

2023003937 EASE \$25.00
12/08/2023 11:43:35A 5 PGS
Mary Dorsett Kilgore
Jennings County Recorder IN
Recorded as Presented

FILED

DEC 08 2023

David J. Abel
AUDITOR JENNINGS COUNTY

PERPETUAL TRAIL EASEMENT and RIGHT OF WAY

THIS INDENTURE WITNESSETH, That **NANETTE R. CLAGHORN**, the Grantor(s) of JENNINGS County, State of INDIANA Convey(s) and Warrant(s) to the **THE TOWN OF VERNON, INDIANA**, the Grantee, for and in consideration of the sum of SEVEN HUNDRED FIFTY DOLLARS (\$750.00) (of which said sum \$750.00 represents land encumbered and improvements acquired and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, a perpetual easement and right of way in, under and upon certain Real Estate situated in the County of JENNINGS, State of Indiana, and being more particularly described in the legal description attached hereto as Page 2 of 2 of Exhibit "A" and depicted upon the Parcel Plat attached hereto as Page 1 of 2 of Exhibit "A", both of which exhibits are incorporated herein by reference, for the purpose of the construction, reconstruction, maintenance, operation and repair thereupon of a trail and appurtenances thereto, which said appurtenances may include but are not limited to, ditches and drainage facilities, slopes, rip rap, culverts, and like features necessary for the said facility.

WHEREAS the easement area herein described was acquired under the State of Indiana's Next Level Trails program. The intent of the Next Level Trails program is to preserve and develop important recreational trail resources throughout the State of Indiana for the use and enjoyment of the citizens of the State and others. Property rights acquired with these funds will be used solely for recreational trail purposes in perpetuity

This conveyance is subject to any and all easements, conditions and restrictions of record.

Grantee, its employees, agents, contractors, subcontractors and assigns shall have the right to enter in, under, over, along and upon the area of the said easement and right of way conveyed herein at will to construct, reconstruct, maintain, and continue to operate the facility and appurtenances thereon and to remove from the said area any encroaching trees or other vegetation, buildings or other obstructions to the free and unobstructed use of the said easement and right of way, and to make such alteration and improvements to the trail facility and appurtenances as the Grantee may deem necessary or useful.

Grantor(s) and their successors in title, covenant(s) and agree(s) not to erect, maintain or allow to continue within the area of the said easement and right of way any building, structure, fence, plantings or other obstruction to the Grantee's free and unobstructed use of the said facilities or appurtenances thereto without the prior express written permission of the Grantee. Such permission shall not be effective unless and until recorded.

Grantor(s) warrant(s) that they are, the owner(s) in fee simple of said Real Estate, lawfully seized thereof and have a good right to grant and convey the foregoing easement and right of way; warrant(s) the quiet use and enjoyment thereof; warrant(s) that said Real Estate is free from all encumbrances inconsistent with the Grant contained herein; and warrant(s) that they will defend Grantee's title in said easement and right of way against all claims. This easement and right of way granted herein, and its associated benefits and obligations, shall run with said Real Estate. This indenture shall bind and inure to the benefit of the successors and assigns of the Grantee.

NO SALES DISC. FORM
REQUIRED

DEC 08 2023

IN WITNESS WHEREOF, the said Grantor(s) have executed this instrument this 4th day of November 2023.

Nanette R. Claghorn (Seal) _____ (Seal)
Signature Signature

NANETTE R. CLAGHORN _____
Printed Name Printed Name

Signature (Seal) Signature (Seal)

Printed Name Printed Name

STATE OF: Indiana :

SS:

COUNTY OF Jennings :

Before me, a Notary Public in and for said State and County, personally appeared Nanette R. Claghorn, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be their voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 4th day of November 2023.

Signature Beverly Ann Stout

Printed Name Beverly Ann Stout

My Commission Number NP0722999

My Commission expires October 16, 2027

I am a resident of Morgan County.

BEVERLY ANN STOUT
NOTARY PUBLIC
SEAL
MORGAN COUNTY, STATE OF INDIANA
MY COMMISSION EXPIRES OCTOBER 16, 2027
COMMISSION NUMBER NP0722999

SEAL

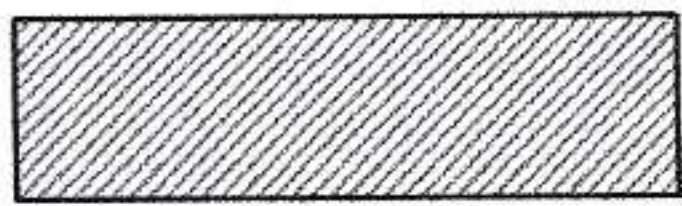
Prepared by Bradley Kage, Attorney, PO Box 328, 624 S State St, North Vernon, IN 47265

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.

