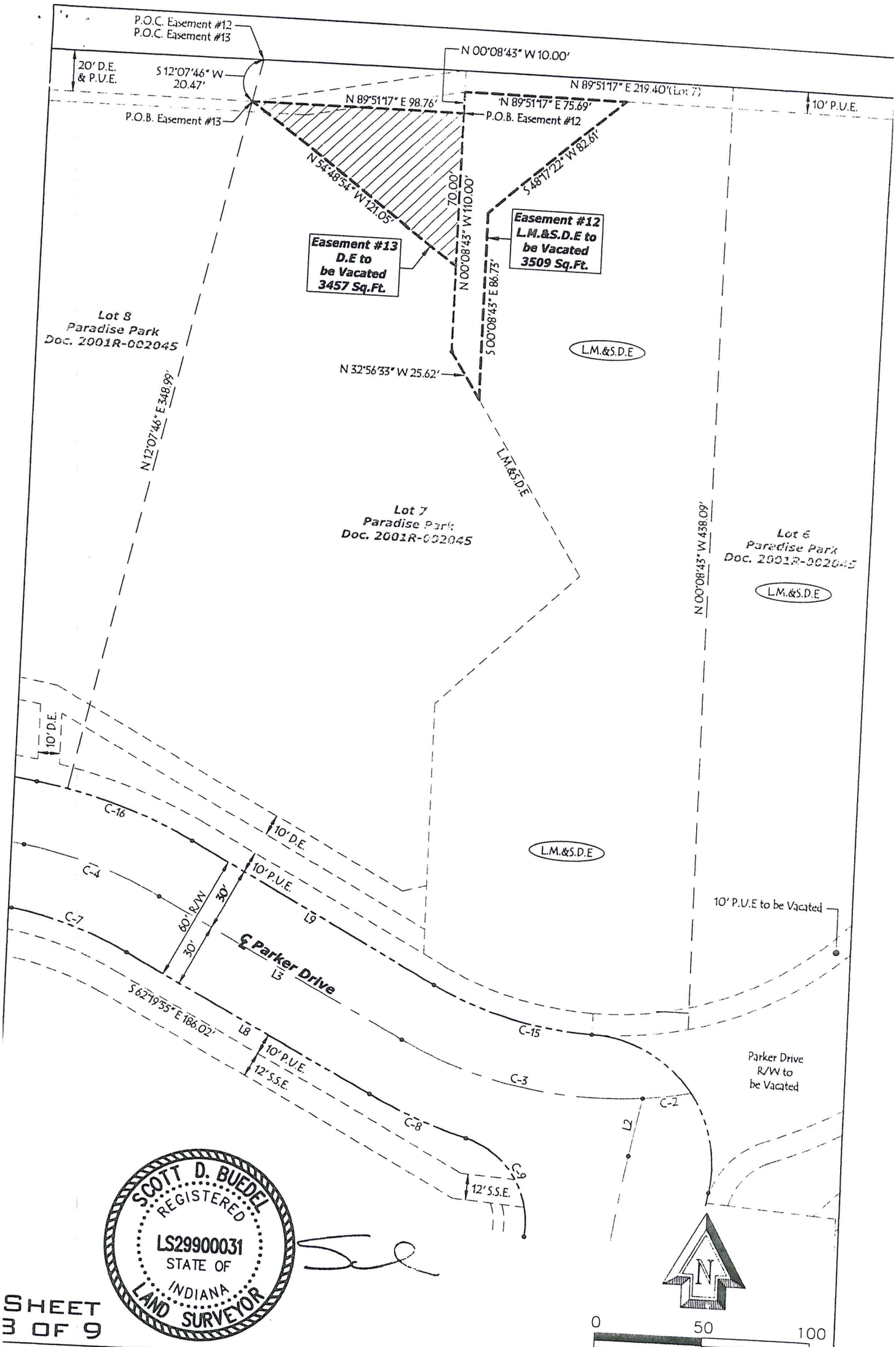

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SHEET 3 OF 9

PROJECT NO.:	12-1324	PROJECT	CASTLE COMMONS
DRAWN BY	BUEDEL	CLIENT	KENDALL PROPERTY GROUP
FILENAME:	VACATION PARADISE PARK	SHEET TITLE	EASEMENT 12 & 13 VACATION EXHIBIT NEWBURGH, IN 47630
SCALE:	1" = 50'		
DATE	1/7/2013		

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FAX: 812.401-5563

N 89°51'17" E 155.27' (Remainder)

P.O.C. Easement #14

N 28°44'12" E 5.71'

L15

N 89°51'17" E 341.95'

20' D.E. & P.U.E.

N 89°51'17" E 180.00'

S 12°07'46" W 20.47'

49.88'

N 89°51'17" E

10' P.U.E.

S 89°51'17" W 370.16'

Easement #14
5' P.U.E. to be Vacated
1905 Sq.Ft.

P.O.B. Easement #14

S 78°17'26" W 24.94'

L.M.&S.D.E. to be Vacated

D.E. to be Vacated

℄ S.R 261
N 27°19'57" E 164.63'

L14

Portion of Lot 9 conveyed to the State of Indiana in Document 2008R-006575

Lot 9
Paradise Park
Doc. 2001R-002045

L13

N 16°10'43" E 302.37'

Lot 8
Paradise Park
Doc. 2001R-002045

N 12°07'46" E 348.99'

Lot 7
Paradise Park
Doc. 2001R-002045

℄ Parker Drive

L6

L12

20' U.D.E & P.U.E.

80' R/W

40'

40'

L11

L5

10' D.E.

C-17

10' P.U.E.

10' D.E.

10' D.E.

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INDIANA
LAND SURVEYOR

SHEET 9 OF 9

N

0 50 100

LINEAR SCALE 1" = 50'

PROJECT NO:	12-1324
DRAWN BY:	BUEDEL
FILENAME:	VACATION PARADISE PARK
SCALE:	1" = 50'
DATE:	1/7/2013

PROJECT	CASTLE COMMONS
CLIENT	KENDALL PROPERTY GROUP
SHEET TITLE	EASEMENT 14 VACATION EXHIBIT NEWBURGH, IN 47630

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FAX: 812.401.5563

STATE OF INDIANA)
) SS:
COUNTY OF WARRICK)

VERIFIED PETITION FOR VACATION OF CERTAIN PUBLIC UTILITY EASEMENTS AND RIGHT-OF-WAYS IN PARADISE PARK, IN WARRICK COUNTY, INDIANA

K&E Multifamily, LLC, LLC petitions the Honorable Board of Commissioners of Warrick County, Indiana for the vacation of certain public utility easements also drainage easement and right-of-ways located Paradise Park, Newburgh, Indiana, and in support of the petition shows as follows:

1. PETITIONER:

1.1 The Petitioner is K&E Multifamily, LLC with its principal place of business at 8910 Purdue Road, Suite 730, Indianapolis, Indiana 46268 ("Petitioner").

1.2 Petitioner is represented by counsel, Krista B. Lockyear, of Rudolph, Fine, Porter & Johnson, LLP, 221 N.W. 5th Street, Evansville, Indiana.

2. THE CIRCUMSTANCES:

2.1 Petitioner is the owner of certain real estate commonly described as 7007, 7022, 7033, 7110, 7111 7155, 7160 and 7190 Parker Drive more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof ("Petitioner's Real Estate") on which is located the easements and right-of-ways to be vacated.

2.2 Petitioner desires to vacate certain public utility easements and right-of-ways located on the Petitioner's Real Estate.

3. LEGAL DESCRIPTION OF THE PUBLIC UTILITY EASEMENT PROPOSED TO BE VACATED:

3.1 The legal description of the certain public utility easements and right-of-ways proposed to be vacated, certified by a land surveyor registered in the State of Indiana, is attached hereto as Exhibit "B."

4. ADJACENT OWNERS:

4.1 The names, addresses and zip codes of all owners of land within 200 feet of the public utility easement proposed to be vacated are attached hereto as Exhibit "C."

5. DRAWINGS:

5.1 A site plan, certified by a land surveyor registered in the State of Indiana, depicting the easements and right-of-ways proposed to be vacated is set forth on Exhibit "D" attached hereto and by this reference made a part hereof.

6. EASEMENTS:

6.1 The following utilities have consented to the proposed vacation and do ***not*** require easements, as evidence by their letters attached hereto as Exhibit "E."

AT & T
Vectren Energy Delivery
Sigecom/WOW

6.2 The following utilities have consented to the proposed vacation provided they are granted easement within the vacated public utility easements, as evidence by their letters attached hereto as Exhibit "F."

Town of Newburgh (Easement #6 only)
Chandler Utilities

WHEREFORE, Petitioner respectfully prays that the Board of Commissioners of Warrick County, Indiana, take all the necessary steps to properly vacate said platted easements and right-of-ways in the manner as by law now provided on this 19 day of July, 2013.

Krista B. Lockyear, attorney for
K&E Multfamily, LLC

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

Signed and sworn to before me, a notary public, on this 19th day of July, 2013.

Crystal D Schnaar
Notary Public

Crystal D Schnaar
Printed Name

Warrick County, Indiana
County of Residence

11/2/19
Commission Expiration Date

This instrument was prepared by Krista B. Lockyear, Rudolph, Fine, Porter & Johnson, LLP, 221 N.W. Fifth Street, P.O. Box 1507, Evansville, IN 47706-1507, Telephone 812.422.9444.

Exhibit A

Legal Description of Real Estate

See attached.

Subdivision Description

Lot 1:
All of Lot 2 and 3 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being part of the South Half of the Southeast Quarter of the Southeast Quarter of Section 14, Township 6 South, Range 9 West in Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Southeast Quarter of Section 14, Township 6 South, Range 9 West; thence along the south line of said Quarter Quarter Section, South 89 degrees 55 minutes 34 seconds West 547.49 feet; thence North 00 degrees 04 minutes 26 seconds West 35.00 feet to a corner of said Lot 3 and being the point of beginning; thence South 89 degrees 55 minutes 34 seconds West 413.12 feet to the southwest corner of said Lot 2; thence along the west line of said Lot 2, North 09 degrees 00 minutes 04 seconds East 280.43 feet to the northwest corner thereof and being the beginning of a curve to the left having a central angle of 21 degrees 22 minutes 00 seconds, a radius of 230.00 feet and a chord dimension of South 70 degrees 47 minutes 20 seconds East 85.28 feet; thence along the arc of said curve 85.77 feet; thence South 81 degrees 28 minutes 20 seconds East 99.93 feet to the beginning of a curve to the right having a central angle of 19 degrees 08 minutes 25 seconds, a radius of 170.00 feet and a chord dimension of South 71 degrees 54 minutes 07 seconds East 56.53 feet; thence along the arc of said curve 56.79 feet; thence South 62 degrees 19 minutes 55 seconds East 130.66 feet to the beginning of a curve to the left having a central angle of 12 degrees 22 minutes 14 seconds, a radius of 230.00 feet and a chord dimension of South 68 degrees 31 minutes 02 seconds East 49.56 feet; thence along the arc of said curve 49.66 feet to the beginning of a curve to the right having a central angle of 82 degrees 26 minutes 31 seconds, a radius of 40.00 feet and a chord dimension of South 33 degrees 28 minutes 54 seconds East 52.72 feet; thence along the arc of said curve 57.56 feet to the beginning of a curve to the left having a central angle of 03 degrees 25 minutes 34 seconds, a radius of 790.00 feet and a chord dimension of South 06 degrees 01 minute 35 seconds West 47.23 feet; thence along the arc of said curve 47.24 feet to the beginning of a curve to the right having a central angle of 85 degrees 36 minutes 46 seconds, a radius of 50.00 feet and a chord dimension of South 47 degrees 07 minutes 11 seconds West 67.95 feet; thence along the arc of said curve 74.71 feet to the point of beginning and containing 2.159 acres, more or less.

