

Malibu Park IV Subdivision Phase A

OWNERS' CERTIFICATE

The undersigned owner of the real estate shown and described herein does hereby plat and subdivide said real estate as shown and designates the same as Malibu Park IV Subdivision. All roads shown and not previously dedicated are hereby dedicated to public use.

Strips of ground, of the width shown on this plat and marked "Public Utility Easement", including offsite easements, 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 erected within said strips of land and any fence located within said strips of land is subject to removal by a public utility without liability in the use of said easements by said utility.

Strips of ground marked "Drainage Easement", including offsite easements, are dedicated for surface water and/or subsurface water, provided, however, that public utilities are hereby permitted to cross such Drainage Easements with utility facilities; and provided that such facilities are not placed in such a 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. Drainage Easements 5 feet wide are located on each side yard shown on this plat unless additional easements are noted.

Russell Seiler
Russell Seiler, Owner
2530 Knob Hill Dr.
Evansville, IN 47710

Dolores M. Seiler
Dolores M. Seiler, Owner
2530 Knob Hill Dr.
Evansville, IN 47710

NOTARY CERTIFICATE

STATE OF INDIANA, COUNTY OF VANDERBURGH

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 26 day of DECEMBER, 1995.

My Commission Expires: 2/28/96
Notary Resides in: Evansville, Indiana
Margie Edwards
Margie Edwards, Notary Public
(Typed or printed name.)

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, this plat has been given PRIMARY APPROVAL by the AREA PLAN COMMISSION of EVANSVILLE and VANDERBURGH COUNTY at a meeting held on 12-4, 1995.

Barbara L. Cunningham
Barbara L. Cunningham, Executive Director
Plat Release Date: 12-27-95

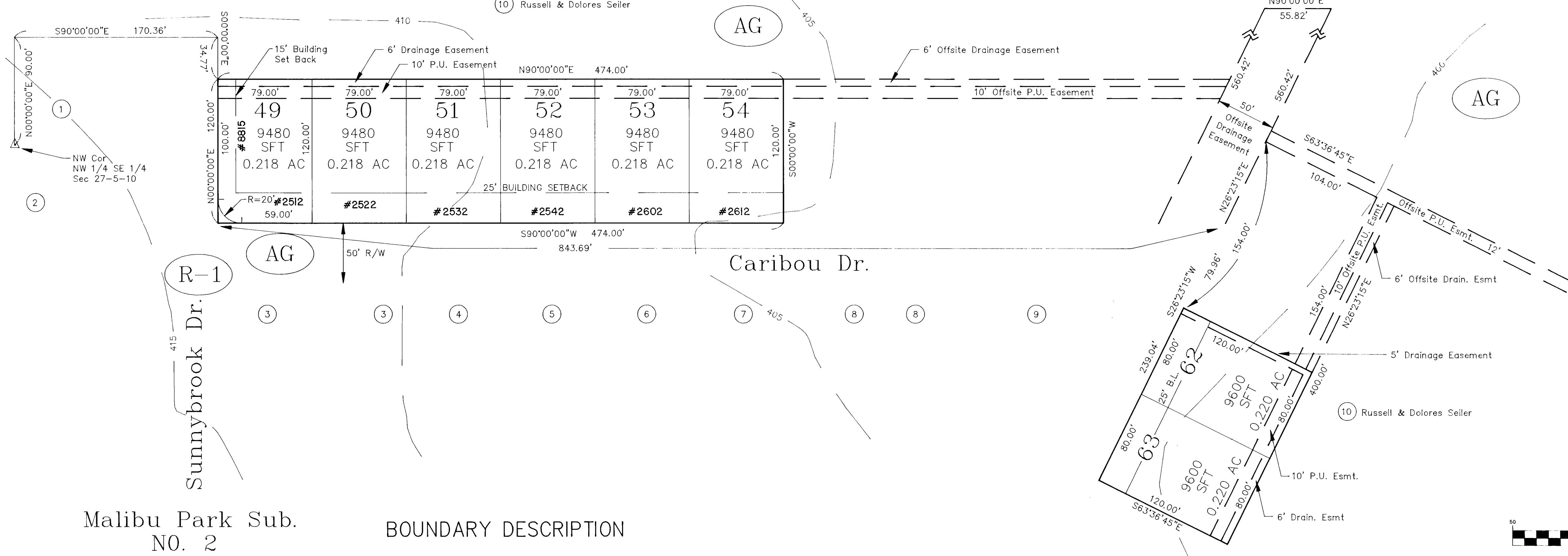


DRAINAGE MAINTENANCE

The individual lot owner(s) shall be responsible, including financially, for that part of the storm water drainage system and its easements which exists on his or her property, to maintain in proper working order including:

- Mowing grass, controlling weeds, and maintaining the designed cover in the waterways, storage basins, and easements in accordance with applicable ordinances.
- Keeping all parts of the storm water drainage system operation as designed and 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 all erosion and sedimentation.
- Maintaining that part of the storm water drainage 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 drainage system and easement which lies on his or her property.
- The Developer shall continue to be responsible for maintaining the existing 12" pipe draining the intersection of Malibu Drive and Caribou Drive. This responsibility shall include keeping the pipe free of trash, debris, and obstructions to the flow of water and repairing any structural failures to the pipe. This responsibility shall continue upon the Developer, his heirs and assigns until such time as the pipe is replaced with approved material by the Developer and accepted by the County for maintenance.
- NOTE: 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.

including Replat of LOT 2 Malibu Park No.3



Malibu Park Sub. NO. 2

BOUNDARY DESCRIPTION

A part of the Northwest Quarter of the Southeast Quarter of Section 27 and also part of the Southwest Quarter of the Northeast Quarter of Section 27, Township 5 South, Range 10 West in Vanderburgh County, Indiana, described as follows:

Commencing at the northwest corner of said Southeast Quarter; thence N 00-00-00 E (assumed bearing) along the west line of said Northeast Quarter 90.00' to the northwest corner of Lot 48 in Malibu Park Subdivision Section 2 as recorded in plat book L, page 83 in the office of the Recorder of Vanderburgh County, Indiana; thence S 90-00-00 E 170.36' to the east right-of-way line of Sunnybrook Drive as platted in said Section 2; thence S 00-00-00 W along said right-of-way 34.77' to the first true point of beginning; thence S 90-00-00 E 474.00' parallel with and offset 120.00' north of the north right-of-way line of Caribou Drive as platted in said Section 2; thence S 00-00-00 W 120.00' to said north right-of-way-line; thence S 30-00-00 W 474.00' along said north line to the easterly right-of-way line of said Sunnybrook Drive; thence N 00-00-00 E 120.00' along said right-of-way line to the first true point of beginning.

ALSO commencing at the northwest corner of said Southeast Quarter; thence N 00-00-00 E (assumed bearing) along the west line of said Northeast Quarter 90.00' to the northwest corner of Lot 48 in said Section 2; thence S 90-00-00 E 170.36' to the east right-of-way line of Sunnybrook Drive as platted in said Section 2; thence S 00-00-00 W along said right-of-way line 154.77' to the north right-of-way line of said Caribou Drive; thence S 90-00-00 E 843.69' along said north line to the easterly right-of-way line of Malibu Drive as platted in said Section 2; thence S 26-23-15 W 79.96' along said easterly line to the second true point of beginning; thence S 26-23-15 W 160.00' along said easterly line to the southwesterly corner of Lot 2 in Malibu Park Section 3, as recorded in Plat Book MS, Page 186 in the office of said Recorder; thence S 63-36-45 E 120.00' to the southeasterly corner of said Lot 2; thence N 26-23-15 E 160.00'; thence N 63-36-45 W 120.00' to the second true point of beginning.

Containing a total of 1.747 acres, more or less.

GENERAL NOTES

- ZONING: The subject property is currently zoned AG as shown. All abutting property is zoned AG as shown.
- FLOOD PLANE DATA: Per F.I.R.M. Panel Number 180256 0025 C, dated August 5, 1991, all portions of the proposed subdivision are in Zone C, signifying "areas of minimal flooding."
- UTILITIES: All utilities are available at the site.
- TEMPORARY EROSION CONTROL: (During Construction.)
- Slopes of 0% - 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 and must remain in place until final grading and shaping.
 - Slopes of more than 6% shall be mulched and seeded and shall have straw bales and/or erosion blankets in place until final grading and seeding.
- EASEMENTS: All easements, unless otherwise indicated, are public utility or drainage easements. All easement widths are as shown hereon. See Owner's Certificate for dedication and restrictions.
- STRUCTURES: No portable or permanent storage sheds, dog houses, or any other permanent or portable building shall be placed within any easement.
- CORNERS: All corners shall be marked with an iron pin except as noted.

