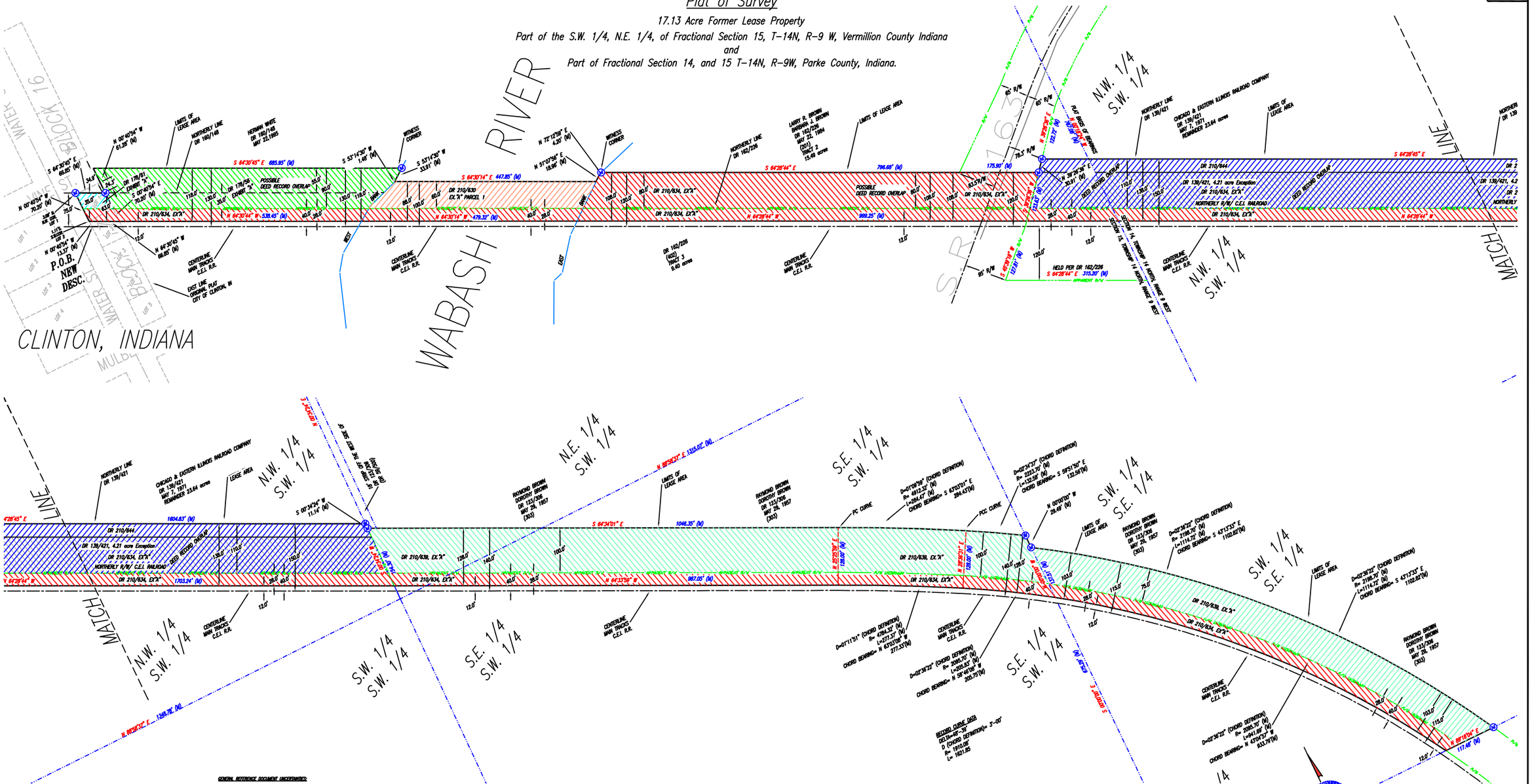
Plat of Survey

17.13 Acre Former Lease Property

Part of the S.W. 1/4, N.E. 1/4, of Fractional Section 15, T-14N, R-9 W, Vermillion County Indiana

and

Part of Fractional Section 14, and 15 T-14N, R-9W, Parke County, Indiana.