Lot 2:
All of Lot 4, 5, 6, 7 and 8 and part of Lot 9 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being part of the South Half of the Southeast Quarter of the Southeast Quarter of Section 14, Township 6 South, Range 9 West in Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast Quarter of the Southeast Quarter of Section 14, Township 6 South, Range 9 West; thence along the east line of the South

Half of the Southeast Quarter of the Southeast Quarter of said Section 14, North 00 degrees 08 minutes 08 seconds West 35.00 feet to the southeast corner of said Lot 4 and being the point of beginning; thence South 89 degrees 55 minutes 34 seconds West 366.78 feet to the beginning of a curve to the right having a central angle of 95 degrees 35 minutes 13 seconds, a radius of 50.00 feet and a chord dimension of North 42 degrees 16 minutes 49 seconds West 74.07 feet; thence along the arc of said curve 83.42 feet to the beginning of a curve to the right having a central angle of 05 degrees 08 minutes 05 seconds, a radius of 710.00 feet and a chord dimension of North 08 degrees 04 minutes 50 seconds East 63.61 feet; thence along the arc of said curve 63.63 feet to the beginning of a curve to the left having a central angle of 99 degrees 16 minutes 06 seconds, a radius of 60.00 feet and a chord dimension of North 38 degrees 59 minutes 11 seconds West 91.43 feet; thence along the arc of said curve 103.95 feet to the beginning of a curve to the right having a central angle of 26 degrees 17 minutes 19 seconds, a radius of 170.00 feet and a chord dimension of North 75 degrees 28 minutes 35 seconds West 77.32 feet; thence along the arc of said curve 78.00 feet; thence North 62 degrees 19 minutes 55 seconds West 130.66 feet to the beginning of a curve to the left having a central angle of 19 degrees 08 minutes 25 seconds, a radius of 230.00 feet and a chord dimension of North 71 degrees 54 minutes 07 seconds West 76.48 feet; thence along the arc of said curve 76.83 feet; thence North 81 degrees 28 minutes 20 seconds West 99.93 feet to the beginning of a curve to the right having a central angle of 28 degrees 47 minutes 57 seconds, a radius of 170.00 feet and a chord dimension of North 67 degrees 04 minutes 21 seconds West 84.55 feet; thence along the arc of said curve 85.45 feet; thence North 47 degrees 01 minute 11 seconds West 101.51 feet; thence North 52 degrees 40 minutes 23 seconds West 90.66 feet; thence North 19 degrees 12 minutes 17 seconds West 41.36 feet to the southeast corner of a tract of land conveyed to the State of Indiana in Deed Document 2008R-006575 in the office of said Recorder; thence along the east side of said State tract, North 36 degrees 46 minutes 23 seconds East 121.88 feet; thence continue along the east side of said State tract, North 28 degrees 44 minutes 12 seconds East 33.23 feet to a point on the north line of said Lot 9 in Paradise Park; thence along the north line of Paradise Park, North 89 degrees 51 minutes 17 seconds East 939.67 feet to the northeast corner of Lot 6 in said subdivision; thence South 15 degrees 46 minutes 43 seconds East 129.80 feet to the northeast corner of said Lot 5 in Paradise Park; thence along the east line of Paradise Park, South 00 degrees 08 minutes 08 seconds East 507.42 feet to the point of beginning and containing 10.808 acres, more or less.

Subject to all easements and rights-of-ways of record.

Exhibit B

Legal Description of Easements and Right-of-Ways to be Vacated

See attached

Exhibit B

Legal Description of Easements and Right-of-Ways to be Vacated

See attached

Easement and Right-of-Way Vacation Descriptions

Easement #1 – 15' Underground Storm Drainage Easement:
Part of Lot 2 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 2; thence along the south line of said Lot 2, South 89 degrees 55 minutes 34 seconds West 20.50 feet; thence North 00 degrees 04 minutes 26 seconds West 10.00 feet to a point on the north line of and existing 10-foot Drainage Easement and Public Utility Easement and being the point of beginning; thence along the north line of said 10-foot Drainage Easement and Public Utility Easement, South 89 degrees 55 minutes 34 seconds West 15.65 feet; thence parallel with the east line of said Lot 2, North 16 degrees 30 minutes 22 seconds East 212.39 feet to a point on the south line of an existing 12-foot Sanitary Sewer Easement; thence along the south line of said 12-foot Sanitary Sewer Easement, South 81 degrees 28 minutes 20 seconds East 10.03 feet to the beginning of a curve to the right, having a central angle of 01 degree 58 minutes 37 seconds, a radius of 148.00 feet and a chord dimension of South 80 degrees 29 minutes 01 second East 5.11 feet; thence continue along the south line of said 12-foot Sanitary Sewer Easement and along the arc of said curve 5.11 feet; thence parallel with the east line of said Lot 2, South 16 degrees 30 minutes 22 seconds West 209.93 feet to the point of beginning and containing a gross area of 3168 square feet, more or less.

Easement #2 – 10' by 10' Drainage Easement:
Part of Lot 3 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southwest Corner of said Lot 3; thence along the south line of said Lot 3, North 89 degrees 55 minutes 34 seconds East 227.26 feet; thence North 00 degrees 37 minutes 46 seconds West 109.11 feet to the point of beginning; thence North 27 degrees 40 minutes 05 seconds East 10.00 feet to a point on the south line of an existing 12-foot Sanitary Sewer Easement; thence along the south line of said 12-foot Sanitary Sewer Easement, South 62 degrees 19 minutes 55 seconds East 10.00 feet; thence South 27 degrees 40 minutes 05 seconds West 10.00 feet; thence North 62 degrees 19 minutes 55 seconds West 10.00 feet to the point of beginning and containing a gross area of 100 square feet, more or less.

Easement #3 – 10' Drainage Easement:
Part of Lot 4 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 4; thence along the south line of said Lot 4, South 89 degrees 55 minutes 34 seconds West 311.99 feet; thence North 00 degrees 04 minutes 26 seconds West 154.86 feet to the northwest side of a 10-foot Sanitary Sewer Easement to be vacated and being the point of beginning; thence North 87 degrees 16 minutes 28 seconds West 20.72 feet to a point on the southeast side of a 10-foot Public Utility Easement to be vacated and being the beginning of a curve to the left, having a central angle of 03 degrees 58 minutes 04 seconds, a radius of 240.00 feet and a chord dimension of North 55 degrees 43 minutes 35 seconds East 16.62 feet; thence along the southeast side of said 10-foot Public Utility Easement and along the arc of said curve 16.62 feet; thence South 87 degrees 16 minutes 28 seconds East 16.82 feet to the northwest side of said 10-foot Sanitary Sewer Easement; thence along the northwest side of said easement, South 45 degrees 51 minutes 30 seconds West 13.70 feet to the point of beginning and containing a gross area of 186 square feet, more or less.

Easement #4 – 10' by 10' Drainage Easement:
Part of Lot 4 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 4; thence along the south line of said Lot 4, South 89 degrees 55 minutes 34 seconds West 285.95 feet; thence North 00 degrees 04 minutes 26 seconds West 149.44 feet to the point of beginning; thence North 44 degrees 08 minutes 30 seconds West 10.00 feet to a point on the southeast side of a 10-foot Sanitary Sewer Easement to be vacated; thence along the southeast side of said easement, North 45 degrees 51 minutes 30 seconds East 10.00 feet; thence South 44 degrees 08 minutes 30 seconds East 10.00 feet; thence South 45 degrees 51 minutes 30 seconds West 10.00 feet to the point of beginning and containing a gross area of 100 square feet, more or less.

Easement #5 – 10' Sanitary Sewer Easement:
Part of Lot 4 and Lot 5 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Northeast Corner of said Lot 4; thence along the north line of said Lot 4, North 59 degrees 32 minutes 02 seconds West 234.78 feet to the point of beginning; thence South 45 degrees 51 minutes 30 seconds West 202.77 feet to a corner of an existing Sanitary Sewer Easement; thence North 00 degrees 04 minutes 26 seconds West 5.68 feet; thence North 86 degrees 13 minutes 43 seconds West 10.67 feet to a corner of an existing Sanitary Sewer Easement; thence North 45 degrees 51 minutes 30 seconds East 216.95 feet to a corner of an existing Sanitary Sewer Easement; thence South 04 degrees 14 minutes 13 seconds West 3.25 feet; thence South 23 degrees 30 minutes 40 seconds East 10.52 feet; thence South 45 degrees 51 minutes 30 seconds West 4.85 feet to the point of beginning and containing a gross area of 2509 square feet, more or less.

Easement #6 – 10' Public Utility Easement:
Part of Lot 4, 5 and 6 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 4; thence along the east line of said Lot 4, North 00 degrees 08 minutes 08 seconds West 15.00 feet to the point of beginning; thence parallel with the south line of said Lot 4, South 89 degrees 55 minutes 34 seconds West 10.00 feet; thence North 00 degrees 08 minutes 08 seconds West 528.13 feet to a point on the northeast line of said Lot 6; thence along the northeast line of said Lot 6, South 15 degrees 46 minutes 43 seconds East 37.09 feet to the northeast corner of said Lot 5; thence along the east line of said Lot 5 and Lot 4, South 00 degrees 08 minutes 08 seconds East 492.42 feet to the point of beginning and containing a gross area of 5103 square feet, more or less.

Easement #7 – 10' Public Utility Easement:
Part of Lot 6 and 7 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Beginning at the northeast corner of said Lot 6; thence along the east line of said Lot 6, South 15 degrees 46 minutes 43 seconds East 10.38 feet; thence parallel with the north line of said Lots 6 and 7, South 89 degrees 51 minutes 17 seconds West 437.11 feet; thence North 48 degrees 17 minutes 22 seconds East 15.07 feet to a point on the north line of said Lot 7; thence along the north line of said Lots 7 and 6, North 89 degrees 51 minutes 17 seconds East 423.04 feet to the point of beginning and containing a gross area of 4301 square feet, more or less.

