

Boundary Curve Table						
NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-50	01°55'24"	S 89°31'52" E	15.95	950.00	31.89	31.89
C-51	88°04'37"	S 45°28'08" W	38.68	40.00	61.49	55.61
C-52	17°47'02"	S 10°19'21" W	15.65	100.00	31.04	30.91
C-53	02°53'24"	N 74°48'48" E	10.72	425.00	21.44	21.44
C-54	02°29'57"	N 89°13'41" E	9.25	425.00	18.50	18.50
C-55	30°00'00"	N 76°25'50" E	53.59	200.00	104.72	105.55
C-56	30°00'00"	N 76°25'50" E	53.59	200.00	104.72	105.55

Boundary Line Table		
NUMBER	DIRECTION	DISTANCE
L100	S 88°54'09" E	66.77'
L101	S 01°25'50" W	60.56'
L102	S 71°38'15" E	15.45'
L103	N 88°34'10" W	50.00'
L104	S 01°25'50" W	44.51'
L105	S 62°44'52" W	14.31'
L106	N 15°44'30" W	156.07'
L107	S 88°54'10" E	38.01'
L108	N 02°01'08" W	185.38'
L109	S 88°27'39" E	6.00'

DULY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

1/26/2023

BRIAN GERTH AUDITOR

166

RECEIVED FOR RECORD

DATE 1/26/2023 1:30 PM

PLAT BOOK

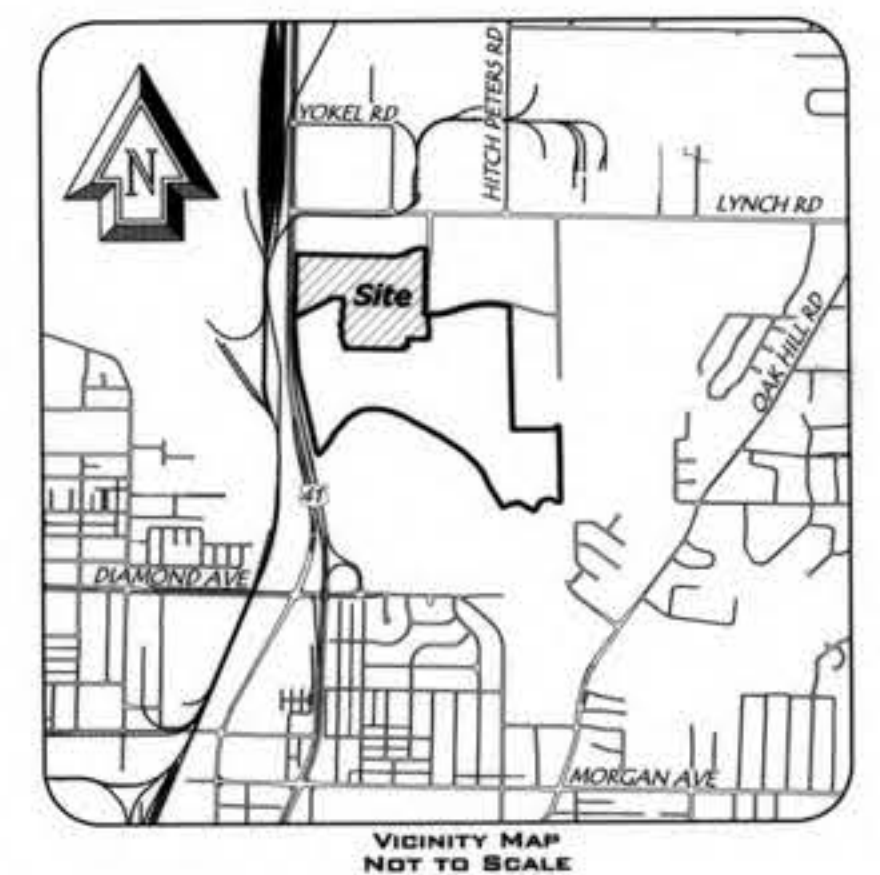
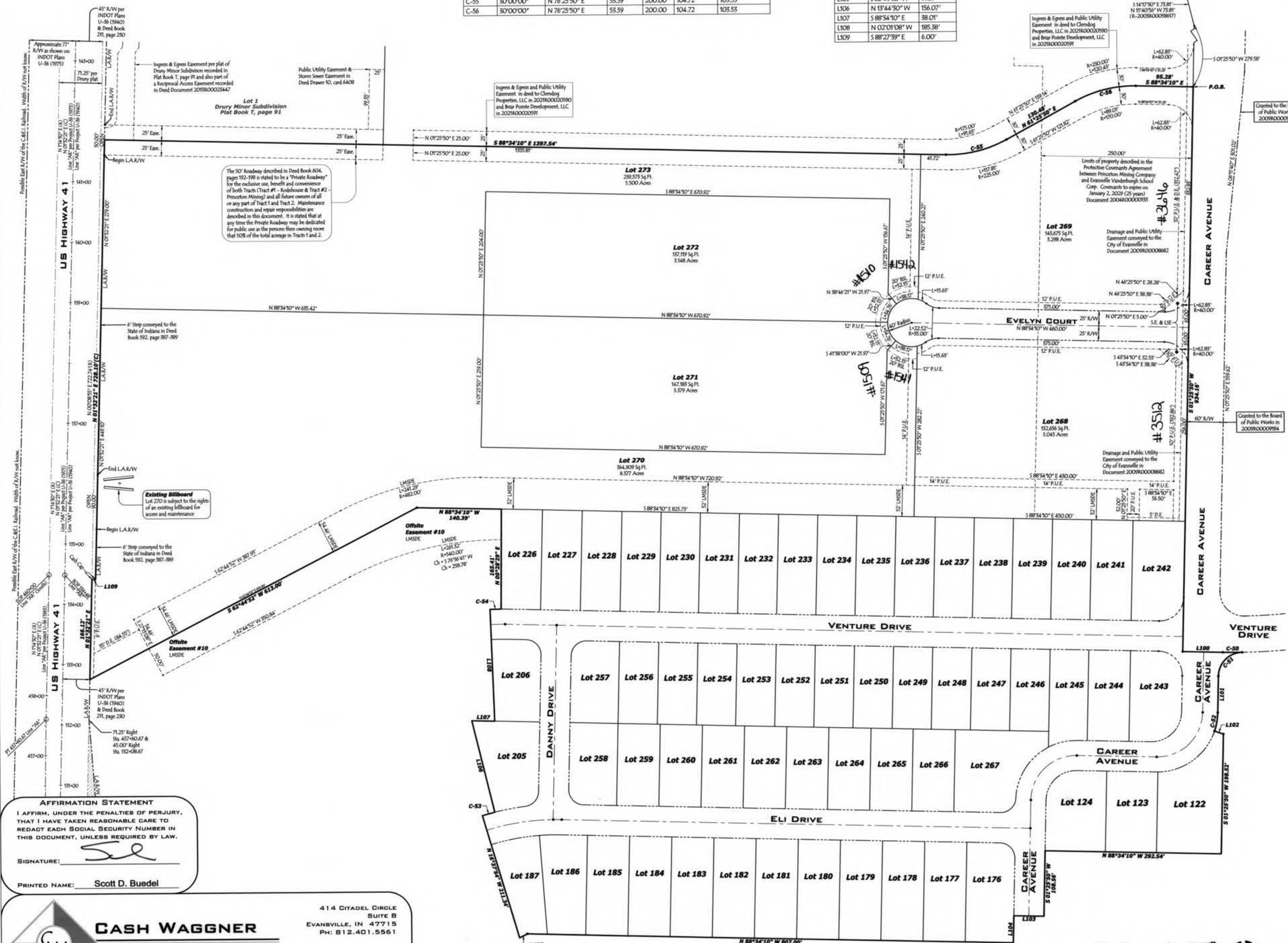
PAGE 159

