For easement Applying to this deed see Deed Book 8 x 8 - 8818

Theater Drive Commercial Park-Section 3

Replat of Lots 9 & 10 of Hirsch Commercial Subdivision Section 1

and part of the NW 1/4, SW 1/4, Section 13-T6S-R10W

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

FEB 2 0 2004

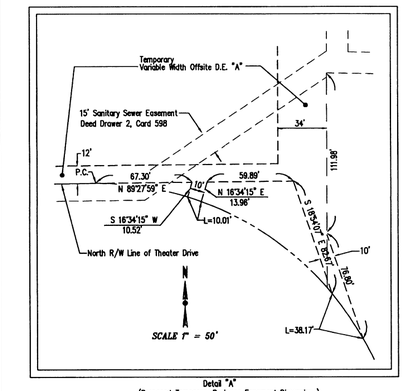
Bill Hutz AUDITOR

#1067

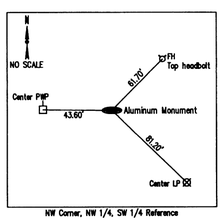
RECEIVED FOR RECORD A
DATE 02-20-04 9:37 M
PLAT BOOK R-
PAGE 95
INSTR # 2004R00005351
BETTY KNIGHT-SMITH RECORDER
VANDERBURGH COUNTY

CURVE TABLE

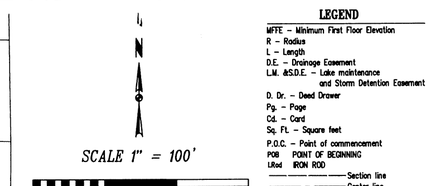
NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C1	84°56'45"	S 48°03'39" E	192.25	210.00	311.34	283.60
C2	90°31'19"	S 45°16'22" E	181.65	180.00	284.38	255.72



Detail "A"
(Proposed Temporary Drainage Easement Dimensions)

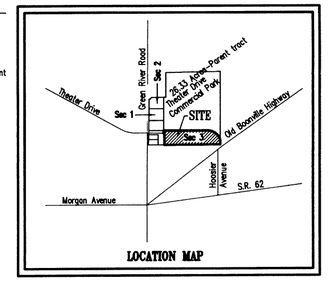


NW Corner, NW 1/4, SW 1/4 Reference



LEGEND

MFFE – Minimum First Floor Elevation
R – Radius
L – Length
D.E. – Drainage Easement
L.M. &S.D.E. – Lake maintenance and Storm Detention Easement
D. Dr. – Deed Drawer
Pg. – Page
Cd. – Card
Sq. Ft. – Square feet
P.O.C. – Point of commencement
POB POINT OF BEGINNING
I.Rod IRON ROD
Section line
Center line
R/W Right-of-way line
Easement line
Address



LOCATION MAP

OWNER'S CERTIFICATE

The undersigned owners of the real estate shown and described hereon do hereby plat and subdivide said real estate as shown and designate the same as **Theater Drive Commercial Park Section 3** . All roads shown and not previously dedicated are hereby dedicated to public use.

Strips or areas of land, of the dimensions shown on this plat and marked **"D.E."** (Drainage Easement) are dedicated for conveyance of surface water and/or subsurface water; provided however, that public utilities are hereby permitted to cross such Drainage Easements with utility facilities 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, egress and temporary staging areas for work by public utility so long as any damage caused to a drainage facility is repaired by the utility company. The property owner is responsible for maintenance and erosion control of said easements and shall not place landscaping, earth berms, fences or other obstructions that impede or reduce the flow of water.

Strips or areas of land, of the dimensions shown on this plat and marked **"L.M.& S.D.E."** (Lake Maintenance & Storm Detention Easement) are dedicated for the maintenance of the storm detention lake and maintenance, and storage of storm water. Any alterations to the land within these easements must have the approval of the Drainage Board. Fences may not be extended across the Lake Maintenance and Storm Detention Easement.

Strips or areas of land, of the dimensions shown on this plat and marked **"P.U.E."** (Public Utility Easement), are hereby dedicated to public utilities 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 located within said areas of land and any fence located within said areas of land is subject to removal by a public utility without liability in the use of said easements by said utility.

All easements are dedicated with the right of ingress and egress over the lots within this subdivision to and from said easements for necessary construction, maintenance or reconstruction.

