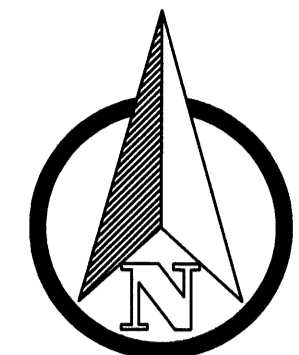


# Growth Towers

A replat of Lot 3 in Wal-mart Commercial Subdivision, as per plat thereof, recorded in Plat Book R, Page 171

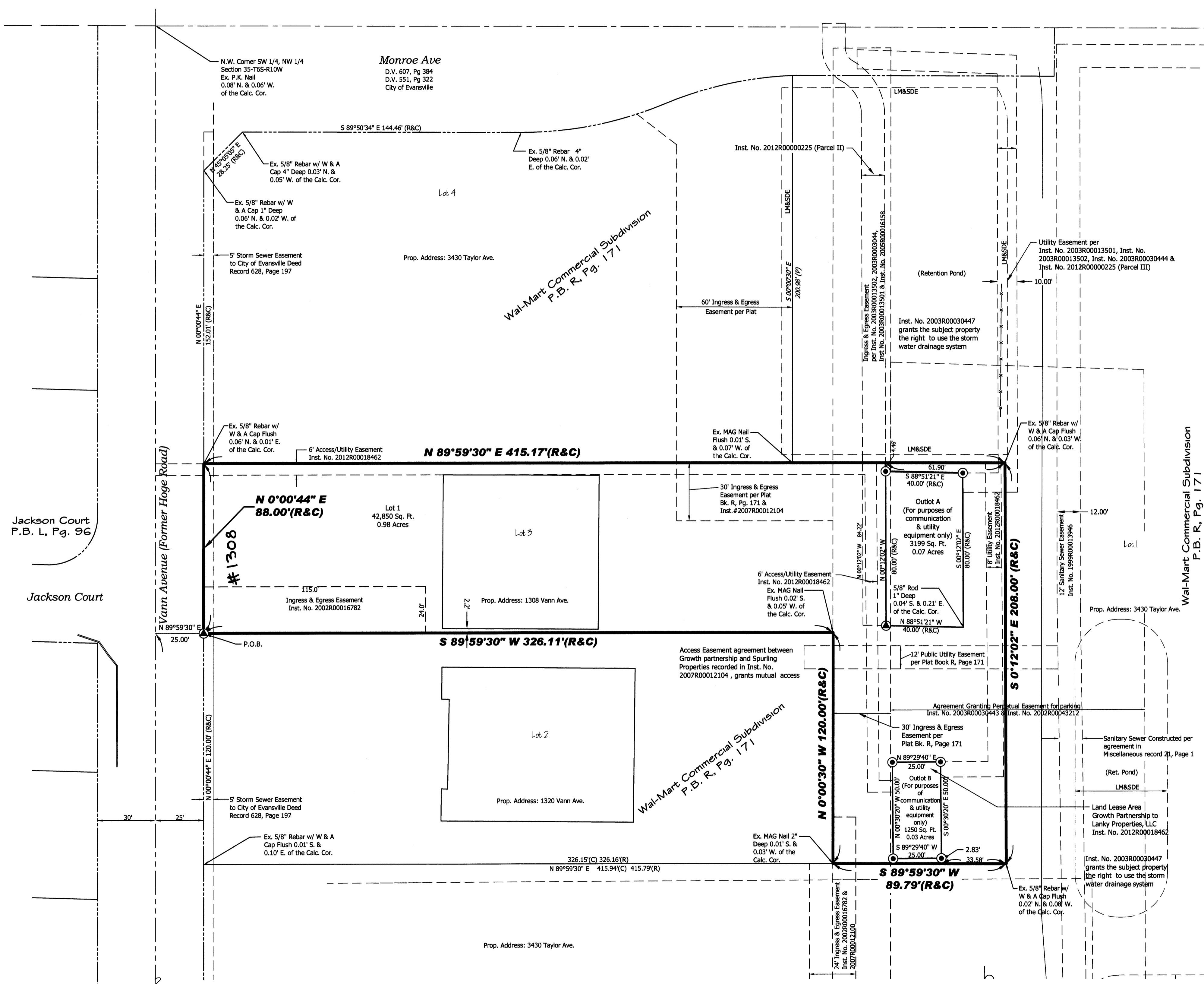


SCALE 1" = 30'



### Legend

Center Line	(C)	Calculated Dimension
Easement Line	Ca	Card
Property Boundary Line	D.R.	Deed Record
Right-of-way Line	Doc.	Document
	R.C.P.	Reinforced Concrete Pipe
Set 5/8" steel rebar w/plastic cap stamped "Morley ID#0023	E	East
Ex. 5/8" rebar w/ W & A Cap 4" Deep 0.03" N. & 0.02" E. of the Calc. Cor.	Ex.	Existing
Set mag nail w/washer stamped "Morley ID#0023	Inst.	Instrument
	ET	Electric Transformer
	(M)	Measured Dimension
	N	North
	Pg	Page
	P.O.B.	Point Of Beginning
	R	Range
	(R)	Record Dimension
	S	South
	T	Township
	W	West