INSTR# 2023-0000673

DEBBIE STUCKI RECORDER

VANDERBURGH COUNTY

BRIAR POINTE SECTION 1



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

CASH WAGGNER & ASSOCIATES, PC

CONSULTING ENGINEERS LAND SURVEYORS

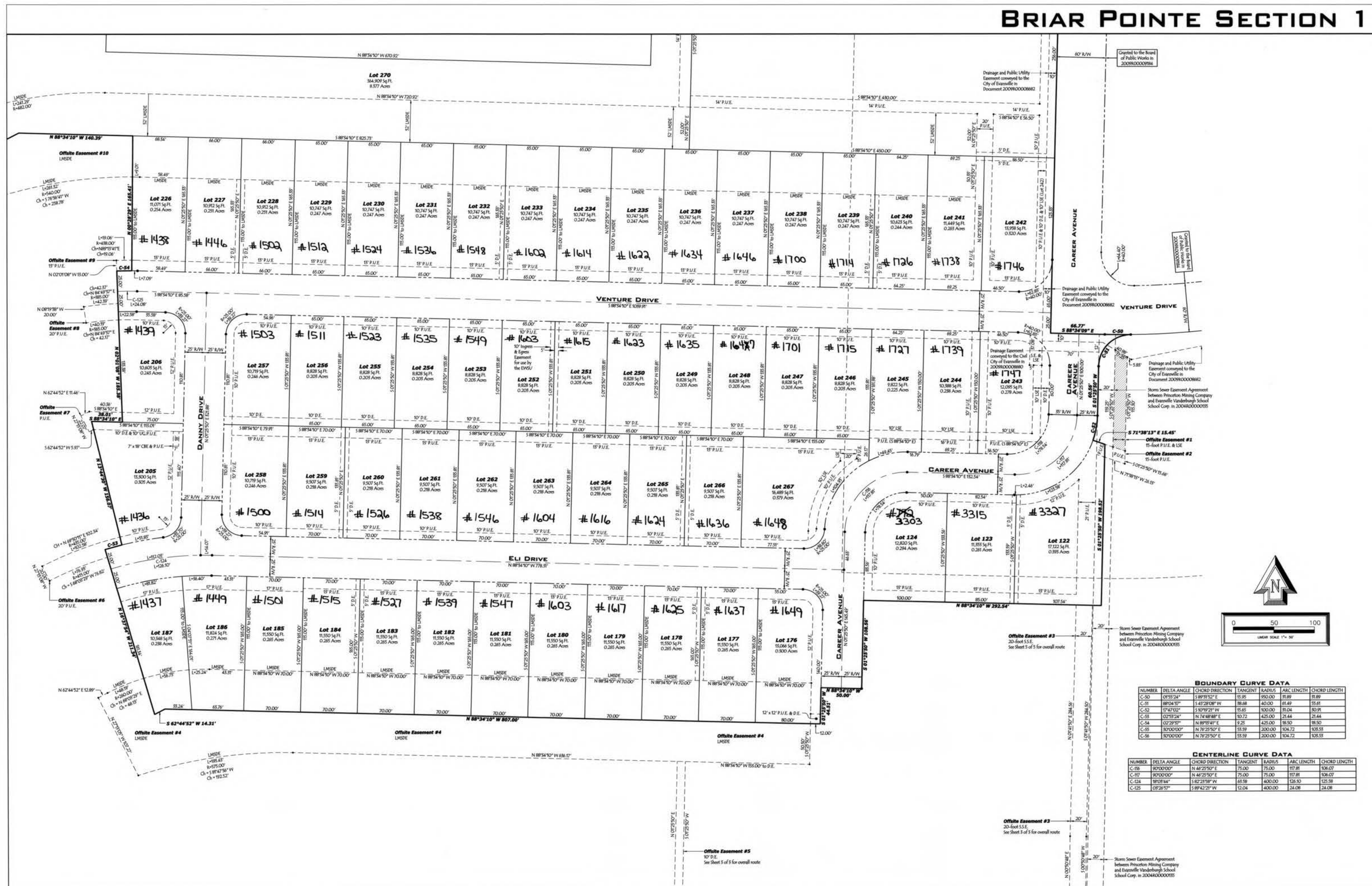
WWW.CASHWAGGNER.COM

414 CITADEL CIRCLE SUITE B EVANSVILLE, IN 47715 PH: 812.401.5561

402 E 13TH STREET JASPER, IN 47546 PH: 812.634.5015

V.159

BRIAR POINTE SECTION 1



BOUNDARY CURVE DATA

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-50	01°35'24"	S 89°31'52" E	15.95	950.00	31.89	31.89
C-31	88°04'57"	S 45°28'08" W	38.88	400.00	81.49	55.81
C-53	17°47'02"	S 10°09'21" W	15.45	100.00	31.04	30.91
C-55	02°59'24"	N 74°48'48" E	10.72	425.00	21.44	21.44
C-54	02°29'57"	N 89°18'41" E	9.25	425.00	18.50	18.50
C-58	30°00'00"	N 78°25'50" E	53.59	200.00	104.72	105.53
C-56	30°00'00"	N 78°25'50" E	53.59	200.00	104.72	105.53

CENTERLINE CURVE DATA

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-116	90°00'00"	N 46°25'50" E	75.00	75.00	117.81	106.07
C-117	90°00'00"	N 46°25'50" E	75.00	75.00	117.81	106.07
C-124	18°08'44"	S 82°23'18" W	65.58	400.00	126.10	125.58
C-125	08°26'57"	S 89°42'21" W	12.04	400.00	24.08	24.08

BRIAR POINTE SECTION 1

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 **Briar Pointe 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. The City of Evansville is not responsible to maintain any portion of the storm water drainage system that lies within a D.E.

