

Rel & Modif. *Deeds*

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This document refers to in Document No. *9841018*
Rec. *7-27-98*

3761

This document referred to in Document No. *util 97411667 Grant*
Rec. *10-1-97*

SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH, that Indianapolis

Water Company, a corporation organized and existing under the laws of the State of Indiana (hereinafter referred to as "Grantor"), hereby CONVEYS and WARRANTS, subject to the terms and conditions hereinafter set forth, to The Shorewood Corporation, a corporation organized and existing under the laws of the State of Indiana (hereinafter referred to as "Grantee"), for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate, which is situated in Hamilton County, in the State of Indiana:

PARCEL A

Beginning at the Southwest corner of the Northwest Quarter of Section 26, Township 19 North, Range 4 East, thence West along the South line of the Northeast Quarter of Section 27, Township 19 North, Range 4 East, to a point which is 480.7 feet East of the Southwest corner of the East Half of the Northeast Quarter of said Section 27, thence Northerly to a point which is 200 feet South of the North line of said Section 27 and 486.0 feet East of the West line of the East Half of the Northeast Quarter of said Section 27, thence West 1,161.0 feet parallel with the North line of the Northeast Quarter of said Section 27 to an iron stake, thence North 200 feet parallel with the East line of the West Half of the Northeast Quarter of said Section 27 to an iron stake which is on the North line of said Section 27 and which is 675 feet West of the Northeast corner of the West Half of the Northeast Quarter of said Section 27, thence West along the North line of said Section 27 to the Southwest corner of the Southeast Quarter of Section 22, Township 19 North, Range 4 East, thence North 1,290 feet along the West line of the Southeast Quarter of said Section 22, thence West 360 feet, thence North 360 feet, thence West 2,280.0 feet

parallel to the South line of said Section 22, to a point on the West line of said Section 22, thence North along the West line of said Section 22 and the East line of Section 16, Township 19 North, Range 4 East, to a point 225 feet North of the Southeast corner of said Section 16, thence West 142.7 feet to an iron stake, thence North 424.7 feet to an iron stake, thence West 1 degree 9 minutes South 848.0 feet to an iron stake, thence North 13 minutes West 559.6 feet to an iron stake, thence West 1 degree 36 minutes South 683.4 feet to an iron stake, thence North 1 degree 36 minutes West 112.4 feet to an iron stake, thence West 1 degree 26 minutes South 320.4 feet, thence North 39 minutes West 831.0 feet to an iron stake, said stake being 494.5 feet South of the North line of said Southeast Quarter, thence Easterly 650.0 feet to an iron stake, said stake being 491.0 feet South of the North line of said Southeast Quarter, thence Northerly 491.0 feet to the North line of said Southeast Quarter, thence West along the North line of said Southeast Quarter to a point 1,070.0 feet East of the Southwest corner of the Northeast Quarter, thence North along a line parallel to the West line of said Northeast Quarter 450.0 feet, thence West along a line parallel to the

*For Consent Agreement see Misc. B-165 pg 880-890
see Misc. B-165 pg 891-900
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South line of said Northeast Quarter 620.0 feet, thence South along a line parallel to the West line of said Northeast Quarter 200 feet, thence West along a line parallel to the South line of said Northeast Quarter 100 feet, thence North along a line parallel to the West line of said Northeast Quarter to the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level), thence along said meandering shore line to a point on the line which is parallel to and 35 feet West of the center line of the South approach road to the Hinkle Creek Bridge, thence South along the aforesaid parallel line to a point on the line which crosses the center line of said approach road perpendicularly at a point 800 feet South of the South end of the concrete handrails of said bridge, thence East along said perpendicular line 70 feet, thence North along the line which is parallel to and 35 feet East of the center line of said road to a point on said shore line, thence Southeasterly along said meandering shore line to a point on a line perpendicular to the South line of said Section 22, said line being 485.0 feet East of the Southwest corner of the East Half of the Southeast Quarter of said Section 22, thence South along the aforesaid perpendicular line to the South line of said Section 22, thence East along the South line of said Section 22 to the center line of a public road in the East Half of the East Half of the Northeast Quarter of Section 27, thence South along the center line of said public road 820 feet, thence East along a line perpendicular to the center line of said public road 300 feet to a point, thence South 18 degrees 30 minutes East 500 feet, thence South 38 degrees 30 minutes East 250 feet, thence South 33 degrees 30 minutes West 350 feet, thence South 33 degrees East 100 feet, thence North 57 degrees East 625 feet, thence North 83 degrees East 450 feet, thence South 23 degrees West 800 feet, thence South 56 degrees East 250 feet, thence North 44 degrees East 700 feet, thence South 41 degrees East 225 feet, thence South 57 degrees 30 minutes East 300 feet, thence South 74 degrees East 400 feet, thence South 11 degrees 30 minutes East 250 feet more or less to a point on the South line of the North Half of said Section 26, thence West along the South line of the Northwest Quarter of said Section 26 to the Southwest corner of the Northwest Quarter of Section 26, which is the place of beginning, containing 386 acres more or less.

