

County Commissioners Ordinance No. 2016-15

**Ordinance to Vacate a Public Utility Easement on Lots 52, 53, 54, 55, 56, 57, 58, 59  
& 98 in Bellevue, Section 1 in Ohio Township, Warrick County, Indiana**

Whereas, a sworn Petition was presented to the Board of Commissioners of Warrick County, Indiana requesting that a Public Utility Easement located on the real estate commonly known as:

2126 Chadwick Drive, Newburgh, Indiana, 47630  
2134 Chadwick Drive, Newburgh, Indiana, 47630  
2142 Chadwick Drive, Newburgh, Indiana, 47630  
2150 Chadwick Drive, Newburgh, Indiana, 47630  
2158 Chadwick Drive, Newburgh, Indiana, 47630  
2166 Chadwick Drive, Newburgh, Indiana, 47630  
2200 Sable Way, Newburgh, Indiana, 47630  
2233 Sable Way, Newburgh, Indiana, 47630  
8500 Angel Drive, Newburgh, IN 47630

which is described on the attached Exhibits "A and C" and shown on the attached Exhibit "B and D", 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 Public Utility Easement located on the real estate commonly known as:

2126 Chadwick Drive, Newburgh, Indiana, 47630  
2134 Chadwick Drive, Newburgh, Indiana, 47630  
2142 Chadwick Drive, Newburgh, Indiana, 47630  
2150 Chadwick Drive, Newburgh, Indiana, 47630  
2158 Chadwick Drive, Newburgh, Indiana, 47630  
2166 Chadwick Drive, Newburgh, Indiana, 47630  
2200 Sable Way, Newburgh, Indiana, 47630  
2233 Sable Way, Newburgh, Indiana, 47630  
8500 Angel Drive, Newburgh, IN 47630

which is described on the attached Exhibits "A and C" and shown on the attached Exhibit "B and D", 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 Public Utility Easement located on the real estate commonly known as:

2126 Chadwick Drive, Newburgh, Indiana, 47630  
2134 Chadwick Drive, Newburgh, Indiana, 47630  
2142 Chadwick Drive, Newburgh, Indiana, 47630  
2150 Chadwick Drive, Newburgh, Indiana, 47630  
2158 Chadwick Drive, Newburgh, Indiana, 47630  
2166 Chadwick Drive, Newburgh, Indiana, 47630  
2200 Sable Way, Newburgh, Indiana, 47630  
2233 Sable Way, Newburgh, Indiana, 47630  
8500 Angel Drive, Newburgh, IN 47630

which is described on the attached Exhibits "A and C" and shown on the attached Exhibit "B and D",

**Section 3:**

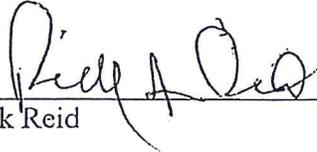
The Public Utility Easement being vacated was platted as a 6-foot wide Public Utility Easement being Part of Lots 52, 53, 54, 55, 56, 57, 58, 59 and 98 in the Plat of the Bellevue, Section 1 which is recorded as Document Number 2016R-000497 in the Office of the Recorder of Warrick County

**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 25<sup>th</sup>  
day of July, 2016.

BOARD OF COMMISSIONERS  
WARRICK COUNTY, INDIANA

  
\_\_\_\_\_  
Rick Reid

  
\_\_\_\_\_  
Marlin Weisheit

  
\_\_\_\_\_  
Don Williams

ATTEST:

   
\_\_\_\_\_  
Deborah K. Stevens  
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

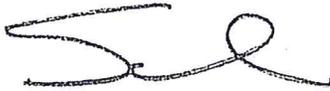
I affirm, under penalties of perjury, that I have taken reasonable care to redact each  
Social Security number in this document, unless required by law.