Easement #8 – Waterline Easement
Part of Lot 6 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northeast corner of said Lot 6; thence along the north line of said Lot, South 89 degrees 51 minutes 17 seconds West 324.36 feet to the point of beginning; thence South 20 degrees 09 minutes 47 seconds East 239.08 feet; thence South 83 degrees 07 minutes 39 seconds East 98.05 feet to a point on the extended east line of an existing 12-foot Sanitary Sewer Easement; thence along said extended east line, South 04 degrees 14 minutes 13 seconds West 10.01 feet to the northeast corner thereof; thence along the north line of said 12-foot Sanitary Sewer Easement, North 83 degrees 07 minutes 39 seconds West 12.01 feet; thence along the west line of said 12-foot Sanitary Sewer Easement, South 04 degrees 14 minutes 13 seconds West 50.85 feet to a point on the northeast side of a 10-foot public utility easement to be vacated and being the beginning of a curve to the left, having a central angle of 108 degrees 53 minutes 40 seconds, a radius of 65.00 feet and a chord dimension of North 55 degrees 42 minutes 52 seconds West 105.77 feet; thence along the northeast side of a 10-foot public utility easement and along the arc of said curve 123.54 feet; thence North 20 degrees 09 minutes 47 seconds West 251.20 feet to a point on the north line of said Lot 6; thence along the north line of said Lot 6, North 89 degrees 51 minutes 17 seconds East 10.64 feet to the point of beginning and containing a gross area of 3862 square feet, more or less.

Easement #9 – Lake Maintenance and Storm Drainage Easement
Part of Lot 6 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northeast corner of said Lot 6; thence along the north line of said Lot, South 89 degrees 51 minutes 17 seconds West 335.00 feet to the point of beginning; thence South 20 degrees 09 minutes 47 seconds East 251.20 feet to a point on the north side of a 10-foot public utility easement to be vacated and being the beginning of a curve to the left, having a central angle of 21 degrees 24 minutes 52 seconds, a radius of 65.00 feet and a chord dimension of South 59 degrees 07 minutes 52 seconds West 24.15 feet; thence along the north side of a 10-foot public utility easement and along the arc of said curve 24.29 feet; thence North 12 degrees 39 minutes 22 seconds West 141.87 feet; thence North 21 degrees 17 minutes 46 seconds West 117.80 feet to a point on the north line of said Lot 6; thence along the north line of said Lot 6, North 89 degrees 51 minutes 17 seconds East 8.01 feet to the point of beginning and containing a gross area of 2702 square feet, more or less.

Easement #10 – 10' Public Utility Easement
Part of Lot 4, 5, 6 and 7 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Beginning at the southwest corner of said Lot 5 that is common to the northernmost corner of said Lot 4 which is the beginning of a curve to the right having a central angle of 36 degrees 32 minutes 18 seconds, a radius of 35.00 feet and a chord dimension of North 40 degrees 36 minutes 17 seconds East 21.94 feet; thence along the boundary of said Lot 5 and along the arc of said curve 22.32 feet to the beginning of a curve to the left having a central angle of 265 degrees 59 minutes 38 seconds, a radius of 55.00 feet and a chord dimension of North 74 degrees 07 minutes 23 seconds West 80.45 feet; thence along the boundary of said Lot 5 and Lot 6 and along the arc of said curve 255.34 feet to the beginning of a curve to the right having a central angle of 55 degrees 45 minutes 12 seconds, a radius of 35.00 feet and a chord dimension of South 00 degrees 45 minutes 24 seconds West 32.73 feet; thence along the boundary of said Lot 6 and along the arc of said curve 34.06 feet to the beginning of a curve to the right having a central angle of 62 degrees 44 minutes 46 seconds, a radius of 170.00 feet and a chord dimension of South 60 degrees 00 minutes 23 seconds West 177.01 feet; thence along the boundary of said Lot 6 and Lot 7 and along the arc of said curve 186.17 feet; thence North 01 degree 22 minutes 46 seconds East 10.00 feet to the beginning of a curve to the left having a central angle of 62 degrees 44 minutes 46 seconds, a radius of 160.00 feet and a chord dimension of North 60 degrees 00 minutes 23 seconds East 166.59 feet; thence along the arc of said curve 175.22 feet to the beginning of a curve to the left having a central angle of 55 degrees 45 minutes 12 seconds, a radius of 25.00 feet and a chord dimension of North 00

degrees 45 minutes 24 seconds East 23.38 feet; thence along the arc of said curve 24.33 feet to the beginning of a curve to the right having a central angle of 265 degrees 59 minutes 38 seconds, a radius of 65.00 feet and a chord dimension of South 74 degrees 07 minutes 23 seconds East 95.08 feet; thence along the arc of said curve 301.76 feet to the beginning of a curve to the left having a central angle of 36 degrees 32 minutes 18 seconds, a radius of 25.00 feet and a chord dimension of South 40 degrees 36 minutes 17 seconds West 15.67 feet; thence along the arc of said curve 15.94 feet to the beginning of a curve to the right having a central angle of 47 degrees 48 minutes 15 seconds, a radius of 240.00 feet and a chord dimension of South 46 degrees 14 minutes 16 seconds West 194.48 feet; thence along the arc of said curve 200.24 feet to the beginning of a curve to the left having a central angle of 55 degrees 47 minutes 43 seconds, a radius of 30.00 feet and a chord dimension of South 42 degrees 14 minutes 32 seconds West 28.07 feet; thence along the arc of said curve 29.21 feet to a point on the north side of an existing 12-foot Sanitary Sewer Easement; thence along the north side of said Sanitary Sewer Easement, North 86 degrees 13 minutes 43 seconds West 10.13 feet to the boundary of said Lot 4 and being the beginning of a curve to the right having a central angle of 58 degrees 27 minutes 31 seconds, a radius of 40.00 feet and a chord dimension of North 40 degrees 54 minutes 38 seconds East 39.06 feet; thence along the boundary of said Lot 4 and along the arc of said curve 40.81 feet to the beginning of a curve to the left having a central angle of 47 degrees 48 minutes 15 seconds, a radius of 230.00 feet and a chord dimension of North 46 degrees 14 minutes 16 seconds East 186.38 feet; thence along the boundary of said Lot 4 and along the arc of said curve 191.90 feet to the point of beginning and containing a gross area of 7387 square feet, more or less.

R/W #11 – Parker Drive Right-of-Way

Part of the Right-of-Way for Parker Drive granted in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Beginning at the southwest corner of Lot 5 in said Paradise Park that is common to the northernmost corner of Lot 4 in said subdivision and which is the beginning of a curve to the right having a central angle of 47 degrees 48 minutes 15 seconds, a radius of 230.00 feet and a chord dimension of South 46 degrees 14 minutes 16 seconds West 186.38 feet; thence along the boundary of said Lot 4 and along the arc of said curve 191.90 feet to the beginning of a curve to the left having a central angle of 59 degrees 58 minutes 23 seconds, a radius of 40.00 feet and a chord dimension of South 40 degrees 09 minutes 12 seconds West 39.98 feet; thence along the boundary of said Lot 4 and along the arc of said curve 41.87 feet to the beginning of a curve to the right having a central angle of 00 degrees 28 minutes 51 seconds, a radius of 710.00 feet and a chord dimension of North 10 degrees 24 minutes 27 seconds East 5.96 feet; thence along the arc of said curve 5.96 feet to the beginning of a curve to the left having a central angle of 99 degrees 16 minutes 06 seconds, a radius of 60.00 feet and a chord dimension of North 38 degrees 59 minutes 11 seconds West 91.43 feet; thence along the arc of said curve 103.95 feet to a point on the boundary of Lot 7 in said Paradise Park and being the beginning of a curve to the left having a central angle of 62 degrees 44 minutes 46 seconds, a radius of 170.00 feet and a chord dimension of North 60 degrees 00 minutes 23 seconds East 177.01 feet; thence along the boundary of Lot 7 and Lot 6 in said Paradise Park and along the arc of said curve 186.17 feet to the beginning of a curve to the left having a central angle of 55 degrees 45 minutes 12 seconds, a radius of 35.00 feet and a chord dimension of North 00 degrees 45 minutes 24 seconds East 32.73 feet; thence along the boundary of said Lot 6 and along the arc of said curve 34.06 feet to the beginning of a curve to the right having a central angle of 265 degrees 59 minutes 38 seconds, a radius of 55.00 feet and a chord dimension of South 74 degrees 07 minutes 23 seconds East 80.45 feet; thence along the boundary of Lot 6 and Lot 5 in said Paradise Park and along the arc of said curve 255.34 feet to the beginning of a curve to the left having a central angle of 36 degrees 32 minutes 18 seconds, a radius of 35.00 feet and a chord dimension of South 40 degrees 36 minutes 17 seconds West 21.94 feet; thence along the boundary of said Lot 5 and along the arc of said curve 22.32 feet to the point of beginning and containing a gross area of 21,600 square feet, more or less.

Easement #12 – Lake Maintenance and Storm Drainage Easement

Part of Lot 7 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northwest corner of said Lot 7; thence along the west line of said Lot, South 12 degrees 07 minutes 46 seconds West 20.47 feet to a point on the south side of an existing 20-foot Drainage Easement and Public Utility Easement; thence parallel with the north line of said Lot 7, North 89 degrees 51 minutes 17 seconds East 98.76 feet to a point on the west side of an existing Lake Maintenance and Storm Drainage Easement and being the point of beginning; thence along the west side of said Lake Maintenance and Storm Drainage Easement, North 00 degrees 08 minutes 43 seconds West 10.00 feet to a point on the south side of an existing 10-foot Public Utility Easement; thence along the south side of said 10-foot Public Utility Easement, North 89 degrees 51 minutes 17 seconds East 75.69 feet; thence South 48 degrees 17 minutes 22 seconds West 82.61 feet; thence South 00 degrees 08 minutes 43 seconds East 86.73 feet to a point on the west side of an existing Lake Maintenance and Storm Drainage Easement; thence along the west side of an existing Lake Maintenance and Storm Drainage Easement, North 32 degrees 56 minutes 33 seconds West 25.62 feet; thence continue along the west side of an existing Lake Maintenance and Storm Drainage Easement, North 00 degrees 08 minutes 43 seconds West 110.00 feet to the point of beginning and containing a gross area of 3509 square feet, more or less.

Easement #13 – Drainage Easement
Part of Lot 7 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northwest corner of said Lot 7; thence along the west line of said Lot, South 12 degrees 07 minutes 46 seconds West 20.47 feet to a point on the south side of an existing 20-foot Drainage Easement and Public Utility Easement and being the point of beginning; thence parallel with the north line of said Lot 7, North 89 degrees 51 minutes 17 seconds East 98.76 feet to a point on the west side of a Lake Maintenance and Storm Drainage Easement to be vacated; thence along the west side of said Lake Maintenance and Storm Drainage Easement, South 00 degrees 08 minutes 43 seconds East 70.00 feet; thence North 54 degrees 48 minutes 54 seconds West 121.05 feet to the point of beginning and containing a gross area of 3457 square feet, more or less.