PARCEL B

Beginning at the Northwest corner of Section 15, Township 19 North, Range 4 East, thence East along

the North line of said Section 15 to the Northeast corner of the West Half of the Northwest Quarter of said Section 15, thence South along the East line of the West Half of the Northwest Quarter of said Section 15 to the North line of the Southwest Quarter of said Section 15, thence East along the North line of the Southwest Quarter of said Section 15 to the Northeast corner of the Southwest Quarter of said Section 15, thence South 809.5 feet along the East line of the Southwest Quarter of said Section 15, thence West 471.2 feet to an iron stake, thence in a Southerly direction along a fence line 851.4 feet to an iron stake, thence East along a fence line 469.5 feet to a point on the East line of said Southwest Quarter of said Section 15, thence South along the East line of said Southwest Quarter to the South line of said Section 15, thence East along the South line of said Section 15 to the Southwest corner of the East Half of the Southeast Quarter of said Section 15, thence North along the West line of the East Half of the Southeast Quarter of said Section 15 to a point 60 rods South of the Northwest corner of the East Half of the Southeast Quarter of said Section 15, thence East parallel to the North line of said East Half to a point on the East line of said Section 15, thence North along the East line of said Section 15 to the Northwest corner of the South Half of the Northwest Quarter of the Southwest Quarter of Section 14, Township 19 North, Range 4 East, thence East along the North line of the South Half of the Northwest Quarter of the Southwest Quarter of said Section 14 to the West line of the North Half of the Northeast Quarter of the Southwest Quarter of said Section 14, thence North along the West line of the North Half of the Northeast Quarter of the Southwest Quarter of said Section 14 to the South line of the Northwest Quarter of said Section 14, thence West along the South line of the Northwest Quarter of said Section 14 to the West line of said Section 14, thence North along the West line of Section 14 and the West line of Section 11, Township 19 North, Range 4 East, to a point which is 700 feet South of the Northwest corner of said Section 11, thence East 450 feet along a line perpendicular to the West line of said Section 11, thence North along a line parallel to the West line of said Section 11 to a point on the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level), thence Southerly along said meandering shore line to a point in the North Half of the South Half of said Section 11, said point being 2,700 feet East measured perpendicularly from the West line of said Section 11, thence South 870 feet

more or less along a line parallel to the West line of said Section 11 to a point on said shore line, thence along said meandering shore line to a point on the North line of the South Half of the Northwest Quarter of Section 14, Township 19 North, Range 4 East, thence Southwesterly along a line perpendicular to the center line of Carrigan Road to a point in the center of Carrigan Road, thence Southeasterly along the center line of Carrigan Road to a point 50 feet West of the West end of the Carrigan Road Bridge, thence South to a point on said shore line, thence Southerly along said meandering shore line to a point 550 feet South measured perpendicularly from the North line of Section 23, Township 19 North, Range 4 East, and 1,109 feet East measured perpendicularly from the West line of said Section 23, thence Northwesterly 1,325 feet more or less along a line which intersects the West line of Section 14, Township 19 North, Range 4 East, at a point 200 feet North of the Southwest corner of said Section 14, thence South along the West section line 950 feet, thence East 200 feet more or less to a point on said shore line, thence Southerly along said meandering shore line to a point which is 2,050 feet South of the Northwest corner of Section 23, Township 19 North, Range 4 East, and 500 feet East of the West line of said Section 23, thence South along a line parallel to the West line of said Section 200 feet more or less to a point on said shore line, thence along said meandering shore line to a point in the Southeast Quarter of Section 22, Township 19 North, Range 4 East, said point being on a line parallel to and 300 feet West of the East line of said Section 22, thence North along said parallel line to a point which is 3,200 feet South of the North line of said Section 22, thence West along a line perpendicular to the last described line 450 feet, thence South 375 feet more or less along a line parallel to the East line of said Section 22 to a point on said shore line, thence Northwesterly along said meandering shore line to a point near the West line of Section 15, Township 19 North, Range 4 East, said point being on a line parallel to and 100 feet East of the center line of a public road, thence North along said parallel line to a point which is 625 feet South of the North line of the Southwest Quarter of said Section 15, thence West 100 feet to the center line of said public road, thence North along the center line of said public road to the Northeast corner of the Southeast Quarter of Section 16, Township 19 North, Range 4 East, thence West 250 feet more or less along the North line of the Southeast Quarter of said Section 16 to a point on said shore line, thence Northwesterly along said meandering shore line to a point in the

