

# NOTICE OF PUBLIC HEARING

## Description of Proposed Docket:

The applicant \_\_\_\_\_ is seeking a:

- Development Standards Variance
- Conditional Use
- Special Exception
- Administrative Appeal

From the **Floyd County Board of Zoning Appeals.**

<b>Street Address (see enclosed map):</b>
<b>Description of Project:</b>

This is a notice that a public hearing regarding the proposed docket item will be on \_\_\_\_\_ located in **Suite 104 at the Pineview Government Center, 2524 Corydon Pike New Albany, IN 47150.**

**Please note that information about the proposed docket item can be found at the following:**

Floyd County Building and Development Services

2524 Corydon Pike Suite 202

New Albany, IN 47150

Monday- Friday 8AM to 4PM

812.981.7611

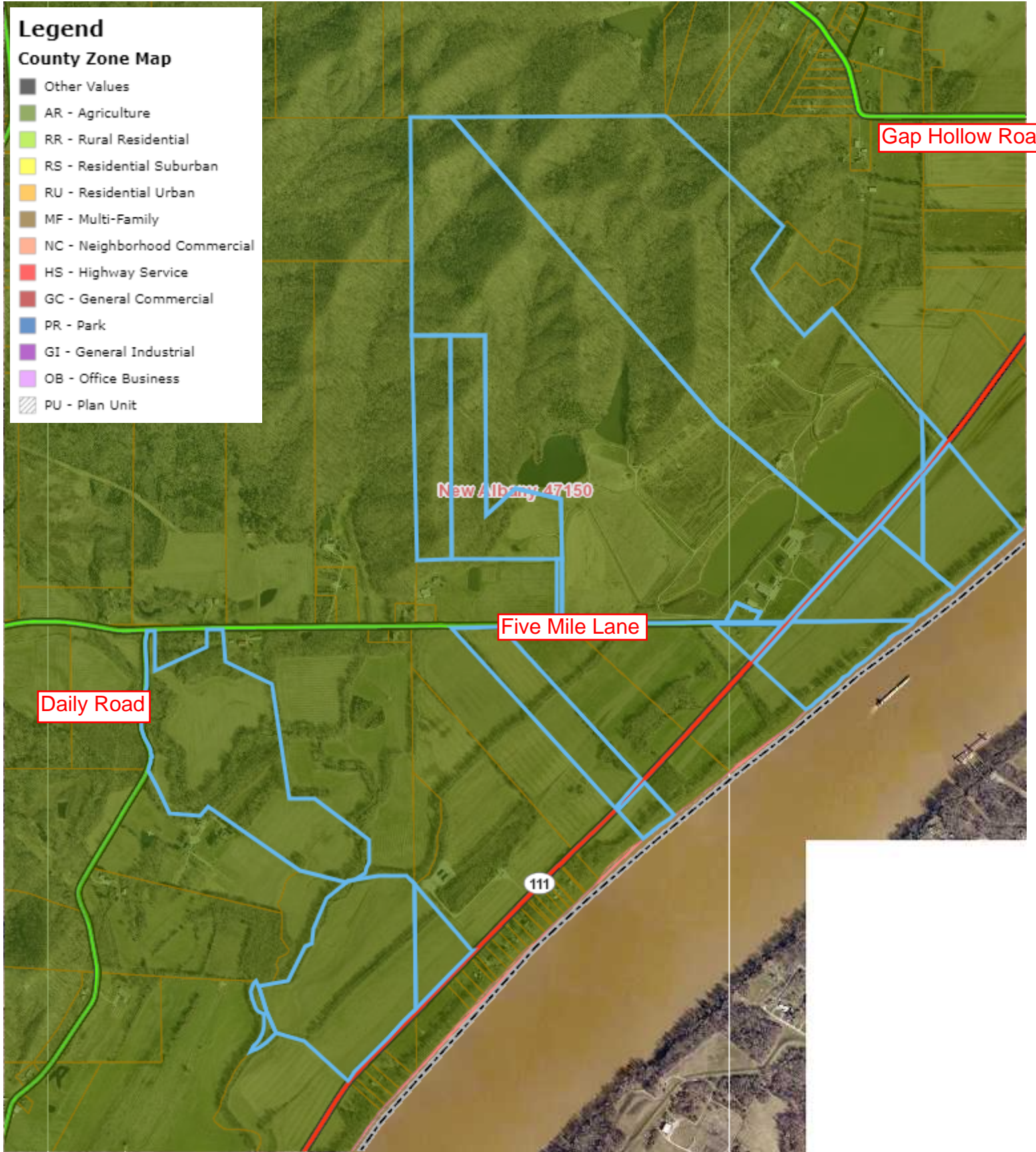
[Building@floydcounty.in.gov](mailto:Building@floydcounty.in.gov)

Online: Floyd County Government Website [www.floydcounty.in.gov](http://www.floydcounty.in.gov)

# Legend

## County Zone Map

- Other Values
- AR - Agriculture
- RR - Rural Residential
- RS - Residential Suburban
- RU - Residential Urban
- MF - Multi-Family
- NC - Neighborhood Commercial
- HS - Highway Service
- GC - General Commercial
- PR - Park
- GI - General Industrial
- OB - Office Business
- PU - Plan Unit



Gap Hollow Road

New Albany 47150

Five Mile Lane

Daily Road

111

## **Floyd County Board of Zoning Appeals**

### **Frequently Asked Questions**

#### **1. How can I find out more about this docket?**

You can either visit to the Floyd County Building and Development Services Office and review the file between the hours of 8AM to 4PM Monday through Friday or you can review the proposed application on-line at [www.floydcounty.in.gov](http://www.floydcounty.in.gov) under the Plan Commission page

#### **2. How does this process work?**

Depending on the docket, there are several different processes. The Board of Zoning Appeals will take public comments on each proposal and values public comment in their decision-making process. The Board of Zoning Appeals is required to follow state statute when considering each application. Below is a brief description of application that may come before the board. Please note the check marked application on the notification form to the corresponding process listed below:

- **Development Standards Variance** – The applicant is seeking to vary from the County’s development standards in the County’s Zoning Ordinance. Per Indiana State statute, the Board of Zoning Appeals holds a public hearing. From the applicant, it determines if the applicant has met the standard that will allow for the requested variance of County rules. The Board of Zoning Appeals has the ability to approve, disapprove or may place reasonable conditions on the request per the ordinance standards.
- **Conditional Use**– The applicant is seeking to conduct a use on the property not otherwise permitted by right. By the County Zoning Ordinance, the proposed use must be reviewed and determined by the Board of Zoning Appeals if how the applicant is proposing the use to be conducted will affect the adjoining property owners. The Board of Zoning Appeals has the ability to approve, or disapprove. The Board can also place reasonable conditions on the request per the ordinance standards.
- **Special Exception** – The applicant is seeking to conduct a use that is not permitted by right in the certain zoning district. Similar to the conditional use, ordinance, and the proposed use must be reviewed and determined by the Board of Zoning Appeals if how the applicant is proposing the use to be conducted will affect the adjoining property owners. The Board of Zoning Appeals has the ability to approve or disapprove. The Board can also place reasonable conditions on the request per the ordinance standards.



