

APPLICATION INFORMATION

Petitioner: Frank A. Watson And Alma A Watson

Property Owner: Same-As-Above

Representative: Louis F. Britton, Attorney

Proposed Use: Oil/gas exploration, wellhead, extraction and storage/transfer facilities and gas and water injection facilities.

Proposed Zoning: A-1, M-O, Mining Overlay

Current Zoning: A-1, Agricultural District, and C-3 Regional Commercial District

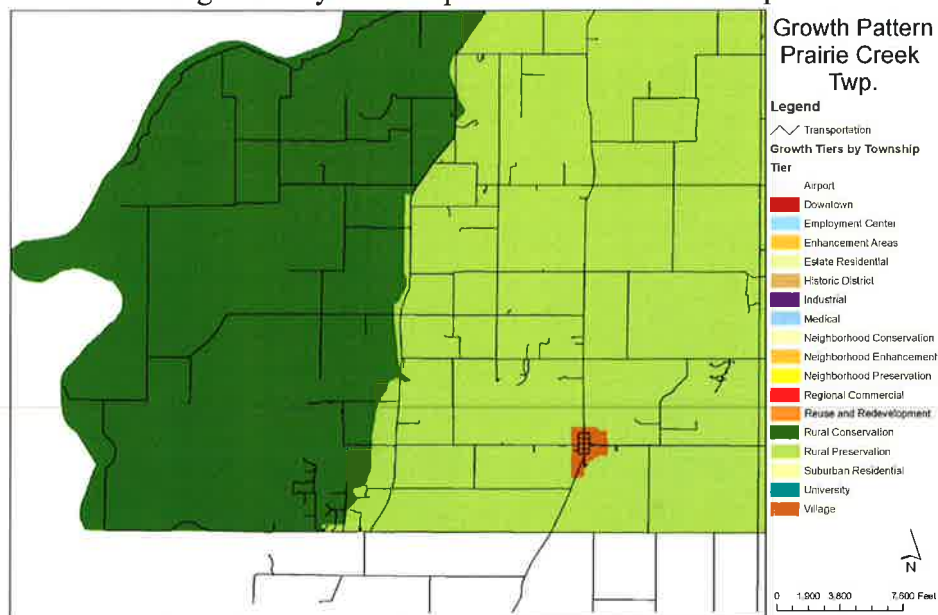
Location: The property is located at the northwest corner of 53rd Place and 157th Drive.

Common Address: There is no common address for this property

Property Description: The property is located in Section 27, Township 10 North, Range 10 West in Prairie Creek Township and contains 48.59 ^{+/-} Acres.

COMPREHENSIVE PLAN GUIDANCE

Service Area: Vigo County Unincorporated Pierson Township



Recommended Use: Rural Preservation

- Limit the number of lot splits from a parent tract to a ratio of one split per 10 acres.
- New development must be served by either centralized water or sanitary sewer.
- Expansion of centralized water and sanitary sewer only to alleviate a public health issue.
- Primary uses of grain production, livestock production, forest production, woodland preservation/set asides and caretaker residential.

Available Services: Area is served by urban utilities

Soil Limitations: Unknown

Street Access: 53rd Place is classified as a local level roadway
157th Drive is classified as a local level roadway

Dev. Priority: Very low

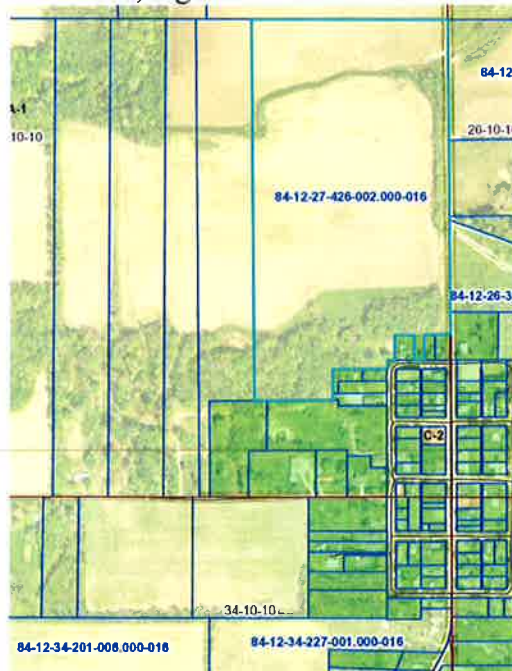
ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – A-1, Agriculture District, M-2 Heavy Industrial

South – A-1 MO, Agricultural District Mining Overlay

West – A-1 MO, Agricultural District Mining Overlay

East – A-1, Agricultural District



Character of Area: The Town of Prairie Creek is adjacent to the property seeking the Mining Overlay to allow oil and gas exploration and extraction. Agricultural crop and live stock production is the principal land use in the area. There has been oil and gas exploration activity on the south side of the Town of Prairie Creek.

Contig. Uses & Zones: A-1, Agricultural District consist of crop and live stock Production and low density residential.

ZONING REGULATIONS

M-O Purpose: The purpose of this district is to provide for: establishments engaged in mining, excavating, processing and storage of gravel, sand, borrow, and other mineral or earthen resources; and, establishments engaged in the collection and disposal of solid waste.

M-O Uses: Any use permitted in the primary zoning district in which this Mining Overlay District is situated, Mining, quarrying, excavation of sand, gravel, borrow or other mineral or earthen resources, Location, for a period not to exceed five (5) years, of temporary processing plants for the processing and storage of sand, gravel, borrow, or other mineral or earthen resources, mined on the premises.