Easement #14 – 5' Public Utility Easement
Part of Lot 7, 8 and 9 in Paradise Park, as per plat thereof, recorded in Document 2001R-002045 in the Office of the Recorder of Warrick County, Indiana and being more particularly described as follows:

Commencing at the northwest corner of said Lot 7; thence along the west line of said Lot, South 12 degrees 07 minutes 46 seconds West 20.47 feet to a point on the south side of an existing 20-foot Drainage Easement and Public Utility Easement and being the point of beginning; thence parallel with the north line of said Lot 7, North 89 degrees 51 minutes 17 seconds East 49.88 feet; thence South 78 degrees 17 minutes 26 seconds West 24.94 feet; thence parallel with the north line of said Lot 7, Lot 8 and Lot 9, South 89 degrees 51 minutes 17 seconds West 370.16 feet to a point on the east side of a tract of land conveyed to the State of Indiana in Document 2008R-006575 in the office of the Recorder of Warrick County, Indiana; thence along the east side of said tract, North 28 degrees 44 minutes 12 seconds East 5.71 feet to a point on the south side of an existing 20-foot Drainage Easement and Public Utility Easement; thence along the south side of said easement, North 89 degrees 51 minutes 17 seconds East 341.95 feet to the point of beginning and containing a gross area of 1905 square feet, more or less.

Scott D. Buedel, PLS

Exhibit C

Listing of Property Owners within 200 feet

Liberty Properties at Newburgh LC
3266 Tower Dr
Newburgh, IN 47630
87-12-14-400-054.000-019

Cain, Kathy L & Jeffrey A
1620 Reiter Dr
Evansville, IN 47712
82-12-14-400-053.000-019

State of Indiana
100 N. Senate Ave
Rm N642
Indianapolis, IN 46204-2219
87-12-14-400-052.000-019
87-12-23-201-011.000-019

Smith, Betty O & Smith, Robert B Trust
6811 Oak Grove Rd
Newburgh, IN 47630
87-12-14-400-070.000-019

Gilles, Ginger, G
675 E 80th St
Indianapolis, IN 46240
87-12-23-200-008.000-019

Mehling, Mark R & Karen S
7211 Oak Grove Rd
Newburgh, IN 47630
87-12-23-200-0009.000-019

Lewis, Gerald R & Gloria J
700 Vann Rd
Newburgh, IN 47630
87-12-23-200-012.000-019
87-12-23-200-013.000-019
87-12-23-200-082.000-019

Lewis, Paula Dianne
7011 Oak Grove Rd
Newburgh, IN 47630
87-12-24-102-001.000-019

Ubelhor, Daniel J Revocable Trust
2533 Fuquay Rd
Newburgh, IN 47630
87-12-24-103-002.000-019
87-12-24-103-001.000-019

Kempf, James F & Kempf Joann Bradley
6944 Oak Grove Rd
Newburgh, IN 47630
87-12-13-300-039.000-018

Buchanan, Nancy Carol Akin (Trustee) Trust
1162 Brandy Lake View Cir
Winter Garden, FL 34787
87-12-13-300-046.000-019

Warrick County School Corp
300 E Gum St
Boonville, IN 47601
87-12-13-100-025.000-019
87-12-14-400-194.000-019
87-12-14-400-051.000-019

Boonville High School – Castle Junior High
School Building Corp
300 E Gum St
Boonville, IN 47601
87-12-14-400-190.000-019

Warrick County School Corp
P.O. Box 809
Boonville, IN 47601
87-12-14-400-050.000-019

Warrick County School Corp
100 E Gum St
Boonville, IN 47601
87-12-13-100-025.000-019

Warrick County School Corp
300 E Gum St
P.O. Box 809
Boonville, IN 47601
87-12-14-400-194.000-019

Nancy Carol Akin Buchanan (Trustee) Trust
1162 Brandy Lake View Circle
Winter Garden, FL 34787

Paula Dianne Lewis
7011 Oak Grove Road
Newburgh, IN 47630

Gerald R. & Gloria Jean Lewis
7000 Vann Road
Newburgh, IN 47630

Mark R. & Karen S. Mehling
7211 Oak Grove Road
Newburgh, IN 47630

Ginger G. Gilles
675 East 80th Street
Indianapolis, IN 46240

Elberfeld JH Castle School Building Corporation
P.O. Box 809
Boonville, IN 47601

Betty O. Smith
6811 Oak Grove Road
Newburgh, IN 47630

Edgar J. & Margie M. Schauss
Co-Trustees with life estate, Edgar J. Schauss
and Margie M. Schauss Trust
2899 Fuquay Road
Newburgh, IN 47630

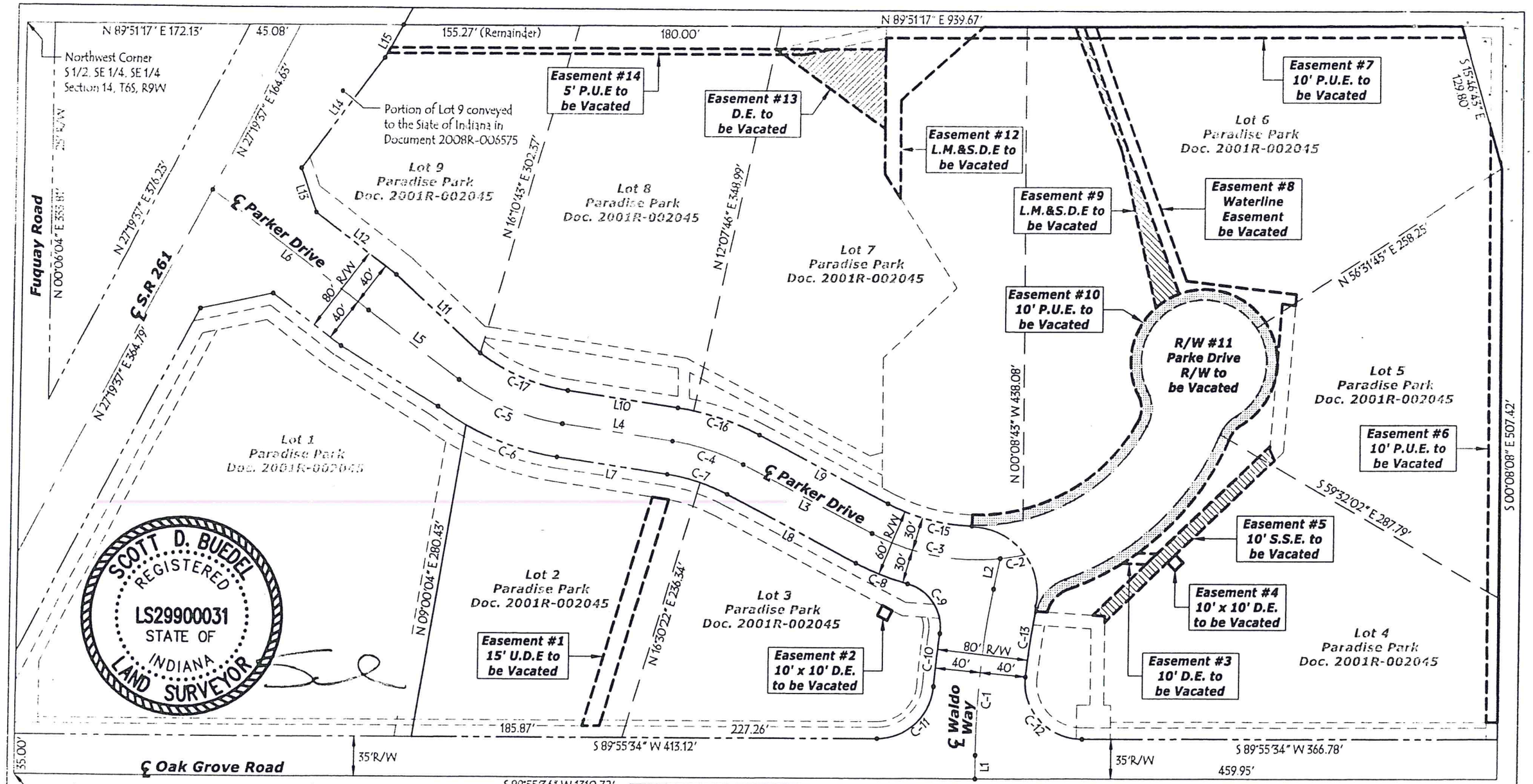
Kathy L. & Jeffrey A. Cain
1620 Reiter Drive
Evansville, IN 47712

State of Indiana
100 N. Senate Avenue, Room N642
Indianapolis, IN 46204-2219

Exhibit D

Site Plan

See attached.


N 89°51'17" E 939.67'
N 89°51'17" E 172.13'
45.08'
155.27' (Remainder)
180.00'
Northwest Corner
S 1/2, SE 1/4, SE 1/4
Section 14, T6S, R9W
Portion of Lot 9 conveyed to the State of Indiana in Document 2008R-006575
Easement #14 5' P.U.E to be Vacated
Easement #13 D.E. to be Vacated
Easement #12 L.M.&S.D.E to be Vacated
Easement #7 10' P.U.E. to be Vacated
Easement #9 L.M.&S.D.E to be Vacated
Easement #8 Waterline Easement be Vacated
Easement #10 10' P.U.E. to be Vacated
R/W #11 Parke Drive R/W to be Vacated
Easement #6 10' P.U.E. to be Vacated
Easement #5 10' S.S.E. to be Vacated
Easement #4 10' x 10' D.E. to be Vacated
Easement #3 10' D.E. to be Vacated
Easement #2 10' x 10' D.E. to be Vacated
Easement #1 15' U.D.E to be Vacated
Lot 1 Paradise Park Doc. 2001R-002045
Lot 2 Paradise Park Doc. 2001R-002045
Lot 3 Paradise Park Doc. 2001R-002045
Lot 4 Paradise Park Doc. 2001R-002045
Lot 5 Paradise Park Doc. 2001R-002045
Lot 6 Paradise Park Doc. 2001R-002045
Lot 7 Paradise Park Doc. 2001R-002045
Lot 8 Paradise Park Doc. 2001R-002045
Lot 9 Paradise Park Doc. 2001R-002045
Fuquay Road
℄ S.R 261
℄ Parker Drive
℄ Waldo Way
℄ Oak Grove Road
N 00°06'04" E 353.81'
N 27°19'37" E 576.23'
N 27°19'37" E 164.63'
N 27°19'37" E 364.79'
N 16°10'43" E 302.57'
N 12°07'46" E 348.99'
N 00°08'43" W 438.08'
N 56°31'45" E 258.25'
S 59°32'02" E 287.79'
S 15°46'43" E 129.80'
S 00°08'08" E 507.42'
N 09°00'04" E 280.43'
N 16°30'22" E 236.34'
185.87'
227.26'
S 89°55'34" W 413.12'
S 89°55'34" W 366.78'
459.95'
35.00'
35'R/W
80' R/W
40'
60' R/W
30'
Southwest Corner
SE 1/4, SE 1/4
Section 14, T6S, R9W
S 89°55'34" W 1310.72'
SCOTT D. BUEDEL
REGISTERED
LS29900031
STATE OF
INDIANA
LAND SURVEYOR
0 100 200
LINEAR SCALE 1"= 100'
SHEET 1 OF 9
PROJECT NO.: 12-1324
DRAWN BY: BUEDEL
FILENAME: VACATION PARADISE PARK
SCALE: 1" = 100'
DATE: 1/7/2013
PROJECT: CASTLE COMMONS
CLIENT: KENDALL PROPERTY GROUP
SHEET TITLE: EASEMENT AND R/W VACATION EXHIBIT NEWBURGH, IN 47630
CASH WAGGNER & ASSOCIATES, PC
CONSULTING ENGINEERS • LAND SURVEYORS
WWW.CASHWAGGNER.COM
414 CITADEL CIRCLE
SUITE B
EVANSVILLE, IN 47715
PH: 812.401.5551
FAX: 812.401.5563