LAW OFFICES  
**YOUNG, LIND, ENDRES & KRAFT**  
126 WEST SPRING STREET

NEW ALBANY, INDIANA 47150

AREA CODE 812

TELEPHONE 945-2555

TELECOPIER 948-6956

WWW.YLEK.COM

LEWIS A. ENDRES  
(1949-1992)

EUGENE F. LIND  
(1942-2001)

C. THOMAS YOUNG  
(1943-2002)

JOHN A. KRAFT  
JUSTIN E. ENDRES  
KATELYN M. HINES

April 24, 2024

Floyd County Board of Zoning Appeals

RE: Sporting Club at the Farm

Ladies/Gentlemen:

The applicant is desirous of adding amenities and/or sales and/or events, each of which has been requested, in order to allow the Club to accommodate economic growth to it and the County. Following is an explanation of each request:

1. Lead Abatement - The current plan is every two (2) years. While this is burdensome on the applicant and too expensive, the applicant previously submitted to the BZA/Plan Commission a site-specific study and plan by Dr. Richard Peddicord, a world leader in evaluation and management of outdoor shooting ranges and a contributing author of EPA guidelines on lead management. That study, based upon use, suggests lead clean-up be conducted every fifteen (15 years). To hold to the current plan is overly burdensome and unnecessary and would run the applicant out of business.

2. Gun Sales - The addition of applicable gun sales is necessary to the sport of shooting. Those who currently come to shoot would also have the ability to purchase guns while there from knowledgeable sales people. The Sporting Club hosts a number of young people in its successful youth programs and the ability to match each child with the correct size gun is paramount. The availability of guns for sale at a shooting range only makes sense.

3. Camping - The applicant seeks to make approximately thirty (30) spaces available for camping. The intent is for a primitive camping area. The applicant proposes to provide porta-pottys for use by the campers and there is electricity and a water source already available onsite. Those needing to dump waste from a camper will be served by a truck coming to the site to empty waste as needed. Inquiries have been made as to the availability of camping on the real estate. There are many retired people who travel through the area seeking a place to rest on their way south or home to the north. A campground would provide a place for them. Additionally, one of the owners of the property lives two (2) hours away and would appreciate the availability of camping facilities when he visits the Club.

4. Yardage Restriction – The restrictions in place are keeping the Club from using a large area of land that it should be able to use. The applicant suggests use of additional land (see attached) would benefit the Club while still having more than enough buffer between the shooting area and neighbors. No other gun club is required to adhere to such strict regulations.

5. Additional hours – The applicant does not seek to extend operating hours on a daily basis. This request is to add on the “hall pass” the ability to host approximately three (3) to five (5) after-dark shooting events using “glow clays” during the winter season, weather permitting. This is a fun event in which clay targets are thrown under black lights which make them glow in the dark. The applicant has not abused its hall passes, using only one (1) in the last three (3) years, when five (5) are available. If the hours could be extended during these events, it would make the Club more attractive and bring in more business to the community.

6. Potential Annual Events – Applicant seeks to incorporate a couple of events on an annual basis: a pistol/rifle match and a motocross event (trail rides through the woods). Both events would be a boon to the Club, providing extra income, draw people from surrounding states and also benefit the community as a whole. Applicant is not seeking to have these events on a regular monthly basis, but only as a once-a-year event.

7. Alcohol Sales - The applicant has applied for an alcoholic beverage permit with the Bureau of Alcohol Tobacco and Firearms. The approval of the above will enhance the offerings of the Sporting Club. Many weddings and corporate events are held at the Club and the ability to have alcohol available onsite for these events would save money for clients and eliminate the need to hire outside bartenders, yet still provide additional income for the business. Applicant would want the ability to serve alcohol at the Club between the hours of 1:00 p.m. and closing. Members and patrons would not be served alcohol prior to shooting, nor will any alcohol be allowed on the shooting range at any time. Those who have completed the course sometimes desire to hang around and talk. Applicant would like to be able to offer them a drink, as well.

Best Regards,

YOUNG, LIND, ENDRES & KRAFT



John A. Kraft

JAK/kh



**Floyd County**  
**Department of Building & Development Services**  
2524 Corydon Pike Suite 202  
New Albany, IN 47150  
Phone: (812) 981-7611  
Fax: (812) 948-4744  
Building@floydcounty.in.gov

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## Special Exception (Variance of Use)

**Please Note:**

*This Application is a document of public record. Any information disclosed on this application is available for review by the public. Incomplete applications will not be accepted. A pre-submission meeting with Building and Development Staff is strongly encouraged. Please contact the office at 812-981-7611 to schedule a meeting.*

**Special Exception:** A variance of use from a base zoning district's permitted or conditional uses.

### 1. General Information:

Applicant:	
Applicant Address:	
Applicant Phone:	
Applicant Email:	

### Applicant's Interest in Property:

Owner      Option Holder      Purchase Agreement      Legal Representative      Other

### Owner(s) of Property: (complete this section if *owner* is different than applicant)

Owner Name:	
Owner Address:	
Owner Phone:	
Owner Email:	

### Applicant's Representative:

Representative Name:	
Representative Address:	
Representative Phone:	
Representative Email:	

### 2. Site Information:

Parcel ID Number:	
Address of Property/Location:	
Current Use of Property:	
Current Zoning District:	

**3. Special Exception Request:**

Detail the special exception request:

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**4. Special Exception Justification:**

Indiana Code and the Floyd County Zoning Ordinance establishes specific criteria that each must be met in order for a Special Exception (Use Variance) to be approved. Describe how the request meets each of the following criteria:

*1. The special exception will not be injurious to the public health, safety, morals, and general welfare of the community:*

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*2. The use and value of area adjacent to the property will not be adversely affected in a substantially adverse manner:*

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*3. The need for the special exception (variance of use) arises from some condition peculiar to the property involved:*

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*4. The strict application of the terms of the Floyd County Zoning Ordinance would result in an unnecessary hardship in the use of the property:*

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5. Approval of the Special Exception will not contradict the goals and objectives of the Floyd County Comprehensive Plan:

The permitted use as a sporting club is consistent with the uses and special exceptions identified in the application. None will cause any negative impact outside the real estate and all are complimentary with the existing use as a sporting club.