Scott D. Buedel

**6-Foot Public Utility Easement  
Vacation Description  
Exhibit A**

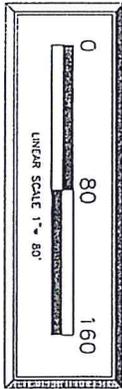
Part of Lots 57, 58, 59 and 98 in the Plat of the Bellevue, Section 1 which is recorded as Document Number 2016R-000497 in the Office of the Recorder of Warrick County, Indiana and being described as follows:

Commencing at the Northeast Corner of said Lot 57 and the west Right of Way line of Bell Road as shown on said plat; thence along the west line of said Right of Way, South 00 degrees 20 minutes 39 seconds West 6.00 feet to the point of beginning; thence continue along the west line of said Right of Way, South 00 degrees 20 minutes 39 seconds West 701.62 feet to the North line of a 15-foot Sanitary Sewer Easement; thence along the north line of said Sanitary Sewer Easement, North 89 degrees 19 minutes 46 seconds West 6.00 feet to the West line of the 6-foot Public Utility Easement to be vacated; thence along said 6-foot Public Utility Easement, North 00 degrees 20 minutes 39 seconds East 701.58 feet to the south line of a 6-foot Public Utility Easement; thence South 89 degrees 39 minutes 21 seconds East 6.00 feet to the point of beginning and containing 4,210 square feet.

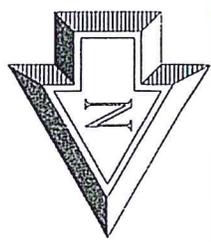


Scott D. Buedel, PLS

10/31/2015



Bearings used in this survey are based on a survey recorded in Document 2015R-002359



**Title 865 IAC 1-12-12**  
 All boundary lines and right-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 replacement survey, original survey, a notice survey or a surveyor location report.

**Public Utility  
 Easement Vacation  
 Bellevue, Section 1**

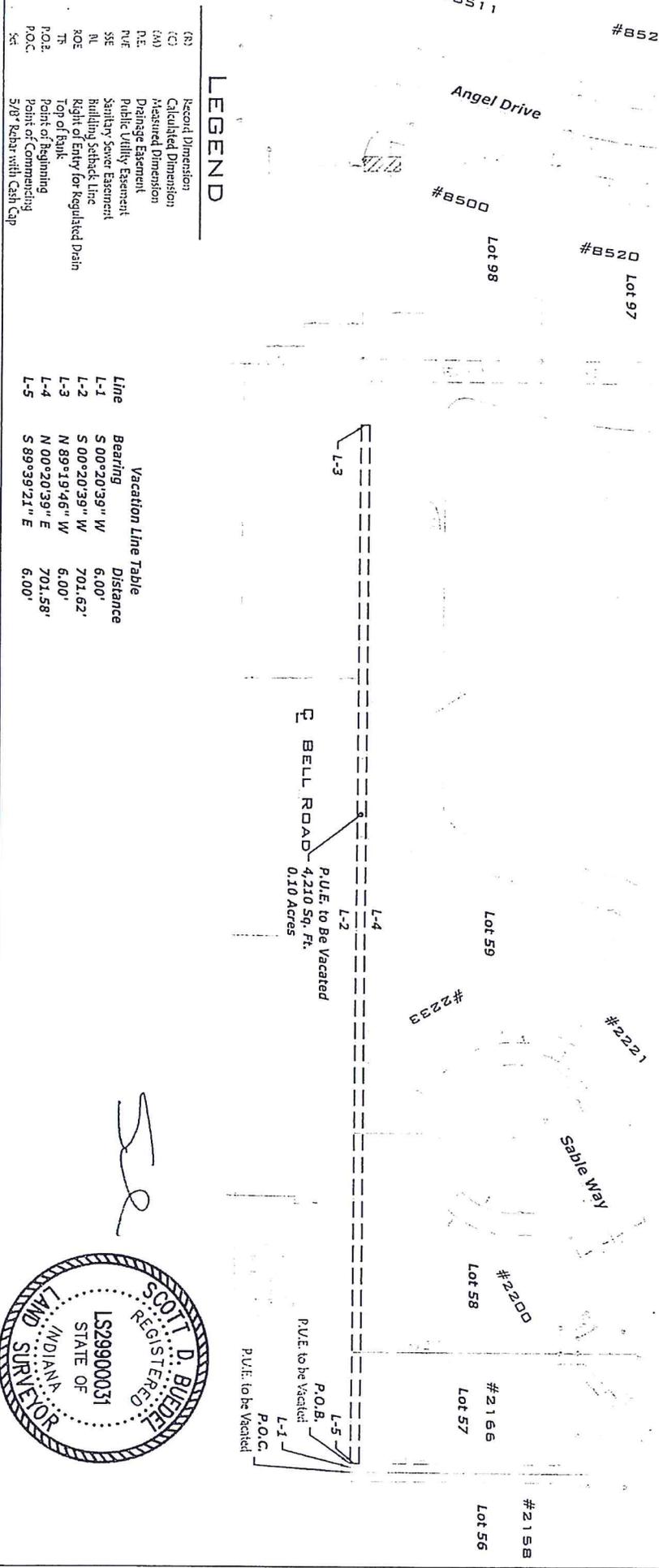
Part of the East Half of the Northwest Quarter of Section 15, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana.  
 CD Real Estate Development, Inc - Document 2016R-000497

