Duly Entered For Taxation
21 Day 13 Dec 20
Laura L. Sickmeyer
Auditor Parke County

20202830 WD $25.00
12/21/2020 03:44:08P 8 PGS
Mary Alice Gregg
Parke County Recorder IN
Recorded as Presented

WARRANTY DEED

THIS INDENTURE WITNESSETH that Rocky Fork Club, Inc., an Indiana corporation ("Grantor"), for ONE DOLLAR ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged,

CONVEYS AND WARRANTS

unto Michael A. Hoch and Roberta A. Hoch, husband and wife ("Grantees"), the following described real estate ("the Subject Real Estate") situate in the County of Parke, State of Indiana, to-wit:

See Legal Description and Survey Drawing
attached hereto as Exhibit "A".

Being and intended to be a portion of the real estate conveyed to Grantor by Deed dated December 7, 2020 and recorded as Instrument 20203827. in the Office of the Recorder of Parke County, Indiana.

Property Location: County Road 1000 E, Jackson Township, Parke County, Indiana.

Part of Tax Parcel No.: 61-16-03-000-410.000-007

Tax Mailing Address: 525 County Road 700 N, Sadorus, IL 61872-9708

The Grantees by acceptance of this Warranty Deed of conveyance assume and agree to pay their prorated share of the 2020 real estate taxes due and payable in 2021 and all real estate taxes thereafter.

This conveyance is made subject to any and all easements, rights-of-way, covenants, restrictions and agreements of public record in Parke County which affect title to the Subject Real Estate.

This conveyance is made subject to the following restrictions, which restrictions shall run with the land, binding Grantees, and their heirs and assigns:

1. All Restrictions affecting the adjoining real estate owned by Grantee, more particularly described by Deed dated May 24, 2007 and recorded on June 4, 2007 as Instrument No.: 20071383, ("Adjoining Real Estate") and known as Lot E73, in the Rocky Fork Recreation Corporation's Third Subdivision, as referenced in Plat Book 2, Page 101 and 102, in the Office of the Recorder of Parke County, Indiana.

2. The Subject Real Estate shall be made a part of any conveyance, whether by sale or otherwise, of the Adjoining Real Estate.

The Grantor hereby reserves unto itself, an easement to come on to and across the Subject Real Estate for access to and maintenance of all weirs and dams located on the Subject Real Estate and all weirs and dams located on the real estate being conveyed simultaneously to Daniel T. Reed and Betty D. Reed as Trustees of the Reed Joint Trust dated May 13, 1996, which real estate adjoins the northern line of the Subject Real Estate, and in order to comply with its obligations as set out in the Warranty Deed from Fred Salmon Farm L.P. to Grantor which has been recorded simultaneously with this conveyance in the Office of the Recorder of Parke County, Indiana.

The undersigned person executing this Deed on behalf of the Grantor, represents and certifies that he is the duly elected President of said Grantor and has been fully empowered, by proper resolution of the Board of Directors of said Grantor, to execute and deliver this Deed; that said Grantor has full corporate capacity to convey the real estate hereby conveyed; and that all necessary action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed on December 7th, 2020.

Rocky Fork Club, Inc.

BY: _____
John A. Cowan, President

STATE OF INDIANA)
) SS:
COUNTY OF Marion)

BEFORE ME, a Notary Public in and for said County and State, personally appeared John A. Cowan, President of Rocky Fork Club, Inc., and acknowledged the execution of the above and foregoing Quit-Claim Deed.

WITNESS my hand and notarial seal on December 7th, 2020.

Jennifer Rhorer

My Commission Expires:
09-19-2024

NOTARY PUBLIC, Jennifer Rhorer
Resident of Marion County

WITNESS PROOF

Witness to the signature(s) of Rocky Fork Club, Inc., by John A. Cowan ("Signer"):

Anna E Kingsley
Anna E Kingsley, Witness ("Witness")

STATE OF INDIANA

COUNTY OF MARION

Before me, a Notary Public in and for said County and State, on December 7th, 2020, personally appeared Anna Kingsley. witness to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows Signer to be the individual(s) described in and who executed the foregoing instrument; that Witness was present and saw Signer execute the same; that Witness at the same time subscribed his/her name as a witness thereto; and that Witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

