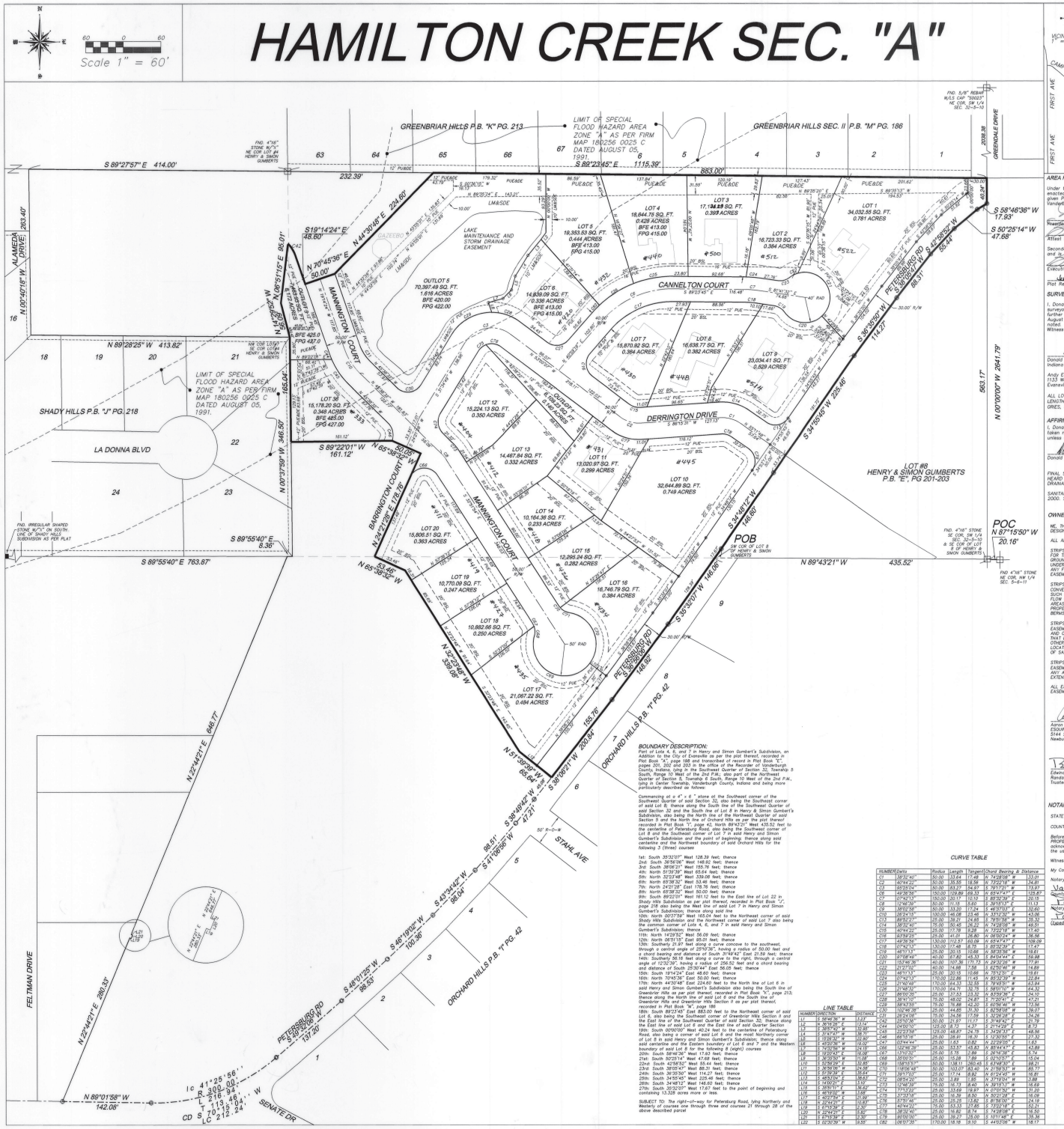
HAMILTON CREEK SEC. "A"



DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

June 3, 2009

BILL FLUTY AUDITOR

2580

(AUDITOR'S NUMBER)

RECEIVED FOR RECORD

DATE 06-03-09 10:37 AM

PLAT BOOK "S"

PAGE 136

INSTR# 2009 R 000 4395

TULEY RECORDER

VANDERBURGH COUNTY

GENERAL NOTES:

1. Utilities: City of Evansville water service is available. Vectren Gas and Electric service are also available. Sanitary Sewer facilities are available by Evansville Water and Sewer Utility.

