N/C

N/C

PATRICIA A BROOKS
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
11/15/2010 12:18 PM
REC FEE: 0.00
PAGES: 5

WARRICK COUNTY COMMISSIONERS ORDINANCE # 2010-15

PLAN COMMISSIONER DOCKET # PC-R-10-06

AN ORDINANCE TO AMEND THE WARRICK COUNTY, INDIANA COMPREHENSIVE ZONING ORDINANCE BY REZONING CERTAIN REAL ESTATE IN WARRICK COUNTY, INDIANA

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA:

Section 1. That the Warrick County, Indiana Comprehensive Zoning Ordinance and the Warrick County Zoning District Maps dated February 1, 2005, and made a part of said Ordinance, be and the same are hereby amended as follows:

That the boundaries of the Re-zoning as shown on said Warrick County Zoning District Maps, be amended as to the following described real estate:

Part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 6 South, Range 9 West in Warrick County, Indiana and being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of said Section; thence along the north line of said Quarter Quarter Section, North 89 degrees 04 minutes 23 seconds West 120.00 feet; thence parallel with the east line of said Quarter Quarter Section, South 00 degrees 30 minutes 58 seconds West 175.00 feet to the point of beginning; thence continue parallel with the east line of said Quarter Quarter Section, South 00 degrees 30 minutes 58 seconds West 188.00 feet to the southwest corner of a tract of land conveyed to Scott A. Jenkins in Document Number 1998R-000771 in the office of the Recorder of Warrick County, Indiana; thence along the south line of said Jenkins tract and parallel with the north line of said Quarter Quarter Section, South 89 degrees 04 minutes 23 seconds East 120.00 feet; thence along the east line of the Northwest Quarter of the Northeast Quarter of said Section, South 00 degrees 30 minutes 58 seconds West 961.50 feet to the southeast corner thereof; thence along the south line of the Northwest Quarter of the Northeast Quarter of said Section, North 89 degrees 02 minutes 42 seconds West 528.00 feet; thence North 00 degrees 30 minutes 58 seconds East 1189.24 feet to the southwest corner of a tract of land conveyed to the State of Indiana in Deed File 3, card 481 in the office of said Recorder; thence along the south side of said State tract, South 89 degrees 04 minutes 23 seconds East 314.04 feet; thence continue along the south side of said State tract, South 66 degrees 04 minutes 33 seconds East 102.38 feet to the point of beginning and containing a gross area of 13.745 Acres.

Subject to all easements and rights-of-ways of record.

which real estate is now zoned and classified as part of the _A___ District, as shown on the aforesaid Warrick County Zoning District Maps, so that said above described real estate shall be and the same is hereby rezoned and reclassified from said __A___ District to said _____C-4_____ District.

Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Warrick, State of Indiana.

Section 4. The subject property herein rezoned shall be used and developed only in accordance with the use and development commitment which is attached hereto and incorporated herein and no

8 0 0 2 4 7 6
Tx:4001649

improvement location permits shall be issued until the petitioner records said use and development commitment in the office of the Recorder of Warrick County, Indiana.

Don Williams
President

Tim Moody
Member

Member
BOARD OF COMMISSIONERS
WARRICK COUNTY, INDIANA

ATTEST:

County Auditor

11-8-10
Date Approved

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.

Kent Brasseale
Signature

Kent Brasseale
Printed Name

This document prepared by Kent Brasseale.

KDDK:166709

X REF 1995R-005907

USE AND DEVELOPMENT COMMITMENT

WHEREAS the Undersigned, George Tillman Allen Revocable Trust by Judith Thompson, Co-Trustee & Fifth Third Bank, Co-Trustee by Patrick Koontz, Vice-President, Petitioner, will be the owner of certain real estate situated in the County of Warrick, Indiana, commonly described as 10422 State Road 66 which real estate is more particularly described as follows, to wit:

> Part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 6 South, Range 9 West in Warrick County, Indiana and being more particularly described as follows:
>
> Commencing at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of said Section; thence along the north line of said Quarter Quarter Section, North 89 degrees 04 minutes 23 seconds West 120.00 feet; thence parallel with the east line of said Quarter Quarter Section, South 00 degrees 30 minutes 58 seconds West 175.00 feet to the point of beginning; thence continue parallel with the east line of said Quarter Quarter Section, South 00 degrees 30 minutes 58 seconds West 188.00 feet to the southwest corner of a tract of land conveyed to Scott A. Jenkins in Document Number 1998R-000771 in the office of the Recorder of Warrick County, Indiana; thence along the south line of said Jenkins tract and parallel with the north line of said Quarter Quarter Section, South 89 degrees 04 minutes 23 seconds East 120.00 feet; thence along the east line of the Northwest Quarter of the Northeast Quarter of said Section, South 00 degrees 30 minutes 58 seconds West 961.50 feet to the southeast corner thereof; thence along the south line of the Northwest Quarter of the Northeast Quarter of said Section, North 89 degrees 02 minutes 42 seconds West 528.00 feet; thence North 00 degrees 30 minutes 58 seconds East 1189.24 feet to the southwest corner of a tract of land conveyed to the State of Indiana in Deed File 3, card 481 in the office of said Recorder; thence along the south side of said State tract, South 89 degrees 04 minutes 23 seconds East 314.04 feet; thence continue along the south side of said State tract, South 66 degrees 04 minutes 33 seconds East 102.38 feet to the point of beginning and containing a gross area of 13.745 Acres.
>
> Subject to all easements and rights-of-ways of record.

