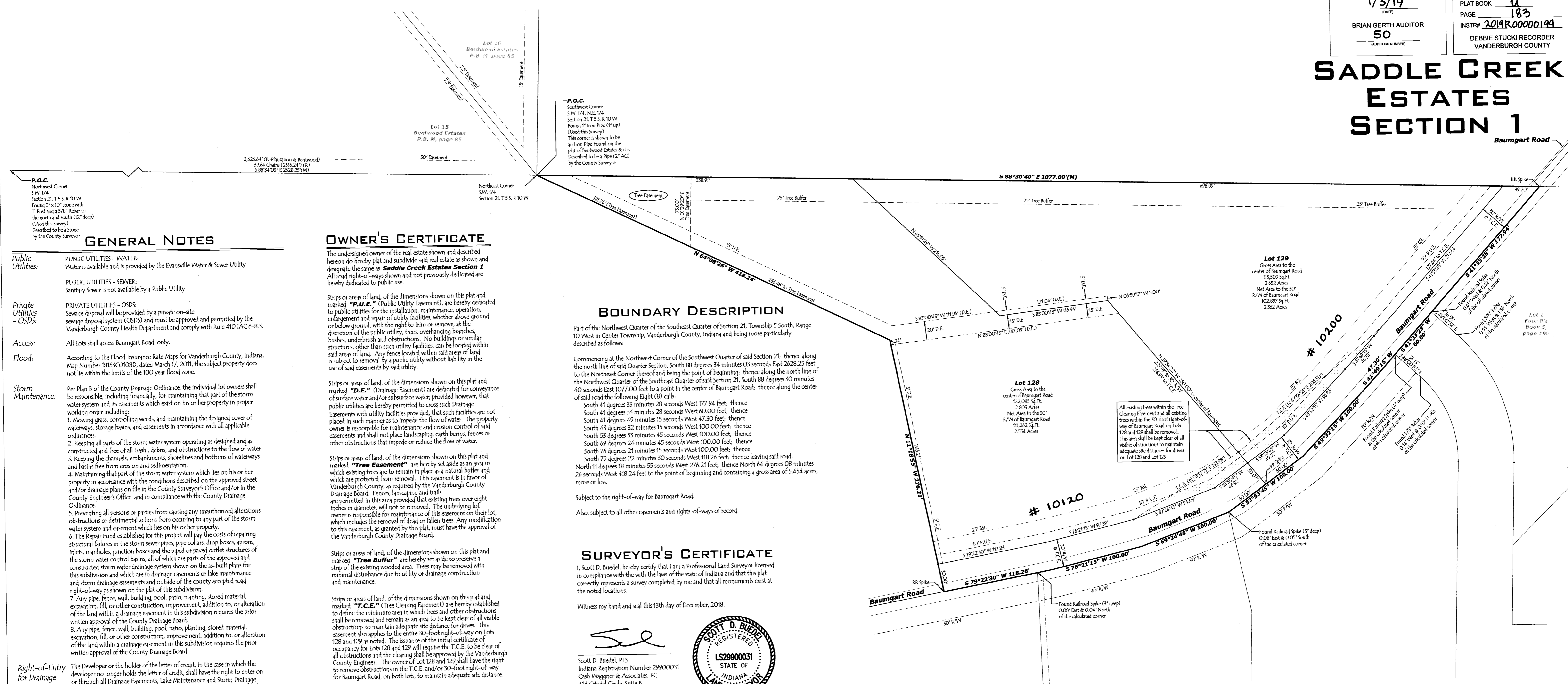


RECEIVED FOR RECORD  
 DULY ENTERED FOR TAXATION SUBJECT  
 TO FINAL ACCEPTANCE FOR TRANSFER  
 1/3/19  
 (DATE)  
 BRIAN GERTH AUDITOR  
 50  
 (AUDITORS NUMBER)  
 DATE 1/3/2019 2:28 PM  
 PLAT BOOK 11  
 PAGE 183  
 INSTR# 2019R0000194  
 DEBBIE STUCKI RECORDER  
 VANDERBURGH COUNTY

