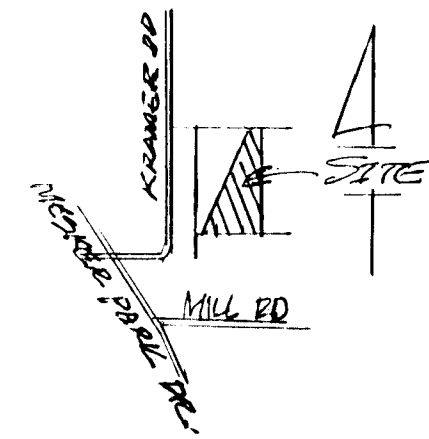


O-166

CYNTHIA HEIGHTS ESTATES SECTION "D"



Part of the Southeast Quarter of the Southeast Quarter of Section 34, Township 5 South, Range 11 West Vanderburgh County, Indiana described as follows:

Beginning at the Southeast corner of Lot 7, Cynthia Heights Estates Section A as recorded in Plat Book K, Page 82 in the office of the Recorder of Vanderburgh County, thence North along the East line of said plat and parallel with the West line of the Southeast Quarter of the Southeast Quarter of said Section 34 a distance of 1,036.41 feet to the North line of said Southeast Quarter of the Southeast Quarter of Section 34, thence North 89 degrees 59 minutes 39 seconds East along said North line a distance of 762.11 feet to an old iron pin, thence South 0 degrees 05 minutes 59 seconds West a distance of 1,040.66 feet to a point 290.0 feet North of the South line of said quarter quarter section, thence North 89 degrees 41 minutes 00 seconds West a distance of 760.31 feet to the place of beginning, containing 18.148 acres more or less.

DULY ENTERED FOR TAXATION SUBJECT TO FINAL APPROPRIATION AND TRANSFER.

JUL 26 1994

Joseph A. Elpers
AUDITOR
4340

RECEIVED FOR RECORD
at 2:45 PM
JULY 26 1994

Plat Book 0
Page 166
BETTY J. HERMANN RECORDER
VANDERBURGH COUNTY

We, the undersigned owners of the real estate shown and described hereon, do hereby as shown plat and subdivide said real estate and designate same as CYNTHIA HEIGHTS ESTATES SECTION "D"

All streets within the plat are dedicated to the public. Building setback lines are established as shown on the plat between which lines and the property of the street there shall not be erected or maintained any building or structure. Strips of ground marked "P. U. easement" are reserved for the use of public utilities. Owners of lots shall take title subject to the rights of the public utilities in said strips of ground. Strips of ground marked "drainage easement" are reserved for surface water and/or drainage. No structure shall be erected or maintained in said strips of ground. Further, no bushes, shrubs, trees, or any other obstruction that would impede the flow of surface water shall be permitted in said strips of ground. Each lot owner shall be responsible for maintenance (cutting grass and weeds, and removing any obstructions to water flow) of that portion of the drainage channels or swales on their lot.

Joseph A. Elpers
Dolores F. Elpers
Joseph A. Elpers
Dolores F. Elpers

11050 Big Cynthiana Road
Evansville, Indiana 47720

OWNERS OF LOT 3

James Borries
Marilou Borries
James Borries
Marilou Borries

6431 Kremer Road
Evansville, Indiana 47720

NOTARY CERTIFICATE

STATE OF INDIANA }
COUNTY OF VANDERBURGH } SS
Before me, the undersigned notary public for Vanderburgh County, State of Indiana personally appeared the above signed owners of the real estate shown and described hereon and the execution of the plat to be their voluntary act and deed.

Witness my hand and seal this 26th day of July 1994
My commission expires 2/28/96 Notary Public Joseph A. Elpers
Resident of Vanderburgh County Printed Barbara H. Ross

A.R.C. CERTIFICATE

Under the authority provided by Acts of 1981, Public Law No. 309, and enacted by the General Assembly of the State of Indiana, this plat has been given priority approval by the Area Plan Commission of Evansville and Vanderburgh County on July 26, 1994.

Plat Release July 26, 1994
President Joseph A. Elpers
Executive Director Barbara H. Ross
Executive Director Barbara H. Ross

SURVEYORS CERTIFICATE

I, Billy T. Nicholson, 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; that this survey was made in accordance with Title 864, Article 1.1, Chapter 8, Section 1 through 34 of the Indiana Administrative Code and accordingly under my supervision. This is a class 2 survey with a theoretical uncertainty of 0.5 feet as determined by Sub-Section 7d, Section 7 of subject code.