WHEREAS, as the real estate is currently classified as a **A** Zoning district under the Warrick County Zoning Code and is so indicated on the zoning maps maintained by the staff of the Warrick County Area Plan Commission; and

WHEREAS, Petitioner has requested that the Real Estate be reclassified to zoning district **C-4**; and

WHEREAS, Petitioner is desirous of accommodating the concerns of the surrounding property owners by making a written commitment concerning the use and development of the Real Estate pursuant to I.C. 36-7-4-613;

NOW, THEREFORE, in consideration of the foregoing, petitioner makes the following use and development commitment:

1. Use of the Real Estate shall be limited to the following uses:

   Use of the Real Estate shall be limited to those uses permitted in a General Commercial (C-4) District as set forth in the General Commercial (C-4) Districts of the Comprehensive Zoning Ordinance of Warrick County ("Zoning Code"), excluding the following uses:
   a. Taverns, bars, and night clubs;
   b. Fireworks sales;
   c. Pawn Shops;
   d. Freight or truck yard or terminal;
   e. Taxidermist.

2. Use of the Real Estate shall be limited to the following development requirements:

N/A

3. All commitments and undertakings herein expressed shall be binding on the petitioners and the petitioners' heirs, legal representative, successors and assigns, and shall run in the favor of the Area Plan Commission of Warrick County and all the owners of real estate lying within the radius of one (1) mile from the real estate described and shall be enforced by invoking any legal, equitable or special remedy, including specific performance, injunction or equitable relief pursuant to the manner of enforcement as set forth in I.C. 36-7-4-613, 36-7-4-1013, and 36-7-4-1014. If it is necessary to initiate administrative or judicial proceedings to enforce any such commitment or undertaking, the person or entity obtaining enforcement in such proceedings shall also recover its reasonable attorneys' fees and costs of suit from the undersigned.

IN WITNESS WHEREOF, this Use and Development Commitment is hereby made and entered into this 4th day of November, 2010 by _____ for the purpose set forth herein.

George Tillman Allan Revocable Trust

By: Judith L Thompson
Judith Thompson, Co-Trustee

By: _____
Patrick Koontz, Vice President, Fifth Third Bank, Co-Trustee

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

Before me, the undersigned, a Notary Public and for said County and State,

personally appeared the within named Patrick Koontz, Vice President, Fifth Third Bank, Co-Trustee who acknowledged the execution of the foregoing Use and Development commitment to be his free voluntary act and deed.

WITNESS my hand and Notarial Seal this 4th day of November, 2010.

NOTARY PUBLIC
Shawn M McHugh
Signature
SHAWN M. McHUGH
Printed Name

A resident of Warrick County, Indiana.

My commission expires: 9-7-2014
This instrument prepared by: Ryan M. Schultz, Attorney Kohn, Dees, Donovan & Kohn, LLP
(Name) _____
(Address) _____
(phone) _____

KDDK:166709

STATE OF NEBRASKA)
) SS:
COUNTY OF Lancaster)

Before me, the undersigned, a Notary Public and for said County and State,

personally appeared the within named Judith Thompson, Co-Trustee who acknowledged the execution of the foregoing Use and Development commitment to be his free voluntary act and deed.

WITNESS my hand and Notarial Seal this 2 day of November, 20 10.

NOTARY PUBLIC
Tami J. Petersen
Signature
Tami J. Petersen
Printed Name

A resident of Lancaster County, State of Nebraska.

My commission expires: June 6, 2013
This instrument prepared by:
(Name) Tami J. Petersen
(Address) 2840 S. 70th St. #7 Lincoln NE 68506
(phone) 402-327-7164

GENERAL NOTARY - State of Nebraska
TAMI J. PETERSEN
My Comm. Exp. June 6, 2013

KDDK:166709

FILED
SEP 20 2010
WARRICK COUNTY
AREA PLAN COMMISSION

Receipt No. 17264

PETITION

FOR CHANGE OF THE ZONING ORDINANCE MAPS

PC- R-10-06

Petitioner: Solarbron Pointe, Inc.
by: Kent A. Brasseale II, Esq
Email Address: kbrasseale@kddk.com

Address: Kahn, Dees, Donovan & Kahn LLP
501 Main Street, Suite 305
Evansville, IN 47708

Owner of Record: George Tillman Allen Revocable Trust by Judith Thompson, Trustee & Fifth Third Bank, Co-trustee by Patrick Koontz, Vice President

Address: Patrick Koontz
Vice President & Trust Officer
Fifth Third Bank
P.O. Box 709
Evansville, IN 47705

Email Address: _____
Lessee: N/A
Email Address: _____

1. Petition is hereby made for the change of "Zoning Maps" of the City or Town of _____ ( ). County of Warrick (**X**), (Check One), State of Indiana, under the authority vested in the Warrick County Area Plan Commission by Chapter 138, Article V, Section 51 and of the 1957 Act of the General Assembly, as amended, State of Indiana.

2. Premises affected are situated on the _**South**__side of _**Frontage Road South SR 66**_, a distance of __**750**__ feet __**East**__ (S. W. N. E.) of the corner formed by the intersection formed by_**Epworth Road**_ and ___**Frontage Road South SR 66 and the East side of Orthopaedic Drive 800 feet East of the corner of Epworth Road and Orthopaedic Drive**.