2. Erosion Control: Slopes 0E to 6% shall be mulched and seeded, i.e., rye, red top and wheat (which will be used primarily for fall planting) within 45 days of disturbance of soil and must remain in place until final grading and shaping. Slopes of more than 6% shall have straw bales and/or erosion blankets in place within 5 days of disturbance. Straw bales must remain in place until final grading and seeding. No disturbed ground surface shall be reexposed to erosion until erosion control as such lot is developed. Erosion must be controlled so that no off-site damage from erosion occurs and sedimentation must be contained on the lot on which it originates.

3. Flood Plain Data: A portion of the property is located in the Special Flood Hazard Area (SFHA) Zone "A" according to FIRM panel 180256–0025C dated August 5, 1991 for Vanderburgh County, Indiana.

4. Special Measures: Special Measures are required to provide extra crawl space protection due to ground elevations. Special measures may include waterproofing, installed sump pumps, and slopes in excess of code minimums, etc. Lots 14, 15, 25, 26, and 42 should incorporate said special measures.

All lots within or adjacent to the special Flood Hazard Area (SFHA) Zone "A" are marked with the appropriate Flood Protection Grade (FPG). The FPG is the minimum Finished Floor Elevation (FFE) required for all new construction as per the requirements of the Vanderburgh County Building Commission. Consult with engineer or the Vanderburgh Building Commission to confirm how the FPG influences the type of construction and the structures being built within the SFHA.

5. The Hamilton Creek Property Owner's Association, Inc. shall be responsible, including financially, for the maintenance and repair of the entire storm water drainage system and its easements within or affiliated to this subdivision and outside of the county accepted road right of ways including:

(1) Mowing grass, controlling weeds and maintaining the designed cover of the waterways, storage basin and easements in accordance with applicable ordinances.

(2) Keeping all parts of the storm water drainage system operating at all times according to the as constructed, free of all trash, debris and obstructions to the flow of water.

(3) Keeping the channel, embankments, shoreline, and bottom of waterways and waterways free of all erosion and sediment.

(4) Maintaining and repairing the storm water drainage system in accordance with the conditions described on the approved street and/or drainage plans on file in the County Surveyor's office and/or the County Engineer's Office and in compliance with the County Drainage Ordinance.

(5) Preventing all persons or parties from causing any unauthorized alterations, obstructions or detrimental action from occurring to any part of the storm water drainage system and easements within or attached to this subdivision. Such action shall include, but not be limited to, building, pool, patio, planting, or material installation, fill or other construction, improvement, addition or alteration of the land within a drainage easement in this subdivision requires the prior written approval of the County Drainage Board.

6. NOISE SENSITIVE STATEMENT: It is understood by the owners of the real property, as described within, lies in proximity to an operating airport and that aircraft takeoff and landing may generate high noise levels.

7. For the purposes of fencing, Lots #1, 9, 10, 16, 17, 24, 25, 31, and 32 are not considered double frontage lots.

8. All Outlots shall be maintained by the Hamilton Creek Property Owner's Association, Inc. and are non–buildable lots. Outlots may be combined with adjacent buildable lots at the developer's/homeowner's association discretion. All local and state ordinances must be followed in the combination of any and all lots within the subdivision.

9. All Lots shall access interior streets only.

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

June 3, 2009

President

Attest Executive Director

Secondary Plat complies with the Ordinance and is approved hereunder.

Executive Director

June 3, 2009

Plat Release Date

SURVEYOR'S CERTIFICATE:

I, Donald E. Gries, hereby certify that I am a professional registered 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 on August 11, 2008, and that all monuments shown exist as the locations as noted.

Witness my hand and seal this 3RD day of April, 2009.

Donald E. Gries L.S.

Indiana Registration No. S–29900003

Andy Easley Engineering, Inc.

1133 West Mill Road

Evansville, IN, 47710

ALL LOT CORNERS SHALL BE MONUMENTED WITH A NO. 5 REBAR 24 INCHES IN LENGTH, WITH A PLASTIC IDENTIFICATION CAP INSCRIBED WITH "DONALD E. GRIES, LS 29900003"

AFFIRMATION STATEMENT:

I, Donald E. Gries, hereby 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.

Donald E. Gries L.S.

FINAL STREET AND DRAINAGE PLANS FOR HAMILTON CREEK SECTION "A" WERE HEARD AND APPROVED BY THE VANDERBURGH COUNTY COMMISSIONERS AND DRAINAGE BOARD AT MEETINGS HELD MARCH 17, 2009.

SANITARY SEWER PLANS WERE PREVIOUSLY APPROVED BY IDEM AND EWSU IN 2000. SEWERS ARE INSTALLED AS PER SAID APPROVED PLANS.