Developer
Neville Investments L.P.
P.O.Box 5589
Evansville, IN 47715

By: James K. Neville
James K. Neville
P.O. Box 5589
Evansville, IN 47715
Title: General Partner

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 Owner(s) and Subdivider(s), the above James K. Neville 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 15TH day of JANUARY 2004

My Commission Expires:
MAY 21, 2010

Gerald M. Withrow
Notary Public

Notary Resides in VANDERBURGH County, Indiana

GERALD M. WITHROW
(typed or printed name)

NOTARY PUBLIC SEAL INDIANA

BOUNDARY DESCRIPTION

Lots 9 and 10 in Hirsch Commercial Subdivision, Section1, as per plat thereof, recorded in Plat Book P, Page 15 in the office of the Recorder of Vanderburgh County, Indiana; also part of the Northwest Quarter of the Southwest Quarter of Section 13, Township 6 South, Range 10 West in Knight Township, Vanderburgh County, Indiana, and being more particularly described by metes and bounds as follows:

Commencing at the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 13, Township 6 South, Range 10 West, said point being South 00 degrees 17 minutes 44 seconds West 1335.35 feet from the Northwest corner of the Southwest quarter of said quarter section; thence along the west line thereof North 00 degrees 17 minutes 44 seconds East 259.98 feet to a point on the north right-of-way line of Theater Drive, granted to the City of Evansville, recorded in Deed Drawer 5, Card 10073 in the office of the Recorder of Vanderburgh County, Indiana, said point also being the southwest corner of Hirsch Minor Sub. No. 1, recorded in Plat Book "MS, page 58 in the said office of the Recorder; thence along said north right-of-way line North 89 degrees 27 minutes 40 seconds East 295.00 feet to the southwest corner of Lot 8, in said Hirsch Commercial Subdivision, Section 1, said point also being the southeast corner of said Hirsch Minor Subdivision; thence along the south line and the extended south line of said Lot 8, being the north line of Theater Drive, North 89 degrees 27 minutes 59 seconds East 250.03 feet to the southeast corner of Lot 7 in said Hirsch Commercial Subdivision, Section 1, said point being the true point of beginning; thence continuing North 89 degrees 27 minutes 59 seconds East 611.63 feet to the point of curvature of a curve to the right having a central angle of 84 degrees 56 minutes 45 seconds and a radius of 210.00 feet, from which the chord bears South 48 degrees 03 minutes 39 seconds East 283.60 feet; thence along the arc of said curve 311.34 feet; thence South 64 degrees 31 minutes 35 seconds East 1.10 feet to a point on the east line of said quarter quarter section; thence along the east line thereof South 00 degrees 00 minutes 43 seconds East 68.00 feet to a 1" diameter iron rod marking the southeast corner of said quarter quarter section; thence along the south line thereof and the south line of said Lots 9 and 10 South 89 degrees 27 minutes 59 seconds West 1059.97 feet to the Southwest corner of Lot 9; thence along the west line of said Lot 9, North 00 degrees 17 minutes 44 seconds East 200.00 feet to the northwest corner of said Lot 9; thence along the north line of said Lots 9 and 10, North 89 degrees 27 minutes 59 seconds East 210.02 feet to the northeast corner of said Lot 10; thence North 22 degrees 47 minutes 33 seconds East 65.34 feet to the point of beginning and containing 5.79 acres (252,378 square feet)

Subject to the following:

(A) A Sanitary Sewer Easement as per plat of Hirsch Commercial Subdivision, Section 1, recorded in Plat Book "P", Page 15 in the office of the Recorder of Vanderburgh County, Indiana.

(B) A 51 foot easement for right-of-way in favor of SIGECO lying along the entire east side of the subject property as per document recorded in Transcript Docket No. 3, Page 233 and dated November 17, 1961.

Also:
The following tracts of land for "Temporary" offsite easements, as shown on subdivision plat.

Variable Width Drainage Easement "A"

Lake Maintenance and Storm Drainage Easement "B"

36' Drainage Easement "C"

10' Drainage Easement "D"

Lake Maintenance and Storm Drainage Easement "E"

SURVEYOR'S CERTIFICATE

I, Danny K. Leek, do hereby certify that I am a land surveyor licensed in compliance with the laws of the State of Indiana, and further certify that this plat correctly represents a survey completed by me, and that all monuments shown exist at locations as noted.

