

West Park - East Side  
Donated 10 acres

**WARRANTY DEED**

THIS INDENTURE WITNESSETH THAT Jill Louise Perelman, Grantor, CONVEYS AND WARRANTS to Carmel-Clay Parks and Recreation Board, for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the real estate described on Exhibit B attached hereto and made a part hereof ("The Property") subject to the covenants, easements, agreements and restrictions described on Schedule H attached hereto and made a part hereof.

The Property is further conveyed subject to the following covenants, restrictions and agreements which shall run with the land in perpetuity (unless otherwise indicated), and Grantee, by acceptance of this deed, agrees for itself, its successors and assigns and any grantees or remote grantees, to be bound thereby:

1. The Property shall be used solely for park and recreational facilities and activities.
2. No roadway for the purpose of vehicular traffic shall be constructed to adjoin the Property to the adjacent school property as shown on the survey, prepared by Weihe Engineers, Inc., as job number 97-1203, dated 11/25/97.
3. For so long as Jill Louise Perelman makes her residence on any part of the Adjacent Property, as shown on Exhibit C attached hereto and made a part hereof, there shall be no swimming pool or lighting of any facilities on the Property without the consent of the Jill Louise Perelman.
4. To the extent it is reasonable to do so, the Grantee may consider input from those landowners whose property is adjacent to the Property for the planning of the facilities to be constructed on the Property.

IN WITNESS WHEREOF, the Grantor has executed this Warranty Deed this \_\_\_\_\_ day of December, 1997.

*Jill Louise Perelman*  
Jill Louise Perelman

STATE OF INDIANA    )  
COUNTY OF            )

BEFORE ME, a Notary Public, in and for said County and State, personally appeared Jill Louise Perelman who acknowledged the execution of the foregoing Trustee's Deed, and who, having been duly sworn, stated that any representations therein contained are true.

WITNESS my hand and seal this 8<sup>th</sup> day of December, 1997.

My Commission Expires: \_\_\_\_\_

*[Signature]*  
\_\_\_\_\_  
Notary Public  
Name Printed: \_\_\_\_\_  
County of Residence \_\_\_\_\_

This instrument prepared by:

Jane B. Merrill  
Attorney at Law  
3021 E. 98th Street, Suite 220  
Indianapolis, IN 46280  
(317) 844-0106



WILLIAM B. OLSEN  
MY COMMISSION EXPIRES: 6-30-00  
MY COUNTY OF RESIDENCE IS: HAMILTON

Return deed and send tax statements to:

1055 3<sup>rd</sup> Ave S.W. CARMEL 46032

**EXHIBIT B**

**TRACT NO. 3**

**Part of the West Half of the Southeast Quarter of Section 32, Township 18 North, Range 3 East of the Second Principal Meridian in Hamilton County, Indiana more particularly described as follows:**

**Commencing at the southeast corner of the Southeast Quarter of Section 32, Township 18 North, Range 3 East of the Second Principal Meridian in Hamilton County, Indiana; thence South 90 degrees 00 minutes 00 seconds West (assumed bearing) 2,659.62 feet on the south line of said Southeast Quarter to the southwest corner of said quarter section; thence North 00 degrees 29 minutes 55 seconds East 2,307.37 feet on the west line of said Southeast Quarter Section to a 5/8 inch diameter iron rebar with a yellow plastic cap marked "WEIHE ENGR. 0012" (capped rebar), said rebar marks the POINT OF BEGINNING of the herein described surveyed tract; thence North 00 degrees 29 minutes 55 seconds East 327.97 feet on said west line to the northwest corner of said Southeast Quarter Section; thence North 89 degrees 54 minutes 05 seconds East 1,328.13 feet on the north line of said Southeast Quarter to the northeast corner of the West Half thereof; thence South 00 degrees 27 minutes 42 seconds West 327.97 feet on the east line of the West Half of said Southeast Quarter to a capped rebar; thence South 89 degrees 54 minutes 05 seconds West 1328.34 feet, parallel with the north line of said Southeast Quarter, to the POINT OF BEGINNING of the herein described tract, said tract contains 10.000 acres more or less.**