# SADDLE CREEK ESTATES SECTION 1



## GENERAL NOTES

- Public Utilities:** PUBLIC UTILITIES - WATER: Water is available and is provided by the Evansville Water & Sewer Utility
- Private Utilities - OS/DS:** PRIVATE UTILITIES - SEWER: Sanitary Sewer is not available by a Public Utility
- Access:** All Lots shall access Baumgart Road, only.
- Flood:** According to the Flood Insurance Rate Maps for Vanderburgh County, Indiana, Map Number 18163C0108D, dated March 17, 2011, the subject property does not lie within the limits of the 100 year flood zone.
- Storm Maintenance:** Per Plan B of the County Drainage Ordinance, the individual lot owners shall be responsible, including financially, for maintaining that part of the storm water system and its easements which exist on his or her property in proper working order including:
- Mowing grass, controlling weeds, and maintaining the designed cover of waterways, storage basins, and easements in accordance with all applicable ordinances.
  - Keeping all parts of the storm water system operating as designed and as constructed and free of all trash, debris, and obstructions to the flow of water.
  - Keeping the channels, embankments, shorelines and bottoms of waterways and basins free from erosion and sedimentation.
  - Maintaining that part of the storm water system which lies on his or her property in accordance with the conditions described on the approved street and/or drainage plans on file in the County Surveyor's Office and/or in the County Engineer's Office and in compliance with the County Drainage Ordinance.
  - Preventing all persons or parties from causing any unauthorized alterations obstructions or detrimental actions from occurring to any part of the storm water system and easement which lies on his or her property.
  - The Repair Fund established for this project will pay the costs of repairing structural failures in the storm sewer pipes, pipe collars, drop boxes, aprons, inlets, manholes, junction boxes and the piped or paved outlet structures of the storm water control basins, all of which are parts of the approved and constructed storm water drainage system shown on the as-built plans for this subdivision and which are in drainage easements or lake maintenance and storm drainage easements and outside of the county accepted road right-of-way as shown on the plat of this subdivision.
  - Any pipe, fence, wall, building, pool, patio, planting, stored material, excavation, fill, or other construction, improvement, addition to, or alteration of the land within a drainage easement in this subdivision requires the prior written approval of the County Drainage Board.
  - Any pipe, fence, wall, building, pool, patio, planting, stored material, excavation, fill, or other construction, improvement, addition to, or alteration of the land within a drainage easement in this subdivision requires the prior written approval of the County Drainage Board.
- Right-of-Entry for Drainage Easements** The Developer or the holder of the letter of credit, in the case in which the developer no longer holds the letter of credit, shall have the right to enter on or through all Drainage Easements, Lake Maintenance and Storm Drainage Easements and any other easements which carry storm water drainage for the purpose of inspecting and making any connections to the stormwater drainage system in order that the stormwater drainage system is completed to the specifications of the approved drainage plan. Such right of entry shall include but not be limited to: mobilization/demobilization of equipment, grading or regrading of slopes, installation of pipes and manholes, installation of erosion control material, removal of any fences, landscape material, bushes or trees, unauthorized outlet pipes or other obstructions, or other activities that may be required in order to repair or complete the storm drainage system so that the storm drainage system is installed and functioning as approved in the final drainage plan for the subdivision. This right of entry shall be in full force until such time as the complete release of the letter of credit by Vanderburgh County. Furthermore members of the Vanderburgh County Drainage Board and/or their technical advisors shall have the right to enter upon such easements for the purposes of making periodic inspections upon the storm drainage system as required by the Drainage Board and/or the Vanderburgh County Drainage Code during the construction/reconstruction period as well as any time after the storm drainage system is complete and the letter of credit has been released for the purpose of ensuring that the stormwater drainage system is functioning as originally designed.
- Survey:** The boundary of the subject property was established on the Baumgart Road Parcelization plat which was completed by Cash Waggoner & Associates, PC on November 9, 2011. This Parcelization Plat is recorded in Document 2015R00030866 in the Office of the Recorder of Vanderburgh County, Indiana.
- Monuments:** Monuments either exist as noted or have been set at all exterior boundary corners and interior lot corners. Monuments set are 5/8" Rebar with plastic cap stamped "Cash Waggoner & Associates #0096"
- Approval Dates:** Application for Modification/Waiver of Subdivision Standards: APC Docket Number 15-SW-2016 requesting to waive the installation of sidewalks, as per County Code 16.12.020 (B)(2), was approved by the County Commissioners on October 30, 2018, for Lots 128 and 129, only.
- Drainage Plans, for Lots 128 and 129, were approved by the Vanderburgh County Drainage Board on October 2, 2018.

## OWNER'S CERTIFICATE

The undersigned owner of the real estate shown and described hereon do hereby plat and subdivide said real estate as shown and designate the same as **Saddle Creek Estates Section 1**. 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 "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. 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.

Strips or areas of land, of the dimensions shown on this plat and marked "T.E." (Tree Easement) are hereby set aside as an area in which existing trees are to remain in place as a natural buffer and which are protected from removal. This easement is in favor of Vanderburgh County, as required by the Vanderburgh County Drainage Board. Fences, landscaping and trails are permitted in this area provided that existing trees over eight inches in diameter, will not be removed. The underlying lot owner is responsible for maintenance of this easement on their lot, which includes the removal of dead or fallen trees. Any modification to this easement, as granted by this plat, must have the approval of the Vanderburgh County Drainage Board.