M-O Dev. Standards: 60' Front yard setbacks, 100' rear buffer yard setback, 100' side buffer yard setback, all setbacks are from the property line and must follow that design standards for a type B Buffer Yard as set forth in Section 17. Parking standard of one parking space for each employee on the largest shift;

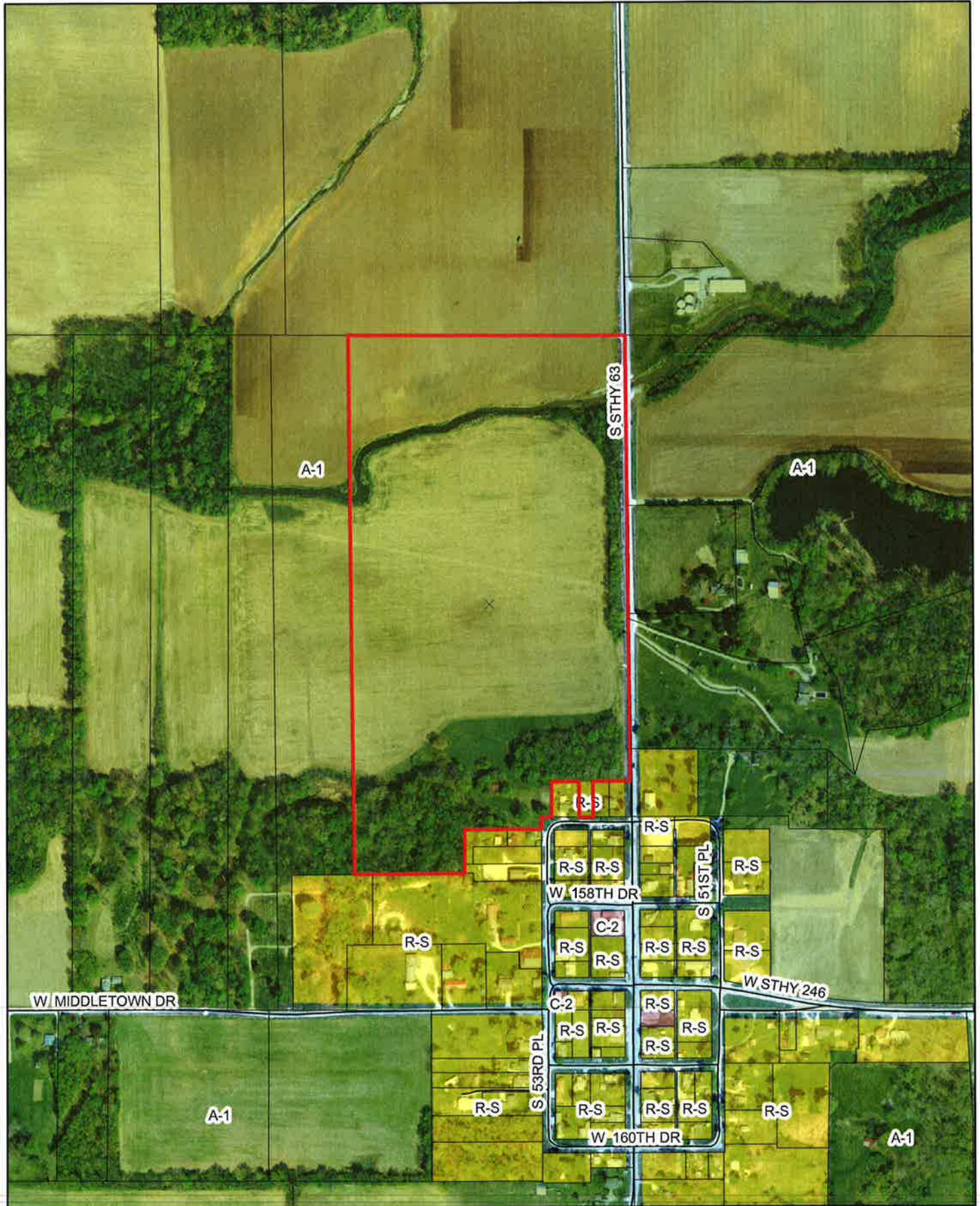
FINDINGS and RECOMMENDATION

Staff Findings: The Comprehensive Plan calls for Rural Preservation in this area. Rural Preservation is intended to preserve and enhance the rural lifestyle in Vigo County. Oil and Gas exploration is a development pattern that has a presence in the rural area surround the Town of Prairie Creek. The Petitioned site has ample space to buffer the location of gas and oil wells and the storage facility.

The petitioner has submitted to the Planning Staff and the Plan Commission a Copy of their Operational Procedures.

Recommendation: Based upon the above finding staff offers a FAVORABLE RECOMMENDATION.

Docket #59, U.Z.O. #18-12
Corner of 53 Pl. and 157 Dr. From A-1 to A-1 MO



**APPLICATION FOR REZONING PETITION
UNIFIED ZONING ORDINANCE FOR VIGO COUNTY
JURISDICTION
VIGO COUNTY BOARD OF COMMISSIONERS**

SPECIAL ORDINANCE NO. 18-12 DATED _____

Common Address: Corner of 53 PL & 157 DR
Parcel No. 84-12-27-426-002.000-016

Current Zoning: Agricultural

Proposed Zoning: 12.05 Mining Overlay District (MO)

Proposed Use: Oil/gas exploration, wellhead, extraction and storage/transfer facilities and gas and water injection facilities

Property Owner: Frank A. Watson and Alma A. Watson

Address: Frank A. Watson and Alma A. Watson
3742 West Street Rd. 246
Farmersburg, IN 47850

Phone No.: c/o (812) 232-6003

Application Preparer: Louis F. Britton
COX, ZWERNER, GAMBILL & SULLIVAN, LLP

Address: 511 Wabash Avenue
Terre Haute, IN 47807

Phone No.: (812) 232-6003

Information Contact: Louis F. Britton

**VIGO COUNTY
AREA PLANNING DEPARTMENT
159 OAK STREET
TERRE HAUTE, IN 47807**



COPY OF THE SITE PLAN MUST ACCOMPANY THIS APPLICATION. PLAN MUST BE TO SCALE AND SHOW NORTH DIRECTION, PROPERTY BOUNDARIES, ADJACENT ALLEYS AND STREETS, LOCATION OF ALL STRUCTURES, BUILDINGS, UTILITIES AND EASEMENTS.

