

**WARRANTY DEED**

THIS INDENTURE WITNESSETH that **CWK Investments-McCutchanville, LLC**, an Indiana limited liability company (“Grantor”), for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby CONVEY AND WARRANT generally to \_\_\_\_\_, husband and wife, of Vanderburgh County, Indiana (“Grantee”), the following described real estate in Vanderburgh County, in the State of Indiana, to-wit:

(legal)

Subject to certain obligations and restrictions as set forth in the plat of Saddle Creek Estates recorded in Plat Book \_\_\_ at Page \_\_\_ in the Office of the Recorder of Vanderburgh County, Indiana, which includes preventing any and all unauthorized obstructions, including the installation of fences or walls within a drainage easement, or any other detrimental actions to any part of the storm water system and its easements which exist on the property.

This conveyance is further hereby made expressly subject to all existing and recorded restrictions, exceptions, reservations, easements, rights-of-way, conditions, and covenants of whatever nature, if any, and is expressly subject to all municipal, city, county, and state zoning laws and other ordinances, regulations, and restrictions, including statutes and other laws of municipal, county, or other governmental authorities applicable to and enforceable against the real estate described herein.

This conveyance is made subject to the first installment of real estate taxes for 2018 due and payable in May, 2019, and all subsequent taxes and assessments which the Grantee herein assumes and agrees to pay.

IN WITNESS WHEREOF, the said Grantor has executed this Deed this \_\_\_\_ day of \_\_\_\_\_, 2018.

CWK Investments-McCutchanville, LLC

By: \_\_\_\_\_  
C. Wayne Kinney, Member

Received by email November 5, 2018

STATE OF INDIANA )  
 ) SS:  
COUNTY OF VANDERBURGH )

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared the above-named C. Wayne Kinney as Member of CWK Investments-McCutchanville, LLC, and acknowledged the execution of the above and foregoing on behalf thereof.

WITNESS my hand and Notarial Seal this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name

My County of Residence: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Mail tax duplicates to:

Parcel Number:

Property Address:

Grantee's Address:

This instrument was prepared by: Krista B. Lockyear, Lockyear Law, LLC, P.O. Box 1345, Evansville, Indiana 47706, Telephone (812) 962-6690.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Krista B. Lockyear

Received by email November 5, 2018



DATE: 10.02.18  
 PROJECT NO.: 15-2184  
 REFERENCE: Saddle Creek Estates  
 - Section 1  
 YOUR FILE NO.:

ATTENTION: Jeff Mueller  
 COMPANY: Vanderburgh County  
 Surveyor  
 ADDRESS: Civic Center Complex -  
 Room 325  
 CITY, ST, ZIP: Evansville, IN 47708  
 PHONE:

THE FOLLOWING ITEMS:

COPIES:	ORIG./LAST REV. DATE:	DESCRIPTION:
1	10.02.18	Revised Drainage Plan - Sheet 2

LETTER OF TRANSMITTAL

ARE TRANSMITTED:

- PER YOUR REQUEST
- FOR YOUR FILES
- FOR REVIEW & COMMENT
- OTHER

FOR YOUR:

- APPROVAL
- USE
- INFORMATION
- OTHER

VIA:

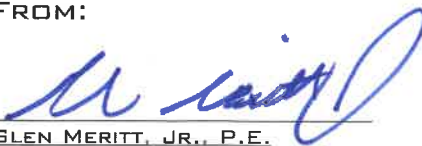
- COURIER
- FOR PICK UP
- USPS
- NEXT DAY
- FED EX
- UPS
- DHL
- SATURDAY DELIVERY
- TRACKING # \_\_\_\_\_
- OTHER DELIVERED

COMMENTS:

If you have any questions or comments, please give me a call. Thank you

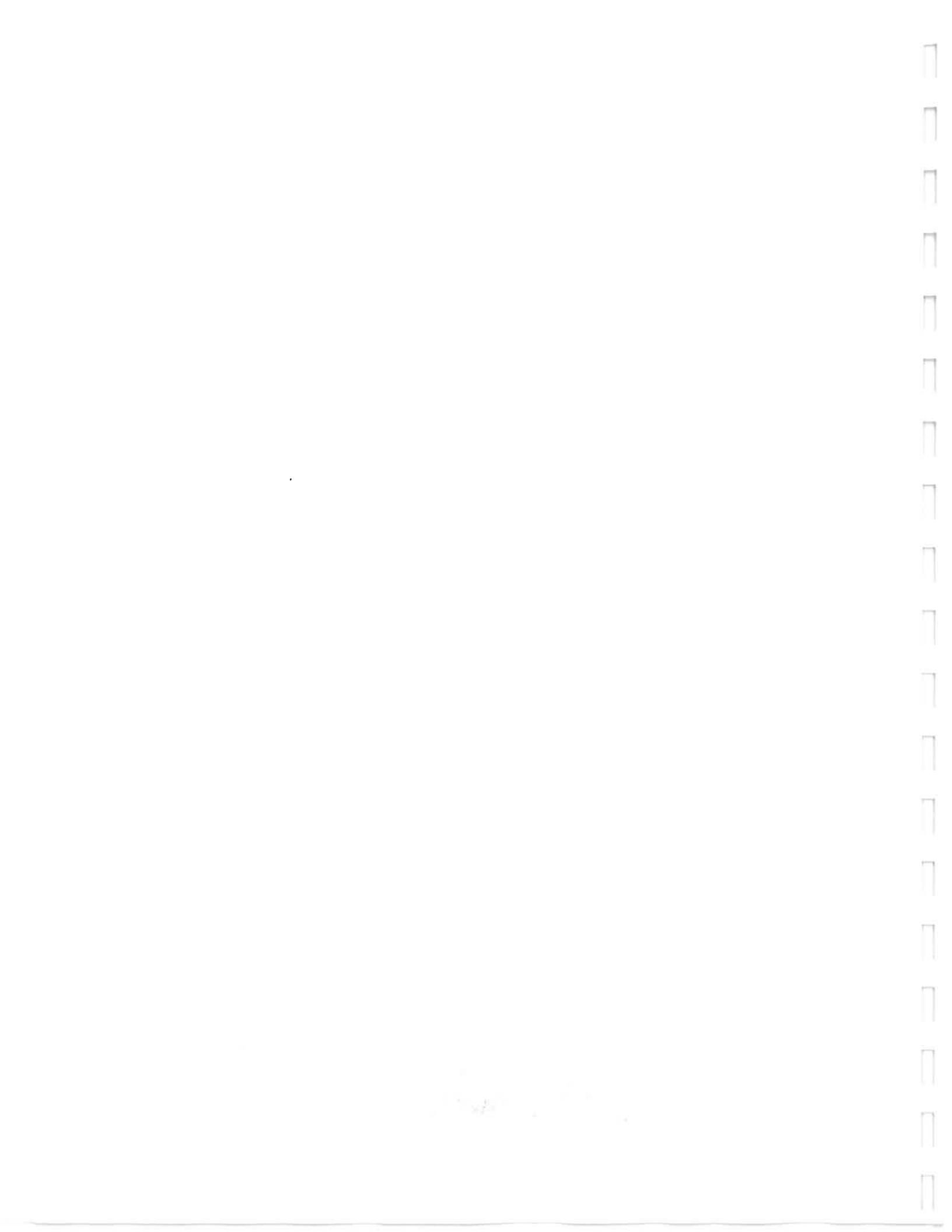
414 CITADEL CIRCLE  
 SUITE B  
 EVANSVILLE, IN 47715  
 PH: 812.401.5561  
 FAX: 812.401.5563  
[GMRITT@CASHWAGGNER.COM](mailto:GMRITT@CASHWAGGNER.COM)

FROM:

  
 GLEN MERITT, JR., P.E.

RECEIVED BY THE  
 VANDERBURGH COUNTY  
 SURVEYOR'S OFFICE  
 10-2-18 CM

cc: File



## Mueller, Jeffrey

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**From:** Stoll, John  
**Sent:** Tuesday, October 2, 2018 8:35 AM  
**To:** Glen Meritt  
**Cc:** Mueller, Jeffrey  
**Subject:** RE: Saddle Creek

Glen,

I'm ok with these changes, but we'll need to monitor where the flow comes into road 1 between lots 1 and 2. If the flow is minimal, no changes will be needed. But if the concentrated flow coming from the easement into the road results in that area getting eroded, a pipe would need to be extended from curb inlet 502 back to the point where the easement between lots 1 and 2 intersects the road r/w, and then an area drain would be needed at the end of that pipe. We've had some problems with similar situations in the past where a concentrated flow was discharged like this into the street.