Strips or areas of land, of the dimensions shown on this plat and marked "S.E." (Sanitary Sewer Easement), are hereby dedicated to the public water utilities and public sewer 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 said public utility companies, trees, bushes, underbrush and obstructions. No buildings, structures, fences, electric utilities, gas utilities, telephone utilities, cable television utilities or any other utilities shall be located within said areas of land. However, nothing shall prevent the use of any portion of the easement for utility service connections or crossings by any utility. Any building, structure, fence, electric facilities (except crossings and service connections), gas facilities (except crossings and service connections), telephone facilities (except crossings and service connections), cable television facilities (except crossings and service connections), obstructions or encroachments located within said areas of land are subject to removal by the permitted water and sewer utility companies without liability in the use of said easements and the permitted water and sewer utility companies shall not be required to replace, restore or repair any non-permitted feature, obstruction or encroachment in the use of said easements. Nothing shall prevent the use of any portion of this easement for driveways, parking lots and sidewalks constructed with any type of material or surface and nothing shall prevent the use of any portion of this easement for crossings by storm drainage facilities.

Strips or areas of land, of the dimensions shown on this plat and marked "LMSDE" (Lake Maintenance & Storm Drainage Easement) are 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 Board of Public Works. Fences may not be extended into the Lake Maintenance and Storm Drainage Easement. The City of Evansville is not responsible to maintain any portion of the storm water drainage system that lies within a LMSDE.

Areas of land, of the dimensions shown on this plat and marked "S.E." (Sign Easement) are hereby dedicated to the Briar Pointe Homeowners Association for the purpose of installation, maintenance, operation and repair of signs, walls, fences, utilities, and landscape features whether above or below ground.

Areas of land, of the dimensions shown on this plat and marked "LSE" (Landscape Easement) are hereby dedicated to the Briar Pointe Homeowners Association for the purpose of installation, maintenance, operation and repair of vegetation, ground cover, irrigation lines, wall and other landscape features whether above or below ground.

Areas of land, of the dimensions shown on this plat and marked "CRE" (Cluster Box Easement) are hereby dedicated to the Briar Pointe Homeowners Association for the purpose of installation, maintenance, operation and repair of mail receptacles, signs, walls, fences, utilities, drives, parking lots, sidewalks and landscape features whether above or below ground. The City of Evansville is not responsible to maintain any portion of the CRE.

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
Briar Pointe Development, LLC
21 Mt. Ashby Road
Evansville, IN 47711

John J. Elpers, Managing Member

SCOTT D. BUEDEL
Notary Public - State of Indiana
Vanderburgh County
My Commission Expires Sep 26, 2023

NOTARY CERTIFICATE

State of Indiana
County of Vanderburgh

Before me, the undersigned, a Notary Public in and for the said County and State, personally appeared the said Owner and Subdivider John J. Elpers, Managing Member Briar Pointe Development, LLC, who acknowledged the execution of the foregoing plat with the dedications and restrictions therein, express to be his voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and seal this 24th day of January, 2023.

9-26-2023
My Commission expires:

Notary Resides in
Vanderburgh
County, Indiana

SCOTT D. BUEDEL
Notary Public

Scott D. Buechel
Typed or printed name

BOUNDARY DESCRIPTION

Part of the Southwest Quarter and part of the Southeast Quarter of Section 9, Township 6 South, Range 10 West in Center Township, Vanderburgh County, Indiana and being more particularly described as follows:

Commencing at the Northeast Corner of the Southeast Quarter of said Section 9; thence along the north line of said Quarter Section, North 88 Degrees 34 Minutes 10 Seconds West 1126.46 feet to the northwest corner of a tract of land conveyed to the Evansville-Vanderburgh School Corporation (EVSC) in Document Number 2003R00058617 in the Office of the Recorder of Vanderburgh County, Indiana; thence along the boundary of said EVSC tract, South 01 Degree 25 Minutes 50 Seconds West 125.53 feet; thence continue along the boundary of said EVSC tract, South 14 Degrees 17 Minutes 30 Seconds East 73.81 feet; thence continue along the boundary of said EVSC tract, South 01 Degree 25 Minutes 50 Seconds West 279.58 feet to the point of beginning; thence continue along the boundary of said EVSC tract the following three (3) calls:

South 01 Degree 25 Minutes 50 Seconds West 954.16 feet; thence

South 88 Degrees 34 Minutes 09 Seconds East 66.77 feet to the beginning of a curve to the left having a central angle of 01 Degree 55 Minutes 24 Seconds, a radius of 950.00 feet and a chord dimension of North 89 Degrees 31 Minutes 52 Seconds East 31.89 feet;

thence along the arc of said curve 31.89 feet to the beginning of a curve to the left having a central angle of 88 Degrees 04 Minutes 37 Seconds, a radius of 40.00 feet and a chord dimension of South 45 Degrees 28 Minutes 08 Seconds West 55.61 feet;

thence along the arc of said curve 61.49 feet;

thence South 01 Degree 25 Minutes 50 Seconds West 60.56 feet to the beginning of a curve to the left having a central angle of 17 Degrees 47 Minutes 02 Seconds, a radius of 100.00 feet and a chord dimension of South 10 Degrees 19 Minutes 21 Seconds West 30.91 feet;

thence along the arc of said curve 31.04 feet;

thence South 71 Degrees 38 Minutes 13 Seconds East 15.45 feet;

thence South 01 Degree 25 Minutes 50 Seconds West 198.52 feet;

thence North 88 Degrees 34 Minutes 10 Seconds West 292.54 feet;

thence South 01 Degree 25 Minutes 50 Seconds West 108.56 feet;

thence North 88 Degrees 34 Minutes 10 Seconds West 50.00 feet;

thence South 01 Degree 25 Minutes 50 Seconds West 44.51 feet;

thence North 88 Degrees 34 Minutes 10 Seconds West 807.00 feet;

thence South 62 Degrees 44 Minutes 52 Seconds West 14.31 feet;

thence North 16 Degrees 57 Minutes 54 Seconds West 211.34 feet to the beginning of a curve to the right having a central angle of 02 Degrees 53 Minutes 24 Seconds, a radius of 425.00 feet and a chord dimension of North 74 Degrees 48 Minutes 48 Seconds East 21.44 feet;

thence along the arc of said curve 21.44 feet;

thence North 13 Degrees 44 Minutes 30 Seconds West 156.07 feet;

thence South 88 Degrees 34 Minutes 10 Seconds East 38.01 feet;

thence North 02 Degree 01 Minute 08 Seconds West 185.38 feet to the beginning of a curve to the right having a central angle of 02 Degrees 29 Minutes 57 Seconds, a radius of 425.00 feet and a chord dimension of North 89 Degrees 15 Minutes 41 Seconds East 18.50 feet;

thence along the arc of said curve 18.50 feet;

thence North 00 Degrees 28 Minutes 29 Seconds East 165.41 feet;

thence North 88 Degrees 34 Minutes 10 Seconds West 140.39 feet;

thence South 62 Degrees 44 Minutes 52 Seconds West 615.00 feet to the east right-of-way of US 41 as shown on INDOT Plans for Project Number U-36 Sec. A (3) dated 1940 and being 45.00 feet right of centerline (line AR) Station 132+08.67;

thence along said east right-of-way, North 01 Degree 32 Minutes 21 Seconds East 166.12 feet to the southwest corner of a tract of land conveyed to the State of Indiana in Deed Book 592, page 387-389 in the Office of said Recorder;

thence along the south line of said tract of land conveyed to the State of Indiana, South 88 Degrees 27 Minutes 39 Seconds East 6.00 feet;

thence along the east line of said tract of land conveyed to the State of Indiana, North 01 Degree 32 Minutes 21 Seconds East 728.10 feet to the southwest corner of Drury Minor Subdivision as recorded in Plat Book T, page 91 in the Office of said Recorder;

thence along the south line and the extended south line of said Drury Minor Subdivision, South 88 Degrees 34 Minutes 10 Seconds East 197.54 feet to the beginning of a curve to the left having a central angle of 30 Degrees 00 Minutes 00 Seconds, a radius of 200.00 feet and a chord dimension of North 76 Degrees 25 Minutes 50 Seconds East 103.53 feet;

thence along the arc of said curve 104.72 feet;

SURVEYOR'S CERTIFICATE

I, Scott D. Buechel, 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 18th day of January, 2023

Scott D. Buechel, 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 #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 5, 2022.