**Subject to all easements, rights-of-way, covenants, and restrictions of record.**

## EXHIBIT C

### Adjacent Property

#### LEGAL DESCRIPTION #1

A part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 18 North, Range 3 East in Hamilton County, Indiana, more particularly described as follows: Beginning on the south line of said quarter-quarter section North 89 degrees 34 minutes 15 seconds East 308.13 feet from the southwest corner of said quarter-quarter section; thence North 0 degrees 25 minutes 45 seconds West 1288.00 feet; thence South 89 degrees 34 minutes 15 seconds West 300.64 feet parallel to the south line of said quarter-quarter section to the west line of said quarter-quarter section; thence North 0 degrees 05 minutes 45 seconds West 29.91 feet along the west line of said quarter-quarter section to the north line of said quarter-quarter section; thence North 89 degrees 31 minutes 15 seconds East 1327.35 feet along the north line of said quarter-quarter section to the east line of said quarter-quarter section; thence South 0 degrees 06 minutes 45 seconds West 31.07 feet along the east line of said quarter-quarter section; thence South 89 degrees 34 minutes 15 seconds West 614.86 feet parallel to the south line of said quarter-quarter section; thence South 0 degrees 25 minutes 45 seconds East 1288.0 feet to the south line of said quarter-quarter section; thence South 89 degrees 34 minutes 15 seconds West 411.74 feet along the south line of said quarter-quarter section to the point of beginning and containing 13.104 acres, more or less.

#### LEGAL DESCRIPTION #2

A part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 18 North, Range 3 East in Hamilton County, Indiana, described as follows: Beginning on the south line of said quarter-quarter section North 89 degrees 34 minutes 15 seconds East 719.87 feet from the southwest corner of said quarter-quarter section; thence North 0 degrees 25 minutes 45 seconds West 1288.00 feet; thence North 89 degrees 34 minutes 15 seconds East 338.20 feet parallel to the south line of said quarter-quarter section; thence South 0 degrees 25 minutes 45 seconds East 1288.00 feet to the south line of said quarter-quarter section; thence South 89 degrees 34 minutes 15 seconds West 338.20 feet along the south line of said quarter-quarter section to the point of beginning and containing 10.000 acres, more or less.

#### LEGAL DESCRIPTION #3

A part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 18 North, Range 3 East in Hamilton County, Indiana, described as follows: Beginning at the southwest corner of said quarter-quarter section; thence North 0 degrees 05 minutes 45 seconds West 1269.02 feet along the west line of said quarter-quarter section; thence North 89 degrees 34 minutes 15 seconds East 300.64 feet parallel to the south line of said quarter-quarter section; thence South 0 degrees 25 minutes 45 seconds East 1288.00 feet to the south line of said quarter-quarter section; thence South 89 degrees 34 minutes 15 seconds West 308.13 feet along the south line of said quarter-quarter section to the point of beginning and containing 9.000 acres, more or less.

ALSO: A part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 18 North, Range 3 East in Hamilton County, Indiana, described as follows: Beginning at the southeast corner of said quarter-quarter section; thence South 89 degrees 34 minutes 15 seconds West 264.48 feet along the south line of said quarter-quarter section; thence North 0 degrees 25 minutes 45 seconds West 1288.00 feet; thence North 89 degrees 34 minutes 15 seconds East 276.66 feet parallel to the South line of said quarter-quarter section to the east line of said quarter-quarter section; thence South 0 degrees 06 minutes 45 seconds West 1288.06 feet along the east line of said quarter-quarter section to the point of beginning and containing 8.000 acres, more or less.

Subject to an Electric Line Easement granted to Indianapolis Power and Light Company affecting a strip of land 10 feet in width located in the Southeast Quarter of the Southwest Quarter of Section 32, Township 18 North, Range 3 East in Hamilton County, Indiana, the centerline of said strip being described as follows: Beginning at a point on the south line of said quarter-quarter Section North 89 degrees 34 minutes 15 seconds east a distance of 308.13 feet from the Southwest corner of said Quarter Quarter Section thence North 00 degrees 25 minutes 45 seconds West, a distance of 500 feet and there terminating, as recorded in Deed Record 264, page 605 as Instrument Number 1305.

## SCHEDULE H

1. Annual assessment of \$10.00 for repair and maintenance of J.W. Brendel Legal Drain, assessed under Duplicate No. 12575. Installment due 1997 is paid.

2. Possible municipal assessments, sewer use charges, and/or impact fees levied by Clay Township Regional Waste District.

3. Possible easements for drainage ditches and tile drains.

~~4. Easement for pipeline and incidental purposes in favor of Indiana Gas Transmission Corporation recorded October 25, 1935 in Miscellaneous Record 32, page 224, amended by Amendment of Agreement recorded January 12, 1984 in Miscellaneous Record 177, page 186.~~