Witness my hand and seal this 14th day of January 2004.

Danny K. Leek, R.L.S.
Indiana Registration No. S0480
Morley and Associates, Inc.
600 S. E. Sixth Street
Evansville, IN 47713
(812) 464-9585

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

OFFICIAL SEAL

GENERAL NOTES

Flood Plain Data: Per F.I.R.M. for Vanderburgh County, Indiana, Panel Number 180256 0050 B, dated March 19, 1982, this proposed subdivision is within Zone B, area between limits of the 100 year flood and 500 year flood.

The lowest floor elevations of any enclosed space (including garage) must be at least two feet above the 100 year flood elevation. This minimum floor elevation is called Flood Protection Grade (FPG). Additional information may be obtained from the Vanderburgh County Building Commissioner.

Minimum First Floor Elevation: First floor grades shall be set to allow for proper drainage around building. All first floor grades shall conform to local and state enforced building codes. The Building Commissioner has established a minimum first floor elevation of 386.00.

Utilities: Water and sanitary sewers are available on site.

Temporary Easements: Temporary Easements cover installed infrastructure. They expire when the section of subdivision that they are located in is recorded and the proper easements are granted in the newly recorded section.

Easements: Existing recorded easements are as shown hereon.

Road Grades: Maximum road grades will not exceed 5%.

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

The location of existing underground utilities must be determined by the utility prior to beginning any type of construction.

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.

The owners and contractors of or on each lot shall be responsible for compliance with all Federal, State and Local erosion control laws and ordinances. Anyone working with or on disturbed earth shall comply with the "Erosion Control Plan" and any amendments as filed with the Board of Public Works and the Vanderburgh County Soil and Water Conservation District.

Storm Drainage Maintenance: The individual lot owner(s) shall be responsible, including financially, for maintaining that part of the storm water drainage system and its easements which exists on his or her property in proper working order including:

1. Mowing grass, controlling weeds, and maintaining the designed cover of waterways, storage basins, and easements in accordance with applicable ordinances.
2. Keeping all parts of the storm water drainage system operating as designed and as constructed; and free of all trash, debris, and obstructions to the flow of water.
3. Keeping the channels, embankments, shorelines, and bottoms of waterways and basins free of all erosion and sedimentation.
4. Maintaining that part of the storm water drainage system which lies on his or her property in accordance with the conditions described on the approved street and/or drainage plans on file in the County Surveyor's Office, and/or in the County Engineer's Office, and in compliance with the County Drainage Ordinance.
5. Preventing all persons or parties from causing any unauthorized alterations, obstructions, or detrimental actions from occurring to any part of the storm water drainage system and easement which lies on his or her property
6. NOTICE: Any pipe, fence, wall, building, pool, patio, planting, stored material, excavation, fill, or other construction, improvement, addition to, or alteration of the land within a drainage easement in this subdivision requires the prior written approval of the Board of Public Works.

Property Corner Markers: All corners not already marked will be marked with a 5/8" diameter iron rod with plastic cap stamped "Morley and Associates, Inc. I.D. No. 0023."

Final drainage plans were approved by the City of Evansville Board of Public Works on: October 27, 2003 .

Street construction plans conform to the current design standards adopted by the Board of Public Works: August 18,2003.

Revised road construction plans were approved by the Board of Public Works: November 3,2003.

Right-of Way Line Table

NUMBER	DIRECTION	DISTANCE
L1	S 64°31'35" E	72.00'
L2	S 58°12'35" W	42.39'
L3	S 55°37'00" W	35.09'
L4	N 00°00'43" W	5.11'

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, proper notice was given and this plat has been given PRIMARY APPROVAL by the AREA PLAN COMMISSION of EVANSVILLE and VANDERBURGH COUNTY at a meeting held on July 7, 1999.

President

Attest Executive Director

Secondary Plat complies with the Ordinance and is released for Recording.

Executive Director

PLAT RELEASE DATE: FEB. 21, 2004

R-95

Morley and Associates inc.
600 S.E. SIXTH STREET/EVANSVILLE, IN. 47713
PHONE: (812) 464-9585 FAX: (812) 464-2514

Secondary Plat

Proj. No.: J:\4154\sec3-plt.dwg 1/14/2004 B.A.S.
APC # 14-3-99

01-15-2004