President: STACEY STEVENS
Attest Executive Director: RONALD S. LONDON

PLAT RELEASE for APC DOCKET NO.: MAJ-2022-005
The Secondary plat complies with the Ordinance and is released for recording.

Executing Director: RONALD S. LONDON
1/26/2023
Plat Release Date



GENERAL NOTES

Public Utilities: PUBLIC UTILITIES - WATER:
Water is available and is provided by the Evansville Water & Sewer Utility

Access: PUBLIC UTILITIES - SEWER:
Sewer is available and is provided by the Evansville Water & Sewer Utility
All Lots shall access internal roads, only.
Lots 242 through 245 shall only access Venture Drive
LOT 176 SHALL ONLY ACCESS ELI DRIVE

Natural Surface Watercourse: The owner(s) shall remain responsible for lake maintenance and prevention of obstructions to creeks and natural surface watercourses.

Flood: According to the Flood Insurance Rate Maps for Vanderburgh County, Indiana, Map Number 18163COT18E, dated January 29, 2021 the subject property does not lie within the limits of the 100 year flood zone (A or AE).

Monuments: Monuments either exist or have been set as noted. Monuments set are 5/8 inch rebar with plastic cap stamped "Cash Waggoner & Associates #0096"

Storm Maintenance: The individual lot owners shall be responsible, including financially, for maintaining that part of the storm water drainage system and its easements which exist on his or her property in proper working order including:

1. Mowing grass, controlling weeds, and maintaining the designed cover of waterways, storage basins, and easements in accordance with all applicable ordinances.
2. 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.
3. Keeping the channels, embankments, shorelines and bottoms of waterways and basins free from erosion and sedimentation.
4. 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 City of Evansville will only maintain and be responsible for the portion of the storm water drainage system that lies within the platted right-of-way of a road or street.

Double Frontage: Lots 245 through 245 and Lot 270 and Lot 273 are not considered double frontage lots for the purpose of placing fence, only.

Covenants & Restrictions: PRIOR COVENANTS AND RESTRICTIONS: THE AREA PLAN COMMISSION does not participate in the creation or enforcement of private covenants and restrictions and therefore the recording of this plat has absolutely no effect on any private covenants and restrictions that may or may not exist.

Survey: The boundary of the subject property was established on the Princeton Mining Parcelization plat which was completed by Cash Waggoner and Associates, PC on June 10, 2021. This Parcelization plat and Retraction Boundary Survey is recorded in Document 2021R00020589 in the Office of the Recorder of Vanderburgh County, Indiana.

Approval Dates: Road Plans were approved by the Evansville Board of Public Works on December 1, 2022.

Drainage Plans were approved by the Evansville Board of Public Works on December 1, 2022.

Sewer Plans were approved by the Evansville Water and Sewer Utility on July 25, 2022.

Water Plans were approved by the Evansville Water and Sewer Utility on September 28, 2022.

MEMORANDUM A MEMORANDUM OF UNDERSTANDING BETWEEN BRIAR POINTE DEVELOPMENT AND THE CITY OF EVANSVILLE IS RECORDED IN Document 2023R00001541

Corrections Water & Sewer Easement conveyed to the Evansville Water and Sewer Utility Department in Deed Book 430, page 445 & Deed Book 430, page 448