# Exhibit "B"

DATE	15-2-195	CURVE	CD REAL ESTATE DEVELOPMENT
DRAWN BY	LAONIER	ADDRESS	BELLEVUE SUBDIVISION BELLEVUE SUB- VACATION EXH
TYPED BY	BELLEVUE SUB- VACATION EXH	SHEET	PUBLIC UTILITY EASEMENT VACATION EXHIBIT LOTS 57, 59 & 98 OF BELLEVUE, SECTION 1
SCALE	1" = 80'	DATE	4/12/2016

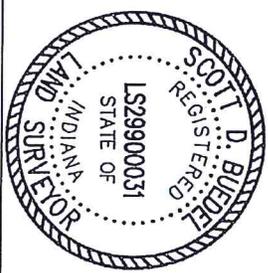
**CASH WAGGONER  
 & ASSOCIATES, PC**  
 CONSULTING ENGINEERS • LAND SURVEYORS  
 WWW.CASHWAGGONER.COM

412 Grand Circle  
 Evansville, IN 47713  
 Ph: 812-451-5561  
 Fax: 812-451-5563



## LEGEND

(B)	Record Dimension	Line	Vacation Line Table
(C)	Calculated Dimension	Bearing	Distance
(S)	Measured Dimension	S 00°20'39" W	6.00'
(D)	Drainage Easement	S 00°20'39" W	701.62'
(E)	Public Utility Easement	N 89°19'46" W	6.00'
(F)	Sanitary Sewer Easement	N 00°20'39" E	701.58'
(G)	Building Setback Line	S 89°39'21" E	6.00'
(H)	Right of Entry for Regulated Drain		
(I)	Top of Bank		
(J)	Point of Beginning		
(K)	Point of Commencement		
(L)	5/8" Rubber with Cash Cap		



**6-Foot Public Utility Easement  
Vacation Description  
Exhibit C**

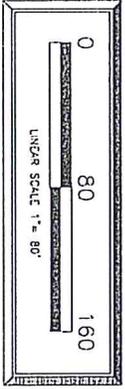
Part of Lots 52, 53, 54, 55, and 56 in the Plat of the Bellevue, Section 1 which is recorded as Document Number 2016R-000497 in the Office of the Recorder of Warrick County, Indiana and being described as follows:

Commencing at the Southeast Corner of said Lot 56 and the west Right of Way line of Bell Road as shown on said plat; thence along the west line of said Right of Way, North 00 degrees 20 minutes 39 seconds East 6.00 feet to the point of beginning; thence North 89 degrees 39 minutes 21 seconds West 6.00 feet to the west line of a 6-foot Public Utility Easement to be vacated; thence along said 6-foot Public Utility Easement, North 00 degrees 20 minutes 39 seconds East 394.00 feet to the South line of a 10-foot Public Utility Easement; thence South 89 degrees 39 minutes 21 seconds East 3.32 feet to the west Right of Way of Bell Road and being the beginning of a curve to the right having a central angle of 30 degrees 00 minutes 00 seconds, a radius of 20.00 feet and a chord dimension of South 14 degrees 39 minutes 21 seconds East 10.35 feet; thence along the Right of Way of Bell Road and along the arc of said curve 10.47 feet; thence along the west Right of Way of Bell Road, South 00 degrees 20 minutes 39 seconds West 384.00 feet to the point of beginning and containing 2,355 square feet.