Jennifer Rhorer
NOTARY PUBLIC, Jennifer Rhorer
Resident of Marion County

My Commission Expires:
09-19-2024

THIS INSTRUMENT PREPARED BY:
Steven K. Palmquist, Attorney
KIGHTLINGER & GRAY, LLP
BONTERRA BUILDING, SUITE 200
3620 BLACKISTON BLVD.
New Albany, IN 47150
(812) 949-2300
(812) 949-8556 FAX

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. Steven K. Palmquist

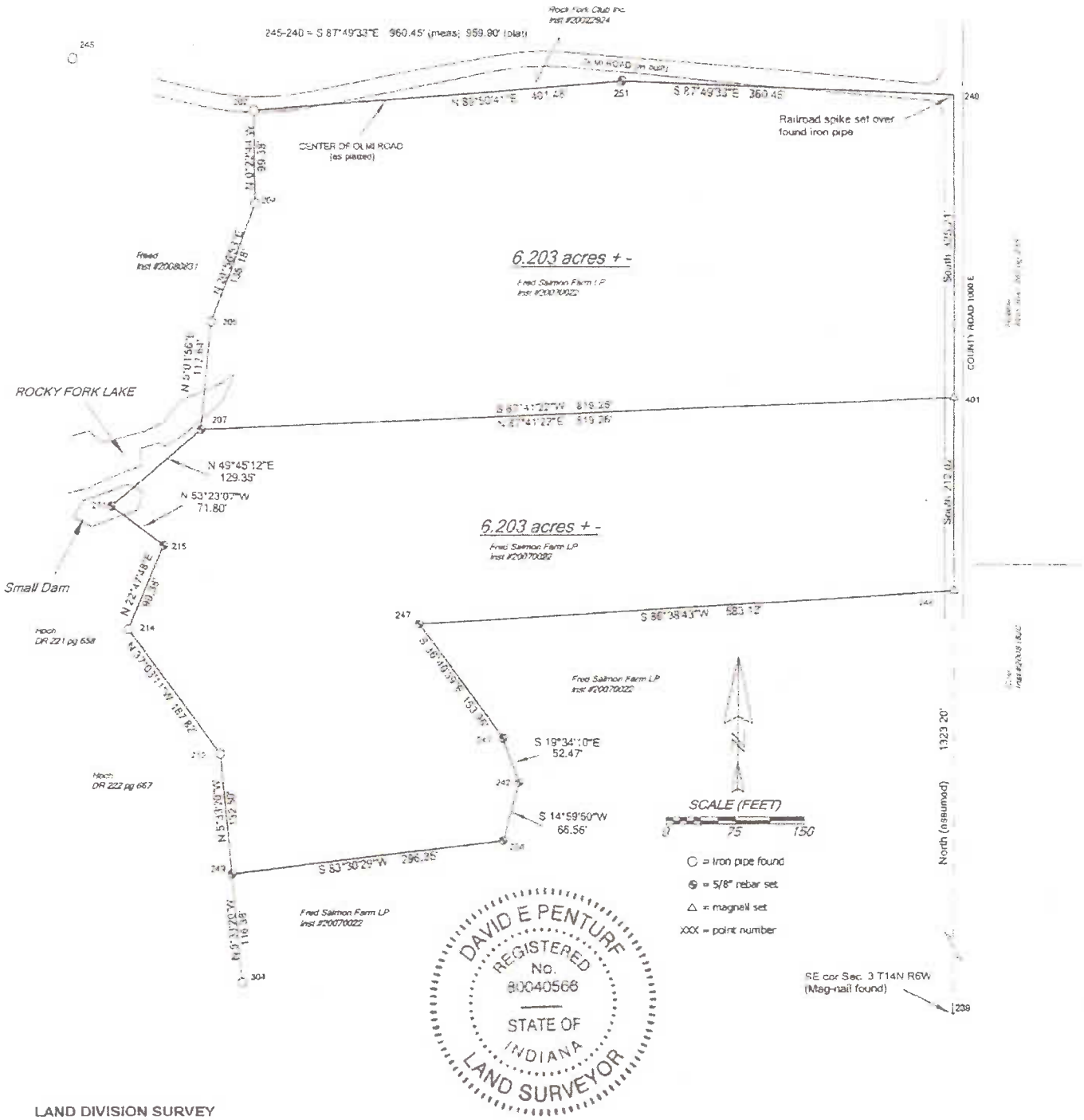
LAND DESCRIPTION (SOUTH TRACT):