Northwest Quarter of Section 16, Township 19 North, Range 4 East, said point being 1,350 feet more or less South of the North line and 1,675 feet more or less West of the East line of said Northeast Quarter of said Section 16, thence Northwesterly 400 feet more or less to a point on the South line of the North Half of said Northeast Quarter, said point being 577.5 feet more or less East of the Southwest corner of the North Half of said Northeast Quarter, thence North along the East line of a tract of 35 acres taken off the West side of the West Half of said Northeast Quarter of Section 16 to the North line of said Section 16, thence East along the North section line of said Section 16 to the place of beginning at the Northwest corner of Section 15, Township 19 North, Range 4 East, containing 1,080 acres more or less.

PARCEL C

Beginning at the Southwest corner of the East Half of the East Half of Section 2, Township 19 North, Range 4 East, thence North along the West line of the East Half of the East Half of said Section 2, to the North line of a tract consisting of 33 acres off the South end of the East Half of the Northeast Quarter of said Section 2, thence East along the North line of said 33 acre tract to the East line of said Section 2, thence North along the East line of said Section 2 to a point 765.5 feet South of the Northwest corner of Section 1, Township 19 North, Range 4 East, thence East 775.0 feet more or less along a line parallel to the North line of said Section 1 to the Southeast corner of a parcel conveyed by Indianapolis Water Company to Floyd T. Voss and Elsa E. Voss, husband and wife, thence North along the East line of said parcel 343.5 feet to the Southwest corner of a parcel conveyed by Indianapolis Water Company to Cicero Cemetery Association thence East along the South line of said parcel 131 feet to the Southeast corner of said parcel, which point was formerly the Southwest corner of the Cicero Cemetery, thence Southeasterly 670 feet to a point 1,578.55 feet East and 459.62 feet South of the Northwest corner of said Section 1, thence Southeasterly along an extension of said last described line 30 feet, thence North 19 degrees 57 minutes East 281.0 feet, thence North 42 degrees 32 minutes East 171.4 feet, thence North 69 degrees 10 minutes West 193.7 feet to a point on the North line of said Section 1, thence East 225 feet more or less along the North line of said Section 1, thence South perpendicular to said North line of said Section 1 to a point on the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof being at an elevation

of 810.0 feet above mean sea level), thence Southerly along said meandering shore line to a point nearest the North line of Section 11, Township 19 North, Range 4 East, said point being 350 feet more or less East of the Northwest corner of said Section 11, thence North to the section line, thence East along the North line of said Section 11, to the place of beginning, containing 314 acres more or less.

PARCEL D

Beginning at a point on the South line of Section 36, Township 20 North, Range 4 East, said beginning point being 805.4 feet East of the Southwest corner of said Section 36, thence North 420 feet, thence West 805.4 feet to the West section line of Section 36, thence North along the West line of said Section 36 to the Northwest corner of said Section 36, thence West along the South line of Section 26, Township 20 North, Range 4 East, to a point 651.15 feet West of the Southeast corner of said Section 26, thence North 1,321.0 feet to a point along the North line of the Southeast Quarter of the Southeast Quarter which is 660.7 feet East of the West line of said East Half of the Southeast Quarter, thence East along the North line of the Southeast Quarter of the Southeast Quarter to the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level), thence Southerly along said meandering shore line to a point on the line parallel to and 420 feet North of the South line of said Section 36, thence West along said parallel line to a point which is 1,105.4 feet East of the West line of said Section 36, thence South 420 feet along a line parallel to the West line of said Section 36 to a point on the South line of said Section 36, thence West 300 feet more or less along the South line of said Section 36 to the place of beginning, containing 110 acres more or less.