Parcel: 4
 Project: Vernon Trail
 Road: n/a
 County: JENNINGS
 Section: 3
 Township: 6N
 Range: 8E

Owner: Claghorn, Robert L. & Nanette R.
 Deed Record: 143 Page: 631
 Tax Bill ID: 40-12-03-400-022.000-012
 Dated: May 18, 1988

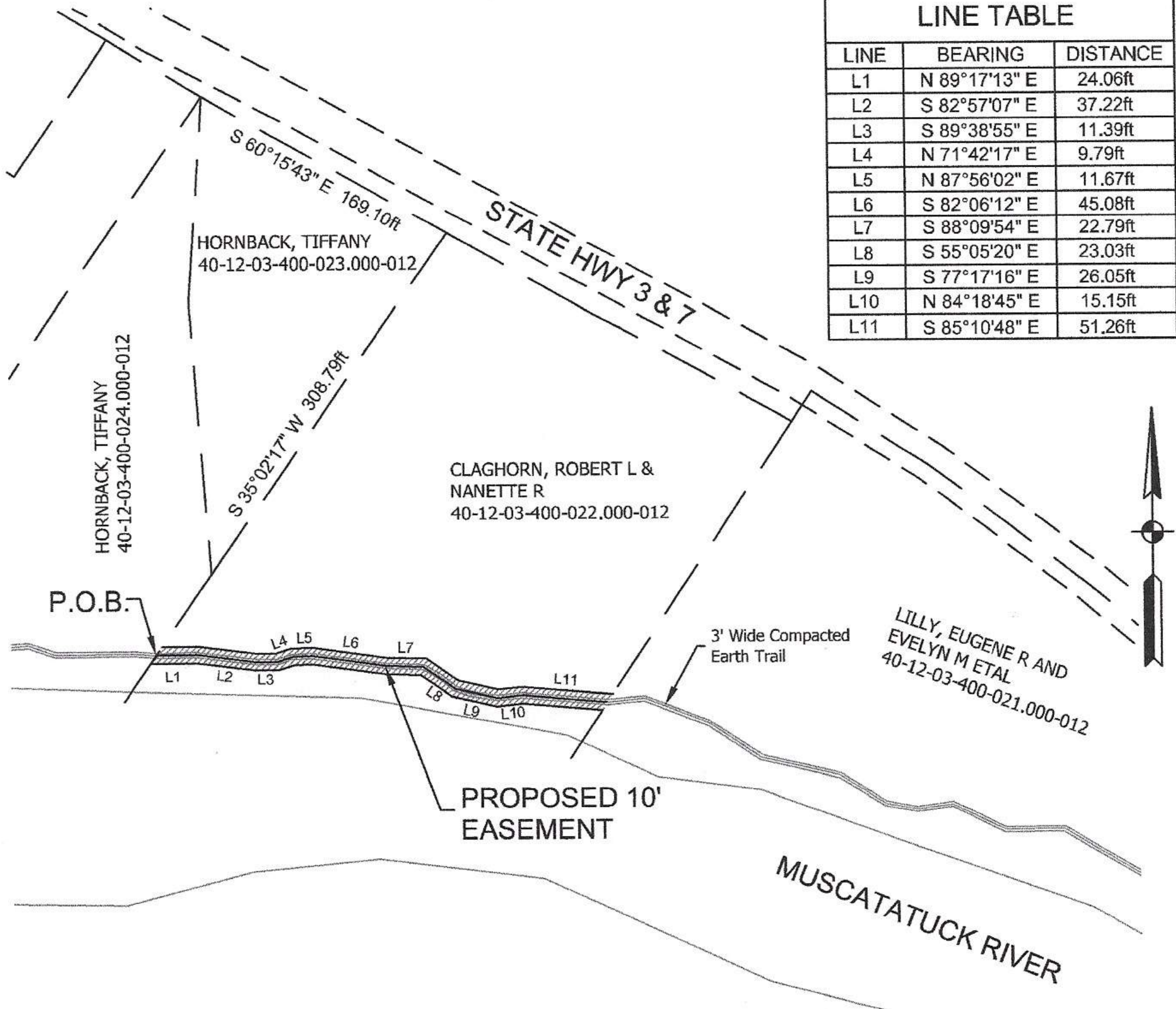
Drawn By: CRE
 Checked By: ARC
 Scale: 1" = 100'



Hatched area is the approximate acquisition.

