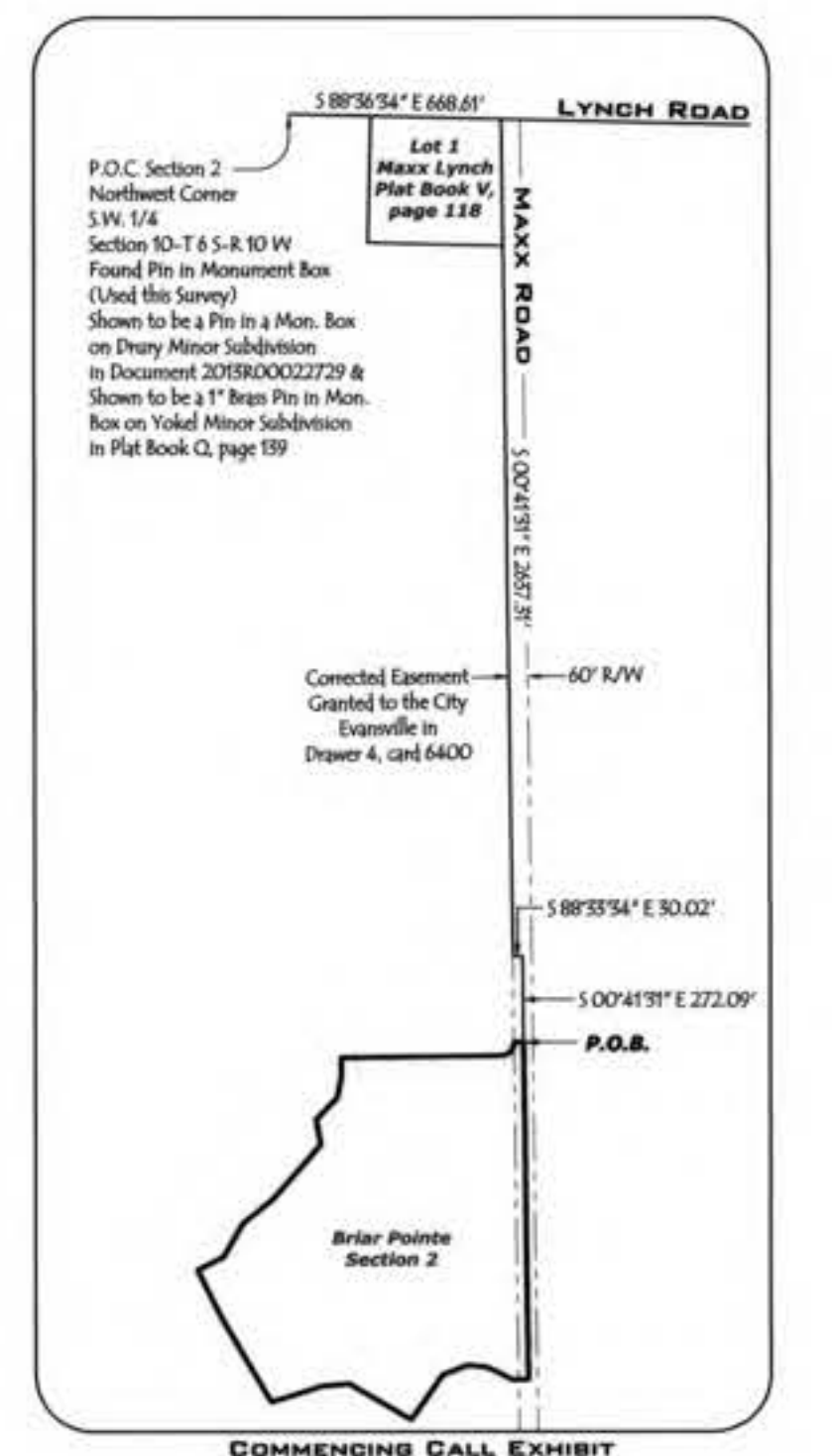