PARCEL E

Beginning at an iron stake on the West line of Section 25, Township 20 North, Range 4 East, said point being 1,314.5 feet North of the Southwest corner of the Southwest Quarter of said Section 25, thence East 784.0 feet to an iron stake, thence South parallel with the West line of said Section 571.3 feet to an iron stake, thence East parallel with the South line of said Quarter Section 480.0 feet to an iron stake, thence South 743.2 feet parallel with the West line of said Section 25 to a point on the South line of said Section 25, said point being 1,264.0 feet East of the Southwest corner of the Southwest Quarter, thence East along the sec-

tion line to the point of intersection with the West right-of-way line of the Nickel Plate Railroad, thence Southeasterly along said West right-of-way line to a point on the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level), thence along said meandering shore line to the North line of the Southeast Quarter of the Southeast Quarter of Section 26, Township 20 North, Range 4 East, thence East along the North line of the Southeast Quarter of the Southeast Quarter to the place of beginning, containing 226 acres more or less.

PARCEL F

Beginning at a point 1,272.1 feet East of the Northwest corner of Section 30, Township 20 North, Range 5 East, thence South 1,329.8 feet parallel to the West line of said Section, thence West 106.2 feet to a point 1,165.9 feet East of the West line of said Section 30, thence South 1,493.7 feet parallel to the West line of said Section 30, thence East 154.1 feet to a point 1,320 feet East of the West line of said Section 30 and 148.5 feet South of the South line of the Northwest Quarter of said Section, thence South to a point 4,611.79 feet North and 1,325.87 feet East of the Southwest corner of the Northwest Quarter of Section 31, Township 20 North, Range 5 East, thence South 89 degrees East 533.23 feet, thence South 1 degree West 275.0 feet, thence North 89 degrees West 336.73 feet, thence South 2 degrees 12 minutes West 859.44 feet, thence South 53 degrees 20 minutes West 601.68 feet, thence South 66 degrees 20 minutes West 269.15 feet, thence South 43 degrees 14 minutes West 276.42 feet, thence South 58 degrees 57 minutes West 279.16 feet, thence South 16 degrees 18 minutes West 268.04 feet, thence South 58 minutes East 83.41 feet, thence South 29 degrees 48 minutes East 358.90 feet, thence South 11 degrees 38 minutes East 480.85 feet, thence North 60 degrees 35 minutes West 607 feet to a point on the West line of the Northwest Quarter of Section 31, Township 20 North, Range 5 East, which point is 1,867.85 feet North of the Southwest corner of the Northwest Quarter of said Section 31, thence North along the section line 292.30 feet, thence North 89 degrees 29 minutes West 906.55 feet, thence North 2 minutes West 181.40 feet, thence North 89 degrees 37 minutes West 172.05 feet, thence South 34 degrees 37 minutes West 458.16 feet, thence South 17 degrees East 918.66 feet, thence South 67 degrees 52 minutes West 351.37 feet, thence South 13 degrees 14 minutes East 53.63 feet, thence South 65 degrees 4 minutes West 9.01 feet to a point on the East right-of-way line

of the Nickel Plate Railroad Company, thence Southerly along said East right-of-way line to a point on the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level), thence Northerly along said meandering shore line and the meandering water's edge of Big Cicero Creek to the North line of Section 30, Township 20 North, Range 5 East, thence West along the North line of said Section 30 to the place of beginning, containing 136 acres more or less.

PARCEL G

Beginning at the Southeast corner of the West Half of the Northeast Quarter of Section 26, Township 19 North, Range 4 East, thence Northerly along the East line of the West Half of the Northeast Quarter of said Section 26 to the North line of said Section, thence continuing Northerly along the East line of the West Half of the Southeast Quarter of Section 23, Township 19 North, Range 4 East, to a point 687.27 feet South of the North line of the Southeast Quarter of said Section 23, thence Easterly along a line which is parallel to the North line of the Southeast Quarter of said Section 23 to the East line of said Section 23 thence North along the section line to the Southwest corner of the Northwest Quarter of Section 24, Township 19 North, Range 4 East, thence East to the center of said Section 24, thence North along the East line of the Northwest Quarter of said Section 24 to the North section line of said Section 24, thence West along the North section line to the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 13, Township 19 North, Range 4 East, thence North to the Northeast corner of the Southwest Quarter of the Southwest Quarter, thence West along the North line of said Southwest Quarter of the Southwest Quarter to a point which is 700.07 feet East of the West section line of said Section 13, thence North 2 degrees 40 minutes East 1,328.70 feet to the South line of the Southwest Quarter of the Northwest Quarter of said Section 13, thence East to the Southeast corner of the Southwest Quarter of the Northwest Quarter, thence North to the Northeast corner of the Southwest Quarter of the Northwest Quarter of said Section 13, thence East 35 rods, thence North 80 rods to the North section line, thence West along said North section line 115 rods to the Northwest corner of said Section 13, thence North along the East line of Section 11, Township 19 North, Range 4 East, to an iron pin 647.8 feet South of the Northeast corner of the Southeast Quarter of said Section 11, thence North 84 degrees 42 minutes West