UNIFIED ZONING ORDINANCE NO. 18, 2012
COUNTY OF VIGO, STATE OF INDIANA

An Ordinance Amending the UNIFIED ZONING ORDINANCE FOR VIGO COUNTY, INDIANA, Certified by the Vigo County Plan Commission on November 6, 1996, adopted by the Board of Commissioners of Vigo County on November 22, 1996, as amended, in accordance with Indiana Code 36-7-4 et seq, designating the same as part of the Comprehensive Plan for Vigo County, Indiana, providing penalties for violations thereof and declaring an emergency.

BE IT ORDAINED by the Board of Commissioners of Vigo County, State of Indiana, as follows:

SECTION 1 GENERAL PROVISIONS

A. Title

This Ordinance shall hereinafter be known and cited as "Unified Zoning Ordinance of Vigo County, Indiana."

SECTION 3.0 ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAPS

and Paragraph 3.02 OFFICIAL ZONING MAPS

5. the Vigo County Zoning Maps;

are hereby amended to read as follows:

That the following described real estate situated in the County of Vigo, State of Indiana, to-wit:

SEE EXHIBIT A.

be and the same, is hereby established as a 12.05 Mining Overlay District (MO) as cited in the Unified Zoning Ordinance of Vigo County, Indiana together with all rights and privileges that may inure to said real estate and owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise and the following conditions:

1. Prior to receiving an improvement location permit, Petitioner shall submit to the Director of the Area Plan Department evidence that Petitioner has complied with all state and federal laws, rules, and regulations regarding its proposed activities.
2. Operations must comply with the following requirements:
 - a. Within 60 calendar days after abandonment of any well or any earthen sumps used in drilling or production, or both, the earthen sump shall be filled and the drilling site restored as nearly as practicable to its original condition.
 - b. Any permanent well hole or derrick located within view of any public street or of an occupied residence, shall be enclosed with a fence not less than five nor more than ten feet in height mounted on steel post. Such fence shall be constructed of woven wire fencing or equivalent of not greater than six-inch mesh.
 - c. Any private road to wells or other oil field facilities shall be oiled or surfaced in such a manner that they will not create a public nuisance (i.e. mud onto public roadway and dust).
 - d. A permanent well hole or derrick shall not be placed within one hundred (100) feet of any public road, street or highway.
 - e. All drilling and producing shall conform to all applicable fire and safety regulations and have evidence of all required permits and safety equipment.
 - f. During drilling, suitable and adequate sanitary or portable toilet and washing facilities shall be installed and maintained in a clean and sanitary condition at all times.
 - g. All drilling and production operations shall be conducted in such a manner as not to constitute a public nuisance.

- h. The operators of the drilling site shall maintain it in an orderly fashion so that it does not become unsightly.
- i. Proven technological improvements generally accepted and used in drilling and production methods shall be adopted as they may become available if such improvements are capable of reducing factors of nuisance and annoyance to surrounding properties.
- j. All parking and loading shall be provided on the drilling site and in no case shall it be permitted in any public right-of-way.
- k. No earthen sumps that will contaminate the surrounding or subsurface area shall be used.
- l. The Operators of such drilling site(s) shall remove the drilling rig and other equipment not used in producing operations from each well site within 30 calendar days after drilling of said well has been completed and thereafter, when necessary such completed wells shall be serviced by portable rig.
- m. Upon issuance of an Improvement Location Permit, drilling shall begin within 90 calendar days. Unless otherwise agreed.
- n. Applicant must submit evidence that all state and federal regulations and laws have been met.
- o. The applicant shall post a surety bond in the sum of \$500.00 per well or \$2,500.00 for five or more wells, in favor of the County, to ensure conformance with all conditions, restrictions, and requirements herein contained.
- p. Levels of H₂S will be measured and recorded weekly using industry accepted measuring methods. Measured levels will be reported to the Vigo County Emergency Management Office and the County Commissioners on a quarterly basis or on request. While onsite, Riverside Operating Company personnel and personnel of its contractors will wear portable H₂S detectors.
- q. If measured levels of H₂S exceed 20ppm on an ongoing basis anywhere on the facility, all storage vessels will be required to be equipped with a cover vented through a closed-vent system to a control device that recovers or destroys emissions with an efficiency of 95 percent or greater, or

combustion devices, which reduces emissions to an outlet concentration of 20 ppm or less and shall meet the following requirements:

- (1) **Cover Requirements** – The cover and all openings on the cover (e.g. access hatches sampling ports, and gauge wells) shall be designed to form a continuous barrier over the entire surface area of the liquid in the tank.
- (2) **Closed-Vent System Requirements** – The closed-vent system shall be designed and operated with no detectable emissions.
- (3) **Control Device Requirements** – The control device used to control emission shall be an enclosed combustion device (e.g. thermal vapor incinerator, catalytic vapor incinerator, boiler, or process heater) or another device for flare containment or a vapor recovery device (e.g. carbon absorption system or condenser..