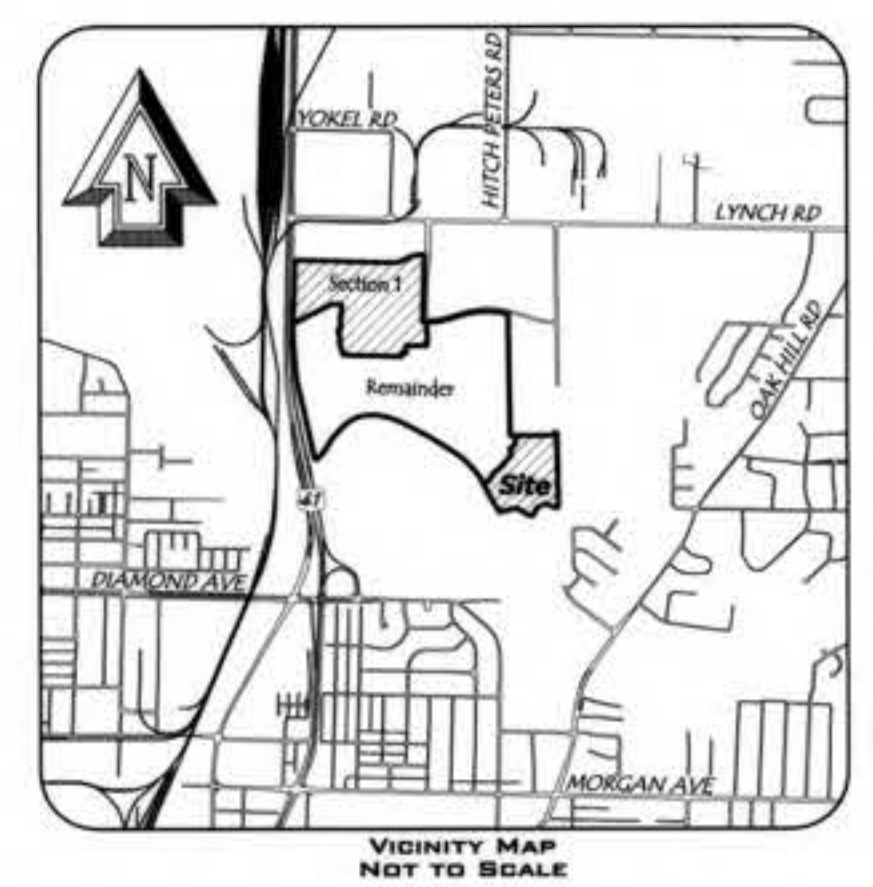