5. Required Documents:

- \$500.00 Filing Fee
- Deed for subject property
- Affidavit of Ownership (if applicable)
- Site plan drawn to scale, signed, and dated which clearly shows the entire layout of the property and all features relevant to the request.
- Floor plan, including specific dimensions for any buildings on the property subject to the conditional use.
- Cover letter summarizing the request.
- For proposals using septic systems, a letter from the Floyd County Health Department shall be provided verifying that any proposed development makes appropriate use of the septic system.
- For proposals using sanitary sewer systems, a letter from the service provider shall be included verifying that any proposed new development will be served.

6. Signature:

The undersigned states that the above information is true and correct.

Name: Robert E Brooks III

Signature: [Handwritten Signature] Date: 4-6-24

SUBSCRIBED AND SWORN BEFORE ME

THIS 6th DAY OF April, 2024.  
[Handwritten Signature]

NOTARY PUBLIC COUNTY OF Floyd  
MY COMMISSION EXPIRES 11-6-2030







Floyd County Plan Commission  
 Floyd County Board of Zoning Appeals

### AFFIDAVIT OF OWNERSHIP

If the owner(s) of the subject property are giving authorization for someone else to apply for this request, this attached attachment is to be completed and submitted at the time of the application.

I (We), Mussel Mound, LLC by Joseph I. Crea, do hereby certify that I am (we are)  
 (Owners of subject property)

the owner(s) of the property legally described as See attached,  
 (Parcel ID Number)

And hereby certify that I (we) have given authorization to Bobby Brooks/The Sporting Club at the Farm,  
 (Applicant/Petitioner/Representative)

To apply for the included application on this subject property.

Name of Owner(s):	Parcel I.D. No:	Signature:	Date:
Joseph I. Crea	See Attached		4/23/2024

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF FLOYD )

Subscribed and sworn to before me, a Notary Public within and for said County and

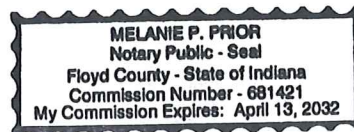
State, this 23<sup>rd</sup> day of April 2024.

MY COMMISSION EXPIRES:

Notary Public

MY COUNTY OF RESIDENCE:

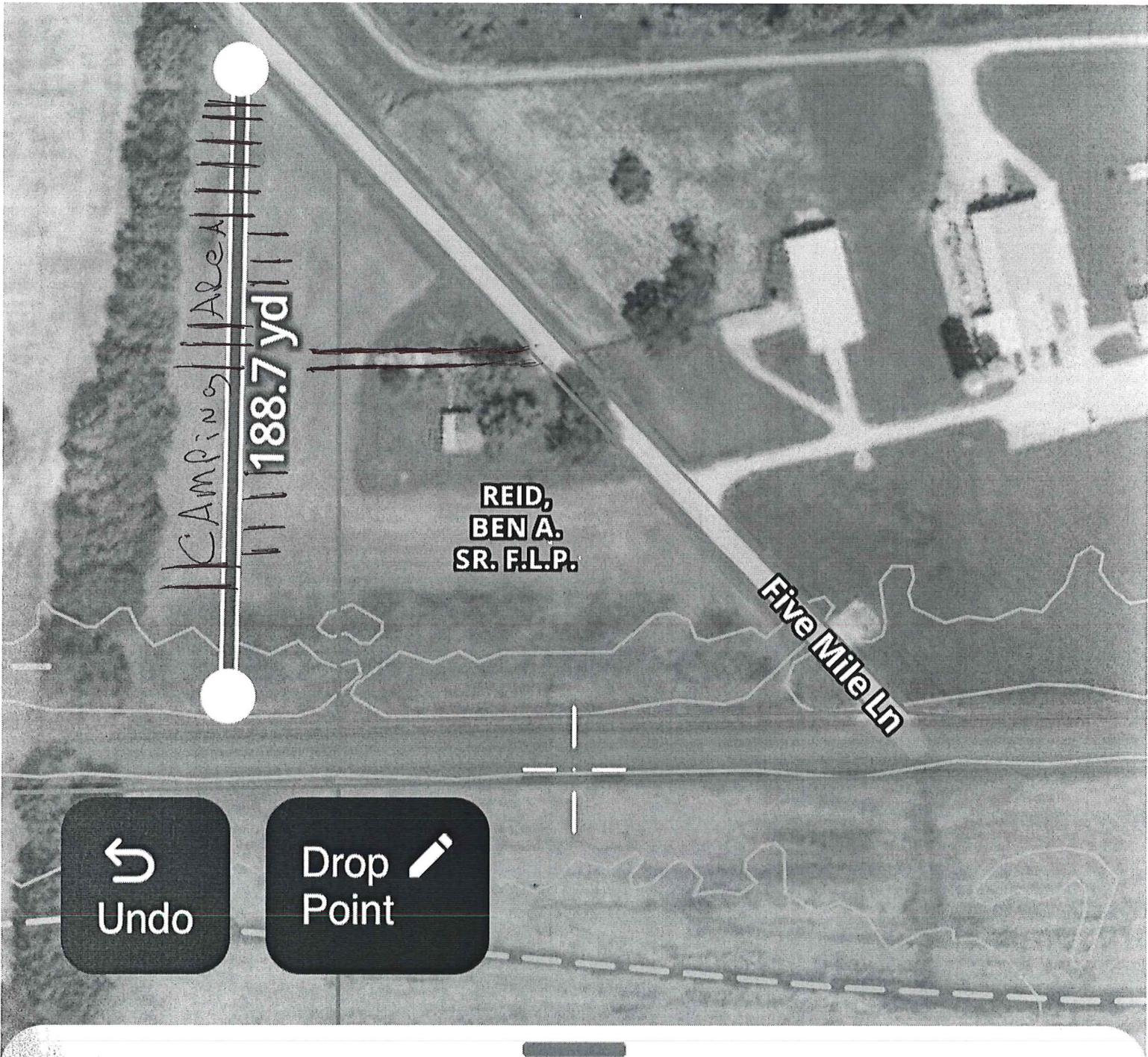
Printed Signature



**Parcel Numbers – The Sporting Club at the Farm**

22-01-02-900-001.000-001; 22-01-02-900-006.000-001;  
22-01-02-800-020.000-001; 22-01-02-900-007.000-001;  
22-01-02-900-011.000-001; 22-01-03-200-004.000-001;  
22-01-03-100-015.000-001; 22-01-03-200-008.000-001;  
22-01-03-100-003.000-001; 22-01-03-200-001.000-001





REID,  
BEN A.  
SR. F.L.P.