Strips or areas of land, of the dimensions shown on this plat and marked "T.C.E." (Tree Clearing Easement) are hereby established to define the minimum area in which trees and other obstructions shall be removed and remain as an area to be kept clear of all visible obstructions to maintain adequate site distance for drives. This easement also applies to the entire 30-foot right-of-way on Lots 128 and 129 as noted. The issuance of the initial certificate of occupancy for Lots 128 and 129 will require the T.C.E. to be clear of all obstructions and the clearing shall be approved by the Vanderburgh County Engineer. The owner of Lot 128 and 129 shall have the right to remove obstructions in the T.C.E. and/or 30-foot right-of-way for Baumgart Road, on both lots, to maintain adequate site distance.

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 & Developer**  
 CWK Investments - McCutchanville, LLC  
 9210 Petersburg Road  
 Evansville, IN 47725

**C. Wayne Kinney** 12-27-2018  
 C. Wayne Kinney, Member date

## NOTARY CERTIFICATE

State of Indiana )  
 County of Vanderburgh ) ss:

Before me, the undersigned, a Notary Public in and for the said County and State, personally appeared the said Owner and Subdivider C. Wayne Kinney, Member (CWK Investments - McCutchanville, LLC) who acknowledged the execution of the foregoing plat with the declarations and restrictions thereon, express to be his voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and seal this 27<sup>th</sup> day of DECEMBER, 2018.

9-26-2023  
 My Commission expires: Notary Public

Notary Resides in \_\_\_\_\_  
 Notary Public - State of Indiana

## BOUNDARY DESCRIPTION

Part of the Northwest Quarter of the Southeast Quarter of Section 21, Township 5 South, Range 10 West in Center Township, Vanderburgh County, Indiana and being more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of said Section 21; thence along the north line of said Quarter Section, South 88 degrees 34 minutes 05 seconds East 2628.25 feet to the Northeast Corner thereof and being the point of beginning; thence along the north line of the Northwest Quarter of the Southeast Quarter of said Section 21, South 88 degrees 30 minutes 40 seconds East 1077.00 feet to a point in the center of Baumgart Road; thence along the center of said road the following Eight (8) calls:

South 41 degrees 35 minutes 28 seconds West 177.94 feet; thence  
 South 41 degrees 35 minutes 28 seconds West 60.00 feet; thence  
 South 41 degrees 49 minutes 15 seconds West 47.30 feet; thence  
 South 43 degrees 32 minutes 15 seconds West 100.00 feet; thence  
 South 55 degrees 55 minutes 45 seconds West 100.00 feet; thence  
 South 69 degrees 24 minutes 45 seconds West 100.00 feet; thence  
 South 76 degrees 21 minutes 15 seconds West 100.00 feet; thence  
 South 79 degrees 22 minutes 30 seconds West 118.26 feet; thence leaving said road,  
 North 11 degrees 18 minutes 55 seconds West 276.21 feet; thence North 64 degrees 08 minutes 26 seconds West 418.24 feet to the point of beginning and containing a gross area of 5.454 acres, more or less.

Subject to the right-of-way for Baumgart Road.  
 Also, subject to all other easements and rights-of-ways of record.

## SURVEYOR'S CERTIFICATE

I, Scott D. Buedel, hereby certify that I am a Professional Land Surveyor licensed in compliance with the laws of the state of Indiana and that this plat correctly represents a survey completed by me and that all monuments exist at the noted locations.

Witness my hand and seal this 13th day of December, 2018.

Scott D. Buedel  
 Scott D. Buedel, PLS  
 Indiana Registration Number 29900031  
 Cash Waggoner & Associates, PC  
 414 Citadel Circle, Suite B  
 Evansville, IN 47715

## AREA PLAN COMMISSION CERTIFICATE

Under the authority provided by the Acts of 1981, Public Law #509, 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 June 9, 2016.