SURVEYOR'S REPORT

In accordance with 865 Indiana Administrative Code 1-12, the following information is presented concerning evidence used to establish this survey because of the following:

a) availability and condition of reference monuments;
b) occupation or possession lines;
c) clarity or ambiguity of the record description used and/or adjoiner's descriptions; and/ Sec
d) the theoretical uncertainty of the measurements

The theoretical uncertainty of the lines and corners established on this survey is within the specifications for a CLASS "B" SURVEY as defined in 865 IAC 1-12.

Survey to establish the 17.16 acre tract of land in Parke, and Vermillion Counties, State of Indiana, described and/or plotted in the reference documents listed below, and provide a NEW description to more accurately describe said tract, and reduce the ambiguities contained in said reference documents.

REFERENCE DOCUMENTS:

1) (Instrument No. 200300872) Deed Record 210, page 630, Exhibit "A", Parcel 2, recorded Feb., 19, 2003 of the Parke County Recorder's Office, the same being (Instrument No. 200300665) Deed Record 178, page 52, Exhibit "A", Parcel 2, recorded Feb., 26, 2003 of the Vermillion County Recorder's Office.
2) (Instrument No. 200300667) Deed Record 178, page 56; Exhibit "A", recorded Feb. 26, 2003 of the Vermillion County Recorder's Office.
3) (Instrument No. 200300668) Deed Record 178, page 61; Exhibit "A", recorded Feb. 26, 2003 of the Vermillion County Recorder's Office.
4) (Instrument No. 200300875) Deed Record 210, page 634; Exhibit "A", recorded Feb. 19, 2003 of the Parke County Recorder's Office.
5) (Instrument No. 200300874) Deed Record 210, page 639; Exhibit "A", recorded Feb. 19, 2003 of the Parke County Recorder's Office.
6) (Instrument No. 200300875) Deed Record 210, page 644; Exhibit "A", recorded Feb. 19, 2003 of the Parke County Recorder's Office.
7) Title Commitment Policy Number ATS-0869932, Case No. VP-02-162, Schedule "A", dated Feb. 26, 2003, by Lawyers Title Insurance Corporation, National Headquarters, Richmond, Virginia.
8) Plat of "CSX REAL PROPERTY-LEASE AREA", State Mutual Life Insurance Company of America to C.E. & L. R.R., Drawing No.: R03958, Date: Dec. 18, 2002. (Provided by Client)
9) Right-of-way and Track Map, Chicago and Eastern Illinois R.R., sheet 9 of V-35, survey Station 7553+53.2 to 7764+73.2, June 30, 1916.
10) Indiana State Highway 163 Plan and Profile, 63-4-3057, W.B.G.H. 305 C, Bridge Contract 15, March 7, 1936.
11) Parke County Legal Survey Index Book 1, page 87, 91,and Parke County Surveyor Township Stone Records Book for Section 14, T-14N, R-9W, pages 346-348, and 386-388, dating from 1873 to 1903.

GENERAL REFERENCE DOCUMENT UNCERTAINTIES:

The Reference Documents (1) Parcel 2, (7), and (8), separately describe and/or plot the "original" 17.16 acre Lease property. The lease consists of seven (7) portions, all having a South line off-set 12.0 feet perpendicular North of the centerline of the tracks, said portions being of variable widths, off-set perpendicular North (parallel) from said South line, the limits of which are as listed below as Controlling Elements of Survey:

The Reference Documents (1), (2), (3), (4), (5), and (6), are the current Deeds of Record, and describe the same 17.16 acre Tract, consisting of seven (7) descriptions, many of which overlap.