3. No surface mining or landfill operations shall be conducted within the area.

WHEREAS, An emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Board of Commissioners of Vigo County and publication as required by law.

Presented By: Paul Mason

Passed by: Vigo County Board of Commissioners on this _____ day of _____, 2012.

Signed: _____ Date _____

Mike Ciolli, President

_____ Date _____

Judith A. Anderson, Secretary

_____ Date _____

Paul Mason, Member

Attest: _____ Date _____
Timothy M. Seprodi, Vigo County Auditor

This Instrument Prepared By: Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN, LLP, 511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

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10/15/2012
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EXHIBIT A

Tract I

One hundred Six and Two-thirds (106 2/3) acres off the East side of the Northeast Quarter (1/4) of Section Twenty-seven (27), Township Ten (10) North of Range Ten (10) West, except the following tract of land conveyed to Louis B. Hicklin and Cle Hicklin, her husband, by deed recorded in the Recorder's Office of Vigo County, Indiana, in Deed Record 195, page 284, described as follows, to-wit:

Beginning at the Northeast corner of Section Twenty-seven (27) running thence South Forty-five (45) rods, thence West fifty-three and one-third (53 1/3) rods, thence North Forty-five (45) rods, thence East Fifty-three and one-third (53 1/3) rods to place of beginning.

ALSO EXCEPT, the following tract of land conveyed to Leon Davis & Wanda Davis, husband and wife, by deed recorded in the Recorder's Office of Vigo County, Indiana, in Deed Record 352, page 155-2, described as follows, to-wit: Beginning at a point forty-five (45) rods South of the Northeast corner of Section Twenty-seven (27), Township Ten (10) North of Range Ten (10) West, thence Twenty-four (24) rods South along the East line of said Section thence Fifty-three and one-third (53 1/3) rods West, thence North twenty-four (24) rods, thence East fifty-three and one-third (53 1/3) rods to the place of beginning.

Tract II

ALSO BEGINNING at a point in the North line of the Southeast quarter (1/4) of Section 27, Township 10 North, Range 10 West, which point is 1567.5 feet East of the center of said Section 27, thence East to the Northeast corner of said Southeast quarter of said Section 27, thence South on the East line of said quarter section to a point 100 feet North of the North Street to Middletown, thence West 200 feet, thence North 40 feet, thence West 50 feet, thence South 140 feet, thence West to a point 21 rods and 5 feet West of the East line of said quarter section, thence South 49 1/2 feet, more or less, thence West 133 feet, thence South 66 1/2 feet, thence West 133 feet, thence South to the North line of the tract conveyed by James N. Ring, et al to Prairie Creek School Township by deed recorded in Deed Record 202 page 463, thence West along the North line of said tract to a point 1567.5 feet East of the West line of said quarter section, thence North to the place of beginning.

EXCEPT that part conveyed to Harvey Bailey by deed dated April 20, 1943 and recorded May 17, 1943 in deed record 228 page 135 records of the Recorder's Office of Vigo County, Indiana.

ALSO EXCEPT that part conveyed to William P. Ring Jr. by deed Dated March 17, 1944 and recorded March 9, 1945 in Deed Record 235 page 27 records of the Recorder's Office of Vigo County, Indiana.

SUBJECT to a pipe line right of way granted to Elmer A. Brown by deed dated March 15, 1941 and recorded March 26, 1941 in Deed Record 220 page 449 of records of the Recorder's Office of Vigo County, Indiana.

Tract III

ALSO the East one-third (1/3) of the following described real estate, to-wit:

Commencing at a point 190 rods East of the South West corner of Section 27, Township 10 North, Range 10 West, running thence East 55 rods, thence North 160 rods, thence West 55 rods, thence South 160 rods to the place of beginning.

EXCEPT that part used for a cemetery.

SUBJECT to an easement covering the above three tracts of land to Prairie-Creek-Vigo Conservancy District of Vigo County, Indiana, by Deed Record 368 page 717-1 and recorded August 11, 1976 in the records of the Vigo County Recorder's Office.

Tract IV

Commencing on the Section line on the North Street of Middletown running North 100 feet, thence West 200 feet, South 100 feet, thence East 200 feet to the place of beginning, being in the Southeast quarter of Section Twenty-seven (27), Township Ten (10) North, of Range Ten (10) West.

Tract V

ALSO Beginning at a point on the South line of the Southeast Quarter of Section Twenty-seven (27), Township Ten (10) North, Range Ten (10) West, which is Sixty-six and two-thirds (66 2/3) rods East of the Southwest corner of said Southeast Quarter, thence East to a point on said South line One Thousand Two Hundred and Sixty-five (1265') feet East of the Southwest corner of said Quarter Section, thence North to the North line of said quarter section, thence West on said North line to a point due North of the place of beginning, thence South to the place of beginning.

SUBJECT to a Pipeline easement to The Ohio Oil Company, by deed dated July 19, 1944 in Deed Record 233 page 45 of the records of the Recorder's Office of Vigo County, Indiana.

PETITION TO REZONE REAL PROPERTY

TO: The President and Members of the Board of Commissioners of Vigo County, Indiana, and the President and Members of The Area Plan Commission of Vigo County, Indiana.

LADIES AND GENTLEMEN:

The undersigned, **Frank A. Watson and Alma A. Watson** ("Petitioner") respectfully submit this petition to rezone the following described real estate in the County of Vigo, State of Indiana, to-wit:

SEE EXHIBIT A

(the "Real Estate").

Petitioner is informed and believes that in accordance with the Unified Zoning Ordinance of Vigo County, Section 3.02, Zoning Maps, adopted November 22, 1996, as amended, the Real Estate is now zoned as Agricultural.