Subdivision or Legal Description:

Part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 6 South, Range 9 West in Warrick County, Indiana and being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of said Section; thence along the north line of said Quarter Quarter Section, North 89 degrees 04 minutes 23 seconds West 120.00 feet; thence parallel with the east line of said Quarter Quarter Section, South 00 degrees 30 minutes 58 seconds West 175.00 feet to the point of beginning; thence continue parallel with the east line of said Quarter Quarter Section, South 00 degrees 30 minutes 58 seconds West 188.00 feet to the southwest corner of a tract of land conveyed to Scott A. Jenkins in Document Number 1998R-000771 in the office of the Recorder of Warrick County, Indiana; thence along the south line of said Jenkins tract and parallel with the north line of said Quarter Quarter Section, South 89 degrees 04 minutes 23 seconds East 120.00 feet; thence along the east line of the Northwest Quarter of the Northeast Quarter of said Section, South 00 degrees 30 minutes 58 seconds West 961.50 feet to the southeast corner thereof; thence along the south line of the Northwest Quarter of the Northeast Quarter of said Section, North 89 degrees 02 minutes 42 seconds West 528.00 feet; thence North 00 degrees 30 minutes 58 seconds East 1189.24 feet to the southwest corner of a tract of land conveyed to the State of Indiana in Deed File 3, card 481 in the office of said Recorder; thence along the south side of said State tract, South 89 degrees 04 minutes 23 seconds East 314.04 feet; thence continue along the south side of said State tract, South 66 degrees 04 minutes 33 seconds East 102.38 feet to the point of beginning and containing a gross area of 13.745 Acres.

Subject to all easements and rights-of-ways of record.

KDDK:166709

3. Located in Zone District Designated as: (Circle one or show one.)

City or Town: F.P., CON., A., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-3, R-O, C-1, C-2, C-3, C-4, W-R, M-1, M-2, PUD.

County: F.P., CON., **A**., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-2A, R-2B, R-3, R-O, R-MH, C-1, C-2 C-3, C-4, W-R, W-1, M-1, M-2, M-3, PUD.

4. Requested change to: (Circle one or Show one.)

City or Town: F.P., CON, A., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-3, R-O, C-1, C-2, C-3, C-4, W-R, M-1, M-2, PUD.

County: F.P., CON., A., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-2A, R-2B, R-3, R-O, R-MH, C-1, C-2, C-3, **C-4**, W-R, W-1 M-1, M-2, M-3, PUD.

5. Existing Land Use: Vacant
   (a.) Conforming: N/A
   (b.) Pre-Existing ~ Non-Conforming: N/A
   (c.) Conditional Use: N/A
6. Proposed Land Use: Assisted Living/Skilled Nursing Facility and related business activities

Solarbron Pointe, Inc.

Petitioner by: _____, Attorney for Solarbron Pointe, Inc.

Owner: George Tillman Allen Revocable Trust by Judith Thompson, Trustee & Fifth Third Bank, Co-trustee by Patrick Koontz, Vice-President

By: Judith Thompson, Trustee
Judith Thompson, Trustee

Fifth Third Bank, Co
By: By Patrick Koontz, VP
Patrick Koontz, Co-trustee

Phone: (812) 423-3183

Certificate: - Owner hereby certifies that he/she owns 50% or more of the land above described

Date: 9/20/10

KDDK:166709

*** NOTICE OF PUBLIC HEARING ***

Date: _____ PC-R- 10-06

Applicant: Solarbron Pointe, Inc. by Kent A. Brasseale II, Attorney

Owner of Record: George Tillman Allen Revocable Trust by Judith Thompson, Trustee & Fifth Third Bank, Co-trustee by Patrick Koontz, Vice-President

Address: Kahn, Dees, Donovan & Kahn LLP
501 Main Street, Suite 305
Evansville, IN 47708

Address: Patrick Koontz, Vice President & Trust Officer
Fifth Third Bank
P.O. Box 709
Evansville, IN 47705

Re: Petition for: Re-zoning 13.745 acres from "A" Agricultural District to "C-4" General Commercial District, with a Use and Development Commitment.

Dear: Adjacent Property Owner,

This letter will serve notice to you of scheduled hearing/s of a petition for Re-zoning which has been filed with the Warrick County Area Plan Commission.

PREMISES AFFECTED: Property located on the _South___ side of Frontage Road South SR 66__ Approximately __750__ feet __East___ of the intersection formed by _Epworth Road____ and __Frontage Road South SR 66 and the East side of Orthopaedic Drive 800 feet East of the corner of Epworth Road and Orthopaedic Drive. Ohio Twp. Lot No. _____N/A_____ In _____N/A_____ Subdivision (if applicable).

AREA PLAN COMMISSION hearing to be held in the Commissioners Meeting Room, Third Floor, Courthouse, Boonville, Indiana. Hearing to be held at 6:00 P.M. on Monday, October 11, 2010.

Sincerely,
Solarbron Pointe, Inc.