UNCERTAINTY PER REFERENCE DOCUMENT (R.D.):

R.D. (1) Parcel 1 is in overlap with Parcel 2.
Parcel 2 is the original lease description, same as R.D. (7), (8).
R.D. (2) Exhibit "A" is in overlap with R.D. (1) Parcel 2, R.D. (7), (8).
R.D. (3) Exhibit "A" is in overlap with R.D. (1) Parcel 2, R.D. (7), (8).
R.D. (4) Exhibit "A" is in overlap with R.D. (1) Parcel 2, and R.D. (6), (7), (8).
R.D. (5) Exhibit "A" is in overlap with R.D. (1) Parcel 2, R.D. (7), (8), and contains apparent deed record blunders with reference to quarter (1/4) section lines.
R.D. (6) Exhibit "A" is in overlap with R.D. (1) Parcel 2, and R.D. (4), (7), (8).
R.D. (7) Schedule "A" is the original Lease description, same as R.D. (1) Parcel 2, and R.D. (8).
R.D. (8) Plat depicts the original Lease description, same as R.D. (1) Parcel 2, and R.D. (7).

UNCERTAINTY AMONG ADJOINING PROPERTIES:

1) Possible overlap of 55 feet between the Lease Property and Deed Record 140, page 149, Herman White, May 22, 1965.
2) Possible overlap of 80 feet between the Lease Property and Deed Record 162, page 226, Tract 2, 15.49 acres, Larry R. Brown, and Barbara J. Brown, May 22, 1984.

CONTROLLING ELEMENTS OF SURVEY:

1) Centerline of the existing tracks of the CSX Railroad formerly the C.E. & I. Railroad.
2) East right-of-way line of Water Street in Clinton, Indiana.
3) East line of the Original Plat, of the Town of Clinton, Indiana.
4) West Bank of the Wabash River.
5) East Bank of the Wabash River.
6) Easterly right-of-way line of Indiana State Road 163.
7) West line of the Southwest quarter (1/4), of the Southwest quarter (1/4) of Section 14, Township 14 North, Range 9 West, Parke County, Indiana.
8) Center of the Southwest quarter (1/4) of Section 14, Township 14 North, Range 9 West, Parke County, Indiana.
9) East line of the Southwest quarter (1/4), of the Southwest quarter (1/4) of Section 14, Township 14 North, Range 9 West, Parke County, Indiana.
10) South line of Section 14, Township 14 North, Range 9 West, Parke County, Indiana.

OCCUPATION / POSSESSION LINE UNCERTAINTIES:

1) There are no fence lines along the apparent right-of-way lines of the CSX Railroad.
2) The existing tracks produce a compound curve, which is of variance with the Record Curve as shown on the Right-of-way and Track Map, Chicago and Eastern Illinois R.R., sheet 9 of V-35, survey Station 7553+53.2 to 7764+73.2, June 30, 1916, by as much as 3.5 feet more or less.
3) There is as much as 4.5 feet of (East-West) uncertainty in location of Water Street due to existing Street pavement, where existing board monuments at Lot corners.
4) There is no evidence of occupation / possession along the Lot lines of Lot 1, Block 17, of the Original City of Clinton, or of Vine Street lines vacated.
5) The West and East Bank of the Wabash River, do not represent the "original" river banks as called in various Deeds of Record.
6) There is as much as 20 feet (East-West) uncertainty in the apparent occupation/possession (crop lines, and county roads) along the section lines and quarter section lines.

FOUND REFERENCE MONUMENT UNCERTAINTIES:

1) Found monuments in the Original City of Clinton produce as much as 0.6 feet of (East-West), and 0.3 feet (North-South) uncertainty in the location of Water Street, and Vine Street.
2) Found Stones were recovered at the Southeast, and Southwest corners of Section 14, T-14N, R-9W, and are believed to be the corner designations of "L", and "M" as shown in Parke County Legal Survey Index Book 1, page 87, 91,and Parke County Surveyor Township Stone Records Book for Section 14, T-14N, R-9W, pages 346-348, and 386-388.

The quarter section line distance of the Southwest quarter of Section 14, T-14N, R-9W, were calculated as bi-sections of the South line of said Section 14.
Larry R. Brown, and Barbara J. Brown, May 22, 1984.

The existing right-of-way occupation of State Highway 163 and Parke County Road 750 West was used to determine the location of the Northwest corner of the Northwest corner of said Southwest quarter Section 14.
The West line of said Southwest quarter Section 14 was determined per Deed Record 162, page 226, recorded May, 22 1984 Parke County Indiana Recorder's Office, 315.20 feet along the South right-of-way line of the C.E.I. Railroad, from the East right-of-way line of State Highway 163, to the East line of Section 15, also being the West line of said Southwest quarter Section 14.
The East line of the Southwest quarter of Section 14 was determined by a best-fit bearing from the Southeast corner of said Southwest quarter Section 14. This produces as much as 20 feet of (East-West) uncertainty in said corner.