Petitioner would respectfully state that the Real Estate is now being used as: Agricultural. Petitioner intends to use the Real Estate for oil and gas exploration, wellhead, extraction, storage and transfer facilities, and gas and water injection facilities.

Petitioner requests that the Real Estate described herein shall be zoned as 12.05 Mining Overlay District (MO) as cited in the Unified Zoning Ordinance of Vigo County, Indiana. Petitioner would allege that this change in zoning and use would not alter the general characteristics of this neighborhood, would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood or adversely affect property values.

WHEREFORE, Petitioner respectfully requests that the Area Plan Commission of Vigo County and the Board of Commissioners of Vigo County, Indiana, favorably consider the passage of a SPECIAL ORDINANCE amending the Unified Zoning Ordinance of Vigo County dated November 22, 1996, as amended, and declaring the Real Estate to be part of the 12.05 Mining Overlay District (MO) of Vigo County,

Indiana, and entitled to the rights and the benefits that may accrue to the subject real estate and the owners thereof by virtue of the new zoning designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, this Petition has been duly executed on this 17th day of October, 2012.


Frank A. Watson


Alma A. Watson

Prepared By: Louis F. Britton, COX, ZWERNER, GAMBILL & SULLIVAN, LLP
511 Wabash Avenue, Terre Haute, IN 47807; (812) 232-6003.

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Real Property.docx
10/11/2012

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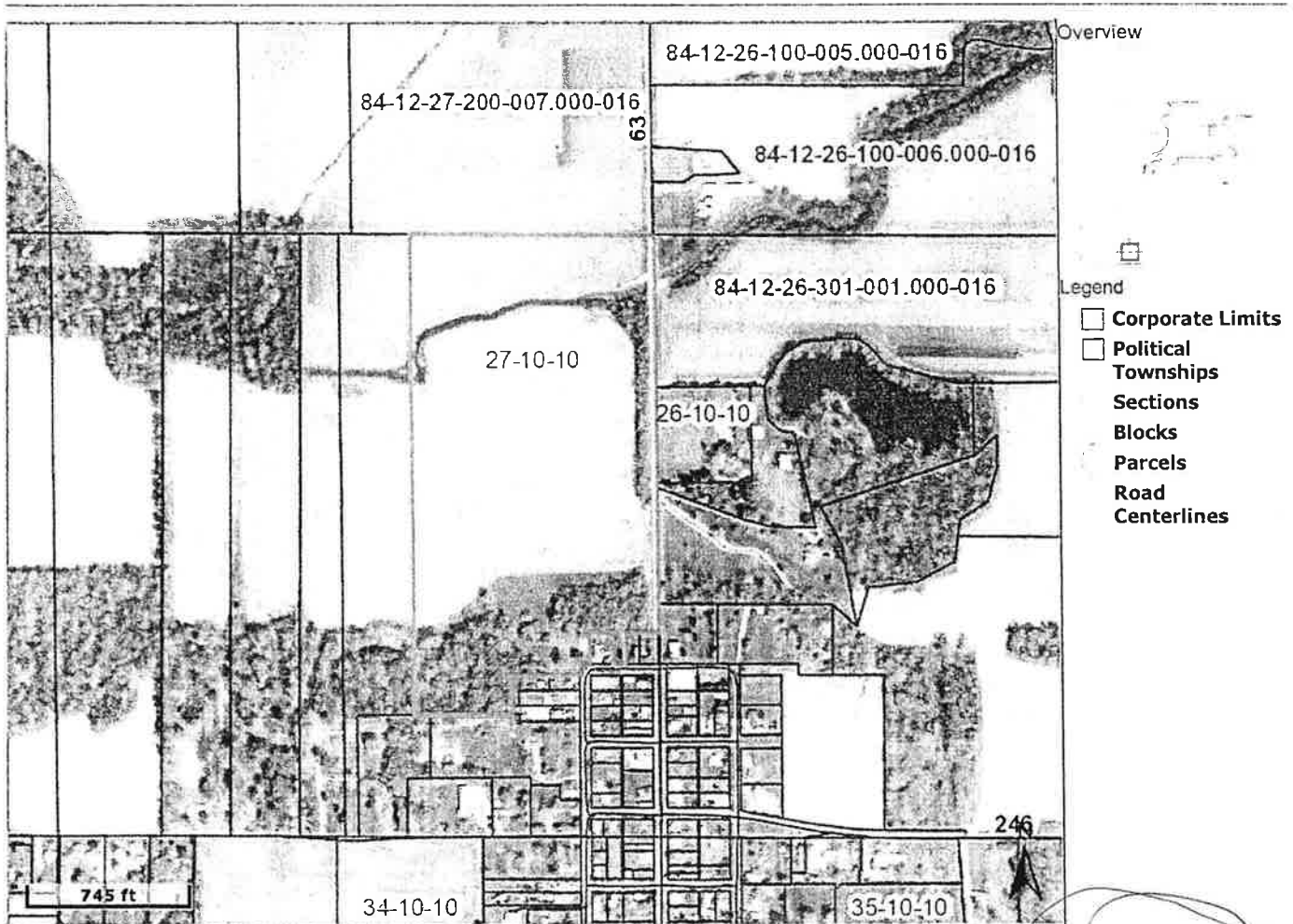
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Date Created: 10/9/2012



Parcel ID	84-12-27-426-002.000-016	Alternate ID	111-12-27-426-002	Owner Address	WATSON FRANK A & ALMA A
Sec/Twp/Rng	n/a	Class	Agri Other agricultural use		3742 WEST STREET RD 246
Property Address	CORNER OF 53 PL & 157 DR TERRE HAUTE	Acreage	48.59		FARMERSBURG, IN 47850
District	016 PRAIRIE CREEK				
Brief Tax Description	IN E SIDE SE D- 417/109 27-10-10 48.590 AC (Note: Not to be used on legal documents)				