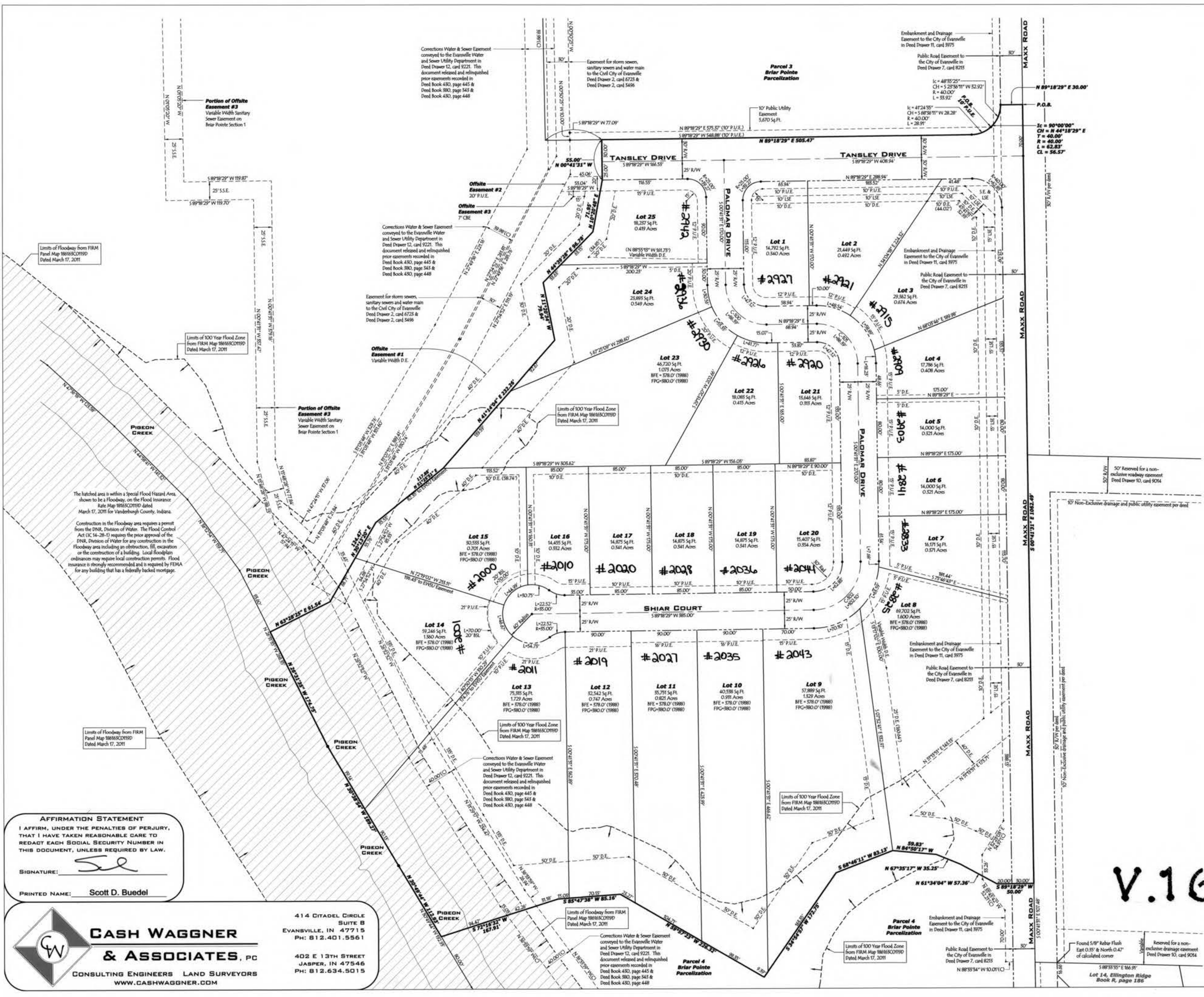
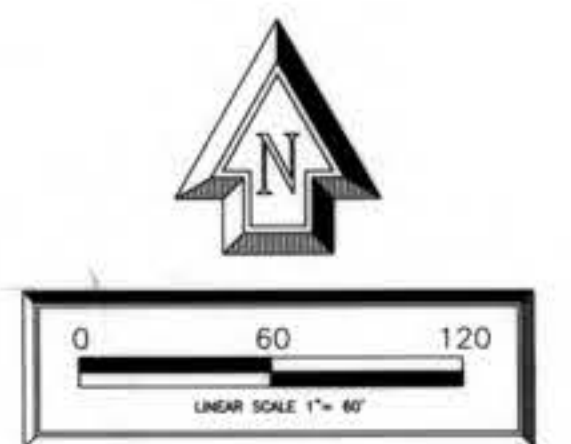
BRIAR POINTE SECTION 2



NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C-100	90°00'00"	S 45°41'31" E	55.00	55.00	86.39	77.78
C-101	90°00'00"	S 45°41'31" E	55.00	55.00	86.39	77.78
C-102	90°00'00"	S 44°18'29" W	65.00	65.00	102.10	91.92



V.160



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

BRIAR POINTE SECTION 2

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 2**. 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.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, overhanging branches, 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), 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.

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 "CBE" (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 CBE.

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. Ashley Road
Evansville, IN 47711

John J. Elpers
John J. Elpers, Managing Member

NOTARY CERTIFICATE

State of Indiana ss:
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 thereon, 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 Public

Notary Resides in Vanderburgh
County, Indiana Scott D. Buedel
Typed or printed name

SCOTT D. BUEDEL
Notary Public - State of Indiana
Vanderburgh County
My Commission Expires Sep 25, 2023

BOUNDARY DESCRIPTION

Part of the West Half of Section 15, Township 6 South, Range 10 West; also, part of the Northeast Quarter of Section 16, Township 6 South, Range 10 West all in Center Township, Vanderburgh County, Indiana and being more particularly described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of Section 10, Township 6 South, Range 10 West in Vanderburgh County, Indiana; thence along the north line of the Southwest Quarter of said Section 10, South 88 Degrees 36 Minutes 54 Seconds East 668.61 feet to a point on the extended west right-of-way of Maxx Road as granted to the City of Evansville in Deed Drawer 4, card 6400 in the Office of said Recorder; thence along the extended west line and the west right-of-way of said Maxx Road, South 00 Degrees 41 Minutes 31 Seconds East 2657.31 feet to a point on the north line of the West Half of said Section 15; thence along said north line, South 88 Degrees 35 Minutes 34 Seconds East 30.02 feet to the center of Maxx Road; thence along the center of Maxx Road, South 00 Degrees 41 Minutes 31 Seconds East 272.09 feet to the point of beginning; thence continue along the center of Maxx Road, South 00 Degrees 41 Minutes 31 Seconds East 1062.49 feet; thence South 89 Degrees 18 Minutes 29 Seconds West 50.00 feet; thence North 61 Degrees 34 Minutes 04 Seconds West 57.36 feet; thence North 67 Degrees 35 Minutes 17 Seconds West 35.25 feet; thence North 84 Degrees 50 Minutes 17 Seconds West 59.85 feet; thence South 68 Degrees 46 Minutes 11 Seconds West 85.15 feet; thence South 34 Degrees 54 Minutes 57 Seconds West 172.75 feet; thence North 59 Degrees 47 Minutes 23 Seconds West 226.32 feet; thence South 85 Degrees 57 Minutes 38 Seconds West 85.16 feet; thence South 72 Degrees 16 Minutes 32 Seconds West 167.91 feet to a point in the center of Pigeon Creek; thence along the center of said creek the following three (3) calls: thence North 30 Degrees 49 Minutes 44 Seconds West 112.95 feet; thence North 30 Degrees 38 Minutes 54 Seconds West 189.27 feet; thence North 26 Degrees 31 Minutes 35 Seconds West 174.75 feet; thence North 63 Degrees 28 Minutes 25 Seconds East 91.54 feet; thence North 30 Degrees 15 Minutes 20 Seconds East 124.47 feet; thence North 51 Degrees 25 Minutes 51 Seconds East 117.88 feet; thence North 41 Degrees 14 Minutes 04 Seconds East 252.26 feet; thence North 11 Degrees 20 Minutes 54 Seconds West 79.94 feet; thence North 44 Degrees 39 Minutes 28 Seconds East 96.78 feet; thence North 10 Degrees 20 Minutes 48 Seconds East 71.95 feet; thence North 00 Degrees 41 Minutes 31 Seconds West 55.00 feet; thence North 89 Degrees 18 Minutes 29 Seconds East 648.61 feet to the beginning of a curve to the left having a central angle of 90 Degrees 00 Minutes 00 Seconds, a radius of 40.00 feet and a chord dimension of North 44 Degrees 18 Minutes 29 Seconds East 56.57 feet; thence along the arc of said curve 62.83 feet; thence thence North 89 Degrees 18 Minutes 29 Seconds East 30.00 feet to the Point of Beginning and containing a gross area of 19.495 acres, more or less.