Centerline Line Table

NUMBER	DIRECTION	DISTANCE
L1	N 00°04'26" W	20.74'
L2	N 11°14'10" E	27.71'
L3	N 62°19'55" W	130.66'
L4	N 81°28'20" W	99.93'
L5	N 52°40'23" W	101.02'
L6	N 52°40'23" W	175.00'

Centerline Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-1	11°18'36"	N 05°34'52" E	74.27	750.00	148.05	147.81
C-2	06°30'53"	N 80°43'17" E	11.38	200.00	22.74	22.73
C-3	33°41'21"	N 79°10'36" W	60.55	200.00	117.60	115.91
C-4	19°08'25"	N 71°54'07" W	33.72	200.00	66.81	66.50
C-5	28°47'57"	N 67°04'21" W	51.35	200.00	100.53	99.47

Project Boundary Line Table

NUMBER	DIRECTION	DISTANCE
L7	S 81°28'20" E	99.93'
L8	S 62°19'55" E	130.66'
L9	N 62°19'55" W	130.66'
L10	N 81°28'20" W	99.93'
L11	N 47°01'11" W	101.51'
L12	N 52°40'23" W	90.66'
L13	N 19°12'17" W	41.36'
L14	N 36°46'23" E	121.88'
L15	N 28°44'12" E	33.23'

Project Boundary Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-6	21°22'00"	S 70°47'20" E	43.39	230.00	85.77	85.28
C-7	19°08'25"	S 71°54'07" E	28.66	170.00	56.79	56.53
C-8	12°22'14"	S 68°31'02" E	24.93	230.00	49.66	49.56
C-9	82°26'31"	S 33°28'54" E	35.04	40.00	57.56	52.72
C-10	03°25'34"	S 06°01'35" W	23.63	790.00	47.24	47.23
C-11	85°36'46"	S 47°07'11" W	46.31	50.00	74.71	67.95
C-12	95°35'13"	N 42°16'49" W	55.13	50.00	83.42	74.07
C-13	05°08'05"	N 08°04'50" E	31.84	710.00	63.63	63.61
C-14	99°16'06"	N 38°59'11" W	70.59	60.00	103.95	91.43
C-15	26°17'19"	N 75°28'35" W	39.70	170.00	78.00	77.32
C-16	19°08'25"	N 71°54'07" W	38.78	230.00	76.83	76.48
C-17	28°47'57"	N 67°04'21" W	43.65	170.00	85.45	84.55

SCOTT D. BUEDEL
REGISTERED
LS29900031
STATE OF
INDIANA
LAND SURVEYOR

Flood Information
According to the Flood Insurance Rate Map for Warrick County, Indiana, Community Panel Number 18173C0210D, dated August 2, 2012, the subject property does not lie within the limits of the 100 year flood zone (Zone A).

Bearing Basis
Bearings used this exhibit are based on the recorded plat of Paradise Park.

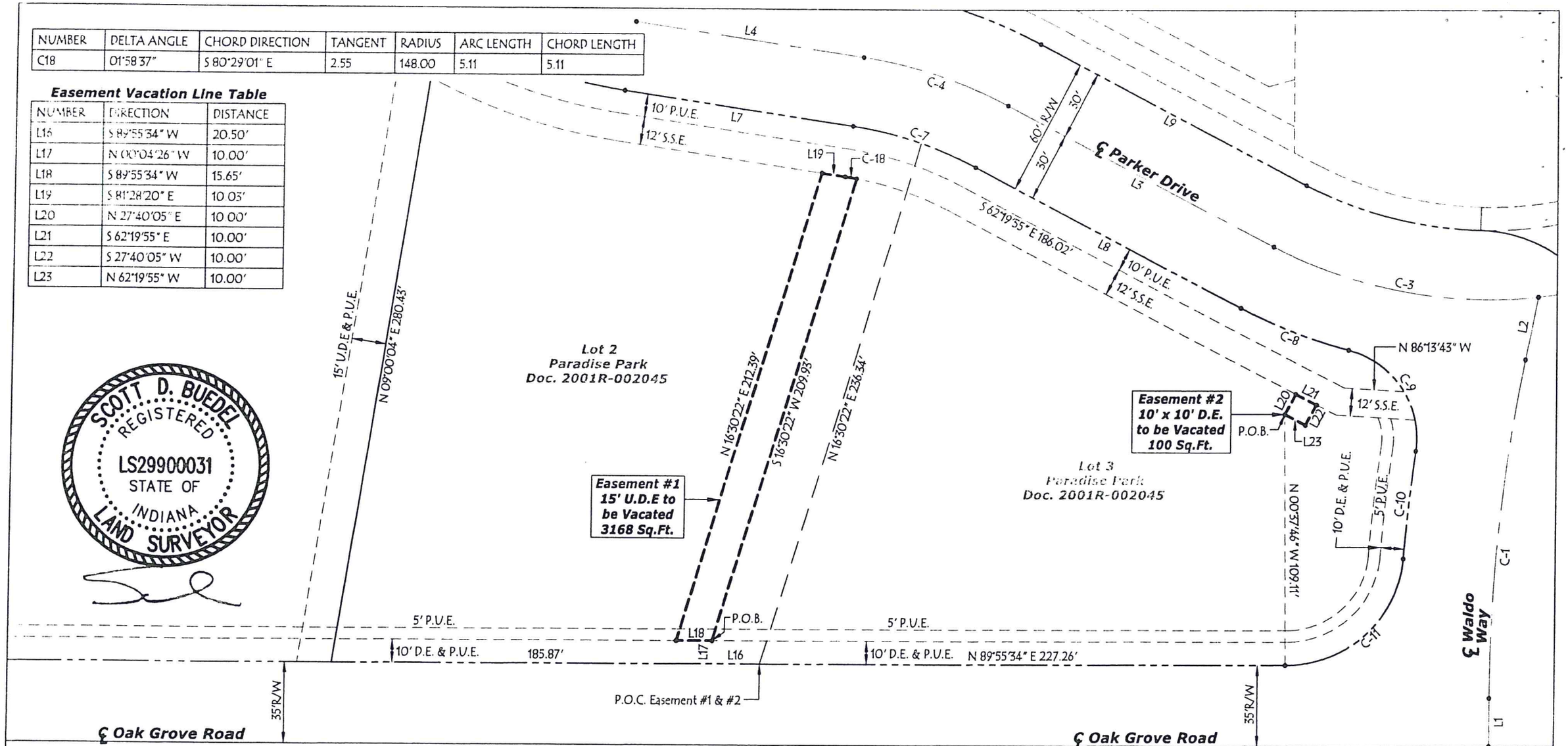
Project No.:	12-1324	Project	Castle Commons
Drawn by:	Buedel	Client	Kendall Property Group
Filename:	Vacation Paradise Park	Sheet Title	Easement and R/W Vacation Exhibit Newburgh, IN 47630
Scale:			
Date	1/7/2013		

Cash Waggner & Associates, PC
Consulting Engineers • Land Surveyors
www.CashWaggner.com
414 Citadel Circle
Suite B
Evansville, IN 47715
Ph: 812.401.5561
Fax: 812.401.5563

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C18	01°58'37"	S 80°29'01" E	2.55	148.00	5.11	5.11

Easement Vacation Line Table

NUMBER	DIRECTION	DISTANCE
L16	S 89°55'34" W	20.50'
L17	N 00°04'26" W	10.00'
L18	S 89°55'34" W	15.65'
L19	S 81°28'20" E	10.03'
L20	N 27°40'05" E	10.00'
L21	S 62°19'55" E	10.00'
L22	S 27°40'05" W	10.00'
L23	N 62°19'55" W	10.00'



SCOTT D. BUEDEL
REGISTERED
LS29900031
STATE OF
INDIANA
LAND SURVEYOR

SHEET 3 OF 9

0 50 100
LINEAR SCALE 1"= 50'

PROJECT NO.:	12-1324
DRAWN BY:	BUEDEL
FILENAME:	VACATION PARADISE PARK
SCALE:	1" = 50'
DATE:	1/7/2013

PROJECT	CASTLE COMMONS
CLIENT	KENDALL PROPERTY GROUP
SHEET TITLE	EASEMENT 1 & 2 VACATION EXHIBIT NEWBURGH, IN 47630

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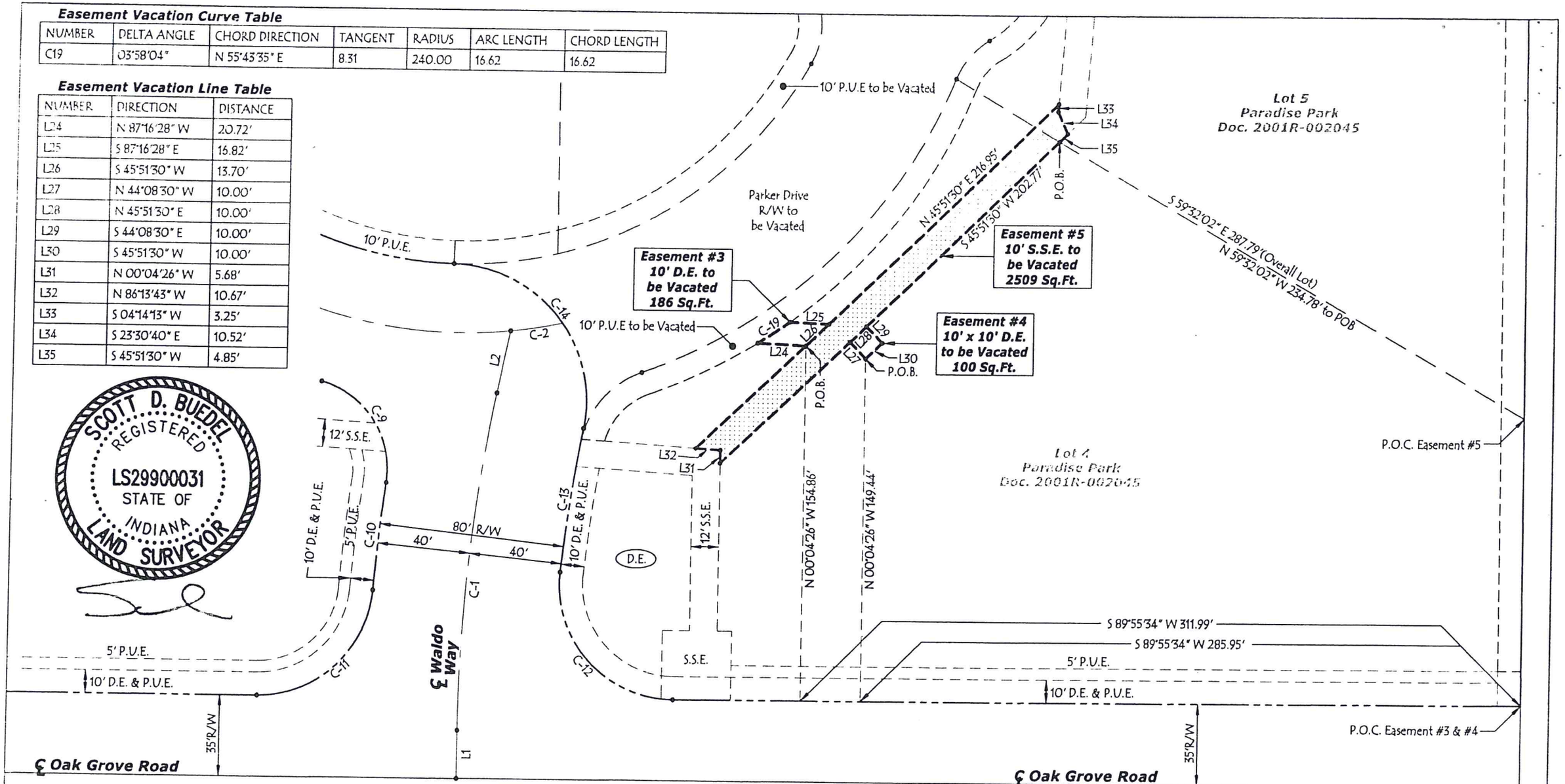
PH: 812.401.5561
FAX: 812.401.5563