Basis of bearings is assumed North 00 degrees 18 minutes 24 seconds West, the West line of Section 14, T-14N, R-9W, also being the East line of Section 15, T-14N, R-9W, Parke County, Indiana.

Evidence of easements has not been located in the field and is not shown on this survey plat.

This certification does not take into consideration additional facts that an accurate and correct title search and/or examination might disclose.

NEW DESCRIPTION:

Part of the Southwest quarter (1/4), of the Northwest quarter (1/4), of Fractional Section 15, Township 14 North, Range 9 West, Vermillion County Indiana,
And a Part of Fractional Section 14, and 15, Township 14 North, Range 9 West, Parke County, Indiana, described as follows:

Commencing at the intersection of the East right-of-way line of Water Street, of the Original City of Clinton Indiana, with the centerline of the main track of the CSX Railroad formerly (Chicago and Eastern Railroad); thence North 00 Degrees 40 Minutes 54 Seconds West, bearing is assumed and is the basis of bearings of this description, along said East line of Water Street, a distance of 13.37 feet to a point being the POINT OF BEGINNING of this description; thence continuing said course a distance of 70.20 feet to a point seventy-five (75) feet perpendicular Northwest of said main track, also being 3.08 feet North of the Northwest corner of Lot 1 of said Block 17; thence South 64 Degrees 30 Minutes 45 Seconds East, parallel with and seventy-five (75) feet perpendicular Northwest of said main track, a distance of 66.85 feet to the East line of said Lot 1, also being the East line of the Original Plat of the City of Clinton; thence North 00 Degrees 40 Minutes 54 Seconds West, along said East line, distance of 36.33 feet to the Northeast corner of said Lot 1; thence continuing said course a distance of 34.65 feet to a point one-hundred and thirty (130) feet perpendicular Northwest of said main track; thence South 64 Degrees 30 Minutes 45 Seconds East, parallel with and one-hundred and thirty (130) feet perpendicular Northwest of said main track, a distance of 685.95 feet to the West Bank of the Wabash River; thence South 53 Degrees 14 Minutes 30 Seconds West, along said West Bank, a distance of 33.91 feet to a point one-hundred (100) feet perpendicular Northwest of said main track; thence South 64 Degrees 30 Minutes 14 Seconds East, parallel with and One-hundred (100) feet perpendicular Northwest of said main track, a distance of 447.85 feet to the East Bank of the Wabash River; thence Northwest along said East bank the following two (2) courses; North 51 Degrees 07 Minutes 56 Seconds East, a distance of 18.96 feet; thence North 72 Degrees 12 Minutes 59 Seconds East, a distance of 4.20 feet to a point one-hundred and twenty (120) feet perpendicular Northwest of said main track; thence South 64 Degrees 28 Minutes 44 Seconds East, parallel with and one-hundred and twenty (120) feet perpendicular Northwest of said main track, a distance of 796.66 feet to the West right-of-way line of Indiana State Highway Number one-hundred and sixty-three (163); thence continuing said course a distance of 175.90 feet to the East right-of-way line of said Highway 163; thence North 39 Degrees 36 Minutes 36 Seconds East, along said East line, a distance of 30.91 feet to a point one-hundred and fifty (150) feet perpendicular Northwest of said main track; thence South 64 Degrees 28 Minutes 43 Seconds East, parallel with and one-hundred and fifty (150) feet perpendicular Northwest of said main track, a distance of 1604.83 feet to the East line of the Northwest quarter of the Southwest quarter of Section 14, Township 14 North, Range 9 West; thence South 00 Degrees 34 Minutes 24 Seconds West, along said East line a distance of 11.14 feet to a point one-hundred and forty (140) feet perpendicular Northwest of said main track; thence, parallel with and