

STATE OF INDIANA)
) SS:
COUNTY OF WARRICK)

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY,
INDIANA

IN THE MATTER OF THE PETITION TO VACATE THE EAST SIX FEET OF
A PUBLIC UTILITY EASEMENT ON THE WEST SIDE OF LOT 10 OF THE
CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA
RESIDENTIAL DEVELOPMENT

PETITION

TO THE HONORABLE BOARD OF COUNTY COMMISSIONER OF THE COUNTY
OF WARRICK, STATE OF INDIANA:

IN THE MATTER OF THE PETITION TO VACATE THE EAST SIX FEET OF A
TWELVE FOOT PUBLIC UTILITY EASEMENT ON THE WEST SIDE OF LOT 10
OF THE CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA
RESIDENTIAL DEVELOPMENT.

1. The Petitioner is Jonathan Alstatt, 4811 Elizabeth Lane, Newburgh, IN 47630, to your Honorable Commission represent as follows:
2. That said Petitioner is the owners of the property at 4811 Elizabeth Lane, Newburgh, Indiana, 47630 described as follows: LOT 10 in the CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT, as per plat thereof, recorded in Doc. No. 2000R-008504 in the Office of the Recorder of Warrick County, Indiana.
3. The description of the proposed property to be vacated. THE EAST SIX FEET OF A TWELVE FEET PUBLIC UTILITY ALONG THE WEST SIDE OF LOT 10 OF THE CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT.
4. Names and Addresses of adjacent landowners SEE EXHIBIT "A"
5. Location Map showing area TO BE VACATED. SEE EXHIBIT "B"

6. Letter from Indiana – American Water, SEE EXHIBIT “C”
7. Letters from Newburgh Sewer Department: SEE EXHIBIT “D”
8. Letter from Vectren “E”: Southern Indiana Gas and Electric Company, Inc. d/b/a Vectren Energy Delivery of Indiana.
9. Letters from AT&T, Time Warner Cable & W.O.W. SEE EXHIBITS, “F”, “G” and “H”.

Respectfully Submitted by:

Jonathan Alstatt

Jonathan Alstatt
4811 Elizabeth Lane
Newburgh, IN 47630

Before me, a Notary Public in and for the State of Indiana, personally appeared, Jonathan Alstatt, who acknowledged the execution of this document to be their voluntary act.

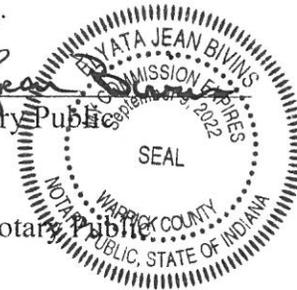
WITNESS my hand and Seal the 10th day of October, 2016.

Elyata Jean Bivins
Signature of Notary Public

My Commission Expires: September 9, 2022

Elyata Jean Bivins
Printed Name of Notary Public

Residence of Warrick County, Indiana.



NOTICE OF PUBLIC HEARING
TO
VACATE SIX (6) FEET OF A
PUBLIC UTILITY EASEMENT

FILED *W.A.*
OCT 11 2016
Deborah K. Stevens

DATE: OCTOBER 11, 2016

TO: ADJACENT LANDOWNER

NAME OF PETITIONER: JONATHAN ALSTATT
4811 ELIZABETH LANE
NEWBURGH, IN 47639

RE: NOTICE OF A PUBLIC HEARING TO VACATE THE EAST SIX (6) FEET OF A
TWELVE (12) FEET PUBLIC UTILITY EASEMENT ALONG THE WEST SIDE OF
LOT 10 IN THE CORRECTED PLAT OF SUNRISE MANOR AMENDED PLAT OF
ACACIA RESIDENTIAL DEVELOPMENT.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT WILLIAM Y. BIVINS, PE-PS,
10579 OAK GROVE ROAD, NEWBURGH, IN 47630 (812-858-9269). WITHIN
10 DAYS OF THE POSTMARK DATE OF THIS NOTICE. IF YOU WISH TO
APPEAR AT THIS HEARING YOU MUST SIGN-IN AT THE COMMISSIONERS
MEETING, THIRD FLOOR, OLD COURT HOUSE, BOONVILLE, INDIANA AT 4:00
P.M. ON NOVEMBER 14, 2016.



