



## EXHIBIT A

### TRACT 1:

A PART OF SECTION 20 AND A PART OF THE NORTHWEST QUARTER OF SECTION 29, ALL IN TOWNSHIP 18 NORTH, RANGE 7 EAST, FALL CREEK TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE SOUTH 00 DEGREES 01 MINUTE 31 SECONDS EAST (ASSUMED BEARING). ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER SECTION, 2170.64 FEET TO A COUNTY SURVEYOR'S MONUMENT ON THE CENTERLINE OF FALL CREEK DRIVE AND THE POINT OF BEGINNING; (THE FOLLOWING 15 COURSES ARE ALONG SAID CENTERLINE, BEING THE CENTERLINE DESCRIBED AS THE SOUTH LINE OF A 213.219 ACRE PARCEL IN DEED TO TOWN OF PENDLETON RECORDED AS INSTRUMENT # 200105595 IN THE OFFICE OF THE RECORDER OF MADISON COUNTY, INDIANA) 1) THENCE NORTH 54 DEGREES 13 MINUTES 53 SECONDS EAST 237.95 FEET; 2) THENCE NORTH 53 DEGREES 28 MINUTES 24 SECONDS EAST 568.54 FEET; 3) THENCE NORTH 53 DEGREES 26 MINUTES 36 SECONDS EAST 1352.76 FEET; 4) THENCE NORTHEASTERLY 300.06 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1169.01 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 60 DEGREES 58 MINUTES 29 SECONDS EAST AND A CHORD DISTANCE OF 299.23 FEET; 5) THENCE NORTH 67 DEGREES 59 MINUTES 14 SECONDS EAST 843.62 FEET; 6) THENCE NORTH 56 DEGREES 10 MINUTES 24 SECONDS EAST 102.66 FEET; 7) NORTH 41 DEGREES 43 MINUTES 39 SECONDS EAST 82.45 FEET; 8) THENCE NORTH 36 DEGREES 55 MINUTES 44 SECONDS EAST 176.59 FEET; 9) THENCE NORTH 32 DEGREES 03 MINUTES 35 SECONDS EAST 129.87 FEET; 10) THENCE NORTH 29 DEGREES 03 MINUTES 27 SECONDS EAST 138.95 FEET; 11) THENCE NORTHERLY 357.31 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 519.96 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 10 DEGREES 30 MINUTES 00 SECONDS EAST AND A CHORD DISTANCE OF 350.32 FEET; 12) THENCE NORTH 07 DEGREES 27 MINUTES 28 SECONDS WEST 300.53 FEET; 13) THENCE NORTHERLY 314.41 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1333.22 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 00 DEGREES 25 MINUTES 03 SECONDS WEST AND A CHORD DISTANCE OF 313.68 FEET; 14) THENCE NORTH 07 DEGREES 21 MINUTES 35 SECONDS EAST 161.08 FEET; 15) THENCE NORTH 00 DEGREES 50 MINUTES 27 SECONDS WEST 453.57 FEET TO A RAILROAD SPIKE AT THE NORTHEAST CORNER OF SAID 213.219 ACRE PARCEL; THENCE NORTH 88 DEGREES 56 MINUTES 33 SECONDS EAST 80.67 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE SOUTH 00 DEGREES 43 MINUTES 38 SECONDS WEST 454.91 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE SOUTH 08 DEGREES 04 MINUTES 08 SECONDS EAST 1094.03 FEET TO A CAPPED REBAR STAMPED FIRM 0066 ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 20; THENCE SOUTH 88 DEGREES 21 MINUTES 39 SECONDS WEST, ALONG SAID NORTH LINE, 126.10 FEET TO A 20 INCH SQUARE CORNER POST; (THE FOLLOWING 10 COURSES FOLLOW AN EXISTING FENCE) 1.) SOUTH 11 DEGREES 29 MINUTES 21 SECONDS EAST 627.77 FEET; 2.) SOUTH 09 DEGREES 03 MINUTES 14 SECONDS EAST 258.85 FEET; 3.) SOUTH 55 DEGREES 31 MINUTES 53 SECONDS WEST 535.46 FEET; 4.) THENCE SOUTH 32 DEGREES 35 MINUTES 00 SECONDS WEST 471.31 FEET; 5.) THENCE SOUTH 45 DEGREES 52 MINUTES 15 SECONDS WEST 304.41 FEET; 6.) THENCE SOUTH 54 DEGREES 10 MINUTES 10 SECONDS WEST 320.57 FEET; 7.) THENCE SOUTH 56 DEGREES 04 MINUTES 08 SECONDS WEST 480.43 FEET; 8.) THENCE SOUTH 29 DEGREES 28 MINUTES 46 SECONDS EAST 150.54 FEET; 9.) THENCE SOUTH 50 DEGREES 30 MINUTES 56 SECONDS WEST 1919.29 FEET; 10.) THENCE SOUTH 83 DEGREES 06 MINUTES 20 SECONDS WEST 337.50 FEET; THENCE NORTH 06 DEGREES 23 MINUTES 57 SECONDS WEST 1374.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 110.526 ACRES, MORE OR LESS.

