

FCO 2019- 15

**Floyd County Board of Commissioners
Ordinance Amending FCO-2006-6 Zoning Map**

Whereas, the Floyd County Board of Commissioners met on July 2, 2019, on this matter pursuant to IC 36-7-4-600 series


Whereas, the Board of Commissioners received a favorable recommendation to amend the Floyd County Zoning Ordinance and Floyd County Subdivision Ordinance from the Floyd County Plan Commission by a vote of 7-0;

NOW, THEREFORE,

BE IT ORDAINED that Floyd County Board of Commissioners hereby amends the Floyd County Zoning Map for property described in Exhibit A from Rural Residential (RR) to Office-Business (OB).

SO ORDAINED this 2th day of July 2019.

BOARD OF COMMISSIONERS
COUNTY OF FLOYD



Billy Stewart, President




Shawn Carruthers, Commissioner



John Schellenberger, Commissioner

ATTEST:



Scott Clark, County Auditor

Exhibit A

Floyd County Plan Commission
Resolution Pertaining to Amendment to the Floyd County Zoning Map

WHEREAS, the Floyd County Plan Commission met on June 17th 2019 and, pursuant to IC. 36-7-4-608, conducted a public hearing on Docket FC-05-19-19, constituting an application for a zoning map amendment for a project known as Novaparke Innovation Park, and

WHEREAS, the Floyd County Plan Commission provided opportunity for both proponents and opponents to be heard with respect to said docket and, after hearing comments and considering the matter, voted to forward to the Floyd County Commissioners a(n):

Favorable

Unfavorable

No Recommendation

By a vote of:

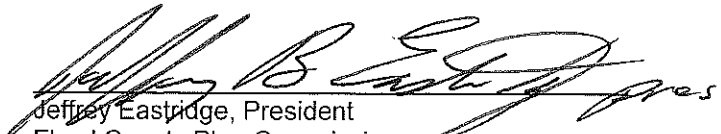
In Favor

Opposed

Abstaining

NOW THEREFORE, IT IS RESOLVED that the Floyd County Plan Commission gives the above-described recommendation on Docket FC-05-19-19 to the Floyd County Commissioners, NOW THEREFORE, BE IT FURTHER RESOLVED that the staff of the Floyd County Plan Commission shall forward a certified copy of this resolution to the Floyd County Commissioners for any further action which they may desire to take.

SO RESOLVED this 18th day of June, 2019.



Jeffrey Eastridge, President
Floyd County Plan Commission

Attest:


Justin Tackett, Director
Floyd County Building and Development Services

Certification of Action

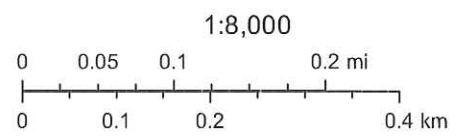
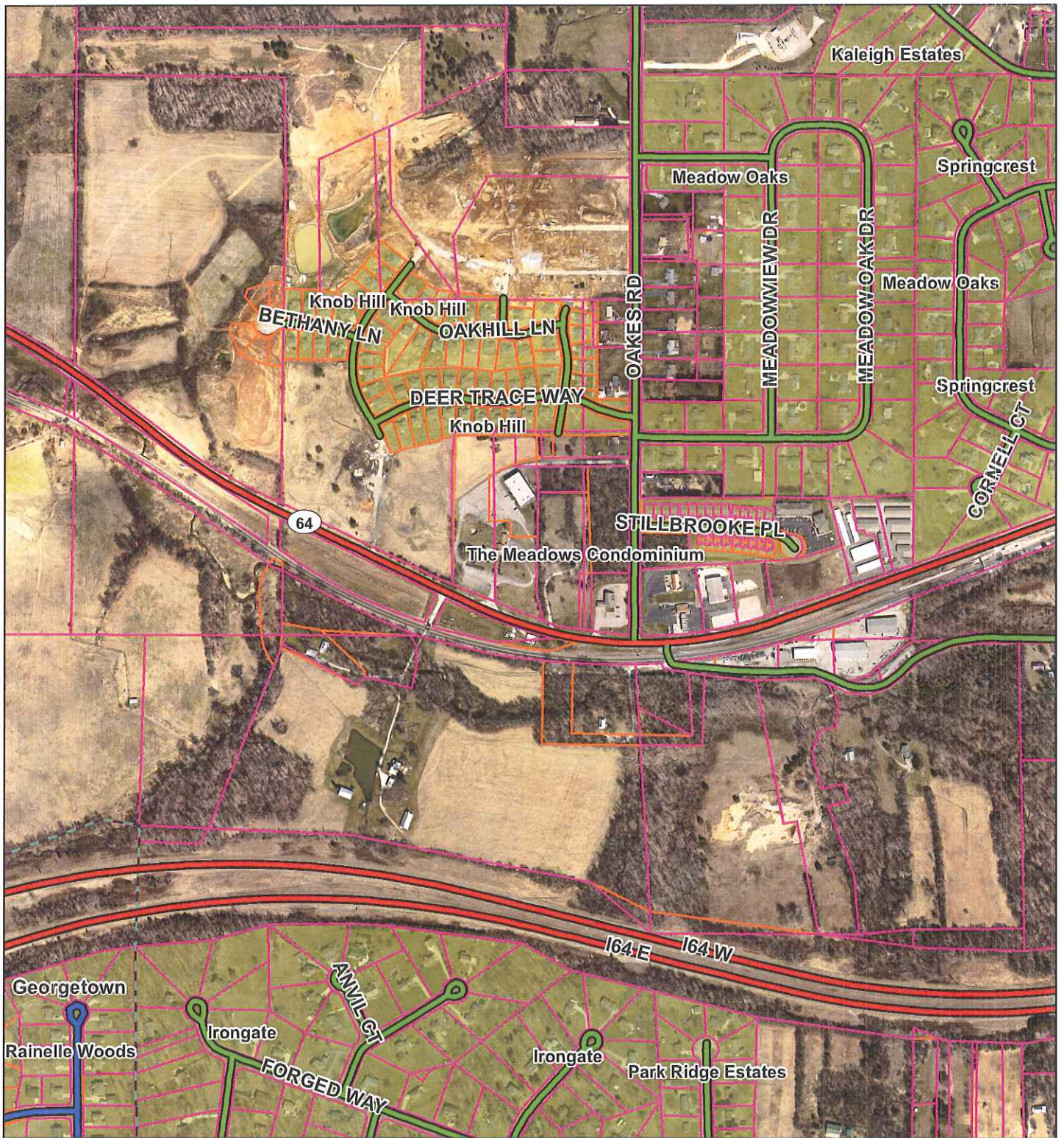
Comes now the Floyd County Plan Commission pursuant to I.C. 36-7-4-608, and hereby certifies that the attached resolution is a true and accurate copy of a Resolution regarding an amendment to the Floyd County Zoning Map as part of its meeting on June 17, 2019. The attached Resolution is available for review in the Floyd County Building and Development Services Office and accurately reflects the recommendation of the Floyd County Plan Commission regarding Docket FC-05-19-19 for the proposed map amendment.