By: _____
Attorney for Applicant and/or Owner

KDDK:166709

WARRICK COUNTY COMMISSIONERS ORDINANCE # _____

PLAN COMMISSIONER DOCKET # PC-R-10-06

AN ORDINANCE TO AMEND THE WARRICK COUNTY, INDIANA COMPREHENSIVE ZONING ORDINANCE BY REZONING CERTAIN REAL ESTATE IN WARRICK COUNTY, INDIANA

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA:

Section 1. That the Warrick County, Indiana Comprehensive Zoning Ordinance and the Warrick County Zoning District Maps dated February 1, 2005, and made a part of said Ordinance, be and the same are hereby amended as follows:

That the boundaries of the Re-zoning as shown on said Warrick County Zoning District Maps, be amended as to the following described real estate:

Part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 6 South, Range 9 West in Warrick County, Indiana and being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of said Section; thence along the north line of said Quarter Quarter Section, North 89 degrees 04 minutes 23 seconds West 120.00 feet; thence parallel with the east line of said Quarter Quarter Section, South 00 degrees 30 minutes 58 seconds West 175.00 feet to the point of beginning; thence continue parallel with the east line of said Quarter Quarter Section, South 00 degrees 30 minutes 58 seconds West 188.00 feet to the southwest corner of a tract of land conveyed to Scott A. Jenkins in Document Number 1998R-000771 in the office of the Recorder of Warrick County, Indiana; thence along the south line of said Jenkins tract and parallel with the north line of said Quarter Quarter Section, South 89 degrees 04 minutes 23 seconds East 120.00 feet; thence along the east line of the Northwest Quarter of the Northeast Quarter of said Section, South 00 degrees 30 minutes 58 seconds West 961.50 feet to the southeast corner thereof; thence along the south line of the Northwest Quarter of the Northeast Quarter of said Section, North 89 degrees 02 minutes 42 seconds West 528.00 feet; thence North 00 degrees 30 minutes 58 seconds East 1189.24 feet to the southwest corner of a tract of land conveyed to the State of Indiana in Deed File 3, card 481 in the office of said Recorder; thence along the south side of said State tract, South 89 degrees 04 minutes 23 seconds East 314.04 feet; thence continue along the south side of said State tract, South 66 degrees 04 minutes 33 seconds East 102.38 feet to the point of beginning and containing a gross area of 13.745 Acres.

Subject to all easements and rights-of-ways of record.

which real estate is now zoned and classified as part of the __A___ District, as shown on the aforesaid Warrick County Zoning District Maps, so that said above described real estate shall be and the same is hereby rezoned and reclassified from said __A___ District to said _____C-4_____ District.

Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Warrick, State of Indiana.

Section 4. The subject property herein rezoned shall be used and developed only in accordance with the use and development commitment which is attached hereto and incorporated herein and no

improvement location permits shall be issued until the petitioner records said use and development commitment in the office of the Recorder of Warrick County, Indiana.

_____
President

_____
Member

_____
Member
BOARD OF COMMISSIONERS
WARRICK COUNTY, INDIANA

ATTEST:

_____
County Auditor

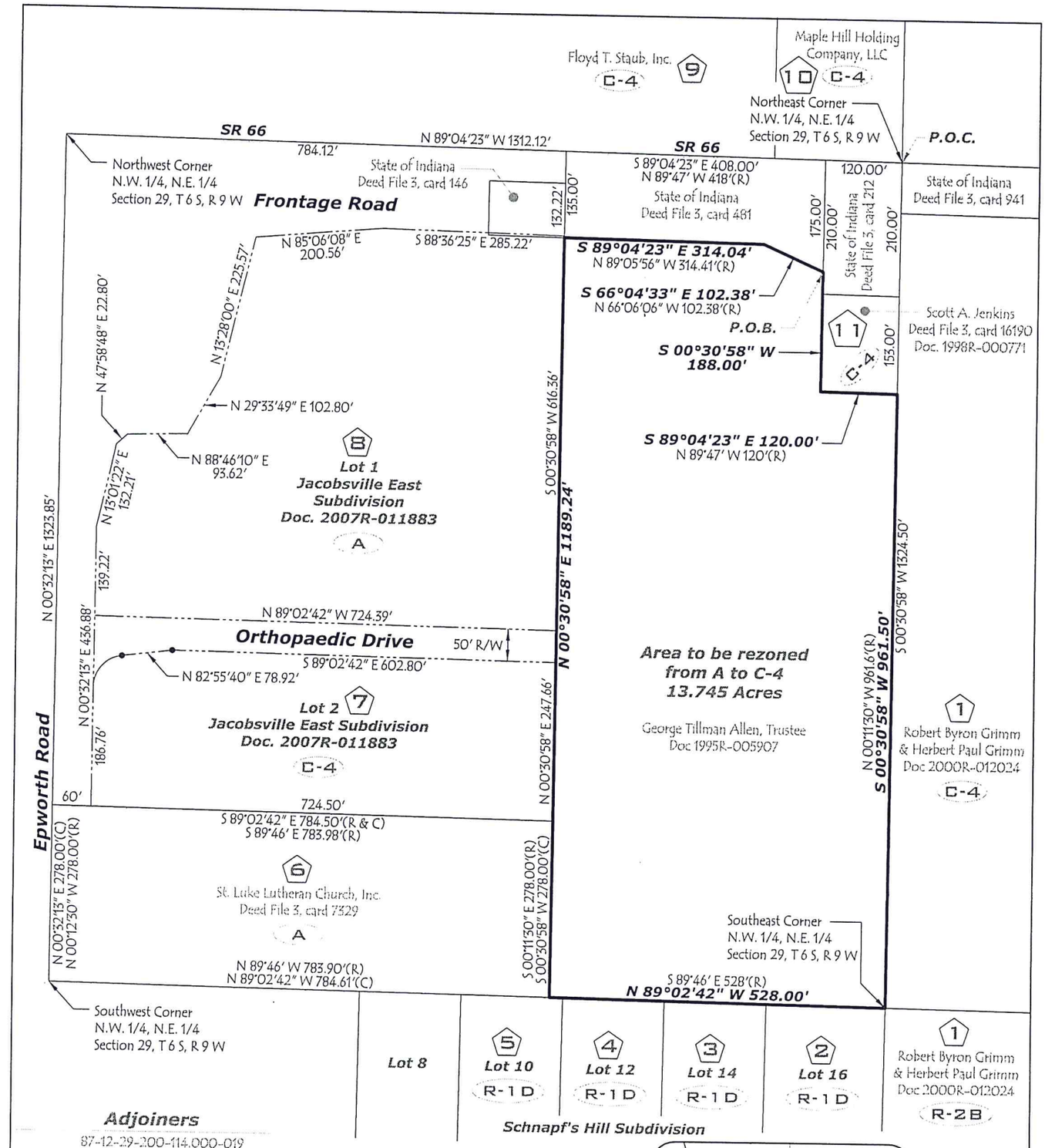
_____
Date Approved

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.

_____ _____
Signature Printed Name

This document prepared by _____.

KDDK:166709



Adjoiners

1	87-12-29-200-114.000-019 87-12-29-200-115.000-019 87-12-29-200-040.000-019 Grimm, Robert Byron & Herbert Paul 10555 Lockwood Lane Newburgh, IN 47630
2	87-12-29-201-016.000-019 Bender, Virgil C. & Adele, Trustees of Bender Trust 10222 Schnapf Lane Newburgh, IN 47630
3	87-12-29-201-014.000-019 Borst, Walter C. & Marilyn A. 10244 Schnapf Lane Newburgh, IN 47630
4	87-12-29-201-012.000-019 Ozee, James E. & Carlena M. 10266 Schnapf Lane Newburgh, IN 47630
5	87-12-29-201-010.000-019 Daywalt, Donald R. & Virginia W. 10288 Schnapf Lane Newburgh, IN 47630
6	87-12-29-200-096.000-019 St. Luke Lutheran Church, Inc. 4200 Epworth Road Newburgh, IN 47630

Adjoiners

7	87-12-29-206-002.000-019 Jacobsville Developers East, LLC 533 W. Columbia Street Evansville, IN 47710
8	87-12-29-206-001.000-019 Allen, Glenn H. Revocable Trust, 1/2 Int. & Allen, Dolores L. Revocable Trust, 1/2 Int. 4100 Epworth Road Newburgh, IN 47630
9	87-12-20-400-043.000-019 Staub, Floyd T. Inc. 800 Bayse Street Evansville, IN 47713
10	87-12-20-400-021.000-019 Maple Hill Holding Company, LLC 5744 Cliftmeere Drive Newburgh, IN 47630
11	87-12-29-200-020.000-019 87-12-29-200-018.000-019 Jenkins, Scott A. 10395 State Road 66 Newburgh, IN 47630

Location Map

SCOTT D. BUEDEL
REGISTERED
LS29900031
STATE OF
INDIANA
LAND SURVEYOR

FILED
SEP 10 20
WARRICK AREA PLANNING COMMISSION

SCALE: 1"=200'

CASH WAGGNER & ASSOCIATES, PC
CONSULTING ENGINEERS • LAND SURVEYORS
414 CITADEL CIRCLE, SUITE B • EVANSVILLE, IN • 47715

REZONING EXHIBIT
10433 STATE ROAD 66 W
NEWBURGH, IN 47630
SECTION 29, T 6 S, R 9 W

SHEET NO.: 1
FILENAME: 811 Rezoning Exhibit.dwg
PROJECT NO.: 10-0811
DATE: 8/30/2010

DATE: 1995-07-12 TIME: 01:28 PM DOC NO: 19958-005907
WARRICK COUNTY RECORDER, SHANNON WEISHEIT Pages: 3

060-2969-0170

QUITCLAIM DEED IN TRUST

THIS INDENTURE WITNESSETH That **George Tillman Allen and Ella Louise Allen** (hereinafter referred to as "Grantor") of 7400 Ridgeway Avenue, Evansville, Indiana, husband and wife, for and in consideration of One Dollar ($1.00) and other valuable consideration in hand paid, **CONVEYS AND QUITCLAIMS** to **George Tillman Allen, Trustee** (hereinafter referred to as "Grantee") of 7400 Ridgeway Avenue, Evansville, Vanderburgh County, Indiana, under the provisions of a trust agreement dated the 25th day of April, 1994, known as the **"George Tillman Allen Revocable Trust Agreement dated the 25th day of April, 1994,"** all of Grantor's right, title and interest, in and to that certain real estate situate in Warrick County in the State of Indiana, to-wit:

> That part of the Northwest Quarter of the Northeast Quarter of Section Twenty-nine (29), in Township Six (6) South, in Range Nine (9) West, bounded and described as follows to wit:
>
> Beginning at a point in the North line of said quarter quarter section which lies North, 89° 47' West, a distance of 120 feet from the Northeast corner of said quarter quarter, thence continue along the said North line North, 89° 47' West, a distance of 418 feet; thence South, 0 degrees 11'30" East, and parallel to the East line of said quarter quarter a distance of 1324.2 feet to a point in the South line of said quarter quarter section; thence along the said South line South, 89° 46' East, a distance of 528 feet to the Southeast corner of said quarter quarter section; thence North, 0 degrees 11'30" West, along the said East line a distance of 961.6 feet; thence North, 89° 47' West, and parallel to the said North line a distance of 120 feet; thence North, 0 degrees 11'30" West, a distance of 363 feet to the place of beginning, and containing 15.05 acres, more or less.
>
> Subject to the legal right of way for State Road No. 662.