Easement Vacation Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C19	03°58'04"	N 55°43'35" E	8.31	240.00	16.62	16.62

Easement Vacation Line Table

NUMBER	DIRECTION	DISTANCE
L24	N 87°16'28" W	20.72'
L25	S 87°16'28" E	16.82'
L26	S 45°51'30" W	13.70'
L27	N 44°08'30" W	10.00'
L28	N 45°51'30" E	10.00'
L29	S 44°08'30" E	10.00'
L30	S 45°51'30" W	10.00'
L31	N 00°04'26" W	5.68'
L32	N 86°13'43" W	10.67'
L33	S 04°14'13" W	3.25'
L34	S 23°30'40" E	10.52'
L35	S 45°51'30" W	4.85'



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INDIANA
LAND SURVEYOR

SHEET
4 OF 9

N

0 50 100
LINEAR SCALE 1" = 50'

PROJECT NO.:	12-1324
DRAWN BY:	BUEDEL
FILENAME:	VACATION PARADISE PARK
SCALE:	1" = 50'
DATE:	1/7/2013

PROJECT	CASTLE COMMONS
CLIENT	KENDALL PROPERTY GROUP
SHEET TITLE	EASEMENT 3, 4 & 5 VACATION EXHIBIT NEWBURGH, IN 47630

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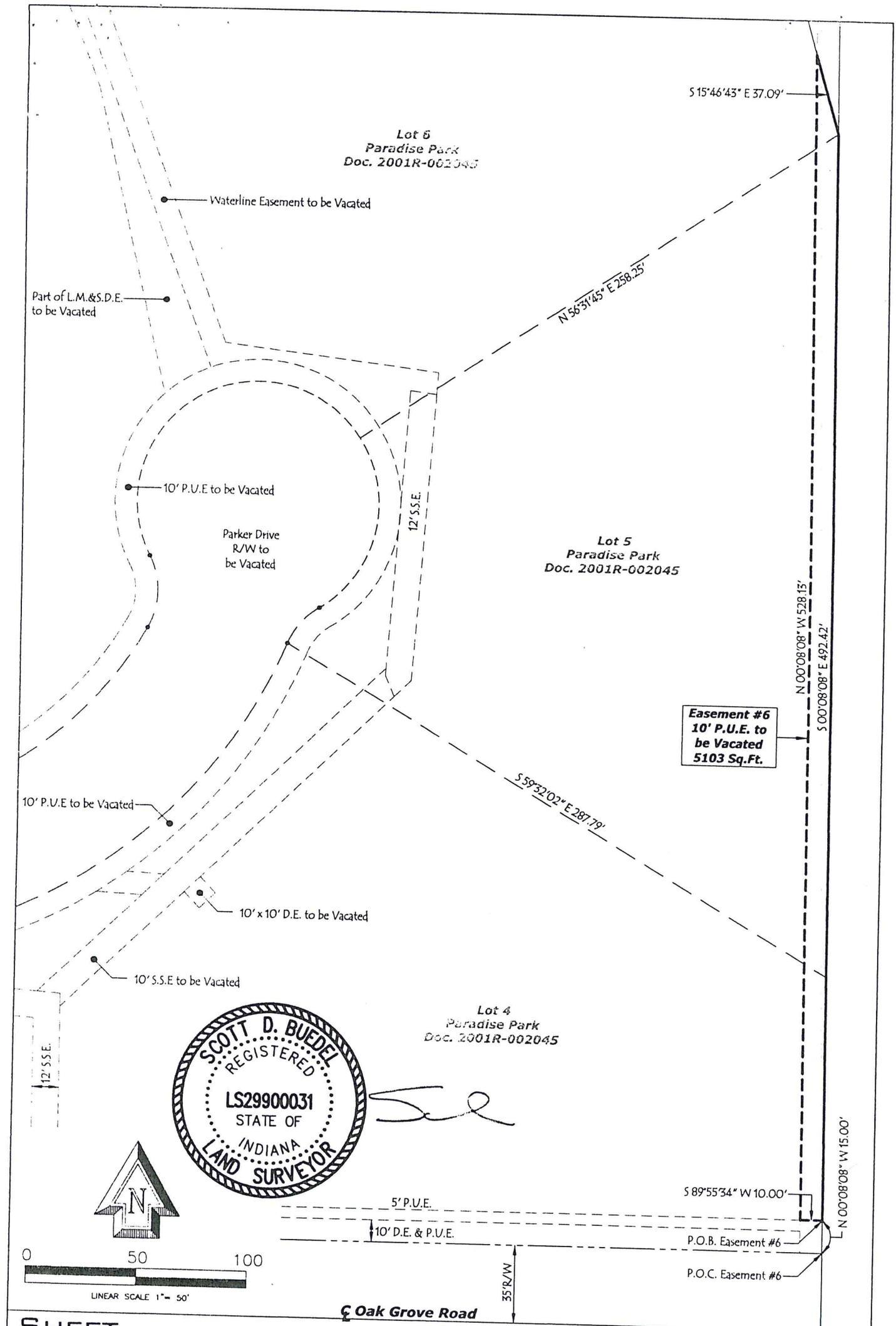

SHEET
5 OF 9

PROJECT NO.	12-1324	PROJECT	CASTLE COMMONS
DRAWN BY	BUEDEL	CLIENT	KENDALL PROPERTY GROUP
FILENAME	VACATION PARADISE PARK	SHEET TITLE	EASEMENT 6 VACATION EXHIBIT NEWBURGH, IN 47630
SCALE	1" = 50'		
DATE	1/7/2013		

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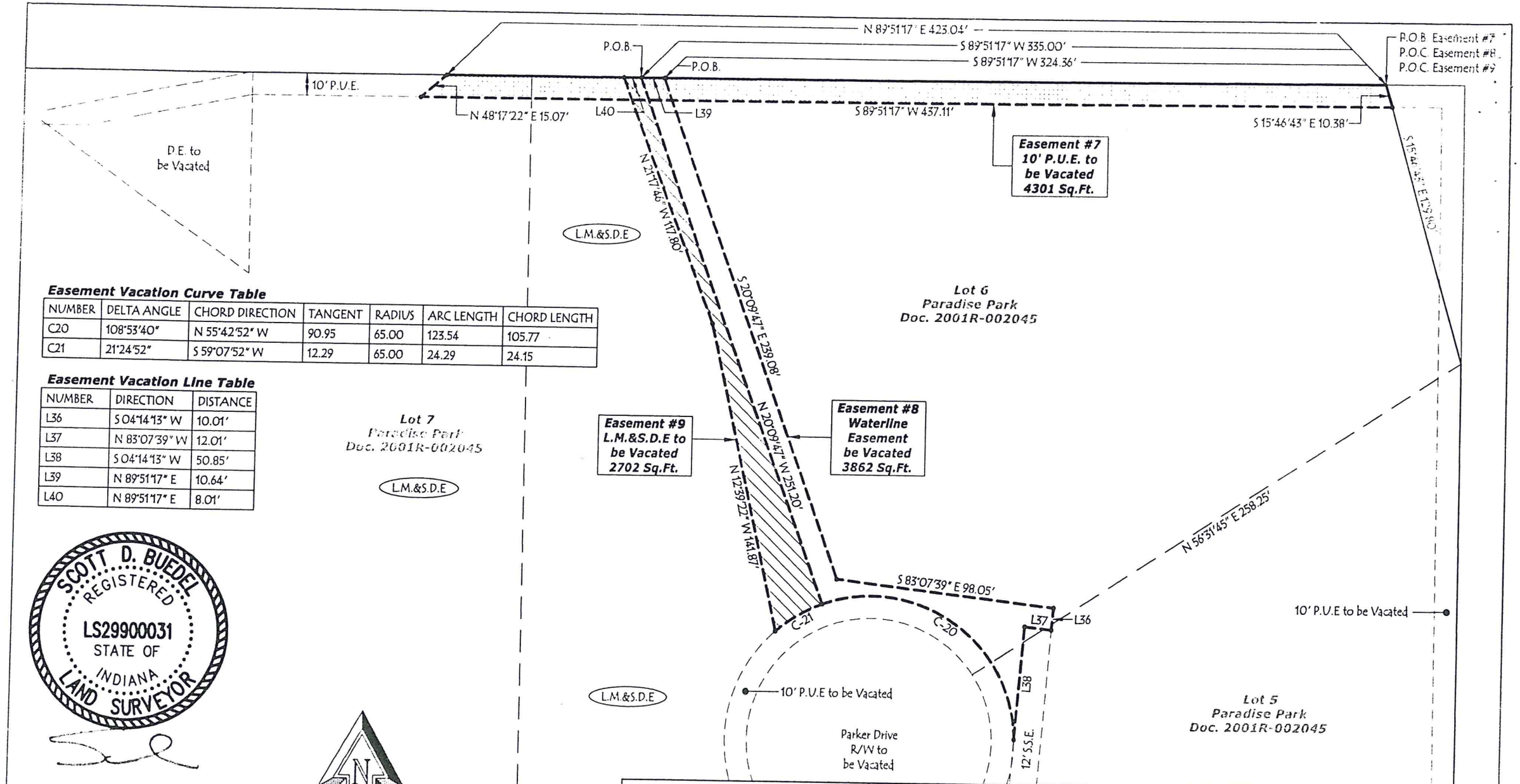

Easement Vacation Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C20	108°53'40"	N 55°42'52" W	90.95	65.00	123.54	105.77
C21	21°24'52"	S 59°07'52" W	12.29	65.00	24.29	24.15

