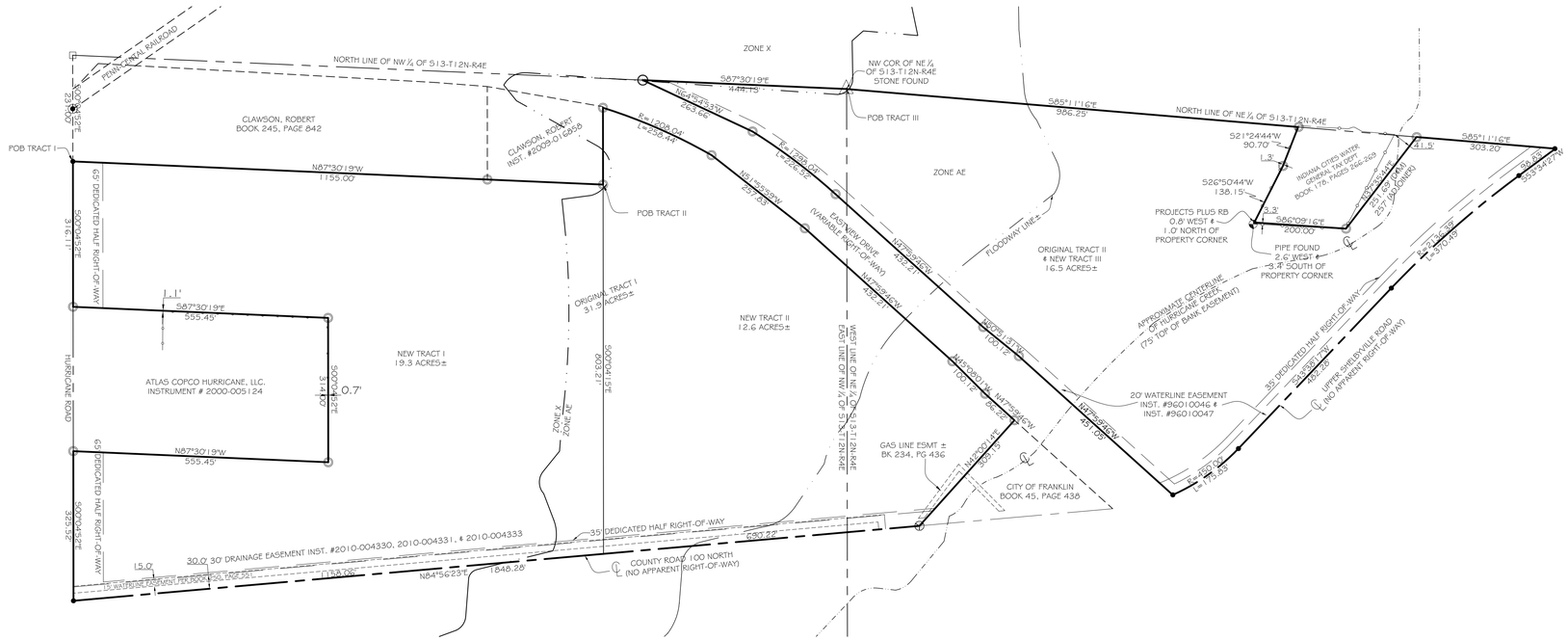
Donald A. Webb Residuary Trust
Donna W. DeMoss (Trustee)
Part of NW ¼ & NE ¼ of
S13-T12N-R4E
Johnson County, Indiana