### General Notes

**Access:** Lot 1 has access from Vann Avenue and also from the 60' Ingress Egress Easement dedicated on the plat of Wal-mart Commercial Subdivision recorded in Plat Book R, Page 171. Outlots A and B have access through the 60' and 30' Ingress Egress Easements dedicated on the plat of Wal-mart Commercial Subdivision recorded in Plat Book R, Page 171. Outlot A also has access per the following recorded documents; Inst. 2003R0003044, Inst. #2006R00015186, Inst. #2006R00016158, and Inst. #2012R00000225.

**Flood Plain Data:** None of the within described tract of land lies within that Special Flood Hazard Area (SFHA) Zone "A" as said tracts plots on Community Panel Number 1616300165D of the Flood Insurance Rate Maps (FIRM) of Vanderburgh County, Indiana, dated March 17, 2011.

**Installation of Sidewalks:** Sidewalks exist at this location and it was determined at Subdivision Review on July 20, 2020 that this subdivision currently meets the minimum requirements for the installation of sidewalks as per the Evansville Municipal Code 17.05.150(5)(2).

**Monuments:** Monuments have been set at all boundary and lot corners with a 5/8" rebar with cap stamped "Morley ID#0023", unless otherwise noted.

**Prior Covenants and Restrictions:** The AREA PLAN COMMISSION does not participate in the creation or enforcement of private covenants and restrictions and therefore the recording of this replat has absolutely no effect on private covenants and restrictions that may or may not exist.

**Public Utilities - Sewer:** Sanitary Sewer is available and is provided by the Evansville Water & Sewer Utility only to Lot 1.

**Public Utilities - Water:** Water is available and is provided by the Evansville Water & Sewer Utility only to Lot 1.

**Outlots:** A) In the event that the cell towers are ever removed with the intent of redeveloping those sites, the subdivision must be replatted to consolidate all the property back into one (1) lot.  
B) Maintenance of the Outlots shall be by the owner(s) of the Outlot(s).

**Reference Survey:** Inst.#2020R00020130

### 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 Growth Towers. All road right-of-ways 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 "PUE" (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 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.

Owner:  
Growth, LLC  
Ohio Valley Financial Group, Trustee for John Rogers, III Roth IRA, Trustee of the John F. Rogers, III IRA

By: *[Signature]*  
John F. Rogers III  
400 E. Sycamore St.  
Evansville, IN 47713

By: *[Signature]*  
John F. Rogers III  
140 N. Main St.  
Henderson, KY 4240

WITNESS to the Owners' signatures:  
*[Signature]*  
Witness name  
Notary Certificate

STATE OF INDIANA, COUNTY OF WARRICK ss:

Before me, a Notary Public in and for said County and State, on August 20, 2020 personally appeared the above named James E. Morley, to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows Owners to be the individual(s) described in and who executed the foregoing instrument, that said WITNESS was present and saw said Owners execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.

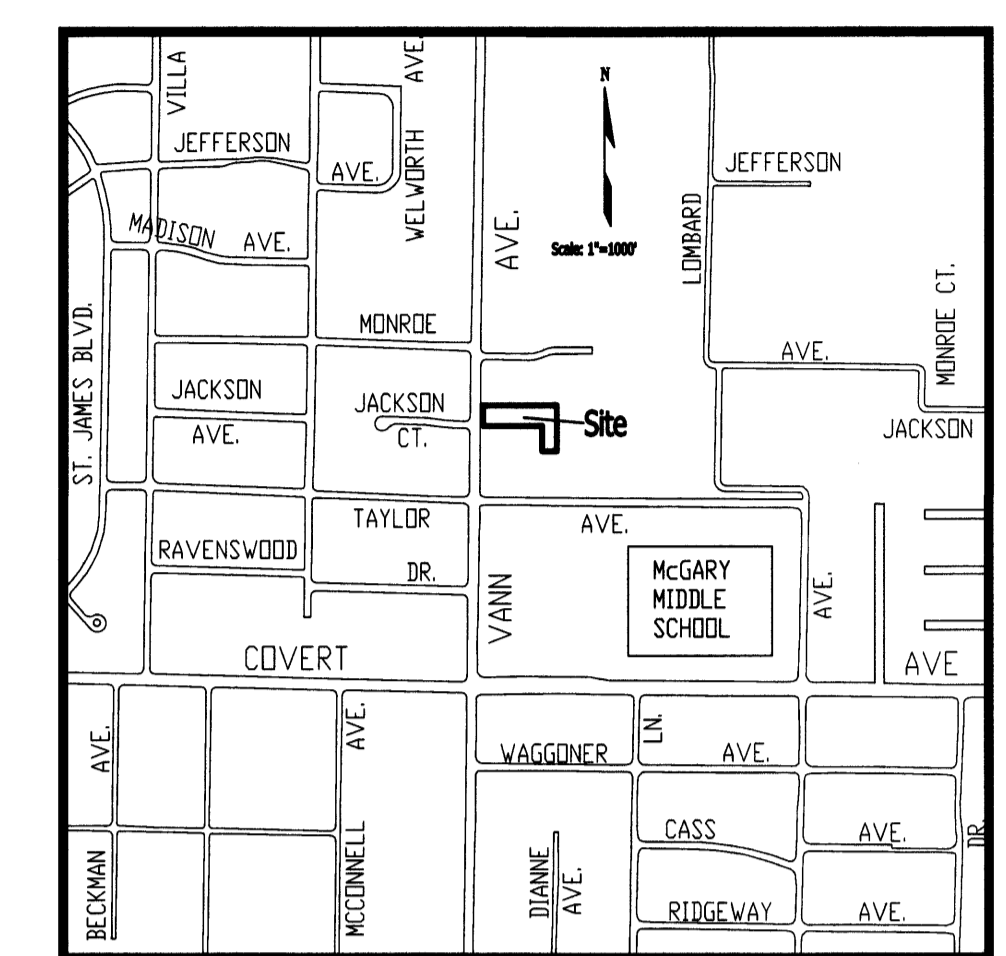
My Commission Expires: August 6, 2026  
Notary Resides in Vanderburgh County, Indiana  
*[Signature]*  
Notary Public  
*[Signature]*  
(Typed or Printed Name)