Justin Tackett, Director

Floyd County Building and Development Services

Exhibit A





8 0 4 0 2 9 9
TX:4017678

MAR 18 2019

201903757
FLOYD CO. IN RECORDER
TODD N. SCANNELL
03/18/2019 10:49 AM
Pages: 11

TAX KEY NO: 22-02-03-500-044.000-02; 22-02-03-400-038.000-02

TAX MAILING ADDRESS OF GRANTEE: FLOYD Co. Commissioners
2524 Conydon Pike Suite 202
NEW ALBANY, IN. 47150

WARRANTY DEED

THIS INDENTURE WITNESSETH: That Historic Landmarks Foundation of Indiana, Inc., an Indiana Non-Profit Corporation, duly existing and organized under the laws of the State of Indiana,
CONVEYS AND WARRANTS
unto Floyd County, Indiana, for no consideration, all of their right, title, and interest in and to the real estate situated in the County of Floyd, State of Indiana, and as shown and described in "Exhibit A and B" and "Exhibit C" respectively, attached hereto.

Subject to any and all easements and/or restrictions of public record which may apply to the above described real estate and the terms and conditions of that certain Development Agreement dated October 16, 2018, by and between Grantor and the Floyd County Board of Commissioners which is attached hereto as Exhibit "D":

Grantee shall be responsible for real estate taxes beginning with the real estate taxes due May 10, 2019.

The undersigned certifies that no Indiana taxes are due as a result of this transaction. The undersigned furthermore certifies that they have lawful authority to enter into this transaction on behalf of the Grantor of this deed, and that any corporate formalities required to confer such authority and the undersigned have been done in accordance with law.

Fox Law Offices, LLC has not researched the status of title and makes no representations regarding the status of title concerning this real estate. This deed was prepared pursuant to representations made to Fox Law Offices, LLC.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand, this 15th day of January, 20 19.

HISTORIC LANDMARKS FOUNDATION OF INDIANA, INC. BY:

SIGNATURE J. Marshall Davis
PRINTED J. Marshall Davis
TITLE President

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer
MAR 18 2019
[Signature]
AUDITOR FLOYD CO. IND.



STATE OF Indiana)
) SS:
COUNTY OF Marion)

Before the undersigned a Notary Public, in and for said County and State, this 15th day of January, 2019, personally came the above named Historic Landmarks Foundation of Indiana, Inc. by its authorized agent, J. Marshall Davis and acknowledged the execution of the foregoing Deed.

In Witness Whereof, I have hereunto subscribed my name and Notarial Seal.

County of Residence:
~~Floyd~~ Marion
cm

Jessica Virginia Kramer
Notary Public
Jessica Virginia Kramer
Printed

My Commission Expires:
March 27, 2025

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

BY: [Signature]

PREPARED BY: RICHARD R. FOX, ATTORNEY AT LAW, 409 BANK STREET,
NEW ALBANY, IN 47150

0550-051

EXHIBIT "C"

22-02-03-500-044.000-002

Being a part of the South half of the Southwest quarter of Section 35, Township 2 South, Range 5 East and being more fully described as follows, to-wit: Beginning at a Stone at the Southwest corner of said Section 35, running thence North 88 degrees 00' East along the South line of said Section 35, 1008.42 feet to an iron pipe on the East side of a 12 ft. private roadway; thence North 1 degree 5'30" West along the East side of said private roadway, 405 ft. more or less to a point in the centerline of the main track (Northward tracks, which was the original center line of the R.R. R/W) of the Southern Railroad, which is the true place of beginning of the land to be herein described: Continuing thence North 1 degree 05'30" West along the East side of said 12 ft., private roadway, 157.5 feet, more or less, to an iron pipe on the Southwesterly line of State Road #64, thence with the same, South 66 degrees 31' East 826.6 feet to an iron pipe on the West line of a driveway, thence South 23 degrees 42' West along the West line of said driveway, 157.7 feet to a point in the center line of said main tracks of said railroad, thence with the same in a Northwestwardly direction 760 ft., more or less, to the true place of beginning and containing three acres, more or less and being subject to that part of the right-of-way of the Southern Railroad which lies on the Northward side of said main tracks.

Subject to any and all easements and/or restrictions apparent of record. Subject to the right of way of State Road 64.

I used 66°

Z

2019031517 ...

Floyd County Board of Commissioners
2524 Corydon Pike Suite 204
New Albany, IN 47150

DEVELOPMENT AGREEMENT

This Development Agreement, hereinafter referred to as "Agreement", is entered into by and between the Floyd County Board of Commissioners hereinafter referred to as the "County", and Historic Landmarks Foundation of Indiana, Inc., referred to as "Indiana Landmarks" whose address is 1201 Central Avenue, Indianapolis, IN 46202.

