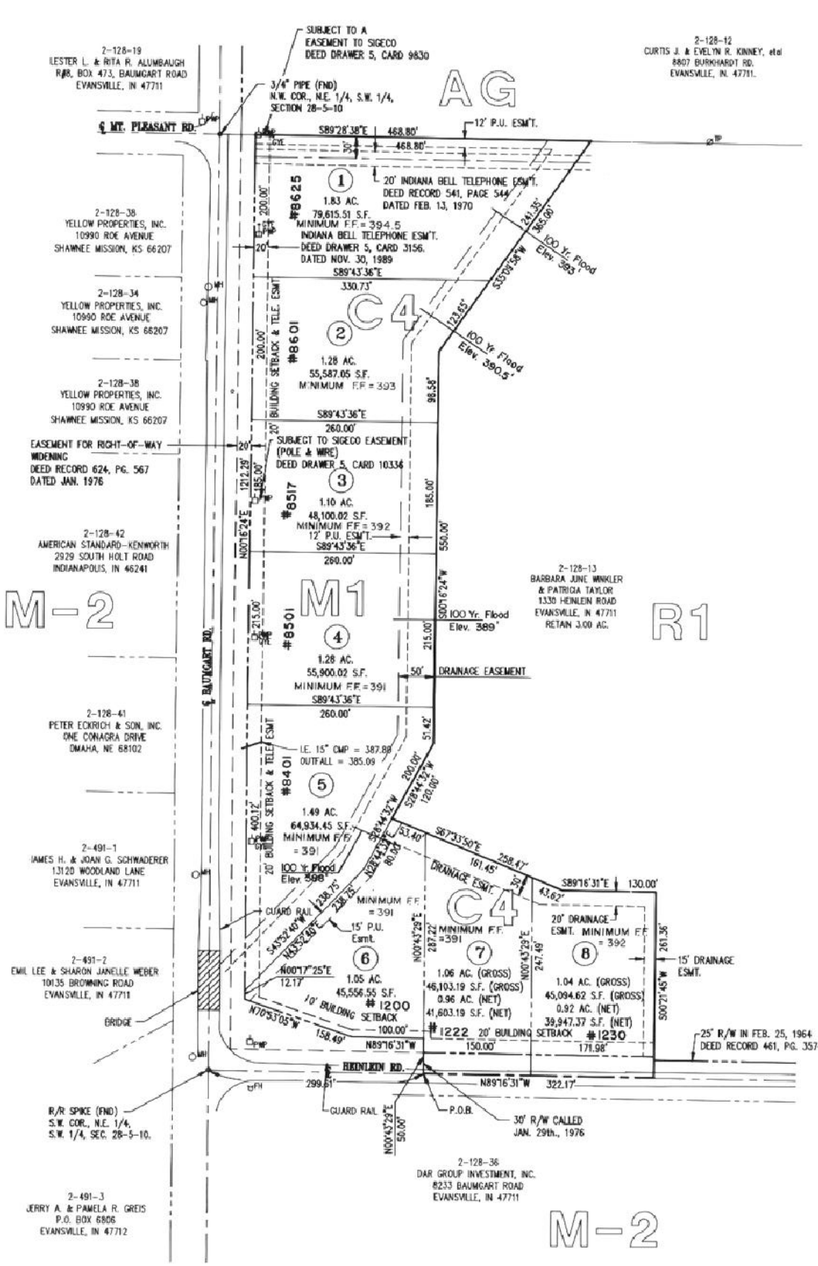
BETTY J. HERMANN RECORDER
VANDERBURGH COUNTY

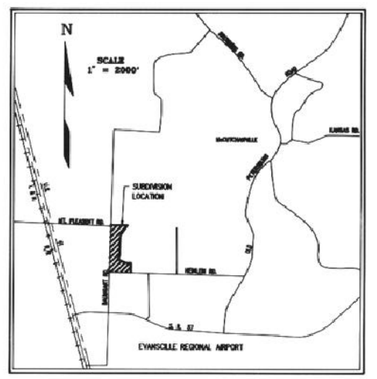
Restrictions see misc dr. 4 cd 3472 Instr. 94-17577 Date 6/30/94 ATTEST: Patti Hullette DRVC

For easement Applying to Lot See Deed Drawer ___ Card ___

BAUMGART ROAD COMMERCIAL

SUBDIVISION





LOCATION MAP

0-155

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

MAY 27 1994

Tom Dingley AUDITOR 3067

RECD 4:02 P. MAY 27 '94 0 155

94-14732

SCALE 1" = 100'