235.7 feet to an iron pin, thence South 88 degrees 35 minutes West to a point on the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level), thence Southerly along said meandering shore line to the East line of Section 14, Township 19 North, Range 4 East, thence North along the East line of said Section to a point in the center line of Stringtown Pike as constructed in 1955, thence Southeasterly along a curve to the left having a radius of 955.04 feet to the point of tangency, which tangent has a bearing of South 22 degrees 57 minutes East and which, if projected Northwesterly 172.07 feet from said tangent point, intersects the East line of Section 14, Township 19 North, Range 4 East at a point 382.33 feet South of the Northeast corner of said Section, thence continue Southeasterly along the center line of Stringtown Pike as constructed in 1955 from said tangent point a distance of 1,469.97 feet, thence continuing along the center line of Stringtown Pike as constructed in 1955 1,151.67 feet around a curve to the right having a radius of 955.04 feet, thence South 46 degrees 9 minutes West 139.0 feet along the center line of Stringtown Pike as constructed in 1955 to a point in the center of said Pike, thence Northwesterly along a line that is perpendicular to the center line of Stringtown Pike 10.00 feet to a point which is 50.00 feet Southeasterly of the center line of the East levee of said Reservoir as constructed, thence Southwesterly 448.70 feet along a curve to the right having a radius of 799.65 feet and whose beginning tangent has a bearing of South 46 degrees 9 minutes West, thence South 78 degrees 18 minutes West 635.64 feet, thence 455.52 feet along a curve to the left tangent to the last described line and having a radius of 308.38 feet, thence South 6 degrees 20 minutes East 1,129.07 feet, thence 43.49 feet along a curve to the right tangent to the last described line and having a radius of 623.01 feet, thence South 2 degrees 20 minutes East 667.99 feet, thence 460.81 feet along a curve to the left tangent to the last described line and having a radius of 450.04 feet, thence South 61 degrees East 204.0 feet, thence 261.85 feet along a curve to the right tangent to the last described line and having a radius of 250.05 feet, thence South 1 degree East 100.00 feet, thence East 300.00 feet more or less to a point on the center line of Stringtown Pike, thence Southerly along the center line of Stringtown Pike 570.80 feet, thence South 42 degrees 38 minutes West 1,861.62 feet, thence South 33 degrees 58 minutes West 1,063.34 feet, thence South 23 degrees 38 minutes West 414.67 feet, thence South 45 degrees 7 minutes West 692.22 feet,

thence South 1 degree East to a point at the water's edge on the East bank of Big Cicero Creek, thence Southerly along said meandering water's edge to the South line of the West Half of the Northeast Quarter of Section 26, Township 19 North, Range 4 East, thence Easterly to the Southeast corner of the West Half of the Northeast Quarter of said Section 26 which is the place of beginning, containing 466 acres more or less.