Five Mile Ln

Camping Area  
188.7 yd

Undo

Drop Point

Site plan for  
campground.

Line Name

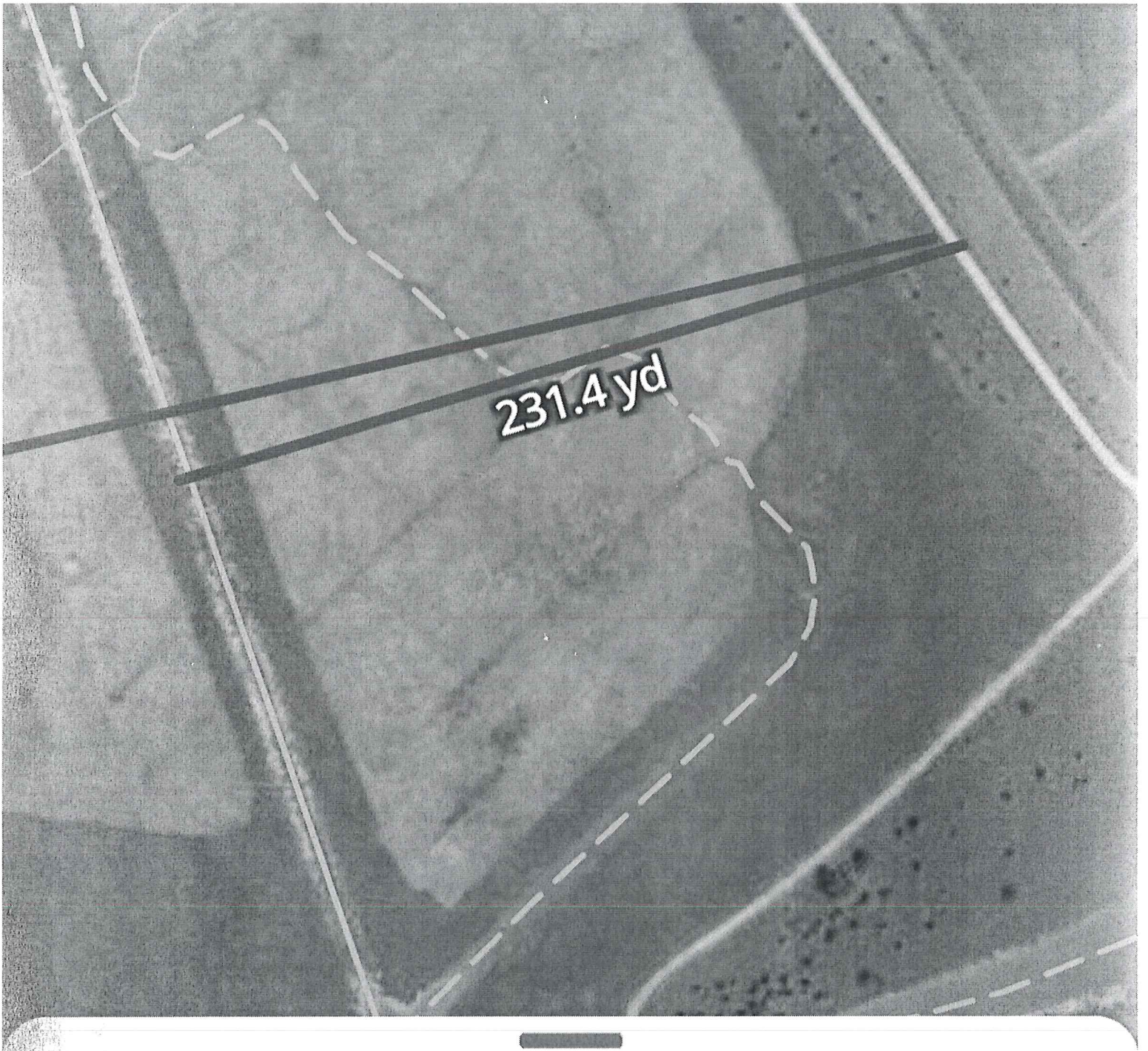
Line 04/24/24 11:14

Distance

Elevation Gain

Elevation Loss





# Line 04/24/24 16:48

4/24/24, 4:48 PM

*Proposed additional use*

## Elevation

0 mi      423 ft





WRIGHT

*Remaining Buffer  
with added yardage*

Line Name

Line 04/24/24 16:20

Distance

Elevation Gain

Elevation Loss

FLOYD COUNTY  
ASSESSOR

Sep/13/2023

Duly Entered For Taxation  
Subject To Final Acceptance  
For Transfer  
Sep 13 2023 - AM

*Diane M. Fopping*

AUDITOR FLOYD CO. IND.

E-RECORDED

202309990

FLOYD CO. IN RECORDER  
LOIS ENDRIS  
09/13/2023 11:51 AM  
202309990 Pages: 10  
Transaction # 4073032

WTS File No. 230297  
 Tax ID No. 001-01500-01; 001-01500-06; 001-01600-11; 001-01500-07;  
 001-01500-11; 001-02100-04; 001-02000-15; 001-02100-08;  
 001-02000-03; 001-02100-01  
 State Parcel No. 22-01-02-900-001.000-001; 22-01-02-900-006.000-001;  
 22-01-02-800-020.000-001; 22-01-02-900-007.000-001;  
 22-01-02-900-011.000-001; 22-01-03-200-004.000-001;  
 22-01-03-100-015.000-001; 22-01-03-200-008.000-001;  
 22-01-03-100-003.000-001; 22-01-03-200-001.000-001

WARRANTY DEED

Ben A. Reid, Sr., Family Limited Partnership, Grantor, CONVEYS and WARRANTS unto Mussel Mound, LLC, Grantee, in fee simple, for and in consideration of one dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is acknowledged, the following described real estate located in Floyd County, Indiana:

See legal description attached as Exhibit "A."