Deborah Stevens, Auditor

ADJACENT LANDOWNERS SUNRISE MANOR

87-12-27-400-142.000-019

87-12-27-400-141.000-019

Larry & Kathy L. Hess, etal

8000 Camp Brosend Road

Newburgh, IN 47630

2015R-003770

87-12-27-300-084.000-019

Gary W. & Kimberly A. Adkisson

8011 Camp Brosend Road

Newburgh, IN 47630

2011R-000847

87-12-27-300-147.00-019

Stephen W. & Elaine R. Crow

P.O.Box 46

Newburgh, IN 47630

DF3Cd16769

87-12-27-412-011.000-019

Nathan Long

7333 Marywood Drive

Newburgh, IN 47630

2011R-007868

87-12-27-412-024.000-019

Roberto & Regina Nava

4820 Elizabeth Lan

Newburgh, IN 47630

87-12-27-412-009.000-019

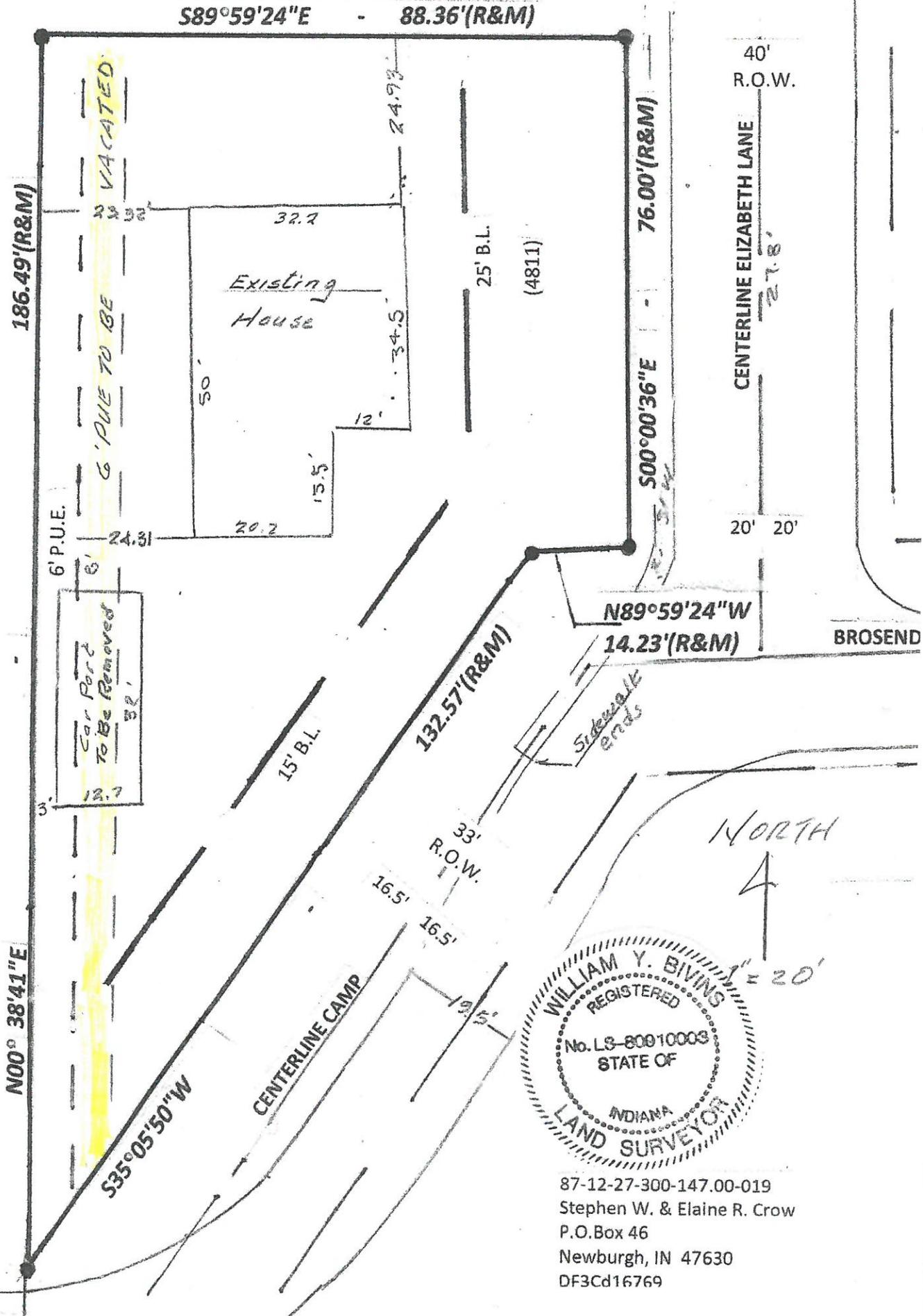
Nathan Long

7333 Marywood Drive

Newburgh, IN 47630

2011R-009711

PLOT PLAN



RECORDED
MARRICK COUNTY RECORDER
