

CROSS POINTE - SECTION 4A

STORM DRAINAGE PLANS WERE APPROVED BY THE VANDERBURGH COUNTY DRAINAGE BOARD ON: JUNE 23, 1997

PRIMARY APPROVAL BY THE EVANSVILLE-VANDERBURGH COUNTY AREA PLAN COMMISSION ON: MAY 1, 1996

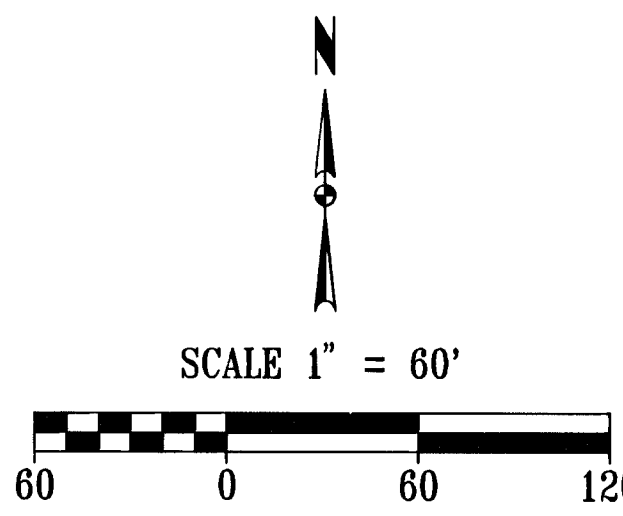
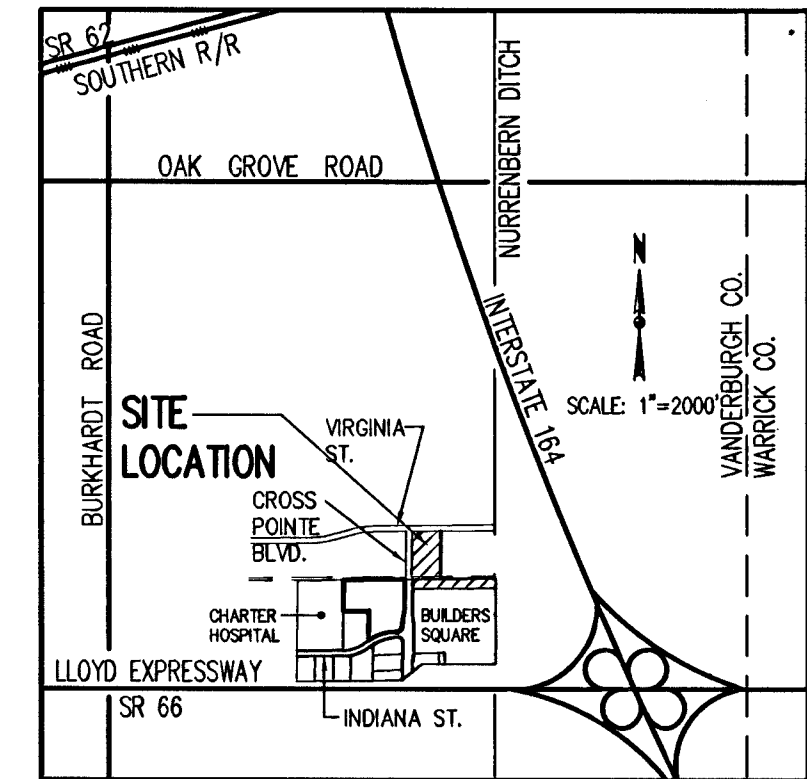
RECEIVED RECORD at 11:06 AM JULY 7, 1997
P
110
BETTY J. HERMANA RECORDER VANDERBURGH COUNTY
CTRL # 0080

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

JUL 07 1997

Signature of Auditor
AUDITOR
3834

NE Corner, East 1/2, SW. 1/4, Sec 19-6-9



Legend
FPG - Flood Protection Grade (Minimum Floor Elevation)
BM - Bench Mark
R - Radius
L - Length
BSL - Building Setback Line

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 Cross Pointe Section 4 A.

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 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.&UG.P.U.E." (Drainage & Underground Public Utility Easement) are dedicated for conveyance of surface water and/or subsurface water drainage and for the maintenance and operation of underground portions of public utility facilities, including flush with surface level manholes and vaults that do not impede drainage flow, access along the easement, or mowing and maintenance of the easement. No structures other than such utility facilities or drainage ways or systems shall be located within said areas of land and any fence located within said areas of land is subject to removal by the Drainage Board or a public utility without liability, in the use of said easements.

Strips or areas of land, of the dimensions shown on this plat and marked "L.M.&S.D.E." (Lake Maintenance & Storm Detention Easement) are dedicated for the maintenance of the storm detention lake and maintenance, and storage of storm water. Any major alterations to the land within these easements must have the approval of the Drainage Board. Fences may not be extended across the Lake Maintenance and Storm Detention Easement.

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 Drainage Board or utility exercising such right of ingress and egress shall take care to not disturb property and shall be liable for any direct damages outside the easements.