WHEREAS, the County seeks to provide adequate access to the County's Innovation Park and extend water and sanitary sewer service to the development;

WHEREAS, Indiana Landmarks has property adjoining the County's Innovation Park known as the Mitsch Farm, two private access easements for railroad crossing, and a desire to connect to adequate water and sanitary sewer service;

WHEREFORE, the County and Indiana Landmarks do enter into this Agreement and for and in consideration of the mutual covenants, duties and obligations herein set forth, do agree as follows:

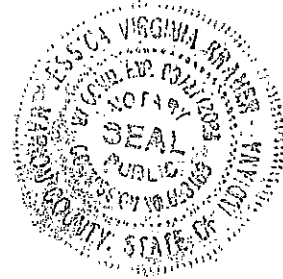
1. The County agrees to develop and pay for the construction of an overpass over the Norfolk Southern Rail line and adjacent creek and provide a driveway apron entrance for access to Indiana Landmarks' Mitsch property in the development of the Innovation Park main road. Indiana Landmarks shall be consulted on the design of the overpass railing, signage and retaining walls. Said overpass shall be designed to carry both vehicular traffic and farm equipment needed to access the Mitsch Farm. Shall additional land on County property be needed to construct said driveway entrance, said land shall be surveyed and donated by the County to Indiana Landmarks for this purpose. Additionally, the County shall pay the cost of constructing said driveway over any existing creek bed or ravine that may be located where the driveway entrance is situated.
2. The County agrees to extend water and sanitary sewer lines to Indiana Landmarks' Mitsch Farm driveway apron entrance beyond any existing creek bed or ravine adjoining the Innovation Park. The County and Indiana Landmarks will jointly agree on the location of the driveway apron. Utility and sewer service shall be of a sufficient capacity to accommodate two residential house lots on the property and continued agricultural farming operations. Utility service and road improvements shall be completed by November 30, 2019.
3. Indiana Landmarks in exchange for the extension of water and sanitary sewer service will donate to the County the property described and depicted in Exhibit A. The donation shall occur by October 31, 2018 and shall be subject to lease agreements executed by Indiana Landmarks on said land for calendar year 2018.
4. Indiana Landmarks also agrees to close the two private entrances across Norfolk Southern Railroad and access their property through the new overpass road upon completion. The County will coordinate with Indiana Landmarks and Norfolk Southern in the closing procedure.

5. The County agrees to preserve and maintain in perpetuity the Sillings-Beams farmstead to include the main farmhouse, two barns, and springhouse. County agrees to work with Indiana Landmarks in the County's effort to adaptively re-use the historic buildings within the Innovation Park while maintaining their historic integrity in accordance with The Secretary of the Interior's Standards for Rehabilitation.
6. Said commitments contained within this Agreement shall be binding upon future owners in the event of a bona fide transfer of property, unless said changes in commitments are agreed to in writing by both parties.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed, effective on the day and year first above written.

Historic Landmarks Foundation of Indiana, Inc.

By: J. Marshall Davis
 J. Marshall Davis, President



NOTARY:

State of Indiana

County of Marion

Subscribed and sworn to before me, a Notary Public within and for said County and State this day 16 of October, 2018 by said "Owner"

My Commission Expires:
3/27/25

Jessica Virginia Kramer
 Notary Public
Jessica Virginia Kramer
 Printed Signature

My County of Residence:
Marion

FLOYD COUNTY BOARD OF COMMISSIONERS "COUNTY"

By: D. Mark Seabrook
 D. Mark Seabrook, President

ATTEST:

By: Donald G. Lopp
 Don Lopp, Director of Operations

EXHIBIT "A"

Project: Industrial Park Way
Parcel: 2 Fee Simple
Owner: Historic Landmarks Foundation of Indiana, Inc.
Tax ID: 22-02-03-400-038.000-002

Sheet 1 of 1

A part of the Southwest Quarter of Section 35, Township 2 South, Range 5 East, and a part of the Northwest Quarter of Section 2, Township 3 South, Range 5 East, Floyd County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B", described as follows: Beginning at a point on the south line of said Southwest Quarter of Section 35, said point being South 89 degrees 47 minutes 21 seconds East 922.13 feet from the southwest corner of said southwest quarter; thence northerly 41.62 feet along an arc to the right having a radius of 245.00 feet and being subtended by a long chord having a bearing of North 9 degrees 01 minute 01 second East and a length of 41.57 feet to point "600" as designated on said Parcel Plat; thence North 4 degrees 08 minutes 59 seconds West 173.69 feet to point "601" as designated on said Parcel Plat; thence northerly 207.12 feet along an arc to the right having a radius of 245.00 feet and being subtended by a long chord having a bearing of North 20 degrees 04 minutes 08 seconds East and a length of 201.01 feet to point "602" as designated on said Parcel Plat and the southwestern right-of-way for the Southern Railway; thence southeasterly along said southwestern right-of-way 50.45 feet along an arc to the left having a radius of 2944.57 feet and being subtended by a long chord having a bearing of South 55 degrees 59 minutes 43 seconds East and a length of 50.45 feet to the east line of the grantor's land; thence South 0 degrees 49 minutes 41 seconds West 408.43 feet along said east line to an east corner of the grantor's land; thence South 62 degrees 10 minutes 19 seconds East 91.08 feet along a northeastern line of the grantor's land to an east corner of the grantor's land; thence South 27 degrees 45 minutes 21 seconds West 92.41 feet along a southeastern line of the grantor's land to point "603" as designated on said Parcel Plat; thence northwesterly 206.31 feet along an arc to the right having a radius of 245.00 feet and being subtended by a long chord having a bearing of North 38 degrees 00 minutes 29 seconds West and a length of 200.27 feet to the point of beginning, and containing 1.170 acres, more or less.