Exempt Property Division

Part of the NW ¼ & NE ¼ of S13-T12N-R4E

Johnson County ~ Franklin, Indiana



LAND DESCRIPTION - INSTRUMENT NUMBER 2003-044886

ORIGINAL TRACT I:
PART OF THE NORTHWEST QUARTER AND PART OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING IN THE CENTERLINE OF HURRICANE ROAD AT A POINT THAT IS 231.00 FEET SOUTH OF A RAILROAD SPIKE FOUND ON THE NORTH LINE OF THE SAID SECTION 13; THENCE SOUTH 00 DEGREES 04 MINUTES 52 SECONDS EAST ON AND ALONG THE SAID CENTERLINE 316.11 FEET TO A RAILROAD SPIKE FOUND; THENCE SOUTH 87 DEGREES 30 MINUTES 19 SECONDS EAST PARALLEL TO THE NORTH LINE OF THE SAID SECTION 13, A DISTANCE OF 555.45 FEET TO AN IRON ROD FOUND; THENCE SOUTH 00 DEGREES 04 MINUTES 52 SECONDS EAST 314.00 FEET TO AN IRON ROD FOUND; THENCE NORTH 87 DEGREES 30 MINUTES 19 SECONDS WEST 555.45 FEET TO A RAILROAD SPIKE FOUND IN THE CENTERLINE OF HURRICANE ROAD; THENCE SOUTH 00 DEGREES 04 MINUTES 52 SECONDS EAST ON AND ALONG THE SAID CENTERLINE 325.52 FEET TO A RAILROAD SPIKE FOUND AT THE CENTERLINE INTERSECTION WITH UPPER SHELBYVILLE ROAD; THENCE NORTH 84 DEGREES 56 MINUTES 23 SECONDS EAST ON AND ALONG THE LAST SAID CENTERLINE 1848.28 FEET TO A "P-K" NAIL SET; THENCE NORTH 42 DEGREES 00 MINUTES 14 SECOND EAST 309.15 FEET TO AN IRON ROD SET ON THE WESTERLY RIGHT-OF-WAY OF EASTVIEW DRIVE; THENCE NORTH 47 DEGREES 59 MINUTES 46 SECONDS WEST ON AND ALONG THE SAID RIGHT-OF-WAY LINE 86.22 FEET TO AN IRON ROD SET; THENCE NORTH 45 DEGREES 08 MINUTES 01 SECOND WEST ON AND ALONG THE SAID RIGHT-OF-WAY LINE 100.12 FEET TO AN IRON ROD SET; THENCE NORTH 47 DEGREES 59 MINUTES 46 SECONDS WEST ON AND ALONG THE SAID RIGHT-OF-WAY LINE 432.21 FEET TO AN IRON ROD SET; THENCE NORTH 51 DEGREES 55 MINUTES 59 SECONDS WEST ON AND ALONG THE SAID RIGHT-OF-WAY LINE 257.83 FEET TO AN IRON ROD SET; THENCE NORTHWESTERLY ON AND ALONG THE SAID RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT WHICH HAS A RADIUS OF 1208.04 FEET A CURVED DISTANCE OF 258.44 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 66 DEGREES 25 MINUTES 08 SECONDS WEST 257.95 FEET TO AN IRON ROD SET; THENCE SOUTH 00 DEGREES 04 MINUTES 15 SECONDS EAST 167.12 FEET TO AN IRON ROD SET; THENCE NORTH 87 DEGREES 30 MINUTES 19 SECONDS WEST 1155.00 FEET TO THE POINT OF BEGINNING, CONTAINING 31.8985 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL RIGHT-OF-WAY AND EASEMENTS.