100 0 100 200

STORM DRAINAGE PLANS WERE APPROVED BY THE VANDERBURGH COUNTY DRAINAGE BOARD ON:

8/23/93 (date)

ROAD CONSTRUCTION PLANS WERE APPROVED BY THE VANDERBURGH COUNTY COMMISSIONERS ON:

N/A (date)

BOUNDARY DESCRIPTION

Part of the Northeast Quarter of the Southwest Quarter of Section 28, Township 5 South, Range 10 West, in Vanderburgh County, Indiana, being more particularly described by metes and bounds as follows:

Commencing at the southwest corner of the Northeast Quarter of the Southwest Quarter of Section 28-5-10; thence along the south line thereof north 89 degrees 16 minutes 31 seconds east 299.61 feet to the true point of beginning; thence north 00 degrees 43 minutes 29 seconds east 30.00 feet to the north right-of-way line of Heinlein Road; thence along the north line thereof north 00 degrees 43 minutes 29 seconds east 20.00 feet; thence continue along said right-of-way north 89 degrees 16 minutes 31 seconds west 100.00 feet; thence continue along said right-of-way north 70 degrees 53 minutes 05 seconds west 158.49 feet to the east right-of-way line of Baumgart Road; thence along said east line north 00 degrees 16 minutes 24 seconds east 1212.29 feet to the north line of said quarter quarter section; thence along the north line thereof south 89 degrees 28 minutes 38 seconds east 468.80 feet; thence south 35 degrees 09 minutes 58 seconds west 365.00 feet; thence south 00 degrees 16 minutes 24 seconds west 550.00 feet; thence south 28 degrees 44 minutes 32 seconds west 120.00 feet; thence south 67 degrees 33 minutes 50 seconds east 258.47 feet; thence south 89 degrees 16 minutes 31 seconds east 130.00 feet; thence south 00 degrees 21 minutes 45 seconds west 261.36 feet to the centerline of Heinlein Road; thence along the centerline thereof north 89 degrees 16 minutes 31 seconds west 322.17 feet to the true point of beginning, containing 10.12 acres (440,906.73 square feet).

Subject to a permanent easement for the right-of-way for Baumgart Road along the west side thereof as per document recorded in Deed Record 624, page 567.

Subject to an easement for the right-of-way for Heinline Road along the south side thereof as per document recorded in Deed Record 461, page 357-A.

Subject to an easement, 20 feet in width, located 30 feet south of the north line thereof granted to Indiana Bell Telephone Company, Inc. as per document recorded in Deed Record 541, page 544.

Subject to an easement 20 feet in width adjoining the east right-of-way line of Baumgart Road granted to Indiana Bell Telephone Co., Inc. as per document recorded in Deed Drawer 5, card 3,156.

Subject to an easement for right-of-way granted to Southern Indiana Gas & Electric Company as per document recorded in Deed Drawer 5, card 10,336.

Subject to an easement for right-of-way granted to Southern Indiana Gas & Electric Company as per document recorded in Deed Drawer 5, card 9,830.

SURVEYOR'S CERTIFICATE

I, Danny K. Leek, do hereby certify that I am a professional registered land surveyor licensed in compliance with the laws of the State of Indiana and that this plat correctly represents a true and accurate survey completed under my direct supervision on SEPT 30, 1993, and that the monuments shown hereon actually exist and that their locations and materials are accurately shown.

Witness my hand and seal this 2nd day of May, 1994.

DANNY K. LEEK REGISTERED No. S0480 STATE OF INDIANA LAND SURVEYOR

Danny K. Leek, R.L.S.
Indiana Registration No. S0480

GENERAL NOTES

Zoning: The adjacent property to the north and east is currently zoned agricultural; the adjacent property to the west and south is currently zoned M-2. Lots 1, 2, 6, 7 and 8 are zoned C-4; Lots 3, 4 and 5 are zoned M-1.

Flood Plain Data: The 100 YEAR FLOOD ZONE falls within the drainage easement along the rear of the lots.

Drainage Swale: All parts of the drainage easement along the rear of lots 1 thru 8 shall be re-vegetated. Trees shall be planted or allowed to grow within the easement above the 100 Year Flood Elevation only in order to create a landscaping buffer between the residential area to the east and these lots. Lot owners shall maintain the landscaping buffer and the drainage swale and any earth berm on their lot.