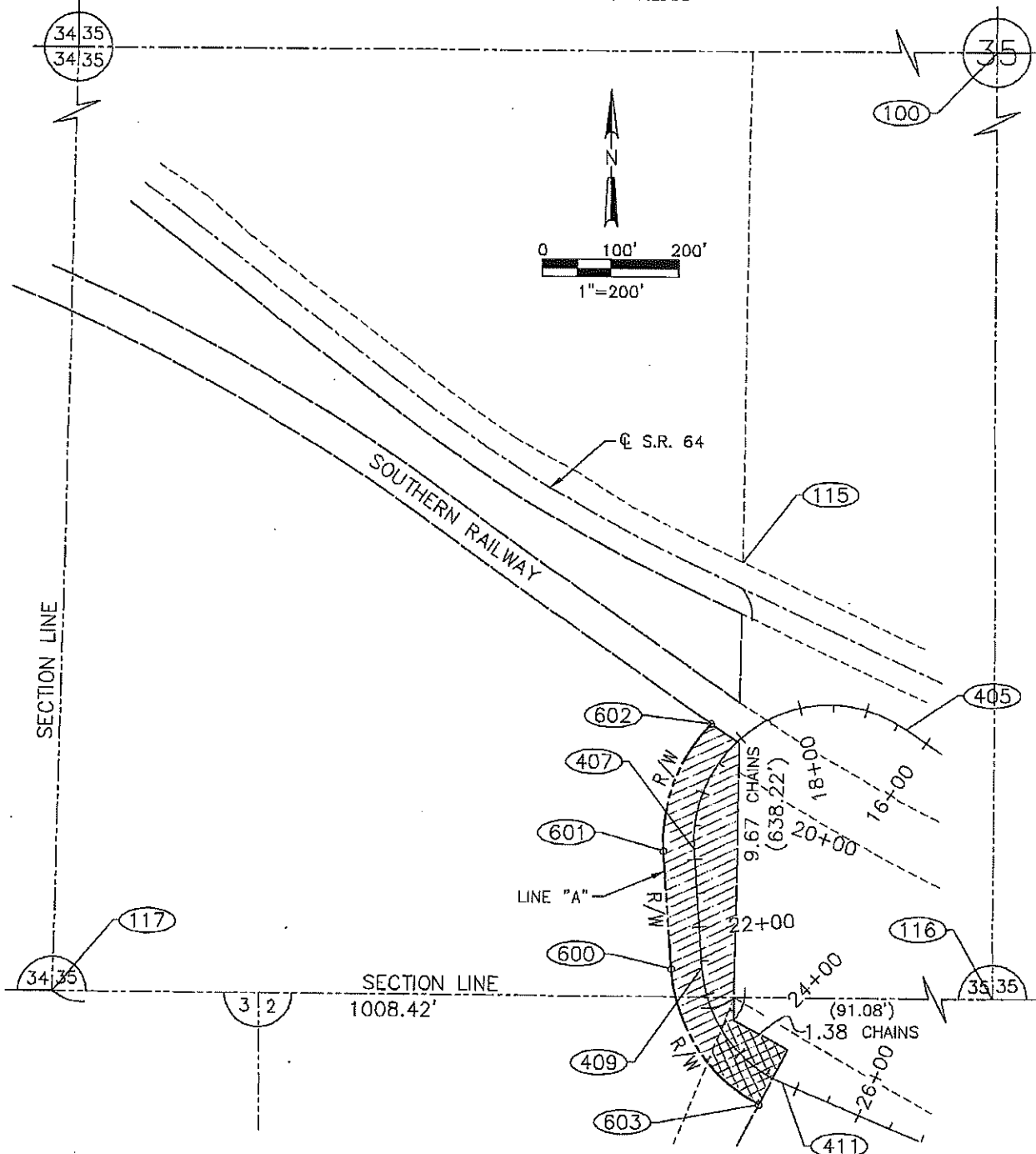
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201903/15/11

This description was prepared from information obtained from the Recorder's Office and other sources which were not necessarily checked by a field survey.

Given under my hand and seal _____

Jacob E. Fitzsimmons
Registered Land Surveyor No.LS21200011
State of Indiana

EXHIBIT "B"
RIGHT-OF-WAY PARCEL PLAT



PARCEL:	2	OWNER:	HISTORIC LANDMARKS FOUNDATION	DRAWN BY:	A.C.BYRNE
ROAD:	INDUSTRIAL PARK WAY		OF INDIANA, INC.	CHECKED BY:	J.E.FITZSIMMONS
COUNTY:	FLOYD				
SECTION:	35				
TOWNSHIP:	2 S				
RANGE:	5 E				

 HATCHED AREA IS THE APPROXIMATE TAKING

INSTR No. 201512892; DATED: 9/16/2015

PARCEL COORDINATE CHART (Shown in Feet)

Point	Line	Station	Offset	Northing	Easting
600	"A"	+P.C.(22+59.04)	45' Rt.	1107033.2986	251043.6492
601	"A"	+P.T.(20+85.35)	45' Rt.	1107206.5340	251031.0802
602	"A"	+RW(19+16.27)	45' Rt.	1107395.3377	251100.0569
603	"A"	+R(24+61.43)	45' Rt.	1106834.4410	251173.4856
100	SEE LOCATION CONTROL ROUTE SURVEY				
115	SEE LOCATION CONTROL ROUTE SURVEY				
116	SEE LOCATION CONTROL ROUTE SURVEY				
117	SEE LOCATION CONTROL ROUTE SURVEY				
405	SEE LOCATION CONTROL ROUTE SURVEY				
407	SEE LOCATION CONTROL ROUTE SURVEY				
409	SEE LOCATION CONTROL ROUTE SURVEY				
411	SEE LOCATION CONTROL ROUTE SURVEY				

NOTE: STATIONS & OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES.

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded September xx, 2018, as Instrument No. xxxxxxxx in the Office of the Recorder of Floyd County, Indiana, (incorporated and made a part hereof by reference) comprise a Location Route Survey, executed in accordance with Indiana Administrative Code 865 IAC 1-12, (Rule 12).

Jacob E. Fitzsimmons _____ Date
 Reg. Land Surveyor No. LS21200011
 State of Indiana

PARCEL:	2	OWNER:	HISTORIC LANDMARKS FOUNDATION	DRAWN BY:	A.C.BYRNE
ROAD:	INDUSTRIAL PARK WAY		OF INDIANA, INC.	CHECKED BY:	J.E.FITZSIMMONS
COUNTY:	FLOYD				
SECTION:	35				
TOWNSHIP:	2 S				
RANGE:	5 E				

INSTR No. 201512892; DATED: 9/16/2015

FLOYD COUNTY ASSESSOR

SEP 17 2015

* 2 0 1 5 1 2 8 9 7 2 *
FLOYD CO. IN RECORDER - LOUIS ENDRIS
09/17/2015 10:39:22AM
201512897 Pages:2
Transaction #: 64595

Parcel Numbers: 22-02-03-500-044.000-002 (002-05500-51)

EXECUTOR'S DEED

THIS INDENTURE WITNESSETH, that HERBERT TRAUB, an individual, as EXECUTOR of the Unsupervised estate of ZELPHA S. MITSCH, deceased, which estate is pending as Cause Number 31C01-1501-EU-000003, in the Harrison County, Indiana Circuit Court. The EXECUTOR, by virtue of the power given an Executor under Indiana law, hereby, ("Grantor")

