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2014R-001057
YVONNE HUGHES
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
02/14/2014 09:33 AM
REC FEE: 0.00
PAGES: 4

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Ordinance # CC-2014-05

Ordinance to Vacate a Drainage Easement on Lot 72 in the Corrected Plat of the Replat of Lakevale Estates, Section B in Ohio Township, Warrick County, Indiana

Whereas, a sworn Petition was presented to the Board of Commissioners of Warrick County, Indiana requesting that a Drainage Easement located on the real estate commonly known as 6255 Pfafflin Lake Blvd., Newburgh, IN 47630, which is described on the attached Exhibit "A" and shown on the attached Exhibit "B", be vacated by the Board of Commissioners of Warrick County, Indiana;

Whereas, after proper notice a public hearing was held by the Board of Commissioners of Warrick County, Indiana where all interested persons were permitted to address the Board of Commissioners of Warrick County, Indiana concerning said vacation.

Section 1:
The Board of Commissioners of Warrick County, Indiana, after due consideration has determined that the Drainage Easement located on the real estate commonly known as 6255 Pfafflin Lake Blvd., Newburgh, IN 47630, which is described on the attached Exhibit "A" and shown on the attached Exhibit "B", is no longer required for public use and the public interest will be served by its vacation.

Section 2:
The Board of Commissioners of Warrick County, Indiana, does hereby vacate the Drainage Easement located on the real estate commonly known as 6255 Pfafflin Lake Blvd., Newburgh, IN 47630, which is described on the attached Exhibit "A" and shown on the attached Exhibit "B".

Section 3:
The Drainage Easement being vacated was platted as a 20-foot wide Drainage and Public Utility Easement on Lot 72 in the Corrected Plat of the Replat of Lakevale Estates, Section B, which is recorded in Plat File 1, Card 480 in the Office of the Recorder of Warrick County, Indiana.

The Drainage Easement portion of the 20-foot wide Drainage and Public Utility Easement is the only easement being vacated. The 20-foot wide Public Utility Easement will remain in full force and effect and it is not affected by the vacation of the Drainage Easement.

Section 4:
This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of Warrick County, Indiana.

Final passage by the Board of Commissioners of Warrick County, Indiana this 10th day of February, 2014.

BOARD OF COMMISIONERS
WARRICK COUNTY, INDIANA

Rick Reid

Marlin Weisheit

Don Williams

ATTEST:

L.B. "Dixie" Dugan
Warrick County Auditor

This instrument prepared by Scott Buedel, Cash Waggner and Associates, PC, 414 Citadel Circle, Suite B, Evansville, IN 47715, Phone 812-401-5561 ✓

I affirm, under penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. ✓

Scott D. Buedel

Exhibit "A"

20' Drainage Easement Vacation Description

Part of Lot 72 in the Corrected Plat of the Replat of Lakevale Estates, Section B which is recorded in Plat File 1, card 480 in the Office of the Recorder of Warrick County, Indiana and being described as follows:

Commencing at the Northwest Corner of said Lot 72; thence along the north line of said Lot, North 59 degrees 36 minutes 54 seconds East 69.73 feet to southwest line of a 20-foot Easement and being the point of beginning; thence continue along the north line of said Lot, North 59 degrees 36 minutes 54 seconds East 22.70 feet to a point on the northeast line of a 20-foot Easement; thence along the northeast line of said easement, South 58 degrees 35 minutes 40 seconds East 232.41 feet to the boundary of said Lot 72; thence along the boundary of said lot, South 60 degrees 00 minutes 00 seconds West 22.78 feet to a point on the southwest line of said 20-foot Easement; thence along the southwest line of said easement, North 58 degrees 35 minutes 40 seconds West 232.24 feet to the point of beginning and containing 4,646 square feet.