ORIGINAL TRACT II:
PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SAID SECTION 13; THENCE SOUTH 85 DEGREES 11 MINUTES 16 SECONDS EAST ON AND ALONG THE NORTH LINE THEREOF 986.25 FEET; THENCE SOUTH 21 DEGREES 24 MINUTES 44 SECONDS WEST 90.70 FEET; THENCE SOUTH 26 DEGREES 50 MINUTES 44 SECONDS WEST 138.15 FEET; THENCE SOUTH 66 DEGREES 09 MINUTES 16 SECONDS EAST 200.00 FEET; THENCE NORTH 37 DEGREES 35 MINUTES 44 SECONDS EAST 251.69 FEET TO THE SAID NORTH LINE; THENCE SOUTH 85 DEGREES 11 MINUTES 16 SECONDS EAST ON AND ALONG THE SAID NORTH LINE 303.20 FEET TO A "P-K" NAIL SET IN THE CENTERLINE OF UPPER SHELBYVILLE ROAD; THENCE SOUTH 53 DEGREES 34 MINUTES 27 SECONDS WEST ON AND ALONG THE SAID CENTERLINE 98.63 FEET TO THE BEGINNING OF A TANGENT CURVE; THENCE SOUTHWESTERLY ON AND ALONG THE SAID CENTERLINE ON A CURVE TO THE LEFT WHICH HAS A RADIUS OF 2136.39 FEET A CURVED DISTANCE OF 370.49 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 48 DEGREES 36 MINUTES 22 SECONDS WEST 370.02 FEET; THENCE SOUTH 43 DEGREES 38 MINUTES 17 SECONDS WEST ON AND ALONG THE SAID CENTERLINE 482.28 FEET TO THE BEGINNING OF A TANGENT CURVE; THENCE SOUTHWESTERLY ON AND ALONG THE SAID CENTERLINE ON A CURVE TO THE RIGHT WHICH HAS A RADIUS OF 450.00 FEET A CURVED DISTANCE OF 175.83 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 54 DEGREES 49 MINUTES 54 SECONDS WEST 174.71 FEET TO A "P-K" NAIL SET AT THE EAST RIGHT-OF-WAY LINE OF EASTVIEW DRIVE; THENCE NORTH 47 DEGREES 59 MINUTES 46 SECONDS WEST ON AND ALONG THE SAID RIGHT-OF-WAY LINE 451.05 FEET TO AN IRON ROD SET; THENCE NORTH 50 DEGREES 51 MINUTES 31 SECONDS WEST ON AND ALONG THE SAID RIGHT-OF-WAY LINE 100.12 FEET TO AN IRON ROD SET; THENCE NORTH 47 DEGREES 59 MINUTES 46 SECONDS WEST ON AND ALONG THE SAID RIGHT-OF-WAY LINE 432.21 FEET TO AN IRON ROD SET AT THE BEGINNING POINT OF A CURVE; THENCE NORTHWESTERLY ON AND ALONG THE SAID RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT WHICH HAS A RADIUS OF 1298.04 FEET A CURVED DISTANCE OF 226.52 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 52 DEGREES 59 MINUTES 43 SECONDS WEST 226.52 FEET TON AN IRON ROD SET; THENCE NORTH 64 DEGREES 54 MINUTES 53 SECONDS WEST ON AND ALONG THE SAID RIGHT-OF-WAY LINE 263.66 FEET TO AN IRON ROD SET ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SAID SECTION 13; THENCE SOUTH 87 DEGREES 30 MINUTES 19 SECONDS EAST ON AND ALONG THE SAID NORTH LINE 444.13 FEET TO THE POINT OF BEGINNING, CONTAINING 16.5294 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL RIGHTS-OF-WAY AND EASEMENTS.

NEW TRACT I (19.3 ACRE+/-) DESCRIPTION: OUT OF INSTRUMENT NUMBER 2003-044886

A PART OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 87 DEGREES 30 MINUTES 19 SECONDS WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID QUARTER 1685.97 FEET TO A RAILROAD SPIKE FOUND IN THE CENTER OF HURRICANE ROAD; THENCE SOUTH 00 DEGREES 04 MINUTES 52 SECONDS EAST ALONG THE CENTERLINE OF SAID HURRICANE ROAD 231.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87 DEGREES 30 MINUTES 19 SECONDS EAST 1155.00 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 15 SECONDS EAST 803.21 FEET TO A POINT IN THE CENTERLINE OF COUNTY ROAD 100 NORTH; THENCE SOUTH 84 DEGREES 56 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE 1158.06 FEET TO A POINT IN THE CENTERLINE OF HURRICANE ROAD; THENCE NORTH 00 DEGREES 04 MINUTES 52 SECONDS WEST ALONG SAID HURRICANE ROAD CENTERLINE 325.52 FEET; THENCE SOUTH 87 DEGREES 30 MINUTES 19 SECONDS EAST 555.45 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 52 SECONDS WEST 314.00 FEET; THENCE NORTH 87 DEGREES 30 MINUTES 19 SECONDS WEST 555.45 FEET TO A POINT IN AFORESAID HURRICANE ROAD CENTERLINE; THENCE NORTH 00 DEGREES 04 MINUTES 52 SECONDS WEST ALONG SAID HURRICANE ROAD CENTERLINE 316.11 FEET TO THE POINT OF BEGINNING, CONTAINING 19.3 ACRES, MORE OR LESS.

SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, AND OTHER RESTRICTIONS OF RECORD.

NEW TRACT II (12.6 ACRE+/-) DESCRIPTION: OUT OF INSTRUMENT NUMBER 2003-044886

A PART OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, NEEDHAM TOWNSHIP, JOHNSON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 87 DEGREES 30 MINUTES 19 SECONDS WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID QUARTER 1685.97 FEET TO A RAILROAD SPIKE FOUND IN THE CENTER OF HURRICANE ROAD; THENCE SOUTH 00 DEGREES 04 MINUTES 52 SECONDS EAST ALONG THE CENTERLINE OF SAID HURRICANE ROAD 231.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87 DEGREES 30 MINUTES 19 SECONDS EAST 1155.00 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 15 SECONDS EAST 803.21 FEET TO A POINT IN THE CENTERLINE OF COUNTY ROAD 100 NORTH; THENCE SOUTH 84 DEGREE 56 MINUTES 23 SECONDS WEST ALONG SAID CENTERLINE 1158.06 FEET TO A POINT IN THE CENTERLINE OF HURRICANE ROAD; THENCE NORTH 00 DEGREES 04 MINUTES 52 SECONDS WEST ALONG SAID HURRICANE ROAD CENTERLINE 325.52 FEET; THENCE SOUTH 87 DEGREES 30 MINUTES 19 SECONDS EAST 555.45 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 52 SECONDS WEST 314.00 FEET; THENCE NORTH 87 DEGREES 30 MINUTES 19 SECONDS WEST 555.45 FEET TO A POINT IN AFORESAID HURRICANE ROAD CENTERLINE; THENCE NORTH 00 DEGREES 04 MINUTES 52 SECONDS WEST ALONG SAID HURRICANE ROAD CENTERLINE 316.11 FEET TO THE POINT OF BEGINNING, CONTAINING 19.3 ACRES, MORE OR LESS.

SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, AND OTHER RESTRICTIONS OF RECORD.

SURVEYOR'S REPORT: IN ACCORDANCE WITH TITLE 865, ARTICLE 1, RULE 12, SECTION 1 THROUGH 19 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

VARIANCE IN THE REFERENCED MONUMENTS;
DISCREPANCIES IN RECORDED DESCRIPTIONS AND PLATS;
INCONSISTENCIES IN LINES OF OCCUPATION;
THE ACCEPTABLE RELATIVE POSITIONAL ACCURACIES FOR EACH CLASSIFICATION OF SURVEY ARE AS FOLLOWS:
(1) URBAN SURVEYS: 0.07 FEET (21 MILLIMETERS) PLUS 50 PARTS PER MILLION.
(2) SUBURBAN SURVEYS: 0.2 FEET (60 MILLIMETERS) PLUS 100 PARTS PER MILLION.
(3) RURAL SURVEYS: 0.26 FEET (79 MILLIMETERS) PLUS 200 PARTS PER MILLION.
AS DEFINED IN IAC 865. THIS SURVEY IS A RETRACEMENT SURVEY AS DEFINED IN IAC 865, OF A TRACT OF LAND.