one-hundred and forty (140) feet perpendicular Northwest of said main track the following three (3) courses; (1) South 64 Degrees 34 Minutes 01 Seconds East, a distance of 1046.35 feet to the point of curvature of a non-tangent curve, having a 01 Degree 09 Minute 59 Second (Chord Definition) Degree of Curve, a radius of 4912.32 feet, and a chord bearing South 63 Degrees 03 Minutes 01 Seconds East, a distance of 294.43 feet; (2) thence southeasterly along said curve, a distance of 294.47 feet to the point of curvature of a non-tangent curve, having a 02 Degree 34 Minute 37 Second (Chord Definition) Degree of Curve, a radius of 2223.70 feet, and a chord bearing South 59 Degrees 51 Minutes 00 Seconds East a distance of 132.56 feet; (3) thence southeasterly along said curve, a distance of 132.58 feet to the East line of the Southeast quarter of the Southwest quarter of said Section 14; thence South 00 Degrees 00 Minutes 00 Seconds East, along said East line a distance of 28.49 feet to a point 115 feet perpendicular Northeast of said main track, and the point of curvature of a non-tangent curve, having 02 Degree 36 Minute 22 Second (Chord Definition) Degree of Curve, a radius of 2198.70 feet, and a chord bearing South 43 Degrees 13 Minutes 33 Seconds East, a distance of 1102.82 feet; thence southeasterly along said curve, a distance of 1114.72 feet to the South line of the Southwest quarter of Said Section 14; thence South 89 Degrees 18 Minutes 04 Seconds West, along said South line a distance of 117.46 feet to a point twelve (12) feet perpendicular Northeast of said main track and the point of curvature of a non-tangent curve, having a 02 Degree 36 Minute 22 Second (Chord Definition) Degree of Curve, a radius of 2085.70 feet, and a chord bearing North 43 Degrees 04 Minutes 57 Seconds West, a distance of 933.79 feet; thence Northwesterly parallel with and twelve (12) feet perpendicular Northeast of said main tracks the following nine (9) courses;
(1) Northwesterly along said curve, a distance of 941.69 feet to the East line of the Southeast quarter of the Southwest quarter of said Section 14;
(2) Northwesterly along said curve, a distance of 300.83 feet to the point of curvature of a non-tangent curve, having a 01 Degree 11 Minute 51 Second (Chord Definition) Degree of Curve, a radius of 4784.32 feet, and a chord bearing North 63 Degrees 03 Minutes 09 Seconds West, a distance of 277.33 feet
(3) Northwesterly along said curve, a distance of 277.37 feet;
(4) North 64 Degrees 33 Minutes 59 Seconds West, a distance of 887.05 feet to the East line of the Northwest quarter of the Southwest quarter of said Section 14;
(5) North 64 Degrees 28 Minutes 44 Seconds West, a distance of 1703.24 feet to the East right-of-way line of said Highway 163;
(6) North 64 Degrees 28 Minutes 44 Seconds West, a distance of 898.25 feet to the East Bank of the Wabash River;
(7) North 64 Degrees 30 Minutes 14 Seconds West, a distance of 479.32 feet to the West Bank of the Wabash River;
(8) North 64 Degrees 30 Minutes 44 Seconds West, a distance of 538.45 feet to the East line of the Original Plat of the City of Clinton;
(9) North 64 Degrees 30 Minutes 45 Seconds West, a distance of 66.85 feet to the POINT OF BEGINNING; said described tract containing 17.1 Acres, more or less.

SIGNED AND SEALED HARD COPY IS THE INSTRUMENT OF SERVICE. THIS DRAWING MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF MYERS ENGINEERING, INC.

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DATE	NO.	REVISIONS	BY	CHECKED

Plat of Survey
17.13 Acre Former Lease Property

CLIENT: CSX REAL PROPERTY, INC.
301 West Bay St. Suite 800, S/C J915
Jacksonville, FL 32202-5184

RECORD OWNER: SAME

DRAWN BY:	MAV	DATE:	5/02/2003
CHECKED BY:	JDM	PROJECT NUMBER:	TM03-186
APPROVED BY:	JDM	DRAWING NAME:	PLAT 24x36
SCALE:	1" = 100'	FILENAME:	TM03-186.DWG

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