Easement Vacation Line Table

NUMBER	DIRECTION	DISTANCE
L36	S 04°14'13" W	10.01'
L37	N 83°07'39" W	12.01'
L38	S 04°14'13" W	50.85'
L39	N 89°51'17" E	10.64'
L40	N 89°51'17" E	8.01'

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LAND SURVEYOR

SHEET 6 OF 9

PROJECT NO.:	12-1324
DRAWN BY:	BUEDEL
FILENAME:	VACATION PARADISE PARK
SCALE:	1" = 50'
DATE:	1/7/2013
PROJECT	CASTLE COMMONS
CLIENT	KENDALL PROPERTY GROUP
SHEET TITLE	EASEMENT 7, 8 & 9 VACATION EXHIBIT NEWBURGH, IN 47630

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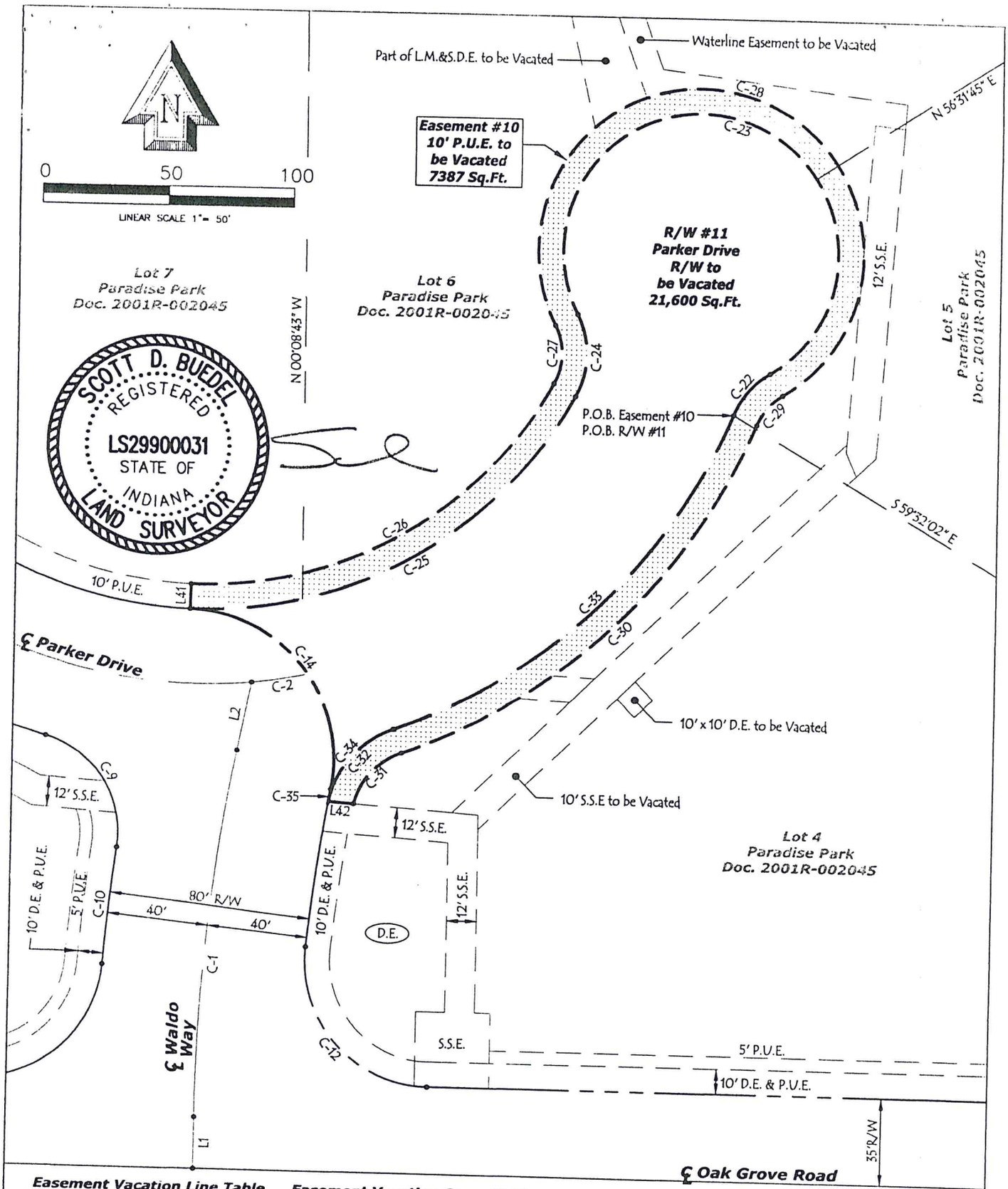

Easement Vacation Line Table

NUMBER	DIRECTION	DISTANCE
L41	N 01°22'46" E	10.00'
L42	N 86°13'43" W	10.13'

Easement Vacation Curve Table

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C22	36°32'18"	N 40°36'17" E	11.55	35.00	22.32	21.94
C23	265°59'38"	N 74°07'23" W	-58.99	55.00	255.34	80.45
C24	55°45'12"	S 00°45'24" W	18.51	35.00	34.06	32.73
C25	62°44'46"	S 60°00'23" W	103.66	170.00	186.17	177.01
C26	62°44'46"	N 60°00'23" E	97.56	160.00	175.22	166.59
C27	55°45'12"	N 00°45'24" E	13.22	25.00	24.33	23.38
C28	265°59'38"	S 74°07'23" E	-69.71	65.00	301.76	95.08
C29	36°32'18"	S 40°36'17" W	8.25	25.00	15.94	15.67
C30	47°48'15"	S 46°14'16" W	106.36	240.00	200.24	194.48
C31	55°47'43"	S 42°14'32" W	15.88	30.00	29.21	28.07
C32	58°27'31"	N 40°54'38" E	22.38	40.00	40.81	39.06
C33	47°48'15"	N 46°14'16" E	101.93	230.00	191.90	186.38
C34	59°58'23"	S 40°09'12" W	23.08	40.00	41.87	39.98
C35	00°28'51"	N 10°24'27" E	2.98	710.00	5.96	5.96
C-14	99°16'06"	N 38°59'11" W	70.59	60.00	103.95	91.43

SHEET
7 OF 9

PROJECT NO.	12-1324
DRAWN BY:	BUEDEL
FILENAME:	VACATION PARADISE PARK
SCALE:	1" = 50'
DATE	1/7/2013
PROJECT	CASTLE COMMONS
CLIENT	KENDALL PROPERTY GROUP
SHEET TITLE	EASEMENT 10 & R/W 11 VACATION EXHIBIT NEWBURGH, IN 47630

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PH: 812.401-5561
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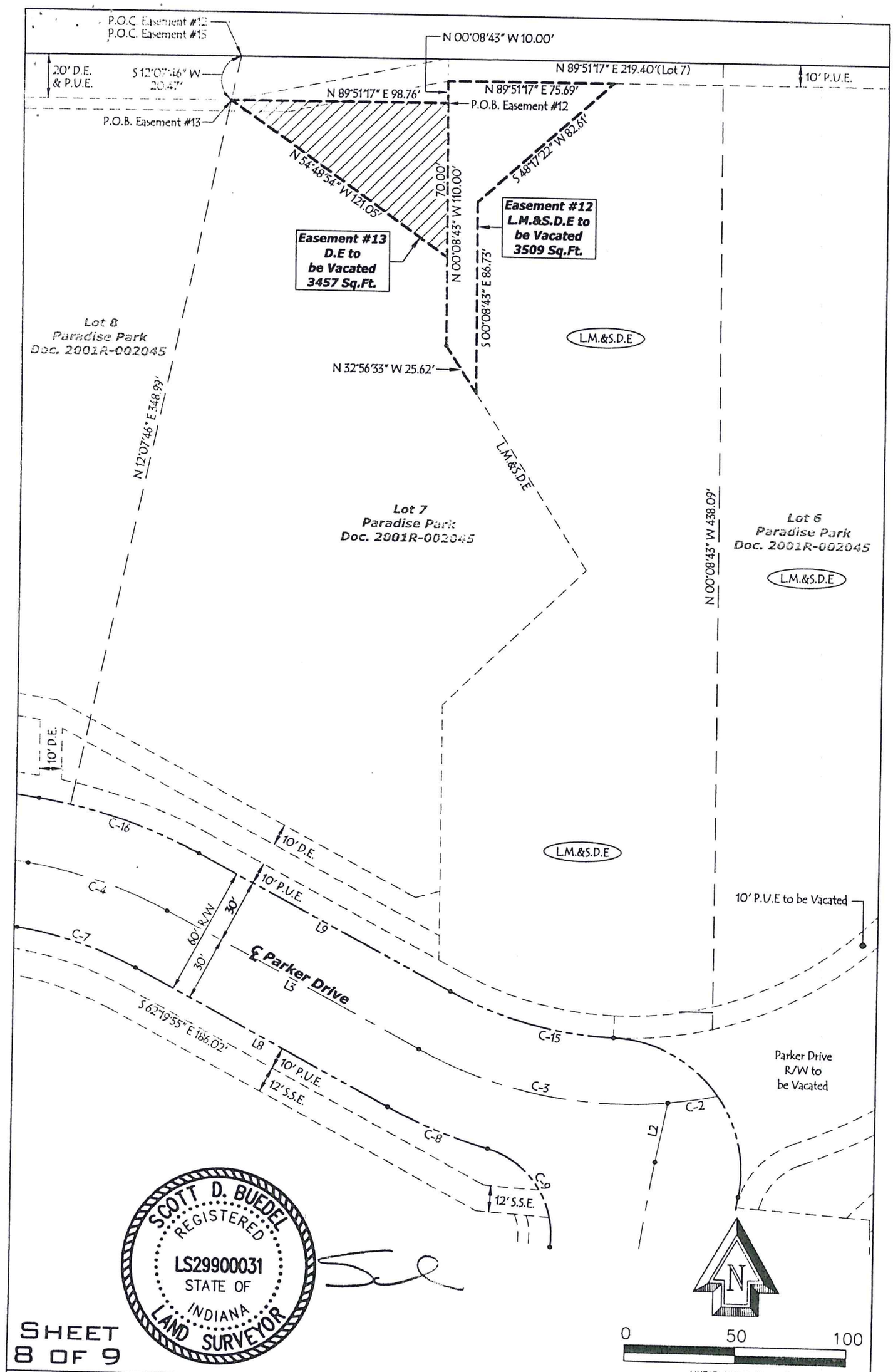

SCOTT D. BUEDEL
REGISTERED
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STATE OF
INDIANA
LAND SURVEYOR

SHEET 8 OF 9

PROJECT NO.:	12-1324	PROJECT	CASTLE COMMONS
DRAWN BY:	BUEDEL	CLIENT	KENDALL PROPERTY GROUP
FILENAME:	VACATION PARADIBE PARK	SHEET TITLE	EASEMENT 12 & 13 VACATION EXHIBIT NEWBURGH, IN 47630
SCALE:	1" = 50'		
DATE:	1/7/2013		