### TRACT 2:

A PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 7 EAST, IN FALL CREEK TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE MARKING THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 00 DEGREES 01 MINUTES 31 SECONDS EAST, ALONG THE EAST LINE OF SAID QUARTER SECTION, 2170.64 FEET TO A COUNTY SURVEYOR'S MONUMENT IN THE CENTERLINE OF FALL CREEK DRIVE; THENCE SOUTH 56 DEGREES 22 MINUTES 46 SECONDS WEST, ALONG SAID CENTERLINE, 912.76 FEET TO A MAG NAIL ON THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BASIS OF BEARINGS), ALONG SAID SOUTH LINE, 589.07 FEET TO A MAG NAIL; THENCE NORTH 00 DEGREES 01 MINUTES 31 SECONDS WEST 1879.03 FEET TO A CAPPED REBAR STAMPED FIRM 0066 (HEREAFTER REFERRED TO AS CAPPED REBAR); THENCE NORTH 89 DEGREES 40 MINUTES 01 SECONDS EAST 383.33 FEET TO A CAPPED REBAR; THENCE NORTH 00 DEGREES 01 MINUTES 31 SECONDS WEST 796.60 FEET TO A CAPPED REBAR ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 89 DEGREES 53 MINUTES 29 SECONDS EAST 966.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 71.501 ACRES, MORE OR LESS.

TRACT 3:

A PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 7 EAST, IN FALL CREEK TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE MARKING THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER SECTION; THENCE NORTH 89 DEGREES 53 MINUTES 29 SECONDS WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION, 966.03 FEET TO A CAPPED REBAR STAMPED FIRM 0066 (HEREAFTER REFERRED TO AS CAPPED REBAR) AT THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 01 MINUTES 31 SECONDS EAST 796.60 FEET TO A CAPPED REBAR; THENCE SOUTH 89 DEGREES 40 MINUTES 01 SECONDS WEST 383.33 FEET TO A CAPPED REBAR; THENCE SOUTH 00 DEGREES 01 MINUTES 31 SECONDS EAST 1879.03 FEET TO A MAG NAIL ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BASIS OF BEARINGS) 1325.77 FEET TO AN IRON PIN MARKING THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER SECTION; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER SECTION, 677.83 FEET TO A P.K. NAIL WHICH IS ON THE SOUTHERLY PROJECTION OF AN EXISTING FENCE LINE; THENCE NORTH 00 DEGREES 28 MINUTES 03 SECONDS WEST 1319.06 FEET TO A FENCE CORNER; THENCE NORTH 89 DEGREES 46 MINUTES 54 SECONDS EAST, ALONG AN EXISTING FENCE LINE, 675.17 FEET TO A CAPPED REBAR ON THE EAST LINE OF SAID SOUTHWEST QUARTER SECTION; THENCE NORTH 00 DEGREES 34 MINUTES 55 SECONDS WEST 1359.63 FEET TO A NAIL IN A FENCE CORNER POST MARKING THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER SECTION; THENCE SOUTH 89 DEGREES 53 MINUTES 29 SECONDS EAST 1735.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 109.892 ACRES, MORE OR LESS.

TRACT 4:

A PART OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 7 EAST, IN FALL CREEK TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN MARKING THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER SECTION; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BASIS OF BEARINGS), ALONG THE NORTH LINE OF SAID QUARTER SECTION, 1914.83 FEET TO A MAG NAIL IN THE CENTERLINE OF FALL CREEK DRIVE; THENCE SOUTH 56 DEGREES 22 MINUTES 46 SECONDS WEST, ALONG SAID CENTERLINE, 2287.87 FEET TO A MAG NAIL ON THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTH 00 DEGREES 26 MINUTES 15 SECONDS WEST 1266.81 FEET TO THE POINT OF BEGINNING AND CONTAINING 27.843 ACRES, MORE OR LESS.

Tract 5:

A PART OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 7 EAST, IN FALL CREEK TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 30 WHICH LIES SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BASIS OF BEARINGS) 2690.66 FEET FROM AN IRON PIN MARKING THE NORTHWEST CORNER OF SAID SECTION 30;

THENCE SOUTH 00 DEGREES 26 MINUTES 15 SECONDS EAST 1266.81 FEET TO A MAG NAIL ON THE CENTERLINE OF FALL CREEK DRIVE AND THE POINT OF BEGINNING; THENCE NORTH 56 DEGREES 22 MINUTES 46 SECONDS EAST, ALONG SAID CENTERLINE, 816.45 FEET TO A MAG NAIL; THENCE SOUTH 40 DEGREES 59 MINUTES 02 SECONDS EAST 586.75 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE SOUTH 17 DEGREES 24 MINUTES 41 SECONDS EAST 1021.68 FEET TO THE CENTERLINE OF FALL CREEK; (THE FOLLOWING 8 COURSES ARE ALONG THE CENTERLINE OF FALL CREEK) 1) THENCE SOUTH 68 DEGREES 58 MINUTES 32 SECONDS WEST 303.98 FEET; 2) THENCE SOUTH 29 DEGREES 25 MINUTES 08 SECONDS WEST 111.51 FEET; 3) THENCE SOUTH 23 DEGREES 00 MINUTES 00 SECONDS WEST 407.83 FEET; 4) THENCE SOUTH 29 DEGREES 53 MINUTES 44 SECONDS WEST 337.45 FEET; 5) THENCE SOUTH 62 DEGREES 43 MINUTES 18 SECONDS WEST 262.64 FEET; 6) THENCE SOUTH 42 DEGREES 43 MINUTES 32 SECONDS WEST 457.98 FEET; 7) THENCE SOUTH 32 DEGREES 57 MINUTES 46 SECONDS WEST 397.86 FEET; 8) THENCE SOUTH 58 DEGREES 13 MINUTES 24 SECONDS WEST 1130.69 FEET; THENCE NORTH 00 DEGREES 05 MINUTES 12 WEST 2525.14 FEET TO A MAG NAIL ON THE CENTERLINE OF FALL CREEK DRIVE; THENCE NORTH 55 DEGREES 32 MINUTES 36 SECONDS EAST 1238.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 115.959 ACRES, MORE OR LESS.