The undersigned person(s) represent that they are duly authorized partner of Grantor and have been fully empowered, by proper resolution of the partners of Grantor, or by Partnership Agreement, to execute and deliver this deed; that Grantor has full legal capacity to convey the real estate described herein; and that all necessary action for the making of this conveyance has been taken and done.

Deed was executed this 29th day of August, 2023.


BEN A. REID, SR.,  
FAMILY LIMITED PARTNERHIP

*Ben Reid Jr*

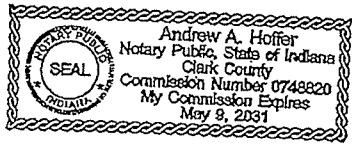
By: Ben A. Reid, Jr., General Partner

STATE OF INDIANA            )  
                                          )  
COUNTY OF FLOYD            )

Subscribed to before me, a Notary Public, personally appeared Ben A. Reid, Jr., as General Partner of the Ben A. Reid, Sr., Family Limited Partnership, who acknowledged the execution of the foregoing Deed on the 29th day of August, 2023.

Sign:   
Print: Andrew A. Hoffer

Commission Expires: 5-9-2031  
County of Residence: Clark  
Commission No. 0748820



Send tax bills to: 4939 IN Hwy 111, New Albany, IN 47150  
Grantee Address: SAME

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. (Andrew A. Hoffer)

Prepared by: Andrew A. Hoffer, HOFFER LAW, LLC  
1842 East Spring Street, New Albany, Indiana 47150



**EXHIBIT A**  
**Legal Description**

**(22-01-02-900-001.000-001 & 22-01-02-900-006.000-001)**

**PARCEL 1**

Tract No. 1:

Part of Sec. 29 & part of the SW 1/4 of Sec. 28 in Township 3 S, Range 6 E, bounded as follows: Beginning at a stone corner set on the bank of the Ohio River and on the line dividing sections 29 and 32, Township 3 South, Range 6 East, witnessed by a locust tree, four inches in diameter, East five links running thence West with said section line 52 chains and 25 links to the Southeast corner of Kelly's lands; thence North 19 chains and 50 links with Kelly's line; thence North 77 degrees West 7 chains and 50 links with said Kelly's line; thence South 44-1/2 degrees West 6 chains and 20 links with Kelly's line; thence North 28 chains and 25 links; thence West 11 chains and 25 links to the section line dividing sections 29 and 30, said township and range; thence North with section line 33 chains and 50 links to the Northwest corner of section 29; thence east on section line 7 chains to a stone set in the section line; thence South 43-1/2 degrees East 61 chains to a stone corner set; thence South 47-1/2 degrees East 30 chains and 68 links to the center of the New Albany and Bridgeport Road to a stone corner set on the North side of road; thence North 43 degrees East 4 chains and 50 links with the center of said road to a stone corner set on the North side of the road; thence South 47-1/2 degrees East 15 chains to a stone set on the bank of the Ohio River; thence South 52 degrees West 10 chains and 92 links to the place of beginning; containing 253 acres more or less with the appurtenances and being lot No. 2 in Plat No. 448 of the Floyd County Records, excepting therefrom however one acre of land conveyed to Harrison H. Huffman and Maude N. Huffman, husband and wife by deed dated January 26, 1923 and recorded in Deed Book Volume 77, page 214 of the Floyd County, Indiana Records; with the appurtenance thereunto belonging, and excepting also the tract of 8 acres more or less conveyed by William Aydelotte and Elmira J. Aydelotte his wife, to Joseph Blunk by deed dated April 2, 1855 and recorded in Deed Record 3, page 621 of the Floyd County Records, and being the same property conveyed to Ben A. Reid and Dorothy Reid, his wife, by deed dated July 12, 1941, of record in Deed Record 173, page 97 of the Floyd County, Indiana Records.

Tract No. 2:

Being a part of Section 29, Township 3 South of Range 6 East of land sold at Jeffersonville, Indiana, and bounded as follows: Beginning at the Northeast corner of a 72 acre tract formerly sold to Joseph Blunk by Jacob Snider at 2 ash trees standing 11.25 chains from the Section line and running thence South 20 degrees West 25.25 chains to a stake; thence North 77 degrees West 1.77 chains to a beech tree; thence South 44 degrees West 6 chains to a beech; thence North 6 degrees West 28.25 chains to the place of beginning, containing 8 acres, more or less, and being the same property conveyed to James L. Reid and Mary Josephine Reid, by deed dated June 26, 1941, of record in Deed Record 106, page 143, in the office of the Recorder aforesaid herein, and by them conveyed to Ben A. Reid and Dorothy Reid, his wife by deed dated July 12, 1941, of record in Deed Record 173 page 97, in the office of the Recorder aforesaid.



**(22-01-02-800-020.000-001)**

Tract No. 3:

A part of Section 29 and a part of the southwest quarter of Section 28 Township 3 South, Range 6 East in Franklin Township, Floyd County, Indiana, bounded as follows: Beginning at an old stone corner on the Section line dividing Sections 28 and 29 said Township and Range, also it being the Southeast corner of George Snider's lands; running thence south with said Section line 19 chains and 75 links to an old stone on said Section line; thence South 39-1/2 degrees East 22 chains and 89 links in Section 28 said Township and Range to an old stone on the bank of the Ohio River; thence South 52 degrees West with the bank of said Ohio River 13 chains and 92 links to a stone corner set on river bank; thence North 47-1/2 degrees West 15 chains to the center of the New Albany Bridgeport Road to a stone corner set on North side of said road; thence South 43 degrees West with center of said road 4 chains and 50 links to a stone corner on the North side of said road; thence North 47-1/2 degrees West 30 chains and 68 links to a stone corner; thence North 43-1/2 degrees West 61 chains to a stone corner set on the Section line dividing Sections 20 and 29; thence East 33 chains and 50 links with said Section line to an old stone corner at the 1/4 quarter section corner; thence South 49-1/2 degrees, East 39 chains and 50 links with the line of Snider's land to an old stone corner; thence East 11 chains and 50 links to the place of beginning containing 253 acres more or less, with the appurtenances, and being lot No. 1 of Plat No. 448 of the Floyd County Records.

