

**WARRICK COUNTY BOARD OF COMMISSIONERS
RESOLUTION NO. 2013- 10**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
WARRICK COUNTY, INDIANA AMENDING RESOLUTION 2000-03**

WHEREAS, the Board of Commissioners of Warrick County (hereinafter "Board"), at their regular meeting of March 13, 2000 passed Warrick County Commissioners Resolution 2000-03, "A Resolution Concerning Tax Sale Property"; and

WHEREAS, Resolution 2000-03 primarily lists mineral right interest parcels as being as "contain[ing] hazardous waste or other environmental hazard for which the cost of abatement or alleviation will exceed the fair market value of the property"; and

WHEREAS, at the October 28, 2013 regular meeting of the Board, the Board has received an oral petition from property owners, Gregory and Angela DeWeese, whom are affected by Resolution 2000-03, which requested their individual parcel be removed from the list associated with Resolution 2000-03; and

WHEREAS, the Board requires a certification from the surface rights landowner that they will assume sole responsibility for any investigation, site monitoring, containment, clean-up, removal, restoration or other remedial work of any kind or nature is reasonably necessary pursuant to any Environmental Laws, Environmental Requirements or under any other applicable local, state or federal law, regulation, order or agreement, or in connection with the current or future presence, suspected presence, release or suspected release of any hazardous environmental conditions affecting the parcel which is the subject of their request.

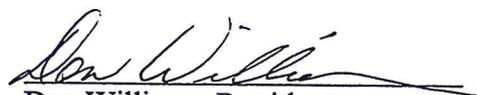
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Warrick County, Indiana as follows:

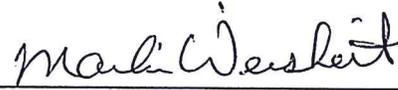
A certification from property owners Gregory and Angela DeWeese by and through their attorney, Elissa S. Hewins, an executed copy of which is attached hereto, has been received and approved.

Warrick County Commissioner's Resolution 2000-03 is hereby amended by removing reference to parcel 080-3146-9080 effective upon adoption of this Resolution.

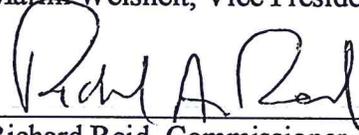
Adopted this 12TH day of NOVEMBER, 2013.

**WARRICK COUNTY
BOARD OF COMMISSIONERS**


Don Williams, President

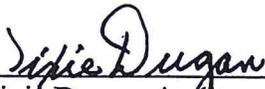


Marlin Weisheit, Vice President



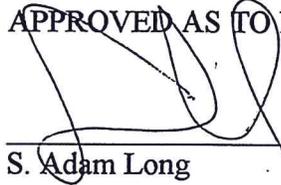
Richard Reid, Commissioner

ATTEST:



Dixie Dugan, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:



S. Adam Long
LONG & MATHIES LAW FIRM, P.C.
County Attorney

ENVIRONMENTAL CERTIFICATION

THIS ENVIRONMENTAL CERTIFICATION is made as of October 28, 2013, by **GREGORY AND ANGELA DEWEESE** (hereafter the "Property Owners"), to and for the benefit of **THE COMMISSIONERS OF WARRICK COUNTY, INDIANA**.

WITNESSETH:

WHEREAS, the Property Owners own certain real property situated in the County of Warrick, State of Indiana, as more particularly described on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the Property Owners desire ownership of the minerals located below the surface of their property and more particularly desire that mineral parcel 080-3146-9080 be merged with the fee ownership in the surface parcel as referenced in Exhibit "A"; and

WHEREAS, the Commissioners of Warrick County, Indiana, have agreed, by resolution, to amend Warrick County Commissioners Resolution 2000-03 by removing 080-3146-9080 from said resolution which would allow the Property Owners to merge 080-3146-9080 with the surface parcel, on the condition that the Property Owners make certain certifications contained herein; and

WHEREAS, to induce the Commissioners to merge 080-3146-9080 with the surface parcel, the Property Owners have agreed to make said certifications;

NOW THEREFORE, in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the Property Owners hereby certify as follows:

1. Environmental Condition. The Property Owners, by their duly appointed undersigned counsel, hereby certify that no hazardous environmental conditions currently exist on parcel 080-3146-9080.

2. Remedial Work. In the event that any investigation, site monitoring, containment, clean-up, removal, restoration or other remedial work of any kind or nature is reasonably necessary pursuant to any Environmental Laws, Environmental Requirements or under any other applicable local, state or federal law, regulation, order or agreement, or in connection with the current or future presence, suspected presence, release or suspected release of any hazardous environmental conditions affecting parcel 080-3146-9080, the Property Owners shall immediately commence and thereafter diligently prosecute to completion all necessary remedial work. All costs and expenses of such work shall be promptly paid by the Property Owners

3. Sole Obligation. The obligations of the Property Owners hereunder shall be their sole obligation, and the Property Owners shall not seek assistance or reimbursement of any kind from the Commissioners of Warrick County.

WITNESS the due execution of this Agreement as of the day and year first above written.

The Property Owners, Gregory and Angela DeWeese

By: Elissa Scatter Herwin
Attorney for the Property Owners