

West Park - East Side
65 acres

TRUSTEE'S DEED

THIS INDENTURE WITNESSETH THAT Anne Hensley Poindexter, Special Trustee of the Jill L. Perelman Charitable Remainder Trust No. 2, 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, described on Exhibit A attached hereto and made a part hereof ("The Property") subject to the covenants, easements, agreements and restrictions described on Schedule G 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 Trustee's Deed this 28 day of December, 1997.

Anne Hensley Poindexter
Anne Hensley Poindexter, Special Trustee of the
Jill L. Perelman Charitable Remainder Trust
No. 2

STATE OF INDIANA)
COUNTY OF)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared Anne Hensley Poindexter, Special Trustee of the Jill L. Perelman Charitable Remainder Trust No. 2, 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 28 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:

EXHIBIT A

Perelman Property

TRACT NO. 2

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) 1,329.81 feet on the south line of said Southeast Quarter to the southeast corner of the West Half of said Southeast Quarter; thence South 90 degrees 00 minutes 00 seconds West 342.44 feet on the south line of said Southeast Quarter Section to the POINT OF BEGINNING of the herein described surveyed tract; thence South 90 degrees 00 minutes 00 seconds West 987.36 feet on the south line of said Southeast Quarter to the southwest corner thereof; thence North 00 degrees 29 minutes 55 seconds East 2,307.37 feet to a 5/8 inch diameter iron rebar with a yellow plastic cap marked "WEIHE ENGR. 0012" (capped rebar); thence North 89 degrees 54 minutes 05 seconds East 1,328.34 feet, parallel with the north line of said Southeast Quarter Section to a capped rebar on the east line of the West Half of said Southeast Quarter; thence South 00 degrees 27 minutes 42 seconds West 1,672.34 feet on said east line to a capped rebar; thence South 90 degrees 00 minutes 00 seconds West 342.44 feet to a capped rebar; thence South 00 degrees 27 minutes 42 seconds West 637.30 feet, parallel with the east line of the West Half of said Southeast Quarter, to the POINT OF BEGINNING of the herein described tract, said tract contains 65.423 acres more or less.

Subject to the right-of-way for 116th Street along the south side of the real estate.

Subject to an easement for a gas line and incidental purposes in favor of Indiana Gas Company, Inc. recorded June 17, 1985 in Easement Record 2, page 922.

Subject to all other 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 85 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 1289.02 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 G

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. Right of way for 116th Street along the south side of subject real estate.
5. Easement for gas line and incidental purposes in favor of Indiana Gas Company, Inc. recorded June 17, 1985 in Easement Record 2, page 922.
6. Terms and conditions of the trust and any limitation upon the powers of the trustee of the trust under which the title is held.