Cummins Commercial Minor Subdivision

Part of the W 1/2 of the SW 1/4 of Section 28, Township 5 South, Range 10 West, Vanderburgh County, Indiana

RECEIVED FOR RECORD
DATE 07-01-03 4:03 PM
PLAT BOOK R-
PAGE 64
INSTR # 2003R00030172
BETTY KNIGHT-SMITH RECORDER
VANDERBURGH COUNTY

GENERAL NOTES

Zoning: Subject property currently zoned M-2. Adjacent property currently zoned as shown hereon:

Utilities: Municipal Water, Sanitary Sewer, and Electric is available for Lot 1 and utilities are available to be extended to Lot 2.

Access: There shall be no access onto State Highway 57 from either lot.

Noise sensitive area: It is understood by the Owners that the above described real property lies in close proximity to an operating airport and that the operation of the airport and the landing and takeoff of aircraft may generate high noise levels.

Basements: The Vanderburgh County Building Commissioner must approve all basements.

Flood Plain Data: All of the proposed subdivision lies within the boundaries of the 100 year flood zone as plotted by scale on Flood Insurance Rate Map for Vanderburgh County, Indiana, Community Panel Number 180258 0025 C, dated August 5, 1991. Per the proposed flood zone maps, no portion of Lot 2 is located within the boundaries of the 100 Year Flood Zone. Only part of Lot 1 is located in the flood zone per the proposed maps. At the time of the recording of this plat the controlling map is the 1991 map.

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). FPG has been marked on all lots in the flood plain and all areas designated by the Building Commissioner. Additional information may be obtained from the Vanderburgh County Building Commissioner. First floor grades shall be set to allow for proper drainage around houses. All first floor grades shall conform to local and state enforced building codes. Lowest adjacent grades and crawlspaces shall be a minimum of 0.1' above the Base Flood Elevation (100 year flood elevation)

Drainage Across Lots
Any drainage from one lot crossing the other shall require a drainage easement from the lot being crossed. Drainage easements shall be determined at site review for any lot development.

Erosion Control: The Developer, Development Contractors, Builders, Lot Owners, and anyone else that disturbs earth shall comply with the "Erosion Control Plan" and any amendments as filed with the County Drainage Board and the Soil and Water Conservation District, and with all Federal, State and Local erosion control laws.

Erosion control plans: At the time of the recording of this plat, an area with less than 5.0 acres of disturbance, was not required to have an erosion control plan. Acreage regulations are in the process of being changed. Any disturbance in the future may require an Erosion Control Plan to be filed before any construction activity is begun.

Temporary Erosion Control of Disturbed Areas: 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 silt fence, 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 seeded and mulched within 45 days of disturbance. Slopes of 2% to 6% shall be sodded or stabilized with an erosion control mat at completion of ditch grading. Slopes over 6% require riprap or other approved stabilization at completion of ditch grading if the total ditch length at that point is greater than 100 feet.

INDOT Review: Any diversion of surface water or increase in the rate of runoff from the site into highway right-of-way will require INDOT review. INDOT requires that the 50 year developed property run-off rate shall not exceed the 10 year undeveloped property run-off rate.

Property Corner Markers: All corners not already monumented will be monumented with a 5/8" diameter steel rebar with plastic cap stamped "Morley & Assoc.D #0013."

Reference Survey: Surveyor's Plat Drawer 1, Card 368

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 May 13 2003.