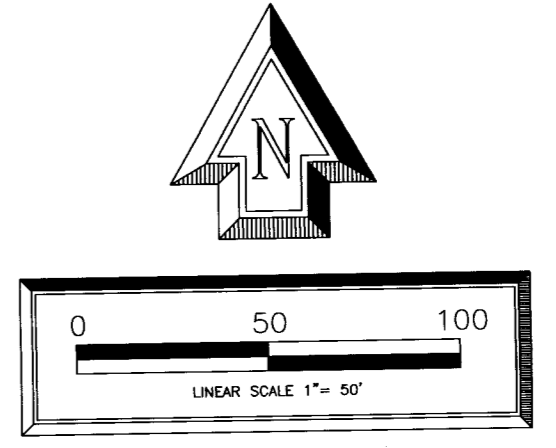
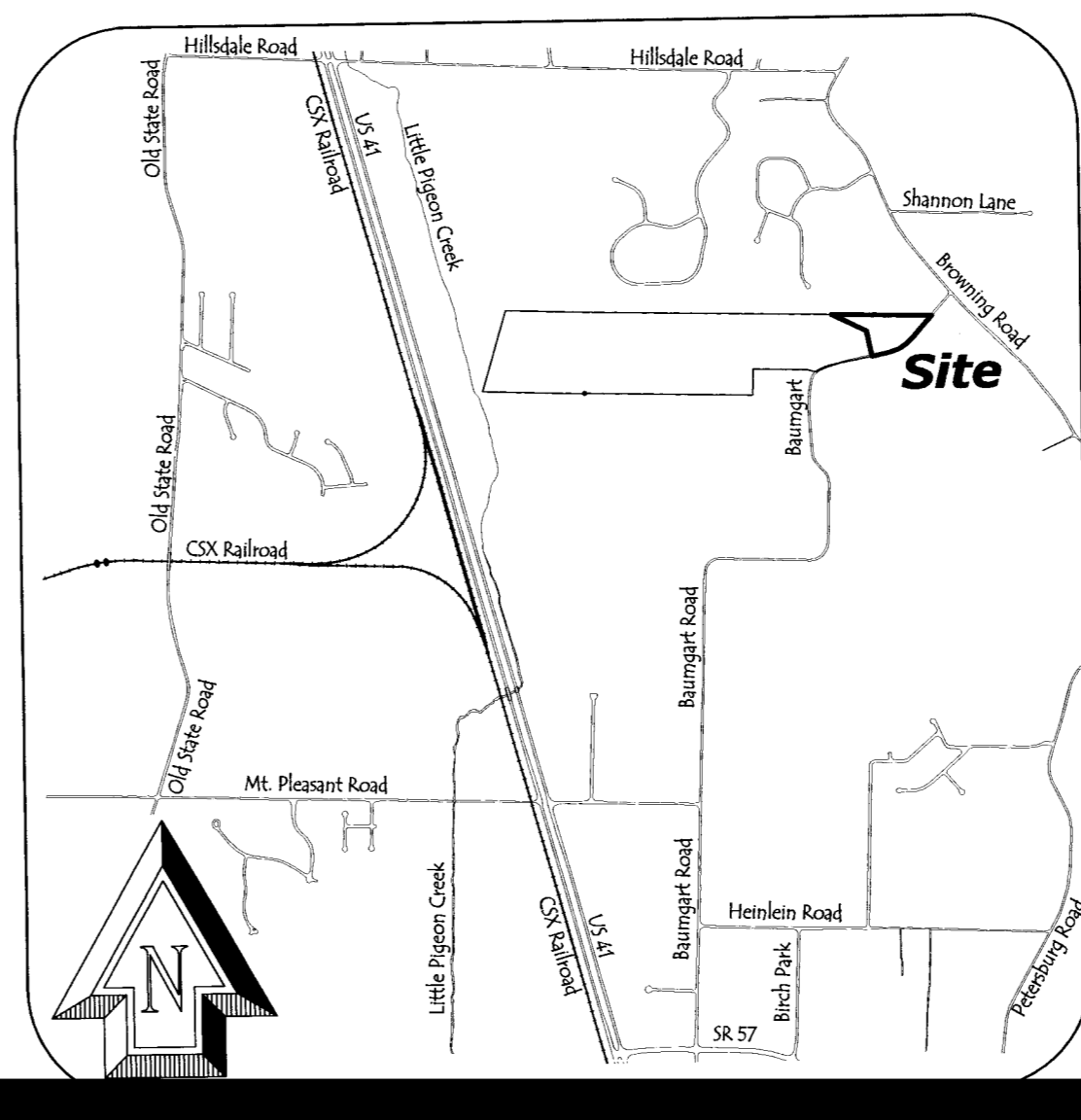
President: STACEY STEVENS

Attest Executive Director: RONALD S. LONDON  
 PLAT RELEASE for APC DOCKET NO. 3-5-2016  
 The Secondary plat complies with the Ordinance and is released for recording.

Executive Director: RONALD S. LONDON  
JAN 3, 2019  
 Plat Release Date

Witness my hand and seal this 27<sup>th</sup> day of DECEMBER, 2018.

SCOTT D. BUDEL  
 Notary Public - State of Indiana



**1183**

**CASH WAGGNER & ASSOCIATES, PC**

414 CITADEL CIRCLE  
 SUITE B  
 EVANSVILLE, IN 47715  
 PH: 812.401.5561  
 402 E 13TH STREET  
 JASPER, IN 47546  
 PH: 812.634.5015

**AFFIRMATION STATEMENT**  
 I AFFIRM, UNDER THE PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.  
 SIGNATURE: Scott D. Buedel  
 PRINTED NAME: Scott D. Buedel