SUBJECT TO: A Twenty (20) foot water line easement hereby reserved by the Grantor, for the benefit of the Grantor, its successors and assigns, described as follows:

WATER LINE EASEMENT ACROSS TRACT 5, BEING 20 FEET WIDE, 10 FEET ON EACH SIDE OF THE CENTERLINE OF AN EXISTING WATER LINE, WHICH CENTERLINE IS DESCRIBED BELOW.

A PART OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 7 EAST, IN FALL CREEK TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 30 WHICH LIES SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BASIS OF BEARINGS) 2690.66 FEET FROM AN IRON PIN MARKING THE NORTHWEST CORNER OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 26 MINUTES 15 SECONDS EAST 1266.81 FEET TO A MAG NAIL ON THE CENTERLINE OF FALL CREEK DRIVE; THENCE NORTH 56 DEGREES 22 MINUTES 46 SECONDS EAST, ALONG SAID CENTERLINE, 816.45 FEET TO A MAG NAIL; THENCE SOUTH 40 DEGREES 59 MINUTES 02 SECONDS EAST 586.75 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE SOUTH 17 DEGREES 24 MINUTES 41 SECONDS EAST 515.17 FEET TO THE POINT OF BEGINNING, BEING AT THE CENTERLINE OF AN EXISTING WATERLINE; THENCE SOUTH 66 DEGREES 34 MINUTES 28 SECONDS WEST, ALONG SAID CENTERLINE, 2441.20 FEET TO THE TERMINUS OF SAID CENTERLINE AND EASEMENT. (THE SIDELINES ARE TO EXTEND TO THE BOUNDARY LINES OF TRACT 5.)

NOTE: THE ABOVE EASEMENT DESCRIPTION WAS PREPARED MAY 12, 2010 FROM SURFACE EVIDENCE OF THE WATER LINE LOCATION. THE 20 FOOT EASEMENT IS INTENDED TO BE CENTERED ON THE ACTUAL WATER LINE LOCATION.

TRACT 6:

A PART OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 7 EAST, IN FALL CREEK TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 30 WHICH LIES SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BASIS OF BEARINGS) 2690.66 FEET FROM AN IRON PIN MARKING THE NORTHWEST CORNER OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 26 MINUTES 15 SECONDS EAST 1266.81 FEET TO A MAG NAIL ON THE CENTERLINE OF FALL CREEK DRIVE; THENCE SOUTH 55 DEGREES 32 MINUTES 36 SECONDS WEST 1238.63 FEET TO A MAG NAIL ON SAID CENTERLINE MARKING THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST 2575.14 FEET TO THE SOUTH BANK OF FALL CREEK; THENCE SOUTH 65 DEGREES 07 MINUTES 27 SECONDS WEST, ALONG SAID SOUTH BANK, 1364.50 FEET; THENCE SOUTH 80 DEGREES 42 MINUTES 12 SECONDS WEST, ALONG SAID SOUTH BANK, 393.83 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30; THENCE NORTH 00 DEGREES 05 MINUTES 12 SECONDS WEST, ALONG SAID WEST LINE, 2110.15 FEET TO A MAG NAIL ON THE CENTERLINE OF FALL CREEK DRIVE; THENCE NORTH 57 DEGREES 24 MINUTES 51 SECONDS EAST, ALONG SAID CENTERLINE, 334.22 FEET TO A MAG NAIL; THENCE NORTH 55 DEGREES

32 MINUTES 14 SECONDS EAST 1630.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 88.980 ACRES, MORE OR LESS.

ALSO:

A PART OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 6 EAST, IN GREEN TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED REBAR STAMPED FIRM 0066 MARKING THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST (ASSUMED BEARING), ALONG THE EAST LINE OF SAID QUARTER SECTION, 1240.47 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE NORTH 87 DEGREES 46 MINUTES 56 SECONDS WEST 376.75 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE NORTH 49 DEGREES 17 MINUTES 30 SECONDS WEST 316.38 FEET TO A FENCE POST; THENCE NORTH 35 DEGREES 02 MINUTES 45 SECONDS WEST 187.48 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE SOUTH 74 DEGREES 47 MINUTES 49 SECONDS WEST 214.94 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE NORTH 22 DEGREES 00 MINUTES 50 SECONDS WEST 392.25 FEET TO A CHISELLED "+" ON THE CENTERLINE OF FALL CREEK DRIVE; THENCE NORTH 61 DEGREES 30 MINUTES 33 SECONDS EAST, ALONG SAID CENTERLINE, 724.08 FEET TO A SPIKE; THENCE NORTH 61 DEGREES 10 MINUTES 53 SECONDS EAST, ALONG SAID CENTERLINE, 223.11 FEET TO A SPIKE ; THENCE NORTH 61 DEGREES 23 MINUTES 48 SECONDS EAST, ALONG SAID CENTERLINE, 224.57 FEET TO A MAG NAIL ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 87 DEGREES 57 MINUTES 46 SECONDS EAST 47.52 FEET TO THE POINT OF BEGINNING AND CONTAINING 19.109 ACRES, MORE OR LESS.