A Part of the Southeast quarter of Section 3, Township 14 North, Range 6 West, in Parke County, Indiana, being the result of an original survey by David E. Penturf, Registered Land Surveyor #LS80040566 and completed October 28, 2019, more particularly described as follows:

Commencing at a mag-nail found at the Southeast corner of said Section 3; thence North (assumed bearing and basis of all bearings in this description) 1323.20 feet with the East line of the Southeast quarter of said Section 3 to a mag-nail set at the Point of Beginning of real estate herein described; thence South 86 degrees 38 minutes 43 seconds West 583.12 feet to a 5/8 inch rebar with cap (herein referred to as "monument"); thence South 36 degrees 40 minutes 59 seconds East 153.96 feet to a monument; thence South 19 degrees 34 minutes 10 seconds East 52.47 feet to a monument; thence South 14 degrees 59 minutes 50 seconds West 66.56 feet to a monument; thence South 83 degrees 30 minutes 29 seconds West 296.35 feet to a monument on the East line of Lot E-74 of Rocky Fork Third Subdivision; thence North 5 degrees 33 minutes 20 seconds West 132.50 feet to a pipe at the Northeast corner of said Lot E-74; thence North 37 degrees 03 minutes 11 seconds West 167.82 feet to a pipe at the Northernmost corner of said Lot E-74; thence North 22 degrees 47 minutes 48 seconds East 99.38 feet to a monument at the Easternmost corner of Lot E-73 of Rocky Fork Third Subdivision; thence North 53 degrees 23 minutes 07 seconds West 71.80 feet to a monument on the North line of said Lot E-73; thence North 49 degrees 45 minutes 12 seconds East 129.35 feet to a monument at the Southeast corner of a 2.146 acre tract described in Deed Record 220, page 700 in the office of the Parke County Recorder; thence North 87 degrees 41 minutes 22 seconds East 819.26 feet to a railroad spike on the East line of said Section 3; thence South 212.02 feet with said East line to the Point of Beginning, containing 6.203 acres, more or less.

Subject to the rights-of-way of platted roads within Rocky Fork Second and Third Subdivisions and the public road bordering the East side of the above described 6.203 acre tract.

EXHIBIT
"A"



LAND DIVISION SURVEY

Part of the Southeast quarter of Section 3, Township 14 North, Range 6 West, Parke County, Indiana.

LANDOWNER: Fred Salmon Farm LP (Deed Record 204, page 367)

CERTIFICATE OF SURVEY

I, the undersigned, a duly licensed Land Surveyor in the State of Indiana, hereby certify that to the best of my knowledge and belief this plat accurately represents a survey completed by me on October 28, 2019 and was executed according to the survey requirements set forth by Indiana Administrative Code Title 865, Article 1, Rule 12.

David E Penturf

David E. Penturf, Registered Land Surveyor
1 West Washington St. #43, Greencastle, IN 46135
Ph. 765/653-5603 File #119-128, 119-155

SURVEYOR'S REPORT

NOTE: THIS SURVEY, PLAT, AND REPORT WERE PREPARED WITHOUT THE BENEFIT OF A THOROUGH TITLE SEARCH OF SUBJECT TRACT OR ADJOINERS AND THEREFORE ARE SUBJECT TO ANY FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.

IN ACCORDANCE WITH TITLE 865, RULE 12 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:

A) DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS
B) VARIANCES IN THE REFERENCE MONUMENTS
C) RELATIVE POSITIONAL ACCURACY OF MEASUREMENTS
D) INCONSISTENCIES IN LINES OF OCCUPATION

PURPOSE OF SURVEY: TO STAKE AND DESCRIBE AN ORIGINAL PARCEL FROM OF A 35.126 ACRE TRACT DESCRIBED IN DEED RECORD 204, PAGE 367, IN THE OFFICE OF THE RECORDER OF PARKE COUNTY, INDIANA. NEW PARCEL WAS TO BE BOUNDED BY THE ORIGINAL NORTH, WEST, AND EAST LINES, WITH A NEW SOUTH BOUNDARY CHOSEN BY THE CLIENT. AFTER THIS SURVEY WAS COMPLETED, IT WAS DECIDED TO SEPARATE THE NEW 12.406 ACRE PARCEL INTO TWO EQUAL PARTS, WITH THE WEST END OF THE SEPARATION LINE BEING AN EXISTING CORNER ON THE WEST BOUNDARY.