John

**From:** Glen Meritt [mailto:GMeritt@cashwaggner.com]  
**Sent:** Tuesday, October 2, 2018 8:20 AM  
**To:** Stoll, John <JStoll@vanderburghgov.org>  
**Cc:** Mueller, Jeffrey <jmueller@vanderburghsurveyor.com>  
**Subject:** RE: Saddle Creek

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John,

Attached is the revised drainage plan with a couple notes added. Based on our topo, the high point in the road side ditch is close to the middle of Lot 2. Let me know if this is acceptable and I will have Trish drop off a copy of the revised plan. Thanks

**Glen Meritt Jr.**

*Project Engineer*

**CASH WAGGNER & ASSOCIATES, PC**

414 Citadel Circle, Suite B

Evansville, IN 47715

Main: 812-401-5561 Cell: 812-774-2988



**From:** Stoll, John <JStoll@vanderburghgov.org>  
**Sent:** Tuesday, October 2, 2018 7:47 AM  
**To:** Glen Meritt <GMeritt@cashwaggner.com>

**Cc:** Mueller, Jeffrey <[jmueller@vanderburghsurveyor.com](mailto:jmueller@vanderburghsurveyor.com)>

**Subject:** RE: Saddle Creek

Glen,

What is being done for the roadside ditch on Baumgart behind lots 1-3? And will notes be added to the drainage plan stating that the grading for lot 127 will direct the roadside water to the proposed easement?

John

**From:** Glen Meritt [<mailto:GMeritt@cashwagner.com>]

**Sent:** Tuesday, October 2, 2018 7:40 AM

**To:** Mueller, Jeffrey <[jmueller@vanderburghsurveyor.com](mailto:jmueller@vanderburghsurveyor.com)>

**Cc:** Stoll, John <[JStoll@vanderburghgov.org](mailto:JStoll@vanderburghgov.org)>

**Subject:** RE: Saddle Creek

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Jeff,

I will have Trish deliver a copy to your office this morning, but I never got a response from John stating that he was OK with adding the easement.

**Glen Meritt Jr.**

*Project Engineer*

**CASH WAGGNER & ASSOCIATES, PC**

414 Citadel Circle, Suite B

Evansville, IN 47715

Main: 812-401-5561 Cell: 812-774-2988



**From:** Mueller, Jeffrey <[jmueller@vanderburghsurveyor.com](mailto:jmueller@vanderburghsurveyor.com)>

**Sent:** Monday, October 1, 2018 1:23 PM

**To:** Glen Meritt <[GMeritt@cashwagner.com](mailto:GMeritt@cashwagner.com)>

**Cc:** Stoll, John <[JStoll@vanderburghgov.org](mailto:JStoll@vanderburghgov.org)>

**Subject:** RE: Saddle Creek

Will you be providing a revision showing the easements?

**From:** Stoll, John

**Sent:** Monday, October 1, 2018 1:16 PM

**To:** Mueller, Jeffrey <[jmueller@vanderburghsurveyor.com](mailto:jmueller@vanderburghsurveyor.com)>

**Subject:** FW: Saddle Creek

**From:** Glen Meritt [<mailto:GMeritt@cashwaggner.com>]  
**Sent:** Thursday, September 27, 2018 4:29 PM  
**To:** Stoll, John <[JStoll@vanderburghgov.org](mailto:JStoll@vanderburghgov.org)>; Mueller, Jeffrey <[jmueller@vanderburghsurveyor.com](mailto:jmueller@vanderburghsurveyor.com)>  
**Subject:** RE: Saddle Creek

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John,

I don't believe there is enough water being collected by this road-side ditch to call for a swale along the east line of Lot 127. I see the water being routed around the east side of the house and across the back yard to the property line between Lot 127 & 128. Would you be OK with showing a 10' drainage easement split between Lot 127 and 128 to carry any water from the road side ditch and rear yard of Lot 127 once a house is built?