SUBJECT TO: A Twenty (20) foot water line easement hereby reserved by the Grantor, for the benefit of the Grantor, its successors and assigns, described as follows:

WATER LINE EASEMENT ACROSS TRACT 6, BEING 20 FEET WIDE, 10 FEET ON EACH SIDE OF THE CENTERLINE OF AN EXISTING WATER LINE, WHICH CENTERLINE IS DESCRIBED BELOW.

A PART OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 7 EAST, IN FALL CREEK TOWNSHIP, AND A PART OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 6 EAST, IN GREEN TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 30 WHICH LIES SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BASIS OF BEARINGS) 2690.66 FEET FROM AN IRON PIN MARKING THE NORTHWEST CORNER OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 26 MINUTES 15 SECONDS EAST 1266.81 FEET TO A MAG NAIL ON THE CENTERLINE OF FALL CREEK DRIVE; THENCE NORTH 56 DEGREES 22 MINUTES 46 SECONDS EAST, ALONG SAID CENTERLINE, 816.45 FEET TO A MAG NAIL; THENCE SOUTH 40 DEGREES 59 MINUTES 02 SECONDS EAST 586.75 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE SOUTH 17 DEGREES 24 MINUTES 41 SECONDS EAST 515.17 FEET; THENCE SOUTH 66 DEGREES 34 MINUTES 28 SECONDS WEST 2441.20 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE AND EASEMENT; THENCE SOUTH 66 DEGREES 34 MINUTES 28 SECONDS WEST, ALONG SAID CENTERLINE, 318.60 FEET; THENCE SOUTH 66 DEGREES 31 MINUTES 27 SECONDS WEST, ALONG SAID CENTERLINE, 1437.79 FEET; THENCE SOUTH 67 DEGREES 24 MINUTES 54 SECONDS WEST, ALONG SAID CENTERLINE, 1101.82 FEET TO THE TERMINUS OF SAID CENTERLINE AND EASEMENT. (THE SIDELINES ARE TO EXTEND TO THE BOUNDARY LINES OF TRACT 6.)

NOTE: THE ABOVE EASEMENT DESCRIPTION WAS PREPARED MAY 12, 2010 FROM SURFACE EVIDENCE OF THE WATER LINE LOCATION. THE 20 FOOT EASEMENT IS INTENDED TO BE CENTERED ON THE ACTUAL WATER LINE LOCATION.

TRACT 7:

A PART OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 6 EAST AND A PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 6 EAST, IN GREEN TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A CAPPED REBAR STAMPED FIRM 0066 MARKING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25; THENCE SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST (ASSUMED BEARING), ALONG THE EAST LINE OF SAID QUARTER SECTION, 1240.47 FEET TO A CAPPED REBAR STAMPED FIRM 0066 (HEREINAFTER REFERRED TO AS CAPPED REBAR) AT THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST, ALONG THE SAID EAST LINE, 1152.33 FEET TO A CONCRETE POST MARKING THE SOUTHWEST CORNER OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 7 EAST; THENCE SOUTH 00 DEGREES 31 MINUTES 14 SECONDS EAST 320.34 FEET TO A CONCRETE POST MARKING THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25; THENCE NORTH 86 DEGREES 42 MINUTES 30 SECONDS WEST, ALONG THE SOUTH LINE OF SAID QUARTER SECTION, 584.73 FEET TO THE CENTER LINE OF FALL CREEK: (THE FOLLOWING 4 COURSES ARE ALONG SAID CENTER LINE OF FALL CREEK) 1) THENCE SOUTH 54 DEGREES 58 MINUTES 35 SECONDS WEST 893.83 FEET; 2) THENCE NORTH 73 DEGREES 31 MINUTES 41 SECONDS WEST 250.89 FEET; 3) THENCE SOUTH 80 DEGREES 24 MINUTES 26 SECONDS WEST 622.45 FEET; 4) THENCE SOUTH 69 DEGREES 53 MINUTES 24 SECONDS WEST 458.61 FEET TO THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD 650 WEST; THENCE NORTH 00 DEGREES 10 MINUTES 17 SECONDS EAST, ALONG SAID RIGHT-OF-WAY LINE, 564.85 FEET TO A CONCRETE MONUMENT; THENCE NORTH 27 DEGREES 21 MINUTES 58 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, 74.00 FEET TO A CAPPED REBAR; THENCE SOUTH 89 DEGREES 49 MINUTES 43 SECONDS WEST 15.00 FEET TO A MAG NAIL ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE NORTH 00 DEGREES 10 MINUTES 17 SECONDS EAST, ALONG SAID WEST LINE 100.36 FEET TO A MAG NAIL 90.97 FEET SOUTH OF AN IRON PIPE MARKING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25; THENCE NORTH 87 DEGREES 44 MINUTES 55 SECONDS EAST 816.90 FEET TO A CAPPED REBAR; THENCE NORTH 64 DEGREES 44 MINUTES 43 SECONDS EAST 106.36 FEET TO A CAPPED REBAR; THENCE NORTH 04 DEGREES 47 MINUTES 23 SECONDS WEST 424.97 FEET TO A CAPPED REBAR; THENCE NORTH 32 DEGREES 44 MINUTES 35 SECONDS EAST 343.76 FEET TO A CAPPED REBAR; THENCE NORTH 69 DEGREES 10 MINUTES 08 SECONDS EAST 239.89 FEET TO A CAPPED REBAR; THENCE NORTH 80 DEGREES 40 MINUTES 48 SECONDS EAST 312.99 FEET TO A CAPPED REBAR; THENCE NORTH 08 DEGREES 11 MINUTES 58 SECONDS EAST 811.65 FEET TO A CAPPED REBAR; THENCE NORTH 74 DEGREES 47 MINUTES 49 SECONDS EAST 214.94 FEET TO A CAPPED REBAR; THENCE SOUTH 35 DEGREES 02 MINUTES 45 SECONDS EAST 187.48 FEET TO A FENCE POST; THENCE SOUTH 49 DEGREES 17 MINUTES 30 SECONDS EAST 316.38 FEET TO A CAPPED REBAR; THENCE SOUTH 87 DEGREES 46 MINUTES 56 SECONDS EAST 376.75 FEET TO THE POINT OF BEGINNING AND CONTAINING 72.530 ACRES, MORE OR LESS.