PARCEL H

Beginning at a point which is 443.66 feet West of the center line of Main Street in Cicero, Indiana, and 215 feet South of the South line of the North Half of the Northeast Quarter of Section 1, Township 19 North, Range 4 East, thence South parallel to the center line of Main Street 801 feet more or less to a point which is 307.4 feet North of the South line of the North Half of said Section, thence East to a point which is 862.60 feet East and 307.4 feet North of the Southwest corner of the North Half of said Section 1, thence South 307.4 feet to a point on the South line of the North Half of said Section 1, thence East to the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 1, thence South to the Southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 1, thence West to the East line of the Southwest Quarter of said Section 1, thence South along the East line of the Southwest Quarter of said Section 1, to a point on the North line of Section 12, Township 19 North, Range 4 East, thence West along the North line of said Section 12, to a point on the center line of the county highway known as the Stringtown Pike, which point is 850 feet West of the Northeast corner of the Northwest Quarter of said Section 12, thence Southwesterly along said center line of said county highway 500 feet to a point, thence South 54 degrees 22 minutes East 25 feet to an iron stake, thence South 35 degrees 38 minutes West 352 feet to a point on the East line of the West Half of the West Half of said Section 12, which point is 675.7 feet South of the North line of said Section 12, thence South 2,449.5 feet along the East line of the West Half of the West Half of said Section 12, thence West 80 rods to a point on the West line of said Section 12, which point is 28 rods South of the Northwest corner of the Southwest Quarter of said Section 12, thence North 114.2 feet to an iron pin which is 347.8 feet South of the Northeast corner of the Northeast Quarter of Section 11, Township 19 North, Range 4 East, thence North 84 degrees 42 minutes West 211.5 feet to an iron pin, thence North 89 degrees 1 minute West to

a point on the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level), thence Northerly along said meandering shore line to a point which is 215 feet South of the South line of the North Half of the Northeast Quarter of Section 1, Township 19 North, Range 4 East, thence East along a line parallel to the South line of the North Half of the Northeast Quarter of said Section 1 to the place of beginning, containing 212 acres more or less.

PARCEL I

Beginning at a point in the Southeast Quarter of Section 36, Township 20 North, Range 4 East, in the town of Cicero, Indiana, on the North property line of Jackson Street which point is 165 feet West of the West property line of Main Street, thence North 148.5 feet to the Southeast corner of Lot 3 in Square 5 of Pickerrill's Original Addition to the town of Cicero, thence East 165 feet to the West line of Main Street, thence North along the West line of Main Street 132 feet more or less to a point on the South line of Cass Street, thence continuing North along the West line of Main Street 49.5 feet more or less to the North line of Cass Street, thence East along the North line of Cass Street 181.0 feet to a point 17 feet West of the East line of Lot 4, Square 11, in Jones and Deans' Addition to said town of Cicero, thence North on a line perpendicular to the North line of Cass Street 148.5 feet to a point on the South line of Lot 3 in said Square 11, thence East parallel to the North line of Cass Street 91.25 feet, thence North along a line perpendicular to the North line of Cass Street 16.5 feet, thence East along a line parallel to Cass Street 117 feet, thence North along a line perpendicular to Cass Street 82.5 feet to a point 19 rods North of the South line of Cass Street, thence East parallel to Cass Street 66 feet, thence South along a line perpendicular to Cass Street 16.5 feet, thence East along a line parallel to Cass Street 446 feet more or less to a point 264 feet North and 326 feet West of a stone which is marked with a cross at the Northwest corner of Cass and Byron Streets, thence North along a line perpendicular to Cass Street 109.5 feet, thence East along a line parallel to Cass Street to a point on the center line of Iron Bridge Road, which point is 390 feet North and 257.5 feet West of the center line of the intersection of Byron and Cass Streets, thence North along the center line of Iron Bridge Road 234.5 feet to a point 600 feet North of the North line of Cass Street, thence East along a line parallel to the North line of Cass Street to the West right-of-way line of the Nickel

Plate Railroad, thence Northwesterly along the West right-of-way line of said railroad to a point on the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level), thence Southerly along said meandering shore line to a point on a line which is parallel to and 40 feet North of the center line of the East approach road to the Cicero Creek Bridge, thence East along said parallel line to a point on a line which crosses the center line of said road perpendicularly 1,000 feet East of the East end of the concrete handrails of said bridge, thence South along said perpendicular line 80 feet, thence West along a line which is parallel to and 40 feet South of the center line of said road to a point on said shore line, thence Southerly along said meandering shore line to a point 874.5 feet South of the North property line of Jackson Street in Cicero, thence East to the center line of Main Street in Cicero, thence North along said center line of Main Street 874.5 feet to the North line of Jackson Street, thence West along the North line of said Jackson Street to a point 165 feet West of the West property line of Main Street which is the point of beginning, containing 40 acres more or less.

