

2023003938 EASE \$25.00
12/08/2023 11:43:35A 4 PGS
Mary Dorsett Kilgore
Jennings County Recorder IN
Recorded as Presented



FILED
DEC 08 2023
Lash J. Abel
AUDITOR JENNINGS COUNTY

PERPETUAL TRAIL EASEMENT and RIGHT OF WAY

THIS INDENTURE WITNESSETH, That **TIFFANY HORNBACK, an adult**, 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 she is, the owner(s) in fee simple of said Real Estate, lawfully seized thereof and has 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 she 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) has executed this instrument this 2nd day of December 2023.

Tiffany Hornback (Seal) _____ (Seal)
Signature Signature

TIFFANY HORNBACK _____
Printed Name Printed Name

Signature Signature (Seal) (Seal)

Printed Name Printed Name

STATE OF Indiana :
COUNTY OF Jennings : SS:

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

Witness my hand and Notarial Seal this 2nd day of December 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: 3 Owner: Hornback, Tiffany
 Project: Vernon Trail Instrument Number: 2017003563
 Road: n/a Tax Bill ID: 40-12-03-400-024.000-012
 County: JENNINGS Dated: October 31, 2017
 Section: 3
 Township: 6N
 Range: 8E

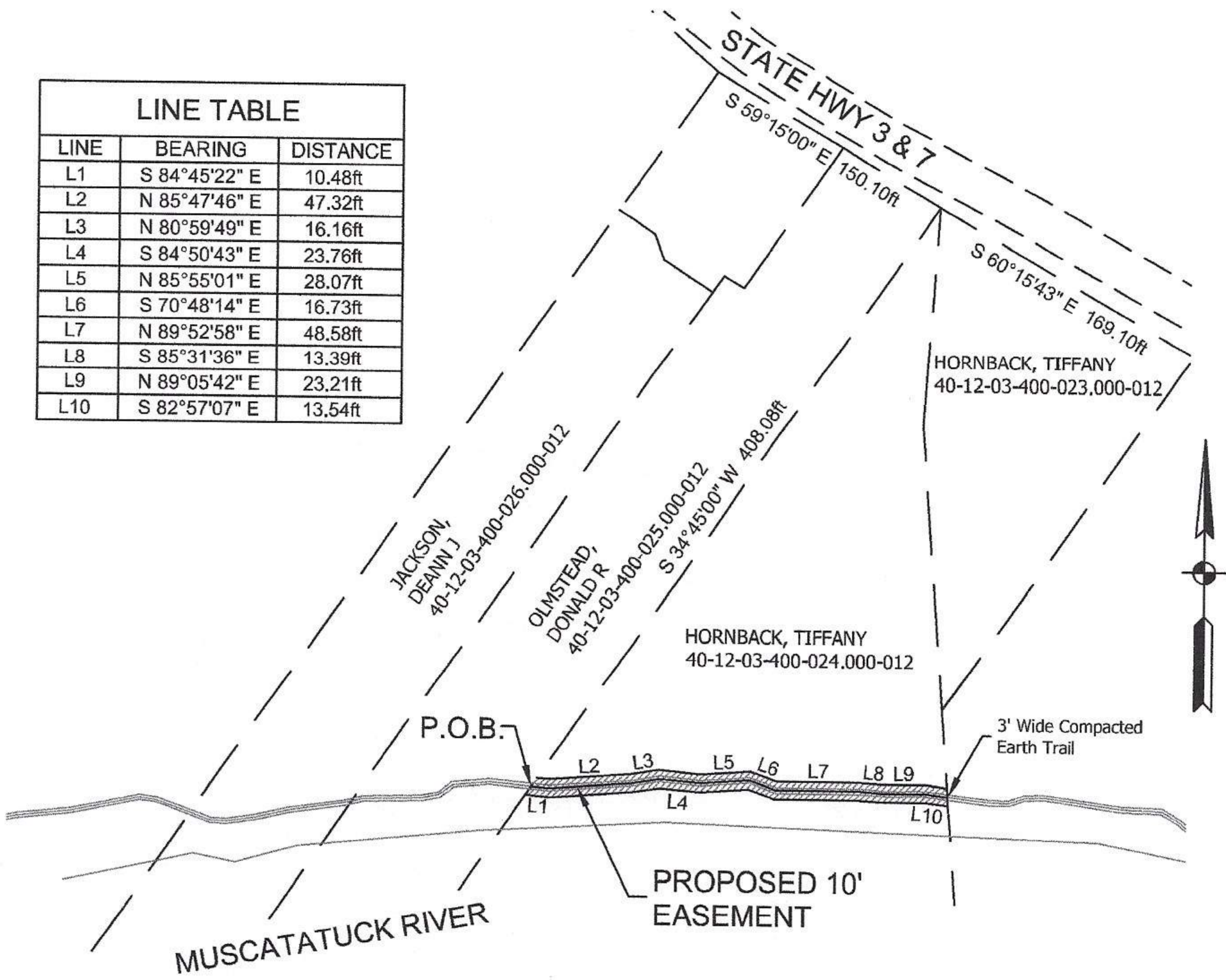
Drawn By: CRE
 Checked By: ARC
 Scale: 1" = 100'



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	S 84°45'22" E	10.48ft
L2	N 85°47'46" E	47.32ft
L3	N 80°59'49" E	16.16ft
L4	S 84°50'43" E	23.76ft
L5	N 85°55'01" E	28.07ft
L6	S 70°48'14" E	16.73ft
L7	N 89°52'58" E	48.58ft
L8	S 85°31'36" E	13.39ft
L9	N 89°05'42" E	23.21ft
L10	S 82°57'07" E	13.54ft



Prepared By:

FPBH, Inc.
 Engineers • Surveyors • Planners • Inspectors

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 Toll Free: 1-866-ENG-FPBH

www.fpbhonline.com

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



EXHIBIT "A"

PARCEL NO. 3 EASEMENT

Page 2 of 2

TAX ID: 40-12-03-400-024.000-012

OWNER: HORNBACK, TIFFANY – Instrument Number 2017003563

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 six (6) 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 to the Northwest Corner of the Grantor's land; thence South 34 degrees 45 minutes 00 seconds West 408.08 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 ten (10) calls along the center of the trail as constructed, improved and maintained: 1) South 84 degrees 45 minutes 22 seconds East 10.48 feet; 2) North 85 degrees 47 minutes 46 seconds East 47.32 feet; 3) North 80 degrees 59 minutes 49 seconds East 16.16 feet; 4) South 84 degrees 50 minutes 43 seconds East 23.76 feet; 5) North 85 degrees 55 minutes 01 seconds East 28.07 feet; 6) South 70 degrees 48 minutes 14 seconds East 16.73 feet; 7) North 89 degrees 52 minutes 58 seconds East 48.58 feet; 8) South 85 degrees 31 minutes 36 seconds East 13.39 feet; 9) North 89 degrees 05 minutes 42 seconds East 23.21 feet; 10) South 82 degrees 57 minutes 07 seconds East 13.54 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