OWNERS' CERTIFICATE:

WE, THE UNDERSIGNED OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON, DO HEREBY PLAT AND SUBDIVIDE SAID REAL ESTATE AND DESIGNATE THE SAME AS HAMILTON CREEK SECTION "A".

ALL ADDITIONAL ROAD RIGHTS–OF–WAY 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.

STRIPS OR AREAS OF LAND, OF THE DIMENSIONS SHOWN ON THIS PLAT AND MARKED "DE" (DRAINAGE EASEMENT) ARE HEREBY 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 A 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, LONG AS ANY DAMAGE CAUSED TO A DRAINAGE FACILITY IS REPAIRED BY THE UTILITY COMPANY. THE OWNER OF THE LOT SHALL MAINTAIN THE DRAINAGE EASEMENTS AS SHOWN ON THIS PLAT, BUT 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 "DUE/UPUE" (DRAINAGE & UNDERGROUND PUBLIC UTILITY EASEMENT), ARE HEREBY 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 "LM&SE" (LAKE MAINTENANCE & STORM DETENTION EASEMENT), ARE HEREBY DEDICATED FOR THE MAINTENANCE OF THE STORM DRAINAGE LAKE AND MAINTENANCE, AND STORAGE OF STORM WATER. ANY ALTERATIONS TO THE LAND WITHIN THESE EASEMENTS MUST HAVE THE APPROVAL OF THE DRAINAGE BOARD. FENCES MAY NOT BE EXTENDED INTO THE LAKE MAINTENANCE AND STORM DETENTION EASEMENTS.

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.

Aaron Miller, Manager

ESQUIRE PROPERTIES, LLC.

514 E. SR 261

Newburgh, IN 47630

Bruce A Miller

Edwina Kempf, Carolyn S. Messmer, as Trustees of the Carolyn S. Messmer Trust u/a dated May 26, 2000; John M. O'Day, Susan J. O'Day, Randall M. Schulz, Ann E. Schulz; Peter L. Stevenson and Kathleen Stevenson; Clinton P. Williams, Carolyn V. Williams, and Nicholas C. Wolf, as Trustee of the Nicholas C. Wolf, II Revocable Trust Agreement dated March 14, 1997, each by Bruce Miller, their Attorney–in–Fact

NOTARY CERTIFICATE:

STATE OF INDIANA)

) SS:

COUNTY OF VANDERBURGH)

Before me, the undersigned Notary Public in and for said County and State, personally appeared the said Owner(s) and Subdivider(s), ESQUIRE PROPERTIES, LLC, by Aaron Miller, its Manager, and Bruce Miller, its Attorney–in–Fact for the above named individuals, and in such capacities, acknowledged 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 7th day of April 2009

My Commission Expires: 11/22/2014

Notary resides in Vanderburgh County, Indiana

Patricia E. Keith

Notary Public

Patricia E. Keith

(typed or printed name)

S-136

Apc # 14-5-2008

BOUNDARY DESCRIPTION:

Part of Lots 4, 6, and 7 in Henry and Simon Gumbert's Subdivision, an Addition to the City of Evansville as per the plat thereof, recorded in Plat Book "E", page 198 and transcribed of record in Plat Book 201, page 203 in the Office of the Recorder of Vanderburgh County, Indiana, lying in the Southwest Quarter of Section 32, Township 5 South, Range 10 West of the 2nd P.M.; also part of the Northwest Quarter of Section 5, Township 6 South, Range 10 West of the 2nd P.M., lying in Center Township, Vanderburgh County, Indiana and being more particularly described as follows:

Commencing at a 4" x 6 " stone at the Southeast corner of the Southwest Quarter of said Section 32, also being the Southeast corner of said Lot 8, thence along the South line of the Southwest Quarter of said Section 32 and the South line of Lot 8 in Henry & Simon Gumbert's Subdivision, also being the North line of the Northwest Quarter of said Section 5 and the North line of Orchard Hills as per the plat thereof recorded in Plat Book "I", page 42, North 89°43'21" West 435.52 feet to the Southeast corner of Lot 9 in said Henry and Simon Gumbert's Subdivision, also being the Southeast corner of Lot 7 in said Henry and Simon Gumbert's Subdivision and the point of beginning, thence along said centerline and the Northwest boundary of said Orchard Hills for the following 3 (three) courses