SURVEYOR'S COMMENTS:

THE PURPOSE OF THIS SURVEY WAS TO PERFORM A BOUNDARY RETRACEMENT ON THE ABOVE DESCRIBED REAL ESTATE. PREVIOUS SURVEY WORK BY CKW LAND SURVEYING ON THE NORTH ADJOINER, WEST ADJOINER, AND NORTHWEST ADJOINER WERE UTILIZED ALONG WITH THE DEEDS OF RECORD TO ESTABLISH THE BOUNDARY AS SHOWN. CALLED FOR MONUMENTS WERE RECOVERED AT MOST CORNER LOCATIONS AND THE RELATIONSHIP TO RECORD DESCRIPTIONS ARE SHOWN ON THE PLAT THAT ACCOMPANIES THIS REPORT. THE RIGHT-OF-WAY DOCUMENT FOR EASTVIEW DRIVE DOES NOT MATCH THE RECORD DESCRIPTION FOR CLAWSON BY 2.3 FEET MORE OR LESS AS REFLECTED IN THIS FINDING OF FACTS BELOW. THE GAS LINE EASEMENT (BOOK 234, PAGE 436) HAS A DIFFERENCE IN BEARINGS BETWEEN THE SURVEY AND LEGAL DESCRIPTION, WHICH MAKES IT DIFFICULT TO PLOT. WE BELIEVE THE INTENT WAS A 10-FOOT STRIP ALONG THE SOUTHEAST BOUNDARY LINE OF TRACT I. HURRICANE CREEK AND HURRICANE CREEK LEGAL DRAIN WERE SCALED IN FROM THE JOHNSON COUNTY FIRM MAP.

FLOOD HAZARD STATEMENT:

THE PROPERTY PLOTS BY SCALE AS BEING IN ZONES "X & AE" OF THE FLOOD INSURANCE RATE MAP (FIRM) FOR JOHNSON COUNTY, INDIANA, COMMUNITY PANEL NO. 18081C0231D, DATED AUGUST 2, 2007. THE ACCURACY OF ALL FLOOD HAZARD DATA SHOWN ON THIS PROJECT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OF ELEVATION ON THE RECORDED FLOOD INSURANCE RATE MAP.

FINDING OF FACTS:

WITHOUT ADDITIONAL PROOF, THE FACT THAT SURVEYS ACCEPT A MONUMENT DOES NOT MAKE IT CORRECT. THE MONUMENT MUST HAVE BEEN INITIALLY CORRECT. COMMON REPORT AND REPUTATION EVIDENCE DOES NOT OVERCOME CONTRARY PROOF. THEREFORE, THE LOCATION OF ANY OF THE ABOVE-DISCUSSED MONUMENTS MAY YET BE CONTRADICTED AND OVERCOME BY UNDISCOVERED EVIDENCE. AS A RESULT, ANY PROPERTY BOUNDARY, WHOSE LOCATION IS DEPENDENT ON THESE CORNER MONUMENTS, IS SUBJECT TO UNDISCOVERED EVIDENCE, WHICH MIGHT RESULT IN A DIFFERENT LOCATION FOR THE CORNERS. BECAUSE A DIMENSIONAL VALUE TO THE UNCERTAINTY OF THESE CORNERS IS SUBJECTIVE, AND FOR THESE REASONS CITED ABOVE, THE UNCERTAINTY OF THESE CORNERS IS UNKNOWN.

FENCING EXISTS ALONG A PORTION OF THE SURVEYED LAND. THE LOCATION OF SUCH FENCING, IN RELATION TO THE SURVEYED BOUNDARIES, IS SHOWN. THERE MAY BE UNWRITTEN RIGHTS ASSOCIATED WITH THE LOCATION OF THIS FENCING.