RECORDED ON
08-23-2000 12:29 PM

2000R-008504

SHANNON WEISHEIT
RECORDER OF DEEDS
REC FEE: 19.00
COPY FEE:
PAGES: 1

CORRECTED PLAT

SUNRISE MANOR AMMENDED PLAT OF ACACIA RESIDENTIAL DEVELOPMENT

A PART OF THE S.E. 1/4 OF THE S.E. 1/4 OF SECTION 27-T6S-R9W
AND A PART OF THE S.W. 1/4 OF SECTION 26-T6S-R9W IN OHIO CIVIL
TOWNSHIP WARRICK CO. INDIANA AS RECORDED IN DOC# 1999R-009451
IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, WARRICK COUNTY
INDIANA.

WARRICK COUNTY
SHANNON WEISHEIT, RECORDER
DOC. NO. 2000R-008504
DATE 8-23-2000 12:29 PM
PAGES 1

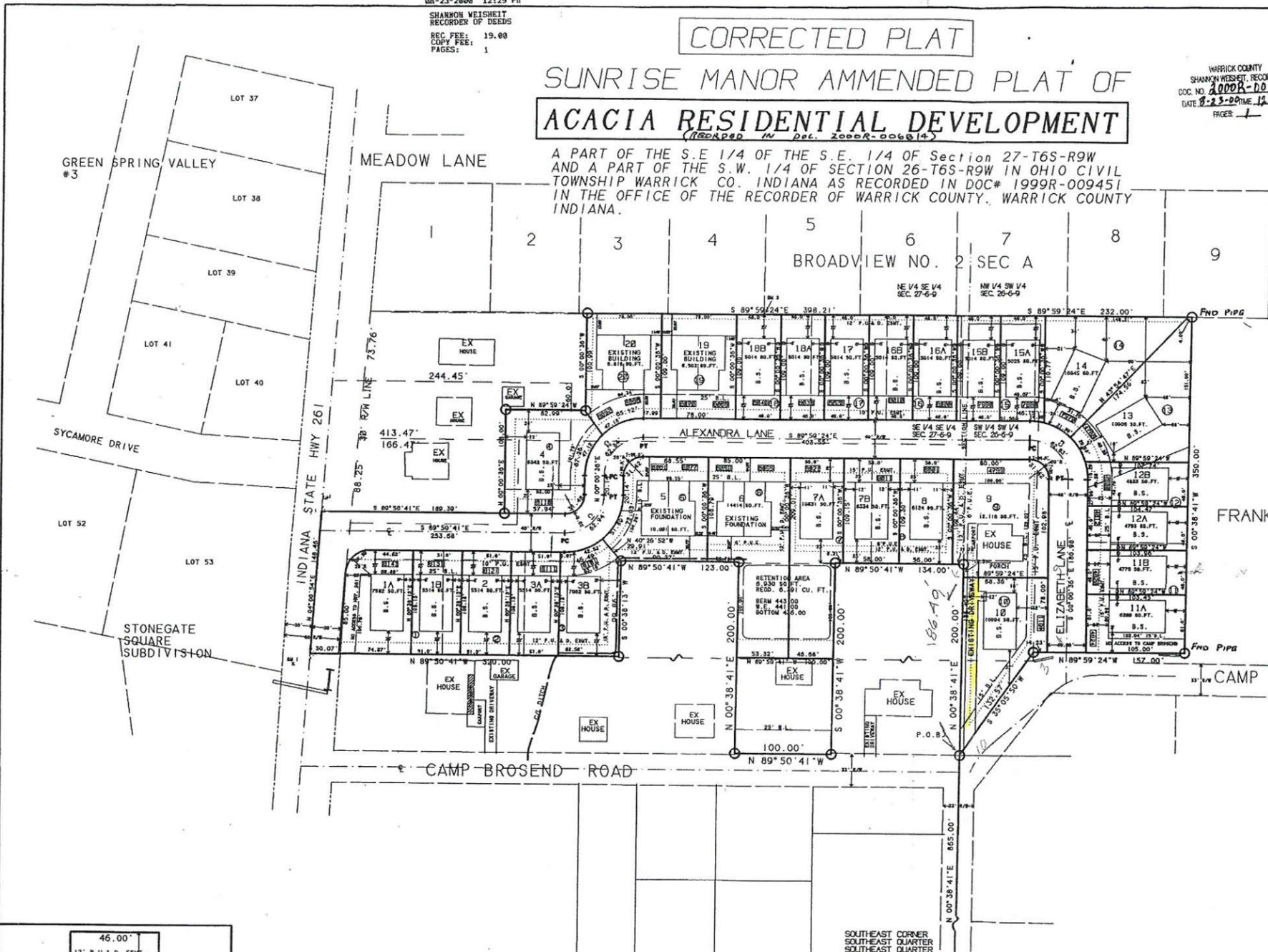
THIS CORRECTED PLAT WAS NECESSARY DUE
TO A CHANGE IN OWNERSHIP THAT APPEARED
IN THE ORIGINAL CERTIFICATE. ALL OTHER
ASPECTS OF THIS PLAT REMAINS THE
SAME. DJM