1st: South 35°32'07" West 128.39 feet; thence
2nd: South 38°56'06" West 148.82 feet; thence
3rd: South 38°06'21" West 155.76 feet; thence
4th: North 51°38'39" West 65.64 feet; thence
5th: North 32°23'48" West 339.08 feet; thence
6th: North 65°38'32" West 53.46 feet; thence
7th: North 24°21'26" East 178.76 feet; thence
8th: North 65°38'32" West 30.00 feet; thence
9th: South 89°22'01" West 161.12 feet to the East line of Lot 22 in Shady Hills Subdivision as per plat thereof, recorded in Plat Book "J", page 218 also being the West line of said Lot 7 in Henry and Simon Gumbert's Subdivision; thence along said line
10th: North 00°37'59" West 165.04 feet to the Northeast corner of said Shady Hills Subdivision and the Northwest corner of said Lot 7 also being the common corner of Lots 4, 6, and 7 in said Henry and Simon Gumbert's Subdivision; thence
11th: North 14°28'52" West 56.09 feet; thence
12th: North 08°51'15" East 85.01 feet; thence
13th: Southeasterly 42.24 feet along a curve to the southeast, having a radius of 50.00 feet, a central angle of 21°10'36", a chord bearing and distance of South 31°49'42" East 21.59 feet; thence
14th: Southerly 56.16 feet along a curve to the right, through a central angle of 12°32'29", having a radius of 256.52 feet and a chord bearing and distance of South 25°30'44" East 56.05 feet; thence
15th: South 19°14'24" East 48.80 feet; thence
16th: North 70°45'36" East 50.00 feet; thence
17th: North 44°30'48" East 224.60 feet to the North line of Lot 6 in said Henry and Simon Gumbert's Subdivision also being the South line of Greenbriar Hills as per plat thereof, recorded in Plat Book "K", page 213; thence along the North line of said Lot 6 and the South line of Greenbriar Hills and the North line of Section 5 as per plat thereof, recorded in Plat Book "K", page 186
18th: South 89°27'57" East 883.00 feet to the Northeast corner of said Lot 6, also being the Southeast corner of Greenbriar Hills Section II and the East line of the Southwest Quarter of said Section 32; thence along the East line of said Lot 6 and the East line of said Quarter Section
19th: South 00°00'00" West 40.24 feet to the Centerline of Petersburg Road, also being a corner of said Lot 6 and the most Northerly corner of Lot 8 in said Henry and Simon Gumbert's Subdivision; thence along said centerline and the Eastern boundary of Lot 8 and 7 and the Western boundary of Lot 6 and 5 in said Subdivision the following 7 courses
20th: South 38°44'36" West 17.93 feet; thence
21st: South 50°25'14" West 47.68 feet; thence
22nd: South 42°58'52" West 50.44 feet; thence
23rd: South 38°35'47" West 88.31 feet; thence
24th: South 38°35'50" West 114.27 feet; thence
25th: South 34°55'45" West 229.48 feet; thence
26th: South 34°48'12" West 146.60 feet; thence
27th: South 35°32'07" West 17.67 feet to the point of beginning and containing 13.328 acres more or less

SUBJECT TO: The right–of–way for Petersburg Road, lying Northerly and Westerly of courses one through three and courses 21 through 28 of the above described parcel