President

Attest Executive Director

Secondary Plat complies with the Ordinance and is released for Recording

Executive Director

PLAT RELEASE DATE: July 1, 2003

OFFICIAL SEAL — AREA PLAN COMMISSION OF EVANSVILLE AND VANDERBURGH COUNTY, INDIANA

ONLY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

JUL 01 2003

Auditor

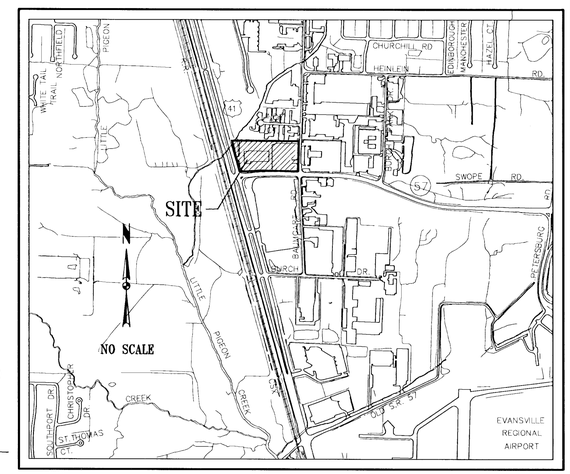
4602

LEGEND

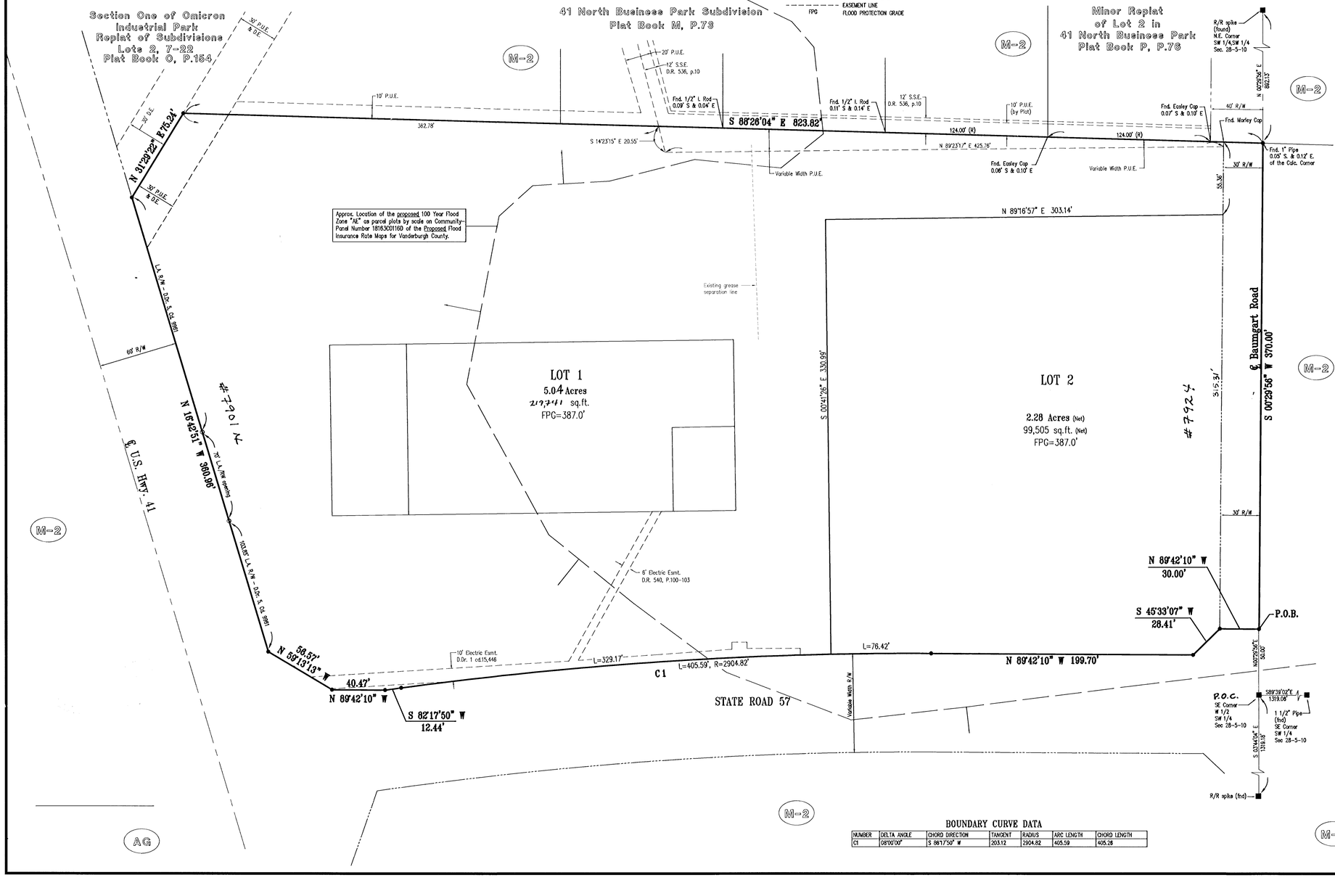
DR.	(DEED) DRAWER
D.VOL.	DEED VOLUME
P.	PAGE
D.	DRAINAGE
P.U.	PUBLIC UTILITY EASEMENT
E.	EASEMENT
L.	LENGTH
P.O.B.	POINT OF BEGINNING
	ZONING CLASSIFICATION
X-X-X-X-X	FENCE LINE
R/W	RIGHT-OF-WAY LINE
- - - - -	EASEMENT LINE
FPG	FLOOD PROTECTION GRADE

SCALE 1" = 40'

40 0 40 80 120



LOCATION MAP



BOUNDARY CURVE DATA

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C1	08°00'00"	S 86°17'50" W	203.12	2904.82	405.59	405.28

DEDICATION CERTIFICATE

We, the undersigned owner of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the herein plat.