Excepting, however, from the above description and conveyance a five acre tract more or less heretofore conveyed by the said William A. Curnick and Bertha T. Curnick, his wife, to James Wright by deed dated March 3, 1921, and recorded in deed record volume 75, page 239 of the Floyd County Records, which said five acre tract is described as follows: A part of the Northeast quarter of Section 29, Township 3 South of Range 6 East, described as follows: Beginning at rock at West corner of James Wright's land; thence running North 49-1/2 degrees West 528-1/2 feet to rock; thence South 47 degrees West 412.18 feet; thence South 49-1/2 degrees East 528-1/2 feet; thence North 47 degrees East 412.18 feet to the place of beginning.

Excepting also from the first above description and conveyance 15.39 acres thus conveyed to said William A. Curnick and Bertha T. Curnick, his wife, to George Snider, by deed dated March 17, 1919, and recorded in deed record volume 72, page 3, which said 15.39 acres are described as follows: Beginning at a point on the section line between Sections 28 and 29; running thence due North along section line 1317 feet to a point in a private roadway to a stone 12 feet apart; thence due West along said private roadway 759.5 feet to a stone; thence in a southwestwardly direction 47 degrees East a distance of 264 feet. to a stake; thence in a Southwardly direction 39 degrees 30 minutes 1473 feet to a stone on section line between Sections 28 and 29; thence to the place of beginning, all in Section 29, Township 3 South Range 6 East.

Excepting also from the first above description and conveyance a five acre tract, more or less, conveyed by William A. Curnick and Bertha T. Curnick, his wife, to Allen Hunn, by deed dated March 3, 1921, which said five acre tract is described as follows, to-wit: A part of the Northeast quarter of Section 29, Township 3 South of Range 6 East, described as follow: Beginning at stone on West corner of Allen Hunn's land; thence running North 47 degrees East, 202 feet; thence North 49-1/2 degrees West (along Geo. Snider's land) 493 feet to bottom of cliff; thence South 47 degrees West 614.18 feet to stone; thence South 49-1/2 degrees East 286-1/2 feet to stone; thence North 47 degrees East 412.18 feet to a stone; thence South 49-1/2 degrees East 206-1/2 feet to place of beginning, with the appurtenances. Being the same property conveyed to Dorothy W. Reid by deed dated January 14, 1942, of record in Deed Record 107, page 296, in the office of the Recorder before mentioned herein.

**(22-01-02-900-007.000-001)**

Tract No. 4:

That part of the North 1/2 of the West 1/2 of the Southwest 1/4 of Section 29, Township 3 South, Range 6 East, more fully described by the will and Plat No. 2 in said will of George Baird, deceased, recorded in Will Record C, page 130-133 of the Will Records of Floyd County, Indiana, containing 40 acres, more or less, being the tract in said Plat No. 2 in said will marked "Louise Caroline." Also a roadway 16 feet wide running over the tract in said plat marked "Sarah Elizabeth" adjoining the land of William A. Aydelotte, and being the same property conveyed to Dorothy W. Reid, by deed dated October 21, 1950, of record in Deed Record 131, page 5, in the office of the Recorder before mentioned herein. And being the same property conveyed to Ben A. Reid by Deed recorded in Deed Record 212, Page 103, on May 3, 1973, in the Office of the Recorder of Floyd County, Indiana.

**(22-01-02-900-011.000-001)**

**PARCEL 2**

Being a part of the Southwest Quarter of Section 29, Township 3 South, Range 6 East, described as follows: Commencing at the Southwest corner of said Section 29, Township 3 South, Range 6 East; thence North 84 d. East 1567.5 feet, more or less, along the north line of a public road known as Five Mile Lane to the Southeast corner of a tract of land devised to Sarah Elizabeth Baird by will recorded in Will Record C pages 130-133 in the office of the Clerk of the Floyd Circuit Court, the true place of beginning of the tract to be herein described; thence North 6 d. West 660 feet along the East line of the above mentioned tract to a point; thence West and parallel to the North line of Five Mile Lane 16 feet; thence South 6 d. East 660 feet to the North line of said Five Mile Lane; thence North 84 d. East 16 feet along the North line of Five Mile Lane to the place of beginning. Being a roadway 16 feet in width by 660 feet in length mentioned in the aforesaid Will Record C pages 130-133. And being the same property conveyed to Ben A. Reid and Dorothy W. Reid (deceased), husband and wife, by Quit-Claim Deed recorded in Deed Record 212, Page 339, on May 31, 1973, in the Office of the Recorder of Floyd County, Indiana.

**PARCEL 6**

A part of Section 29, Township 3 South, Range 6 East, Floyd County, Indiana, and being more particularly described as follows: Beginning at the Southwest corner of Section 29, Township 3 South, Range 6 East; thence North 700 feet to the true place of beginning of the tract to be herein described; thence continuing North 2300 feet to a point, which point is at the Southwest corner of the real estate conveyed to Ben Reid and wife as recorded in Deed Record 173 page 97 of the Floyd county, Indiana Records; thence East 390 feet to the Northwest corner of the real estate conveyed to Ben Reid and wife described in Deed Record 212 page 103 of the Floyd County, Indiana, Records; thence South 2300 feet to a point; thence West 390 feet to the place of beginning'; containing 20 acres, more or less.

And being the same property conveyed to Ben A. Reid and Dorothy W. Reid (deceased), husband and wife, by Warranty Deed recorded in Deed Record 212, Page 341, on. May 31, 1973, in the Office of the Recorder of Floyd County, Indiana.