SUBJECT TO: A Twenty (20) foot water line easement hereby reserved by the Grantor, for the benefit of the Grantor, its successors and assigns, described as follows:

WATER LINE EASEMENT ACROSS TRACT 7, BEING 20 FEET WIDE, 10 FEET ON EACH SIDE OF THE CENTERLINE OF AN EXISTING WATER LINE, WHICH CENTERLINE IS DESCRIBED BELOW.

A PART OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 6 EAST, IN GREEN TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 18 NORTH, RANGE 7 EAST, WHICH LIES SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BASIS OF BEARINGS) 2690.66 FEET FROM AN IRON PIN MARKING THE NORTHWEST CORNER OF SAID SECTION 30; THENCE SOUTH 00 DEGREES 26 MINUTES 15 SECONDS EAST 1266.81 FEET TO A MAG NAIL ON THE CENTERLINE OF FALL CREEK DRIVE; THENCE NORTH 56 DEGREES 22 MINUTES 46 SECONDS EAST, ALONG SAID CENTERLINE, 816.45 FEET TO A MAG NAIL; THENCE SOUTH 40 DEGREES 59 MINUTES 02 SECONDS EAST 586.75 FEET TO A CAPPED REBAR STAMPED FIRM 0066; THENCE SOUTH 17 DEGREES 24 MINUTES 41 SECONDS EAST 515.17 FEET TO THE CENTERLINE OF AN EXISTING WATERLINE; THENCE SOUTH 66 DEGREES 34 MINUTES 28 SECONDS WEST 2759.80 FEET; THENCE SOUTH 66 DEGREES 31 MINUTES 27 SECONDS WEST, ALONG SAID CENTERLINE, 1437.79 FEET; THENCE SOUTH 67 DEGREES 24 MINUTES 54 SECONDS WEST, ALONG SAID CENTERLINE, 1101.82 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 67 DEGREES 24 MINUTES 54 SECONDS WEST, ALONG SAID CENTERLINE, 349.87 FEET; THENCE SOUTH 57 DEGREES 48 MINUTES 32 SECONDS WEST, ALONG SAID CENTERLINE, 790.00 FEET TO THE TERMINUS OF SAID CENTERLINE AND EASEMENT. (THE SIDELINES ARE TO EXTEND TO THE BOUNDARY LINES OF TRACT 7.)

TRACT 8:

A PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 6 EAST, AND PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 7 EAST IN MADISON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A PK NAIL IN A ONE-INCH IRON PIPE (PER COUNTY SURVEY RECORDS) AT THE INTERSECTION OF COUNTY ROAD 650 WEST AND REFORMATORY ROAD, SAID POINT BEING ON THE WEST LINE OF SAID SECTION, THENCE SOUTH 69 DEGREES 29 MINUTES 30 SECONDS WEST ALONG THE CENTER LINE OF SAID COUNTY ROAD 61.47 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 18 SECONDS WEST ALONG THE EAST LINE OF THE FIRST ADDITION TO THE TOWN OF INGALLS (RECORDED IN PLAT BOOK 505, PAGE 97 IN THE OFFICE OF THE MADISON COUNTY RECORDER) 1,212.10 FEET TO A POINT BEING ON THE NORTHERLY RIGHT-OF-WAY OF THE C.C.C. & ST. LOUIS AND THE INDIANA UNION TRACTION COMPANY RECORDED IN DEED BOOK 137, PAGES 566-568 IN THE OFFICE OF THE MADISON COUNTY RECORDER; THENCE NORTH 56 DEGREES 11 MINUTES 28 SECONDS EAST ALONG SAID NORTHERLY RIGHT-OF-WAY 3,827.26 FEET TO A POINT ON THE NORTH LINE OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 7 EAST; THENCE SOUTH 89 DEGREES 40 MINUTES 43 SECONDS WEST ALONG SAID NORTH LINE OF SAID QUARTER SECTION 466.82 FEET TO THE WEST QUARTER CORNER (18" X 18" CONCRETE POST PER COUNTY SURVEY RECORDS); THENCE SOUTH 88 DEGREES 30 MINUTES 23 SECONDS WEST 387.28 FEET; THENCE NORTH 42 DEGREES 04 MINUTES 47 SECONDS WEST 174.22 FEET TO A POINT IN REFORMATORY ROAD. THE FOLLOWING THREE (3) CALLS BEING ALONG THE CENTER LINE OF SAID ROAD; ONE (1), SOUTH 49 DEGREES 07 MINUTES 42 SECONDS WEST 557.06 FEET; TWO (2), SOUTH 55 DEGREES 31 MINUTES 22 SECONDS WEST 115.20 FEET; THREE (3), SOUTH 70 DEGREES 55 MINUTES 43 SECONDS WEST 145.72 FEET; THENCE SOUTH 06 DEGREES 45 MINUTES 51 SECONDS EAST ALONG AN EXISTING FENCE LINE 243.67 FEET TO AN 8 INCH WOOD POST; THENCE SOUTH 85 DEGREES 54 MINUTES 41 SECONDS ALONG AN EXISTING FENCE LINE 364.31 FEET TO AN 8 INCH WOOD POST; THENCE NORTH 03 DEGREES 15 MINUTES 44 SECONDS WEST ALONG AN EXISTING FENCE LINE 149.54 FEET TO A POINT IN THE CENTER LINE OF REFORMATORY ROAD. THENCE SOUTH 70 DEGREES 55 MINUTES 43 SECONDS ALONG THE CENTER LINE OF SAID ROAD 562.75 FEET, THENCE CONTINUING ALONG SAID CENTER LINE SOUTH 69 DEGREES 29 MINUTES 30 SECONDS WEST 664.82 FEET TO THE POINT OF BEGINNING CONTAINING 51.242 ACRES MORE OR LESS BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