CONVEYS

To HISTORIC LANDMARKS FOUNDATION OF INDIANA, INC., an Indiana Non-Profit Corporation, duly existing and organized under the laws of the State of Indiana, ("Grantee"), for good and sufficient consideration, all of the right, title, and interest held by ZELPHA SCHOEN MITSCH A/K/A ZELPHA S. MITSCH, more specifically the following described real property in Floyd County, State of Indiana, to-wit:

Being a part of the South half of the Southwest quarter of Section 35, Township 2 South, Range 5 East and being more fully described as follows, to wit: Beginning at a stone at the Southwest corner of said Section 35, running thence North 88°-00' East along the South line of said Section 35, 1008.42 feet to an iron pipe on the East side of a 12 ft., private roadway; thence North 1° -5'-30" West along the East side of said private roadway, 405 ft. more or less to a point in the center line of the main track (Northward tracks, which was the original center line of the RR R/W) of the Southern Railroad, which is the true place of beginning of the land to be herein described; Continuing thence North 1°-05'-30" West along the East side of said 12 ft., private roadway, 157.5 feet, more or less, to an iron pipe on the Southwesterly line of State Road #64, thence with the same, South 66°-31' East 826.6 feet to an iron pipe on the West line of a driveway, thence South 23° -42' West along the West line of said driveway, 157.7 feet to a point in the center line of said main tracks of said railroad, thence with the same in a Northwestwardly direction 760 ft., more or less, to the true place of beginning and containing three acres, more or less and being subject to that part of the right-of-way of the Southern Railroad which lies on the Northward side of said main tracks.

Subject to any and all easements and/or restrictions apparent or of record. Subject to right of way of State Road 64.

Also subject to an unrecorded farm lease between the Estate of Zelpha S. Mitsch and McAfee Brothers Farms, LLC, which shall expire on December 31, 2015.

Prepared at the specific request of Grantor, based solely on the information recorded of record in the Floyd County, Indiana records without examination to title, survey, abstract, or requirements of zoning ordinances. The preparer makes no representations as to the marketability of the aforesaid real estate in this instrument resulting from the information recorded. The parties hereto signify their assent to this disclaimer by the execution and the acceptance of this instrument.

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

SEP 17 2015

[Signature]
AUDITOR FLOYD CO. IND.

This deed complies with Article Six (6) of the Last Will and Testament of Zelpha Schoen Mitsch, under Cause No. 31C01-1501-EU-000003, in the Harrison County, Indiana Circuit Court.

The Grantee, by the acceptance of this Deed, assumes and agrees to pay the 2015 real estate taxes due and payable in May, 2016 and all subsequent real estate taxes due and payable thereafter.

IN WITNESS WHEREOF, HERBERT TRAUB, as Executor of the Unsupervised Estate of ZELPHA S. MITSCH, deceased, has set his hand and seal this 16th day of September, 2015.

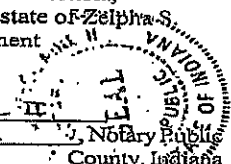
Herbert Traub
HERBERT TRAUB, AS EXECUTOR OF
THE UNSUPERVISED ESTATE OF
ZELPHA S. MITSCH, DECEASED

CERTIFICATE OF ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public for Orange County, State of Indiana, personally appeared HERBERT TRAUB, as Executor of the unsupervised estate of Zelpha S. Mitsch, deceased, who acknowledged the execution of the foregoing instrument in Corydon, Indiana on 16th day of September, 2015.

My Commission Expires:
12-29-2021

William L. McClaine II
William L. McClaine II, Notary Public
Residing in Orange County, Indiana



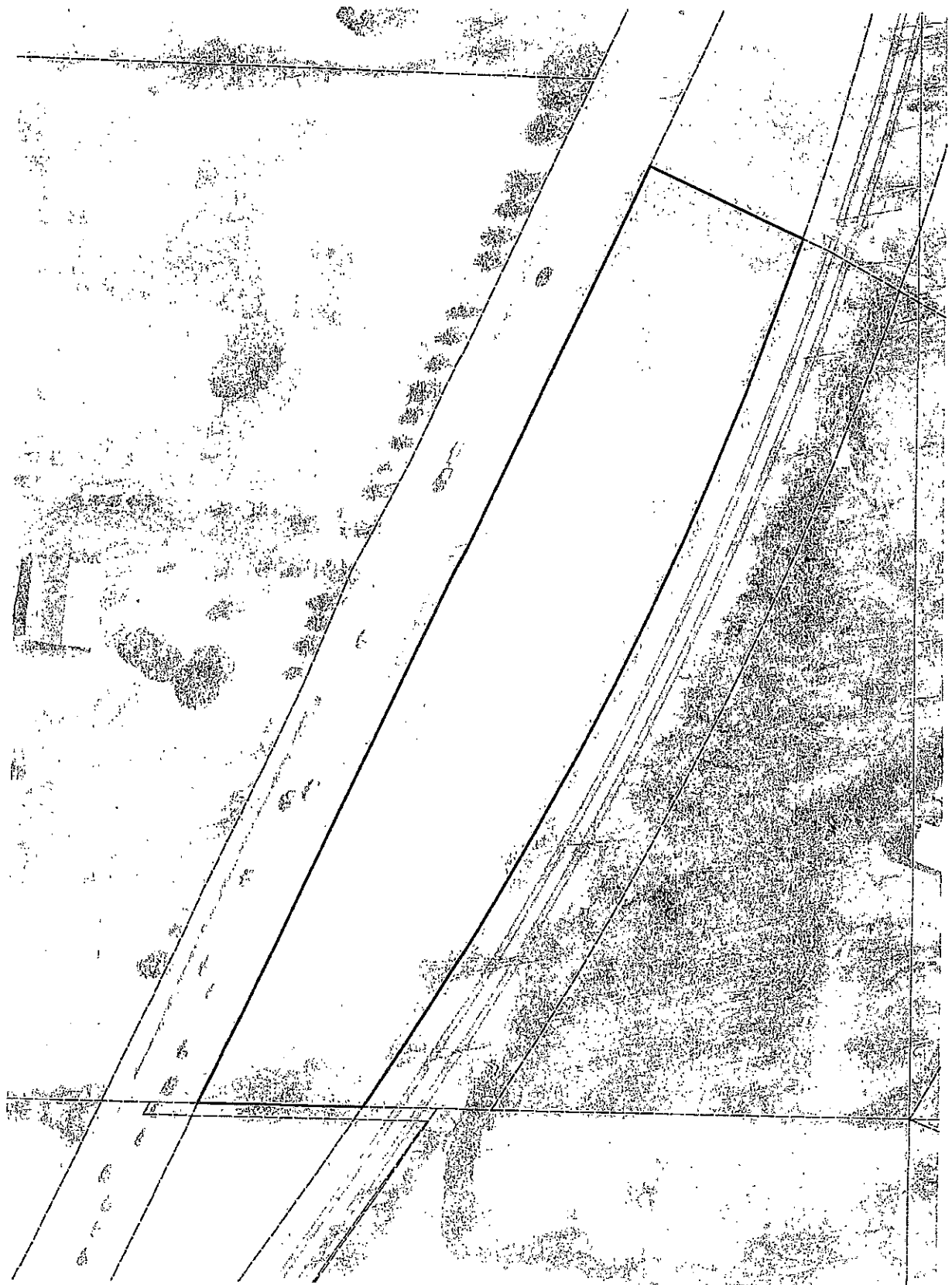
"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. (CHRISTOPHER L. BYRD)."