Glen Meritt Jr.  
*Project Engineer*  
**CASH WAGGNER & ASSOCIATES, PC**  
414 Citadel Circle, Suite B  
Evansville, IN 47715  
Main: 812-401-5561 Cell: 812-774-2988



[Click Here](#) to send large files

**From:** Stoll, John <[JStoll@vanderburghgov.org](mailto:JStoll@vanderburghgov.org)>  
**Sent:** Thursday, September 27, 2018 3:42 PM  
**To:** Mueller, Jeffrey <[jmueller@vanderburghsurveyor.com](mailto:jmueller@vanderburghsurveyor.com)>; Glen Meritt <[GMeritt@cashwaggner.com](mailto:GMeritt@cashwaggner.com)>  
**Subject:** RE: Saddle Creek

It looks like the only unresolved drainage issue in my comments for section 1 is that the plans do not show where the runoff from Baumgart Road will go. There is an existing ditch along Baumgart Road on the west side of Road #1. East of Road #1, the runoff currently sheets down the embankment across lot 127. How will these flows be conveyed in the drainage system for Saddle Creek?

**From:** Mueller, Jeffrey  
**Sent:** Thursday, September 27, 2018 1:25 PM  
**To:** 'GMeritt@cashwaggner.com' <[GMeritt@cashwaggner.com](mailto:GMeritt@cashwaggner.com)>  
**Cc:** Stoll, John <[JStoll@vanderburghgov.org](mailto:JStoll@vanderburghgov.org)>  
**Subject:** Saddle Creek

3. The location and design of the proposed street system, including depressed pavements used to convey or detain overflow from storm sewers and over-the-curb runoff resulting from heavier rainstorms, and the outlets for such overflows; all with their designed elevations; **All overflow from Road #1 (from Baumgart to the overflow swale) will go to the overflow swale between lots 23 and 24. Is the typical V-bottom overflow swale that is created by lot grading adequate to handle all of that runoff, or will a larger swale be required? It will be critical for the streets to have the proper crown so that water is directed into all inlets upstream of the overflow swale. If the upstream curb inlets do not collect the water as designed as a result of an inadequate cross slope, it will increase the chances that this overflow swale between lots 23 and 24 will be overloaded. (John) Is the second overflow swale intended to address this issue?**

4. The locations, cross sections, and profiles of existing streams, floodways, and floodplains to be maintained, and the same for all new channels to be constructed; **Provided**

Glen,

I have questions on the following. Also you need to touch base with John #5 and #8 and if he has any other issues.

6. Existing ponds and basins to be altered, enlarged, filled, or maintained; and new ponds, basins, swales, to be built, and the basis of their design; **Single Detention pond designed using HydroCad which is based upon TR-20. C soil types utilized for CN values with average lot sized calculations. 25 Year Storm utilized was 5.4" versus 5.62"- where did the 5.4" come from? Revised to 5.62" How was the percentage impervious determined on the Summary for DB#2 and the summary for the creek?**

In addition there was discussion regarding some language be placed in the deeds regarding obstructions within easements. What is the status of the proposed language?

There are two large swales coming from the south off of the Baumgart Property. An east west swale is shown to intercept these swales. These swales are eroding to the south. It is not clear at what elevation or how these swales will be intercepted and what erosion control measures will be utilized to capture/control this drainage. Has any effort been made to discuss this issue with the adjoining landowner? Provide detail to show what is planned for capture/diversion of these swales. Are the swales to be filled in from the point of intersection to the north? What was the status of discussions with the adjoining landowner?

5. The materials, elevations, waterway openings, size, and basis for design of the proposed culverts and bridges; **No bridges proposed. Design of culverts provided. Provide details of P609 including the elevations on the top of the headwall. Is a fence or handrail needed for safety? The height of the drop off could not be determined since no elevations were provided on the headwall. It does not look like the proposed skew of this pipe matches the channel alignment very well, especially on the upstream end. This could require riprap or other bank protection measures. (John) – additional riprap provided on the upstream end**

8. The material types, sizes, slopes, grades and other details of all the stormwater drainage facilities; **Provided for all swales. Provide a detail for a riprap lined swale showing the riprap keyed into the banks and bottom. These types of swales have been filled with riprap on other sites, so having a detail might result in the swales being built properly the first time. (John) - provided**