Also, a 10-foot Public Utility Easement being part of the West Half of Section 15, Township 6 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 Section 10, Township 6 South, Range 10 West in Vanderburgh County, Indiana; thence along the north line of the Southwest Quarter of said Section 10, South 88 Degrees 36 Minutes 54 Seconds East 668.61 feet to a point on the extended west right-of-way of Maxx Road as granted to the City of Evansville in Deed Drawer 4, card 6400 in the Office of said Recorder; thence along the extended west line and the west right-of-way of said Maxx Road, South 00 Degrees 41 Minutes 31 Seconds East 2657.31 feet to a point on the north line of the West Half of said Section 15; thence along said north line, South 88 Degrees 35 Minutes 34 Seconds East 30.02 feet to the center of Maxx Road; thence along the center of Maxx Road, South 00 Degrees 41 Minutes 31 Seconds East 272.09 feet; thence South 89 Degrees 18 Minutes 29 Seconds West 30.00 feet to the beginning of a non-tangent curve to the right having a central angle of 48 Degrees 35 Minutes 25 Seconds, a radius of 40.00 feet and a chord dimension of South 23 Degrees 36 Minutes 11 Seconds West 32.92 feet; thence along the arc of said curve 35.92 feet to the point of beginning; thence continue along a curve to the right having a central angle of 41 Degrees 24 Minutes 35 Seconds, a radius of 40.00 feet and a chord dimension of South 68 Degrees 36 Minutes 11 Seconds West 28.28 feet; thence along the arc of said curve 28.91 feet; thence South 89 Degrees 18 Minutes 29 Seconds West 548.88 feet to the east line of an easement to the City of Evansville in Deed Drawer 2, card 6723 in the Office of the Recorder of Vanderburgh County, Indiana; thence along the east side of said easement, North 00 Degrees 50 Minutes 25 Seconds West 10.00 feet; thence North 89 Degrees 18 Minutes 29 Seconds East 575.57 feet to the point of beginning and containing 5,670 Square Feet, more or less.

Also, the following offsite easements which will remain in full force and effect until the next section of this subdivision or a new subdivision, affecting all or a portion these easements is recorded in the Vanderburgh County Recorder's Office.

1. A Variable Width Drainage Easement lying west of and adjacent to the west line of Lot 14, 15, 23, 24 and 25. The limits of this easement are defined by the dimensions shown on this plat.
2. A 20-foot Public Utility Easement lying west of the northwest corner of Lot 25. The limits of this easement are defined by the dimensions shown on this plat.
3. A 7-foot Cluster Box Easement lying west of Offsite Easement Number 2 and south of Offsite Easement Number 5. The limits of this easement are defined by the dimensions shown on this plat.

Subject to all 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 18th day of January, 2023

Scott D. Buedel
Scott D. Buedel, PLS
Indiana Registration Number 29900031
Cash Waggoner & Associates, PC
414 Citadel Circle, Suite 8
Evansville, IN 47715



GENERAL NOTES

Public Utilities:	PUBLIC UTILITIES - WATER: Water is available and is provided by the Evansville Water & Sewer Utility
	PUBLIC UTILITIES - SEWER: Sewer is available and is provided by the Evansville Water & Sewer Utility
Access:	All Lots shall access internal roads, only. Lots 1 through 8 shall only access PALOMAR 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 18163C0119D, dated March 17, 2011, part of the subject property does lie within the limits of the 100 year flood zone (AE). The Flood Protection Grade (FPG) for each lot that lies within or partially within the 100 year flood zone is noted on each lot. The datum for the elevations noted on each lot is NAVD 1988.
Floodway:	Construction in the Floodway area requires a permit from the DNR, Division of Water. The Flood Control Act (IC 14-28-1) requires the prior approval of the DNR, Division of Water for any construction in the Floodway area including an obstruction, fill, excavation, or the construction of a building. Local floodplain ordinances may require local construction permits. Flood insurance is strongly recommended and is required by FEMA for any building that has a federally backed mortgage.
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 1 through 8 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 Retracement 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 15, 2022. Drainage Plans were approved by the Evansville Board of Public Works on December 15, 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

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.

Stacey Stevens
President: STACEY STEVENS

Ronald S. London
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.

Ronald S. London
Executive Director: RONALD S. LONDON
1/26/2023
Plat Release Date



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 reclassification 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.

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