TRACT 9:

A PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 7 EAST, MADISON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE POST (PER COUNTY SURVEY RECORDS) MARKING THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 7 EAST, THENCE NORTH 89 DEGREES 40 MINUTES 43 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 765.13 FEET TO A 4" X 4" WOOD POST BEING THE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT ALSO LYING ON THE SOUTHERLY RIGHT-OF-WAY OF STATE ROAD #67. (ADDITIONAL RIGHT-OF-WAY GRANT DATED MARCH 4, 1935, RECORDED AUGUST 22, 1975 IN DEED RECORD 554, PAGE 466 IN THE OFFICE OF THE MADISON COUNTY RECORDER); THENCE CONTINUING ALONG SAID NORTH LINE NORTH 89 DEGREES 40 MINUTES 43 SECONDS EAST 585.79 FEET TO A RAILROAD SPIKE FOUND IN THE APPROXIMATE CENTER LINE OF COUNTY ROAD 575 WEST; THE FOLLOWING SIX CALLS DESCRIBING THE CENTER LINE OF SAID COUNTY ROAD; (1) SOUTH 00 DEGREES 16 MINUTES 48 SECONDS EAST 678.78 FEET; (2) SOUTH 07 DEGREES 57 MINUTES 34 SECONDS WEST 98.01 FEET; (3) SOUTH 15 DEGREES 23 MINUTES 17 SECONDS WEST 93.36 FEET; (4) SOUTH 08 DEGREES 26 MINUTES 39 SECONDS WEST 104.24 FEET; (5) SOUTH 04 DEGREES 33 MINUTES 13 SECONDS WEST 98.69 FEET; (6) SOUTH 01 DEGREES 36 MINUTES 34 SECONDS EAST 384.53 FEET TO A POINT BEING THE NORTHEAST CORNER OF A 10.05 ACRE PARCEL OF LAND DESCRIBED IN INSTRUMENT #200225403 IN THE OFFICE OF THE MADISON COUNTY RECORDER; THENCE NORTH 89 DEGREES 10 MINUTES 39 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL 583.30 FEET TO A CONCRETE POST; THENCE NORTH 00 DEGREES 29 MINUTES 17 SECONDS WEST 1,395.23 FEET TO A CONCRETE POST; SAID POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD #67. (ADDITIONAL RIGHT-OF-WAY GRANT DATED MARCH 4, 1935, RECORDED AUGUST 22, 1975 IN DEED RECORD 554, PAGE 466 IN THE OFFICE OF MADISON COUNTY RECORDER). THENCE NORTH 51

DEGREES 38 MINUTES 17 SECONDS EAST ALONG SAID RIGHT-OF-WAY 72.33 FEET TO THE POINT OF BEGINNING, CONTAINING 20.390 ACRES, MORE OR LESS. SUBJECT TO ALL HIGHWAY RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

TRACT 10:

A PART OF THE SOUTHWEST QUARTER AND A PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 7 EAST, MADISON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE POST (PER COUNTY SURVEY RECORDS) MARKING THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 7 EAST, THENCE NORTH 89 DEGREES 40 MINUTES 43 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 1,350.92 FEET TO A RAILROAD SPIKE FOUND IN THE APPROXIMATE CENTER LINE OF COUNTY ROAD 575 WEST; SAID RAILROAD SPIKE BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 89 DEGREES 40 MINUTES 43 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 2,610.40 FEET; SAID LINE ALSO BEING THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN INSTRUMENT #20010467 IN THE OFFICE OF THE MADISON COUNTY RECORDER. SAID POINT BEING 3.30 FEET SOUTH OF A CONCRETE POST; THENCE SOUTH 00 DEGREES 24 MINUTES 54 SECONDS EAST ALONG A FENCE LINE, (MORE OR LESS) 2,034.04 FEET TO AN 8" X 8" FENCE POST; THENCE SOUTH 88 DEGREES 36 MINUTES 27 SECONDS WEST 2,667.20 FEET TO A POINT BEING IN THE APPROXIMATE CENTER LINE OF COUNTY ROAD 575 WEST; SAID LINE BEING A PART OF THE NORTH LINE OF A PARCEL OF LAND DESCRIBED IN DEED BOOK 649, PAGES 697-698; SAID POINT BEING NORTH 00 DEGREES 32 MINUTES 49 SECONDS WEST 630.22 FEET OF A RAILROAD SPIKE LYING ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 32 MINUTES 49 SECONDS WEST ALONG SAID CENTER LINE 632.47 FEET TO A POINT MARKING THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN INSTRUMENT #200225403 IN THE OFFICE OF THE MADISON COUNTY RECORDER. THE FOLLOWING SIX CALLS DESCRIBING THE CENTER LINE OF COUNTY ROAD 575 WEST, (1) NORTH 01 DEGREES 36 MINUTES 34 SECONDS WEST 384.53 FEET; (2) NORTH 04 DEGREES 33 MINUTES 13 SECONDS EAST 98.69 FEET; (3) NORTH 08 DEGREES 26 MINUTES 39 SECONDS EAST 104.24 FEET; (4) NORTH 15 DEGREES 23 MINUTES 17 SECONDS EAST 93.36 FEET; (5) NORTH 07 DEGREES 57 MINUTES 34 SECONDS EAST 98.01 FEET; (6) NORTH 00 DEGREES 16 MINUTES 48 SECONDS WEST 678.78 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 125.076 ACRES, MORE OR LESS. SUBJECT TO ALL HIGHWAY RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

EXCEPT:

COMMENCING AT A CONCRETE POST (PER COUNTY SURVEY RECORDS) MARKING THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 7 EAST, THENCE NORTH 89 DEGREES 40 MINUTES 43 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER 3,961.32 FEET TO A CONCRETE POST BEING THE POINT OF BEGINNING FOR THIS DESCRIPTION, THENCE SOUTH 00 DEGREES 24 MINUTES 54 SECONDS EAST 1,428.27 FEET, THENCE SOUTH 89 DEGREES 40 MINUTES 43 SECONDS WEST 1,057.30 FEET, THENCE NORTH 00 DEGREES 19 MINUTES 17 SECONDS WEST 1,428.25 FEET TO A POINT ON THE NORTH LINE OF SOUTHEAST QUARTER OF SECTION 31, THENCE NORTH 89 DEGREES 40 MINUTES 43 SECONDS EAST 1,057.32 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. CONTAINING 34.7 ACRES, MORE OR LESS. SUBJECT TO ALL HIGHWAY RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

EXCEPT:

COMMENCING AT A CONCRETE POST (PER COUNTY SURVEY RECORDS) MARKING THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 7 EAST, MADISON COUNTY, INDIANA; THENCE, EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 31, 1,350.92 FEET TO A RAILROAD SPIKE (PER COUNTY SURVEY RECORDS) SAID POINT BEING THE CENTER LINE OF COUNTY ROAD 575 WEST, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 7 EAST, A DISTANCE OF 1,552.00 FEET; THENCE SOUTH 00 DEGREES 24 MINUTES 54 SECONDS EAST, 20 FEET; THENCE WEST AND PARALLEL TO THE NORTH LINE OF THE

SOUTH HALF OF SECTION 31, 1,552.00 FEET TO THE CENTER LINE OF COUNTY ROAD 575 WEST;  
THENCE NORTH ALONG THE CENTER LINE OF COUNTY ROAD 575 WEST TO THE POINT OF BEGINNING  
AND CONTAINING 0.71 ACRES, MORE OR LESS.

LOTS:

LOTS 202, 203 AND 204 IN THE FIRST ADDITION TO THE TOWN OF INGALLS, AS RECORDED IN PLAT  
BOOK 505, PAGE 97 IN THE OFFICE OF THE MADISON COUNTY RECORDER.

ALSO:

LOTS 205 AND 206 IN THE FIRST ADDITION TO THE TOWN OF INGALLS, AS RECORDED IN PLAT BOOK  
505, PAGE 97 IN THE OFFICE OF THE MADISON COUNTY RECORDER.

Fidelity National Title Insurance Company

**THE FOLLOWING ARE THE REQUIREMENTS TO BE COMPLIED WITH:**

1. Notification in writing is required for all changes to this Commitment. Additional requirements may be imposed after review of said notification.
2. Payment of all title premiums and charges.
3. Vendor's Affidavit and/or Mortgagor's Affidavit.
4. Properly executed and acknowledged Quit Claim Deed from State of Indiana to the proposed insured, when determined.
5. Provide the names(s) of the person(s) who will execute the conveyance documents on behalf of the State of Indiana, and provide proof of the authority of such individual(s) to do so in accordance with I.C. 4-20.5-7-17.

OR

Language appearing on the deed that: "the undersigned persons executing this deed on behalf of Grantor represent and certify that they are duly authorized by the State of Indiana and have been fully empowered to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

NOTE: This commitment and endorsements have been prepared in response to your request, if you will require additional endorsements, please contact Meridian Title so that those endorsements can be added to this commitment as well as any additional requirements which may need to be met in order to issue the newly requested endorsements.

NOTE: Although the title policy issued pursuant to this commitment does not insure against the enforceability of personal property tax liens on the personal property, a search has been made for personal property tax liens recorded against the Grantor and all prior titleholders for the last 10 years. Personal Property Tax liens resulting from that search are reflected on this commitment. If the Grantor or prior titleholders did business at this property under a name other than that in which title was vested, that name(s) must be provided to the insurer to search for the possibility of personal property tax liens filed against said name(s).

