

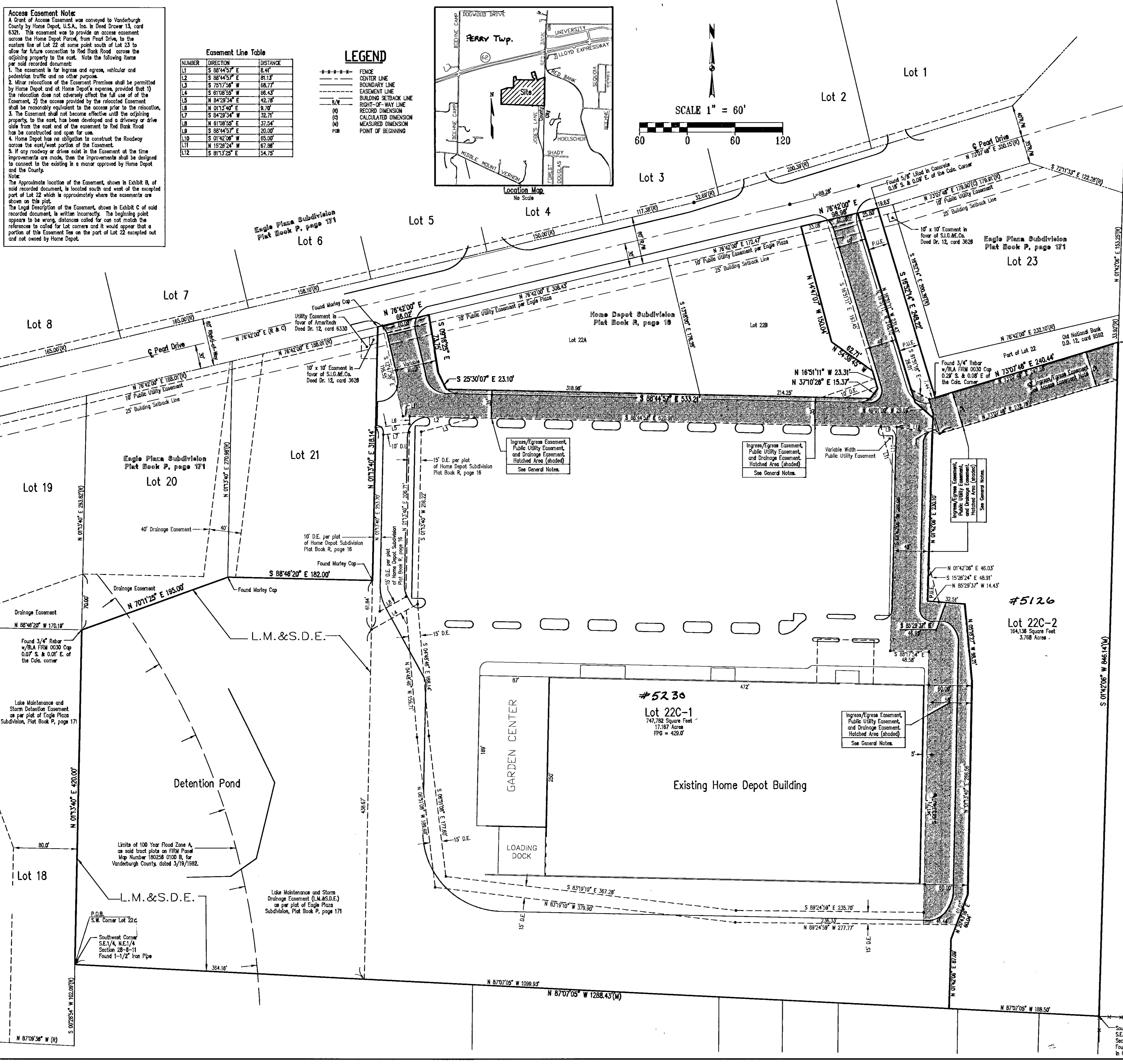
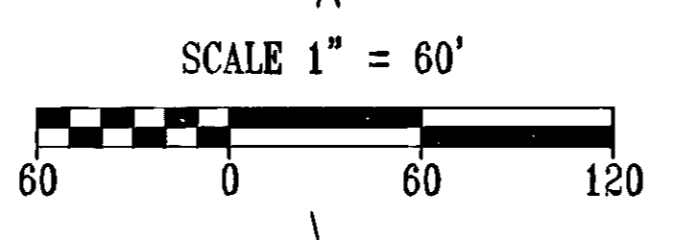
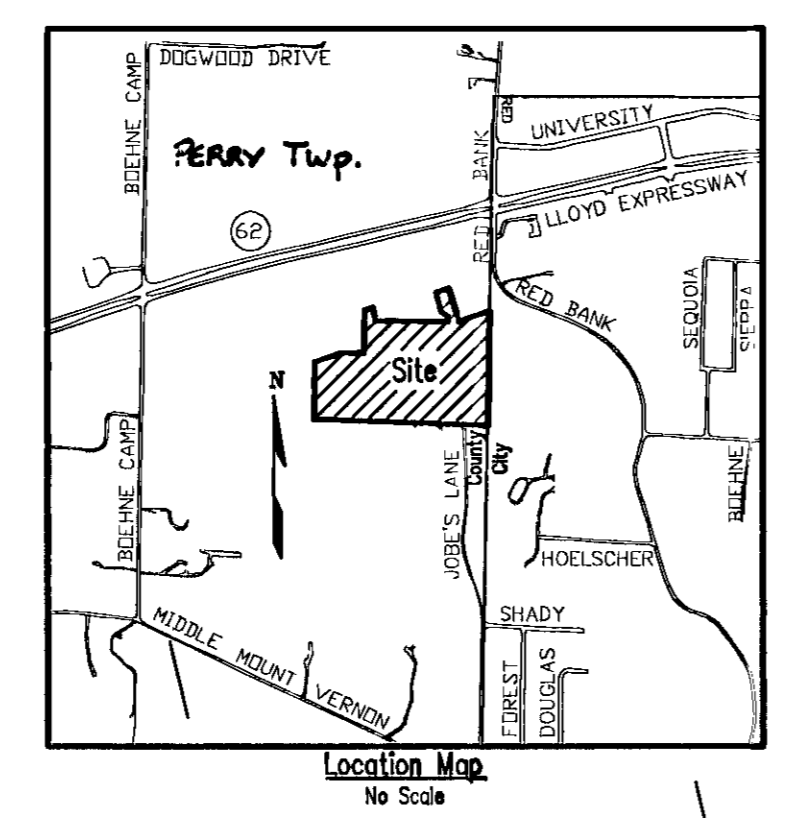
**Access Easement Note**  
 1. Grant of Access Easement was conveyed to Vanderburgh County by Home Depot, U.S.A., Inc. in Deed Drower 13, card 6332. This easement was to provide an access easement across the Home Depot Parcel from Pearl Drive to the eastern line of Lot 22 of some portion of Lot 23 to allow for future connection to Red Bank Road across the adjoining property to the east. Note the following items per said recorded document:  
 1. The easement is for ingress and egress, vehicular and pedestrian traffic and no other purpose.  
 2. Minor relocations of the Easement Premises shall be permitted by Home Depot and of Home Depot's expense, provided that 1) the relocation does not adversely affect the full use of the Easement, 2) the access provided by the relocated Easement shall be reasonably equivalent to the access prior to the relocation.  
 3. The Easement shall not become effective until the adjoining property to the east has been developed and a driveway or drive aisle from the east end of the easement to Red Bank Road has been constructed and open for use.  
 4. Home Depot has no obligation to construct the Roadway across the east/west portion of the Easement.  
 5. If any roadway or drive aisle in the Easement of the time improvements are made, then the improvements shall be designed to connect to the existing in a manner approved by Home Depot and the County.  
 Note:  
 The Approximate location of the Easement, shown in Exhibit B, of said recorded document, is located south and west of the excepted part of Lot 22 which is approximately where the easements are shown on this plat.  
 The Legal Description of the Easement, shown in Exhibit C of said recorded document, is written incorrectly. The beginning point appears to be wrong, distances called for can not match the reference to called for Lot corners and it would appear that a portion of the Easement line on the part of Lot 22 excepted out and not called by Home Depot.