Wetland Designation: The subject tract of land does not lie within or contain any wetland classification as said tract plots by scale on U.S. Department of the Interior, Fish and Wildlife Service National Wetlands Inventory Map for Evansville North, Indiana, dated 1989.

Basements: Any basements must be approved by the Vanderburgh County Building Commissioner.

Utilities: Sewer, water, and electric are available near the site and can be extended to serve this development.

Road Grades: Maximum road grades will not exceed 8%.

Temporary Erosion Control: (during construction)

- Slopes of 0% to 6% shall be mulched and seeded with a cover crop, i.e., rye, red top, or wheat, within forty-five (45) days of disturbance of soil, which must remain in place until final grading and shaping.

  Slopes of more than 6% shall be mulched and seeded and shall have straw bales and/or erosion blankets in place within five (5) days of disturbance of soil, which must remain in place until final grading and seeding.

Erosion Control for Ditches:

- Slopes of 0% to 2% shall be mulch and seeded within 45 days of disturbance.
- Slopes of 2% to 8% shall be sodded or stabilized with an erosion control mat at completion of ditch grading.
- Slopes over 8% require riprap or other approved stabilization at completion of ditch grading if the total ditch length at that point is greater than 100 feet.

Easements:

- All easements, unless otherwise indicated, are public utility and drainage easements. All easement widths are shown hereon.
- Individual lot owners shall not construct or place any obstruction within any public drainage easement which will interfere with the flow of surface water along drainage easement.
- No portable or permanent storage sheds, dog houses, or other permanent or portable building shall be placed within any easement.

Fences:

- No fence shall be constructed within or across Indiana Bell Telephone Company easement located on Lot 1.
- No fence shall be constructed within the drainage easement located along the subdivision perimeter and between Lots 5 and 6.
- Any fence constructed within any other easement is subject to the rights of ingress and egress by the utilities.

Driveways:

Each lot shall have one driveway unless additional drives are approved by the Site Review Committee or County Commissioners.

OWNERS' CERTIFICATE

The undersigned owners of the real estate shown and described hereon does hereby plat and subdivide said real estate as shown and designates the same as BAUMGART ROAD COMMERCIAL SUBDIVISION. All roads shown and not previously dedicated are hereby dedicated to public use.

Strips of ground, of the width shown on this plat and marked "Public Utility Easement", are hereby dedicated for the installation, maintenance, operation, enlargement and repair of utility facilities, whether above ground or below ground, with the right to trim or remove, at the discretion of the public utility, trees, overhanging branches, bushes, underbrush and obstructions. No structures other than such utility facilities shall be erected within said strips of land and any fence located within said strips of land is subject to removal by a public utility without liability in the use of said easements by said utility.

Strips of ground marked "Drainage Easement" are dedicated for surface water and/or subsurface water; provided, however, that public utilities are hereby permitted to cross such Drainage Easements with utility facilities; and provided that such facilities are not placed in such manner as to impede the flow of water and further provided that such drainage easements may be used for ingress and egress and temporary staging areas for work by public utilities. Drainage easements 5 foot wide are located on each side yard shown on this plat unless additional easements are noted.

Strips of ground marked "Public Utility and Drainage Easement" are dedicated for surface water and/or subsurface water drainage in addition to public utilities; provided, however, that no above ground parts of such utility facilities shall be placed within the banks of drainage ditches or swales in such manner as to impede the flow of water.

W. C. Bussing, Jr.
3 S. Brentwood Drive
Evansville, IN 47715

Bruce A. Biggerstaff
8150 Burch Park Road
Evansville, IN 47711

NOTARY CERTIFICATE

STATE OF INDIANA, COUNTY OF VANDERBURGH) ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the said Owners and Subdividers, who acknowledge the execution of the foregoing plat with the dedications and restrictions thereon, express to be their voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and seal this 18th day of May, 1994.

My Commission Expires: 2-25-97

Notary Resides in Vanderburgh County, Indiana

Joan M. Morley
Notary Public
Joan M. Morley
(typed or printed name)

NOTARY PUBLIC SEAL INDIANA

AREA PLAN COMMISSION CERTIFICATE

Under the authority provided by the Acts of 1981, Public Law #309, and enacted by the General Assembly of the State of Indiana, this plat has been given PRIMARY APPROVAL by the AREA PLAN COMMISSION of EVANSVILLE and VANDERBURGH COUNTY at a meeting held on Sept 1, 1993.

President

Executive Director

PLAT RELEASE DATE: MAY 27,1994

Executive Director

93-2603-4 5/2/94 PLAT.DWG