Fidelity National Title Insurance Company

THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.

1. Defects, liens, encumbrances, adverse claims, or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Standard Exceptions:
  - a) Rights or claims of parties in possession not shown by the public records.
  - b) Easements, or claims of easements, not shown by the public records.
  - c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
  - d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

3. Special Exceptions

- a) Taxes for the year 2011 payable in 2012 are a lien not yet due and payable

NOTE: The real estate listed in Item 4 of Schedule A is not being taxed because of the exemption(s) of Government ownership. The Company assumes no responsibility for any taxes hereafter assessed, which taxes may arise from the loss or disqualification for the exemption(s).

- b) Right of Way granted to the State of Indiana in an instrument dated March 4, 1935 and recorded August 22, 1975 in Book 554, page 466 in the Office of the Recorder of Madison County, Indiana. (Affects Tracts 9 & 10)
- c) Easement and associated rights granted to Indiana & Michigan Electric Company by the State of Indiana in an instrument recorded April 4, 1968 in Book 496, page 285 in the Office of the Recorder of Madison County, Indiana. (Affects Tract 8)
- d) Easement in favor of the Madison County Surveyor and Drainage Board to maintain the Ora Fausset Legal Drain pursuant to Article 6, Section 601 of the Indiana Drainage Code. Said easement affects an area that is measured at right angles from the top bank of said drain and extended outward a distance of 75 feet. (Affects Tracts 6 & 7)
- e) Easement in favor of the Madison County Surveyor and Drainage Board to maintain the Levi Harger Regulated Drain pursuant to Article 6, Section 601 of the Indiana Drainage Code. Said easement affects an area that is measured at right angles from the top bank of said drain and extended outward a distance of 75 feet. (Affects Tract 8)
- f) Easement and associated rights granted to Fall Creek Regional Waste District by the State of Indiana in an instrument recorded April 10, 1985 in Book 623, pages 495-513 in the Office of the Recorder of Madison County, Indiana. (Affects Tracts 1, 2, 3 & 4)
- g) Possible easements for Fiber Optic lines and equipment leased on Fiber Optic Markers as disclosed on a survey by Richard A. O'Brien, RLS #80880017, dated January 3, 2012 and referred to as Job #111108. (Affects Tract 1)
- h) Possible easements for gas lines and pipelines based on the location of gas lines as disclosed on a

**This Commitment is valid only if Schedules A and B are attached.  
Schedule BII consists of 3 page(s)**

survey by Richard A. O'Brien, RLS #80880017, dated January 3, 2012 and referred to as Job #111108. (Affects Tract 1)

- i) Terms and Provisions of Water Line Easement reserved in Quit Claim Deed from the State of Indiana to ( ), dated ( ) and recorded ( ) as Instrument Number ( ) in the Office of the Recorder of Madison County, Indiana. (Affects Tracts 5, 6 & 7)
- j) Any adverse claim based upon the assertion that:
  - (1) The land described in Schedule A or any part thereof is now or at any time has been below the ordinary low water mark of the Fall Creek, or
  - (2) Some portion of said land has been created by artificial means or has accreted to such portion so created, or
  - (3) Some portion of said land has been brought within the boundary thereof by an avulsive movement of the Fall Creek, or has been formed by accretion to any such portion.
  - (4) Such rights and easements for navigation, commerce or recreation which may exist over that portion of said land lying beneath the waters of the Fall Creek.
  - (5) Right of upper and lower riparian (or littoral) owners with respect to the Fall Creek. (Affects Tracts 1, 5, 6 & 7)
- k) Subject to all legal highways and rights of way.
- l) Possible easements for legal drains and ditches, if any, and all rights therein.

INFORMATION NOTE: The acreage in the legal description is shown for convenience only. The policy, when issued, will not insure the acreage of the insured premises.

**NOTE: Pursuant to I.C. 27-7-3.6-7, on all transactions closed after July 1, 2006, a \$5.00 DOI (Department of Insurance) Fund Enforcement Fee will be collected from the insured parties for each policy issued. This fee may not be waived and will need to accompany payment for premiums due.**

**NOTE: Indiana recently enacted HEA 1374, which went into effect July 1, 2009. Parties to the transaction should be aware that the new statute puts conditions upon a closing agent on the form of disbursement that can be made in the transaction. Meridian Title strongly suggests that all funding for the transaction be in the form of an unconditional wire in order to allow us to disburse funds timely to all parties. Otherwise it's possible that disbursements may be delayed until the funds have been unconditionally credited.**

**NOTE: Additionally, pursuant to IC 35-2-7.5-6, a \$2.00 fee for each recorded document must be collected and deposited into the "County Identification Protection Fee" fund. Said fee has been collected by the county recorder since the law's inception in 2005 and will continue to be collected until further notice.**

**NOTE: This Commitment is not an abstract, examination, report, or representation of fact or title and does not create and shall not be the basis of any claim for negligence, negligent misrepresentation or other tort claim or action. The sole liability of company and its title insurance agent shall arise under and be governed by the conditions of the commitment.**

**NOTE: Effective July 1, 2006, any documents requiring a preparation statement which are executed or acknowledged in Indiana must contain the following affirmation statement as required by IC 36-2-11-15: "I affirm, under the penalties for perjury, that I have taken**

**This Commitment is valid only if Schedules A and B are attached.**

**Schedule BII consists of 3 page(s)**

reasonable care to redact each Social Security number in this document unless required by law." \_\_\_\_\_