CURVE TABLE

NUMBER	Delta	Radius	Length	Tangent	Chord Bearing & Distance
C1	38°32'40"	50.00	33.64	17.48	N 74°28'08" E 33.01
C2	40°44'22"	50.00	35.55	18.56	N 73°22'15" W 34.81
C3	85°25'04"	50.00	83.27	54.97	S 79°7'21" W 73.97
C4	44°38'56"	150.00	129.89	69.33	N 69°47'47" E 125.87
C7	07°42'13"	150.00	20.17	10.10	S 85°32'39" E 20.15
C8	12°46'39"	50.00	11.15	5.61	S 39°15'17" E 11.13
C9	39°02'58"	50.00	33.20	17.24	S 45°37'51" E 32.60
C10	39°24'13"	150.00	45.08	23.46	N 33°32'50" W 43.90
C13	85°57'27"	25.00	37.21	24.65	S 78°51'56" E 33.30
C14	39°24'46"	25.00	16.88	8.78	S 74°28'08" E 16.55
C15	40°44'22"	25.00	17.78	9.28	N 73°22'15" W 17.40
C16	85°59'25"	25.00	41.01	26.80	N 06°00'24" W 36.96
C17	44°38'56"	130.00	112.57	60.09	N 69°47'47" E 108.09
C18	07°42'13"	130.00	17.48	8.75	S 85°32'39" E 17.47
C19	46°11'13"	25.00	20.15	10.66	N 56°38'56" W 19.61
C20	97°08'49"	40.00	67.80	45.33	S 84°04'44" E 59.88
C21	153°46'36"	40.00	107.36	171.73	N 29°32'28" W 77.91
C22	21°27'31"	40.00	14.98	7.58	S 62°50'46" W 14.89
C23	46°11'13"	25.00	20.15	10.66	N 75°12'51" E 19.61
C24	07°42'13"	170.00	22.86	11.45	N 85°32'39" W 22.84
C25	21°40'49"	170.00	64.33	32.55	N 79°45'31" W 63.94
C26	21°48'53"	170.00	64.71	32.75	S 58°51'01" W 64.31
C27	86°00'35"	25.00	37.53	23.32	N 83°39'39" E 34.10
C28	38°41'10"	75.00	48.02	24.87	S 77°20'41" E 47.12
C29	58°43'25"	75.00	76.88	42.20	S 60°56'46" W 73.56
C30	152°46'38"	25.00	66.68	91.30	S 82°56'08" W 49.07
C31	39°24'08"	25.00	34.56	17.59	S 32°26'39" E 34.26
C32	25°10'30"	50.00	21.97	11.17	S 31°48'42" E 21.79
C44	04°00'01"	125.00	8.73	4.37	S 21°14'29" E 8.73
C45	32°23'56"	125.00	68.87	34.79	S 34°39'33" E 68.56
C46	86°16'16"	25.00	38.91	16.31	S 12°30'55" E 27.32
C47	05°44'44"	25.00	1.63	0.82	N 22°29'05" E 1.63
C66	122°46'39"	25.00	53.57	45.83	N 85°44'47" E 43.89
C67	13°07'57"	25.00	5.73	2.88	N 26°16'38" E 5.74
C68	35°00'51"	25.00	15.28	7.89	S 01°43'57" E 15.04
C69	158°13'57"	50.00	138.11	260.45	S 67°48'30" E 98.21
C70	118°56'48"	50.00	103.07	83.40	N 21°58'51" W 85.71
C71	39°17'13"	25.00	17.14	8.92	N 61°24'43" W 16.81
C72	08°54'21"	25.00	3.89	1.95	N 13°13'04" W 3.88
C73	12°46'39"	75.00	16.73	8.40	N 39°15'17" W 16.69
C74	77°13'22"	25.00	33.69	19.97	N 07°05'50" W 31.20
C75	37°23'58"	25.00	16.39	8.50	S 50°21'24" E 16.09
C76	87°50'46"	25.00	25.25	13.82	S 81°56'50" E 24.19
C77	40°44'22"	75.00	53.33	27.85	S 73°22'15" E 52.21
C78	38°52'40"	25.00	16.82	8.74	S 74°28'08" E 16.50
C79	26°07'35"	25.00	19.22	9.80	S 19°11'46" E 19.06
C82	08°07'35"	170.00	18.18	9.10	S 44°03'08" E 18.17

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 58°46'36" W	17.93'
L2	N 36°26'26" E	13.74'
L3	S 38°44'36" W	12.85'
L4	S 51°47'43" W	58.71'
L5	S 38°12'17" W	50.00'
L6	S 51°47'43" W	10.00'
L7	N 38°12'17" E	14.15'
L8	S 51°47'43" W	10.00'
L9	N 38°12'17" E	17.83'
L10	S 38°32'50" W	11.08'
L11	S 38°58'39" E	12.85'
L12	S 38°39'36" W	24.58'
L13	S 51°39'38" E	58.64'
L14	S 38°32'50" W	58.83'
L15	S 14°30'21" E	5.10'
L16	S 39°31'11" E	36.82'
L17	S 38°58'39" E	1.68'
L18	S 40°37'34" E	31.99'
L19	S 38°34'21" E	12.83'
L20	S 51°47'39" E	5.30'
L21	S 38°34'21" E	12.83'
L22	S 51°47'39" E	5.30'
L23	S 00°30'39" W	0.85'

DRAWN BY: JKS
CHECKED BY:
SCALE: 1" = 60'
DATE: 07-17-08
PROJECT NO.: 8730
REVISIONS JKS 04-07-09

SHEET NO.: 1 OF 1

SCONDARY PLAT
HAMILTON CREEK SEC. "A"
PETERSBURG RD & DERRINGTON DR
VANDERBURGH CO., IN

AE2 ANDY EASLEY ENGINEERING, INC.
CIVIL ENGINEERING (812) 424-2481 LAND SURVEYING
1133 WEST MILL ROAD EVANSVILLE, INDIANA 47710

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