**(22-01-03-200-004.000-001)**

**PARCEL 3**

A PART OF SECTIONS TWENTY-NINE (29) AND THIRTY-TWO (32), BOTH IN TOWNSHIP THREE (3) SOUTH, RANGE SIX (6) EAST BEGINNING AT A STONE ON THE SOUTH SIDE OF THE FIVE MILE LANE, SAID STONE BEING LOCATED THREE HUNDRED AND FIFTY-TWO (352) FEET NORTH OF THE LINE DIVIDING SAID SECTIONS TWENTY-NINE AND THIRTY-TWO AND FOUR HUNDRED AND FIFTEEN (415) FEET EAST OF THE LINE BETWEEN SECTIONS TWENTY-NINE (29) AND THIRTY (30) BOTH IN TOWNSHIP THREE (3) SOUTH, RANGE SIX (6) EAST; RUNNING THENCE EAST ALONG THE FIVE MILE LANE FIVE HUNDRED AND TWENTY (520) FEET TO A STONE; THENCE SOUTH 40 DEGREES EAST TWO THOUSAND FIVE HUNDRED AND FIFTY-TWO (2552) FEET TO A STONE ON THE BANK OF THE OHIO RIVER; THENCE SOUTH 50 DEGREES WEST FOUR HUNDRED (400) FEET TO THE STONE IN THE BANK OF SAID RIVER; THENCE NORTH 40 DEGREES WEST TWO THOUSAND EIGHT HUNDRED AND EIGHTY-NINE (2889) FEET TO A STONE AT THE PLACE OF BEGINNING; CONTAINING TWENTY-FOUR (24) ACRES, MORE OR LESS; WITH THE APPURTENANCES THEREUNTO BELONGING.

And being the same property conveyed to Ben A. Reid by Commissioner's Deed recorded in Deed Record 197, Page 410, on July 28, 1970, in the Office of the Recorder of Floyd County, Indiana.

**(22-01-03-100-015.000-001 & 22-01-03-200-008.000-001)**

**PARCEL 4**

Part of Sections 31 and 32, Township 3 South, Range 6 East, Floyd County, Indiana: Beginning at a stone at the northeast corner of the southeast quarter of Section 31, Township 3 South, Range 6 East; running thence North forty-two (42) degrees West one hundred (100) feet to the center line of an old ditch; thence North eighty-three (83) degrees twenty (20) minutes West along said ditch three hundred (300) feet; thence South sixty-nine (69) degrees five (5) minutes West along said ditch three hundred five (305) feet to the center line of Knob Creek; thence South fifty-three (53) degrees five (5) minutes West along Knob Creek two hundred seventy-eight (278) feet; thence South twenty-seven (27) degrees twenty (20) minutes West along Knob Creek three hundred seventy (370) feet; thence South two (2) degrees twenty (20) minutes West along Knob Creek one hundred thirty-eight (138) feet; thence South sixty-eight (68) degrees forty (40) minutes West along Knob Creek eighty (80) feet; thence South twenty-nine (29) degrees ten (10) minutes West along Knob Creek four hundred ten (410) feet; thence South seventy-eight (78) degrees ten (10) minutes West along Knob Creek three hundred (300) feet; thence South twenty-one (21) degrees twenty (20) minutes East five hundred fifteen (515) feet; thence South sixty-seven (67) degrees twenty-nine (29) minutes East two hundred eighty-two and five tenths (282.5) feet to a stone corner; thence South forty-eight (48) degrees twenty-three (23) minutes East one thousand seventy (1070) feet to the Ohio River's Waters Edge; thence North thirty-eight (38) degrees six (6) minutes East along said river six hundred thirty-two (632) feet; thence North forty-three (43) degrees six (6) minutes East along said river one thousand two hundred forty (1240) feet; thence North forty-two (42) degrees West one thousand two hundred ninety-five (1295) feet to the place of beginning, containing 76.12 acres, the same being a resurvey of the lands conveyed to David T. Gunn by O. R. Merriwether and wife by deed recorded in Deed Record 24, page 626, of the Floyd County, Indiana Records; and of the lands conveyed to David T. Gunn by Hiram Bence by deed recorded in Deed Record 30, page 139, of the Floyd county, Indiana Records, and of the lands conveyed to W. M. Bailey by deed recorded in Deed Record 97, page 502, of the Floyd County, Indiana Records.

Also, being a part of Calem Newman's Homestead Lot No. 1, as set off to Vachel Newman in the partition of said Calem Newman heirs, on August 9, 1847, as shown on Order Book Probate 1846 to 1849, page 195, and which is a part of Section 31, Township 3 South, Range 6 East, more fully described as follows, to-wit: Beginning at the southwest corner of David Merriwether's corner above the River Road; now John Pearl's corner; thence North 51 degrees 30' West along said Pearl's line, 1039.5 feet to a stone; thence continuing along said Pearl's line, North 73 degrees 00' West, 280.5 feet to a point in the center of the old bed of Knob Creek and which is the true place of beginning of land to be herein described; thence continuing along the center of the old bed of Knob Creek the following courses and distances; South 48 degrees 24' 30" West 181.70 feet to a point; thence South 65 degrees 14' 30" West 131.7 feet to a point at the intersection of the old bed of Knob Creek with the new bed of Knob Creek; thence along the new bed of Knob creek the following courses and distances; North 11 degrees 41' 30" East, 24.4 feet to a point; thence North 42 degrees 58' 30" East, 97.2 feet to a point; thence North 18 degrees



51' East 80.8 feet to a point; thence North 6 degrees 03' East 190.5 feet to the center of a twenty-four inch (24") sycamore tree which is at the intersection of said new bed of Knob Creek with the center of the old bed of Knob Creek; thence along the center of said old bed of Knob Creek the following courses and distances; North 59 degrees 12' West 61.5 feet to a point; thence North 32 degrees 55' West 94.8 feet to a point; thence North 13 degrees 51' West 118.7 feet to a point; thence North 16 degrees 29' East 90 feet to a point; thence North 47 degrees 01' East 25.4 feet to a point at the intersection of said center line of said Knob Creek, to the intersection of the line of the lands now dividing Lloyd A. Walter's and John Pearl; thence South 22 degrees 30' East along said line dividing the lands of Lloyd A. Walters and John Pearl, 552.4 feet to a point on the West bank of the old bed of Knob Creek; thence continuing along the line dividing said lands of Lloyd A. Walters and John Pearl, South 73 degrees East 16.5 feet to the place of beginning, containing 1.38 acres of land as surveyed by Charles E. Condra, County Surveyor, February 17, 1943.

And being the same property conveyed to Ben A. Reid, Sr., by Executor's Deed recorded in Deed Dra. 4, Instr. No 3812, on June 2, 1977, in the Office of the Recorder of Floyd County, Indiana.