IF FENCES ARE TO BE INSTALLED, IT SHOULD BE KEPT IN MIND THE UNCERTAINTIES OF CORNERS FOUND AND SET. AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AREA AS FOLLOWS:

DUE TO VARIANCES IN REFERENCE MONUMENTS: 3.4 FEET +/-
DUE TO DISCREPANCIES IN THE RECORD DESCRIPTIONS: 2.3 FEET +/-
DUE TO INCONSISTENCIES IN LINES OF OCCUPATION: 41.5 FEET +/- (FENCE SET ON TOP OF BANK)

CERTIFICATION:

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE PLAT AND DESCRIPTION REPRESENT A SURVEY COMPLETED UNDER MY DIRECTION.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP-TO-DATE TITLE COMMITMENT AND IS SUBJECT TO ANY STATEMENT OF FACT DISCLOSED THEREIN.

I FURTHER CERTIFY THAT THE SURVEY WORK PERFORMED ON THE PROJECT SHOWN IS TRUE AND CORRECT TO THE BEST OF MY BELIEF.

I FURTHER CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS REPORT CONFORMS TO THE REQUIREMENTS CONTAINED IN SECTION 1 THROUGH 19 OF THE IAC 865, 1.1-12 FOR A RETRACEMENT OR RECORD DOCUMENT SURVEY.

"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."

DATE OF LAST FIELD WORK: FEBRUARY 1, 2010.

DATE: MARCH 15, 2010.

SURVEYOR'S SIGNATURE _____
JEFFREY J. KONDY PROFESSIONAL LAND SURVEYOR NO. 20100068

WE, DONNA W. DEMOSS (TRUSTEE OF THE DONALD A. WEBB RESIDUARY TRUST), HUGH WEBB, & GERALD WEBB, BUSEY TRUST COMPANY AS TRUSTEE OF THE HAROLD D. WEBB FAMILY TRUST #4329-2, HEREBY STATE THAT WE ARE THE OWNERS OF THE AFOREMENTIONED PROPERTY BEING HEREIN SURVEYED, DIVIDED AND DEDICATED BY EXEMPT PROPERTY DIVISION.

_____
BRIAN J. DEPPE, POA

THIS SURVEY HAS BEEN REVIEWED AND CONFORMS TO THE JOHNSON COUNTY SUBDIVISION CONTROL ORDINANCE WITH REGARD TO EXEMPT PROPERTY DIVISIONS.

_____ _____
DANIEL BATTA DATE
DIRECTOR OF PLANNING, JOHNSON COUNTY

THIS SURVEY CONFORMS TO THE MASTER PLAN OF RIGHT-OF-WAYS AS DEFINED AND ACCEPTED BY THE JOHNSON COUNTY HIGHWAY DEPARTMENT.

_____ _____
GARY L. VANDEGRIFF DATE
DIRECTOR, JOHNSON COUNTY HIGHWAY DEPARTMENT

Symbol Legend

- SECTION CORNER (STONE FOUND)
- CKW CAPPED REBAR SET
- MAG NAIL SET
- REBAR FOUND
- MAG NAIL FOUND
- PK NAIL FOUND
- RAILROAD SPIKE FOUND
- PIPE FOUND

N
W CKW Land Surveying, Inc. E
S

Graphic Scale
150 0 75 150 300
(In Feet)
1 Inch = 150 Ft.

Revisions

REVISED DESCRIPTION PER JC PLANNING	4-7-2010	HMP

JEFFREY J. KONDY REGISTERED LAND SURVEYOR No. LS20100068 STATE OF INDIANA

JEFFREY J. KONDY PROFESSIONAL LAND SURVEYOR NO. 20100068

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CKW LAND SURVEYING, INC.
CKW Land Surveying, Inc.
301 East Jefferson St.
Franklin, Indiana 46131
(317) 736-0781 – Office
(317) 736-0791 – Fax

Prepared For:
BJ Deppe
9 E. Court Street
Franklin, Indiana 46131
(317) 736-5138

Project:
CR 100 North,
Franklin, Indiana,
Needham Township,
Johnson County

Sheet Title
Exempt Property Division

Scale	Drawn	Designed	Checked
1" = 150'	HMP	N/A	JJK

Work Order No. 100006
Sheet Number 1 of 1
Date: March 15, 2010

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April 07, 2010 – 9:27am