**Easement Line Table**

NUMBER	DIRECTION	DISTANCE
L1	S 88°45'7" E	8.41'
L2	S 88°44'57" E	81.13'
L3	S 87°17'54" W	68.77'
L4	S 61°08'55" W	58.43'
L5	N 84°28'34" E	42.78'
L6	N 01°17'40" E	9.70'
L7	S 84°29'34" W	32.71'
L8	N 81°08'55" E	37.54'
L9	S 84°44'57" E	30.00'
L10	S 01°42'00" W	65.00'
L11	N 15°28'24" W	67.88'
L12	S 81°13'25" E	54.75'

**LEGEND**

- \*\*\*\*\* FENCE LINE
- CENTER LINE
- BOUNDARY LINE
- - - - - EASEMENT LINE
- BUILDING SETBACK LINE
- RIGHT-OF-WAY LINE
- RECORD DIMENSION
- CALCULATED DIMENSION
- MEASURED DIMENSION
- POINT OF BEGINNING



# HOME DEPOT II SUBDIVISION

A Re-plat of Lot 22C in Home Depot Subdivision as recorded in Plat Book R, page 16

RECEIVED FOR RECORD  
 DATE 02-18-03 3:04 P.M.  
 PLAT BOOK R-41  
 PAGE 41  
 INSTR #2003R00007519  
 BETTY KNIGHT-SMITH RECORDER  
 VANDERBURGH COUNTY