Scott D. Buedel, PLS
Indiana Registration Number 29900031

Project No.:	131635
Drawn by:	Buedel
Filename:	1635 vacation.dwg
Scale:	1" = 60'
Date:	12/18/2013

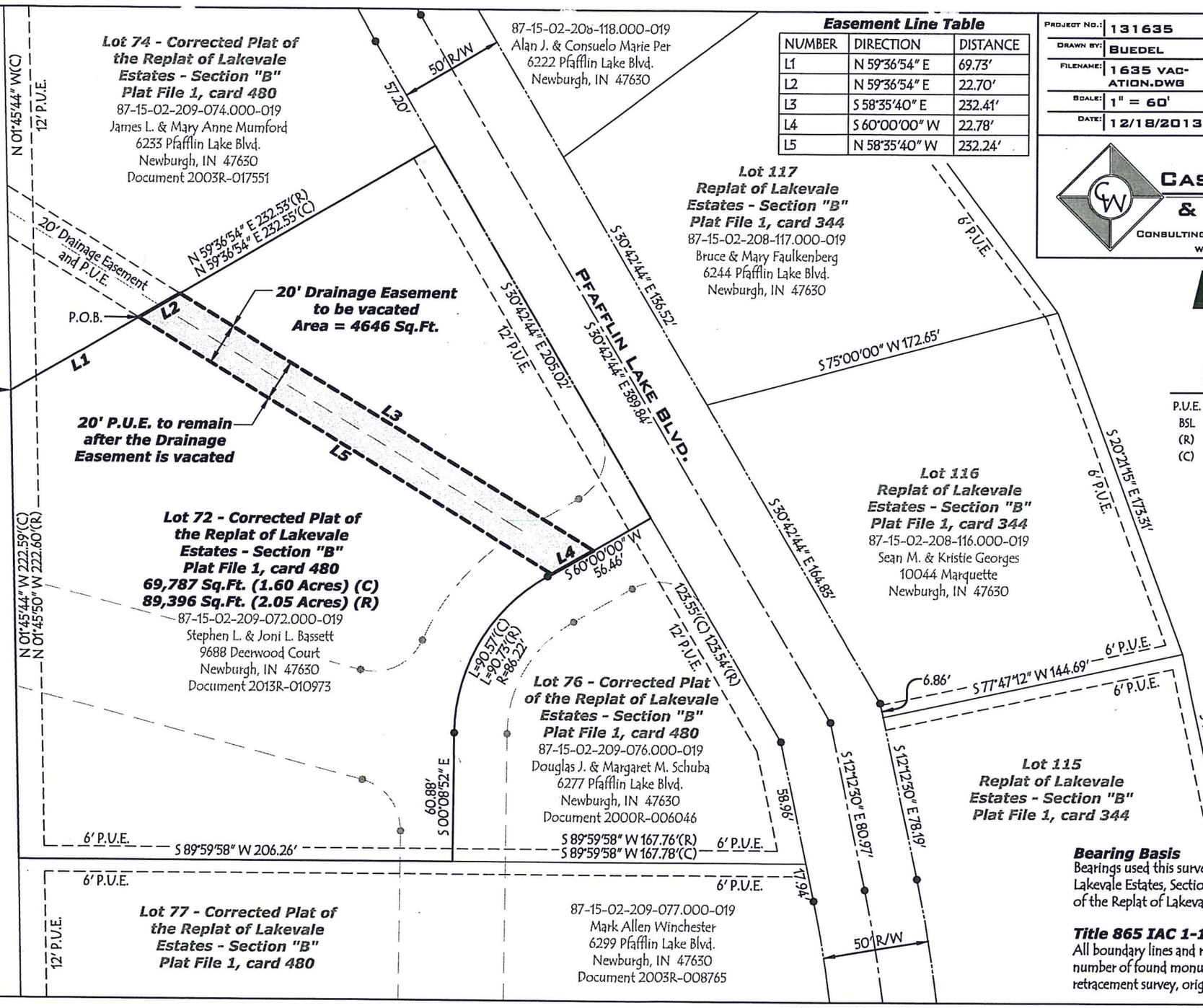
Client	Stephen Babbett
Address	6255 Pfafflin Lake Blvd. Newburgh, IN 47630
Sheet Title	Easement Vacation Exhibit Lot 72 in the Corrected Plat of the Replat of the Replat of Lakevale Estates, Section "B"