SCALE 1"=60'



LEGAL DESCRIPTION

A part of the Southeast Quarter of the Southeast Quarter of
Section Twenty-seven (27) Township Six (6) South Range Nine (9) West,
and a part of the Southeast Quarter of the Southeast Quarter of said
Section 27; thence continuing North along said line, a distance of
200.00 feet; thence North 89 degrees 50 minutes 41 seconds West,
a distance of 134.00 feet; thence South 0 degrees 38 minutes 41 seconds
West, a distance of 200.00 feet; thence North 89 degrees 50 minutes 41
seconds East, a distance of 123.00 feet; thence South 0 degrees 38
minutes 41 seconds West, a distance of 99.86 feet; thence North 89
degrees 50 minutes 41 seconds East, a distance of 200.00 feet; thence North 89
degrees 50 minutes 41 seconds West, a distance of 123.00 feet; thence
South 0 degrees 38 minutes 41 seconds West, a distance of 99.86 feet;
thence North 89 degrees 50 minutes 41 seconds East, a distance of
320.00 feet; thence North 4 degrees 00 minutes 54 seconds East, a
distance of 148.46 feet; thence South 89 degrees 50 minutes 41 seconds
East, a distance of 194.39 feet; thence North 0 degrees 00 minutes 36
seconds East, a distance of 111.27 feet; thence South 89 degrees 50
minutes 24 seconds East, a distance of 77.99 feet; thence North 0
degrees 00 minutes 36 seconds East, a distance of 109.00 feet; thence
South 89 degrees 50 minutes 24 seconds West, a distance of 398.21
feet; thence continuing East along said line, a distance of 232.00
feet; thence South 0 degrees 38 minutes 41 seconds West, a distance of
350.00 feet; thence North 89 degrees 59 minutes 24 seconds East, a
distance of 157.00 feet; thence South 35 degrees 05 minutes 50 seconds
West, a distance of 132.57 feet to the POINT OF BEGINNING; said
described tract containing 5.931 acres, more or less.