THIS INSTRUMENT PREPARED BY:
Christopher L. Byrd, Attorney # 23526-49
DILLMAN, CHASTAIN, BYRD, LLC
P.O. Box 640
219 North Capitol Avenue, Suite 200
Corydon, Indiana 47112-0640

Statutory Disclosures:
This instrument was prepared by Christopher L. Byrd

Grantee(s) address: 1201 Central Avenue
Indianapolis, Indiana 46202
(designated tax statement address)

Property Address: State Road 64
Georgetown, Indiana 47122





* 2 0 1 0 0 2 7 8 0 6 *

FLOYD CO. IN RECORDER - LOTS ENDRIS

03/04/2010 11:27:07AM

201002780 Pages:6

Transaction # 4940

Fee Amount: \$26.00

State Tax No. 22-02-00-200-076.000-002 Tax Key No. 002-06100-07
22-02-00-200-077.000-002 002-06100-08
22-02-00-200-118.000-002 002-06100-62

SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH, that the **Town of Georgetown, Indiana**, an Indiana municipality (Grantor), whose address is 1070 Copperfield Drive, Georgetown, Indiana 47122, for valuable consideration of Three Hundred Sixty-two and 00/100 dollars (\$362,000.00), the receipt of which is hereby acknowledged, **CONVEYS AND SPECIALLY WARRANTS** unto **Floyd County, Indiana** (Grantee), whose address is 311 Hauss Square Room 214, New Albany, Indiana 47150, the real estate in Floyd County, Indiana, more particularly described in EXHIBIT "A" attached hereto and made a part hereof (the "Property").

TO HAVE AND TO HOLD, the same unto the Grantee, its successors and assigns, in fee simple forever, and with covenant of special warranty only.

The Grantor and Grantee have made and entered into this conveyance pursuant to IND. CODE 36-1-11-8, the Georgetown Town Council, the Floyd County Commissioners, and the Floyd County Council, set forth in the Settlement Agreement, dated November 18, 2008, and that Amendment to Settlement Agreement, last executed on January 12, 2009 (collectively the "Agreements"). This deed is given in satisfaction of all the terms and conditions of the Agreements, which are hereby merged, and there are no continuing obligations under such Agreements.

No warranties or representations of any kind have been made by Grantor to Grantee with respect to the Property or its condition, including the condition of any improvements and/or environmental matters; Grantee accepts the Property "AS IS-WHERE IS" **CONDITION WITHOUT WARRANTIES BY LICENSOR OF ANY KIND OR NATURE, EXPRESS OR IMPLIED.**

This conveyance is made subject to all easements and restrictions of record affecting the property, and is subject to the real estate taxes for the year 2009 payable in 2010, if any, which Grantee hereby assume and agree to pay.

[Signatures on following page]

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

MAR 04 2010

Jeresa A. Platts
AUDITOR FLOYD CO. IND.

ACCEPTANCE

The Grantee, Floyd County, acknowledges delivery and acceptance of the foregoing Special Warranty Deed subject to the terms and conditions set forth therein.

FLOYD COUNTY, INDIANA

By: Charles A. Freiberger
Charles A. Freiberger, Commissioner

By: Mark Seabrook
Mark Seabrook, Commissioner

By: Stephen Bush
Stephen Bush, Commissioner

ATTEST:

Teresa A. Plaiss
Teresa Plaiss, Auditor of Floyd County

STATE OF INDIANA)
) SS:
COUNTY OF FLOYD)

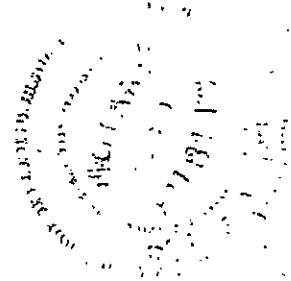
Before me a notary public in the aforesaid county and state, personally appeared the afore named County Commissioners and Auditor and acknowledged the execution and attestation, respectively, of the foregoing acceptance of this deed as their free and voluntary act and deed for the uses and purposes expressed herein this 2 day of March 2010.

[SEAL]

Catherine M Knight-Kahl
Notary Public
Printed Name: Catherine M Knight-Kahl
My Commission Expires: 3-17-2017
My County of Residence: Clark

Send Deed & Tax Statement to:

Att'n: Don Lopp
Floyd County Commissioners
311 Hauss Square Room 214
New Albany, Indiana 47150



Prepared by:

**D. A. Andrews
D. A. ANDREWS, PLLC
222 Pearl Street, Suite 202
New Albany, Indiana 47150
(812) 725-9722**

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Name: D.A Andrews

EXHIBIT "A"

Tract 1

Being a 16.50 acre part of a 24.423 acre parcel of land heretofore conveyed to Floyd E. and Adele M. Neeriemer by deed recorded in Deed Record 132, Page 475 and which is a part of a 24.423 acre parcel of land as described in a conveyance to said Floyd E. and Adele M. Neeriemer by a quit claim deed recorded in Deed Record 167, page 526 of said records for the purpose of establishing the easterly line of said 24.423 acre parcel of land, being a part of the 60 acre dower lot of Plat No. 229, of the Floyd County Records, and a part of the North one-half of Section No. 2, Township 3 South, Range 5 East, situated in Georgetown, Township and more fully described as follows:

Beginning at a stone at the Southwest corner of said 60 acre dower lot of Plat No. 229, which is also the Northwest corner of Lot No. 10 of said Plat No. 229 of the Floyd County Records; thence North 3 deg. 33' West along the west line of said 60 acre dower lot, 891.89 feet to an iron pipe; thence South 89 deg. 49' East, 294.27 feet to an iron pipe; thence North 1 deg. 50' East, 305.48 feet to an iron pipe on the south bank of a creek; thence continuing North 1 deg. 50' East, 26.45 feet to a point in the middle of said creek; thence South 83 deg. 22' East along the center of said creek 227.60 feet to a point; thence continuing along the center of said creek North 87 deg. 47' East, 18.88 feet to a point; thence South 11 deg. 07.3' East 18.82 feet to an iron pipe on the south bank of said creek; thence continuing South 11 deg. 07.3' East 669.04 feet to an iron pipe; thence North 78 deg. 52.7' East, 64.55 feet to an iron pipe; thence South 11 deg. 07.3' East, 542.71 feet to an iron pipe on the south line of said 60 acre dower lot and on the north line of Lot No. 7 of said Plat No. 229; thence North 89 deg. 59.8' West, 795.14 feet to the place of beginning and containing 16.50 acres of land as surveyed by the Condra Engineering Company.

Tract 2

A part of Lots 6, 7, 8 and 9 of Plat Number 229, Floyd County, Indiana, situated North of Interstate Highway 64, more particularly described as follows: Beginning at the Northeast corner of Lot 5, Plat 229, and running thence West along the North line of Lots 5 and 6, 236.6 feet to an iron pin, the true place of beginning of the tract herein described; thence continuing West along the North line of Lots 6, 7, 8 and 9, 681.85 feet to an iron pin at the intersection of the North line of Lot 9 and the North right-of-way line of Interstate Highway 64; thence S. 76 deg. 11' 50" E., along the North right-of-way line of Interstate Highway 64, 350.2 feet to a point; thence continuing with the North right-of-way line, N. 89 deg. 33' 26" E., 350.0 feet to an iron pin; thence North 81.25 feet to an iron pin the true place of beginning containing 1.0 acres more or less.

Tract 3

Being a 6.80 acre part of a 24.423 acre parcel of land heretofore conveyed to Floyd E. and Adele M. Neerlerner by deed recorded in Deed Record 132, Page 475 and which is a part of a 24.423 acre parcel of land as described in a conveyance to said Floyd E. and Adele M. Neerlerner by a quit claim deed recorded in Deed Record 167, page 526 of said records, for the purpose of establishing the easterly line of said 24.423 acre parcel of land, being a part of the 60 acre dower lot of Plat No. 229, of the Floyd County Records, and a part of the North one-half of Section No. 2, Township 3 South, Range 5 East, situated in Georgetown Township and more fully described as follows:

Commencing at a stone at the Southwest corner of said 60 acre dower lot of Plat No. 229, which is also the Northwest corner of Lot No. 10 of said Plat No. 229 of the Floyd County Records; thence South 89 deg. 59.8' East along the south line of said 60 acre dower lot and the north line of Lots 10, 9, 8, and 7 of said Plat No. 229, 795.14 feet to an iron pipe which is the true place of beginning of land to be herein described:

Thence North 11 deg. 07.3' West, 542.71 feet to an iron pipe; thence South 78 deg. 52.7' West, 64.55 feet to an iron pipe; thence North 11 deg. 07.3' West, 669.04 feet to an iron pipe on the south bank of a creek; thence continuing North 11 deg. 07.3' West, 18.82 feet to a point in the center of said creek; thence along said creek center the following courses and distances; North 87 deg. 47' East, 279.12 feet; South 69 deg. 58.5' East, 67.45 feet and South 28 deg 10' East, 110.00 feet; thence leaving said creek and running South 10 deg. 36.4' West, 50.46 feet to an iron pipe; thence South 5 deg. 32.4' West, 59.63 feet to an iron pipe; thence South 75 deg. 44.4' West, 73.42 feet to an iron pipe; thence South 22 deg. 07.9' West, 107.95 feet to an iron pipe; thence South 14 deg. 57.1 East, 181.03 feet to an iron pipe; thence North 77 deg. 29.5' East, 102.05 feet to an iron pipe; thence South 20 deg. 07.8' East, 84.40 feet to an iron pipe; thence South 77 deg. 15.2' West, 100.89 feet to an iron pipe; thence South 20 deg. 54.8' East, 345.54 feet to an iron pipe; thence South 5 deg. 23.3' East, 281.07 feet to an iron pipe; thence continuing South 5 deg. 23.3' East, 2.74 feet to an iron pipe on the south line of said 60 acre dower lot and on the North line of Lot 6 of Plat No. 229; thence North 89 deg 59.8' West, along the south line of said dower lot and the north line of lots 6 and 7 of said Plat No. 229, 193.86 feet to the place of beginning and containing 6.80 acres of land as surveyed by the Condra Engineering Company.

[END LEGAL DESCRIPTION]

FLOYD COUNTY ASSESSOR

JUN 22 2018



8 0 2 3 7 5 7
Tx:4009866

201810051

FLOYD CO. IN RECORDER

TODD N. SCANNELL

06/22/2018 08:38 AM

Pages: 4

WARRANTY DEED

GRANTEE'S ADDRESS:

2524 Corgdon Pike

New Albany IN 47150

MAIL TAX STATEMENTS TO:

Same as above

Key #002-05500-49 Parcel #22-02-03-500-042.000-002

Key #002-06100-51 Parcel #22-02-00-200-111.000-002

THIS INDENTURE WITNESSETH: That Brenda K. Beams, of the County of Floyd, State of Indiana

CONVEYS AND WARRANTS

unto Floyd County Department of Redevelopment (a/k/a Floyd County Redevelopment Commission), for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the following described real estate situated in the County of Floyd, State of Indiana, and described as follows, to-wit:

BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 5 EAST, ALSO A PART OF THE 20 ACRE MILL PLACE LOT AND A PART OF LOT NOS. 1, 2, AND 3, OF PLAT NO. 449 OF THE FLOYD COUNTY RECORDS OF PLATS, WHICH IS A PART OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 3 SOUTH, RANGE 5 EAST, AND BEING MORE FULLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A STONE AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2-3-5, RUNNING THENCE NORTH 2 DEG. 25' WEST ALONG THE WEST LINE OF SAID SECTION 2, 1696 FEET TO A STONE WHICH IS THE NORTHWEST CORNER OF SAID LOT NO. 3 OF SAID PLAT NO. 449; THENCE NORTH 88 DEG. 00' EAST ALONG THE NORTH LINE OF SAID LOT NO. 3, 275.22 FEET TO A STONE; THENCE NORTH 22 DEG. 23' 40" EAST, 80.52 FEET TO A POINT;

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

JUN 22 2018

AUDITOR FLOYD CO. IND.