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

Exhibit "B"

Easement Line Table

NUMBER	DIRECTION	DISTANCE
L1	N 59°36'54" E	69.73'
L2	N 59°36'54" E	22.70'
L3	S 58°35'40" E	232.41'
L4	S 60°00'00" W	22.78'
L5	N 58°35'40" W	232.24'



Legend

P.U.E.	Public Utility Easement
BSL	Building Setback Line
(R)	Record Plat Dimension
(C)	Calculated Dimension

0 60 120

LINEAR SCALE 1"= 60'

SCOTT D. BUEDEL
REGISTERED
LS29900031
STATE OF
INDIANA
LAND SURVEYOR

Bearing Basis

Bearings used this survey are based on the recorded plat of the Replat of Lakevale Estates, Section B, recorded in Plat File 1, card 344 and the Replat of the Replat of Lakevale Estates, Section B, recorded in Plat File 1, card 480.

Title 865 IAC 1-12-12

All boundary lines and rights-of-ways shown on this exhibit are based on a limited number of found monuments. This drawing is not intended to be represented as a retracement survey, original survey, a route survey of a surveyor location report.

Publication Notice

State of Indiana
County of Warrick

In the matter of the vacation of a Drainage Easement located on Lot 72 in the Corrected Plat of the Replat of Lakevale Estates, Section B in Ohio Township, Warrick County, Indiana

Notice of a hearing on petition to vacate an easement

Notice is hereby given that the Board of Commissioners of Warrick County, Indiana, will, on the 10th day of February, 2014, at 4:00 PM, in the Commissioners Meeting Room, Third Floor, Courthouse, Boonville, Indiana, will hold a hearing on the petition of Stephen L. and Joni L. Bassett to vacate the Drainage Easement portion of a platted Drainage and Public Utility Easement in Ohio Township in Warrick County, Indiana, which is described as follows:

Part of Lot 72 in the Corrected Plat of the Replat of Lakevale Estates, Section B which is recorded in Plat File 1, card 480 in the Office of the Recorder of Warrick County, Indiana and being described as follows:

Commencing at the Northwest Corner of said Lot 72; thence along the north line of said Lot, North 59 degrees 36 minutes 54 seconds East 69.73 feet to southwest line of a 20-foot Easement and being the point of beginning; thence continue along the north line of said Lot, North 59 degrees 36 minutes 54 seconds East 22.70 feet to a point on the northeast line of a 20-foot Easement; thence along the northeast line of said easement, South 58 degrees 35 minutes 40 seconds East 232.41 feet to the boundary of said Lot 72; thence along the boundary of said lot, South 60 degrees 00 minutes 00 seconds West 22.78 feet to a point on the southwest line of said 20-foot Easement; thence along the southwest line of said easement, North 58 degrees 35 minutes 40 seconds West 232.24 feet to the point of beginning and containing 4,646 square feet.

A copy of the Petition is on file in the Office of the Auditor of Warrick County, Indiana and may be inspected during office hours.

All persons having an interest in the proposed vacation will be given an opportunity to be heard.

Allen James, First Deputy Auditor
L.B. "Dixie" Dugan, Auditor
Warrick County, Indiana

FILED
JAN 07 2014
LBDugan
WARRICK CO. AUDITOR

State of Indiana)
) SS:
County of Warrick)

Verified Petition for the Vacation of a Drainage Easement located on Lot 72 in the Corrected Plat of the Replat of Lakevale Estates, Section B in Ohio Township, Warrick County, Indiana

Stephen L. and Joni L. Bassett petitions the Honorable Board of Commissioners of Warrick County, Indiana for the vacation of a Drainage Easement located on Lot 72 in the Corrected Plat of the Replat of Lakevale Estates, Section B in Ohio Township, Warrick County, Indiana and in support of the petition shows the following:

1. Petitioner:
    a. The petitioner is Stephen L. and Joni L. Bassett who have a mailing address of 9688 Deerwood Court, Newburgh, Indiana 47630.