Notary Certificate  
STATE OF INDIANA, COUNTY OF WARRICK ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John F. Rogers II, member of Growth, LLC and John F. Rogers III of Ohio Valley Financial Group, Trustee for John Rogers, III Roth IRA, Trustee of the John F. Rogers, III IRA, the owners of the real estate shown and described hereon and 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 20<sup>th</sup> day of August, 2020  
My Commission Expires:  
Notary Resides in Vanderburgh County, Indiana  
*[Signature]*  
Notary Public  
*[Signature]*  
(Typed or Printed Name)

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER <u>8/28/2020</u> GATE	RECEIVED FOR RECORD DATE <u>8/28/2020 8:26AM</u> PLAT BOOK <u>V-066</u> PAGE INSTR# <u>2020R00021959</u> DEBBIE STUCKI RECORDER VANDERBURGH COUNTY
BRIAN GERTH AUDITOR <u>2476</u> (AUDITOR NUMBER)	



Location Map

### Boundary Description

Lot 3 in Wal-mart Commercial Subdivision, as per plat thereof, recorded in Plat Book R, Page 171 in the office of the Recorder of Vanderburgh County, Indiana, being part of the Southwest Quarter of the Northwest Quarter of Section 35, Township 8 South, Range 10 West in Knight Township, Vanderburgh County, Indiana and being more particularly described as follows:  
Beginning at the Southwest corner of said Lot 3, said point also being the Northwest corner of Lot 2 in said Wal-mart Commercial Subdivision, and being on the east line of Vann Avenue; thence along the boundary of said Lot 3 the remaining calls, North 00 degrees 00 minutes 44 seconds East 88.00 feet; thence North 89 degrees 59 minutes 30 seconds East 415.17 feet; thence South 00 degrees 12 minutes 02 seconds East 208.00 feet; thence South 89 degrees 59 minutes 30 seconds West 89.79 feet; thence North 00 degrees 00 minutes 30 seconds West 120.00 feet; thence South 89 degrees 59 minutes 30 seconds West 326.11 feet to the point of beginning containing 47,299 Square feet, (1.085 acres)

### 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 August 6, 2020.

President: Stacey Stevens  
*[Signature]*  
Blaine Oliver for  
Attest Executive Director: Ronald S. London  
**Plat Release for APC Docket No. MAJ-2020-007**  
Secondary Plat complies with the Ordinance and is released for Recording.  
*[Signature]*  
Blaine Oliver for  
Executive Director: Ronald S. London  
PLAT RELEASE DATE: 8/28/2020

### Surveyor's Certificate

I, Bret Alan Sermersheim, 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 on January 10, 2017 and that all monuments shown exist at locations as noted.

Affirmation Statement  
I affirm, under the penalties of perjury, that I have taken reasonable care to read each Social Security number in this document, unless required by law.

Witness my hand and seal this 20th day of August, 2020.

*[Signature]*  
Bret Alan Sermersheim  
Prepared By:  
Bret Alan Sermersheim, P.S.  
**MORLEY**  
4800 Rosebud Lane  
Newburgh, IN 47630  
Phone: (812) 464-9585  
Fax: (812) 464-2514  
@morleycorp.com

Secondary Plat		 ARCHITECTS   ENGINEERS   SURVEYORS 4800 Rosebud Ln., Newburgh, IN 47630 812.464.9585 morley.com 812.464.2514 fax morleycorp.com
Designed By: ?	Job Number: 4096.4.007A	
Drawn By: BAS	Date: 8/20/2020	
Filename: 4096.3 Lot-secondary		