BEING THE TRUE PLACE OF BEGINNING OF THE LAND TO BE
HEREIN DESCRIBED; THENCE CONTINUING NORTH 22 DEG. 23'
40" EAST ALONG THE WESTERLY LINE OF A PARCEL OF LAND
CONVEYED TO VIRGIE THOMAS BY DEED RECORDED IN DEED
RECORD 74, PAGE 207 OF THE FLOYD COUNTY, INDIANA
RECORDS 1015.55 FEET, MORE OR LESS, TO AN IRON PIPE ON
THE NORTH LINE OF SAID SECTION 2; THENCE SOUTH 59 DEG.
27' EAST 397.70 FEET TO AN IRON PIPE; THENCE NORTH 20 DEG.
39' EAST, 41.50 FEET TO A CORNER FENCE POST; THENCE SOUTH
74 DEG. 07' EAST ACROSS A POND DIKE, 216.90 FEET TO A FENCE
POST ON THE WEST LINE OF A DRIVEWAY; THENCE NORTH 7
DEG. 26' WEST ALONG SAID FENCE, 88.50 FEET TO AN IRON PIPE;
THENCE NORTH 29 DEG. 22' EAST AND CONTINUING ALONG THE
WESTERLY LINE OF SAID DRIVEWAY, 227 FEET TO A POINT IN
THE CENTER OF THE SOUTHERN R.R. R/W; THENCE NORTH 23
DEG. 42' EAST ALONG THE WESTERLY LINE OF SAID DRIVEWAY,
157.60 FEET TO AN IRON PIPE ON THE SOUTHERLY LINE OF
STATE ROAD NO. 64; THENCE SOUTH 66 DEG. 31' EAST ALONG
THE SOUTHERLY LINE OF SAID ROAD NO. 64, 155.40 FEET TO A
CONCRETE R/W MARKER; THENCE SOUTH 69 DEG. 39' EAST
ALONG THE SOUTHERLY LINE OF SAID ROAD, 217 FEET TO A
CONCRETE R/W MARKER AT THE INTERSECTION OF THE SAME
WITH THE SOUTHWESTERLY LINE OF THE OLD GEORGETOWN
ROAD; THENCE SOUTH 54 DEG. 28' EAST ALONG THE
SOUTHWESTERLY LINE OF SAID OLD GEORGETOWN ROAD,
233.75 FEET TO AN IRON FENCE POST; THENCE SOUTH 6 DEG. 08'
WEST 396.70 FEET TO AN IRON PIPE; THENCE NORTH 89 DEG. 33'
EAST 469 FEET TO AN IRON POST ON THE EASTERLY LINE OF
SAID PLAT NO. 449; THENCE SOUTH ALONG THE SAID EASTERN
LINE OF PLAT NO. 449 TO THE POINT OF ITS INTERSECTION WITH
THE NORTH R/W LINE OF INTERSTATE HIGHWAY NUMBER 64;
THENCE NORTH 76 DEG. 11' 50" WEST ALONG SAID NORTH R/W
LINE 215.45 FEET TO A POINT; THENCE NORTH 78 DEG. 21' 57"
WEST, 1242.88 FEET TO A POINT; THENCE SOUTHWESTWARDLY
733.77 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF
4833.66 FEET AND SUBTENDED BY A LONG CHORD HAVING A
BEARING OF SOUTH 88 DEG. 33' 53" WEST AND A LENGTH OF
733.06 FEET, TO THE TRUE PLACE OF BEGINNING. CONTAINING
38.2 ACRES, MORE OR LESS.

EXCEPT:

PERMANENT SANITARY SEWER AND PUMPING STATION EASEMENT TO THE TOWN OF GEORGETOWN, INDIANA DESCRIBED AS FOLLOWS: A PERMANENT EASEMENT CONTAINING 0.085 ACRES, MORE OR LESS, DESCRIBED AS FOLLOWS: BEING A 0.085 ACRE PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA, SAME BEING PART OF THOSE SAME LANDS CONVEYED TO JOHN N. AND BRENDA K. BEAMS AS DESCRIBED IN DEED DRAWER 4, INSTRUMENT NO. 2837-A, BOUNDED AS FOLLOWS: BEGINNING AT A ½ INCH STEEL PIN SET AT THE INTERSECTION OF THE SOUTH R/W OF THE OLD GEORGETOWN ROAD AND THE NORTH R/W OF THE SOUTHERN RAILROAD, SAID PIN BEING NORTH 89 DEG. 58' 02" WEST FROM THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 80 DEG. 34' 09" WEST WITH THE NORTH RIGHT R/W OF SAID RAILROAD, 134.91 FEET TO A ½ INCH STEEL PIN SET; THENCE NORTH 22 DEG. 11' 28" EAST A DISTANCE OF 52.50 FEET TO A ½ INCH STEEL PIN SET ON THE SOUTH R/W OF STATE ROAD 64; THENCE SOUTH 67 DEG. 49' 32" EAST WITH SAID R/W 20.00 FEET TO A CONCRETE R/W MONUMENT; THENCE SOUTH 56 DEG. 18' 28" EAST WITH THE SOUTH R/W OF THE OLD GEORGETOWN ROAD, SAME BEING THE SOUTH R/W OF STATE ROAD 64, 113.86 FEET TO THE BEGINNING.

Subject to any and all easements and/or restrictions of public record, which may apply to the above-described real estate.

TO HAVE AND TO HOLD, the same unto said Grantee, its heirs and assigns, in fee simple forever.

The above described real estate is conveyed free and clear of all liens and encumbrances, except the real estate taxes, which having been prorated to the date of closing, the Grantee hereby assumes and agrees to pay all taxes hereafter.