APPROVALS

DRAINAGE PLANS were approved by the Vanderburgh County Drainage Board on December 26, 1995.

ROAD CONSTRUCTION: all roads are preexisting and accepted. No road plans required for this phase.

SIDEWALK WAIVER: Sidewalk waiver granted by County Commissioners on December 26, 1995.

AIRPORT NOISE

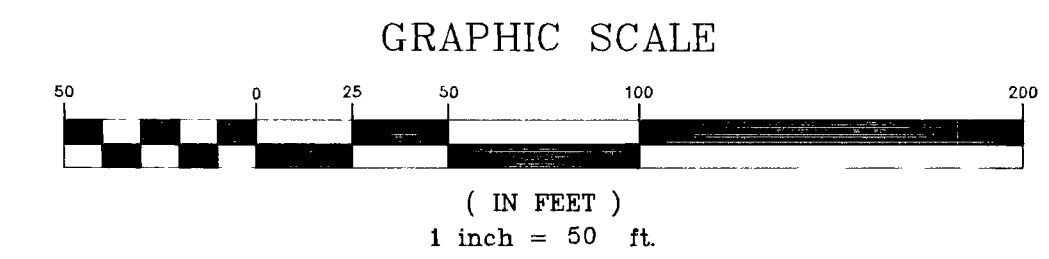
The owners of lots in this subdivision by acceptance of their deeds acknowledge for themselves as well as their successors in interest and those claiming under them that the subdivision is within close proximity to Evansville Regional Airport and that the operation of the airport may generate high noise levels. Noise generated by the operation of aircraft at that airport may increase substantially in volume in the future. The owners of lots in this subdivision agree for themselves as well as their successors in interest that they take subject to the existence of said airport and they agree for themselves and their successors in interest not to object to the existence of the airport or to seek or participate in any action to remove the airport or to prevent the landing or take-off of aircraft therefrom.

ABUTTING PROPERTY OWNERS

- | | | |
|---|--|--|
| 1 Iglehart, James B. & Diane F.
8701 Whetstone Rd.
Evansville, IN 47711 | 4 Unfried, Joseph W. & Lois Marie
2531 Caribou Dr.
Evansville, IN 47711 | 7 Powless, Michael S. & Ellen D.
2611 Caribou Dr.
Evansville, IN 47711 |
| 2 Miller, Rodney E. & Paige A.
2800 Sunnybrook Dr.
Evansville, IN 47711 | 5 Fillingim, J.E. & Dorothy F.
2541 Caribou Dr.
Evansville, IN 47711 | 8 Childs, Paula J.
2621 Caribou Dr.
Evansville, IN 47711 |
| 3 Mabrey, Earl P. & Mary A.
8731 Sunnybrook Dr.
Evansville, IN 47711 | 6 Kissinger, Randall P. & Donna G.
2601 Caribou Dr.
Evansville, IN 47711 | 9 Jones, Timothy S. & Susan E.
2641 Caribou Dr.
Evansville, IN 47711 |
| | | 10 Jellin, W. Russell Sr. & Dolores M.
2530 Knob Hill Dr.
Evansville, IN 47710 |
| | | 11 Wilhite, Albert L. & Jean
2699 Malibu Dr.
Evansville, IN 47711 |

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RECEIVED FOR RECORD
DATE: 12-26-95
PAGE: 2
BY: BETTY J. HERRMAN
VANDERBURGH COUNTY
CTRL. # 0002



Minor Sub. Malibu Park No. 3

Deerfield Dr. Malibu Dr. S.R. 57

SURVEYOR'S CERTIFICATE

I, David L. Savage, 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 in accordance with said laws and that all monuments shown exist at locations as noted.

Witness my hand and seal this 26 day of DECEMBER, 1995.

David L. Savage, P.E., L.S.
Indiana Registration No. 870014