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CONSULTING ENGINEERS • LAND SURVEYORS
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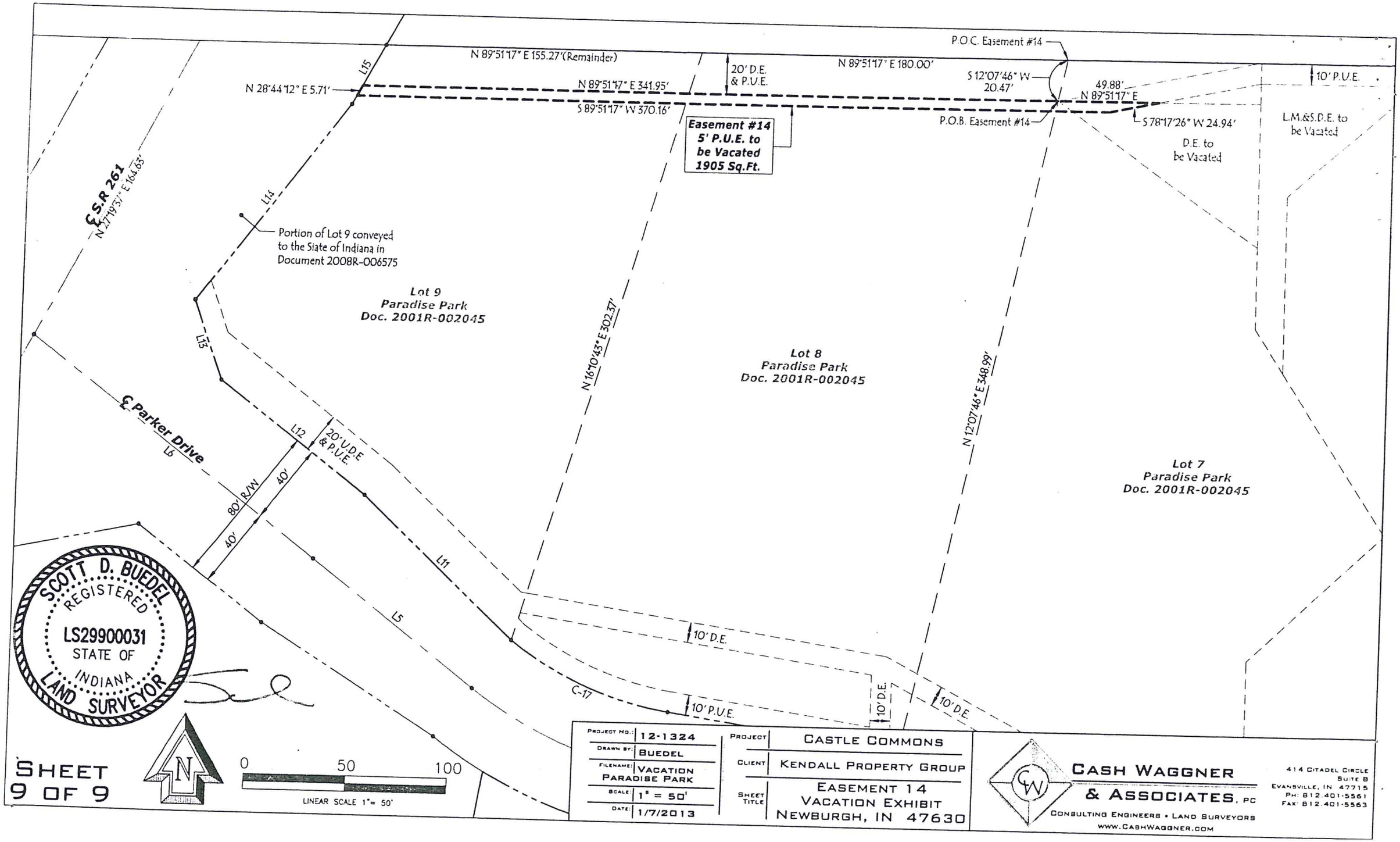
SUITE B
EVANSVILLE, IN 47715
PH: 812.401-5561
FAX: 812.401-5563


P.O.C. Easement #14
N 89°51'17" E 155.27'(Remainder)
20' D.E. & P.U.E.
N 89°51'17" E 180.00'
S 12°07'46" W 20.47'
49.88'
N 89°51'17" E
10' P.U.E.
N 28°44'12" E 5.71'
L15
N 89°51'17" E 341.95'
S 89°51'17" W 370.16'
P.O.B. Easement #14
S 78°17'26" W 24.94'
L.M.&S.D.E. to be Vacated
D.E. to be Vacated
Easement #14
5' P.U.E. to be Vacated
1905 Sq.Ft.
℄ S.R 261
N 27°19'51" E 164.63'
L14
Portion of Lot 9 conveyed to the State of Indiana in Document 2008R-006575
Lot 9
Paradise Park
Doc. 2001R-002045
N 16°10'43" E 302.37'
Lot 8
Paradise Park
Doc. 2001R-002045
N 12°07'46" E 348.99'
Lot 7
Paradise Park
Doc. 2001R-002045
L13
℄ Parker Drive
L6
L12
20' U.D.E & P.U.E.
80' R/W
40'
40'
L11
L5
C-17
10' D.E.
10' P.U.E.
10' D.E.
10' D.E.
SCOTT D. BUEDEL
REGISTERED
LS29900031
STATE OF
INDIANA
LAND SURVEYOR
N
0
50
100
LINEAR SCALE 1"= 50'
SHEET 9 OF 9
PROJECT NO.: 12-1324
DRAWN BY: BUEDEL
FILENAME: VACATION PARADISE PARK
SCALE: 1" = 50'
DATE: 1/7/2013
PROJECT: CASTLE COMMONS
CLIENT: KENDALL PROPERTY GROUP
SHEET TITLE: EASEMENT 14 VACATION EXHIBIT NEWBURGH, IN 47630
CASH WAGGNER & ASSOCIATES, PC
CONSULTING ENGINEERS • LAND SURVEYORS
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414 CITADEL CIRCLE
SUITE B
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PH: 812.401.5561
FAX: 812.401.5563

Exhibit E

Utility Letters – No Easement

at&t

134 NW Fourth Street
Evansville, Indiana 47708

January 25, 2013

Leslie Shively
Shively and Associates
414 Citadel Circle, Suite C
Evansville, IN 47716

RE: Easement Vacation – Castle Commons

Dear Mr. Shively:

This letter is in response to your request for the release of easements located within Castle Commons as depicted on your survey prepared by surveyor Scott Buedel of Cash Waggner (attached as Exhibit A).

I have reviewed the easements identified on Exhibit A, and per our records AT&T does not have facilities located within these easements. AT&T has no objections to the vacation of the easements identified on Exhibit A.

If you have any questions or comments, please contact me at 812-464-6055.

Sincerely,

Andrew J Folz
Engineer
AT&T Indiana

VECTREN

Vectren Energy Delivery
P. O. Box 209
Evansville, IN 47702-0209

January 24, 2013

Mr. Leslie C. Shively
Shively & Associates
P.O. Box 5717
Evansville, IN 47716

Re: Proposed vacation of right of way and multiple easements in Paradise Park (Castle Commons), Newburgh, Indiana.

Petitioner: K & E Multifamily, LLC

Dear Mr. Shively:

Engineering representatives for Southern Indiana Gas and Electric Company, Inc. doing business as Vectren Energy Delivery of Indiana ("VEDI") have researched the above location requested for vacation and has determined that there are presently no active VEDI utility facilities existing within the boundaries of the subject easements and right of way.

Therefore, we support the request to vacate this area and to release our rights within the proposed area to be vacated subject to the following:

- When the vacation is approved Vectren will not have easements available to access the lots located in the existing plated subdivision.
- More discussion is required between the Developer and Vectren to determine how new facilities will be installed to gain access into the proposed development. This process will take a considerable amount of time to develop a plan for extending facilities into this area.

Please forward to my attention a copy of the recorded ordinance upon passing for our records.

Sincerely,

Colby Morris

Colby Morris
Right of Way Agent
Vectren Energy Delivery of Indiana
812-491-4285

WOW!™

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January 30, 2013

Cash Waggner & Associates
414 Citadel Circle
Suite B
Evansville, IN 47715

Attn: Scott D. Buedel

RE: Vacation for Public Utility Easement on Lots 6, 7, 10 and 14 and Road Right-of-Way #11

Dear Mr. Buedel,

I have reviewed the drawing that references the 10 foot Public Utility Easement for Lots 6, 7 and 10, the 5 foot Public Utility Easement on Lot 14 and the Road Right-of-Way on Parker Drive mentioned as R/W #11 shown on drawing 1 of 9 of the Easement and R/W Vacation Exhibit located in Paradise Park in Newburgh, IN.

As a result of these findings, Wide openwest does not have any objection to the vacate proposal for the subject Public Utility Easement and the Road Right-of-Way.

This letter granted by WOW/Sigecom for said vacation is valid for ninety (90) days. If the Evansville City Council passes this vacation request, I would like to receive a copy of the recorded ordinance to be used for the purpose of updating our records.

Please contact my office should you have any questions or need any additional information.

Sincerely,

Rick Bowen
Outside Construction Manager
SIGECOM/WOW
812-437-0395
rick.bowen@wideopenwest.com

Cc: file

3015 Wedeking Ave. • Evansville, IN 47715 • 812 437 0345 • 812 437 0793 Fax • www.wayc.com

Exhibit F

Utility Letters –Easement

Susan Helms
Utility Office Manager

May 9, 2013

Rudolph, Fine, Porter, Johnson, LLP
Attn: Krista B. Lockyear
221 N. W. Fifth Street
Evansville, IN 47708

RE: Petition for Vacation – Castle Commons

Ms. Lockyear:

On May 9, 2013, The Newburgh Town Council approved the vacation of all easements for Castle Commons with the exception of Easement #6 along the far eastern property line of Paradise Park Subdivision.

Please feel free to contact me if you have any questions.

Sincerely,

Susan Helms

Susan Helms
Newburgh Utility Office Manager

pc: Glen Meritt Jr., P.E., Cash Waggner and Associates
Newburgh Utility Committee

Town of Newburgh
[illegible]
phone 812.853.7496 • fax 812.853.1728 • email shelms@newburgh-in.gov
www.newburgh-in.gov

CHANDLER
UTILITIES

January 22, 2013

Shively & Associates
ATTN: Leslie C. Shively
414 Citadel Circle, Suite C
P.O. Box 5717
Evansville, IN 47716

RE: ***Petition for Vacation – Castle Commons***

Dear Mr. Shively:

I have received the information you sent about the Petition for Vacation of certain easements and rights-of-way on behalf of K & E Multifamily, L.L.C.

I have had the chance to review the documents. Chandler Utilities does not consent to the vacation of easements and rights-of-way as presented due to existing water mains that are currently located within said easements.

Arrangements will need to be made to move the water mains and establish new easements if the Petition for Vacation proceeds as proposed.

Please feel free to contact me at 925-6213 if you have any further questions or concerns.

Respectfully,

Robert D. Coghill
Director of Public Services