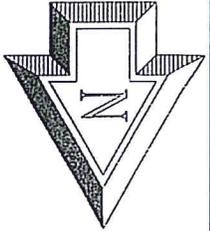


Scott D. Buedel, PLS

10/31/2015



Bearings used in this survey are based on a survey recorded in Document 2015R-002569

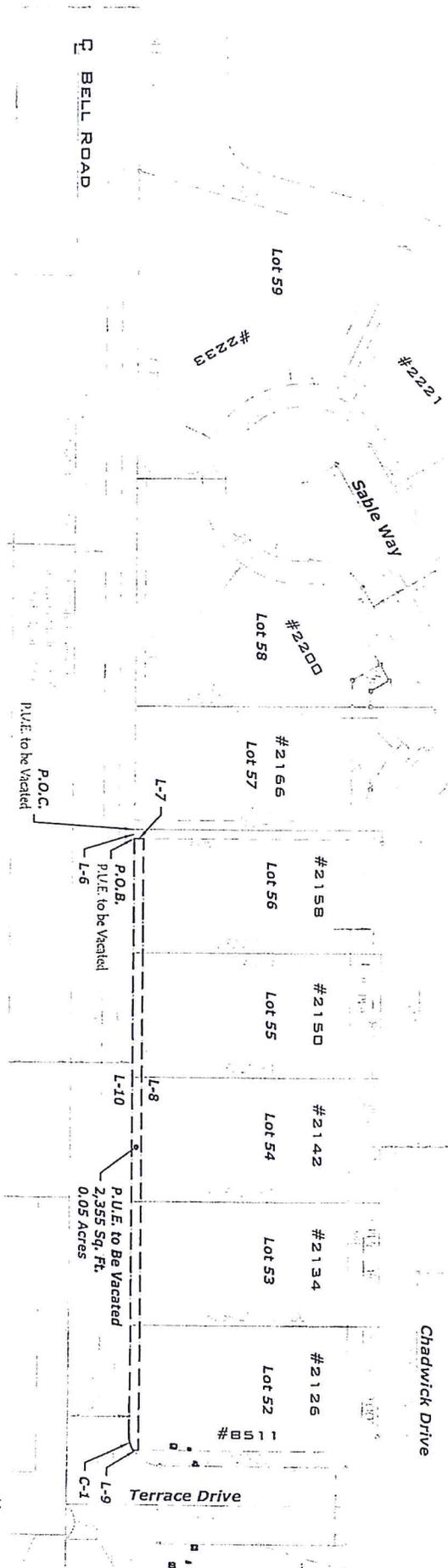


**TITLE 865 IAC 1-12-12**  
All boundary lines and right-of-ways shown on this exhibit are based on a limited number of found monuments. This drawing is not intended to be represented as a replacement survey, original survey, a route survey of a surveyor location report.

**Public Utility  
Easement Vacation  
Bellevue, Section 1**

Part of the East Half of the Northwest Quarter of Section 15, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana.  
CD Real Estate Development, Inc - Document 2016R-000497

# Exhibit "D"



## LEGEND

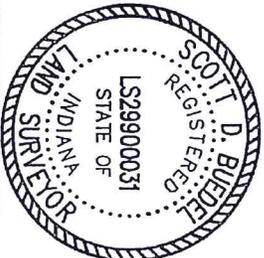
Symbol	Description
(D)	Second Dimension
(C)	Calculated Dimension
(M)	Measured Dimension
E.E.	Easement
P.U.E.	Public Utility Easement
S.E.	Sanitary Sewer Easement
BL	Building Setback Line
ROE	Right of Entry for Regulated Drain
TR	Top of Bank
P.O.B.	Point of Beginning
P.O.C.	Point of Commencing
5/8"	Rebar with Cash Cap

Vacation Line Table	
L-6	N 00°20'39" E 6.00'
L-7	N 89°39'21" W 6.00'
L-8	N 00°20'39" E 394.00'
L-9	S 89°39'21" E 3.32'
L-10	S 00°20'39" W 384.00'

Vacation Curve Table		
CURVE	RADIUS	ARC LENGTH
C-1	20.00'	10.47'

Vacation Chord Table	
CHORD BEARING	DELTA ANGLE
S 14°39'21" E	30°00'00"

*SS*



Order No.:	15-2195	Client:	CD REAL ESTATE DEVELOPMENT
Drawn by:	LADNIER	Address:	BELLEVUE SUBDIVISION NEWBURGH, IN 47630
Project:	BELLEVUE SUB. VACATION EXH.	Sheet Title:	PUBLIC UTILITY EASEMENT VACATION EXHIBIT LOTS 52 - 56 OF BELLEVUE, SECTION 1
Scale:	1" = 80'	Date:	4/12/2016

**CASH WAGNER  
& ASSOCIATES, PC**  
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