DATE: 1995-07-12 TIME: 01:28 PM DOC NO: 19958-005907
WARRICK COUNTY RECORDER, SHANNON WEISHEIT Pages: 3

This conveyance is hereby made expressly subject to all existing and/or recorded restrictions, exceptions, reservations, easements, rights-of-way, conditions, and covenants of whatever nature, if any, and is expressly subject to all municipal, city, county, and state zoning laws and other ordinances, regulations, and restrictions, including statutes and other laws of municipal, county, or other governmental authorities applicable to and enforceable against the real estate described herein.

Subject to the first installment of 1995 real estate taxes due and payable in May, 1995, and all subsequent taxes and assessments, which the Grantee herein assumes and agrees to pay.

TO HAVE AND TO HOLD The said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth.

Full power and authority is hereby granted to said trustee to improve, manage, protect and subdivide said premises or any part thereof, to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, and to resubdivide said property as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said premises or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said property or any part thereof, to lease said property or any part thereof from time to time, in possession or reversion, by leases to commence in praesenti or in futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 198 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said property, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said premises or any part thereof, and to deal with said property and every part thereof in all ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said trustee, or be obliged or privileged to inquire into any of the terms of said trust agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said trustee in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by this Indenture and by said trust agreement was in full force and effect; (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Indenture and in said trust agreement or in some amendment thereof and binding upon all beneficiaries thereunder; (c) that said trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument; and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising

from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails and proceeds thereof as aforesaid.

IN WITNESS WHEREOF, The Grantor aforesaid has hereunto set his hand and seal this 10 day of July, 1995.

George Tillman Allen

Ella Louise Allen

STATE OF INDIANA, COUNTY OF VANDERBURGH) SS:

Before me, a Notary Public in and for said County and State, personally appeared **George Tillman Allen and Ella Louise Allen,** who acknowledged the execution of the foregoing Quitclaim Deed in Trust, and who, having been duly sworn, stated that any representations therein contained are true.

WITNESS my hand and Notarial Seal this 10 day of July, 1995.

My Commission Expires:
JUNE 19, 1998

My County of Residence Is:
VANDERBURGH County, Indiana.

Signature of Notary Public

JOHN E. HEGEMAN
(Printed Signature)

THIS INSTRUMENT Was prepared by John E. Hegeman, Attorney at Law, Kahn, Dees, Donovan & Kahn, 305 Union Federal Bldg, P.O.Box 3646, Evansville, IN 47735-3646.

Address where tax duplicates are to be sent unless otherwise hereinafter indicated:
7400 Ridgeway Avenue, Evansville, Indiana 47715.

Return to the law offices of:

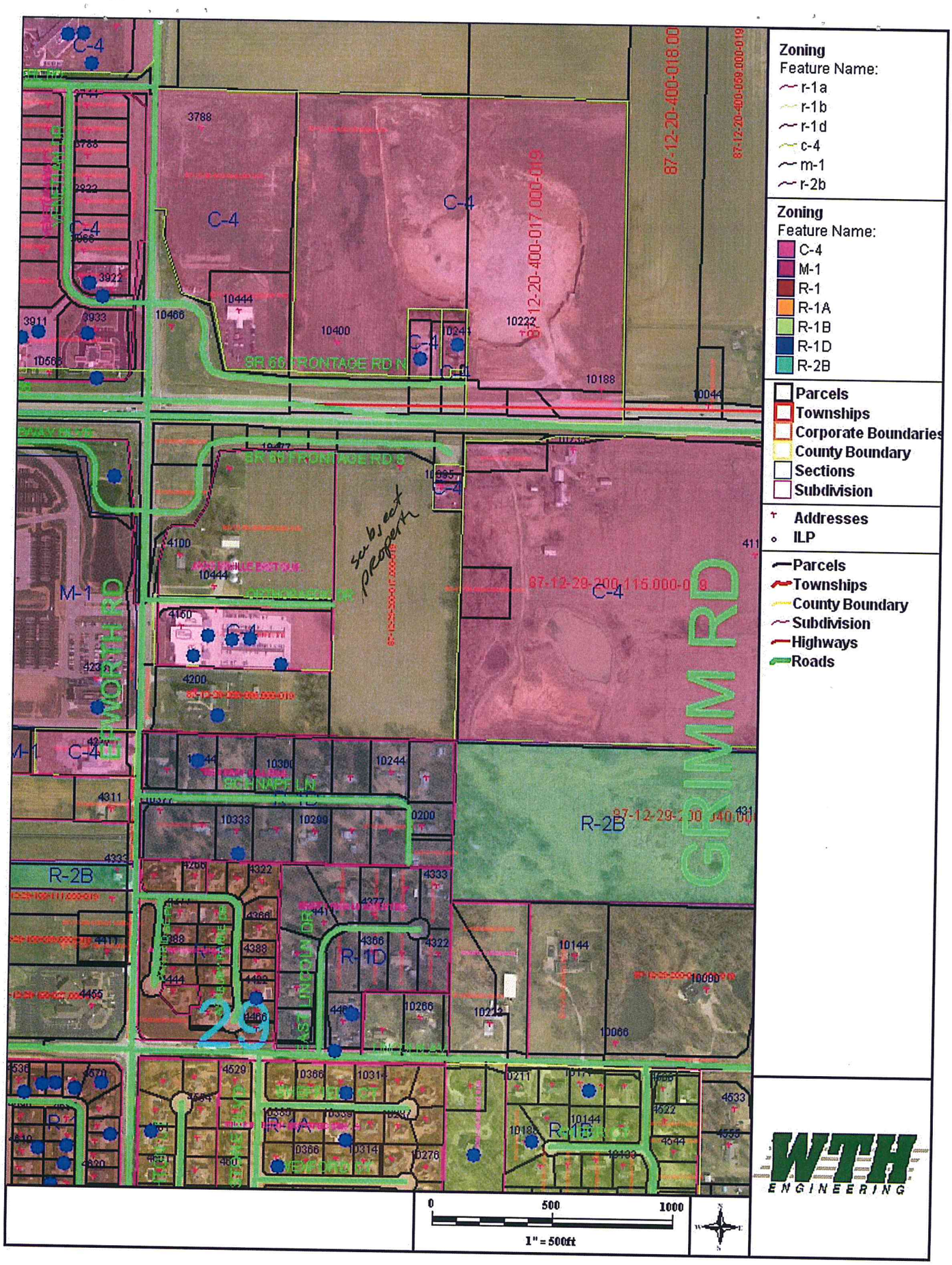
John E. Hegeman, Esq.
KAHN, DEES, DONOVAN & KAHN
Post Office Box 3646
Evansville, Indiana 47735-3646