Owners:
By *James R. McKinney*, President
Cross Pointe Commerce Corp.
P.O. Box 5189
Evansville, IN 47716

By *Chris H. Buente*, Trustee
Buente Family Land Trust No. 1
2200 Briarcliff Drive
Newburgh, IN 47630

NOTARY CERTIFICATE

STATE OF INDIANA, COUNTY OF VANDERBURGH) ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the said Owner(s) and Subdivider(s), 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 27th day of June, 1997.

My Commission Expires: 4/2/99

Julie L. Clayton
Notary Public

Notary Resides in Vanderburgh County, Indiana
Julie L. Clayton
(typed or printed name)

BOUNDARY DESCRIPTION

Part of the East Half of the Southwest Quarter of Fractional Section 19, Township 6 South, Range 9 West in Vanderburgh County, Indiana, more particularly described as follows:

Commencing at the southeast corner of said Half Quarter Section, thence along the east line of said half quarter section North 00 degrees 33 minutes 16 seconds East 1060.83 feet to the point of beginning; thence South 89 degrees 26 minutes 36 seconds West 857.09 feet to a point on the east right-of-way line of Cross Pointe Boulevard recorded in Deed Drawer 9, Card 2562; thence along said east right-of-way line North 00 degrees 33 minutes 33 seconds East 547.92 feet to the point of curvature of a curve to the right, concave to the southeast, having a central angle of 88 degrees 54 minutes 02 seconds and a radius of 50.00 feet from which a chord bears North 44 degrees 59 minutes 34 seconds East 70.03 feet; thence along the arc of said curve 77.58 feet to a point on the south right-of-way line of Virginia Street as recorded in Deed Drawer 5, Card 7848 and 7849; thence along said south right-of-way line North 89 degrees 26 minutes 35 seconds East 248.00 feet; thence South 00 degrees 33 minutes 33 seconds East 497.59 feet; thence North 89 degrees 26 minutes 35 seconds East 560.06 feet to a point on the east line of said half quarter section; thence along the east line of said half quarter section South 00 degrees 33 minutes 16 seconds West 99.38 feet to the point of beginning, containing 5.34 acres (232,437 sq.ft.).

Subject to all existing easements and rights-of-way of record as shown.

I, Danny K. Leek, hereby certify that I am a land surveyor licensed in compliance with the laws of the State of Indiana, and further that this plat correctly represents a survey completed by me on June 27, 1997 and that all monuments exist at locations as noted.

Witness my hand and seal this 27th day of June, 1997.

Danny K. Leek
Danny K. Leek, P.L.S.
Indiana Registration No. 50480

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AREA PLAN COMMISSION CERTIFICATE

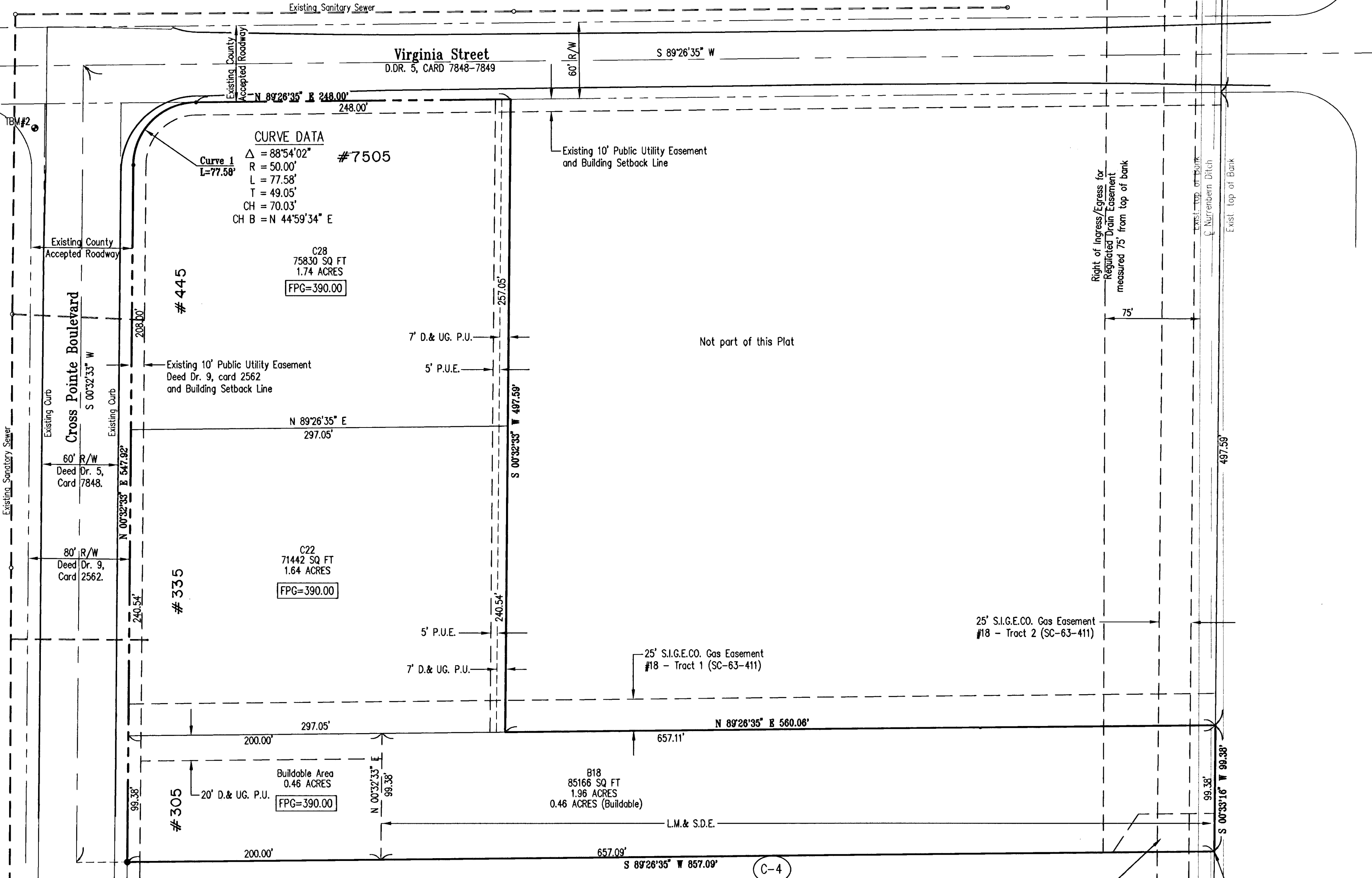
Under the authority provided by the Acts of 1981, Public Law #309, and enacted by the General Assembly of the State of Indiana, proper notice was given and this plat has been given PRIMARY APPROVAL BY THE AREA PLAN COMMISSION OF EVANSVILLE AND VANDERBURGH COUNTY at a meeting held on, May 1, 1996.