2. Circumstances:
    a. The Petitioner is the owner of certain real estate commonly known as 6255 Pfafflin Lake Blvd., Newburgh, IN 47630 which is more particularly described as Lot 72 in the Corrected Plat of the Replat of Lakevale Estates, Section B, which is recorded in Plat File 1, Card 480 in the Office of the Recorder of Warrick County, Indiana on which is located the Drainage Easement to be vacated.
    b. The Petitioner desires to vacate the Drainage Easement portion of a platted 20-foot wide Drainage and Public Utility Easement located on the Petitioner's Real Estate.

3. Legal Description of the Drainage Easement to be vacated:
    a. The legal description of the Drainage Easement to be vacated, which is certified by a land surveyor registered in the State of Indiana, is attached hereto as Exhibit "A".

4. Adjacent Land Owners:
    a. The name and address of all owners of land which abut the Petitioner's land on which the Drainage Easement is proposed to be vacated are attached hereto as Exhibit "B".

5. Drawing:
    a. A site plan, certified by a land surveyor registered in the State of Indiana, depicting the Drainage Easement to be vacated is attached hereto as Exhibit "C".

6. Easements:
    a. The Drainage Easement to be vacated is platted as a Drainage and Public Utility Easement on the Replat of Lakevale Estates, Section B, which is recorded in Plat File 1, Card 480 in the Office of the Recorder of Warrick County, Indiana.
    b. The vacation being proposed is only for the Drainage portion of the easement. The Public Utility Easement will not be affected by this vacation.

Whereas, the Petitioner respectfully prays that the Warrick County Commissioners take all necessary steps to properly vacate said platted Drainage Easement in the manner by law now provided on this 27th day of DECEMBER, 2013.

Stephen L. Bassett
Stephen L. Bassett

Joni L. Bassett
Joni L. Bassett

State of Indiana)
) SS:
County of Warrick)

Signed and sworn before me, a notary public, on this 27th day of DECEMBER, 2013.

Notary Public

SCOTT D. BUEDEL
Printed Name

VANDERBURGH County, Indiana
County of Residence

9-26-2015
Commission Expiration Date

SCOTT D. BUEDEL
NOTARY PUBLIC
SEAL
STATE OF INDIANA
MY COMMISSION EXPIRES September 26, 2015

This instrument prepared by Scott Buedel, Cash Waggner and Associates, PC, 414 Citadel Circle, Suite B, Evansville, IN 47715, Phone 812-401-5561

Exhibit "A"

20' Drainage Easement Vacation Description

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Scott D. Buedel, PLS
Indiana Registration Number 29900031

Exhibit "B"
Adjoiner's List – December 18, 2013

87-15-02-208-118.000-019
Alan J. & Consuelo Marie Per
6222 Pfafflin Lake Blvd.
Newburgh, IN 47630

87-15-02-208-117.000-019
Bruce & Mary Faulkenberg
6244 Pfafflin Lake Blvd.
Newburgh, IN 47630

87-15-02-208-116.000-019
Sean M. & Kristie Georges
10044 Marquette
Newburgh, IN 47630

87-15-02-209-076.000-019
Douglas J. & Margaret M. Schuba
6277 Pfafflin Lake Blvd.
Newburgh, IN 47630

87-15-02-209-074.000-019
James L. & Mary Anne Mumford
6233 Pfafflin Lake Blvd.
Newburgh, IN 47630

87-15-02-100-078.000-019
Sally A. Pfafflin, Trustee of the
Sally A. Pfaffin Living Trust
1759 Sycamore Hollow Drive
Newburgh, IN 47630

87-15-02-209-077.000-019
Mark Allen Winchester
6299 Pfafflin Lake Blvd.
Newburgh, IN 47630