This subdivision shall be known and designated as **Cummins Commercial Minor Subdivision.**

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 buildings or similar structures, other than such utility facilities, can be located within said areas of land. 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.

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 area 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.

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.

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 maintained 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 assignees.

Cummins Cumberland Inc.
2301 Nelson Miller Parkway
Louisville, KY 40223

By: _____
Andy Willinger – Secretary-Treasurer

NOTARY CERTIFICATE

STATE OF Kentucky, COUNTY OF Jefferson) ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the said Owner(s) and Subdivider(s), Andy Willinger, 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 23 day of May, 2003

My Commission Expires:
4/21/05

Hilda J. Burkhead
Notary Public

Hilda J. Burkhead
(typed or printed name)

Notary Resides in Jefferson County, Kentucky

BOUNDARY DESCRIPTION

Part of the West Half of the Southwest Quarter of Section 28, Township 5 South, Range 10 West, in Center Township, Vanderburgh County, Indiana and more particularly described as follows:

Commencing at the southeast corner of said half quarter section; thence North 00 degrees 29 minutes 58 seconds East (assumed bearing) along the east line of said half quarter section 50.00 feet to the point of beginning; thence North 89 degrees 42 minutes 10 seconds West 30.00 feet to a point on the west right-of-way line of Baumgart Road, said point also being on the north right-of-way line of State Road 57; thence South 45 degrees 33 minutes 07 seconds West along said north right-of-way line 28.41 feet; thence North 89 degrees 42 minutes 10 seconds West along said right-of-way line 199.70 feet to the point of curvature of a curve, concave to the south, having a radius of 2904.82 feet and from which a chord bears South 86 degrees 17 minutes 50 seconds West 405.28 feet; thence westerly along said right-of-way line and said curve 405.59 feet to the point of tangency of said curve; thence South 82 degrees 17 minutes 50 seconds West along said right-of-way line 12.44 feet; thence North 89 degrees 42 minutes 10 seconds West along said right-of-way line 40.47 feet; thence North 59 degrees 13 minutes 13 seconds West along said right-of-way line 56.57 feet to as point on the east right-of-way line of U. S. Highway 41; thence North 15 degrees 43 minutes 51 seconds West along said right-of-way line 360.98 feet to a point in a ditch bottom; thence North 31 degrees 29 minutes 22 seconds East along said ditch bottom 75.24 feet to the southwest corner of 41 North Business Park Subdivision; as per plat thereof, recorded in Plat Book M, Page 73 in the office of the Recorder of Vanderburgh County; thence South 88 degrees 28 minutes 04 seconds East along the south line of said subdivision and projection of said south line 823.82 feet to a point on the east line of said half quarter section; thence South 00 degrees 29 minutes 58 seconds West along said east line 370.00 feet to the point of beginning, containing 7.58 acres.

Subject to a right-of-way 30 feet wide off the east side thereof for Baumgart Road.

Also, subject to a 6 foot wide electric easement in favor of Southern Indiana Gas & Electric Company, as recorded in Deed Record 540, Page 100 in the office of the Recorder of Vanderburgh County.

Also, subject to a 10 foot wide electric easement in favor of Southern Indiana Gas & Electric Company, as recorded in Deed Drawer 1, Card 15,446 in said Recorder's Office.

SURVEYOR'S CERTIFICATE

I, James Q. Morley, 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 22 day of May, 2003.

JAMES Q. MORLEY REGISTERED No. 10261 STATE OF INDIANA LAND SURVEYOR

James Q. Morley

James Q. Morley, P.L.S.
Indiana Registration No. 10829
Morley and Associates, Inc.
600 SE. Sixth Street
Evansville, IN. 47713
(812) 464-9585

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VANDERBURGH COUNTY
SURVEYOR'S OFFICE

M-2

R-64

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

Secondary Plat

Proj. No.: 2172Minor.dwg 05/22/03 BAB

Apr 4 9-MS-2003