Commencing at the Southeast Corner of the Southeast Quarter of the
Southeast Quarter of said Section 27; thence North 0 degrees 38
minutes 41 seconds East, a distance of 865.00 feet to the Northeast
Corner of the Southeast Quarter of the Southeast Quarter of said
Section 27; thence continuing North along said line, a distance of
200.00 feet; thence North 89 degrees 50 minutes 41 seconds West,
a distance of 134.00 feet; thence South 0 degrees 38 minutes 41 seconds
West, a distance of 200.00 feet; thence North 89 degrees 50 minutes 41
seconds East, a distance of 123.00 feet; thence South 0 degrees 38
minutes 41 seconds West, a distance of 99.86 feet; thence North 89
degrees 50 minutes 41 seconds East, a distance of 200.00 feet; thence North 89
degrees 50 minutes 41 seconds West, a distance of 123.00 feet; thence
South 0 degrees 38 minutes 41 seconds West, a distance of 99.86 feet;
thence North 89 degrees 50 minutes 41 seconds East, a distance of
320.00 feet; thence North 4 degrees 00 minutes 54 seconds East, a
distance of 148.46 feet; thence South 89 degrees 50 minutes 41 seconds
East, a distance of 194.39 feet; thence North 0 degrees 00 minutes 36
seconds East, a distance of 111.27 feet; thence South 89 degrees 50
minutes 24 seconds East, a distance of 77.99 feet; thence North 0
degrees 00 minutes 36 seconds East, a distance of 109.00 feet; thence
South 89 degrees 50 minutes 24 seconds West, a distance of 398.21
feet; thence continuing East along said line, a distance of 232.00
feet; thence South 0 degrees 38 minutes 41 seconds West, a distance of
350.00 feet; thence North 89 degrees 59 minutes 24 seconds East, a
distance of 157.00 feet; thence South 35 degrees 05 minutes 50 seconds
West, a distance of 132.57 feet to the POINT OF BEGINNING; said
described tract containing 5.931 acres, more or less.

- LEGEND**
- BOUNDARY
 - LOT LINES
 - - - EASEMENTS
 - BUILDING LINE
 - ② - OLD LOT NUMBER (ACACIA)

STORM DRAINAGE NOTE:
A PRIVATE EASEMENT FOR STORM WATER RETENTION
A TOP BERM ELEVATION OF 443.0 FEET ABOVE MEAN
SEA LEVEL AND A BOTTOM ELEVATION OF 436.0 FEET
AND A FLOW LINE ELEVATION OF 441.0 FEET ABOVE
MEAN SEA LEVEL SHALL CONTINUALLY BE MAINTAINED.
WARRICK COUNTY SHALL NOT BE RESPONSIBLE FOR ANY
MAINTENANCE OF SAID PRIVATE EASEMENT.
SEE PRIVATE RESTRICTIVE COVENANTS RECORDED IN
DOC. 2000R-008504

NO OF LOTS 27
MIN. LOT SIZE 4759 SQ.FT.

ALL PROPERTY CORNERS LOCATED WITH 5/8" P
BM#RM M1 ELEV. 438.57 SW COR. LOT 1
BM#2- TOP EX IP @ LOTS 4 & 5 BROADVIEW SUB.
ELEV. 450.93

PU & D-PUBLIC UTILITIES & DRAINAGE
C/L- CENTER LINE

PROPERTY IS NOT LOCATED WITHIN
THE 100 YEAR FLOOD PLAIN AS PER
PANEL#80418-0100 C
DATED FEBRUARY 3/993

BASIS OF BEARING:
BROADVIEW NO.2 SEC. 'A'

H-HOUSE
G-GARAGE
B-BARN
B.S.- BUILDING SITE
NOTE: ALL BUILDING SITES ARE
34'X59'