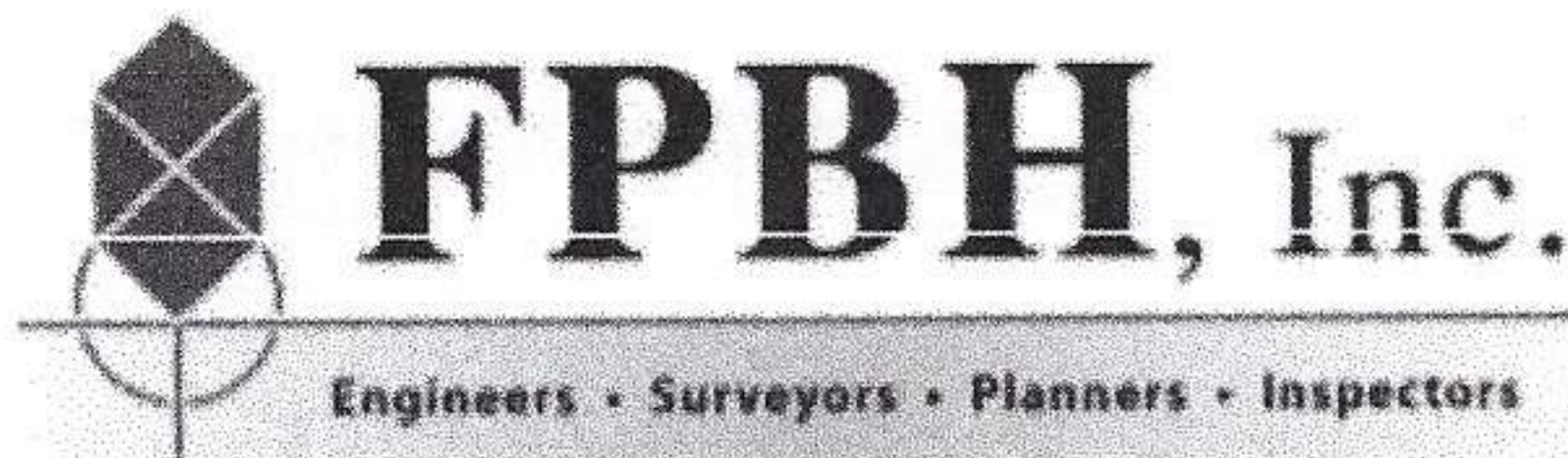
This plat was prepared from information obtained from the recorder's office and other sources which were not necessarily checked by a field survey.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°17'13" E	24.06ft
L2	S 82°57'07" E	37.22ft
L3	S 89°38'55" E	11.39ft
L4	N 71°42'17" E	9.79ft
L5	N 87°56'02" E	11.67ft
L6	S 82°06'12" E	45.08ft
L7	S 88°09'54" E	22.79ft
L8	S 55°05'20" E	23.03ft
L9	S 77°17'16" E	26.05ft
L10	N 84°18'45" E	15.15ft
L11	S 85°10'48" E	51.26ft



Prepared By:

File Number: 23-12939
 Date: JUNE 9, 2023
 Sheet: 1 of 2



72 Henry Street, PO Box 47, North Vernon, Indiana 47265
 P: (812) 346-2045 F: (812) 346-8045
 Toll Free: 1-866-ENG-FPBH

www.fpbhonline.com



EXHIBIT "A"

PARCEL NO. 4 EASEMENT

Page 2 of 2

TAX ID: 40-12-03-400-022.000-012

OWNER: CLAGHORN, ROBERT L. & NANETTE R. – Deed Record 143, Page 631

PART of the Southeast Quarter of Section 3, Township 6 North, Range 8 East, Center Township, Jennings County, Indiana, and more particularly described as follows:

COMMENCING at the Center Corner of said Section 3; thence North 90 degrees 00 minutes 00 seconds East 1020.00 feet to a point 15 feet West of the center line of State Highways 3 and 7; thence along a line 15 feet West of said centerline the following seven (7) calls: 1) South 11 degrees 00 minutes 00 seconds East 300.00 feet; 2) South 14 degrees 00 minutes 00 seconds East 194.20 feet; 3) South 25 degrees 00 minutes 00 seconds East 186.00 feet; 4) South 36 degrees 00 minutes 00 seconds East 124.50 feet; 5) South 47 degrees 30 minutes 00 seconds East 191.50 feet; 6) South 59 degrees 15 minutes 00 seconds East 150.10 feet; 7) South 60 degrees 15 minutes 43 seconds East 169.10 feet to the Northwest Corner of the Grantor's land; thence South 35 degrees 02 minutes 17 seconds West 308.79 feet along the West line of Grantor's land to the center of a trail and the POINT OF BEGINNING of this easement; thence 5.00 feet of even width on each side of the following eleven (11) calls along the center of the trail as constructed, improved and maintained: 1) North 89 degrees 17 minutes 13 seconds East 24.06 feet; 2) South 82 degrees 57 minutes 07 seconds East 37.22 feet; 3) South 89 degrees 38 minutes 55 seconds East 11.39 feet; 4) North 71 degrees 42 minutes 17 seconds East 9.79 feet; 5) North 87 degrees 56 minutes 02 seconds East 11.67 feet; 6) South 82 degrees 06 minutes 12 seconds East 45.08 feet; 7) South 88 degrees 09 minutes 54 seconds East 22.79 feet; 8) South 55 degrees 05 minutes 20 seconds East 23.03 feet; 9) South 77 degrees 17 minutes 16 seconds East 26.05 feet; 10) North 84 degrees 18 minutes 45 seconds East 15.15 feet; 11) South 85 degrees 10 minutes 48 seconds East 51.26 feet to the East line of the Grantor's land and the point of terminus of this easement, the side lines to be shortened or lengthened as needed to form a closed geometric figure.

This description was prepared for the Town of Vernon, Indiana by Charles R. Ebinger, Indiana Registered Land Surveyor, License Number 20400024, on the 9th day of June, 2023.

Charles R. Ebinger

6/9/2023



County Assessor Parcel No.: _____ State Parcel No. (optional): 40-12-03-400-022.000-012
When Recorded: Email / Mail to: jwest250@comcast.net
Mail Tax Statements to (street address): 275 N State Hwy 7, North Vernon, IN 47265

SURVIVORSHIP AFFIDAVIT

STATE OF INDIANA, COUNTY OF MARION

Nanette R. Claghorn, being first duly sworn upon oath, deposes and says:

1. That Robert L & Nanette R. Claghorn are owners of property under a duly recorded deed with an Instrument Number (or Book and Page Number) of: Deed Recorded 143 page 631.

2. That the property is commonly known as: 275 N State Hwy 7, North Vernon, IN 47265 (property address)
The legal description of said property is attached or included below:

A part of the Southeast quarter of Section 3, Township 6 North, Range 8 East in Vernon Township, Jennings County, Indiana, and being more particularly described as follows: Commencing at the northwest corner of the Southeast quarter of Section 3; thence east along the north line of the Southeast quarter of Section 3 a distance of 1036 feet to the centerline of State Road #7; thence south 07 degrees 19 minutes east along the centerline of State Road #7 a distance of 361.2 feet; thence continuing along the centerline of State Road #7 along a 7 degree 30 minutes curve to the left, a distance of 722.2 feet; thence continuing along the centerline of State Road #7 south 61 degrees 29 minutes east a distance of 224.2 feet; thence south 33 degrees 49 minutes west a distance of 30 feet to an iron pipe in the south right of way line of State Road #7, to the point of beginning; thence south 33 degrees 49 minutes west a distance of 343 feet, more or less, to the center of the Muscatatuck River; thence easterly along the center of the Muscatatuck River to a point; thence north 33 degrees 49 minutes east (parallel with the first named line and 235 feet distance from the same) a distance of 242 feet, more or less, to an iron pipe in the south right of way line of State Road #7; thence westerly with the south right of way line of State Road #7, along a 3 degree curve to the left, a distance of 140.8 feet; thence north 61 degrees 29 minutes west along the south right of way line of State Road #7 a distance of 95.2 feet to the point of beginning. Containing 1.6 acres, more or less.

3. That Robert L. Claghorn died on 11-18-2018 (date).

4. That by virtue of the decedent's death, Nanette R. Claghorn is the owner of the above described property and requests that this fact be reflected on the land and tax records of the County.

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. (IC 36-2-11-15) FORM PREPARED BY: Beverly Ann Stout (Name of individual)

Nanette R. Claghorn 11-4-2023
Affiant Signature Date
Name: Nanette R. Claghorn

STATE OF INDIANA, COUNTY OF MARION
Before me, the undersigned, a Notary Public, in and for said County and State, this 4th day of November (date) 2023
personally appeared Nanette R. Claghorn
said person being over the age of 18 years, and acknowledged the execution of the foregoing instrument.

Beverly Ann Stout
Notary Public Signature
Beverly Ann Stout
Printed Name
My commission expires: October 16, 2027

BEVERLY ANN STOUT
NOTARY PUBLIC
SEAL
MORGAN COUNTY, STATE OF INDIANA
MY COMMISSION EXPIRES OCTOBER 16, 2027
COMMISSION NUMBER NP0722999