

MONTGOMERY COUNTY REGIONAL SEWER DISTRICT

RESOLUTION No. 2012- _4_

RESOLUTION ACCEPTING ASSIGNMENT OF EASEMENTS FOR SEWER LINES

WHEREAS, the Montgomery County Regional Sewer District (the "District") did on November 1, 2011, adopt a resolution assigning to the Montgomery County Redevelopment Commission (the "Redevelopment Commission") Options to Purchase Easement (the "Options") for the purchase of the following described sewer line easements (the "Easements"):

1. An easement from William D. Poynter and Mary Jane Poynter, husband and wife, as more particularly described on Exhibit A attached hereto (the "Poynter Easement");
2. An easement from Michael R. Hook and Nancy E. Hook, as contract sellers, and Jeffrey D. Hardacker and Dora Lee Hardacker, as contract buyers (the "Hook/Hardacker Easement"), as more particularly described on Exhibit B attached hereto; and
3. An easement from the Kathryn W. Brown Revocable Trust dated April 24, 1997, as more particularly described on Exhibit C attached hereto (the "Brown Easement"); and

WHEREAS, by its Resolution No. 2011-5, the Redevelopment Commission accepted such assignment, and exercised the Options, contingent upon closing the sale of bonds to finance the District's sanitary sewer project (the "Project"), which will be located in, and will serve and benefit, the Nucor Road Economic Development Area;

WHEREAS, the bonds to finance construction of the Project were sold on February 24, 2012;

WHEREAS, the Redevelopment Commission has purchased the Easements with available unpledged tax allocation funds, and has recorded the Easements in the office of the Recorder of Montgomery County, Indiana;

WHEREAS, the District finds that assignment of the Easements to the District for use in connection with the Project would further the objectives of the Amended Plan of Development for the Nucor Road Economic Development Area to benefit the public health, safety, morals and welfare of the citizens of Montgomery County (the "County"), to increase the economic well-being of the County and the State of Indiana, and to serve to protect and increase property values in the County and the State of Indiana; and

WHEREAS, on March 14, 2012, the Redevelopment Commission adopted its Resolution No. 2012-3, assigning the Easements to the District for its use in connection with the Project.

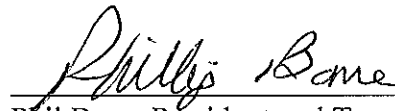
BE IT THEREFORE RESOLVED by the Montgomery County Regional Sewer District that the District hereby accepts assignment of the Poynter, Hook/Hardacker and Brown Easements by the Montgomery County Redevelopment Commission, for no consideration, for use by the District in connection with the Project.

BE IT FURTHER RESOLVED that the president of the District be and he is authorized to sign and deliver appropriate forms accepting assignment of such Easements to the District.

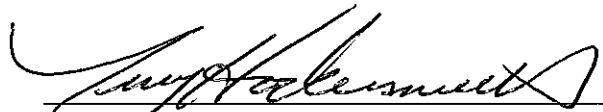
BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect immediately from and after its passage.

ALL OF WHICH IS ADOPTED THIS 21ST DAY OF MARCH, 2012, BY THE MONTGOMERY COUNTY REGIONAL SEWER DISTRICT.

**MONTGOMERY COUNTY
REGIONAL SEWER DISTRICT**



Phil Bane, President and Trustee



Terry Hockersmith, Vice President and Trustee

Bill Henderson, Secretary and Trustee



Brian Keim, Trustee

Michael Plant, Trustee

William D. & Mary Jane Poynter
54-10-12-333-038.000-025

SANITARY SEWER EASEMENT

An Easement across part of Lot 32 in Chigger Hollow Subdivision, Plat Book 230, Page 570, in the Southwest Quarter of Section 12, Township 18 North, Range 4 West of the Second Principal Meridian, South Union Township, Montgomery County, Indiana and being that part of the grantors' land as described in Instrument Number 9706598 in the office of the Recorder of said County and State, more particularly described as follows:

15 feet off the entire southeastern side of Lot 32, containing 0.062 acres, more or less, subject to all pertinent rights-of-way and easements.

EXHIBIT A

Michael R. & Nancy E. Hook
54-10-12-333-039.000-025

SANITARY SEWER EASEMENT

An Easement across part of Lot 33 in Chigger Hollow Subdivision, Plat Book 230, Page 570, in the Southwest Quarter of Section 12, Township 18 North, Range 4 West of the Second Principal Meridian, South Union Township, Montgomery County, Indiana and being that part of the grantors' land as described in Instrument Number 200803751 in the office of the Recorder of said County and State, more particularly described as follows:

15 feet off the entire northwestern side of Lot 33, containing 0.058 acres, more or less, subject to all pertinent rights-of-way and easements.

EXHIBIT B

Kathryn W. & Howard D. Brown
54-10-12-300-025.000-025

SANITARY SEWER EASEMENT

An Easement in the Southwest Quarter of Section 12 and the Northwest Quarter of Section 13, all in Township 18 North, Range 4 West of the Second Principal Meridian, South Union Township, Montgomery County, Indiana and being that part of the grantors' land as described in Deed Book 297, Pages 224-227 in the office of the Recorder of said County and State, more particularly described as follows:

Commencing at the northwest corner of said Section 13, thence South 00 degrees 26 minutes 40 seconds East 78.63 feet along the west line of said Section 13; thence North 89 degrees 33 minutes 20 seconds East 19.97 feet to the east line of a parcel conveyed to Montgomery County by Deed Book 261, Pages 512-514 and the Point of Beginning of this description: thence North 00 degrees 26 minutes 19 seconds West 50.67 feet along said east line; thence North 80 degrees 15 minutes 40 seconds East 254.17 feet to the southwestern line of a parcel conveyed to CSX Railroad per Val. Map provided by CXST; thence South 61 degrees 18 minutes 15 seconds East 57.04 feet along said southwestern line; thence South 29 degrees 43 minutes 17 seconds West 18.84 feet; thence South 80 degrees 15 minutes 40 seconds West 295.06 feet to the Point of Beginning and containing 0.328 acres, more or less, subject to all pertinent rights-of-way and easements.

Basis of Bearings is a Location Control Route Survey Plat prepared by VS Engineering, Inc. recorded as Instrument No. 201104153, Dated: August 22, 2011.

EXHIBIT C