NOTE: THE PURPOSE OF THIS PLAT IS TO
AMEND THE OWNERSHIP SIGNATURES OF
LOTS 19 & 20

OWNERS OF RECORD

DEDICATION CERTIFICATE

We, the undersigned, owners of the real estate shown and described herein do by off, plat and subdivide
said real estate in accordance with the herein plat.
The subdivision shall be known and designated as SUNRISE MANOR
an addition to the ACACIA subdivision, Township, Warrick County, Indiana. All
streets, ways and public open spaces shown and not heretofore dedicated, are hereby
dedicated to the public.
Front and side yard building set back lines are hereby established as shown on this plat
between which lines and the property line of the street, there shall be erected or maintained
no building or structure.
Easements for the installation and maintenance of utilities and drainage facilities are reserved
as shown on the recorded plat and over the rear AS SHOWN feet of each lot. Within these
easements no structure or other material shall be placed or permitted to remain which may damage or interfere
with the installation and maintenance of utilities or which may change the direction of flow of
drainage channels in the easements, which may obstruct or retard the flow of water through
the drainage channels in the easements. The open area of each lot and all improvements in it shall be maintained continuously
by the owner of the lot, except for those improvements for which a public authority or utility
company is responsible.
The right to enforce these provisions by injunction, together with the right to cause the removal
by due process of law, of any structure or part thereof erected or situated in violation hereof,
is hereby dedicated to the public and reserved to the several owners of the several lots in this
subdivision and to their heirs and assigns.

WITNESS my hand and seal this 6 day of AUGUST 2000

John Graybill
ACACIA LLC
JOHN GRAYBILL (LOT 20)
WALT W. LOWE (LOT 21)
(AS TRUSTEE)

Leesa Danneker
LEESA DANNEKER (LOT 20)
Walter Lowe
LYNN D. LOWE (LOT 21)
(AS TRUSTEE)

LAND SURVEYOR CERTIFICATE
I, DOUGLAS J. McDONALD,
Surveyor of the State of Indiana, do hereby certify that the plat correctly represents a survey completed by me on
NOV 29, 2000
and that all measurements thereon are accurately shown, and comply with all of the Subdivision Control Ordinance,
AS OF THIS DATE.



ACKNOWLEDGEMENT CERTIFICATE
STATE OF INDIANA
COUNTY OF WARRICK
Before me, the undersigned a Notary Public, in and for said County and State, personally appeared the aforesaid named
parties appearing and each separately and severally acknowledged the execution of the foregoing instrument to be their voluntary act and
deed, for the purpose therein expressed.

WITNESS my hand and Notarial Seal this 1st day of August 2000
My Commission Expires Nov 2, 2007 *Debra S. Hansen*
Notary Public - Signature
I reside in Vanderburgh County, Indiana.
Debra Hansen
Notary Public - Printed Name



DRAINAGE BOARD CERTIFICATE
I, Larry Barr, hereby certify that I am the Secretary of the Warrick County Drainage Board
that on 4-12-99, the drainage plan for ACACIA subdivision was
presented before the Board and that on 4-12-99, the drainage plan was approved
by said Board. The drainage easements shown on the plat will not be under the continuing jurisdiction of
this Board, which has no authority over the construction or subsequent maintenance of such drains. The
drainage easements are solely for the benefit of the landowners in the subdivision, and no dedication thereof
to the County or the Board is to be applied by this approval.

Signed _____
Date August 4, 2000
Larry Barr
LARRY BARR Secretary

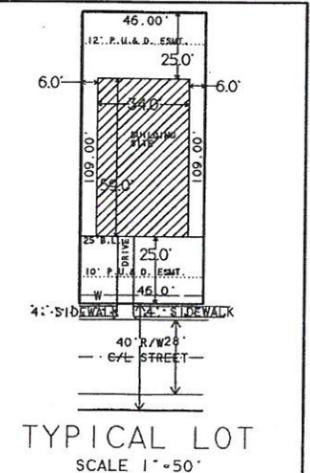
CERTIFICATE OF APPROVAL
Under the authority provided Title 36, Article 7, Chapter 4, Section 700 ET SEQ.
enacted by the General Assembly of the State of Indiana and of each amendatory statute
and other proper public notice of the hearing was published, the plat was given final approval
by a majority of the members of the Warrick County Planning Commission at a meeting held on
APRIL 17, 2000

Warrick County Area Planning Commission
Plat Release Debra S. Hansen President
Date: August 23, 2000 *Shirley Phillips* Secretary
Shirley Phillips
SHIRLEY PHILLIPS Secretary



NOTICE

"Street, Road, and other minimum im-
provements have not been made and the
public is notified that Warrick County,
Indiana will not accept the same for main-
tenance until the owners of the various lots
herein improve the same up to said mini-
mum standards."



20' ACACIA SEC. DEN.
SUNRISE MANOR - AMMENDED PLAT
CORRECTED PLAT
DATE 8/23/2000
DJM