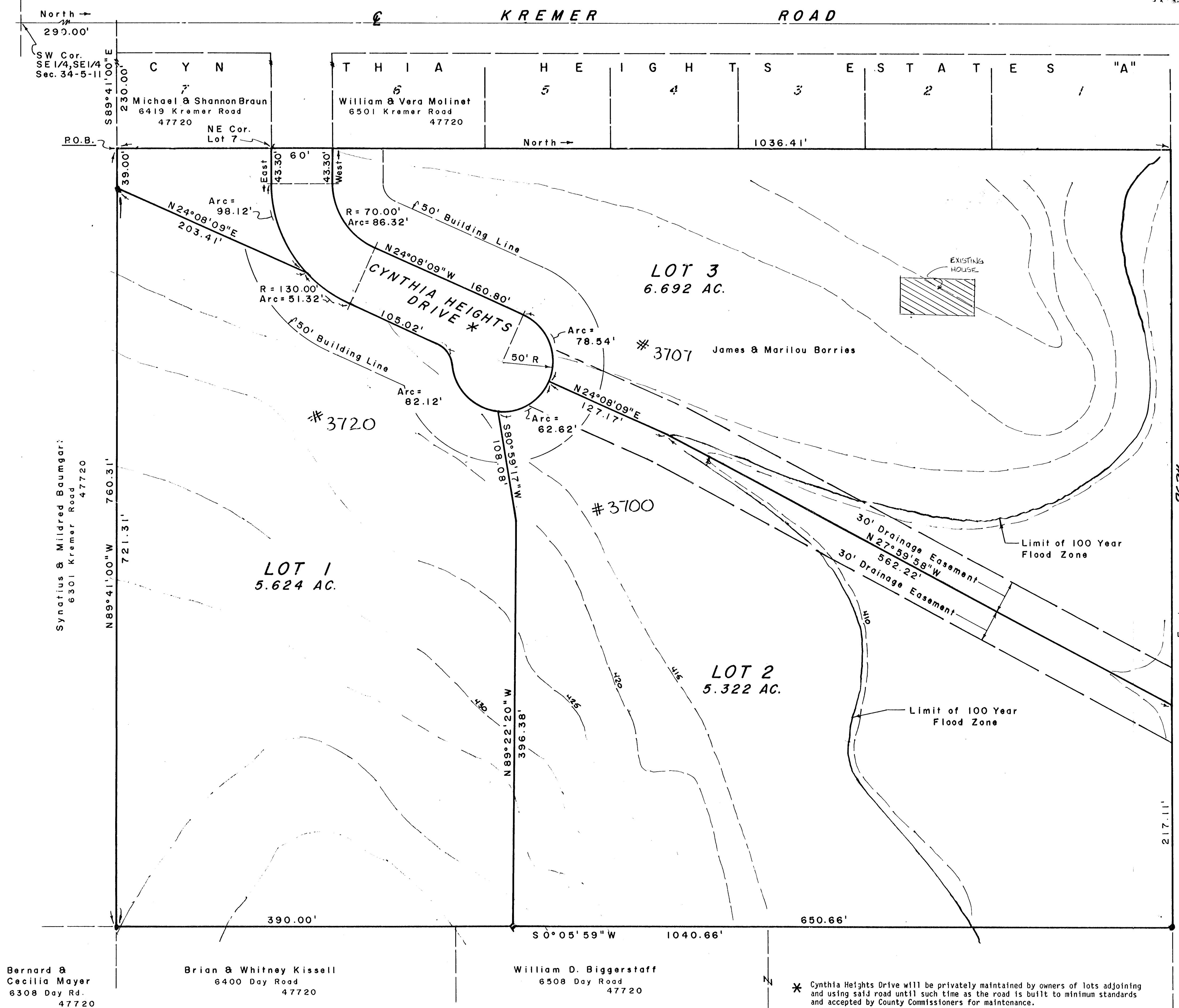
Billy T. Nicholson
Evansville, IN
No. 7964
Date 7/26/94
BILLY T. NICHOLSON
REGISTERED
No. 7964
STATE OF INDIANA
LAND SURVEYOR

Strips of ground, of the width shown on this plat and marked "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 strips of land and any fence located within said strips of land is subject to removal by 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 drainage; provided, however, that public utilities are hereby permitted to cross such Drainage Easements with public 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.

NOTES

Erosion control: Slopes of 0 to 6% shall be mulched and seeded, i.e. rye, red top and wheat (which will be used primarily for fall planting) within 45 days of disturbance of soil and must remain in place until final grading and shaping. Slopes more than 6% shall have straw bales and/or erosion blankets in place within 5 days of disturbance of soil and must remain in place until final grading and shaping.
All corners marked with iron pin except as noted.
Sanitary Sewer not available, German Township Water available by extension.



Bernard & Cecilia Mayer
6308 Day Rd.
47720

Brian & Whitney Kissell
6400 Day Road
47720

William D. Biggerstaff
6508 Day Road
47720

* Cynthia Heights Drive will be privately maintained by owners of lots adjoining and using said road until such time as the road is built to minimum standards and accepted by County Commissioners for maintenance.