FEB 18 2003  
 SUE SMITH  
 AUDITOR  
 #1157

**General Notes**

Utilities: Water and sanitary sewers are available to be extended to the site.  
 Flood Plain Data: Part of the proposed subdivision does lie within the limits of the 100 year flood zone as plotted by scale on the Flood Insurance Rate Map for Vanderburgh County, Indiana, Community Panel Number 180258 0100 B, dated March 19, 1982.  
 Access: Lot 22C-1 has direct access to Pearl Drive. Lot 22C-2 shall use the interior Ingress and Egress Easement (Shaded Area) for access to Pearl Drive.  
 Note: The Ingress and Egress Easement (Shaded Area) is for the use of the Owners, their Successors, Assigns and Licensees of the 2 Lots in this subdivision and also Lots 22A and 22B in Home Depot Subdivision, as recorded in Plat Book R, page 16. The Ingress and Egress Easement, to the east line of Lot 22C-2, is subject to the provisions of a "Grant of Access Easement" between Home Depot and Vanderburgh County as recorded in Deed Drower 13, card 6332 in the office of the Recorder of Vanderburgh County, Indiana. Also, the Ingress and Egress Easement, to the east of Lot 22B, is subject to the provisions stated in the same "Grant of Access Easement", Deed Drower 13, card 6332.  
 Vanderburgh County shall have no obligation to construct or maintain the roadway within said "grant of access easement."  
 Lot 22C, which is being subdivided, is subject to all the provisions stated on the recorded plat of Eagle Plaza Subdivision, recorded in Plat Book R, page 171 and Home Depot Subdivision, recorded in Plat Book R, page 16 in the office of the Recorder of Vanderburgh County, Indiana, and it is also subject to all the conditions described in the recorded Restrictions and Covenants for said Eagle Plaza Subdivision and all recorded Amendments and Additions thereto.  
 Basements: Any basements must be approved by the Vanderburgh County Building Commissioner.  
 Floor Elevations: The lowest floor elevations of any enclosed space (including garage) must be at least two feet above the 100 year flood elevation. The minimum floor elevation is called Flood Protection Grade (FPG). FPG has been marked on all lots in the Flood Plain Additional Information may be obtained from the Vanderburgh County Building Commissioner.  
 First floor grades shall be set to allow for proper drainage away from buildings. All first floor grades shall conform to local and state enforced building codes.  
 Erosion Control: The Developer, Development Contractors, Builders and all Lot Owners or anyone working with or disturbed 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.  
 Temporary Erosion Control of Disturbed Areas: Slopes of 0% to 6% shall be mulched and seeded with a cover crop, i.e., ryegrass, 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 1% shall be seeded and mulched within 45 days of disturbance. Slopes of 1% to 6% shall be seeded 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.  
 Property Corner Markers: All corners not already marked will be marked with a 5/8" diameter steel rebar with plastic cap stamped "Morley & Assoc. 01/0023."

**Owners 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 HOME DEPOT II 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 structures other than such utility facilities shall be located within said areas of land and any fence located within said areas of land are 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 areas for work by public utility as 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 landfills, 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 and to from said easements for necessary construction, maintenance or reconstruction.  
 Home Depot U.S.A., Inc.  
 2455 Paces Ferry Road N.W.  
 Building C, 20th Floor  
 Atlanta, GA 30339

By: *Karen Polvak* Title: *Corporate Counsel*  
 Printed Name: *Karen B. Polvak*

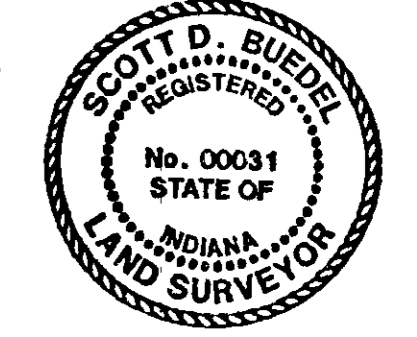
**Notary Certificate**

STATE OF California COUNTY OF Orange  
 Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the said Owner and Subdivisor,  
*Karen B. Polvak*  
 who acknowledge the execution of the foregoing plat with the declarations 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 16 day of JANUARY, 2003.  
 My Commission Expires: 1-12-05  
 Notary Public: *Lisa M. Smith*  
 Notary Resides in: Placentia/Orange  
 County, CA  
 State



**Surveyor's Certificate**

I, Scott D. Buedel, do hereby certify that I am a land surveyor licensed in compliance with the laws of the State of Indiana, and further certify that the plat correctly represents a survey completed by me, and that all monuments shown exist at locations  
 Witness my hand and seal this 9 day of JANUARY, 2003.  
 Scott D. Buedel  
 Scott D. Buedel, P.L.S.  
 Indiana Registration No. 00031  
 Prepared by:  
 Morley and Associates, Inc.  
 600 SE Sixth Street  
 Evansville, Indiana 47713  
 (812) 464-5555



**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, November 12, 2002 at Sub Review.  
 President: *Mark Foster*  
 Attest Executive Director: *Blaine Oliver*  
 Executive Director: *Blaine Oliver*  
 PLAT RELEASE DATE: Feb. 18, 2003  
 APC#39-MS-2002

**R-41**