Barbara S. Cunningham
President
Barbara S. Cunningham
Attest Executive Director

Secondary Plat complies with the Ordinance and is released for Recording.

Barbara S. Cunningham
Executive Director

PLAT RELEASE DATE: July 7, 1997



C-4

C-4

P.O.B.

SE Corner, East 1/2, SW. 1/4, Sec 19-6-9

General Notes

Utilities: Water and sanitary sewers are available to the site.

Road Grades: Maximum road grades will not exceed 5.0%.

Basements: Any basements must be approved by the Vanderburgh County Building Commissioner.

Zoning: The subject property is currently zoned C-4.

Flood Plain Data: 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 180256 0050 B, dated March 19, 1982.

Floor Elevations: 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). The FPG for all the lots in this subdivision is 390.00. FPG has been marked on all lots near 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 houses. All first floor grades shall conform to local and state enforced building codes. FPG has been marked on all lots near the flood plain.

Storm Drainage Maintenance: Each Lot Owner within this subdivision shall be financially responsible for the grass cover, mowing and cleaning of any part of the storm water drainage system including inlets, banks and preservation of the design flow line elevations lying within their respective lot. Lot owners shall not construct or place any obstruction within drainage easements which will interfere with the flow of surface water along drainage easements.

The Cross Pointe Commerce Corporation shall be responsible financially, including repair and maintenance of the entire storm water drainage system its parts and easements within or attached to this subdivision and outside of the county accepted rights-of-way including:

- Enforcing the mowing and cleaning obligations of the individual lot owners plus mowing, controlling weeds and maintaining the designated cover of waterways, basin areas and easements attached to this subdivision.
- Keeping all parts of the storm water drainage system operating at all times 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 of oil erosion and sedimentation.
- Maintaining and repairing the storm water drainage system including pipes, inlets, outlets and rip-rap in accordance with the conditions described on the approved street and/or drainage plans on file in the County Engineer's or County Surveyor'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 drainage system and easements within or attached to 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 written approval of the County Drainage Board.
- The foregoing obligation for Drainage maintenance is a requirement of Vanderburgh County and is enforceable by Vanderburgh County.

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., 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.

Flow and Erosion Control for Ditches: Slopes of 0% to 0.8% shall have a concrete ribbon to preserve a smooth flow line. Slopes of 0.8% to 1% shall be seeded and mulched. Slopes of 1% to 2% shall be sodded or stabilized with an erosion control mat. Slopes of 2% to 6% shall have staked sod or an approved staked erosion control mat. Slopes over 6% require riprap or other approved stabilization. Ditch slopes over 2% shall have erosion control mat on the side banks.

Property Corner Markers: All corners not already monumented are marked with a 5/8" diameter iron rod with plastic cap stamped "Morley and Associates, Inc. I.D. No. 0023."

Bench Mark Data: Reference Bench Mark - Brass Monument No. V782 on SE wingwall of I-164 and Lloyd Expressway. Elevation = 417.60.

TBM #1 - Top of concrete base on the east side of a light standard at the NW corner of Indiana Street and Cross Pointe Boulevard. Elev. = 390.66

TBM #2 - Southeast Headbolt on Fire Hydrant at southwest corner of Virginia Street and Cross Pointe Boulevard. Elev. = 389.23