IN 2013, I SURVEYED A PORTION OF THE WEST BOUNDARY OF THE PARENT TRACT, WHICH SURVEY WAS RECORDED AS INSTRUMENT #20140383. REFERENCE TO SAID SURVEY IN THIS REPORT WILL BE CALLED "THE 2013 SURVEY".

DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS: DESCRIPTION OF RECORD IS METES AND BOUNDS, USING A COMBINATION OF BEARINGS AND DEFLECTION ANGLES ALONG THE BORDER WITH ROCKY FORK SUBDIVISION. THE COURSE BETWEEN POINTS 11 AND 7 (SEE PLAT FOR CORNER NUMBERS) CALLS FOR "RIGHT, ALONG AND WITH SAID HIGH WATER LINE, IN A COUNTER-CLOCKWISE DIRECTION 145 FEET, TO A POINT 192.59 FEET SOUTH AND 210.12 FEET EAST OF THE NORTHEAST CORNER OF LOT E-59 ...". A TYPOGRAPHICAL ERROR EXISTS IN THE CALL FOR "NORTH 2 DEGREES 42 MINUTES EAST....", WHERE IT SHOULD READ "NORTH 2 DEGREES 42 MINUTES WEST....".

VARIANCES IN REFERENCE MONUMENTS AND PROCEDURE OF SURVEY: (FROM THE 2013 SURVEY): SUBJECT TRACT DESCRIPTION DOES NOT CALL FOR MONUMENTS. THE RECORDED PLATS OF ROCKY FORK INDICATE "IRON PINS" SET AT THE LOT CORNERS. IRON PIPES WERE FOUND AT SEVERAL OF THE LOT CORNERS AND WERE GENERALLY WITHIN TOLERANCE. THE LARGEST DISCREPANCY BETWEEN FOUND MONUMENTS WAS 0.44 FOOT BETWEEN POINTS 202 AND 204.

(FROM THE CURRENT SURVEY): A MAG-NAIL OF UNKNOWN ORIGIN WAS FOUND AT THE SOUTHEAST CORNER OF SECTION 3. ESTIMATED VARIANCE IS 3 FEET. A BENT PIPE BELOW GRADE WAS FOUND AT THE NORTHEAST CORNER OF PARENT TRACT, AND A RAILROAD SPIKE WAS SET OVER THE TOP. THE PIPE IS BELIEVED ORIGINAL FROM THE ROCK FORK SUBDIVISION AND THUS WAS HELD FOR THIS SURVEY. ANOTHER PIPE FOUND ABOUT 960 FEET WEST OF THE BENT PIPE WAS FOUND WITHIN 0.5 FOOT OF COMPUTED PLAT DISTANCE, WHICH HELPED CONFIRM THE LOCATION OF THE BENT PIPE.

RELATIVE POSITIONAL ACCURACY OF MEASUREMENTS: THE RELATIVE POSITIONAL ACCURACY OF MEASUREMENTS ON THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENTS SET FORTH IN TITLE 865 IAC 1-12-7 FOR A RURAL SURVEY (0.26 FOOT PLUS 200 PARTS PER MILLION).

INCONSISTENCIES IN LINES OF OCCUPATION: THE NORTH BOUNDARY OF PARENT TRACT IS DESCRIBED AS THE CENTERLINE OF OLMI LANE AS APPEARS ON THE PLAT OF ROCKY FORK SECOND SUBDIVISION. THE ACTUAL AS-BUILT LOCATION OF THIS NARROW GRAVEL DRIVE IS AS MUCH AS 28 FEET NORTH OF DESCRIBED LINE. UNWRITTEN RIGHTS OF POSESSION MAY EXIST IN THIS AREA.

(FROM THE 2013 SURVEY): CONSTRUCTION OF A DAM IN THE AREA OF LOT 11 ENCROACHES ON SUBJECT PROPERTY. A SPLIT RAIL FENCE ALONG POINTS 214-215 WAS REMOVED DURING THE 2013 SURVEY. NO OTHER LINES OF OCCUPATION WERE OBSERVED.

DATE OF COMPLETION OF FIELD WORK: OCTOBER 28, 2019

DAVID E. PENTURF
REGISTERED LAND SURVEYOR S0566
1 WEST WASHINGTON ST. #43
GREENCASTLE, IN 46135
PH. 765/653-5603
FILE #119-155

I AFFIRM, UNDER PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

SIGNATURE DATE