

COPY

WARRANTY DEED

THIS INDENTURE WITNESSETH, that Jill Louise Perelman ("Grantor") of Hamilton County, Indiana, conveys and warrants to Carmel/Clay Board of Parks and Recreation, ("Grantee") for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the real estate located in Carmel, Indiana described in Exhibit "A" attached hereto and made a part hereof, together with all improvements and appurtenances thereon (the "Real Estate") subject to the covenants, easements, agreements and restrictions described in Schedule B attached hereto and made a part hereof.

The Real Estate is further conveyed subject to the following covenants, restrictions and agreements which shall run with the land in perpetuity, 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 development of the Real Estate for residential and/or commercial development is prohibited.
- 2. The Real Estate shall be used solely for park and recreational facilities and activities.

IN WITNESS WHEREOF, the Grantor has executed this Warranty Deed this 16 day of September, 2005.

Jill Louise Perelman
Jill Louise Perelman

STATE OF MONTANA)
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 Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.



LORNA STANDIFER
NOTARY PUBLIC-MONTANA
Residing at Missoula, Montana

Lorna Standifer
Notary Public

This instrument prepared by Jane B. Merrill, Attorney at Law, 3105 E. 93th Street, Suite 170, Indianapolis, IN 46280.

Return deed and send tax statements to Carmel/Clay Board of Parks and Recreation, 760 Third Avenue, SW, Suite 100, Carmel, IN 46032.

SCHEDULE A

LEGAL DESCRIPTION 5.00 Acre Parcel

A part of the Southwest Quarter of Section 32, Township 18 North, Range 3 East of the Second Principal Meridian in Clay Township, Hamilton County, Indiana being more particularly described as follows:

BEGINNING at the southeast corner of the Southwest Quarter of Section 32, Township 18 North, Range 3 East of the Second Principal Meridian in Clay Township, Hamilton County, Indiana; thence South 89 degrees 34 minutes 15 seconds West (basis of bearing Instrument #94-13908) 169.00 feet on the south line of said quarter section; thence North 00 degrees 00 minutes 39 seconds East 1,288.04 feet to a point on the north line of that 8.00 acre tract (Parcel #3B) described in record Instrument #94-13908 and recorded in the Office of the Hamilton County Recorder; thence North 89 degrees 34 minutes 15 seconds East 169.00 feet on the north line of said 8.00 acre tract to a point on the east line of the Southwest Quarter of said Section 32; thence South 00 degrees 00 minutes 39 seconds West 1,288.04 feet on the east line of said quarter section to the **POINT OF BEGINNING**, said tract contains 5.00 acres more or less.

SCHEDULE B

1. Annual assessment of \$5.00 for each parcel for repair and maintenance of the J. W. Brendel Legal Drain.
2. Possible municipal assessments, sewer use charges, and/or impact fees levied by the City of Carmel.
3. Easements for drainage ditches and tile drains.
4. Dedication of Public Right-of-Way in favor of Hamilton County Board of Commissioners dated July 12, 2000, and recorded August 1, 2000, as Instrument 200000037414.