PARCEL J

Beginning at a point on the North line of Section 30, Township 20 North, Range 5 East, said point being 481.2 feet East of the Northwest corner of the Northeast Quarter of said Section, thence South 818.5 feet to an iron stake, thence West 70.1 feet to an iron stake 399.1 feet East of the West line of said Northeast Quarter, thence South 275.6 feet to an iron stake, thence West 217.0 feet to an iron stake 178.0 feet East of the West line of said Northeast Quarter, thence South 670.0 feet to an iron stake, thence West 176.0 feet to an iron stake on the West line of the Northwest Quarter of said Section 30, thence South along the West line of the Northeast Quarter of said Section to the Northwest corner of the Southeast Quarter of said Section 30, thence East along the North line of said Southeast Quarter to a point which is 794.0 feet West of the Northeast corner of the West Half of the Southeast Quarter of said Section 30, thence South 328.8 feet along a line parallel to the East line of the West Half of the Southeast Quarter, thence Easterly 794.0 feet to a point on the East line of the West Half of the Southeast Quarter, which point is 330.0 feet South of the Northeast corner of the West Half of the Southeast

Quarter of said Section 30, thence South along the East line of the West Half of the Southeast Quarter to a point on the South line of said Section 30, thence West along the section line to a point in the center of the County Highway, which point is 793.8 feet East of the North-South center line of Section 31, Township 20 North, Range 5 East, thence Southerly along the center line of said County Highway 775.0 feet, thence West parallel with the North section line 40.0 feet, thence Southerly parallel with the center line of said County Highway 209.0 feet, thence Westerly 698.0 feet to the point of intersection with the North-South center line of Section 31, which point is 998.0 feet South of the North section line, thence South 1 minute West 10 feet along said North-South center line, thence North 85 degrees 52 minutes West 569.0 feet, thence South 25 degrees 38 minutes East 475.02 feet, thence South 1 minute West 171.24 feet, thence South 36 degrees 28 minutes West 187.81 feet, thence South 4 degrees 10 minutes East 250.48 feet, thence South 57 degrees 56 minutes West 393.8 feet, thence South 44 degrees 50 minutes West 406.07 feet, thence North 89 degrees 39 minutes West 352 feet, thence North 25 degrees 21 minutes West 443.88 feet, thence North 89 degrees 1 minute West 230.09 feet, thence North 88 degrees 50 minutes West 323.18 feet more or less, to a point on the West line of Section 31, which point is 839.89 feet North of the Southwest corner of the Northwest Quarter of Section 31 and 888.5 feet North of the Southeast corner of Section 36, Township 20 North, Range 4 East, thence West 303 feet along a line parallel to the South line of the Northeast Quarter of said Section 36 to an iron stake, thence South along a line parallel to the East line of the Northeast Quarter 277.0 feet, thence West 2.25 feet, thence South along a line perpendicular to the South line of the Northeast Quarter 611.5 feet to a point on the South line of the Northeast Quarter, thence West 563.75 feet along the South line of the Northeast Quarter of said Section 36 to the point of intersection with the East right-of-way line of the Nickel Plate Railroad, thence Northerly along said East right-of-way line to a point on the shore line of Morse Reservoir as established when said Reservoir is full (with the water level thereof at an elevation of 810.0 feet above mean sea level), thence along said meandering shore line and the meandering water's edge of Big Cicero Creek to the North line of Section 30, Township 20 North, Range 5 East, thence East along the North line of said Section 30 to the place of beginning, containing 150 acres more or less.

This conveyance and the above described real estate are subject to the following covenants, restrictions, easements and servitudes, all of which shall run with the land and be binding upon and inure to the benefit of the heirs, representatives, successors and assigns of the parties hereto:

(1) Title in the Grantee of the above described real estate shall extend only to the shoreline as said shoreline would be established at the date hereof if the water level were at an elevation of 810.0 feet above sea level (said elevation being the height of the existing reservoir spillway) and as the shoreline may hereafter be established by the water level at said elevation through alluvion to or erosion from said shoreline. The Grantee shall have no rights of any character with respect to Cicero and Hinkle Creeks, the reservoir, the land thereunder, the water therein, or its or their level, use, or condition, and the above described real estate shall have no riparian or littoral rights or incidents appurtenant, except title shall pass by accretion through alluvion to and by erosion from the shoreline, but title shall not pass by reliction or submergence or changing water levels. The Grantor shall have the right at any time and from time to time to dredge or otherwise remove any accretion or deposit in order to move or restore the shoreline toward or to, but not inland beyond, the location at which it would exist as of the date hereof if the water level were at the elevation aforesaid, and title shall pass with such dredging or other removal as by erosion.