Exhibit "C"

Easement Line Table		
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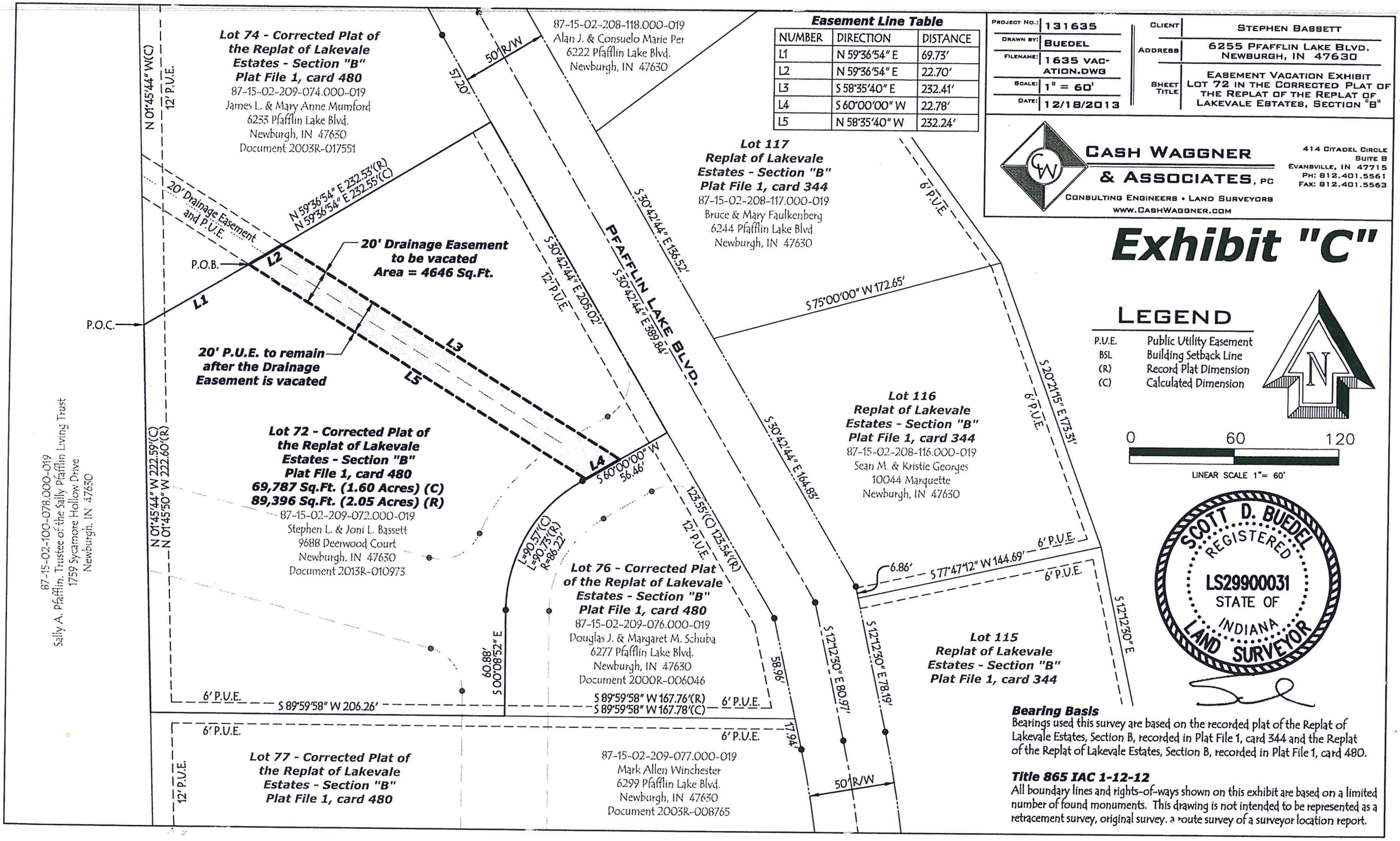

Legend

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