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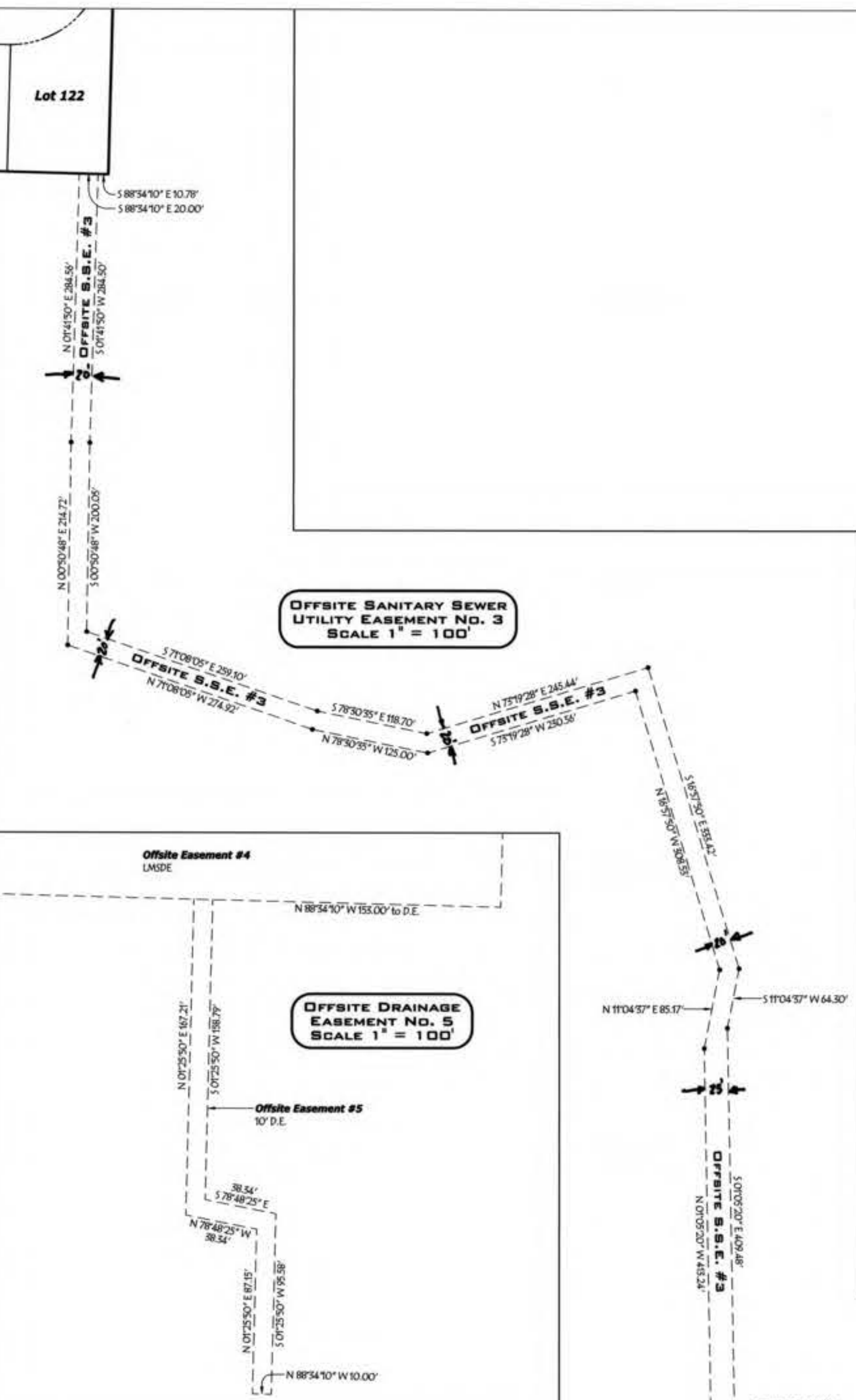
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INSTALLATION OF SIDEWALKS:

(i) Each purchaser of, or successor in interest to, an individual lot or lots from the owner of record at the time the plat is recorded must install the required sidewalk(s) on the purchased lot or lots within five years from the date of purchase or acquisition of interest.

(ii) The owner of record at the time the plat is recorded must install the required sidewalk(s) on all lots to which the owner still holds title within 10 years from the date the plat is recorded.

(iii) No certificate of occupancy will be granted for any new building on any lot in the subdivision unless and until the required sidewalk on that lot is installed.

(iv) Sidewalks installed in a new subdivision must be installed to the standards meeting the latest edition of the Evansville Municipal Code and all applicable standards required by the Americans with Disabilities Act (ADA) and the regulations thereunder.

(v) Failure to install the required sidewalk in accordance with all ordinances and in the time allotted in this subsection is an ordinance violation that may be corrected by City employees or contractors in accordance with the provisions of IC 36-1-6-2 and any amendment or reodification thereof, with both the direct and administrative costs of such correction being a lien against the property and being eligible to be placed on the tax duplicate by the County Auditor in accordance with the procedures prescribed by State law.