EXCEPTING THEREFROM, the following described property, situated in the County of Floyd and State of Indiana, to-wit:

BEING a 0.505 acre parcel of land, more or less, conveyed to Richard L. Rake and Toni L. Rake, husband and wife, more specifically described in a Deed recorded in Deed Dra. 11, Instr. No. 4266, on June 21, 1984, in the Office of the Recorder of Floyd County, Indiana;

BEING a 0.94 acre parcel of land, more or less, conveyed to Angela Minyard Schoenbachler, more specifically described in a Deed recorded in Deed Dra. 20, Instr. No. 2332, on March 10, 1993, in the Office of the Recorder of Floyd County, Indiana;

BEING a 0.94 acre parcel of land, more or less, conveyed to Ben A. Reid, Sr., and Angela Minyard Schoenbachler, more specifically described in a Deed recorded in Deed Dra. 22, Instr. No. 9496, on September 21, 1995, in the Office of the Recorder of Floyd County, Indiana;

BEING a 1.406 acre parcel of land, more or less, conveyed to Martin Dale Haley, more specifically described in a Deed recorded in Deed Dra. 20, Instr. No. 6701, on June 21, 1993, in the Office of the Recorder of Floyd County, Indiana;

BEING a 1.046 acre parcel of land, more or less, conveyed to Discount Mortgage Services, more specifically described in a Deed recorded in Deed Dra. 19, Instr. No. 7494, on June 18, 1992, in the Office of the Recorder of Floyd County, Indiana;

BEING a 1.025 acre parcel of land, more or less, conveyed to Discount Mortgage Services, more specifically described in a Deed recorded in Deed Dra. 19, Instr. No. 7493, on June 18, 1992, in the Office of the Recorder of Floyd County, Indiana:

BEING a 1,003 (sic) acre parcel of land, more or less, conveyed to James G. Cooper and Erlean Cooper, husband and wife, more specifically described in a Deed recorded in Deed Dra. 16, Instr. No. 5748, on July 14, 1989, in the Office of the Recorder of Floyd County, Indiana; and

BEING a 1.936 acre parcel of land, more or less, conveyed to Clarence A. Ayers and Pamela Ayers, husband and wife; and Mike Cave and Juanita Cave, husband and wife, as joint tenants and in case of death of either to the survivor or survivors, more specifically described in a Deed recorded in Deed Dra. 19, Instr. No. 6249, on May 19, 1992, in the Office of the Recorder of Floyd County, Indiana.

Less and excepting that 8.710 acre tract conveyed to Edwardsville Water Corporation by deed recorded June 25, 1999, in Deed Drawer 26, Instrument #9824 of the Floyd County, Indiana, Records.

(Being shown as 54.869 acres in the Auditor's Records (47.178ac + 6.311ac + 1.38ac))

**(22-01-03-100-003.000-001)**

**PARCEL 7**

That part of Fractional Section 31, Township 3 South, Range 6 East, bounded as follows, to wit: BEGINNING at an iron pin 1 chain and 50 links East of a corner stone between James Truesdell and James Wolfe on the North line of said Fractional Section, which corner stone is the Northwest corner of Northeast 1/4 of said Section 31-3-6, thence North 88 1/2 deg. East on section line 13 chains and 44 links to a stone, thence South 5 deg. East 5 chains and 78 links to a stone, thence South 67 deg. East 7 chains and 81 links to a gate post, thence South 9 1/2 deg. East 18 chains and 18 links to a locust post, thence North 86 1/4 deg. East 3 chains and 96 links to an oak tree, thence South 53 1/2 deg. East 10 chains and 89 links to Knob Creek, thence south 2 deg. West 3 chains and 58 links to a stake, thence South 20 deg. West 1 chain and 93 links to a stake, thence South 37 deg. West 2 chains and 55 links to a stake, thence South 25 1/2 deg. West 91 links to a stake, thence North 76 deg. West 8 chains to a stake, the corner of Thomas Gunn and Patrick Costello, thence North 60 deg. West 18 chains and 50 links to a stake, thence South 40 deg. West 2 chains to a stake, thence North 80 deg. West 3 chains to a stake, thence North 52 deg. West 3 chains and 42 links to a beech tree, thence North 29 deg. West 4 chains, thence North 39 deg. West 88 links to a stake in the Coolman Road the same being the Northeast corner of Patrick Costello tract, thence North 18 deg. East 3 chains and 18 links to a point, thence North 25 deg. West 4 chains and 23 links to a point, thence North 4 deg. East 7 chains and 57 links to a point, thence North 5 deg. West 9 chains and 50 links to the place of beginning, containing 76 and 16/100 acres, more or less.

EXCEPTING THEREFROM the following described property, to-wit:

BEING a 3.98 acre parcel of land lying in the Northwest and Northeast quarter of Section 31 Township 3 South, Range 6 East, Franklin Township, Floyd County, Indiana, and being a Part of those, lands as described in Deed Dr. 11, Instrument No. 7071 of the Floyd County Deed Records, bounded as follows:

BEGINNING at the Northwest corner of said Northeast quarter; thence South 88 d. 48'24" East with the North line of said Northeast quarter 432.73 feet to a 1/2 inch steel pin; thence South 09 d.17'00" East, passing a 1/2 inch steel pin at 100.72 feet, a total distance of 239.72 feet to a 1/2 inch steel pin; thence South 61 d. 41'58" West 536.00 feet to a 1/2 inch steel pin; thence North 02 d. 00'37" West, passing a 1/2 inch steel pin at 410.39 feet, a total distance of 500.39 feet to a 1/2 inch steel pin in the North line of the Northwest quarter of said Section 31; thence South 88 d. 48'24" East with the North line of said Northwest quarter 18.18 feet to the beginning, subject to the right of way of Five Mile Lane and all easements of record.

And being the same property conveyed to Ben A. Reid, Sr. by Warranty Deed recorded in Deed Dra. 22, Instr. No. 6509, on July 12, 1995, in the Office of the Recorder of Floyd County, Indiana.

**(22-01-03-200-001.000-001)**

**PARCEL 8**

Part of Fractional Section 32, Township 3 South, Range 6 East, thus bounded: Beginning at a stone, Northeast corner of fractional section 32, thence along the river, South 46 degrees 20 minutes West, eighty-nine (89) poles to a stone; thence North 44 degrees 20 minutes West, seventy-nine (79) poles to a stone in the section line; thence North 85 degrees 20 minutes East, one hundred and twenty-seven and five tenths (127.5) poles to the place of beginning, containing 24.80 acres, more or less.

And being the same property Conveyed to Ben A. Reid by Warranty Deed recorded in Deed Record 212, Page 251, on May 21, 1973, in the Office of the Recorder of Floyd County, Indiana.