(2) The Grantor shall have an easement upon,

across and through the above described real estate for all purposes in connection with operating, maintaining, dredging, repairing, replacing, patrolling and inspecting the reservoir, the margins and shoreline thereof, and related facilities and appurtenances, and for the purpose of inspecting the above described real estate to determine if there is compliance with the terms hereof. But the Grantor shall be under no duty to operate, maintain, dredge, repair, replace, patrol, inspect, or take any other action with respect to the reservoir, the surrounding area or related facilities or appurtenances. Without limiting the generality of the foregoing, the Grantor shall not be liable for damages caused by ice, flooding, erosion, washing, percolation, seepage or other action of the water. However, the Grantor shall not have an easement to raise the water level by increasing the height of the spillway of the reservoir from the elevation of 810.0 feet above sea level existing at the date hereof.

(3) The Grantor shall have an easement upon, across and through the portion of the above described real estate consisting of a strip of ground 150 feet in width adjacent to the boundary thereof at the shoreline as said boundary may be established from time to time to grade, fill, excavate, and dredge; and to install, operate, maintain, repair, replace, patrol, and inspect such trees, vegetation, structures or other facilities necessary to control erosion or protect the reservoir, and such surveying monuments and markers as may be necessary in connection with the reservoir and the exercise of the rights reserved to the Grantor hereunder. The Grantee

shall not install or permit any structure, or cut, remove or injure any trees upon, or change the grade or contour of, said strip without the written consent of the Grantor.

(4) The above described real estate shall not be used for industrial, commercial, or other business purposes without the written consent of the Grantor. No sewage, waste, oil, or other deleterious material shall be discharged, and no trash, garbage or debris shall be dumped in or upon the above described real estate or into the reservoir, nor shall any septic or waste disposal system be installed which discharges any effluent or substance of any kind into or upon the above described real estate, nor shall the above described real estate be used in any manner which causes or might cause contamination or pollution of the reservoir or interfere with its proper operation, functioning or maintenance. The Grantee shall not use the above described real estate in any manner which promotes erosion, and shall not drill any wells thereon without the written consent of the Grantor. The Grantee shall not use chemicals, including fertilizers, sprays, oils or poisons for pest, weed, or vegetation control or otherwise, upon the above described real estate except as approved in writing by the Grantor.

(5) The Grantee shall not itself, nor shall it permit others using the above described real estate to, enter upon or make any use whatsoever of the reservoir, the land thereunder, the water therein, or the surrounding land or facilities of the Grantor

without the written consent of the Grantor.

(6) If the Grantee violates, or causes or permits any condition to exist in violation of, any of the provisions hereof after reasonable notice, the Grantor may, in addition to its other remedies at law or in equity, enter upon the above described real estate and correct such violation or condition and recover the cost thereof from the Grantee.

(7) The Grantor shall have the right to release or modify in any manner not more burdensome to the Grantee all or any part of the covenants, restrictions, easements and servitudes hereunder without the consent of any other party. The release or modification of all or any part of the covenants, restrictions, easements and servitudes hereunder with respect to any part of the above described real estate shall not affect the validity or enforceability of any of said covenants, restrictions, easements and servitudes with respect to any other part of said real estate, and a failure to enforce the same shall not constitute a waiver thereof.

The Grantor warrants that the above described real estate is free and clear of any encumbrance made or suffered by the Grantor except easements, covenants and restrictions of record, if any, and assessments, if any, which are now a lien, and further warrants against the claims and demands of all persons claiming by, through or under the Grantor, but the Grantor makes no other warranty.

IN WITNESS WHEREOF, the undersigned, Indianapolis Water Company, Grantor, has caused this special warranty

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deed to be executed for and on its behalf by its officers thereunto duly authorized this 30th day of December, 1960.

INDIANAPOLIS WATER COMPANY

By Thomas W. Moses
Thomas W. Moses, President

ATTEST:

H. V. Starks
H. V. Starks, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Thomas W. Moses and H. V. Starks, personally known to me and know to me to be the President and Secretary, respectively, of Indianapolis Water Company, an Indiana corporation, and acknowledged the execution of the foregoing special warranty deed for and on behalf of said Indianapolis Water Company.

Witness my hand and Notarial Seal this 30th day of December, 1960.

Janet Geier
Janet Geier, Notary Public

My commission expires:
June 6, 1963

This instrument was prepared by John L. Woolling.