Last Data Upload: 10/9/2012 5:15:49 AM

PART VII**SURVEY****General Instructions**

Use a 1"=1000' scale

Surveyor must complete the following

- Clearly indicate the section township, and range on the survey, spot the well and show the footages from the lines
- Use the surveyor's notes to explain deviations from a standard location such as topography and irregular sections

Operator or authorized agent must complete the following

- For oil or gas wells outline the leased or communitized area AND the drilling unit allotment
- For all Directional and Horizontal wells show the surface location AND termination point of the well
- For Enhanced Recovery and Saltwater Disposal wells draw a 1/4 mile radius circle around the proposed well, spot all other wells (plugged or unplugged) that intersect the proposed injection zone(s), and put the permit number of each well over the spot.

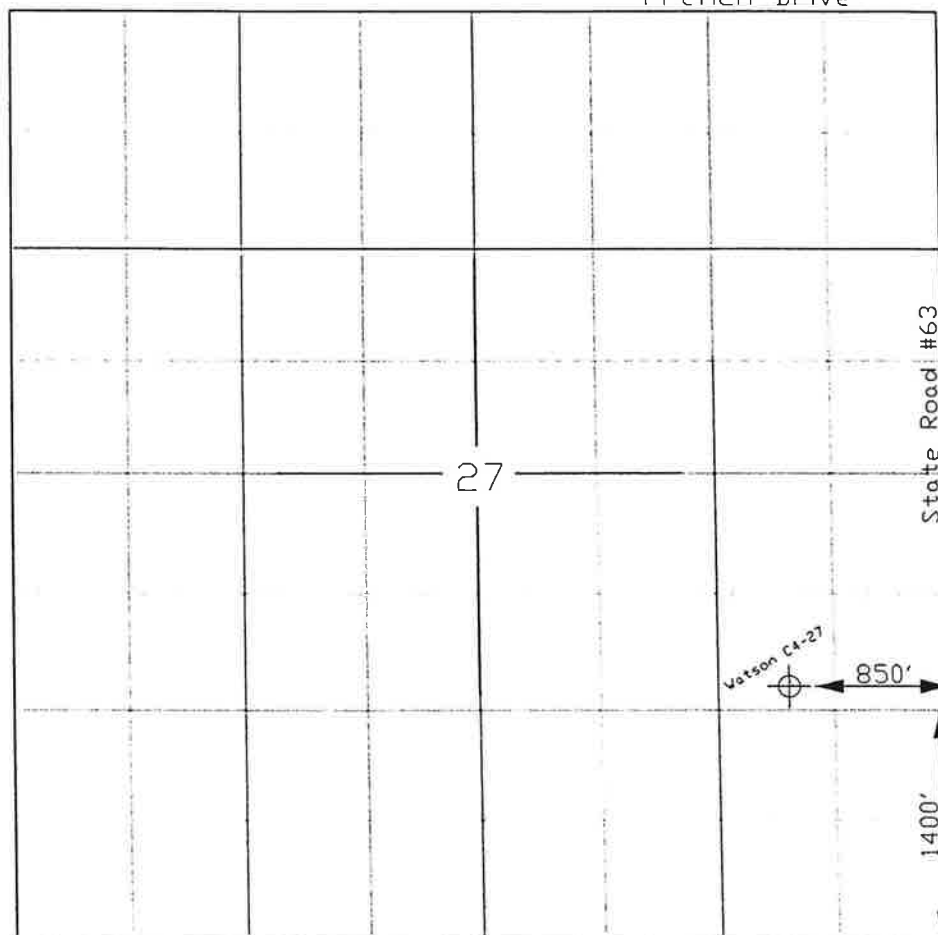
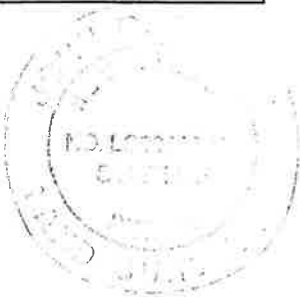
NOTE: Please show the entire 1/4 mile radius circle around proposed Class II wells**SURVEYORS' NOTES**

Riverside Operating Co.
Watson C4-27
Elevation 485.0
(Vigo Co. GIS -NGVD 88)
(Elevations are subject
to Map uncertainties)

Latitude 39°16'39.7"
Longitude -87°30'03.5"
NAD 1983 UTM Zone 16N
456790 E 4347713 N

the U.T.M. coordinates
were determined by
converting G.P.S.
determined Latitude &
Longitude coordinates
to UTM coordinates
online at RCN Utilities
& Tools

Revised 10-4-2012

SURVEYORS' SEAL**R 10 E or W****CERTIFICATION**

I hereby certify that to the best of my knowledge and belief, the proposed location of the above described well, fixed as the result of an instrument survey made by me in compliance with the requirements of the laws of Indiana, is truly and correctly set forth hereon.