[KDDK39737]

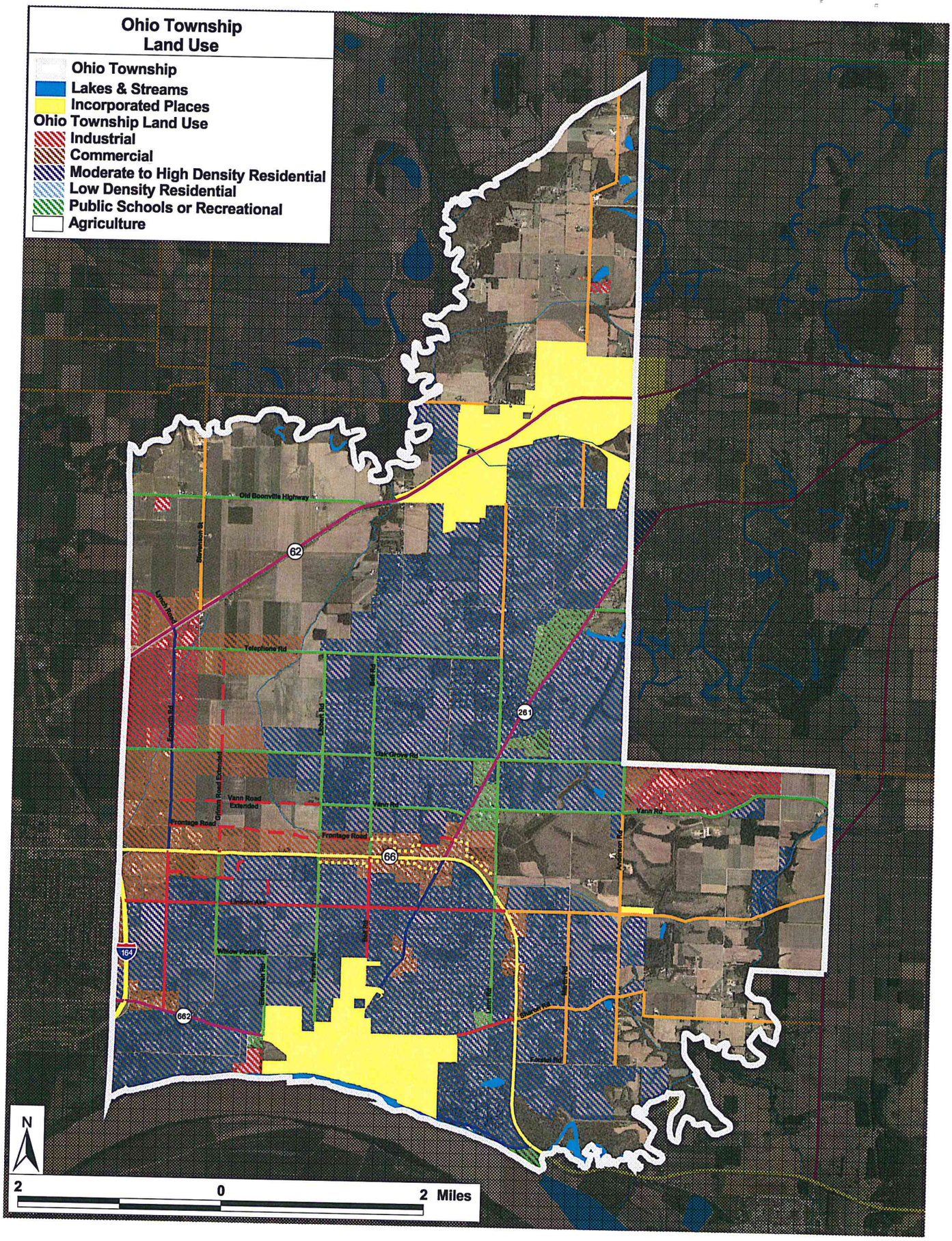
DULY ENTERED FOR TAXATION

JUL 12 1995

Jean Karn
WARRICK CO. AUDITOR



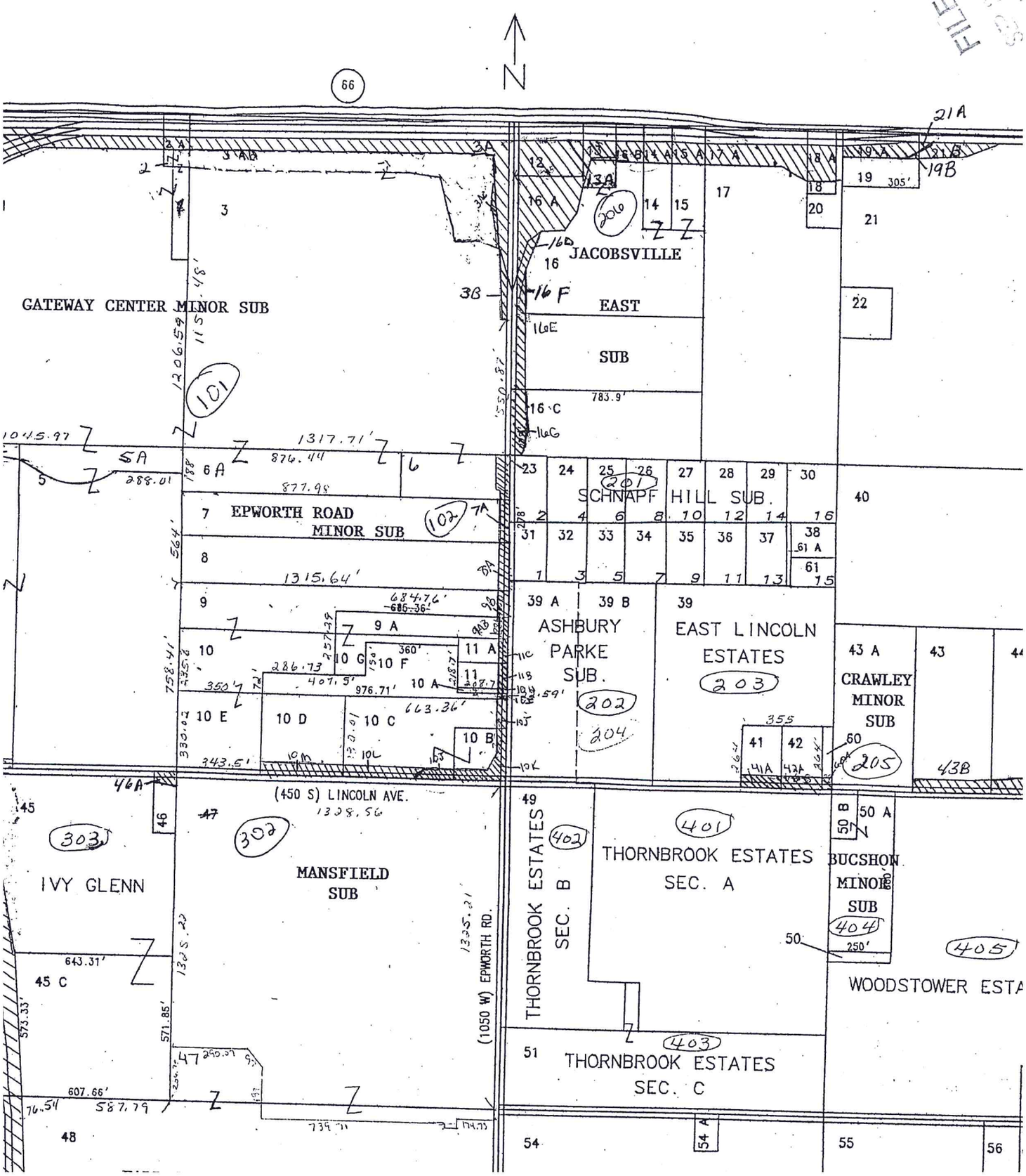
Zoning
Feature Name:
r-1a
r-1b
r-1d
c-4
m-1
r-2b
Zoning
Feature Name:
C-4
M-1
R-1
R-1A
R-1B
R-1D
R-2B
Parcels
Townships
Corporate Boundaries
County Boundary
Sections
Subdivision
Addresses
ILP
Parcels
Townships
County Boundary
Subdivision
Highways
Roads
C-4
M-1
R-2B
R-1D
R-1A
R-1B
SR 60 FRONTAGE RD N
SR 60 FRONTAGE RD S
GRIMM RD
87-12-20-400-017.000-019
87-12-20-400-018.00
87-12-29-200-115.000-019
subject property
0
500
1000
1" = 500ft
WTH
ENGINEERING


Ohio Township
Land Use
Ohio Township
Lakes & Streams
Incorporated Places
Ohio Township Land Use
Industrial
Commercial
Moderate to High Density Residential
Low Density Residential
Public Schools or Recreational
Agriculture
Old Boonville Highway
62
Telephone Rd
261
Vann Road Extended
Vann Rd
Frontage Road
66
164
662
N
2
0
2 Miles

WARRICK COUNTY, INDIANA

ASSESSORS PLAT BOOK FOR OHIO TOWNSHIP, TOW

N 29 TOWNSHIP 6S RANGE 9W U. S. LAND SURV

CK SCALE ONE INCH = 500 FEET ADDITION

FILED
SEP 10 2010
WARRICK COUNTY
PLAN COMMISSION