72G1504

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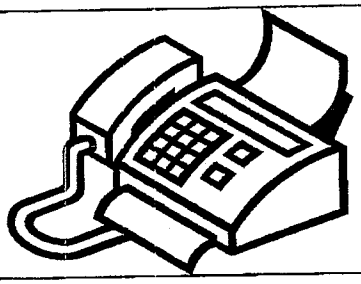

A facsimile from

WTH Technology, Inc
Todd Shafer
Phone – 317-259-0105
Fax – 317-259-1423

To: Iva Gasaway
Fax number: 812-752-7914

Date: 6/30/2006

Regarding: Scott County Data Sharing Application

Comments:

Iva,

I have a Data Sharing Application that needs to be approved by the County at the next Commissioners meeting or approved by the approved County Official.

~~Eric Lowry will be in the Courthouse later this morning to talk to you about getting this approved.~~
If you have any questions regarding this please let either Eric or me know.

Thanks,

Todd Shafer

Scott County

Electronic Map Data Application Agreement

1. Applicant Information:

Name: Cindi Straup

Company: LECG, LLC (If Applicable)

Address: One Main Place, 1201 Main Street, Suite 1950, Dallas, TX 75202

Phone Number: 214-753-5004 E-Mail Address: cstraup@lecg.com

Purpose of Request: Identification of land owners adjacent to railroad right-of-ways

2. Map Layer Request: What follows is a listing of map layers with an indication of current availability (A – Available) and public safety sensitivity rating (1 – Low, 2 – Medium, 3 – High). Put a check by the available layers that you are requesting.

	Aerial Photography	Resolution	Year Flown	Projection	Extent
	Image America	6 Inch	2002	IN-83 EF	County

	Map Layers				Map Layers		
	County Boundary	A	1		Watersheds		1
	Township Boundaries	A	1		Landmarks (Place Names)	A	1
	Municipal Boundaries	A	1		Planning Districts		1
	Legal Sections	A	1		Zoning Maps		1
	Highways	A	1		Geodetic Controls (HARN)		1
	Roads	A	1		Legal Section Corners		1
	County Bridges	A	2		Utility Boundaries		1
	Railroads	A	1		Public Recreation Areas		1
	Airports		1		Voter Precincts	A	1
	Ports		1		School Districts		1
	Dams		2		State Senate Districts		1
X	Parcels	A	1		State House Districts		1
	Subdivisions	A	1		County Commissioner Districts	A	1
X	Addresses	A	2		County Council Districts		1
	Soils	A	1		EMS (Medical Service Boundary)		1
	Water (Lakes, Rivers, Streams)	A	1		ESN (Service Number Boundary)	A	1
	Flood Boundaries	A	1		Census Block Group Boundaries		1
	Legal Drains		1		Zip Code Boundaries		1

Fee Schedule
Electronic Map Data

Review the various items in the Fee Schedule and select the ones that you are requesting. When the fees have been calculated and totaled, fill in the total fee in the space provide in section 5 of the Electronic Map Data Application Agreement.

1. County Map Layers

$_____ **Continuously Updated Map Layers** An annual fee of $1,500, paid in advance, for the continuous transmission of available and disclosable countywide non-photo electronic map data layers.

$_____ **One Time Delivery of Map Layers** A fee of $750, paid in advance for a one time delivery of available and disclosable countywide non-photo electronic map data layers delivered on a CD.

$_____ **Aerial Photography** A fee of $750, paid in advance, for a one time delivery of a County's most recent aerial photo layer delivered on CD's.

2. Subsets of County Map Layers (for less than countywide areas)

$___X___ **One Time Delivery of Map Layer Subset** A fee of $75 per hour for the preparation of one time specifically requested subsets of County electronic map data delivered on a CD. The total amount of the fee to be calculated by County's Electronic Map Data Provider.

3. Separating Disclosable and Nondisclosable Data

$_____ A fee of $150.00 per hour for computer programming required to separate disclosable and nondisclosable electronic map data if this is required as part of a one time map data request. The total amount of the fee to be calculated by County's Electronic Map Data Provider.

TOTAL FEE $ $150 (2 hrs)

Questions If there are any questions by the Applicant in filling out the Electronic Map Data Application Agreement, or determining the appropriate fees, please contact the County's Electronic Map Data Provider:

WTH Engineering, Inc.
567 W. Westfield Blvd.
Indianapolis, IN 46208

Phone: 317.259.0105
Fax: 317.259.1423
E-Mail: mail@wthengineering.com

3. **Use Restrictions and Notice:** - Pursuant to the provisions of Indiana Code 5-14-3-3(e), and Scott County Ordinance 200_-__ (the "Ordinance") no person, other than those authorized in writing by the Board of Commissioners, may use the electronic map data provided by the County for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by request to any other person for these purposes. This includes the repackaging or assimilation of electronic map data for a commercial purpose in paper or electronic media.

A person who uses information in a manner contrary to the Ordinance or a rule or ordinance adopted under Indiana Code 5-14-3-3 may be prohibited by the County from obtaining any electronic map data.

The following notice regarding data ownership, restrictions, and qualifications shall be provided to every person that receives a copy of the County's electronic map data.

Scott County electronic map data is the property of Scott County, Indiana. All electronic map data supplied by Scott County has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The County does not guarantee the positional or thematic accuracy of the data. The cartographic digital file server is not a legal representation of any of the features depicted, and the County disclaims any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be and/or expressly excluded. The data represents an actual reproduction of data contained in the County's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. Therefore, the County cannot be held liable for errors or omissions in the data. The recipient's use and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify Scott County and its employees and officers. This indemnity covers reasonable attorney's fees and all court costs associated with the defense of Scott County arising out of this disclaimer. The recipient may copy this data into computer memory or onto computer storage devices and prepare derivative works from it for the recipient's own use.

4. **Use Violation Penalty:** - Any person(s) who violates the terms and conditions of the Ordinance by failing to pay the service fee for the electronic map data shall be liable for the total fee charged for the electronic map data plus attorney's fees and the cost of collection.

Any person(s) who violates the restrictions on the use of electronic map data as set forth in Section 2 of this Agreement shall be guilty of an infraction and may be fined by the County up to Two Thousand Five Hundred ($2,500), and each violation shall be deemed a separate offense. Also, in the event that there is an improper use of electronic map data as set forth in Section 2 of this Agreement or in violation of State or Federal Law, the County may prohibit the person(s) (as defined by Indiana Code 5-14-3-2) from obtaining any electronic map data and seek injunctive relief from any misuse of electronic map data by the person(s) who originally paid the service fee for the electronic map data or any other person(s) who has received a copy of the electronic map data.

5. Total Fee: $ $150 (See attached Fee Schedule)

6. Effective Date: - This Agreement shall be effective the ____ day of June, 2006.

SCOTT COUNTY BOARD OF COMMISSIONERS	APPLICANT
	Cindi A. R. Strup