Signature of registered Indiana land surveyor *[Signature]*Date signed (mm,dd,yyyy)
10,04,2012Address (Street or P.O., City, State, Zip)
R.J. Buijters, Inc.
4301 South Sixth Street
Terre Haute, IN 47802Telephone number
812 - 234 - 1096**Special PART VII Requirements**

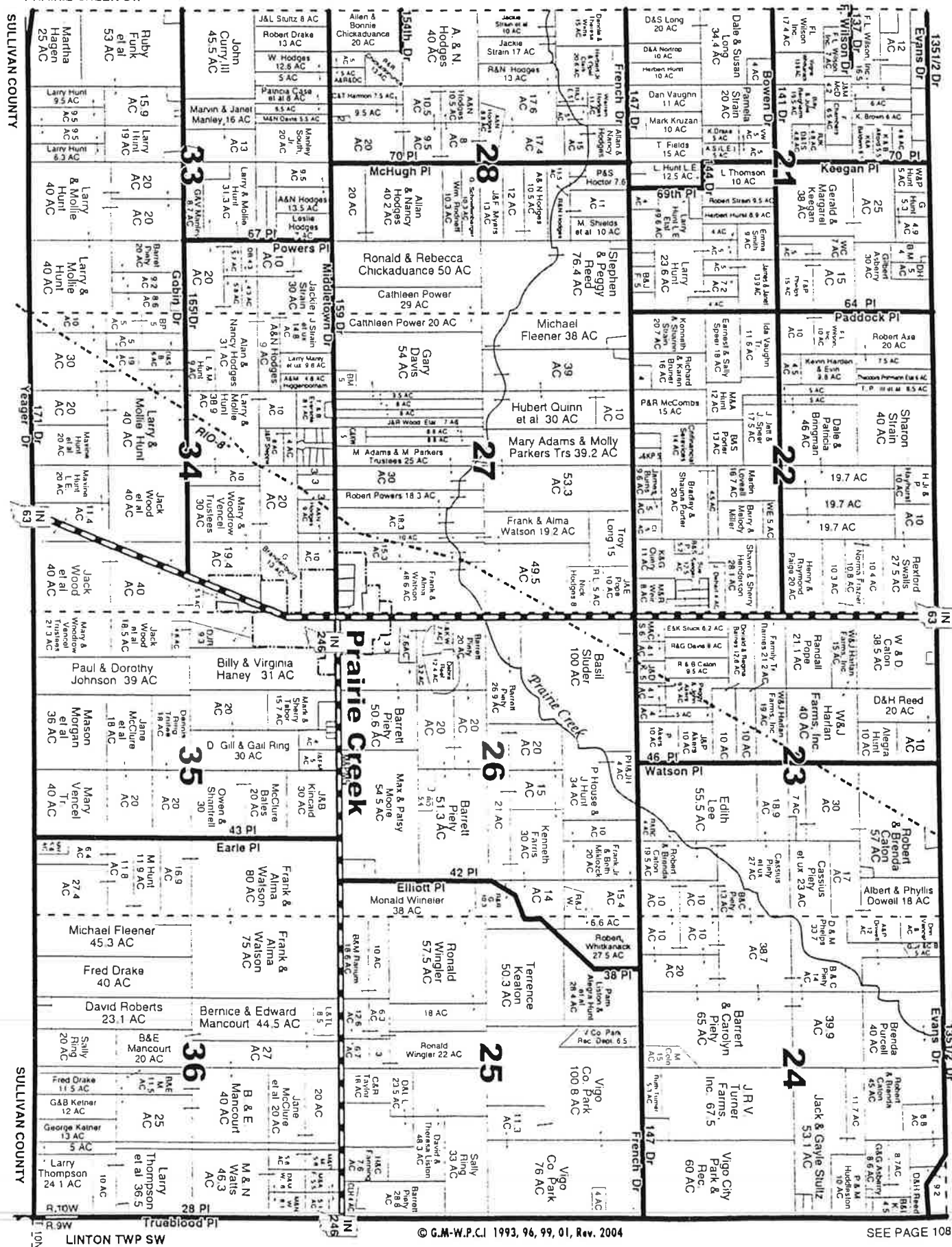
- You should adjust the location of the center of the section on the diagram so that the entire set of information in the General Instructions shows on a single survey plat. (Example: If a horizontal well will begin in one section but terminate in another you should move the section center point so that portions of both sections appear on the plat)
- This form must contain an original signature and original seal.

VIGO COUNTY, INDIANA T.10N-R.10W



0 660 1320 1980 2640 SCALE OF FEET 5280

SEE PAGE 126



© G.M.-W.P.C.I 1993, 96, 99, 01, Rev. 2004

SEE PAGE 108

Affidavit

COME NOW affiants, Frank A. Watson and Alma A. Watson, and affirm under the penalty of perjury that affiants are the owners of record of the real estate for which a rezoning is requested in the Petition to which this Affidavit is attached and copies of the deed by which they acquired title to said real estate is attached evidencing such ownership.

I affirm under penalty for perjury that the foregoing representations are true.

Frank A. Watson
Frank A. Watson

Alma A. Watson
Alma A. Watson

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

Before me, a Notary Public in and for said county and state, personally appeared Frank A. Watson and Alma A. Watson and, after having been first duly sworn, stated that the representations contained in said affidavit are true and acknowledged the execution of said affidavit as their free and voluntary act.

WITNESS my hand and notarial seal, this 17th day of October, 2012.

Linda K Leedy
Notary Public
Linda K. Leedy
(Printed Name)

My Commission Expires:
6/12/2017

My County of Residence:
Vigo

DULY ENTERED FOR TAXATION

Jan 27 1989
Heath R. Thomas
 Auditor Vigo County

WARRANTY DEED

THIS INDENTURE WITNESSETH: That LOIS AZELINE WATSON, unmarried widow of Wallace Watson, deceased, of Vigo County, in the State of Indiana, CONVEYS AND WARRANTS to FRANK A. WATSON and ALMA A. WATSON, husband and wife, of Vigo County, in the State of Indiana, for and in consideration of the sum of One Dollar, love and affection, the receipt whereof is hereby acknowledged, the following described Real Estate in Vigo County, in the State of Indiana, to-wit:

Tract I

One hundred Six and Two-thirds (106 2/3) acres off the East side of the Northeast Quarter (1/4) of Section Twenty-seven (27), Township Ten (10) North of Range Ten (10) West, except the following tract of land conveyed to Louis B. Hicklin and Cle Hicklin, her husband, by deed recorded in the Recorder's Office of Vigo County, Indiana, in Deed Record 195, page 284, described as follows, to-wit:

Beginning at the Northeast corner of Section Twenty-seven (27) running thence South Forty-five (45) rods, thence West fifty-three and one-third (53 1/3) rods, thence North Forty-five (45) rods, thence East Fifty-three and one-third (53 1/3) rods to place of beginning.

ALSO EXCEPT, the following tract of land conveyed to Leon Davis & Wanda Davis, husband and wife, by deed recorded in the Recorder's Office of Vigo County, Indiana, in Deed Record 352, page 155-2, described as follows, to-wit: Beginning at a point forty-five (45) rods South of the Northeast corner of Section Twenty-seven (27), Township Ten (10) North of Range Ten (10) West, thence Twenty-four (24) rods South along the East line of said Section thence Fifty-three and one-third (53 1/3) rods West, thence North twenty-four (24) rods, thence East fifty-three and one-third (53 1/3) rods to the place of beginning.

Tract II

ALSO BEGINNING at a point in the North line of the Southeast quarter (1/4) of Section 27, Township 10 North, Range 10 West, which point is 1567.5 feet East of the center of said Section 27, thence East to the Northeast corner of said Southeast quarter of said Section 27, thence South on the East line of said quarter section to a point 100 feet North of the North Street to Middletown, thence West 200 feet, thence North 40 feet, thence West 50 feet, thence South 140 feet, thence West to a point 21 rods and 5 feet West of the East line of said quarter section, thence South 49 1/2 feet, more or less, thence West 133 feet, thence South 66 1/2 feet, thence West 133 feet, thence South to the North line of the tract conveyed by James N. Ring, et al to Prairie Creek School Township by deed recorded in Deed Record 202 page 463, thence West along the North line of said tract to a point 1567.5 feet East of the West line of said quarter section, thence North to the place of beginning.

EXCEPT that part conveyed to Harvey Bailey by deed dated April 20, 1943 and recorded May 17, 1943 in deed record 228 page 135 records of the Recorder's Office of Vigo County, Indiana.

ALSO EXCEPT that part conveyed to William P. Ring Jr. by deed Dated March 17, 1944 and recorded March 9, 1945 in Deed Record 235 page 27 records of the Recorder's Office of Vigo County, Indiana.

SUBJECT to a pipe line right of way granted to Elmer A. Brown by deed dated March 15, 1941 and recorded March 26, 1941 in Deed Record 220 page 449 of records of the Recorder's Office of Vigo County, Indiana.

Tract III

ALSO the East one-third (1/3) of the following described real estate, to-wit:

Commencing at a point 190 rods East of the South West corner of Section 27, Township 10 North, Range 10 West, running thence East 55 rods, thence North 160 rods, thence West 55 rods, thence South 160 rods to the place of beginning.

EXCEPT that part used for a cemetery.

SUBJECT to an easement covering the above three tracts of land to Prairie-Creek-Vigo Conservancy District of Vigo County, Indiana, by Deed Record 368 page 717-1 and recorded August 11, 1976 in the records of the Vigo County Recorder's Office.

Tract IV
Commencing on the Section line on the North Street of Middletown running North 100 feet, thence West 200 feet, South 100 feet, thence East 200 feet to the place of beginning, being in the Southeast quarter of Section Twenty-seven (27), Township Ten (10) North, of Range Ten (10) West.

Tract V
ALSO Beginning at a point on the South line of the Southeast Quarter of Section Twenty-seven (27), Township Ten (10) North, Range Ten (10) West, which is Sixty-six and two-thirds (66 2/3) rods East of the Southwest corner of said Southeast Quarter, thence East to a point on said South line One Thousand Two Hundred and Sixty-five (1265') feet East of the Southwest corner of said Quarter Section, thence North to the North line of said quarter section, thence West on said North line to a point due North of the place of beginning, thence South to the place of beginning.

SUBJECT to a Pipeline easement to The Ohio Oil Company, by deed dated July 19, 1944 in Deed Record 233 page 45 of the records of the Recorder's Office of Vigo County, Indiana.

Subject to all taxes.

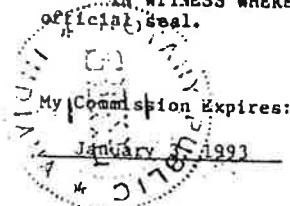
IN WITNESS WHEREOF, The said grantor above named has hereunto set her hand and seal, this 27th day of January, 1989.

Lois Azeline Watson (SEAL)
Lois Azeline Watson

STATE OF INDIANA)
COUNTY OF VIGO) SS:

Before me, the undersigned, a Notary Public, in and for said County and State, this 27th day of January, 1989, personally appeared the within named Lois Azeline Watson, unmarried widow of Wallace Watson, deceased, Grantor in the above deed, and acknowledged the execution of the same to be his voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



C. Don Nattkemper, Notary Public

A resident of Vigo County, IN

Mail tax duplicates to: R.R. 1, Box 51, Farmersburg, Indiana 47850

This instrument prepared by: C. Don Nattkemper, Attorney at Law
506 Ohio Street, Terre Haute, Indiana 47807

RECEIVED FOR RECORD THE 27 DAY OF Jan 1989 AT 11:00 O'CLOCK AM
RECORD 417 PAGE 109 JUDITH ANDERSON, RECORDER